



# Cherokee County Board of Commissioners MINUTES

November 18, 2014  
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"*

Commissioner Johnston led the Pledge of Allegiance.

## **CALL TO ORDER**

## **CHAIRMAN AHRENS**

Chairman Ahrens called the regular meeting to order at 6:02 p.m. Those present included Commissioner Harry B. Johnston; Commissioner Raymond Gunnin; Commissioner Poole; Commissioner 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**

Chairman Ahrens called for a motion to ratify closure of Executive Session at 5:55 p.m.

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

## **PRESENTATIONS/PROCLAMATIONS**

None Scheduled.

## **AMENDMENTS TO AGENDA**

1. Under Chairman's Portion Add: Reappointments to the Cherokee County Board of Family and Children Services.
2. Remove item 2.6 from the County Manager's Portion.

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

## **ANNOUNCEMENTS**

Chairman Ahrens mentioned that during Work Session there was a presentation by the Cherokee County Health Department and by GRTA regarding the Xpress Bus route.

## **APPROVAL OF EXECUTIVE SESSION, WORK SESSION AND REGULAR MEETING MINUTES FROM NOVEMBER 4, 2014.**

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

## **BOC APPROVAL OF MINUTES FROM SPECIAL JOINT RRDA/BOC MEETING ON NOVEMBER 4, 2014.**

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

## **PUBLIC HEARING**

1. Cherokee County Board of Commissioners shall conduct a Public Hearing regarding the abandonment of a portion of **Cherokee Street** (Way) located in Land Lot 843 of the 21<sup>st</sup> District, 2<sup>nd</sup> Section of Cherokee County.

Commissioner Nelms made a motion to open the Public Hearing at 6:09 p.m.; Commissioner Poole seconded and there was unanimous approval.

Geoff Morton explained that Cherokee Street (Way) is platted right-of-way that was never developed, and bisects property owned by Carol Parks. Ms. Parks has requested that Cherokee County abandon this section of the Cherokee Street(Way) right-of-way.

He stated that notice of this abandonment was published in the Cherokee Tribune on October 24 & 31 and November 7 & 14 and that he has received no feedback or complaints regarding the request.

Chairman Ahrens stated that no one had signed up to speak.

Commissioner Nelms made a motion to close the Public Hearing at 6:10 p.m.; Commissioner Johnston seconded and there was unanimous approval.

Commissioner Poole made a motion to approve; Commissioner Nelms seconded; Commissioner Johnston commented that as discussed in Work Session, there are certain items that commissioners on their way out cannot vote on after the election. He said that due to this case being advertised prior to the election it makes it appropriate to vote, therefore he would be voting. There was unanimous approval, 5-0.

## **PUBLIC COMMENT**

No one signed up to speak.

## **ZONING CASES**

<b>CASE NUMBER:</b>	14-11-023
<b>APPLICANT:</b>	Jeannie and Edwin Cochran
<b>ZONING CHANGE:</b>	R-40 to GC
<b>LOCATION:</b>	12746 Cumming Highway
<b>MAP &amp; PARCEL NUMBER:</b>	03N23, Parcel 213
<b>ACRES:</b>	4.6 +/-
<b>PROPOSED DEVELOPMENT:</b>	Furniture/Interior Design Business
<b>COMMISSION DISTRICT:</b>	1
<b>FUTURE DEVELOPMENT MAP:</b>	Community Village

As a result of the public hearing held on November 4, 2014, the Cherokee County Planning Commission voted to recommend **APPROVAL** of zoning case 14-11-023 Jeannie and Edwin Cochran to rezone from R-40 (Residential) to GC (General Commercial) on 4.6 +/- acres for furniture/interior design business.

Jeff Watkins presented the case. Commissioner Johnston commented that this was in District 1 and that it conforms to the land use plan and is pretty straight forward and that he had no objection.

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

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## **COMMISSION BUSINESS**

### **CHAIRMAN**

**L. B. AHRENS**

A. Adoption of 2015 Board of Commissioners' Meeting Schedule.

Chairman Ahrens commented that the schedule as presented showed no exceptions to the first and third Tuesday meetings.

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

B. Amendment: Consider reappointments to the Cherokee County DFCS Board for a five-year term, expiring June 30, 2019: Donna Ratliff, Nina Morris and Vic West.

Commissioner Poole commented that as mentioned in Work Session, that if these people were willing to serve another term, the Board was glad to have them.

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

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

**HARRY B. JOHNSTON**

### **COMMISSION DISTRICT 2**

**RAYMOND GUNNIN**

### **COMMISSION DISTRICT 3**

**BRIAN POOLE**

A. Discussion on Hunting Ordinance.

Commissioner Poole said that the south side of the county has had some problems with hunters illegally shooting rifles close to neighborhoods. He said that the Board would be looking at this at a future meeting. Commissioner Nelms commented that in several areas the Corps of Engineers have allowed archery hunting, but hunters have illegally been using rifles. He said that the problem ultimately is a matter of enforcement. He added that the County Attorney is going to come up with a draft that pleases both sides. Chairman Ahrens commented that he has received more complaints on target shooting but that this issue is something that needs to be addressed and that they should take a look at what others have done and have considered.

**COMMISSION DISTRICT 4**

**JASON NELMS**

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**CONSENT AGENDA**

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**COUNTY MANAGER**

- 2.1 Consider approval of Change Order to the Maintenance Services Agreement with Aqua Design Systems for miscellaneous repairs to the expansion joints, gutter wall and surge tank in the not to exceed amount of \$30,000.00. A County-controlled contingency of \$5,000.00 is also requested. Total amount of request is \$35,000.00 to be funded by the Park Bond Program.

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

- 2.2 Consider approval granting easements and perpetual rights-of-ways to Cherokee County Water and Sewerage Authority (CCWSA) for and over the sewer and water lines in new park at Killian and Univeter Road. Sanitary sewer line easement is approximately 0.19 acres; Water line easement is approximately 0.08 acres.

Commissioner Gunnin made a motion to approve; Commissioner Poole seconded. Commissioner Johnston stated that disposal of County Property was one of the items that commissioners on the way out could not vote on, so he would be abstaining. Commissioner Nelms stated that he would also be abstaining. The vote was approval, 3-0 with 2 abstentions.

2.3 Consider proposal from Moreland Altobelli Associates, Inc. to perform design services for the preparation of a Programmatic Categorical Exclusion (PCE) or Environment Document, for the SR 140 at East Cherokee Drive Intersection Improvement Project, under their annual engineering consulting services contract in the amount of \$25,000.00.

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

2.4 Consider approval of Release and Assignment Agreement for the Little Bear Subdivision.

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

2.5 Consider renewal of the SunTrust Loan for Cherokee County Development Authority land held for economic development at the rate of 3.93% and the related budget amendment.

Commissioner Poole made a motion to approve; Commission Gunnin seconded. Commissioner Johnston commented that borrowing money was another item that a commissioner on the way out could not vote on and that he would be recusing himself. Commissioner Nelms said that he also would be abstaining. The vote was for approval, 3-0 with 2 abstentions.

2.6 Amended: Removed.  
~~Consideration of employee voluntary separation agreement.~~

2.7 Consider impact fee exemption request from Rooker in the amount of \$175,288.06 for 304,000 square feet industrial building located on approximately 25 acres within the Cherokee 75 Corporate Park.

Commissioner Poole made a motion to approve waiving 100% impact fee; Commission Nelms seconded and there was unanimous approval.

- 2.8 Consider purchase of F-150 for Animal Control in the amount of \$25,495.00 from Hardy Ford who submitted the lowest of three quotes.

Commissioner Gunnin made a motion to approve; Commissioner Poole seconded. Commissioner Johnston commented that acquisition of property was another item that commissioners on the way out could not vote on after the election so he would be abstaining. Commissioner Nelms said that he would also be abstaining. The vote was approval, 3-0 with 2 abstentions.

- 2.9 Consider Professional Services Agreement with IntelliTime Systems for the purchase of Fire Scheduling Software and budget amendment in the amount of \$99,145.00 to move funds from operations to capital.

Commissioner Gunnin made a motion to approve; Commissioner Poole seconded. Commissioner Johnston stated that software was property and he would be abstaining from voting. Commissioner Nelms said that he would also be abstaining. The vote was for approval, 3-0 with 2 abstentions.

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## **COUNTY ATTORNEY**

## **ADJOURN**

Chairman Ahrens asked if there was anything else to come before the Board. Commissioner Nelms said he wanted to thank Commissioner-Elect Scott Gordon for attending the Work Session, Executive Session and Regular meeting.

Commissioner Johnston made a motion to adjourn at 6:27 p.m.; Commissioner Poole seconded and the motion received unanimous approval.