

The Banks County Board of Commissioners held their regular meeting on February 10, 2009 at 6:30 p.m. in the board room of the Banks County Courthouse Annex with Chairman Milton Dalton, Vice Chairman Joe Barefoot and Commissioner Rickey Cain present. County Attorney Randall Frost, Finance Officer Randy Failyer and Administrative Officer Angela Sheppard were also present.

1. Call to Order

Chairman Milton Dalton called the meeting to order.

2. Approval of Agenda

Vice Chairman Barefoot made a motion to approve the agenda. Comm. Cain seconded. Two aye votes and motion carried.

3. Moment of Silence

Ch. Dalton asked Reverend Jim McClendon to lead in prayer.

4. Pledge to the American Flag

Ch. Dalton led the Pledge of Allegiance.

5. Consent Agenda:

a. Approval of Invoices

Comm. Cain made a motion to approve the invoices for the month. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

b. Approval of Minutes – 1/5, 1/13, 1/19, 1/21

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

6. Public Comment:

a. Bringing back Volunteer Firefighters

Andy Lee

Mr. Lee was not present.

7. Public Hearings to Consider Planning Commission Recommendations:

a. V-09-01 – Kenneth Kasey West – Application for a variance for setbacks for a dwelling on Hudson River Drive.

Ch. Dalton asked Atty Frost to conduct the public hearing. Atty Frost opened the public hearing and asked Code Enforcement Officer Keith Covington to present the application. Officer Covington stated the owner and applicant was Mr. West. He said the existing and proposed zoning was ARR with the existing use being a vacant lot and proposed use being a variance for a home site on the lot. He also stated the property consisted of 4.776 acres on Hudson River Drive located on Tax Map/Parcel B78-004. The Planning Commission recommended approval of the application. Mr. West stated with the way the property drops off, a variance would be the only way the lot would be buildable. Atty Frost closed the public hearing. Ch. Dalton reopened the meeting and called for a vote on the application. Vice Chairman Barefoot made a motion to approve the application. Comm. Cain seconded. Two aye votes and motion carried.

b. CU-09-01 – David Rylee – Conditional use permit for a machine shop and metal stamping shop as a home occupation.

Ch. Dalton asked Atty Frost to conduct the public hearing. Atty Frost opened the public hearing and asked Code Enforcement Officer Keith Covington to present the application. Officer Covington stated David Rylee was the owner and the applicant was Steven Rylee. The property is located on Hwy 98 and consists of 46.82 acres on Tax Map/Parcel B42-06. He stated the current zoning was ARR with the current use being a machine shop and the proposed use being a machine shop with metal stamping added as a home occupation. He stated further that an additional barn would be needed for the added use. The Planning Commission recommended approval of the application. David Rylee spoke in favor of the application by stating he would like to expand the

business. Atty Frost closed the public hearing. Ch. Dalton reopened the meeting and called for a vote on the application. Comm. Cain made a motion to approve the application. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

8. Eagle Scout Project Approval

Andrew Hudson

Mr. Hudson presented a plan to the board for a fire pit with an amphitheater to be built at the Uchee Lodge on Windmill Farm. He stated he would do this as an Eagle Scout project. Vice Chairman Barefoot commended Mr. Hudson on his accomplishments so far and made a motion to approve the project. Comm. Cain seconded. Two aye votes and motion carried.

9. Banks County Family Connections Fiscal Agent

Robin Trotter

Ms. Trotter requested that the county continue as fiscal agent for the grant. Ch. Dalton stated this was approved yearly. Vice Chairman Barefoot made a motion to approve the request. Comm. Cain seconded. Two aye votes and motion carried.

10. Banks County Community Resource Association, Inc. Request

Kay Reece

Ms. Reece was present to ask permission for the food bank located in the old historic jail to relocate to the Candler Street jail in order to open up a retail thrift store as well. She stated she realized repairs would have to be made and volunteered to get an estimate for the needed repairs. She stated the labor for the repair would be donated. Vice Chairman Barefoot made a motion to authorize Ms. Reece to obtain a repair estimate on the building and bring the estimate back to the Commission Board at a later date. Comm. Cain seconded. Two aye votes and motion carried.

11. Fire/EMS:

a. Volunteer Firefighters

John Creasy

Acting Public Safety Director John Creasy asked permission to bring in more volunteers even though a hiring freeze was currently in place. He stated no realized cost would be for the current fiscal year but would affect next fiscal year. Vice Chairman Barefoot asked the number of current volunteers. Mr. Creasy stated 29 at present. He stated 35 more people have expressed interest in volunteering. Comm. Cain made a motion to table the request until the March 10, 2009 meeting in order to allow time to consider a Public Safety Board. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

12. Contracts & Agreements:

Angela Sheppard

a. Courthouse Construction Change Orders – Turner Construction

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| COR #079 | \$1,003 | Delete Built in Court Reporter Stations and add increased height to transaction counters in Reception areas |
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Ms. Sheppard stated this would add more privacy for the clerk sitting at the counter. Comm. Cain made a motion to approve the change order. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

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| COR #081 | \$3,006 | Fire Marshal update to elevator shaft |
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Ms. Sheppard stated this was for the 80% completion Fire Marshal comments on the elevator shaft. Vice Chairman Barefoot made a motion to approve the change order. Comm. Cain seconded. Two aye votes and motion carried.

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| COR #082 | \$1,370 | Painting changes |
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Ms. Sheppard stated this was for various changes to paint types in various areas throughout the building. Comm. Cain made a motion to approve the change order. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

b. Highway 105 GEFA Loan

Ms. Sheppard stated the loan was secured at an interest rate of 2% and the loan was originally for

\$858,725. Some deductive change orders were done as well as some other changes in the contract which resulted in a balance of \$283,342.75 after the Hwy 105 project was completed. She asked if the board wished to close out the loan or to spend the balance on other water projects. She said Ken Bryan of EPD had stated if the project can be completed within the July 31, 2009 contract timeline it could be spent on other water projects. Comm. Cain said there are areas of the county that may need additional waterlines and said he felt some new waterlines needed to be installed. Vice Chairman Barefoot agreed. Comm. Cain made a motion to use the remaining funds on other water projects to be determined at a later date. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

c. Tiger Landscaping Contract Amendment Proposal

Ms. Sheppard stated a proposal for landscaping at the courthouse was previously approved. She said part of the proposal was for reusing some existing shrubs along the front of the courthouse. She said this would no longer be possible due to construction and she asked Tiger Landscaping to submit a proposal for adding shrubbery to that area. The proposal was for an additional \$1,200 to the existing contract. This would include 50 shrubs, mulch and installation. Vice Chairman Barefoot made a motion to approve the amendment. Comm. Cain seconded. Two aye votes and motion carried. Comm. Cain asked if a maintenance contract had been agreed upon. Ms. Sheppard stated once the initial warranty period was over, this would be done.

13. Adjournment

With no further business, Vice Chairman Barefoot made a motion to adjourn the meeting. Comm. Cain seconded. Two aye votes and meeting adjourned at 7:14 p.m.

Chairman

County Clerk
