

PUBLIC HEARING &
REGULAR MEETING OF
MAYOR AND COUNCIL
JULY 14, 2020

BUDGET PUBLIC HEARING

Mayor Cheek asked for comments on the proposed FY2020-21 Budget.
There being no comments the public hearing was closed.

REGULAR MEETING

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

Present: James Dumas, Cliff Hill, Jerry Payne and Attorney David Syfan. Absent: Sandra Garrison and 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. (3-0)

OLD BUSINESS

1. Water Rates

Tabled until a later date.

2. Mayor & Council pay

Tabled until a later date.

3. Sewer

Mayor Cheek stated the Banks Co. Chairman of Commissioners will change January 1, 2021 and discussions regarding the sewer system will begin then.

4. Well

Mayor Cheek stated the well could possibly be online in less than a month. Water samples have been sent to Washington D.C. for testing and a few parts have been ordered.

James Dumas asked if they were going to pursue the second well location. Mayor Cheek stated there was another site on the property that would possibly work for a second well site. He also stated he would still like to get the engineers to come out to check the well on Yonah Homer to see if it could be used again. James Dumas stated Ken Bryan was going to talk to the geologist regarding the Yonah Homer well. His main concern about the well was the easement issue. Mayor Cheek stated they met with Mack Garrison and his attorney, and they are trying to work something out. Mr. Garrison is open to selling two lots on Yonah Homer at the well site.

5. Virus issues

Mayor Cheek asked for discussion regarding when to open Town Hall back up to the public. It was decided for Town Hall to remain closed until further notice.

6. Chimney Oaks Golf Course

Mayor Cheek asked Mr. Syfan about building permits for the two buildings (restroom & golf academy) at Chimney Oaks Golf Course which are not in the original PCD plan that was submitted for approval. Mr. Syfan stated he has talked to the attorney for Chimney Oaks and asked if there is anyway a representative from Chimney Oaks can present a five-year plan to be approved so this is not a problem in the future. There would

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be a plan amendment to allow them to do anything that is presented and approved. After that process is complete, building permits could be issued when applied for. He has not heard anything from Chimney Oaks attorney.

NEW BUSINESS

1. Budget 2020-21

Mayor Cheek asked for discussion on the budget 2020-21. There were no comments. Motion was made by James Dumas to approve the Budget for 2020-21. The motion was seconded by Jerry Payne and approved. (3-0)

2. Ordinance to amend regulation of the sale for consumption on the premises of beer, malt beverages and wine, to amend the ordinance for the regulation of the sale for consumption on the premises of distilled spirits and to amend the ordinance for the regulation of package sales of malt beverages, beer, wine within the Town of Homer, Georgia; to amend said ordinances to allow distilled spirits; to acknowledge the results of the Special Referendum held by the Town of Homer, Georgia on June 9, 2020 regarding the sale of alcoholic beverages, and for other purposes.

Attorney David Syfan discussed the abovementioned Ordinance stating that on the June 9, 2020 referendum the voters approved the sale of distilled spirits, the sale of distilled spirits and beer and wine on Sundays, and package sale of beer and wine on Sundays. Mr. Syfan stated the Town of Homer presently has three different alcohol ordinances that are not totally consistent with each other. He drew up an ordinance to amend all three ordinances to allow Sunday alcohol sales. It allows sales of distilled spirits and beer and wine by the drink on Sundays beginning at 11:00 a.m. until 12:00 midnight, and it also allows package sale of only beer and wine on Sundays from 12:30 p.m. until 11:30 p.m. per the statute. The ordinance will amend the three ordinances to be consistent with the referendum that passed on June 9, 2020. The attorney suggested amending and adopting a single unified alcoholic beverage ordinance before the end of the year in order to clear up all the inconsistencies. James Dumas made the motion to accept the modification of the ordinance. Motion was seconded by Cliff Hill and approved. (3-0) Mayor and council gave Mr. Syfan the approval to combine the three existing alcohol ordinances into one ordinance to clear up any inconsistencies.

3. Modification to GEFA Loans

Attorney David Syfan discussed the modification to GEFA Loans which is to exempt payments of interest from July 1, 2020 until January 1, 2021. Motion was made by James Dumas to approve the modification to GEFA Loans. The motion was seconded by Jerry Payne and approved. (3-0)

OTHER BUSINESS

1. Turk Street

Mayor Cheek read a letter from Billy Turk regarding Turk Street. He then asked Town Attorney, David Syfan what interest the town would have in this matter since the street is not a town-maintained street. Mr. Syfan stated Turk Street would be a public street that is privately maintained. He stated the dispute would be a private dispute between property owners because it is not a town-maintained street and the town doesn't own the street. He also stated the town would not have anything to do with assigning 911 numbers, that would be a Banks County issue.

Lisa and Raymond Welborn, residents of 104 Turk Street, were present to discuss the Turk Street issue. Ms. Welborn stated on April 14, 2020 she had a conversation with Mr. and Ms. Glass and Billy Turk. On Saturday,

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she saw Mr. and Ms. Glass and another man working around the mailbox area of 104 Turk Street. When she realized they were putting up posts and placing a fence that was going to block their 911 address, she asked what they were doing. Ms. Glass replied they were doing a landscaping project. She then asked if they were blocking the drive. Mr. Glass told her the town had given them permission. Ms. Welborn stated there would be a problem with emergency vehicles getting to their property if the drive was blocked. She stated on the same day they had moved their mailbox also. Another concern she has is that she has been told that it could take a year if they must resolve this civically and that could be a year that their 911 address will be blocked. She is concerned this could be a potential problem if emergency services were needed during that time period. Mayor Cheek asked how they got to their house at the present time. She stated they have a drive off of Historic Homer Highway, that goes across Paula Bond's property, which they use to get to their house. Ms. Welborn stated she doesn't want to have to change her address. Mr. Syfan stated this is a dispute between private property owners. He suggested that the town send a letter to Mr. and Ms. Glass saying no employee of the town has ever authorized Turk Street to be closed. Ms. Welborn asked the Mayor and council to acknowledge that Turk Street is a public street that it is not maintained by the Town of Homer and that a public street could not be blocked. She also stated that there is no way for a fire truck to be able to enter the drive to their property from Historic Homer Highway. Mayor Cheek asked if a public street that is privately owned could be closed. Mr. Syfan stated it could not be closed without the consent of adjoining property owners who also have an interest in the public street. Town clerk, Carol Ayers, stated Mr. Glass did obtain a landscape fence permit in April but there is nothing on the permit application stating the fence is going to block Turk Street. Mayor Cheek stated the fence was authorized by the town, but the town did not authorize the closure of Turk Street with the fence. An email will be sent to Billy Turk by Mr. Syfan stating the Town of Homer did not authorize the closure of Turk Street.

2. Phone system quote

A quote was submitted from Intelligence Networks for \$250.00 Annual PBX License, phone system hardware \$3,080.12 and the monthly fee will be \$161.00. Mayor Cheek will talk to Chris Tucker regarding some questions he has regarding the new phone system and Windstream regarding the internet. No decision was made.

3. Senate Bill 359

Mr. Syfan stated the General Assembly passed Senate Bill 359 which provides for some COVID protection/legal claims due to COVID-19 exposure. It would include putting certain language on receipts that were given to Town Hall customers which would provide legal protection to the town. Also, certain warnings could be posted on the front doors at town hall stating they assume the risk of COVID exposure if they enter the building. There is a waiver that would need to be signed for things like council meetings and any other town sponsored events. This would provide legal protection for the town. The Senate Bill has not been signed by the Governor at this time.

4. Faye Reynolds – Code Enforcement Board

Motion was made by Jerry Payne to reappoint Faye Reynolds to the Code Enforcement Board. Motion was seconded by James Dumas and approved. (3-0)

There being no further business the meeting was adjourned.

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ATTEST:

Doug Cheek, Mayor

Tracey King, Assistant Clerk