



# Cherokee County Board of Commissioners

February 7, 2012

CHEROKEE HALL 6:00 P.M.

## MINUTES

### INVOCATION

Lynn Eynon of Woodstock Christian Church gave the invocation.

### CALL TO ORDER

### CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting to order at 6:04 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"*

Jerry Cooper led the Pledge of Allegiance.

### AMENDMENTS TO AGENDA

1. Under Chairman's Portion, Item D: Ratification of request to Cherokee Delegation to pass local legislation calling for a referendum in November 2012 regarding HOST (Homestead Option Sales Tax).
2. Under County Manager's Portion, Item 2.8: Ratification to the Amendment to the Cherokee County Soccer Association Agreement.
3. Under Consent Agenda, Item 1.7: Requesting approval of mileage reimbursement Commissioner Bosch for the ACCG Training Committee meeting in Monroe.
4. Proclamation for Rotary Day on February 23, 2012.

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

### PRESENTATIONS

## **PROCLAMATION:**

AMENDED: Proclaiming February 23, 2012 as Rotary Day in Cherokee County in celebration of its more than 107 years of service.

Chairman Ahrens read the proclamation. He will present it at the Rotary meeting on February 21, 2012.

## **ANNOUNCEMENTS**

Cherokee County's website has earned the highest mark for transparency – an A+ grade from the Sunshine Review. You can view the report at [http://sunshinereview.org/index.php/Cherokee\\_County\\_Georgia](http://sunshinereview.org/index.php/Cherokee_County_Georgia).

Mr. Cooper summarized the transparency page project and gave special thanks to Michael Haines with the IT Department for building the transparency page. Mr. Cooper stated that he was prompted to create the page in order to make public information easily accessible to Cherokee County citizens after realizing how difficult it was to access information on other counties' websites during a research project he was conducting.

## **APPROVAL OF WORK SESSION MINUTES FROM JANUARY 17, 2012.**

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

## **APPROVAL OF REGULAR MEETING MINUTES FROM JANUARY 17, 2012.**

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

## **PUBLIC COMMENT**

Four people had signed up to speak.

1. John Hiland asked that Commissioner Nelms not participate in the vote on the proposed budget because of his association with the Sheriff's Office.

Chairman Ahrens commented that there was no financial benefit for Commissioner Nelms and that Mr. Hiland's remarks were very speculative.

2. Carolyn Cosby updated the Board on the Citizen's Committee. She then had some questions about the cost per passenger to run CATS buses. She added that she agreed with Mr. Hiland's statement that Commissioner Nelms should not vote on the budget.
3. Carey Cleveland spoke on behalf of The Springs neighborhood. She had some concerns about the fencing at the Soccer Complex and also requested the security gate be moved up so that there isn't parking in the front.
4. Larry Eubanks thanked the Commissioners for everything that they do for the County. His concern was for the public safety at the Soccer Complex. He asked that there be a Sheriff's Deputy at the intersection of the Soccer Complex when there are games scheduled.

## **PUBLIC HEARING**

None Scheduled.

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## **COMMISSION BUSINESS**

### **CHAIRMAN**

**L. B. AHRENS**

#### A. Summary of Board of Commissioners Retreat.

Chairman Ahrens summarized the discussions at the Board's Annual Retreat: Topics included:

#### 2011 Achievements

- Meet budget
- Wellness kickoff
- Reorganization/consolidate/retirement
- Aquatic center
- E 9-1-1 National Accreditation
- Blalock Road soccer fields
- EMA leadership
- Hospital investment
- Airport runway

#### Priorities 2012

- Short-budget year as transition to new fiscal year
- HOST referendum
- Revise ethics ordinance
- Additional parks bond drawdown\* \*
- Educate on regional transportation referendum

- Opportunity Zone NE
- Lifelong Communities

B. Consider County Capital funding support of Commerce Parkway as part of the new Northside Hospital site development in Canton Place. Roadway and bridge over Canton Creek will connect at GA 140. Cherokee County is sponsor of this project with GDOT. Total estimated cost is \$8.5 Million with GDOT contributing 50% of project costs. Balance to be shared between Northside Hospital, City of Canton and Cherokee County

Chairman Ahrens summarized the discussion from Work Session which was that the County was proving capital funding to support the Commerce Parkway project as part of the Northside Hospital site development. The balance of \$4.2 Million is to be shared between Northside Hospital, City of Canton and Cherokee County for an amount of approximately \$1.4 Million each.

Mr. Hausfeld gave a brief summary of the project since the hospital was first approached in late 2002. Billy Hayes with Northside Hospital Cherokee was on-hand to answer questions on the project.

Commissioner Bosch commented that regardless of City of Canton's commitment, the County would need to come up with the money so there was no need to make the agreement contingent upon their commitment.

Commissioner Hubbard commented that he was thrilled with the hospital's relocation and with the road as it will create a main thoroughfare to the hospital that is much needed for emergency vehicles and that he was ready to move forward.

Commissioner Johnston commented that the economic impact is huge and that the jobs that will be created in medical services will provide just what Cherokee County is looking for.

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

C. Consider resolution in support of updating/amending 1966 original text defining qualifying project scope within the constitutional authority's charter CCDA (Cherokee County Development Authority).

Chairman Ahrens stated that this was basically a housekeeping measure and asked Angie Davis her thoughts on the description of the amendment. She

replied that it seemed sufficiently broad enough to cover any type of business enterprise.

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

- D. AMENDED: Consider ratification of request to Cherokee Delegation to pass local legislation calling for a referendum in November 2012 regarding HOST (Homestead Option Sales Tax).

Chairman Ahrens said that this item was discussed at length at the retreat and this meeting was to confirm the date of November 2012 to the Cherokee Delegation and to confirm our request that they pass the local legislation at this session.

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

**COMMISSION POST 1**

**HARRY B. JOHNSTON**

**COMMISSION POST 2**

**JIM HUBBARD**

**VICE CHAIR/COMMISSION POST 3**

**KAREN BOSCH**

**COMMISSION POST 4**

**JASON NELMS**

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## **CONSENT AGENDA**

- 1.1 Consider approval of Intergovernmental Agreement as revised by the County Attorney with the City of Ball Ground and Cherokee County allowing the County to install public safety communications equipment to the Ball Ground water tank to improve coverage in Ball Ground and surrounding areas. This item was approved by the Board contingent upon approval of the County Attorney on October 18, 2011.

- 1.2 Consider approval of FY2013 GDOT grant application in the amount of \$850,845.00 for operating and capital expenses associated with the CATS 5311 Rural Public Transportation program. The County's obligation is \$301,103.00 (50% Match). Anticipated DHR reimbursement funds in the amount of \$206,636.00 will be used to off-set the County's match.
- 1.3 Consider the approval/disposal of a multi-way stop at the intersection of River Creek Drive and Chattooga Drive in Little River Crossing.
- 1.4 Consider approving the disposal of surplus equipment hardware from Cherokee Recreation and Parks Agency and the Tax Commissioner's Office.
- 1.5 Consider donating four (4) surplused Sheriff's Office patrol vehicles in disrepair with no value to the county to the Georgia Public Safety Training Center (GPSTC).
- 1.6 Consider Georgia Power Lighting Services Agreement for an estimated monthly charge of \$189.78 for lighting at the Waleska Splash Pad project.

Commissioner Johnston stated for the record that he was employed with an affiliate of Georgia Power but he saw no conflicts to this routine request so he intended to vote.

- 1.7 AMENDED: Requesting approval of mileage reimbursement in the amount of \$115.50 to Commissioner Bosch for the ACCG Training Committee meeting in Monroe. (Commissioner Bosch serves on this committee.)

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

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## **COUNTY MANAGER**

- 2.1 Consider adoption of the proposed 2012 Annual Budget and ordinance as presented.

Mr. Cooper asked for approval of the 9-month budget. He stated that the budget had been available on the County's transparency page for over a month. He said that a question had been raised regarding the Sheriff's Office budget and that he was not aware of any year where the Sheriff's Office exceeded their budget. He said there was one year around the time that he first came to Cherokee County where \$600,000 was pulled to pay jail operations. He added that he would provide the budget vs. actual information from audits to the public.

Commissioner Johnston said that he had a couple of comments. He said that the transition to the 9-month budget year would align our revenues and expenses in the same period so that external reports would reflect economic reality to a greater degree.

Commissioner Johnston then stated that he had done some research on his own and happened to know that the Sheriff's Office runs on about \$125 per thousand citizens. He said that we frequently compare ourselves to Forsyth County and that Forsyth was almost double on a per citizen basis than Cherokee County. He said that he felt pretty good that the single biggest item in our budget is approximately half of the comparable item in our neighboring county and that it tells us that the Sheriff's Office and the County are doing a pretty fiscally conservative job with the budget.

Mr. Cooper added that the Sheriff's Office has worked very closely with the Board and himself to lower their budget when necessary while still meeting the needs of the citizenry. He said that there was not a lot the Board can do per state law with Constitutional Officers' budgets and that we were lucky that they and the other Constitutional Officers work so well with the Board.

Commissioner Bosch said that she would like to echo Mr. Cooper's statements and that Sheriff Garrison had been willing to work with the Board at every turn when called upon and so had all the Constitutional Officers.

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

Commissioner Johnston commented that outside of Fayette County, Cherokee County had the lowest spending per capita in the Metro Area.

2.2 Consider approval of the contract as approved by the County Attorney with Rec1.com to provide web-hosted recreation and reservation software. This item was brought before the board on January 3, 2012 contingent upon approval of the County Attorney.

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

- 2.3 Consider approval to award RFP 2011-33 to Fisher Safety for the purchase of air flow testing of Self-Contained Breathing Apparatus (SCBA) in the amount of \$11,500.00. A second bid was received by American Safety & Fire Hose in the amount of \$13,994.00.

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

- 2.4 Consider approval of Change Orders in the total amount of \$45,000.00 to contractors for additional fencing and landscape/trees at the Soccer Complex at Blalock Road. Mauldin & Cook – ADD not to exceed \$25,000.00; Ed Castro Landscape – ADD not to exceed \$20,000.00.

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

- 2.5 Consider approval of a Professional Services Agreement with RCE Consulting to assist with surety bond update services for the Cherokee County Engineering Department in the amount of \$5,000.00. (Budgeted amount was \$30,000.00).

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

- 2.6 Consider approval to award Senior HOME Repair inspection services contract to Stephen L. Chalfant in the amount of \$2,800.00 per unit for a total contract amount of \$22,400.00, all of which will be reimbursed by the Home Program Grant through the Georgia Urban County Consortium (GUCC).

Other bidders were NOVA Engineering at \$14,520.00 per unit and Chase Management at \$5,475.00 per unit.

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

- 2.7 Consider renewal of contract with Lee Technologies, Inc. to provide service/maintenance on the UPS (Uninterrupted Power Supply) equipment at the E 9-1-1 Center in the amount of \$7,280.00.

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

- 2.8 AMENDED: Consider ratification of Amendment to the Cherokee County Soccer Association Agreement approved during the January 17 meeting, as modified by the County Attorney.

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

Chairman Ahrens thanked the Commissioners and County Manager for adoption of the 'short-year 2012 budget'. Before moving to the next agenda item, he offered a couple of comments, and initiated a separate motion:

- At the September 17 BOC meeting, The 'Review and Recommendations Committee to assist County Government' (also known as The Citizens Committee), presented a letter and 16-point agenda. With some discussion, the BOC agreed to 'accept' the letter/agenda and engage with the Committee for the anticipated benefit of the County.
- When agreeing to engage this committee and involve it in the Board's process, the Board told them publically that a certain expectation level that the committee would dig in and focus on some key cost drivers, levels of efficiency, levels of service, unfunded mandates, etc., was expected and that they would prepare themselves well and provide advice/recommendations along with supporting justification, etc.
- He stated that he had met privately with their chairperson and one other member in late September to suggest that they focus on 5 or 6 of the 16-points.
- The 2012 budget cycle was completed and adopted a few minutes ago. Prior to and during the public hearing in early January, the focus of this committee has been mainly on parks bond projects, overall capital funding, prioritized capital spending, consequential future operating costs, etc., in particular the Aquatics Center. This is hardly the expectation that I held at the outset as to the function and service of this committee.

A November 1 press release, prior to the same date the BOC Work Session, was provided to media, but not the BOC. It stated, "The Washington tax and spend policies of Cherokee County's BOC is hurting the recovery." That same press release referred to 'groups' calling for parks and rec bond projects to be abandoned, etc. When questioned 'who' the others were, it was noted as probably an 'error'. This was a disappointing development, but I share it as an example of the manner in which the committee partnership deteriorated.

- Given the nearly singular focus received from this committee during the past 5 to 6 months, my motion is to cease, suspend, and disassociate any implied, assumed, or otherwise defined relationship, etc., with The Citizens Committee, with immediate effect.
- In summary, we thank them for their efforts. They are always welcome to attend our meetings to speak during public comment as individuals, just as anyone else.

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

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### **COUNTY ATTORNEY**

- 3.1 Consider adopting a resolution authorizing the County Attorney to proceed with condemnation proceedings related to the East Bells Ferry Road Project.

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

- 3.2 Consider adoption of a resolution that indicates that the County intends to maintain all minutes of the Board of Commissioners' meetings electronically.

Angie Davis stated that she wanted to do a little more research, particularly on the state's record retention ordinance so she recommended postponing this agenda item to the next BOC meeting.

Commissioner Bosch made a motion to approve the postponement; Commissioner Johnston seconded and there was unanimous approval.

### **ADJOURN**

The Chairman asked if there was any further business. Hearing none, Vice Chair/Commissioner Bosch made the motion to adjourn at 6:23 p.m.; Commissioner Nelms seconded and the motion received unanimous approval.