

# MINUTES

## Cherokee County Board of Commissioners

October 18, 2011      REGULAR MEETING    CHEROKEE HALL    6:00 P.M.

### INVOCATION

Mr. Lynn Eynon of Woodstock Christian Church gave the invocation.

### CALL TO ORDER

### CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting to order at 6:02 p.m. Those present include Commissioner Harry B. Johnston; Vice Chair/Commissioner Jim Hubbard; Commissioner Karen Bosch; Commissioner Jason Nelms; County Manager Jerry Cooper; County Attorney Angie Davis; County Clerk Christy Black. Also present were Agency Directors/Department Heads; the media; and the public.

### PLEDGE OF ALLEGIANCE

*"Veterans of U.S. military service may proudly salute the flag while not in uniform based on a change in the governing law on 25 July 2007"*

### AMENDMENTS TO AGENDA

1. Remove Presentation from FBI; 2. Add proclamation for National Community Planning Month; 3. Add announcement of Health Department Flu Shot Clinic; Three items Under Chairman's portion: 4. Update on Transportation Referendum 2012; 5. Announcement of ARC Executive Director Candidate; 6. Announcement of early voting that started on Monday, October 17.

Commissioner Bosch made a motion to approve the amendments; Commissioner Hubbard seconded and the motion was unanimously approved.

### PROCLAMATION

Proclaiming October 29, 2011 as DUI / Drug Court day in honor of the contributions made and profound results in reducing drug usage and crime.

Chairman Ahrens read the proclamation and presented it to Judge Gober. Also present were Lynn Epps, David Cannon, Jr., Dee Morris and Don Stevens.

AMENDED: Proclaiming October as National Community Planning Month.

Chairman Ahrens read the proclamation and presented it to Jeff Watkins.

### ANNOUNCEMENTS

1. The outdoor Burn Ban is lifted until May 2012. Must obtain daily burn permit. For more information, call 1-800-GA TREES.
2. AMENDED: CHEROKEE COUNTY HEALTH DEPARTMENT STAFF WILL CONDUCT A FLU SHOT CLINIC ON WEDNESDAY, OCTOBER 19TH FROM 12 TO 3 PM AT CHEROKEE RECREATION AND PARKS AGENCY AT 7545 NORTH MAIN STREET IN WOODSTOCK. REGULAR FLU VACCINE WILL BE OFFERED FOR \$20 AND HIGH DOSE FLU VACCINE WILL BE OFFERED TO PEOPLE AGE 65 AND OLDER FOR \$52. CALL FOR MORE INFORMATION AT (770) 345-7371.
3. Old Mill Road between SR20 and Arbor Hill Road will be closed to through traffic for reconstruction from Monday 10/10/11 at 8am - Friday 10/21/11 at 5pm.  
RESIDENTS ONLY WILL BE ALLOWED IN CONSTRUCTION AREA  
There will be a posted detour. Questions regarding the road closure should be directed to the Roads & Bridges Department at 770-345-5842.
4. Cherokee Friends of Recovery is hosting their 2<sup>nd</sup> annual 5K fun run (Twilight Run F.O.R. Cherokee) at Hobgood Park on Saturday, October 29 at 8:00 p.m. The event is to promote public awareness of the DUI/Drug Treatment Court which helps rehabilitate habitual drunk drivers. Proceeds to benefit Cherokee Friends of Recovery Foundation, Inc.
5. The Georgia Department of Transportation announces that Water Tank Road will be closed to through traffic at the western intersection with SR 20 from September 5 to October 26, 2011, for intersection reconstruction and realignment associated with the SR 20 improvement project. Questions regarding the detour should be directed to the Georgia Department of Transportation at 770-387-3680.
6. **Electronics Recycling Day is coming!** On Saturday, October 29, 2011 from 9 a.m. to 1 p.m. at the Cherokee County Administration Building located at 1130 Bluffs Parkway. This event is made possible by Cherokee County, RecycleTronics, and Waste Management. For more information, please call (404) 394-9601.

**APPROVAL OF WORK SESSION MINUTES FROM October 4, 2011.**

Commissioner Johnston made a motion to approve the minutes; Commissioner Hubbard seconded and the motion was approved unanimously.

**APPROVAL OF REGULAR MEETING MINUTES FROM October 4, 2011.**

Commissioner Bosch made a motion to approve the minutes; Commissioner Nelms seconded and the motion was approved unanimously.

## **PUBLIC COMMENT**

1. Carolyn Cosby of Ball Ground, Chairman of the Citizen's Committee, read a presentation by the committee to the Board and encouraged public input to weigh in on the recommendations made by the committee. She said the county was being hurt by the incremental tax increases and that they wanted to see some maintenance projects completed before using funds for projects like pools and parks.

2. Tate Bradford of Hickory Flat spoke about the Aquatics Center project. He said he attended the October 4 meeting and left confused on the subject of the Aquatic Center. He referenced Conrad Quagliaroli's comment that he had no idea of the number of visitors expected at the Aquatic Center. He said that he had concerns about Commissioner Bosch's comment to Mr. Quagliaroli that Blankets Creek received 10,000 visitors a month. He said that he visited Blankets Creek on October 10, 14 and 18 and there was no pool there and that there were no more than 27 cars there each time and that nearly half of them were from other counties. Mr. Tate commented also that the YMCA's swimming facility participation was down by 35% due to the economy. Chairman Ahrens added that it could also be due to their fees. Mr. Bradford said he didn't ask what the fees were when he visited the facility. Mr. Bradford also added that he thought it was wrong that the county would be taking business away from a Christian organization. He asked for clarification of Commissioner Bosch's comment on how many visitors Blankets Creek receives a month. Commissioner Bosch clarified by saying when she was approached by Mr. Quagliaroli and asked the name of the facility, she said it was a bike trail. The Chairman stated that he was right there when it was said. She referenced it received 10,000 visitors a month because it is just down the road from the proposed Aquatic Center and she did not feel that it was a stretch to say how many people visited an area. She further clarified that her comment on the number of visitors came from a recent SORBA report. Chairman Ahrens read from the SORBA report that Blankets Creek received 10,000 visitors in May 2011 according to the counter buried there. He also said that he has the utmost respect for Mr. Quagliaroli, but he expected that he had done his homework but he had not. He said that Mr. Quagliaroli questioned the data and the data is available. Commissioner Bosch added that there were thousands of homes near Blankets Creek and that she has seen countless visitors ride their bikes to the facility. She also said that it was encouraging to hear that so many of the visitors were from out of county because it shows we are attracting people to the area.

At some point in the discussion, Commissioner Hubbard asked what SORBA was. Several people answered that it stood for "Southern Off-Road Bicycle Association."

3. John Highland of Woodstock signed up to speak about the Cherokee County Health Department's flu shot clinic. Chairman Ahrens stated that the Health Department was a state agency.

4. Jack Staver apologized for running late and missing the meeting with Chairman Ahrens earlier. The Chairman said it could be rescheduled. Mr. Staver then said there was a significant detail that needed clarification regarding Commissioner Bosch's remarks at the last meeting. He said according to Mr. Quagliaroli, he came up to her after the meeting and asked what the name of the pool facility was that received 10,000 visitors a month and that she said Blankets Creek. Commissioner Bosch then replied to Mr. Stavler, "No I did not, I told him it was a bike trail." He said that Mr. Quagliaroli sent him an email stating that she said it was a pool. Commissioner Bosch said absolutely not, she didn't care what the email said, that it was not true and Chairman Ahrens again concurred that he was right there when this conversation took place. Commissioner Bosch said that that was the problem with taking information out of here and disseminating it inaccurately.... Mr. Stavler interrupted her, stating that "there is not a problem with us' attending the meeting". Commissioner Bosch said to listen for the record to what she said, which was "the problem is taking information out of the meeting and inaccurately disseminating it." When Mr. Staver continued to argue over what the email said, Chairman Ahrens said that he would not go on hearsay and to have Conrad come to a meeting. The Chairman went on to say that he has the basic assumption that if a group or individual has a question about our parks, that they should know what we have.

Janice Luck of Canton had not signed up but spoke about the economy and said she is not saying never but felt that the Board needed to relook at the Aquatic Center project in 12 months.

### **PUBLIC HEARING**

None

### **ZONING CASES**

CASE NUMBER	: 11-10-012
APPLICANT	: Northwest Investments, Inc.
ZONING CHANGE	: R-40 to GC

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LOCATION : Parkbrooke Drive & Bus Shop Road  
MAP & PARCEL NUMBER : 15N05, 216  
ACRES : 0.97  
PROPOSED DEVELOPMENT : Auto Mechanic Business  
COMMISSION DISTRICT : 4  
FUTURE DEVELOPMENT MAP : Suburban Growth

PLANNING COMMISSION RECOMMENDATION : Approval with the condition that there shall be no storage of junk vehicles

Commissioner Nelms made the motion to approve with the following revisions: 1. No vehicles may be parked more than 30 days after completion of work. 2. All petroleum based products must be stored in approved EPD storage containers. 3. All unused old car batteries must be recycled. Commissioner Bosch seconded and the motion was approved unanimously.

CASE NUMBER : 11-10-013  
APPLICANT : Valentina Caldwell  
ZONING CHANGE : OI to GC  
LOCATION : 9220 Hickory Flat Hwy  
MAP & PARCEL NUMBER : 02N03, 167  
ACRES : 0.87  
PROPOSED DEVELOPMENT : Commercial Uses  
COMMISSION DISTRICT : 2  
FUTURE DEVELOPMENT MAP : Neighborhood Village

PLANNING COMMISSION RECOMMENDATION : Approval of NC  
(Neighborhood Commercial)

Commissioner Hubbard made the motion to approve; Commissioner Johnston second and the motion was approved unanimously.

CASE NUMBER : 11-10-014  
APPLICANT : Thomas O. Owens  
ZONING CHANGE : GC to R-40  
LOCATION : 266 Charles Cox Drive  
MAP & PARCEL NUMBER : 02N02, 081  
ACRES : 1.0 +/-  
PROPOSED DEVELOPMENT : Single Family Residential Use  
COMMISSION DISTRICT : 2  
FUTURE DEVELOPMENT MAP : Community Village Node Over  
Suburban

Growth

PLANNING COMMISSION RECOMMENDATION : Approval

Commissioner Hubbard made the motion to approve; Commissioner Johnston seconded and the motion was approved unanimously.

## **COMMISSION BUSINESS**

### **CHAIRMAN**

### **L. B. AHRENS**

- A. Requesting adoption of a resolution of recognition supporting the relocation of Northside Hospital Cherokee.

Commissioner Hubbard made the motion to approve; Commissioner Nelms seconded and the motion received unanimous approval.

Commissioner Johnston commented that this was exactly the kind of economical development needed in Cherokee County and that this would create about 2,000 good jobs.

- B. Recommendation of appointment of Tambra Mackey to the Region 1 DBHDD Planning Committee.

Chairman Ahrens made the motion to approve; Commissioner Nelms seconded and the motion received unanimous approval.

- C. AMENDMENT: Announcement that early voting began on Monday, October 17, 2011. He mentioned that Sunday sales in unincorporated Cherokee County and the School Penny was on the ballot.

- D. AMENDMENT: Update on Transportation Referendum 2012.

Chairman Ahrens announced that at its final meeting the Atlanta Regional Roundtable, a committee on which he serves, approved the Final Investment List and its final report to the state legislature.

- E. AMENDMENT: Announcement of Douglas Hooker as the candidate for Executive Director of the Atlanta Regional Commission (ARC).

**COMMISSION POST 1**

**HARRY B. JOHNSTON**

A. All-way Stops on Water Tank Road

Only about 55% of residents responded in favor of installing these all-way stops. Since this did not meet the 90% majority we wanted before doing so, no further action is proposed on these signs.

**VICE CHAIR/COMMISSION POST 2**

**JIM HUBBARD**

**COMMISSION POST 3**

**KAREN BOSCH**

**COMMISSION POST 4**

**JASON NELMS**

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**CONSENT AGENDA**

1. Consideration of a proposal from Martin-Robbins Fence Company, Inc. for the installation of guardrail along portions of Soap Creek Road in the amount of \$34,901.20. Two bids received, the other was for \$57,272.20.  
  
Commissioner Nelms asked if the company selected was local and Mr. Morton replied that no local company provided this product.
2. Consideration of an agreement regarding exchange of right-of-way areas between Cherokee County and Advance Holdings/Holly Springs, LLC for East Rope Mill Lane and consideration of Development Agreement between Cherokee County and Advance Holdings/Holly Springs, LLC for reconstruction of East Rope Mill Lane.
3. Consideration of a proposal from Atlanta Hawks for Cherokee Youth Basketball uniforms. Atlanta Hawks provided the lowest of five proposals in the amount of \$22.50 per uniform. The second lowest proposal was for \$23.49 per uniform from Chandler Graphics. Mr. Cooper commented that local vendor Chandler Graphics was given the opportunity to meet the winning bid but could not.
4. Requesting authorization to transfer funds of \$16,022.50 from Insurance Recovery to Fire Operations Vehicle Maintenance.
5. Requesting approval of the first amendment to the ARC FY2012 budget contract. Cherokee County Senior Services received newly allocated no-match funding in the amount of \$10,000. Requesting a budget transfer to

assign newly allocated funding and to transfer existing funding between services in the amount of \$11,000.

6. Requesting a budget amendment in the amount of \$7,500 for Purchase of Services Juvenile Offenders Program Grant awarded to the County. This is a non-matching grant to be used for psychological evaluations for the grant year October 1, 2011 to September 30, 2012.
7. Requesting approval of a budget amendment to include new grant monies for FY2011. The Sheriff's Office was awarded a 50/50 grant from the Bureau of Justice in the amount of \$10,527.44 for the purchase of bullet proof vests with \$5,263.72 being reimbursable from the granting agency. Requesting to increase the budget by \$5,263.72 to include the grant revenue.

Commissioner Hubbard made the motion to approve; Commissioner Johnston seconded and the motion received unanimous approval.

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## **COUNTY MANAGER**

8. Requesting approval of Intergovernmental Agreement with the City of Ball Ground to install radio equipment on the Ball Ground water tank to improve coverage in Ball Ground and surrounding areas. The amount budgeted for the installation is \$68,799.72 from SPLOST funds. Agreement is contingent upon review and approval of County Attorney.

Commissioner Johnston made the motion to approve; Commissioner Hubbard seconded and the motion received unanimous approval.

9. Requesting acceptance of the PY 2010 Home Investment Partnership Act Grant Funds from the Georgia Urban County Consortium (GUCC) in the amount of \$261,884 and to issue a Subrecipient Agreement to Cherokee County's Community Housing Development Corporation (CHDO), North Georgia Community Housing Development Corporation in the amount of \$55,134 for the development of Affordable Housing.

Commissioner Hubbard made the motion to approve; Commissioner Johnston seconded and the motion received unanimous approval.

10. Requesting approval of a continuation application for Stop VAWA Criminal Justice System Improvement (CJSI) Grant. Federal award is \$80,000 for

2012 with a required match of \$26,666 which is satisfied with existing personnel; match will not require any new county funds.

Commissioner Johnston made the motion to approve; Commissioner Hubbard seconded and the motion received unanimous approval.

11. Consider approval of Professional Services Agreement (PSA) with CHN for Wellness Program.

Mr. Cooper suggested a decision be made contingent upon his approval and Angie Davis's after the contract had verbiage added by CHN to clarify some details, particularly to have risk groups and employee participation terms more clearly defined.

Commissioner Nelms made the motion to approve; Commissioner Hubbard seconded and the motion received unanimous approval.

12. Consider amendment to the City of Nelson Fire Services Agreement to remove the 3 mill cap on the Fire District rate to a rate not to exceed the fire district millage rate for unincorporated Cherokee County.

Commissioner Hubbard made the motion to approve; Commissioner Johnston seconded and the motion received unanimous approval.

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### **COUNTY ATTORNEY**

13. Requesting final approval for a non-profit event temporary alcohol pouring license for "Tomorrow's Luminaries Foundation" on Sunday, October 30, 2011 from noon to 4:00 p.m. at the Chuckkar Farm Polo Club located on Little River Way.

Angie Davis said that her recommendation would be to approve the license based on the fact that the event was reviewed and approved last year.

Commissioner Hubbard made the motion to approve; Commissioner Nelms seconded and the motion received unanimous approval.

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## **ADJOURN**

The Chairman asked if there was any further business. Hearing none, Vice Chair/Commissioner Hubbard made the motion to adjourn at 7:18 p.m.; Commissioner Nelms seconded and the motion received unanimous approval.