

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

**Members Present**

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

**Staff Present**

County Clerk Regina Gailey  
County Attorney Randall Frost  
Finance Officer Randy Failyer

**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**

Ch. Hooper stated items needed to be added to the agenda as follows:

*13. Wastewater Treatment Facility & Sewage Expansion Feasibility Study*

*14. Racetrack Sewage Treatment Facility Emergency Repair*

Motion to approve the agenda as amended: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

**3. Moment of Reflection**

Ch. Hooper stated that he had been a Methodist since 1967. He stated the Methodist beliefs are filled with rituals and notable Methodists such as John & Charles Wesley encourage renewal of faith at the beginning of each year. Ch. Hooper then encouraged self-evaluation and self-renewal as the New Year begins.

**4. Pledge to the American Flag**

Ch. Hooper led the Pledge to the American Flag.

**5. Approval of Invoices**

Motion to approve the invoices: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

**6. Approval of Minutes: 12/11/2018**

Motion to approve the previous meeting minutes: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

## **7. Planning Commission Recommendations: NONE**

### **8. Additional Magistrate Judge Position**

*Judge Ivan Mote*

Judge Mote requested an additional satellite Magistrate Judge to aid in the on-call duties. He presented a letter from the Superior Court judge that required three Magistrate Judge positions for Banks County. He said this would result in a 2019 budget increase of \$5,560 to cover salary, travel and other expenses of the additional position. Comm. Reece asked if there had been an increased caseload. Judge Mote stated there had been increases within the last 14 years but that out-of-office hours availability was the key regardless of the number of cases. Ch. Hooper asked if the existing satellite judge was available more, would that be sufficient. Judge Mote stated no and that the need was greater to have multiple judges. He stated it would be difficult to recruit someone for the job on an on-call basis. Ch. Hooper stated the 72 hour response time should get them through the weekend. Judge Mote stated he works with the cities as well and that response time varies according to circumstances. Ch. Hooper stated he would be willing to approve the position & funds for the remainder of FY2019 and then consider the additional at FY2020 budget time. Judge Mote stated it would at least need to be for the remainder of his current term due to the time needed to recruit the best person for the position. He stated appointment terms according to statute run concurrent with the Magistrate Judge's term.

Motion to approve an additional \$5,560 to the Magistrate budget for the remainder of FY2019: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and motion carried.

### **9. Tabled: Joint Development Authority Position to replace Todd Hubbard – Resignation**

*Term Expires: 12/31/2020*

Motion to untable the item: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and motion carried.

Motion to appoint Larry Sparks to the position: Jimmy Hooper

Second: None

Motion died for lack of second.

Motion to appoint Jason Hensley to the position: Sammy Reece

Second: Charles Turk

Vote: 4:1

Vote was as follows:

Jimmy Hooper: Nay

Sammy Reece: Aye

Charles Turk: Aye

David Duckett: Aye

Danny Maxwell: Aye

Motion carried by majority vote.

**10. Finance:**

Randy Failyer

**a. 2019 Caterpillar Lease**

Mr. Failyer stated this was for 2 new motorgraders.

Motion to approve the lease pending the county attorney's approval and to authorize the Chairman to sign the lease: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and motion carried. (Copy of lease contract filed in Attachment to Minutes Book #10-1)

**b. SN SKR03955 Cat 420F Payoff**

\$54,156.27

Mr. Failyer stated this was for a backhoe.

Motion to approve the payoff from the 2012 SPLOST: Danny Maxwell

Second: Charles Turk

Vote: 5:0

All aye votes and motion carried.

**c. SN PWR04077 Cat 924K Payoff**

\$79,629.58

Mr. Failyer stated this was for a wheel loader.

Motion to approve the payoff from the 2012 SPLOST: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and motion carried.

**d. SN DJX00140 Cat 305E2CR Payoff**

\$24,832.69

Mr. Failyer stated this was for an excavator.

Motion to approve the payoff from the 2012 SPLOST: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion carried.

**11. 2019 Gravel Hauling Contract: Triple H Transport**

Ch. Hooper stated the bid had previously been awarded but the contract was not approved.

Motion to approve the contract with Triple H Transport: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion carried. (Copy of contract filed in Attachment to Minutes Book #10-1)

**12. Senior Center Contract Change Orders:**

**a. PCO #025- Undercut area in porch pad to bring dirt up to specified compaction** \$925.68

Comm. Reece stated this was for better compaction as required by Southern Geo testing.

Motion to approve the Change Order #025 in the amount of \$925.68 pending architectural approval: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed. (Copy of change order filed in Attachment to Minutes Book #10-1)

**b. PCO #006 – replace framing damaged by termites**

\$3,264.00

*Comm. Reece stated this was for a wall in the restroom area that had been previously damaged by termites.*

*Motion to approve the Change Order #006 in the amount of \$3,264.00 pending architectural approval: Sammy Reece*

*Second: Jimmy Hooper*

*Vote: 5:0*

*All aye votes and the motion passed. (Copy of change order filed in Attachment to Minutes Book #10-1)*

### **13. Wastewater Treatment Facility & Sewage Expansion Feasibility Study**

Ch. Hooper stated this would best determine the route that the county could take toward sewage treatment expansion. He stated it would be prepared by the county engineering firm Carter & Sloope Engineering. Comm. Maxwell stated the engineer estimated between \$5,000 and \$10,000.

Motion to approve study not to exceed \$7,500 for preparation to be paid from the 2017 SPLOST fund: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and motion carried.

### **14. Racetrack Sewage Treatment Facility Emergency Repair**

Ch. Hooper stated Carter & Sloope Engineers had reported that the existing sewage lift station #2 at the Atlanta International Dragway was in dire need of repair and it is currently operating with only one of two pumps. The County is working on installing a diesel driven bypass pump for temporary purposes but the station needs a complete repair as soon as possible. He further reported that if the station fails, it is subject to allowing sewage to overflow which would result in potential EPD violations and fines. He stated it was of most importance to have the system repaired before race season begins. Ch. Hooper stated since this was an emergency he requested the bid process be waived and further stated that according to the engineer, the repair was estimated to cost less than \$100,000.

Motion to waive the bid process and to pay for the repairs out of the 2017 SPLOST fund: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

### **15. 2019 Vice Chairman**

Ch. Hooper expressed appreciation to Comm. Reece for serving as Vice Chairman for 2018.

Motion to appoint Comm. David Duckett as the 2019 Vice Chairman: Jimmy Hooper

Second: Danny Maxwell

Vote: 4:0:1

Comm. Duckett abstained from voting.

Four aye votes and the motion passed.

### **16. Adjournment**

Ch. Hooper adjourned the meeting at 7:00 p.m.

---

Chairman

---

County Clerk

\*\*\*\*\*