

The Banks County Board of Commissioners held their regular meeting on April 12, 2016 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present

Chairman Jimmy Hooper
Vice Chairman Charles Turk
Commissioner David Duckett
Commissioner Danny Maxwell
Commissioner Sammy Reece

Staff Present

County Clerk Regina Gailey
Assistant County Clerk Erin Decker
Finance Officer Randy Failyer
911/EMA Director Deidra Moore
Code Enforcement Officer Paul Ruark
County Attorney Randall Frost
Human Resource Officer Arlene Ivey

Media Present

Mainstreet News – Angela Gary
Access North Georgia – Rob Moore

1. Call to Order

Ch. Hooper called the meeting to order.

2. Approval of Agenda

Motion to approve the agenda: Charles Turk
Second: Danny Maxwell
Vote: 5:0
All aye votes and the motion passed.

3. Moment of Reflection

Ch. Hooper stated that words are added to the English language everyday but some seem to be omitted that we should use every day and they are please and thank you.

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. Approval of Invoices

Motion to approve the invoices: Danny Maxwell
Second: David Duckett
Vote: 5:0
All aye votes and the motion passed.

6. Approval of Previous Minutes – 3/8, 3/24

Motion to approve the previous months minutes: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

7. Planning Commission Recommendations:

a. CU-16-01 – John Ingersull – An ATV repair and parts sales shop at 417 Highway 326, Commerce, GA

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing. Attorney Frost stated this was a conditional use for an ATV repair and parts sales shop at 417 Highway 326, Commerce, GA. Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

John Ingersull – 419 Hwy 326, Commerce, GA – Mr. Ingersull stated he was the applicant and wanted to get his business going and thought it would be a help to the community also. He stated people wouldn't have to drive far off to get repairs done. Vice Ch. Turk asked what his hours of operation would be. Mr. Ingersull stated he would be open from 9-7 but during racing season he would work until at least 10 p.m. Vice Ch. Turk stated that he would add the condition of operating hours as 8 a.m. to 8 p.m. because of noise.

David Tolar – 290 Charity Road, Homer, GA - Mr. Tolar stated Mr. Ingersull had worked on various types of equipment for him and did a great job. Mr. Tolar also stated he thought this business would be a great asset to the community because you didn't have to drive to Toccoa, Athens or Gainesville to have four-wheelers worked on.

Ch. Hooper closed the hearing and opened the meeting.

Motion to approve the application with the condition of the operating hours be 8 a.m. to 8 p.m.:

Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #9-7)

b. CU-16-02 – Jason Hensley – Chicken houses that reduce the required setback at 516 Christmas Tree Rd, Homer, GA

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing. Attorney Frost stated this as a conditional use for reducing the setbacks required for chicken houses at 516 Christmas Tree Rd, Homer, GA. Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

Jason Hensley – 516 Christmas Tree Rd, Homer, GA – Mr. Hensley stated he was requesting the setback from the road to be reduced to 80 ft. instead of the required 200 ft. setback.

Ch. Hooper closed the public hearing and opened the meeting.

Motion to approve the application: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #9-7)

c. V-16-01 – Vanguard Truck Center – A sign to exceed the allowed square footage maximum of 64 square feet.

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing. Attorney Frost stated this was a variance to increase the size of a sign. Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

Ed Dills – Signal Signs – Mr. Dills stated that he had put up several signs for Vanguard. He stated they were requesting a variance because when you make the Volvo image smaller it becomes hard to see and distorted. He also stated the sign would be 40 feet in height and the face would be reduced from their normal size to 200 sq. ft. which exceeds the required 64 sq. ft. maximum. He further stated Vanguard had always maintained their signs well.

Ch. Hooper closed the public hearing and opened the meeting.

Motion to approve the sign variance: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #9-7)

8. Beer Consumption License – Blazer’s Hot Wings

Owners David Dixon and Brooke Smith stated the restaurant was doing well and they have had several requests for beer. County Clerk Jenni Gailey stated they were only applying for beer consumption on the premises.

Motion to approve the beer consumption license: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

9. RFP #2016 Two Generators Bid Award

911/EMA Director Deidra Moore stated S-D Solutions had the low bid. The bid amount was \$35,729.90.

Motion to award the bid to S-D Solutions in the amount of \$35,729.90 for Option 2: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

10. Sims Bridge Rd & Garrison Shoals Rd Resurfacing Bid Award

Assistant County Clerk Erin Decker stated the low bidder for resurfacing Sims Bridge Road and Garrison Shoals Road was Stratton and Sons Construction at a cost of \$421,964.78.

Ch. Hooper also stated they had considered extending the paved part of Garrison Shoals Rd but he didn't have the additional cost yet.

Motion to approve the low bidder Stratton and Sons in the amount of \$421,964.78: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

11. Senior Services Local Share Commitment – Legacy Link \$9,450

Finance Officer Randy Failyer stated this was a yearly commitment letter for service provided by Legacy Link.

Motion to approve the commitment letter: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of letter filed in Attachment to Minutes Book #9-7)

12. 2016 LMIG Off-System Safety Project Engineering Services & Project Supervision – KCI Technologies, Inc.

Ms. Decker stated this was a work authorization for the preparation and construction management of the project. The fee is divided into two parts. Part A: Lump Sum of \$1,960 and Part B: Lump Sum of 8% of contractors actual construction cost or a minimum of \$7,000.00 whichever is greater.

Motion to approve the work authorization: David Duckett

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

(Copy of work authorization filed in Attachment to Minutes Book #9-7)

13. Windmill Park Sports Complex Access Road Name

Ms. Gailey stated that in the 1980's Chairman Milton Patterson bought 832 acres off Thompson Street. She stated it has been discussed that it would be appropriate to name the access road to the sports complex after him. Three names that had been considered were Patterson Way, Patterson Circle and Patterson Drive.

Motion to forever name the access road to the sports complex Patterson Way: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

14. BJC Hospital Authority Dissolution & Release Resolution

Ch. Hooper stated the City of Commerce has formed a hospital authority so federal funds could be applied for since the Northridge Hospital was private now. He also stated the BJC Hospital Authority needed to be dissolved. Vice Ch. Turk asked if the BJC Hospital Authority was dissolved was there any chance of getting the \$43,000 back that was owed to Banks County. Attorney Frost stated no.

Motion to approve the BJC Hospital Authority Dissolution and Release Resolution: Jimmy Hooper

Second: Sammy Reece

Vote: 4:1

Jimmy Hooper: Aye
David Duckett: Aye
Danny Maxwell: Aye
Sammy Reece: Aye
Charles Turk: Nay

The majority voted and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #9-7)

15. Executive Session: Land Acquisition/Disposal & Personnel

Motion to enter into executive session: David Duckett

Second: Charles Turk

Vote: 5:0

All aye votes and the executive session began at 6:56 p.m.

Motion to close the executive session: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the executive session ended at 7:37 p.m.

Motion with the assistance of the County Attorney, County Surveyor, Clerk of Superior Court to clear up the lines of the disputed property between Scott Nichols and the County located on Duncan Road:

Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

16. Adjournment

The meeting ended at 7:40 p.m.

Chairman

Assistant County Clerk
