



# BANKS COUNTY BOARD OF COMMISSIONERS MEETING

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

Tuesday, June 27, 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

#### STAFF

Assistant County Clerk Erin Decker

Human Resources Director Arlene Ivey

Planning/Zoning Director Kerri Fincannon

County Attorney Randall Frost

### 2. APPROVAL OF AGENDA

Ch. Turk stated Item 6B. - Client Services Agreement Amendment - MC-RX needed to be deleted.

Motion to approve the agenda as amended.

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 motion passed.

### 3. PLEDGE TO THE AMERICAN FLAG

Comm. Garrison led the Pledge to the American Flag.

### 4. PUBLIC COMMENT:

#### a. Property Taxes: Paul Ranck

*Paul Ranck - 145 Wild Turkey Pass, Homer, GA - Stated his school tax had increased by 33% in the last two years and he thought at his age there should be a break in school taxes. He further stated in Hall County at the age of 70 you were no longer charged for school taxes.*

Vice Ch. Maxwell stated the Commissioners have no control over school taxes and Mr. Ranck stated the school board told him to talk to the Commissioners.

Ch. Turk stated the County only collects the school taxes, but the Board of Education sets their own budget and millage rate.

Mr. Ranck stated that he had applied for an appeal of his property appraisal.

Comm. Ausburn stated there was a certain law that stated that if your population consisted of so many seniors then you could not forgive school tax.

## 5. PUBLIC HEARINGS:

- a. **Planning Commission: Z-23-02 - Bryan & Tawana Wood - An application has been submitted to rezone a 10-acre portion of the property identified as B51 025C, a 15.35-acre lot located at the intersection of Hwy 441 and McCoy Bridge Rd., from ARR to C2 to be combined with the adjoining parcel for mini-storage (Hudson River Storage.)**

Ch. Turk stated this application had been withdrawn.

- b. **Planning Commission: Z-23-04 - Bryan & Tawana Wood - An application has been submitted to rezone a 5-acre portion of the property identified as B51 025C, a 15.35-acre lot located at the intersection of Hwy 441 and McCoy Bridge Rd., from ARR to C2 to be used for a wholesale establishment with a special use for a storage yard for railway components.**

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

Atty. Frost stated Z-23-04 was an application that had been submitted by Bryan & Tawana Wood to rezone a 5-acre portion of the property identified as B51 025C, a 15.35-acre lot located at the intersection of Hwy 441 and McCoy Bridge Rd., from ARR to C2 to be used for a wholesale establishment with a special use for a storage yard for railway components.

Planning/Zoning Director Kerri Fincannon gave a report stating an application had been submitted to rezone a 5-acre portion of the property identified as B51 025C, a 15.35-acre lot located at the intersection of Hwy 441 and McCoy Bridge Rd., from ARR to C2 to be used for a wholesale establishment with a special use for a storage yard for railway components.

Parcel B51 025, which is located immediately in front of the parcel in question, is already zoned C2 so the new application does not require spot zoning. Though the entrance to the new project will be located on McCoy Bridge Rd., the establishment is intended to be wholesale-only limiting the amount of traffic increase. Typical storage yards are not permitted in C2, however several types of implemental storage (i.e., agricultural/farm supply storage and lumber yard storage) are permissible with a conditional use. There will not be customer traffic in and out of the storage yard.

### ***Applicant – In Favor of the Application***

*Tawana Wood – 509 Delia Drive, Commerce, GA* – Stated her and her husband Brian initially came today to continue with an original application they submitted to the County to have a 5-acre tract split from a 15.35-acre tract rezoned to C2 and a special use request to have Lanier Steel Products build their facility on the property. She further stated she could still present to the Board the application but instead due to an error with the filing of the plat they would rather ask the Commissioners to graciously table the original application and allow for them to reapply for C2 zoning and a special use for Lanier Steel to build their facility during the August 1 planning meeting.

### ***In Opposition of Application***

*Jeremy Harris – 1554 McCoy Bridge Road, Homer, GA* – Stated he had a petition with about 20 signatures from people that lived on McCoy Bridge that were in opposition of the application. He stated at this time the applicant had not done a professional site plan which was required by Banks County Code. He stated the criteria should be consistent with the neighborhood and he didn't feel this fit in.

*Joshua Trimble – 1565 McCoy Bridge Rd, Homer, GA* – Stated if he wasn't mistaken the application should have been withdrawn before the hearing to not trigger the 6-month rule. He stated the 6 month was triggered and couldn't be brought back up for another 6 months. Atty Frost stated this situation was a little different because they aren't really changing the zoning. Mr. Trimble also stated this property was not a C2 property but a M1 zoning and there were so many unanswered questions with what would happen with the property.

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

Motion to table the item until the August 8, 2023 Commissioners Meeting.

Motion made by Commissioner Gardiner, 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.

## **6. CONTRACTS AND AGREEMENTS:**

### **a. Superior Court: Re-indexing Records - Kofile: Tim Harper**

Ch. Turk stated that Clerk of Superior Court Tim Harper was requesting another Indexing Project with Kofile. The project would cost \$15,660.00 and be paid for from the Capital Fund and then he would reimburse the Capital Fund as funds came in.

Motion to approve the project in the amount of \$15,660 to be paid from the Capital Fund.

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.

### **b. Client Services Agreement Amendment - MC-Rx**

Deleted

### **c. Policy Year 2023-2024 Healthcare Contracts - Arlene Ivey**

Ms. Ivey stated she had received the contracts for health insurance and had sent them to the County Attorney for his approval. She stated tonight she was asking for approval of the contracts pending County Attorney consideration and authorization for the Chairman to sign.

The following contracts for the Employee Health Plan are as follows:

- \* Agreement for Plan Supervision
- \* MC RX - Client Services Agreement Amendment
- \* Companion Stop Loss Insurance
- \* BSI - Plan Document

Motion to approve the above plans pending county attorney approval.

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 Agreements and Contracts filed in Attachment to Minute Book 10-6)*

## **7. ADJOURNMENT**

Motion to adjourn the meeting at 7:04 p.m.

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.

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Chairman

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Assistant County Clerk