

MINUTES

Cherokee County Board of Commissioners

March 20, 2012 REGULAR MEETING CHEROKEE HALL 6:00 P.M.

INVOCATION

Dr. Fritz Lovelace 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 Tom Mondelli; 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.

PRESENTATIONS

PROCLAMATION

Proclaiming March 22 as Agriculture Day.

Chairman Ahrens read the proclamation. Mr. Grizzle with Cherokee County Farm Bureau was in attendance and thanked the Commissioners for their support. Chairman Ahrens said that he would be attending the Agriculture Expo reception on March 22 and would read the proclamation there also.

AMENDMENTS TO AGENDA

Under County Manager: Remove Northside Hospital Agreement
Remove Development Code Changes

Move Public Comment Section after County Attorney Section.

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

APPROVAL OF WORK SESSION MINUTES FROM MARCH 6, 2012.

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

APPROVAL OF REGULAR MEETING MINUTES FROM MARCH 6, 2012.

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

PUBLIC HEARING

The Cherokee County Board of Commissioners will conduct a public hearing on Tuesday, March 20, 2012 at 6:00 p.m. in Cherokee Hall of the Cherokee County Administration Building, 1130 Bluffs Parkway, Canton, Georgia. The Commissioners will consider revisions to the Zoning Ordinance related to Residential Care Facilities. Specifically, the proposed changes include changes to Article 4, and Article 7. The proposed changes are on file and available for review at the Department of Planning and Land Use at 1130 Bluffs Parkway, Canton, Georgia and online at www.cherokeega.com. Anyone with any interest in this matter should be present at the public hearing to voice his or her interest/objection to this proposal.

Margaret Stallings gave a presentation explaining the proposed revisions to the ordinance.

Commissioner Hubbard made the motion to open the public hearing at 6:14 p.m. Margaret asked if anyone had any further questions. No one had questions and no one had signed up to speak.

Commissioner Nelms made a motion to close the public hearing at 6:22 p.m. There was unanimous approval.

Commissioner Johnston asked Margaret if she wanted action on the ordinance at tonight's meeting. She replied that action or feedback would be great.

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

PUBLIC COMMENT

Amended: This item was moved to the end of agenda, behind the County Attorney section.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

A. Discussion of candidates for the two vacancies on the Region 1 BDHDD Board.

The Chairman mentioned that the Region 1 BDHDD Board was having a hard time finding volunteers for the remaining two vacancies and that the application was on the County website for anyone interested in being considered for the Board.

B. Opening of Gibbs Gardens.

The Chairman spoke about Gibbs Gardens located on Yellow Creek Road in Ball Ground that opened in March. He stated that among other highlights, the 300 acre garden has 22 ponds fed by springs on the property, Water Lily gardens featuring over 140 varieties, a replica of Monet’s garden bridge and a 40 acre Japanese Rock Garden thought to be the largest in the U.S.

C. Update on SB514 – Local HOST Legislation.

He announced that the HOST bill passed the local legislation. It was to add HOST to the November referendum, local legislation. This is where one penny goes back to win back the County M&A taxes on homesteaded properties. He said there may be excess, unabsorbed, and that would go to non-homesteaded properties, commercial and residential. There will be plenty of time between the July 31st primary and the November referendum to provide the necessary information that you all will need to make your own decision on termination and whether or not you feel that is appropriate for the county.

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 exercise equipment left at the City Club Building by previous owner and to obtain sealed bids/quotes for sale of equipment. (If not bids received, requesting permission to dispose of accordingly.)
- 1.2 Consider approval of budget amendments to EMS Fund and General Fund from insurance recovery in the amounts of \$36,340.43 to EMS Fund and \$17,950.69 to the General Fund (\$10,495.50 to Uniform Patrol Division; \$5,910.00 to Uniform Patrol Division; \$1,545.19 to Uniform Patrol Division).
- 1.3 Consider approval of budget amendment from Reserves to 2012 Parks Budget in the amount of \$31,735.00 due to Youth Basketball spanning two fiscal years, 2011-2012. Cost saving measures by Parks to achieve a balanced budget with the lower reserves includes a proposal to delay filling vacancies, reduced costs for Volunteer Banquet and facility use services handled in-house.
- 1.4 Consider approval to surplus radio equipment for Fire-ES for appropriate disposition, e.g., electronics recycling.

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

COUNTY MANAGER

- 2.1 Consider adoption of County Grant Fiscal Management Policy.

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

- 2.2 Consider approval of 2011 Year end budget adjustment for a total amount of \$1,403,521.00 to correct budget overages caused by extraordinary events. \$236,005 related to severance/insurance payments for ISRP; \$358,084 for purchases made from Confiscated Assets and Forfeiture accounts; \$171,702 related to Clerk of Court technology purchases; \$294,867 to Transportation Fund required by GASB to offset future anticipated negative balance.

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

- 2.3 Consider approval to purchase Holmatro Hydraulic Rescue Tools to upgrade rescue tools and enhance the level of service at Fire Station 6, Clayton Community, in the amount of \$25,160.40. Impact to County is \$5,160.40 with Clayton Volunteer Fire Department contributing \$20,000.00.

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

- 2.4 Consider approval of 2011 Consolidated Annual Performance and Evaluation Report (CAPER) for submission to HUD as required as a recipient of CDBG (Community Development Block Grant) in the amount of \$788,374.00.

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

- 2.5 Consider approval of Amendment One, which is the first one-year renewal of the July 5, 2011 agreement, to the Professional Services Agreement with Carrier Commercial Services for the Justice Center Chiller Plant in the amount of \$33,576.00, extending the agreement to February 2013. (Original agreement allows for two (2) one-year renewals.)

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

- 2.6 Consider approval of Amendment One, a one-year renewal, to Professional Services Agreement with Tri Scapes, Inc. in the amount of \$94,249.00. Agreement also formally adds four (4) sites. Impact to County is \$77,045.00 with BridgeMill POA contributing \$17,204.00 for the Sixes/Bells Ferry Road Corridor maintenance and herbiciding.

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

- 2.7 Consider approval of budget amendment from Reserves to 2012 Parks Budget in the amount of \$31,735.00 due to Youth Basketball spanning two fiscal years, 2011-2012. Cost saving measures by Parks to achieve a balanced budget with the lower reserves includes a proposal to delay filling vacancies, reduced costs for Volunteer Banquet and facility use services handled in-house.

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

2.8 Consider proposed Development Code section on Home-Based Businesses, designed to address on-going issues such as use of accessory structures, outside storage and employees/vehicles.

Mr. Cooper requested to postpone the item until the next meeting.

Commission Bosch made a motion to accept the postponement; Commissioner Nelms seconded and there was unanimous approval.

COUNTY ATTORNEY

PUBLIC COMMENT

Amended: This item was moved to the end of agenda, behind the County Attorney section.

1. Carolyn Cosby spoke about her concerns with the "Bobo Boondoggle." She said she felt the Commissioners attempted to blame the public. She stated that both of the Development Authorities did not support their agreement with Mr. Bobo. Mrs. Cosby expressed her concerns about the aquatic center and how it would most likely cost the taxpayers substantially more for maintenance on the equipment. She believes the citizens need full disclosure of financial records at no cost. She also said that right now it is a conservative estimation that property taxes will rise annually due to the loan for the Ball Ground Recycling Center.
2. Bill Mcniff commented on the financials for 2011. His main concern was the amount of time it would take for the financials for 2011 to be finalized and the auditors to review it.
3. Tracy Torguson commented on the Ball Ground Recycling Center. She stated that the tax payers were left to pay the debt the center is now in.
4. Debbie Staver complimented the Citizens Committee and said she felt as if though they had not been treated fairly. She mentioned Chairman Ahrens pushing TSPLIT and how that was huge spending for the county alongside HOST.

Chairman Ahrens commented that the state legislatures wrote that law and because we are a part of the metro region, we don't have any other choice. There was no option to opt in or opt out. He clarified that the laws written by the

legislature said these had to be regional projects and over a 10 year period the citizens would pay \$280 million and would get back \$270 million. He then invited everyone to the ARC presentation to learn more information.

5. Vince Holland expressed his confusion on how we became a "public fund" for a private individual and/or company.
6. John Hiland spoke about the county spending \$1.2 million for budget overages for extraordinary events. He also had concerns with the county declining an investigation of the Bobo Recycling issue.
7. Rita Evans thanked the Commissioners for their efforts. She said she came to ask for help on a zoning issue in a subdivision, Villages of Clairemore. She wants Woodstock Planning & Zoning as well as the Commissioners to vote against crematory. She said a Woodstock inspector approved a funeral home with the crematory room unequipped. She also said there is a state law that requires 1,000 feet between a crematory and a residential zone.
8. Steve Marcinko also expressed his concerns about Ball Ground Recycling. He said he felt as if there were a lot of unanswered questions. He asked that everything be laid out on the table concerning a business relationship with Mr. Bobo.
9. Richard Brazetti said running a government is like running a business and he feels that the government needs to learn how to run a business.
10. A gentleman who did not state his named said that he was not looking to place blame, just wanted a solution.
11. C.R. White said he would like to suggest a rule for the Commissioners to follow and that would be to refer to the Bible for advice on how to manage the County.

ADJOURN

The Chairman asked if there was any further business. Hearing none, Commissioner Hubbard made the motion to adjourn at 7:38 p.m.; Commissioner Johnston seconded and the motion received unanimous approval.