

The Banks County Board of Commissioners held their regular meeting on December 9, 2014 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

County Attorney Randall Frost
Economic Development Director Brad Day
Financial Officer Randy Failyer
County Clerk Jenni Gailey
Assistant County Clerk Erin Decker

Media Present

Banks County News – Alex Pace
Access North Georgia – Rob Moore

1. Call to Order

Ch. Hooper called the meeting to order.

2. Approval of Agenda

Ch. Hooper stated Real Estate needed to be added to Executive Session and the Caterpillar Lease Agreement needed to be added to the agenda.

Motion to approve the agenda as amended: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

3. Moment of Reflection

Ch. Hooper stated that one time he brought home a report card that had inadequate conduct and his mother told him if he couldn't do anything else, he could at least behave. He said people don't like to listen to authority. He further stated that we need to respect authority.

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. Approval of Invoices

Motion to approve the invoices: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

6. Minutes – 11/11

Motion to approve the 11/11 minutes: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

7. Public Comment: Packaged Alcohol Sales on Thanksgiving and Sundays

Salim Hakani 382 Leggett Oaks Lane, Lawrenceville.

Mr. Hakani stated he would like to be able to sell alcohol on Sunday and Thanksgiving Day. He stated other stores were selling illegally and other counties were allowing sales on Sunday and he was losing business. Ch. Hooper stated he would look into this matter after the first of the year.

8. Planning Commission Recommendations

a. Z-14-05 – Development Authority of Banks County – A rezoning application to rezone 100 acres at 30443 Hwy 441 from C-2, General Commercial to M-1, Industrial

Motion to untable the item: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and motion passed.

Economic Developer Brad Day stated the M-1 list has been narrowed down to businesses that are considered to be a non-nuisance. Vice Ch. Turk stated that he would like to add Research Facilities to have indoor lab and kennels as a non-permitted use to Item 5.

Motion to approve the rezoning with the following conditions: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and motion passed.

The property may only be used as follows:

- (1) Storage and distribution of products and merchandise;
- (2) Cold storage;
- (3) Frozen food lockers;
- (4) Ice manufacture;
- (5) Research and scientific laboratories (Indoor Only)
- (6) Residence for caretaker or night watchman;
- (7) Food processing excluding meat, poultry and fish;
- (8) Manufacturing, processing, excluding meat, poultry and fish and assembling; and
- (9) Repair and servicing of commodities or products.

9. E911/EMA:

a. GEMA Emergency Shelter Grant Memorandum of Understanding

911/EMA Director Deidra Moore stated the GEMA has agreed to furnish two emergency trailer shelters that are fully furnished. She stated the county only has to maintain and insure the shelters.

Motion to approve the MOU: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and motion passed.

(Copy of MOU filed in Attachment to Minute Book #9-6)

b. CAD, RMS, JMS, MDT Bid Award and Contract

Ms. Moore stated this was a SPLOST Project and the computers and system would be used at the Sheriff's Office, 911 and Fire/EMS. This system will cut down on response time and will be more productive. Southern Software was the low bidder in the amount of \$556,514. With an annual maintenance fee of \$29,118.48. Ch. Hooper stated the system we have now is out of date and unreliable. He wanted to make everyone aware that the new system would impact the 2017 budget by \$37,455. Vice Ch. Turk wanted to make sure that Fire/EMS would have the same information and that the system would keep up with dispatch time. Ms. Moore stated the expense of this system would be a shared cost between departments.

Motion to approve the bid from Southern Software in the amount of \$556,514. And a yearly maintenance fee of \$29,118.48 to be paid from 2012 SPLOST fund: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of contract filed in Attachment to Minute Book #9-6)

10. Public Utilities: Water Distribution Employees

Public Utilities Director Steve Reece stated he was requesting a vacant position be filled in the Water Distribution Department. The amount of the position would be \$20,319.87 for the remainder of FY2015. Comm. Maxwell's concern was that the amount wasn't budgeted for this year. Mr. Reece stated his department was totally self-sufficient. Ch. Hooper stated revenues had been increased and the staff wasn't replaced when the economy was down. Mr. Reece stated that without this position he hasn't been able to maintain the repair and maintenance program properly.

Motion to fill the vacant position in the Water Distribution Department: Jimmy Hooper

Second: David Duckett

Jimmy Hooper: Aye

Charles Turk: Nay

David Duckett: Aye

Danny Maxwell: Aye

Sammy Reece: Nay

The majority vote and the motion passed.

Motion to lift the hiring freeze: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

11. Building Inspections Agreement – Bureau Veritas

Motion to approve the one year agreement: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of agreement filed in Attachment to Minute Book #9-6)

12. Orthophotography and Oblique Imagery Regional Contract – Georgia Mountains Regional Commission

Motion to approve the agreement and authorize the Chairman to sign: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of agreement filed in Attachment to Minute Book #9-6)

13. FY2015 Budget Amendment

Finance Officer Randy Failyer stated this was not a change to the bottom line of the budget just a reclassification between the motor vehicle and TAVT revenue.

Motion to approve the amendment: David Duckett

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of resolution filed in Attachment to Minute Book #9-6) 2014-18

14. Boards & Committees:

a. Chestatee Chattahoochee RC&D – 1 year term Leslie George

Motion to reappoint Leslie George for a one year term: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion passed.

b. Chestatee Chattahoochee RC&D – 1 year term Jimmy Hooper

Motion to reappoint Jimmy Hooper for a one year term: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and motion passed.

c. Joint Development Authority – 4 year term Jimmy Morrison

Motion to reappoint Jimmy Morrison for a four year term: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and motion passed.

15. Adult Entertainment Moratorium Resolution

Motion to approve the moratorium resolution: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and motion passed.

(Copy of resolution filed in Attachment to Minute Book #9-6) 2014-19

16. 2015 Gravel Hauling Bids

Assistant County Clerk Erin Decker stated there was only one bid received for gravel hauling and that was from Shubert Hauling in the amount of \$4.98/ton.

Motion to approve the gravel hauling bid in the amount of \$4.98/ton: Charles Turk

Second: Sammy Reece

17. 2015 Alcohol License Renewal

The following alcohol licenses were renewed:

Beer/Wine/Mixed Drink Pouring

Applebee's	El Azteca	La Hacienda Mexican Restaurant
Longhorn Steakhouse	Outback Steakhouse	Koji Japanese Steakhouse
Ruby Tuesday	Giovanni's, Inc.	

Beer Pouring Only

Pizza Hut	Sonny's BBQ	NHRA/Atlanta Dragway
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Beer/Wine Pouring Only

Funopolis	Hawg Wild BBQ Commerce
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Beer/Wine Package

Munia's BP	TA Operating LLC	4 Way Country and Grocery
Patels' Grocery	Homer Grocery	Express Food Mart
Quik Trip #828	Racetrack #284	Royal Foods Chevron #4
Royal Food Store #65	Wal Mart Supercenter #3	

Motion to approve the 2015 alcohol licenses: Charles Turk

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

18. Caterpillar Equipment Lease

Mr. Failyer stated this was for heavy equipment for the road and water department and the lease needs approval for the Chairman to sign pending county attorney's approval.

Motion to authorize the Chairman to sign pending county attorney's approval: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of lease filed in Attachment to Minute Book #9-6)

19. Executive Session – Personnel, Real Estate & Litigation

Motion to enter into executive session: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the executive session began at 7:10 p.m.

Motion to close the executive session: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and the executive session ended at 7:30 p.m.

(Copy of executive session affidavit filed in Attachment to Minute Book #9-6)

Motion to approve the Georgia Power Easement at Windmill Farm pending the Sheriff's approval: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of easement filed in Attachment to Minute Book #9-6)

20. Adjournment

Motion to adjourn the meeting: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the meeting ended at 7:32 p.m.

Jimmy Hooper, Chairman

Erin Decker, Assistant County Clerk
