

The Banks County Board of Commissioners held their regular meeting on October 13, 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 Attorney Randall Frost
Code Enforcement Officer Paul Ruark
Finance Officer Randy Failyer
Personnel Officer Arlene Ivey
Public Utilities Director Steve Reece
County Clerk Jenni Gailey

Media Present

Banks County 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: Charles Turk
Vote: 5:0
All aye votes and motion passed.

3. Moment of Reflection

Ch. Hooper stated he grew up in a time when a man's word was the bond and a handshake was a contract. He stated he was concerned with accountability today in words and deeds. He further stated county employees are held to a higher standard in the public view.

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: Sammy Reece
Vote: 5:0
All aye votes and the motion passed.

6. Approval of Previous Minutes – 9/8, 9/22, 9/23

Motion to approve the minutes as previously provided: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and motion passed.

7. Planning Commission Recommendations:

a. CU-15-05 - Rick Wood – A conditional use application for a commercial tunnel car wash at 40091 Hwy 441S.

Ch. Hooper closed the meeting and Officer Ruark opened the public hearing. He stated this was a conditional use for a carwash. The Planning Commission recommended approval of the application. Kevin Wood spoke in favor of the application by stating they had previously asked for the permit but are ready to proceed at this point. Officer Ruark closed the public hearing and Ch. Hooper opened the meeting.

Motion to approve the conditional use application: 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. V-15-03 – Pam & Jerry Squires – Variance application for the reduction in building lot size at 688 Wrights Mill Rd

Ch. Hooper closed the meeting and Officer Ruark opened the public hearing by stating this was a request for a variance from the 2 acre zoning ordinance requirement to a 1.47 acres. The Planning Commission recommended denial of the application.

IN FAVOR:

Melissa Wood, Real Estate Agent for the Squires: *spoke in favor of the variance by stating the applicants had already purchased the property with \$14,500 of their retirement money in hopes of relocating and building a 3 bedroom 2 bath home in Banks County. She stated a larger parcel of property was split in 1999 leaving the 1.47 tract.*

Comm. Reece asked if there was a legal plat showing the 1.47 acre lot. Ms. Wood stated not that she knew of. Officer Ruark stated he had not seen a plat in the Planning office either.

Comm. Reece stated if there had been a legal plat, the lot would have been stamped unbuildable when the property was divided.

IN OPPOSITION:

Carmen Bruschetti, 982 Wrights Mill Rd: *not knowing the 2 acre requirement is not a reason for approval, others have been held to the minimum requirement, the property location next to two other smaller lots with a home would create cluster homes*

Gene Hart, 627 Sims Bridge Rd: *please do not disregard the 2 acre requirement in place*

Mark Benny, 680 Wrights Mill Rd: *crowding of homes will take away from his property value*

Martha Threatt, 1236 Wrights Mill Rd: *do not want a subdivision, please follow 2 acre requirement*

Kenneth Flint, 962 Wrights Mill Rd: *does not want any trailers on neighboring property, please be careful not to set a precedence of granting lot size variances to zoning requirements, would hurt neighboring property values*

Officer Ruark closed the public hearing and Ch. Hooper opened the meeting.

Motion to deny the variance due to property not meeting the 2 acre requirement: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed. *(Copy of resolution filed in Attachment to Minutes Book #9-7)*

8. Rural Water GEFA Loan – Carter & Sloope Engineers

Matt Smith

Mr. Smith stated there was grant opportunities for Rural Water & Sewer through the Georgia Environmental Facilities Authority which offered from \$500,000 to \$2,000,000 worth of grant and loan funds. The Clean Water Fund would be an 80/20 grant/loan and the Drinking Water Fund would be a 60/40 grant/loan. He stated the term of the loan could be as low as 5 years and as high as 30 years with very competitive interest rates based on certain criteria for each. These loans could be paid by 2017 SPLOST proceeds if approved.

9. Planning Commission Member Appointment – 4 year term – Martha Ramsey

Ch. Hooper stated Ms. Ramsey had stated she would serve another term if reappointed.

Motion to reappoint Martha Ramsey to another 4 year term: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion carried.

10. FY2016 FTA Public Transportation Operating Contract

Randy Failyer

Mr. Failyer stated this was for the annual operating contract with the county portion being \$42,003.

Motion to approve the contract: Danny Maxwell

Second: Charles Turk

Vote: 5:0

All aye votes and motion carried. *(Copy of contract filed in Attachment to Minutes Book #9-7)*

11. FY2016 Baldwin Fire Contract

\$22,643.04

Mr. Failyer stated this was for the annual contract renewal with no changes.

Motion to approve the contract: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and motion carried. *(Copy of contract filed in Attachment to Minutes Book #9-7)*

12. Chief Tax Appraiser Kevin Whitman Resignation

Arlene Ivey

Ch. Hooper stated this was for information only and further stated Mr. Whitman had done a good job for the county and he wished him well in the future.

13. Personnel Policy Amendment: Grievance & Appeal Procedures

Arlene Ivey

Ms. Ivey stated this was to streamline the grievance and appeal process within the personnel policies.

Motion to approve the amending resolution: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and motion carried. *(Copy of resolution filed in Attachment to Minutes Book #9-7) 2015-19*

14. Executive Session: Personnel & Land Acquisition

Motion to enter into executive session to discuss personnel & land acquisition: Danny Maxwell

Second: Charles Turk

Vote: 5:0

All aye votes and the executive session began at 7:20 p.m.

Motion to close the executive session: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the executive session ended at 7:31 p.m.

(Copy of executive session affidavit filed in Attachment to Minutes Book #9-7)

Ft Lamar Water Tank Property Purchase

Motion to purchase 1 acre of property from Johnny Westmoreland on Ft Lamar Rd to build an elevated water tank at a not to exceed price of \$25,000 to be paid from the Windmill Park Timber proceeds held in the Capital Fund: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion carried.

Government Annex/Extension Office Roof Replacement

Motion to replace the roof for a not to exceed price of \$25,000 to be paid from the Windmill Park Timber proceeds held in the Capital Fund: Jimmy Hooper

Second: David Duckett

Vote: 5:0

All aye votes and the motion carried.

15. Adjournment

Motion to adjourn the meeting: Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed. The meeting adjourned at 7:34 p.m.

Chairman

County Clerk
