

The Banks County Board of Commissioners held their regular meeting on September 8, 2020 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present

Chairman Charles Turk
Vice Chairman Danny Maxwell
Commissioner David Duckett
Commissioner Sammy Reece

Staff Present

County Clerk Jenni Gailey
Assistant County Clerk Erin Decker
Human Resource Officer Arlene Ivey
Finance Officer Randy Failyer
County Attorney Randall Frost

Media Present

None

1. Call to Order

Chairman Turk called the meeting to order.

2. Approval of Agenda

Motion to approve the agenda: Danny Maxwell
Second: David Duckett
Vote: 4:0
All aye votes and the motion passed.

3. Chairman's Report

Chairman Turk reported the following:

- E911 answered 4,053 total calls. Fire/EMS – 295 calls, Sheriff's Office – 3,393 calls, Other agency calls – 365.
- Received Cares Act that was previously applied for in the amount of \$568,588.
- Moved in equipment to start resurfacing Bellamy, Sample Scales, Garland White and Mt. View Road.
- Started installation of the sewer line at the Hwy 59 Roundabout today.

4. Pledge to the American Flag

Chairman Turk led the Pledge to the American Flag.

5. Approval of Invoices

Motion to approve the invoices: Sammy Reece
Second: Charles Turk
Vote: 4:0
All aye votes and the motion passed.

6. Approval of Minutes – 8/11, 8/25

Motion to approve the minutes: Danny Maxwell

Second: David Duckett

Vote: 4:0

All aye votes and the motion passed.

7. Planning Commission Recommendations:

a. CU-20-08 – Jeremy Harris – A conditional use application to allow an abattoir facility to be located at 1554 McCoy Bridge Rd, Homer, GA on Tax Map/Parcel #B52/122

Chairman Turk closed the meeting and County Attorney Randall Frost opened the public hearing.

Atty. Frost stated this was a conditional use application to allow an abattoir facility to be located at 1554 McCoy Bridge Road, Homer, GA on Tax Map/Parcel #B52/122. Code Enforcement/Zoning Officer Paul Ruark stated the Planning Commission recommended approval.

The following spoke in favor of the application:

Jeremy & Jill Harris – 1554 McCoy Bridge Road, Homer, GA – Stated he and his wife were the applicants and asking permission to operate an abattoir facility on their farm. He stated the plan of operation for the facility was not a large commercialized slaughter facility. He had planned a 4,000 square foot building with a 1,000 sq. ft. covered porch. Phase I and Phase II would include a retail space with a 20 x 20 sales floor with hours of operation only being Friday and Saturday 10 a.m. – 5 p.m. and an abattoir facility.

The estimated amount of traffic for Friday and Saturday would be 50 vehicles per day. No meats would be shipped in or out of the facility in 18-Wheelers. They would be selling their own beef, pork and goat. Any chicken that would be sold for retail would come from the Jefferson store that would be delivered by a small box truck.

The times for drop off for custom processing would be Monday – Thursday from 8:00 a.m. – 4:00 p.m. and the estimated traffic for custom processing would be 14 – 20 vehicles and he would process 7 – 10 animals per week. Mr. Harris also stated the USDA or a Georgia state inspector would be on site to inspect the health and quality of the retail meats.

All washdown water would run into a septic system that would be specifically designed for the facility. There would also be blood drains and sediment cleanouts in each drain. He would have a 1,500-gallon grease trap and the offal would be bagged daily and transported to a waste facility weekly.

Mr. Harris stated he was trying to take every precaution they could to not negatively affect the environment or community. The goal he and his wife had was a safe, healthy and clean abattoir facility that would enable them to provide local meats to their Jefferson location and also serve local farmers with custom processing. This was a need within our community and COVID-19 had changed the face of the agricultural environment.

Mr. Harris further stated there was a rumor that they lived in a subdivision. He stated his closest neighbor was .6 miles away. The facility would be 280 ft. off the road.

Mark Ledford – 3658 Hwy 59 – Commerce, GA – Stated the abattoir was a good thing for Banks County and the farmers. There was nothing like this in Banks County and it would be much nicer than anywhere that he has been to in Jackson County. He further stated there was a major problem in getting beef slaughtered. There was a weight list to get anything in the door. He didn't see any difference in an abattoir than a chicken house and the smell would be much better.

The following spoke in opposition of the application:

Mark Payne - 940 McCoy Bridge Road, Homer – Stated he was in opposition because when he bought his property in 2006, the plat that was recorded in the CSC Office stated the property was within a subdivision. He also stated the property was zoned ARR but he didn't see an abattoir as a use within the ARR District.

Mr. Payne stated that he didn't think an adequate site plan was provided that showed where the load and unload and parking would take place. Traffic was also a concern because the road was not wide enough for two cars and didn't have the proper signage and markings on the road.

The wastewater and septic system also was close to the Hudson River and this type of facility had to have EPA permits. He stated he wasn't against farming and knew what Mr. Harris was trying to do and wasn't against that, but didn't agree with the location.

The fact that it's a subdivision even though its zoned ARR and has been treated as a subdivision, goes to show it was meant to be a residential area and that was the way he felt it should be kept.

Atty. Frost closed the public hearing and Chairman Turk opened the meeting.

Vice Ch. Maxwell asked Mr. Harris if he had been in contact with EPD? Mr. Harris stated he personally had not, but the construction company he was using had drawn up the preliminary plans that were submitted to Mr. Ruark's Office. He stated the septic system for the abattoir doesn't go as far down toward the river as the septic system for his house.

Ch. Turk asked where it would be located on the property? Mr. Harris stated it would be to the left of his driveway and 280 ft. off McCoy Bridge Road. The abattoir would be attached to his barn where he currently housed animals. He also stated he would not hold some else's animals for longer than 24 hours.

Mr. Harris further stated the farm was purchased in 2018 as a foreclosure. He and his wife had remodeled the home and at a recent appraisal \$300,000 had been added to the worth of the farm. When the abattoir was completed that would add another \$450,000 to the property value, according to his banker.

Vice Ch. Maxwell stated he saw no reason to turn down the application because two parcels in that area where in conservation use and zoned ARR.

Motion to approve the application: Danny Maxwell
Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of Resolution filed in Attachment to Minute Book 10-3)

b. CU-20-09 – Genee Moore – A conditional use application to allow the development of a multiple treehouse retreat on Honey Hills Rd, Alto, GA on Tax Map/Parcel #B14/036.

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

Atty. Frost stated the applicant had withdrawn the application. He stated before the application could be brought back before the Commissioners, they would have to wait six months and apply and start the entire process over.

Code Enforcement Officer Paul Ruark read the following code section:

Section 1605-A - Proposals for modifications relating to particular property.

Authority to file applications. The board of commissioners, the planning commission or any property owner may file an application for an amendment of the official zoning map of a zoning ordinance to rezone a particular parcel or parcels, for a conditional use permit under a land use ordinance relating to a particular parcel, or for a variance under any land use ordinance which provides for variances; provided, however, that in the event of (i) final action by the board of commissioners to deny any such application, or (ii) the withdrawal of such application after any public hearing before either the planning commission or board of commissioners has been commenced relating thereto, then the same property may not again be considered for rezoning, conditional use permit or variance, as the case may be, under the applicable land use ordinance, and an application relating thereto may not be again filed, until the expiration of six months following the defeat of the application by the board of commissioners or the withdrawal, as the case may be.

8. Public Hearing: CU-20-06 – Susan Sorrows – A conditional use application to allow a recovery center for women with drug and alcohol addiction. The property is located at 111 Jack Dr., Lula, GA on approximately 4.67 acres on Tax Map/Parcel#B16/024.

Atty. Frost stated the public hearing was still in session and that the public hearing would be a little different than others because GA Law required that there be at least a minimal of a 6-month period until the next public hearing was held and at the end of that public hearing the Commissioners would vote.

Code Enforcement Officer Ruark stated the Planning Commission recommended approval.

The following spoke in favor of the application:

Susan Sorrows – 115 Jack Drive, Lula, GA – Stated she represented Community Recovery Center which was a 12-Step Christian based program for drug and alcohol addiction that would house 6 women. The women would be required to have random drug testing, work 32 hours per week, attend a 12 Step meeting every day, go to Avita for addiction counseling and finish their education. She stated the women coming into the recovery center had to be clean and had completed a drug detox. She stated Banks County does not have a recovery house or even AA Meetings for addictions.

Bradley & Emily Sullens – 111 Jack Drive – Stated the requirements for the clients of the Community Recovery Center and that they would also be working with Banks County Sheriff Office, have security cameras and a fence surrounding the property. Furthermore, they presented a power point that showed pictures of adequate parking for the facility. They said the real concern for the children of the area was not the recovery center but the sex offenders that lived in the area.

The following spoke in opposition of the application:

Gideon Watkins – 123 Jack Drive, Lula, GA – Stated he was in opposition of the center because he had children and was concerned for their safety. He also stated Jack Drive was a one lane dirt road not made for a lot of traffic and he was also concerned about his property value decreasing.

Carol Watkins – 120 Jack Drive, Lula, GA - Stated only 10% of people in recovery was successful. She further stated the laser fence they had couldn't even keep in their dogs so how would it keep in people.

Nicole Crisman – 121 Jack Drive, Lula, GA – Stated she had worked in detox facilities and the proposed center was not a treatment facility, but rather a half-way house. She stated it would not be a 24-hour staffed facility, the drug test that would be used would not pick up methadone usage. She further stated when someone using methadone was drug tested, it would not be picked up in a drug test along with any other opioid being used.

Rhonda Parson – 176 Oak Drive, Maysville, GA - Stated she was the daughter of Dale Herbert, who was an adjoining property owner to the property. She further stated she believed a recovery house should be required to have a minimum of 20 acres since by definition of the zoning code it was classified as a lodging house. She stated a residential area was not the proper place for the facility

Dale Herbert – 3737 Hwy. 51S, Lula, GA – Stated he appreciated the Commissioners and that he had two grandchildren that were the future of Banks County and he wanted to keep them safe.

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

Ch. Turk asked what certificates or qualifications do you have to open the facility? Ms. Sorrows stated after it goes through Planning and Zoning then it would go before GAR and THOR. Both of these agencies monitor rehab facilities in Georgia. They would also have a CAC Counselor available. She stated no one would be allowed to use methadone and the only medication they would be allowed to take was ibuprofen.

Ch. Turk asked how the clients would get to work and what if they all worked in different places? Ms. Sorrows stated the staff would take the clients to work and they would try to get everyone working in the same place or close to each other. Also, they would be allowed their cars after three months at the facility.

Ch. Turk asked who controls the money for the clients? Ms. Sorrows stated the clients open a bank account and the staff had access to the account and monthly monitor their spending to insure they have a savings when they would leave the program.

Ch. Turk asked what was the procedure if someone got sick, for instance, with COVID-19? Ms. Sorrows stated they all had to be tested for COVID-19 before they started the program. If someone did have COVID-19 they would get quarantined for up to 14 days at the rehab in their own bedroom. Ch. Turk asked what if they had to be transported by a med unit and staff had to travel with them then who would be working at the center. Ms. Sorrows stated a case manager would still be at the facility and they also would have volunteers at the center from time to time.

Ch. Turk asked if a client got behind in payment, where did they go? She stated they would go back to their home. If their home was not willing to take them in then they would be taken to a shelter called Advantage in Athens, GA.

Ch. Turk stated that Ms. Sorrows said they would not receive any drug other than ibuprofen but in the information that was given it states in the event a resident needs to receive a narcotic or another habit forming drug the program director would be notified but on the next page it states there would be no habit forming or mind altering drugs? Ms. Sorrows stated that in this case it was talking about going to the hospital and have to have surgery. She stated the only drugs that were allowed to be taken at the facility were anti-depressants and ibuprofen.

Vice Ch. Maxwell asked if they were allowed visitation? Ms. Sorrows stated they do not have visitors but they were allowed to go visit their family after 40 days. When they come back from visits, they get drug tested immediately.

Vice Ch. Maxwell asked what happens when the center accepts some one with Diabetes? Ms. Sorrows stated they do not accept anyone with a dual diagnosis.

9. Pictometry International Corporation Agreement

Randy Failyer Finance Officer stated this was approved in the FY2021 budget but at that time there was no contract. He stated he needed authorization for Ch. Turk to sign the contract. This contract was for area imaging that would be used for 911/GIS.

Motion to authorize Ch. Turk to sign the contract: Sammy Reece

Second: Danny Maxwell

Vote: 4:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minute Book 10-3)

10. Adjournment

Motion to adjourn the meeting: Charles Turk

Second: Danny Maxwell

Vote: 4:0

All aye votes and the meeting was adjourned at 7:40 p.m.

Chairman

Assistant County Clerk
