

The Banks County Board of Commissioners held their regular meeting on August 14, 2007 at 6:30 p.m. in the courtroom of the Banks County Courthouse with Chairman Gene Hart, Commissioner Rickey Cain and Commissioner Joe Barefoot present.

**1. Call to Order**

Chairman Gene Hart called the meeting to order.

**2. Approval of Agenda**

Ch. Hart stated Item #15 “Baldwin Fire Contract” could be deleted. Comm. Barefoot made a motion to amend the agenda to remove Item #15. 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**

Comm. Barefoot led the Pledge of Allegiance.

**5. Approval of Invoices**

Comm. Cain made a motion to approve the invoices for payment as of today. Comm. Barefoot seconded. Two aye votes and motion carried.

**6. Approval of Previous Month Minutes – 7/10, 7/10, 7/12, 7/25, 7/26, 7/26**

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

**7. Consent Agenda:**

*No items listed*

**8. Public Hearings to Consider Planning Commission Recommendations**

***a. Z-07-05 – Joe & Cindy Tu – Rezoning from ARR, Agricultural, Rural, Rural-Residential to CAD, Consolidated Agricultural District-Intensive on Beagle Trail***

Ch. Hart opened the public hearing and asked Code Enforcement Officer Keith Covington to present the application. Officer Covington stated the existing zoning is ARR and the proposed zoning is CAD. The property consists of 27.659 acres on tax map-parcel B28-016A. The Planning Commission recommended approval of the application. Mrs. Tu spoke in favor of the application by stating the farm consisted of 3 henhouses with 2 located on one lot that is currently zoned CAD and 1 located on one lot currently zoned ARR which also includes a residence. She further stated the reason for the rezone request is to get the entire farm which includes both lots, zoned consistent. She stated all 3 poultry houses were currently in use. Adjacent neighbor to the farm Carl Hall stated he was in favor of the request and further stated Mr. & Mrs. Tu were good neighbors. Adjacent landowner Mike Jewell spoke in opposition to the request and presented aerial photos of the property which shows the location of the creek and where Mr. Tu had clear cut the property. He stated concerns that runoff from the property would flow into the creek or into the wetlands behind the property. He further stated his well feeds from the creek and that he is concerned with possible contamination if chemicals are placed on the property. Ch. Hart asked if all regulations had been met. Mr. Tu stated he understands the concern and understands that EPA regulations must be met if he makes any changes to the property. He also said the logging company he hired to cut the timber is licensed by the US Forestry Service. He said a survey was done and that the property was found to be in compliance with EPA regulations. He also said if improvements are needed on the property, he would do them. Ms. Tu stated they planned to grass the property and the tractor was already on site to begin. Mr. Jewell stated Mr. Tu was installing chicken pits in dirt that was not suitable according to state laws. He said it should be hard clay but instead is sand. Ch. Hart asked if the pits needed to be inspected. Mr. Tu stated he did not know if the pits needed to be inspected but when he purchased the property a couple of months ago, the original owner had a chicken pit permit. Comm. Cain said the state agency needed to be called to

be onsite when a chicken pit is dug and that the pit cannot be over 8 ft deep. Mr. Tu stated he would do that. Ch. Hart closed the public hearing. Comm. Cain made a motion to postpone the application until the September 11, 2007 meeting to allow research of the property by the Commissioners. Comm. Barefoot seconded and stated the chicken pits are an important issue and should be done with the proper state supervision. Two aye votes and motion carried.

***b. CU-07-11 – Conditional use permit for a hotel on Hwy 441 South at Banks Crossing***

Ch. Hart opened the public hearing and asked Code Enforcement Officer Keith Covington to present the application. Officer Covington stated this property was owned by Premier Hotel Group, Inc. with the applicant being Paul Patel, president. The existing zoning is Commercial and the existing use is vacant land with the proposed use being a new hotel on 2.088 acres behind the old Subway. The Subway building would be torn down and a new 4 unit shopping center built out front with the hotel behind. The property is tax map-parcel B54D-52. The Planning Commission recommended approval of the application. Mr. Patel spoke in favor of the application and also had his architect for the project present. He said it was the property behind Sonic, Pizza Hut, Subway and Wendy's. He further stated the hotel would be a Comfort Suites which is a choice hotel. The building would be 4 stories and would be approximately 50,000 square feet. He said Subway would close for construction and then would reopen in the new shopping center. The entrance would be across from Dairy Queen. He said he had a cross easement through Sonic parking lot to allow entrance from Steven Tanger Boulevard as well. He also said the hotel would have interior hallways and would consist of 74 suites and would be a \$5.5 million project. Ch. Hart closed the public hearing. Comm. Barefoot made a motion to approve the application. Comm. Cain seconded. Two aye votes and motion carried.

**9. Public Comment:**

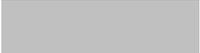
*No items listed*

**10. Recreation Program Equipment Bids**

Ch. Hart stated sealed bids had been received from vendors as shown below with low bidders for each item highlighted:

Item	Each	Logo Express	Bulldog Sporting Goods	Harris Sporting Goods	All Sports	
Champro APEX Helmets with Facemask	15	\$67.99	\$57.95	\$75.00	\$55.62	
DNA recruit Helmets with Facemask	15	\$68.49	\$57.95	\$76.00	No Bid	
Russell Pants (snap-in)	50+	\$10.99	\$11.95	\$13.00	No Bid	
Rawlings Belt Length	100+	\$12.50	14.50y/14.95A	No Bid	No Bid	
Don Alleson touch football jerseys	100+	\$8.00	\$8.25	\$19.59	No Bid	
All Sports America Blitz Jersey	100+	\$24.80	No Bid	No Bid	\$12.12	
Triple Threat Flags	60	\$1.75	\$2.60	No Bid	\$1.94	
Don Alleson Soccer Jersey	75+	13.50A/12.00Y	11.95A/10.50Y	17.50A/16.00Y	No Bid	
Mouth Pieces	125	\$0.49	\$0.31	\$0.60	\$0.23	
Schutt Shoulder Pads	XXS	25	\$25.15	\$22.95	\$27.00	\$17.82
	XS	25	\$26.57	\$24.95	\$30.00	\$22.32
	S	25	\$28.88	\$26.95	\$33.00	\$25.02
	M	10	\$31.47	\$29.50	\$36.00	\$27.72
	L	10	\$34.37	\$31.95	\$39.00	\$30.42
	XL	10	\$37.17	\$34.50	\$42.00	\$33.12
	XXL	5	\$39.94	\$37.50	\$45.00	\$35.82
Nike 1000 Composite	1000Y	8	\$14.50	\$14.89	\$16.50	No Bid
	1000J	8	\$14.50	\$14.89	\$16.50	No Bid
	1000K	8	\$14.50	\$14.89	\$16.50	No Bid

Chin Strap	24	\$3.98	\$3.05	\$3.50	\$2.69
Snap in Pads	50	\$9.10	6.95/7.95	\$11.00	\$7.20
Cheer Kits	125	\$42.60	34.80/33.50	40.00Y/44.00A	No Bid
Pom Poms	125+	2.90ball/7.90pom	\$3.70	No Bid	No Bid
T-Shirts	100+	\$5.35	\$4.95	\$6.00	No Bid
Fox 40 Whistles	10	\$3.96	\$4.50	\$4.50	No Bid

 Grey Color = Low Bid

Comm. Cain made a motion to approve the low bidders as highlighted. Comm. Barefoot seconded. Two aye votes and motion carried.

**11. Animal Shelter Agreement**

Ch. Hart stated in order for the county to take stray animals to Commerce Veterinarian Clinic, an agreement must be signed and returned to the clinic yearly. Comm. Cain made a motion to approve the agreement and to authorize the Chairman to sign the agreement pending the county attorney’s approval. Comm. Barefoot seconded. Two aye votes and motion carried. **(Copy of agreement filed in Attachment to Minutes Book #8-2)**

**12. Boards:**

**a. Zoning Appeals Board**

*Gordon Worley*

**d. Zoning Appeals Board**

*Edward Barrett*

Ch. Hart stated this had been postponed in the July meeting. Comm. Cain made a motion to reappoint both positions on the Zoning Appeals Board. Comm. Barefoot seconded. Two aye votes and motion carried. Each term expires on July 31, 2011.

**13. Surplus Property**

Ch. Hart asked Emergency Services Director Steve Nichols to present the request. Mr. Nichols stated this was a truck that has extensive electrical & mechanical problems and serves no public purpose. The vehicle is a 1996 Ford E350 ambulance, VIN#1FD3E30F2THD02266. Comm. Barefoot made a motion to surplus the vehicle. Comm. Cain seconded. Two aye votes and motion carried.

**14. Resolutions:**

**a. Abstaining from voting on issues before the County Commission**

Ch. Hart stated the Association of County Commissioners of Georgia recommended the resolution be passed to require that when a County Commissioner abstains from voting on an issue, they must state the reason for abstaining in order for it to become a part of the record. Comm. Cain made a motion to postpone the vote on this issue until August 28, 2007 regular meeting in order to have more time to review the resolution. Comm. Barefoot seconded. Two aye votes and motion carried.

Ch. Hart stated the Commissioners have designated the fourth Tuesday of each month at 3:30 p.m. as another regular monthly meeting.

**15. Baldwin Fire Contract**

Item Deleted

**16. CDBG-EIP Grant Contract Extension – N Countyline Rd**

Ch. Hart stated Georgia Mountain Regional Development Center had requested an extension of the contract to December 1, 2007 for the completion of the grant. Comm. Barefoot made a motion to extend the contract until December 1, 2007. Comm. Cain seconded. Two aye votes and motion carried.

**17. Georgia Department of Corrections – IW Davis Prisoner Detail Contract 7/1/2007 – 6/30/2008**

Ch. Hart stated this was a renewal of the annual contract with amount remaining the same as last year at \$37,500. Comm. Cain made a motion to approve the contract and to authorize the Chairman to sign the contract. Comm. Barefoot seconded. Two aye votes and motion carried.

**18. Economic Development Website**

**Angela Sheppard**

Ms. Sheppard stated she had begun development of the website developbanks.com and had received quotes from vendors toward the development of the website. She recommended approval of Murcon for the project. She said they had discussions with all three vendors. Comm. Barefoot made a motion to enter into a contract with Murcon. Comm. Cain seconded. Two aye votes and motion carried.

**19. Courthouse/Annex Request for Qualifications**

**Angela Sheppard**

Ms. Sheppard stated there were some services toward construction that would not be provided by the construction manager and a request for qualifications had been sent out and interviews held with the vendors. A needs assessment will be done for each service to determine what equipment can be reused and what equipment will need to be purchased. Based on the interviews by the selection committee, the following services were considered with the recommended vendors:

Audio/Visual Services	NSync, Inc.
Voice Data Services	Ansley Communications
Security Services	Convergint Technologies
Furnishings – Design & Procurement Services	Corporate Environments

She stated a firm cost was difficult to determine at this point but would be available once the needs assessment is complete. She said each company stated they felt comfortable working within the set budget for each category. Comm. Cain made a motion to approve the committee recommendations. Comm. Barefoot seconded. Two aye votes and motion carried.

**20. Adjournment**

With no further business, Comm. Barefoot made a motion to adjourn the meeting. Comm. Cain seconded. Two aye votes and meeting adjourned at 7:17 p.m.

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Chairman

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Clerk

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