

MINUTES

Cherokee County Board of Commissioners

March 6, 2012 REGULAR MEETING CHEROKEE HALL 6:00 P.M.

INVOCATION

Reverend Fred Goodwin, Senior Pastor of Church of the Messiah gave the invocation.

CALL TO ORDER

CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting to order at 6:05 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"

The Cherokee County Fire Explorers led the Pledge of Allegiance.

PRESENTATIONS

Flag presentation by Cherokee County Fire, followed by Chief Prather's introduction of the Fire Explorers and the Board's recognition of the group's accomplishments at their recent competition.

Chief Prather spoke about the competition in Gatlinburg (Winterfest 2012), stating that it was the best year ever for the Cherokee Fire – Emergency Services "Fire Explorers" Post 469. He said that not only had they performed extremely well at competition, but they were some of Cherokee County's finest young citizens and he was proud to have them as part of his department.

He said that one of the most memorable moments this year was when the group marched up the street to the awards ceremony, they marched in military formation and sang "cadence". He said that it simply "brought chill bumps" as he stood and watched the group march by. He finished by saying that Cherokee County Fire Explorer Post 469 has set the bar for explorer posts from all of the South East United.

The Fire Explorers Captain spoke about the competition, commenting that it is so well recognized that she has received an offer at a fire station in Lancaster Pennsylvania.

Commissioner Bosch asked her how they scored in the competition and she replied that they took two 1st place, one 2nd place and three 3rd place awards.

Commissioner Johnston asked how many members were in the group and she replied that there were 16 members from all over Cherokee County.

Commissioner Bosch asked many former members were now employees with the Cherokee County Fire Department and Chief Robinson replied that there were 11.

The Board and audience gave the group a standing ovation.

AMENDMENTS TO AGENDA

None.

ANNOUNCEMENTS

ELECTRONICS RECYCLING DAY SATURDAY MAY 5, 2012
9:00 a.m. – 1:00 p.m. at Canton City Hall
151 ELIZABETH STREET, CANTON, GEORGIA

Commissioner Hubbard said it's time again to go through your basement and gather any unused computer monitors and other electronics to get ready to dispose of them on May 5. Commissioner Johnston asked if the only charge for dropping off electronics was for TV's. Commissioner Hubbard replied that there was a \$10 charge for TV's only.

APPROVAL OF WORK SESSION MINUTES FROM FEBRUARY 21, 2012.

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

APPROVAL OF REGULAR MEETING MINUTES FROM FEBRUARY 21, 2012.

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

PUBLIC COMMENT

1. Carolyn Cosby signed up to speak about the landfill. She was concerned about the County having co-signed a loan with Bobo Recycling through the Bank of North Georgia, obligating the County to make payments in default by Bobo Recycling. Citizens Committee was beginning an investigation. She asked about the \$775,000 paid to Bobo recycling to remove debris from the landfill.

Chairman Ahrens commented that no debris was removed, that the soccer playing fields are on top of it.

2. Bill Mcniff up signed up to speak about the landfill. He said the landfill situation was a 'boondoggle' that was not going away. He said that the County Attorney and County Manager essentially worked for the tax payers and if anything like this happened again they would be responsible.
3. Marcus Beavers signed up to speak about 'admin'. He said that although he normally does not speak in opposition of the Board and County Manager, that he was not in support of the way the Bobo / Ball Ground recycling agreement was handled.
4. John Hiland spoke about 'admin'. He asked that the Board investigate the issue surrounding the vote in late February approving the \$1.8 Million to bail out Bobo Recycling. He said that it appears to be unclear who owns the operation and the name of the business needs to be clarified.
5. Debbie Staver signed up to speak about the landfill. She said that the partnership with Ball Ground Recycling was an embarrassment to the County. She brought up the past Parks Bond issue and asked the County to begin being good stewards of the tax payers' dollars.

Chairman Ahrens said that although the Board normally does not participate in dialogue during Public Comment, he wanted to deal with some specifics brought up, some erroneous.

He said regarding the Blalock Road issue that was brought up several times, he would like to refer to the 3-page document comment and public release made by the Board on December 15, 2009 that explained this from 1990 to 2009.

He then stated that regarding the comment made to the Town Hall Committee, that "he signed the deal in 2007", that is was an incorrect statement. He said that the agreement was finalized and signed on October 5 or 7, 2007 and that he was appointed to this Board on October 16, 2007.

He said that on February 15, 2005 the BOC authorized an agreement with Cherokee Recycling that specifically stated that the County shall act as guarantor to induce sale of such bonds to facilitate the acquisition, development and relocation of Cherokee Recycling from the Blalock Road facility with a 2 year time period. This agreement was signed on February 22, 2005.

He said that on November 7, 2006 there was a resolution to establish and activate the Resource Recovery Development Authority (RRDA) and on November 28, 2008 a resolution approving this was established. He said that all of this has been in the public view since early 2005. He asked where everyone was in 2005 and 2006 to challenge whether this should have been done or not. He pointed out that just as the Citizen Committee had indicated to the board that if the Parks Bond referendum was put out

now it would be turned down in this economy; conversely regarding this situation, if the economy hadn't tanked, we probably wouldn't be having this conversation.

He said an important fact to this is that the value of the investment is on-going, not as a liquated value because they are looking hard to find a solution, whether it be another operator or an investor or combination, to take over and resume payments and give the County the opportunity to recover the advances made to this point.

He finished by saying that the Board doesn't have an answer to the solution at the moment but they are concentrating on a solution, not rewriting history and that if they were given the opportunity for a solution, they would not be let down.

Commissioner Johnston commented that the facility's operator has failed to make bond payments for 2011 and the County had to make them as guarantor of the debt. He said the business has not failed and continues to operate. Business is looking up, and there's a reasonable expectation that they can resume debt payments this year. There are also other operators interested in taking over the operation and assuming the debt. The BOC is committed to see that the county is made whole.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

- A. Consider appointment to CRPA Advisory Board to replace Jim Haslam.

Chairman Ahrens said that he received the names of many qualified candidates and has chosen Amy Turcotte as his appointment to board for the unexpired term of Mr. Haslam which is December 31, 2014.

All members of the Board were in support of the appointment.

- B. Reappoint Irene Butcher and Kirby Pruett to the Region 1 DBHDD Board.
Discuss two remaining vacancies on the board.

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

Chairman Ahrens asked the Board if they had any suggestions for two vacancies still existing on the board. He suggested that the vacancies be posted on the website for interested candidates. Commissioner Johnston said that the criteria the board was looking for included having experience (even personal experience) related to mental health issues, drug/alcohol addiction etc.

COMMISSION POST 1

HARRY B. JOHNSTON

COMMISSION POST 2

JIM HUBBARD

VICE CHAIR/COMMISSION POST 3

KAREN BOSCH

COMMISSION POST 4

JASON NELMS

CONSENT AGENDA

- 1.1 Consider approval to surplus computer equipment, phones and cell phones from the Public Works Agency.
- 1.2 Consider approval of 2nd amendment to ARC FY2012 budget contract to assign newly allocated funding in the amount of \$6,903.00. (\$5,508.00 from state to Transportation Voucher Program; \$1,396.00 from Tax Check Off state funding to Meals on Wheels Program).
- 1.3 Consider budget amendment to SPLOST V in the amount of \$125,498.00 for receipt of additional Patton Mold Settlement revenue to be appropriated to the construction of the fire training center.
- 1.4 Consider request by Cherokee FOCUS Board of Directors for the County to remain as fiscal agent.
- 1.5 Consideration of a 90-day contract extension with VPSI, Inc. to continue the Cherokee County (CATS) Vanpool Program to May 1, 2012.
- 1.6 Consider renewal of Intergovernmental Agreement with Fortis College (Formerly Medix College) to allow EMT and Paramedic students to ride on County ambulances for training purposes.

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

COUNTY MANAGER

- 2.1 Consider approval of submittal of the FY2013 Department of Human Resources (DHS) annual application for funding which supports the County's Rural Transportation Program (CATS 5311 Demand Response Service) in the approximate amount of \$209,736.00.

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

- 2.2 Consider approval of a Change Order to the Professional Services Agreement with POND & Company for a total amount not to exceed \$115,050.00 for additional design and engineering services for the planned Fire-ES Training Center.

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

- 2.3 Consider approval of contract with lowest bidder, Walton Press, for printing and delivery of the CRPA Quarterly Program Guide, *Leisure Pursuit*. Walton Press has a long-standing relationship with CRPA and bid at \$3,079.00 per 11,000 pages. Other bidders were Raindance Media at \$3,299.00 per 11,000 pages; Sauers at \$3,643.00 per 11,000 pages and Northside Printing at \$7,199.00 per 9,000 pages.

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

- 2.4 Consider approval of amendment 2 to existing contract with Waste Management to extend for three (3) 1 year terms, including a provision for allowing the County to relocate the recycling facilities located on Blalock Road.

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

- 2.5 Consider budget amendment from Impact Fees to accommodate the Library's request for \$100,000 to be spent on books during the 2012 Budget Year.

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

- 2.6 Consider approval of change order to the design/build services agreement with the Latimer/JKH Architects team for additional services including concessions & toilet

buildings and signage at the Soccer Complex on Blalock Road in an amount not to exceed \$48,295.00.

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

2.7 Consider approval of Right-of-Way agreement between Cherokee County and Georgia Department of Transportation for the Commerce Boulevard Project.

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

2.8 Consideration of 2011 Budget Amendment for additional Insurance Premium Tax Revenue received in the amount of \$456,449.00 from the Insurance Premium Tax Fund to the General Fund. County budgeted \$5.7 million but received \$6.5 million.

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

2.9 Consider approval of contract award to Telenet Systems, Inc. for replacement of audio/video surveillance monitoring, recording and management system for the Cherokee County Adult Detention Center in the amount of \$151,538.97. Seven bids were received ranging from \$34,306.50 to \$372,205.00. Telenet's proposal is determined to be the best solution.

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

2.10 Consider proposed changes to the Development Code.

It was decided during Work Session discussion after Margaret Stallings had given a presentation and asked for feedback that this item be **postponed to the March 20** meeting. The Board asked her to email them information related to the existing and proposed changes so that they can make their decision at the future meeting.

2.11 Consider approval of Professional Services Agreement with Diversified Electronics for the annual preventive maintenance, outage repairs and customer service of county-wide outdoor warning sirens in an amount not to exceed \$30,083.00.

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

2.12 Consider resolution authorizing change order one to the construction agreement with Gay Construction for a guaranteed maximum price of \$1,199,420.00 for the Senior Center Renovation/Expansion Project.

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

COUNTY ATTORNEY

3.1 Consider suspension, revocation, or probation of precious metal dealer's permit for Butch Roberts d/b/a Goldhound, 2382 Marietta Hwy, Canton, GA. (This item was postponed from last meeting.)

Angie Davis entered by way of announcement that the Sheriff's Office goal was achieved as the business had relinquished their Occupational Tax Certificate (Business License) and the business has closed down. She said as of now, there is nothing further this Board has to do.

3.2 Consider adoption of resolution establishing the electronic maintenance and storage of board records for Cherokee County Board of Commissioners.

Angie Davis stated that the resolution was to establish where and how the Board will keep official records including the Board's minutes. She said that the County's efforts to go paperless by maintaining and storing minutes electronically made these records more accessible to the public via Internet, including contracts. She added that hardcopies of contracts will be kept as well in the Administrative Offices.

Vice Chair/Commissioner Bosch made a motion to approve; Commissioner Nelms 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 7:16 p.m.; Commissioner Johnston seconded and the motion received unanimous approval.