

The Banks County Board of Commissioners held their regular meeting on October 27, 2009 at 3:30 p.m. in the Wilson Shoals Conference Room of the Banks County Courthouse Annex. Present were Chairman Milton Dalton, Vice Chairman Joe Barefoot and Commissioner Rickey Cain.

1. Call to Order

Ch. Dalton called the meeting to order.

2. Approval of Agenda

Ch. Dalton stated the agenda needed to be amended to add executive session as item 7 and move adjournment to item 8. Comm. Cain made a motion to approve the agenda as amended. Vice Ch. Barefoot seconded. Two aye votes and motion passed.

3. Public Hearing to Consider Alleged Alcohol Resolution Violation *Sam's Food Mart*

Investigator Joey Chapman was sworn in by Attorney Randall Frost. Investigator Chapman stated that on September 10, 2009 Citgo made an illegal sale of alcohol to an underage person. He stated that Investigator Worley and Corporal Mike Wood sent a juvenile confidential informant, equipped with an electronic audio recording device, into the store where he purchased a 12 pack of Bud Light Beer with \$20 of official Banks County Sheriff's Office drug purchasing money from a clerk known as Mike. When the informant came out of the store he gave the beer to the officers, who were watching him purchase the beer in the store from the parking lot, and they logged it into the property receipt records.

Investigator Chapman stated on October 20, 2009 the informant, the officers and himself went to the store and identified the clerk known as Mike, as the same clerk that was working on Sept. 10, 2009 and he then pulled the County alcohol license from the store and presented it to the Commissioners. Atty. Frost asked the owner Mr. Junaid Hameed if he had any questions for the officer. He stated he didn't have any questions, but he had been in business for almost six years and this was his first violation and would assure the commissioners that it would not happen again. He said he had already talked to the clerk that made the mistake. Comm. Cain asked if he had any training policy that he goes through with the clerks and he stated yes. Vice Ch. Barefoot asked if it was routine policy to check identification on everyone in the underage group. He said he told the clerks that if the store gets busy, they still have to check identification. Comm. Cain stated if you check all identifications then you don't have anything to worry about. Atty. Frost closed the public hearing. Ch. Dalton opened the commissioners meeting. Comm. Cain made a motion to recommend six month probation, since this was their first offense, beginning October 28, 2009 to April 28, 2009. Vice Ch. Barefoot seconded. Two aye votes and motion passed.

4. Boards & Authorities

- a. Development Authority** 2/28/2012
- b. Industrial Building Authority** 9/30/2012
- c. Joint Development Authority** 12/31/2010
- d. Public Safety Board** 3/31/2013

Comm. Cain made a motion to postpone this until December 8, 2009 meeting. Vice Ch. Barefoot stated that he didn't realize so many boards were up for replacements and he had some people contact him that were interested. Vice Ch. Barefoot seconded. Two aye votes and motion passed.

5. McCoy Bridge Booster Pump and Water Main Extension Engineering Services Work Order. Rindt-McDuff

County Clerk Regina Gailey stated that the County has been working with Rindt-McDuff and said that there may be some areas in the Stimulus funded project that comes in under bid and projected cost. In that case, they asked for authorization to prepare the plans for the booster pump station and water main extension on McCoy Bridge Road in the amount of \$67,000. Ms. Gailey is asked for approval pending the availability of Stimulus Funding which would be left over after the Clearwell Project is complete. GEFA had stated they did not want money returned to them but that surplus funds be spent on additional qualified projects. Ch. Dalton stated that this would enable the County to pump water up to the northern part of the County. Comm. Cain made a motion to approve the workorder pending the availability of Stimulus Funds and not having to use any general fund money. Vice. Ch. Barefoot seconded motion. Two aye votes and motion passed.

6. Public Transportation - GDOT/American Recovery and Reinvestment Act Contract

Ms. Gailey stated the County received \$84, 550 for public transportation which included public transit van, dispatch software, radios and office equipment. She stated this was the contract to receive the Stimulus Funding and that Randy Failyer and Janet Galloway had already received training on how to report the spending. Vice Ch. Barefoot made a motion to give Ch. Dalton permission to sign the contract pending attorney approval. Comm. Cain seconded. Two aye votes and motion passed.

7. Executive Session

Vice Ch. Barefoot made a motion to enter into executive session concerning personnel. Comm. Cain seconded. Two aye votes and the session begun at 3:47 p.m.

Vice Ch. Barefoot made a motion to adjourn the executive session. Comm. Cain seconded. Two aye votes and session was adjourned at 4:29 p.m. *(Copy of affidavit filed in Attachment Book #9-2)*

8. Adjournment

Comm. Cain made a motion to adjourn the meeting. Vice Ch. Barefoot seconded. Two aye votes and the meeting adjourned at 4:30 p.m.

Chairman

Assistant County Clerk
