



# Cherokee County Board of Commissioners

## MINUTES

February 4, 2014  
Regular Meeting  
CHEROKEE HALL 6:00 PM

### INVOCATION

Commissioner Nelms 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 Poole led the Pledge of Allegiance.

### CALL TO ORDER

### CHAIRMAN AHRENS

Chairman Ahrens called the regular meeting to order at 6:10 p.m. Those present included Commissioner Harry B. Johnston; Commissioner Poole; 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. Note that Commissioner Gunnin was unable to attend.

### RATIFY CLOSURE OF EXECUTIVE SESSION

The Chairman called for a motion to ratify the closure of Executive Session at 6:05 p.m.

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

### PROCLAMATION

Proclaiming February 14, 2014 as **Rotary Has Heart Day** and February 23, 2014 as **Rotary Day** in Cherokee County.

The Chairman read the proclamation and Rotary members Anton Zellman, Kim Loesing and Peter Gleichman were there to receive the proclamation.

### **AMENDMENTS TO AGENDA**

1. Add item 2.10 under County Manager's Section: Ratification of assignment of both the RA Smith and Terry Smith Purchase and Sale Agreements to Rooker.
2. Remove item 2.2 from County Manager Section: Purchase of CATS buses for Cherokee Day Training Center.

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

### **ANNOUNCEMENTS**

### **APPROVAL OF EXECUTIVE SESSION, WORK SESSION AND REGULAR MEETING MINUTES FROM JANUARY 21, 2014.**

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

### **PUBLIC HEARING**

None scheduled.

### **PUBLIC COMMENT**

1. Tom Ware signed up to speak about the Jones Building.
2. Patti Martin signed up to speak about Free Home Traditions and the Historical Preservation Ordinance.

### **ZONING CASES**

None Scheduled.

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## **COMMISSION BUSINESS**

### **CHAIRMAN**

**L. B. AHRENS**

- A. Consider adoption of Resolution in recognition of ACCG's Centennial Celebration.

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

- B. Approval of minutes from Retreat, January 16 & 17, 2014.

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

### **VICE CHAIR/COMMISSION DISTRICT 1**

**HARRY B. JOHNSTON**

- A. Consider calling for a Public Hearing on the Historic Preservation Ordinance.

Commissioner Johnston stated that at the retreat the general consensus among the board was to move forward but with caution. He then recapped conversation from Work Session earlier. He said initially the proposed ordinance regarding demolition was that if permission wasn't granted, you had to wait six months before demolition so that efforts could be made to save the structure. He added that some counties have ordinances without this provision. He said also discussed were incentives to help balance the burden on the owners with benefits such as tax abatement if the state allows, waiver of building permit fee and impact fees. He said that this is where we are and the Board needs to decide if we want to table this at least for the moment and put further thought into it. He suggested discussing the ordinance again at the next Work Session. Commissioner Nelms said that this was a good call. He added that the Board has to be careful regarding property rights. Chairman Ahrens recalled conversation at the retreat where Mayor Hobgood mentioned that the City of Canton was working on a Historical Preservation Ordinance and that they should take a look at what

they are doing. Commissioner Poole said that his big concern was property rights and tying up someone's property. He added that the government should give property owners the option to opt out. Commissioner Johnston stated that this was appealing but if we do that then we may as well not have the ordinance because there was really no logical, tangible reason to opt in. Commissioner Poole added that he was also concerned about the next property owner being handcuffed because of the previous owner's options. Discussion resulted in agreement with adding the topic to the next work Session for further discussion.

**COMMISSION DISTRICT 2**

**RAYMOND GUNNIN**

**COMMISSION DISTRICT 3**

**BRIAN POOLE**

**COMMISSION DISTRICT 4**

**JASON NELMS**

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**CONSENT AGENDA**

- 1.1 Consider request to surplus non-functioning laptop computer and printer from the Engineering Department and dispose of at the next electronics recycling day. Request to surplus three printers in poor condition from the District Attorney's Office.

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

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**COUNTY MANAGER**

- 2.1 Consider awarding construction contract to the lowest responsible bidder for Phase II of the Fire-ES Training Facility to CWI Construction, Inc., in the amount of \$945,900.00 and county-controlled contingency in the amount of \$90,000.00, for a total amount of \$1,035,900.00; Consider increasing the county-controlled contingency account in the amount of \$35,000.00 to fund final change orders for the completion of final site grading and other miscellaneous work. Combined total amount of request is \$1,070,900.00.

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

- 2.2 Amended: Removed  
~~Consider approval of an Agreement between Cherokee County and Cherokee Day Training Center for purchase of two (2) surplus CATS buses for a total amount of \$9,000.00.~~

- 2.3 Consider approval of proposal from Johnson Landscapes, d/b/a Vertical Earth, for construction of the Steels Bridge Road Reconstruction Project in the amount of \$715,124.78.

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

- 2.4 Consider approval of a Professional Services Contract with LAI Engineering, for completing plan updates and revisions for the Hames Road Improvement Project in the amount of \$33,860.00.

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

- 2.5 Authorize County Manager to execute the Professional Services Agreement with Motorola for the Maintenance and Service Contract for a two year term in an amount not to exceed \$315,288.00.

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

2.6 Consideration to Award Purchase of Utility Tractor to low bidder Mason Tractor & Equipment in the total amount of \$21,815.88 Using Park Bond Funds.

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

2.7 Consider awarding purchase of site amenities for Hobgood Park through Professional Services Agreement from Bliss Products using Park Bond Funds in the amount of \$41,378.28.

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

2.8 Consider approval of Professional Services Agreement authorizing Evidence Based Associates, pursuant to a grant provided by the Governor's Office, to provide counseling services to youth at the direction of the Cherokee County Juvenile Courts.

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

2.9 Consider awarding Professional Services Agreement to Virtual Graffiti in the amount of \$77,459.69 for three years of Firewall hardware and software subscription and maintenance.

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

2.10 Amendment: Ratification of assignment of both the RA Smith and Terry Smith Purchase and Sale Agreements to Rooker.

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 a motion to adjourn at 6:54 p.m.; Commissioner Nelms seconded and the motion received unanimous approval.