

The Banks County Board of Commissioners held their regular meeting on September 23, 2008 at 3:30 p.m. in the board room of the Banks County Courthouse Annex with Chairman Gene Hart and Commissioner Joe Barefoot present. Commissioner Rickey Cain was absent due to sickness. Also present were District Attorney Rick Bridgeman, Finance Officer Randy Failyer and Personnel Officer Judy Greer.

1. Call to Order

Ch. Gene Hart called the meeting to order.

2. Approval of Agenda

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

3. Public Hearing to Consider Planning Commission Recommendations:

a. V-08-02 – Bob Blackwell – Application for a variance to change property lines between two lots on Stirling Drive in Windy Knoll Subdivision. Postponed: 8/12/08

Ch. Hart stated the application had been postponed pending further research. Comm. Barefoot made a motion to bring the item from the table. Ch. Hart seconded. Two aye votes and motion carried. Ch. Hart stated the county attorney had advised that the board could not approve a request to reduce a lot to create a non buildable lot. He also stated this would not qualify as a variance since it is a lot size reduction as variances are to address setbacks. Comm. Barefoot stated legal counsel had advised disapproval of the application. He requested that the applicant withdraw the application. Mr. Blackwell agreed and withdrew the application.

4. Capital Fund Transfer: Recreation Heating/Air Unit - \$1,698

Randy Failyer

Mr. Failyer stated the unit exceeded the price originally budgeted by \$1,698 and recommended the amount be transferred from the Wastewater Facility account within the Capital Fund to cover the overage. Comm. Barefoot made a motion to transfer the funds. Ch. Hart seconded. Two aye votes and motion carried.

5. Property Assessment Ratio Deviation – Additional Tax

\$16,215

Ch. Hart stated the Tax Assessors office recommended a revaluation this year and the board agreed not to at this time because of the economic condition and to avoid additional burden on the taxpayers. The Department of Revenue sent a letter stating the values were low and an additional tax of \$16,215 would be owed due to the Assessment Ratio Deviation. Comm. Barefoot made a motion to pay the additional tax from the Contingency Fund. Ch. Hart seconded. Two aye votes and motion carried.

6. Assistant District Attorney Salary Request

DA Rick Bridgeman

Ch. Hart stated budgets were tight and the request was denied at a previous meeting. He stated the request for a salary of just over \$55,000 would place Atty Sam Small higher than anyone in the same salary classification with the same or more seniority. Atty Bridgeman stated this was a salary that was approved for the previous Assistant District Attorney with 2 years experience and stated Atty Small has the same level of experience at this point that the previous Assistant District Attorney had at the time. He further stated when Atty Small was hired, he was making a smaller salary but since he has gained the experience at this point he felt Atty Small should be raised to the larger amount. He said Jackson and Barrow County salary levels were higher and this could cause problems when hiring qualified personnel. He said the bottom line of the department's budget would not overrun if the raise is granted due to the Victim's Advocate position being vacant until January. Ch. Hart stated that if the salary was granted and the Victim's Advocate position was filled then the budget would automatically increase for the next year. Ch. Hart stated he appreciated the work the District Attorney's office, including Atty Small, has done for the county but that the request had previously been denied and the Board's decision still stood. Comm. Barefoot agreed that the District Attorney's office had done a good job but stated this could not be done for one department without doing it for others who had requested additional raises above the approved amounts for employees. Atty Bridgeman stated he felt under the law he had the authority to transfer funds within his budget but that he had rather have the board's blessing before doing so. Ch. Hart stated he was in opposition to the request. Atty Bridgeman stated he would talk with the Personnel Officer about the matter.

7. Public Transportation Fee Adjustment

Ch. Hart stated due to the increase in fuel costs, it would be necessary to increase ridership fares for the Banks County Transit. He stated the fares had been based on round trips but would be on a one way trip basis going forward as required by the Department of Transportation. The new fares recommended are as follows:

The fare for service depends on the distance of your trip. The charge for each one way trip is:

\$3.00..... Homer, Lula, within Banks County

\$4.00..... Commerce, Cornelia, Demorest

\$8.00..... Athens, Gainesville, Toccoa, Royston, Jefferson

Rider will be charged an additional one way trip fare per hour after 1 hour of waiting. Additional stops will be \$1.00 per stop.

Comm. Barefoot made a motion to approve the new rates. Ch. Hart seconded. Two aye votes and motion carried. The new fares would be effective November 1, 2008.

8. Resolutions:

a. Draft Solid Waste Plan Transmittal

Ch. Hart stated a public hearing had been held for comment on the draft plan and this resolution would provide for transmittal to the GMRDC and Georgia Department of Community Affairs for comment. Comm. Barefoot made a motion to approve the resolution. Ch. Hart seconded. Two aye votes and motion carried. *(Copy of resolution filed in Attachment to Minutes Book #9)2008-24*

b. Court Business Official Location Designation

Ch. Hart stated this resolution was for the official designation of the Historic Courthouse as the temporary location for court while the courthouse is being renovated. Comm. Barefoot made a motion to approve the resolution. Ch. Hart seconded. Two aye votes and motion carried. *(Copy of resolution filed in Attachment to Minutes Book #9)2008-25*

c. Comprehensive Environmental Health Ordinance

Ch. Hart stated this was to adopt the rules as set forth by the Department of Human Resources and the Board of Health for health services and permits. Comm. Barefoot made a motion to approve the resolution. Ch. Hart seconded. Two aye votes and motion carried. *(Copy of resolution filed in Attachment to Minutes Book #9)2008-26*

9. Contracts & Agreements:

a. Employee Insurance Rates

Personnel Officer Judy Greer stated in order to keep premiums as low as possible for the employee as well as the county, an additional tier could be added to the plan as follows:

Employee only

Employee plus one

Family

She stated the cost for the employee only and employee plus one would be cheaper but the family coverage would show an increase in premium. HMO savings to the county would be \$126.81/month per employee for 131 employees. PPO savings to the county would be \$112.03/month per employee for 26 employees. The total savings to the county would be approximately \$19,524.89/year. Only 31 employees would be affected by the family coverage increase.

The new plan would be from effect October 1, 2008 through September 30, 2009. Ch. Hart made a motion to approve the 3 Tier Plan. Comm. Barefoot seconded. Two aye votes and motion carried.

b. Development Authority – Industrial Development Funds

Postponed: 8/12/08

Ch. Hart asked that this item be further postponed until the October 14, 2008 meeting.

c. Georgia Indigent Defense Services Contract: Public Defender - \$95,821 *Randy Failyer*
Mr. Failyer stated this contract exceeds prior year contract by approximately \$5,821 and exceeds the amount budgeted for FY2009 by approximately \$3,000. Comm. Barefoot made a motion to approve the contract. Ch. Hart seconded. Two aye votes and motion carried. The contract term was for 7/1/08 – 6/30/09.

d. Public Transportation: Capital Contract **\$3,300**
Ch. Hart stated this was for FY2009 and would provide for the purchase of electronic dispatch software. Comm. Barefoot made a motion to approve the contract. Ch. Hart seconded. Two aye votes and motion carried.

e. Public Transportation: Operating Contract **\$63,809**
Ch. Hart stated this was for FY2009. Comm. Barefoot made a motion to approve the contract. Ch. Hart seconded. Two aye votes and motion carried.

f. Courthouse Renovation Project Change Order - \$39,045 *Postponed: 8/12/08*
Ch. Hart stated this was for various needed changes in the renovation of the courthouse including raised floor in the Sheriff's office, lighting changes, security changes, etc. Ch. Hart made a motion to approve the contract. Comm. Barefoot seconded. Two aye votes and motion carried.

10. Boards & Authorities:

a. Industrial Building Authority: 5 year term *Jimmy Morrison*

b. Industrial Building Authority: 5 year term *Jack Banks*

c. Industrial Building Authority: 5 year term *Wayne Abernathy*

Ch. Hart recommended reappointing all members. Comm.. Barefoot made a motion to reappoint all three positions. Ch. Hart seconded. Two aye votes and motion carried .

d. BJC Hospital Authority: 6 year term *Jimmy Hooper*
Ch. Hart stated citizens had been recommended for the authority when David Payne resigned his position. Those recommended were Danny Maxwell, Michael Williams and Kenneth Flint. He stated Mr. Payne's position had not yet been filled and recommended sending the same recommendations with Clyde McArthur and Jimmy Hooper added to the list. Comm. Barefoot made a motion to approve the names as stated. Ch. Hart seconded. Two aye votes and motion carried.

11. Adjournment

With no further business, Comm. Barefoot made a motion to adjourn the meeting. Ch. Hart seconded. Two aye votes and meeting adjourned at 4:10 p.m.

Chairman

County Clerk
