

The Banks County Board of Commissioners held their regular meeting on November 13, 2018 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
Assistant County Clerk Erin Decker
Fire Chief Steve Nichols
County Attorney Randall Frost
Zoning Code Enforcement Officer Paul Ruark

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 the agenda needed to be amended to add Item 15 Sewer Tap Fees for Culvers and Popeyes and Item 16 Change Orders for the Senior Center.

Motion to amend and approve the agenda: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

3. Moment of Reflection

Ch. Hooper stated there had been many tragedies in the United States. He also stated he had never seen the country as divided as it was now. He said we needed to find peace and that would have to start with the family.

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 Previous Minutes – 10/9

Motion to approve the minutes: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

7. Recognitions:

a. David Duckett – ACCG Specialty Track Certification

Jeff Christie, ACCG

Jeff Christie with ACCG presented Commissioner Duckett with a Specialty Track Certification plaque in County Operations and Management.

b. Jimmy Hooper – ACCG Specialty Track Certification

Jeff Christie, ACCG

Jeff Christie with ACCG presented Chairman Hooper with a Specialty Track Certification plaque in County Operations and Management.

8. Planning Commission Recommendations:

a. V-18-05 – Phuc Tran/TD Burgers and Custards, LLC – Application for variance to increase the minimum square footage requirement for a pylon sign located at 110 Grove Creek Point Commerce, GA 30529.

Ch. Hooper closed the meeting and Atty. Frost opened the public hearing. Atty. Frost stated V-18-05 was an application for a variance to increase the minimum square footage requirement for a pylon sign located at 110 Grove Creek Point. Zoning Officer Paul Ruark stated the Planning Commission recommended approval of the variance.

Phuc Tran represented the application and stated they needed a larger sign to represent the business. He said they were not here just to open a restaurant but to support the community. Attorney Frost closed the hearing and Ch. Hooper opened the meeting.

Motion to approve the variance: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #10-1)

b. CU-18-05 – Homer Carver, Sr. – Conditional use application for a café/billiard hall located at 3424 Yonah Homer Road, Lula, GA 30554.

Ch. Hooper closed the meeting and Atty. Frost opened the public hearing. Atty. Frost stated CU-18-05 was a conditional use application for a café/billiard hall located at 3424 Yonah Homer Road, Lula, GA 30554. Officer Ruark stated the Planning Commission voted to recommend this application for approval with the condition that alcohol will not be served nor allowed on the premises.

Homer Carver – 160 Westmoreland Road, Lula, GA 30554

Mr. Carver stated he purchased the property and thought it would make a good billiard hall. He wanted the commissioners to know that it would not be a bar. Just a pool room with no alcohol and a small café and grill. It would be a place you could bring your family. Ch. Hooper asked what would be the hours of operation. Mr. Carver stated he would not be open on Wednesdays or Sundays and would like to close at 11:00 p.m. Ch. Hooper and Comm. Turk asked if he could close at 10:00 p.m. Mr. Carver stated on tournament nights that would be hard. Ch. Hooper suggested only staying open until 11:00 p.m. on tournament nights. Mr. Carver stated at 10:00 p.m. he could close the door and not let anyone else in. Comm. Duckett asked about the health inspection from the Health Department. Mr. Carver stated he was

working on the kitchen. Comm. Duckett asked when he would open. Mr. Carver stated he would be ready to open the billiard hall in about three weeks but would be longer for the café. Commissioners stated hours of operation should be 10:00 p.m. on Monday, Tuesday and Thursday and 11:00 p.m. on Friday and Saturday. Mr. Carver clarified that would mean to not let anyone in after 10 or 11 but they could finish out the games they were playing. Ch. Hooper asked about management and how Mr. Carver would enforce the rules? Mr. Carver said he would hire someone that would enforce the rules.

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

Motion to approve the application as recommended by the Planning Commission: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #10-1)

c. 2018 Comprehensive Plan Submittal

Adam Hazell with GMRC stated the Comprehensive Plan had been approved by the State and the Commissioners needed to approve the resolution.

Motion to approve the resolution for adopting the 2018 Comprehensive Plan: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #10-1) 2018-17

9. Windmill Farm Youth Hunt

Thomas Dalton

Thomas Dalton, Nails Creek Baptist Church Men's Ministry stated that in conjunction with GA DNR, they would like to hold the annual youth hunt on Windmill Farm on November 23 and 24, 2018.

Motion to hold the hunt: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

10. Joint Clinical with Banks County EMS & North GA Technical College

Fire Chief Steve Nichols

Steve Nichols, Fire Chief stated this was a Clinical Rotation for the EMT and Paramedic Schools to ride along with our personnel. North GA Tech would be responsible for the liability insurance.

Motion to approve the Joint Clinical with North GA Technical College: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of contract filed in Attachment to Minutes Book #10-1)

11. Roads:

a. ROW Spraying

Commissioner Duckett said this spraying would be for paved roads and averages \$75 a miles on both sides of the road. This amount would total around \$11,000.00.

Motion to approve r/w spraying: Jimmy Hooper

Second: Danny Maxwell
Vote: 5:0
All aye votes and the motion passed.

b. Road Equipment Caterpillar Finance Proposal

Ch. Hooper stated this was a proposal to purchase the backhoe and loader from caterpillar that we currently have leased.

Motion to approve the proposal: Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

c. On Call Engineering Services – KCI Technologies - \$9,000

Comm. Duckett stated the agreement was for work on roads and would not exceed \$9,000.

Motion to approve the agreement: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

(Copy of contract filed in Attachment to Minutes Book #10-1)

12. Health Department Flooring

Regina Gailey, County Clerk stated Home Depot decided not to bid and AAA Commercial Floors was the lowest bid on the flooring in the amount of \$31,381.95.

Motion to approve the bid for AAA Commercial Floors in the amount of \$31,381.95.

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

13. FY2019 Addendum #1 Senior Center Nutrition Program Services – Legacy Link, Inc.

Motion to approve the addendum for Legacy Link: Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

(Copy of contract filed in Attachment to Minutes Book #10-1)

14. Board of Tax Assessors Member: Martha Threatt

Motion to reappoint Martha Threatt with her term to expire on December. 31, 2024: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minutes Book #10-1) 2018-18

15. Culvers & Popeyes Sewer Hookup

Ch. Hooper said Culvers moved the sewer line for the restaurant and the cost was \$21,260 which is close to the amount of the sewer tap fee. Ch. Hooper proposed to waive the sewer tap fee.

Motion to waive the sewer tap fee: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

Motion to approve the sewer tap fee for Popeye's in the amount of \$22,000: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

16. Senior Center Change Orders

014 – Add Beams to South Elevation - \$6,300.63

Motion to approve Change Order 14 in the amount of \$6,300.63: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

015 – Ceiling Tile for Hood - \$1,860.00

Motion to approve Change Order 15 in the amount of \$1,860.00: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

016 – Fill in door with glass - \$855.08

Motion to approve Change Order 16 in the amount of \$855.08: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

017 – Move 4-ton HVAC Units to West side of building

Comm. Reece stated to hold this change order because he thought it had already been approved.

019 – Rewire Existing Rooms - \$3,480.00

Motion to approve Change Order 19 in the amount of \$3,480.00: Sammy Reece

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

020 – Rework the East gable - \$4,800

Commissioners did not approve because it was BM&K's mistake.

023 – Testing Agency Invoices Paid by County – (\$1,977.00) credit

Motion to approve Change Order 23: Sammy Reece

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

018 – Self-Opening Door

Commissioners did not approve.

024 – Alternate New Entry Door – Storefront
Commissioners did not approve.

17. Adjournment

Ch. Hooper adjourned the meeting at 7:26 p.m.

Chairman

Assistant County Clerk
