

The Banks County Board of Commissioners held their regular meeting on September 25, 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
Finance Officer Randy Failyer
Planning Commission Chairman Brad McCook

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

3. Moment of Reflection

Ch. Hooper discussed how inland ports would have a positive impact on Banks County. He also stated Georgia has been the #1 place to do business for the last 6 years.

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. Planning Commission Recommendations:

a. CU-18-03 – Robert A Jaeger – Application for a new retail/wholesale auto parts store located at 40095 Highway 441 S. Commerce, GA 30529

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

Attorney Frost opened the public hearing and explained the rules for the public hearing.

Atty. Frost stated this was an application for a new retail/wholesale auto parts store located at 40095 Highway 441 S. Commerce, GA 30529.

Planning Commission Chairman Brad McCook stated the Planning Commission had recommended approval.

Michael Grizzle – Slack Auto Parts – Represented the application and stated he worked for Slacks and they would like to open a store in Banks County.

Attorney Frost closed the public hearing and Ch. Hooper opened the meeting. Comm. Reece stated they were a good business to work for.

Motion to approve the application for Slacks Auto Parts: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

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

b. CU-18-04 – Randy Sharp – Application to use the property as an outside event center to include horse racing, rodeo and possible concerts located at 5479 Highway 63 Toccoa, GA 30577.

Ch. Hooper closed the meeting and Atty. Frost opened the public hearing. Atty. Frost stated this was an application to use the property as an outdoor event center to include horse racing, rodeos and possible concerts located at 5479 Highway 63, Toccoa, GA 30577.

Planning Commission Chairman Brad McCook stated the Planning Commission had recommended approval.

Jimmy Brown – 5479 Hwy 63, Toccoa, GA 30577 & Attorney Jim David – Homer, GA 30547 – Stated they would be having match races, possible rodeos and concerts. He also stated he would like to schedule a mule event later in the year. Comm. Turk asked Mr. Brown if he had done a soil analysis in order to see if he could accommodate restrooms. He said no because the Health Department told him to come before the Commissioners first to see if they would approve the application. Ch. Hooper asked Mr. Brown where his revenue stream would come from. Mr. Brown stated it was for entertainment purposes only so there would be a participant fee and a gate fee for the patrons. Ch. Hooper also asked what days the activities would be on. He said they would try to have the mule events on Saturday and the other events would possibly be on Sundays. Ch. Hooper asked what he would do about the lighting. Mr. Brown stated he would rent generator lights. Ch. Hooper asked about parking and if EPD would let him park that many vehicles in wetlands? Mr. Brown stated if there was rain the event would be canceled. Ch. Hooper asked about alcohol and who would enforce the policy? Mr. Brown said people would only be allowed to bring in one 12 pk. per car and he would check each vehicle if he needed to. Comm. Turk stated that probably if two people in a car drank a 12 pack they would be drunk and that was a safety concern.

Ch. Hooper asked about betting during the races? Mr. Brown stated he would work with the Sheriff's Office to ensure betting doesn't happen. He also stated there were rules posted that include no betting.

Comm. Turk asked if he had contacted DOT about installing turning lanes because with that many people entering a facility there would need to be turning lanes for safety purposes. Mr. Brown said this would only be a one day event and he didn't think turning lanes would be necessary.

Comm. Maxwell asked about enforcing the policy of only one 12 pack per car. He said he would only approve the application if there was no alcohol. Comm. Maxwell also stated he would not want any activities to start on Sunday until after church ended. Atty. David said he would have off duty police officers to enforce the alcohol policy.

Vice Ch. Reece asked about a show Mr. Brown held in July where someone got into a fight and was told by a security guard to not call 911 until they were at Patel's Grocery because they didn't want to get into trouble. Mr. Brown stated that he did not know about that incident. Comm. Reece stated that one of Mr. Brown's security guards told the person that and that Mr. Brown should know what the people he hires are doing.

Shawn Wilson – Chief Deputy Banks County Sheriff's Office – Homer, GA 30547 – Stated the Sheriff's Office wasn't in opposition of the event but had several safety concerns. One was that they didn't have the staff needed to patrol the event and would have to ask the Commissioners to amend the current budget in order to hire two more officers. Chief Deputy Wilson also showed a short video about the dangers involved during events like match races with horses.

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

Motion to deny the application: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

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

6. Fire Station 25 Bid Award and Contract Approval

Steve Nichols Fire Chief stated they had received bids for Fire Station 25 at Baldwin and the low bidder was DCI Metal Buildings in the amount of \$211,375.00 and he was also asking the Commissioners to approve the contract and authorize the Chairman to sign the contract.

Motion to award the bid to DCI Metal Buildings and authorize the Chairman to sign the contract in the amount of \$211,375.00: 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)

7. John Morris Road 1.65 Miles Resurfacing and Bid Award and Contract Approval

Comm. Duckett stated bids had been received and the low bidder was Garrett Paving in the amount of \$259,698.60 and he was asking the Commissioners to approve the contract and authorize the Chairman to sign the contract.

Motion the award the bid to Garrett Paving in the amount of \$259,698.60: Danny Maxwell

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.

Motion to authorize the Chairman to sign the contract in the amount of \$259,698.60 and approve the funds to be paid for from the 2017 Roads and Bridges Special Purpose Local Option Sales Tax: David Duckett

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

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

8. Adjournment

Chairman Hooper adjourned the meeting at 7:07 p.m.

Chairman

Assistant County Clerk
