

The Banks County Board of Commissioners held their regular meeting on July 13, 2021 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present

Chairman Charles Turk
Vice Chairman Danny Maxwell
Commissioner Bo Garrison
Commissioner Sammy Reece
Commissioner Keith Gardiner

Staff Present

County Clerk Jenni Gailey
Assistant County Clerk Erin Decker
Finance Officer Randy Failyer
Public Utilities Director Horace Gee
Fire Chief Steve Nichols
County Attorney Randall Frost

Media Present

Angie Gary, Banks County News

1. Call to Order

Ch. Turk called the meeting to order.

2. Approval of Agenda

Ch. Turk stated the items following needed to be changed:

9d. 2022 SPLOST Intergovernmental Agreement – Delete

9d. Legacy Link FY2022 Commitment Letter – Add

Motion to approve the agenda as amended: Bo Garrison

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion passed.

3. Chairman's Report

Ch. Turk reported on the following:

- 4009 Total E911 Calls were received – 320 Fire/EMS – 3125 Sheriff – 564 Other Agencies
- Hebron Rd and Borders Rd had been resurfaced and Hawkins Rd was planned to be started along with Trout Lane
- Steven Tanger culvert was getting closer to being finished. They were hauling in dirt to get ready to pave the road.

4. Pledge to the American Flag

Vice Ch. Maxwell led the Pledge to the American Flag.

5. Approval of Previous Minutes – 6/3,2021, 6/8/2021, 6/15/2021, 6/15/2021, 6/22/2021, 6/30/2021

Motion to approve the minutes: Sammy Reece

Second: Keith Gardiner

Vote: 5:0

All aye votes and the motion passed.

6. Public Hearing: NONE

7. Banks 59 Business Park Road Name

Ch. Turk stated there were three suggestions for the road name and they were Banks Hatchery Way, BanksMar Way and Hatchery Way.

Motion to name the road Hatchery Way: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

8. FY2021 Budget Amendment Resolution

Randy Failyer

Randy Failyer Finance Officer stated the FY2021 budget needed to be amended. He stated there were no increases or decreases just some cleanup departmentally for preparation of the annual audit.

Motion to approve the FY2021 Budget Amendment Resolution: Charles Turk

Second: Bo Garrison

Vote: 5:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-3) 2021-07

9. Contracts and Agreements

a. GA Hwy 59 & GA Hwy 63 Water Main Relocation Bid Award & Contract Award

Horace Gee

Horace Gee Public Utilities Director stated this project was due to GDOT replacing a bridge and installing a roundabout at the intersection of Hwy. 59 and Hwy. 63 which would require moving the watermain 13 ft. He stated there was a pre-bid meeting held and there were four contractors that submitted a bid for the project.

Mr. Gee further stated the bids were as follows:

Cedar Farms & Construction, Inc.	\$673,174.60
Griffin Brothers, Inc.	\$359,354.24
G.S. Construction, Inc.	\$756,645.00
Higgins Construction Company, Inc.	\$399,512.50

Mr. Gee stated that he recommended awarding the project and issuing a notice to proceed to the low bidder Griffin Brothers, Inc. in the amount of \$359,354.24.

Mr. Gee stated the bids had been certified by Carter & Sloope and that everything was correct. He further stated that all but one contractor was present at the bid opening.

Comm. Garrison asked Mr. Gee to explain to the public how the bid openings were handled in order to settle some questions that some of the public had. Mr. Gee stated the process started with advertising and if the project was anticipated to be over \$100,000 it had to be placed on the Georgia Procurement Website which was managed by a construction company and the State of Georgia. He stated when placing a bid on the Georgia Procurement Website, the bid was put out to all vendors in the entire southeast and throughout the State of Georgia. He stated depending on the project there were over 1,000 companies eligible to bid on the projects. He

stated the bids were advertised in the legal organ and on the County website for a period of no less than 30 days. He further stated there was a pre-bid meeting held in order to ensure that all contractors were aware of the construction, materials and requirements of all things involved with the project. He stated two weeks after the pre-bid there would be a bid opening. The bid was required to be submitted in a sealed packet and submitted to the office and stamped received with the time and date the packet was received. The bid was opened in the presence of the contractors and looked through to see if the required bond and other documents were included in the bid packet that was submitted. He stated when the bid opening was finished the low bid was just the apparent low bid until the engineers Carter & Sloope go through each line item to check for correctness and then the bid was certified and the results were given back to Mr. Gee in which he then would ask the Chairman to place the bid award on the agenda for approval.

Motion to approve the low bid from Griffin Brothers and the contract in the amount of \$359,354.24: Keith Gardiner

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Contract filed in Attachment to Minutes Book 10-3)

b. FY2022 Prison Work Detail Contract

Randy Failyer

Mr. Failyer stated we currently had a contract with the Georgia Department of Corrections but we only pay on the days a detail comes out. He stated since COVID that had not happened but he would like to continue the contract. He stated that if this contract doesn't work out then the contract could be canceled as long as the County gave a seven-day notice to the Ga Dept of Corrections. Ch. Turk stated the goal was to get prisoners from Banks County for the work detail as soon as the Sheriff's Office could find someone to take them out.

Motion to approve the contract and authorization for the Chairman to sign the contract: Danny Maxwell

Second: Bo Garrison

Vote: 5:0

All aye votes and the motion passed.

(Copy of Contract filed in Attachment to Minutes Book 10-3)

c. Pre-Trial Intervention & Diversion Program Contract: CSRA Probation Services, Inc.

Randy Failyer

Mr. Failyer stated this was a contract for probation services at no cost to the County. He stated this contract needed to be approved and authorize the Chairman to sign pending the County Attorney's approval.

Motion to approve the contract with authorization for the Chairman to sign the contract pending the Attorney's approval: Keith Gardiner

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of Contract filed in Attachment to Minutes Book 10-3)

d. Legacy Link Commitment Letter

Randy Failyer

Mr. Failyer stated Legacy Link provided a lot of services to the Senior Center including Meals on Wheels.

Motion to approve the letter and authorize the Chairman to sign the letter: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of Commitment filed in Attachment to Minutes Book 10-3)

e. Burn Permit Service Agreement: Fractal SAAS, Inc.

Steve Nichols

Fire Chief Steve Nichols stated as of July 1, 2021 the State of Georgia would no longer be issuing burn permits for vegetative burns but would still issue agricultural, clearing and controlled burn permits. Chief Nichols stated without a burn permitting system in place it would allow people to burn whenever, even in unsafe conditions. He stated he recommended Fractal SAAS, Inc. to do the burn permits with an estimated cost of 40 cents per permit which averaged about \$4,600 a year. Chief Nichols further stated the County only paid for the permits issued.

Motion to authorize the Chairman to sign the contract pending the County Attorney's approval:

Bo Garrison

Second: Keith Gardiner

Vote: 5:0

All aye votes and the motion passed.

(Copy of Contract filed in Attachment to Minutes Book 10-3)

10. Boards & Authorities:

a. Recreation Board Amending Resolution Ratification

Ch. Turk stated this was a resolution to activate a seven-member recreation board with staggered terms. County Clerk Jenni Gailey stated this was approved last month but the attorney had drafted it in resolution form.

Motion to ratify the resolution: Danny Maxwell

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-3) 2021-08

b. Recreation Board: 3-year term

Motion to appoint Kulisha Beasley to the Recreation Board for a 3-year term: Danny Maxwell

Second: Bo Garrison

Vote: 5:0

All aye votes and the motion passed.

c. Recreation Board: 3-year term

Motion to appoint Major Hunter to the Recreation Board for a 3-year term: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

d. Recreation Board: 3-year term

Motion to appoint Matthew Poole to the Recreation Board for a 2-year term: Bo Garrison

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

e. Recreation Board: 2-year term

Motion to appoint Ashley Hancock to the Recreation Board for a 2-year term: Keith Gardiner

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

f. Recreation Board: 2-year term

Motion to appoint Christopher Heath to the Recreation Board for a 2-year term: Bo Garrison

Second: Keith Gardiner

Vote: 5:0

All aye votes and the motion passed.

g. Recreation Board: 1-year term

Motion to appoint Christopher Baker to the Recreation Board for a 1-year term: Danny Maxwell

Second: John Rylee

Vote: 5:0

All aye votes and the motion passed.

i. Board of Elections: 2 positions vacant

Ch. Turk stated there were two vacant positions on the Board of Elections.

Sammy Reece made a motion to approve the following names to send to the Chief Judge of Banks County Superior Court for appointment to the Board of Elections:

Janet Lynn Telford

Joan B. Parks

Rita Crane Pickens

Wanda Eubanks

Sharon Pruitt

Eleanor Neal Smith

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

11. Subdivision Regulations Worksession

The following zoning codes were discussed:

Section 74-61 - Definitions

- Add: *subdivide* as a definition
- Change: Class III Subdivide would be 5 -9 homes
- Add: Class IV Subdivision which would include 10 or more homes and require R-1 zoning.

Section 74-123 – Access

- Add: Class III and Class IV subdivide would require a road study
- Change: the wording from subdivision in Class III to subdivide
- Change: right-of-way to 150 ft.
- Add: *or state maintained public access road*
- Change: 75 lots to 50 lots and 100 lots to 75 lots
- Add: each Class II, Class III, Class IV subdivide shall have a driveway for each lot.

Section 74-126 – Easements

- Change: All easements must be 20 ft. and come before the Planning Board and Commissioners for approval.

Section 74-164 – Cul-de-sacs or dead-end streets

- Add: Cul-de-sacs shall be a minimum of 100 ft.

Section 74-168 – Right-of-way on existing streets.

- Change: right-of-way that is dedicated must be 75 ft. (a) and (b)

Section 74-171 – Single entry road restriction

- Change: 75 lots to 50 lots

Section 74-202 – Lot size and proportions.

- Change: lot size to 2 acre lots

Section 74-204 – Panhandle or flag lots

- Change: pan-handle and flag lots are prohibited.

Section 74-205 Building setback lines

- Change: to 75 ft. setback

Section 74-206 – Utilities

- Add: Class II, Class III subdivide and Class IV subdivision

Section 74-234 – Storm drainage

- Add: *a copy of as-builts shall be provided at the end of construction.*

Section 74-235 – Storm drainage plan

- Add: *a copy of as-builts shall be provided at the end of construction.*

Section 74-238 – Water supply system

- Change: 1,000 ft. to 500 ft. for fire hydrants

Section 74-242 – Guarantee of quality of improvements

- Change: (5) \$300,000 per mile to \$500,000 per mile
- (6) Consider rewriting section to say *final plat will not be signed until roads are completed.*

Section 74-243 – Minimum access standards and prohibition of chain subdivisions in Class I and Class II subdivision

- Change: (d) two years to three years

Adjournment

Motion to adjourn the meeting: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

Chairman

Assistant County Clerk
