

MINUTES

Cherokee County Board of Commissioners

April 2, 2013
Regular Meeting
CHEROKEE HALL 6:00 PM

INVOCATION

Commissioner Johnston 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"

Chairman Ahrens 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 6:03 p.m.

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

PRESENTATIONS/PROCLAMATIONS

1. Proclaiming the week of April 7 to April 13 **Boys & Girls Club Week** in Cherokee County.

Chairman Ahrens read the proclamation and presented it to Malon D. Mimms Boys & Girls Club Executive Director Sam Moore. Also present were Board of Directors Members Larry Woolard and Laura Mikszan along with several children from the

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Boys & Girls Club. Mr. Moore thanked the community and the commissioners for their support.

AMENDMENTS TO AGENDA

1. Add item 1.2: Budget amendment to transfer funds from Pre-Trial between State Court and Court Administration budgets due to the elimination of the Pre-Trial Department.
2. Add item 3.1: Discussion on annexation notice received from the City of Ball Ground.
3. Add under Chairman's portion, item B: Cemetery Preservation Committee.
4. Add under Chairman's portion, item C: Notice of a special joint BOC/RRDA meeting on April 16 at 4:00 p.m.

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

ANNOUNCEMENTS

1. ROAD CLOSURE: UPPER BETHANY ROAD

The Cherokee County Roads and Bridges Department announces that Upper Bethany Road will be closed for pipe replacement beginning **Monday, April 8, 2013 at 7:00 a.m. until Friday April 12, 2013 at 5:30 p.m.** It will be closed between Stancil Road and Mitchell Road. There will be a posted detour during the duration of the repairs.

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

2. CHEROKEE COUNTY RABIES CLINIC

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

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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.

- 9:00 a.m.** R.M. Moore, Hickory Flat Elementary, Oak Grove Elementary
- 11:15 a.m.** Clayton Elementary, Woodstock Elementary, Sixes Elementary
- 2:00 p.m.** Ball Ground Elementary, Holly Springs Elementary, Canton Elementary

APPROVAL OF EXECUTIVE SESSION MINUTES FROM MARCH 19, 2013.

As distributed by the County Manager.

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

APPROVAL OF WORK SESSION MINUTES FROM MARCH 19, 2013.

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

APPROVAL OF REGULAR MEETING MINUTES FROM MARCH 19, 2013.

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

PUBLIC HEARING

None Scheduled.

PUBLIC COMMENT

NO one signed up to speak.

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ZONING CASES

None Scheduled.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

A. Economic Development Funding.

The Chairman summarized the discussion on funding for expanded Economic Development Opportunities from Work Session. He said that at the end of January 2013, the County took a request to the cities asking that they each contribute a sum specific amount to add resources to our Economic Development Office, giving specific targets. The rationale being that Misti Martin's group has had a significant increase in the amount of prospects that they are working with. He added that while that is good news, the bad news is that they are under the same budget and level of personnel since 2007. He said that our goal and their goal is to get new companies to relocate here, start up here and to expand existing businesses. He said with two Opportunity Zones in the County, that are in strategic locations in his opinion, that 60% to 70% of inquiries are looking at those zones. He said there are two aspects to the increased funding - about half of it for an additional person and half in additional discretionary spending such as communications in the Atlanta Business Chronicle and other means of outreach to the kinds of organizations that read those publications so that we can tell our story. He then referred to the comparison chart of Economic Development Organizations in Georgia provided in the agenda packet, reading through some of what other counties do and how much they put in their economic development fund: Macon/Bibb has an annual budget of \$580,000 with a population of 155,547; Cherokee County's budget is \$309,000 with a population of 224,408; Carroll County has an annual budget of \$1M with a population of 110,527. Floyd/Rome has an annual budget of \$643,000 with a population of 96,317. He said the point to this is that Cherokee County is at the bottom of the list on type of matrix and comparative ratios.

He said that we have met with all the cities and have met before their city councils with the exception of Waleska which he will do Monday evening. He said that what we have asked them to contribute is \$20,000 a year for three years from

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Woodstock; \$20,000 per year for three years from Canton, \$10,000 per year for three years from Holly Springs, \$5,000 each from Ball Ground and Waleska per year for three years for a total of \$60,000 a year. He said that everybody would have to participate for this to work, and if that happens, what he would recommend to the Board tonight is to vote to match that amount dollar for dollar to the \$60,000 to provide additional resources of \$120,000. He said the timing to do this is right and the activity level is there. He said in fact he had hoped to announce a very important new investment that has committed in one of the Opportunity Zones, but the name of the developer hasn't been announced yet. He said this would bring several hundred new jobs to Cherokee County. He added that this is an opportunity to jump start this dimension of our business, and actually our number one priority is economic development. He said that each of the respective city councils is considering an increase to their next budget. We had asked for a dollar commitment initially and we indicated that we would top off, but now we're going to change that to say we'll match it dollar to dollar against the commitment from the cities.

Commissioner Nelms asked if the firm commitments were from Woodstock, Canton and Ball Ground. The Chairman explained that they have committed to put it on their budget development schedule. The Chairman added that perhaps if we get the commitment we might consider an advancement to the Development Authority.

Commissioner Poole asked Mr. Cooper from what department had he mentioned during Work Session discussion that we could use funds to cover that cost. Mr. Cooper replied that the private contract has expired on the Copy Center upstairs and the usage has been very low. We could use some of those funds to cover that cost.

Commissioner Johnston asked the Chairman if what he was specifically asking the Board to do is to approve the matching up to the \$60,000, dollar for dollar, or if it could potentially be more. The Chairman said that he doubts the cities would put in more than the amount requested. He then asked the Chairman if he was looking for a motion and he replied that he was.

Commissioner Johnston then restated as a motion: The County agrees to match dollar for dollar the collective contributions that the cities will also make up to \$60,000 on our part per year for three years to increase the budget for the County Office of Economic Development; Commissioner Nelms seconded and there was unanimous approval.

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- B. Amended: Discussion on vacancies on various Boards and Committees.

The Chairman advised that there were two vacancies on Cemetery Preservation Committee. One is Commissioner Gunnin's and the other is Commissioner Nelms' appointment.

He added that the Highland Rivers CEO Jason Bearden spoke at the last Work Session about Cherokee County's vacancy on the Highland Rivers Board. He indicated that they were looking for an individual with financial background and that they had no candidates yet.

- C. Amended: Notice of special joint BOC/RRDA meeting on April 16, 2013 at 4:00 p.m. in Cherokee Hall.

The Chairman announced the meeting, stating that a public notice would be released to the media and posted to the County's website tomorrow. He said that as mentioned at the last meeting, we would likely schedule joint meetings once a month on a regular meeting night.

COMMISSION DISTRICT 1

HARRY B. JOHNSTON

COMMISSION DISTRICT 2

RAYMOND GUNNIN

COMMISSION DISTRICT 3

BRIAN POOLE

VICE CHAIR/COMMISSION DISTRICT 4

JASON NELMS

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CONSENT AGENDA

Mr. Cooper presented the two items on the Consent Agenda:

- 1.1 Consider approval of budget amendment to transfer \$4,275.00 from Personnel (511200 Board Fees) to Operating Expenditures (531100 General Supplies and Materials) to purchase the CityView MS Outlook Add-in Module for all CityView Users.
- 1.2 Amended: Consider approval of budget amendment to transfer funds from Pre-Trial between State Court and Court Administration budgets due to the elimination of the Pre-Trial Department. This transfer totals \$78,552.00 but does not increase revenue or expenses.

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

COUNTY MANAGER

- 2.1 Consider approval of grant application in the amount of \$16,527.00 for the DUI/Drug Treatment Court for fiscal year 2014.

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

- 2.2 Consider approval of Purchase Order to Staples for furniture and equipment for the Cherokee County Aquatic Center in the amount of \$48,445.00.

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

- 2.3 Consider approval of Swim Lane Use Agreements for USS Age Group Competitive Teams at Cherokee County Aquatic Center to three proposers: Chattahoochee Gold, Stingrays and Marietta Marlins as recommended by staff and CRPA Advisory Board.

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

- 2.4 Consider approval of Sidewalk Trip Hazard Removal Services Contract with low proposer MRC Group, LLC, to perform sidewalk repairs as needed countywide. A second proposal was received by GA Safe Sidewalks.

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

- 2.5 Consider approval of Professional Services Agreement with Moreland Altobelli Associates, Inc., to perform land surveying, minor design and environmental services for County roadway construction projects.

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

- 2.6 Notification of Board of Commissioners of intent to submit a grant application to Criminal Justice Coordinating Council (CJCC) for funds to establish a Mental Health Court in Cherokee County.

Mr. Cooper said that Chief Probate Judge Keith Wood had provided an overview during Work Session regarding the purpose and goal of implementing a Mental Health Court. He said that Judge Wood understands that if funds are not available or if there aren't sufficient funds to pay for a Mental Health Court that you can reject the grant if awarded. The grant award amount is currently \$163,000 but may increase by time the grant is submitted. He added that the court does not want to move forward if they are not able to provide the services. If awarded, they will monitor the results, and if successful, they will continue to bring back to the Board renewal applications for future years.

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

COUNTY ATTORNEY

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3.1 Amended: Discussion on annexation notice received from the City of Ball Ground regarding property located at Highway 372.

Angie Davis gave a summary of the annexation notice received from the City of Ball Ground for approximately 23 acres located at Highway 372, specifically north of Dogwood Drive and south of Marion Spence Road. Collectively the property consists of four different parcels, three of which are currently zoned AG with a projected suburban growth designation and one parcel is zoned GC.

She said that as discussed in Work Session, there are several questions associated with this application. She said that it is her understanding that she will work with Jeff Watkins and the planning staff as well as the City of Ball Ground staff to get more information to present to the Board prior to the reply deadline under the Land Dispute Resolution Statute which is April 19. She proposed to bring the Board more information back to the next meeting on April 16 and address the issue of ownership. She said it appears that two of the parcels are owned by the applicants, David and Julia Boone, and two of the parcels are owned by Granger Holdings, LLC, and that is not consistent with what Georgia annexation laws say as to the 100% Ownership Rule when filing an application for annexation. She said additionally, the application gives no indication of a rezoning, and she would work with Jeff Watkins to determine if Ball Ground has adopted the County Zoning Ordinance, and, if so, we need to provide for that, that the zoning would be the equivalent county zoning. She said another question is the reason for the request as it appears that what is being sought, which we have learned is a winery, is available to them with the existing ordinance. She said that she and Mr. Watkins would look into the Ball Ground Ordinance and the City Wine Ordinance which she understands they have. Ms. Davis stated again that the plan is to work with Jeff Watkins and staff in order to provide as much additional information to the Board as possible so that the Board can make a decision at the April 16 meeting.

The Chairman stated that they would definitely need that information prior to making a decision on April 16.

ADJOURN

The Chairman asked if there was any further business. Hearing none, Commissioner Nelms made a motion to adjourn at 6:40 p.m.; Commissioner Poole seconded and the motion received unanimous approval.