

The Banks County Board of Commissioners held their regular meeting on November 10, 2015 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

County Clerk Regina Gailey
Assistant County Clerk Erin Decker

Media Present

Access North Georgia – Rob Moore
Mainstreet News – Angela Gary

1. Call to Order

Ch. Hooper called the meeting to order.

2. Approval of Agenda

Motion to amend the agenda adding 10D Resolution Application for GDOT for Federal Assistance: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

3. Moment of Reflection

Ch. Hooper stated as a child he learned how to share, compromise and support each other. Does any of that apply today in the way we treat each other.

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. Approval of Invoices

Motion to approve the invoices: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

6. Approval of Previous Minutes – 10/13

Motion to approve the previous minutes: Danny Maxwell

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

7. Planning Commission Recommendations:

a. CU-15-06 – Paul Patel – Premier Hotel Group – A conditional use for a Holiday Inn Express located on Frontage Rd at Banks Crossing.

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing. Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

Paul Patel, Comfort Suites, Commerce GA 30529, spoke in favor of the application. He stated he was planning to build a new Holiday Inn Express on Frontage Road where RJ T-Bones once was. He also stated there was already a Holiday Inn Express in town but they are losing their flag.

Ch. Hooper asked when construction would begin. Mr. Patel stated early 2016.

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

Motion to approve the conditional use: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book #9-7)

b. Z-15-02 – Greg Alan Gardiner – Rezoning application for .85 acre lot size at 464 Garrison Shoals Road

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing. Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

Greg Gardiner, 464 Garrison Shoals Rd, Lula, GA 30554, stated he was the owner of H&D Pallets and had purchased .85 acre that would allow him more parking and storage of pallets for his business. He stated the other property that he owns is zoned M-1 and he would like the .85 acre to be rezoned to M-1.

Vice Ch. Turk asked if this additional property would give him enough room so the trucks weren't parked on the road. Mr. Gardiner stated yes.

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

Motion to approve the rezoning: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book #9-7)

c. CUP-15-01 – Dustin Poole – Application for a conditional use permit for a meat processing facility at 571 Silver Shoals Rd.

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing. Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

Dustin Poole, 571 Silver Shoals Road, Lula, GA 30554, stated he wanted to start a meat processing facility on his farm for deer, hogs and cattle. He would get his Custom License and State Inspection License. He stated he had plans to process and sale his own grass-fed beef from his farm. People would place an order on his website and when he had enough orders then he would process the beef.

Mr. Poole also stated he had talked to Waste Management about disposing of the waste and they have given him the permission to bring all the waste to them. He also stated there would be a separate cooler to store the waste in until time of disposal.

Mr. Poole said the hours of operation would be processing Monday thru Friday 8:00 a.m. – 5:00 p.m. and until 8:00 p.m. for pickup only. He stated the weekends would be for pickup and drop-off only, but he would have to adjust his drop-off hours during deer season.

He stated he wanted the facility to be large enough to store everything inside and the building would blend into the farms surrounding landscape. The building setback would be 200 ft. from the center line of the road and have a separate septic system for all the drains and the holding pen so there would be no runoff.

Mr. Poole also stated he thought this business would be a huge benefit to the farmers of Banks County and the surrounding counties.

Comm. Duckett asked how big the cooler was, do you have all your permits and what has the EPA said about the facility being close to the lake?

Mr. Poole stated he would have 2 – 10 x 20 coolers for deer and 1 – 10 x 20 cooler for beef. He said the EPA setback is 100 ft. from the lake and he is at least 300 ft. from the lake.

Jerry Griffin 264 Griffin Drive stated he thinks the processor will be good for the community and county. A lot of people are wanting to grow their own grass fed beef. He said he was not at all concerned about the runoff.

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

Motion to approve the conditional use permit: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book #9-7)

8. Personnel: Employee Grievance Appeal Hearing – Ronnie Roach

Ronnie Roach stated on September 14, 2015 he was suspended for an incident that didn't happen while he was on duty or on county property. He said he was suspended for 30 days and which later found out he could only be suspended for 15 days. He stated he filed a grievance and the grievance officer agreed

that it should have only been a written or oral reprimand. He stated he put in his grievance that he would like to have his back pay for the time he was suspended and the reprimand removed from his employee file.

Motion to suspend the suspension due to the fact that the grievance officer found that it should have just been written and keep the written notice in the employee file: Charles Turk

Second: Sammy Reece

Ch. Hooper stated as a county employee you are held to a higher standard. There is a time and place for everything.

Vote: 2:3

Charles Turk: Aye

Sammy Reece: Aye

Danny Maxwell: Nay

David Duckett: Nay

Jimmy Hooper: Nay

Three nay votes and the majority vote passed.

9. Petition for Packaged Beer & Wine Sales on Sunday

Salim Hakani, owner of Baldwin Exxon presented the Commissioners with a petition from the businesses who are licensed and regulated to sell packaged beer and wine in Banks County, to ask that the Banks County Board of Commissioners approve for a referendum vote in 2016 for the authorized legal sale of package beer and wine on Sunday.

Motion to put Sunday Packaged Beer and Wine Sales on the ballot: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Petition filed in Attachment to Minutes Book #9-7)

10. Contracts & Agreements:

a. Underground Power Line Easement Signature Ratification – Windmill Park

Ch. Hooper stated this was an easement that needed to be signed for underground power at the sports complex.

Motion to ratify the easement that was signed: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of Easement filed in Attachment to Minutes Book #9-7)

b. Engineering Services Work Authorization for Bridges – KCI Technologies, Inc.

Ms. Decker stated this contract was for project management and construction supervision for bridge maintenance work. The amount of the contract was \$20,000. The cost of the materials for the bridge repair is \$30,000. The funds for the contract and materials would come from the 2012 SPLOST Fund.

Motion to authorize the Chairman to sign the contract and the funds to be paid for from the 2012 SPLOST funds: David Duckett

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

(Copy of Work Authorization filed in Attachment to Minutes Book #9-7)

c. 2015-2016 Indigent Defense Contract

Randy Failyer

Mr. Failyer stated this was a yearly contract in the amount of \$872,000 but the County portion is \$109,000.

Motion to approve the contract and authorize the Chairman to sign the contract: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Contract filed in Attachment to Minutes Book #9-7)

d. Resolution Application for GDOT for Federal Assistance

Mr. Failyer stated he was asking the Commissioners to authorize the chairman to sign the resolution for the application to apply to the Georgia Dept. of Transportation for federal assistance for the public transportation program.

Motion to authorize the Chairman to sign the resolution: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book #9-7) 2015-20

11. Executive Session – Personnel

Motion to enter into executive session concerning personnel: Danny Maxwell

Second: Sammy Reece

Vote: 5:0

All aye votes and the executive session began at 6:59 p.m.

Motion to close the executive session: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the session ended.

(Copy of Affidavit filed in Attachment to Minutes Book #9-7)

12. Adjournment

Motion to adjourn the meeting: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the meeting was adjourned.

Chairman

Assistant County Clerk
