

The Banks County Board of Commissioners held a hearing to consider alleged county ordinance violations by Co Co Health Spa on March 12, 2007 at 3:30 p.m. in the conference room of the Banks County Courthouse with all members present. Also present was county attorney Randall Frost, business owner/applicant Chom Ray and Ms. Ray's attorney Doug Sexton. Chairman Gene Hart opened the hearing.

Major Kyle Bryant stated the Sheriff's Dept had received complaints of prostitution and masturbation for hire by Co Co Health Spa. An undercover agent was sent into the establishment with a video recorder and paid \$40 to enter. Once he was in a room, an employee came in and propositioned the officer for full blown sex for \$160 which the officer provided with marked Sheriff's office money. At that point after receiving the money the employee went outside. When she came back in the officer told her that he would not go through with the proposition and the employee gave him back the money. Sheriff Chapman, Major Bryant and Deputy Joey Chapman entered the establishment and shut it down, took the license and made the arrest. Criminal histories found Ms. Ray and the employee, Jean Ann Medina had been charged and convicted in other jurisdictions for prostitution in the last ten years. Ms. Ray stated Ms. Medina had been employed only 20 minutes and that she did not know that prostitution had been offered because she was in the next room. Major Bryant stated Ms. Ray yelled something in Korean to warn the others present who ran out the back door when she yelled. He also stated they found no masseuse license in the establishment for the owner or employees which is required by law. On the business license application which Ms. Ray signed, she stated she had no prior convictions of any crimes. As previously stated, the background investigation had shown a prostitution conviction within the last ten years. Attorney Frost stated under the spa/massage ordinance there is a duty of the applicant and all masseuse employees to have a license and to produce a license to the county. He further stated no matter what the commission board does today there is still a minimum requirement that Ms. Chom and every masseuse produce a license. Ms. Chom stated if she could keep her business license, she would produce the masseuse license.

Ch. Hart stated based on the evidence presented at this time, he recommended suspension of the license through December 31, 2007 at which time Ms. Ray may reapply for a new license and must go through the application process which requires a background check and state approved license for each masseuse employed. Attorney Doug Sexton requested probation pending the outcome of the criminal case against Ms. Ray. Comm. Barefoot stated he concurred with Ch. Hart's recommendation.

Comm. Barefoot made a motion to suspend the license through December 31, 2007 with the requirement that she reapply should she choose to reopen. Comm. Cain seconded. Ch. Hart stated she must meet all requirements at that time. Two aye votes and motion carried.

Comm. Cain made a motion to adjourn. Comm. Barefoot seconded. Two aye votes and motion carried. The hearing ended at 4:08 p.m.

Chairman

Clerk
