

The Banks County Board of Commissioners held a regular meeting on October 9, 2012 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex. Present were Chairman Milton Dalton, Vice Chairman Charles Turk and Commissioners Danny Maxwell, Sammy Reece and Ernest Rogers. County Attorney Randall Frost was also present.

1. Call to Order

Ch. Dalton called the meeting to order.

2. Approval of Agenda

Vice Ch. Turk made a motion to amend the agenda to move "15. Executive Session: Personnel" to "8." and to add "16. Dr. Kinsey Phillips Road Name" and "17. Candler St Underground Storage Tank Closure Proposal". All other items will be moved accordingly. Comm. Maxwell seconded. All aye votes and the agenda was approved.

3. Prayer

Ch. Dalton asked for a moment of silence.

4. Pledge to the American Flag

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

5. Approval of Invoices

Comm. Rogers made a motion to approve the invoices as previously furnished members.

Comm. Maxwell seconded. All aye votes and the motion carried.

6. Approval of Previous Minutes – 9/11, 9/13, 9/14, 9/20, 9/25

Vice Ch. Turk made a motion to approve the minutes. Comm. Rogers seconded. All aye votes and the motion carried.

7. Public Hearing to Consider Planning Commission Recommendations:

a. Z-12-06 – Tyler Maney & Larry Maney – Application to rezone 19.66 acres at the corner of Damascus Road and Highway 184 from ARR, Agricultural, Rural-Residential to CAD, Commercial Agricultural District.

Ch. Dalton closed the meeting and opened the public hearing. Atty Frost presented the application and then asked Community Developer Brad Day to present the recommendation of the Planning Commission. Mr. Day stated the Planning Commission recommended approval of the application. Tyler Maney was present to speak in favor of the application by stating they just wanted the property to be rezoned to CAD. Atty Frost closed the public hearing. Ch. Dalton opened the meeting. Comm. Reece made a motion to approve the application. Comm. Maxwell seconded. All aye votes and motion carried.

b. Z-12-07 – Jane Maney & Larry Maney – Application to rezone 57.91 acres on Damascus Road from ARR, Agricultural, Rural-Residential to CAD, Commercial Agricultural District.

Ch. Dalton closed the meeting and opened the public hearing. Atty Frost presented the application and then asked Community Developer Brad Day to present the recommendation of the Planning Commission. Mr. Day stated the Planning Commission recommended approval of the application. Larry Maney was present to speak in favor of the application by stating they just wanted the property to be rezoned to CAD. Atty Frost closed the public hearing. Ch. Dalton

opened the meeting. Comm. Maxwell made a motion to approve the application. Comm. Reece seconded. All aye votes and motion carried.

8. Executive Session: Personnel

Comm. Reece made a motion to enter into executive session to discuss personnel. Vice Ch. Turk seconded. All aye votes and the session started at 6:39 p.m.

Comm. Maxwell made a motion to close the executive session. Vice Ch. Turk seconded. All aye votes and the executive session ended at 6:55 p.m. *(Copy of affidavit filed in Attachment to Minutes Book #9-4)*

9. Employee Appeal Hearing - Delores McGee

Tabled: 9/11/2012

Ch. Dalton asked for a motion to untable this item for consideration. Vice Ch. Turk made a motion to bring the item from the table. Comm. Maxwell seconded. All aye votes and motion carried. Appeals Officer Randall Frost stated it was his recommendation to accept the letter of resignation dated June 12, 2012 from Delores McGee. He stated if she wanted to write a letter to go into her personnel file that was her prerogative. He also stated she resigned in good standing and is eligible for rehire however, restored tenure would not be allowable in the rehire based on the Banks County personnel policies. He also stated her current certifications were in good standing and that there should be no letters or anything in her file that should affect the current status of the certifications. He finally stated Paid Time Off hours that had been rolled over into Extended Illness Bank hours were not compensable according to the Banks County personnel policies. He then stated that was his recommendations. Ch. Dalton then asked for a motion toward the appeal decision. There was no action on this item.

Tabor McCoy Resignation

Ch. Dalton stated Ms. McCoy had submitted a letter of resignation earlier in the day and proceeded to read the letter. *(Copy of letter filed in Attachment to Minutes Book 9-4)* Vice Ch. Turk made a motion to accept the letter of resignation. Comm. Maxwell seconded. All aye votes and motion carried.

10. Copier Replacements – Athens Digital

Beth Matthews

Ms. Matthews stated she had inventoried the copiers that Banks County currently were leasing and had identified 10 copiers eligible for upgrade. She stated she could save the county money as follows:

Current Leases: \$1,327.00 + \$576.02 = \$1,903.02/month

Proposed upgrade: \$1,830.19/month

Savings to county: \$72.83/month

Maintenance cost will be cut approximately in half from \$.08/color copies to \$.05/color copies. She also stated any remaining lease amounts would be paid back to the county by Athens Digital. She stated the upgrade would include all parts, set up and installation, removal & storage of current copiers – will ship back when the current lease is cancelled. All copiers would have the color scan option for e-faxing in color. They would still print in black & white but would scan in color if e-faxing is necessary. Mr. Failyer stated this would make all county copier leases with one vendor and that the leasing funds were already budgeted. He stated the county owns some copiers in the District Attorney, Clerk of Superior Court, Superior Court and the Magistrate Court offices. These would be used until they could not be used anymore. Comm. Reece made

a motion to approve the upgrade with Athens Digital for a 5 year lease on all 10 copiers. Comm. Maxwell seconded. All aye votes and motion carried.

11. Abandonment of Pace Rd

Tabled: 9/11/2012

Comm. Maxwell made a motion to bring the item from the table. Comm. Reece seconded. All aye votes and motion carried. Pace Rd property owner Paul Murphy was present to answer questions. Comm. Rogers asked Mr. Murphy if they had a problem with installing a gate on the road. He stated he nor Jarvis Mealor had a problem with installing gates. Vice Ch. Turk stated the road no longer was needed for public purposes and made a motion to close the portion of the road from the water tank driveway to Hawkins Rd with the condition that easements are obtained for the entire road from the landowners to Banks County. Comm. Maxwell seconded. All aye votes and motion carried. *(Copy of "Request to Close Pace Road" and location map filed in Attachment to Minutes Book #9-4)*

12. Redevelopment Area Designation Resolution

Brad Day

Mr. Day stated he was asking for approval of a resolution designating the Banks Crossing area - 2,300 acres - as a blighted/slum area. He stated this was only a technical term that was necessary to create opportunity zones for redevelopment and stated 3 public meetings had been held concerning the redevelopment plan. He stated the Department of Community Affairs and the Georgia Mountain Regional Commission had ridden the area and submitted input toward the designation. He then introduced Woody Giles of Tunnell, Spangler & Walsh who gave an overview of the Redevelopment Plan that will be considered in the October 23rd meeting. Mr. Giles presented recommendations in the areas that will be included in the 25 year redevelopment plan. The areas are Land Use, Transportation, Infrastructure and Economic Development. Comm. Maxwell reconfirmed that public hearings had been held concerning the redevelopment plan. Mr. Giles stated and that the recommendations are based on community input. Comm. Reece made a motion to approve the resolution. Vice Ch. Turk seconded. All aye votes and motion carried. *(Copy of resolution filed in Attachment to Minutes Book #9-4) 2012-16*

13. Baldwin Communications Tower Bid Award

Deidra Moore

Ms. Moore stated only one bid had been received. Gunby Communications submitted the only bid in the amount of \$262,794.43. Vice Ch. Turk made a motion to approve Gunby Communications as low bidder. Finance Officer Randy Failyer stated the construction would be paid for out of the 2006 SPLOST PAYG fund under the Narrowband project. Comm. Reece seconded. All aye votes and motion carried.

14. 2012 Local Option Sales Tax Distribution

Ch. Dalton stated the county was still waiting for the cities distribution percentages in order to send the distribution certificate to the Department of Revenue Commissioner.

15. Boards & Authorities:

a. Industrial Building Authority - Jack Banks

Tabled: 9/11/2012

b. Industrial Building Authority - Dennis Brown

Tabled: 9/11/2012

c. Industrial Building Authority - Jimmy Morrison

Tabled: 9/11/2012

Items left on table.

d. Planning Commission

Brad McCook

Vice Ch. Turk made a motion to reappoint Mr. McCook to another 4 year term. Comm. Reece seconded. All aye votes and motion carried.

e. Planning Commission

Albert Ward

Comm. Reece made a motion to reappoint Mr. Ward to another 4 year term. Comm. Maxwell seconded. All aye votes and motion carried.

16. Dr. Kinsey Phillips Road Name

Deidra Moore

Ms. Moore stated this was a county maintained road. Vice Ch. Turk made a motion to name the road Phillips Road. Comm. Reece seconded. All aye votes and motion carried. *(Copy of location map filed in Attachment to Minutes Book 9-4)*

17. Candler Street Underground Storage Tank Closure Status: Environmental Monitoring

Comm. Reece made a motion to table this item until a called meeting on October 16, 2012 at 5:30 p.m. Vice Ch. Turk seconded. All aye votes and motion carried.

18. Adjournment

Comm. Reece made a motion to adjourn the meeting. Vice Ch. Turk seconded. All aye votes and the meeting was adjourned at 8:05 p.m.

Chairman

County Clerk
