



BANKS COUNTY BOARD OF COMMISSIONERS MEETING/PUBLIC HEARING

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

Tuesday, June 25, 2024 at 5:00 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

Commissioner Bo Garrison

STAFF

County Clerk Regina Gailey

Chief Finance Officer Randy Failyer

Assistant County Clerk Erin Decker

Ch. Turk stated there was a water leak that had not been located yet so if you are out and about and see an unusually wet spot, please call E911 so they can notify the water department.

2. APPROVAL OF AGENDA

Ch. Turk stated the agenda needed to be amended to delete 3a. Recreation: FY2025 Civic Rec Annual Software License Contract and Comm. Ausburn stated he would like to add School Septic Pumping Discussion.

Motion to approve the agenda as amended.

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.

Pledge to the Flag

Comm. Garrison led the Pledge to the American Flag.

3. CONTRACTS & AGREEMENTS:

a. **Recreation: FY2025 CivicRec Annual Software License Contract**

Deleted from agenda

4. APPROVAL OF AGENDA

a. **FY2025 BUDGET**

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

Chief Finance Officer Randy Failyer stated this was a good working budget. He further stated the major expenses were the wastewater treatment plant coming on-line, increases in liability insurance

and several other necessary increases spread across various departments. The total budget for FY2025 was \$25,793,403.11 and would run from July 1, 2024 to June 30, 2025.

Comm. Ausburn asked if he thought there would be a rollback with the millage.

Ch. Turk stated he talked to the Tax Assessors and thought a roll back would be possible.

Comm. Gardiner stated the Safer Grant had expired and had caused an increase in personnel cost for Fire/EMS.

Comm. Garrison stated they trimmed the budget as close as they could without cutting services.

Comm. Ausburn stated he noticed court cost had increased. Mr. Failyer stated the case load was more and maybe would decrease when we changed over to the Mountain Circuit.

Ch. Turk stated he wanted to thank Mr. Failyer and all department heads for staying within their budget.

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

Motion to approve the FY2025 budget resolution in the amount of \$25,793,403.11.

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.

b. School Sewer Septic Dumping

Comm. Ausburn stated there was a mistake made and some grease was dumped in our sewer system. We have stopped the school from dumping at our sewer system because we think they did it. The school was now having to haul their waste to the City of Cornelia where they were having to pay \$0.18/gallon. He stated he went and looked and took pictures of their grease trap and the lid had not even been taken off their grease trap. He stated a maintenance person took the lid off and the grease trap was still full and also the school hasn't used any fryers for food since the Obama administration, so they have no grease to dump. He further stated the grease didn't come from them and the only school at this point that had been dumped was the high school and that was dumped on 6/5 – 2 loads, 6/7 - 2 loads, and to his knowledge the problem occurred on 6/12 or 6/11. The company that pumped the schools say the grease was there when they got there and on 6/12 two more loads were dumped. He continued to say the school was saying they didn't do it, so then we may be led to believe that the pump truck service that they used did it and brought it in from somewhere else, but he felt like we had no proof of that. We didn't know that for sure and there was other companies that dumped into our system also and he's not saying they did it either, just saying there was no proof of who dumped the grease. He stated again he didn't feel like it was right for the County to charge the school for these services and he didn't feel like it's right for us to have to take taxpayers funds out of Banks County and send it to Habersham County because we couldn't find a solution. He further stated there had to be a solution and he did understand how bad this could have been if it hadn't got pumped out but mistakes happen and we don't know who made the mistake but we are penalizing our school system for a mistake that they may not have made.

Comm. Gardiner stated that grease could have been in the truck of the company that the school was using.

Ch. Turk stated the Public Utilities Director told him that the gate stayed locked all the time. The County personnel had to open that gate and the only ones using it was the company that was dumping for the school. He further stated they locked it when they left, and the gate stayed locked all the time.

What they were thinking was that they got grease from somewhere else other than the school and dumped it in our system because it was fresh grease. The problem was the company was pulling stuff from somewhere else and dumping it in our system and were they charging the school for stuff that wasn't theirs? He continued to state the company charged the school for every load and they had to have a manifest to go in there.

Comm. Ausburn stated the amount loads that were taken and said he knew for a fact that we've got some more County septic tanks that's being pumped and been hauled to our system. He stated he didn't know when or how or if the gate was locked but he knew there had to be a way that we could find a solution to this and stop paying for them to have to haul this out of the county.

Comm. Garrison stated as far as the gate, it was locked but when the school was being hauled the gate was unlocked for them and it was left unlocked until they were through hauling that day so it was not locked and unlocked for every load. Comm. Garrison stated this wasn't the first issue we have had at the spray field with someone hauling and not being monitored and documented on how many gallons and what it was. He continued to state this was a simple fix and we could mandate that when they arrived, they would take a picture and when they are through dumping, they would take another picture and send it to our employees. Our personnel who were running the sewer plant had a trail camera and he could hang it up and have the video come to his phone, when it detected motion, he could be there in a matter of minutes.

Comm. Gardiner stated if you use a company that has got more than six, eight, ten trucks like this company, they know that they're dumping in there and just think this is our chance. Comm. Gardiner stated within 3 or 4 hours every motel and restaurant could have been shut down because of the damage it did to our pump station and cost a tremendous amount of money.

Ch. Turk stated his understanding was the school was going to sign the manifest that yes it came out of the school and then when they came to dump an employee with the County was to sign off on the manifest and apparently that was not happening from the school.

Comm. Ausburn stated he had pictures of the manifest.

Ch. Turk asked if the school had signed off on the manifest and Comm. Ausburn stated no but said he had a list of every gallon that had been dumped.

Comm. Ausburn stated again that the fact was that we didn't know if this company was the one that dumped the grease but if they were we should penalize the company instead of the school. He continued to state if we felt strongly enough that it was this company that dumped the grease then we should have had them to pump it out. He said we have no facts and this was money that goes to educate our kids. He said in the future we need to establish a standard operating procedure.

Ch. Turk stated he didn't have a problem with that if the school was willing to sign a manifest and then when they bring it then we sign off on the manifest. That was the way it was supposed to be done to start out with. He further stated if they would go back with the way it was supposed to be done, he did not have a problem with it. Allowing them to dump whatever they wanted to whenever they wanted to was a no.

Vice Ch. Maxwell stated that was part of the checks and balances.

Ch. Turk stated last year we ran into the exact same thing of sneaking loads in and were they charging the school for loads that was not theirs? There should be a manifest for every load and there was not.

Comm. Ausburn stated he had a list for every load but Ch. Turk stated that a manifest needed to be signed by the school. Ch. Turk stated they could put whatever list they want to on there. Comm. Ausburn said they were going to pay the bill and the bill would be based off the list he had. Ch. Turk stated he knew that but were they getting ripped off by the list.

Comm. Gardiner stated was that same company bringing in trucks from somewhere else and that was where the grease could have come from.

Ch. Turk stated again there was supposed to be a manifest signed and when they left the school, they were supposed to contact wastewater and then they would meet them there. Ch. Turk continued to state he did not have a problem writing up a contract but the contract would probably take a week or so to do.

Comm. Ausburn stated he would reach out to the school and tell them they had to sign the manifest and notify wastewater that they were bringing a load and wastewater would meet them there and wastewater would sign the manifest when they were done emptying the load.

Comm. Ausburn stated he didn't think we should charge the school and waive the bill.

Ch. Turk said the bill also included the company cost for pumping the grease out of the system.

Comm. Ausburn said the invoice was for \$12,000 and Ch. Turk stated there was a bill for pumping out the grease that was \$3,000.

Ch. Turk stated he didn't have a problem waiving the cost for the \$12,000 but for \$3,000 cost of pumping the grease out he did have a problem with the school not paying that.

Motion to waive the bill for the school system in the amount of \$15,000.

Motion made by Commissioner Ausburn, Seconded by Commissioner Garrison.

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

Voting Nay: Chairman Turk, Commissioner Gardiner

Vote: 3:2

Motion passed by majority vote.

5. ADJOURNMENT

Motion to adjourn the meeting at 5:45 p.m.

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.

Chairman

Assistant County Clerk