

The Banks County Board of Commissioners held their regular meeting on May 22, 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
Public Utilities Director Steve Reece
Code Enforcement Officer Paul Ruark
County Attorney Randall Frost

Media

Sharon Hogan, 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 that an item needed to be added to the agenda as Item 10 which would be Vehicle Acquisition.

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 22 was a significant number. He stated since Jan 1, 2018 there had been 22 school shootings. He said as a Country we have got to find a solution and one solution he had thought of was parents needed to become actively involved in what their kids were doing and watching.

Ch. Hooper also stated Memorial Day was coming up and we needed to remember the men and women that died in wars to protect our freedoms.

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. Planning Commission Recommendations:

a. V-18-04 – Jason Hensley – A variance application had been applied for to reduce the required setbacks for one poultry house located at 516 Christmas Tree Rd.

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

Attorney Frost stated there was a variance application to reduce required setbacks for one poultry house located at 516 Christmas Tree Road.

Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

Jason Hensley – 516 Christmas Tree Road – stated he was asking for a 125 ft. setback from Christmas Tree Road for another poultry house that would be on the same property where two poultry houses were already located.

Spenser Carr – Carr Law Group 113 Grant Street, Clarkesville, GA – Stated he was speaking in opposition of the application. Mr. Carr stated it was important to follow the code but, the application was not completed correctly. He stated the code said if there was one incomplete part of the application - that could be grounds for denial. Attorney Carr stated there were inconsistencies in acreage on the previous application for Mr. Hensley's first two chicken houses and the current application for the single poultry house. Mr. Carr also stated the property was zoned ARR and not CAD. He said the setbacks in ARR are 400 ft. from the property line and 800 ft. from any residences. He stated Mr. Hensley had purchased three parcels in a residential subdivision zoned ARR. Atty. Carr had a drawing that depicted all the residential property lines the variance would affect if approved. He stated the County put the code section in to protect other owners with lots in that subdivision. Mr. Carr said covenants were filed with lot three of the four parcels Mr. Hensley had purchased. Mr. Carr said the covenants stated only single family residences and no commercial or poultry activity permitted on the property. Atty. Carr stated that in ARR and CAD you cannot have more than 10% of the property in poultry structures. Mr. Hensley had already exceeded the current allowable amount and the current house proposed would be out of compliance. He stated there was no way to show the variance was justified. Atty. Carr stated it was not harmonious for the neighborhood, does not promote proper development and will allow construction of a poultry house that was not in compliance.

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

Motion to approve the variance application: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

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

6. Fire/EMS

a. Fireworks Tax Grant for the purchase of firehose

\$7,000

Fire Chief Steve Nichols stated he had applied for a grant that was funded from sales tax for the purchase of fireworks. He stated in the FY2019 budget he had requested approximately \$7,000 to purchase new fire hose for a truck and the grant amount that was received for the purchase of the hose was \$6,985 leaving \$853 to be purchase from the FY2019 budget.

b. Trauma Commission Grant: King Vision Laryngoscope

\$2,700

Chief Nichols stated he would like to purchase three King Vision Laryngoscope's to equip all med units. He stated he had received a grant in the amount of \$2,462.63 through the Trauma Commission. The total cost of all three units would be \$6,088.23 in which the County would only pay \$3,625.60. Comm. Turk stated that one unit could be paid for from the SPLOST fund since it would be placed on the new unit.

c. EMS Collections Contract: CBA of Georgia

Chief Nichols stated our current EMS collections company stated they would not be doing collections anymore and recommended CBA of Georgia out of Athens.

Motion to approve the contract: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

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

d. Non Transport Fee

Chief Nichols stated recently Medicare/Medicaid was allowing a non-transport fee as an allowable charge of \$100. He stated they would only charge when supplies and medicines were used. Chief Nichols stated they would still do home visits and blood pressure checks as a service to the public.

Motion to impose a Non-Transport Fee for EMS calls: Danny Maxwell

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

e. FY2019 VFIS Liability Insurance

Chief Nichols stated that the liability insurance with VFIS was up for renewal. The original quote was \$99,007 but he asked for another quote in which increased the property deductible to \$1000 and the small equipment deductible to \$500 which would result in a lower premium. The new quote came in at \$94,345.

Motion to approve the renewal policy with VFIS: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

7. Security X-Ray Unit Annual Maintenance Agreement – Point Security, Inc. \$3,950

Ch. Hooper stated this was for equipment we already have in place at the Courthouse.

Motion to approve the annual maintenance agreement: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

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

8. Water Meter Replacement Bid Award

Public Utilities Director Steve Reece stated the amount of the low bid was \$48,870 from M&E Construction.

Motion to approve the low bid from M&E Construction in the amount of \$48,870: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

9. Roads & Bridges

a. Ward Concrete Family LLP Easement Agreement – North County Line Rd

County Clerk Regina Gailey stated Banks County had a deeded easement for our water tank and line on North County Line Road and Ward Brothers (Cab Concrete) was behind that easement. They had been crossing it but there had never been a signed easement. They were in the process of some financial transactions that required an access easement. The easement also stated that Ward Brothers would pay for any and all cost associated with a damaged water line that runs through the easement.

Motion to approve the access easement: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and motion passed.

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

b. Sims Harris Rd/Gardiner Rd Resurfacing Bid Award & Contract

Assistant County Clerk Erin Decker stated bids were received and the low bid was from Stratton & Sons in the amount of \$384,201.02.

Motion to approve the low bid and the contract for Stratton and Sons in the amount on \$384,201.02: Jimmy Morrison

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

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

c. Faulkner Rd Resurfacing Bid Award & Contract

Assistant County Clerk Erin Decker stated bids were received and the low bid was from Colwell Construction in the amount of \$63,292.45.

Motion to approve the low bid and the contract for Colwell Construction in the amount of \$63,292.45: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

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

10. Vehicle Acquisition

Ch. Hooper stated that the Explorer at the Annex needed to be transferred to the Senior Center. He stated he would like to suggest purchasing an Expedition that would be more comfortable and transport more people.

Motion to purchase a vehicle with a cap of \$35,000: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

11. Adjournment

Motion to adjourn the meeting: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

Chairman

Assistant County Clerk
