

The Banks County Board of Commissioners held their regular meeting on July 14, 2020 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 Clerk Jenni Gailey
Assistant County Clerk Erin Decker
Fire Chief Steve Nichols
Human Resources Officer Arlene Ivey
Public Utilities Director Horace Gee
Code Enforcement/Zoning Officer Paul Ruark
Finance Officer Randy Failyer
County Attorney Randall Frost

Media Present

Rob Moore, Access North Georgia

1. Call to Order

Ch. Hooper called the meeting to order.

2. Approval of Agenda

Motion to approve the agenda: Charles Turk
Second: Danny Maxwell
Vote: 5:0
All aye votes and the motion passed.

3. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag

4. Approval of Invoices

Motion to approve the invoices: Sammy Reece
Second: Danny Maxwell
Vote: 5:0
All aye votes and the motion passed.

5. Approval of Previous Minutes – 6/9BH, 6/9, 6/29

Motion to approve the minutes: David Duckett
Second: Charles Turk
Vote: 5:0
All aye votes and the motion passed.

6. Planning Commission Recommendations:

a. Z-20-07 – Griffin Bros. Inc. – A rezoning application to rezone the property located at map and parcel number B67 033 to be rezoned from ARR (Agricultural Rural Residential) to R-1 (Single Family Residential)

Ch. Hooper closed the meeting and Atty. Frost opened the public hearing.

Atty. Frost stated the application was for rezoning property located at map and parcel number B67-033 to be rezoned from ARR (Agricultural Rural Residential) to R-1 (Single Family Residential) for a proposed subdivision.

Zoning Officer Paul Ruark stated the Planning Commission recommended approval with the condition of 80 houses with 1 entrance/exit or 101 houses with 2 entrances/exits.

The following spoke in favor of the application:

Clayton Hunnicutt, Carter Engineering – 3650 Mars Hill Road, Watkinsville, GA - Stated he was the engineering firm representing the applicant. He stated the property in discussion was located at 461 Chambers Road with approximately 163.8 acres in which there would be 80-1 ½ acre lots with one entrance/exit or 101-1 acre lots with 2 entrances/exits. He stated the length and site distance requirements were according to GDOT specifications for the accel/decel lanes.

Bill Griffin – 791 John Morris Road, Maysville, GA – Stated he was the applicant and was asking for 80 lots with one entrance/exit or 101 lots if he was able to get two entrance/exits. The reason he is asking for 80 was because there would probably be some acreage that would not perk so that acreage would be unusable. He stated on a county road you are not required to follow GDOT guidelines for accel/decel lanes but he would use those specifications for the safety of the people.

Comm Reece asked how long the accel/decel lanes were? Mr. Griffin stated they were the length of GDOT specifications.

Mr. Griffin also stated that some people don't want development and that tonight some of the people that would be complaining about the development, moved into Banks County. Mr. Griffin said he was born and raised in Banks County and had 3 children that he hoped would live in Banks County. If 150 graduated from Banks County High school and 75 wanted to stay in the County, where would they live? People say they move out of Banks County for a better paying job and they don't have any housing in Banks County. He stated he was building needed housing in the price range of \$240,000 +.

Comm. Maxwell said the code allowed 75 houses and that was what he would like to follow, the code. Mr. Griffin asked if the County ever did variances but he would do what the County allowed him to do.

Mr. Griffin stated that he would like to be able to install sewer but that depended on getting additional property for a second entrance.

Ch. Hooper stated he was really excited about the subdivision being able to tie into the sewer line and that would be a plus for the homeowners and the County. Mr. Griffin stated it would be a plus for the County because we have industries that have commercial waste. When you

have water from showers and sinks going into the sewer system it helps dilute the systems and in turn cost less when treating. The solution to pollution is dilution.

The following spoke in opposition of the application:

Bryan Cook – 157 Buckeye Trails, Commerce – Stated he was in opposition of the application not because he was opposed to growth but because growth needed to be controlled. Preservation of rural living and the feel our County currently has is why he moved to Banks County. There are a lot of ifs that have not been answered about the development. He feels even though he was not indigenous to the County, his citizenship was just as important as his tax dollars.

Martha Young – 613 Chambers Road – Request that the Commissioners not consider this application until GDOT did a traffic study at Hwy 59 and Chambers Road. She feels that this would have an impact on the schools and the Sheriff's Office.

Brandon Hux – 524 Chambers Road – Stated he was also one of the urban migrants. Quoted some of the zoning regulations and stated he also had concerns about the speed of traffic currently on the road. He stated the Commissioners had in the past turned down a small lot rezoning request because the surrounding property owners didn't want small lots around them.

Allison Hux – 524 Chambers Road – Stated she really wanted concrete plans before the request was approved.

Atty. Frost closed the public hearing. Ch. Hooper opened the meeting.

Comm. Maxwell asked about runoff that would be caused by the subdivision.

Mr. Hunnicutt stated there was a 30 ft. buffer around the property. The plan that was presented for rezoning was only conceptual and the full storm water detention design would be engineered after the rezoning request was approved. He also stated the long-range comprehensive plan had the area designated for residential so they were meeting the long-range plan for Banks County.

Ch. Hooper stated in 1975 when he came to work at the Banks County School System, he heard a continuous dialogue that the citizens and parents were demanding that we made our schools better and he thinks its very obvious that our schools are better. Then he would hear, our kids graduate from school and they don't have any jobs. Mr. Hooper stated within the next 5 years there are going to be approximately 3,000 jobs within a 3 miles radius of Banks Crossing. This tells him we have good schools and jobs and know if we want our children to live in Banks County, they must have a place to live.

Motion to approve the rezoning application but limited to 75 homes with one entrance and 101 homes with 2 entrances with the stipulation they must be on sewer: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2)

7. Multi-Family Housing Moratorium Continuance

Ch. Hooper stated this was a resolution to continue the moratorium on property rezoning to R-2 Residential Multifamily District. The original resolution expired July 14, 2020 and this would extend the moratorium until March 14, 2021.

Motion to approve the resolution: Danny Maxwell

Second: Charles Turk

Vote: 4:1

Jimmy Hooper: Nay

David Duckett: Aye

Danny Maxwell: Aye

Sammy Reece: Aye

Charles Turk: Aye

The majority voted and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2) 2020-08

8. Public Comment – Paul Wolf – Gunfire Close to City Limits

Mr. Wolf stated he had lived in Baldwin for 3 years. His property line was the end of the city limit and county line. He stated someone was constantly shooting fire arms and it was so close to his house he was afraid to be outdoors when the shooting was happening. He wasn't sure what direction the shooting was coming from and had called the police numerous times. Ch. Hooper stated the Sheriff's Office or County Marshal may could address the problem but since the County didn't have a shooting ordinance like the City then there was not much that could be done.

9. Contracts & Agreements

a. FY2021 Fire/EMS Tates Creek Fire Protection Services Agreement Steve Nichols

Chief Nichols stated this was a yearly contract for fire protection in the amount of \$3,000.

Motion to approve the agreement in the amount of \$3,000: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minute Book 10-2)

b. FY2021 Uchee Lodge Lease Agreement

Ch. Hooper stated Kevin York wasn't able to attend the meeting but this was a yearly lease.

Motion to approve the lease: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minute Book 10-2)

c. Moccasin Gap Waterline Installation – Bid Award & Contract Horace Gee

Public Utilities Director Horace Gee stated he had received 7 bids for this project and Griffin Brothers Inc. had the lowest bid in the amount of \$1,351,884.39 and this was a project that would be funded from SPLOST dollars.

Motion to approve the contract and low bid for Griffin Brothers, Inc.: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of Contract filed in Attachment to Minute Book 10-2)

Change Order – Martin Bridge Rd/Hwy. 63 Waterline Relocation

Mr. Gee stated this was a change order that would allow the County to relocate approximately 1,000 feet of waterline at Martin Bridge/Hwy 59 roundabout. The line would be relocated and encased to accommodate the construction of a roundabout. The amount of the change order would be approximately \$80,000.

Motion to authorize the change order not exceed \$80,000 and to be paid from SPLOST funds:

Danny Maxwell

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

d. NSync, Inc Service Agreements – Courthouse/Annex

Randy Failyer

Randy Failyer, CFO, stated this was an annual service contract for the audio/visual equipment at the Courthouse and Annex.

Motion to approve the agreements: Danny Maxwell

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreements filed in Attachment to Minute Book 10-2)

e. Point Security, Inc. – Annual Maintenance Security Agreement

Randy Failyer

Mr. Failyer stated this was also an annual maintenance agreement for the x-ray machine at the Courthouse.

Motion to approve the agreement: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minute Book 10-2)

f. Gainesville Mechanical – Planned Maintenance Agreement

Randy Failyer

Mr. Failyer stated the agreement was for an annual maintenance agreement for the heating and air units at the Jail.

Motion to approve the agreement: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minute Book 10-2)

g. GMRC Contract Addendum – CDBG Senior Center Expansion

Randy Failyer

Mr. Failyer stated this was an addendum to a contract because of COVID-19 and no additional cost were associated with the addendum.

Motion to approve the contract addendum: Jimmy Hooper

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of Addendum filed in Attachment to Minute Book 10-2)

h. Legacy Link FY2021 Nutrition Program Services

Randy Failyer

Mr. Failyer stated that the contract was for the nutrition program that included meals-on-wheels.

Motion to approve the contract: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minute Book 10-2)

i. FY2021 Recreation Website Master Services Agreement – CivicPlus Brooke Whitmire

Brooke Whitmire Recreation Director stated the agreement was for the software used to do online registration.

Motion to approve the agreement: Danny Maxwell

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minute Book 10-2)

10. Jail – 3 HVAC Units

Motion to purchase 3 HVAC Units for the Jail in the amount of \$22,728 from the Capital Fund: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

11. GEFA 2007 Loan Principle Deferral

Randy Failyer

Mr. Failyer stated that GEFA was offering an option for a loan principle deferral plan due to COVID-19. The commissioners stated they were not interested in deferring payments.

12. 2020 Budget Amendment Resolution

Randy Failyer

Mr. Failyer stated that overall, the budget did not change, just some department numbers within.

Motion to approve the FY2020 Budget Amendment Resolution: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-2) 2020-09

13. GMRC Board Appointment - 1 yr. term to expire June 30, 2021

Motion to appoint Vicki Boling Leo to the GMRC Board for a 1-year term to expire June 30, 2021: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

14. GMRC Board Appointment - 1 yr. term to expire June 30, 2021

Motion to appoint Danny Maxwell to the GMRC Board for a 1-year term to expire June 30, 2021: Sammy Reece

Second: Jimmy Hooper

Abstain: Danny Maxwell

Vote: 4:0

All aye votes and the motion passed.

15. Moment of Reflection

Ch. Hooper stated he had struggled the past year with two back surgeries and would have to have additional surgeries. He stated he had submitted his letter of resignation effective August 31, 2020. Ch. Hooper said it had been his pleasure.

16. Adjournment

Ch. Hooper adjourned the meeting at 7:25 p.m.

Chairman

Assistant County Clerk
