



# **Cherokee County Board of Commissioners WORK SESSION MINUTES**

**June 20, 2017**

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

Chairman Ahrens began Work Session at 3:10 p.m. Those present included Commissioner Steve West; Commissioner Raymond Gunnin; Commissioner Bob Kovacs; 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.

The Chairman read humorous quotes from despair.com demotivators series.

## **1. Cherokee Fire and Emergency Services 2016 Annual Report Presentation by Chief Tim Prather.**

Chief Prather presented the 2016 Annual Report for Fire and Emergency Services. He stated that construction of Station #2 was started and completed in 2016, and the groundbreaking for Station #1 will be completed by the end of 2017. Chief Prather stated that another ladder truck was put into service in 2016 at Station #24, and a new squad was put into place at Station #8. He stated that twelve additional personnel was added in 2016, and the in-house paramedic program was initiated in 2016 with a new paramedic instructor in hopes of getting the full accreditation in 2017. Chief Prather described the layout of the department stating that there are four divisions: the field operations division, which provides emergency service, and is broken into three battalions and there are roughly seven to eight staff stations per battalion; the training division; the life safety division which is the Fire Marshal's office; and support services division. He stated he also has an admin department. Commissioner Gordon inquired as to the next training station need at the training center, and Chief Prather replied for the next SPLOST it would be vehicle fire prop and flammable liquid prop. Chief Prather addressed the budget stating that it was up to \$25M in 2016 with the fire fund usually running under budget, which is contributed to vacancies, and the EMS fund is running at or under budget. He stated that the statistic for 2016 ran 23,341 incidents which was overall a 5% increase with Monday being the busiest day and Friday being the second busiest day. He addressed the response times for all units, where the transports took place, how long the units were away on calls. Chief Prather reviewed the four divisions and their specific roles and how many services they each provided. He addressed all the services that were provided that were not emergency services such as fire safety from children to adults, CPR, car seat inspections, ghost out, fire safety house, fire extinguishing training, and career day program. Chief Prather introduced the Fire and EMS Services staff. Chairman Ahrens inquired as to how many transports to Northside Hospital will likely grow with the new hospital. Chief Prather stated that it's the patient's first choice as to where to go, and if they cannot make that decision then it falls on the paramedic. He stated that it also depends on the kind of care the patient needs and what facility would best be suited for their needs. Commissioner Gordon inquired if there are two or three per engine or if he was where he wanted to be, and Chief Prather replied it is closer and he could see in the future three per engine. He stated that it is likely to be 50 personnel short to have three per engine. He stated that his concern is if two structure fires were to occur at the same time. He stated that there is a good working relationship with the City of Milton, Forsyth County, Pickens County and Dawson County and they work with them on a regular basis. Commissioner Kovacs inquired as to how the schedule worked for the volunteer personnel, and Chief Prather stated that if they are available they show up for work. Chairman Ahrens stated that the actual consolidation with Canton did not take

place in 2016 but he was aware that they worked hard to get it there. Chief Prather stated that it will be reflected in the 2017 annual report.

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

### **PUBLIC HEARING**

#### **7.1 Public Hearing on the 2017 Millage Rate.**

All concerned citizens are invited to the three public hearings on the millage rate presentation and possible tax increase at the indicated dates/times: June 20, 2017 at 6:00 p.m.; and July 18, 2017 at 11:00 a.m.; and July 18, 2017 at 6:00 p.m.

Mr. Cooper provided a quick summary of the millage rate. He stated that there was a healthy growth in the digest and projecting real growth at 4.64% and existing properties and inflation at 3.74%. He stated that after the last initial presentation, they looked at a way to present a full rollback of the General Fund and it was able to be accomplished as a result of a few revenue items that were evaluated. He stated that there were a couple of months of data that was not previously available, and he did not feel confident initially in advertising a millage rate that would then have to increase. He stated that they are confident now that additional revenue was found in the amount of \$410,000 and confident about the numbers. He stated the money resulted in the ability to present a full rollback to the Commissioners, and he is proud that they will be able to present to the citizens a full rollback, which is a rollback from the current rate of 5.680 to 5.483. He stated that the rate that was advertised was 5.528. He addressed the Fire District and stated that that rate is not required to be advertised. He proposed the use of reserves in the amount of \$500,000, as presented in the last meeting, with a rate of 3.298. He stated that it is still a reduction in the rate from 3.366, but it is not a rollback rate. Mr. Cooper stated that the demand for fire emergency services is such that new personnel will continue to be needed to meet the demand. Mr. Cooper addressed the Park Bond and stated that there is a full rollback current rate of 0.609 to 0.581. He stated that there will be a reduction in the cost for the average homeowner with the average home valued in the amount of \$248,100 and a 2.65% reduction. He reminded that the amount is an average and that some property owners may see their values increase greater than other owners, which could possibly cause a slight increase in their property tax. He stated that he has heard from some with a significant increase and he encourages those to file an appeal to get their case heard or they will be left with the appraised value. He stated that historically, there has not been a lot of reduction in the digest as a result of appeals, but he is anticipating some reduction as presented. Mr. Cooper provided a slide to show a breakout to inform citizens how much they pay in certain categories in property taxes. He stated that they can plug in their own assessed value of their home, and it will calculate for them. He stated it is a great tool for citizens to understand where their property taxes are going.

He stated that the Public Hearing is the first of three Public Hearings to be held with the remaining ones to be held July 18 at 11:00 a.m. and at 6:00 p.m. which is when the Commissioners will set the millage rate as well as accept the Board of Education's millage rate. Commissioner Kovacs requested clarification on appraised value and taxes and their calculations. Chairman Ahrens stated that if you have a 4% increase in assessment and a 4% less in the rate it would be about neutral. Mr. Cooper stated that the goal is to offset the inflationary dollar to get to the rollback rate. He stated that Macon-Bibb County has announced a 3 mill increase, and South Georgia is not having the growth that Cherokee County is experiencing. He stated that Cherokee County is one of the lowest in the State.

**Announcement:** Chairman Ahrens stated that he will announce at the Regular meeting that on Tuesday, July 11 at 7:00 p.m., the Cherokee County Board of Commissioners and the Planning Commission will hold a joint meeting at the Bluffs to discuss proposed changes to Article 18 of the Zoning Ordinance and to conduct a Public Hearing for Case 16-12-045.

**7.2 (NOTE: Public Hearing Postponed to Date Uncertain.)**

**Appeal of the Zoning Board of Appeals affirmation of the Zoning Administrator's decision by Ms. Lydia Moll.**

At the request of Ms. Moll's attorney, the Public Hearing has been postponed until July 18, 2017.

Mr. Watkins stated that there was a request by Ms. Lydia Moll to hear an appeal of the Zoning Board of Appeals affirmation of the Zoning Administrator's decision. He stated that Ms. Moll was found to be operating a kennel on property zoned R-80. Ms. Moll had appealed that decision and the Board of Commissioners set a Public Hearing and was postponed 60 days to today's date and they are asking to extend that until the second meeting in July. Chairman Ahrens inquired if there would be the need for advertising again, and Mr. Watkins stated that everything would be repeated. Commissioner Gunnin stated that he represents the district and the attorney, Mr. Huff, was out of the Country and he requested more time to prepare. Commissioner Gunnin stated that he agreed to allow the time needed.

**ZONING CASES**

**9.1 Case #17-03-006 Oak Hall Companies, LLC (BOC Dist. 2)**

Consider request by Oak Hall Companies, LLC to rezone 39.575 acres at 100, 200, 300 and 401 Grimes Road from AG and R-40 to NC and RZL to build a mixed-use single-family residential and retail development.

Mr. Watkins provided a brief overview the case. He stated the Public Hearing was held June 6, 2017, and the Planning Commission's recommendation was for denial. Mr. Watkins provided a site plan and described surrounding zoning and character areas. He stated that there was a request to delay a decision until July 18, 2017. Chairman Ahrens stated that since it was a new application, and since they just had the Public Hearing on June 6, he would be amicable to have it postponed. Commissioner Gunnin stated that since it is a new application and with keeping the same order as in the past, he could agree to allow the applicant to defer until the following month.

**9.2 Case #17-04-013 R. Venture, LLC (BOC Dist. 1)**

Consider a request by R. Venture, LLC to rezone 54.61 +/- acres at 155 Jessie Lane from AG to R-30 for a single family residential subdivision.

Mr. Watkins provided a brief overview the case. He stated the Public Hearing was held June 6, 2017, and the Planning Commission's recommendation was for approval of R-60 for the northern parcel and R-40 for the southern parcel. Mr. Watkins provided a site plan and described surrounding zoning and character areas. He stated that the applicant was proposing a conservation design community. Commissioner West

stated that the case is in District 1, and he received a call from the applicant. He stated that the applicant was requesting R-30, and the Planning Commission came back with a recommendation of R-60 to the north and R-40 to the south and that would not work for the applicant. He stated that he wasn't sure there could be a new plan and make a recommendation at the meeting unless something came together that would work for the applicant. Chairman Ahrens inquired if there was a ballpark of what the Planning Commission's recommendation of that mix would yield as far as the number of units. Mr. Watkins replied about 45 units. He stated that as it was proposed, if it was R-30 they were asking for 68 lots, and if were all R-40 on both sides it would be 58 lots as a gross yield. The Chairman asked Commissioner West if more time was needed, and he replied that he would recommend tabling it to the next meeting. Commissioner Gordon stated that he appreciated the Planning Commission's willingness to offer ideas and recommendations. Chairman Ahrens stated that in Article 18 one of the considerations was to not have the zoning cases on the immediate BOC meetings but to go a full month and this was a good case to that point. Commissioner Gordon stated that in 2018 they are consciously looking at making sure that public participation was reengaged if appropriate.

**9.3 Case #17-05-014 Wyatt Wilkie (BOC Dist. 1).**

Consider a request by Wyatt Wilkie to rezone 11.28 acres on 6883 Ball Ground Road from GC to AG for a single-family residence.

Mr. Watkins provided a brief overview the case. He stated the Public Hearing was held June 6, 2017, and the Planning Commission's recommendation was to approve as AG. Mr. Watkins provided a site plan and described surrounding zoning and character areas. Commissioner West stated that it was in District 1 and he was ready to move forward with it at the Regular meeting.

**9.4 Case #17-06-018 GRT Therapy, LLC (BOC Dist. 2).**

Consider a request by GRT Therapy, LLC to rezone 4.51 acres at 9880 Hickory Flat Highway from R-40 to OI for a pediatric therapy office/clinic.

Mr. Watkins provided a brief overview the case. He stated the Public Hearing was held June 6, 2017, and the Planning Commission's recommendation was to approve as OI. Mr. Watkins provided a site plan and described surrounding zoning and character areas. He stated that the property has already been developed and the applicant intends to use the property as is. Commissioner Gunnin stated that it was in District 2. He stated that the property was previously a school and he has had no contact from anyone and he is ready to move forward with the approval.

**9.5 Case #17-06-019 Aaron Properties, LLC (BOC Dist. 4).**

Consider a request by Aaron Properties, LLC to rezone 3.246 acres at 6086, 6106 and 6130 Old Alabama Road from R-40 to LI for expansion of an existing industrial park.

Mr. Watkins provided a brief overview the case. He stated the Public Hearing was held June 6, 2017, and the Planning Commission's recommendation was to approve as LI. Mr. Watkins provided a site plan and described surrounding zoning and character areas. Commissioner Gordon stated that the case was in the district that he represents, and the request is a continuation of what is taking place on Cherokee Hwy. 75. He stated that he is pleased that a long-term business is interested in the location, and it will open up

opportunities for other existing businesses. Commissioner Gordon stated that he hasn't received any phone calls in opposition or support, and he is ready to move ahead.

#### **9.6 Case #17-06-017 The Pacific Group (BOC Dist. 2).**

Consider a request by The Pacific Group to rezone 4.98 acres at 3884 Hickory Road from AG to R-30 for the purpose of putting five single-family detached residences on the property.

Mr. Watkins provided a brief overview the case. He stated the Public Hearing was held June 6, 2017, and the Planning Commission's recommendation was to approve with three conditions. He stated the conditions as being: Applicant is to adhere to the five conditions as stated by email dated May 3, 2017 from Pacific Group to Planning Staff and shown as "Exhibit E"; provide exterior lighting not more than fifteen feet high and be "dark sky" or "full cut off" fixtures; and project will include installation of curb and gutter and sidewalk across Hickory Road frontage of the property. Applicant is encouraged to meet with Engineering Department to discuss his proposal to alter condition #7 and bring any changes agreed to by applicant and Engineering Department to the County Commissioners prior to their action on this application. Mr. Watkins then read the remaining conditions as being: (1) A natural buffer of 20' shall be given along the west and south property line abutting the County park property. This is only required to remain as it exists and there shall be no requirement for any additional plantings; (2) A natural buffer of 30' shall be given along the east property line abutting the parcel owned by Phillip & Amy Wallace. This is only required to remain as it exists and there shall be no requirement for any additional plantings with the exception of half of the rear yard of proposed lot 2 on zoning exhibit A. In this section of the rear of lot 2, applicant shall provide a total of twelve (12) 6-8' tall evergreen trees to be planted in a double row offset by 10'. Each of the 6 trees in each row shall be planted 12' on center; (3) An easement in favor of the parcel owned by Gregory E. & Margaret C. Caudle shall be allowed to encroach into the 30' buffer in the southeast corner of the property. There will be no setbacks within this easement as shown on zoning exhibit A, so that the Caudle's can permit a covered structure to park their tractor and/or equipment under; (4) This minor subdivision into 5 lots shall only require a 60' access easement with a shared driveway of a minimum of 16' in width to provide access to lots 1-5. A mandatory HOA shall be created to share in the maintenance of the shared driveway. The driveway must consist of at least 6" of GAB and 2" of binder; (5) Front setbacks shall be as follow: Lots 1 and 2 – 80', Lots 3 and 4 – 90', and Lot 5 – 40'; (6) Exterior lighting fixtures on each home shall be of a type and situated so that light is directed only downward. Fixtures shall be no more than 15 feet high; and (7) \$3,000 per lot shall be paid as a contribution to the curb, gutter, and sidewalk improvements in the Hickory Road R/W improvements to be performed by the County. This per lot fee shall be paid prior to issuance of permit of each home. He provided a site plan and described surrounding zoning and character areas.

Commissioner Gunnin stated that it was in his district, and he is ready to move forward. He stated that the stipulations will suffice for all the neighbors, and it is what the Planning Commission recommended. Commissioner Gordon stated that the budget for sidewalks is for \$6,000/\$7,000 per lot to cover the full cost. He inquired as to what the stance has been for the County as far as small subdivisions. Mr. Watkins stated that is not a normal situation because usually the zoning is for a much larger subdivision, and they won't get anything unless something is worked out. Commissioner Gordon stated that there was other funds and roadwork in the area to absorb the County's piece, but stated that he was a little uncomfortable with only requiring \$3,000 when it was thought it might take twice that amount to do what needed to be done. Mr. Watkins stated that they still need to put in the apron to come into the drive, and it could be more than that. Commissioner Gordon stated that the working budget could be closer to \$3,000 by the time it is complete.

### **9.7. City of Woodstock Annexation Request - Popcorn Drive.**

Consider annexation request from City of Woodstock involving a 9.1 acre parcel located at 3389 Popcorn Drive (Tax Parcel 15N24 033), east of Trickum Road, just south of Hwy. 92. The deadline to file an objection is July 17, 2017.

Mr. Watkins stated that the annexation request by the City of Woodstock is for Popcorn Drive. He stated that there is a 9-acre parcel located at 3389 Popcorn Drive east of Trickum Road and the request is to annex it into the City of Woodstock as well as rezone it for 53 townhomes. Mr. Watkins stated that it sits behind Walmart. He stated that it is almost exactly the same as an application that was submitted in 2016 for the same property for 56 townhomes. He stated that the previous application was withdrawn by the applicant according to City of Woodstock. He stated that the new applicant is asking for three variances. He listed the variances as being to reduce the front, rear and side building setbacks from 25 to 15 feet; to remove the 45' northern buffer on the northern property line adjacent to the GC; and to allow for grading within the 75' impervious setback along the stream that is on the property. Mr. Watkins stated that nothing material was found to object to but stated that in the previous analysis, it was pointed out that in the County it is suburban living character area with low density and low to moderate density housing. Mr. Watkins stated that the Planning Staff noted in the previous application that the project density exceeds the suburban character area. He stated that there is property R-80 to the southwest buffered by the stream. He stated that the Planning Staff commented that they would recommend additional off-street parking due to the nature of townhomes not having much parking and yet receiving visitors. He stated that Engineering commented that Popcorn Drive appears to be a privately owned parcel with access easement; that the private roads in Cherokee County are constructed with the same standards as roads that are to be dedicated to the County; project will enter onto Trickum Road which is maintained by the county, so it will require review and approval of the proposed intersection per Cherokee County Development regulations; it is anticipated that there will be an installation of a right turn deceleration lane and a dedicated left turn into the development, and the applicant will be responsible for the construction of those improvements, as well as any additional right-of-ways required by those improvements. Mr. Watkins stated that these were the same comments that were sent to the City on the application that was withdrawn in 2016. He stated that because there is no meeting the first part of July, it is coming to the Board for the June 20 meeting, and the deadline to comment is July 17, 2017.

Ms. Davis stated that she reviewed the legal issues and she has no concerns about contiguity or an island being created. Chairman Ahrens inquired as to what notes or communication would be sent to the City. Mr. Watkins replied that previously a letter was sent noting additional parking and comments from Engineering stating what would be required of the intersection at Trickum Road. Ms. Davis stated that those same comments are still viable, and she stated that maybe it should be a matter of course that Staff's comments always be sent because she felt that it may be a benefit to know what the County Staff would do if it were in the County. She stated that the comments from Staff from the prior application are very similar to the new application. Commissioner Gordon stated that it was his opinion that the comments from Staff were close enough that it could just be cleaned up and sent back out to the City. Commissioner Gunnin stated that his concern was that the deceleration lanes and turn lanes were taken care of because of the traffic in the area is gridlocked at 5:00 in the evening. Chairman Ahrens stated that some of the obvious things are the 75 ft. impervious setback where they want to grade inside of it, and he inquired if there was anything new that would need to be added to the letter. Ms. Davis stated that she didn't feel that it was necessary to refer back to the old application request since a new one was

submitted. Mr. Watkins stated that the configuration of the townhomes was better in the new application, and the applicant was working better with the Popcorn Drive area, so the site plan presented is an improvement. Chairman Ahrens inquired if there was to be no reference to the prior list, how was the City to be approached about not grading in the 75 ft. buffer. Ms. Davis stated that the Staff would need to address the variance requests along with the list of comments and recommendations to the City.

## **COMMISSION BUSINESS**

### **10.1. Chairman Ahrens: Appointment to the Cherokee County Public Library Board.**

Consider appointment to fill the vacancy left by Dr. Scott Rule, who has served the maximum number of terms allowed, when his term expires on June 30, 2017. The Library Board has recommended the appointment of Pamela Carnes for the term of July 1, 2017 to June 30, 2020.

Chairman Ahrens stated that a letter was received from the Library Board thanking Dr. Scott for his terms and to recommend appointment of Pam Carnes, President & CEO of the Chamber of Commerce, to serve the term of July 1, 2017 to June 30, 2020. He stated that Ms. Carnes has agreed to serve if appointed.

### **10.2. Chairman Ahrens: Discussion / Feedback on Comp Plan Advisory Committee Members.**

Chairman Ahrens stated that he wanted to address the last Board of Commissioners meeting where Margaret Stallings gave a short update on the Comp Plan public engagement. He stated that the timeline indicated that the first two critical issues forums are coming up on June 27 and June 29. He stated that part of the update was to identify an advisory group, and the suggestion was one elected official, one from Economic Development and the Planning Commission. The Chairman commented that they had a lengthy and detailed discussion at the June 6 meeting and at that time decided to come back to the June 20 meeting with thoughts of the composition of the advisory committee. Chairman proposed to take a first step in identifying members for the advisory committee. He stated that as far as the elected official, Commissioner Bob Kovacs has agreed to be the Board of Commission representative on the committee. He stated that he spoke with Misty Martin from Economic Development and someone from that office will be a part of the committee but stated that there was no name as of yet. He stated that he was to reach out to her after the structure took place. He stated that he reached out to Holly Springs Mayor, Steve Miller, and he has agreed to be a City representative on the committee. He stated that Holly Springs has their own plan and timing is similar, so it should coincide more with the County's direction. He stated that he has asked the Planning Commission Chair, Bob Whitaker, to pick four of his members and Bob will get back with who those four will be. Chairman Ahrens proposed to ask Richard Voigt, who is an attorney and lives in the Hwy. 140 area, to be a part of the committee as well. He stated that Richard has a legal background with a lot of representation in environmental law. He stated that there is an "ask to be considered" request made by Mr. Brian Kovacs who has followed the process for years and represents an important portion of the Hickory Flat area. He stated he has a good backup with a good group of people and get a lot of things done and work well together and are fair and objective. He stated that on the Sixes corridor there is the Sixes Coalition that goes from Falls of Cherokee through Bridgemill, and they have done good work helping developers define things and helping to indicate in-depth impacts on certain developments. He stated that he believes it has added a whole collative dimension to the corridor. Chairman Ahrens stated that one of the members of the coalition, Lisa Tressler, has agreed to serve if appointed. He stated that in looking for representation in the Free Home and Waleska area or northeast area, he asked City Manager, Eric Wilmarth, as a citizen representative from that geographic area. He stated Eric said he would be most willing to serve if appointed. Chairman stated that their plan is together

with the County's plan, but Eric is being looked at as a community standpoint rather than a city representation. Commissioner Gordon stated that there were some people that he had spoken to that would bring knowledge of the Cherokee 75 area in District 4. He stated that he supported Mr. Voigt and that in addition to being an attorney who works in real estate in zoning matters, he was also the Chairman of the Planning Commission in South Carolina when he lived there and served for many years. Chairman Ahrens stated that the committee will give Jeff and Margaret and Staff specific direction and critical mass with two more fill-ins and keeping it at twelve members max. Commissioner Gordon stated that he likes the approach and choosing the committee, and it will bring a new perspective. Chairman Ahrens stated that there will likely be between 4-6 meetings between June and May 2018.

## **CONSENT AGENDA**

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

### **11.1 Juvenile Court Annual Grant.**

Consider accepting annual Subgrant Agreement for the Juvenile Court in the total amount of \$238,954 for State FY2018.

### **11.2 Subdivision Acceptance - The Falls at Hickory Flat - Phase 5.**

Consider final acceptance of all public rights-of-way, roadways and appurtenant drainage structures in the Falls at Hickory Flat - Phase 5 Subdivision.

## **COUNTY MANAGER**

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

### **12.1 Concrete Crushing Services for Roads & Bridges.**

Consider award of Standard Professional Services Agreement to Cummins Crushing & Recycling, Inc. in the amount of \$45,500.00 for concrete crushing for the Roads & Bridges Department.

### **12.2 Purchase of Three Mowers for Recreation & Parks (two 4WD Out Front Mowers & one Zero Turn Mower).**

Consider Purchasing Two (2) 4WD Out-Front Mowers from Nelson Tractor for \$14,605 Each and One (1) Zero Turn Mower from Towne Lake Outdoor Power Equipment for \$11,512.50.

### **12.3 Purchase of Two Vehicles for use by Cherokee County Sheriff's Office for Inmate Work Details in County Parks.**

Consider Purchase of Two (2) Chevy Silverado 2500 4WD Crew Cab Trucks from Lowest Bidder for \$67,179.03 for use by Cherokee County Sheriff's Office for Inmate Work Details in County Parks.

### **12.4 Consider Memorandum of Agreement (MOA) between Library System and Reinhardt University.**



Consider Memorandum of Agreement between Sequoyah Regional Library System and Reinhardt University for Library Project, contingent upon legal and County Manager review and approval.

**12.5. Purchase of 10.88 acres located at 1467 Reinhardt College Parkway for \$225,000.00.**

Consider the approval of 10.88 acres of real property located at 1467 Reinhardt College Parkway for the purchase amount of \$225,000.00 (contingent upon the completion of a satisfactory title search and survey).

**12.6. Amendment: Eagle Watch Drive - 4-way STOP Request.**

Consider request from Eagle Watch Homeowners Association to remove speed hump on Eagle Watch Drive near Colonial Drive and replace with 4-way STOP at Eagle Watch Drive and Colonial Drive.

**ADJOURN**

Hearing no further items, Scott Gordon made a motion to adjourn to Executive Session at 4:51 p.m. to discuss property acquisition, personnel matters and pending or threatened litigation; Bob Kovacs seconded. The resulting vote was Passed, 5-0.