

The Banks County Board of Commissioners held the regular meeting on February 14, 2012 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex. Present were Chairman Milton Dalton, Vice Chairman Charles Turk and Commissioners Danny Maxwell, Sammy Reece and Ernest Rogers. County Attorney Randall Frost was also present.

1. Call to Order

Chairman Dalton called the meeting to order.

2. Approval of Agenda

Ch. Dalton stated "13. Executive Session: Personnel & Land Acquisition" needed to be added to the agenda. Commissioner Reece made a motion to amend the agenda as stated. Vice Chairman Turk seconded. All aye votes and motion carried.

3. Prayer

Ch. Dalton asked for a moment of silent prayer.

4. Pledge to the American Flag

Ch. Dalton led the pledge to the American Flag.

5. Approval of Invoices

Comm. Rogers made a motion to approve the invoices as listed. Comm. Reece seconded. All aye votes and motion carried.

6. Approval of Previous Meeting Minutes – 1/10, 1/24

Vice Ch. Turk made a motion to approve the minutes as written. Comm. Rogers seconded. All aye votes and motion carried.

7. Special Recognition:

William Harold Brown

Ch. Dalton recognized William Harold Brown for turning 100 years of age on February 2, 2012. Mr. Brown served as Commissioner from 1989 – 1994 and is the oldest living past Commissioner of Banks County. ***(Copy of recognition resolution filed in Attachment to Minutes Book #9-3) 2012-02***

Regina Gailey

Ch. Dalton also recognized Ms. Gailey for achieving Master Clerk Certification through the University of Georgia and the Association of County Commissioners of Georgia. He then presented her with a plaque of recognition. Ms. Gailey has worked for the county for approximately 24 years total.

8. Planning Commission Recommendations:

a. CUP-12-001 – Barry Lord – Conditional Use Permit for a muffler shop and recovery storage yard at 979 Blacks Creek Church Road.

Ch. Dalton closed the meeting and turned the public hearing over to County Attorney Randall Frost. Attorney Frost opened the public hearing and asked Code Enforcement

Officer Keith Covington to present the application. Officer Covington stated the property consisted of 1 acre and was located on Tax Map/Parcel B82-045. He stated Northeast Georgia Bank was the owner. The Planning Commission recommended approval of the application. Barry Lord stated he would be one of the people running the muffler shop and that he represented Seymour Wrecker Service who will lease the property for the storage yard. Comm. Rogers stated concerns with Seymour's Wrecker Service not being listed on the application as leasing and that the leaser could change at any time without notice to the county. Officer Covington stated a condition could be added to the approval of the application that states the permit is only for Seymour Wrecker Service and that anyone else must apply for a permit. Atty Frost closed the public hearing. Ch. Dalton reopened the meeting. Comm. Rogers made a motion to deny the application since Seymour's Wrecker Service was not named on the application. Vice Ch. Turk seconded. All aye votes and motion carried.

b. CU-12-01 – Jennifer Knott – A conditional use application for a tattoo & body piercing business at 137 Pottery Factory Drive.

Ch. Dalton closed the meeting and turned the public hearing over to County Attorney Randall Frost. Attorney Frost opened the public hearing and asked Code Enforcement Officer Keith Covington to present the application. Officer Covington stated the property was in a shopping center located on 15.04 acres on Tax Map/Parcel B55-002. The Planning Commission recommended approval of the application. Ms. Knott was present to speak in favor of the application. Atty Frost closed the public hearing. Ch. Dalton reopened the meeting. Vice Ch. Turk made a motion to approve the application. Comm. Rogers seconded. All aye votes and motion carried.

9. Resolutions:

a. Safety Coordinator Establishment resolution – Arlene Ivey

Comm. Reece made a motion to approve the resolution. Comm. Maxwell seconded. All aye votes and motion carried. This resolution is required in order to receive the liability & workers comp insurance discount. ***(Copy of resolution filed in Attachment to Minutes Book #9-3) 2012-02***

b. CDBG Grant – McCoy Bridge Rd, Lewallen Drive, Sol Drive, Webbs Creek Rd Water Lines Resolution

Steve Reece

Mr. Reece stated this would begin the process of applying for the grant. Comm. Reece made a motion to approve the resolution to begin the application process. Vice Ch. Turk seconded. All aye votes and motion carried. ***(Copy of resolution filed in Attachment to Minutes Book #9-3) 2012-03***

10. Contracts & Agreements:

a. qPublic.net Data Brokerage & Revenue Sharing Agreement

Kevin Whitman

Mr. Whitman was not present.

b. CDBG Grant Administration Contract – Water Lines – Georgia Mountains Regional Commission

Steve Reece

Mr. Reece stated this was for the application and administration of the grant. The amount of the contract is \$1,000 application fee and 6% of the total grant for administration if the grant is awarded. Comm. Rogers made a motion to approve the

contract. Comm. Reece seconded. All aye votes and motion carried. **(Copy of contract filed in Attachment to Minutes Book #9-3)**

Engineering Services

Comm. Rogers made a motion to approve Carter & Sloope Engineers for engineering services for the project. Vice Ch. Turk seconded. All aye votes and motion carried. The agreement for services will be considered in a future meeting.

c. Yancey/CAT Generator Service Agreement – Public Utilities - \$2,291.38 Steve Reece
Comm. Rogers stated concerns with the amount of the quote. Ch. Dalton made a motion to postpone this item until the February 28, 2012 meeting to allow for additional quotes for the service. Comm. Maxwell seconded. All aye votes and motion carried.

d. Wasteload Allocation Permit Application – Carter & Sloope Engineers Steve Reece
Comm. Rogers made a motion to approve Carter & Sloope Engineers to begin the process with Option #2 – Phasing in the permitting for 50,000 gallons per day permitted discharge up to 1 million gallons per day. Vice Ch. Turk seconded. All aye votes and motion carried.

e. Baldwin Tower Lease Agreement – Crown Atlantic Company, LLC
Mr. Reece stated there had been no charge for the tower space for the utilities repeater in the past but going forward the fee would be \$425 per month. Vice Ch. Turk made a motion to approve the agreement effective January 1, 2012. Comm. Rogers seconded. All aye votes and motion carried. **(Copy of agreement filed in Attachment to Minutes Book #9-3)**

f. Poole Rd Water Line Engineering Service Agreement – Carter & Sloope Engineers
Steve Reece
Mr. Reece stated this would be for engineering, design and permitting of a 6” waterline on the paved portion of Poole Rd. Comm. Rogers made a motion to approve Carter & Sloope Engineers to handle the project. Vice Ch. Turk seconded. All aye votes and motion carried.

g. Piedmont Circuit Public Defender Service Agreement Annual Renewal \$95,821
Comm. Reece made a motion to renew the agreement for FY2012. Comm. Maxwell seconded. All aye votes and motion carried. **(Copy of agreement filed in Attachment to Minutes Book #9-3)**

h. 2012 Statewide Mutual Aid Agreement Deidra Moore
Ms. Moore stated this was a FEMA requirement and was last approved in 2002. Comm. Rogers made a motion to approve the agreement. Comm. Reece seconded. All aye votes and motion carried. **(Copy of agreement filed in Attachment to Minutes Book #9-3)**

11. Regional Teen Maze Equipment Grant 2011 – Family Connections Robin Trotter
Ms. Trotter stated this would be shared by counties within the region and would be housed in Banks County. Banks County would be the fiscal agent for the \$5,000 grant. The application deadline was January 31, 2012 and Ch. Dalton had signed as fiscal agent. She requested that the

board ratify the authorization of the Chairman to sign the application. Comm. Rogers made a motion to ratify the authorization. Vice Ch. Turk seconded. All aye votes and motion carried. **(Copy of agreement filed in Attachment to Minutes Book #9-3)**

12. Family Connections – Program Report

Ms. Trotter presented a power point presentation of an annual review of accomplishments and statistics of the agency.

13. Boards & Authorities:

a. Development Authority – 4 year term – 3/1/2012 – 2/29/2016 Jack Banks

Comm. Maxwell stated Mr. Banks had stated he did not wish to continue on the authority. He said he had talked to Larry Sparks who had worked with the City of Oakwood 6 years as a planner and had previously worked with Georgia Mountains Regional Development Center for over 30 years. He stated Mr. Sparks agreed to serve if appointed. Comm. Maxwell then made a motion to appoint Mr. Sparks to the authority. Comm. Reece seconded. All aye votes and motion carried.

b. Development Authority – 4 year term – 3/1/2012 – 2/29/2016 Bill Griffin

Comm. Reece made a motion to reappoint Bill Griffin to the Authority. Vice Ch. Turk seconded. All aye votes and motion carried.

c. Development Authority – 4 year term – 3/1/2012 – 2/29/2016 Dennis Brown

Comm. Rogers made a motion to reappoint Dennis Brown to the Authority. Comm. Maxwell seconded. All aye votes and motion carried.

d. Development Authority – 4 year term – 3/1/2012 – 2/29/2016 Jonathan Bennett

Vice Ch. Turk made a motion to reappoint Jonathan Bennett to the Authority. Comm. Reece seconded. All aye votes and motion carried.

14. Executive Session: Personnel & Land Acquisition

Comm. Maxwell made a motion to go into executive session to discuss personnel & land acquisition at 7:30 p.m. Comm. Reece seconded. All aye votes and motion carried. Comm. Maxwell made a motion to come out of executive session at 7:54 p.m. Comm. Reece seconded. All aye votes and motion carried. **(Copy of affidavit filed in Attachment to Minutes Book #9-3)**

15. Fire Chief

Comm. Reece made a motion to appoint interim Fire Chief Brian Eubanks as fulltime fire chief. Comm. Maxwell seconded. All aye votes and motion carried.

16. Adjournment

With no more business, Comm. Maxwell made a motion to adjourn the meeting. Comm. Rogers seconded. All aye votes and motion carried. The meeting adjourned at 7:57 p.m.

Chairman

County Clerk
