



# Cherokee County Board of Commissioners WORK SESSION MINUTES

**April 4, 2017**

**3:00 p.m. | Cherokee Hall**

Chairman Ahrens began Work Session at 3:06 p.m. Those present included Chairman Ahrens; Commissioner Bob Kovacs; Commissioner Scott Gordon; Commissioner Steve West; Commissioner Raymond Gunnin; County Manager, Jerry Cooper; County Attorney, Angie Davis; County Clerk, Christy Black. Also present were Agency Directors/Department Heads; the media; and the public.

The Chairman read from a list of notable quotes from athletes.

## **1. 3<sup>rd</sup> Quarter Service Awards presentation by Lori Thompson.**

Ms. Thompson recognized and presented Service Awards to 26 individuals who have served 10 years, 12 individuals who have served 15 years, 5 individuals who have served 20 years, 2 individuals who have served 25 years, and 2 individuals who have served 30 years. The Chairman thanked the recipients for their years of dedicated service and their contribution to the organization and to the community.

Chairman Ahrens stated that last Friday, March 31, 2017 was an all-day Work Session meeting for the Commissioners. Jerry Cooper, County Manager, Opie Bowen, Staff Attorney, Stacey Williams, Admin Services Director, and Christy Black, County Clerk were also there. He stated that it was held at the meeting room at the airport, and the discussion was focused around the five-year blueprint looking forward and to get there a good deal of the morning was spent using 'sticky notes' going through SWOT (strengths, weaknesses, opportunities and threats) Analysis. He said what was interesting to him was the alignment of thoughts. The exercise was done individually and it was amazing to see the overlap of focus. He stated that they discussed what the Commissioners and County staff expected from one another in an open dialogue with the use of a facilitator. Commissioner Gordon reiterated what the Chairman had said, that it was interesting that in every category everyone at the meeting had the same thoughts and focus. The Chairman stated that Mr. Cooper and his staff had prepared a very detailed strategic direction with input from directors for the meeting.

Chairman Ahrens stated that a phone call was received from Don Barber, AT&T representative for the area. He stated that on March 30, 2017, AT&T was selected by First Net to build and manage America's first nationwide public safety broadband network dedicated to First Responders. He stated that AT&T will spend \$40 billion over the life of the contract, which is 25 years to build, deploy, operate, and maintain the network. Chairman Ahrens stated that they expect to generate 10,000 jobs as it evolves and all 50 states would need to sign in. He stated that he offered to Mr. Barber that Cherokee County would be happy to provide endorsement if needed. Commissioner Gunnin stated that this improvement will help with the ability to communicate with others and that the frequency in place now is limited. Chairman Ahrens said that it coincides with one of the Level 1 projects discussed for SPLOST and it is an investment in communications in the County. He stated that the agenda has been amended to give others the opportunity to hear about it. Commissioner Gunnin spoke about the difficulties faced between

first responders with the current system in place, including having to carry multiple radios to communicate to different areas.

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

### **ZONING CASES**

#### **9.1 Amendment to Article 9 to allow in accessory structures for home occupations; Amend Article 4 to update definition of Home Occupation.**

Consider amending Article 9 and Article 4 of the Cherokee County Zoning Ordinance to allow Home Occupations to operate from accessory structures. (Item was tabled from March 21, 2017 meeting.)

Mr. Watkins stated that at the last meeting there were several items that were discussed such as the permanency of the accessory structures, garage versus an accessory building and defining them, square footage requirements, and limiting the number of employees. He stated that since that time, Staff has looked at other communities with regard to home occupations and accessory structures. Mr. Watkins provided a list of surrounding counties and their requirements for home occupations. He stated that Staff looked into the current top ten permitted home occupations and five of those were related to construction.

Commissioner Kovacs stated that he has had conversations with Commissioner West and Commissioner Gordon regarding large tracts of land due to it having a bigger possibility of abuse. He stated that within the ordinance should be a size restriction, a limitation that they can only be operated by the resident of the premises and prohibit renting the structure out to another party, and limitation on the number of employees. He stated that they were discussing the size limit of the structure to be between 600 and 1,000 sq. ft. and the amount of employees being limited to the individuals residing at the address or one or two additional employees. He stated that if those questions could be answered things could move forward.

Chairman Ahrens inquired how the square footage limitation worked with regards to attached or detached accessory buildings. Commissioner Kovacs stated that it would be a combination if the business was located in more than one area of the premises. He stated that the initial intent was focused on the detached building being allowed, but it has opened up other areas that needed to be addressed in the ordinance as well. Commissioner West stated the information provided will allow a draft to be started and possibly available for the next meeting. Chairman Ahrens inquired if there may be a midpoint allowing the garage accessory to be a storage area allowing more room for business operation in the detached structure and insure that the accessory structure was being used for building. Commission Kovacs stated that it may help, but it still limited people who either did not have an attached garage or space in an attached garage. Commissioner Gordon stated that the spirit of the ordinance is to allow a residence to be a temporary space to operate a business and to address the difference between a detached and an attached garage. He stated that it should be left up to the occupant as to how they wanted to use their space. He stated that the ordinance needed to be stated very clearly that it will not be allowed for the accessory building to exceed a certain amount or to grow to the point that the business isn't moving into the proper zoning classification when the time comes for growth.

Commissioner Gordon inquired as to how someone can be kept from building accessory structures just for the benefit of trying to expand a business when they may be already using a garage. Mr. Watkins stated that in Article 5 where accessory buildings are noted, and in residential districts in particular, there is a limitation to the percentage of square footage allowed on the property in the first place. He stated that may limit those people of building an accessory building for the purpose of running the business. Chairman Ahrens inquired if garage and detached garage have the same meaning. Commissioner Kovacs stated that limiting it to a barn, garage or accessory building is what defines one from another. He stated that if it has a door and meets requirements then it should qualify.

Commissioner Gordon stated that he would like to see a more comprehensive list of uses. He stated that the size limitation, operated by the owner, employee count, maximum square footage of the operation to include the house plus accessory uses, not looking for Planning and Zoning input nor Marshal preapproval, look again at the accessory building definitions, and revisit the use table should all be addressed. Chairman Ahrens stated that he would like to target getting the amendment completed at the next meeting.

## **9.2 Case #17-03-009 John L. Lineberger (BOC Dist. 1).**

Consider request by John L. Lineberger to rezone 2.34 acres at 5911 Cumming Highway from R-80 to GC for retail sales with office. (Case was tabled from March 21, 2017).

Mr. Watkins stated that the Public Hearing was on March 7, 2017, and the Planning Commission's recommendation was for approval as NC. Mr. Watkins stated that there were two conditions: that the applicant would establish and maintain a 35 ft. vegetative buffer adjacent to residential properties, and abide by a long list of non-permitted uses, which Mr. Watkins provided. Some of the non-permitted uses being outside storages, farmers market, auto repair, boat sales, fast food, gas service, package stores, hotel/motel, convenience store, etc. Mr. Watkins gave a brief overview of the case. Chairman Ahrens inquired if NC was GC with a list of non-permitted uses. Mr. Watkins replied that he was correct and stated that there are more uses in GC zoning. Commissioner West stated that the applicant wanted GC and they provided conditions and the applicant is comfortable with the list.

Chairman Ahrens stated that a public participation notice received related to property in Hickory Flat. He said the meeting is on Monday and the noticed was received until the Thursday before. He addressed his concern regarding the letters of public participation not being sent out in a timely manner. He stated that the public needs more notice than what has been given. Commissioner Kovacs inquired of the time frame required to send out notice. Mr. Watkins replied that there wasn't a set time frame listed in the public participation section and stated that they remind people to provide the notice at least ten days in advance of the date of the meeting. Commissioner Gordon stated that the Board of Commissioners have been discussing making changes to policies and procedures that would outline exactly what needs to be in the public participation meetings including terms of content, the radius and location of where they can occur, and he stated that the time requirement for notice needs to be addressed as well. He stated that some of the public participation meetings tend to be on Planning Commission work session days and Board of Commissioner days when the Board of Commissioners cannot attend which is something else that may need to be considered.

## **CONSENT AGENDA**

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

### **11.1 Property Management Vehicle Purchase.**

Consider authorizing purchase of 2017 Ford F-250 from low bidder, King Ford, in the amount of \$31,271 and considering authorizing a Budget Transfer.

### **11.2 Auction of Surplus Cherokee County Fire & Emergency Services Surplus Vehicles.**

Consider approving Surplus Vehicle List for auction of surplus of Cherokee County Fire & Emergency Service vehicles by Jeff Dobson & Associates on April 29, 2017.

## **COUNTY MANAGER**

Mr. Cooper went over the thirteen items under the **County Manager's** portion.

### **12.1 Appraisal and Data Book Preparation Services.**

Consider approval of the Standard Professional Services Agreement with Moreland Altobelli Associates, Inc. to perform appraisal and data book preparation for County roadway construction projects. This was the highest rated and lowest cost proposal.

### **12.2 Environmental Consulting Services.**

Consider approval of Professional Services Agreements with Southeastern Engineering, Inc., Moreland Altobelli Associates, Inc., and Corblu Ecology Group, to perform environmental consulting services for County roadway and parks construction projects; the highest ranked and lowest cost proposals.

### **12.3 Construction Materials Testing Services.**

Consider approval of a Professional Services Agreement with NOVA Engineering & Environmental, LLC, to perform construction materials testing services for County roadway and park construction projects. NOVA was the highest ranked and lowest cost proposal.

### **12.4 Land Surveying and Design Services.**

Consider approval of Professional Services Agreements with Martin Land Surveying, PC, Southeastern Engineering, Inc., Moreland Altobelli Associates, Inc., and America Engineers, Inc., to perform land surveying and minor roadway design services for County roadway construction projects; the highest ranked and lowest cost proposals.

### **12.5 Right-of-Way Acquisition Services.**

Consider approval of a Professional Services Agreement with Robert W. Graves & Associates to perform right-of-way acquisition services for County roadway construction projects; the lowest cost proposal.

**12.6 Right-of-way Mowing Services.**

Consider approval of a Standard Professional Services Agreement to highest ranked and lowest cost proposer, Hutcheson Horticultural Company, in the amount of \$41,752.50, for annual mowing of selected portions of County roadway rights-of-way.

**12.7 Annual Traffic Striping and Pavement Marking Services.**

Consider approval of a Professional Services Agreement with Parker Traffic Markings, Inc., to perform traffic striping and pavement marking, countywide, as requested and as needed. The annual budget for traffic striping is \$150,000.

**12.8 Sidewalk Trip Hazard Removal Services.**

Consider approval of a Professional Services Agreement with MRC Group, LLC to perform sidewalk trip hazard removal services, countywide, as requested and as needed. The annual budget for sidewalk repairs is \$50,000.

**12.9 Traffic Signal Warrant Study Services.**

Consider approval of the Standard Professional Services Agreement with Moreland Altobelli Associates, Inc. and Coastal Engineering and Consulting, LLC to perform traffic signal warrant studies for the County on an as requested, as needed basis; the highest ranked and lowest cost proposals.

**12.10 SPLOST Budget Transfer for Animal Shelter Intake Facility.**

Consider authoring SPLOST Budget Transfer in the amount of \$465,370 from SPLOST Roadway to Animal Shelter for the new Intake Facility.

**12.11 Amending current Investment Policy.**

Consider amending the current investment policy to allow more than 60% of the investment portfolio to be placed at one bank or financial institution as it relates to money market accounts.

**12.12 Modifications to Procurement Ordinance.**

Consider approving an ordinance authorizing modifications to the Procurement Ordinance to reflect changes in the County's organizational structure and to allow flexibility in change orders with preapproved contingency amounts.

**12.13 Senior Center Portico.**

Consider approval of the County's Construction Contract with Latimer Construction Company to construct a portico at the Senior Center in the amount of \$44,900 using CDBG Grant funding.

Chairman Ahrens stated that he, along with Mr. Cooper, Mr. Watkins, and Commissioner West had a meeting on Tuesday, March 28, with the Commissioner of the Department of Transportation. He stated that the meeting lasted approximately one hour, and everyone that the County deals with at the top level of GDOT attended the meeting. Chairman Ahrens stated that key projects were discussed which included Hwy. 20 and Hwy. 140. He stated that Mr. Watkins presented an updated picture of improvements that the County is making aligned with state road intersections. He stated that there is a very positive and professional relationship with GDOT and the meeting enhanced the relationship. Chairman Ahrens stated that GDOT is coming near the end of their budget year and the County gets fair treatment with GDOT. He stated that the meeting was very timely being that SPLOST is coming up and being addressed is how much is targeted for transportation.

### **ADJOURN**

Hearing no further items, Commissioner Gordon made a motion to adjourn to Executive Session at 4:24 p.m. to discuss property acquisition, personnel matters and pending or threatened litigation. Commissioner Kovacs seconded. The resulting vote was Passed, 5-0.