



BANKS COUNTY BOARD OF COMMISSIONERS MEETING

Courthouse Annex Boardroom | 150 Hudson Ridge | Homer, GA 30547

Tuesday, December 14, 2021 at 6:30 PM

MINUTES

1. CALL TO ORDER

Chairman Turk called the meeting to order.

2. APPROVAL OF AGENDA

Ch. Turk stated the agenda needed to be amended to add b. Park and Rec Playground and to remove p. 2022 Employment Retirement Plan – Arlene Ivey.

Motion to approve the agenda as amended.

Motion made by Post 2 Commissioner Garrison, Seconded by Vice Chairman Post 1 Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

3. APPROVAL OF MINUTES

a. Minutes: 11/9/2021 BOC

Motion to approve the minutes.

Motion made by Post 3 Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

4. PLEDGE TO THE AMERICAN FLAG: Commissioner Bo Garrison

5. PUBLIC COMMENT: NONE

6. SPECIAL REPORTS/PRESENTATIONS:

a. Chairman's Report

Ch. Turk reported on the following:

- E911 calls received – Fire/EMS 285 – Sheriff 3381
- Covid cases – 160 positive cases/100,000 people

Ch. Turk also stated this would probably be the last meeting of 2021 and the Board of Commissioners wanted to wish everyone a Merry Christmas and safe and Happy New Year.

7. BOARDS & AUTHORITIES: None

8. PREVIOUS BUSINESS ACTION: None

9. CURRENT BUSINESS:

- a. **Parks & Recreation: Multipurpose Field Contract Change Order #03 - Additional Sod: Reeves Young Construction**

Brooke Whitmire, Recreation Director stated the change order was for sodding the Multipurpose Field which originally would have been seeded. She stated the cost of the change order would be \$30,021.60 and would not be any additional funds because it would come from a per unit pricing that has been budgeted for this project but not yet been used. Comm. Gardiner wanted to clarify that laser grading was included. Ms. Whitmire stated that laser grade was already included.

Motion to approve Change Order #03 for sodding the multipurpose field in the amount of \$30,021.60 from 2017 SPLOST.

Motion made by Chairman Turk, Seconded by Post 4 Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Change Order filed in Attachment to Minutes Book 10-4)

b. Parks & Recreation: Playground Quotes

Ms. Whitmire stated a survey was sent out to the community asking what they liked best about the current play grounds and what they would like to see added at the playgrounds. She stated the survey showed people liked shade, climbing/swinging areas, ladders/swinging bridges and picnic tables/areas to sit and watch their children play.

Ms. Whitmire stated the original playground at Field #9 had some issues that could no longer be repaired but needed to be replaced for safety purposes.

Ms. Whitmire further stated she had quotes for equipment and additions to several of the playgrounds as follows:

Lil-Leopards Playground at Field 1-4:

Ms. Whitmire stated this playground didn't have any shade at all and she had received two quotes.

Korkat - \$19,462.76 – custom fit to integrate with playground structure

Bliss - \$17,000 – single post, rectangular shade 12 x 12

Ms. Whitmire stated the existing playground was manufactured and installed by Korkat so the design is custom made to fit in seamlessly with the existing design.

Motion to approve the Korkat quote in the amount of \$19,462.76 to be paid from 2017 SPLOST.

Motion made by Post 3 Commissioner Reece, Seconded by Post 2 Commissioner Garrison.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

New Construction at T-Ball & Multipurpose Field for 2 – 5 Year – Old Playground

Ms. Whitmire stated this playground would be located at the new Multipurpose field and she had received two quotes as follows.

Korkat \$36,215.85 which included 3 implements, 3 climbing play structure, 1 frog spring rider and 1 climbing wall/tunnel

Bliss \$45,573.07 – 3 implements, 1 small play structure, 1 web design and 1 slide.

Ms. Whitmire stated the price for the playground was within the construction budget of the Multipurpose Field.

Motion to approve the Korkat quote in the amount of \$36,215.85 to be paid from 2017 SPLOST.

Motion made by Post 2 Commissioner Garrison. Seconded by Vice Chairman Post 1 Maxwell. Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner.

Demolition & Construction of Replacement INCLUSIVE Playground at Field 9

Ms. Whitmire stated this playground would be to replace the existing Playground at Field 9.

She also stated she wanted to make this playground inclusive to everyone regardless of their abilities. The playground is ADA accessible and fits within the current footprint of the playground that was there now. The surface of the playground would be compacted rubber and has implements that are accessible from the ground. All three quotes include these options.

She stated she had received the following three quotes.

Bliss -Option 1 - \$139,434.52

Option 2 - \$177,126.53 (swing sets)

Korkat - \$146,783.63

Playworld \$194,845.41

Motion to approve the quote from Bliss for Option 2 in the amount of \$177,126.53 to be paid from 2017 SPLOST.

Motion made by Post 2 Commissioner Garrison. Seconded by Vice Chairman Post 1 Maxwell. Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner.

c. Fire/EMS: Fire Station 24 Addition: Chief Steve Nichols

Fire Chief Steve Nichols stated they were still waiting on the metal for the addition to Station 24 the projected completion date was March 2021. He further stated that he had talked to Kenny Crumley Maintenance Supervisor about when the building would be in and Mr. Crumley told Chief Nichols that the builder was still unable to get the metal and didn't know that he could still get the metal from that company.

Chief Nichols stated he had gone ahead and got pricing on the metal addition from the company that did Station 25. He further stated DCI Metal Buildings gave a price quote of \$31,125 which

included the metal building construction and insulation and it would take them 4 – 6 weeks to get the metal.

Vice Chairman Maxwell stated we needed to get this done for the people in that area.

Comm. Reece asked if Chief Nichols had only gotten one bid. Chief Nichols stated he had gone back to the original bid and went with the second lowest bidder.

Motion to approve the bid for DCI Metal Buildings in the amount of \$31,125 to be paid from 2017 SPLOST.

Motion made by Vice Chairman Post 1 Maxwell, Seconded by Post 2 Commissioner Garrison.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

d. Fire/EMS: Fire Station 41 Construction Bid Award & Contract Approval: Chief Steve Nichols

Chief Nichols stated this bid was for the construction of a new station at Grady/Damascus Rd that had been on the 2017 SPLOST projects. Six bids ranging from \$323,000 to \$470,000. Chief Nichols stated that DCI Metal Buildings was the low bid in the amount of \$323,125 which included grading the lot. He stated they also did the building at Station 25.

DCI Metal Buildings \$323,125.00

He stated DCI Metal Buildings was the low bidder and met all the requirements.

Motion to approve the low bid from DCI in the amount of \$323,125.00 to be paid for from 2017 SPLOST.

Motion made by Post 4 Commissioner Gardiner, Seconded by Vice Chairman Post 1 Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Contract filed in Attachment to Minutes Book 10-4)

e. Probate Court: Probation Services Agreement – CSRA

Ch. Turk stated this contract with CSRA was for probation services to the Probate Court.

Motion to approve the contract with CSRA.

Motion made by Post 4 Commissioner Gardiner, Seconded by Post 3 Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Agreement filed in Attachment to Minutes Book 10-4) 2021-15

f. Tax Assessors: Revaluation of Commercial and Industrial Properties Subscription - Costar Realty Information, Inc.

Ch. Turk stated this was a monthly subscription for the Tax Assessors where they could have access to certain comparisons and reports when dealing with corporations on appeals. Ch. Turk stated that during the appeals process a lot of the companies come in with the information already because they are a member of Costar. With the membership the Tax Assessors would have access to the same information.

Motion to approve the subscription with Costar Realty Information, Inc.
Motion made by Vice Chairman Post 1 Maxwell, Seconded by Post 3 Commissioner Reece.
Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner
(Copy of Contract filed in Attachment to Minutes Book 10-4) 2021-15

g. 2022 Alcohol Licenses

Code Enforcement Officer Paul Ruark stated Pizza Hut had not applied for a renewal license in 2022. He also stated the following businesses had applied for an alcohol license in 2022 and were compliant with the background checks and payments.

4 Way Country and Grocery	Applebee's 434
Blazers Hot Wings	Commerce Lucky Store
Cracker Barrel #339	Diamond Exxon
El Azteca	Fuddruckers
Funopolis Family Fun Center Inc	Homer Grocery
JRBBQ2 LLC	KOJI Group
La Hacienda of Commerce	Longhorn Steakhouse #5259
Munia's BP	Outback Steakhouse #1174
Patel's Grocery	Quicktrip 828
Racetrac #284	Royal Foods Chevron #4
Seoul Garden Restaurant LLC	Sonny's Real Pit BBQ
TA Operating LLC	Taqueria Y Mas
Walmart Supercenter #3	

Motion to approve the alcohol license for 2022.

Motion made by Vice Chairman Post 1 Maxwell, Seconded by Post 4 Commissioner Gardiner.
Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

h. Roads: E Ridgeway Rd & Faulkner Rd "No Thru Trucks" Signage

Ch. Turk stated the "No Thru Truck Traffic Ordinance" would stop tractor trailers from traveling the road and damaging the road

Motion to approve the ordinance and authorize Wayne Andrews, Road Superintendent to put up the signs.

Motion made by Chairman Turk, Seconded by Post 2 Commissioner Garrison.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner
(Copy of Ordinance filed in Attachment to Minutes Book 10-4) 2021-20

i. Roads: 2022 LMIG Approval - \$483,454.51

Ch. Turk stated that Spring Road and Chatham Road were the roads being proposed to resurface with the 2022 LMIG that the County received from GDOT. The amount of the funds being received from LMIG was \$483,454.51.

Motion to give permission to put out for bid resurfacing Spring Road and Chatham Road and apply for the 2022 LMIG grant.

Motion made by Chairman Turk, Seconded by Post 3 Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

j. Roads & Bridges: 2018 Roads & Bridges SPLOST - 6.84 miles

Ch. Turk stated the following roads were being proposed to pave from the 2018 TSPLOST Funds.

Jameson Place	Prospect Road	Whippoorwill Way
Crump Road	Poole Road	Apple Pie Ridge Road

Motion to give permission to put the above roads out to bid.

Motion made by Vice Chairman Post 1 Maxwell, Seconded by Post 4 Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

k. Roads: 2022 Gravel Hauling Bid & Contract Award - Triple H Transport

Ch. Turk stated there was only one bid received for the 2022 Gravel Hauling bid. The only and low bid was from Triple H Transport in the amount of \$5.49 per ton hauling.

Motion to approve the gravel hauling bid and contract from Triple H Transport in the amount of \$5.49 per ton.

Motion made by Post 2 Commissioner Garrison, Seconded by Post 4 Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of contract filed in Attachment to Minutes Book 10-4) 2021-15

l. Annexation Legislation Support Resolution

Ch. Turk stated this was a resolution from ACCG supporting legislation that was being proposed concerning city annexation. Currently cities can annex without including the county on the decision. This resolution will support the initiative.

Motion to approve the resolution.

Motion made by Post 4 Commissioner Gardiner, Seconded by Vice Chairman Post 1 Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2021-21

m. Resolution for Re-establishing the Energy Excise Tax and entering into agreement with cities for allocation and distribution of proceeds from the tax.

Ch. Turk stated he thought it was time to re-establish the energy excise tax for manufacturing companies. He further stated years ago this tax had been discontinued in order to entice companies to locate in Banks County.

Ch. Turk stated that Attorney Frost would have to draw up the resolution to send to power companies and an intergovernmental agreement would have to be approved by the cities that wish to participate.

Ch. Turk and Vice Ch. Maxwell wanted to clarified that this tax was not new and was only for manufacturing and not households.

Motion to re-establish the Energy Excise Tax.

Motion made by Post 2 Commissioner Garrison, Seconded by Post 4 Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Resolution filed in Attachment to Minutes Book 10-4)

n. 2022 Qualifying Fees Resolution

Ch. Turk stated there was an election for Commissioners Post 1 and Post 3 and Board of Education Post 3 and Post 5 in 2022 and qualifying fees had to be set before the election can be held.

Motion to approve the resolution.

Motion made by Chairman Turk, Seconded by Vice Chairman Post 1 Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2021-22

o. 2022 Vice Chairman

Ch. Turk stated it was time to elect a Vice Chairman and stated Commissioner Maxwell was currently Vice Chairman.

Comm. Garrison stated he wanted to leave like it was.

Motion to reappoint Vice Chairman Maxwell.

Motion made by Post 2 Commissioner Garrison. Voting Yea: Chairman Turk, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

Voting Abstain: Vice Chairman Post 1 Maxwell

p. 2022 Employment Retirement Plan: Arlene Ivey

Deleted Item

10. PUBLIC HEARING:

a. Planning Commission: Subdivisions - Section 74-61 Definitions

The Commissioners discussed the proposed changes and Ch. Turk listed the proposed changes as follows:

Section 74-61-1.2: Delete "two" and change to "three" and add "per" before "lot size".

Section 74-61-1.3: Delete “shall be zoned R-1” and add “per” before “lot size”.

Section 74-61-1.4: Add “two acre minimum per lot size”.

Motion to approve the above changes.

Motion made by Chairman Turk, Seconded by Post 4 Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2021-23

b. Planning Commission: Subdivisions - Section 74-123 & Section 74-126 Easement

The Commissioners discussed the proposed changes and Ch. Turk listed the proposed changes as follows:

Section 74-123: Change right-of-way to 60 ft. instead of 200 ft.

Delete “Class III a subdivisions not in R-1”.

Delete “by Planning Commission but not more than 150 and width of 20 feet”.

Add “by an engineer but not less than 150 feet and a width of 20 feet”.

Motion to approve the above changes.

Motion made by Post 4 Commissioner Gardiner, Seconded by Vice Chairman Post 1 Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2021-24

c. Planning Commission: Subdivisions - Section 74-164 Cul-de-sac & Dead-End Streets, Section 74-168 Right of Way on Existing Streets & Section 74-171 Single Entry Road Restriction

The Commissioners discussed the proposed changes and Ch. Turk listed the proposed changes as follows:

Section 74-171: Add “If additional access points are required, there shall be a minimum distance of 300 feet between the two accesses”.

Motion to approve the above change.

Motion made by Post 3 Commissioner Reece, Seconded by Chairman Turk.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2021-25

d. Planning Commission: Subdivisions - Section 74-201 Block Lengths and Widths, Section 74-202 Lot Sizes and Proportions, Section 74-204 Panhandle or Flag Lots, Section 74-205 Building Setback Lines & 74-206 Utilities

Section 74-201-(1): Delete “unusual”.

Section 74-202 (b): Delete "except that flag lots and cul-de-sacs shall be 200 feet wide at the building line. Lots served by septic system and private well shall be at least 2 acres in area if zoned residential (R-1) and two acres in all other zoning districts".

Section 74-206: Delete "Class IV"

Add "and" between "Class II, Class III".

Add after "underground" except in unusual circumstances in which case plans must be approved by the Zoning Officer and the Chairman of the Board of Commissioners.

Motion to approve the above changes.

Motion made by Post 4 Commissioner Gardiner, Seconded by Vice Chairman Post 1 Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2021-26

e. Planning Commission: Subdivisions - Section 74-234 Storm Drainage, Section 74-235 Storm Drainage Plan, Section 74-238 Water Supply System, 74-242 Guarantee of Quality of Improvements & To Provide a Bond for Road System Maintenance

Ch. Turk stated no changes were made to this resolution.

Motion to approve the resolution.

Motion made by Post 4 Commissioner Gardiner, Seconded by Post 3 Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece, Post 4 Commissioner Gardiner

(Copy of Resolution filed in Attachment to Minutes Book 10-4) 2021-27

11. ADJOURNMENT

Motion to adjourn the meeting at 8:08 p.m.

Motion made by Vice Chairman Post 1 Maxwell, Seconded by Post 4 Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Post 1 Maxwell, Post 2 Commissioner Garrison, Post 3 Commissioner Reece

Chairman

Assistant County Clerk
