



# BANKS COUNTY BOARD OF COMMISSIONERS MEETING

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

Tuesday, April 12, 2022 at 6:30 PM

## MINUTES

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### 1. CALL TO ORDER

Ch. Turk called the meeting to order.

#### PRESENT

Chairman Charles Turk  
Vice Chairman Danny Maxwell  
Commissioner Sammy Reece  
Commissioner Keith Gardiner

#### ABSENT

Commissioner Bo Garrison

#### STAFF PRESENT

Assistant County Clerk Erin Decker  
Human Resources Director Arlene Ivey  
Code Enforcement Officer Paul Ruark

### 2. APPROVAL OF AGENDA

Ch. Turk stated *Item 8. a. Beer, Wine & Distilled Spirits for Consumption on the Premises License Application: Gabriela Flores Owner of El Jalapeno Restaurant located at 30484 US Hwy 441S Suite D, Commerce, GA,* needed to be deleted.

Motion to approve the agenda as amended.

Motion made by Commissioner Reece, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

### 3. APPROVAL OF MINUTES

a. **3/3/2022 Minutes**

b. **3/8/2022 Minutes**

c. **3/22/2022 Minutes**

Motion to approve the minutes.

Motion made by Commissioner Gardiner, Seconded by Vice Chairman Maxwell.

Voting Yea: Vice Chairman Maxwell, Commissioner Reece

Vote: 4:0

All yea votes and the motion passed.

### 4. PLEDGE TO THE AMERICAN FLAG

Ch. Turk led the Pledge to the American Flag.

**5. CHAIRMAN'S REPORT**

Ch. Turk reported on the following:

- E911 calls received – Fire/EMS 319 calls – Sheriff’s Office 3007 calls
- Covid Cases – 40 cases per 100,000 people.
- Road and Bridge SPLOST meetings with the cities had been held in order to start the process of creating a project list.
- Budget Hearings would begin April 25, 2022 at 1:30 p.m.
- Would like to congratulate the following 4-H teams that placed 1st in District and will compete in State:  
Senior Wildlife and Marine Science      Junior Animal and Dairy Science  
Junior Environmental Science      Junior Target Sports

**6. SPECIAL REPORTS/PRESENTATIONS:**

**a. Child Abuse Prevention Proclamation - Tracy Bledsoe**

Ch. Turk stated that April 2022 was Child Abuse Prevention Month. He stated there was a proclamation to proclaim the month of April 2022 as Child Abuse Prevention Month, urging all citizens to recognize this month by dedicating themselves to the task of improving the quality of life for all children and families.

Motion to approve the Proclamation.

Motion made by Vice Chairman Maxwell, Seconded by Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

*(Copy of proclamation filed in attachment to Minute Book 10-4)*

**7. PUBLIC HEARINGS:**

**a. Planning Commission: An ordinance to amend Article IV, "General Provision" Section 417 "Home Occupations".**

Ch. Turk closed the meeting and opened the public hearing.

Code Enforcement Officer Paul Ruark stated the public hearing was for An Ordinance to Amend Article IV, "General Provisions", Section 417 "Home Occupations", to delete that all applicants for home occupations must appear before the Board of Commissioners of Banks County; to delete that only the Board of Commissioner of Banks County can approve a home occupation; to provide for an effective date and to repeal conflicting ordinances and resolutions and for other purposes.

Officer Ruark stated the Planning Commission recommended approval of the ordinance.

Ch. Turk closed the public hearing and opened the meeting.

Motion to approve the ordinance.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

*(Copy of ordinance filed in attachment to Minute Book 10-4) 2022-19*

**8. CURRENT BUSINESS:**

- a. Beer, Wine & Distilled Spirits for Consumption on the Premises License Application: Gabriela Flores - Owner of El Jalapeno Restaurant located at 30484 US Hwy 441S, Suite D, Commerce, GA**

Deleted agenda item.

**9. CONTRACTS AND AGREEMENTS:**

- a. 2022 Georgia Indigent Defense Services Agreement - Piedmont Judicial Circuit**

Ch. Turk stated this was the indigent defense contract for the public defender starting January 2023. He stated he would like to table this until the September 13, 2022 meeting until we know if we would be in the Mountain Judicial Circuit.

Motion to table the Indigent Defense Contract.

Motion made by Chairman Turk, Seconded by Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

- b. Law Clerk Intergovernmental Agreement - Piedmont Judicial Circuit**

Ch. Turk stated he would like to table this until the September 13, 2022 meeting until we know if we would be in the Mountain Judicial Circuit.

Motion made by Commissioner Reece, Seconded by Vice Chairman Maxwell.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

- c. 2022 Propane Gas Contract & Bid Award**

Ch. Turk stated there were two bids received for propane gas per gallon.

Motion to accept Blossman Propane bid for \$1.91 per gallon.

Motion made by Commissioner Gardiner, Seconded by Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and motion passed.

**10. RESOLUTIONS AND ORDINANCES:**

- a. 2022 Energy Excise Levy Resolution & Intergovernmental Agreement**

Ch. Turk stated the Energy Excise Tax was a levy of taxes only for manufacturing. He also stated all the cities in Banks County had approved the Intergovernmental Agreement and Resolution.

Motion to approve the resolution and intergovernmental agreement.

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

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

*(Copy of resolution and agreement filed in attachment to Minute Book 10-4) 2022-20*

#### **11. EXECUTIVE SESSION: Personnel & Land Acquisition**

Motion to enter into executive session concerning personnel and land acquisition/disposal at 6:40 p.m.

Motion made by Vice Chairman Maxwell, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

Motion to close the executive session at 7:15 p.m.

Motion made by Vice Chairman Maxwell, Seconded by Commissioner Reece.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

*(Copy of affidavit filed in attachment to Minute Book 10-4)*

#### **Gillsville Voting Building**

Motion to approve the transfer of property from Banks County Board of Commissioners to City of Gillsville for their city hall with the stipulation that if Banks County starts voting in Gillsville again that the building can be used for a voting precinct and authorize the County Attorney to draw up the documents.

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

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

#### **12. ADJOURNMENT**

Motion to adjourn the meeting at 7:18 p.m.

Motion made by Commissioner Reece, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Reece, Commissioner Gardiner

Vote: 4:0

All yea votes and the motion passed.

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Chairman

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Assistant County Clerk