

MINUTES

Cherokee County Board of Commissioners

September 4, 2012 REGULAR MEETING CHEROKEE HALL 6:00 P.M.

INVOCATION

Reverend Eynon with Woodstock Christian Church gave the invocation.

CALL TO ORDER

CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting to order at 6:27 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.

RATIFY CLOSURE OF EXECUTIVE SESSION

Chairman Ahrens called for the motion to ratify closure of Executive Session at 6:22 p.m. Commissioner Hubbard made a motion to approve; Commissioner Johnston seconded and there was unanimous approval.

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.

PRESENTATIONS

None Scheduled.

PROCLAMATION

Proclaiming September 7, 2012 as "Lois Gay" day in Cherokee County in honor of her 100th Birthday. Ms. Gay is a life-long Cherokee County Resident.

Gene Rampley and Virginia Peardon, two of Ms. Gay's children, accepted the proclamation.

AMENDMENTS TO AGENDA

1. Under Chairman Ahrens' section, add Ethics Board Vacancy.
2. Under Announcements, add dates for early voting.

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

ANNOUNCEMENTS

Amendment 1: Early voting dates:

Oct. 15 – Oct 26

8:30-5:00 (M-F)

Cherokee County Elections Office

400 E. Main Street

Canton, GA 30114

Open to ALL Cherokee County registered voters!

(one location ONLY)

Oct. 27

8:30-4:00 (Saturday)

Cherokee County Elections Office

400 E. Main Street, Canton, GA 30114

Ball Ground Public Library

435 Old Canton Rd., Ball Ground, GA 30107

Hickory Flat Public Library

2740 East Cherokee Dr., Canton, GA 30115

Rose Creek Public Library

4476 Towne Lake Parkway, Woodstock, GA 30189

Woodstock Public Library

7735 Main Street, Woodstock, GA 30188

Open to ALL Cherokee County registered voters!

(Five locations)

Oct. 29 – Nov. 2

8:30-7:00 (M-F)

Cherokee County Elections Office

Ball Ground Public Library

Hickory Flat Public Library

Rose Creek Public Library

Woodstock Public Library

Open to ALL Cherokee County registered voters!
(Five locations – see addresses above)

Nov. 5 (Monday) NO VOTING

Nov. 6

ELECTION DAY 7:00–7:00 (Tuesday)

All county precincts are open ELECTION DAY

You must vote at your assigned precinct.

Call the Elections office for any questions at 770-479-0407.

1. The Cherokee County Roads and Bridges Department announces **that East Rope Mill Road will be closed** at its intersection with Old State Route 5 (Holly Springs Pkwy) and at Rope Mill Pkwy (Rope Mill Business Park) for road reconstruction **beginning Tuesday September 4, 2012 at 7:30** am until Friday September 14, 2012 at 5:30 pm. A message board regarding the closure will be in place.

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

2. ELECTRONICS RECYCLING DAY SATURDAY OCTOBER 13, 2012

9:00 a.m. – 1:00 p.m. at Cherokee Administrative Building
1130 Bluffs Parkway, Canton, GA 30114

Commissioner Hubbard announced the Electronic Recycling Day, going over the different types of electronics that would be accepted that day. (Flyers were available at the table outside Cherokee Hall).

3. Drive-by Flu Shot Clinic / Cherokee County Health Department

Tuesday, September 11, 7:30 a.m. – 6 p.m.

Woodstock Health Center, 7545 North Main Street, Woodstock GA, 30188

The regular seasonal flu vaccine is \$20 and the high dose flu shot is \$50 (for ages 65 and older). At the Drive-by Flu Shot Clinics, the health departments are accepting cash, checks, Medicare and Medicaid as well as State Cigna and State United Healthcare Insurances. For more information call **(770) 928-0133**.

APPROVAL OF EXECUTIVE SESSION MINUTES FROM AUGUST 21, 2012

As distributed by the County Manager.

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

APPROVAL OF WORK SESSION MINUTES FROM AUGUST 21, 2012.

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

APPROVAL OF REGULAR MEETING MINUTES FROM AUGUST 21, 2012.

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

PUBLIC HEARING

None Scheduled.

PUBLIC COMMENT

1. Carolyn Cosby signed up to speak about the Grand Jury Recommendations.
2. John Hiland signed up to speak about the Grand Jury Recommendations.

ZONING CASES

None Scheduled.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

Amendment 2: Chairman Ahrens stated that on behalf of the Board of Ethics he was making a public request for recommendations to fill the remaining term of Sheila Auffrey.

A. Discussion of HOST Planning and Details.

Chairman Ahrens asked Janelle Funk to briefly go over the slide presentation made on the HOST (Homestead Option Sales Tax) during Work Session.

She began by explaining that the HOST is a 1% sales tax that would increase Cherokee County from 6% to 7% if approved. The additional sales taxes would reduce M&O homeowner property taxes. By law 80% of the collected sales taxes are required to be used to reduce homeowner property taxes. The Board of Commissioners is considering a resolution to require that 100% of these sales taxes be used for reducing homeowner property taxes. Only Cherokee County property owners pay property taxes. Sales Tax is paid by everyone making purchases in Cherokee County. Therefore, the HOST sales tax option would reduce the burden on property owners and spread among all purchasers living in and visiting Cherokee County. She also went over the timeline of collection of the sales tax if approved on the November 6, 2012 ballot. The new 1% sales tax would be effective April 1, 2013. HB 108 instructs the County to calculate a full year's collection to compute the credit. The first full calendar year would be 1/1/2014 to 12/31/2014. Therefore according to state law, homeowners would see a HOST credit on their property tax bill due 12/20/2015.

The Board then discussed different options to allow utilizing the 2013 sales taxes to reduce the burden on homeowners sooner.

The Chairman asked for volunteers to form a committee to help share information related to HOST to groups such as HOA's, Faith-based events, etc.

A gentleman from the audience asked for clarification on the exemption on property having more than five acres. It was explained that full exemption was applied to five acres and the remaining acreage would be put into the non-residential pool. He asked who set the over/under five acres calculations and the Chairman replied that it was state law.

Another gentleman from the audience said that he'd like to point out that property taxes were tax-deductible.

B. Discussion of Grand Jury Recommendations.

Chairman Ahrens read through the thirteen recommendations from the Grand Jury related to the Resource Recovery Development Authority, issuance of bonds and Ball Ground Recycling. He stated that a lengthy discussion on each item was held during Work Session which is why the regular meeting called to order late.

Commissioner Johnston commented that the Board from the very beginning welcomed the Grand Jury's recommendations. He said in fact it has allowed doors to open for obtaining information that were not available to them previously.

Chairman Ahrens made a motion to direct the County Attorney to prepare a Resolution for presentation at the next Board of Commissioners' meeting that would advise as to the Board's intentions to act in connection with the Grand Jury's recommendations and/or advise as to actions that have already been taken consistent with the Grand Jury's recommendations. Commissioner Bosch seconded and there was unanimous approval.

COMMISSION POST 1

HARRY B. JOHNSTON

A. Discussion / Budget Breakdown for Canton Parks Projects.

Commissioner Johnston referenced a letter received from the City of Canton, formally requesting the County to commit to the established allocation of Parks Bond Funds in the amount of \$3,144,238.00. He then gave a breakdown of Canton's Park Project, outlining the changes made to achieve the best outcome on the joint park project at the Etowah River, including the Killian parcel adjacent to Kenny Askew Park and other additional features as follows:

- Revised base plan for the park and additional features such as playground equipment and the bridge to Heritage Park.
- The HDR architectural/engineering re-design fees initially estimated at \$60,000 but now estimated at \$119,620 are to be paid from the above amount.
- The original HDR design fee of \$275,000 plus \$71,000 for the trails to Boling Park have been separately budgeted and paid. They do not need to come out of the \$3,144,238. Design fees of \$135,380 for the Killian site are also outside and in addition to that amount.
- A railroad crossing budget of \$50,000 is in addition to the \$3,144,238 figure. However, any difference in the actual cost to build that crossing would come from (or be credited to) the \$3,144,238 budget figure.
- A construction contingency of \$136,782 is outside and in addition to the \$3,144,238 figure.

Commissioner Johnston made a motion to authorize a letter of reply, confirming the commitment as discussed; Commissioner Hubbard seconded and there was unanimous approval.

COMMISSION POST 2

JIM HUBBARD

VICE CHAIR/COMMISSION POST 3

KAREN BOSCH

COMMISSION POST 4

JASON NELMS

CONSENT AGENDA

- 1.1 Consider approval of budget amendment for District Attorney's Office in the amount of \$3,000.00 to Training.
- 1.2 Consider approval of budget amendment for **CATS Fixed Route FY2012** to accept additional fuel allocation funds in the amount of **\$19,467.00**.
- 1.3 Consider approval to submit continuation application for STOP VAWA Criminal Justice System Improvement **(CJSI) Grant** for federal award amount of **\$80,000.00** for 2013. Match of \$26,666.00 is satisfied with existing personnel- no county funds required.

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

COUNTY MANAGER

- 2.1 Consider award of trucking services contract to low bidder **Johnny Chastain Construction** of Ball Ground in the amount of **\$52.50 per hour per truck**. Other bidders were; Little Dog Hauling of Dawsonville - \$54.00 per hour per truck, Double "O" Hauling of Braselton - No bid.

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

- 2.2 Consider approval of Supplemental Agreement Number 1 from **NJ Wilbanks Contracting Company, Inc.**, for the additional costs associated with bridge

construction on the Commerce Boulevard – Phase 2 project in the amount of **\$155,760.79** to be paid by Northside Hospital.

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

2.3 Consider approval of **FY 2013 GDOT contract** in the amount of **\$540,045.00** for operating expenses associated with the CATS 5311 Rural Public Transportation Project.

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

2.4 Consider approval of budget amendment to accept **Hazard Mitigation Grant** for Cherokee County Emergency Management in the total amount of **\$23,507.00** for the purchase and distribution of 500 weather radios. The total amount includes a local share of \$3,526.00 which is funded through Emergency Management staff salary as 'in-kind match'.

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

2.5 Consider approval to award three (3) separate Professional Services Agreements to the lowest responsible proposers to provide master planning, design and engineering, and bid/award and construction administration services for the following Park Projects:

1. **ForeSite Group** in the amount of **\$110,780.00** for **Holly Springs Park**.
2. **Ross Consulting Engineers** in the amount of **\$183,950.00** for **Cherokee Mills** and Other Park Renovations.
3. **Lose & Associates** in the amount of **\$271,165.00** for **Hobgood Park Phase 2/Next** and other Park Renovations.

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

2.6 Consider approval to award property, casualty and liability insurance contract to **One Beacon**, through Insurance Office of America (IOA), for premium amount of **\$673,439.00**.

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

- 2.7 Consider acceptance of State Properties Commission proposal to pay \$700,000.00 toward the cost of the law enforcement shoot house and firing range rather than contribute toward the cost of the law enforcement training classroom building. The funds provided by the State are contingent upon the transfer of property to the state for the location of the shoot house and firing range mutually acceptable to both parties. Also, requesting BOC authorize the issuance of a notice to proceed to the contractor for construction of the law enforcement training facility.

Chief West who was in the audience was asked if the Sheriff's Office was in agreement to proposal and he replied that they were.

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

- 2.8 Consider approval to accept the **Bureau of Justice (BJA) Grant** three-year award for grant cycle October 1, 2012 to September 30, 2015 for a total amount of **\$350,000.00** to implement Adult Drug Accountability Court and create three county positions. Match in the amount of \$116,667.00 will come from DATE funds/ If DATE funding is not available positions will be eliminated. BOC approved BJA Grant application on February 21, 2012.

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

- 2.9 Consider approval of Grant application to request funding from Georgia Criminal Justice Coordinating Council/Accountability Court Funding Committee FY 2013 in the amount of **\$200,000.00** to support implementation of Adult Drug Accountability Court for Superior Court. No Match required.

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

- 2.10 Consider acceptance of proposals and approval of contracts for officiating for Cherokee Youth Basketball (CYB) with **Cherokee County Officials Association (CCOA)** and **North Georgia Amateur Umpire Association (NGAUA)** for a total amount not to exceed **\$127,200.00** each for the upcoming CYB League. (Officials/\$21 per game and Clock Keeper/\$10 per game, total maximum per game of \$53 calculated at two officials and one clock keeper for approximately 2,400 games.)

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

2.11 Consider acceptance of proposals and approval of contracts for lowest responsible bidder **Chandler Graphics** for uniforms for the upcoming Cherokee Youth Basketball Season for a unit cost of **\$23.38 per uniform** of jersey, shorts and screen printing. Two other proposals were received by out of state vendors and were deemed non-responsive because one was received past the deadline and the other did not submit a complete proposal.

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

2.12 Consider approval of budget amendment to correct 2012 budget for unforeseen costs and transfers to budgets from originally planned items in the total amount of **\$1,080,415.00**. (General Fund - \$355,862.00; DUI Court Fund - \$38,140.00; Jail Fund - \$151,539.00; Parks Bond Fund - \$108,000; Insurance Premium Fund - \$339,065.00; SPLOST V Fund - (2,701,391.00); SPLOST 2012 Fund - \$2,362,326.00; RRDA Fund - \$304,374.00; Debt Service Fund - \$1,500.00; EMS Fund - \$72,000.00; Fleet Fund - \$49,000.00.)

Commissioner Johnston made a motion to approve; Commissioner Hubbard seconded and there was unanimous approval. The Chairman commented that this was basically a book keeping measure and that they were actually under 2012 budget.

2.13 Consider approval to purchase a replacement John Deere skid-steer loader for Roads & Bridges Department from **Flint Equipment Company** in the amount of \$32,988.70 plus a 60 month powertrain and hydraulics warranty in the amount \$2,037.00 for a total amount of **\$35,025.70**; Three other bids were received; Border Equipment for Case Loader at \$32,087.00, United for a John Deere at \$38,500.00 and Bobcat of Atlanta for a Bobcat at \$32,482.54. Roads & Bridges currently has two other John Deere skid-steer loaders and R & B staff and Fleet Maintenance are familiar with minor servicing needs of John Deere Equipment, therefore the recommendation is to purchase the John Deere skid-steer.

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

COUNTY ATTORNEY

ADJOURN

The Chairman asked if there was any further business. Hearing none, Commissioner Hubbard made the motion to adjourn at 7:48 p.m.; Commissioner Johnston seconded and the motion received unanimous approval.