



Cherokee County Board of Commissioners WORK SESSION MINUTES

February 4, 2014
3:00 p.m. | Cherokee Hall

The Chairman began at 3:09.m. with all Commissioners present except for Commissioner Gunnin.

1. Presentation of Cherokee Recreation and Parks 2013 Annual Report by Bryan Reynolds.

Mr. Reynolds presented highlights of the 2013 Annual Report beginning with details of facilities, services and programs offered through Cherokee Recreation and Parks (CRPA). CRPA was recognized as the top Class 'A' Agency of the year in the Northwest Georgia District. The Cherokee County Aquatic Center was named The Most Outstanding New or Renovated Recreation Facility in Georgia. They had a great fiscal year exceeding revenue budget by 4% and remaining under budget for expenses by 6%. They implemented an agreement with Hobgood Youth Baseball, Inc. for use of the youth fields at Hobgood Park as well as renewed an agreement with SORBA-Woodstock for maintenance and management of Blankets Creek bike trails. Mr. Reynolds also touched on website views, Facebook likes, and Twitter.

Mr. Reynolds went over highlights for athletics. He boasted of the background check process they use for those working with children in youth athletics as well as seniors and special needs participants. He stated CRPA's process is considered a gold standard for background screenings which are in line with the standards of the National Recreation and Parks Association. The Chairman asked about the number of those who are disqualified. Mr. Reynolds replied they run a little better than the national average at about 4% of those who are screened. CRPA recognized seven teams and two individuals during the 2nd Annual Youth Sports Champions Day. He said this program is useful to promote healthy lifestyles for the community. Mr. Reynolds went on to state that Cherokee Youth Basketball's (CYB) second season had over 390 teams and 3,100 players. CRPA implemented a new program called "Academic All Stars" to recognize CYB athletes who also excelled in the classroom. Hobgood Park Softball Complex reopened after renovations and completed its 19th year of adult softball.

Mr. Reynolds reviewed the Parks Services highlights. They are working with the Saddle Club and have completed the first half the Dapple Trail at Garland Mountain Horse and Hiking Trails. There were zero workplace accidents for 2013. They also added three new horseshoe pits at Hobgood Park. Commissioner Johnston asked how many parks workers are on staff. Mr. Reynolds stated there are 13 with four being part-time and they will add a few seasonal workers for the summer.

Mr. Reynolds went over the highlights for the new Aquatics Center with the main one being the ribbon cutting. The Grand Opening resulted in over 2,000 guests. The inaugural swim team, the Pelicans, had 85 swimmers. The Aquatics Center had over 100,000 visitors between May and September. The lifeguards brought home a bronze medal in their first GRPA State Lifeguard Competition. The Aquatics Center was voted last month as the "Best New Thing" in the County by Cherokee Life Magazine.

Next, Mr. Reynolds reviewed Programs. CRPA hosted its 7th Annual Guns & Hoses 5K race in February and raised \$2,600 for CASA. A new program called Leisure Roamers was created for adults with disabilities. CRPA partnered with Senior Services for the Adopt-a-Senior program and gave gifts to over 300 seniors. They had over 2,500 people attend the annual Touch-A-Truck event. CRPA surpassed the century mark with over 100 members in the Silver Roamers Club.

Mr. Reynolds went over CRPA's financial summary. The main revenue sources were Fees and Charges, Aquatics Center Fees and Charges, General Fund, and Alcohol Taxes. Total revenues were above the budgeted amounts. Fees and Charges from CRPA and Aquatics Center together make up 55% of the total revenues. Expenditures were under budget by over \$230,000. The Chairman asked about the history of beer and wine tax funding for parks and recreation. Mr. Cooper stated that at one time it was the only revenue source for parks and recreation. Commissioner Johnston commented that he thinks it came as part of a decision to go from a dry County to a wet County and that all the taxes that came in would go to fund parks and recreation. Mr. Reynolds added that he believes it pre-dates the Authority.

Mr. Reynolds shared a slide showing the parks inventory including the amenities. There are additional properties that were either purchased by the Park Bond or donated to the County. There are nearly 2,000 acres identified for future parks or future green space. Commissioner Johnston asked the prognosis for getting the new baseball complex open at Killian. Mr. Bill Echols responded that he believes it will be at least six or seven months before

completion. Commissioner Johnston also asked about the Etowah River Park. Mr. Echols stated that it should be completed in about 60 to 75 days.

Mr. Reynolds moved on to the Capital Program updates including construction at the Richard Mauldin Complex and Etowah River Park. The Aquatics Center was opened on time and under budget. Expansion and improvement of amenities was done at Blankets Creek. Phase II construction is underway at Hobgood Park. Renovations are also underway at various County parks. Construction continues for city parks. Holly Springs' new park is set to begin construction this year. The Chairman and the Commissioners commended Mr. Reynold's job on the summary and the Annual Report.

2. Discussion of Regular Agenda Items.

CHAIRMAN

L. B. AHRENS

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

The Chairman stated he saw no need to add any specifics to the generic draft of the Resolution. He asked for the Commissioners' for input. Commissioner Johnston responded that they would follow the Chairman's lead on it.

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

The Chairman stated they planned to meet with candidates for the Ethics Board. Commissioner Nelms had gotten in touch with one individual but no others. Commissioner Johnston stated he had not gotten in touch with anyone. He added that one is a core member of the Democratic Party which is the requirement for the position under State law and the other has impressive credentials.

VICE CHAIR/COMMISSION DISTRICT 1

HARRY B. JOHNSTON

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

Commissioner Johnston began by mentioning the question of a six month delay for demolition versus renovation where there is no delay. Mr. Watkins referred to the ordinance draft under "Demolition and Relocation". He said it was borrowed from the City of Madison who said they were throwing the entire clause out and treating it just like the State model treats a demolition permit which is a standard Certificate of Appropriateness (COA). Once a property is designated as historic then any change requires a Certificate of Appropriateness granted by the Historical Preservation Ordinance through a Public Hearing. The State does not have a clause for a delay and just requires a COA and if denied it can be appealed. Mr. Watkins stated Cobb County's ordinance mentions a delay period but doesn't indicate how long. He believes the time period is probably negotiated or tabled during the application for the COA. This allows the Historic Preservation Committee to table the action for 30 days to gather more information. In order to relocate, an applicant has to submit plans. Commissioner Johnston expressed concern over the elimination of language that would set a delay time period. Mr. Watkins responded that it is a State model code that is handed down from national agencies and is a well-established process.

Mr. Watkins shared a presentation with information about the establishment, functions, and requirements of a Historical Preservation Commission (HPC). The Chairman expressed a concern that if a group wants to recommend a property and the property owners don't want it to be, would they have to appeal at a public hearing as the only out. Mr. Watkins said that if it were a group with clout behind them such as the Historical Society, the property owner would receive a notice and if the homeowner doesn't want it, they may not even consider it. Commissioner Nelms asked about property that contains barns that are at least a hundred years old. Mr. Watkins replied that there would be guidelines they would have to follow and there would need to have some sort of significance for it to be considered, but it could happen. Commissioner Johnston stated that the Bell's Store situation was the catalyst for the discussion. Mr. Watkins said the properties they are looking at are already State certified. He continued with the presentation explaining that a COA is required for any material change to an historical property. He also explained the process to obtain a COA. Demolitions and relocations are considered material changes and require a COA.

Mr. Watkins reviewed requirements for demolition indicating that if HPC does not issue a COA and the property owner demonstrates the building incapable of earning an economic return on its value, the building may be demolished. However, they must provide visible notice of the proposed demolition to occur in six months. The purpose is to give interested parties an opportunity to arrange for the property to be preserved. Mr. Watkins reiterated that the City of Madison, who they borrowed the demolition language from, threw it out of their ordinance.

Commissioner Johnston confirmed this is not in the State model ordinance. Mr. Watkins said the State treats a demolition the same as a façade change. Further discussion ensued on grace period time frames of other agencies. Commissioner Johnston commented that because there is a built-in line of appeal to the court, it is a matter of whether or not the court would uphold the specific denial of a COA under these circumstances. It would end up being a case-by-case basis. He asked Ms. Davis her opinion. Ms. Davis agreed that it is what it would come down to unless someone elected to challenge the ordinance but they would need standing to do that.

Mr. Watkins proceeded to go over maintenance requirements of designated historic properties and the Property Tax Abatement Program. Commissioner Johnston commented that this would be great for someone buying a dilapidated historic structure and renovating it and making it much more valuable to get eight years or partial for the ninth year freeze of the tax assessment added to the original value when they bought it.

Mr. Watkins went over incentives for historic preservation. He said there are fees the County has control over that they can offer as incentives for renovating or saving structures. Building permit fees and land development fees can be costly but can possibly be waived. Façade easements are similar to conservation easements but for an historic structure. Regarding Impact Fees, they could possibly classify a historic structure as extraordinary economic development. However, it only covers new construction. It could be useful where historic property is part of a larger development plan. If they do anything with the impact fees, it would require an amendment to the impact fee ordinance. Commissioner Johnston referred back to the façade easement for clarification. Mr. Watkins stated that with a conservation easement, one is given the rights to an area to stay as it is or to be undeveloped. It would be the same as with a façade. Mr. Watkins said it may be more useful in a historic district. Commissioner Johnston commented that required building materials for a façade could also be waived for historic structures.

Commissioner Johnston stated that his main issues were what incentives, if any, they would offer; and how they would want to characterize the decision by the HPC on demolition. Commissioner Nelms asked Mr. Watkins to email the draft prior to calling for the public hearing. Commissioner Johnston stated he wondered if vested rights would apply in a situation like the Bell's Store case. Ms. Davis said that would be the typical response if someone had made the investment prior to the rule's existence. She said she is concerned that this seems responsive to that particular transaction of Bell's Store. Mr. Watkins said he received news that there are plans afoot to possibly relocate the store.

The Chairman asked for a language change in Section III titled "Statement of Commissions Power", to something like 'duties and responsibilities'. Mr. Watkins said they would do that. The Chairman also drew attention to an incomplete statement of a moratorium under Section IV.

The Chairman then acknowledged the previous week's winter weather. He thought the County did a terrific job overall. There has been communication with Mr. Westbrook and Chief Prather regarding going forward and what can be done differently, if anything. Chief Prather and Mr. Hardin gave a brief summary of the situation and how it was handled. Chief Prather gave credit to the citizens of the County for stepping up and helping others. There was no loss of life and only minor injuries reported as a result of the weather. Commissioner Johnston said he received a few requests but only one that he considered a complaint.

Mr. Cooper went over the one item under the **Consent Agenda** portion:

- 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.

Mr. Cooper went over the nine items under the **County Manager** portion:

- 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.
- 2.2 Amended: Removed (CATS Bus Agreement)
- 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.

- 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.
- 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.
- 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 Johnston confirmed that the funds are coming from the funds designated specifically for equipment.

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

The Chairman commented again on the winter weather situation and brought up the reverse 911 services that notify people with automated calls in such an event. He suggested looking into those services again.

Adjourn

Hearing no further business, Commissioner Johnston made a motion to adjourn to Executive Session at 4:52 p.m. to discuss personnel, land acquisition or disposal,

and/or pending or threatened litigation; Commissioner Nelms seconded and the motion was unanimously approved.