

MINUTES

Cherokee County Board of Commissioners

March 19, 2013

Regular Meeting

CHEROKEE HALL 6:00 PM

INVOCATION

Fred Goodwin with the Church of the Messiah 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"

County Clerk Christy Black led the Pledge of Allegiance.

CALL TO ORDER

CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting to order at 6:11 p.m. Those present included Commissioner Harry B. Johnston; Commissioner Raymond Gunnin; Commissioner Brian Poole; Vice Chair/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 a motion to ratify closure of Executive Session at 6:00 p.m.

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

PRESENTATIONS/PROCLAMATIONS

Proclaiming March 19, 2013 as Marietta – Roswell Alumnae Chapter of Delta Sigma Theta Sorority, Inc. Day.

Chairman Ahrens read the proclamation and then presented the proclamation to several members of the group that were in attendance. He thanked the group for their contributions to the community, adding that they really do make a difference.

AMENDMENTS TO AGENDA

1. Under County Manager Portion, Add item 2.6: Consider approval of PSA with Martin-Robbins Fence Company, Inc. for Roads and Bridges Department.
2. Under County Manager Portion, Add item 2.8: Consider approval CAPER for submission to HUD for CDBG.
3. Under County Manager Portion, Add item 2.9: Consider authorizing County Manager to execute Amendment One with Ambulance billing service.

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

ANNOUNCEMENTS

Cherokee County 4-H Rabies Clinic is taking place at various schools in the county on Saturday, April 20th. This is an opportunity for residents to protect their pets against the deadly disease at the reduced cost of \$8 per animal. More information can be found on the flyers located on the table outside of Cherokee Hall or by calling 770-479-0444.

Saturday April 20 **9:00 a.m. R.M. Moore, Hickory Flat Elem, Oak Grove Elem;**
11:15 a.m. Clayton Elem, Woodstock Elem, Sixes Elem,
2:00 p.m. Ball Ground Elem, Holly Springs Elem, Canton
Elem

Chairman Ahrens announced that the ARC, an organization of which he sits on several boards, is accepting applications for the 2013-2014 MARC (Mock Atlanta Regional Commission) program now until April 1st. This youth leadership program, now in its 15th year, brings 9th and 10th graders together from all ten counties in the region for six months of study and hands-on activities regarding regional issues and challenges. Applications and more information can be found at atlantaregional.com/marc.

APPROVAL OF EXECUTIVE SESSION MINUTES FROM MARCH 5, 2013.

As distributed by the County Manager.

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

APPROVAL OF WORK SESSION MINUTES FROM MARCH 5, 2013.

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

APPROVAL OF REGULAR MEETING MINUTES FROM MARCH 5, 2013.

Commissioner Gunnin made a motion to approve; Commissioner Poole seconded and there was unanimous approval.

PUBLIC HEARING

None Scheduled.

PUBLIC COMMENT

No one had signed up to speak.

ZONING CASES

CASE NUMBER	: 13-01-001
APPLICANT	: Stonetrust Investors, Inc.
ZONING CHANGE	: R-80 to GC
LOCATION	: 3171 Cumming Highway
MAP & PARCEL NUMBER	: 14N29, Parcel 036
ACRES	: 4.0
PROPOSED DEVELOPMENT	: Office/Service
COMMISSION DISTRICT	: 1
FUTURE DEVELOPMENT MAP	: Transitional Corridor/Country Estates
PLANNING COMMISSION RECOMMENDATION	: Denial

Jeff Watkins summarized the case. Commissioner Johnston stated that this was a District 1 case and that he was not inclined to overturn the denial by the Planning Commission. He added that he had been in communication with the applicant since the denial and that the applicant is willing to have the case reconsidered with an amended application requesting O&I zoning rather than General Commercial. Commissioner Johnston said that even with O&I he thought it still might have a 50/50 chance at being

denied. He said that he would like to give the applicant that chance to meet with staff to see there is an opportunity to re-open the case to reconsider the O&I by postponing the case to the **April 16, 2013** BOC meeting.

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

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

- A. Consider acceptance of offer to donate 399 acres of greenspace to Cherokee County by the Scott Hudgens Foundation.

Chairman Ahrens stated that the Board received a letter from William Brogdon on behalf of the Scott Hudgens Family Foundation expressing a desire to donate 398.5 acres of property to Cherokee County.

The Chairman noted that Scott Hudgens had owned the property currently known as Riverstone and Laurel Canyon and that he donated the property that is the Veteran Cemetery. He stated that this property is in the western part of the County and that it borders Bartow County, has frontage on Hwy. 140 and touches County property that has riding and walking trails.

He then read the letter which is attached and included as part of these minutes. Commissioner Nelms stated that he is in support of accepting this very generous gift. Commissioner Johnston agreed that he was in full support of proceeding with the acceptance of the property. He asked County Attorney Angie Davis the process for starting this. Ms. Davis suggested a motion be made to accept the donation pending appropriate documents and title search to be prepared by the County Attorney. She added that to avoid problems later on, she would like to include language such as passive/active to specify potential use in a way to not limit us. Commissioner Johnston suggested the terms passive and active recreation and parks uses if the Foundation is agreeable.

Commissioner Johnston made a motion to approve subject to the title search and document approval by the Foundation, the County Attorney and the County Manager; Commissioner Nelms seconded and there was unanimous approval.

- B. Appointment to Highland Rivers Board.

Chairman Ahrens discussed the vacancy on the Highland Rivers Community Service Board in which the County has two positions. He went over some of the information

that CEO of Highland Rivers Health, Mr. Jason Bearden, had stated during Work Session. They are a non-profit organization that serves three distinct populations: those with serious persistent mental illness such as schizophrenia and bi-polar disorder; those with addictive diseases such as substance abuse; and those with developmental disabilities. They serve 12 counties in northwest Georgia, Cherokee being the largest. The Board is looking for an individual with financial or business experience as well as someone who understands children and families as they want to bring more child and family-based services to Cherokee County in the next six months. The Board meets 6 times per year, bimonthly, and the meeting location rotates. The Chairman asked members of the audience and particularly the media to assist in getting the word out in order to find interested candidates for this position.

C. Appointment to Board of Ethics.

Chairman Ahrens said board member Jeff Duncan resigned last week, effective immediately, leaving a vacancy to fill the unexpired term.

COMMISSION DISTRICT 1

HARRY B. JOHNSTON

Commissioner Johnston announced that his next Town Hall meeting was Monday, April 1st at 7:00 p.m. in Cherokee Hall at the Bluffs. He added that his first Town Hall meeting had about five or six people show up and they held a friendly discussion about what was on their minds.

COMMISSION DISTRICT 2

RAYMOND GUNNIN

COMMISSION DISTRICT 3

BRIAN POOLE

A. Town Hall meeting April 8, 2013 at 6:30 p.m. at the BridgeMill Fire Station.

Commissioner Poole said that he was looking forward to meeting with citizens of District 3 at his first Town Hall meeting on Monday, April 8th at BridgeMill Community Room. He said he would like to meet quarterly.

Chairman Ahrens shared the results related to the County from the Holly Springs Council meeting that took place last evening. The Council voted to accept the annexation request at Marble Quarry Road near the Sixes Road intersection and approved

Neighborhood Commercial Zoning rather than General Commercial as the applicant had requested. Regarding the WellStar purchase of acreage at Sixes Road and I-575 and Gresham Mill Parkway, the Council approved the rezoning from General Commercial and Mixed Use under Holly Springs Ordinance to General Commercial. He said the County had asked for the Council to follow their Planning Commission's recommendation to retain O&I. The request for a conditional use permit was denied, which means no hospital or free-standing Emergency Room can be built.

VICE CHAIR/COMMISSION DISTRICT 4

JASON NELMS

CONSENT AGENDA

- 1.1 Consider approval to amend budget to accept insurance recovery monies in the amount of \$2,577.96 for the Sheriff's Office Uniform Patrol Division for vehicle repairs.

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

COUNTY MANAGER

- 2.1 Consider approval of Professional Services Agreements with Martin Land Surveying, PC, Southeastern Engineering, Inc. and American Engineers, Inc. to perform land surveying and minor design services for County roadway construction projects. The three most responsive proposals were selected out of 17 received.

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

2.2 Consider approval of annual traffic striping and pavement marking services contract with most responsive proposer of the two received, TMI Services, Inc., to perform traffic striping countywide as needed.

Commissioner Gunnin made a motion to approve; Commissioner Poole seconded and there was unanimous approval.

2.3 Consider approval of Professional Services Agreement with ECS Southeast, LLC and NOVA Engineering & Environmental, LLC to perform materials testing services for County roadway and park construction projects. These were the two most responsive proposers of the ten received.

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

2.4 Consider approval of design services agreement with Keck & Wood, Inc. for the SR 92 and Robin Road Enhancement Project in the amount of \$87,000.00. Five of the seven proposals were considered responsive. This firm was selected from those for overall lowest price and meeting GDOT requirements.

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

2.5 Consider approval of Professional Services Agreements with Contour Environmental, LLC and Corblu Ecology Group to perform environmental consulting services for County roadway and parks construction projects. Of 10 responsive proposals, these two were selected for overall lowest cost in their respective areas of expertise.

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

2.6 Amended: Consider approval of Professional Services Agreement with sole bidder Martin-Robbins Fence Company, Inc., to perform guardrail installation and repairs, countywide, as needed.

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

2.7 Consider approval of resolution to provide discounts to County Employees to Parks facilities.

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

2.8 Amended: Consider approval of 2012 Consolidated Annual Performance and Evaluation Report (CAPER) for submission to HUD as required as a recipient of the Community Development Block Grant (CDBG) for the 2012 Program Year.

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

2.9 Amended: Consider authorization for County Manager to execute Amendment One to the 2003 Ambulance Transport Billing Services Professional Services Agreement with Advanced Data Processing, Inc. to extend contract for thirty (30) days.

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

COUNTY ATTORNEY

ADJOURN

The Chairman asked if there was any further business. Hearing none, Commissioner Johnston made the motion to adjourn at 6:56 p.m.; Commissioner Nelms seconded and the motion received unanimous approval.

GARLAND MOUNTAIN PROPERTIES, LLC

P.O. BOX 988
DULUTH, GA 30096
(770) 813-8111
FAX (770) 813-0420

March 12, 2013

Mr. L. B. Ahrens, Jr., Chairman
Cherokee County Board of Commissioners
1130 Bluffs Parkway, Upper Level
Canton, GA 30114

Re: 398.95 Ac. Property – Cherokee County – Map # 23N07 002

Dear Mr. Ahrens:

On behalf of The Scott Hudgens Family Foundation, this confirms the Foundation's desire to donate the above referenced remaining land in Cherokee County to the citizens of Cherokee County to tie in and be part of the county's existing green space. Mr. Hudgens was very fond of Cherokee County, its citizens and its leadership. We can think of no greater use of this land than its protection for use and enjoyment by the citizens of Cherokee County for many years to come.

Cordially,

GARLAND MOUNTAIN PROPERTIES, LLC

By: The Scott Hudgens Family Foundation, Inc.
Sole Member



William A. Brogdon
Vice President

CC: J. Bruce Williams, Jr.