

The Banks County Board of Commissioners held their regular meeting on February 13, 2018 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present

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

Staff Present

County Clerk Regina Gailey
Assistant County Clerk Erin Decker
Code Enforcement Officer Paul Ruark
County Attorney Randall Frost
Fire Chief Steve Nichols

1. Call to Order

Ch. Hooper called the meeting to order.

2. Approval of Agenda

Ch. Hooper stated Item 8. Recognition: Chelsea Pusbach needed to be added to the agenda.

Motion to approve the agenda as amended: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

3. Moment of Reflection

Ch. Hooper stated Valentine's Day was tomorrow. He stated he had a teacher in school that said "If you can't say anything nice, don't say anything at all". He stated we needed to be careful and thoughtful about things we say to others.

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 motion passed.

6. Approval of Previous Minutes – 1/9, 1/23

Motion to approve the minutes: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

7. Planning Commission Recommendations:

a. V-18-01 – Variance to reduce the minimum acre requirement of 2 acres located at 218 Forrester Road.

Ch. Hooper closed the meeting. County Attorney Randall Frost opened the public hearing. Attorney Frost stated V-18-01 was a variance to reduce the minimum acreage of 2 acres at 218 Forrester Road. Zoning Officer Paul Ruark stated the Planning Commission recommended approval with the condition that once the hardship was dissolved the land would revert back to the original use.

Lamar Ayers – 159 Woodland Street

Mr. Ayers spoke for the application and stated his brother was in a hardship and needed a place to live.

Randy Matheny – 136 Forrester Road

Mr. Matheny stated he was in opposition and concerned about the following:

- Additional traffic
- Gennie Gillespie’s perpetual easement through Mr. Ayers property

He further stated when he divided his property, he had to have 2 acres.

Wayne Gillespie – 210 John Morris Road

Mr. Gillespie stated he was in opposition and concerned about the following:

- A perpetual easement that his brother had through Mr. Ayers’ property.

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

Comm. Turk asked to see where the dwelling would be located and stated he would only consider the hardship as long as the family owns the land and Marvin Ayers and his wife are the only ones that live there.

Motion to approve the variance with the condition that only Melvin Ayers and his wife are to reside on the property. The property is to remain in Lamar Ayers, his wife, his daughter or his son’s name. When the last survivor of Melvin Ayers or his wife are deceased, it will no longer be considered a hardship. The property must remain a whole tract: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Variance Permit Resolution filed in Attachment to Minutes Book #9-9)

8. Recognition: Chelsea Pusbach

Vice Chairman Sammy Reece stated Miss Chelsea Pusbach had been awarded the highest honor possible in the 4-H Horse Project-High Individual in horse demonstration at the Western National 4-H Roundup Horse Classic. The Commissioners presented a certificate of recognition to Miss Pusbach for the outstanding performance during her competitions.

9. Habersham County Bicentennial Celebration – 2018

Chairman Victor Anderson

Habersham Commission Chairman Victor Anderson stated Habersham County would have their 200th Anniversary in 2018. He presented the Banks County Commissioners with a proclamation that stated

WHEREAS, Habersham County was founded on December 15, 1818 with an initial area of approximately 713 square miles: and,

WHEREAS, on this special occasion of our 200th anniversary, we plan to celebrate this notable time in our history by honoring our past, planning for our future, and celebrating 200 years of community; and

WHEREAS, parts of Habersham County were later split off to become part of the counties of Rabun (in 1828), Lumpkin (in 1832) Banks (in 1859), White (in 1857), and Stephens (in 1905), leaving the present size of Habersham County at approximately 279 square miles; and,

WHEREAS, we wish to take this opportunity to recognize those who have historically played a role in forming our community and our neighboring communities; and,

WHEREAS, aside from once sharing land, our counties have a shared history; and,

NOW THEREFORE, BE IT PROCLAIMED, by the Habersham County Board of Commissioners duly assembled this 30th day of January 2018, hereby honors neighboring counties as Habersham Countians in 2018 in celebration of Habersham County's Bicentennial Year. We call upon all to join us in acknowledging and celebrating this momentous occasion.

(Copy of Proclamation filed in Attachment to Minutes Book #9-9)

10. Roads & Bridges:

a. Grove Creek at Banks Crossing Business Park access road name: Grove Creek Point

County Clerk Regina Gailey stated the portion of road from Hwy 441 to the roundabout in the business park needed to be named. Ms. Gailey stated 911 had checked the name and no duplicate names were found. The proposed road name was Grove Creek Point.

Motion to name the road Grove Creek Point: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

b. Road & Bridge Transportation Tax Proposed Project List

Comm. Duckett stated the Road and Bridge Transportation SPLOST would be on the ballot in May and could only be used for roads and bridges. Ms. Gailey stated the 1% sales tax could possibly bring in \$15M. The proceeds from the tax would be split between the County and the cities. The project list for Banks County totals \$11,175,000.

Motion to approve the project list: David Duckett

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Project List filed in Attachment to Minutes Book #9-9)

c. Road & Bridge Transportation Tax Intergovernmental Agreement Resolution

Ms. Gailey stated the agreement would be between the County and Cities stating they agreed on the division of the tax and the project list that all the governments submitted.

Motion to approve the agreement resolution: David Duckett

Second: Jimmy Hooper

Vote: 5:0

All aye votes and the motion passed.
(Copy of Resolution filed in Attachment to Minutes Book #9-9) 2018-04

d. Road & Bridge Transportation Tax Call for an Election Resolution

Ch. Hooper reported that the resolution was going to be considered at a called meeting the following day.

e. John Morris Road additional engineering – KCI Technologies

Comm. Duckett stated the drawings for John Morris Road needed to be corrected to include a directional change. The cost of the additional engineering would be \$3,000.

Motion to approve the additional engineering: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of Work Authorization filed in Attachment to Minutes Book #9-9)

f. Bertha Gragg Rd Improvement Engineering – KCI Technologies

Comm. Duckett stated the engineering for paving Bertha Gragg Road would cost \$3,000.

Motion to approve the engineering for Bertha Gragg Road: David Duckett

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of Work Authorization filed in Attachment to Minutes Book #9-9)

11. Fire/EMS Automatic Aid Agreement – City of Homer

Fire Chief Steve Nichols stated the Automatic Aid Agreement needed to be updated with the City of Homer.

Motion to approve the agreement: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minutes Book #9-9)

12. Adjournment

Motion to adjourn the meeting: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the meeting was adjourned at 7:00 p.m.

Chairman

Assistant County Clerk
