



BANKS COUNTY BOARD OF COMMISSIONERS MEETING

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

Tuesday, March 12, 2024 at 6:30 PM

MINUTES

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

STAFF PRESENT

County Clerk Regina Gailey

Assistant County Clerk Erin Decker

Planning/Zoning Director Kerri Fincannon

Code Enforcement Officer Dale Cash

Public Utilities Director Horace Gee

ABSENT

Commissioner Bo Garrison

2. APPROVAL OF AGENDA

Ch. Turk stated 10b.Public Transit: GDOT Drug & Alcohol Policy Update needed to be removed from the agenda.

Motion to approve the agenda as amended.

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

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

Vote: 4:0

All yea votes and the motion passed.

3. APPROVAL OF MINUTES

a. 2/13/2024 Minutes

Motion to approve the 2/13/2024 minutes.

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

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

Vote: 4:0

All yea votes and the motion passed.

b. 2/27/2024 Minutes

c. 2/27/2024 Worksession - Hotel/Motel Tax Discussion Minutes

Motion to approve the 2/27/2024 minutes.

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

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

Voting Abstaining: Commissioner Gardiner

Vote: 3:0

All yea votes and the motion passed.

4. PLEDGE TO THE AMERICAN FLAG:

Vice Ch. Maxwell led the Pledge to the American Flag.

5. CHAIRMAN'S REPORT

Ch. Turk reported on the following:

- E911 received 271 Fire/EMS calls and 2,731 Sheriff Office calls.
- Recreation Department Opening Day will be March 23, 2024.
- Recreation Department had 545 children participating in spring sports.

6. SPECIAL REPORTS/PRESENTATIONS:

a. ACCG Workers Compensation Dividend - Joe Dan Thompson

Joe Dan Thompson with ACCG Workers Compensation presented a dividend check to the Commissioners in the amount of \$37,112.

7. MISCELLANEOUS:

a. Animal Control: Northeast Georgia Humane Society - Barbara Wilson

Barbara Wilson - Northeast Georgia Human Society, Outreach Board - Stated she was a resident of Banks County and had been on the Human Society Outreach Board for 4 years. She further stated she wanted to introduce Katie Ceraso the Northeast Georgia Humane Society Vice President of Statewide Initiatives.

Katie Ceraso - Northeast Georgia Humane Society Vice President of Statewide Initiatives - Stated the Humane Society not only adopts out animals but provides a healthy pet clinic as a low cost service to the community. She stated the service was not limited to residents of Hall County but anybody could use the services. She further stated she wanted to commend the Commissioners for having information about animal control and other resources about animals on the website.

8. RECOMMENDED COUNTY CODE CHANGES:

a. AMEND THE BANKS COUNTY CODE OF ORDINANCES: SECTION 74-61.- DEFINITIONS

Kerri Fincannon recommended the following change to Section 74-61.

A recommendation has been submitted to amend the Banks County Code of Ordinances as follows:

Chapter 74.- Subdivisions.

Article III.- Definitions.

Section 74-61.- Definitions

Classes of subdivisions means subdivisions as divided into five classes as follows:

Class I: A subdivision involving the division of a tract or parcel of land among immediate family members into two or more lots or parcels.

Class II: A subdivision involving the division of a tract or parcel of land into three to four lots or parcels with a five-acre two-acre minimum per lot size.

Class III: A subdivision involving a division of a tract or parcel of land into five to nine lots or parcels and shall be zoned R-1 with a ten-acre minimum per lot size.

Class IV: A subdivision involving a division of a tract or parcel of land into ten or more lots or parcels and shall be zoned R-1 with a two-acre minimum per lot size.

Minor subdivision: A subdivision involving the division of a tract or parcel of land into two lots or parcels or tracts with a two-acre minimum per lot size.

-AND-

Section 74-243.- Minimum access standards and prohibition of chain subdivisions in class I and class II subdivisions.

(a)(3) The survey for a Class I subdivision, which shall include a section entitled Subdivision Notes that lists each tract and the name of the immediate family member, being of legal age, to whom said tract shall be conveyed, will be approved by the planning and zoning department.

Since the minimum lot size for Class II subdivisions was changed to 5 acres, the planning office has faced several instances of developers applying for a class I divide only to immediately convey the land to prospective buyers. In fact, they are often bold enough to tell us that this is what they plan to do and ask if there is any way we can stop them. This "loophole" is the primary reason why the planning office can't be given power to approve Class I divides. A Class II subdivision should be and is required by code to be held to higher standards, but if developers can find a way to be approved for a family divide, there is less accountability. Changing the minimum acreage back to two acres will eliminate the main need for dishonesty while still sending these developments to the planning commission for approval. At this point, the planning department can take over approvals for true Class I family splits and provide an easier process for our citizens and their families.

The Commissioners discussed some changes they would like to make before it goes to the Planning Commission for review.

Motion to not send the ordinance to the Planning Commission for review.

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

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

Vote: 4:0

All yea votes and the motion passed.

b. AMEND THE BANKS COUNTY CODE OF ORDINANCES: SECTION 421.-SHORT TERM RENTALS

Kerri Fincannon recommended the following change to Section 421 - Short Term Rentals.

A recommendation has been submitted to amend the Banks County Code of Ordinances as follows:

Appendix A, Article IV.- General Provisions.

Section 421.- Short-term Rentals

For the purposes of this chapter, a short-term rental (STR) shall be defined as the rental of any residential home or portion of any residential home to transient guests for a period of time no longer than 7 consecutive days.

A short-term rental as defined by these regulations shall conform to the following requirements:

Violations of this chapter will be cited and are punishable by fine. Multiple citations may result in the suspension or revocation of a license.

Existing short-term rentals qualifying as nonconforming uses must register with the Planning and Zoning Department by [DATE] to keep their nonconforming status. An STR in existence prior to this ordinance that is not registered as nonconforming will be treated as a new use and held to the criteria established by this chapter. Nonconforming licenses which have been relinquished or revoked shall not be reinstated.

-AND-

Appendix A, Article VI. - ARR, Agricultural-Rural Residential District

Section 603.- Conditional Uses

(7) Short-Term Rentals (STR)- residential rentals, no longer than seven consecutive days.

Motion to send the recommendation to the Planning Commission.

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

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

Vote: 4:0

All yea votes and the motion passed.

c. AMEND THE BANKS COUNTY CODE OF ORDINANCES: SECTION 62-63. - DESIGNATION OF STREET NUMBERS

Kerri Fincannon made the following recommendation for Section 62-63 - Designation of Street Numbers

A recommendation has been submitted to amend the Banks County Code of Ordinances as follows:

Chapter 62.- Roads and bridges

Article III.- Street Names/House Numbering

Section 62-63.- Designation of street numbers.

Sec. 62-63. - Designation of street numbers.

*“g) All persons requiring a street number assignment must apply by telephone for such number from the county E-911 at least two weeks in advance.” should be deleted in its entirety and replaced with “g) **No address will be issued without first applying for a building permit from the Planning Department. The Planning Department will request an address from E-911 on behalf of the applicant.**”*

Ms. Fincannon stated the Planning Commission has not heard this recommendation yet.

Motion to send the recommendation to the Planning Commission.

Motion made by Commissioner Ausburn, Seconded by Chairman Turk.

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

Vote: 4:0

All yea votes and the motion passed.

d. 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.

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

- e. **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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

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

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

Vote: 4:0

All yea votes and the motion passed.

- f. **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**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

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

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

Vote: 4:0

All yea votes and the motion passed.

- g. **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**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

- h. **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**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

- i. **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**
Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

- j. **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.**
Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

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

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

Vote: 5:0

All yea votes and the motion passed.

- 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.**
Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

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

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

Vote: 4:0

All yea votes and the motion passed.

- I. 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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

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

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

Vote: 5:0

All yea votes and the motion passed.

- m. 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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

- n. 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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

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

Vote: 5:0

All yea votes and the motion passed.

- o. 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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

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

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

Vote: 4:0

All yea votes and the motion passed.

- p. 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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

Motion made by Commissioner Gardiner, Seconded by Chairman Turk.

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

Vote: 4:0

All yea votes and the motion passed.

- q. 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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

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

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

Vote: 4:0

All yea votes and the motion passed.

- r. **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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Gardiner
Vote 4:0

All yea votes and the motion passed.

- s. **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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

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

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Gardiner
Vote: 4:0

All yea votes and the motion passed.

- t. **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.**

Dale Cash stated this was 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.

Motion to send ordinance to Planning Commission for consideration.

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

Voting Yea: Chairman Turk, Vice Chairman Maxwell, Commissioner Ausburn, Commissioner Gardiner
Vote: 4:0

All yea votes and the motion passed.

9. PREVIOUS BUSINESS ACTION:

- a. **2023 Comprehensive Plan Adoption Resolution**

Ch. Turk stated all changes had been made.

Motion to approve the 2023 Comprehensive Plan Adoption Resolution.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-01

10. CONTRACTS AND AGREEMENTS:

a. Public Utilities: PI No. 0015608-Wrights Mill Bridge/Waterline Replacement Agreement - GDOT Horace Gee

Horace Gee stated this was an agreement /resolution between GDOT and Banks County for installation of a 6" waterline to be installed on the new Wrights Mill Bridge. HE stated the cost of this installation would be \$46,250. HE further stated this installation would allow the waterlines to connect with Hwy. 59 and Sims Bridge Road and the project would be paid for from the 2022 SPLOST funds.

Motion to approve the resolution.

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

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

Vote: 4:0

All yea votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-02

b. Public Transit: GDOT Drug & Alcohol Policy Update - Arlene Ivey

Deleted from Agenda.

c. Roads: KCI Technologies Additional Engineering

Ch. Turk stated KCI Technologies needed additional funds in the amount of \$19,720. He further stated the additional funds would be used for construction supervision/project management of work on roadway/bridge/culvert repairs (Wynn Lake Rd culvert repair, pipe replacement on various county roads, any remaining hours would be used for upcoming paving inspection, etc.) and other County requested work.

Motion to approve the additional funds in the amount of \$19,720.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

d. Document Destruction Bin Service Agreement

Ch. Turk stated this was an agreement for 2 document destruction bins. He stated the contract needed to be changed to a 1-year term per our County Attorney.

Motion to approve the agreement pending the change of terms from 2 year to 1 year renewable.

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

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

Vote: 4:0

All yea votes and the motion passed.

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

e. Commissioners: Alumint, Inc. - Photo Enforcement Services Amendment

Ch. Turk stated this was a contract for photo enforcement service for cameras on the school buses. He stated the cameras only recorded when the stop arm came out of the school bus. He further stated this contract was between the School, Commissioners and Sheriff's Office and the school would pay all the associated fees with the contract.

Comm. Ausburn stated the school needed to make sure it would not cost them any money.

Motion to approve the agreement and authorize the Chairman to sign the agreement with the requirements that no County funds were expended and the Board of Education approved the agreement.

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

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

Vote: 5:0

All yea votes and the motion passed.

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

11. ADJOURNMENT

Motion to adjourn the meeting at 7:26 p.m.

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

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

Vote: 5:0

All yea votes and the motion passed.

Chairman

Assistant County Clerk