

The Banks County Board of Commissioners held their regular meeting on October 8, 2019 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present

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

Staff Present

County Attorney Randall Frost
County Clerk Jenni Gailey
Code Enforcement Officer Paul Ruark
Assistant County Clerk Erin Decker
Finance Officer Randy Failyer
Public Utilities Director Horace Gee
Recreation Director Brooke Whitmire

Media

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

Motion to delete Item 13. Carson Segars Rd & Coker Rd Erosion Control: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

Motion to add Item 13. Broadband Ready Resolution: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

3. Moment of Reflection

Ch. Hooper stated that he had had a vision for the last seven years. The word vision could be used in two ways. A vision about what we see in the present and a vision about the future. What vision do we have?

4. Pledge to the American Flag

Ch. Hooper led the "Pledge to the American Flag".

5. Approval of Invoices

Motion to approve the invoices: David Duckett

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

6. Approval of Minutes – 9/10, 9/10

Motion to approve the minutes: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

7. Planning Commission Recommendations:

a. Z-19-07 – Jerry Boling – Rezoning for property located at map/parcel B59/098 and B59/099 located at intersection of Damascus Road and GA Hwy 198 from ARR – Agricultural Rural Residential to C-2 General Commercial to allow combination of two adjoining parcels of property.

Ch. Hooper closed the meeting and County Attorney Randall Frost opened the public hearing. Atty. Frost stated the rezoning was for property located at map/parcel B59/098 and B59/099 located at the intersection of Damascus Road and GA Hwy 198. The property will be changing from ARR to C-2 to allow the combination of two adjoining parcels of property. Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

Jerry Boling – 229 Wells Road, Homer, Georgia – Stated he purchased the property and now that both properties are adjoined the zoning needed to be changed to reflect the same zoning.

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

Motion to approve the rezoning: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #10-2)

b. Z-19-08 – Karen Sexton – Rezoning for property located at map/parcel B05/120 located at 5518 Yonah Homer Road, Alto, GA from M1 Industrial to ARR Agricultural Rural Residential to allow a combination of two adjoining parcels of property.

Ch. Hooper closed the meeting and Atty. Frost opened the public hearing. Atty. Frost stated the rezoning was for property located at map/parcel B05/120 located at 5518 Yonah Homer Road, Alto, GA. The property will be changing from M1 Industrial to ARR Agricultural Rural Residential to allow a combination of two adjoining parcels of property.

Karen Sexton – 5518 Yonah Homer Road, Alto, Georgia - Stated she just wanted to join two parcels and the zoning needed to be the same for both.

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

Motion to approve the rezoning: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #10-2)

8. Proclamations:

a. Pulmonary Hypertension Awareness Month – October 2019

Lynda Gettier – Maysville, Georgia – Stated Pulmonary Hypertension was a chronic life-threatening lung disease marked by elevated blood pressure in the lungs and without treatment patients have an average life expectancy of 2.8 years past diagnosis. Ms. Gettier wanted the community to be aware of the seriousness of this disease and presented a Proclamation to the Commissioners which would designate November as Pulmonary Hypertension Awareness Month.

All Commissioners voted to accept the Proclamation.

(Copy of proclamation filed in Attachment to Minutes Book #10-2)

b. Banks County Rotary Proclamation – World Polio Day – October 24, 2019

Mark Valentine, Rotary President – Commerce, Georgia – Stated October 24, 2019 was World Polio Day and stated to this date, Rotary has contributed more than US\$1.9 billion and countless volunteer hours to protecting more than 2.5 billion children in 122 countries. Mr. Valentine presented a Proclamation to declare October 24, 2019 as World Polio Day in Banks County. All Commissioners voted to accept the Proclamation.

(Copy of proclamation filed in Attachment to Minutes Book #10-2)

9. U.S. Census Bureau – 2020 Census Update

Lilleth Campbell – U.S. Census Bureau – Stated the foundation of a successful Census was to establish where to count, motivate people to respond to the count, count the population and release census count results. Ms. Campbell also stated that the U.S. Constitution required that each decade a Census count would be taken of the population. She stated that the census was much more than just a head count. It provided a picture of our nation and county that helped determine where to build new schools, hospitals, and businesses; how federal funding was distributed; and how congressional seats were apportioned. It also helped us see how our communities have changed over time. That's why an accurate count was so important for our county.

10. Recreation Program Software Agreement – CivicRec

Brooke Whitmire Recreation Director stated the company they used previously for registration for the recreation programs had merged with CivicRec. She stated CivicRec would be using a flat rate fee in the amount of \$3,444 for the software instead of taking a percentage of each program registration.

Motion to accept the software agreement from CivicRec in the amount of \$3,444.: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of agreement filed in Attachment to Minutes Book #10-2)

11. Public Utilities: English Rd Waterline

Comm. Maxwell stated he had talked to Horace Gee, Utilities Director and he stated construction should be completed by mid-December. Ch. Hooper stated the line would not only provide water but also additional safety for the residents.

Motion to approve the English Road waterline: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

12. Georgia Indigent Defense Services Agreement

Randy Failyer Finance Officer stated the amount had already been budgeted during the FY2020 budget process but the Georgia Indigent Defense Services used January to December for their fiscal year. The current amount of the contract for Banks County's portion would be \$120,251.

Motion to approve the contract: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of agreement filed in Attachment to Minutes Book #10-2)

13. Broadband Community Ordinance

Atty. Frost stated DCA required a point of contact added to the Broadband Community Ordinance so we needed to approve the ordinance with the revised wording.

Motion to approve the ordinance: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of ordinance filed in Attachment to Minutes Book #10-2) 2019-11

14. Planning Commission Member Appointment

Ch. Hooper stated Martha Ramsey currently held this position and that Freddie Dalton had also applied. He then asked for nominations for the position to expire October 31, 2023.

Motion to nominate Freddie Dalton: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

15. Executive Session: Personnel, Land Acquisition & Potential Litigation

Motion to enter into executive session concerning personnel, land acquisition and potential litigation:

Jimmy Hooper

Second: David Duckett

Vote: 5:0

All aye votes and the executive session began at 7:00 p.m.

Motion to close the executive session: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the executive session ended at 7:15 p.m.

(Copy of affidavit filed in Attachment to Minutes Book #10-2)

Executive Director Replacement

Ch. Hooper stated Executive Director Hannah Mullins would not be renewing her contract with Banks County.

Motion to turn the search for a replacement over to the Development Authority: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

Sewer Expansion and Construction

Ch. Hooper stated he would like to make the following motions so Banks County Government would be able to provide sewer services needed for present and future commercial and private growth. It is imperative that Banks County Government move forward for plans to build and expand our sewer system.

Motion for Banks County Government to commit to a plan to build and expand our sewer system in Banks County to include land acquisition and acquiring rights-of-way: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

Motion for Banks County Government to secure financing, when engineering estimates were complete, from a lending institution that would give the most favorable rates: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

Motion for loan to be acquired from a lending institution that would give us the best term for what the board sees fit at that time: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

Motion for a plan to be put in place at the earliest opportunity: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

16. Adjournment

Motion to adjourn the meeting: Jimmy Hooper

Vote: 5:0

All aye votes and the meeting adjourned at 7:19 p.m.

Chairman

Assistant County Clerk
