

MINUTES

Cherokee County Board of Commissioners

May 21, 2013

Regular Meeting

CHEROKEE HALL 6:00 PM

INVOCATION

Commissioner Gunnin 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"

The Sheriff's Office Honor Guard presented the colors; Commissioner Nelms led the Pledge of Allegiance.

CALL TO ORDER

CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting to order at 6:18 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

The Chairman called for a motion to ratify the closure of Executive Session at 6:12 p.m.

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

PRESENTATIONS/PROCLAMATIONS

Sheriff's Office Awards and Recognitions. (There were no awards presented, it was worded this way to have the Sheriff at the meeting and surprise him with the proclamation.)

Commissioner Nelms read the proclamation and resolution by the Board of Commissioners, naming the new Sheriff's Office Training Facility the "Sheriff Roger Garrison Law Enforcement Training Center" and presented it to Sheriff Garrison. Chief Vic West introduced Dr. Archie

Rainey with Command College at Columbus State University who presented the Sheriff with a plaque in recognition of the 26 officers he sent to get their master's degree. Sheriff Garrison thanked the Board for the recognition and honor of naming the training center after him.

AMENDMENTS TO AGENDA

1. Add item C under Chairman's Section: Request for Designation of "Canton Rotary Park".
2. Remove item 2.5 from County Manager's Section.
3. Remove item 2.6 from County Manager's Section.
4. Add item 2.11 under County Manager's Section: Consider Public Hearing to evaluate Impact Fees.

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

ANNOUNCEMENTS

1. The Outlet Shoppes at Atlanta JOB FAIR / Over 500 jobs available
Northside Hospital-Cherokee Conference Center, 1130 Bluffs Parkway
Thursday, May 23 from 10 a.m. to 2 p.m.
2. Cherokee County Aquatic Center is celebrating: "May is National Water Safety Month"
For information on swim lessons, please visit www.crpa.net or for information on safe water practices visit www.nationalwatersafetymonth.org. Have a safe and enjoyable summer at the pool, the lake or wherever you swim!
3. Commissioner Johnston will hold another in his regular series of town hall meetings on Monday, June 3, at 7:00 p.m. in Cherokee Hall of the County Administration Building on Bluffs Parkway. He will make brief prepared remarks and then listen to comments and answer questions on any subject. All citizens are invited.
4. The Chairman mentioned as a reminder that there were several memorial services going on over the weekend, one being at the Veteran's Cemetery in Canton this Saturday at 10:00 a.m.

APPROVAL OF EXECUTIVE SESSION MINUTES FROM MAY 7, 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 MAY 7, 2013.

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

APPROVAL OF REGULAR MEETING MINUTES FROM MAY 7, 2013.

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

PUBLIC HEARING

None Scheduled.

PUBLIC COMMENT

No one signed up to speak.

ZONING CASES

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

Commissioner Johnston, District Commissioner, said that the case was originally heard and recommended denial by the Planning Commission. The Board voted to let the case be heard again by the Planning Commission with the rezoning request being changed to O&I by the applicant. The Planning Commission voted to deny the request the second time as well.

Commissioner Johnston made a motion to uphold the Planning Commission’s recommendation of denial; Commissioner Nelms seconded and there was unanimous approval.

CASE NUMBER	: 13-05-004
APPLICANT	: Maythawee Kularb
ZONING CHANGE	: RA and R-15 to AG
LOCATION	: 300 Steels Bridge Road
MAP & PARCEL NUMBER	: 15N02, 072
ACRES	: 5.23 +/-
PROPOSED DEVELOPMENT	: Residential Uses
COMMISSION DISTRICT	: 3
FUTURE DEVELOPMENT MAP	: Suburban Living
PLANNING COMMISSION RECOMMENDATION	: Approval

Commissioner Pool, District Commissioner of the case, made a motion to approve the rezoning as recommended by the Planning Commission; Commissioner Nelms seconded that there was unanimous approval.

COMMISSION BUSINESS

CHAIRMAN

L. B. AHRENS

A. Resolution in response to Grand Jury Presentments.

Angie Davis read through the Grand Jury Presentments and findings as well as the responses made by Cherokee County. A copy of the proposed resolution is included as part of these minutes. Ms. Davis recommended adding two attachments before presenting to the Grand Jury. On page 4, the referenced attached flow chart should be noted as Exhibit A; and the response before paragraph 2 currently says Exhibit A for the document of the Relocation Agreement and should be changed to Exhibit B.

Ms. Davis stated that if it meets with the Board’s approval, she would recommend a motion to authorize the Chairman to sign the resolution and present it to the Grand Jury with the revisions as noted and the two attachments.

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

B. Appointment to the Ethics Board.

Chairman Ahrens reminded everyone that with the resignation of Jeff Duncan, the County has a vacancy on the Ethics Board. He said that he and Ethics Board Chair, Mark Webb, had both spoken to the candidate. Chairman Ahrens made a recommendation to appoint Philip Dodge to the Ethics Board for the unexpired term of Jeff Duncan.

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

C. Amendment: Request for Designation of “Canton Rotary Park”.

The Chairman spoke about the request by Canton Rotary Member Peter Gleichman to rename the area between the Old Courthouse and Justice Center, near the Public Safety Memorial, “Canton Rotary Park”.

Commissioner Johnston stated that Canton Rotary has been associated with that park for several years since the erection of the public safety memorial and believes the renaming to be appropriate.

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

COMMISSION DISTRICT 1

HARRY B. JOHNSTON

COMMISSION DISTRICT 2

RAYMOND GUNNIN

COMMISSION DISTRICT 3

BRIAN POOLE

VICE CHAIR/COMMISSION DISTRICT 4

JASON NELMS

CONSENT AGENDA

- 1.1 Consider final acceptance of all public rights-of-way, roadways and appurtenant drainage structures in the Centennial Lakes Subdivision - Pod 15.

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

COUNTY MANAGER

- 2.1 Consideration of Partnership Agreement with SORBA for the Construction and Maintenance of Blanket's Creek Bike Trails.

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

- 2.2 Award bid to most responsive, responsible proposer, Indoff, in the amount of \$65,165 for the furniture, fixtures and equipment for the new Cherokee County Sheriff Office Law Enforcement Training Center.

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

- 2.3 Award bid to most responsive, responsible proposer, LMI Systems, Inc., in the amount of \$44,556 for the audio/visual equipment for the new Cherokee County Sheriff Office Law Enforcement Training Center.

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

- 2.4 Award the construction contract to the lowest responsible bidder, with the most responsive bid proposal for Hobgood Park Phase II project to **Georgia Development Partners, LLC, in the amount of \$1,287,860.47**; for acceptance of the base bid proposal amount, inclusive of the three unit prices, the two allowances and Add Alternate No. 2A MUSCO Lighting System. **A contingency amount of \$100,000.00** (to be controlled by Cherokee County Capital projects) is also requested, **for a total requested amount of \$1,387,860.47.**

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

2.5 Amended: Item Removed.

Approve non-exclusive referral agreement between Cherokee County and Garden Godfather, Inc., to refer to the County parties who may be interested in purchasing, leasing, or entering into a lease-purchase agreement related to the Ball Ground Recycling facility.

2.6 Amended: Item Removed.

Consider purchase agreement for property located at 9870 Highway 92 for an amount totaling \$530,000 plus \$20,000 brokerage fee with 25 day due diligence period.

2.7 Increase the FY2013 revenue budget for receipt of a refund from AT&T and allocate this unbudgeted Revenue to increase the Postage budget for the Tax Commissioner.

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

2.8 Increase the FY2013 General Fund revenue budget to include the 1% administration fees related to the new TAVT, and allocate this unbudgeted revenue to the Tax Commissioner for security enhancements/security equipment purchases.

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

2.9 Consider approval of Professional Services Agreement to low bidder Dell Marketing, L.P. in the amount of \$348,731.46 for the purchase, implementation, and support of storage area network (SAN) hardware and software needed for the Tiburon Project as listed in Phase I. With two options (1) Phase II for the expansion of technology for other locations and (2) Maintenance for years 4 and 5 which we have the right to exercise later.

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

2.10 Consider resolution to reduce commission fee charged to the Board of Education.

Chairman Ahrens commented that he and some of the Board had met with the School Board and discussed this and it was determined that the amount being collected currently is not fair.

Commissioner Johnston explained that although this will further burden the County's budget, a re-evaluation shows that the amount of 2.5% currently being collected is no longer fair and appropriate, that we are over-collecting compared to current circumstances. The plan is to reduce the fees over time to 2%.

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

2.11 Amendment: Approve setting a Public Hearing for June 18 to consider modification of Impact Fees.

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

The Chairman commented for the record that he will not be at that meeting or voting, but he will be watching the meeting.

COUNTY ATTORNEY

3.1 City of Holly Springs Annexation Notice.

County Attorney Angie Davis gave a summary of the annexation notice. She stated that she sees no reason that the County should dispute the request, nor do they have that option available to them under the statute related to annexations. She said that no action by the Board was required since the County was not disputing the annexation request.

ADJOURN

The Chairman asked if there was any further business. Hearing none, Commissioner Nelms made a motion to adjourn at 7:10 p.m.; Commissioner Poole seconded and the motion received unanimous approval.