

The Banks County Board of Commissioners held their regular meeting on July 12, 2011 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 members Danny Maxwell, Sammy Reece and Ernest Rogers.

**1. Call to Order**

Ch. Dalton called the meeting to order.

**2. Approval of Agenda**

Comm. Reece made a motion to amend the agenda to add FY2011 Budget to Item 13. Comm. Maxwell seconded. All aye votes and the motion passed.

Comm. Maxwell made a motion to approve the agenda. Vice Ch. Turk seconded. All aye votes and the motion passed.

**3. Prayer**

Ch. Dalton led 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. Comm. Reece seconded. All aye votes and the motion passed.

**6. Approval of Previous Minutes 6/14, 6/28, 6/30**

Vice Ch. Turk made a motion to approve the previous months minutes. Comm. Rogers seconded. All aye votes and the minutes were approved as furnished.

**7. Public Hearing to Approve Planning Commission Recommendations:**

**a. CU-11-01 BRC Commerce, LLC – Blue Ridge Capital, LLC – permit for firearm sales \$44,000**

Ch. Dalton closed the commissioners meeting and opened the public hearing. Zoning Officer Keith Covington stated this was a permit for the sale of firearms. The application number is CU-11-01. The applicant is Abe Piemme and the property owner is Blue Ridge Capital, LLC. The property is located at 250 Banks Crossing Drive, Commerce, GA, 30529. The tax map and parcel is B55-026 and the current zoning is C-2 General Commercial and the proposed use is commercial for the sale of firearms. Officer Covington stated the Planning Commission recommended approval. Attorney Frost asked if there was anyone to speak in favor of the application. Abe Piemme spoke in favor of the application stating he owns a firearms business in Hall County and wants to locate to Banks County. Mr. Piemme lives at 1883 Rock Springs Road and the business includes the sale of law enforcement gear and hunting supplies in addition to firearms. Ch. Dalton closed the public hearing and reopened the meeting. Comm. Reece made a motion to approve the application. Vice Ch. Turk seconded. All aye votes and the motion passed.

**8. Commerce Business Center Tabled 6-14-2011**

## **9. Contracts and Agreements**

a. Glatfelter Insurance Group – VFIS Property & Liability Insurance Renewal \$66,139  
Comm. Rogers made a motion to approve the renewal for VFIS Property & Liability Insurance. Vice Ch. Turk seconded. All aye votes and the motion passed. *(Copy of contract filed in Attachment to Minutes Book #9-3)*

**b. FY2012 Public Transportation Operation Contract – Local Share: \$48,152      Randy Failyer**

Finance Officer Randy Failyer stated this was a yearly contract and GDOT reimburses the County \$96,000. Vice Ch. Turk made a motion to approve the contract and authorize Ch. Dalton to sign. Comm. Reece seconded. All aye votes and the motion passed. *(Copy of contract filed in Attachment to Minutes Book #9-3)*

**c. FY2012 Senior Center Nutrition Program – Legacy Link      Randy Failyer**

Mr. Failyer stated this program was for the Meals on Wheels and congregate meals served at the Senior Center. The reimbursement funds come from the state and federal match that is based on cases. Comm. Reece made a motion to approve the contract and authorize the chairman to sign the contract. Vice Ch. Turk seconded. All aye votes and the motion passed. *(Copy of contract filed in Attachment to Minutes Book #9-3)*

## **10. Boards & Authorities**

**a. Department of Behavioral Health & Disabilities Board – 3 yr. term      Tabled 6/14/2011**

Vice Ch. Turk made a motion to appoint Elizabeth Gailey for a 3 year term. Comm. Rogers seconded. All aye votes and the motion passed.

**b. Zoning Appeals Board – 4 yr. term –Gordon Worley**

Comm. Reece made a motion to reappoint Gordon Worley for a 4 year term. Comm. Maxwell seconded. All aye votes and the motion passed.

**c. Zoning Appeals Board – 4 yr. term – Edward Barrett**

Comm. Rogers made a motion to reappoint Edward Barrett for a 4 year term. Vice Ch. Turk seconded. All aye votes and the motion passed.

## **11. Resolutions:**

**a. Home Rule Amendment Resolution – Second Reading & Approval**

Ch. Dalton stated a resolution by the Board of Commissioners of Banks County, Georgia under the home rule provisions for counties as set forth in article IX, Section II, Paragraph I of the constitution of the state of Georgia of 1983, as amended to amend an act of the general assembly of Georgia entitled “Banks Board of Commissioners Created” GA. Laws 1916, P. 349; as amended so as to further amend said act to designate who signs orders and warrants for the payment of any money out of the county treasury; to repeal conflicting ordinances ; to provide for an effective date and for other purposes.

Comm. Rogers made a motion to approve the resolution. Comm. Reece seconded. All aye votes and the motion passed. *(Copy of resolution filed in Attachment to Minutes Book #9-3) 2011-09*

## **12. Road Patching Bid Award**

Ch. Dalton stated the bid amount for patching and resurfacing were as follows:

Carnes Construction: \$246,148.37

Stratton & Sons: \$285,752.00

Allied Paving Contractors: \$265,148.37

Comm. Reece made a motion to approve the low bidder Carnes Construction for \$246,148.37.

Comm. Rogers seconded. All aye votes and the motion passed.

## **13. FY2011 & FY2012 Budget**

### **FY2011**

Mr. Failyer stated in the FY2011 budget he would like to move \$1,000 from the annex building maintenance to courthouse building maintenance. Comm. Rogers made a motion to approve the budget change. Vice Ch. Turk seconded. All aye votes and the motion passed.

### **FY2012**

Mr. Failyer asked the commissioners for approval to advertise the budget and setup public hearings. Comm. Rogers made a motion to authorize Mr. Failyer to proceed with the budget process. Comm. Reece seconded. All aye votes and the motion passed.

## **14. Request for Transfer**

**Judy Greer**

Ch. Dalton stated for the record Jenni Gailey and he heard Mrs. Greer's complaint in a grievance hearing and at that time Mrs. Greer requested that she read the following letter and have it recorded in the minutes. *(Copy of letter filed in Attachment to Minutes Book #9-3)*

## **15. Executive Session: Personnel**

Comm. Reece made a motion to enter into executive session concerning personnel. Vice Ch. Turk seconded. All aye votes and the executive session began at 7:51 p.m.

Comm. Reece made a motion to close the executive session. Comm. Rogers seconded. All aye votes and the executive session was closed at 8:11 p.m.

Comm. Reece made a motion to dismiss Judy Greer effective immediately. Vice Ch. Turk seconded. All aye votes and motion passed. *(Copy of affidavit filed in Attachment to Minutes Book #9-3)*

## **16. Adjournment**

Vice Ch. Turk made a motion to adjourn the meeting. Comm. Rogers seconded. All aye votes and the meeting was adjourned at 8:12 p.m.

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Chairman

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Assistant County Clerk

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