



# BANKS COUNTY BOARD OF COMMISSIONERS MEETING

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

Tuesday, May 14, 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  
Commissioner Chris Ausburn  
Commissioner Keith Gardiner  
Commissioner Bo Garrison

#### ABSENT

Vice Chairman Danny Maxwell

#### STAFF PRESENT

County Clerk Regina Gailey  
Assistant County Clerk Erin Decker  
Human Resources Director Arlene Ivey  
County Attorney Randall Frost  
Fire Chief Steve Nichols  
Planning/Zoning Official Kerri Fincannon  
Code Enforcement Officer Dale Cash  
Senior Center/Transit Director Tracie Hammond

### 2. APPROVAL OF AGENDA

The agenda needed to be amended to place Item 8. Public Hearing below Item 9. Contracts and Agreements.

Motion to approve the agenda as amended.

Motion made by Chairman Turk, Seconded by Commissioner Garrison.

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

Vote: 4:0

All yea votes and the motion passed.

### 3. APPROVAL OF MINUTES

#### a. 4/9/2024 Minutes

Motion to approve the 4/9/24 minutes with the change of replacing the word "owned" with "only".

Motion made by Commissioner Ausburn, Seconded by Commissioner Garrison.

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

Vote: 4:0

All yea votes and the motion passed.

**b. 4/16/2024 Joint Work Session Minutes**

Motion to approve the 4/16/24 minutes.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

**c. 4/22/2024 FY2025 Worksession/Meeting Minutes**

Motion to approve the 4/22/24 minutes.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

**d. 4/23/2024 FY2025 Budget Worksession/Meeting Minutes**

Motion to approve the 4/23/24 Minutes.

Motion made by Commissioner Ausburn, Seconded by Chairman Turk.

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

Vote: 4:0

All yea votes and the motion passed.

**e. 4/24/2024 FY2025 Budget Worksession/Meeting Minutes**

Motion to table the minute approval until the 6/11/2024 meeting.

Motion made by Chairman Turk, Seconded by Commissioner Garrison.

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

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 stated E911 received 3,112 calls for the Sheriff's Office and 335 Fire/EMS calls.

**6. PUBLIC COMMENT:**

**a. Roads & Bridges: Reopening of Soapstone Rd - Danny Gosnell**

Danny Gosnell - 620 Soapstone Road - Stated he would like the road to be opened all the way through. Comm. Garrison asked if he owed property on the part of the road that was closed. Mr. Gosnell stated he owed on the paved part. Comm. Garrison stated from his understanding the road was requested to be closed by some of the landowners. Comm. Ausburn stated that road had been a problem for years. Ch. Turk stated he would go out there and see what could be done. Comm. Garrison stated we needed to ask all the landowners what were actually on the closed part what they wanted to see happen to the road. Comm. Gardiner said the biggest problem was there was no right-of-way, and you couldn't work the road the way it needs to be worked.

Drew Irvin - Soapstone Road - Stated he would prefer to keep the road closed because there was less trash and traffic.

## **7. MISCELLANEOUS:**

### **a. Alcohol License: Consumption on the Premises -Distilled Spirits - Beer & Wine: Guadalajara Beer & Grill**

Ms. Fincannon stated the fees had been paid and the background check had been approved for Guadalajara Beer & Grill.

Motion to approve the alcohol license for Guadalajara Beer & Grill.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

### **b. Fire/EMS: Region 2 EMS Advisory Council - Brandon Ayers - 3 year term to expire June 30, 2027**

Chief Nichols stated he would like to have Keith Freeman appointed as a member of the Region 2 EMS Advisory Council.

Motion to appoint Keith Freeman to the Region 2 EMS Council for a 3-year term to expire June 30, 2027.

Motion made by Commissioner Garrison, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

### **c. Fire/EMS: Region 2 EMS Advisory Council - Steve Nichols - 3 year term to expire June 30, 2027**

Chief Nichols stated he would like to continue to serve on the Region 2 EMS Advisory Council.

Motion to appoint Steve Nichols to the Region 2 EMS Advisory Council for a 3-year term to expire June 30, 2027.

Motion made by Commissioner Gardiner, Seconded by Chairman Turk.

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

Vote: 4:0

All yea votes and the motion passed.

### **d. EMA: 2022 Hazard Mitigation Plan Update - Steve Nichols**

Chief Nichols stated every 5 years the Hazard Mitigation Plan had to be updated and the 2022 Hazard Mitigation Plan was ready to be approved.

Motion to approve the 2022 Hazard Mitigation Plan.

Motion made by Commissioner Gardiner, Seconded by Commissioner Garrison.

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-05*

### **e. Tax Assessors: Change Finder 2024 Change Detection Software**

Ch. Turk stated that the Change Finder 2024 was change detection software that would overlay the new flyover with the capability to detect any changes/additions of structures that had not been reported to the County. He stated the cost of the program was \$11,426 and was based on 10,800 digital files.

Comm. Garrison asked where would the money come from? Ch. Turk stated they didn't have it in their budget, but it could come from contingency.

Comm. Ausburn asked if the software was necessary and Ch. Turk stated if you wanted the records to be accurate they said they needed it.

Comm. Garrison asked how they had been doing it, on foot? Ch. Turk stated yes.

Motion to table the item until June 11, 2024.

Motion made by Commissioner Gardiner, Seconded by Commissioner Garrison.

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

Vote: 4:0

All yea votes and the motion passed.

**f. Property Line Correction: Scott & Kathryn Nichols**

Ch. Turk stated that on April 12, 2016 there had been a meeting about a dispute of a property line with Scott and Kathryn Nichols. The County had made the motion to work with the County Attorney, County Surveyor and Clerk of Court to resolve the issue with the boundary line and that was never completed.

Motion to approve the property line correction and deed.

Motion made by Commissioner Garrison, Seconded by Chairman Turk.

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

Vote: 4:0

All yea votes and the motion passed.

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

**g. Request to Initiate Amendments to County Code: Kerri Fincannon, Planning & Zoning Director**

Planning/Zoning Director Kerri Fincannon stated that she was requesting and initiating four more changes to the code. The desired code changes were as follows:

- Add: Vape, smoke, tobacco, cigar shops to C-2, General Commercial District
- Amend: Section 301 Definitions of Terms – Family Cemetery Plots
- Amend: Chapter 74, entitled “subdivisions.”, article viii, entitled “required improvements.”, section 243, entitled “minimum access standards and prohibition of chain subdivisions in class i and class ii subdivisions.”
- Amend: Chapter 74, entitled “subdivisions”, article iii, entitled “definitions”, section 74-61, entitled “definitions.

Motion to initiate the changes.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

**h. Request to Initiate Amendments to County Code: Dale Cash**

Code Enforcement Officer Dale Cash stated that he was requesting the initiation of the changes of the code as follows:

- Section 18-1 Grease Traps
- Section 86-56 Utilities

Motion to initiate the changes.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

## **8. CONTRACTS AND AGREEMENTS:**

### **a. Public Transportation: FY2025 Transportation - NEGRC - Tracie Hammond**

Ms. Hammond stated this contract gave them funding to transport citizens from Banks County to Jackson Creative.

Motion to approve the contract and authorize the Chairman to sign.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

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

### **b. Public Transportation: T008763-BANKS County-2023-Intermodal. Section 5311 Agreement - Vehicles Only - Chairman Signature Ratification**

Ms. Hammond stated this was a ratification of a contract for a transit bus for a 100% funding. Ch. Turk stated the cost to GDOT was \$107,691.

Comm. Garrison clarified that it was completely state funded.

Motion to approve the contract and ratify the Chairman's signature.

Motion made by Commissioner Garrison, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

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

### **c. Senior Services: Deanna Specialty FY2024 Contract - Tracie Hammond**

Ms. Hammond stated this was an annual contract with Deanna Specialties for funding to bring seniors to the center and also take trips.

Motion to approve the contract and authorize the Chairman to sign.

Motion made by Commissioner Gardiner, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

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

### **d. Personnel: Drug & Alcohol Screening Policy for Safety Sensitive Employees - Arlene Ivey**

Ms. Ivey stated that GDOT required that the Drug and Alcohol Policy be updated every two years.

She stated there were a few changes that were required by GDOT.

Motion to approve the Drug and Alcohol Policy and authorize the Chairman to sign.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and motion passed.

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

**e. Personnel: Health Insurance Renewal FY2025 Rob Fowler**

Rob Fowler and Brannen Garrison with Turner, Wood and Smith presented the changes to the health insurance program renewal for FY2025. He stated that Banks County was a partially self-funded plan.

Mr. Fowler explained the savings on the new plan compared to what the County had now and stated the recommended changes for Banks County were as follows:

- Renew Stop Loss Insurance with High Mark
- Absorb the fixed cost increase of \$20,365
- No changes to the employee health insurance payroll deductions
- Making changes to the plan design on outpatient services to help drive employees from hospital-based facilities to free standing facilities which will save the employee and Banks County money.
- Move 3rd party claims to Healthgram

Brennan Garrison also with Turner, Wood and Smith discussed reason to move to Healthgram. He stated employees would have a direct line to call in and get a little bit of guidance about a procedure that would not only save the plan money but as well as the employee. He further stated by calling in the employee could earn cash rewards through the program.

Comm. Ausburn stated Mr. Garrison stated the employees had to call in. He asked if that was before they went to the doctor, they had to call in and then be directed to which doctor they need to go to? Mr. Garrison stated it was optional, but if the employee wanted to save money, they could see what facility they could go to. It might not be their provider, but it would be a low-cost provider. He further stated they wouldn't have to go to that provider and could go to whatever provider they needed. Mr. Garrison continued to say the call system would just be another support system for the employee to call and reach out to see what the best option was.

Comm. Garrison asked if every hospital in Northeast Georgia accepted the insurance? Mr. Garrison said yes.

Comm. Ausburn stated so employees would still be able to use their doctors? Mr. Garrison said correct and it was totally optional to call the help line. Employees would be able to see who they wanted to see.

Mr. Garrison stated on the ancillary side of insurance they recommended changing the following:

Staying the Principle for dental, vision, critical illness, and accident

Move from Lincoln to Equitable for Basic Life, LTD & STD

Motion to approve the health insurance renewal for FY2025.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

**f. Personnel: Equitable Employee Benefits (Life, STD & LTD) contract for FY2025 - Arlene Ivey**

Motion to approve the Life, STD and LTD with Equitable and authorize the Chairman to sign the contract.

Motion made by Commissioner Ausburn, Seconded by Commissioner Garrison.

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

Vote: 4:0

All yea votes and the motion passed.

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

**g. Personnel: H & M Stop Loss Contract - Arlene Ivey**

Ms. Ivey stated there would be a contract to be signed later on if the proposal was accepted. She stated because of the timeframe she was asking permission to approve the proposal and for the Chairman to sign the contract when she received it after the County Attorney approved it.

Motion to approve the H&M Stop Loss proposal and authorize the Chairman to sign the proposal and the contract pending county attorney approval.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

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

**h. Personnel: Veracity Benefits - Pharmacy Amendment to extend current contract to June 30, 2025 - Arlene Ivey**

Motion to amend the current agreement with an extension of 12 months and authorize the Chairman to sign the contract.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

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

**i. Personnel: Healthgram - Arlene Ivey**

Ms. Ivey stated this was a confirmation of the rates. She stated they were asking for 75% of the administrative cost, a startup fee of \$3,950 and a stop loss premium of \$35,988.98 for a total of \$50,753.38.

She further stated she was asking permission for the check to be issued and authorization for the Chairman to sign the document for the New York Public Group's Pool Surcharge.

Comm. Garrison asked what was the limit on Healthgram and the max out limit? Ms. Ivey stated \$1M.

Comm. Garrison also asked if it had a cap per person? Ms. Ivey stated that was what the stop loss was for. She said anytime there was a payout over \$60,000 there would be a claim filed with H&M and they would cover anything over \$60,000.

Motion to issue the check for \$50,753.38 and authorize the Chairman to sign the document for New York Public Group's Pool Surcharge.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

Ms. Ivey stated she was also asking permission to approve the section of banking forms for the ACH debits and authorization for the Chairman to sign the documents. Healthgram will not be cutting checks but issuing ACH payments for claims.

Motion to approve the ACH payments and authorize the Chairman to sign the documents.

Motion made by Commissioner Gardiner, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

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

**j. Personnel: New Retirement Options - Arlene Ivey**

Ms. Ivey stated currently the County offered the 401a and 457 Deferred Comp Retirements plans which were pre-taxed. She was asking permission to offer a 457 Roth plan which was post tax and was just another option to give our employees for retirement.

Comm. Ausburn asked if there was any expense to the County and did the County match the Roth plan? Ms. Ivey stated there was no expense to the County and the County did not match the Roth Plan.

Motion to approve the 457 Roth plan and authorize the Chairman to sign the documents.

Motion made by Commissioner Ausburn, Seconded by Commissioner Garrison.

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

Vote: 4:0

All yea votes and the motion passed.

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

Motion to approve the adopting resolution.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-33*

**k. Social media/Records Retention: FY2025 CivicPlus/ArchiveSocial Agreement Renewal**

Ms. Gailey stated that Civic Plus/Archive Social was the company that monitored and backed up our social media. She stated the contract was a 3 yr. auto renewing contract to save money.

Comm. Ausburn asked if this archived our social media posts indefinitely? Ms. Gailey stated she thought the videos was 60 days, however there had been a resolution passed for the retention period like with any other records. Although Archive Social will keep them for as long as we tell them.

Comm. Ausburn stated he would like to get together on that before we delete the videos. He stated he went back and used these a lot so he didn't know at what time he'd want to delete one. He wanted to revisit that as far as when we delete the videos.



Atty. Frost stated in order to keep them longer you would need to amend the resolution. Ms. Gailey stated the resolution was according to the Secretary of State and Georgia Archives.

Comm. Ausburn suggested deleting them pending board approval.

Ch. Turk asked if Comm. Ausburn was talking about once the minutes were approved. Comm. Ausburn stated no.

Ms. Gailey stated once the minutes were approved, they were the official record. Comm. Ausburn stated he understood that but a lot of times the minutes are not as accurate as the video. He continued to state before we delete them, lets relook at this down the road sometime and see if we can reach an agreement.

Motion to approve the contract.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

All yea votes and the motion passed.

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

## 9. 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 closed the meeting and Atty. Frost opened the public hearing.

Atty. Frost stated Z-24-01 was 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.

Dennis Ingle nor anyone else was there to represent the application.

Atty. Frost suggested tabling the application, so it didn't have to be readvertised.

Motion to table the application until the June 11, 2024 meeting.

Motion made by Chairman Turk, Seconded by Commissioner Garrison.

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

All yea votes and the motion passed.

- b. **Planning Commission: V-24-01 An application has been submitted by Devin Hunter for a variance on the property identified as B54G 019B, a 2.62-acre lot located on Grove Level Rd. to reduce the building setback.**

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

Atty. Frost stated V-24-01 was an application that had been submitted by Devin Hunter for a variance on the property identified as B54G 019B, a 2.62-acre lot located on Grove Level Rd. to reduce the building setback.

Ms. Fincannon stated the Planning Commission recommended approval of the variance 4:0.

***In Favor of the Application***

Devin Hunter - 2334 Holly Creek Church Road, Carlton, GA - Stated he agreed with the Planning Commission recommendation.

Ch. Turk asked if he could turn the structure to meet the setbacks. Mr. Hunter stated no because of the topography of the property.

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

Motion to approve the recommendation of the Planning Commission for approval.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

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

- c. **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.**
- d. **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.**
- e. **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**
- f. **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**
- g. **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**
- h. **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**
- i. **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.**
- j. **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.**

- k. 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.
- l. 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.
- m. 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.
- n. 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.

Ch. Turk closed the meeting and Atty. Frost opened the public hearing for Item C – Item N.

Ms. Fincannon stated the Planning Commission did a blanket approval of c - n and recommended approval of the ordinances.

Atty. Frost stated the items could be heard all at one time in a public hearing and then approved.

Officer Cash stated the changes were mostly due to his department being created and he discussed the proposed changes as follows:

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.

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ALCOHOLIC BEVERAGES" FOR THE ADOPTION OF CHANGES TO THE BANKS COUNTY CODE OF ORDINANCES BY CHANGING CODE ENFORCEMENT OFFICER TO PLANNING AND ZONING DEPARTMENT

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

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.

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.

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.

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.

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.

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.

Ms. Fincannon stated the Planning Commission recommended to approve the ordinances with a 4:0 vote.

Officer Cash stated several of the changes would give him the authority to issue citations.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-06 – 2024-17*

- o. 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.**

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

Atty. Frost 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 Marshal to Code Enforcement Officers.

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

Motion to accept the Planning Commission recommendation for approval.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-18*

- p. 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.**

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

Atty. Frost 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.

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

Officer Cash stated this change concerned lighting in which would take the liability off the County and hold the electric company responsible and liable.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

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

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-19*

- q. 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.**

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

Atty. Frost 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.

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-20*

- r. **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.**

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

Atty. Frost stated 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 Marshal to Code Enforcement Officers.

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Chairman Turk, Seconded by Commissioner Ausburn.

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-21*

- s. **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.**

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

Atty. Frost stated 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 Marshal to Code Enforcement Officers.

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-22*

- t. **Planning Commission: AN ORDINANCE TO AMEND CHAPTER 74, SUBDIVISIONS - ARTICLE II - "APPLICATION, PLATTING JURISDICTION AND ENFORCEMENT", SECTION 74-33, ENTITLED "PLATTING AUTHORITY"**

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

Atty. Frost stated this was an ordinance to amend Chapter 74, Subdivisions - Article II - "Application, Platting Jurisdiction and Enforcement", Section 74-33, Entitled "Platting Authority"

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Commissioner Gardiner, Seconded by Commissioner Ausburn.

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

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-23*

- u. **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"**

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

Atty. Frost stated this was an ordinance to amend Chapter 74, Entitled "Subdivisions", Article II, entitled "Application, Platting Jurisdiction and Enforcement", Section 74-34, entitled "Use of Plat"

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-24*

- v. **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"**

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

Atty. Frost stated this was an ordinance to amend Chapter 74, entitled "Subdivisions", Article II, entitled "Application, Platting Jurisdiction and Enforcement", Section 74-98, entitled "Review of Final Plat"

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Commissioner Garrison, Seconded by Chairman Turk  
Voting Yea: Chairman Turk, Commissioner Ausburn, Commissioner Gardiner, Commissioner Garrison  
Vote: 4:0  
All yea votes and the motion passed.  
*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-25*

**w. 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"**

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

Atty. Frost stated this was 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".

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

Motion to accept the Planning Commission recommendation for approval.

Motion made by Commissioner Ausburn, Seconded Commissioner Gardiner  
Voting Yea: Chairman Turk, Commissioner Ausburn, Commissioner Gardiner, Commissioner Garrison  
Vote: 4:0  
All yea votes and the motion passed.  
*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-26*

**x. Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE IV, ENTITLED "GENERAL PROVISIONS", SECTION 412, ENTITLED "ACCESSORY BUILDINGS AND STRUCTURES"**

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

Atty. Frost stated this was an ordinance to amend Appendix A, entitled "Zoning", Article IV, entitled "General Provisions", Section 412, entitled "Accessory Buildings and Structures"

Ms. Fincannon stated the Planning Commission voted to approve the ordinance with a 4:0 vote with the following changes:

- R-1 Zone the accessory buildings and structures shall be located only in the side or rear yards in ARR and CAD zones, accessory structures on less than 5-acres shall be located only in the side or rear yards, accessory structures located in ARR or CAD zones greater than five acres maybe located to the front of a dwelling but no closer than 100 feet from the road right of way.
- The Planning commission wished to take out everything following the first line so that it would read, "R-1 Zones accessory buildings, the structure shall be located only in the side or rear yards. That would allow accessory structures in front of the homes in all ARR and CAD zones by right."

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

Commissioners discussed the definition of what "in front" of meant and what zones and setbacks should be included for accessory buildings.

Motion to accept the Planning Commission recommendation for approval.

Motion made by Commissioner Ausburn, Seconded by Commissioner Garrison  
Voting Yea: Chairman Turk, Commissioner Ausburn, Commissioner Gardiner, Commissioner Garrison  
Vote: 4:0  
All yea votes and the motion passed.



**y. Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ZONING, ARTICLE IV, ENTITLED "GENERAL PROVISIONS", SECTION 417 ENTITLED "HOME OCCUPATIONS"**

Ch. Turk closed the meeting and Atty. Frost opened the meeting.

Atty. Frost stated this was an ordinance to amend Appendix A, entitled "Zoning", Zoning, Article IV, entitled "General Provisions", Section 417 entitled "Home Occupations"

Ms. Fincannon stated the Planning Commission denied the recommendation with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation to deny.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner

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

Vote: 4:0

All yea votes and the motion passed.

**z. 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"**

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

Atty. Frost stated this was an ordinance to amend Appendix A, entitled "Zoning", Article VII(a), entitled "R-1, Single-Family Residential District", Section 702(a), entitled "Permitted Uses"

Ms. Fincannon stated the Planning Commission denied the recommendation with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation to deny.

Motion made by Commissioner Ausburn, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

**aa. Planning Commission: AN ORDINANCE TO AMEND APPENDIX A, ENTITLED "ZONING", ARTICLE VIII ENTITLED "C-1, NEIGHBORHOOD COMMERCIAL DISTRICT", SECTION 802, ENTITLED "PERMITTED USES"**

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

Atty. Frost stated this was an ordinance to amend Appendix A, entitled "Zoning", Article VIII, entitled "C-1, Neighborhood Commercial District", Section 802, entitled "Permitted Uses"

Ms. Fincannon stated Wedding and Event Venue was being placed into the code and the Planning Commission recommended to approve the ordinance with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner

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

Vote: 4:0

All yea votes and the motion passed.

**bb. 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"**

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

Atty. Frost stated this was an ordinance to amend Appendix A, entitled "Zoning", Article IX(a), entitled "C-2, General Commercial District", Section 902(a), entitled "Permitted Uses"

Ms. Fincannon stated the Planning Commission recommended approval with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Commission Garrison, Seconded by Chairman Turk.

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-29*

**cc. Planning Commission: AN ORDINANCE TO AMEND THE BANKS COUNTY CODE OF ORDINANCES: SECTION 62-63. - DESIGNATION OF STREET NUMBERS**

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

Atty. Frost stated this was an ordinance to amend Appendix A, entitled "Zoning", Article IX(a), entitled "C-2, General Commercial District", Section 902(a), entitled "Permitted Uses"

Ms. Fincannon stated the Planning Commission recommended approval of the ordinance with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-30*

**dd. Planning Commission: AN ORDINANCE TO AMEND THE BANKS COUNTY CODE OF ORDINANCES: SECTION 421.-SHORT TERM RENTALS**

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

Atty. Frost stated this was an ordinance to amend the Banks County Code of Ordinances: Section 421.- Short Term Rentals.

Ms. Fincannon stated the Planning Commission recommended approval with changes.

**Genee Moore – 113 Honey Hills Ln, Alto, GA** – Stated she only had one suggestion about Item 6. Where it says the maximum occupancy for short-term rentals shall be two persons per bedroom plus two additional persons. She further stated being a person who owns vacation rentals and also rents vacation rentals herself when she goes out of town, there was a trend going on with modern bunk rooms. She just wanted to make sure the Commissioners were aware and that they were covering every angle of what could possibly be built if someone was building a vacation rental or turning their home into a vacation rental. She said these rooms can sometimes sleep up to six people and so her recommendation was if someone wanted to incorporate a bunk room, then increase the square footage and make sure there was a certain number of windows in that room due to fire safety.

**Barbara Lindorme – 980 Bennett Road, Homer, GA** – Stated she was concerned about the wording of the noise ordinance. She stated she consider making the owner have a house rule that declares that the people who are the guest must be following fire and county noise ordinances. She stated as the owner you could have someone sign the agreement stating they would comply with the local ordinances so then the renter was legally bound by a rental contract which obligated them to follow the County ordinances.

**Marjorie Mantilla – 256 Hebron Rd, Commerce, GA** - Asked if the fee would be prorated since it was \$150 per year and it would begin September 1, 2024. Ms. Fincannon stated the initial registration fee would cover from September 2024 to December 31, 2025. Ms. Mantilla also liked the idea of not limiting 2 people per bedroom. The concept of the bunk beds was something that was very popular especially with families that travel with little children and also was economical for the family.

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

Motion to approve the ordinance with the following changes:

- 2 people per bedroom
- 4 people maximum in bunkroom
- Effective Date: 9/1/2024
- Current registered Short-Term Rentals are grandfathered in
- Newly constructed Short-Term Rentals will follow the International Building Code

Motion made by Commissioner Gardiner, Seconded by Commissioner Ausburn

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-31*

**ee. 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)**

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

Atty. Frost stated this was 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).

Ms. Fincannon stated the Planning Commission recommended approval of the ordinance with a 4:0 vote.

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

Motion to accept the Planning Commission recommendation for approval.

Motion made by Chairman Turk, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

*(Copy of Resolution filed in Attachment to Minute Book 11-1) 2024-32*

**10. EXECUTIVE SESSION: Land Acquisition**

Motion to enter into executive session concerning land acquisition at 9:18 p.m.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

Motion to close the executive session at 9:44 p.m.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

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

Vote: 4:0

All yea votes and the motion passed.

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

## **11. ADJOURNMENT**

Motion to adjourn the meeting at 9:45 p.m.

Motion made by Commissioner Garrison, Seconded by Commissioner Gardiner.

Voting Yea: Commissioner Ausburn, Commissioner Gardiner, Commissioner Garrison

Vote: 4:0

All yea votes and the motion passed.

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Chairman

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Assistant County Clerk