

The Banks County Board of Commissioners held their regular meeting on December 8, 2015 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

### **Members Present**

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

### **Staff Present**

Code Enforcement Officer Paul Ruark  
Finance Officer Randy Failyer  
County Clerk Jenni Gailey

### **Media Present**

Banks County News – Angela Gary  
Access North Georgia – Rob Moore

#### **1. Call to Order**

Ch. Hooper called the meeting to order.

#### **2. Approval of Agenda**

Motion to amend the agenda to delete item “7. Recognition: 2015 Dispatcher of the Year” and to change the title of item “10.” To “Firefighters Association Boot Drive Request”: Danny Maxwell

Second: Sammy Reece

Vote: 5:0

All aye votes and motion passed.

Motion to approve the agenda as amended: David Duckett

Second: Charles Turk

Vote: 5:0

All aye votes and motion passed.

#### **3. Moment of Reflection**

Ch. Hooper stated Christmas was the season of peace. He stated the word peace was defined as “conflict done away with”. He further stated when we pray for peace we are praying that conflict will go away. He said this was needed in all facets of life such as family, neighbors and government.

#### **4. Pledge to the American Flag**

Ch. Hooper led the Pledge to the American Flag.

#### **5. Approval of Invoices**

Motion to approve the invoices: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

**6. Approval of Previous Minutes – 11/10, 11/23**

Motion to approve the minutes as previously provided: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion passed.

**7. Recognition: 2015 Dispatcher of the Year – DELETED**

**8. Planning Commission Recommendations:**

**a. CU-15-07 – Southern LINC Wireless – Application for a 400 ft. height cell tower to be located at 5241 Hwy 51 South.**

Ch. Hooper closed the meeting and Officer Ruark opened the public hearing. He stated this was a conditional use for a cell tower and that the Planning Commission recommended approval of the application. Buddy Robinson of Southern LINC Wireless spoke in favor of the application by stating Georgia Power was paying for the tower. Brent Edwards of Georgia Power stated this would increase cell coverage in the area tremendously. Officer Ruark closed the public hearing and Ch. Hooper opened the meeting.

Motion to approve the conditional use 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 #9-7)*

**9. Charity Road Easement Request**

*David Tolar*

Mr. Tolar stated the 80 ft. ROW that the county was requesting was egregious and stated the landowners would agree to a 40 ft. ROW instead. Comm. Duckett stated the 80 ft. was required when doing state contracts for improvements and 60 ft. to 80 ft. was what the county usually required.

**10. Banks County Firefighters Association Boot Drive Request**

Vice Ch. Turk stated the boot drive would be held on Saturday, December 19, 2015 and would benefit the association.

Motion to approve the request: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion passed.

**11. Firefighter Gear Purchase Request**

*Randy Failyer*

Mr. Failyer stated this was for the purchase of gear in the amount of 16 sets at \$1,811 per set for a total of \$28,976. He stated the current gear would be out of compliance in April 2016 by NFPA standards.

Motion to approve the purchase: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and motion passed.

**12. Contracts & Agreements:**

**a. Probate Court Special Prosecutor Employee Agreement – Joseph Bennett**

Mr. Failyer stated this covered a personnel change to add Joseph Bennett as Special Prosecutor and was in the amount of \$6,000 per calendar year and would auto renew each year.

Motion to approve the agreement: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and motion passed. *(Copy of agreement filed in Attachment to Minutes Book #9-7)*

**b. Salt Spreading Agreement – Joe Barron**

Ch. Hooper stated this was a yearly agreement renewal and was only on an as-needed basis.

Motion to approve the agreement: Jimmy Hooper

Second: David Duckett

Vote: 5:0

All aye votes and motion passed. *(Copy of agreement filed in Attachment to Minutes Book #9-7)*

**c. 2016 Gravel Hauling Bid Award/Contract**

Mr. Failyer stated two bids had been received as follows:

Larry Shubert               \$5.35/ton

Triple H Transport       \$4.78/ton

He stated both businesses were located in Banks County. Comm. Maxwell pointed out that the 24 hour delivery time must be enforced and is included in the contract.

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

Second: Charles Turk

Vote: 5:0

All aye votes and motion passed. *(Copy of contract filed in Attachment to Minutes Book #9-7)*

**13. Resolution Authorizing the Tax Commissioner to Receive Specific Forms of Payment**

Ms. Gailey stated this would authorize the Tax Commissioner to receive specific forms of payment for taxes.

Motion to approve the resolution: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed. *(Copy of resolution filed in Attachment to Minutes Book #9-7) 2015-24*

**14. 2016 Alcohol License Renewals**

Ms. Gailey stated the Code Enforcement Officer had stated all applications were in compliance.

Motion to approve the licenses for 2016: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed. *(List of Licensees filed in Attachment to Minutes Book #9-7)*

**15. 2016 Qualifying Fees Resolution**

Ch. Hooper stated qualifying would be the first week in March 2016.

Motion to approve the qualifying fees for 2016: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed. *(Copy of resolution filed in Attachment to Minutes Book #9-7) 2015-25*

**16. Adjournment**

Motion to adjourn the meeting: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed. The meeting adjourned at 6:52 p.m.

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Chairman

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County Clerk

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