

**Lamar County Board of Commissioners**  
**Regular Business Meeting**  
**July 18<sup>th</sup>, 2017**

Present for the meeting were Chairman Glass, Vice-Chairman Horton, Commissioner Heiney, Commissioner Thrash, County Administrator Zellner, and County Clerk Davidson. Commissioner Traylor conferenced attended the meeting via phone conference. County Attorney Mayfield was absent for the meeting.

**I. Call to Order**

Chairman Glass called the meeting to order at approximately 7:02 p.m.

**II. Pledge of Allegiance and Invocation**

Everyone said the pledge of Allegiance. Phillip Breedlove from Breedlove's Funeral Home gave the invocation.

**Recess for Public Hearing**

Vice-Chairman Horton made a motion to recess for a Public Hearing regarding a Special Exception App # 2017-01 by Verizon Wireless. Commissioner Heiney seconded the motion. The motion passed unanimously.

The board reconvened the regular meeting at approximately 7:10 p.m.

**III. Agenda Approval**

Commissioner Thrash made a motion to approve the agenda and Commissioner Traylor seconded the motion. The motion passed unanimously.

**IV. Minutes Approval**

Commissioner Thrash made a motion to approve the following five sets of minutes and Vice-Chairman Horton seconded the motion. The motion passed unanimously.

- i. Budget Workshop Meeting-June 13<sup>th</sup>, 2017
- ii. Budget Workshop Meeting-June 15<sup>th</sup>, 2017
- iii. Workshop Meeting-June 15<sup>th</sup>, 2017
- iv. Public Hearing June 20<sup>th</sup>, 2017
- v. Regular Business Meeting June 20<sup>th</sup>, 2017

**V. Board Appointments**

Commissioner Thrash made a motion to table the appointment to the McIntosh Trail Community Service Board until the August meeting. Commissioner Traylor seconded the motion. The motion passed unanimously.

**VI. Special Exception App. # 2017-01**

Vice-Chairman Horton made a motion to approve the Special Exception App. # 2017-01 and Commissioner Heiney seconded the motion. The motion passed unanimously.

**VII. Ordinance 2017-02 Animal Control**

Commissioner Thrash recommended that the board push back and get what they need to put an Animal Control Ordinance into place. Commissioner Traylor made a motion to table the Animal Control Ordinance for major changes and Commissioner Thrash seconded the motion. The vote passed unanimously. Commissioner Traylor amended the motion to table the Animal Control Ordinance for 60 days and Commissioner Thrash seconded the motion. The motion to table the Animal Control Ordinance passed unanimously.

**VIII. Ordinance 2017-03 Right of Way-Locations  
Ordinance 2017-04 Right of Way-Accommodations**

County Administrator Zellner explained that the Right of Way Ordinances will allow a fee to be charged for water, sewer, and fiber optics for the usage of the County Right of Ways. There are two separate Ordinances that will need to be approved. One will require utilities to provide as-built plans to the County upon completion of their installation and the second authorizes the County to assess a fee for utilities using county roads. This Ordinance adopts the utility accommodation policy of the State DOT and makes it that of the County tailoring it to the County's specific needs. There is also a Fee schedule that will become a part of the Ordinance. The board discussed how the Fee Schedule would be incorporated into the Right of Way Ordinances. Former Commissioner Baker, who was present for the meeting, interjected that the fee schedule is way too low. Mr. Baker is a former Real Estate Lawyer with Norfolk Southern Railroad. Commissioner Thrash made a motion to approve the first reading of Ordinance 2017-03 Right of Way-Locations and Ordinance 2017-04 Right of Way-Accommodations noting that advice should be attained from the County Attorney on how to add the fee schedules to the Ordinances. Commissioner Heiney seconded the motion. The motion passed unanimously.

**IX. Ordinance 2017-05 Media Permit**

County Administrator Zellner explained that the Media Permit Ordinance comes in the light of the recent Filming in the City of Barnesville and on the outskirts of Lamar County. There

were complaints regarding a Fire Hose that was used to fill up a pond. The hose was laid across the road without flags or security and was unsafe for the citizens of Lamar County. The City of Barnesville has an Ordinance for Media and a Media Permit for Lamar County will regulate fees in the County. The Ordinance states that no access to someone's property will be permissible without permission and there is a Hold Harmless clause. County Administrator Zellner stated that he would consult with the City of Barnesville as to changes that need to be made to the Ordinance prior to the 2<sup>nd</sup> reading of the Media Ordinance. The board requested feedback prior the next meeting. Commissioner Heiney made a motion to approve the first reading of Ordinance 2017-05 Media Permit and Vice-Chairman Horton seconded the motion. The motion passed unanimously.

**X. Burial Disturbance Permit-Brenda and Mike Ross**

1. Brenda Ross of 386 Ingram Road stated that she requested to speak tonight because she wasn't allowed to speak at the July 13<sup>th</sup>, 2017 meeting. Mrs. Ross thanked Commissioner Heiney and Commissioner Thrash for voting to save the descendants in the cemetery. Mrs. Ross thanked the citizens of Lamar County. Mrs. Ross stated that she speaks for the voiceless and especially the children. Mrs. Ross said that she taught school for 33 years and she got to be around a lot of little kids. She said that up there in the cemetery there are infants that will not be found and a lot of children that will not be found and she is trying to speak for them. Mrs. Ross read a summary from the Lamar Institute. The Lamar Institute was involved in the Wadsworth Cemetery Project. "The site was important to the history of Lamar County, Georgia and the Region in general. The GBR survey project at the Wadsworth Cemetery undertaken by the Lamar Institute for the City of Barnesville created a body of desecration that will enable wise stewardship, of this important, historical, cultural, natural and spiritual site and helped with its long term preservation. Super imposed maps of data with modern maps to determine where marks likely to be buried located across the cemetery. As with all GPR data, anomalies cannot be verified as being raised without scientific archaeological investigation. Traditionally not an option chosen for the cemetery when it is not facing re-location. Some anomalies marked as potential graves are not and some of them marked may not be graves, particularly with infant burials. The GPR data and its analysis are for highly trained expertise archeologist. It provides for the most comprehensive educational determination where unmarked burials are without archeological explanation. If the City of Barnesville, opts to exhume these remains, then the GPR data will serve as valuable aid in that process." Mrs. Ross said that she did want to thank the people that tried to help them especially the citizens that stood up for them. Mrs. Ross stated that she did not know what to say about going forward with this. Mrs. Ross stated that she is just hurt.
2. Michael Ross of 386 Ingram Road said, I can't thank you enough Commissioner Heiney and Commissioner Thrash for what you did and for what you did yesterday. I support you 100 percent. You go girl. Election Day is coming. We need good people up here. I think the citizens of Lamar County are aware of a lot of things right now. I think there will be a change."

## **XI. Administrator's Report**

County Administrator Zellner gave the following report for the Month of June.

### **1. Accounts Receivable & Payable:**

- i. Received the Local Option Sales Tax (LOST) distribution of \$76,875.53.
- ii. Received the Special Local Option Sales Tax (SPLOST) distribution of \$137,275.69.
- iii. Processed 147 General Fund Checks for a total General Fund Receipt of \$334,200.76.
- iv. Processed 9 SPLOST checks for a total of \$87,152.07 which includes \$56,374.14 for the City of Barnesville's SPLOST portion.
- v. Total checks for all Accounts: 156 for \$421,352.83.
- vi. Processed 1 Purchase Order for Month of June.

### **2. Public Works**

- i. Completed 100 Work Orders for a total cost of \$72,385.54.
- ii. Included in the Work Order total:
  1. Scraped 5.6 miles of roads, with 123 man hours for a total cost of \$11,293.
  2. Completed 21 man-hours repairing potholes for a total cost of \$1,377.17.
  3. Worked 91 man hours and serviced 35 vehicles for a total cost for parts of \$9,838.87.
  4. Completed 102 man-hours repairing potholes for a total cost of \$6,293.57.
  5. Worked 37 man-hours on culverts with a total cost of \$3,651.91.
  6. Worked 473 man-hours cutting right of way for a total cost of \$32,837.96.
  7. Put out gravel on roads with 51 man-hours for a total cost of \$5057.18.
  8. Damaged signs with 7 man-hours \$495.33 and 13 man-hours on tree limbs for a total cost of \$443.55.

### **3. Planning and Zoning**

- i. Issued 0 Commercial Occupational Tax Licenses.
- i. Home Occupational Tax Licenses Issued:
  1. 3 New.
  2. 15 Renewals.
  3. 9 Non-Renewals.
  4. Issued 47 Walk-Ins and 72 called Zoning.
  5. 1 Special Exception by Verizon Wireless.

### **4. Code Enforcement**

- i. Completed 1 Code Compliance Inspection.

- ii. Completed 3 Code Enforcement Issue/Pending(1099 Turner Bridge Road, 162 Liz Acres Rd and 141 Liz Acres Rd for Nuisance)
- iii. Completed 1 Code Enforcement Issues Resolved-Nipper Case
- iv. Logged 1300 miles using 85.1 gallons of gasoline.

#### 5. Building Permits and Inspections

- i. Issued 2 Site Built Home.
- ii. Issued 1 Electrical Permit.
- iii. Issued 1 HVAC Permit.
- iv. Issued 5 Accessory Bldgs. (Barnes, etc.) Permits.
- v. Issued 3 Repair/Remodel Permits.
- vi. Issued 1 Pole Barn.
- vii. Issued 1 Guest House
- viii. Issued 48 Building Inspections
- ix. Completed 4 Consultations
- x. Completed 6 Sign Work Orders
- xi. Certificate of Occupancy: 2 Single Family Residences

#### 6. Animal Control

- i. 26 Animal Control Work Orders.
- ii. 2 Dead Deer picked up.
- iii. 11 Dogs Picked Up.
- iv. 3 Cats Picked Up.
- v. 1 Goat Picked Up.
- vi. 2 Dogs Euthanized.
- vii. 3 Cats Euthanized.
- viii. Logged 1750 Miles using 119 Gallons of Gasoline.

#### 7. Senior Center

- i. 2 Facility Rentals-\$629.00.
- ii. 744 Congregate Meals served \$638.69
- iii. 897 Home Delivered Meals delivered \$204.00
- iv. Received a Grant from Two Rivers RDC for \$1500.00 for a community garden at the center. They have been growing vegetables and are ready to pick.

#### 8. Parks and Recreation

- i. Hosted the 2017 Tee-ball All-Star Tournament June 17<sup>th</sup>-June 19<sup>th</sup>. Also hosted the 2017 SYFC meeting (Football League) June 14<sup>th</sup>. Will be taking registration for 2017 Fall Sports (Soccer, Tackle Football and Cheerleading).

#### 9. Fire Department

- i. Responded to 15 calls for controlled burning, cooking fires, grass fires, lightning strikes, trash fires and downed power lines.
- ii. Responded to 35 medical calls.
- iii. Responded to 10 vehicle accidents.
- iv. 21 calls cancelled in route.
- v. Total calls for June was 81.

## **XII. Public Comments**

Steven Allen of 235 Trice Road Milner addressed the board stating that there are State Laws that govern Animal Control. Mr. Allen stated that this was a duplicate use of tax payer's money and requested to trash the Animal Control Ordinance rather than tabling it.

Van Baker of 521 Thomaston Street and former Commissioner addressed the board stating that they need to tweak the Animal Ordinance already in place and that now was not the time to do it. Mr. Baker shared with the board that he had spent a lot of hours working on the Animal Shelter and that there were a lot of volunteers. Mr. Baker said, 'A number of other people tonight that have put a lot work into the Animal Shelter. We need a facility in place and a Board of Directors for just that animal shelter and they need to go and visit other shelters. I spent a lot of time visiting shelters and visited at least 10 shelters. We hope to have something very special and we will. Let's sit down with people that are most knowledgeable and make rules with something that we can support. The committee needs to work with the people that they have and sit down and make rules. They need to wait to get the shelter built before they do anything.' The second thing is that in my previous life, I had the real estate vision with Norfolk Rail Road but I got to tell you something, these utility lines are county owned real estate and I don't know that we are charging them anything and we aren't charging them a fee. We are letting the AT&T's and the Quests and anybody that makes money and we are giving them the real estate. This ain't right. I will be happy to sit down and provide the board with what the rail road charges. I got to tell you when it comes to the Rail Road that we stick it to them. These people who are making a lot of money and you people are paying for it. The wires, the overheads and along the highway. The state is notorious. I am willing to help you with the fee structure. Also, the movie people are making millions of dollars and the County needs to charge more than that but I don't know what it would be. They came in and took over our little town and clogged up the roads. They used the County Real Estate and I wouldn't let them in my backyard for \$100.00."

Marilyn Price of 200 Lee Street Barnesville said, "I didn't know if I needed to come here tonight but I pay both County and City taxes. I have heard to do away with the Animal Ordinance or wait till they build the building. I have only had a quick, short chance to look at it because I wasn't aware of it. The building to house the dogs is a very small portion

compared to what this big book is that didn't come to light until tonight. The first thing that I saw was that if you have a dog it has to be spayed or neutered. Who is it to tell me to spay or neuter my dog? Does anyone live in the City of Barnesville? Do any of you own a dog? Do you pay the yearly tag fee? You won't find out until your dog accidentally gets out and before it gets to the shelter they bring it back to you and then you have to pay the fee and the dog doesn't even go into the shelter. There is a yearly tag fee. People are not aware of any of these proposed fees before or after they happen. I didn't know that you were supposed to have a City tag on your dog and I bet that there are only 10 people in the City that do it. People are not aware. The biggest thing is that I haven't had time to look at it to propose or suggest changes. It was not brought to people's attention." Chairman Glass addressed Ms. Price and stated that there would be two readings of the Ordinance and it would never be approved at a first reading. Ms. Price asked, "How did they let people know about the first reading?" Chairman Glass stated that they are in the minutes. Ms. Price wanted to know how they know what's in the minutes. Chairman Glass and County Administrator Zellner and County Clerk Davidson all replied that they are online at "lamarcountyga.com". Ms. Price said, "When something is this huge and effects this many people and this many animals, that's it not like a Right of Way." Chairman Glass said that the Ordinances are also posted online. Ms. Price said, "I don't have a whole lot to say at this time but this needs to be really looked at and the people of the City, because you are in the county, need to read every bit of it and whether or not you agree with it and stand up for what you believe and what you don't."

Joyce Farmer of 159 Yatesville Rd Barnesville said, "I didn't know about this until last night at 11:00 p.m. and I called all of friends to see if they knew about this. I'm not going to say much about it but I would really like it to be thrown away or tabled. Then maybe a committee could be done with the City Ordinance for animals because a lot of this doesn't apply. Saying your dog has to wear a collar, all of my dogs are fenced in and they don't run at large. They are fenced in. Why should I make my dog wear a collar where he can jump the fence and hang himself. I have 3 dogs that have done that. Mine don't wear a collar. In the last 12 months I have spent over \$1500.00 on rabies shots for cats and dogs and other shots but mostly rabies. My dogs are not unhealthy, they are healthy and if you want to come out and help clean out a pen, I'll let you clean out a pen. Clean up the poop once in a while. My dogs have water, food and I don't see why or how you can tell me my dog has to wear a collar when he is in the fence all the time. What's wrong with the old Animal Ordinance? I still think we need a committee after the Animal Shelter is finished. Some of the things stated in this go against my constitutional rights and your constitutional rights! You better stand up for them or you won't have anything! You are talking about the money the County is losing. Why should you be able to make money on our animals to make up for money you are losing? Our animals are our animals and they are our family, some of them are like our children to some people. I just don't think that's right. If you want to make some money, do it some other way."

Ashley Gilles of 425 Abbott Road Barnesville addressed the board and stated that we are all familiar with what looks good on paper. Ms. Gilles said, "I joined the Army because it looks good on paper, I am going to marry this guy because it looks good on paper. We don't realize what looks good on paper until we open Pandora's Box that we are not prepared for. We

come to issues that we don't often think about beforehand and then we do whatever looks good on paper. It's often a struggle and we regret our decisions afterwards. I come from a big city where they stretched out to the suburbs and we started getting these Animal Ordinances. I teach therapeutic riding and there is a therapeutic riding a couple acres down from where I used to live. They used these laws to say that we are doing this or doing that. But we still have to investigate these things. This is a waste of money, a complete waste of money. I don't know if anyone has seen anything on Facebook where there are State laws. I called out Brad White and he told me that yes, there are State laws. He spent an hour with the attorney and looked over the State laws. We do have laws in place. Another question I want to raise is, were there any monies allocated to fix these problems? So, the problem we are having is animals at large. Having a shelter would open the community up to grants. This would fix these issues. Are there laws currently in place? Yes, there are laws currently in place. How will these new Ordinances fix these problems? People should be responsible for themselves and for their animals. People need to be held accountable. Where will all of the money that is obtained through this go? Will it go to help spay and neuter clinics? Will it alleviate the problem? Where is this money going to go, that's what I'm looking at. What will this do to the people that are actually responsible animal owners? It's going to tax them. It's like gun control. We are going to take away from people that know how to use this and are doing it right and the people that don't know how to follow the law scoot right under. There are ways around these laws and have a just ending to it. Then there are the grants, we can obtain grants that are setup in animal control. We need to make sure we are taking these measures and that we are starting from scratch. Most people don't communicate and follow the laws already written to help take care of this issue."

Beverly Eskridge 130 Holmes Street Barnesville stated that she hasn't attended a meeting lately due to her work schedule and having a knee replacement. Ms. Eskridge said, "I'm very disappointed in you as elected official because of how this new Animal Ordinance 1<sup>st</sup> reading has come about. Most of us found out about it on social media. Thanks to Julia Heidbrink posting it on Facebook. I do know what a first and second reading are. I was able to learn that there was a first reading tonight. I went to the Commissioners website to see if I could find this Ordinance and by the way when you do find it it's 16 pages. When I went to the website, guess what? it wasn't there and I also didn't find a copy of the agenda posted. I thought maybe there was some discussion on this Ordinance while I was out so being a logical person I thought I would look at minutes of the recent meetings. There have been no minutes or agenda's posted on the website since 2015. If I am looking at the wrong site, please let me know. I did have to do a very quick search because I didn't have time to do my research. The new Commissioners pictures aren't even on that website. What has happened to transparency in government? Like the old saying goes, "That what is done under the cover of darkness will come to light." There was such a short notice about this first reading that evidently you don't have to give us notice although it would have been nice. I and my other Lamar County citizens didn't have time to research it but my question to you is do you do your due diligence with State code? Did you contact Spalding County when you drafted this document? How is it working for them in Spalding County, I would like to know. I didn't have time to find out because of this short notice. I looked at it but I didn't have time to look at it in great detail. Did you contact any local animal rescue or someone with expertise? Did



you call a Public Hearing to see how the voters, citizens, your constituents, to see how they felt? I am so disappointed in your lack of concern for voters but especially for the animals. Some parts of your Ordinance would leave strays with irresponsible owners who would dump their animals because they aren't going to pay you for fines. To pay the County \$100.00 to take their animal is just ridiculous. There are some rescue animals in Atlanta that will take my animal for \$100.00 so why in the heck would I pay you when I can find an Animal Rescue group that could maybe find it a decent home. Those of you who know me, know how I feel about animals. I feel about them the way some people may feel about their guns. You will have to come through me to take one of my animals. They are all rescues because someone threw them away."

Lynda Mechem of 150 Peacock Road addressed the board and said, "I found out about this last night and printed it out but I don't remember where I got it from and I was very upset reading it. Also, I was even more upset about picking up cats and dogs and found out that you euthanized them. I couldn't believe that but my husband Larry and I did go by the pound and the man wouldn't let us in because of vicious dogs. Ya'll have absolutely no place at all to put a dog or a cat in it and I can't believe that you just killed them. My husband and I rescue cats and dogs and we also transfer cats and dogs for a company in Kansas. For ya'll to do that is just unreal to me. Some of these rules that ya'll come up with go against what my husband and I think you should be doing too. We have rescue animals and we have 14 acres and they run on, those 14 acres. I was telling my husband today that he is the only "intact animal" that we have. The next time you have any cats to pick up, call me first before you do anything with them. There is someplace in Griffin or we can do something with them. We need to get our ducks in a row before we come up with these rules. We need a building, we need someplace to take care of these animals before you decide all this other stuff. I have one more thing to say, I was born and raised in Vicksburg, Mississippi, one of the biggest Civil War places of the world. These people that stood up and talked, I didn't know about all this cemetery stuff but you all should be so ashamed of yourselves. In Vicksburg, Mississippi nobody would think about moving a cemetery that had soldiers be it Confederates or Yankee soldiers! Nobody would move a cemetery! Nobody would move a cemetery! Nobody. I think about that and I just want to cringe. There is something that needs to be done. You ought to be able to get an injunction to stop this. I swear to God that you should be able to. Oh, and another thing, my husband and I found 4 little kittens on the highway on Ramah Church Road. We found them homes. Please contact us, contact Penny who lives down the road. We will all do our best. Thank ya'll but, seriously, ya'll might not have a job."

Lorene Palmer of 1613 Ramah Church Road said, "As the fifth and fourth great-granddaughter of Revolutionary War Soldiers and Officers, I find this an abomination against my second, fourth, and seventh constitutional rights. I am a Commercial Credit Manager by trade and I worked for General Electric. I have just been promoted to take over the International Security Division. You want to put uneducated people, and I don't mean that to put them down, put you want to put uneducated people who have no knowledge of what they are doing to make decisions that they have no right to make. How can someone with a limited education and knowledge decide if a dog is dangerous or not. I have a dog that has anxiety issues and because my dog, all of them but one, are rescues. If you approached him, he would bark at you. He would not bite you but if you were an animal control officer you

might misread his body language. If you pursued it he would fall into a seizure and die. He's on seizure medication. You guys are writing laws about things that you don't understand and about things that you need to get professionals in here to assist you with. There are things that my vet told me not to do but you are trying to put it into law. I was told not to free feed my goats. I was told not to free feed my dogs but you want to put it in there where I have too. I'm not going to address every issue because I don't have the time here but this needs to be scrapped. It's unconstitutional and my forefathers, my personal forefathers are rolling in their graves. I think there may be some Constitutional issues with what they are doing with the graveyard. I know they have to have an Archeologist because there are no vaults. There were no vaults present at this time so, you are removing bones and very fragile bones at that. You have to have someone remove them and if it is done properly you are talking about hundreds and thousands of dollars and years of excavation. You are destroying history. If we do not learn from the past, we are damned to repeat the mistakes of it. That's really all I have to say."

Karl Heidbrink 588 Hwy 36 West Barnesville said, "I have two documents here, both are documents from the United States. Enclosed is document number four, "Keep your ass off my property unless I ask you to come." And this draft says don't worry about that fourth amendment, go get Sam Jones's dog and put him in a pound somewhere. It's probably in a stinky place that's going to kill him anyway. There have been three or four people who have mentioned the Constitutionality. I believe that all of the Commissioners at one time or another when you are sworn in acknowledge the Constitution of the United States of America and the Constitution of Georgia. This document has the fourth amendment in it, you are not welcome on my property, educated or not and the problem is you're going to be making minimum wage or a dropout working for whoever this Director of Animal Control Officer is going to be."

Julia Heidbrink of 588 Hwy 36 West Barnesville said, "I might be the only person in the room that is not a rescue. Van said a little while ago that it would be a good idea to just hold off on this thing until we at least get the ground broken on the shelter and get some people who know animals, who know dogs, not cats, cats do their own thing, but at least some people who know. Then we can sit down and put together something that the county can use that is proper and that will work for the shelter. There are two issues that I want to bring up. One is the Animal Control Officers. I went and looked, after this came to light, and I wondered if there is training for Animal Control Officers. I don't know if he is still here but I know we had Charlie. He is knowledgeable, he is good to the dogs that he takes and he tries to do the best that he can. You will get new people in Animal Control from time to time and the ACO certification course that I found in North Georgia is 4 days. It doesn't teach them about dogs, cats and critters and things. It teaches how to differentiate between a correctable situation so they can educate a more knowledgeable owner and situations that may require enforcement of some Ordinance that the County has adopted. It teaches them how to conduct interviews and investigations, specific to Animal Control, and lawfully get people to admit things and give them a profession of some wrong doing. How to use pepper spray for people as a deterrent. It teaches them how to use those hook sticks, like you see on T.V, that have that long hook on the end and it teaches them how to use that. But, I can tell you if they get a hold of a dog that you have scared enough, because every dog has teeth in his mouth and if

he gets scared enough he's going to bite. I have 9 dogs at home that wouldn't bite a termite. I have one Chihuahua at home that would probably eat your toe off if she could get a hold of it. But the big dogs, if you scare them bad enough and you put them in a corner, they will bite. It will take somebody with some knowledge of animals to properly manage these dogs. The second thing is that the County has a process. We have a Sheriff, who has deputies, and everyone is trained, everyone is certified and I don't think Brad would send his brand new deputy that he got in yesterday, on a dangerous dispute. He may send them with another officer or just hold him off until he has had a little time to assess the handleability. We are taking this due process for animal control people, that may have 4 days of training, and we are saying, you guys go and you serve these people. It takes, I was in real estate and it takes, a person with a certain amount of patience and a certain amount of ability to read people and go to somebody who is fixing to tell them something negative and get through that situation without either a person or an animal being hurt. I need you to think about this kind of stuff. Thank you."

Melaine Hardwick of 703 Five Points Road Milner said, "As many people have said, this is kind of a lengthy Ordinance and I would like to address a very small portion of it. In Section 2-4-31, which defines the purpose of the Lamar County Animal Control Ordinance. Part of it states, "In order to protect the health and safety of persons and animals in Lamar County, to control the incidence and spread of rabies." Now, I don't know if you have done your research, but the cases of rabies is reported annually in the United States. There has been no nationally or notifiable condition in the United States since 1944. Since the 1960's most rabies cases have only involved wild life. The number of human cases of rabies has steadily declined with domestic dog and cats with successful educational and outreach and campaigns. As your Ordinance states, you are going to protect us from this. In 2015, the report from the CDC there were only 67 rabid dogs reported in the entire United States. Of those 67, six were in Georgia. Guess what? None were in Lamar County. Additionally, Georgia has a State Law, 31-19-5, which addresses the inoculation of canines and felines against rabies. Since this is already State law, and since we have no reported rabies cases, I ask you why now is the Lamar County Board of Commissioners seeking an Ordinance to control the incident and spread of rabies? I would just like to wrap up and say I too have been like many of the Lamar County citizens are very disappointed in the board regardless of whether it is this Ordinance or the graveyard it boils down to lack of communication and the failure of keep the citizens informed of issues that impact us.

Glenda Peavy of 177 Main Street Milner said, "As you can tell people are very excited about their animals, even more than their own children. So, I picked out one thing that I found interesting about this ordinance, the entire thing is preposterous to me. The purpose of the Ordinance is abandonment and other forms of abuse to other animals. What constitutes abuse or neglect and under what purpose with the professional authority is the definition being given? Who will make this decision and to what extent of education will this person have to make this determination of abuse? In my personal opinion, this topic is subjective at best. What you consider abuse and what I consider abuse is two different things based on our experiences as pet owners. How will this new Ordinance protect animals or prevent them from being abused? The intent of this Ordinance is prevent abuse, does it make sense to have these excessive fees so that no one wants to turn over an animal that they can no longer care.

Like people have said, if I had an animal, I'm going to take it up to the pound or the dirt road, no I'm going to take him up to Ann Marie Allen's house and drop him off. It makes no sense how fees for licensing got in this Ordinance because people are not going to pay for this. Those of us who pay outrageous amounts to take care of our animals are not going to continue to pay to have our animals just to be in the Ordinance when you have people who have hundreds of dogs all over the place and don't even feed them. I understand that there needs to be in place, but you can have the biggest shelter and you are always going to have animals to put into it. There is no getting around it. People whether they move, die, will have someone else that is going to have to take over. Most of the people here are pet owners or they wouldn't be here. I have a farm and I have 4 dogs, Great Pyrenees that guard my live stock. I make sure that my females are spayed. The only thing about livestock is that my dogs train my new dogs. I train my dogs so that their pups can take over when they retire, die, off of the farm. They stay there forever guarding my goats. You may think, what's a chicken? I have chickens that cost as much as \$100.00. You want to talk about cruelty and what you may consider cruel. I have very rarely shocked them but I teach them not to eat my hundred dollar chick. Like I said, what you may consider cruel to someone else may not be to me. I think like what other people have said, that something needs to be in place for stray animals. Maybe instead of creating these Ordinances we work on rescues; fund raisers for rescues. I don't believe in fines, tags and licensing, people are not going to pay them. They are not going to pay them for something that they don't feel is just. If you come on my property and take my dog, it's going to be an ugly thing. I wish you guys the best in making the right decision on this. People get very emotional about their pets"

Michelle Barker of 154 Grape Creek Road Milner said, "Let me tell you about what I do. I am a professional dog trainer and I have shown dogs since I was the age of about 8 years old. I am a Behaviorist Danger Specialist, I am also a canine evaluator, chief tester, behaviorist, and I have all my dogs have titles. I am going to talk about what is a dangerous animal. Who's going to make that call? Who has the credentials to make that call? Do they read body language? If you break in my house, and I'm home alone, which I am, and my dog attacks you, and you broke in my house with the intent to hurt me, to kill me or steal, then my dog is doing their job. There is something called "Ring Sport". Ring Sport is a competition for people who train dogs professionally. There are three hundreds clubs in the State of Georgia. These include: Belgium Ring, Schutzhud/IPO, PSA, KNPV. These dogs are trained and their obedience dogs are spot on. When I tell them to go bite they are going to go bite but I can call them back before they even get there. People spend thousands of dollars on these dogs to train them and go into competition all over the world, Belgium, the Netherlands, everywhere, so you have to think about that. Do you want to know what the 10 dogs that are going to bite? Pitbull is number three on the list for least likely to bite. People don't even know what dogs are most likely to bite. So, you are going to hire someone off the street to come in with no credentials and come in and evaluate a dangerous, vicious dog. I just don't think that's fair. That's like me saying that everyone wearing a blue shirt and a red tie is dangerous. You are lumping all dogs into a category. You are not a therapist, you are not a behaviorist. The American Terrier Society is made up of people who actually gage a dog's temperament on a test from one to ten. Are you going to hire people who are going to have these credentials?" In conclusion, Ms. Barker supplied the board with a list of the 10 dogs most likely to bite. The list is attached to the minutes.

Patricia Furifoy of 856 Fredonia Church Road and with Dolly Goodpuppy said, "I honestly think that we should have some Ordinances but with moderation, adjustment and tweaking. I feel that care and containment are more important than the number of animals that you have. I agree with a lot of other people about the hundred dollar surrender fee, they do that in Spalding County, because I have a friend whose husband is a Commissioner for Spalding County, but it encourages dumping. One of my pet peeves is abandonment and stray animals and irresponsible pet ownership. We go out and try to offer spay/neuter. We do grant money. We try to help you because the dogs are all over the road. They are everywhere. Some of them are cooperative. You know when you take double digit dogs out of a place you can't catch that "one" and that's disheartening. That's where Animal Control should probably step in because you take litter after litter because don't want them to contribute to the population and it is a problem and we do have a huge, stray dog, abandonment problem in our community. They come on our place, uninvited. I didn't get upset because we do need some of these things but I didn't think anything was going to go into law right away and that is why we have this first draft. The problem is the number and the fee would help with surrendering. Fayette County does not take surrenders and you have to refer them to rescues. If it is a dog that has bitten, we can't take that dog because we can't put that out there for adoption or an animal that has issues. I trained a Chihuahua that is lucky that she got me because she had been abused and she was just reactive. I put on my raptor gloves and I pick her up anyway and now I don't even have to use my raptor gloves and that's really good. There are absolutely some things that need to be addressed and there is a lot of tweaking but as long as we come together, rescue and animal control, working together. We need to work towards solutions to the problems that we have. I hate to say this but I have been to a lot of shelter seminars and training seminars and someone from other areas will say things to me like, "I know when we are in Georgia because of all the animals on the side of the road" and we should not be proud of this at all. We should educate everyone we know on how to be responsible pet owners. Spay and Neuter does saves lives and we offer animal controls for both City and County and we do take pups. We can't spay them all but if animal control can't spay them we will spay them."

John Donaldson 182 McKneely Road Milner said, "I read this last night. I have a small micro farm with my wife Julie at home and we raise chickens, pigs, dairy goats and they feed my family. I have eight children and most of those are foster kids from here in Lamar County. I have been in law enforcement for about 20 years. Some of the things that I saw in this ordinance are very troubling. A friend of mine, in Law Enforcement in Georgia, is actually in Indiana now at Indiana Tech in his second of third year of Law School and about to graduate. Indiana is a very Agrarian State with a lot of animals and farms. However, they are quite liberal. After sending on this draft, believe it or not it become a homework assignment at Indiana Tech today with the students. The feedback that we got was that it was a clear violation of the fourth, fifth, sixth and fourteenth amendments of the constitution. Also, it would open up the County with extreme liability. I received a comment that it would be a lawyer's field day. The definitions in here are way too broad. It says animals, it doesn't say dog or cat. I also have dogs guarding my animals. They don't wear collars because if they snagged a goat it would break a goat's neck. My goats run anywhere from \$200.00 to \$800.00. It's a huge investment for my family. Also, it says unaltered animals have to be

registered. How do you fix a hen? I raise them for the eggs to feed my children. It is possible to fix a rooster with a surgical procedure to open the animal up but it would cause the animal a lot of stress and a lot of them don't make it. These animals hold a monetary value. Our guardian dogs, people have come from North Carolina to purchase dogs. So, now I'm supposed to fix these dogs so that don't precreate? I have about 400 hours of multiple certifications as a Law Enforcement Officer in the State of Georgia. Having said that, I have worked with United States Marshalls and I have worked with a high intensity Drug Task Force. We have officers in my agency who were assigned to this. I'll tell you right now that your dog catcher in here has more power than your Sheriff. I'm going to say this. I hope you all have wonderful, long lives as Commissioners."

Jere Moore of Rose Avenue Barnesville in the Great City of Wind Gap said, "Boy I have enjoyed this evening and not because you guys have gotten fussed at and I know you understand that this is part of the job. This is how government is supposed to work. Boy, how many professional, knowledgeable people about animals do we have in this County? First of all, I'd like to thank all you Commissioners who do the job so that we don't have to. I recognize that we do have a great City here in Barnesville because it's not Locust Grove, Henry County. I say to those people who live in those places and you want to come here come on. But, in the words of that great philosopher, Lewis Gizzard, "If you do come, don't tell us how you did it back home. We don't want to know." I say, "Delta is ready when you are." "I reckon we need an Ordinance and we start with this one or get one with a better fit or start from scratch. I question whether we can really fix this one. I encourage the Commissioners to take advantage of all of the resources and those that know about dogs and let them help you with this. I don't believe that I am talking out of place when I say that I believe that they will be glad to help you. I'm not an expert, these people are experts. The only other thing is that I do believe we need a better notification system and this could have been avoided tonight. If people could have talked among themselves or talked to the Commissioners and decided that maybe we needed to wait awhile. Let's think about that. Thank you for your service."

Ann Allen of 233 Trice Road Milner said, "I have a sheep farm and I just want you to know that in Georgia we have a Right-to-Farm Act and this is in conflict with that and the Georgia animal welfare laws. Also, there is a code where counties cannot enforce or adopt farms. I have that right here and that includes dogs and livestock guardians and herding dogs. There is a lot of things where the draft was a cluster malfunction." Ms. Allen stated to Commissioner Thrash that she had sent her the definition of a farm along with dogs, goats and chickens. Ms. Allen continued and said, "If you need me to help with another draft, I am a member of the American Board Collie and this ain't working."

Gordon Taft of 125 Thorpe Road Barnesville said, "Several things that he saw concerned me. I don't need you to tell me to spay or neuter my dog. He ain't hurting nobody. I heard you talking about if the food and water is outside and if you come by my house you won't see that. The food and water are in the laundry room and the food is at the back door easily accessible. If you go in the backyard, to check to see if he is spayed or neutered he ain't going to be real friendly. Go ahead. Seriously, I don't think you need to tell people how to handle their animals and what they need to do. My dogs live in the comfort of home. Colt

lives in the laundry room in the air conditioner. He runs in and out, my wife spoils him. I think it does need to be revised. I have stock dogs, working dogs, hunting dogs. I even know at one time I was raising Australian Cattle dogs. To say that I have to spay and neuter my dog and not make \$250.00 a puppy. I don't think so."

De Ellen Bowman of 484 Brent Road said, "I am a California native and my great-great grandfather was a Governor of Georgia. I have two rescue dogs and I have a very small company called "Barnesville Rentals". People who call me for high end rentals from other States want to know. Can I bring my horses, can I bring my dogs, my cats, my chickens? When they find out, what you all have planned, you are going to hurt our industry, and you are going to hurt our economy. You need to take that into consideration. You need to have a committee. You could possibly turn strays into therapy dogs. This needs to be considered."

Dwight Fleming of 1011 Van Buren Road Milner said, "I know that ya'll know that the Ordinance as it is written now needs to be trashed but you voted, right of the bat, to table it for two months. You have sat here and took the bashing that you have gotten. The group that is here for all intent and purposes doesn't need the Ordinance. They are responsible animal owners and the issue is the containment of the strays. I keep losing chickens, I keep losing rabbits and it's all because the stray are not properly dealt with. If you made a simple Ordinance for the problem with strays. It may take added personnel. Wimpy can tell you. I'll call him up when I get strays and they are going to trap the animal. If I trap the animal, they can't take the animal. If I put feed in the trap and trap the animal, it's my animal. There is a break down somewhere. We probably have some Ordinances on the books to handle the strays but we either don't have the Ordinance or we don't have the personnel. If we really do scrap this one, go back with a really simple one and aim it at the people that don't keep their animal on their own property. Twice, Wimpy has caught my neighbor's dog, after he was in my yard killing chickens, and the only reason I didn't shoot the dog is because the kid next door loves the dog but they won't keep it on their own property. Put some hefty fines in on the ones that don't take care of the animals. Don't penalize everybody else that is a responsible animal owner."

### **VIII. Round Table**

Vice-Chairman Horton said, "I tried to hear everything you said and all of you made great comments. This young man on the end, I really like what you said. Don't penalize the good people for what bad does. I would like to say one more thing, the one young lady asked the question about living in the City and the County and if we have a dog. I had a dog one time, that I loved, and he kept getting out, and taken to the pound and we had to go to Griffin to get him and we went twice. The third time we never saw him anymore. I never got another dog. I would like to say that I do not own a dog but I gave my word once to some people who were trying to build a cage. We worked all day Saturday and all day Sunday and we were looking so bad at the end. I don't like to use black and white so, I will say lighter skin and brother and sisters. One of my lighter skin brothers was looking as bad as we were looking and Walter wouldn't print it in the paper we were looking so bad. I got a chance to eat some good cooking. I'm trying to say this because we are the County and we are the City

and we all live here together. We go through life and we are going to make some mistakes. With this grave thing I won't say I didn't make some mistakes. I made some enemies. I have a lifelong friend and the friendship has diminished but I still love them. We are all God's Children and I appreciate what you all do. We took a bashing tonight but this is government and no one forced me or put a gun on me and I came to this job by choice. When I look out I don't see black, I don't see white. There has been a lot of things on this Social Media that really don't describe me or the few people here that know me and when I look at a situation, I look right down and straight through the middle. Just for the record I am the senior member here at the time, as an elected official, and I've been here the longest."

Commissioner Heiney said, "The purpose of the first reading is to give everybody an opportunity to share their ideas and to tell us where we are going right and where we are going wrong. The people that are assembled here tonight have done a great job and there have been a lot of great points made and a lot of good insights. Nobody up here wants to have "In your face Government". Especially me. I don't think they like "In your face Government." I think some of you know that. So, the purpose of this here was not to stick something on you or restrict your enjoyment of your pets or your farm animals. I am hoping that everybody will understand that. Based on the wonderful comments and the sharing that you did tonight, I think that you are going to really like the outcome of this whole thing. I want to thank everyone here for showing up here and taking the time to make a point."

Commissioner Traylor said, "My family and I have been sitting in the car on a rain delay on a ballfield in Orlando and my wife and kids have had an opportunity to listen in. My daughter made a comment and said, "Daddy, you guys have gone through everything in the last month. I told her that is what local representation and local government is. I thought about what Commissioner Horton said a few moments ago. When our society gets to a point in local government where we are making decisions based on re-election then we have truly lost the fabric of our community and at that point we all need to pack up and move away. I feel like that I really wanted to give kudos to Jere Moore and Brutz English who called me today and we spoke for a while, and it was very professional and they shared their opinion much like tonight. Just like Commissioner Heiney said, "This is what we do, this is it at its best and how it is supposed to be done. I too would like to thank everyone for showing up tonight and for all the emails. I was poolside today but I was still able to read and keep up. I just want to echo what the other Commissioners have said about coming and participating and I thank everybody for showing up."

Commissioner Thrash said, "Everyone knows me and when I'm wrong I say I'm wrong. This was wrong and we need to scrap this and start all over."

Chairman Glass said, "I do appreciate everyone coming tonight and this is the kind of feedback we need. We put it out there too early and we should have had a lot more feedback or we should have tried to get more feedback before we started. Thank you for reminding us



of this lesson, we will try to take this to heart.” Chairman Glass addressed Ms. Eskridge and stated that she must be looking at a cached version because the Lamar County website has been updated. Chairman Glass stated that we would check on it. From the audience, Mrs. Heidbrink stated that there are two websites and the old website is outdated but there is a new website and it has dashes it in for the Title of the Commissioners and it is beautiful. Chairman Glass stated that we would look into this, that he didn’t realize the old one was still out there and if it was still out there we would take the old one down to eliminate the confusion.

**IX. Adjournment and Executive Session**

Commissioner Heiney made a motion to recess the meeting at 8:50 p.m. to go into executive session to discuss personnel. Commissioner Thrash seconded the motion. The board adjourned the executive session meeting at approximately 9:42 p.m. Commissioner Thrash made a motion to adjourn the Regular Business meeting at 9:45 p.m. and Vice-Chairman Horton seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

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Charles Glass, Chairman

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Bennie Horton, Vice-Chairman

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Robert Heiney, Commissioner

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Ryran Traylor, Commissioner

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Nancy Thrash, Commissioner

Attest: \_\_\_\_\_ Carlette Davidson, County Clerk