

**Lamar County Board of Commissioners
Regular Business Meeting
December 18th, 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. Chip Garrison with Fredonia Church gave the invocation.

III. Recess for Public Hearing

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

IV. Reconvene Public Hearing

Commissioner Traylor made a motion to recess the Public Hearing and Commissioner Thrash seconded the motion. The motion passed unanimously.

V. Agenda Approval

Commissioner Traylor made a motion to approve the agenda with one addition. The addition is for a Four Stage Breathing Air Compressor for the Fire Department. Commissioner Thrash seconded the motion. The motion passed unanimously.

VI. Minutes Approval

Commissioner Thrash made a motion to approve the following four sets of minutes with two typo corrections. One with Commissioner Horton listed twice on the November 13th Public Hearing meeting and the other with the correction made from Moore Monument to Barnesville Marble & Granite Company. Commissioner Horton seconded the motion. The motion passed unanimously.

- i. November 13th, 2018-Public Hearing
- ii. November 15th, 2018-Workshop
- iii. November 20th, 2018-Public Hearing
- iv. November 20th, 2018-Regular Commissioner Meeting

VII. Ordinance 2018-08 -Use of County Property Prohibited.

Commissioner Thrash made a motion to approve the second reading of Ordinance 2018-08 Use of County Property Prohibited. Commissioner Traylor seconded the motion to approve the 2nd reading with acceptance of the 2018-08 Use of County Property Prohibited Ordinance. The motion passed unanimously.

VIII. Ordinance 2018-09-Rezoning Application 2018-07 by Zotti Investments.

The board discussed issues with putting manufactured homes on the property including having environmental studies for the property and adding a vegetative border around the property. This is will be known as Phase I. Mr. Scanlan and Mr. Waldrop both stated that there was not a landfill on this property. They found only found broken pieces of glass, dense clay and maybe some dead bones of a dog. Mr. Scanlan stated that he had not done any type of environmental study on the property. Commissioner Thrash made a motion to approve Ordinance 2018-09 for the Rezoning Application 2018-07 by Zotti Investments with the exception that an environmental study be done on the property and that a Leland Cyprus Trees be planted as a vegetative border. Vice-Chairman Heiney seconded the motion. Commissioner Thrash requested that she amend her motion to include that if the environmental study is not done and trees are not planted that they cannot put manufactured homes on the property until the situation is remedied. Commissioner Traylor then added that if something is found in this Phase I stage that a Phase II stage by done. Commissioner Thrash amended her motion again requesting that the board table the request of Ordinance 2018-09 for the Rezoning Application 2018-07 by Zotti Investments until the January meeting. Commissioner Thrash stated that the environmental study should be done before the board can approve this request. Vice-Chairman Heiney seconded the motion. The motion passed unanimously.

IX. Ordinance 2018-10-Rezoning Application 2018-08 by Van Mar Park, LLC.

Vice-Chairman Heiney made a motion to approve Ordinance 2018-10-Rezoning Application 2018-08 by Van Mar Park, LLC. Commissioner Horton seconded the motion. The motion passed unanimously.

X. Ordinance 2018-11-Rezoning Application 2018-09 by Paul Wallace

Commissioner Horton made a motion to approve Ordinance 2018-11-Rezoning Application 2018-09 by Paul Wallace. Commissioner Thrash seconded the motion. The motion passed unanimously.

XI. Resolution 2018-20-Budget Amendments.

Chairman Glass stated that the purpose of the Budget Amendment was to clean up the budget. There were grants, and insurance payments that had to be moved in order to make the budget clean before the end of the year. Vice-Chairman Heiney made a motion to approve Resolution 2018-20-Budget Amendments. Commissioner Traylor seconded the motion. The motion passed unanimously.

XII. Resolution 2018-21 Special Exception Application 2018-05 by Joan and Paul Prisk

Vice-Chairman Heiney requested that the board discuss the Special Exception applications for the wedding venues related to time restrictions for amplified electronics. He stated that the current code book states that the current time is 10:00 p.m. on weekdays and 12:00 p.m. on weekends. Vice-Chairman Heiney stated that he was concerned with noise traveling onto someone else's property and made the suggestion that a condition of 9:00 p.m. be placed on both special exception applications which are related to noise. Commissioner Horton stated that he is not in favor of governmental control but that this condition should be applied so as to protect the neighbors.

Commissioner Thrash made a motion to approve Resolution 2018-21 Special Exception Application 2018-05 by Joan and Paul Prisk and then amended her motion to include the condition of no electronic amplified noise after 9:00 p.m. Commissioner Horton seconded the motion. The motion passed unanimously.

XIII. Resolution 2018-22 Special Exception Application 2018-06 by Rich Hacht

Vice-Chairman Heiney made a motion to approve Resolution 2018-22 Special Exception Application 2018-06 by Rich Hacht with the condition that there be no electronic amplified noise after 9:00 p.m. Commissioner Horton seconded the motion. The motion passed unanimously.

XIV. Contract with Goodwyn, Mills and Cawood (GMC) for New Jail.

County Administrator Zellner explained that this contract with Goodwyn, Mills and Cawood (GMC) is a preliminary contract and is not binding if the referendum for the new jail fails. The fee is 6 percent of the contract with a 2.5 percent fee for administration. The budget for this contract is \$142,000.00. This includes architectural design and work. The purpose of approving this contract is so that they can get ahead start on the work that will need to be done for the new jail. Vice-Chairman Heiney noted that this is like putting the horse before the cart and they could use the money elsewhere. County Administrator Zellner stated that if this contract is not approved it could potentially delay the start of the project if they wait until after the March referendum to approve the contract. County Administrator Zellner noted that GMC would work with them on a contractual basis on a case by case situation. Commissioner Horton made a motion to table the contract with Goodwyn, Mills and Cawood (GMC) until after the March referendum. Commissioner Traylor seconded the motion. The motion passed unanimously.

XV. 2018 Beer and Wine License Renewals

The Board approved the following Beer and Wine Licenses.

1) Vice-Chairman Heiney made a motion to approve Bennie Jr. and Ronald L. Horton, Horton's Rendezvous, LLC. Commissioner Thrash seconded the motion. Commissioner Horton abstained from the vote. The motion passed 3-0.

- 2) Commissioner Traylor made a motion to approve Edward C. Mitchell, Honeywood Gardens, and Commissioner Thrash seconded the motion. The motion passed unanimously.
- 3) Commissioner Traylor made a motion to approve Thomas Roy Wellbrook, Mama's Kitchen and Commissioner Horton seconded the motion. The motion passed unanimously.
- 4) Commissioner Thrash made a motion to approve Deer Trail Country Club and Commissioner Horton seconded the motion. The motion passed unanimously.
- 5) Commissioner Traylor made a motion to approve T & J Outfitters and Commissioner Thrash seconded the motion. The motion passed unanimously.
- 6) Commissioner Thrash made a motion to approve VFW Post 6542 and Commissioner Horton seconded the motion. The motion passed unanimously.
- 7) Commissioner Horton made a motion to approve C&B 2015, Inc and Commissioner Thrash seconded the motion. The motion passed unanimously.

XVI. AT&T Fiber Optic -Tax Commissioner and Fire Department

County Administrator Zellner reported that this is a fiber optic agreement with AT&T for the purpose of providing internet access to the Tax Commissioner and the Fire Department. The cost is \$575.00 per month. AT&T is waving the \$500.00 installation fee. The agreement is for a period of three years. Commissioner Thrash made a motion to approve the agreement with AT&T and Commissioner Traylor seconded the motion. The motion passed unanimously.

XVII. Tax Assessor Truck

County Administrator Zellner reported on a new truck for the Tax Assessor's office. County Administrator Zellner stated that he had received bids from Volume Chevrolet and Jeff Smith Chrysler Dodge Jeep had been received. A 2018 1/2-ton regular Cab 4WD 4.3L V6 engine with 6-speed Automatic Transmission from Volume Chevrolet for \$ 31,083.00. A 4WD 2019 1/2 Ton Regular Cab 3.6L V- 6 engine 8- Speed Automatic for \$29,475.00 from Jeff Smith Chrysler Dodge Jeep. County Administrator Zellner said that the funds for the truck will come out of SPLOST III. The board discussed giving the current truck that the Tax Assessors office uses to EMA Director Campbell and then doing a surplus on his 2002 Ford Taurus. Commissioner Thrash inquired if they had received a bid from the State Contracted dealer Allen Vigil Ford. Chairman Glass stated that this should be checked. County Administrator explained that the State put bids out on vehicles and that the State sets the prices for other dealers. Vice-Chairman Heiney made a motion to approve the bid from Jeff Smith Chrysler Dodge Jeep for a cost of \$29,475.00 and Commissioner Horton seconded the motion. The motion passed unanimously.

XVIII. Board Appointments

Vice-Chairman Horton made a motion to approve Irvin Trice to serve as the Three Rivers Regional Commission-non-public member. Vice-Chairman Heiney seconded the motion. The motion passed unanimously.

The Board decided the remaining board appointments would be made by consent agenda. Commissioner Thrash made a motion to approve the following board appointments. Vice-Chairman Heiney seconded the motion.

- (i) Re-Appointment of Three Rivers Regional Commission-County-Bennie Horton
- (ii) E911 Committee- County-Robert Heiney
- (iii)Lamar County Health Board-Ryran Traylor
- (iv)Lamar County Solid Waste Authority-Ryran Traylor
- (v) Lamar County Democrat Board Member-Luis Scott Cone

XXIV. Refund Property Taxes to Clifford J. Banks and Betty Smith Banks for Parcel B-22-168

The board agreed that a refund for property taxes need to be given to Clifford J. Banks and Betty Smith Banks for Parcel B-22-168. The amount of money owed to the Banks is \$ 3583.35 which does not include the City of Barnesville tax of \$ 182.15. The property was bought at a foreclosure sale and then deemed void due to the failure to levy the tax fi fa against a legal entity which in this case was an estate. Also, the title insurance company announced that they would not insure the title to the property that were acquired by this old procedure of tax foreclosures. Commissioner Thrash made a motion to approve refunding the taxes paid by the Banks in the amount of \$3,583.35. Commissioner Traylor seconded the motion. The motion passed unanimously.

XXV. B&T Enterprises LLC-Four Stage Breathing Air Compressor

Chairman Glass explained that this Four Stage Breathing Air Compressor is for the Fire Department and that the one they have is old. They are continually having to refill the tanks. County Administrator Zellner stated that they had received two quotes. One from B&T Enterprises for \$26,884.00 and another quote from Nuvaair for \$27,500.00. Vice-Chairman Heiney made a motion to approve the quote from B&T Enterprises for \$26,884.00. Commissioner Thrash seconded the motion. The motion passed unanimously.

XXVI. Administrator's Report

County Administrator Zellner reported that the Tax Anticipation Note (TAN) had been paid in full including interest and that the County was in the black.

XXVII. Public Comments

Joe Reed 504 Brushy Creek Circle, Jackson Ga. requested that the board rezone a parcel of land in the far North eastern corner of Lamar County. This is for approximately 96 acres and is currently owned by the Butts County Industrial Development Authority (IDA). For 15 years it was zoned M1 (Light Industrial). Mr. Reed said that they have done nothing with it. They own property in Lamar County and if they had been paying taxes on this property, which they are not, you would have \$30,000.00 more dollars. The assessed property taxes are over \$2,000.00. Mr. Reed said that he would like to see the property rezoned as the rest of the property around High Falls Lake is zoned. This is Residential Agricultural and he would

like to see houses built on it. He said that 90 percent of the property around the lake is residential with local family homes. The only piece of property that is not developed is owned by the Butts County IDA. This is 284 acres of land in Butts County but 96 of those acres are in Lamar County and the Lamar County Board of Commissioners has the authority to rezone the land as residential. This effects High Falls Lake, the Towaliga River, and everyone down-stream.

XX. Round Table

Commissioner Horton wished everyone a Merry Christmas.

Vice-Chairman Heiney wished everyone a Merry Christmas he is originally from New York and said that this is the best place to live. Vice-Chairman Heiney thanked everyone for electing him as a Commissioner.

Commissioner Traylor wished everyone a Merry Christmas and safe travels. Commissioner Traylor also recognized boy scout Toby Rainey who is working to earn his Citizenship badge.

Commissioner Thrash wished everyone a Merry Christmas and a Happy New Year.

County Administrator Zellner wished everyone a Merry Christmas and that he has tendered his notice to retire. He said that this was supposed to be his last meeting but has agreed to stay with the County until a replacement is hired. County Administrator Zellner thanked all of the Commissioners for the work that they have done over the last seven years and said he appreciated that he was apart of this. County Administrator Zellner stated that he had thoroughly enjoyed it and he still would like to be involved.

Chairman Glass wished everyone a Merry Christmas and stated that the job opening for the County Administrator was posted today in the local organ, the Herald Gazette, on the County Website and on the Georgia Local Government Access Marketplace website.

XXI. Adjournment

Commissioner Thrash made a motion to adjourn the Regular Business meeting at 9:03 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