

The Banks County Board of Commissioners held their regular meeting on November 29, 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 Jenni Gailey  
Assistant County Clerk Erin Decker  
Finance Officer Randy Failyer  
County Attorney Randall Frost

### **Media Present**

Mainstreet News – Sharon Hogan  
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 the USA, Banks County and even Georgia needs to move forward. The time of hate, anger, rage and the inability to compromise and get along, needs to come to an end. He stated he was also worried about the state of our world in general, when we have crazy people ambushing our law enforcement. Something is wrong with society when we have a group of men and women that dedicate their lives to go out and protect us and then we have a group who consciously plan an ambush attack and kill the people who are trying to keep us safe. We need to look at our world and the good people need to stand up and say enough is enough. We need to respect authority.

### **4. Pledge to the American Flag**

Ch. Hooper led the Pledge to the American Flag.

### **5. Planning Commission Recommendations**

- a. V-16-03 – Stephen & Joan Kiser – An application to reduce the required setbacks to 200 feet from a property line and 500 feet from a dwelling for four poultry houses to be located at 3729 Highway 63 Carnesville, GA**

Ch. Hooper closed the meeting and County Attorney Randall Frost opened the public hearing and stated the application was to reduce the required setbacks from a property line. Zoning Officer Paul Ruark stated this was an application for a variance to reduce the required setbacks to 200 feet from a property line and 500 feet from a dwelling for four poultry houses to be located at 3729 Highway 63 Carnesville, GA. Officer Ruark also stated the Planning Commission recommended approval.

Hayes Kiser 3729 Hwy 63 Carnesville spoke for the application and stated they had just purchased the property and was requesting the variance.

Carl Gibson – Fieldale Farms was also present for any questions.

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

Motion to approve the application: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

*(Copy of resolution filed in Attachment to Minutes Book #9-8)*

**b. Z-16-05 – Larry Scott Griffith – An application to rezone 4.42 acres from ARR to C-2 for a racing equipment business. The property is located at map and parcel #53F-032.**

Ch. Hooper closed the meeting and Atty. Frost opened the public hearing. Atty. Frost stated this was an application to rezone 4.42 acres from ARR to C-2. Zoning Officer Ruark stated the property was located at Hwy 164 and Hwy 441N and the Planning Commission recommended approval.

Scott Griffith 2131 Sample Scales Road spoke for the application and stated he proposed to install a racing equipment business that would serve several types of motor racing. He stated they would machine racing parts and also have an 1800 sq. ft. retail space. Mr. Griffith also stated they would not be doing any engine work or race car construction, they were simply a place where drivers could get repair parts for their cars. Ch. Hooper asked what the hours of business would be. Mr. Griffith stated the hours would be Monday – Friday 8:00 a.m. – 6:00 p.m. and Saturday for about 3 hours. He stated there would not be any Sunday work.

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

Motion to approve the rezoning application: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

*(Copy of resolution filed in Attachment to Minutes Book #9-8)*

Mr. Chadderdon stated that Line Church Road needed some repairs to a place in the road that is totally rock. He stated it was dangerous and needed dirt added to the road. Comm. Duckett stated the area may have to be widened and rights-of-way would have to be obtained.

## **7. Sheriff's Office**

### **a. Sheriff's Office Presentation**

Chief Deputy Shawn Wilson stated that when he came to work for Sheriff Speed in 2013 obtaining State Certification was one of Sheriff Speed's goals.

Honorable Judge Bryan Rickman stated the first full-time job he had when he graduated law school was as the Assistant District Attorney for Banks County. Judge Rickman stated the certification was more than just a piece of paper. The certification is a progressive and time proven method of helping law enforcement agencies review and improve their overall performance. The foundation of certification lies in the development of standards which contain a clear statement of professional objectives. Judge Rickman stated that some benefits of certification included conformation that the agency practices are progressive and consistent with the progressive professional standards, greater operational administrative effectiveness, enhances the understanding of agency policies and procedures, and increased public confidence in the agency. This also reduces liability potential and increases community governmental support. He also stated out of 729 law enforcement agencies in Georgia only 123 have obtained State Certification.

Judge Rickman presented Sheriff Carlton Speed a plaque for obtaining the State Certification. He stated the certification was good from November 1, 2016 through October 31, 2019 and then they would have to start the renewal process.

Judge Rickman also presented Lieutenant Carissa McFaddin a plaque for acting as the Program Certification Manager and for all the hard work she had done.

Sheriff Speed stated first and foremost he would like to say thank you to the men and women of the Banks County Sheriff's Office for doing an outstanding job. He stated he had some of the best officers in the State of Georgia. He stated State Certification was one of his goals when he was elected.

### **b. Sheriff's Office Purchase Request**

Chief Deputy Shawn Wilson stated the Sheriff's Office would like to borrow \$150,000 from the capital fund to purchase 3 vehicles and this will be paid back from 2017 SPLOST when collected. Motion to approve the request not to exceed \$150,000 from the Capital Fund: Jimmy Hooper  
Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

## **8. Resolutions:**

### **a. Hudson Valley Park Trails – Green Space Designation Resolution      Brooke Whitmire**

Brooke Whitmire Recreation Director stated she was asking for permission to apply for a trails grant at Hudson Valley Park. She stated an in-kind match of 20% was required and the total

grant amount would be \$71,000. She also stated she would need approval for a commitment letter and a resolution.

Motion to approve the commitment letter, grant application and resolution: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

*(Copy of resolution filed in Attachment to Minutes Book #9-8) 2016-18*

**b. 2016 Master Bond Resolution - \$1,700,000**

**Attorney Randall Frost**

Atty. Frost stated this was a revenue bond to pay off an existing GEFA loan. The total savings for the County would be over \$100,000 and a reduction of several years for the loan payment.

Motion to approve the bond resolution: Jimmy Hooper

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

*(Copy of resolution filed in Attachment to Minutes Book #9-8) 2016-19*

**c. Sunday Alcohol Sales Beer & Wine Package Resolutions**

**Attorney Randall Frost**

Motion to approve the Sunday Alcohol Sales Beer & Wine Resolutions with an effective date of December 4, 2016: Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

*(Copy of resolution filed in Attachment to Minutes Book #9-8) 2016-20*

**d. FY2018 Public Transportation Application Resolution**

Randy Failyer Finance Officer stated this was a resolution for Section 5311 Public Transportation grant.

Motion to approve the application resolution: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

*(Copy of resolution filed in Attachment to Minutes Book #9-8) 2016-21*

**9. Bridge On-Call Work Authorization – KCI Technologies, Inc.**

Vice Ch. Turk stated he would like to decrease the amount of the contract to \$10,000 and just let KCI oversee the bridge work and not include road work.

Motion to approve the contract for \$20,000: Jimmy Hooper

Second: David Duckett

Vote: 3:2

Jimmy Hooper: Aye

Charles Turk: Nay

Sammy Reece: Nay

Danny Maxwell: Aye

David Duckett: Aye

A majority vote and the motion passed.

*(Copy of work authorization filed in Attachment to Minutes Book #9-8)*

**10. Employee Holidays: Veterans Day**

Ch. Hooper stated he would like the Commissioners to think about considering Veteran's Day as an employee holiday.

**11. Executive Session: Personnel & Land Disposal/Acquisition**

Motion to enter into executive session: Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the executive session began at 7:08 p.m.

Motion to close the executive session: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the executive session ended at 8:05 p.m.

*(Copy of affidavit filed in Attachment to Minutes Book #9-8)*

Motion to approve a resolution to purchase rights-of-way for Faulkner Road: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

Motion to purchase rights-of-way from the Windmill Timber Account in the amount of \$170,995.40 and to leave \$60,000 in the account for timber replant. The remainder will be paid from the 2012 SPLOST Account to purchase rights-of-way for a total of \$250,000.: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

Motion to amend the FY2017 budget by adding \$27,000 to the probation budget: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

Motion to adjust the 911 Director salary in the amount of \$3,000 effective January 1, 2017: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

Motion to adjust the Chief Tax Assessor salary in the amount of \$3,000 effective January 1, 2017: Jimmy Hooper

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

Motion to lift the hiring freeze to hire an administrative assistant: Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

**Adjournment**

Motion to adjourn the meeting: Sammy Reece

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the meeting was adjourned at 8:10 p.m.

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Chairman

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Assistant County Clerk

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