



BANKS COUNTY BOARD OF COMMISSIONERS MEETING

Courthouse Annex Boardroom | 150 Hudson Ridge | Homer, GA 30547

Tuesday, January 11, 2022 at 6:30 PM

MINUTES

1. CALL TO ORDER

Chairman Turk called the meeting to order.

PRESENT

Chairman Charles Turk

Vice Chairman Danny Maxwell

Commissioner Bo Garrison

Commissioner Sammy Reece

Commissioner Keith Gardiner

2. APPROVAL OF AGENDA

Ch. Turk stated the agenda needed to be amended as follows:

Add Item 10 b. GDOT Policy

Move Executive Session-Personnel to Item 12 which will make Public Hearing Item 13, Resolutions and Ordinances Item 14, and Adjournment Item 15.

Motion to approve the agenda as amended.

Motion made by Chairman Turk, Seconded by Vice Chairman Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

3. APPROVAL OF MINUTES

a. 12/14/2021 Minutes

Motion to approve the minutes.

Motion made by Commissioner Reece, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

4. PLEDGE TO THE AMERICAN FLAG:

Vice Chairman Maxwell led the Pledge to the American Flag.

5. CHAIRMAN'S REPORT

Ch. Turk reported on the following:

- E911 calls received – Fire/EMS 323 – Sheriff’s Office 3,271
- Covid Cases – 821 positive cases/100,000 people.
 - The bridge on Hwy 59 between Hwy 63 and Hwy 164 will be closed by GDOT in order to replace the bridge.
 - Ch. Turk congratulated his old Alma-Mata UGA for the win of the National Championship.

6. SPECIAL REPORTS/PRESENTATIONS: NONE

7. PUBLIC COMMENT: NONE

8. BOARDS & AUTHORITIES: NONE

9. PREVIOUS BUSINESS ACTION: NONE

10. CURRENT BUSINESS:

a. Personnel: Personnel Policy Amendment: Arlene Ivey

Arlene Ivey, HR Director stated there needed to be an update to the personnel policy concerning paid time off. She stated the language concerning paid time off should state "If an employee changes their work status from fulltime to part-time; PTO accumulated bank will be frozen but no pay out will be made. The employee will no longer be eligible for an accrual nor will their accumulation amount increase during their part-time status should they be granted to return to fulltime. The frozen PTO bank will be paid out per the resignation guidelines (Section 1106 (vi) if an employee resigns during the part-time status".

Motion to amend the personnel policy.

Motion made by Chairman Turk, Seconded by Vice Chairman Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

(Copy of Amendment filed in Attachment to Minutes Book 10-4)

b. GDOT Policy

Tracie Hammond Senior Center/Transit Director stated the GDOT Title VI Plan for Banks County Transit had to be reevaluated every two years. She stated GDOT had approved the plan and she just needed a motion from the Commissioners to approve the plan.

Motion to approve the Title VI Plan.

Motion made by Danny Maxwell, Seconded by Bo Garrison.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

(Copy of Policy filed in Attachment to Minutes Book 10-4)

11. CONTRACTS AND AGREEMENTS:

a. Senior Services: 2022 Legacy Link RFP: Tracie Hammond

Tracie Hammond, Senior Center/Transit Director stated this proposal was for the FY2023 funding for the Senior Center through Legacy Link.

Motion to approve the Legacy Link RFP.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

12. EXECUTIVE SESSION: PERSONNEL

Motion to enter into executive session concerning personnel at 6:38 p.m.

Motion made by Commissioner Garrison, Seconded by Vice Chairman Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Motion to close the executive session at 6:53 p.m.

Vice Chairman Maxwell stepped out of the meeting.

Motion made by Commissioner Garrison, Seconded by Commissioner Reece.

Voting Yea: Chairman Turk, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

Vice Chairman Maxwell returned to the meeting.

(Copy of Affidavit filed in Attachment to Minutes Book 10-4)

13. PUBLIC HEARINGS:

a. Zoning Ordinance Amendment: Article IV: "General Provisions", Section 401 - Establishment of Districts & Section 402 - Amendment to Zoning Map

Ch. Turk stated the Planning Commission recommended no changes.

Motion to approve the amendment.

Motion made by Commissioner Gardiner, Seconded by Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2022-01

b. Zoning Ordinance Amendment: Article IV: "General Provisions", Section 409 - One Principal Building on a Lot and to Provide of More than One Building on a Lot & Section 411 - To Provide for Certain Setbacks in Paragraph (b) & Section 413 - To Provide Minimum Lot Size and Proportions

The Commissioners discussed the proposed changes and Ch. Turk listed the proposed changes as follows:

Section 413-3: Delete "One" - from the phrase "that lots for nonresidential development may be less than **one** two acres"

Motion to approve the above changes.

Motion made by Commissioner Gardiner, Seconded by Vice Chairman Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2202-2

c. Zoning Ordinance Amendment: Article IV, "General Provisions" "General Provisions", Section 417 - Home Occupations

Ch. Turk stated the Planning Commission didn't recommend any changes.

Comm. Reece stated that Home Occupancy should be changed where the businesses have to come before the Planning Commission and Commissioners to get the Home Occupancy approved.

Ch. Turk stated that it had been talked about just being approved by the Board of Commissioners.

Comm. Garrison stated this would add more red tape to the process.

Ch. Turk stated this would end people getting business license because they would have to come to a meeting twice.

Officer Ruark stated there was already criteria in the code where certain things would have to come before the board as a conditional use.

Attorney Frost stated if it comes before the Commissioners it had to go through the zoning procedures. Attorney Frost suggested coming back and revisiting the item.

Motion to table the item.

Motion made by Chairman Turk, Seconded by Commissioner Garrison.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

d. Zoning Ordinance Amendment: Article V: "CAD, Consolidated Agricultural District-Intensive", Section 502 - Permitted Uses

The Commissioners discussed the proposed changes and Ch. Turk listed the proposed changes as follows:

Section 502-8: Delete "Notwithstanding the foregoing, the structures located on the land housing the poultry and livestock shall not exceed ten percent of the land area".

Motion to approve the above changes.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yeas votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2022-3

e. Zoning Ordinance Amendment: Article V: "CAD, Consolidated Agricultural District-Intensive", Section 503 - Conditional Uses

Ch. Turk stated the Planning Commission didn't recommend any changes.

The Commissioners discussed the proposed changes and Ch. Turk listed the proposed changes as follows:

Section 503-4: Delete "or less" x 2; Add "maximum" x 2.
Delete "cows or less"; Add "cattle maximum".
Add "provided, however, if an adjoining property zoned CAD, the setback for structures housing poultry or other livestock as permitted herein or containing manure or other dust producing substances shall be 400 feet and not 600 feet from the existing dwelling unit."

Motion to approve the above changes.

Motion made by Commissioner Gardiner, Seconded by Vice Chairman Maxwell.

Voting Yeas: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yeas votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2022-04

f. Zoning Ordinance Amendment: Article VI: "ARR, Agricultural-Rural Residential District", Section 602-Permitted Uses

Ch. Turk stated this item was tabled by the Planning Commission.

g. Zoning Ordinance Amendment: Article VI: "ARR, Agricultural-Rural Residential District", Section 603 - Conditional Uses

Ch. Turk stated this item was tabled by the Planning Commission.

h. Zoning Ordinance Amendment: Article VII(A): "R-1, Single-Family Residential District", Section 701(A) Minimum Square Footage & Section 702(A) Accessory Buildings

Ch. Turk stated the Planning Commission recommendation was to change the square footage of an accessory structure to 650 ft.

The Commissioners discussed the proposed changes and Ch. Turk listed the proposed changes as follows:

Section 701-1: Delete "10 acres"; Add "5 acres".

Section 702-1: Delete "250 square feet"; Add "650 square feet"

Motion to approve the above changes.

Motion made by Commissioner Gardiner, Seconded by Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2022-05

- i. **Zoning Ordinance Amendment: Article VIII: "C-1, Neighborhood Commercial District", Section 802 - Permitted Uses to Delete Places of Public Assembly & Section 803 - Conditional Uses to Add Civic Organizations**

Ch. Turk stated this resolution needed to be deleted because it was the same as the next resolution.

Motion to approve the deletion of the above.

Motion made by Chairman Turk, Seconded by Commissioner Garrison.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

- j. **Zoning Ordinance Amendment: Article VIII: "C-1, Neighborhood Commercial District", Section 802 - Permitted Uses: Delete Public Assemblies, Section 803 - Conditional Uses: Add Civic Organizations & Mini-Warehouses and Repair of Household Appliances**

Ch. Turk stated the Planning Commission had no recommended changes.

Motion to approve the amendment.

Motion made by Commissioner Gardiner, Seconded by Vice Chairman Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2022-06

- k. **Zoning Ordinance Amendment: Article IX: "C-2, Neighborhood Commercial District", Deletion: Section 901, 902 & 903 - Addition: Section 901(A) "Purpose & Intent" and Section 902(A) "Permitted Uses"**

The Commissioners discussed the proposed changes and Ch. Turk listed the proposed changes as follows:

Ch. Turk stated that the pre-amble and paragraph two needed to add "IX" after the word Article.

Section 901-2.17: Delete "500 square feet"; Add "800 square feet".

Motion to approve the above changes.

Motion made by Commissioner Gardiner, Seconded by Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2022-07

I. Zoning Ordinance Amendments: Article IX(A): Addition New Article IX(B)-C-3, Section 901(B) and 902(B) - "Warehouses and Distribution"

Ch. Turk stated the Planning Commission recommended a minimum of 100 ft. setback on all sides and a buffer on three sides from the property line.

Comm. Reece stated he thought a minimum of 100 acres needed to be taken out.

Motion to table the item.

Motion made by Commissioner Garrison, Seconded by Chairman Turk.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

m. Zoning Ordinance Amendments: Article X: "M-1, Industrial District" Section 1002 - "Permitted Uses" Deletion: Agricultural Uses, Distribution of Products and Merchandise, Mini Warehouse and Storage Facilities and Repair Household Appliances & Addition: Planer Mills and Saw Mills

Ch. Turk stated the Planning Commission made no recommended changes.

Motion to approve the amendment.

Motion made by Commissioner Garrison, Seconded by Vice Chairman Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2022-08

n. Zoning Ordinance Amendment: Article XII: "Administration, Interpretation, Enforcement, Penalties, and Remedies", Section 1204 - Building Permit Required to Provide for a Site Plan on Five Acres or Less

Ch. Turk stated the Planning Commission recommended approving the resolution as is.

Motion to approve the amendment.

Motion made by Chairman Turk, Seconded by Commissioner Garrison.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2022-09

o. Zoning Ordinance Amendment: Article XXI: "Office and Light Industrial District (OLI)" - Changing the District Name and Deleting the Light Industrial Uses in the District

Ch. Turk stated the Planning Commission recommended approving the resolution as is.

Motion to approve the amendment.

Motion made by Commissioner Gardiner, Seconded by Vice Chairman Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.
(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2022-10

14. RESOLUTIONS AND ORDINANCES: NONE

15. ADJOURNMENT

Motion to adjourn the meeting at 8:30 p.m.

Motion made by Commissioner Reece, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece,
Commissioner Gardiner

Vote: 5:0

All yea votes and the motion passed.

Chairman

Assistant County Clerk
