

# MINUTES

## Cherokee County Board of Commissioners

October 1, 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"*

Members of the Young Marine Group led the Pledge of Allegiance.

### CALL TO ORDER

### CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting to order at 6:07 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 5:55 p.m.

Commissioner Nelms made the motion; Commissioner Poole seconded and there was unanimous approval.

### PROCLAMATIONS

1. Proclaiming October 26, 2013 'Make a Difference Day'.

Lindsey Rhino, a Woodstock High student working on a Senior Project with Laura Mikszan with Envision Health Studio, was in attendance to accept the award. Ms. Rhino thanked the Board for their support and invited everyone to attend the Charity Dance Event on October 26.

2. Proclaiming October 23 to October 31, 2013 as 'Red Ribbon Week'.

Gage Bennett and Wade Whitfield of the Young Marines Group were in attendance to accept the proclamation. Chairman Ahrens thanked them for their leadership and asked them to keep up the good work.

### **AMENDMENTS TO AGENDA**

1. Add item 3.2 under County Attorney's Section: Business Agreement with Jarrard & Davis and Cherokee County.
2. Add under Commissioner Nelms' section: Appointment to Cemetery Preservation Committee.
3. Add item 2.7 under County Manager's Section: Resolution and Letter to sell shoot house and associated property to the State of Georgia.
4. Remove 'Approval of Special Joint Meeting Minutes from September 3, 2013'.

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

### **ANNOUNCEMENTS**

1. The 8<sup>th</sup> annual **Touch a Truck** will be held **Saturday, October 5<sup>th</sup> at the Recreation Center in Woodstock from 10 AM to 12:30 PM.** *FREE!!!* Explore fire trucks, an ambulance, police cars, motorcycles, a race car, back-hoe, dump truck, off road vehicles and more. For more information, call CRPA at 770-924-7768 or visit our web site at [www.crpa.net](http://www.crpa.net). Flyers are available on the table outside Cherokee Hall.
2. Cherokee County School District Posts Highest SAT District Average Score in Metro Atlanta.

Chairman Ahrens mentioned that Cherokee County slipped to number two this year in Metro Atlanta with Forsyth County ranking number one. He added that overall our scores were higher than state average and that this is a great thing for the County. He said that he often references the Cherokee

County School District's SAT Scores in his presentation of the County's Unique Selling Points (USP's).

3. Electronics Recycling Day, Saturday, October 12, 2013 at Cherokee County Administrative Building from 9 a.m. to 1 p.m. Flyers with acceptable items available on the table outside Cherokee Hall.
4. Chairman Ahrens mentioned that Georgia Trend's '40 under 40' included DA Shannon Wallace this year. He said that was great recognition for her and for the County and that he had congratulated her already.
5. Chairman Ahrens commented on a post by Jay Baker with the Sheriff's Office regarding a bear and cubs being spotted near Epperson Road in Canton. He cautioned that bears are coming around and watch what you have outside, pets, trash, etc.
5. The Chairman spoke about the recent Boys & Girls Club Annual Roast. He said this year's roastee was Sheriff Roger Garrison. He asked Mr. Cooper to speak about the event. Mr. Cooper said that this was the 10<sup>th</sup> Annual Charity Roast and that this year's Roast brought in the highest amount of proceeds so far at about \$90,000 for the Boys & Girls Club.

**APPROVAL OF MINUTES FROM SPECIAL JOINT BOC/RRDA MEETING FROM SEPTEMBER 3, 2013.**

Amended: Removed

**APPROVAL OF EXECUTIVE SESSION MINUTES FROM SEPTEMBER 17, 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 SEPTEMBER 17, 2013.**

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

**APPROVAL OF REGULAR MEETING MINUTES FROM SEPTEMBER 17, 2013.**

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

**PUBLIC HEARING**

None Scheduled.

**PUBLIC COMMENT**

1. John Konop signed up to speak about Growth and Revenue. He gave a couple of ideas he had on generating revenue: The addition of EZ Living Housing in the Sixes Road area and by bringing the regional airport to Cherokee County. He added that Cherokee County could be the HUB rather than Chattanooga. Chairman Ahrens thanked him for his ideas and said that he would have a discussion with the Airport

**ZONING CASES**

None Scheduled.

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**COMMISSION BUSINESS**

**CHAIRMAN**

**L. B. AHRENS**

- A. Department of Revenue considering a reduction in TAVT (Title Ad Valorem Tax) for Buy Here Pay Here Auto Dealers.

Chairman Ahrens stated that at the Legislative Session where changes were made related to TAVT, room was left for the DOR to make changes. The DOR is seeking approval to change the 6.5% tax at 'Buy Here, Pay Here' dealers

to only 4%. He said that this would be a real downside financially and also would open the market for other dealer finance options to benefit from the 4% rate. He said that ACCG is asking Counties to write a letter of opposition and referenced a letter of opposition submitted to ACCG from Chatham County. He asked the Board if they would like to vote on drafting a similar letter under his signature opposing the change in percentage of the ad valorem tax.

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

- B. Discussion of annexation notice from City of Canton regarding parcel located on Cumming Highway.

The Chairman gave an overview of the City of Canton Annexation, commenting that just today we received notice. He said that as discussed in Work Session, the deadline to file an opposition to the request was not until October 19 so a decision did not have to be made this evening, but would be on the October 15 agenda.

**COMMISSION DISTRICT 1**

**HARRY B. JOHNSTON**

**COMMISSION DISTRICT 2**

**RAYMOND GUNNIN**

**COMMISSION DISTRICT 3**

**BRIAN POOLE**

- A. Vacancy on Planning Commission Board.

Commissioner Poole appointed Mr. Bill Dewrell to the Planning Commission for the remaining term of Mr. Joe Long which expires on December 31, 2016. Commissioner Poole thanked Mr. Long for his eight months of service to the Planning Commission.

**VICE CHAIR/COMMISSION DISTRICT 4**

**JASON NELMS**

A. Amended: Appointment to Cemetery Preservation Committee.

Commissioner Nelms appointed Ms. Jean Vredenburg to fill the remaining term of Dave Audia which expires on December 31, 2014. Ms. Vredenburg was in attendance and both Commissioner Nelms and Chairman Ahrens thanked her for her interest in serving on the committee and for attending the meeting.

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**CONSENT AGENDA**

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**COUNTY MANAGER**

- 2.1 Consider adoption of the FY2014 Budget for Cherokee County Board of Commissioners.

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

- 2.2 Approve GEMA Emergency Management Performance Grant/ Performance Partnership Agreement in the amount of \$64,304.00 for the agreement period July 1, 2013 through June 30, 2014.

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

- 2.3 Consider adoption of the 2013 Capital Improvements Element and Short Term Work Plan Annual Update.

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

- 2.4 Consider approval of Supplemental Agreement No. 1 with CW Matthews Contracting Company, Inc., for additional patching and

paving on Parkbrooke Drive in conjunction with the Towne Lake Parkway and Rose Creek Drive Resurfacing Project in the amount of \$24,262.94.

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

2.5 Confirm County Manager's approval of indemnity agreement drafted and approved by the County Attorney and payment of \$3,500.00 to property owner to allow access the roof of business to facilitate removal of the Jones Building Façade located on the north side of building.

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

2.6 Consider awarding Ricoh Four Year Leasing and Maintenance Agreements and allow County Manager to sign Legal Approved documents once the agreed upon and executed contract documents are received from Ricoh.

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

2.7 Amended: Resolution and Letter to sell shoot house and associated property to the State of Georgia.

Mr. Cooper recommended approval of the resolution and letter contingent upon a mutually agreeable Intergovernmental Agreement.

Commissioner Johnston explained that for practical purposes, we aren't selling the Shoot House. As part of the state's requirement of their contribution, they must legally own some real property. He said that the required amount is equal to the value associated with the Shoot House. He said that the state and Sheriff's Office would use the facility equally.

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

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## **COUNTY ATTORNEY**

### 3.1 Ratify City of Woodstock Annexation Agreement.

Angie Davis recalled from the discussion from the last meeting where the BOC approved to not oppose the annexation contingent upon a suitable agreement with the City of Woodstock as called for in the motion. She said in addition to the requests made by the County related to donation of land, rights-of-way, etc. the agreement also includes a provision for stormwater through a detention pond, allowing the County to make better use of the two acres the County owns. Ms. Davis stated that the agreement was received prior to the deadline set forth at the last meeting and has been executed. She said what she is asking for tonight is a full board ratification.

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

### 3.2 Amended: Business Agreement with Jarrard & Davis and Cherokee County.

Ms. Davis advised that this agreement is a requirement due to HIPAA laws as their firm comes in contact with medical information through worker's compensation claims, etc. She added that the agreement had been executed by Mr. Cooper and she was asking for ratification tonight on the agreement.

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

## **ADJOURN**

The Chairman asked if there was any further business. Hearing none, Commissioner Nelms made a motion to adjourn at 6:48 p.m.; Commissioner Gunnin seconded and the motion received unanimous approval.