



# Cherokee County Board of Commissioners WORK SESSION MINUTES

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

The Chairman began at 3:08 p.m. Those present included Commissioner Raymond Gunnin; Commissioner Brian Poole; Commissioner Jason Nelms; County Attorney, Angie Davis; County Clerk, Christy Black. Also present were Agency Directors/Department Heads; the media; and the public. Commissioner Harry B. Johnston arrived at 3:15 p.m. County Manager, Mr. Jerry Cooper, was absent.

Chairman Ahrens read an excerpt from "The Right to Lead: Learning Leadership through Character and Courage" regarding integrity.

The Chairman shared pictures from the grand opening of Inalfa Roof Systems last week. He stated that this is a billion dollar business making sunroofs. It is a Chinese Dutch joint venture. The Chairman added that it is a parcel on Cherokee 75 Corporate Park. He further stated that the employee level will reach 400 in the next year. Chairman Ahrens mentioned the County declared October 30<sup>th</sup> as Inalfa Roof Systems Day.

## **1. Discussion of Regular Agenda Items.**

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

**HARRY B. JOHNSTON**

- A. Consider acceptance of Stonewood Trail in as-is condition for County maintenance; 0.20 miles.

Commissioner Johnston commented that he would appreciate support in assuming maintenance for the road.

### **CONSENT AGENDA**

Mr. Morton went over the three items under the **Consent Agenda** portion:

- 1.1 Consider authorization for Cherokee County Juvenile Court to apply for a non-matching grant under the Juvenile Justice Prevention and Treatment Programs administered by the Criminal Justice Coordinating Council (CJCC) and upon award, authorize a budget amendment in the amount of \$100,000.00 and authorize Chairman to execute any required grant documents.

Mr. Morton indicated the grant period is December 2014 to August 2015 and the application process is on an accelerated timeline.

- 1.2 Consider approval of Resolution authorizing County Manager to execute agreement with the Georgia Department of Natural Resources for reimbursement of funds from the Hazardous Waste Trust Fund for work performed at the Blalock Landfill in the amount of \$35,240.00.
- 1.3 Approval to set a Public Hearing date regarding a request by applicants Blalock and Bruce to create a legacy lot on their property at 767 Old Mill Circle, Ball Ground (Tax Map 02N22, Parcel 028).

The applicants wish to split off 1.22 acres for the construction of a new home for their daughter. The request is due to aging parents and her mother who has a disability. The Public Hearing date is December 2, 2014. The Chairman asked about the zoning. Ms. Vicki Taylor-Lee replied it is AG. Chairman Ahrens confirmed the 1.22 acres is okay in AG. Ms. Taylor-Lee responded that is right.

## **COUNTY MANAGER**

Mr. Morton went over the three items under the **County Manager** portion:

- 2.1 Consider approval to transfer budget from Court Reporters to Salary Contingency to cover 10% raises for three Investigators in the Solicitors Office in the amount of \$11,082.00.

Commissioner Johnston asked if investigators with the DA's office are already covered. Chairman Ahrens replied that they are.

- 2.2 Consider approval to add Case Manager Position for Drug Accountability Court with half the salary (\$16,000.00) paid by Federal Grant and the remaining half plus benefits, taxes and retirement (\$24,620.00) to be paid

from DATE Monies. Salary amount is \$31,889.00 plus benefits and payroll taxes in the amount of \$8,731.00, for a total of \$40,620.00.

- 2.3 Consider approval to procure one Ariel Apparatus and four Pumper Apparatuses from FireLine, Inc. totaling \$2,419,174.00 for the Cherokee Fire & ES Department and authorization of budget amendment.

Chairman Ahrens asked where they will be located. Chief Greg Erdely replied that they would likely be by the airport.

### **COUNTY ATTORNEY**

- 3.1 Consider approval of Temporary Medical Hardship for Ms. India L. Hagstrom of 506 Bentwood Drive, Woodstock.

Chairman Ahrens mentioned that it is their intent to remove this item. Mr. Jeff Watkins stated that there were possible zoning violations that they wanted to investigate.

- 3.2 Consider request from the City of Ball Ground to adopt a resolution consenting to the de-annexation of property located at 1355 Ball Ground Road.

Mr. Watkins stated the property is 55.75 acres and currently zoned R-40 in the City. The purpose is the applicant wants to put a manufactured home on the property and he is unable to do that under Ball Ground's R-40 zoning. The applicant is requesting that the City allow him to de-annex. Mr. Watkins further stated there is a question that if the applicant is successful in de-annexation, he's not asking for any other zoning but R-40. The County and the City's R-40 zoning is slightly different. Mr. Watkins suggested there be a moratorium in place if the applicant is successful to allow him to submit a zoning request to zone the property to R-40. Commissioner Johnston confirmed that the City had not yet acted on it and whether or not we have any indication as to their decision. Mr. Watkins said we do not know, but it doesn't suit their purposes because of where the property is located. Commissioner Gunnin asked if R-40 would meet the standard for allowing a mobile home. Mr. Watkins said it would. Chairman Ahrens asked if the property would automatically be R-40 if they accept the de-annexation. Mr. Watkins stated if their R-40 was the same as the County's, they could do that, but Ball Ground only allows manufactured homes in their AG and RE categories. He added that the property would come out without any zoning.

Commissioner Nelms confirmed the purpose of the application. He also asked if R-40 is concurrent to neighboring zoning. Ms. Taylor-Lee stated neighboring properties as R-40 and AG. Commissioner Nelms asked Mr. Watkins his thoughts on land use. Mr. Watkins stated the R-40 matches what the County has zoned in the area already. The Chairman commented that it seems like there should be a simple solution. Ms. Angie Davis stated that this would be consistent with the recent issue in Woodstock and that the moratorium on any building permits of any kind until the property owner rezoned in the County; or if they didn't seek rezoning within 30 days of the de-annexation from the City, the County can initiate the rezoning process; or if the County chose to do nothing, the property would come out with no zoning. Ms. Davis said it would concern her to leave such a large property vulnerable for the applicant to do anything. She suggested allowing the de-annexation provided the applicant abides by the rules; otherwise the County does not have to consent to the de-annexation. The Chairman asked about rezoning fees. Ms. Taylor-Lee stated it would be about \$500. Chairman Ahrens asked about possibly waiving the rezoning fee since the applicant isn't actually asking for rezoning. Commissioner Johnston commented that the fee would be waived if the County initiated the zoning and that would be a possible solution. The Chairman added that they could include that in the resolution. Ms. Davis confirmed that the County initiated zoning is an abbreviated procedure and asked how long it takes for the zoning. Mr. Watkins stated it will be at least 45 days. Ms. Davis asked when the case would go before the City. Ms. Taylor-Lee stated she understood it would be in the next couple of weeks. She explained that he wasn't afraid to go before the City but it was his intention to rezone two acres and a strip to get to it, but when the paperwork was filed by the City, it came in as all 55 acres. The owners didn't want to rezone all 55 acres to RE because it would restrict future use. Ms. Davis stated that with multiple owners, the moratorium would not work like the one in Woodstock. Commissioner Johnston made the suggestion to make an exception to the moratorium to allow for a single manufactured home in conformance with the County's R-40 zoning. Ms. Davis stated that they could do that but he is un-zoned until he is rezoned, so it's messy. She added that it's an odd situation to grant a permit that would otherwise not be permissible under the current condition. Mr. Watkins stated that would limit the applicant to one type of permit. Ms. Davis expressed the importance of a moratorium to prevent the applicant from doing anything he wants with the property, but would need to include the single permission in the moratorium. She added that all permits would be held until rezoning. She believes he will not seek rezoning and the County would have to initiate it after 30 days. Mr. Watkins stated he thinks it will work well. Commissioner Johnston shared a draft of possible language to be

included in the moratorium. He asked about when the moratorium would expire. Ms. Davis replied that it would be upon zoning.

Chairman Ahrens asked Ms. Davis the procedure regarding adjourning the Work Session. Ms. Davis suggested that for future meetings, to state "immediately following the Work Session" so there are no gaps in time because they put up the notice for the joint session for 4:30 so they would need to wait until then to begin. The Chairman asked if they could go ahead and adjourn to Executive Session then come back for the joint session. Ms. Davis said that would be fine.

## **ADJOURN**

Hearing no further items, Commissioner Nelms made a motion to adjourn to the Special Joint BOC/RRDA meeting to be followed by an Executive Session of the BOC at 4:20 p.m. to discuss property acquisition and deposition, personnel matters, pending or threatened litigation. Commissioner Gunnin seconded. The motion carried unanimously.