

The Banks County Board of Commissioners held their regular meeting on July 9, 2013 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present:

Chairman Jimmy Hooper  
Vice Chairman Charles Turk  
Commissioner David Duckett  
Commissioner Danny Maxwell  
Commissioner Sammy Reece

Staff Present:

County Attorney Randall Frost  
Economic Developer Brad Day  
Finance Officer Randy Failyer  
County Clerk Regina Gailey

Media Present:

Angela Gary, Banks County News  
Rob Moore, Access North Georgia

**1. Call to Order**

Ch. Hooper called the meeting to order.

**2. Approval of Agenda**

Ch. Hooper stated the following items should be added:

14. Chandler Crossing Road Stub Acceptance and Right of Way Certification - GDOT
15. Fire/EMS Ambulance Box

Motion to amend agenda: Charles Turk

Second: Sammy Reece

Vote: 5:0

By unanimous vote motion carried.

**3. Prayer**

Ch. Hooper stated Water Plant Operator Randy Whiten will be retiring after 15 years of service to the county. He also said Receptionist Erlene Stowe had been with the county for 37 years. He stated these were loyal employees and stated everyone was loyal to someone or something. He then asked for a moment of silent reflection on where your loyalty lies whether it be family, friends or faith.

**4. Pledge to the American Flag**

Ch. Hooper led the Pledge of Allegiance to the American Flag.

**5. Approval of Invoices**

Motion to approve invoices as previously reviewed: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

By unanimous vote motion carried.

## **6. Approval of Previous Minutes – 6/11/2013, 6/25/2013**

Motion to the previous month's meeting minutes: Danny Maxwell

Second: David Duckett

Vote: 5:0

By unanimous vote motion carried.

## **7. Planning Commission Recommendations:**

### **a. CU-13-02 – BRC – A conditional use permit for an automobile rental business on Banks Crossing Drive currently zoned C-2, General Commercial.**

Ch. Hooper closed the commissioners meeting. County Attorney Randall Frost opened the public hearing. Brad Day Development Authority Executive stated this was an application for a conditional use permit for a car rental business located on Banks Crossing Drive. The Planning Commission recommended approval. No one was present to speak in favor of the application. Attorney Frost closed the public hearing. Ch. Hooper opened the Commissioners meeting.

Motion to table the item until later in the meeting: Danny Maxwell

Second: David Duckett

Vote: 5:0

By unanimous vote motion carried.

Later in the meeting

Motion to bring the item from the table: Sammy Reece

Second: Charles Turk

Vote: 5:0

By unanimous vote motion carried.

Ch. Hooper closed the meeting. Attorney Frost opened the public hearing. Chris Parks was present to speak in favor of the application by stating this would be the first car rental establishment in the Banks Crossing area. He further stated the cars would be parked behind the store. Attorney Frost closed the public hearing. Ch. Hooper opened the Commissioners meeting.

Motion to approve the application: Danny Maxwell

Second: David Duckett

Vote: 5:0

By unanimous vote motion carried.

### **b. V-13-02 Myron Ingram – A variance application for reduced setbacks from existing chicken houses at 605 Fort Lamar Road. This property is zoned ARR, Agricultural, Rural Residential.**

Ch. Hooper closed the Commissioners meeting. Attorney Frost opened the public hearing. Brad Day stated the property owner was attempting to create a two acre tract from a 60+ acre farm. Chicken houses were shown to be closer than the required 200 ft setback from the newly created property line. A 49 ft setback was shown on the plat. A variance is required for plat approval. The Planning Commission recommended approval of the application. Tim Ingram spoke in favor of the application by stating he was the one that would be utilizing the 2 acres and that he had no objection to the setback. Attorney Frost closed the public hearing. Ch. Hooper opened the Commissioners meeting.

Motion to approve the application: Charles Turk  
Second: Sammy Reece  
Vote: 5:0  
By unanimous vote motion carried.

#### **8. Hearing to Consider Abandonment of Mountain View Lane**

Ch. Hooper opened the hearing. Zack Gerrin, Surveyor for Atlanta Gas Light spoke in favor of the abandonment of the road. He said he was in support of the request for abandonment by the landowners. He stated this would be a gas line that would serve chicken houses as well as homeowners. He also stated they hoped to have the line installed by winter. Landowner Brian Gilloud also spoke in favor of the abandonment. He agreed to work with Atlanta Gas Light and other utility companies that may want to locate in that area. Ch. Hooper closed the hearing. Attorney Frost clarified that the abandonment had been advertised and that the road served no public purpose.

Motion to approve the road abandonment: Sammy Reece  
Second: Danny Maxwell  
Vote: 5:0

By unanimous vote motion carried. *(Copy of abandonment request and location map filed in Attachment to Minutes Book 9-5)*

#### **9. Georgia Forestry Service – Forest Action Plan**

*Allison Segrest*

Ms. Segrest was present along with Forest Ranger Doug Andrews. Ms. Segrest stated the plan was complete and presented a copy of the plan. She asked for support of the plan by the Commission Board. She went on to provide a list of programs and grants that are available to the county and to landowners by the Forestry Service. By consensus the Commissioners all agreed to support the plan.

#### **10. FY2014 Data Survival Customer Backup Service Agreement - \$50,108**

Finance Officer Randy Failyer stated this was a renewal of the agreement with the Sheriff's department added.

Motion to approve the agreement and to authorize the Chairman to sign the agreement:  
Charles Turk  
Second: Sammy Reece  
Vote: 5:0

By unanimous vote motion carried. *(Copy of agreement filed in Attachment to Minutes Book 9-5)*

#### **11. FY2014 Georgia Department of Corrections – Prison Detail Contract - \$39,500**

Mr. Failyer stated this was a renewal of the annual contract.

Motion to approve the contract and to authorize the Chairman to sign the contract: David Duckett  
Second: Danny Maxwell  
Vote: 5:0

By unanimous vote motion carried. *(Copy of contract filed in Attachment to Minutes Book 9-5)*

#### **12. FY2013 Budget Amendment Resolution**

Mr. Failyer stated some amendments were needed to the budget for finish the fiscal year in the amount of \$11,870,186 total budget.

Motion to approve the resolution: Charles Turk

Second: Sammy Reece

Vote: 5:0

By unanimous vote motion carried. *(Copy of resolution filed in Attachment to Minute Book #9-5) 2013-09*

Mr. Failyer also stated he had discovered \$300,000 from the FY2013 budget from various department budgets that was not spent by June 30<sup>th</sup>. He asked for approval from the board to move the funds into the Capital Fund for future projects and to reduce the Technology line in the General Fund budget from \$126,289 to \$45,000 with the \$81,000 computer software and hardware upgrade being paid from the \$300,000 that would be moved to the Capital Fund.

Motion to approve the request: Danny Maxwell

Second: Sammy Reece

Vote: 5:0

By unanimous vote motion carried.

### **13. FY2014 Budget**

**Budgets discussed were as follows:**

Sheriff

By consensus the board agreed to remove the \$25,000 in the General Fund budget that was for Tasers and to pay from the Capital Fund instead.

Mr. Failyer stated the budget was complete and ready for approval.

Motion to continue the budget process by advertising and holding a public hearing before considering approval: Jimmy Hooper

Second: David Duckett

Vote: 5:0

By unanimous vote motion carried.

### **14. Chandler Crossing Road Stub Acceptance and Right of Way Certification - GDOT**

Attorney Frost stated the road would have to be accepted into the county road system before the right of way could be certified.

Motion to accept the road and to authorize the Chairman to sign the certification: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

By unanimous vote motion carried. *(Copy of property deed filed in Attachment to Minute Book #9-5)*

### **15. Fire/EMS Ambulance Box Purchase**

Fire Chief Brian Eubanks had previously submitted 3 quotes he had received for the ambulance box. Vice Ch. Turk stated he would like additional information before considering approval of this item.

### **16. Adjournment**

Motion to adjourn the meeting: Sammy Reece

Second: David Duckett

Vote: 5:0

By unanimous vote motion carried.

The meeting was adjourned at 7:10 p.m.

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Chairman

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County Clerk

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