

# MINUTES

## Cherokee County Board of Commissioners

May 1, 2012 REGULAR MEETING CHEROKEE HALL 6:00 P.M.

Chairman Ahrens asked for a motion to close Executive Session at 6:05 p.m.

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

### **INVOCATION**

Pastor Phil Engelman with Grace Valley Ministries gave the invocation.

### **CALL TO ORDER**

### **CHAIRMAN AHRENS**

Chairman Ahrens called the regular meeting to order at 6:09 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"*

Angie Davis led the Pledge of Allegiance.

### **AMENDMENTS TO AGENDA**

1. Add Approval of Executive Session Minutes
2. Add item under Consent Agenda 1.5
3. Add under announcements concerning the Senior Extravaganza
4. Add Proclamation under Post 1 Commissioner Johnston's Section

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

## **ANNOUNCEMENTS**

1. 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 added that volunteers will be there to unload the items and that document shredding will also be available.

2. The Cherokee County Roads and Bridges Department announces Earney Road will be closed Monday April 23, 2012 at 7:30 am until Friday May 4<sup>th</sup> at 5:30 pm beginning at Hilltop Court down to the dam west of the Capitol City Club for road relocation. A posted detour will be signed.

Questions regarding the road closure should be directed to the Roads and Bridges Department at 770-345-5842.

3. A burn ban is in effect by the Georgia Forestry Commission from May 1 to September 30. For information on burn permits, contact the Georgia Forestry Commission at 1-877-OK2-BURN.
4. Amendment: Commission Hubbard spoke about the Senior Extravaganza presented by SALT (Seniors and Law Enforcement Working Together) being held Saturday, May 5 at the South Annex Building from 10:00 to 2:00. He added that vendors will be on hand as well as various county departments to give information to seniors and caregivers of seniors. Brochures are available at the desk out front.

## **PRESENTATIONS**

None scheduled.

## **PROCLAMATION**

Amended: A Proclamation in honor of Charlie Ferguson was read by Commissioner Johnston under his portion of the agenda.

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

Commissioner Hubbard made a motion to approve; Commissioner Nelms seconded and there was unanimous approval with Commissioner Bosch abstaining as she was not present at Work Session on April 17.

## **APPROVAL OF EXECUTIVE SESSION MINUTES FROM APRIL 17, 2012.**

(As circulated by the County Manager.)

Commissioner Hubbard made a motion to approve; Commissioner Johnston seconded and there was unanimous approval with Commissioner Bosch abstaining as she was not present at Executive Session on April 17.

The Chairman asked Angie Davis to indicate the reason to approve Executive Session Minutes in a regular meeting. Ms. Davis said that on April 17 the new Open Meetings/Open Records Act amendment came into immediate effect and includes that minutes be recorded at Executive Session. Therefore, Mr. Cooper took minutes at Executive Session. She added that although the minutes must be recorded and approved to become part of the Board's records, they are not for public consumption and would only be disclosed in the event of a court case within chambers.

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

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

### **PUBLIC HEARING**

The Cherokee County Board of Commissioners will hold a Public Hearing to solicit public input on the Cherokee County Development Regulations, Section 3.05 – Approval and Recording of the Final Plat; specifically to address maintenance and performance guarantees, on Tuesday, May 1, 2012 at 6:00 p.m. in Cherokee Hall of the Cherokee County Administrative Complex and Conference Center, 1130 Bluffs Parkway, Canton, Georgia. Documents are available for review at the Engineering Department at the Cherokee County Administrative Complex during normal business hours.

County Engineer Geoff Morton gave a summary of the changes requested to the regulations specifically to address maintenance and performance guarantee.

Commissioner Hubbard thanked Mr. Morton for his due diligence on this issue, explaining that under the current regulations, when a subdivision was built, roads were put down without the top coat until cement trucks were finished and often the roads were not being completed. This amendment will insure road completion if the developer fails to complete it.

Commissioner Hubbard made a motion to open the Public Hearing at 6:15; Commissioner Nelms seconded and there was unanimous approval.

No one had signed up to speak.

Commissioner Hubbard made a motion to close the Public Hearing at 6:17; Commissioner Nelms seconded and there was unanimous approval.

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

## **PUBLIC COMMENT**

No one had signed up to speak. Debbie Staver asked from the audience if she could speak because she didn't get a chance to sign-up prior to the meeting. Chairman Ahrens asked the Board if they would allow Ms. Staver to speak and they all agreed.

1. Debbie Staver asked the Board to consider permitting a member of their group to speak at Senior Centers about transportation. She also asked that the Board hold off on spending until the recycling issue gets resolved.
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## **COMMISSION BUSINESS**

**CHAIRMAN**

**L. B. AHRENS**

**COMMISSION POST 1**

**HARRY B. JOHNSTON**

- A. Consider acceptance of 0.52 miles on Indian Trace Drive beginning at Holbrook Campground Road for County Maintenance.

Commissioner Johnston designated acceptance of the 0.52 miles.

- B. Amended: Commissioner Johnston began by saying that Charlie Ferguson was one of the finest people he had ever known and said that all who knew him echoed that. Commissioner Bosch commented that she too had had the pleasure of meeting him and that he was truly a good guy. Commissioner Johnston then read the **proclamation** that he had earlier presented at the funeral of Charlie Ferguson, declaring May 1, 2012 a day to honor and celebrate the life and legacy of Charlie Ferguson in Cherokee County.

**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 Consideration to surplus vehicles and equipment identified as no longer meeting the needs of various County departments and to dispose of or schedule for the May 12 equipment auction: Twelve (12) vehicles; six (6) pieces of equipment; one (1) trash trailer and various outdated auto parts.
- 1.2 Consider acceptance of two (2) streets in the Millstone at Little River subdivision that have not been formally accepted for County maintenance; Millstone Parkway and Millstone Lane.
- 1.3 Consider final acceptance of all public rights-of-way, roadways and appurtenant drainage structures in the Northbrook Manor subdivision.
- 1.4 Consideration to surplus miscellaneous outdated computer equipment from the Voter Registration office and to dispose of at the Electronic Recycling Day on May 5, 2012.

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

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**COUNTY MANAGER**

- 2.1 Consider acceptance of a bid from Ridgeline Homes, LLC for the sale of surplus property; Two (2) parcels, Lot 102 and Lot 118 in the Belmont Trace Subdivision, in the amount of \$15,000.00.

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

- 2.2 Consider approval of a change order to the Professional Services Agreement with HDR for additional design and engineering services and compensation for the planned new parks at Etowah and Killian for the City of Canton in a total amount of \$255,000.00 to be funded from the City of Canton portion of the Park Bond Program.

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

- 2.3 Consider acceptance of U.S. Department of Housing and Urban Development CDBG funding approval/agreement in the amount of \$904,196.00 for PY 2012 CDBG Funding. (Grant does not require match.)

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

- 2.4 Consideration of Partnership Agreement between Cherokee County and Northside Hospital-Cherokee for payment to Cherokee County in annual installments of \$25,000.00 for a period of five (5) years to be used for the Safe Kids Cherokee Program managed by Fire & Emergency Services.

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

- 2.5 Consider purchase agreement for acquisition of 6.14 acre parcel located on SR 20 and Old Mill Road in the amount of \$170,000.00 for a future location of a library.

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

- 2.6 Consider intergovernmental agreement between Cherokee County and the City of Woodstock for road improvements in conjunction with the Horizon Outlet Mall Project.

Commissioner Nelms made a motion to approve; Commissioner Hubbard seconded and the vote was approved 4-1, with Commissioner Bosch voting nay.

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**COUNTY ATTORNEY**

**ADJOURN**

The Chairman asked if there was any further business. Hearing none, Commissioner Hubbard made the motion to adjourn at 6:42 p.m.; Commissioner Johnston seconded and the motion received unanimous approval.