

The Banks County Board of Commissioners held their regular meeting on April 14, 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 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. Prayer

Chairman Dalton asked Ray Holcomb to lead in prayer.

4. Pledge to the American Flag

Chairman Dalton asked Comm. Cain to lead 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 – 3/10, 3/24

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

6. Public Comment: NONE

7. Public Hearings to Consider Planning Commission Recommendations:

a. CU-09-03 – Ricky Martin – Conditional Use Permit for a Dairy Barn at 414 Brewer Rd.

Vice Chairman Barefoot 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 existing zoning was CAD – farming, pasture, chicken house with the proposed zoning being CAD-to add a dairy farm. He stated the property consisted of 139.9 acres on Tax Map/Parcel B27-73. The Planning Commission recommended approval of the application. Mr. Martin spoke in favor of the application by stating the operation would be a grass based dairy milked twice daily and the number of cattle will not change. He stated he would build a 20'x60' block building and that he would seek approval of a lagoon from the Natural Resource Conservation Service. He stated he would be milking 50 to 65 cows. He stated there would be no feed lots but he would have a holding lot behind the barn. Atty Frost closed the public hearing. Vice Chairman Barefoot 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.

8. Angela Sheppard Resignation

Chairman Barefoot stated the Board had received a letter of resignation from Administrative Officer Angela Sheppard. She had been with the county since 2005 and had accepted the position of Assistant City Manager of the City of Gainesville. Her last day will be Wednesday, April 22, 2009. Comm. Cain made a motion to accept Ms. Sheppard's resignation. Vice Chairman Barefoot seconded. Two aye votes and motion carried. All Commissioners expressed appreciation to Ms. Sheppard for dedicated service to Banks County.

9. Resolutions:

b. Wrecker Resolution Extension

Tabled: 3/10/09

Comm. Cain made a motion to untable this item. Vice Chairman Barefoot seconded. Two aye votes and motion carried. Ms. Gailey stated the Sheriff had agreed to oversee the wrecker list and establish procedures since the Sheriff's Department worked more closely with the wrecker services than the Commission Board. Comm. Cain made a motion to approve the amending resolution. Vice Chairman Barefoot seconded. Two aye votes and motion carried. *(Copy of resolution filed in Attachment to Minutes Book #9)2009-08*

10. Public Safety Board Members

Chairman Dalton made a motion to appoint Danny Sheridan and Kay Reece to the board. Vice Chairman Barefoot seconded. Two aye votes and motion carried. Mr. Sheridan's term will be 4 years to expire 3/31/2013 and Ms. Reece' term will be 2 years to expire 3/31/2011.

11. DOT Road Project #PR000-S009-00(743) Bid Award

Chairman Dalton stated 6 bids had been received for the resurface of 2.167 miles of North Mangum Bride Rd (CR52) and .509 miles of Nix Rd (CR142, 502). They were as follows:

Company	Bid Amount	Notes
Tugalo Construction	\$238,000.75	
ER Snell Contractors	\$228,447.81	
C.W. Matthews Contracting	\$241,730.99	
Allied Paving Contractors, Inc.	\$214,715.35	Apparent low bidder
Colditz Trucking		
Blount Construction	\$248,954.23	

Comm. Cain made a motion to approve Allied Paving Contractors, Inc. as low bidder at \$214,715.35 Vice Chairman Barefoot seconded. Two aye votes and motion carried.

12. Executive Session: Potential Litigation

Comm. Cain made a motion to go into executive session to discuss personnel and possible litigation at 6:47 p.m. Vice Chairman Barefoot seconded. Two aye votes and motion carried. Comm. Cain made a motion to come out of executive session at 6:52 p.m. Vice Chairman Barefoot seconded. Two aye votes and motion carried. *(Copy of affidavit filed in Attachment to Minutes Book #9)*

13. Adjournment

With no further business, Comm. Cain made a motion to adjourn the meeting. Vice Chairman Barefoot seconded. Two aye votes and meeting adjourned at 6:53 p.m.

Chairman

County Clerk
