

TOWN OF HOMER  
REGULAR MEETING MINUTES  
APRIL 11, 2023

**REGULAR MEETING**

*The meeting was called to order by Mayor Doug Cheek.*

Present were Sandra Garrison, James Dumas, Cliff Hill, David Dunson and David Syfan.

The invocation was given by James Dumas.

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

Motion was made by Sandra Garrison to approve the minutes from the March 14, 2023 meeting. Motion was seconded by Cliff Hill and approved. (5-0)

**Well Update**

James Dumas stated the corrective action plan has been approved by EPD however the treatment system must be approved by the division prior to initiating construction. Plans and specifications for treatment modifications must be prepared and submitted by a GA Licensed Engineer and include details of waste disposal, water quality sampling requirement, operation & maintenance of the system and any other pertinent information that will allow the division to make an accurate assessment of the modification. Failure to obtain approval before making modifications to the system will lead to additional enforcement action which may include monetary penalties. EMI who are the operators of the water system and Council will need to discuss putting the well back in service.

**Round-About**

Sandra Garrison stated she received a letter (as property owner) from GA DOT stating there would be no Pre-Acquisition Meeting.

**Street Name Change**

Discussed the request for street name change from Martin Manor Circle to Water Oak Lane. Virginia Erbele, property owner, stated they have problems with deliveries being sent to Martin Dr. Mayor Cheek stated he didn't think changing the name would solve the problem due to (after checking) GPS not showing the street. It looks like it is a problem with the mapping GPS not with the name. Sandra Garrison made the motion to change the name from Martin Manor Circle to Water Oak Lane. Motion was seconded by James Dumas and approved (4-1)

**Penalties Ordinance for Violation of Ordinances**

Mr. Syfan discussed the Penalties Ordinance for Violation of Ordinances. This ordinance allows increased penalties for ordinance violations. The charter will be amended to allow to charge up to \$1000.00 fine or up to 180 days community service. He explained the process to adopt this ordinance. The first adoption was March 14, 2023. This is the second adoption. The three legal notices have ran in the newspaper. The Home Rule ordinance has to be filed with the Georgia Secretary of State and the Clerk of the Banks County Superior Court. Motion was made by Sandra Garrison to approve the first adoption of the Penalties Ordinance for Violation of Ordinances. Motion was seconded by Cliff Hill and approved. (5-0)

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**DDA REPORT**

Kelly Jones stated that the Easter Egg Hunt was a great success. The Atlanta Journal had the egg hunt as the front page feature. April 22nd will be a cleanup day at the park and city hall. Farmers Market will begin 3<sup>rd</sup> Saturday in May and continue every 3<sup>rd</sup> Saturday until fall. The Holiday Festival is being planned and sponsors are being sought.

Attorney David Syfan gave a brief report on the current status of the Banks County Superior Court case of Banks County Golf, LLC et al, vs Town of Homer, et al, being Civil Action file number: 22CV147. Mr. Syfan reported that the Town of Homer had filed a motion to strike the complaint based upon the Anti-Strategic Lawsuit Against Public Participation (Anti-SLAP) statute and a motion to dismiss based upon the complaint failing to state a claim. The parties have briefed the motions and Judge Primm held a hearing for oral argument by the attorneys on March 22, 2023 on the motions. Further action regarding the case is stayed until Judge Primm rules upon the motions. Mr. Syfan indicated that due to the heavy schedule of the court and the complexities of the issues, that he thought that it will take at least 60 days for Judge Primm to issue a written order on the motions. Finally, Mr. Syfan indicated that in his opinion, that it is likely that either side will appeal the decision of Judge Primm.

There being no further business the meeting was adjourned.

Respectfully submitted by Carol Ayers