



# BANKS COUNTY BOARD OF COMMISSIONERS MEETING

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

Tuesday, January 10, 2023 at 6:30 PM

## MINUTES

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### 1. CALL TO ORDER

Ch. Turk called the meeting to order.

#### PRESENT

Chairman Charles Turk  
Vice Chairman Danny Maxwell  
Commissioner Chris Ausburn  
Commissioner Keith Gardiner  
Commissioner Bo Garrison

### 2. APPROVAL OF AGENDA

Motion to approve the agenda.

Motion made by Commissioner Gardiner, Seconded by Chairman Turk.

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

Vote: 5:0

All yea votes and the motion passed.

### 3. APPROVAL OF MINUTES

#### a. 12/13/2022 Minutes

Motion to approve the minutes.

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

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

Vote: 5:0

All yea votes and 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:

- 911 calls received for December was 352 Fire/EMS and 3,457 Sheriff Office. Total calls received for 2022 were 3,928 Fire/EMS and 36,906 Sheriff Office calls.
- Ch. Turk welcomed new Commissioner Chris Ausburn.

### 6. SPECIAL REPORTS/PRESENTATIONS:

- a. **Proclamation: Honoring Theron Ragsdale for Public Service to Banks County and beyond and in celebration of His 100th Birthday**

The Board of Commissioners presented a Proclamation honoring Theron Ragsdale for Public Service to Banks County and beyond in celebration of his 100th birthday. Ch. Turk read the attached Proclamation.

*(Copy of proclamation filed in attachment to Minute Book 10-4)*

## **7. PUBLIC HEARINGS:**

- a. CU-22-09 Paul Patel - A conditional use application submitted for a new hotel construction to be located at map and parcel B54D046 on 1.44 acres at 30393 Hwy 441 Commerce, GA 30529**

Ch. Turk informed the Commissioners that Mr. Paul Patel had recently passed away and because of this the application for construction of a hotel had been withdrawn.

- b. Abandonment of CR159/Paul White Road Public Hearing**

Ch Turk closed the meeting and Atty Frost opened the public hearing.

**Amber Sullivan - 141 Hammers Glenn Drive, Homer, GA 30547** - Stated their proposal was for the County to abandon the road so they could take full ownership of the road. They plan to put up a gate with a lock and give Mr. Cauthorn a key. She stated their lawyer had been working with Mr. Cauthorn to get a signed easement for the road if it were to be abandoned by the County.

Ms. Sullivan continued to state she thought there was concern about emergency services accessing the road when Mr. Cauthorn and his family were at the property. She stated that when any of his family was at the property, they could keep the gate open and only lock the gate when they were not there.

**Drake Cauthorn - 9425 Riviera Road, Roswell, GA 30075** - Stated he wanted to keep the road open and his attorney had prepared an easement but it would only be effective with the abandonment of the County Road.

He stated he had owned the property for 12 years and had also renovated the house on the property and felt like the road closure would negatively affect the property value.

**Colby Turpin - 275 Peyton Road, Homer, GA 30547** - Stated he wasn't in opposition because he only had a little piece of property that touched the road but would like to maintain access to the small portion of his property that touched the road. He also said if he owned 160 acres, he would not want the road closed. He continued to state that he also understood why Mr. Sullivan wanted the road closed because people came down the road for no reason and sometimes dumped trash.

Atty. Frost closed the public hearing.

Motion to leave the road open as a County road.

Motion made by Commissioner Ausburn, Seconded by Chairman Turk.

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

Vote: 5:0

All yea votes and the motion passed.

## **8. CURRENT BUSINESS:**

- a. Public Utilities: Wastewater Expansion GEFA Loan Resolution Randy Failyer**

Ch. Turk stated that the loan had already been approved and this was just the resolution from GEFA stating that the County would pay back the money.

Comm. Garrison stated he needed more time to look into things before he made a decision.

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

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Gardiner

Voting Nay: Commissioner Garrison

Vote: 4:1

Motion passed by majority vote.

*(Copy of resolution filed in attachment to Minute Book 10-4) 2023-01*

**b. 2023 Alcohol License**

Ch. Turk stated the below businesses didn't have their applications and background checks in at the last meeting. He further stated they had now applied and had their background checks.

TA Truckstop

Fuddruckers

La Hacienda

Seoul Garden

Motion to approve the above-mentioned alcohol license.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

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

Vote: 5:0

All yea votes and the motion passed.

Ch. Turk stated the 4-Way Stop had applied for their alcohol license and were awaiting the background check to be completed.

Motion to approve the license pending the approval of the background check.

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

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

Vote: 5:0

All yea votes and the motion passed.

**9. BOARDS & AUTHORITIES:**

Motion made to untable items 9a – 9c.

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

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

Vote: 5:0

All yea votes and the motion passed.

**a. Development Authority - 4-year term to begin 3/1/2023**

Motion to reappoint Scott Ledford for a 4-year term to expire on 2/28/2027.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Voting Nay: Commissioner Ausburn

Vote: 4:1

Motion passed by majority vote.

**b. Development Authority - 4-year term to begin 3/1/2023**

Motion to reappoint Jimmy Morrison for a 4-year term to expire on 2/28/2027.

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

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

Vote: 5:0

All yea votes and the motion passed.

**c. Development Authority - 4-year term to begin 3/1/2023**

Motion to appoint Drew Irvin for a 4-year term to expire 2/28/2027.

Motion made by Commissioners Garrison, Seconded by Commissioner Ausburn.

Voting Yea: Vice Chairman Maxwell, Commissioner Garrison, Commissioner Ausburn.

Voting Nay: Chairman Turk, Commissioner Gardiner.

Vote: 3:2

Motion passed by majority vote.

**d. Georgia Mountains Community Service Board - Bo Garrison Term Correction 12/31/2025**

Ch. Turk stated the term date needed to be corrected from the December meeting.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Gardiner

Voting Abstaining: Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

**10. CONTRACTS AND AGREEMENTS:**

**a. Senior Services: FY2024 Legacy Link RFP Tracie Hammond**

Motion made to table the item until the January 24, 2023 meeting.

Motion made by Chairman Turk, Seconded by Commissioner Garrison.

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

Vote: 5:0

All yea votes and the motion passed.

**b. Senior Services: FY2023 Legacy Link, Inc Contract Addendum #1**

Ch. Turk stated this was an addendum to the yearly contract for senior services.

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

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of addendum filed in attachment to Minute Book 10-4)*

**c. GIS/Mapping: 2023 Digital Orthoimagery Contract – GMRC**

Ch. Turk stated the amount was in the budget and the contract just needed to be approved.

Motion made by Commissioner Gardiner, Seconded by Commissioner Garrison.

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of contract filed in attachment to Minute Book 10-4)*

**e. Superior Ct: 2023 Probation Services Contract - CSRA Probation Services, Inc.**

Ch. Turk stated this was for probation services for superior court.

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

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

Vote: 5:0

All yea votes and the motion passed.

**11. ADJOURNMENT**

Motion to adjourn the meeting at 6:57 p.m.

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

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

Vote: 5:0

All aye votes and the motion passed.

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Chairman

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Assistant County Clerk