

**Lamar County Board of Commissioners
Regular Business Meeting
December 17th, 2019**

Present for the meeting were Chairman Glass, Vice-Chairman Traylor, Commissioner Horton, Commissioner Heiney, Commissioner Thrash, County Administrator Townsend, 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. Major Leslie Holmes of the Lamar County Sheriff's Office gave the invocation.

III. Recess for Public Hearing

Commissioner Horton made a motion to recess for a Public Hearing. Commissioner Thrash seconded the motion. The motion passed unanimously.

IV. Reconvene After Public Hearing

The board reconvened from the Public Hearing.

V. Agenda Approval

Vice-Chairman Traylor made a motion to approve the agenda. Commissioner Heiney seconded the motion. The motion passed unanimously.

VI. Minutes Approval

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

- i. November 14th, 2019- Workshop
- ii. November 19th, 2019- Regular Business Meeting

VII. Proclamations

Chairman Glass read a Proclamation proclaiming that the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy. Federal and State funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing. The Lamar County Complete Count Committee will work with the Census Bureau to strive for an accurate count.

and Lamar County Complete Count Committee will bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community. The Lamar County Board of Commissioners proclaims to establish a 2020 Census Complete Count Committee to increase awareness and understanding about the 2020 Census and encourage people to participate in the 2020 Census.

Vice-Chairman Traylor read a Proclamation stating that improving the reading, writing, and other basic literacy skills of all of the citizens of Lamar County is vital to our social and economic development as a community. Family literacy programs ensure that children have the best possible environment for getting a head start on life-long learning. They continue to learn together and solid skills are vital to our County's social and economic development. Literacy offers all citizens an opportunity to make a substantial contribution to the education, growth, and prosperity of the County. The Lamar County Board of Commissioner's proclaimed that January 2020 is Literacy Month in Lamar County.

Commissioner Thrash announced the retirement of the City of Milner's Mayor, Mr. Joe Bostwick. Various people were in attendance in support of his retirement and his good works for the City of Milner. His daughter, Holly Bostwick and other family members, City Councilman George Weldon, City of Barnesville's Mayor Peter Banks, Chris Perkins, Field Representative for Senator Perdue, and Terrell Jacobs of the Georgia Municipal Association (GMA).

Chris Perkins, Field Representative for Senator Perdue, read a letter congratulating Mayor Joe Bostwick on his many years of service, his long career, his involvement with the Milner Library, and his recent retirement.

Terrell Jacobs of the Georgia Municipal Association (GMA) presented Mayor Bostwick with a Life Time Service Achievement Award Recognizing Mayor Bostwick as an Elected Official for the City of Milner with 50 years of public service. He served 30 years as the Mayor of Milner, and 20 years or more with the Milner City Council. Mr. Jacobs stated that through his dedication and leadership the City of Milner has a beautiful new library. Mr. Jacobs said that Mayor Bostwick has been an active member of the GMA serving as both the President of District 4 and also serving as the GMA Board of Directors.

Georgia House Representative, Ken Pullin, gave thanks and praise to Mayor Bostwick for his 50 years for services and stated that he appreciated all that he had done for the City of Milner and the people in the City of Milner.

Commissioner Thrash read a Proclamation recognizing the many contributions that Mayor Joe Bostwick has made to the City of Milner and Lamar County serving 30 years as the Mayor of Milner, the longest serving mayor in Lamar County history. The Lamar County Board of Commissioners recognized Mayor Bostwick for serving more than 20 years on the Milner City Council and his more than 50 years of total service and congratulated him on his retirement this 17th day of December.

Mayor Bostwick gave a speech and stated that he was 47 when his dear friend, John W. Woodall, died an untimely accident, while serving as the Mayor of the City of Milner. He said that was 30 years ago and he had thought many times about how the City had grown since that time. He said he had a few stories to tell about the infrastructure and said that they are all good. He told of a story about when an operator was asleep while building the Milner Library. He said that he really had enjoyed serving the people of the City of Milner. He said that Frances Manry was one of the most iconic citizens of the City of Milner. She used a term “gentle hearts and dear people”. He said that this is the truest reflection that he can get from the people. He said he appreciated the people that always backed him and the few people that sought his advice. He said he appreciated Joe Edwards, board member and past President of United Bank, for all that he had done for him. He said that he had supported him through thick and thin. Joe Bostwick concluded his speech by saying that it was a joy to serve the people all of these years.

VIII. ACCG Worker’s Compensation Refund

Ashley Abercrombie, from the Association of County Commissioners of Georgia (ACCG), presented the board with a Worker’s Compensation Employee Safety Grant in the amount of \$3000.00. She said that ACCG provided \$500,000.00 worth of safety grant money to members of the Worker’s Compensation program with ACCG and they will have a similar type grant in the next two years. Ms. Abercrombie explained that ACCG has an insurance program for Worker’s Compensation which is basically a mutual company for participating counties and county related authorities. She said that this is a non-profit program and any of the left-over monies, after expenses are paid, belong to the members. Ms. Abercrombie said that ACCG gave back \$33,000.00 as a premium credit this past year and they have been doing that for many years. The Worker’s Compensation Employee Safety Grant is a special program where counties can purchase safety equipment. ACCG allows the counties to decide what safety equipment is needed for their County. Ms. Abercrombie reported that Lamar County recently purchased ergonomic equipment, back supports, posture correctors, and automatic external defibrillators (AEDs), with online training, with safety grant funds.

IX. Subdivision Application 2019-03 by Bowen Jones

Building and Zoning Director Buice stated that the Subdivision Application 2019-03 by Bowen Jones meets all of the regulations. She clarified that if a person purchased two adjoining lots that they could be combined. She stated that you can’t create more lots after a subdivision application has been approved but you can combine what is there. Mr. Cosby inquired about how many houses would be spec houses. Building and Zoning Director Buice replied that the County does not regulate spec houses or on-site houses. Vice-Chairman Traylor stated that the only thing that the board regulates is the size of the house. Former Building and Zoning Director Gunter inquired about the zoning. Building and Zoning Director Buice replied that it meets the regulations for A/R. Mr. Gunter stated that it is zoned as R-2. Building and Zoning Director Buice conceded to Mr. Gunter for clarification who had previously been with Lamar County for 19 years. She said that she was going off of regulations. Attorney Mayfield deferred to the Code Law and said that minimum lot area and unsewered area without public water, sewer areas and areas with public water are one acre. Unsewered without public water is 2 acres. Building and Zoning Director Buice said that this is unsewered with public water.

Attorney Mayfield said that the development standards for AR is a minimum 1400 square feet. Mr. Gunter stated that the subdivision ordinance states that you will submit a rezoning application for the direct residential zone. Mr. Gunter said that if Mr. Jones says he will build an 1800 square foot homes, the ordinance states 1400 square foot homes, and even though he says he will build 1800 square feet, he still can build 1400 square foot homes. Mr. Gunter stated that the minimum for R-2 is 1600 square foot homes. He said that whenever you do a subdivision application, you will recommend the appropriate rezoning. Building and Zoning Director Buice said that she did not recommend to him what size his houses should be and it fits in AR.

Commissioner Thrash stated that she wasn't sure they were zoning it correctly. Attorney Mayfield stated that he wasn't going to give an answer to this during a meeting and recommended that they table the decision until January. Commissioner Thrash inquired about having a Special Called meeting because she didn't want him to wait until the third week in January to have this approved. Chairman Glass stated that he didn't see the need for a Special Called meeting.

Mr. Gunter stated that there is a section in rezoning where it says when you have a subdivision application you put it in the correct zone for the size of the homes. Building and Zoning Director Buice said that you wouldn't necessarily know the size of the homes that are being built. Commissioner Thrash stated that this was her question. Mr. Gunter stated that is why the builder has to specify what the minimum size is and then you put it into the correct zone. He said that this is the only way that the County can control it. Commissioner Thrash stated that this is why she had issues with the zoning so he can't come back and change it. Building and Zoning Director Buice stated that he could add something to the final plat. Commissioner Thrash said if they are going to zone it in R-2 or R-3 then he has to specify what size houses he is going to build. Mr. Jones replied that they applied for a subdivision application within the ordinances of the County which is AR. He said that he has not asked to rezone the property and they are following the ordinances that are within AR. He said that it doesn't say you can't build an 1800 square foot or a 3000 square foot home on AR. He said again that he is not asking to rezone the property. He is asking to build a subdivision within the allowances of AR. He said that rezoning is a whole separate process. Building and Zoning Director Buice said that what Mr. Jones has presented is allowed in AR. Mr. Jones said that there is no need for him to rezone the property. Vice-Chairman Traylor said that once it qualified as a subdivision, there is no change to the requirement for the zone. Mr. Jones stated that if he divided his property into two lots, this is a subdivision and it doesn't change the zoning. Mr. Jones said that in good faith he intends to build bigger houses. He said that the current zoning meets his needs and he is not asking to rezone the property. Vice-Chairman Traylor said that if Mr. Jones sells the property tomorrow there is not a requirement for the person that you sell it to. Building and Zoning Director Buice said that if he sold the property it would be within the 1400 square foot home requirement. Vice-Chairman Traylor re-iterated that it was within a 1400 square foot home and not an 1800 square foot home. Building and Zoning Director Buice said that the board could put a minimum square foot requirement for an 1800 square foot home. Mr. Gunter stated that this is why the County changed the zoning ordinance years ago that specifically put houses in subdivisions in the right residential area and it's the only way that the County can protect the people in the subdivision. He said that the County cannot enforce restrictive covenants. Building and Zoning Director Buice stated that the house size hasn't

been the issue, it's been the lot size that has been the issue. Attorney Mayfield said that if it has a subdivision plat approval that meets all the requirements of AR then he doesn't understand why it needs to be rezoned. He said that he isn't guaranteeing 1800 square foot homes, he is submitting a subdivision plat that meets AR. Attorney Mayfield said it is either approve or deny. Commissioner Heiney said that he thought that AR had to be 3 acres. Mr. Gunter replied that Agricultural zoning is 3 acres. Mr. Gunter said that AR is Agricultural Residential and the Residential portion of the zoning means 1 to 2 acres as long as you meet the water requirements. Mr. Gunter said that there are things you can do in an AR zone that you can't do in a Residential zone. Attorney Mayfield said that if they sell the property tomorrow that person can build a 1400 square foot home. Attorney Mayfield stated that there was no Planning and Zoning Commission approval to make him build 1800 square feet. He said that the board could require the engineer to add the 1800 square foot requirement to the plat. Commissioner Thrash said that she understood that Attorney Mayfield's recommendation was that there is no legal reason to deny it. Mr. Gunter stated that they could tell him that he has to come back in and apply for rezoning before he starts building. Attorney Mayfield said that if his plans are to meet the requirement of AR you can't deny it. Vice-Chairman Traylor stated that he lives in a subdivision where this almost happened to them. He asked if this was going to be considered a subdivision like Abbott Woods with the requirement of home site size. He also asked when would this stipulation be added, when would they have to present this, when would the approval process happen for this and how is this ever created. Attorney Mayfield replied that it is created by AR zoning. Attorney Mayfield said that Vice-Chairman Traylor's subdivision was probably rezoned to a residential classification with different lot sizes along with restrictive covenants. Attorney Mayfield said that if it was foreclosed on it wiped the covenants out and it reverted back to the original zoning. Building and Zoning Director Buice said that she has seen subdivision final plats for 20 years that says stick-built homes only and they were enforced through building permits. She said that even though mobile homes are in AR and they are permitted in AR then that particular piece of land has that caveat to it and it is enforced. Attorney Mayfield said that they could voluntarily put 1800 minimum square footage on the plat. Mr. Jones stated that he would be happy to put on the plat an 1800 minimum square footage but he has no intention to rezone the property. He said he is also not going to put mobile homes on the property. Mr. Jones said from a builder's perspective, and as much as they have invested on this piece of land, to go in and put a 1400 square foot home, when appraisals are based on square footages, the math would not work. He said that is why you build 2100 to 2200 square foot homes so you can sell the house to cover the cost of the land. He said to build anything less than 1800 square foot would not be feasible for them to break even. Vice-Chairman Traylor stated that he brought this up because if the economy falls and they file bankruptcy and someone buys that property they now have the ability to go in there without those stipulations. Attorney Mayfield said that it depends on when the mortgage was recorded. He said that is what happened in Abbott Woods. The developer bought the land and borrowed the money and then they did the covenants. The security deed was done before the covenants were done and it wiped them out. Attorney Mayfield said it happened in his neighborhood, Magnolia Farms, when it was foreclosed, and that is why they have smaller houses being built. Building and Zoning Director Buice said that this is different from just your typical covenants. She said that there is a condition on the plat that is recorded.

Commissioner Thrash made a motion to approve subdivision application 2019-03 noting that the builder has agreed to 1800 square foot minimum house size with the plats noted accordingly. Commissioner Horton seconded the motion. The motion passed unanimously.

X. Beer and Wine License

1) Commissioner Heiney made a motion to approve Horton's Rendezvous.

a) Malt Beverage Pouring-\$750.00

b) Wine Pouring-\$750.00

Vice-Chairman Traylor seconded the motion. Commissioner Horton abstained from the vote. The motion passed 3-0.

2) Commissioner Thrash made a motion to approve Edward C. Mitchell, Honeywood Gardens.

a) Malt Beverage Pouring-\$750.00

b) Wine Pouring-\$750.00

Commissioner Heiney seconded the motion. The motion passed unanimously.

3) Commissioner Heiney made a motion to approve Deer Trail Country Club.

a) Malt Beverage Pouring-\$750.00

Commissioner Thrash seconded the motion. The motion passed unanimously.

4) Commissioner Horton made a motion to approve Sky Seven LLC-DBA T.J Outfitters.

a) Malt Beverage Package-\$500.00

b) Wine Package-\$500.00

Commissioner Thrash seconded the motion. The motion passed unanimously.

5) Commissioner Heiney made a motion to approve VFW Post 6542.

a) Malt Beverage Pouring-\$750.00

b) Wine Pouring-\$750.00

Commissioner Horton seconded the motion. The motion passed unanimously.

6) Commissioner Horton made a motion to approve C&B 2015, Inc

a) Malt Beverage Pouring-\$750.00

b) Wine Pouring-\$750.00

Commissioner Thrash seconded the motion. The motion passed unanimously.

XI. Board Appointments

Commissioner Thrash made a motion to approve the re-appointment of Irvin Trice to serve as the Three Rivers Regional Commission-non-public member. Vice-Chairman Traylor seconded the motion. The motion passed unanimously.

Commissioner Heiney made a motion to approve the County re-appointment of Bennie Horton to the Three Rivers Regional Commission. Commissioner Thrash seconded the motion. The motion passed unanimously.

Commissioner Horton made a motion to approve the County re-appointment of Robert Heiney to the E911 Committee. Commissioner Thrash seconded the motion. The motion passed unanimously.

Vice-Chairman Traylor made a motion to approve the County re-appointment of Andy Bush for a term of four years to the Tax Assessors Board. Commissioner Heiney seconded the motion. The motion passed unanimously.

Commissioner Heiney made a motion to approve the County re-appointment of Monica Walters to the Elections board for a period of four years. Vice-Chairman Traylor seconded the motion. The motion passed unanimously.

Commissioner Thrash made a motion to approve the County re-appointment of Ryan Traylor to the Lamar County Health Board. Commissioner Heiney seconded the motion. The motion passed unanimously.

Commissioner Thrash made a motion to approve the County re-appointment of Ryan Traylor to the Lamar County Solid Waste Authority Board. Commissioner Horton seconded the motion. Vice-Chairman Traylor and Commissioner Thrash abstained from the vote. Chairman Glass approved the motion to break the tie and the motion passed 3-0.

XII. Georgia Emergency Management and Homeland Security Agency Mutual Aid and Assistance Agreement.

Commissioner Thrash made a motion to approve the Georgia Emergency Management and Homeland Security Agency Mutual Aid and Assistance Agreement. Vice-Chairman Traylor seconded the motion. The motion passed unanimously.

XIII. Resolution 2019-15 Qualifying Fees

Commissioner Thrash made a motion to approve Resolution 2019-15 to set the 2020 Qualifying Fees. Commissioner Heiney seconded the motion. The motion passed unanimously.

Title:	Base Salary:	Qualifying Fee:
County Commissioner	\$ 3,600.00	\$ 108.00
Board of Education Member	\$ 6,600.00	\$ 198.00
Magistrate Judge	\$ 46,408.38	\$ 1,392.25
Sheriff	\$ 53,880.12	\$ 1,616.40
Probate Judge	\$ 46,408.38	\$ 1,392.25
Clerk of Superior Court	\$ 46,408.38	\$ 1,392.25
Tax Commissioner	\$ 46,408.38	\$ 1,392.25
Coroner	\$ 2,400.00	\$ 72.00

XIV. Resolution 2019-16 Budget Approval

Commissioner Thrash made a motion to approve Resolution 2019-16 Budget for the 2020 Lamar County budget in the amount of \$11,209,567.00. Commissioner Horton seconded the motion. The motion passed unanimously.

XV. Resolution 2019-17 Tax Assessors Board

Vice-Chairman Traylor made a motion to approve Resolution 2019-17 Tax Assessors Board to approve the County re-appointment of Andy Bush to the Tax Assessor Board for a period of four years starting 1/1/2020 and expiring on 12/31/2023. Commissioner Thrash seconded the motion. The motion passed unanimously.

XVI. Resolution 2019-18 Appointment of County Legislative Coordinator (CLC)

Commissioner Heiney made a motion to approve Resolution 2019-18 Appointment of County Legislative Coordinator (CLC) appointing Nancy Thrash as the County Legislative Coordinator. Vice-Traylor Thrash seconded the motion. Commissioner Thrash abstained from the vote. The motion passed 3-0.

XVII. Resolution 2019-19 Supporting Locally-Established Building Design Standards for Residential Dwellings.

Commissioner Thrash made a motion to approve supporting locally established building design standards for residential dwellings. Vice-Chairman Traylor seconded the motion. The motion passed unanimously.

XVIII. Road Striping Report.

County Administrator Townsend presented a road striping report to the board. He said that he consulted with Public Works Director Rigdon and he determined that it cost \$195,810.00 to strip 65 miles of roadway. He stated that it would not be good to stripe roads such as McCullum Road until the road is paved. Chairman Glass said that they could prioritize the roads that need to be striped and plan to do those roads in the year 2020 and 2021. The funds would come from the Special Local Option Sales Tax (SPLOST). Chairman Glass and Vice-Chairman Traylor suggested that they get several bids for striping with various options.

XXIV. Administrator's Report

County Administrator Townsend reported that currently the County is in the black by \$428,000.00. He said that the Department Heads and Constitutional Officers had done a good job with keeping their budgets in check. County Administrator Townsend reported that the Tax Anticipation Note (TAN) had been paid in full including interest and said that it looks like there could be a little over a million dollars to start the 2020 year.

XXV. Public Comments

There were no public comments.

XXVI. Round Table

Commissioner Horton wished everyone a Merry Christmas. He said that we need to remember the Ten Commandments and In God We Trust. He said that everyone needs to remember that name a little bit more. He said that the board took an oath “In God We Trust”. He said that God sees everything we do. Commissioner Horton wished everyone a Merry Christmas and a prosperous New Year.

Commissioner Heiney agreed with Commissioner Horton and thanked his constituents for their trust and confidence.

Vice-Chairman Traylor wished everyone a Merry Christmas and a Happy New Year. He said that the number of people that showed up for the meeting was phenomenal. He said he was pleased that those in attendance took an active role and voiced their opinions. He said that doing it right is what they want and for people to be involved. He thanked Commissioner Thrash for getting everything setup for Mayor Bostwick and stated that Mayor Bostwick had worked really hard for the City of Milner and deserved to be honored. He also thanked a Gordon Student, Victoria Brach. He said that she was President of the History Club and was there to observe County government.

Commissioner Thrash wished everyone a Merry Christmas and a Happy New Year. She said don't drink and drive. Commissioner Thrash also wished Milner City Councilman George Weldon a Happy Anniversary. She said that he had been married for 36 years and thanked him for his attendance.

County Administrator Townsend wished everyone a Merry Christmas and thanked the board for having confidence in him.

Chairman Glass thanked everyone for coming and said he was impressed with the Public Hearing discussion. He said that he is glad this year is over and stated that there had been a lot of accomplishments. Chairman Glass said he was looking forward to 2020 and wished everyone a Merry Christmas.

XXVII. Adjournment

Commissioner Thrash made a motion to adjourn the Regular Business meeting at 8:45 p.m. Vice-Chairman Traylor seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Charles Glass, Chairman

Ryran Traylor, Vice-Chairman

Bennie Horton, Commissioner

Robert Heiney, Commissioner

Nancy Thrash, Commissioner

Attest: _____ Carlette Davidson, County Clerk