



# BANKS COUNTY BOARD OF COMMISSIONERS MEETING

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

Tuesday, September 27, 2022 at 6:30 PM

## MINUTES

---

### 1. CALL TO ORDER

Chairman Turk called the meeting to order.

#### PRESENT

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

#### STAFF PRESENT

County Clerk Regina Gailey  
Planning Commission Chairman Jay O'Kelley  
Human Resource Officer Arlene Ivey  
Senior Center/Public Transit Director Tracie Hammond  
Voter Registration Board Members:  
Andra Phagan  
Anne Moon  
Linda Garrison, Chairman  
Janet Telford  
Rita Pickens  
Gail Sheppard

### 2. APPROVAL OF AGENDA

Motion to amend the agenda to add *6b. GDOT FY2024 Grant Application Resolution* and *8. Executive Session: Personnel*.

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

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

Vote: 5:0

All yea votes and the motion passed.

### 3. PLEDGE TO THE AMERICAN FLAG

Commissioner Garrison led the Pledge to the American Flag.

### 4. PUBLIC COMMENT:

NONE

### 5. PUBLIC HEARINGS:

**a. Planning Commission: CU 22-07 – Sherri Mobley – Conditional Use application for home occupation business for pet cremation services on Map/Parcel B57/E022 located at 340 Lakeview Drive, Baldwin, GA**

Chairman Turk closed the meeting and opened the public hearing. Planning Commission Chairman Jay O’Kelley presented the application and stated the Planning Commission recommended approval with the following conditions:

1. Limited to 2 incinerators on property
2. Compliance with the GA Dept of Agriculture, EPA & EPD and Fire Department Codes on burning
3. 12’ x 12’ area with roof surrounded by a 6’ chain link fence/barrier
4. Pad should consist of the specifications the incinerator company suggests

Lynn Mobley of 340 Lakeview Drive presented the application by stating she had been in the animal business for 24 years and would be serving area veterinarians and private individuals for pet cremation. She said the incinerator was a Burmese brand and would be a 3-hour burn at the most. She stated the manufacturer required cinder block instead of concrete and she would also place chicken house rock underneath and a cover on top to protect the unit. She stated the unit was specific for Georgia use with the EPA and EPD standards approved. She further stated it would be a 12’ x 12’ stand-alone shelter. The largest dog would be approximately 140 lbs. She then stated the unit had an afterburner to prevent smell as well as a 3 x 3 metal stack to break any flame.

Chairman Turk asked if she would incinerate only private pets? She stated yes. He asked what would be done with the ashes. She stated they would be placed in an urn or velvet bag for the owner of the pet. Chairman Turk stated the proposed shed location in front of the house was not allowed. Ms. Mobley stated she has had a 12 ft x 16 ft storage building for approximately 1 year located at the proposed location. She stated concerns with distance to property lines and residences if she had to move to another location behind the house.

Chairman Turk stated she should check the Georgia code to make sure she is compliant with transporting dead animals with the Georgia Department of Agriculture. He asked if she would operate as an independent business or a subsidy of Rick Farmer’s business. Ms. Mobley stated she would operate as a subsidy of Mr. Farmer’s business.

Rick Farmer of Cleveland, GA whom Ms. Mobley would be acquiring the franchise from stated the units Ms. Mobley would have do not cause problems.

Commissioner Garrison asked Mr. Farmer if the units were Dept of Agriculture regulated. Mr. Farmer stated yes, they inspected the units every 3 to years and that he cleaned his units monthly.

Chairman Turk closed the public hearing and opened the meeting. He stated he did not have a problem with the crematory but was concerned with the proposed location on the property. He also stated concerns with property value decreases on surrounding property.

Vice Chairman Maxwell stated he was not against the crematory but his concern was the location in front of the residence not meeting county code requirements.

Commissioner Reece stated he didn’t think it was in front but was to the side of the residence. Commissioner Gardiner agreed.

Commissioner Garrison asked if she would connect the shed to the existing storage building. Ms. Mobley stated yes. Commissioner Garrison stated as long as she attached the shed to the existing storage building, he didn’t have a problem with the location since the building was pre-existing. Commissioner Reece agreed.

Motion to approve the application with the Planning Commission recommended conditions and to add a fifth condition as follows:

1. Limited to 2 incinerators on the property
2. Compliance with the GA Dept of Agriculture, EPA & EPD and Fire Department Codes on burning
3. 12 ft x 12 ft area with roof surrounded by a 6' chain link fence/barrier
4. Pad should consist of the specifications the incinerator company suggests
5. Shed shall be built as a lean-to on the storage building

Motion made by Commissioner Reece, Seconded by Commissioner Gardiner.

Voting Yea: Commissioner Garrison, Commissioner Reece, Commissioner Gardiner

Voting Nay: Chairman Turk, Vice Chairman Maxwell

Vote: 3:2

Motion passed by majority vote.

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

## 6. CURRENT BUSINESS:

### a. **Public Transit: FY2023 Transportation MOU Agreement – Northeast Georgia Regional Commission – Tracie Hammond**

Ms. Hammond stated this was the yearly contract to transport citizens to Jackson Creative and that the rate to the county per one-way trip had tripled.

Motion to approve the agreement.

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

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

Vote: 5:0

All yea votes and motion passed.

*(Copy of agreement filed in Attachment to Minutes Book #10-5)*

### b. **Public Transit: GDOT FY2024 Transit Grant Application – Tracie Hammond**

Ms. Hammond stated this was for authorization to apply for the yearly grant.

Motion to approve the resolution.

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

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

Vote: 5:0

All yea votes and motion passed.

*(Copy of resolution filed in Attachment to Minutes Book #10-5) 2022-29*

### c. **Voter Registration: New Voter Registration Offices – Board of Elections**

Chairman Linda Garrison requested a new Voter Registration Office due to county growth and lack of space. She stated in 2016 there were 3,238 voters and in 2020 there were 5,610 voters. She stated

there were 13,305 active registered voters and 748 inactive registered voters in Banks County for a total of 14,053 registered voters. She stated there were 16 early voting days with 6 machines but already needed more machines.

Gail Sheppard cited lack of privacy, security, parking, vote counting space, vote watcher space as concerns with the current building. She stated there was no waiting area for voters. Currently they have to wait outside.

Anne Moon cited security, privacy and better facilities. She said if the Commissioners agreed, they could contact legislators for help toward grant funding available.

Chairman Turk stated they needed to go back to precincts for voting in fire stations. He stated the county would provide security systems for the outlying stations. He said the voter registration board had cut to 7 precincts before. Ms. Garrison stated the voting space would have to be separate from the fire station and must meet state code.

Ch. Turk stated the Commissioners would look at the situation and need.

## **7. PERSONNEL:**

### **a. Personnel: ACCG Defined Contribution and Deferred Compensation Plan Schedule "D-2"**

#### **Amendment - Arlene Ivey**

Ms. Ivey stated this would add a Tier 3 for investment options to the current plan.

Motion to approve the plan amendment and to authorize the Chairman to sign the plan amendment.

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

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of plan modification filed in Attachment to Minutes Book #10-5)*

### **b. Personnel: Employee Health Protection Plan Modification Arlene Ivey**

Ms. Ivey stated this was to further enhance the self-funded plan in place to match the previous plan benefits.

Motion to approve the plan modification and to authorize the Chairman to sign the plan modification.

Motion made by Commissioner Reece, Seconded by Commissioner Garrison.

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of plan modification filed in Attachment to Minutes Book #10-5)*

## **8. Executive Session: Personnel**

Motion to enter executive session to discuss personnel at 7:35 p.m.

Motion made by Commissioner Gardiner, Seconded by Commissioner Reece.

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

Vote: 5:0

All yea votes and the motion passed.

Motion to close executive session and to reopen the meeting at 8:07 p.m.

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

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of affidavit filed in Attachment to Minutes Book #10-5)*

## 9. ADJOURNMENT

Motion to adjourn the meeting at 8:07 p.m.

Motion made by Commissioner Reece, Seconded by Commissioner Gardiner.

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

Vote: 5:0

All yea votes and the motion passed.

---

Chairman

---

County Clerk