

The Banks County Board of Commissioners held their regular meeting on June 10, 2008 at 6:30 p.m. in the courtroom of the Banks County Courthouse with Chairman Gene Hart and Commissioner Rickey Cain present. Commissioner Joe Barefoot was absent due to sickness. County Attorney Randall Frost, 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. Cain made a motion to amend the agenda by adding to #13 "Change Order: Courthouse/Annex" and "6. Public Comment: Gary Clark – Fire/EMS". Ch. Hart 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 – 5/13, 5/14, 5/15, 5/27, 5/30

Comm. Cain made a motion to approve the items listed on the consent agenda. Ch. Hart seconded. Two aye votes and motion carried.

6. Public Comment: Fire/EMS

Gary Clark

Ch. Hart reminded Mr. Clark that he would have 5 minutes to speak. Mr. Clark stated he lived at 139 Sullivan Drive, Homer, GA and said he wished to speak on behalf of himself and on what is going on in the county as far as firefighter volunteers. He said since Gary Pollard had been appointed as fire chief, numerous volunteers had quit and a claim that numerous had joined. He stated he had been a volunteer firefighter since 1991 and since that time he had received training and obtained professional firefighter status. He had also since become employed with Banks County Fire/EMS. He stated he had watched the department rise and fall. He stated concerns with various things going on within the department in reference to hazardous training practices, lack of supervision of inmates at the administration building, core competency books, training standards and the financial responsibility of the county after 5 years if the SAFR grant is awarded. He stated he had worked for the county 8 years and that he wanted to make it clear that he had never been written up for anything with this department. He also stated concerns with current untrained volunteers and the wait time on call response because of lack of volunteers.

7. Public Hearings to Consider Planning Commission Recommendations

- a. CU-08-03 – Michael Cline – Application for a conditional use permit for a recreational mud track.

Ch. Hart asked the County Attorney Randall Frost to conduct the public hearing and recused himself from the public hearing and vote on the application due to personal reasons. Atty Frost then stated due to lack of a quorum to hold a public hearing or to consider the application, there were two alternatives the Commissioners may consider if a quorum is not present to vote:

1. The application would have to go back through the process to be considered at the next regular meeting of the Commission if there is sufficient time to readvertise.

-or-

2. The Commission could make a motion to continue the public hearing until the next regular meeting on June 24, 2008 at 3:30 p.m. since the Chairman is only recusing himself from the public hearing and the vote on the application.

Comm. Cain made a motion to continue the public hearing and consideration of the application until the June 24, 2008, 3:30 p.m. meeting. Ch. Hart seconded. Two aye votes and motion

carried.

8. Extension Service Bus Purchase

Extension Agent - Bob Waldorf

Mr. Waldorf stated \$13,500 was previously set aside in the Capital Fund for the purchase of a bus for the Extension Service. He stated he had received a quote for a bus in the amount of \$43,275 from Daimler Chrysler. Mr. Failyer stated the county had also received a grant of \$15,000 from Jackson EMC for the purchase of a bus, however he said an additional \$14,775 would have to be budgeted in FY2009 to complete the total amount needed for the purchase. Comm. Cain made a motion to budget the \$14,775 in the FY2009 budget for the purchase of a bus. Ch. Hart seconded. Two aye votes and motion carried.

9. E-911 Redundant Repeater & Satellite Bid Request

E-911 Director – Deidra Moore

Ms. Moore stated the actual bid would be considered in the FY2009 budget but requested that \$15,000 from the FY2008 E911 Capital budget be transferred to the Capital Fund as a reserve toward the purchase of the equipment. Comm. Cain made a motion to transfer the funds. Ch. Hart seconded. Two aye votes and motion carried.

10. Boards:

a. Dept of Family & Children Services – 5 year term

Alvin Thomas

Ch. Hart stated Mr. Thomas had stated he would serve another term if reappointed.

b. North GA Regional Board for MH, MR & SA – 3 year term

Judy Greer

Ch. Hart stated Ms. Greer did not wish to serve another term. He stated he did not have a replacement at the time but Ms Greer could serve until a replacement is found.

c. GA Mountains Regional Dev Bd (Private Sector) – 1 year term

Leslie George

Ch. Hart stated Ms. George had stated she would serve another term if reappointed.

d. GA Mountains Regional Dev Bd (Public Sector) – 1 year term

Angela Sheppard

Ch. Hart stated Ms. Sheppard had stated she would serve another term if reappointed.

Comm. Cain made a motion to reappoint all board members to their positions for another term. Ms. Greer will continue to serve until a replacement is appointed. Ch. Hart seconded. Two aye votes and motion carried.

11. Contracts & Agreements:

a. Senior Center Nutrition Program Amendment #1 – FY2008

Legacy Link, Inc.

Ch. Hart stated this was a \$42,112 county obligation reduction which makes the amended contract \$81,154 for the FY2008 budget year. Comm. Cain made a motion to approve the contract amendment and to authorize the Chairman to sign the amendment. Ch. Hart seconded. Two aye votes and motion carried. *(Copy of contract filed in Attachment to Minutes Book #9)*

b. Lease Agreement – Evans St School

Banks County Bd of Education

Ch. Hart stated this was to provide temporary space for the courts until the courthouse in renovated. The term of the lease is one year. The County Attorney had reviewed the agreement and pointed out that the maintenance and repair portion was the only concern with the agreement. Comm. Cain made a motion to approve the lease and to authorize the Chairman to sign the lease. Ch. Hart seconded. Two aye votes and motion carried. *(Copy of lease agreement filed in Attachment to Minutes Book #9)*

c. Baldwin Fire Contract - \$22,103.92

Postponed: 5/13/2008

Comm. Cain made a motion to bring the item from the table for discussion. Ch. Hart seconded. Two aye votes and motion carried. Acting Mayor of Baldwin Ray Holcomb expressed concerns of response time if a new fire station is created by Banks County. Ch. Hart stated that research was being done toward other alternatives and asked that the item be postponed to a future meeting to allow time for research. Comm. Cain made a motion to postpone this item until the June 24,

2008 at 3:30 p.m. meeting. Ch. Hart seconded. Two aye votes and motion carried.

d. VFIS Fire/EMS Liability Insurance - \$58,683

Ch. Hart stated the contract reflected an increase due to increased personnel and an increase in the loss ratio for the previous year. Comm. Cain made a motion to approve the contract for FY2009 in the amount of \$58,683. Ch. Hart seconded. Two aye votes and motion carried.

12. Recreation Center Heating/Air Unit Repair

Ch. Hart stated there had been problems with the system since installation that had not been resolved. Simmons Heating & Air stated they had spoken with Trane who had stated they would honor the warranty on the units if the county paid for switching the units out. Comm. Cain made a motion to authorize Simmons Heating & Air to proceed with the warranty work. Ch. Hart seconded. Two aye votes and motion carried.

13. Contract Change Order – Courthouse/Annex

Turner Construction

Ms. Sheppard stated this change order was for additional electrical work that would have to be done at the annex including additional conduit and additional power to the server room. The total amount of the change order is \$1,814. Comm. Cain made a motion to approve the change order. Ch. Hart seconded. Two aye votes and motion carried. Ms. Sheppard also stated she would follow-up as to who should be responsible for the change order. She also stated another electrical outlet change order could be paid from the Turner Construction's Construction Contingency Fund in the amount of \$770 if approved by the Commissioners. Comm. Cain made a motion to authorize the payment of the change order from the Turner Construction Contingency Fund. Ch. Hart seconded. Two aye votes and motion carried.

14. Executive Session: Litigation & Land Acquisition

Comm. Cain made a motion to go into executive session to discuss potential litigation and land acquisition at 7:09 p.m. Ch. Hart seconded. Two aye votes and motion carried. Comm. Cain made a motion to come out of executive session and to reconvene the meeting at 7:34 p.m. Ch. Hart seconded. Two aye votes and motion carried. *(Copy of affidavit filed in Attachment to Minutes Book #9)*

15. Adjournment

With no further business, Comm. Cain made a motion to adjourn the meeting. Ch. Hart seconded. Two aye votes and meeting adjourned at 7:35 p.m.

Chairman

Clerk
