

The Banks County Board of Commissioners held their regular meeting on October 27, 2020 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

#### **Members Present**

Chairman Charles Turk  
Vice Chairman Danny Maxwell  
Commissioner David Duckett  
Commissioner Sammy Reece  
Commissioner Keith Gardiner

#### **Staff Present**

County Clerk Jenni Gailey  
Assistant County Clerk Erin Decker  
Fire Chief Steve Nichols

#### **1. Call to Order**

Ch. Turk called the meeting to order.

#### **2. Approval of Agenda**

Ch. Turk stated the agenda needed to be amended to delete 4a. Unwed Mothers with Children Shelter Motion to amend the agenda: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

#### **3. Pledge of Allegiance**

Vice Ch. Maxwell led the Pledge of Allegiance.

#### **4. Public Comment**

##### **a. Unwed Mothers with Children Shelter – DELETED**

##### **b. Dog Nuisance Complaint**

**David J. Cook**

David J. Cook – 117 Leachman Road, Commerce, GA - Stated the problem was an irresponsible property owner that had seventeen dangerous dogs living in a kennel that was not sufficient to keep them contained. Also, the resident of this problem is living in deplorable conditions in the house along with an elderly woman. He stated there had been numerous complaints filed with the Sheriff's Office and County and no one would do anything. He stated was asking for some help.

Ch. Turk stated that after Mr. Cook came and met with him, Code Enforcement Officer Paul Ruark issued a citation to the dog owner. The citation stated that he had to fix the dog pen or would go to court.

##### **c. Next Two Years**

**Brenda Morris Chatham**

Brenda Chatham – 3057 Hwy. 51N, Carnesville, GA – Stated she was back and had some issues that needed to be addressed but tonight she wanted to ask the Commissioners some questions. The questions that were asked concerned the Commissioners future plans for Banks County and

the plans for economic development. She further stated she was concerned with the future of the children and grandchildren on Banks County.

**5. Tax Abatement or Property Tax & Penalty Waiver Application** **Tyler Smith/Banks County Golf, LLC**

Tyler Smith with the law firm Smith, Gilliam, Williams and Giles represented Banks County Golf, LLC and Greenridge Builders of GA, LLC. He stated the property was purchased by Banks County Golf, LLC in 2014. He further stated the partners of Banks County Golf, LLC were Jim Pritchard and Tony Adams, which had meet with former Chairman Jimmy Hooper and former Economic Developer Brad Day about tax abatement numerous times. He stated Hooper and Day both assured them that tax abatement was possible but would take some time. Ch. Turk stated the Commissioners couldn't give tax abatement and had to go through the Development Authority and approved by the Board of Assessors.

Tony Adams, partner of Banks Golf, LLC stated when the property was purchased, he knew it would take a lot of investment and time to get the course up and running as it should be. He stated his partner, Jim Pritchard and himself were under the impression that the tax abatement would happen according to the numerous meetings they had with Hooper and Day. Ch. Turk stated there wasn't anything in writing and Mr. Day knew the procedure for tax abatement would have to go through the Development Authority. Mr. Day should have advised of that. Mr. Adams stated that tax abatement had been granted to other industries. Ch. Turk stated they had only been given to industry and not residential building.

Tyler Smith stated they have issued a proposal to Banks County and are only seeking forgiveness of penalties and interest on the past due taxes. They just want to end the dispute.

**6. Emergency Purchase Ambulance** **Steve Nichols**

Fire Chief Steve Nichols stated an emergency purchase needed to be made for an ambulance. One of the spares had a cracked frame and it would need to come off the road. The new ambulance would replace a current full-time ambulance and then the retired fulltime ambulance would become a spare. Fire Chief Nichols stated the new unit would cost \$186,426 and would arrive in 90 days from EVS.

Motion to purchase the ambulance from the 2017 SPLOST: Danny Maxwell

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

**7. GA HWY 59 Roundabout Bid & Contract Award**

Assistant County Clerk Erin Decker stated that the low bid for the project was from C.W. Matthews in the amount of \$1,636,777.28. Ms. Decker further stated the bid was let in three portions. The portion on the GDOT right of way on HWY. 59, the north side and the south side of the roundabout. The amount that would be considered to be approved was \$1,122,226.56, which was the portion on the GDOT right-of-way. The DOT R/W portion would be funded by the County and the north and south side would be private funding from the businesses that are locating in the area. The funds needed for the project would come from acquired grants, 2017 SPLOST, and the Industrial Development accounts.

Motion to approve the bid and contract in the amount of \$1,122,226.56 to C.W. Matthews Contractors:

Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.  
*(Copy of Contract filed in Attachment to Minute Book 10-3)*

**8. Surplus Property**

Ch. Turk stated there would be a surplus sale on November 14, 2020 at 9:00 a.m. at the Road Department at 419 Oscar Rucker Road. He further stated there were 32 surplus vehicles that needed to be declared and sold as surplus.

Motion to surplus 32 vehicles: Sammy Reece

Second: Sammy Reece

Vote: David Duckett

All aye votes and the motion passed.

*(Copy of list filed in Attachment to Minute Book 10-3)*

**9. Executive Session: Potential Litigation & Land Acquisition/Disposal**

Motion to enter into executive session concerning potential litigation and land acquisition/disposal:

Danny Maxwell

Second: Keith Gardiner

Vote: 5:0

All aye votes and the executive session began at 7:29 p.m.

Motion to close the executive session: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the executive session ended at 7:46 p.m.

*(Copy of Affidavit filed in Attachment to Minute Book 10-3)*

**10. Adjournment**

Motion to adjourn the meeting: David Duckett

Second: Sammy Reece

Vote: 5:0

All aye votes and the meeting was adjourned at 7:47 p.m.

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Chairman

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Assistant County Clerk

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