



# BANKS COUNTY BOARD OF COMMISSIONERS MEETING

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

Tuesday, April 09, 2024 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 Chris Ausburn

Commissioner Keith Gardiner

Commissioner Bo Garrison

#### STAFF PRESENT

County Clerk Regina Gailey

Assistant County Clerk Erin Decker

County Attorney Randall Frost

Planning/Zoning Director Kerri Fincannon

Human Resources Director Arlene Ivey

Fire Chief Steve Nichols

Public Utilities Director Horace Gee

Code Enforcement Officer Dale Cash

Board of Registrar Members

Anne Moon

Lynda Garrison

Gail Sheppard

Janet Telford

### 2. APPROVAL OF AGENDA

Ch. Turk stated the agenda needed to be amended as follows:

#### Delete:

8a. Social media/Records Retention: FY2025 CivicPlus/Archive Social Agreement Renewal

#### Add:

9c. Fire/EMS: Air Packs

9g. Harris Computer Software Module for Code Enforcement

Motion to approve the agenda as amended.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

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

Vote: 5:0

All yea votes and the motion passed.

### 3. APPROVAL OF MINUTES

**a. 3/12/2024 Minutes**

Motion to approve the minutes.

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

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

Vote: 5:0

All yea votes and the motion passed.

**4. PLEDGE TO THE AMERICAN FLAG:**

Comm. Gardiner led the Pledge to the American Flag.

**5. CHAIRMAN'S REPORT**

Ch. Turk reported on the following:

- E911 calls received: Fire/EMS - 335 and Sheriff's Office - 3,798.
- April was Call Before You Dig Month. He further stated contractors and homeowners needed to call 811 before they dig so the utility lines can be marked in order to avoid cutting them.
- Grant Mill Rd - Stated Comm. Ausburn and himself had been working on a solution to have more than one way in/out of Grant Mill Rd. He further stated they had contacted a property owner about selling some land where an additional exit/entrance could be and they were not willing to work with the County.

**6. DEANNEXATIONS:**

**a. City of Lula: Kevin & Renee Sargent - Tax Parcel B06F 001 - 3 acres - 238 Barefoot Rd**

Ch. Turk stated he had a de-annexation request from Kevin and Renee Sargent at 238 Barefoot Rd, Lula, GA 30554, Tax Map and Parcel B06F 001 which was 3.0 acres.

Ch. Turk further stated as provided by O.C.G.A. 36-36-22 required County's approval as a pre-condition to the voluntary de-annexation of land by a municipal governing authority, as evidenced by the adoption of a Resolution by the County consenting to de-annexation. He stated they had a plat of the parcel B06F 001 and a letter from the landowners requesting de-annexation of the 3 acres located at 238 Barefoot Rd, Lula, GA 30554.

Motion to approve the de-annexation.

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

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-03*

**b. City of Lula: Miriam LaJune Lawson & Howard Lelane Griffin - Tax Parcel B01 055 1 - 295.15 acres, Griffin Farm Drive**

**c. City of Lula: Lane & Kitty Griffin - Tax Parcel B01 006A1 - 31.60 acres, Griffin Farm Drive**

**d. City of Lula: Miriam LaJune Lawson - Tax Parcel B01 027- 35 acres, 198 Griffin Farm Drive**

**e. City of Lula: Miriam LaJune Lawson & Howard Lelane Griffin - Tax Parcel B01 055 2 - 8.85 acres, Griffin Farm Drive**

- f. **City of Lula: Lane & Kitty Griffin - Tax Parcel B01 006A2 - 16.20 acres, Griffin Farm Drive**
- g. **City of Lula: Lane & Kitty Griffin - Tax Parcel B01 006 - 43.24 acres, West County Line Rd**
- h. **City of Lula: Lane & Kitty Griffin - Tax Parcel B01 015 - .42 acres, West County Line Road**
- i. **City of Lula: Lane Griffin - Tax Parcel B01 026B - .01 acres, Railroad Avenue**
- j. **City of Lula: Lane Griffin - Tax Parcel B01 026A - 10.26 acres, Railroad Avenue**
- k. **City of Lula: Lane & Kitty Griffin - Tax Parcel B01 017 - .98 acres, West County Line Rd**

Ch. Turk stated Items 6b -6k would all be addressed at the same time. He stated the County had received de-annexation request letter from Kitty and Lane Griffin and Miriam Lawson for a total of 441.71acres. He stated the tax map and parcel numbers were B01 005, B01 006A1, B01 027, B01 055 2, B01 006A2, B01 006, B01 015, B01 026B, B01 026A, B01 017. Ch. Turk further stated as provided by O.C.G.A. 36-36-22 required the County's approval as a pre-condition to the voluntary de-annexation of land by a municipal governing authority, as evidenced by the adoption of a Resolution by the county consenting to de-annexation. O.C.G.A 36-36-22 also stated that lands can be de-annexed at any one time and can be treated as one body so that is why we can de-annex all ten of these parcels at one time. The law states that lands to be de-annexed at any one time shall be treated as one body, regardless of the number of owners, and all parts shall be considered as adjoining the limits of the municipal corporation when any one part of the entire body abuts such limits.

Motion to approve the de-annexation.

Motion made by Commissioner Garrison, Seconded by Commissioner Ausburn.

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-04*

## **7. PUBLIC HEARINGS:**

- a. **Planning Commission: Z-24-01 An application by Dennis Ingle to rezone the property identified as B73 009A, a 1-acre lot located on Hwy 63 from C2, Commercial to ARR, Agricultural-Rural Residential to be combined with the adjacent residential lot.**

Ch. Turk asked Atty Frost since the Planning Board heard this but the Chairman of the Planning Board did not open it up as a public hearing to the public, could the Commissioners hear this or does it have to go back to the Planning Board and be readvertised and done all over again? Atty. Frost stated that anytime you were amending the zoning ordinance, the zoning procedures law was very specific in what you have to do as far as advertisement, length of time and public hearings. He further stated State law had always construed that if you didn't follow the procedures strictly then it was void. If it hasn't been advertised and there hasn't been a public hearing then there was no point in the Commissioners hearing the zoning application and ordinance/resolution changes. Ch. Turk stated so without putting it out to the public for their input during a meeting then that would qualify as not being able to hear the application and ordinances/resolutions. Atty. Frost stated you had to have a public hearing and be able to ask people for their comment and give them a chance to speak in favor or in opposition.

Ch. Turk explained to Mr. Ingle why the Commissioners could not hear his application until a later date.

- b. **AN ORDINANCE TO AMEND CHAPTER 2, ENTITLED "ADMINISTRATION", ARTICLE 1, ENTITLED "IN GENERAL", SEC. 2-2, ENTITLED "DEPARTMENTS CREATED" FOR THE ADOPTION OF CHANGES TO THE**

**BANKS COUNTY CODE OF ORDINANCES BY ADDING (8) CODE ENFORCEMENT; TO ESTABLISH IT AS A SEPARATE CREATED DEPARTMENT WITHIN BANKS COUNTY.**

- c. AN ORDINANCE TO AMEND CHAPTER 2, ENTITLED "ADMINISTRATION", ARTICLE III, ENTITLED "OFFICERS AND EMPLOYEES", SEC. 2-61, ENTITLED "APPOINTMENT OF OFFICERS AND DEPARTMENT HEADS" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING SUBSECTION (A); TO INCLUDE CODE ENFORCEMENT WITHIN BANKS COUNTY AND ZONING OFFICER TO PLANNING AND ZONING OFFICIAL/DIRECTOR.**
- d. AN ORDINANCE TO AMEND CHAPTER 6, ENTITLED "ALCOHOLIC BEVERAGES", ARTICLE I, ENTITLED "IN GENERAL", SEC. 6-4, ENTITLED "QUALIFICATIONS OF APPLICANTS FOR CONSUMPTION ON THE PREMISES LICENSE " FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING ENFORCEMENT OFFICER (THE "ENFORCEMENT OFFICER) TO PLANNING AND ZONING DEPARTMENT**
- e. AN ORDINANCE TO AMEND CHAPTER 6, ENTITLED "ALCOHOLIC BEVERAGES", ARTICLE I, ENTITLED "IN GENERAL", SEC. 6-6, ENTITLED "CONSUMPTION ON THE PREMISES LICENSE RENEWAL AND TRANSFER" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING ENFORCEMENT OFFICER TO PLANNING AND ZONING DEPARTMENT**
- f. AN ORDINANCE TO AMEND CHAPTER 6, ENTITLED "ALCOHOLIC BEVERAGES", ARTICLE I, ENTITLED "IN GENERAL", SEC. 6-13, ENTITLED "ANNUAL LICENSE FEE FOR CONSUMPTION ON THE PREMISES OF ALCOHOLIC BEVERAGES" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING CODE ENFORCEMENT OFFICER TO PLANNING AND ZONING DEPARTMENT**
- g. AN ORDINANCE TO AMEND CHAPTER 6, ENTITLED "ALCOHOLIC BEVERAGES", ARTICLE III, ENTITLED "RETAIL SALE OF MALT BEVERAGES AND WINE", SEC. 6-52, ENTITLED "DEFINITIONS" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING CODE ENFORCEMENT OFFICER TO PLANNING AND ZONING OFFICIAL/DIRECTOR**
- h. AN ORDINANCE TO AMEND CHAPTER 14, ENTITLED "ANIMALS", ARTICLE II, ENTITLED "DANGEROUS DOGS", SEC. 14-32, ENTITLED "DOG CONTROL OFFICER; HEARING" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING MARSHALL TO CODE ENFORCEMENT PERSONNEL.**
- i. AN ORDINANCE TO AMEND CHAPTER 22, ENTITLED "BUSINESSES", ARTICLE IV, ENTITLED "CANVASSERS, SOLICITORS, AND PEDDLERS", SEC. 22-401, ENTITLED "DEFINITIONS" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING CODE ENFORCEMENT OFFICER TO PLANNING AND ZONING DEPARTMENT.**
- j. AN ORDINANCE TO AMEND CHAPTER 22, ENTITLED "BUSINESSES", ARTICLE IV, ENTITLED "CANVASSERS, SOLICITORS, AND PEDDLERS", SEC. 22-403, ENTITLED "REGISTRATION, PERMIT, AND LICENSE REQUIREMENT" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING CODE ENFORCEMENT OFFICER TO PLANNING AND ZONING DEPARTMENT.**
- k. AN ORDINANCE TO AMEND CHAPTER 22, ENTITLED "BUSINESSES", ARTICLE IV, ENTITLED "CANVASSERS, SOLICITORS, AND PEDDLERS", SEC. 22-406, ENTITLED "AUTHORIZATION OF PERMIT" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING CODE ENFORCEMENT OFFICER TO PLANNING AND ZONING DEPARTMENT.**
- l. AN ORDINANCE TO AMEND CHAPTER 22, ENTITLED "BUSINESSES", ARTICLE IV, ENTITLED "CANVASSERS, SOLICITORS, AND PEDDLERS", SEC. 22-409, ENTITLED "APPROVAL AND ISSUANCE OF PERMIT" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING CODE ENFORCEMENT OFFICER TO PLANNING AND ZONING DEPARTMENT OR PLANNING AND ZONING OFFICIAL/DIRECTOR AND THE WORD HIS TO THEIR.**

- m. AN ORDINANCE TO AMEND CHAPTER 70, ENTITLED "SOLID WASTE", ARTICLE III, ENTITLED "LITTER CONTROL", DIVISION 2, ENTITLED "SCRAP TIRES", SEC. 70-95, ENTITLED "ENFORCEMENT" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING THE BANKS COUNTY MARSHAL'S OFFICE TO BANKS COUNTY CODE ENFORCEMENT.
- n. Planning Commission: AN ORDINANCE TO AMEND CHAPTER 74, ENTITLED "SUBDIVISIONS", ARTICLE VI, ENTITLED "REQUIREMENTS FOR STREETS AND OTHER RIGHT OF WAY", SEC. 74-162, ENTITLED "STREET NAMES, STREET SIGNS, AND STREET NUMBERS" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING THE MARSHALL TO CODE ENFORCEMENT OFFICERS.
- o. Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE XIX, ENTITLED "MULTIFAMILY HOUSING DEVELOPMENTS", SECTION 1908, ENTITLED "LIGHTING" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY REMOVING THE TYPES OF LIGHTS AUTHORIZED TO REQUIRING LIGHTS BE IN COMPLIANCE WITH FEDERAL STANDARDS AND APPROVED BY ELECTRIC COMPANIES PROVIDING SERVICES.
- p. Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE XXII, ENTITLED "HOTELS OR MOTELS", SECTION 2206, ENTITLED "LANDSCAPE PLAN" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING THE MARSHALL TO CODE ENFORCEMENT OFFICERS.
- q. Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE XXIII, ENTITLED "EXTENDED STAY HOTELS OR MOTELS", SECTION 2305, ENTITLED "RECREATION" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING THE MARSHALL TO CODE ENFORCEMENT OFFICERS.
- r. Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE XXIII, ENTITLED "EXTENDED STAY HOTELS OR MOTELS", SECTION 2308, ENTITLED "LANDSCAPE PLAN" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING THE MARSHALL TO CODE ENFORCEMENT OFFICERS.
- s. Planning Commission: AN ORDINANCE TO AMEND THE BANKS COUNTY CODE OF ORDINANCES: SECTION 62-63. - DESIGNATION OF STREET NUMBERS
- t. Planning Commission: AN ORDINANCE TO AMEND THE BANKS COUNTY CODE OF ORDINANCES: SECTION 421.-SHORT TERM RENTALS
- u. Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE VI, ENTITLED "ARR, AGRICULTURAL-RURAL RESIDENTIAL DISTRICT", SECTION 603, ENTITLED "CONDITIONAL USES", ADDITION OF SHORT-TERM RENTALS (STR)
- v. Planning Commission: AN ORDINANCE TO AMEND CHAPTER 74, SUBDIVISIONS - ARTICLE II - "APPLICATION, PLATTING JURISDICTION AND ENFORCEMENT", SECTION 74-33, ENTITLED "PLATTING AUTHORITY"
- w. Planning Commission: AN ORDINANCE TO AMEND CHAPTER 74, ENTITLED "SUBDIVISIONS", ARTICLE II, ENTITLED "APPLICATION, PLATTING JURISDICTION AND ENFORCEMENT", SECTION 74-34, ENTITLED "USE OF PLAT"
- x. Planning Commission: AN ORDINANCE TO AMEND CHAPTER 74, ENTITLED "SUBDIVISIONS", ARTICLE II, ENTITLED "APPLICATION, PLATTING JURISDICTION AND ENFORCEMENT", SECTION 74-98, ENTITLED "REVIEW OF FINAL PLAT"
- y. Planning Commission: AN ORDINANCE TO AMEND CHAPTER 74 ENTITLED "SUBDIVISIONS", ARTICLE IV, ENTITLED "PROCEDURES AND REQUIREMENTS FOR APPROVAL OF PLATS", SECTION 74-100, ENTITLED "FINAL PLAT SPECIFICATION"

- z. **Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE IV, ENTITLED "GENERAL PROVISIONS", SECTION 412, ENTITLED "ACCESSORY BUILDINGS AND STRUCTURES"**
- aa. **Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ZONING, ARTICLE IV, ENTITLED "GENERAL PROVISIONS", SECTION 417 ENTITLED "HOME OCCUPATIONS"**
- bb. **Planning Commission: AN ORDINANCE TO AMEND APPENDIX A , ENTITLED "ZONING", ARTICLE VII(A), ENTITLED "R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT", SECTION 702(A), ENTITLED "PERMITTED USES"**
- cc. **Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE VIII ENTITLED "C-1, NEIGHBORHOOD COMMERCIAL DISTRICT", SECTION 802, ENTITLED "PERMITTED USES"**
- dd. **Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE IX(A), ENTITLED "C-2, GENERAL COMMERCIAL DISTRICT", SECTION 902(A), ENTITLED "PERMITTED USES"**

**8. CONTRACTS AND AGREEMENTS:**

- a. **Social Media/Records Retention: FY2025 CivicPlus/ArchiveSocial Agreement Renewal**

Deleted

- b. **Public Utilities: Wastewater Extension to School Bid/Contract Approval**

Public Utilities Director Horace Gee stated this project would shape the future of Banks County. He stated we had the opportunity through a \$3M governor's grant to extend sewer from the Dragway Facility up to the high school property. He stated the high school had 11 septic tanks on the property and were at maximum capacity. He stated the estimated cost of the project was \$3.9M and that included connecting all the infrastructure at the high school. The lines would be installed on the GA Power right-of-way for an additional \$63,000 charge for the use of the easement. Mr. Gee continued to state that if the installation started soon, the lines and system could be up and running before the children started back to school.

Comm. Gardiner asked Mr. Gee if all the work would be done outside the City limits of Homer and would only serve the school and he stated yes, this was a high pressure line that would only serve the government loop when it was completed. This would not take sewer into Homer where the County does not have control.

Vice Ch. Maxwell asked if Mr. Gee said no one could hook on except if they met the pressure criteria? Mr. Gee stated one pump station that could overcome the pressure of the Banks County lines would cost over \$1M.

Comm. Garrison stated he was on the school board for over 20 years and their sewer system was built for 1,000 children plus the faculty to operate for 365 days and not 180 like they are now. He continued to state he had documented that Mr. Gee had said several times that they were spending \$25,000 per school. Mr. Gee stated he said \$25,000 total. Comm Garrison further stated had done some research and the most the school had spent on pumping the septic tanks was \$18,000 and they weren't even at full capacity. Mr. Gee stated he never said that amount and you would not be able to find a recording or documentation where he said that amount.

Comm. Gardiner asked Facility Director Mike Cleveland if he was at the meeting where the School Board voted on the sewer. Coach Cleveland stated yes and some of the sewer at the high school was over 20 years old and eventually that system would fail. He stated the school was only interested in moving forward with this if it was government only and residential customers couldn't connect to it. He stated they also had another option where they could build their own lift station on the Thomas property that the school board purchased across the road from the high school. He stated the cost

would be more because there would not be any grant money associated with it. He continued to state that the School Board would only connect if there was an intergovernmental agreement with the County stating that no residential customers would connect to the system.

Comm. Garrison stated that he had spoke with someone at the Public Service Commission and they stated that you could not privatize for government-only utilities.

Vice Ch. Maxwell stated he was unaware of any communication with the school system and stated he didn't even know that the bids were going out.

Coach Cleveland stated he also thought that the planned lift station may be in the City of Homer.

Ch. Turk asked Atty. Frost if it could be made only-governmental and Atty. Frost stated he didn't think so.

Vice Ch. Maxwell stated the only way he could approve this was that if residential could not connect to the line.

Motion to deny.

Motion made by Commissioner Garrison, Seconded by Commissioner Ausburn.

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

Vote: 5:0

All yea votes and the motion passed.

**c. Senior Services: FY2024 Addendum #1 Nutrition Program Services - Legacy Link, Inc.**

Ch. Turk stated this was an addendum to the Legacy Link Nutrition Contract for FY2024.

Motion to approve the addendum.

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

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of Addendum filed in Attachment to Minute Book 11-1)*

**d. Roads & Bridges: BID No. 224-0409 - Resurfacing of Shubert Ln, Buckeye Ter, Buckeye Pt, Buckeye Ln, Buckeye Bluff, Buckeye Trails Dr - Bid Award & Contract Approval**

Ch. Turk stated bids were opened for the resurfacing of Shubert Ln, Buckeye Ter, Buckeye Pt, Buckeye Ln, Buckeye Bluff, Buckeye Trails Dr. and the low bidder was Stratton & Son Construction in the amount of \$584,385.

Vice Ch. Maxwell stated that he would like to add to the contract that the shoulders of the road be built no later than 60 days from the completion of the road paving.

Motion to approve the low bid from Stratton & Son in the amount of \$584,385 and a stipulation in the contract that building the shoulders of the road be completed within 60 days of the road being paved.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of Contract filed in Attachment to Minute Book 11-1)*

**e. Roads & Bridges: BID No. 224-0409 -02 - FDR/Resurfacing of N County Line Rd - Bid Award & Contract Approval**

Ch. Turk stated bids were opened for the resurfacing of N County Line Rd and the low bidder was Stratton & Son Construction in the amount of \$445,583.

Motion to approve the low bid from Stratton & Son in the amount of \$445,583 and the contract with a stipulation that building the shoulders of the road be completed within 60 days of the road being paved.

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

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of Contract filed in Attachment to Minute Book 11-1)*

**f. Roads & Bridges: BID No. 224 – 0409 – 03 - Resurfacing of Mt Sinai Rd, McCoy Bridge Rd, Russ Rumsey Rd and Grove Level Rd - Bid Award & Contract Approval**

Ch. Turk stated bids were opened for the resurfacing of Mt Sinai Rd, McCoy Bridge Rd, Russ Rumsey Rd and Grove Level Rd and the low bidder was Stratton & Son Construction in the amount of \$1,785,811.68.

Motion to approve the low bid from Stratton & Son in the amount of \$1,785,811.68 and the contract with a stipulation that building the shoulders of the road be completed within 60 days of the road being paved.

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

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of Contract filed in Attachment to Minute Book 11-1)*

**g. 2024 County Propane Supply Bid & Contract Award**

Ch. Turk stated that the low bid for the 2024 Propane was from MJ Propane in the amount of \$1.299/gallon.

Motion to approve the low bid of \$1.299/gallon from MJ Propane.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

Vote: 5:0

All yea votes and the motion passed.

**9. MISCELLANEOUS:**

**a. Voter Registration: Qualifying Process**

Voter Registration Board Member Anne Moon stated that they would like some clarification on where the qualifying fees are. She stated that when Ms. Barnes turned in the qualifying fees she wasn't given a receipt, so she didn't know where the money went or who got what. She was also concerned with



the correct process of disbursing a check to the Republican Party. Ms. Moon stated that from this point on that the procedure would be followed according to Georgia Code.

**b. EMA: Hazard Mitigation Grant Program Award - Fire Chief Steve Nichols**

Chief Nichols stated this mitigation grant would be for generators at Fire Station 24, Station 41 and a transfer switch at the Annex. He stated the total cost would be \$115,275 with FEMA grant funds of \$103,747, State Funds \$4,611 and County \$6,917.

Motion to move forward with the grant funding and authorize the Chairman to sign the documents.

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

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

Vote: 5:0

All yea votes and the motion passed.

**c. Fire/EMS: Air Packs**

Chief Nichols stated at least 10 more air packs were needed to meet ISO standards. He stated each new airpack cost about \$7,500 but he had found a county in Tennessee that would sell 46 air packs, 2 rip packs and 86 additional bottles for a total of \$8,600. He stated these packs were the same as what Banks County currently used and came with the same warranty.

Motion to purchase the air packs.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 5:0

All yea votes and the motion passed.

**d. Roads & Bridges: Mack Dump Truck Purchase**

Ch. Turk stated the road department needed a new dump truck. He stated they had found a Mack Dump Truck in the amount of \$140,993.55 from Gainesville Truck Center.

Motion to approve the purchase to be paid for from the Road and Bridge SPLOST.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

Vote: 5:0

All yea votes and the motion passed.

**e. Roads & Bridges: Backhoe Purchase - Town of Homer**

Ch. Turk stated the Town of Homer had a backhoe for sell in the amount of \$32,500.

Motion to purchase a Case Backhoe from the Town of Homer in the amount of \$32,500 from the Road and Bridge SPLOST.

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

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

Vote: 5:0

All yea votes and the motion passed.

**f. Tax Assessors: Computer Server Purchase**

Ch. Turk stated the Tax Assessors was in need of a new server. The cost would be \$11,082.81.

Motion to approve the purchase of a new server for the Tax Assessors in the amount of \$11,082.81 to be paid for from the Capital Fund.

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

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

Vote: 5:0

All yea votes and the motion passed.

**g. Code Enforcement: Harris Cloud/Smart Fusion Software Agreement**

Dale Cash stated that Harris had a Code Enforcement Module that would take about six things he does manually and make it electronic and would be more efficient. He stated the first-year cost would be \$7,250 with an annual cost of \$3,500.

Motion to approve the software purchase and authorize the Ch. to sign the documents.

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

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of Agreement filed in Attachment to Minute Book 11-1)*

**10. BOARDS & AUTHORITIES:**

**a. Joint Development Authority - Danny Maxwell Term - 12/31/2026**

Ch. Turk stated that Vice Ch. Maxwell was currently serving on the Joint Development Authority and would like to continue to serve until his term ends on 12/31/2026.

**11. EXECUTIVE SESSION: PERSONNEL**

Motion to enter into executive session for personnel at 7:54 p.m.

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

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

Vote: 5:0

All yea votes and the motion passed.

Motion to close the executive session at 8:08 p.m.

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

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

Vote: 5:0

All yea votes and the motion passed.

Motion to promote Mike Eller to the Road Superintendent.

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

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

Vote: 5:0

All yea votes and the motion passed.

*(Copy of Affidavit filed in Attachment to Minute Book 11-1)*

**12. ADJOURNMENT**

Motion to adjourn the meeting at 8:09 p.m.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

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

Vote: 5:0

All yea votes and the motion passed.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Assistant County Clerk

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