

The Banks County Board of Commissioners held their regular meeting on January 27, 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
Financial Officer Randy Failyer
County Clerk Jenni Gailey
Public Utilities Director Steve Reece
Chief Deputy Shawn Wilson

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

Ch. Hooper stated “*Item 6. County Jail Septic System*” needed to be removed from the agenda.

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 he saw lately on a newscast – “Holding the Powerful Accountable”. He said basically the public does not trust people in authority anymore because of unlawful and unethical things they may have done. He stated that local leaders should hold themselves to a higher standard and if they cannot then they don’t need to be in that position.

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. State Patrol Post

State Patrol Colonel Mark McDonough was present to speak on the possibility of locating a Georgia State Patrol Post in Banks County. He stated all of the posts are built by communities that have a desire to have a post in their county. When they are notified that a community is interested – then the Public Safety Board is contacted and permission is given for the State Patrol to go and present the information

needed to build the post in that community. He also said there were currently 52 posts in Georgia with the most recent being Atlanta, Gwinnett and Hartwell. He stated the purpose of the State Patrol is to support local law enforcement including traffic enforcement and accident investigation. He stated there would be 14 troopers who serve Banks, Jackson & Barrow counties which equates to approximately 3 troopers for Banks County in a normal 24 hour period. Comm. Duckett asked if currently there were 4 Posts within 30 miles of Banks County. Colonel McDonough yes. Comm. Reece stated the State Patrol worked 607 traffic accidents in 2014 which was a help to the Sheriff's Department but the response time was longer. Vice Ch. Turk pointed out that if additional deputies were hired instead of troopers – this could result in approximately \$150,000 additional costs and stated concerns with current State Patrol response time. Ch. Hooper asked if it would be possible for Jackson and Barrow counties to contribute to the construction of the post. Colonel McDonough stated that had never been done. Ch. Hooper asked the board if public input should be sought. Vice Ch. Turk stated he didn't have a problem with a public hearing to gather input. Ch. Hooper asked the board "Why now? Has there been an increase in traffic or wrecks?" He then stated he thought this was a priority but not the biggest priority at this time and that he could not justify to the citizens spending \$1.4 million dollars when other things are needed that would benefit all citizens such as a fitness center, Senior Center addition, convention center and dirt roads being paved. He further stated he thought Jackson County and Barrow County would be on board if they thought it was a genuine need. Comm. Reece asked, "Is this not about public safety?" Ch. Hooper stated it was but he thought the Sheriff was doing a great job and that a State Patrol post was not the highest priority at this time. Comm. Duckett stated he felt the public should have input as well. Colonel McDonough stated if the county chooses to build the post, the cost would be approximately \$1.4 million including land and prisoner labor. He stated construction materials only would be approximately \$800,000. Comm. Duckett asked if the construction costs included furnishings. Colonel McDonough stated yes but all dispatching would be handled from the Gainesville post. Colonel McDonough also said the state patrol would handle maintenance on the building and property. Ch. Hooper asked if this would include a place for driver's license renewal. Colonel McDonough said no. Vice Ch. Turk stated out of the new Hart County post which covers Elbert, Hart & Franklin County, there were 22 impaired drivers caught, 300 citations and 300 warnings written in a 24 hour period. He then stressed "How many of those impaired drivers could have killed somebody". Ch. Hooper charged the board to vote what they thought was the best needs of the citizens of Banks County. Ch. Hooper and Comm. Duckett stated if the citizens wanted this then they would support it 100%. Chief Deputy Shawn Wilson spoke on behalf of Sheriff Carlton Speed who was at a Sheriff's conference. He said the Sheriff was in full support of a post in Banks County and that they appreciated the support from the Georgia State Patrol. Comm. Maxwell stated concerns with funding long range needs of the Sheriff if the county spent \$1.4 million on a State Patrol Post. Wayne Abernathy of the Public Safety Board spoke in support of the post and stated he had never seen a community that did not want a post. He stated they are there to protect the citizens. Ch. Hooper reiterated that he thought this was a priority but he thought there were higher priorities in Banks County at this time.

6. County Jail Septic System

DELETED

7. County Code Amendments:

a. Restaurant Grease Traps Pumping Frequency Requirement

Steve Reece

Mr. Reece stated there have been times when some of the restaurant grease traps in the county needed pumping more than quarterly and asked *that "or as directed by the Banks County Water/Sewer Department"* be added to that code section.

Motion to approve the resolution: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and motion passed. *(Copy of resolution filed in Attachment to Minutes Book #9-6) 2015-01*

b. Packaged Alcohol Sales on Thanksgiving Day

Ch. Hooper stated that at a previous meeting the board agreed to discuss this at a later date.

Vice Chairman Turk stated it had been said that Thanksgiving Day was not a religious holiday.

He stated he disagreed and cited historical events where presidents referred to Thanksgiving Day as a religious holiday and stated he could not support sales on Thanksgiving Day.

Motion to approve the resolution: Jimmy Hooper

Second: David Duckett

Vote: 3:2

The vote was as follows:

Hooper: Yes

Turk: No

Duckett: Yes

Maxwell: Yes

Reece: No

Motion passed by majority vote. *(Copy of resolution filed in Attachment to Minutes Book #9-6) 2015-02*

c. Alcohol for Consumption on the Premises Sales on Thanksgiving Day

Ch. Hooper stated this was for restaurants. Vice Ch. Turk stated he didn't think many of the restaurants that sold alcohol were open on Thanksgiving anyway.

Motion to approve the resolution: Jimmy Hooper

Second: David Duckett

The vote was as follows:

Hooper: Yes

Turk: No

Duckett: Yes

Maxwell: Yes

Reece: No

Vote: 3:2

Motion passed by majority votes. *(Copy of resolution filed in Attachment to Minutes Book #9-6) 2015-03*

8. 2015 Probate Court/Magistrate Court Probation Services Agreement

Ms. Gailey stated this was a yearly agreement and the probation officer had met all the training requirements.

Motion to approve the agreement: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion passed. *(Copy of agreement filed in Attachment to Minutes Book #9-6)*

9. Executive Session – Land Acquisition & Personnel

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

Second: David Duckett

Vote: 5:0

All aye votes and the executive session began at 7:05 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 7:20 p.m.

(Copy of executive session affidavit filed in Attachment to Minutes Book #9-6)

10. Adjournment

Motion to adjourn the meeting: Danny Maxwell

Second: David Duckett

Vote: 5:0

The meeting adjourned at 7:21 p.m.

Jimmy Hooper, Chairman

County Clerk
