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| Banks County Established 1858 Seal | **Banks County Board of Commissioners Meeting** |
| Courthouse Annex Boardroom | 150 Hudson Ridge | Homer, GA 30547 |
| Tuesday, July 08, 2025 at 6:30 PM |
| **Minutes** |

**1.** **CALL TO ORDER**

Chairman Griffith called the meeting to order.

**PRESENT**
Chairman Taylor Griffith
Vice Chairman Danny Maxwell
Commissioner Chris Ausburn
Commissioner Bo Garrison

**STAFF PRESENT**

County Clerk Erin Decker

Planning/Zoning Director Kerri Fincannon

County Attorney Karen Pachuta

Fire Chief Steve Nichols

Senior Center/Transit Director Tracie Hammond

**2.** **APPROVAL OF AGENDA**

Chairman Griffith stated the agenda needed to be amended as follows:

Add:13. Personnel to Executive Session

Add: 8c. Georgia Department of Transportation Letter

Motion to approve the agenda as amended.

Motion made by Commissioner Garrison, Seconded by Vice Chairman Maxwell.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

**3.** **APPROVAL OF MINUTES**

a. 6/3/2025 Called Meeting Minutes 1

b. 6/3/2025 Called Meeting Minutes 2

c. 6/10/2025 Regular Meeting

d. 6/17/2025 Called Meeting

e. 6/24/2025 Public Hearing/Called Meeting

f. 6/30/2025 Called Meeting

Motion to approve the minutes for the above meetings.

Motion made by Commissioner Ausburn, Seconded by Vice Chairman Maxwell.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

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**

Chairman Griffith wanted to thank everyone for coming to the meeting.

**6.** **SPECIAL REPORTS/PRESENTATIONS:**

None

**7.** **PUBLIC HEARINGS:**

**a. Planning Commission: V-25-02 Sign Variance**

Motion to open the public hearing.

Motion made by Commissioner Ausburn, Seconded by Vice Chairman Maxwell.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

Ms. Fincannon stated V-25-02 was an application for a sign variance that had been submitted by Reynolds McLean of Scooters Coffee for a variance on the property identified as B55-018 at an existing C2 commercial property located at 40081 Hwy 441 Commerce. The purpose of the variance was to reduce the maximum area of a secondary business sign.

Ms. Fincannon stated that Section 66-13 would allow the Commissioners authorization.The provisions of the chapter included number four to allow an increase in the maximum area of the sign. She further stated the Planning Commission recommended 4:0 for the approval of the variance.

***In Favor of the Application***

***Reynolds McLean - Scooters National Francise*** - Stated the company served Pro-American coffee drinks and focused on speed of service and only would have a drive-thru. He stated he was asking for a variance because of visibility and further stated the current sign was very small.  Mr. McLean stated he would love to showcase his own sign for a better visual presence and a monument sign would indicate a separate business.

Ch. Griffith left the meeting at 6:38 p.m.

***In Opposition of the Application***

No one spoke in opposition of the application.

Motion to close the public hearing.

Motion made by Vice Chairman Maxwell, Seconded by Commissioner Ausburn.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

Commissioner Ausburn stated he wanted to make sure the sign didn't impede visibility for cars when pulling out into the roadway and would like to make this a condition.

Chairman Griffith returned to the meeting at 6:44 p.m.

Commissioner Garrison wanted to make sure that the sign design that was presented to the Planning Commission was the sign design that would be installed.

Motion to approve the sign variance with the specifications that were presented in the application, and the sign or surrounding vegetation must not interfere with visibility entering or exiting any property within the area.

Vote: 4:0

All yea votes and the motion passed.

***(Copy of Resolution filed in Attachment to Minute Book 11-2)***

**b. Noise Ordinance**

Motion to table the noise ordinance public hearing until the August 12, 2025 meeting.

Motion made by Chairman Griffith, Seconded by Commissioner Ausburn.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

**8.** **MISCELLANEOUS:**

**a. Planning: Recommendation to Amend Code: Building Codes**

Ms. Fincannon stated this amendment was to amend Chapter 18 - Buildings and Building Codes, Article II, Section 18-31 by deleting Section 18 in its entirety and replace it with following:

Banks County hereby adopts and will enforce the latest edition of the following Georgia State Minimum Standard Codes, as adopted and amended by the Georgia Department of Community Affairs:

1. International Building Code, with Georgia Amendments

2. International Mechanical Code, with Georgia Amendments

3. International Fuel Gas Code, with Georgia Amendments

4. International Plumbing Code, with Georgia Amendments

5. National Electrical Code

6. International Residential Code, with Georgia Amendments

7. Energy Conservation Code, with Georgia Supplements and Amendments

8. International Existing Building Code, with Georgia Amendments

9. International Swimming Pool Code and Spa Code, with Georgia Amendments

10. International Fire Code, with Georgia Amendments

She further stated this would replace the old International Standard and Building Codes with what the codes were currently.

Chairman Griffith stated this would just be to initiate the public hearing process.

Motion to initiate the public hearing process to amend the building codes.

Motion made by Commissioner Ausburn, Seconded by Vice Chairman Maxwell.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

**b. Planning: Amend Permit Fees**

Ms. Fincannon stated this was a recommendation to establish new permit fees for services.  She further stated this was amended last year but they were trying to get closer to surrounding county's fee schedule.

Chairman Griffith asked Attorney Pachuta with this being fee based, would we need a public hearing?

Ms. Fincannon stated some of the fees increased would be new construction permits, subcontractor fees, implementation of permit renewals, accessory structures and an implementation of small sheds/canopy fees.

Attorney Pachuta stated the fee amendments did not require a public hearing.

Commissioners stated they would discuss permit fees at the work session on August 29, 2025.

 **c. Georgia Department of Transportation Letter**

Chairman Griffith stated that the County had been burdened with a median placed at Banks Crossing by GDOT.  He further stated he didn't think it had done what GDOT had intended and had some unintended negative consequences to the businesses financially and also created some additional safety issues. He further stated there had been a letter drafted to send to GDOT asking for correction of problems and he was asking for public involvement to urge GDOT to correct the existing issues.

Commissioner Ausburn stated there are lots of things that need to be improved, and it may take some involvement from the community to help the issues get resolved.

Vice Chairman Maxwell stated that the problem lies within the ingress and egress areas of the median.

Motion to approve the letter to send to the Georgia Department of Transportation.

Motion made by Commissioner Garrison, Seconded by Vice Chairman Maxwell.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.
***(Copy of Letter filed in Attachment to Minute Book 11-2)***

**9.** **PREVIOUS BUSINESS ACTION:**

**a. Fire/EMS Vehicle Purchase - Opioid Funds**

Chief Nichols stated they wanted to purchase a vehicle to replace the vehicle for the captains.  He stated this vehicle would have to be replaced next year because of the high mileage.  Chief Nichols stated the opioid funds could be used to purchase vehicles and they had also checked with the committee for opioid funds and they agreed that this was a good project for the funds. He further stated they had three bids as follows:

Hayes Chevrolet:  $49,116

Billy Cain Ford:  $50,435

Hayesville Ford, North Carolina:  $48,767

Chairman Griffith asked if the products that were needed to keep on that truck for it to be responsive for the opioid type emergency situations could also be purchased out of the account.  Chief Nichols stated there were enough funds to purchase those products, a bed cover and lights.

Motion to accept the low bid for a Chevrolet 2500 4 door 4WD from Hayes Chevrolet in the amount of $49,116 out of the Opioid Account.

Motion made by Commissioner Garrison, Seconded by Vice Chairman Maxwell.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

**10.** **CONTRACTS AND AGREEMENTS:**

**a. Senior Center: TRIO Food Services - Congregate & Meals on Wheels**

Ms. Hammond stated that TRIO had been preparing their Meals on Wheels and congregate meals for about 15 - 20 years.  The food service agreement normally runs through Legacy Link but this year the contract will run through the County and cut out the middleman.  The County attorney has reviewed the contract.

Motion to approve the contract with TRIO and authorize the Chairman to sign the documents.

Motion made by Commissioner Garrison, Seconded by Vice Chairman Maxwell.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

***(Copy of Contract filed in Attachment to Minute Book 11-2)***

**b. Senior Center: FY2026 HOGARC Transit Contract**

Ms. Hammond stated this was transportation services that would take the seniors on their trips.

Motion to approve the contract pending County Attorney approval and authorize the Chairman to sign the contracts.

Motion made by Vice Chairman Maxwell, Seconded by Commissioner Ausburn.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

***(Copy of Contract filed in Attachment to Minute Book 11-2)***

**c. Fire/EMS: FY2026 Tates Creek Fire Services Agreement**

Chief Nichols stated this was a yearly contract in the amount of $3,000.  He stated this contract was for a small section in Banks County that we could not cover within a five-mile radius.

Motion to approve the FY2026 Tates Creek Fire Services Contract.

Motion made by Commissioner Ausburn, Seconded by Commissioner Garrison.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All aye votes and the motion passed.

***(Copy of Agreement filed in Attachment to Minute Book 11-2)***

**11.** **RESOLUTIONS AND ORDINANCES:**

**a. Special Election - Qualifying Fees - Commissioner District 4**

Ch. Griffith stated this was a resolution to set the qualifying fees for Commission District 4 Special Election.

Motion to adopt the resolution and authorize the chairman to sign the resolution.

Motion made by Vice Chairman Maxwell, Seconded by Commissioner Ausburn.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

***(Copy of Resolution filed in Attachment to Minute Book 11-2)***

**12.** **PUBLIC COMMENT:**

**a. Ashley Fountain: Chemical Service - Ballfields**

Ashley Fountain - Environmental Creations - Stated their company had been serving Banks County since 2014 and she wanted to set the record straight about some misinformation that the Recreation Director Kat Roberts had spoken about.

Ms. Fountain stated that Ms. Roberts gave the wrong information on the cost for the chemical application for the ballfields and also gave misleading information on the infield dirt and batter box reconstruction.

Ms. Fountain presented the Commissioners with a packet of information that contained emails and invoices for services.

**b. Elizabeth Reiken - Recreation A/C Repairs**

Elizabeth Reiken - E. Coker Rd - Stated her concern was with the heating and air unit in the gym.  She further stated she had a love for pickleball and used the Recreation Gym to play pickleball along with others and the temperature in the gyms were very hot and the Commissioners needed to look at the problem.  She further stated many people use the center for other purposes also.  Ms. Reiken stated her purpose tonight was to bring the concern to the Commissioners and try to get resolution.

The Commissioners stated it was time to fix the problem.

Commissioner Garrison stated we need to put the replacement of the units out to bid for both gyms.

Motion to put an RFP out for replacement of the HVAC units in the two gyms.

Motion made by Commissioner Ausburn, Seconded by Vice Chairman Maxwell.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

**13.** **EXECUTIVE SESSION: LITIGATION**

Motion to enter into executive session for litigation and personnel at 7:28 p.m.

Motion made by Commissioner Garrison, Seconded by Vice Chairman Maxwell.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

Motion to close the executive session at 8:08 p.m.

Motion made by Vice Chairman Maxwell, Seconded by Commissioner Ausburn.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

**14.** **ADJOURNMENT**

Motion to adjourn the meeting at 8:09 p.m.

Motion made by Commissioner Garrison, Seconded by Commissioner Ausburn.
Voting Yea: Chairman Griffith, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

 Chairman

County Clerk