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December 20, 2018

Gordon County Board of Commissioners
201 North Wall Street
Calhoun, GA 30701
ATTN: Jim Ledbetter

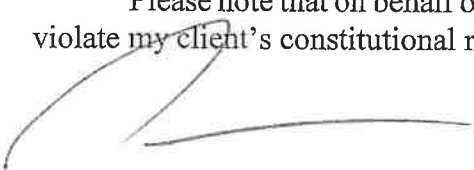
VIA HAND DELIVERY

Re: Application Z18-22 Conditional Use Application for Dry Litter Poultry Operation by John Ross and Brandon Ross

Dear Jim:

I wanted to follow up on our conversation regarding the above referenced action. After the meeting on November 20, 2018 wherein the Gordon County Board of Commissioners, hereinafter "Board", failed to make an affirmative determination as to whether the pending application would be approved or denied you and I communicated and discussed the various options available. After some research it appears that the case law is clear concerning the ability of the Board to take the matter back up and affirmatively dispose of the same if they are so inclined to do so. If they do not want to do so then I understand their position as well but until I have an official answer one way or the other I do not feel that I can go further for my clients regarding either a petition for mandamus or certiorari as it does not seem I have exhausted my administrative remedies. Based on our phone conversation earlier today please consider this my official request to the Board to place an appearance by me on the work session scheduled for Tuesday, January 8, 2019. I understand the work session meeting will start at 5 p.m. and I will be there if the Board agrees to place this on the agenda. In the event the Board determines that they will not place this on the agenda please notify me of that denial at your earliest convenience.

Please note that on behalf of my clients that I am asserting that the actions of the Board could possibly violate my client's constitutional rights to equal protection and due process.



Terry Brumlow
Attorney at Law

PUBLIC HEARING FOR ZONING

Commissioner Cunningham made a motion to open the public hearing for zoning. Commissioner Steward seconded the motion and Commissioners Cunningham, Steward, and Sexton voted aye. Motion passed.

APPLICATION #Z18-22 JOHN ROSS AND BRANDON ROSS REQUEST TO REZONE FROM A-1 TO CONDITIONAL USE

Administrator Ledbetter advised that this is application #Z18-22 John and Brandon Ross' request to rezone from A-1 to Conditional Use. This is for rezoning 90.34 acres to build six chicken houses.

Mr. Terry Brumlow came before the Board representing the applicant and explained the application for rezoning and that the Ross family already had poultry houses nearby. The Ross son, Brandon, wants to get into the business using new techniques, such as, they store the dead chickens in freezers that are then hauled off the property.

Mr. Marvin Blalock appeared before the Board in opposition to the rezoning. He has a honey business and his concern is for the bees that will be wiped out due to the ammonia in the air that disorients the bees causing them to be unable to return to the hive. Charlene Hendrix spoke in opposition, and Tina Collins, daughter of the bee keeper wants to continue the business and expand it for her livelihood. Steve Bradshaw spoke in opposition stating that the chicken houses will wreck future plans for his children and grandchildren. Anthony Dutton is opposed and his concerns are with property values. James Youngblood spoke and stated that Tyson, Pilgrims, or whomever, controls how the chickens are raised, the grower does not own the chickens and has no control of how they are raised. Betty Payne is opposed and stated that Gordon County has too many chicken houses and not enough honey bees. Jacob Williams, with Georgia Poultry Equipment, spoke in support of the Ross' request for rezoning and building the chicken houses. John Ross and Brandon Ross, the applicants, spoke and explained how the business will be run and asked that the Board take all of this into consideration.

Administrator Ledbetter asked that the minutes incorporate pages 7 through 21 of the material in the Board's packet and any material that would be in the record from the Planning Commission as part of the record of this meeting. Chairman Hood asked if the application meets the most current ordinance with the new more strict stipulations that were passed, and Administrator Ledbetter advised that it does.

Following questions and further discussions with the applicants and clarifications from some of the people who spoke in opposition, Chairman Hood asked if there is a motion for Application #Z18-22. Commissioner Cunningham made a motion to approve the rezoning request. No one seconded the motion and motion fails due to lack of a second.

Commissioner Sexton made a motion to close the public hearing. Commissioner Cunningham seconded and all voted aye.

CONSIDERATION OF UNFINISHED BUSINESS**SECOND READING OF THE EMERGENCY MANAGEMENT ORDINANCE**

Administrator Ledbetter advised that this is the second reading of the Emergency Management Ordinance. This ordinance has been worked on by the Director of Emergency Management, Courtney Taylor, this prevents the County from having to do a resolution every several years, this ordinance makes it become a permanent ordinance of Gordon County. This is for