

The Banks County Board of Commissioners held a called meeting on April 6, 2009 at 10:30 a.m. in the Wilson Shoals training room of the Banks County Courthouse Annex. Present were Chairman Milton Dalton, Vice Chairman Joe Barefoot and Commissioner Rickey Cain. Also present were E911/EMA Director Deidra Moore, Personnel Officer Judy Greer, Chief Deputy Kyle Bryant, County Attorney Randall Frost, Administrative Officer Angela Sheppard and Finance Officer Randy Failyer.

### **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. Ruby Tuesday, Inc. Alleged Alcohol Violations**

Atty Frost opened the public hearing and asked Major Kyle Bryant to present the alleged ordinance violation. Major Bryant stated Johnny Brown with the Georgia Department of Revenue, Alcohol/Tobacco Unit sent a 19 year old female to some establishments within Banks County to check for underage alcohol sales. He stated a waitress Amy Rogers sold to the undercover agent without checking here I.D. and since has been arrested and bonded out. He also stated that Ruby Tuesday had fired the waitress since the incident. He stated that this was the only reported incident within the county. Anthony Sadler, General Manager of Ruby Tuesday stated since the violation the waitress was terminated and the entire staff was retrained and each employee signed that they had received the training. Atty Frost closed the hearing and the Chairman reopened the meeting. Comm. Cain made a motion to place Ruby Tuesday, Inc. on probation for 6 months beginning April 6, 2009 through October 6, 2009. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

### **4. Public Safety Board Resolution Amendment**

Comm. Cain made a motion to approve the resolution to add two additional members. Vice Chairman Barefoot seconded. Two aye votes and motion carried. *(Copy of resolution filed in Attachment to Minutes Book #9) 2009-07*

### **5. Fire/EMS**

Ch. Dalton stated he felt they had gone long enough without doing something about appointing a fire chief. He stated the policy manual states the position could be filled from within the department even though there is currently a hiring freeze. He said he felt the board owed it to the citizens to go ahead and appoint a fire chief even if it has to be changed at a later date. Comm. Cain made a motion to appoint Jeff Taylor as acting fire chief until hiring freeze is lifted and the position can be advertised. Vice Chairman Barefoot seconded. Two aye votes and motion carried. Ch. Dalton stated Mr. Creasy would finish out his 90 day period which expires April 13, 2009.

### **6. Courthouse Cooling Tower**

Ms. Sheppard stated there had been some complications with the cooling tower and a new tower had been ordered. She said some discussions were held concerning the responsibility of the busted coils of the tower. Maintenance Supervisor Kenny Crumley will replace the tower. Ms Reynolds stated the replacement of the tower was not the contractual responsibility of Turner Construction, however since they would have to tie into the cooling tower from the building there was some coordination. Evapco representative J.W. McKinnie stated he did not think the proper Ph levels were maintained in the system. He stated this could cause the breakdown of the system. He also stated that glycol should be maintained in the coils to prevent freezing. He stated in June or July of last year, Evapco had recommended that the tower be replaced. Shumate was a contractor that quoted for the job. Jimmy Padgett and Tommy Lee from Shumate were present. Vice Chairman Barefoot asked if the water was not turned off to the tower during construction. Mr. Padgett stated the water in the pan of the tower is what froze. He stated Shumate turned the water off inside the building but not outside and the only thing left outside was the makeup water. He further stated once they cut off the valve - they drained the coils. Mr. Lee confirmed that it was inside the building only. Comm. Cain stated when the contract was done with Turner Construction, the agreement was that the tower would be in the condition it was when the construction began and that the system was



**COR #96** **\$2,518**

Ms. Reynolds stated this was for ADA requirements of moving thermostats. Vice Chairman Barefoot made a motion to approve the change order. Comm. Cain seconded. Two aye votes and motion carried.

**COR #97** **\$4,317**

Ms. Reynolds stated this was for the courthouse façade lighting. Vice Chairman Barefoot made a motion to deny the change order. Comm. Cain seconded. Two aye votes and motion carried.

**COR #98** **\$ 896**

Ms. Reynolds stated this was for courthouse jury chair base blocking support. Vice Chairman Barefoot made a motion to approve the change order. Comm. Cain seconded. Two aye votes and motion carried.

**COR #99** **\$(604)**

Ms. Reynolds stated this was a credit for courthouse fog painting exposed ceiling. Comm. Cain made a motion to approve the change order. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

**COR #100** **\$1,269**

Ms. Reynolds stated this was for curb & gutter revision for proper drainage. Vice Chairman Barefoot made a motion to approve the change order. Comm. Cain seconded. Two aye votes and motion carried.

**COR #101** **\$18,886**

Ms. Reynolds stated this was for a proposed canopy to be constructed on the front of the courthouse. Comm. Cain stated he would like to see other ideas for the canopy. Vice Chairman Barefoot made a motion to deny the change order. Comm. Cain seconded. Two aye votes and motion carried.

**COR #102** **\$(1,052)**

Ms. Reynolds stated this was a credit for a courthouse lobby light fixture that was not used. Comm. Cain made a motion to approve the change order. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

**COR #103** **\$(589)**

Ms. Reynolds stated this was a credit for not painting the stairs behind the Sallyport. Vice Chairman Barefoot made a motion to approve the change order. Comm. Cain seconded. Two aye votes and motion carried.

**9. Adjournment**

Comm. Cain made a motion to adjourn the meeting at 12:26 p.m. Vice Chairman Barefoot seconded. Two aye votes and motion carried.

\_\_\_\_\_  
Chairman

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

\*\*\*\*\*