

The Banks County Board of Commissioners held their regular meeting on February 26, 2019 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present

Chairman Jimmy Hooper
Vice Chairman Sammy Reece
Commissioner David Duckett
Commissioner Charles Turk
Commissioner Danny Maxwell

Staff Present

County Clerk Regina Gailey
County Attorney Randall Frost
Finance Officer Randy Failyer
Fire Chief Steve Nichols
Recreation Director Brooke Whitmire

Media

Angela Gary, Banks County News

1. Call to Order

Ch. Hooper called the meeting to order.

2. Approval of Agenda

Motion to approve the agenda: Danny Maxwell
Second: David Duckett
Vote: 5:0
All aye votes and the motion passed.

3. Moment of Reflection

Ch. Hooper stated that in the book by Rick Warren – The Purpose Driven Life, the first line says: “Not everything is about you”. He then asked if our lives make an impact daily and do we serve or are we being served?

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. Recreation:

Brooke Whitmire

a. Cushman Field Machine Surplus/Sale

Ms. Whitmire stated the City of Commerce had offered \$200 for the old field machine. Comm. Turk stated he would like to get an estimate on the repair to see if the county may want to keep the machine before surplusing the machine. All agreed to wait on the decision.

b. 2019 Concessionaire Agreement – Kendrick Maxwell

Ms. Whitmire stated she had received two RFPs for Concessionaire for the Spring season. Both had offered 15% of gross sales. She stated they had worked with Kendrick Maxwell and recommended entering into an agreement pending the county attorney’s approval.

Motion to award Kendrick Maxwell the contract and to approve the agreement pending the county attorney's approval: Jimmy Hooper

Second: Charles Turk

Vote: 5-0

All aye votes and motion passed. (Copy of agreement filed in Attachment to Minutes Book 10-1)

6. Proclamation: April – National Donate Life Month

Motion to approve the proclamation: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed. *(Copy of proclamation filed in Attachment to Minutes Book 10-1)*

7. Planning Commission Recommendations:

a. Z-19-01 – RAI Holdings, LLC/Harris Lowery rezone of property located at map and parcel #B78 039 GA Hwy 59 from ARR-Agricultural Rural Residential to M1-Industrial District. The property will be rezoned for proposed manufacturing building.

Ch. Hooper closed the meeting and opened the public hearing. Code Enforcement Officer Paul Ruark stated the Planning Commission had recommended approval of the application. Mr. Lowery spoke in favor of the application. Comm. Turk asked how many trucks daily would be traveling in and out. Mr. Lowery stated approximately 2 in the beginning and that he was currently working with the Georgia Department of Transportation concerning the area traffic. Comm. Reece asked how many employees he planned to have. Mr. Lowery stated 50 in the beginning with plans to expand in the near future. Joe Nodvin – the landowner stated he was speaking neither for or against the application but stated he had timber rights on the property and that his company had certain fiduciary rights with the sale of the property. Scott Ledford, Chairman of the Banks County Development Authority stated he felt that RAI Holdings would be a valuable asset to Banks County and location of the business at Martin Bridge could aid in bringing needed sewer service to the area. Brandon Ashley of Jackson EMC stated RAI Holdings was a good employer and was very community oriented. Roger Bergenzer property neighbor stated his concerns with lights and sounds as well as buffers to the surrounding property. Officer Ruark stated there would be only 80 useable acres and there was a 800 to 900 ft buffer to the river. Mr. Bergenzer asked the Commissioners to consider more residential use for the area. Atty Frost closed the public hearing. Ch. Hooper reopened the meeting.

Motion to approve the application: Jimmy Hooper

Second: Danny Maxwell

Vote: 5-0

All aye votes and motion passed. *(Copy of resolution filed in Attachment to Minutes Book 10-1)*

b. Z-19-02 – Double E Tooling, Inc./Tommy English – rezone of property located at map and parcel #B26 057 Rock Springs Rd from ARR-Agricultural Rural Residential to C-1-Commercial. The property will be rezoned for proposed machine shop.

Ch. Hooper closed the meeting and opened the public hearing. Code Enforcement Officer Paul Ruark stated the Planning Commission had recommended approval of the application. Mr. English spoke in favor of the application and stated he had been operating the business for years but was now buying the business and found out it needed to be rezoned. Atty Frost closed the public hearing. Ch. Hooper reopened the meeting.

Motion to approve the application: Jimmy Hooper

Second: Sammy Reece

Vote: 5-0

All aye votes and motion passed. *(Copy of resolution filed in Attachment to Minutes Book 10-1)*

c. Z-19-03 – Oaks of Banks Crossing, LLC rezone the property located on map and parcel #B65 070 GA Hwy 164 from ARR-Agricultural Rural Residential to R-1-Single Family Residential. The property will be rezoned for proposed residential homes.

Ch. Hooper closed the meeting and opened the public hearing. Code Enforcement Officer Paul Ruark stated the Planning Commission had recommended approval of the application. Mr. Ledford, a partner in Oaks of Banks Crossing, LLC spoke in favor of the application and stated the plan was for 55 additional houses. Atty Frost closed the public hearing. Ch. Hooper reopened the meeting.

Motion to approve the application: Charles Turk

Second: Danny Maxwell

Vote: 5-0

All aye votes and motion passed. *(Copy of resolution filed in Attachment to Minutes Book 10-1)*

8. Fire/EMS SAFER Personnel Grant

Chief Steve Nichols

Chief Nichols stated the opportunity to apply for the grant to provide 6 new employees at a cost of \$350,000/year. He stated the grant would cover 75% of the cost for 2 years and then 35% for the 3rd year and would help provide staffing for the new fire station 25. He stated he needed the Chairman to sign the letter requesting JMCM Consulting to apply for the grant.

Motion to apply for the grant and to authorize the Chairman to sign the letter: Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and motion carried.

9. GA DOR Sales Tax County Designee Resolution – Randy Failyer

Ms. Gailey stated the DOR required a designee to request local business sales tax payment information yearly.

Motion to approve the resolution: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and motion carried. *(Copy of resolution filed in Attachment to Minutes Book #10-1)2019-01*

10. Executive Session: Land Acquisition & Personnel

Motion to enter into executive session at 7:15 p.m.: Danny Maxwell

Second: Jimmy Hooper

Vote: 5:0

All aye votes and motion carried.

Motion to come out of executive session at 7:24 p.m.: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and motion carried. *(Copy of affidavit filed in Attachment to Minutes Book #10-1)*

11. Adjournment

Ch. Hooper adjourned the meeting at 7:25 p.m.

Chairman

County Clerk
