

The Banks County Board of Commissioners held their regular meeting on January 24, 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**

Commissioner Rogers made a motion to approve the agenda. Comm. Maxwell seconded. All aye votes and the agenda was approved as amended.

**3. Prayer**

Ch. Dalton asked for a moment of silent prayer.

**4. Pledge to the American Flag**

Ch. Dalton led the pledge to the American flag.

**5. Public Hearings to Consider Planning Commission Recommendations: NONE**

**6. Public Comment:**

**a. County Departments**

*Sam Moon*

Mr. Moon stated he was speaking for himself and 4 other concerned long time citizens of Banks County. He stated he had 5 areas of concern that he wanted to address as follows:

**1. Landfill**

He stated the need for a plan on what to do when the current landfill is full and asked if the county will be ready. He stated this was a valid concern that needed to be addressed.

**2. Water**

He asked if we are prepared for growth and do we have a long range plan.

**3. Roads**

He stated some paved as well as dirt roads were in terrible condition. He also stated that some dirt roads were not being scraped properly.

**4. Taxes**

He asked that the Commission Board be very frugal and that they require justification of all expenses.

**5. General Personnel**

He stated concerns with the public perception of government offices especially concerning the treatment of a certain gender. He stated additional concern with county vehicles traveling outside the county with more than one employee. He also said some county vehicles had been seen as late as 9:00 a.m. on work days at eating establishments.

He asked the board to take these concerns seriously and to mull over ways to improve the concerns and to address each one.

## **7. Family Connections Fiscal Agent**

*Robin Trotter*

Ms. Trotter stated this was the Fiscal Agent portion of the grant application process and she further stated the grant request for FY2013 would be in the amount of \$44,000 if there are no reductions in funding. She stated however that the Commissioners are only agreeing to be fiscal agent for another year with this agreement. Comm. Maxwell and Comm. Reece stated they had not received any information concerning meetings or events with Family Connections since they had been in office. Ms. Trotter stated she would make sure they received notifications in the future. Comm. Rogers and Vice Ch. Turk asked for periodic reports and statistics involved with the program. Ms. Trotter stated she would be presenting that information in March. Vice Ch. Turk also asked for minutes to the meetings and asked that the Chairman of the Family Connections Board be present when future requests are made to the commission board. Comm. Reece made a motion to approve the agreement. Vice Ch. Turk seconded. All aye votes and motion carried. ***(Copy of agreement filed in Attachment to Minutes Book #9-2)***

## **8. Rindt McDuff & Associates Progress Report**

*Mike Lott*

Principle Engineer Mike Lott gave a report on the progress of current projects as follows:

### **1. Mountain Creek Clearwell**

He stated there had been a dispute with Higgins Construction and Crom Corporation but it had since been settled. He stated he expected the project to be closed out within two weeks after the final punch list has been addressed.

### **2. Alto Water Connection**

He stated the connection was almost complete.

### **3. Additional Water Withdrawal Permit**

He stated EPD seemed favorable of the additional 170,000 gallon withdrawal permit but had not been able to visit the site to make a decision yet.

### **4. Long Range Water Plan**

He stated the plan was not current and asked for permission for Rindt McDuff & Associates to bring the plan up to date. Comm. Rogers stated he would talk to Public Utilities Director Steve Reece concerning the plan update.

## **9. Contracts & Agreements:**

### **a. *Uchee Lodge Lease Agreement***

*Boy Scouts*

Tim Wilbanks with the Boy Scouts stated they had signed the agreement and would have the proof of liability coverage statement soon. Comm. Rogers stated concerns with leasing the whole 152 acres and stated the need to word the contract to show that the scouts have access to the whole 152 acres but the county would also have access. He then asked the county attorney to review the agreement and make any needed changes. The agreement will be considered in a future meeting.

### **b. *qPublic.net Data Brokerage & Revenue Sharing Agreement***

*Kevin Whitman*

Mr. Whitman stated the agreement would be a revenue share with the county and qPublic. He stated this would allow qPublic to sell parcel data, to create a comp finder

search website, and to allow online advertising on the mapping website. He stated the county would receive quarterly reports of all sales and ad fees and a yearly credit would go toward the host fee paid to qPublic. He further stated there would be no upfront costs. Comm. Rogers asked Atty Frost if he had reviewed the agreement. Atty Frost stated yes and that he saw no problem with the agreement except in how it related to open records requests. qPublic stated they had been doing this for other jurisdictions and no problems had arisen. Atty Frost stated the agreement may be terminated with 30 days notice in any event. Comm. Rogers asked Mr. Whitman to check into how the county would hold qPublic accountable for all funds received. He then stated the commissioners would consider this at the February meeting.

**c. County Phone System – Windstream**

*Randy Failyer*

Mr. Failyer stated the advantages of going with the new system as follows:

1. Single network for all county locations
2. Secure access to county servers from all locations
3. Ability to provide quality of service for voice traffic
4. Ability to reduce costs through consolidation
5. Resolution of call quality issues at the courthouse
6. Single system used by all county employees
7. 3 digit dialing to all locations
8. Direct inward dial numbers for all employees
9. If a T1 or a core phone switch goes down the system stays up
10. Cost savings by reduction in phone lines

He then stated he recommended Option 3 of the cost analysis presented by Windstream and further stated after the initial purchase of additional equipment it would be a monthly savings to the county in the amount of \$1,102. Comm. Rogers stated the existing microwave system would be removed and may affect additional savings on the maintenance contract. Comm. Rogers made a motion to approve Option 3 of the proposed contract and to allow the Chairman to sign the contracts after the county attorney has approved the contract. Comm. Reece seconded. All aye votes and motion carried. ***(Copy of agreements filed in Attachment to Minutes Book #9-2)***

**10. Executive Session: Litigation**

Comm. Maxwell made a motion to go into executive session to discuss litigation at 7:34 p.m. Vice Ch. Turk seconded. All aye votes and motion carried. Vice Ch. Turk made a motion to come out of executive session at 7:47 p.m. Comm. Rogers seconded. All aye votes and motion carried. ***(Copy of affidavit filed in Attachment to Minutes Book #9-3)***

***Landfill Settlement***

Atty Frost stated the following:

“The County has resolved the law suit with R & B Landfill. The Court has entered a consent order that determines that the disputed portion of Poole Road is not a public road. In addition the County as a part of the settlement will receive \$1,000,000; the costs to run a water main along the paved portion of Poole Road such costs not to exceed \$90,000; increase the host fee paid to the County from \$1.00 to \$1.85 per ton; if R & B Landfill begins commercial operation of a gas plant substation on the landfill property to pay the County an additional \$0.15 cents per

ton as additional increase in host fee and R & B Landfill will not request any permits for any expansion onto the Garrison property prior to January 1, 2020.”

**11. Adjournment**

With no more business, Vice Ch. Turk made a motion to adjourn the meeting. Comm. Maxwell seconded. All aye votes and motion carried. The meeting adjourned at 7:49 p.m.

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Chairman

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County Clerk

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