

The Banks County Board of Commissioners held their regular meeting on July 12, 2016 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present

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

Staff Present

Assistant County Clerk Erin Decker
Finance Officer Randy Failyer
Code Enforcement Officer Paul Ruark
County Attorney Randall Frost
Recreation Director Brooke Whitmire
E911/EMA Director Deidra Moore

Media Present

Mainstreet News – Angela Gary
Access North Georgia – Rob Moore

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

Chairman Hooper stated he thought the world had gone crazy. The main reason was because people are at opposite ends with opinions and no one was willing to compromise.

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. Approval of Invoices

Motion to approve the invoices: Sammy Reece
Second: David Duckett
Vote: 5:0
All aye votes and the motion passed.

6. Approval of Previous Minutes – 6/13, 6/14, 6/30, 6/30

Motion to approve the previous minutes: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

7. Planning Commission Recommendations:

a. CU-16-03 – Seong Jeong – Conditional Use to start a tofu production business located on 10 acres on map/parcel B47/057 on Daily Road. Ch. Hooper closed the meeting and Atty. Frost opened the public hearing. Atty. Frost stated that the Conditional Use was to start a tofu production business located on 10 acres on Daily Road. Zoning/Code Enforcement Officer Paul Ruark stated the Planning Commission did not recommend approval of the Conditional Use.

Jason Jeong – 212 Daily Rd – Mr. Jeong spoke for the application. He stated his parents had been in the poultry business since 2007. He stated they would now like to open a small homemade tofu production facility. He stated the business would be no larger than 1200 square feet and he felt like the production of natural organic food would fit into the ARR zoning. He stated they would not be using any heavy machinery and there would not be any smell or pollution. He stated that the business would not ruin the atmosphere of the community because they would not have any large trucks and no customer visits so there would be no change in the traffic. He also stated they had been growing vegetables for the last six years and taking them to the Duluth Farmer's Market by way of a cargo van. Mr. Jeong presented a petition of support from several of his neighbors.

Vice Chairman Turk asked where would the product come from? Mr. Jeong stated it would come from Tennessee and also if they ever had to increase the business they would move to a commercial property in Banks County. Commissioner Duckett asked how many employees would there be? Mr. Jeong stated his parents plus maybe one more.

Adam Hulsey – 448 Dailey Road – Mr. Hulsey spoke in opposition to the application. He stated his property adjoined the Jeongs. He stated the road was too narrow and what was going to happen when the business grew. He stated he didn't want the business to locate because of concerns about burying the by-product.

Marcy King – 355 Daily Road – Ms. King stated she was opposed to the business. She also stated she moved to the county to get away from congestion and stated the road was too narrow.

Jason King – 355 Daily Road – Ms. King stated he was opposed to the tofu operation coming to Daily Road. He stated the area was for single family homes and the road was a single lane and most narrow at the proposed site of the business.

Kathy Adamson – 388 Dailey Road – Ms. Adamson stated she was against the business. She also stated she had signed the petition before she fully understood the safety issues and danger in burying the by-product. She asked that her name be taken off the petition.

Melissa Allen – Dailey Road – Ms. Allen stated she was opposed to the tofu operation. She also stated she had lived on Daily Road since 1997.

Mike Munoz – 306 Daily Road – Mr. Munoz stated he was opposed to the tofu operation. He stated Mr. Jeong told him what he wanted to hear about the business and was not truthful with him. Mr. Munoz also stated the reason he had moved to Daily Road was because it was a rural area and he would like it to stay that way. Mr. Munoz said it would not be fair to the homeowners in the area if the business was allowed to come in.

Marcy King – 355 Daily Road – Ms. King stated that just this week she saw them using a F-350 and trailer instead of a van.

Atty. Frost closed the public hearing and Ch. Hooper opened the meeting.

Motion to accept the Planning Commission recommendation and deny the conditional use because it was a non-conforming use: David Duckett

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

8. Parks & Recreation:

Brooke Whitmire

a. Facilities Use Agreement/Fees

Recreation Director Brooke Whitmire stated the facilities use agreement would be for events that were held at the recreation facilities but would not include the Windmill Park Sports Complex. Ch. Hooper stated this would give the Commissioners a better handle of what's going on in the County.

Motion to approve the Facilities Use Agreement for the current fiscal year: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed. *(Copy of contract filed in Attachment to Minutes Book #9-8)*

b. Facilities Use: 2017 Pottery Festival – Steve Turpin

Ms. Whitmire stated that the 16th Annual Folk Potters Festival was held at the Recreation Center this year and she was asking permission to host the 17th Annual Folk Potters Festival in 2017.

She stated this would be the weekend of Father's Day when All Star tournaments would be held.

Motion to approve the event: Danny Maxwell

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

c. Facilities Use: Circus

Ms. Whitmire stated the circus had contacted her about using the Recreation Center again for a circus. She stated they had provided all the necessary insurance and liability forms.

Motion to approve the event: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

d. Chemical Application Program & Field Maintenance Contract; Environmental Creations Landscape Company

Ms. Whitmire stated this contract was for the Windmill Park Sports Complex.

Motion to authorize the chairman to sign the contract pending the County Attorneys approval:

Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of contract filed in Attachment to Minutes Book #9-8)

9. Contracts & Agreements

a. E911/EMA: Language Line Interpreter Contract

Deidra Moore

E911/EMA Director Deidra Moore stated the contract was for over the phone interpretation when a 911 call came in, in a different language. The interpretation service was used as needed and cost \$1.50 per call. She stated she was requesting authorization for the chairman to sign the contract.

Motion to authorize the chairman to sign the contract: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of contract filed in Attachment to Minutes Book #9-8)

b. E911/EMA: Mass Notification Bid Award & Contract

Deidra Moore

Ms. Moore stated she had received 7 bids for the Mass Notification System. She stated she would like more time to review them before making a recommendation.

c. E911/EMA: Communications Maintenance Agreement – Gunby Communications

Deidra Moore

Ms. Moore stated the Gunby contract was an annual maintenance contract in the amount of \$49,524. She stated it was less than last year and she was asking authorization for the chairman to sign the contract.

Motion to authorize the chairman to sign the contract: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of agreement filed in Attachment to Minutes Book #9-8)

d. 2017 Uchee Lodge Lease Agreement: Boy Scouts

Motion to approve the Uchee Lodge Lease: Danny Maxwell

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

(Copy of lease filed in Attachment to Minutes Book #9-8)

e. Resurfacing of Rock Springs Rd & Moccasin Gap Rd Bid Award & Contract

Assistant County Clerk Erin Decker stated that Stratton & Sons had submitted the lowest bid in the amount of \$961,601.48.

Motion to approve Stratton & Sons low bid and contract in the amount of \$961,601.48: David Duckett

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of contract filed in Attachment to Minutes Book #9-8)

10. FY2017 Budget Approval Resolution

Randy Failyer

Finance Officer Randy Failyer stated the resolution was for approval of the FY2017 budget in the amount of \$14,415,108.70.

Motion to approve the FY2017 Budget Resolution: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #9-8) 2016-11

11. Adjournment

Motion to adjourn the meeting: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the meeting was adjourned at 7:15 p.m.

Chairman

Assistant County Clerk
