



Cherokee County Board of Commissioners WORK SESSION MINUTES

August 19, 2014
3:00 p.m. | Cherokee Hall

The Chairman began at 3:08 p.m. with the Chairman and Commissioners Harry Johnston, Raymond Gunnin and Jason Nelms present. Commissioner Brian Poole was absent. Chairman Ahrens commented on the V.I.P. Preview of Cabela's store in Acworth. Note: Ms. Angie Davis arrived late at 3:42 p.m.

1. Third Quarter 2014 Financial Update by Janelle Funk.

Ms. Funk gave an overview of the third quarter 2014 financial update. She began with the status summary stating that overall we are on target. The main concern she has is that EMS cash is negative and healthcare claims are over budget. Under the Cash Executive Summary, Ms. Funk commented that we are above last year for All Funds and for the General Fund. The main drivers for this is SPLOST, Impact Fees, and Unincorporated Services Fund.

Ms. Funk showed the Second Quarter slide for the EMS Fund to remind everyone of the Cash Collections and Balances at that time compared to Third Quarter results. We did not achieve the collections needed to recover low cash receipts from prior months. Ms. Funk stated that they changed the plan for the General Fund to provide more support to the EMS Fund. However, July receipts are really good. Ms. Funk explained that they are struggling with the third party administrator for EMS as they are not receiving consistent, timely, or accurate information from them. Commissioner Johnston commented that although there is an incentive for the third party administrators to collect more, it seems there is no penalty for failing to meet the commitments they made to us. Ms. Funk affirmed that and further stated they have agreed to do their secondary collections for six months for nearly free to see if they can get additional collections. She shared the forecast for EMS collections and the impact to the General Fund.

Ms. Funk went on to show the Revenue Executive Summary for All Funds. Revenue is on track to exceed the FY2014 Budget. Property Tax collections are strong and SPLOST taxes have strengthened. Building permits have exceeded the 2008 peak showing a strong economic recovery. The General Fund Revenue Summary shows that we are about \$900K better than Budget. Expenses are being managed across all funds. Some variances exist but are explainable.

Ms. Funk stated that health insurance claims are 13.7% over budget. This is being driven by two factors: 60% is due to higher per employee per month costs and 40% is due to more employees enrolled in the plan than budgeted. While FY2014 is not at risk, we need to consider how the reserve will be impacted in the future. Ms. Funk presented the Workers' Compensation Report. We expect savings in Administration fees, but Workers' Compensation will still be slightly over budget.

Ms. Funk stated that the General Fund expenditures are right on track. Our actual total headcount is below the original estimate at 1,277 Full Time Equivalents.

The Chairman asked for a reminder of when they will be setting next year's budget. Ms. Funk replied that the next Work Session will be the first presentation. In addition, it will be advertised in the August 31 edition of the Cherokee Tribune that the BOC may discuss budget issues during the work session and the public is welcome to attend. The public hearing to solicit public feedback will be held on September 23 and the FY2015 Budget will be presented for adoption on October 7th.

2. Discussion of Regular Agenda Items.

ZONING CASES / UNFINISHED BUSINESS

1. Consider amendments to the **Cherokee County Zoning Ordinance, Article 23 Conservation Design Community.**

(Note: From Public Hearing on August 5, 2014; Commissioners approved to defer action until the August 19, 2014 meeting.)

Mr. Jeff Watkins gave a brief overview of the recommended changes to the Zoning Ordinance, Article 23 Conservative Design Community. Commissioner Johnston suggested keeping the sliding scale but base it off the average lot size rather than individual lot sizes around the perimeter lots for consistency. Mr. Watkins clarified that the average lot size comes from Table 23-1 which establishes the average lot sizes and standard lot sizes for those districts. Chairman Ahrens asked for clarification of the percentage of lots that can be at the minimum square footage for the conservation design. Mr. Watkins stated that the minimum square footage is 5,000 square feet and up to 20% of the total lots in certain categories up to R-30 and 10% of the lots between R-20 and R-15. Commissioner Nelms asked if

there had been any opposition to removing the language pertaining to cropland and pastureland from a development standpoint. Mr. Watkins stated that the land planners do not understand what it means and how it affects them. Commissioner Johnston commented that it seems to be a moot point whether it's left in or taken out because it's going to be the same setback regardless of neighboring land. Commissioner Gunnin asked for a review of the Primary and Secondary Conservation areas and how it will work. Mr. Watkins responded that it falls under the four-step design process. He stated that the planners first have to demonstrate to staff that they have identified their primary and secondary conservation areas based on the code. Next they layout house location sites then lay in their streets. His staff then looks at it for necessary tweaks. Further discussion ensued regarding stream buffers.

Commissioner Gunnin stated that he liked the 35 foot setback from the front to prevent the saw tooth pattern and the suggestion by Commissioner Johnston was workable but is contemplating the other two changes. Commissioner Nelms agreed with Commissioner Johnston regarding the section pertaining to pastureland being a moot point. He also indicated he was fine with the other changes.

ZONING CASES / NEW

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| 1. CASE NUMBER: | 14-08-017 |
| APPLICANT: | James H. and Kelly S. Cook |
| ZONING CHANGE: | RA to R-40 |
| LOCATION: | 298 Steels Bridge Road |
| MAP & PARCEL NUMBER: | 15N02, 071 |
| ACRES: | 1.73 |
| PROPOSED DEVELOPMENT: | Single Family Residence |
| COMMISSION DISTRICT: | 3 |
| FUTURE DEVELOPMENT MAP: | Suburban Living |

As a result of the public hearing held on August 5, 2014, the Cherokee County Planning Commission voted to recommend **APPROVAL** of zoning case 14-08-017 James and Kelly Cook to rezone from RA (Residential-Attached) to R-40 (Single Family Residential) on 1.73 acres for a new residence.

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| 2. CASE NUMBER: | 14-08-018 |
| APPLICANT: | SF Capital, LLC. |
| ZONING CHANGE: | R-40 to R-15 |
| LOCATION: | Taymack Farm Rd./Rocky Creek Farm Dr. |

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| MAP & PARCEL NUMBER: | 15N30, 230, 230B, 230C, and 230D |
| ACRES: | 18.5 |
| PROPOSED DEVELOPMENT: | Single Family Residential |
| COMMISSION DISTRICT: | 2 |
| FUTURE DEVELOPMENT MAP: | Suburban Living |

As a result of the public hearing held on August 5, 2014, the Cherokee County Planning Commission sends zoning case 14-08-019 SF Capital, LLC. to the Board of Commissioners without a recommendation from the Planning Commission.

Commissioner Gunnin stated that there are two developments there now that are R-30 and this property sits in the middle of them. He stated an R-15 in the middle is not going to work. He added that he worked with the staff and came up with a recommendation that the property be zoned R-30 and will have the following conditions:

1. The subject property shall be developed as a part of the Estates of Fernwood Creek.
2. Proposed lots included in this zoning request shall be subject to the same covenants, restrictions, and associated fees as residents and homes currently in the Estates of Fernwood Creek.
3. The 18.5 acres shall be developed utilizing the regulations required of the Estates of Fernwood Creek maintaining or exceeding 30% greenspace required by zoning case 03-03-019, Resolution 2003-R-044 for the entire Estates of Fernwood development.
4. SF Capital will assure that the roads currently in place within the Estates of Fernwood Creek subdivision and the above proposed development meet all County standards upon completion.

Commissioner Gunnin commented that he feels they are going back to regulations that were in place several years ago when this other subdivision was built and this new development will mirror the current subdivisions. He said he spoke to Mr. Watkins who said he thought it would work. Commissioner Johnston commented that it sounds reasonable since it is comparable to the existing neighborhood. He asked if it was legal to ask that it be developed under former regulations that are not currently in place. He added that as long as it is, he is good with it. Mr. Watkins stated the challenge they had from the beginning was trying to figure out how to get that point. The only way he knew was to ask the Board to authorize the staff to allow them to do that. Otherwise, he will apply the new codes as they exist today. Ms. Angie Davis stated that she thinks it will be fine as long as they are clear with the conditions of zoning. She asked if they would be granting variances. Mr. Watkins stated the only variance is the 30% greenspace. Ms. Davis stated that

her only concern is that it appears that we're granting a variance and if so, they will need to be advertised as such. She referred to the current code requiring 40% greenspace. Mr. Watkins commented that it's joining an already existing neighborhood. He added that the residents of the neighborhood asked that the new development be exactly the same as what is already there and the only way to do that is through this type of condition. Ms. Davis recommended that it is stated specifically so there is no question about what is applied. Commissioner Johnston asked for clarification on whether the 30% greenspace would be specifically for the new development or for both the existing development and the new one. Mr. Watkins indicated it would be overall. Further discussion ensued over greenspace within the development.

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| 3. CASE NUMBER: | 14-08-019 |
| APPLICANT: | Danny and Dena Milner |
| ZONING CHANGE: | R-80 to AG |
| LOCATION: | 2181 Lower Burris Road |
| MAP & PARCEL NUMBER: | 14N14, 063D and 063F |
| ACRES: | 10.6 |
| PROPOSED DEVELOPMENT: | AG and Special Events |
| COMMISSION DISTRICT: | 1 |
| FUTURE DEVELOPMENT MAP: | Country Estates |

As a result of the public hearing held on August 5, 2014, the Cherokee County Planning Commission voted to recommend **APPROVAL** of zoning case 14-08-019 Danny and Dena Milner to rezone from R-80 (Single Family Residential) to AG (Agricultural) on 10.6 acres for a Special Events Facility and continued Agricultural use.

Commissioner Johnston commented that one condition he thought had been agreed upon was for a fence. Mr. Watkins stated he would check on that.

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

- 2.1 Consider authorizing annual stone purchases from both bidders, Vulcan Materials and Bluegrass Materials, for Roads and Bridges Department.
- 2.2 Consider approval of SFY 2015 Department of Human Resources (DHS) annual contract for funding in the amount of \$273,738.00 which supports the County's Rural Transportation Program (CATS 5311) for the period of July 1, 2014 to June 30, 2015.

- 2.3 Consider approval of Professional Services Agreement with RouteMatch Software, Inc., for implementation of an Auto Vehicle Location and Mobile Data Tablet Management System for the CATS Fixed Route bus service in the amount of \$53,080.00.

Commissioner Johnston asked if it was being paid for with grant funds. Mr. Geoff Morton responded that it would be beneficial when planning routes for the complementary Paratransit Service that we are required to do within three-fourths miles of the fixed route. It would enable them to get the buses back on the regular route with less disruption. The complementary Paratransit Service is a Federal requirement.

- 2.4 Consider approval of Professional Services Agreement with Evidence Based Associates, LLC, in the amount of \$95,553.60 for the continuation of grant required Functional Family Therapy for the Juvenile Court.
- 2.5 Consider approval to purchase sixteen (16) new vehicles for the Cherokee County Sheriff's Office from Akins Dodge in the total amount of \$375,856.00.
- 2.6 Consider approval to add scope to existing agreement with LifeQuest to perform secondary collections on cases for six months. LifeQuest currently performs the primary ambulance billing for EMS.
- 2.7 Consider authorization for County Manager to sign and issue Addendums to the current Ricoh Professional Services Agreement for multi-functional copiers contract that was approved in November 2013 in the amount of \$96,227.00.
- 2.8 Consider approval of Professional Services Agreement for the performance of construction management services to Michael Owen in the amount of \$184,500.10 over two years.
- 2.9 Consider awarding Professional Services Agreement for the performance of telephone bill audit services to the lowest evaluated proposer, S2K Consulting, Inc., in an amount not to exceed 35% of realized savings.

Commissioner Johnston confirmed that the 35% savings was over a one-year period. The Chairman asked if there was a target expectation on

amount of savings. Mr. Cooper referred to the Commissioners' packets and stated that it outlines the savings over a month-to-month basis.

- 2.10 Consider approving Purchase and Sale Agreement between Cherokee County and CASA for Children Inc., for property located at 1083 Marietta Highway, Canton, GA, Tax Parcel No. 14N17-004.
- 2.11 Consider approval of Professional Services Agreement with National Center for State Courts to perform a workflow/space needs assessment for future planning in the amount of \$80,000.00.

The Chairman asked about a timeline. Mr. Cooper said he believes it to be over the course of a year. Commissioner Johnston asked if it would be to determine quantities and types of space or specific proposals for what to do about it. Mr. Cooper replied that it is for types of space needed. Commissioner Johnston commented that there have been three different solutions mentioned over the years: the Jones Building, a new building behind the Historic Courthouse, and the site of the current parking deck. He asked if they will come back and suggest one of those options or just suggest the amount of square footage. Mr. Cooper responded that it would be the square footage and for which office. He believes it could be the site of the current parking deck and have controlled access through the existing Justice Center and have secured access to the new building via swipe cards.

- 2.12 Consider approval of Professional Services Agreement with Unum to update rates for Life, AD&D, Short Term Disability and Long Term Disability as recommended by the Benefits Committee for savings equal to \$185,156.00 annually over current agreement.

Commissioner Johnston asked if these are all employee funded or employer/employee. Ms. Tracy Chambers stated that the County will pay one-time annual salary and the first eight weeks for short term. The employees have the option of buying up between weeks nine through 26. It was a savings to both employees and the County.

- 2.13 Consider approval of new provider, Admin America, for Flexible Spending as recommended by the Benefits Committee for a cost savings of \$.25 per participant per month.
- 2.14 Consider renewal of Cherokee County's Group Medical Plan with Blue Cross Blue Shield with employee premiums remaining the same for 2014-2015 as recommended by the Benefits Committee.

Chairman Ahrens asked if there was a reduction in Blue Cross fees. Mr. Cooper responded that he tried. He added that they argued that historically our fees are low compared to the market.

Ms. Davis went over two items under the **County Attorney** portion:

- 3.1 City of Ball Ground Annexation Notice for 6.14 acres of property located at 454 Cartersville Street.

Ms. Davis stated the property is owned by Ball Ground. The current zoning is Light Industrial and will stay the same. The proposed use is the City's Public Works Department. She added no objections were indicated.

- 3.2 City of Woodstock Annexation Notice for 10.88 acres of property located at 12455 Highway 92.

Ms. Davis stated the owner is Little River United Methodist Church. It is proposed to be the same owner, same use but changing the zoning from R-40 to GC. She added there were no objections noted.

Ms. Davis commented that if there are no objections from the Board, no action would be needed during the Regular Meeting.

Chairman Ahrens mentioned that he serves as the Chairman for the ACCG Defined Benefits Pension Board. He shared that the value of the total fund is \$1.125 Billion throughout 95 counties in Georgia. The rolling 12 month return is 19.1%. He stated that the plan is in good shape and growing well. Commissioner Johnston commented that there had been some misinformation going around that the County had withdrawn from the pension plan to fund the County budget and that has never been the case.

Adjourn

Hearing no further items, Commissioner Johnston made a motion to adjourn to Executive Session at 4:38 p.m. to discuss property acquisition and disposition, personnel matters, pending or threatened litigation. Commissioner Gunnin seconded and the motion was unanimously approved.