

The Banks County Board of Commissioners held their regular meeting on October 23, 2007 at 3:30 p.m. in the conference room of the Banks County Courthouse with Chairman Gene Hart, Commissioner Rickey Cain and Commissioner Joe Barefoot present. Also present were Administrative Officer Angela Sheppard and Finance Officer Randy Failyer.

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

Postponed 10/9/07

Ch. Hart stated this application had been postponed at a previous meeting and Mr. Tu had asked for more time to have the engineering study completed. Comm. Barefoot made a motion to deny the application. There was no second. Motion died from lack of second. Comm. Cain made a motion to postpone the application until the November 13, 2007, 6:30 p.m. meeting. Comm. Barefoot seconded. Two aye votes and motion carried. Comm. Cain asked that a notice be sent to Mr. Tu concerning the postponement.

4. Windmill Farm Youth Hunt

Ch. Hart stated the hunt could be held but also said Grove Level Baptist Church will need to furnish proof of liability insurance covering the event in the amount of \$1,000,000 with the county named as an additional insured. He asked for a report to the Commissioners on the hunt once it is held. He also stated a resolution needed to be passed that designated the area of Windmill Farm property that will be for used for recreational purposes. Comm. Barefoot stated concerns that if it is designated recreational it may prevent anything in the future that is not recreational from being located on the property and asked that clarification be requested from the county attorney before approving the resolution. Comm. Cain made a motion to approve the 2007 Youth Hunt and to postpone consideration of the resolution until the November 13, 2007 meeting in order to consult with the county attorney. Comm. Barefoot seconded. Two aye votes and motion carried.

5. Public Defender Contract: \$89,111

7/1/2007 – 6/30/2008

Ch. Hart stated this was a renewal of an annual contract with the Administrative Office of the Courts. Finance Officer Randy Failyer stated this was submitted after the FY08 budget was approved. He stated only \$88,000 was budgeted and the remainder would have to be covered by a budget amendment. Comm. Cain made a motion to approve the contract. Comm. Barefoot seconded. Two aye votes and motion carried. The budget amendment will be considered at a future meeting.

6. Surplus Property

Ch. Hart stated there were some vehicles and equipment that serve no public use anymore and needed to be surplus and sold at a future auction. Comm. Cain made a motion to surplus the items as listed below. Comm. Barefoot seconded. Two aye votes and motion carried.

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vehicle</u>	<u>VIN#</u>
	Army			0163
1979	Chev	C30	Truck	0211
1996	Ford		Ambulance	2266
1998	Chev	1500	Truck	2457
1981	Chev	C30	Truck	2810
1998	Ford		Van	5341
1990	Hooper		Trailer	6998
1996	Chev	S10	Body	7011
	Dodge		Truck	7709
	Chev	C70	Truck	7779

	Case	4230	Tractor	8688
1984	Chev	1500	Truck	8716
1994	Ford	CV	Car	9088
1993	Ford	F150	Truck	9319
	Trailer (wrecked)		Trailer	

7. Water Ban Violation Fees

Public Utilities Director Steve Reece presented a list of recommended water violation fees as follows:

First Offense – Warning

Second Offense - \$250 fine – if not paid within 10 days service disconnected until paid

Third Offense - \$500 fine – service disconnected

Mr. Reece stated this was still low compared to some other counties. He said the reservoir only dropped two tenths of a foot during the drought. These watering violations pertain to residential outdoor watering. Comm. Cain clarified this did not pertain to wells. Comm. Cain made a motion to approve the fines as listed. Comm. Barefoot seconded. Two aye votes and motion carried.

8. Executive Session: Land Acquisition

Comm. Cain made a motion to enter into executive session to discuss Land Acquisition at 3:54 p.m.

Comm. Barefoot seconded. Two aye votes and motion carried. Comm. Barefoot made a motion to come out of executive session and to reconvene the meeting at 4:15 p.m. Comm. Cain seconded. Two aye votes and motion carried. **(Copy of affidavit filed in Attachment to Minutes Book #8-2)**

9. Engineering Firm Interviews

The following engineering firms were interviewed for consideration of a contract to perform engineering services pertaining to water projects:

- Ben Turnipseed Engineers
- Carter & Sloope Consulting Engineers
- Jordan, Jones & Goulding
- PBS&J
- Rindt McDuff Associates

The selection of a firm will be considered at the November 13, 2007 meeting.

14. Adjournment

With no further business, Comm. Cain made a motion to adjourn the meeting. Comm. Barefoot seconded. Two aye votes and meeting adjourned at 5:54 p.m.

Chairman

Clerk
