

REGULAR MEETING OF
MAYOR AND COUNCIL
AUGUST 11, 2020

REGULAR MEETING

The regular meeting of the Council was called to order by Mayor Doug Cheek.

Present: James Dumas, Cliff Hill, Sandra Garrison, Jerry Payne and Attorney David Syfan. Absent: David Dunson.

The invocation was given by Jerry Payne.

The pledge to the flag was led by Mayor Doug Cheek.

The minutes of the last meeting were approved. (4-0)

OLD BUSINESS

1. Phone system

Chris Tucker, owner of Intelligent Networks, discussed the new phone system with the Mayor and Council. He stated that the biggest expense to implement the system is new equipment that is needed. The new system will save the town \$130.00 per month. Mayor Cheek stated that there will still have to be two internet connections. Mr. Tucker stated that there will have to be one at Town Hall and one at the fire department. James Dumas asked if the existing firewall at Town Hall would be an issue. Mr. Tucker stated that there might be an issue but it could be fixed with intervention by the current IT provider. Mayor Cheek asked about the fax line. Mr. Tucker stated that there would be two options:

1. ATA adapter that converts the digital signal to analog (the current fax machine could still be used.)
2. A completely internet based fax where faxes would be done from email or a web portal.

Motion was made by Sandra Garrison to accept the proposal from Intelligent Networks for the new phone system. Motion was seconded by James Dumas and approved. (4-0)

2. Turk Street

Billy Turk, property owner, spoke to the mayor and council regarding Turk Street. He spoke about the some of the history of Turk property. He presented a plat for the mayor and council to view. He discussed Turk St. being established as a private maintained street in 2004. He had a business in the barn with 911 address of 106 Turk St. then moved the business to 104 Turk St. several years back. A fence permit was given to property owners of 128 Turk Street. When fence was constructed it blocks access to 104 and 106 Turk St. He stated that his request is that the Town of Homer amend the present fence permit to not allow the blocking of Turk Street.

Susan Sanders, property owner at 889 Historic Homer Highway, stated that they have their own driveway and do not use Turk Street. She stated people go to her house looking for Turk St. She feels that Turk St. should be at the top drive. She stated that Billy Turk decided to close Turk Street when the Glasses moved in and advised them that they couldn't use Turk St. for their driveway. They (the Glasses) would have to make their own driveway. Therefore, she feels that Catherine Allen has the right to put a fence up on her own property. There would still be access to Mr. Turk's house through the top driveway. She stated that using the top drive to access the Mr. Turk's studio building and rental house

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would solve everyone's problems and emergency vehicles would still be able to access both properties through that drive also.

Catherine Allen, property owner at 903 Historic Homer Highway, stated they were told by Billy Turk that they were not allowed to use Turk Street. He gave a deadline of January 1, 2016. She asked that if Turk Street is a public street how could she be told that she couldn't use it. She stated that it would have had ingress and egress if it were a public drive. She feels that it is her right as the property owner, after being issued a fence permit by the town, to construct a fence and the fence be allowed to remain.

Mayor Cheek stated that he doesn't know why the town is being included in this private dispute. He asked for Attorney Syfan to elaborate more on the town's position. Mr. Syfan stated that he has asked for deeds for Turk Street and that nobody has any showing that the right of way was deeded to the town. He stated the only record to be located was in 2004 when Banks County 9-1-1 asked the town to name Turk Street for 9-1-1 purposes. The town has never maintained Turk Street and it is not a part of the municipal street system. Therefore, this is a private dispute between adjoining land owners. He stated this is not an issue for the town. He also stated the town had no reason not to issue the fence permit applied for by Kevin Glass if all the requirements were met. The fence permit would not give someone the right to block a public street that is privately maintained, but that cannot be determined by the town with the two sets of facts that have been presented by the two parties. With the facts presented there is no reason for the town to amend the fence permit as requested by Mr. Turk. It is not the town's ability to make a determination with a dispute between private land owners.

3. Water Rates

James Dumas met with Bud Crawford and Bill Powell from Georgia Rural Water regarding changing the town's water rates. Mr. Dumas explained that approximately .5 million dollars has been spent to renovate the water system in the town. The indebtedness will begin in 2021. There has to be a means to pay for the improvements that have been made. Mr. Crawford and Mr. Powell have suggested that a system called equivalent residential units be used to calculate new rates. The system enables the water user to pay their share of the cost of the town providing the water to their location based on a formula of 2.6 people in each house. There will only be one rate, at the present time this is a different rate for residential and commercial. The cost of the water will be based on the capacity that is needed at each location. Mr. Dumas has asked Mr. Powell to come to the work session on September 1st to explain this concept more in depth to the Mayor and Council. Mr. Dumas stated this is being used all over the country to set water rates in order to be fair to the customer. There will be a water use ordinance that will encompass the whole system. Rates will only have to be reviewed periodically with the cost of living factored in or linked to the CPI index.

4. Well

Mr. Dumas has spoken with Ken Bryan and the geologist regarding the well on Yonah Homer Road. They suggested that there be a video done to see what is happening inside the well. The estimated cost of the video is \$1400.00. It will be done by a company from Cornelia. Mack Garrison will be informed when this work is going to be done at the well site. Motion was made by Jerry Payne to have a video done to check the status of the well. Motion was seconded by James Dumas and approved. (3-0) Sandra Garrison abstained.

5. Mayor and Council Pay

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Sandra Garrison suggested that they move forward with setting the new pay rates. Mayor Cheek stated that this has been discussed at the August work session. Jerry Payne stated that the suggestion was Mayor receive \$150.00 per month including regular meeting and one work session and council members receive \$100.00 per month including regular meeting and one work session. Sandra Garrison made the motion to approve Mayor and Council pay, Mayor will receive \$150.00 and council will receive \$100.00 including one work session and one meeting. Jerry Payne suggested changing Ms. Garrison's motion to include a limit of 12 outside meetings per year and approved training. Ms. Garrison included Mr. Payne's suggestion in her motion. Motion was seconded by Jerry Payne and approved. (4-0)

Mayor and council pay rate change will be effective January of 2022.

6. Sewer

No decisions were made.

7. Paving

Mayor Cheek stated the two bids were not for the same thing, there was a difference in the patching quantity. Pittman Construction and Garrett Paving will rebid the patching quantity once it has been marked by Cliff Hill and Willard Ausburn.

8. Flashing speed sign

Cliff Hill discussed the solar operated, flashing speed signs needed on Evans Street and in the downtown area. He stated that the signs are about \$3000.00 each. DOT will have to permit the job. This will be discussed at the September work session.

9. Re-opening Town Hall Doors

Mayor Cheek asked if the council was ready to re-open the doors at town hall. Signage will be put on the doors that masks are recommended when entering town hall. Motion was made by James Dumas to re-open the doors effective August 12, 2020 and provide anything necessary for employee's safety. Motion was seconded by Jerry Payne and approved. (3-2

) Cliff Hill and Sandra Garrison opposed.

NEW BUSINESS

1. CARES Resolution

Attorney David Syfan discussed the CARES resolution which was developed by GMA. The CARES Act provides allocated amounts of grant money to each city in Georgia to offset COVID-19 expenses. He suggested the mayor and council might need to have a special called meeting to discuss this since the money has to be spent by September 1, 2020. Congress is wanting to give money out to all cities and counties so they could spend it to help keep the economy going and offset the economic impact of COVID-19.

Motion was made by Jerry Payne to approve the CARES resolution. Motion was seconded by Cliff Hill and approved. (4-0)

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OTHER BUSINESS

Cliff Hill stated that Jeff Banks is working on the block at the Fire Department.

Jerry Payne made the motion to re-appoint Bucky Garrison and Doug Cheek to the DDA Board with term ending August 2024. Motion was seconded by Cliff Hill and approved. (4-0)

Sandra Garrison stated that the Sunday School Celebration was postponed until September. Labor Day festival and parade have been cancelled.

Work session September 1, 2020 at 8:30 a.m.

There being no further business the meeting was adjourned.

CERTIFIED

Carol Ayers, Clerk