

Lamar County Board of Commissioners
Regular Business Meeting
May 15th, 2018

Present for the meeting were Chairman Glass, Vice-Chairman Heiney Commissioner Horton, Commissioner Traylor, Commissioner Thrash, County Administrator Zellner, County Clerk Davidson, and County Attorney Mayfield.

I. Call to Order

Chairman Glass called the meeting to order at approximately 7:00 p.m.

II. Pledge of Allegiance and Invocation

Everyone said the pledge of Allegiance. Craig Ogletree of Greater Spring Hill Missionary Baptist Church gave the invocation.

III. Recess for Public Hearing

Vice-Chairman Heiney made a motion to recess for a Public Hearing. Commissioner Thrash seconded the motion. The motion passed unanimously.

IV. Reconvene the Public Hearing

The board reconvened the Regular Business Meeting.

V. Agenda Approval

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

VI. Minutes Approval

Commissioner Thrash made a motion to approve the following two sets of minutes and Commissioner Horton seconded the motion. The motion passed unanimously.

- i. Workshop Meeting-April 12th, 2018
- ii. Regular Business Meeting-April 17th, 2018

VII. Mr. Gooden- Public and Personal Safety

Mr. Gooden of 111 Rogers Circle Road addressed the board stating that safety for his family was his main concern. Mr. Gooden said that he had made every effort possible to come up with a resolution for safety. Mr. Gooden said that he purchased his land 30 years ago and built his

home with his own hands. Mr. Gooden said he always felt safe in his home until about two or three years ago when his neighbor on the corner built a shooting range behind his house. He said that the shooting was loud and was done with a high-powered rifle. Mr. Gooden said that he tried to talk to the neighbors about this issue. Mr. Gooden said that he spoke to the Sheriff's Office and that an investigator who spoke to the neighbor said that they use a berm and that they told him that it is safer than what the Sheriff's Office uses. Mr. Gooden stated that every time he hears shots he gathers his family and puts them in the safest place in their house until they finish shooting. Mr. Gooden stated that they took in a little boy, at the age of two, who is now seven. His mother suffered from drugs and they just wanted him to have a safe home. Mr. Gooden said that the week of the Barbeque and Blues he found a bullet inside an old van that is on his property. He tried to speak to the neighbors who said it was their grandson doing the shooting but he didn't get an apology. Mr. Gooden asked the board for advice on how to keep him and his family safe. Mr. Gooden provided County Administrator Zellner with pictures of his family and an aerial view of his property which he showed to the citizens present at the meeting. Mr. Gooden said that it is about 487 ft. from where they are shooting next to his property. Mr. Gooden said that the bullet had to have traveled 42 inches high across the road and anyone in the path of the bullet could have been struck. Mr. Gooden said that he has cried and done everything that he knows to do to keep his family safe. He requested that the board search every nook and cranny for an answer because everyone that travels up and down Rogers Circle Road is not safe. Mr. Gooden stated that he went to the Sheriff's Office during the week of Barbeque and Blues and the Sheriff was busy but that the next week he was able to speak to Sheriff White who was very concerned. Mr. Gooden stated that he sent Deputy Williamson from the Sheriff's Office to investigate but he was not the ballistics person so they sent Sergeant Haire. Mr. Gooden said that he did contact him a few days later and said that he had retrieved the bullet from his van. Sergeant Haire spoke to the neighbors and confirmed that one of the weapons that they had been shooting was a 9-millimeter and that they were apologetic and they told him that they would make improvements to their berm. Mr. Gooden told the board that he personally cannot trust the neighbors. Mr. Gooden said he is going everywhere to get some help and he won't leave any stone unturned. Mr. Gooden said that he feels like a person should feel safe in their own home. Mr. Gooden stated that he has data showing that some shells will go over two miles and this data came from the National Rifle Association (NRA) website. Mr. Gooden asked the board to help him protect his family. Mr. Gooden said that he is contemplating taking out his shrubbery and building a concrete wall in front of his home. Mr. Gooden addressed the board about the size of berms and stated that he didn't want to deny people the right to shoot their guns or protect their family but said that this doesn't give a person the right to shoot across his property line. Mr. Gooden concluded by saying that people on Rogers Circle Road don't know what danger they are in when they travel down that road.

Sheriff White addressed the board stating that he wanted to clear a few things up. Sheriff White said that they did not tell the neighbors that their berm is better than the Sheriff's Offices berm. Sergeant Haire told the neighbors to cease shooting and if there was any more shooting they would cite them for reckless conduct and they will be charged. Sheriff White said that he thought that they were cooperating and there has been no more shooting. Sheriff White said that they do have the 9-millimeter round. Sheriff White stated that there hasn't been any more shooting at this residence and they told Mr. Gooden to contact them if there was any more shooting. Sheriff White stated that if another bullet travels and strikes then there will be criminal

charges filed. Sheriff White stated that if a bullet leaves your property you are responsible for that bullet. Sheriff White stated that they didn't want to see them or anyone else get hurt and they are fortunate in the process of this case that the people that were shooting are cooperating with the Sheriff's Office. Sheriff White said that there have been no complaints of continued shooting nor have they had a follow up phone call that they fixed the berm issue. Chairman Glass stated that it is the Board of Commissioners responsibility to make the laws and the Sheriff's Office responsibility to enforce the law. Chairman Glass said that it is a fine line to walk and how do you tell people when and where they can shoot without violating 2nd Amendments laws. The Board of Commissioners make the laws and it is against the law to shoot across the road. Chairman Glass requested that if anyone had any ideas to let him know and told Mr. Gooden if he had anymore issues to let him know.

VIII. ShawHankins-Insurance Plan 2018

Commissioner Horton made a motion to table the Insurance Plan ShawHankins for 2018 until the meeting in June. Chairman Glass stated that there could be an increase in the insurance plan and that more discussion was needed. Commissioner Traylor seconded the motion. The motion passed unanimously.

IX. Towaliga Budget

Commissioner Thrash made a motion to approve the Towaliga Budget without the increase that the Public Defender requested in the budget and without the increase in pay supplements for the Public Defender. Commissioner Traylor seconded the motion. The motion passed unanimously. (The Towaliga Budget is attached to the minutes).

X. Rezoning App # 2018-03 by Donald R. Haywood

Commissioner Thrash addressed Mr. Brisendine and wanted to know if his drawings were the same as Mr. Rainey's and if they showed the storm water management setback. Mr. Brisendine replied that they were the same drawings. Mr. Brisendine stated that they had not completed any surveys. He further said that that wasn't a good use of money if they weren't going to get approved. Mr. Brisendine stated that the hand drawing he had done was 85 ft. from the right of way but he thinks that the code calls for it to be 85 ft. from the center line. Building and Zoning Director Gunter said that it is 100 ft. from the center line in Lamar County. Chairman Glass called for a motion and Commissioner Traylor made a motion to accept the Planning Commission's recommendation to deny the rezoning request for Application #2018-03 by Donald R. Haywood. Commissioner Thrash seconded the motion. Commissioner Thrash stated that she had problems with the rezoning request. Commissioner Thrash said that Mr. Brisendine asked for a rezoning and then he amended the rezoning request. Then she asked the question, which is very important to everyone in the meeting, about what positive changes it will bring to the community. Commissioner Thrash said that his answer was not compelling at all. Commissioner Thrash said that nothing had been presented to the citizens about things that

should be addressed like lighting and noise and these are the things that should have been first and foremost. Mr. Brisendine responded and said he told the Planning Commission that they could put whatever restrictions they wanted to on the rezoning application. Commissioner Thrash said that that was a moot point. Commissioner Thrash stated that Mr. Thompson made a good point in that everyone should be able to use the property to the fullest extent and she believe that every Commissioner would agree to that and everyone in the room has that same right. Commissioner Thrash stated that they have learned from some of the mistakes that they have made. Mr. Brisendine stated that he had also offered the Board an opportunity that if they did not want to rezone the property, for use as a retail business, he that he would ask them to consider the C2 Commercial, with the home being the location of the building and no demolition. Commissioner Thrash stated that her bottom line was that by his own admission, he presented something to the Planning Commission and the Board of Commissioners that was ill prepared. Chairman Glass called for a vote to deny the rezoning application 2018-03 by Donald R. Haywood. The vote passed unanimously.

Commissioner Traylor stated that as a citizen of Lamar County he lost a lot of sleep over this issue prior to the zoning meeting. Commissioner Traylor said that in the position of Commissioner the job is to listen to situations and circumstances and to try and figure out what can be done but to also be the voice of the people. Commissioner Traylor stated that sometime it is not necessarily our voice and not what we believe and he was very concerned that maybe the zoning commission would have a change of heart and maybe they would say that this was necessary. Commissioner Traylor said that so often they read social media and hear things about State and Federal government but the local government has done it the right way. Commissioner Traylor stated that they have a committee and that is what that committee is charged to do. That committee did a great job and 70 plus people came to the zoning committee meeting. They presented to the Board of Commissioners and that is what local government is supposed to do. The Board of Commissioners is supposed to represent the people. Commissioner Traylor thanked everyone in the room for taking their time and for the comments and statements that were made and for being a citizen of Lamar County.

XI. Board Appointments

1. Board of Elections-Acknowledgement of Appointment-City of Milner

Commissioner Horton made a motion to acknowledge the approval of the appointment of Charles Coleman to the Board of Elections representing the City of Milner. Commissioner Thrash seconded the motion. The motion passed unanimously.

2. Senior Center Advisory Board

Commissioner Thrash made a motion to re-activate the Senior Center Advisory Board

appointing Jean Buchanan, Dorothy Banks, Sherry Farr, Kelly Hughes, and Kellie Mercer to the board for a term of four years. Commissioner Traylor seconded the motion. The motion passed unanimously.

3. Board of Health-Switching Appointment of Robert Taylor to Martha Holloway

Commissioner Traylor accepted the resignation of Robert Taylor and approved Martha Holloway to be on the County Seat of the Lamar County Board of Health serving in the position as a consumer or a licensed nurse interested in promoting public health. Commissioner Thrash seconded the motion. The motion passed unanimously.

XII. Policy Approvals

1. Limited English Proficiency (LEP)

Commissioner Thrash made a motion to approve a Limited English Proficiency Policy (LEP) for Lamar County. Commissioner Traylor seconded the motion. The motion passed unanimously.

2. Grant Management Policy

Commissioner Traylor made a motion to approve a Grant Management Policy for Lamar County. Commissioner Thrash seconded the motion. The motion passed unanimously.

XIII. Administration Report

County Administrator Zellner presented a cash flow report to the board. The graph presented showed a negative cash flow in revenue and stated that no monies from the Tax Anticipation Note (TAN) had been borrowed, as of the middle of May, but monies from the Tan are expected in the coming weeks as the first bill from Blount Construction for Industrial Road has been received in the amount of \$159,000.00. County Administrator Zellner reported a change order on Industrial Road was on the end of Jordan Road where the entrance was widened to tie into their driveway and on the other side they changed it from a concrete drive entrance to asphalt, which is the deep reclamation. This saves the County about \$1,000.00 and improves the entrance to Jordan Lumber. They have started the milling of the road and they have put it into the stacking lanes and compacted it. County Administrator Zellner stated that everything is going to plan. County Administrator Zellner stated that they have received the new dump truck and the pothole patcher.

County Administrator Zellner reported that the traffic, during the milling process, was down to one lane and he had heard of no complaints. County Administrator Zellner reported a tractor trailer truck was stuck on the railroad tracks on Old Milner Road but the Sheriff's Office had been called to assist. Commissioner Thrash inquired about re-directing traffic and County Administrator Zellner reported that there are signs to re-direct the traffic that say no thru trucks.

Chairman Glass stated that he was pleased with the progress on Industrial Road. County Administrator Zellner reported that Blount Construction would be out there on Industrial Road for about two weeks with the milling and the full depth reclamation. County Administrator Zellner reported that at a recent meeting with Blount Constructions and the engineers that he was real skeptical when they wanted to change the work order on the road. County Administrator Zellner said that he was afraid that Blount Construction was trying to make it less costly for them and they could make more money. County Administrator Zellner stated that they meet with them and the engineers and they were very forth right with what they wanted and how they wanted to do it. County Administrator Zellner said that they wanted to make it better and that they do guarantee their work for a year.

XIV. Public Comments

There were no public comments.

XV. Round Table

Commissioner Horton reported that last Thursday he attended a meeting in Thomaston Georgia with Public Works Director Rigdon and (Emergency Management Agency) EMA Director Campbell regarding the gas pipeline that runs underground in Lamar County. Commissioner Horton addressed the shooting with Mr. Gooden. He reported that the last night his dog was beside their car and took off when he heard something hit. Commissioner Horton went out to investigate and there was a bullet. Commissioner Horton said that if his wife had been standing in that place she probably would be dead. Commissioner Horton commended the people that have helped him over the years and given him opportunities. Commissioner Horton stated that he loves Barnesville, Lamar County, Georgia and this Country. He said that this County and City has been good to him. Commissioner Horton said that if it came down to it, and he is afraid of airplanes, he would get on an airplane and go anywhere in this world to defend this Country. Commissioner Horton said that he has worked, but it gave him opportunity.

Vice-Chairman Heiney stated that about 15 years ago he came home and a lot of people asked him how he found his way to Barnesville. He said that he did and the only thing he regrets is not being here 15 years more. Vice-Chairman Heiney said he is from Long Island, New York and if you go there, the creeping commercialization is horrible. Vice-Chairman Heiney said that the weather wasn't what brought him to Georgia, it was the culture and the way we live here. Vice-Chairman Heiney stated that he could never go back there. Vice-Chairman Heiney

said that he understands how people feel. He said that Thomaston Street is the front porch to Barnesville and to destroy it would be an absolute tragedy. Vice-Chairman Heiney said that with the shooting, why couldn't those people just stop and why did the law have to get involved. Why did they have to send a Sheriff's Deputy over there to interrogate those people? Why wouldn't they just go over to them and say that they have a bullet in their van and ask them to cut it out? Why would they want to do that? Vice-Chairman Heiney said that this is where new laws come from, when people act like children instead of acting like adults. Vice-Chairman Heiney said these people need to grow up.

Commissioner Traylor stated that recently he was in Savannah for a training. His class was Parks and Recreation. Commissioner Traylor stated that he has been very involved in youth sports in this community for a long time and he sees a lot of value in this. Commissioner Traylor said that when teaching team leadership and working with the community there are a lot of camps going on in the summer. Commissioner Traylor said to please encourage your kids, grandkids, and neighborhood kids to get involved in some of the camps at the High School as well as Gordon State College. There is a violin, music, softball, and soccer camp. Commissioner Traylor said that the youth need to be actively involved in Lamar County because if they do then it will protect Lamar County. Commissioner Traylor said that many people talk about Ms. Haywood and what she represented and what she believed. Commissioner Traylor said that if you teach those values to your grandkids, we solve a lot of problems that we have. Commissioner Traylor said that Gordon State College has incredible camps. Commissioner Traylor said that the new President of Gordon State College, Dr. Kirk Nooks, spoke at the Gordon Graduation and it was incredible. Commissioner Traylor quoted President Nooks from Gandhi saying "Your beliefs become your thoughts, your thoughts become your words, your words become your actions, your actions become your habits, your habits become your values, your values become destiny." Commissioner Traylor said that if we maintain our values then his kids and his grandkids will love to live in Barnesville. Commissioner Traylor stated that he appreciated those citizens that stayed until the end of the meeting and for the faithful five that are there at every meeting he appreciated them too. Commissioner Traylor said to go back and share the positive message to the community. Commissioner Traylor said that everyone was concerned about Dollar General and he lost sleep over it too. Commissioner Traylor said that now here is the opportunity to show how Lamar County got it right. Commissioner Traylor said that someone is going to talk about the bullet being shot and he probably will be at Ingles when someone will ask him about what they did about the bullet being shot. Commissioner Traylor said that no one will talk about what they did or how they did the right thing and how the community did the right thing. So, share the positive message about Lamar County and about the community. Commissioner Traylor said that the growth is coming in every county but the Board of Commissioners wants to control the growth and the board wants to get the growth that they want and not the people that have been kicked out of other counties.

Chairman Glass stated that he met Dr. Nooks and he will start the end of May or the first of June. Chairman Glass said he would be an asset to the community and one of the things that the search team was looking for when replacing Dr. Burns was someone who would be involved in the community and would help Gordon to be an asset. Chairman Glass said that he looks forward to working with him in that respect. Chairman Glass said that the strongest

argument tonight for him was protecting the culture and the flavor of the community in the rezoning hearing and he supports this. Chairman Glass said that consideration needed to be given to the surrounding areas as well as the property on Thomaston Street because it is all residential. It is not technically part of the historic district but it is the entrance to the historic district and it made sense to deny the rezoning request.

XVI. Adjournment

Commissioner Thrash made a motion adjourn the Regular Business meeting at 8:55 p.m. Commissioner Horton seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Charles Glass, Chairman

Robert Heiney, Vice-Chairman

Bennie Horton, Commissioner

Ryran Traylor, Commissioner

Nancy Thrash, Commissioner

Attest: _____ Carlette Davidson, County Clerk