

The Banks County Board of Commissioners held their regular meeting on June 10, 2014 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 Attorney Randall Frost  
Financial Officer Randy Failyer  
County Clerk Regina Gailey  
Assistant County Clerk Erin Decker  
Development Authority Executive Brad Day  
Recreation Director Joe Gailey

**Media Present**

Banks County News – Alex Pace  
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: Danny Maxwell

Second: David Duckett

Vote: 5:0

Unanimous vote and motion passed.

**3. Prayer**

Ch. Hooper stated as public employees it is important to portray public trust. The citizens expect us to be trustworthy and as employees we have inside knowledge that doesn't need to be shared with everyone.

Ch. Hooper led a moment of silent prayer.

**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

Unanimous vote and motion passed.

**6. Approval of Previous Minutes – 5/5, 5/6, 5/13, 5/15, 5/21, 5/22, 5/29**

Motion to approve the 5/5, 5/6, 5/13, 5/15, 5/21, 5/22, 5/29 minutes: David Duckett

Second: Danny Maxwell

Vote: 5:0

Unanimous vote and motion passed.

**7. Planning Commission Recommendations:**

**a.CU-14-04-Jeff Straub-A conditional use application for an amusement and teen center at 165 Pottery Factory Drive.**

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing. Mr. Day stated the Planning Commission met on June 3, 2014 and recommended the proposed conditional use be approved with conditions by the Board of Commissioners. The conditions are the teen center would operate on Fridays to serve ages 11 – 15 year olds and Saturdays to serve 16 -19 year olds. Contact and phone numbers would be required for anyone under the age of 16 or without a driver's license. Also no alcoholic containers would be permitted on the premises Friday or Saturday night.

Jeff Straub 171 Arlington Lane, Commerce, GA – Stated he and his wife were trying to open an establishment called Bump It Up and Bounce. An activity center where they would have a toddler area and a place where people could come and drop their children off for a few hours at a time. They would also have a teen center Friday and Saturday night and the age groups would be separated. He stated if this didn't work, then they would stop the program because they were trying to have something that would keep kids out of trouble.

Ms. Straub stated their current goal is to have a place for children to go. Children do not have a constructive place to go except for the parking lots. She stated this would be an outlet for these children.

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

Motion to approve the conditional use with the conditions that the teen center would serve 11 – 15 years of age on Friday night and 16 – 19 years of age on Saturday nights. Also children 16 and under would have to supply contact and phone numbers and also for anyone without a driver's license. No alcoholic beverages would be permitted on the premises: Danny Maxwell

Second: Jimmy Hooper

Vote: 5:0

Unanimous vote and motion passed.

**b. V-14-02 – Georgia Certified LLC – A variance application for a replacement sign that will exceed 40 feet in height for Affordable Dentures located at 287 Steven B. Tanger Blvd.**

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing. Mr. Day stated the Planning Commission met on June 3, 2014 and they recommend approval of the variance for a higher sign.

Cathy White with Georgia Certified located in Monroe, Georgia – Stated she was here to get approval on the additional height for the Affordable Dentures sign in which they would like to add a small EMC board. The new sign will be no bigger than what is already there, there will just be the addition of the EMC board.

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

Motion to approve the variance: Danny Maxwell

Second: Jimmy Hooper

Vote: 5:0

Unanimous vote and motion passed.

**c. V-14-03 – Kenneth Cochran - Variance for a manufactured home to be located on the same tract as another home.**

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

Mr. Day stated the Planning Commission met on June 3, 2014 and made no recommendation.

Kenneth Cochran - 156 Kendra Court – Mr. Cochran stated he had cancer and his daughter wanted to move closer to him so she could help him on the farm and take him to the doctor.

Milton White - 175 John Morris Road – Mr. White stated Mr. Cochran's wife was his cousin and he would appreciate the application being approved.

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

Motion to approve the variance: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

Unanimous vote and motion passed.

**8. Windmill Farm Recreation Facilities Long Range Plan                      Jason Hensley**

Recreation Board Chairman Jason Hensley stated the board had put a lot of time and effort in a conceptual plan for what they believed needed to be done at the recreation department. The build out of the plan was proposed in two stages and would be funded through the 2012 SPLOST.

Motion to adopt the proposed plan: Danny Maxwell

Second: Sammy Reece

Vote: 5:0

Unanimous vote and motion passed.

**9. Industrial Park Entrance LMIG Grant Request                                      Brad Day**

Mr. Day stated the Banks Crossing 109 site could be more competitive by extending the entrance and moving the utilities. The total estimated cost of the project would not exceed \$251,319.51 and the Development Authority match would be \$75,395.86. He asked the Commissioners if the Development Authority could apply for the 2015 Local Maintenance and Improvement Grant through the Georgia Department of Transportation. Mr. Day stated this would be a revenue neutral application and would

add this amount to the current loan agreement between the Development Authority and the Board of Commissioners.

Motion to approve the request: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

Unanimous vote and motion passed.

**10. Building Inspection Services Agreement – Bureau Veritas North America, Inc.**

Ch. Hooper stated the agreement was just for emergencies when we didn't have a building inspector available. The agreement began on June 10, 2014 and would remain in effect for 90 days.

Motion to approve the agreement: Danny Maxwell

Second: David Duckett

Vote: 5:0

Unanimous vote and motion passed.

*(Copy of agreement filed on Attachment to Minutes #9-5)*

**11. Dangerous Dog Appeal Hearing Code**

Ch. Hooper stated currently the Board of Health heard the Dangerous Dog Appeals but now Georgia State law had changed the appeal hearings to Probate Court.

Motion to approve the resolution: Jimmy Hooper

Second: David Duckett

Vote: 5:0

Unanimous vote and motion passed.

*(Copy of resolution filed in Attachment to Minutes #9-5) 2014-08*

**12. Boards and Authorities:**

**a. Department of Family & Children Services Board – 5 year term**

Motion to reappoint Louann Gardiner for a 5 year term: Danny Maxwell

Second: David Duckett

Vote: 5:0

Unanimous vote and motion passed.

**b. Department of Behavioral & Development Disabilities Board – 3 year term**

Motion to reappoint Dr. Melanie Stancil for a 3 year term: David Duckett

Second: Danny Maxwell

Vote: 5:0

Unanimous vote and motion passed.

**c. Georgia Mountain Regional Commission – 1 year term**

Motion to reappoint Danny Maxwell for a 1 year term: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

Unanimous vote and motion passed.

**13. FY2015 Budget**

**Randy Failyer**

**FY2014 Budget Amendment Resolution**

Motion to approve the resolution: Charles Turk

Second: Sammy Reece

Vote: 5:0

Unanimous vote and motion passed.

*(Copy of resolution filed in Attachment to Minutes #9-5) 2014-09*

**Recreation Department Mower**

Motion to approve the purchase of a SKAG mower with 2006 SPLOST funds: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

Unanimous vote and motion passed.

**Budget Continuation Resolution**

Mr. Failyer stated if the Commissioners were happy with the proposed FY2015 budget, should he proceed with advertising the public hearings for the FY2015 budget approval. Also a resolution needed to be approved in order to continue operations for FY2014 until the FY2015 budget is approved. The resolution would expire on August 31, 2014.

Motion to approve the resolution: Charles Turk

Second: Sammy Reece

Vote: 5:

Unanimous vote and motion passed.

*(Copy of resolution filed in Attachment to Minutes #9-5) 2014-10*

**Commissioner’s Day**

Ch. Hooper stated there would be a Commissioner’s Day on October 5, 2014.

Milton White - 175 John Morris Road stated there needed to be more employees in the road dept.

**Adjournment**

The meeting adjourned at 7:15 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Assistant County Clerk

\*\*\*\*\*

