

The Banks County Board of Commissioners held their regular meeting on August 11, 2020 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present

Vice Chairman Charles Turk
Commissioner Danny Maxwell
Commissioner Sammy Reece

Members Absent

Chairman Jimmy Hooper
Commissioner David Duckett

Staff Present

County Clerk Jenni Gailey
Assistant County Clerk Erin Decker
Human Resources Officer Arlene Ivey
Code Enforcement/Zoning Officer Paul Ruark
Finance Officer Randy Failyer
Tax Commissioner Becky Carlan
County Attorney Randall Frost

Media Present

Angela Gary, Banks County News

1. Call to Order

Vice Ch. Turk called the meeting to order.

2. Approval of Agenda

Motion to approve the agenda: Danny Maxwell

Second: Sammy Reece

Vote: 3:0

All aye votes and the motion passed.

3. Vice Chairman's Report

Vice Ch. Turk stated the following:

- Fire/EMS responded to 296 emergency calls
- Sheriff's Office responded to 3,342 calls
- E911 answered an additional 277 calls from other agencies for a total of 3,915 calls.
- Sewer line will be installed at the Roundabout at Hwy 59 & 63.
- Completion of the final loop for the waterline to connect the County would be installed on Moccasin Gap Road.
- Stratton & Sons Construction will start resurfacing Garland White, Bellamy, Samples Scales and Mt. View Rd at the end of the month.
- RFP's would be sent out for the construction of a raised water tank on Ft. Lamar Road
- The final design plans were almost completed for the reconstruction of the old ballfields at the Recreation Department.

4. Pledge to the American Flag

Vice Ch. Turk led the Pledge to the American Flag.

5. Approval of Invoices

Motion to approve the invoices: Sammy Reece

Second: Danny Maxwell

Vote: 3:0

All aye votes and the motion passed.

6. Approval of Previous Minutes – 7/14, 7/28

Motion to approve the minutes: Charles Turk

Second: Danny Maxwell

Vote: 3:0

All aye votes and the motion passed.

7. Planning Commission Recommendations:

a. CU-20-05 – Daniel Juno Peterka – A conditional use application to allow deer processing and taxidermy facility on Tax Map/Parcel #B46 022 on Soapstone Rd.

Vice Ch. Turk closed the meeting and County Attorney Randall Frost opened the public hearing.

Atty. Frost stated this was a conditional use application to allow a deer processing and taxidermy facility at Tax Map/Parcel #B46 022 on Soapstone Road. Code Enforcement/Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

Daniel Juno Peterka – 1009 Soapstone Road – Stated he wanted to operate a deer processing and taxidermy facility on his property.

Atty. Frost closed the public hearing and Vice Ch. Turk opened the meeting.

Motion to approve the conditional use application: Sammy Reece

Second: Danny Maxwell

Vote: 3:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2)

b. CU-20-06 – Susan Sorrows – A conditional use application to allow a recovery center for women with drug and alcohol addiction located at 111 Jack Drive on Tax Map/Parcel #B16 024.

Vice Ch. Turk closed the meeting and Atty. Frost opened the public hearing. Atty. Frost stated this was a conditional use application to allow a recovery center for women with drug and alcohol addiction located at 111 Jack Drive on Tax Map/Parcel B16 024. Zoning Officer Paul Ruark stated the Planning Commission recommended approval but the applicant had requested to table the application and public hearing until the September 8, 2020 meeting.

Atty. Frost closed the public hearing and Vice Ch. Turk opened the meeting.

Atty. Frost said Georgia State law states if you have a new or relocating drug and alcohol addiction center, you will have the first rezoning hearing in the normal amount of time and it had to be advertisement not less than 15 days or more than 45 days of the public hearing. At

that hearing the Commission does not rule on that application. There also has to be a second public hearing which must be no less than 6 months and no more than 9 months after the first public hearing was held. The second public hearing must be re-advertised and set no less than 15 days and no more than 45 days from the date picked between 6 months and 9 months of the first public hearing. Atty. Frost stated in September there would be the public hearing in which the commission would not vote on the application until after the second public hearing on April 13, 2021.

Motion to table the first public hearing for the application until September 8, 2020 and have the second public hearing on April 13, 2021: Charles Turk

Second: Sammy Reece

Vote: 3:0

All aye votes and the motion passed.

c. CU-20-07 – Candice Looney – A conditional use application to open and operate an event space located at 2015 GA Hwy 59 on Tax Map/Parcel # B65 030.

Vice Ch. Turk closed the meeting and Atty. Frost opened the public hearing. He stated this was a conditional use application to open and operate an event space located at 2015 GA HWY 59 on Tax Map/Parcel #B65 030. Zoning Officer Paul Ruark stated the Planning Commission recommended approval of the application.

Candice Looney – 2015 GA Hwy 59, Commerce – Stated she would like to open and operate an event space. She feels like that was something that was needed in the area.

Atty. Frost closed the hearing and Vice Ch. Turk opened the meeting.

Motion to approve the application: Danny Maxwell

Second: Sammy Reece

Vote: 3:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2)

d. Z-20-08 – Kenneth Whitworth – A rezoning application to rezone the property located at Tax Map/Parcel #B85 010 from ARR/Agricultural Rural Residential to CAD (Commercial Agricultural District) to operate a poultry farm on GA HWY 326.

Vice Ch. Turk closed the meeting. Atty. Frost opened the public hearing. He stated this was an application to rezone the property located at Tax Map/Parcel #B85 010 from ARR/Agricultural Residential to CAD (Commercial Agricultural District) to operate a poultry farm on GA HWY 326. Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

Kenneth Whitworth – 3173 Mulberry Ridge Lane, Jefferson – Stated he was the applicant and a real estate agent representing Mr. Thomas Ho. He was asking for CAD rezoning in order to have less setbacks and allow more chicken houses on the farm.

Atty. Frost closed the hearing and Vice Ch. Turk opened the meeting.

Motion to approve the rezoning application: Sammy Reece

Second: Danny Maxwell

Vote: 3:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2)

8. 2020 Millage Rate

Vice Ch. Turk stated the assessment went up so we were rolling back the millage rate from 8.533 mills to 8.419 mills.

Motion to approve the millage rate of 8.419 mills: Danny Maxwell

Second: Charles Turk

Vote: 3:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2) 2020-11

9. Banks County Personnel Policy Amendment

Arlene Ivey

Arlene Ivey Human Resources Officer stated she had received concerns from a few departments about the nepotism policy in the new employee policy that was adopted. This was a resolution to amend Resolution 2020-10 to provide for exclusions from the nepotism policy concerning volunteer fireman and recreational seasonal workers.

Motion to approve the resolution: Sammy Reece

Second: Danny Maxwell

Vote: 3:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2) 2020-12

10. Judicial In Rem Tax Sale Resolution

Becky Carlan

Becky Carlan Tax Commissioner stated this resolution would give the Vice Chairman authority to sign the resolution giving her the ability and discretion to commence judicial in rem tax foreclosures in accordance with the law.

Motion to approve the resolution: Danny Maxwell

Second: Sammy Reece

Vote: 3:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2) 2020-13

11. Banks County Purchasing Policy

Randy Failyer

Randy Failyer Finance Officer stated that he had been asked to consider changing the Tier 1 of the Purchasing Policy amount from \$0 - \$1,000 to \$300 - \$1,000.

Motion to change the policy: Danny Maxwell

Second: Sammy Reece

Vote: 3:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2) 2020-14

12. 2020 Cares Act Reimbursement Grant Agreement – Vice Chairman Signature Ratification

Vice Ch. Turk stated the County was notified that the Commissioners would have to ratify his signature for the Cares Act Reimbursement Agreement. He stated the County would receive \$243,668.01 for items used for COVID and possibly a total of \$812,226.74 from the Cares Act.

Motion to ratify the Vice Chairman's signature: Sammy Reece

Second: Danny Maxwell
Vote: 3:0
All aye votes and the motion passed.

13. HMGP 4338 Grant Application Jail/Fire Station 25 Generators – Tabled Until Aug. 11, 2020

Vice Ch. Turk stated the award letter hasn't been received yet. No action was taken.

14. COVID – 19 Pandemic Policy – Tabled Until Aug. 11, 2020

Motion to take this item off the table: Charles Turk

Second: Danny Maxwell
Vote: 3:0
All aye votes and the motion passed.

Vice Ch. Turk stated that the COVID information was constantly changing and thought this item should be deleted from the agenda.

Motion to delete the item from the agenda: Charles Turk

Second: Sammy Reece
Vote: 3:0
All aye votes and the motion passed.

15. Executive Session: Litigation

Motion to enter into executive session concerning litigation: Danny Maxwell

Second: Sammy Reece
Vote: 3:0
All aye votes and the executive session began at 6:54 p.m.

Motion to close the executive session: Danny Maxwell

Second: Sammy Reece
Vote: 3:0
All aye votes and the executive session began at 7:05 p.m.

(Copy of Affidavit filed in Attachment to Minute Book 10-2)

16. Adjournment

Motion to adjourn the meeting: Sammy Reece
Second: Danny Maxwell
Vote: 3:0
All aye votes and the meeting ended at 7:06 p.m.

Vice Chairman

Assistant County Clerk
