

MINUTES

Cherokee County Board of Commissioners

December 18, 2012

Regular Meeting

CHEROKEE HALL 6:00 PM

INVOCATION

Reverend Eynon with Woodstock Christian Church gave the invocation.

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"

Commissioner Hubbard led the Pledge of Allegiance.

CALL TO ORDER

VICE-CHAIR/COMMISSIONER BOSCH

Vice-Chair Bosch called the regular meeting to order at 6:03 p.m. Those present include Commissioner Harry B. Johnston; Commissioner Jim Hubbard; 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. Chairman Ahrens was out of town visiting family and unable to attend.

RATIFY CLOSURE OF EXECUTIVE SESSION

Vice-Chair Commissioner Bosch called for a motion to ratify closure of Executive Session at 5:45 p.m.

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

PROCLAMATION

Consider resolution and proclamation for the naming of Justice Center in Honor of Judge Frank C. Mills III.

Vice-Chair Bosch asked Commissioner Johnston if he would like to speak about the proclamation having been involved from the beginning. Commissioner Johnston thanked the Vice-Chair for the honor and added that Mr. Cooper had brought the idea of renaming the Justice Center in honor of Judge Mills' retirement to the Board after hearing from several members of the Justice Center. At the suggestion, the Board decided to seek input from the community and particularly from the court system. He said that although the Board technically owns the building, the Justice Center is home to

the justice system and all those who work there. He said that the response was overwhelmingly positive.

Commissioner Johnston made a motion to rename the Justice Center as the **Frank C. Mills III Justice Center** effective December 31, 2012; Commissioner Nelms seconded and there was unanimous approval, 4-0.

Commissioner Johnston invited family members, friends and staff and anyone who wanted to participate to come forward to share in the proclamation and photos.

Commissioner Johnston added that likely an unveiling will take place once a sign, etc. was ready for the building.

Judge Mills said that he was honored and humbled by the recognition. He said that all he has done is what the other judges have done as well as the DA. He added that he had been privileged to have worked with so many unselfish and dedicated people who do the same thing he does every day.

On the recommendation of the County Attorney for clarification, after having read the proclamation, Commissioner Johnston made a motion to formally adopt the resolution; Commissioner Bosch seconded and there was unanimous approval.

AMENDMENTS TO AGENDA

1. Under County Attorney Portion: 3.1 Add Woodstock Annexation Notice Discussion

(Removed Annexation Notice from City of Holly Springs, Notice formally Withdrawn by Holly Springs.)

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

ANNOUNCEMENTS

Holiday 'Lights of Hope' Christmas celebration for kids of all ages.
December 13 – 22, 6:00 p.m. to 10:00 p.m. at Hobgood Park.

(Flyers available on the table outside of Cherokee Hall.)

Commissioner Johnston commented on the tax assessment staff. He said that the Atlanta Journal-Constitution (AJC) has been monitoring county tax assessment values for several years since the property value began to decline. For this year's assessments, AJC determined that Cherokee County's average assessment error was 0%. No other county in metro Atlanta had a 0% over assessment with the average error rate being between 20 to 30%. The Vice-Chair added that it is important to note for those who are considering moving here for business purposes or residential.

APPROVAL OF EXECUTIVE SESSION MINUTES FROM DECEMBER 4, 2012.

As distributed by the County Manager.

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

APPROVAL OF WORK SESSION MINUTES FROM DECEMBER 4, 2012.

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

APPROVAL OF REGULAR MEETING MINUTES FROM DECEMBER 4, 2012.

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

PUBLIC HEARING

None Scheduled.

PUBLIC COMMENT

No one had signed up to speak.

ZONING CASES

None Scheduled.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

Retreat Agenda will include discussion on the following topics and others may be added:

- Review of 2012 / Outlook for 2013
- Fiscal Integrity

- BOC Initiatives: Lifelong Communities
Ethics Ordinance Revision
Economic Development
County Strategic Plan
Other

The retreat will be held on January 17 and January 18 at Barnsley Gardens, beginning at 3:00 p.m. on January 17 and concluding by noon on January 18. (Official notice will be submitted to the media the first week in January 2013.)

On behalf of Chairman Ahrens, Vice-Chair Bosch went over the items under the Chairman's portion.

COMMISSION DISTRICT 1

HARRY B. JOHNSTON

COMMISSION DISTRICT 2

JIM HUBBARD

VICE-CHAIR/COMMISSION DISTRICT 3

KAREN BOSCH

COMMISSION DISTRICT 4

JASON NELMS

Vice-Chair Bosch asked Mr. Cooper to go over the Consent Agenda. Mr. Cooper stated that before Consent Agenda, he would like to read comments provided by Chairman Ahrens who couldn't be at tonight's meeting because he was visiting family in Connecticut.

Comments included 'thinking back about our Cherokee County Community to 2004 to 2006 when blank checks were available for homeownership, no credit-no problem...in retrospect, what happened'. He went on to say that he took the Chairman's gavel just as everything had peaked and headed south really fast, so he had not experienced the upside, but has only known the downside which we have been managing since 2007....cash flow, priorities, continuous improvement, etc. our internal theme has been = "Manage the Downside/ Create Opportunities", but we will get through this because we have the premier County in Metro Atlanta. He said that we have kept our heads above water with no layoffs or furloughs while improving levels of service.

Lastly, Mr. Cooper read the comments provided by Chairman Ahrens regarding the two long standing commissioners who are leaving us.

Service of Commissioner Karen Bosch:

Karen is as dedicated and hardworking as anyone could possibly be. Most of what she accomplishes we never see or hear about... it just gets done in the trenches. These quiet "wins" are what really characterizes her contributions.

She has championed to significantly improve the professionalism and capabilities of our Fire / EMS services... she fought for increased funding to significantly change the playing field of this critical component of protecting lives and property.

She has always had thoughtful points of view - supportive or not, but with specific, detailed rationale, not fluffy subjective stuff, and that is extremely valuable in our working environment.

Somehow, I believe this stage might simply be a 'time out' rather than retreat from public service.

The very best of luck to you Karen in whatever you do...

Service of Commissioner Jim Hubbard:

Jim has made numerous contributions while serving 8 years as your District 2 Commissioner. He's a solid, reliable professional, and extremely knowledgeable about a wide range of topics relevant to the Commission's responsibility.

He's a great team player, and often plays devil's advocate amongst us. For example, after every single one of the past six retreats, Jim has said - this is so valuable and important, maybe we should consider a mid-year retreat.

I know he has sacrificed many 'business opportunities' to instead serve his constituents. I hope he can now reach out to or beyond some of those lost opportunities and capture them. This is the nature of serving your community and sacrificing your own business growth.

Jim has been steadfast in his commitments to his constituents and I wish good health and good luck to 'recapture' those lost opportunities.

In summary the Chairman left these remarks:

Your Board of Commissioners must function in a collaborative, professional, and respectful manner, and I truly believe that we do. Sure, we have differences - sometimes big differences - but approaching those in the right manner ensures that each has their say, but at the end of the day we come out with a practical solution or direction... we do not need unanimity, rather consensus and mutual support for the outcome. "

Commissioner Bosch and Commissioner Hubbard thanked Chairman Ahrens for his support and comments.

CONSENT AGENDA

- 1.1 Consider approval to set a public hearing date for January 22, 2013 to hear a request for modification of a zoning condition, specifically Condition 2, on Rezone Case No.00-12-030.

- 1.2 Consider approval to authorize the Tax Commissioner's offices to accept personal, company, certified, treasurers and cashier's checks. Also requesting authorization to accept bank, postal and express money orders as well as debit/credit cards in payment for tax and tag fees pursuant to O.C.G.A. 48-5-146.

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

COUNTY MANAGER

- 2.1 Consider approval of Amendment One to the Professional Services Agreement dated November 17, 2011 with Ten-8 Fire Equipment, Inc.

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

- 2.2 Consider final acceptance of all public rights-of-way, roadways and appurtenant drainage structures in the Centennial Lakes subdivision including 1,291 LF of Centennial Lake Parkway and 295 LF of Shaw Drive.

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

- 2.3 Consider approval of a one-year extension of the Professional Services Agreement with Key Risk Management Services from January 1, 2013 through December 31, 2013 with no change in scope of services or fees.

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

2.4 Consider approval to award the construction contract to the lowest responsible bidder with the most responsive bid proposal to Georgia Development Partners, LLC. in Atlanta, GA for the base bid amount of \$849,939.29 and contingency amount of \$75,000.00 for the Woodstock Trails, Noonday Creek and Downtown Spur project. Also requesting the amount of \$75,000.00.00 for trail signage and furnishings to be purchased directly by the City of Woodstock, billed and paid directly by Cherokee County for a total requested amount of \$999,939.29 from the Park Bond Program.

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

2.5 Consider approval of selection of three (3) local companies to be placed on the rotation list to provide board-up services to Cherokee County residents and businesses: 1-800-BOARDUP, Disaster Response Team, LLC, and Latimer Construction.

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

2.6 Consider renewal of property auction agreement with Jeff Dobson & Associates for a period of three (3) years: 2013, 2014 and 2015, with 0% seller commission for vehicles and equipment, and 10% on other items.

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

2.7 Consider renewal of contract between Cherokee County and Rindt-McDuff Associates, Inc. (RMA) for the Blalock Road Landfill closure at a cost not to exceed \$148,000.00.

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

2.8 Consider approval of resolution and agreement with the Georgia Department of Natural Resources, Environmental Protection Division, for reimbursement in the amount of \$20,721.83 of eligible cost the county spent for Blalock Road Landfill.

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

2.9 Consider approving public safety software contract with Tiburon as recommended by a cross-functional committee consisting of representatives from the Sheriff's

Office, E-911, GIS, Procurement, Fire and Information Technology. The amount requested is \$350,000.00 plus an annual maintenance fee of \$110,000.00 for 7 years.

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

2.10 Consider approval of Amendment One to the Atlanta Regional Commission (ARC) FY2013 budget contract and budget amendment. State and federal funds in NSIP (Nutrition Services Incentive Program) were reduced; Federal funding from \$42,405 to \$24,556; State funding from \$15,705 to \$9,100. Adjustments were made to accommodate these changes, resulting in no changes in County's portion of the budget.

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

2.11 Consider approval to burn acquired structure located at 155 Hickory Road, Canton, GA 30115 for fire training purposes.

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

COUNTY ATTORNEY

3.1 AMENDED: City of Woodstock Annexation Notice

Ms. Davis went over the Woodstock Annexation. The property is located at 12,730 Highway 92 in Woodstock between Trickum Road and South Cherokee Drive. It is owned by Rachel Smith and is a total of 5.77 acres. The current zoning is R80 and is part of the Highway 92 Overlay. As discussed in Work Session, concerns exist due to a previous experience when the Board approved a Senior Living facility that proved not viable and was later brought back as a request for multi-family apartment buildings. The Board rejected it, but the courts gave the okay. Mr. Watkins says that the county has resolved that possibility in their latest permitted uses table, but Woodstock has an assisted living ordinance with different criteria. The Vice-Chair asked if they could be permitted to build a senior living and if it does not work out, change to multi-family. Mr. Watkins said he didn't know enough specifics of the City's ordinance to answer. He stated they knew they had to zone it in the County in order to do this. Ms. Davis stated that nothing more than discussion was necessary tonight but the matter needs to be

looked at a little further, possibly having staff work with the City of Woodstock on the details of assisted living versus apartments.

ADJOURN

The Vice-Chair asked if there was any further business. Hearing none, Commissioner Hubbard made the motion to adjourn at 6:46 p.m.; Commissioner Nelms seconded and the motion received unanimous approval.