



Cherokee County Board of Commissioners WORK SESSION MINUTES

December 20, 2016

3:00 p.m. | Cherokee Hall

Chairman Ahrens began Work Session at 3:19 p.m. Those present included Chairman Ahrens; Commissioner Steve West; Commissioner Scott Gordon; 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, arriving a few minutes late were Commissioner Raymond Gunnin and Commissioner Brian Poole.

The Chairman read several quotes from 'Stupify'.

Chairman Ahrens stated that he had missed the last meeting due to being in Honolulu to be part of the 75th Anniversary of Pearl Harbor. He gave a brief recap of the history as he said many already knew the story. His father-in-law was a crew member on the first plane shot down on December 7. Some highlights he spoke about were the flag ceremony they attended and the missing man formation flyover. He stated that one photo shown in the brochure was of his father-in-law's plane.

Chairman Ahrens then stated that he planned to appoint Commissioner Scott Gordon as Vice Chair at tonight's meeting.

The Chairman stated that the school board once again raised the bar, referring to their performance at the state level on recent scores as listed under announcements.

1. Discussion of Regular Agenda Items.

PUBLIC HEARING

7.1 Request for the creation of a Legacy Lot by Mr. Michael Mann for property located at 4243 North Arnold Mill Road. (BOC District 2)

Ms. Vicki Taylor Lee stated that the property is zoned R-40 and the zoning is R-40 all around the area. The request is for a legacy lot for the applicant's mother. She stated that there was a house on the property and due to a temporary medical hardship a manufactured home was placed on the property. She stated that Mr. Mann would like to remove the manufactured home and build a home

on the property and he would be at the public meeting to state his intentions. She stated that it has been advertised and adjacent home owners have been notified.

ZONING CASES

9.1 Case #16-11-039 Southern Farms Development Company, LLC (BOC Dist. 2)

Mr. Jeff Watkins stated the applicant, Southern Farms Development Company, LLC, is seeking to rezone 71.13 acres at Jep Wheeler Road from R-80 to R-40 for the purpose of putting a residential development on the property. He stated the Public Hearing was held November 1, 2016 and the Planning Commission's recommendation was for denial.

He provided a brief overview of the case. He described surrounding zoning and character areas, and stated that the development is to be a conservation design. He recalled that there was a list of conditions proposed which he read through. He stated that there will be 65 lots; 45% greenspace; there are buffers and setbacks along Jep Wheeler Road that have been attached; contributions to the school system and County for road improvements; house sizes to be 3,000 sq. ft.; mandatory HOA; and roads to be built to County standards. He stated that most conditions listed are required according to the County's ordinances.

Chairman Ahrens stated that there was a letter received on December 19 and inquired if there was anything new proposed in the letter, that it seemed to be mostly reminders. Mr. Watkins stated that the differences stated in the letter are that the buffer changed from a 60ft. buffer to a 100 ft. buffer; there is a 100 ft. setback at Jep Wheeler Road which is required of conservation; the contribution increased from \$110,000 to \$250,000 for road improvements; the contribution to the school system remained the same. Chairman Ahrens recalled that at the last meeting they requested a postponement and that there was some discussion regarding road contribution and utilities. He stated that he has had no contact with the exception of the letter that was received from the lawyers. Commissioner Gordon stated that the information given is coming at the day of the meetings or the day before the meetings and it just doesn't give enough time to contact constituents, and he feels that the process is being sidestepped. He stated that his concern is that it places pressure on the infrastructure even though the traffic reports show that it follows the letter of the law. He added that he has driven the area at different times of day and the infrastructure has issues. He recalled that the Planning Commission has denied it and the last-minute changes to the conditions are not able to be addressed with constituents. He stated that he feels that these are grounds to deny the request if that is what the Board chooses to do. Chairman Ahrens said that he cannot see the relevance for representatives to call out residents on reactions, that it is the first time he's seen this. Commissioner Gunnin said that everything has now been brought forth and he is ready to move forward and get it off the books.

9.2 Case #16-11-038 Hogan Pond Properties, LLC (BOC Dist. 1)

Mr. Watkins stated that the applicant is seeking to rezone 199.4 +/- acres on Hogan Pond Road and Ball Ground Road from AG and LI to R-80, R-60 and R-30 as a master plan conservation residential development. He stated the Public Hearing was held November 1, 2016 and Planning Commission's recommendation was for denial. He stated that the applicant is requesting withdrawal without prejudice. Commissioner Gordon stated that the applicant has agreed to meet with the surrounding community and the voluntary withdrawal is appreciated. Chairman Ahrens stated that the applicant gave a specific reason for the withdrawal.

9.3 Case #16-12-042 277 TCL Properties, LLC (BOC Dist. 2)

Mr. Watkins stated that the applicant is seeking to rezone 3.5 acres at Tom Charles Lane from R-80 to R-30 for the purpose of putting a single family detached residence on the property. He stated the Public Hearing was held December 6, 2016 and Planning Commission's recommendation was for approval. Mr. Watkins provided a brief overview the case and described surrounding zoning and character areas. Commissioner Gunnin stated that he is ready to move forward with approval.

9.4 Case #16-12-046 Church of God Prophecy (BOC Dist. 1)

Mr. Watkins stated that the applicant, Church of God Prophecy, is seeking to rezone 5.81 acres on Dry Pond Lane from R-80 to AG for the purpose of putting a church on the property. He stated the Public Hearing was held December 6, 2016 and Planning Commission's recommendation was for approval. He provided a brief overview the case, and described surrounding zoning and character areas.

9.5 Case #16-09-025 Georgia-Tennessee Development Partners, LLC (BOC Dist. 2)

Mr. Watkins stated that the applicant, Georgia-Tennessee Development Partners, LLC, seeks to rezone 78 +/- acres from AG to R-20 at 300 Collett Drive for the purpose of putting a residential neighborhood on the property. He stated the Public Hearing was held September 6, 2016 and Planning Commission's recommendation was for denial and the applicant is requesting a withdrawal without prejudice. Commissioner Gordon inquired if the case would be going through ZBA. Mr. Watkins replied that it will be. He stated that there have been a lot of changes to the application and site plan and a lot of misinformation. He stated that it doesn't need to be on the agenda and there are 90 days to make a decision as to what needs to happen going forward and it is at the discretion of the Board.

COMMISSION BUSINESS

10.1 Adoption of 2017 Board of Commissioners' Meeting Schedule.

Consider adopting a schedule change to exclude the July 4, 2017 BOC meeting due to the meeting falling on a holiday.

10.2 Consider appointments to the Cherokee County Development Authority and the Development Authority of Cherokee County.

Consider appointees to the Development Authority of Cherokee County. There are several who will be finishing their term on December 31, 2016: Steve Holcomb, Wanda Roach, Pat Comeaux, Robert Logan and Mark Goddard and on Cherokee County Development Authority is Ben Looper. Chairman Ahrens stated that he had run into Marshall Day and that they were going to get together and discuss this. Commissioner Ahrens requested that the Commissioners be thinking of qualified people for the positions.

Chairman Ahrens mentioned that he had a conversation with Scott Turner and that the delegation meeting will be Friday, January 6. He added that he will not be able to attend due to a family obligation.

10.3. District 4, Commissioner Gordon: Towne Lake Pass Trail Resolution.

Consider Joint Resolution with City of Woodstock to dedicate the 'Towne Lake Pass Trail' in memory of Mary Tessa Basford.

Commissioner Gordon stated that he had been approached by the City of Woodstock about the resolution. He noted that councilwoman Basford had appointed him to the City's Planning Commission and he was glad to bring this forward.

CONSENT AGENDA

Mr. Cooper went over the six items under the **Consent Agenda** portion.

11.1. Hickory Road at Stringer Road/Carriage Lane Intersection Improvement - Added Design Services Request.

Consider proposal from American Engineers, Inc. for additional design services required for the Hickory Road at Stringer Road/Carriage Lane Intersection Improvements project in the amount of \$12,500.00.

11.2. ARC Aging Subgrant Amendment.

Consider formally accepting and authorizing the Chairman to execute the SFY17 Sub-grant Agreement Amendment 1 with ARC in the total funding amount of \$731,205.

11.3. DA Annual Grant Acceptance.

Consider accepting annual federal grant for the continuation of the STOP Violence Against Women Act formula grant and authorize the Chairman to sign the Subgrant Agreement in the amount of \$70,000.

11.4. CCSO VOCA Grant Award.

Consider accepting federal Victim of Crime Act (VOCA) Block Grant monies in the amount of \$96,501 on behalf of the Cherokee Sheriff's Office Criminal Investigation Division (CID), consider authorizing a Budget Amendment in the amount of \$120,626 to allocate the grant monies and County match, and consider creating three new full time positions in CID Unit (Org 3321).

11.5. Felony Drug Court - Supplemental Grant.

Consider accepting Supplemental Subgrant Award in the amount of \$35,123 for additional state grant monies on behalf of the Drug Accountability Court, consider authorizing a Budget Amendment to allocate the additional grant funds and consider creating a full-time Compliance Officer Position in Org 2151.

11.6. Mental Health Court - Supplemental Grant.

Consider accepting Supplemental Subgrant Award in the amount of \$16,000 for additional state grant monies on behalf of the Mental Health Court and consider approving a Budget Amendment in the amount of \$17,778 to allocate the additional grant monies and required match.

COUNTY MANAGER

12.1. Trickum Road at Jamerson Road Intersection Improvement Project – Construction Contract.

Consider award of a construction agreement to CMES, Inc., in the amount of \$436,844.50, for construction of the Trickum Road at Jamerson Road Intersection Improvement Project.

12.2. Transfer of Assets from Sheriff's Office.

Consider transfer of assigned weapons of law enforcement officer that is retiring in good standing with the County, contingent upon reimbursement by the Sheriff's Foundation in the amount of fair market value or purchase price.

12.3. Arborview Parkway Sidewalk & Drainage Improvement Project and Gold Bridge Crossing Sidewalk Project - Construction Contract.

Consider award of a construction agreement to Lewallen Construction, Inc., in the amount of \$244,574.27, for construction of the Arborview Parkway Sidewalk & Drainage Improvement Project and the Gold Bridge Crossing Sidewalk Project.

12.4. SR 92 at 3 Locations - Intersection Improvements Construction Contract.

Consider award of a construction agreement to Bartow Paving Company, Inc. in the amount of \$732,043.00 for construction of Operational Improvements at the intersections of SR 92 and Woodstock Road, Robin Road and Bells Ferry Road.

12.5. S. Cherokee Lane Improvements - Design Services.

Consider award of a professional services agreement to BM&K Construction & Engineering in the amount of \$55,000.00 for the design of improvements for a portion of S. Cherokee Lane.

12.6. Impact Fee Exemption for Adidas/Oeschler Manufacturing Facility in Cherokee 75 Park.

Consider an Impact Fee Exemption Request with a value of \$ 21,437.33 from Cherokee Office of Economic Development for the new Adidas/Oeschler facility. This business will be involved in manufacturing footwear at this location.

12.7. SR 140 at East Cherokee Drive Intersection Improvement Project - Added Design Services.

Consider supplemental agreement from AMEC Foster Wheeler, Inc. for additional engineering design services for completion of the SR 140 at East Cherokee Drive Intersection Improvement project in the amount of \$78,000.00.

12.8. Documentation regarding Consolidation of Canton Fire Department.

Consider approval of documentation regarding consolidation of Canton Fire Department.

12.9. IGA with City of Woodstock related to Animal Control.

Consider Animal Control Intergovernmental Agreement with City of Woodstock.

COUNTY ATTORNEY

ADJOURN

Hearing no further items, Commissioner Gordon made a motion to adjourn to Executive Session at 4:12 p.m. to discuss property acquisition, personnel matters and pending or threatened litigation; Commissioner West seconded. The resulting vote was Passed, 5-0.