

The Banks County Board of Commissioners held their regular meeting on March 27, 2012 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.

1. Call to Order

Ch. Dalton called the meeting to order.

2. Approval of Agenda

Ch. Dalton stated Executive Session: Litigation needed to be added as Item 10. Commissioner Reece made a motion to approve the agenda as amended. Commissioner Maxwell seconded. All aye votes and the motion passed.

3. Prayer

Ch. Dalton led a moment of silent prayer.

4. Pledge to the American Flag

Comm. Maxwell led the Pledge to the American Flag.

5. Special Recognition:

a. Keep Our Mountains Beautiful Contest Winner – First Place – Ashton Whitehead

b. Keep Our Mountains Beautiful Contest Winner – Second Place – Colton Decker

Leslie George with Keep Our Mountains Beautiful stated their program focused on education. Ashley Rubio, the environmental educator for Keep Our Mountains Beautiful began a contest program.

Ms. Rubio stated they had “The Lorax” writing contest where the children wrote a paragraph stating why they thought trees are important to them. The first place winner was Ashton Whitehead and the second place winner was Colton Decker.

Ch. Dalton presented the winners of the contest with a certificate of recognition.

6. Public Hearing to Consider Planning Commission Recommendations:

a. CUP-12-02 – Country Boys Enterprises – A conditional use permit application for a satellite and firearm sales business at 783 Caudell Road.

Ch. Dalton closed the commissioner’s meeting and opened the public hearing. County Attorney Randall Frost stated this application was for a Conditional Use Permit for Country Boys Enterprises for satellite and fire arm sales at 783 Caudell Road. Zoning Officer Keith Covington stated the property owners are Shirley and Carey Stephens at 783 Caudell Road and 134 Union Hill Road, and the applicant is Country Boy Enterprises. The existing zoning is ARR and the existing use is satellite sales and firearm sales. The proposed zoning and use are the same. It is on 5.52 acres and tax map and parcel B47-37. Zoning Officer Covington stated the Planning Commission recommended approval.

Carey Stephens spoke for the application. He stated he was the co-owner of Country Boy Enterprises and had an active business license since 1999. He already has his fire arm sales permit that is good for three years. He also stated he had support letters from all the neighbors.

Ch. Dalton closed the public hearing and opened the commissioners meeting. Comm. Reece made a motion to approve the conditional use permit. Comm. Maxwell seconded. All aye votes and the motion passed.

7. Yancey/CAT Equipment Quote – Public Utilities

Public Utilities Director Steve Reece stated they had one 307 Caterpillar 2PM490, one 416C Caterpillar 5YN3151 and one WA180 Komatsu A75664 that he would like to trade in for a 259B3 Caterpillar Compact Track Loader. He stated the attachments it came with were a bucket and forks and it comes with a one year warranty. The amount of the trade is \$42,900. Mr. Reece stated the equipment trade was an even trade and no money would be due. Comm. Rogers made a motion to approve the equipment trade. Vice Ch. Turk seconded. All aye votes and the motion passed.

8. Public Utilities Hiring Freeze Lift – Utility Repairman

Steve Reece stated Water Distribution had two open positions at the time of the hiring freeze and he is asking permission for the hiring freeze to be lifted in order for him to hire one open position. Comm. Maxwell made a motion to lift the hiring freeze for one utility repairman. Comm. Rogers seconded. All aye votes and the motion passed.

9. 2012 LP Gas Bids #212-326

Finance Officer Randy Failyer stated propane bids were received from two companies. Amerigas bid \$1.729 per gallon and A Better Gas bid \$1.73 per gallon. Mr. Failyer stated because the County has the 3% Local Vendor Preference Resolution, A Better Gas bid would be the low bid. Comm. Reece made a motion to accept the bid from A Better Gas in the amount of \$1.73. Comm. Maxwell seconded. All aye votes and the motion passed.

10. Executive Session Litigation

Comm. Maxwell made a motion to enter into executive session concerning litigation. Vice Ch. Turk seconded. All aye votes and the motion passed. The executive session started at 6:47 p.m.

Comm. Reece made a motion to close the executive session. Comm. Maxwell seconded. All aye votes and the executive session ended at 7:12 p.m. *(Copy of affidavit filed in Attachment to Minutes Book #9-3).*

11. Adjournment

Comm. Rogers made a motion to adjourn the meeting. Comm. Reece seconded. All aye votes and the meeting was adjourned at 7:13 p.m.

Chairman

Assistant County Clerk
