

The Banks County Board of Commissioners held the regular meeting on September 13, 2011 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex. Present were Chairman Milton Dalton, Vice Chairman Charles Turk and Commissioners Danny Maxwell, Sammy Reece and Ernest Rogers. County Attorney Randall Frost was also present.

1. Call to Order

Chairman Dalton called the meeting to order.

2. Approval of Agenda

Commissioner Reece made a motion to approve the agenda. Commissioner Maxwell seconded. All aye votes and motion carried.

3. Prayer

Ch. Dalton asked for a moment of silence.

4. Pledge to the American Flag

Comm. Rogers led the pledge to the American Flag.

5. Approval of Invoices

Comm. Rogers made a motion to approve the invoices as listed. Comm. Reece seconded. All aye votes and motion carried.

6. Approval of Previous Meeting Minutes – 8/2, 8/9, 8/16, 8/30

Vice Ch. Turk made a motion to approve the minutes as written. Comm. Rogers seconded. All aye votes and motion carried.

7. Planning Commission Recommendations:

a. CU-11-01 – CBT A Division of SCBT, N.A. – a conditional use application for an express car wash to be located at 40081 Highway 441, South.

Ch. Dalton closed the meeting and opened the public hearing and turned the hearing over to County Attorney Randall Frost. Atty Frost asked Code Enforcement Officer Keith Covington to present the application. Officer Covington stated the applicant was Rick Wood and the name of the business would be Snappy Express Carwash. He stated the property consisted of .921 acres and was located on map/parcel #B55-018 in the vacant motorcycle shop building. The Planning Commission recommended approval of the application. Mr. Wood was present to speak in favor of the application by stating the plan was to build an express tunnel to service 85-90 vehicles per hour. He stated he was currently working with the DOT concerning entrances from US441. He also said he planned to use the existing building with the addition of equipment and conveyors. Comm. Rogers asked if there would be merchandise for sale. Mr. Wood stated it would be minimal and would be through vending machines. He further stated there was a possibility that they may offer Flex Service which involves interior hand cleaning with the carwash for \$29.95 if the down economy dictates. He stated they may also offer monthly prepay rates. No one spoke in opposition to the application. Atty Frost closed the public hearing and Ch. Dalton reopened the meeting. Comm. Rogers made a motion to approve the application. Comm. Maxwell seconded. All aye votes and motion carried.

8. Bellamy Rd Car Accident

Debbie Reems

Ms. Reems stated her husband was involved in a car accident with a fallen tree on Bellamy Rd and sustained damage on the vehicle. She asked that the county pay for one half of the damages since the tree was on the side of a county road. She presented photos of the damages to the vehicle and stated it happened about two days after a storm. Comm. Reece stated the right of way on Bellamy Rd was prescriptive which meant from ditch to ditch. He then asked Ms. Reems where the tree was located. She said she was not sure. Comm. Rogers stated the county could not go onto private property to cut down trees. Comm. Turk agreed. Comm. Reece suggested Ms. Reems check with the Tax Assessors office to find out the property owner where the tree was located.

9. GIS Data & Training Services Agreement – eGIS Associates, Inc. Tabled: 8/30/2011

Ch. Dalton made a motion to leave the item on the table. Motion died for lack of second. Item will remain on table until next regular meeting.

10. Applebee's Owner & Name Change

Officer Covington stated this was a transfer of the license and that all applicable fees had been paid and all criteria met. Vice Ch. Turk made a motion to approve the transfer. Comm. Maxwell seconded. All aye votes and motion carried.

11. 2011 Millage Rate Resolution

Vice Ch. Turk read the resolution and stated in order to keep the millage the same as the prior year, the 2012 tax portion of the budget would have to be reduced by \$33,324. He then made a motion to approve the millage rate as follows:

General County Maintenance & Operation	13.454 Mills
Local Option Sales Tax Reduction	<u>4.475 Mills</u>
<u>Actual County M & O</u>	<u>8.979 Mills</u>
TOTAL COUNTY MILLAGE	8.979 Mills

Comm. Rogers seconded. All aye votes and motion carried. ***(Copy of resolution filed in Attachment to Minutes Book #9-3) 2011-13***

12. Zoning Appeals Board

Gene McDuffie

Ch. Dalton stated Mr. McDuffie had resigned from his position on the board due to health reasons. His replacement would finish out the four year term to expire July 31, 2013. Comm. Reece made a motion to appoint Richard Cochran to the board. Comm. Maxwell seconded. All aye votes and motion carried.

13. Executive Session: Personnel & Litigation

Comm. Maxwell made a motion to go into executive session to discuss personnel & litigation at 6:50 p.m. Comm. Rogers seconded. All aye votes and motion carried. Vice Ch. Turk made a motion to come out of executive session at 7:29 p.m. Comm. Maxwell seconded. All aye votes and motion carried. ***(Copy of affidavit filed in Attachment to Minutes Book #9-3)***

14. Adjournment

With no more business, Comm. Maxwell made a motion to adjourn the meeting. Comm. Rogers seconded. All aye votes and motion carried. The meeting adjourned at 7:30 p.m.

Chairman

County Clerk
