

The Banks County Board of Commissioners held a called meeting on October 22, 2010 at 9:00 a.m. in the Board Room of the Banks County Courthouse Annex. Present were Chairman Milton Dalton, Vice Chairman Joe Barefoot and Commissioners Charles Turk, Ernest Rogers and Rickey Cain. County Attorney Randall Frost was also present. A representative of the local newspaper was also present. The purpose of the meeting was to discuss pending litigation.

**1. Call to Order**

Ch. Dalton called the meeting to order.

**2. Approval of Agenda**

Commissioner Cain made a motion to approve the agenda. Vice Ch. Barefoot seconded. All aye votes and the agenda was approved.

**3. Executive Session: Litigation**

Vice Ch. Barefoot made a motion to enter into executive session to discuss litigation. Comm. Turk seconded. All aye votes and the executive session started at 9:10 a.m.

Vice Ch. Barefoot made a motion to come out of executive session. Comm. Cain seconded. All aye votes and the executive session ended at 9:25 a.m. *(Copy of affidavit filed in Attachment to Minutes Book 9-2)*

Attorney Frost stated that John T. Seigler of JTS Trucking, Inc. had filed suit concerning conditional use permit CU-09-05 and a vote needed to be taken to approve the settlement of the case, authorizing the County Attorney sign the proposed Consent Order and approve the conditional use with listed conditions. Vice Ch. Barefoot made a motion to approve the Consent Order, County Attorney to sign Consent Order and to issue the conditional use permit with listed conditions for CU-09-05. Comm. Cain seconded. Comm. Turk stated he did not agree with the number of trucks. All aye votes and motion carried. *(Copy of order and conditions filed in Attachment to Minutes Book 9-2)*

**4. Adjournment**

With no more business, Comm. Rogers made a motion to adjourn the meeting. Comm. Turk seconded. All aye votes and motion carried. The meeting adjourned at 9:30 a.m.

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Chairman

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County Clerk

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