



Cherokee County Board of Commissioners

January 17, 2012

CHEROKEE HALL 6:00 P.M.

MINUTES

INVOCATION

Commissioner Johnston gave the invocation.

CALL TO ORDER

CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting to order at 6:07 p.m. Those present include Commissioner Harry B. Johnston; Commissioner Jim Hubbard; Vice Chair/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"

Commissioner Hubbard led the Pledge of Allegiance.

AMENDMENTS TO AGENDA

1. Under Vice Chair/Commissioner Bosch's Section, A brief update on Blalock Road neighborhood requests.

Commissioner Hubbard made a motion to approve; Commissioner Johnston seconded and there was unanimous approval.

PRESENTATIONS

ANNOUNCEMENTS

Atlanta's Annual Walk for Cervical Cancer, "A Walk for Hope" is scheduled for Saturday, January 28, 2012 and is being hosted by the non-profit organization, The Spirit Foundation. January is cervical cancer awareness month and the event hopes to raise funds to assist in community awareness of this cancer.

Jennifer Culbertson with the Spirit Foundation spoke about the walk and gave statistics on cervical cancer. She said the fee is \$10 and that flyers were located out front. She encouraged everyone to participate by registering online at

www.spiritfoundationinc.org or by calling 678-596-3554. She added that 99.99% of the proceeds go towards providing free pap screens.

APPROVAL OF WORK SESSION MINUTES FROM JANUARY 3, 2012.

Commissioner Hubbard made a motion to approve; Commissioner Nelms seconded and there was unanimous approval.

APPROVAL OF REGULAR MEETING MINUTES FROM JANUARY 3, 2012.

Commissioner Johnston made a motion to approve; Commissioner Hubbard seconded and there was unanimous approval.

PUBLIC COMMENT

Three people had signed up but wanted to speak about the public hearing topic.

PUBLIC HEARING

The Cherokee County Proposed 2012 Annual Budget is available for review on the Cherokee County website at www.cherokeega.com. A hard copy of the budget is also available for review at the County Clerk's office from 8:00 a.m. to 5:00 p.m. at 1130 Bluffs Parkway, Canton, GA 30114. A public hearing is being held on Tuesday, January 17, 2012 at 6:00 p.m. in Cherokee Hall, 1130 Bluffs Parkway, Canton, GA 30114 at which time the public may comment on the budget.

Commissioner Hubbard made a motion to open the public hearing at 6:12 p.m.; Commissioner Johnston seconded and there was unanimous approval.

County Manager Jerry Cooper presented a slideshow and provided an overview of the proposed budget. He began by stating that this is a 9-month budget as we move toward an October 1 to September 30 fiscal year to allow in the future a truer cash base budget where most of the revenue will be generated within the same fiscal year. The proposed budget totals \$132.3 million, a reduction of nearly \$1.5 million from the 2011 comparable. He asked that the Board consider adopting the proposed budget after public input at the February 7th meeting. A copy of the presentation is attached as part of these minutes.

1. Carolyn Cosby had signed up to speak, opposing the budget. She said that she finds it inconceivable that with a budget barely able to make payroll with a \$5 Million shortfall next year that the Board is calling for a vote

tonight to borrow more money for non-essential parks projects which would invariably drive up taxes and raise the millage rate.

2. Mark Beavers spoke about the Parks Bond asking why we need so many parks in Cherokee County. He suggested that the County seek corporate sponsors to build the parks. He also suggested that parks be built next to schools and that the school board could maintain the parks.
3. Bill McNiff had signed up to speak but decided to pass when called on.
4. John Highland spoke against the proposed budget, asking the Board to please have some consideration for the people they represent.
5. Tom Ware spoke against the budget, particularly one item which was the EMS fund which is reported at an 85% collection rate. He said he recalled over a year ago that Mr. Cooper asked the Board to approve writing off \$3 Million in uncollected EMS funds. He said he hoped that the County would continue to try to collect these funds to keep from writing off \$3 Million in the future for uncollectable funds.
6. Jennifer Culbertson had signed up to speak but was not present when called on.

The Chairman asked the audience if anyone else like to speak.

7. Mike Haviland from Ball Ground in the city of Nelson asked to speak. He applauded the Commissioners in making an invaluable and strategic investment in parks and recreation for a long term value of increasing the quality of life for Cherokee County residents. He also applauded the administration and particularly Mr. Cooper for the budget, in taking preventive measures and major cutbacks that other counties are not doing.

Commissioner Hubbard made a motion to close the public hearing; Commissioner Nelms seconded and there was unanimous approval.

Commissioner Bosch said that she would like to add some clarification to the remarks about the EMS billing and write-off discussed earlier. She said that the majority of the write-off was from Medicare which we don't get back. She suggested to Mr. Cooper that something be posted on the website to address this because the service we are providing here is saving lives. Mr. Cooper said that he would be glad to post the details on the website and added that unfortunately with EMS and these type of services the County is very limited with what they can collect from Medicare and Medicaid and that a clear majority of the write-off was what we can't get back from federal and state.

Commissioner Hubbard asked if it was correct that we could not bill citizens for these costs. Mr. Cooper replied that we can bill but we cannot pursue collection. Commissioner Bosch further stated that the County is continuing efforts to collect the written off funds for the amounts that are not Medicare through a collection service. Commissioner Hubbard added that the write-off amount spanned over 3 to 5 years.

Commissioner Johnston agreed that very diligent efforts are still being made to collect and that the write-off was basically a bookkeeping entry to get that off the books because it does not appear probable that we will collect.

ZONING CASES

CASE NUMBER	: 12-01-001
APPLICANT	: James H. Brock
ZONING CHANGE	: R-80 to AG
LOCATION	: East Cherokee Drive
MAP & PARCEL NUMBER	: 15N22, Parcel 065
ACRES	: 7.25
PROPOSED DEVELOPMENT	: Family Farm
COMMISSION DISTRICT	: 2
FUTURE DEVELOPMENT MAP	: Suburban Living

PLANNING COMMISSION RECOMMENDATION : Denial

Post Commissioner Hubbard commented that zoning to AG would not solve the problem so he was in support of the recommendation of the Planning Committee to deny the request.

Commissioner Hubbard made a motion to deny the request; Commissioner Johnston seconded and there was unanimous approval.

Commissioner Johnston commented that the area was primarily residential.

CASE NUMBER	: 12-01-002
APPLICANT	: Ahmad Ghadamyari
ZONING CHANGE	: LI to GC
LOCATION	: Highway 92 & Industrial Drive
MAP & PARCEL NUMBER	: 15N06E, Parcels 252, 253
ACRES	: 1.32
PROPOSED DEVELOPMENT	: Assisted Living Facility/ Personal Care Home
COMMISSION DISTRICT	: 4
FUTURE DEVELOPMENT MAP	: Work Place Center

PLANNING COMMISSION RECOMMENDATION : Approval

Post Commissioner Nelms commented that he had heard the case and was advising the Board to approve the Planning Committees recommendation to approve the request.

Commissioner Nelms made a motion to approve; Commissioner Bosch seconded and there was unanimous approval.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

Consider City of Woodstock resolution / request for financial assistance related to Ridgewalk Parkway improvements.

Chairman Ahrens stated that the City of Woodstock Council recently approved a basic Outlet Mall project at Ridgewalk Parkway at the new interchange currently under construction. He said that part of the project is road works to be determined by need, particularly where Ridgewalk Parkway comes off the interchange towards Hwy. 5. The resolution is asking the County for \$700,000 for assistance in the expansion/widening of Ridgewalk Parkway. The cost would be a shift of funds that were earmarked for a SPLOST project related to the Arnold mill By-Pass which has stalled due to challenges with the Corp of Engineers among others. He noted that the Cherokee County Development Authority approved a tax abatement of \$4 Million over a 10-year period towards the project to offset infrastructure costs the developer will incur in realigning Woodstock Parkway.

Commissioner Hubbard asked if the contribution being asked from the County was tied to the contributions of the developer in the event the developer pulls out. He added that in Work Session he had mentioned the term 'matching funds'.

Commissioner Johnston added that matching funds was a good term and definitely the concept but the wording he was considering was 'contingent'.

Commissioner Johnston asked what the breakdown was with the contributions that Woodstock and the developer were investing. City Manager Jeff Moon replied that \$1.3 was from the City and \$700,000 was from the developer regarding Ridgewalk Parkway.

Commissioner Hubbard restated that we need to tie the County's contribution to the developers.

Angie Davis stated that she was under the impression that an Intergovernmental agreement was going to be entered into between the City of Woodstock and the County and that she thought it prudent to document the \$700,000 expenditure.

Commissioner Nelms asked if the condition would pose a problem with the City of Woodstock or the developer. Mr. Moon replied that the condition would not be a problem with the City of Woodstock and that the mayor had authorized the City to sign an IGA if the County requested it. A spokesperson present from Horizons replied that the condition was acceptable to Horizons.

Commissioner Nelms said that he thought it was important to note a couple of things regarding the roadway project; the breakeven point for cash flow would be in year one and the traffic relief from Towne Lake Parkway and surrounding areas.

Commissioner Johnston said that he felt it was a no brainer to contribute to a project that would begin paying the County a million a year the very next year. Commissioner Hubbard added that the location provided three major access points. The Chairman mentioned that it complimented the Aquatic Center. Commissioner Johnston added that although he did not think the County could sustain two outlet malls, that in the future, if the other project requested assistance from the County that we should certainly consider doing the same for them.

Angie Davis suggested that the board consider adding the following statement to the resolution before making a motion: The \$700,000 funding from the County is contingent upon the same amount in private funding being provided from Horizons Atlanta, LLC, in connection with its development of an Outlet Mall in the City of Woodstock, and subject to a satisfactory intergovernmental agreement being agreed upon between the County and the City of Woodstock.

Commissioner Nelms made a motion to approve the resolution request as stated by the County Attorney; Commissioner Hubbard seconded.

The Chairman asked if anyone else had a comment. Vice Chair/Commissioner Bosch stated that she would not be supporting the project and added that it was not personal with the City. She said that she was working with them on the trails and would continue to do so. She said that in her view this isn't a matter of which mall should be built and where as those are private enterprise matters and market forces would determine where they need to be built, this is about the \$700,000 for the road project. She said that she was not comfortable with the road plan but supportive of business and revenue.

The Chairman said that there was a motion and a second and called for a vote. The motion was approved with a 4-1 vote with Vice Chair/Commissioner Bosch voting nay.

COMMISSION POST 1

HARRY B. JOHNSTON

Acceptance of Harmony Oaks Trail (approx 0.2 mile) as-is for county maintenance, subject to receipt of ROW deeds and \$20,000 from First Cherokee State Bank toward the cost of maintenance that will be needed after most homes on the street are completed.

Commissioner Johnston designated that the County adopt the .2 miles of road as-is for county maintenance.

VICE CHAIR/COMMISSION POST 2

JIM HUBBARD

Vice Chair/COMMISSION POST 3

KAREN BOSCH

Amended: Vice Chair/Commissioner Bosch gave a brief update on the Soccer Complex. Now that we are completing the landscaping for the Soccer Complex, we have also been working with the residents along Blalock Road regarding a Street Scape plan. She said that she had been working with staff for an acceptable plan to develop a street scape for Blalock and the Soccer Complex that can be presented to the residents. She said that the goal was to stay within the allocated budget but it wasn't the driving force of the plan. She said that she was planning to meet with the resident group on Monday to share the plan and she would bring back their comments to the board.

COMMISSION POST 4

JASON NELMS

Chairman Ahrens asked Mr. Cooper to give a brief description of the Martin Luther King Unity Breakfast that was held over the weekend. Mr. Cooper said that the event is normally held at the Allen Temple A.M.E. church but this year the County offered to host the event at the Cherokee Conference Center. He said that they were guessing that there would be approximately 250 people to attend the event and over 600 attended.

CONSENT AGENDA

- 1.1 Consider approval of contract amendment between Cherokee County and the Georgia Department of Human Services for increase in funding to the CATS demand response service.

Commissioner Hubbard made a motion to approve; Commissioner Johnston seconded and there was unanimous approval.

COUNTY MANAGER

- 2.1 Consider approval of proposal from Routematch Software System for implementation of an Auto Vehicle Location and Mobile Data tablet management system for the CATS bus system in the amount of \$47,214.00.

Commissioner Hubbard made a motion to approve; Commissioner Johnston seconded and there was unanimous approval.

Commissioner Johnston commented that the project used grant funds that could only be used towards projects of this nature.

- 2.2 Consider approval of the issuance of \$11.41 Million General Obligation Park and Greenspace Bonds to the most competitive bidder.

Commissioner Johnston made a motion to approve; Commissioner Hubbard seconded and there was unanimous approval.

- 2.3 Consider of approval of Escrow Termination and Release Agreement for Victoria Crossing subdivision.

Vice Chair/Commissioner Bosch made a motion to approve; Commissioner Nelms seconded and there was unanimous approval.

- 2.4 Consider renewal of Conference Center Management Agreement with Eventmark, LLC. (Lorrie Keener) with modifications to allow automatic renewal with 30-day cancellation provision by either the county or

Eventmark and to allow Eventmark to provide consultation, promote and sell complementary or event-related services and accept compensation for this work, excluding catering services.

Vice Chair/Commissioner Bosch made a motion to approve; Commissioner Hubbard seconded and there was unanimous approval.

Commissioner Hubbard commented that he had met with Lorrie Keener and a wedding in December had already been booked, so the multi-year function of the contract fit with long-term planning of events.

2.4 Requesting approval of a change order to the Professional Services Agreement with Ross Consulting Engineers, PC for addition services and compensation in an amount not to exceed \$9,000.00 for improvements at Blankets Creek.

Vice Chair/Commissioner Bosch made a motion to approve; Commissioner Hubbard seconded and there was unanimous approval.

2.5 Requesting approval of amendment to CSA Field Use Agreement for the soccer complex, to include terms for CSA payment of \$100,000.00, CSA responsibility for irrigation, and CSA responsibility for submittal and county review and approval of lighting plan.

Commissioner Johnston said that he would like to add to the amended agreement that 'no lighting would be provided other than at fields 1 through 5' for the duration of the contract.

Commissioner Johnston made a motion to approve with the added statement; Commissioner Hubbard seconded and there was unanimous approval.

COUNTY ATTORNEY

3.1 Consider approval of resolution to set qualifying fees for the various County offices within Cherokee County for the 2012 General Election pursuant to (O.C.G.A.) §21-2-131(a)(1)(A).

Angie Davis discussed the resolution presented to the Board to set the qualifying fees for the upcoming General Election. She stated that the fees were set by statute and not discretionary. She added that this was almost identical to the resolution set in 2008.

Commissioner Hubbard made a motion to approve; Vice Chair/Commissioner Bosch seconded and there was unanimous approval.

ADJOURN

The Chairman asked if there was any further business. Hearing none, Commissioner Hubbard made the motion to adjourn at 7:42 p.m.; Commissioner Johnston seconded and the motion received unanimous approval.