

The Banks County Board of Commissioners held their regular meeting on December 11, 2018 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
Assistant County Clerk Erin Decker
County Attorney Randall Frost
Finance Officer Randy Failyer
Code Enforcement Officer Paul Ruark

Media

Angela Gary, Banks County News
Rob Moore, Access North Georgia

1. Call to Order

Ch. Hooper called the meeting to order.

2. Approval of Agenda

Ch. Hooper stated Item #13 Sheriff Training Center needed to be deleted and items added to the agenda as follows:

13. UGA Extension Service Personnel Pay Increase

19. Industrial Blvd County Property Transfer to Development Authority of Banks County

Motion to approve the agenda as amended: Danny Maxwell

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

3. Moment of Reflection

Ch. Hooper stated that he had been to Israel, Bethlehem and to the site where it is believed to be stable where Jesus was born. He said 2,000 years ago joy, peace understanding, tolerance, caring and love was being proclaimed and we are still today trying to reach those words. He stressed the importance of loving God and loving others and wished everyone a Merry Christmas.

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. Approval of Invoices

Motion to approve the invoices: David Duckett

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

6. Approval of Minutes: 11/5, 11/13, 11/29

Motion to approve the previous meetings minutes: David Duckett

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

7. Public Hearing: Patton Rd Abandonment

Assistant Clerk Erin Decker stated she had received a request from the landowners on the road to be considered for closure. She further stated it was approximately ½ mile in length and served no public purpose. Ch. Hooper closed the public hearing and opened the meeting.

Motion to abandon Patton Rd: Charles Turk

Second: David Duckett

Vote: 5:0

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

8. Planning Commission Recommendations:

a. CU-18-06 – John Paul Day – Accessory structure as a truck maintenance shop located at 7757 West County Line Road, Lula, GA

Ch. Hooper closed the meeting. Attorney Frost opened the public hearing and asked Officer to present the Planning Commission recommendation. Officer Ruark stated the Planning Commission recommended denial of the application. Troy Trantham, Vice President and General Manager of Trantham Trucking spoke in favor the application and stated the use would be for a chicken feed and live chicken hauling truck depot with a 1,900 sq ft house for non-local drivers to stay if overnight hauling is needed and a truck shop and a storage building would also be located on the property. He stated the 30 ft driveway would run to the back of the shop with a parking area. He said he had hoped to be in operation by summer of 2019. He further stated he intended to be a good neighbor and he would not be operating a motel or building a feed mill. He said he understood why there was opposition and asked for help to find a better location if the application was not approved. Comm. Turk agreed that a better area should be considered since the location is primarily residential. Comm. Reece asked the number of trucks daily. Mr. Trantham stated it would be 20 – 25 total with 6 – 8 on the location at a time. He stated he hauled mostly out of Gainesville. Ch. Hooper stated concerns that no other commercial businesses were on that road. He stated the use did not fit the area and offered to aid in finding a better location for the business. He asked the maximum distance he would need to be from Gainesville. Mr. Trantham stated 25 – 30 would be fine.

Those speaking in opposition were as follows:

- **Jerry Sosebee:** concerns with close proximity to farm, no containment areas planned and would pose a threat to the poultry and water basin, muddy roads. He stated he didn't mind them being in Banks County but felt this was not the right area
- **Larry Poole:** use doesn't fit area
- **Bill Copecci:** community united in opposition to the use of the property and stated concerns with air quality, noise pollution, water pollution and light pollution also concerns with the house being used for overnight stay and the hours of operation

Atty Frost closed the public hearing. Ch. Hooper reopened the meeting.

Motion to deny the application: Charles Turk

Second: Sammy Reece

Vote: 5:0

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

b. Z-18-02 – Ricky Ward – Property rezone from ARR-Agricultural Rural Residential to M1-Industrial District on Tax Map/Parcel B04-001 located on North County Line Rd, Alto, GA

Ch. Hooper closed the meeting. Attorney Frost opened the public hearing and asked Officer to present the Planning Commission recommendation. Officer Ruark stated the Planning Commission recommended approval of the application. Ricky Ward spoke in favor of the application and stated it would be a 10,000 sq ft office/warehouse to store equipment they had used before they sold the business when they had Ward Brothers Concrete located next door. Comm. Turk asked if this use was the only use being considered. Mr. Ward stated yes at this time but was 37 acres and at some time other uses could be possible. Ch. Hooper also stated concerns with the use changing in the future. Atty Frost closed the public hearing. Ch. Hooper reopened the meeting.

Motion to approve the rezoning with the following conditions: Jimmy Hooper

1. The scope presented in this meeting would be maintained
2. Any change to scope would make the rezoning null & void
3. If there is a change in scope, applicant must come back before the Planning Commission and the Board of the Commissioners for approval

Second: Sammy Reece

Vote: 5:0

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

9. Recreation: Part time Personnel

Brooke Whitmire

Ms. Whitmire stated due to expanded fields and programs there was a need for additional personnel and recommended changing the two existing part-time maintenance positions to fulltime with one being certified to handle prison detail labor. Motion to approve changing the two maintenance positions to fulltime effective March 1, 2019 and to require certification for prison detail for one of the positions: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion carried.

10. Public Transportation: Procurement Manual

Tracie Hammond

Motion to approve the manual to be considered every 3 years and to authorize the Chairman to sign the manual: Danny Maxwell

Second: David Duckett

Vote: 5:0

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

11. E911/EMA:

Deidra Moore

a. EMA Volunteer/ARES Volunteer – Bob Herring – Jack Hobbs Award

Ms. Moore stated Mr. Herring had been a volunteer operator in Banks County for years and expressed appreciation for his service as she congratulated him for this prestigious award.

b. Debris Removal Contract Award

Ms. Moore stated this was for future needs to lock in a price for removal by the cubic yard.

Motion to approve Custom Tree Care as low bidder: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and motion carried.

12. Fire/EMS:

Steve Nichols

a. New Ambulance Equipment

Chief Nichols stated this was to equip the new ambulance including the new powerlift stretcher at a cost of \$13,172.60 with bunker gear \$16,710.00 additional cost.

Motion to approve the equipment and bunker gear purchase out of the 2017 SPLOST fund:

Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and motion carried.

b. Part time Personnel Extension – July 1, 2019

Chief Nichols stated this request was to extend the personnel presence in the north end of the county until July 1, 2019 at approximately \$60,000. Mr. Failyer stated a budget amendment would not be needed for this request. Comm. Turk asked the balance of the volunteer fund could be used to offset the additional cost. Chief Nichols stated that was a possibility.

Motion to accept the requested extension: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion carried.

c. Phillips Heartstart MRx 12 Lead Monitor Purchase/Exchange

Chief Nichols stated after trading in used equipment the refurbished two monitors with a one year warranty would be \$5,535.

Motion to approve the purchase of the two units out of the 2017 SPLOST: Jimmy Hooper

Second: David Duckett

Vote: 5:0

All aye votes and motion carried.

Chief Nichols stated Banks County had received recognition for efficient cardiac response.

13. UGA Extension Service Personnel Pay Increase

Ch. Hooper stated this was for a 2% increase in extension service employee local portion which results in a total \$1,200 annual increase locally.

Motion to approve the increase: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

14. Finance/Purchasing:

Randy Failyer

a. Jail OnQue Appliance Backup System Replacement

\$10,295

Mr. Failyer stated this was for the emergency computer backup system at the Sheriff's department and recommended paying from the Contingency Fund.

Motion to approve the \$10,295 purchase from the Contingency Fund: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and motion carried.

b. County Government Computer Upgrades – Data Survival, Inc.

\$50,426

Mr. Failyer stated this was for the requirement of county computer replacements by 1/1/2020 due to obsolete operating system requirements. He stated buying now would result in a \$35,000 savings and recommended proceeding with the upgrade paying from the Capital Fund.

Motion to approve the purchase from the Capital Fund: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion carried.

c. Public Utilities: Various Equipment Purchases – 2012 SPLOST

Mr. Failyer stated this was for the parts repair/replacement at the Industrial Park Wastewater Treatment Plant as follows:

Valves: \$10,775

Motor: \$2,595

Pump: \$14,850

Racetrac Wastewater Treatment Plant Valves: \$2,930

He stated all four invoices were from Goforth Williamson, Inc. and recommended paying from the 2012 SPLOST Fund.

Motion to approve the purchase from the 2012 SPLOST Fund: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and motion carried.

d. FY2019 Budget Amendment

Mr. Failyer stated this was to amend the budget to move \$40,000 revenue from the Probation line to the Probate Court line since the Probation Department no longer existed and had been absorbed by the Probate Court.

Motion to approve the amendment: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and motion carried.

e. Fire Station #25 Construction – 2017 SPLOST

Mr. Failyer stated this was for the construction of Fire Station #25 that was previously approved in another meeting. He recommended paying for the Tier 2 project from the 2017 SPLOST.

Motion to approve the payment from the 2017 SPLOST: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and motion carried.

f. Water Meter Replacement Contract Change Order: M&E Construction

(\$16,948)

Mr. Failyer stated this was a reduction in the previously approved contract.

15. Senior Center Contract Change Orders:

a. PCO #016 correction – drywall credited

Comm. Reece stated this was to remove deleted drywall for a previously approved change order.

Motion to approve corrected Change Order #016 in the amount of \$699.08: Sammy Reece

Second: Jimmy Hooper

Vote: 5:0

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

a. PCO #017 - sidewalk, handrail extension on west elevation and relocation of HVAC conduit

Comm. Reece stated this was to move the HVAC from the east to the west side of the building in the amount of \$2,916.

Motion to approve Change Order #017: Sammy Reece

Second: David Duckett

Vote: 5:0

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

16. Boards & Authorities:

a. Chestatee Chattahoochee RC&D – 1 year term - Sammy Reece

Comm. Reece agreed to serve an additional term.

Vote to reappoint Sammy Reece for an additional 1 year term.

Vote: 4:0

Comm. Reece abstained from voting.

b. Chestatee Chattahoochee RC&D – 1 year term – Charles Turk

Comm. Turk agreed to serve an additional term.

Vote to reappoint Charles Turk for an additional 1 year term.

Vote: 5:0

Comm. Turk abstained from voting.

c. Joint Development authority – 4 year term – Jimmy Morrison

Motion to reappoint Jimmy Morrison for an additional 4 year term: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion carried.

d. Joint Development Authority – unexpired term of Todd Hubbard

Motion to table this item until the January 8, 2019 meeting: Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and motion carried.

17. 2019 Gravel Hauling Contract

Ms. Decker stated two bids had been received as follows:

Triple H Transport \$4.98/ton

Shubert Hauling \$5.55/ton

Ms. Decker also stated that even considering the 3% local bid preference, Triple H Transport was still low bidder.

Motion to approve Triple H Transport as low bidder: Jimmy Hooper

Second: Danny Maxwell

Vote: 3:2 as follows:

Hooper: Aye

Reece: Nay

Duckett: Aye
Maxwell: Aye
Turk: Nay
Majority votes and the motion passed.

18. 2019 Alcohol License Renewals

Code Enforcement Officer Paul Ruark stated Giovanni's had gone out of business but all other 25 license applications and fees had been received as follows:

BEER/WINE/MIXED DRINK POURING \$4,500

Applebee's (Neighborhood Restaurant Partners)
El Azteca
La Hacienda Mexican Restaurant
Longhorn Steakhouse
Outback Steakhouse
Ruby Tuesday
Koji Japanese Steakhouse

BEER POURING ONLY \$750

NHRA/Atlanta Dragway
Pizza Hut (NPC International, Inc.)
Sonny's BBQ
Fuddruckers
Blazers

BEER/WINE POURING ONLY \$1,500

Funopolis
Hawg Wild - Commerce

BEER/WINE PACKAGE \$1,000

4 Way Country and Grocery (Sindhvai USA, LLC)
Munia's BP Food Mart
TA Operating LLC (Commerce Travel Center)
Express Food Mart (Valero)
Royal Food Store #65 (Formerly Homer Chevron Food Mart)
Homer Grocery (Pritam Krupa, Inc.)
Patel's Grocery
QuikTrip #828 (QuikTrip Corp)
Racetrac #284
Royal Foods Chevron #4 (Otis Brown Rd)
Wal Mart Supercenter #3

Motion to approve the 2019 licenses: Charles Turk
Second: David Duckett
Vote: 5:0
All aye votes and the motion passed.

19. Industrial Blvd County Property Transfer to Development Authority of Banks County

Attorney Frost stated this was a deed to transfer property within the industrial park from the county to the Development Authority.

Motion to approve the deed: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

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

20. Adjournment

Ch. Hooper adjourned the meeting at 7:28 p.m.

Chairman

County Clerk
