

The Banks County Board of Commissioners held their regular meeting on March 11, 2008 at 6:30 p.m. in the courtroom of the Banks County Courthouse with Chairman Gene Hart, Commissioner Joe Barefoot and Commissioner Rickey Cain present. Attorney Bill Blalock, Finance Officer Randy Failyer and Administrative Officer Angela Sheppard were also present.

**1. Call to Order**

Chairman Gene Hart called the meeting to order.

**2. Approval of Agenda**

Comm. Barefoot made a motion to approve the agenda as printed. Comm. Cain seconded. Two aye votes and motion carried.

**3. Moment of Silence**

Ch. Hart asked for a moment of silence.

**4. Pledge to the American Flag**

Ch. Hart led the Pledge of Allegiance.

**5. Consent Agenda:**

*a. Approval of Invoices*

*b. Approval of Minutes – 2/12, 2/26*

Comm. Cain made a motion to approve the consent agenda. Comm. Barefoot seconded. Two aye votes and motion carried.

**6. Public Comment:**

**a. Fire Department**

*Richard Crowder/John Creasy*

Mr. Crowder stated he lived at 123 Charity Drive in Homer, Georgia. He then stated he did not represent the volunteer fire department and yielded the floor to John Creasy who said until today he had been the deputy chief of the Banks County Fire/EMS. He said he had been asked to be the spokes person for 33 volunteer firefighters of Banks County Fire/EMS. He read a statement that said since December 5, 2007 they had been attempting to resolve what they consider risk and safety issues over demotions without cause of all volunteer officers as well as training problems and overall poor management of the department. He said they saw the current Fire Chief Gary Pollard as being at the heart of all major concerns. He said Chairman Hart had made it clear that Gary Pollard would remain as chief of the department. He further stated that in a recent letter to all personnel they were advised to quit if they felt they could not work with Chief Pollard. He said they hated to leave the citizens of Banks County without appropriate protection but they see no alternative other than to resign. He said they believe the safety of both the paid and the volunteer firefighters is at stake as well as the citizens of Banks County. He further read that the replacement of these volunteers with paid personnel would be an extremely expensive venture for the tax payers of Banks County. Additionally, the loss of this many volunteers would affect the ISO rating which is used to determine fire insurance premiums to the home owners of Banks County. The county would also see reductions in the state insurance rebate paid to Banks County, again, resulting in revenue loss to Banks County. He said the fire department under the leadership of Gary Pollard had failed an audit by the Georgia Firefighters Standards and Training Council and that the department was now under investigation for illegal and dangerous training practices as well as the failure to require training by paid staff. He said there was also documentation required by the State of Georgia that was not met. He stated it was their hope that the agencies investigating Banks County Fire/EMS would bring light to the issues that must be resolved. He also said the volunteers would be glad to support any qualified management brought in by the commission since the current management had proven not to be qualified. He stated the volunteers would be handing in their radios and pagers tonight along with letters of resignation. He stated they hoped the citizens would step up and ask the commission what is really going on. Personnel Officer Judy Greer stated she could only accept the resignations from the actual people that signed them and at present had only received eight. She further stated she would need their signatures on a form stating they had returned all of their issued gear. Ch. Hart stated the board

hated that it had come to this.

**7. Public Hearings to Consider Planning Commission Recommendations:**

***a. V-08-01 – Four Square Diversified Investments, LLC – Application for a variance for a restaurant setback reduction at 30533 Hwy 441S***

Ch. Hart opened the public hearing and asked Officer Covington to present the application. Officer Covington stated the La Fiesta Mexican Restaurant which was the former La Hacienda Restaurant had a 10 year lease agreement with the Holiday Inn Express owner. The variance would be approximately 9 feet to place the building 1 foot off the property line. He stated the property consisted of 2.41 acres and was located on Tax Map-Parcel B54-D39. The Planning Commission recommended approval of the application. He stated the lease had now lapsed and the motel owner is asking that the restaurant building be pulled back into the original property line. This would require a reduction of size of the current building. Todd McElroy spoke in favor of the application and stated they just wanted to remove the encroachment on the other property. Ch. Hart closed the public hearing. Comm. Barefoot made a motion to approve the application. Comm. Cain seconded. Two aye votes and motion carried.

**8. Public Hearing to Consider Abandonment of CR345/Grier Drive**

Ch. Hart opened the public hearing and stated the road was only .14 miles long and served no public purpose. A letter had been sent to the property owners notifying them of the potential closing of the road. No one spoke in opposition of closing the road. Ch. Hart closed the public hearing. Comm. Cain made a motion to abandon the road. Comm. Barefoot seconded. Two aye votes and motion carried. *(Copy of location map filed in Attachment to Minutes Book #8-2)*

**9. County Department Reports:**

***a. Senior Center***

*Janet Galloway*

Ms. Galloway gave a report of meals served in February as well as transportation provided. She also gave a report of trips served with the transit system. She stated she was trying to get approved to receive Medicaid payments for medical trips. She stated the transportation was a first come/first serve basis. Ch. Hart expressed appreciation to Ms. Galloway for a job well done.

***b. Public Utilities***

*Steve Reece*

Mr. Reece gave a report for the last six months by for the following departments:

Distribution

Existing Connections	2,459
New Connections	111
Water Leaks repaired	16
Locate requests	2,557
Locates performed	371
Gallons of Water Loss	2,601,166
Feet of New Water lines installed	4,600

Wastewater

He stated the Industrial Park Sewage treated a total of 9.248 million gallons of waste for an average of .51 million gallons per month.

Billing

He stated the billing office billed a total of \$753,483.02 last year.

***c. Code Enforcement***

*Keith Covington*

Officer Covington gave a report of the department activity for the previous month which included 23 new business licenses issued, 13 animal control incidences, 20 building permits, regulations and applications.

**d. Personnel**

*Judy Greer*

Ms. Greer stated a Health/Wellness Fair would be held in the near future for employees with funds from a \$1,500 grant received from ACCG for health and wellness promotions.

**10. Development Authority Member Replacement – Terrance Dale**

3 year term – postponed  
2/26/08

Comm. Cain made a motion to leave this item postponed until March 25, 2008. Comm. Barefoot seconded. Two aye votes and motion carried.

**11. Comprehensive Plan Steering Committee**

Ch. Hart stated Bill Ford and Wayne Abernathy had declined to serve on the committee but Robin Trotter had requested to serve on the committee.

**12. GEFA Loan #2007-LE34WS – Highway 105 Waterline**

Ch. Hart stated to qualify for a lowered 2% interest rate; the Commissioners must agree to adjust water and sewer rates sufficient to generate an additional \$200,000 in revenue per year to be implemented by June 30, 2008 to meet the debt service requirements of the GEFA loan. They must also agree to establish a separate reserve account (the “Debt Service Reserve Account”) in the amount of \$53,000 for the benefit of GEFA in order to secure the loan made by GEFA. He also stated the other option would be to change the scope of the existing GEFA loan at an interest rate of approximately 4.2% with no conditions but there is no guarantee at this point that it would be approved. Comm. Barefoot made a motion to approve the resolution accepting the 2% interest rate and to pledge to meet the conditions as stated. Comm. Cain seconded. Two aye votes and motion carried. *(Copy of resolution filed in Attachment to Minutes Book #8-2) 2008-06*

**13. Uchee Lodge Lease Renewal – Boy Scouts-Expiration 12/31/2008**

*Tabled: 12/11/07*

Ch. Hart stated research was still being done and asked to leave the item tabled.

**14. Victim’s Assistance Funds Disbursements**

Comm. Barefoot made a motion to postpone this decision until the April 8, 2008 meeting in order to get more information from the agencies involved. Comm. Cain seconded. Two aye votes and motion carried.

**15. Salt Barn Demolition Quotes**

Ch. Hart stated he had received two quotes for the demolition of the salt barn on Eagle Nest Drive. They are as follows:

Doss Grading	\$8,200
Savage Construction	\$6,850

Comm. Cain made a motion to approve Savage Construction for the demolition with the requirement that proof of liability insurance and proof of workers comp insurance be furnished before demolition begins. Comm. Barefoot seconded. Two aye votes and motion carried.

**16. Recreation Center Front Lawn Modification**

Ch. Hart stated when driving up Thompson Street from the bypass, the roof of the Recreation Center is about all that is visible and suggested sloping the bank in front to make it more visible and to provide a place for the new LED sign already approved. He stated he had received a quote from Big Creek Investments in the amount of \$8,000 for the grading. He stated he would seek at least one more quote. Comm. Barefoot made a motion to postpone this item until the March 25, 2008 meeting. Comm. Cain seconded. Two aye votes and motion carried.

**17. Recreation Baseball/Softball Program Bids**

Recreation Director Philip Cronic presented a list of items bid with low bidder specified for a total of \$13,413.75. The bid included shirts, hats, balls, and bats, etc. Comm. Barefoot made a motion to approve the low bids as listed. Comm. Cain seconded. Two aye votes and motion carried.

**18. Surplus Vehicles**

Ch. Hart stated several vehicles have been surplused and suggested holding a public auction to dispose of the vehicles and any other surplused items that need to be sold. Comm. Cain made a motion to hold an auction for the sale of the surplused items. Comm. Barefoot seconded. Two aye votes and motion carried. The date has not been set yet but will be advertised for public participation.

**19. Adjournment**

With no further business, Comm. Cain made a motion to adjourn the meeting. Comm. Barefoot seconded. Two aye votes and meeting adjourned at 8:12 p.m.

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Chairman

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Clerk

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