

The Banks County Board of Commissioners held their regular meeting on March 23, 2010 at 3:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members present were as follows:

Milton Dalton, Chairman	Joe Barefoot, Vice Chairman
Ernest Rogers, Commissioner	Charles Turk, Commissioner
Rickey Cain, Commissioner was absent.	

1. Call to Order

Ch. Dalton called the meeting to order.

2. Approval of Agenda

Comm. Rogers made a motion to approve the agenda. Vice Ch. Barefoot seconded. All aye votes and the agenda was approved as presented.

3. Public Comment

a. Horse Arena Usage Jill Brown

Jill Brown came to ask that the chains be removed from the Banks County Horse Arena. Vice Ch. Barefoot said he understood this has been done and is being left open. Ms. Brown said she just checked and the chains were left on and she had called the recreation center several times and it was still closed. Ch. Dalton stated it has been opened and it will be closed again about three to four days before an event. She said she has been a resident of Banks County for 15 years and has been a part of getting the arena up and running. Her family was a part of the volunteer process and she has never personally seen it damaged. She had read the minutes from September 2009 where Sammy Reece requested the arena be locked because some out-of-county people hurt the dirt. He volunteered to furnish the chains and locks for the arena to be locked. She didn't think it was fair to chain up one public facility if you are not going to chain up the other facilities. Comm. Rogers stated this is something they have been discussing and are going to come up with a use policy. He stated he was a strong believer in user fees and even the youth that play at the recreation department has to pay a fee. Ms. Brown said the walking trail, tennis courts, horse shoe pits, picnic tables and play ground has no fee. Comm. Rogers said it would be a minimal fee but it would be to help keep the facility up and the fees that are collected should be spent back on the facility that it was collected from. He said he didn't have a problem with Banks County citizens using the facilities because they paid for them, but he thought out-of-county people shouldn't be able to use them without a fee. Ms. Brown stated according to the state of Georgia, Banks County was rated second in the entire state for horses raised in 2008. The rate of service for breeding, boarding and training equine is over \$5M a year and she thinks it's ludicrous to do anything to deter any kind of event that promoted such valuable income to the County. Ms. Brown said a little girl called her about three weeks ago in tears because the gates were locked again. Ms. Brown said she had worked with this before in the past when the gates were locked. She said she was a frequent user and had never seen such abuse. She said if you want to do a pay per use on a volunteer basis, if it is an out-of-county tag, a lot of counties do it that way. When you go some places you get a tag, put \$1 to \$5 in the box and if you don't have it on your windshield they fine you. She said there really is a short riding season because of the rain and how hot it is in the summer. She said the locks are not off and please take them off now. She said either chain all the facilities or take the locks off the arena. Phillip Cronic, Recreation Director stated the locks are off the gates on Sunday and Monday. Ch. Dalton stated it is suppose to be unlocked at this moment. Comm. Turk said we would get them unlocked.

4. Water Bill – 434 Bellamy Road

Mary Atwood

Ms. Atwood stated they had built a house in Banks County last year and her husband had owned land in Banks County since the early 60's. She stated she was here today to discuss and resolve an outstanding water bill in the amount of \$2,764.62 which is 550,000 gallons of water. She stated she received a call from the Banks County Water System that she had a leak and she called her builder and plumber and there was no leak found. The County sent out Robin Thomas who checked the well and pond for chlorine and no traces were found. He also had the meter tested and told her that he found it hard to believe that on such a

small parcel, that much water had been used. She said computers malfunctioned and she believed that had happened in this case because of the magnitude of the bill. She asked what the commissioners could do about a bill of this magnitude because she hasn't used this water. She wants to get this bill cleared up if her son chooses to move here, she wants everything cleared up. Comm. Rogers asked Utilities Director Steve Reece if they found evidence of a leak. Mr. Reece stated the waterline runs beside the pond, they sent the meter to Delta to have it tested and on high flow it came back 100% accurate and on low flow it came back 98.5% accurate. He said the technology that was used on this meter was radio read, where they have to lift up the box top to look at the meter reading. He said the lake and well was tested for chlorine and no traces were found and she had proper valves on her well. Mr. Reece said anytime there is a question about a bill they always go out to physically read the meter again. Vice Ch. Barefoot asked where the water could have gone. Mr. Reece stated it could go underground. He said the month before and after the leak the bill was normal.

Comm. Rogers made a motion to look at the bill and make some adjustments to the bill. He asked Ms. Atwood to get a statement from the builder and plumber that no leak was found, have it notarized and return to the commissioners. Vice Ch. Barefoot seconded. All aye votes and the motion passed.

5. Resolution

a. Conservation Use Valuation Assessment (CUVA)

Ch. Dalton stated the limit on property in Conservation Use is currently 10 acres and he would like to see it increased to 25 acres. Comm. Turk stated in order for you to have your property in a Commercial Agriculture District you had to have 20 acres and he thought this should be only increased to 20 acres. Comm. Turk made a motion to increase Conservation Use Valuation Assessment to 20 acres. Vice Ch. Barefoot seconded. All aye votes and motion passed. *(Copy of resolution filed in Attachment Book #9-2) 2010-06*

d. GEFA 98-684WQ Execution Ratification Resolution

Finance Officer Randy Failyer stated GEFA had misplaced some information and has asked us to validate the information on a loan we had with them until 2024. Mr. Failyer stated the figures are all the same. Comm. Rogers made a motion to approve the ratification resolution and give the chairman permission to sign. Comm. Turk seconded. All aye votes and the motion passed. *(Copy of resolution filed in Attachment Book #9-2) 2010-07*

6. Homer Grocery Beer/Wine Package Store License – Ramesh Patel

Ch. Dalton stated the store was located on HWY 59 where John Irvin's Store use to be. Zoning Officer Keith Covington stated the store met the setback distance from the church. Comm. Turk wanted to make sure they were aware of the rules and regulations. Officer Covington replied yes they do have a copy of the ordinance. Comm. Rogers made a motion to approve the beer/wine package store license. Comm. Barefoot seconded. All aye votes and motion passed.

7. Safety Coordinator and Safety Discount Verification

County Clerk Regina Gailey stated that the commissioners needed to reappoint a safety coordinator for the discount program. She stated the worker's comp discount is 7.5% and property and liability discount is 5%. Ms. Gailey stated that she was the IRMA property and liability contact and Personnel Officer Judy Greer was the safety coordinator. Vice Ch. Barefoot made a motion to appoint Judy Greer and Regina Gailey to the stated positions. Comm. Turk seconded. All aye votes and the motion passed.

8. Personnel

a. Employee Usage

Comm. Rogers made a motion to bring employee vehicle usage off the table. Vice Ch. Barefoot seconded. All aye votes and the item was brought off the table. Ch. Dalton said this was tabled back in February. Comm. Rogers made a motion to park all vehicles that are driven home except the fire chief and road superintendant. All other vehicles will be looked at on a case by case basis. Vice Ch. Barefoot stated that this does not include the Sheriff's Office. Comm. Rogers stated that he would like to include in his motion that the Sheriff's

Office have no car driven home outside the County for home use. Comm. Rogers clarified that the vehicles would still be used during the day. Comm. Turk seconded. Utilities Director Steve Reece asked if the commissioners would reconsider about the on-call distribution utility vehicle. Comm. Rogers said they are going to look at all the others one on one and they can call them back if they see fit. Mr. Reece said the on-call person would have to come from their home to the shop before they can get to a leak.

The vote was as follows:

Barefoot: Aye

Rogers: Aye

Turk: Aye

Ch. Dalton did not vote. Three aye votes and the motion passed.

b. Senior Center Director Position

Comm. Rogers asked if this position had been advertised. Ch. Dalton stated no. Comm. Rogers made a motion that before anyone is appointed to this position they go through the regular advertising process. Comm. Turk seconded. All aye votes and the motion passed. Judy Greer asked what newspaper it should be advertised in. Comm. Rogers stated he would like to advertise in the Banks County News and keep the job in the County.

c. Planning Commission Members

Ch. Dalton said there were two positions. Ms. Gailey stated Keith Segars had never been replaced and Clyde McArthur resigned so his position needs to be filled until his term expires. Comm. Rogers stated that he has a problem with one person serving on two boards and would like to find out which board Mr. Stewart would like to serve on before he is appointed. Comm. Turk made a motion to appoint Melinda Cochran to the unexpired term of Clyde McArthur and table the other position until April 13, 2010 to allow time to ask Stanley Stewart which board he would like to serve on. Comm. Barefoot seconded. All aye votes and motion passed. Ms. Cochran's term will expire October 31, 2011.

d. Employee Retirement – Nationwide 401A Amendment Judy Greer

Ms. Greer stated this resolution was to amend the Nationwide 401a employee retirement plan since the contributions to the plan had been frozen effective March 1, 2010. Vice Ch. Barefoot made a motion to approve the resolution. Comm. Rogers seconded. All aye votes and the motion passed.

e. Employee Retirement – GebCorp Transfer Agreement

Ms. Greer stated that in the past, we had talked about moving retirement funds from Nationwide 401a to Gebcorp. This is the part that is frozen now, but even though it is frozen there are still funds there, so we still want to proceed with the transfer so Gebcorp can handle the entire fund. The date has been changed and will go into effect on April 5, 2010. Comm. Barefoot asked if this would affect anyone's savings. Ms. Greer stated we have a financial planner from Gebcorp coming April 12, 13 & 14 and will be meeting with all the employees to setup an account for their needs. Vice Ch. Barefoot made a motion to approve the transfer. Comm. Rogers seconded. All aye votes and the motion passed.

f. Employee – Defined Benefit Plan

Ms. Greer stated this plan was frozen in 1997 and she has constantly talked to Sheryl Dallas and she states the plan can not be unfrozen and there is nothing we can do. The plan contribution is once a year and the payment depends on the participants salaries. Last year it cost almost \$14,000 to make the contribution for eleven employees that still participate in this plan, even though the plan was frozen in 1997, the eleven employees that are still a part of this plan contribute nothing, every thing comes from the county. Ms. Greer stated item 21 of the plan booklet stated that you can stop the plan if the county chooses at any time. It states that if the County discontinues the plan the funds that are in the plan will be used to pay the participants. She said we have employees that have retired prior to 2006 that are drawing

monthly benefits from this plan, but the booklet says if the plan is discontinued the plan will continue to pay the benefits until they run out. She said Sheryl Dallas has not gotten back with her on this and Ms. Greer asked if the commissioners will table this until Ms. Dallas is able to contact her. Vice Ch. Barefoot made a motion to table this until the April 13, 2010 meeting. Comm. Rogers seconded. All aye votes and the motion passed.

g. Surplus Property

Vice Ch. Barefoot made a motion to surplus the following:

<u>YEAR</u>	<u>MAKE</u>	<u>VIN</u>
1985	Ford F150 4x4	1FTEF14N3GNA12950
1985	Ford F350 Diesel	1FDKF3719FNA66996
1992	Ford F150 Custom	1FTDF1549NNA94457
1999	Ford Crown Victoria	2FAFP71W6XX123935
1993	FORD PICKUP F150 XL	IFTEF15Y8PLA40036
1996	FORD S10 EXT CAB	1GCCS19X9T8168402

Smith Air Compressor	78785
Smith Air Compressor	No Serial #

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

Ch. Dalton made a motion to have a surplus sale with sealed bids and advertise in the Northeast Georgian and Banks County News. These items will be available for viewing at 419 Oscar Rucker Road. Vice Ch. Barefoot seconded. All aye votes and the motion passed.

10. Public Utilities:

a. Apple Pie Ridge Water Tank Maintenance Contract – Utility Service Co. Steve Reece

Mr. Reece stated we have an existing contract with Utility Service Co. to maintain water tanks. This includes painting and cleaning inside and out. He is requesting Apple Pie Ridge Road Water Tank be added to the contract. The price would be \$7,175 for FY10, 11 & 12 and then would drop to \$3,267. This tank has been in service for 15 years and has never been cleaned or repainted and this is very important for a concrete tank. He stated there were funds in the budget this year to cover the cost. Ch. Dalton stated this was one of the main tanks. Mr. Reece stated the reason for the higher cost the first three years was to cover getting the tank up to their standards. He stated this pricing was just a proposal. Comm. Rogers stated he would like to get information on how much we are paying per year for all the tanks and talk to other counties to see what they do. Comm. Rogers made a motion to table this item until the May 25, 2010. Vice Ch. Barefoot seconded. All aye votes and the motion passed.

b. Town of Alto Water Sale/Purchase Connection Steve Reece

Mr. Reece stated this was an emergency connection between Alto and Banks County. This is at the highest elevation we have on N. County Line Road. He stated the vault would be purchased with excess Clearwell Project funds. Mr. Reece stated there would be a booster pump station installed that would cost \$76,000. He stated we have to spend all the stimulus money by July 2010. Comm. Rogers made a motion to table the item until April 13, 2010 so he would have more time to look over the project. Comm. Turk seconded. All aye votes and the motion passed.

11. Propane Gas Bid

Ch. Dalton stated there were two bids, which are fixed prices that include delivery, fuel recovery fees and hazmat surcharges. The bid for Amerigas is \$1.52 per gallon and A Better Gas bid \$1.78 per gallon. Vice Ch. Barefoot made a motion to accept the low bid from Amerigas for \$1.52 per gallon. Comm. Turk seconded. All aye votes and the motion passed.

12. Adjournment

Vice Ch. Barefoot made a motion to adjourn the meeting. Comm. Rogers seconded. All aye votes and the motion passed.

Chairman

Assistant County Clerk
