



BANKS COUNTY BOARD OF COMMISSIONERS MEETING

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

Tuesday, March 14, 2023 at 6:30 PM

MINUTES

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

STAFF

County Attorney Randall Frost
County Clerk Regina Gailey
Assistant County Clerk Erin Decker
HR Director Arlene Ivey
Public Utilities Director Horace Gee

2. APPROVAL OF AGENDA

Ch. Turk stated the following needed to be added to the agenda:

Add: 8b. Wastewater Truck Purchase.

Motion to approve the agenda as amended.

Motion made by Chairman Turk, 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.

3. APPROVAL OF MINUTES

a. 2/14/2023 Minutes

b. 2/21/2023 Minutes

Motion to approve the minutes.

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.

4. PLEDGE TO THE AMERICAN FLAG:

Commissioner Gardiner led the Pledge to the American Flag

5. CHAIRMAN'S REPORT

Ch. Turk reported on the following:

E911 received 238 Fire/EMS calls and 3,247 Sheriff's Office calls.

Recreation Opening Day would be held Saturday, March 18 at 9:00 a.m.

6. PUBLIC COMMENT:

None

7. BOARDS & AUTHORITIES:

a. Georgia Mountains Regional Commission Public Sector Member - Danny Maxwell resignation to expire 6/30/2023

Vice Ch. Maxwell stated that he would not be able to continue to serve on the GMRC board.

Motion to appoint Commissioner Chris Ausburn as a member of the GMRC Board for the remainder of the term which expires 12/31/2023.

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

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

Voting Abstaining: Commissioner Ausburn

Vote: 4:0

All yea votes and the motion passed.

b. Board of Tax Assessors to finish term to expire 12/31/2024

Ch. Turk stated this position would serve the remainder of the term for Martha Threatt.

Motion to appoint Gerald Parks by resolution to finish the term to expire 12/31/2024

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

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 resolution filed in attachment to Minute Book 10-5) 2023-05

c. Recreation Board to finish term to expire 6/30/2025

Ch. Turk stated that with the passing of John Rylee, the vacancy needed to be filled.

Motion to appoint Vanessa Terrell to finish the term to expire 6/30/2025.

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.

d. Recreation Board - 4-year term to expire 6/30/2027

Ch. Turk stated that Will Gordon was appointed to fill an unexpired term and that term would expire on 6/30/2023.

Motion to appoint Will Gordon for a 4-year term to expire 6/30/2027.

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

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

Vote: 5:0

All yea votes and the motion passed.

e. Recreation Board - 4-year term to expire 6/30/2027

Ch. Turk stated that Chris Heath had expressed that he no longer wanted to serve on the Recreation Board at the end of his term.

Motion to appoint Ben Ramsey to a 4-year term to expire 6/30/2027.

Motion made by Chairman Turk, 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.

8. CURRENT BUSINESS:

a. Superior Court: Mountain Judicial Circuit - Letter of Support

Ch. Turk stated that this was another Letter of Support confirming that the Commissioners still want to continue legislation to move to the Mountain Judicial Circuit. He further stated that Comm. Garrison wanted to send another letter since the board had changed members since the last letter was sent.

Motion to send a letter of support.

Motion made by Chairman Turk, 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.

(Copy of letter filed in attachment to Minute Book 10-5)

b. Wastewater Truck Purchase

Public Utilities Director Horace Gee stated the current truck had over 250,000 miles and would need replacing. He stated the Wastewater Department would start picking up some different locations that they would have to travel to and the last time the truck was in the shop they were told the motor would need to be rebuilt.

Mr. Gee stated he had received 4 quotes for a F250 Single Cab Super Duty V8 that range from \$41,885 to \$45,958. He further stated he recommended purchasing the truck from Mike Jones in Toccoa because of the location and having the truck serviced.

Motion to purchase the truck from Mike Jones Ford in the amount of \$41,885 to be paid for from the 2017 SPLOST.

Motion made by Commissioner Garrison, 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.

9. CONTRACTS AND AGREEMENTS:

a. Roads & Bridges: Motorgrader Buyback Agreement

Ch. Turk stated the board had voted back in September to lease 2 motor graders and this was an agreement for Yancey to buy back the 2 used motorgraders.

Comm. Ausburn asked if we needed 2 motorgraders at this time?

Ch. Turk stated it always seemed like things ran better when there was one on the South and North end of the County. Sometimes you might only get to run one because other equipment stayed broke down or there was only one operator. He said he had talked to Wayne and he was training an operator.

Comm. Garrison said his question was how long would the second motorgrader sit if we didn't have operators trained?

Comm. Gardiner stated he had talked to Finance Officer Randy Failyer about the motorgraders and there was a maximum of 2,000 hours and also when you lease two pieces of equipment the cost would be alot lower. He also stated if you had a machine tear up then you had a back up and wouldn't have to wait months to get another one delivered.

Comm. Ausburn stated even through it had already been voted on he would hate for waste that kind of money each month.

Ch. Turk stated he didn't think it would be sitting and alot of what had happened was because we had so many equipment breakdowns. Hopefully with new tractors, bushhogs and side arms mowers, things would run more smoothly.

Comm. Garrison stated his answer was the road department had to step up and start cross-training people on every piece of equipment.

Vice Ch. Maxwell stated his concern was if you just had one and something were to happen to it, you wouldn't be able to get another one for months. He said you couldn't let these roads go. You have to have it to maintain our roads.

Ch. Turk also stated if you had just one and it was on the South end and you get calls about roads on the North end after ends, you have to get those roads done or people aren't gonne be able to get in and out. If you started moving a motorgrader from one end of the County to the other, it wouldn't last long.

Comm. Ausburn stated that a motorgrader was parked at Irvin's store last summer for about 5-6 weeks, so if we were gonna have it, we needed to use it.

Ch. Turk stated alot of it depends on what they are doing at that time. Like if its time to cut right-of-way and it hadn't rained in a while there wasn't a lot of grading to do.

Vice Ch. Maxwell stated an issue that needed to be addressed was getting open positions filled.

Comm. Ausburn said if we need it and would run it he didn't have as much of a problem spending \$3,500 a month. Unless it just sat there and then that was his issue.

Motion to approve the lease buyback agreement.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Gardiner, Commissioner Garrison
Voting Nay: Commissioner Ausburn
Vote: 4:1

Motion passed by the majority vote.

(Copy of agreement filed in attachment to Minute Book 10-5)

b. Roads & Bridges: Various Roads - R&B SPLOST - Bid 309-223-691 - Bid Award & Contract Approval

Ch. Turk stated there was an Initiation for Bid for resurfacing Harden Bridge Rd., Morris Gardiner Rd., Industrial Park Blvd., W. Ridgeway Road and Anthony Lane. He stated the low bidder was Stratton & Sons Construction in the amount of \$1,695,134.50. Ch. Turk continued to say this was the low bid and our engineers KCI Technologies recommended the low bid.

Comm. Garrison asked how was the bids advertised? Assistant County Clerk Erin Decker stated that it was advertised on the State site, the newspaper and the County website.

Comm. Garrison continued to state he had someone local tell him they had come in several times and asked to be on the bidders list. Ch. Turk stated there wasn't a list because the bids are advertised. Comm. Garrison stated so we don't have a list for our local contractors for us to send out a notice of bids to?

Ch. Turk asked what would happen if we missed someone. Comm. Garrison said if the contractor completes the info for the bidder's list then that would be who the bids were sent to.

Comm. Gardiner stated during a meeting several months ago it was approved for these roads to be put out to bid. Ch. Turk stated there were several bidders. Comm. Garrison stated that if there were a bidders list then everyone would have a chance to bid the project instead of just the companies that the engineering group gave us.

Ch. Turk stated what if a company was missed? Comm. Garrison said it would be up to the company to come and sign up for the list. Ch. Turk asked how people would be notified of the list and Comm. Garrison said word of mouth and the newspaper. Comm. Gardiner stated again that the projects were announced in the paper.

Comm. Ausburn stated he thought a vendors list was a good idea.

Ms. Decker stated that our engineers didn't tell the County who to send the bids out to. Comm. Garrison stated we should have a local bidders list because after all they are the ones supporting us.

Comm. Garrison stated he thought it was time that the staff was directed to start working on the bidders list so the Commissioners could implement it at the next meeting.

Ch. Turk thought the best way to make the list was by the current business license list because you had to have a business license to do business with Banks County. Comm. Gardiner stated he didn't have a problem with doing a list, but they needed to have a business license.

Motion to approve the bid award and contract for Stratton & Sons in the amount of \$1,695,134.50 to be paid from the 2018 R&B SPLOST.

Motion made by Commissioner Gardiner, 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 contract filed in attachment to Minute Book 10-5)

c. Roads & Bridges: Hickory Flat Rd Bid 309-223-298 Bid Award & Contract Approval

Ch. Turk stated this bid was for resurfacing Hickory Flat Road and to be paid for from the 2023 LMIG. The low bidder was Stratton & Sons Construction in the amount of \$725,275.00.

Motion to approve the bid award and contract for Stratton & Sons in the amount of \$725,275.00 to be paid from the 2023 LMIG and 2018 R& B SPLOST.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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 10-5)

d. Roads & Bridges: Patterson Way Bid 309-223-023 Bid Award & Contract Approval

Ch. Turk stated this project would make Patterson Way one-way and paved all the way through and add an additional 80 parking spaces since we have new ball fields. The low bid was Stratton & Sons Construction in the amount of \$36,711.50.

Motion to approve the bid award and contract for Stratton & Sons in the amount of \$36,711.50 to be paid from the 2018 R&B SPLOST.

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 contract filed in attachment to Minute Book 10-5)

e. Public Utilities: 2023 GEFA CW2019015 Loan Modification

Ch. Turk stated this was just a modification of a GEFA loan to extend out the date until October but did not add any additional funds to the loan amount.

Comm. Garrison asked what line this was for? Ch. Turk stated it was for the line to the landfill.

Motion to approve the loan modification and authorize the Chairman. to sign the documents.

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 aye votes and the motion passed.

(Copy of resolution filed in attachment to Minute Book 10-5) 2023-02

f. Public Transportation: FTA5311-FY2023 Transit Operating Supplemental Agreement Ratification - GDOT

Ch. Turk stated this was for new computers for the transit system. The federal government would pay \$2,560 and the state would pay \$320 and the County match would be 10% of the total cost of the computer.

Motion to ratify the Chairman's signature and approve the contract in the amount of \$320.

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.

(Copy of contract filed in attachment to Minute Book 10-5)

g. Human Resources: Benefit Support, Inc. - Agreement for Plan Supervision - Arlene Ivey

Human Resources Director Arlene Ivey stated this was an agreement for plan supervision for Benefit Support.

Ms. Ivey stated this was for Benefit Support to manage the claims and they had been doing this since July, but they had a staff change at Benefit Support and realized this was an oversight that didn't get approved back in July.

This agreement also stated that the County would have to notify Benefit Support 45 days prior to the cancellation of the plan.

Motion to authorize the Chairman to sign the agreement.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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 agreement filed in attachment to Minute Book 10-5)

h. Superior Court: Piedmont Judicial Circuit District Attorney Pre-Trial Intervention and Diversion Program Professional Services Agreement - CSRA Probation Services, Inc.

Ch. Turk stated we had used CSRA for several years. County Clerk Regina Gailey stated Clerk of Court Tim Harper stated this was a change with CSRA with the process of collecting probation service fees. This way CSRA would take their fees out first and then issue the County payment.

Comm. Garrison stated this would streamline the process and cut out some paperwork for Tim Harper.

Motion to approve the agreement.

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 contract filed in attachment to Minute Book 10-5)

i. Board of Assessors: Crexi - Commercial Sale Info for Comps

Ch. Turk stated this was a contract from CREXI that cost half as much as the other company they were using. This contract was to help with the commercial appraisals because of sales and information that the Tax Assessors were not able to get so the County could have a more accurate appraisal of commercial property. The contract was for a 12-month period at the cost of \$199 a month.

Motion made by Commissioner Garrison, 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.

(Copy of contract filed in attachment to Minute Book 10-5)

10. RESOLUTIONS & ORDINANCES:

a. Opioid Class Action Suit Resolution

County Attorney Randall Frost stated this resolution had to be passed by April 18, 2023 so funds could be awarded from the Opioid Class Action Suit and needed to authorize the Chairman to sign the resolution.

Motion to approve the resolution and authorize the Chairman's signature.

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.

(Copy of resolution filed in attachment to Minute Book 10-5) 2023-03

b. Banks County Code "Section 2-32 Agendas" Amending Resolution

Ch. Turk stated this was a resolution to change the deadline to appear on the meeting agenda. This would move the deadline for meeting appearance to noon on Thursday prior to the meeting.

Motion to approve the resolution.

Motion made by Commissioner Ausburn, 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.

(Copy of resolution filed in attachment to Minute Book 10-5) 2023-04

11. ADJOURNMENT

Motion to adjourn the meeting at 7:13 p.m.

Motion made by Commissioner Garrison, Seconded by Commissioner Ausburn.

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

Vote: 5:0

All yea votes and the motion passed.

Chairman

Assistant County Clerk