

**Lamar County Board of Commissioners
Regular Business Meeting
January 21st, 2020**

Present for the meeting were Chairman Glass, Vice-Chair Thrash, Commissioner Horton, Commissioner Heiney, Commissioner Traylor, 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. Pastor Garth Forster of First Baptist Church of Barnesville gave the invocation.

III. Recess for Public Hearing

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

IV. Reconvene Regular Business Meeting

Commissioner Traylor made a motion to reconvene the Regular Business Meeting. Vice-Chair Thrash seconded the motion. The motion passed unanimously.

V. Agenda Approval

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

VI. Minutes Approval

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

- i. Workshop Meeting-December 12th, 2019
- ii. Public Hearing Meeting-December 17th, 2019
- iii. Regular Business Meeting-December 17th, 2019

VII. Resolution 2020-01 Tax Anticipation Note (TAN)

Commissioner Heiney made a motion to approve Resolution 2020-01 Tax Anticipation Note (TAN) in the amount of 3.8 million dollars. Vice-Chair Thrash seconded the motion. The motion passed unanimously.

VIII. Resolution 2020-21 Special Exception by Shereen Crowley

Vice-Chairman Thrash made a motion to approve Resolution 2020-02 for the Special Exception Application by Shereen Crowley with the conditions that there be a size limitation of 30 x 20, that it must be fenced, that a maintenance plan be in place for current and future needs, and that access to the cemetery be added to future deeds. Commissioner Traylor seconded the motion. The motion passed unanimously.

IX. Annual Board Appointments

- i. Commissioner Traylor made a motion to appoint Commissioner Thrash as the 2020 Vice-Chair. Commissioner Horton seconded the motion. Vice-Chair Thrash abstained from the motion. The motion passed unanimously.
- ii. Commissioner Traylor made a motion to approve Smith, Welch, Webb and White as the County Attorney for 2020 and Vice-Chair Thrash seconded the motion. The motion passed unanimously.
- iii. Commissioner Traylor made a motion to approve the following County Physicians for 2020. Commissioner Horton seconded the motion. The motion passed unanimously.
 - i. Dr. Wilson Woodall and Manley
 - ii. Dr. Aaron Buice
- iv. Commissioner Horton made a motion to approve James Butler as the County Surveyor. Commissioner Traylor seconded the motion. The motion passed unanimously.
- v. Commissioner Traylor made a motion to approve Attorney Mayfield as the Open Records Custodian for 2018. Vice-Chair Thrash seconded the motion. The motion passed unanimously.

X. Pictometry International Corporation Contract for the Tax Assessors Office

Tax Assessor Haddock reported that this is a contract for two fly overs to gather necessary property information and take photographs. They will compare the data from the last fly over which was in 2014. She said that they will also fly over for Upson County and Lamar County will receive a discount for this. The total contract amount is \$86,663.00. Commissioner Traylor made a motion to approve the Pictometry International Corporation Contract for the Tax Assessors Office. Vice-Chair Thrash seconded the motion. The motion passed unanimously.

XI. Surplus Equipment-JM Wood Auction Company, Inc

County Administrator Townsend reported that the Public Works Department has some paving equipment that is no longer in use. He said that the equipment is fairly old but has low mileage. He said that if the sale price is over \$110,000.00 the County will receive 60 percent above the \$110,000.00 and JM Wood Auction Company, Inc. will receive 40 percent. Vice-Chair Thrash made a motion to approve the contract with JM Wood Auction Company, Inc. to surplus the paving equipment. Commissioner Horton seconded the motion. The motion passed unanimously.

XII. Budget Amendment for Election Equipment

County Administrator Townsend reported that he has a budget amendment for the purpose of purchasing an enclosed trailer for the Board of Elections. Chairman Glass stated that the Board of Elections Office has new election equipment and the equipment is fragile. The old equipment was able to be stored in an open trailer because the cases were stronger. Chairman Glass explained that the printers are much like HP printers that one might have at home. County Administrator Townsend stated that the trailer is enclosed and is 12 inches higher than a normal enclosed trailer as to accommodate the new size. During the budget process, the Lamar County Board of Commissioners agreed to take funds out of contingency if the Board of Elections encountered any other cost associated with the new election process. Chairman Glass stated that the printers and the touch screens don't have protective cases. The State is currently responsible for the maintenance of the election equipment but in the future Lamar County will be responsible for the election equipment. County Administrator Townsend reported that \$5,250.00 will come out of contingency to purchase the enclosed trailer for the new election equipment. Vice-Chair Thrash made a motion to approve the purchase of the enclosed trailer for a cost of \$5,250.00 and Commissioner Traylor seconded the motion. The motion passed unanimously.

XIII. Administrator's Report

County Administrator Townsend reported that his cashflow is off by \$1,000.00 from what was forecasted for 2019. He said that the County is still receiving revenues and expenditures for 2019. County Administrator Townsend reported that the article in the Barnesville Herald Gazette stated that heavy traffic damage had been done to new pavement on Silver Dollar Road and that residents were claiming that it was due to the log trucks. The article states that the loggers paid the County for the damage but the County only spread gravel on the damaged areas. County Administrator Townsend stated that this was not the case. He said that no money was paid to the County from the loggers and that cost of road work for 2019 was \$4,913.30. He said that to repave the whole road it would cost \$298,885.00 and to remove the bad area and repave the road would cost \$142,032.20. He stated that the loggers are supposed to let the County know where they are paving and that the route is determined by the Public Works Director. County Administrator Townsend reported that the City of Milner had been rerouting the loggers down Liberty Hill Road which is approximately 2.3 miles.

Vice-Chair Thrash explained that the loggers have the same weight restriction on County roads as they do on highways. She said that trucks that weigh 80,000 pounds are traveling down country roads. She said that when the log truck accelerates or slows down it damages the roads.

XIV. Public Comments

Paul Proud of 123 Silver Dollar Road addressed the board with his concerns about Silver Dollar Road. He said his questions were answered but wanted to know if there was any help from Federal or State Funds that the board could receive to fix the roads. Chairman Glass

replied that they received Local Maintenance Improvement Grant (LMIG) funds. He said that 10 percent comes from fuel tax but the funding formula states that 10 percent of what the state tax collects in fuel tax is returned to the locals. The split is based on population and the number of roads miles that are in the County. The formula is two fifths population and three fifths road mileage. That is to keep the cities from taking over everything based on population or the rural counties from taking over everything based on road mileage. County Administrator Townsend reported that the County had received \$394,00.00 in 2019 and the amount the County is expected to receive in 2020 is \$424,000.00. Chairman Glass stated that the LMIG funds would cover 3.5 to 4 miles of roadway paving. He stated that the County doesn't receive any Federal funds for road work but sometimes the County will receive Federal funds that will cover bridge projects. Mr. Proud stated that back in 2002-03 a Special Exception for the Williams Funeral Home near Silver Dollar Road was approved. He said that they approved for a border to be put up and maintained and it has never been done. He said that when he comes out of his driveway, he sees a dumpster. Mr. Proud said that there is supposed to be a tree buffer and it was written into the exception. Vice-Chair Thrash said that she would look into this situation for Mr. Proud.

Randy Vining of 153 Ridgeway Road Milner, Georgia addressed the board. He said that he hates politics and he doesn't go anywhere that he doesn't carry a weapon. He said that the news was full of protests in Virginia over the Second Amendment and the things the Governor is trying to do in Virginia. Mr. Vining said that there has been a push in Virginia and now it is moving into Georgia for counties to become Second Amendment sanctuary counties. He said that Virginia has 75 to 80 percent of their Counties that are now Second Amendment Sanctuary Counties. He said that Georgia only has two so far. One in Habersham County and the other is in Stephens County. He said that there are a few more coming along in North Georgia. He said that he is asking that the Lamar County Board of Commissioners consider a Resolution to declare Lamar County a Second Amendment Sanctuary County. Mr. Vining submitted a copy of a drafted Resolution that Lamar County could adopt in order to become a Second Amendment Sanctuary County. He said that he could send the original to County Clerk Davidson. He said that he changed the name of the County and the dates to protect the innocent. He said that this is the same Resolution that was adopted in Virginia. He said that it was written by lawyers and people a lot smarter than himself. Mr. Vining requested that the board consider this Resolution. He said that he had spoken with a few of the Commissioners regarding this and the questions were why do we need this. Mr. Vining said that we need this because we see what is happening in Virginia and we see what is happening across the United States of America. This is affecting our Second Amendment rights. Mr. Vining stated that the Lamar County Board of Commissioners are our elected officials. Mr. Vining stated that he knew and was friends with most of the board members. He said that the people are the ones that want the board to stand with them should some Governor or someone else try to attack our Second Amendment rights. Mr. Vining stated that he is going to work his way up the State and he is going to push for every County in the State to adopt this Resolution. He said that he is going to push Representative Ken Pullin who is proposing a bill to do away with the Red Flag Law. He said that there are State level people that are working on this. Again, Mr. Vining said that he is asking the Commissioners to stand with them to support our second amendment rights and make Lamar County a Second Amendment Sanctuary County. He said that it is only words but it makes him feel good if he knows that his elected officials are standing with him. He said

that he comes from Barnesville, Georgia where he was born and raised. He said that a man or lady's word means more to him than anything else. So, he is asking the board to give him their word and make Lamar County a Second Amendment Sanctuary County.

Julia Heidbrink of 588 Hwy 36 West addressed the board and said that she is in support of the Second Amendment Resolution that has been proposed by Mr. Vining. Mrs. Heidbrink stated that second amendment rights are protected by our United States Constitution. This right protects all the other rights, in her opinion, she said that she is not an advocate of any hot heads or power grabbing threats, organizations or any crazies out there. Mrs. Heidbrink said that she does believe that the rights of the people are being threatened. She said that she has spent a good bit of time watching what is happening in Virginia. She said that there was a rally at the Virginia Capital because the Governor and the State Legislators ignored the United States Constitution. She said that they severely curtailed the rights of the people in the State of Virginia. She said that as a result of this, as recorded by Fox News, "The Virginia citizens defense league, a gun's rights group, claims that 85 out of 95 counties in Virginia have already approved so called sanctuary measures. At least 9 cities and 17 towns have done the same." Mrs. Heidbrink said that there were 22,000 people at this rally. She said that many of them carrying weapons and they looked like they were in a war zone. Mrs. Heidbrink said that not one person, except for one lady who refused to remove some type of face mask, when asked, was arrested. She said that there was no violence or anything happening and some of the media were reporting that groups that were going to that rally, to try to stir up trouble, saw a few things that they didn't expect to see with all of the military looking guys running around with their firearms. Mrs. Heidbrink said that there is legislation, right now, at the State level in Georgia that would enact Red Flag laws in the State of Georgia. Mrs. Heidbrink read an excerpt from House Bill (HB) 435, "So as to enact the "Georgia Red Flag Protective Order Act"; to provide definitions; to provide for risk protection order hearings and issuance; to revise provisions regarding temporary ex parte risk protection orders; to provide for service of notice; to provide for the termination and extension of orders; to provide for surrender and return of firearms, ammunition, and weapons carry licenses; to provide for the reporting of orders; to provide for penalties and liability". She said that Representative Ken Pullin and 5 other conservative House Representatives in Georgia have introduced HB751 the Anti-Red Flag Second Amendment conservative act. In Lamar County, she said that they need to stand up now for the constitutional rights of our law-abiding citizen by publicly supporting and passing the Resolution introduced by Mr. Vining as well as Representative Pullin's HB751. Ms. Heidbrink stated that while they appreciate their Commissioners, we request that all of them to not solely rely on our Constitutional rights but to proactively move to protect the Constitutional rights of Lamar County law abiding citizens. Mrs. Heidbrink said that they don't want to be another Virginia because in Georgia they don't need it.

Kevin Bradley of 120 Mill Pond Court, Milner, Georgia addressed the board. He said that Virginia Government has plainly shown that they do not care for the people and are eagerly happy to transform the second amendment. He said that sadly we are seeing the same thing in the State of Georgia. He said the State Bill (SB) 50 which would repeal the campus carry law. He said that SB281 which would get rid of assault rifles, high-capacity magazines and other infringements. He said that SB105, "Georgia Firearms and Weapons Act", HB435 "Georgia Red Flag Protective Order Act", HB238, "Gun Safety Act". He said that we shouldn't forget HR838, "the Tax Act and Red Flag laws that some State and Federal Representatives of

Georgia openly support. He said some might say that this tyrannical government that Virginia has become will never come to our doorsteps. He said maybe that is true and maybe it is not but why can't it. The consequences to underestimate such things would be far to devastating. Mr. Bradley said that it is time to take a proactive measure and said that this is why he is recommending a Second Amendment Sanctuary Ordinance for Lamar County. He said that in order to ensure our God given right to self-defense and defense against a tyrannical government, he and fellow citizens would rather have this Ordinance and not need it than need it and not have it. The Second Amendment Sanctuary Ordinance is an effective way to send a message to both the State and Federal Representatives of a State that their citizens will not support those that violate their rights and intent to dismantle the Second Amendment as opposed to Resolutions that simply state a locality's intent for position. An Ordinance creates legal parameters and guidelines that their locality must follow as law allowing them to be enforced in ways that Resolutions cannot. Mr. Bradley said that he hopes that the County Commissioners are for supporting this Ordinance and the Constitution per their oath and that we all have faith in. Mr. Bradley concluded his comments by saying Thank You and God Bless.

Tony Jackson of 347 Silver Dollar Road addressed the board and said that the job that the people did the first time on Silver Dollar Road was not up to par as to what they should have done in the first place. He said that he was told that there were five roads paved and ours was the only one with a problem. He said that they had to come out and put a patch beside his driveway within in a month after they paved the road. He said that there is only about a ½ inch of asphalt on the road; not an inch and a quarter or what it should be. He said that they did a bad job and his understanding was that they did it on Thursday and Friday and they were trying to get through and then get off work. He said that this is his biggest complaint because the road was better before they paved it. Mr. Jackson stated that he would rather it be dirt like it was before than having all of the pot holes that they have now. He said that they come out there and patch it and in two or three days they are back again.

Chairman Glass stated that this time of year it is very difficult to patch because of the cold temperature and the wet weather works against them. Mr. Jackson stated that they were out there this Thursday or Friday patching the holes. Chairman Glass said that they are trying but they know it is not a permanent fix with this kind of weather.

Melissa Cline of 420 Country Kitchen Road addressed the board regarding the Second Amendment Sanctuary Ordinance. She said that everyone feels that this can't touch us and it is not going to come here and it's not going to affect us. Mrs. Cline said that one of things that she noticed about the laws in Virginia is that they are so vague and they can make any gun illegal. It says that if your gun has the capacity to accept high-capacity magazines then it is illegal. She said it is not that you don't have one or that you or not using one but if your gun will even accept one then your gun is no longer legal. She says it starts with a list of those that have a gun and then what kind of gun you can have and then they limit you with the kind of gun that you can have and the next thing you know you have a Red Flag law and your Sheriff has to make a decision if he is going to follow the Constitution or if he is going to follow the law. Mrs. Cline said that then you have the deputies who have to make a decision because they serve the Sheriff. Are they going to not do what the Sheriff tells them to do which is to follow the Constitution and lose their job? Mrs. Cline asked are the deputies going to move on their neighbors because Mr. Vining doesn't want to give up his gun because someone said

that Mr. Vining was acting crazy in the restaurant the other day and I don't think he should have his gun. So then, someone he went to school with and has grown up with his whole life shows up at his door to take his gun. Mrs. Cline said that they shouldn't put the law enforcement and the citizens in that position. She said that if you can pass an Ordinance that says that you back the Second Amendment, then be a leader. She said if there are only three other counties in the State of Georgia that has passed something along this line then go out on a limb. She asked that the Commissioners do their research, talk to their constituents and consider it strongly because we do need to send a message that we don't want liberals or people to the left or ever how you want to say it to come and take our rights away from us. Mrs. Cline said that it starts with a small thing and gets bigger.

Mr. Ray Griggers of 531 Greenwood Street addressed the board and commended them for the job they are doing. He said that there is a lot of talk about these bills in Virginia and he said that he wanted to talk about when the rubber meets the road. Mr. Griggers asked for a show of hands for those in the Military. There were many citizens present who raised their hands and a round of applause was given. He said everyone in House, Senate, General Assembly, Federal, State, Local Government took an oath of office to uphold the Constitution of the United States of America. He said that the people don't understand the power that they have to correct these issues that are going on. He said that it is a contract to the government itself and the people. He said an Ordinance is good because you are making your stand. He said that people have to understand how it works because statues come from the house; the general assembly. He said that statues are actually controlled by the Constitution, they are a subordinate to the Constitution and then Ordinances, Regulations and Codes are subordinate to the statue. He said that it will be ok if the County does it but it will not override the statue. Mr. Griggers explained that a statue cannot override the Constitution; like these politicians are doing. He said that they are socialist. He said that this is Marxism. Mr. Griggers said that the key is that the oath of office is a contract. When that person takes an oath of office, like when the Board of Commissioners, the Sherriff, everyone in Government took an oath of office to uphold the Constitution in the State of Georgia and the United States of America. Mr. Griggers said that this is a contract that you are breaching. He said that in Atlanta, like in Virginia and the District of Columbia, your rights do not come from the Second Amendment. He said that the Constitution was created and the Bill of Rights was amended. There were 10 amendments to the Bill of Rights. Mr. Griggers said that those are restrictions against the Government itself. He said that the right to keep and bear arms shall not be infringed. He said that it was written on a third-grade level so what part of not being infringed; shall not be understood. He said that what that means is that you can't mess with it. He said that they are using this through the media of mind control and programming where they are making excuses. He said that he used to lobby in Atlanta. He said that on the back of bills that they can't pass that were shut down they used children to get them through; anti-gun legislation. He said that these bills that they are passing are unconstitutional. They have no force or effect on the law. He said that it is treason. He said to vote them out or go and demonstrate is a good show but what everyone needs to understand is that we can put them in a contract personally, through their oath of office, through affidavit and hold them accountable. Mr. Griggers said they could say they have 30 days and you can track that bill. You have tracked the bill that you have put out as treason. The statues are all through the Constitution. He said that statues exist.

Eddie Felton of 290 McCullum Road addressed the board and thanked Vice-Chair Thrash for bringing the Gordon State College students out to clean up Mill Street.

XV. Round Table

Commissioner Horton stated that he would go wherever he needs to go to help protect this City, this County, this State and the United States of America. Commissioner Heiney stated that he moved from New York to Lamar County almost 20 years ago and he has a strong knowledge of gun control. He said that he can you tell you from personal experience and talking to a lot of people in Upstate New York and they have gotten the brunt of the Socialist, Marxist, disgusting government that New York State Government has in place. Commissioner Heiney said that they should all be locked up in jail and that is the reason he moved down here. Commissioner Heiney said that he wouldn't put up with it. He said that as far as he is concerned living up there is bondage. He said that the same cancer has moved down to Virginia. He said when you talk about if we need to have an Ordinance here in Georgia and this County, he thinks that we do. Commissioner Heiney said that anything can happen. He said look what happened in Virginia. He said this what happens when you get a bunch of gun grabbers who take control and put their crowns on and then they are smarter than you are. Commissioner Heiney said that from gun control all other controls comes. He said to trust him when he says, once this happens, once the gun confiscators have achieved their goal, they will want to control every aspect of your life. This includes where you eat, where you drive, the temperature in your home and you haven't seen anything yet. Commissioner Heiney said that he would urge everyone there at the meeting to continue what they are doing because we need these Ordinances and we need to be powerful locally against the forces of evil.

Commissioner Traylor thanked Mr. Felton for his nice comments and said that the work the students did went all the way down to Howard Road. He said at the Workshop meeting the board was discussing how much it would cost for a contractor to come in and pickup trash. He said that he was speaking to his college students about this and said that when you look at the four criteria of businesses the last two things that it talks about is social responsibility and government responsibility. He said that too often government assumes responsibility to make up for the lack of social responsibility. He said that it could be as simple as throwing trash out the window, that someone else has to pick up or the idea that you think that you have to control guns. He said that his students understood this and he thinks that by the number of people that showed up to the meeting our County and our Citizens understand that also. He said that the idea of government having to be added or big government needed is a problem. Commissioner Traylor said that his goal as a County Commissioner is not to have power and he would have never run for office if he wanted power. He said that he doesn't need power and they don't even get paid very much. He said that he tells his students all the time that it's about \$.40 an hour. Commissioner Traylor said that the idea is to see that the citizens and Lamar County stands for something and the citizens can come and share their opinions and realize the importance of why we have this great nation and the integrity behind this great nation. Commissioner Traylor said that they should also remember that the board needs their help. He said that Ken Pullin is a good friend of his and they communicate with the legislators but they need help from the locals. He said that too often it is just them hearing from the board and he is not saying that the citizens aren't taking time to do that but said that if you had the energy to come to the meeting then draft an email to the legislators tomorrow. He said that they are in

the position to provide the assistance that is needed. Commissioner Traylor said that he is very proud of Lamar County and said that they have upgraded with new technology; iPads. He said that he is not a tree hugger but he doesn't want to kill trees for paper. He said that with the new iPads, they can do things that they should have been doing a long time ago and they have seen the importance of doing this especially with all of the meetings that they go to. Commissioner Traylor thanked everyone for coming and the pleasant emails, text messages that he had received and the phone calls. Commissioner Traylor said that there is nothing like driving to Florida, with your son, and having a blue tooth playing through the speaker. Then, someone calls and you have a conversation that is pleasant enough about this situation that his son talked about it. Commissioner Traylor reported that he and Walter Geiger with the Herald Gazette, were at the basketball recognition night. He said that they were standing in line for his son to be recognized along with his wife and his sons conversation, the entire time they were in line, was asking him how it was going to go tonight, with all of those people around them, he said we have to check our guns. Commissioner Traylor said that he is 13 years old. Commissioner Traylor said that this was because of a conversation that he heard through blue tooth in the car and because it was a respectful conversation, this is the reason, he can live in Lamar County. Commissioner Traylor again thanked everyone for being there at the meeting and asked the citizens to continue to be in support of what the board tries to do for the County.

Vice-Chair Thrash said that she had someone call her the other day and told her that becoming a Sanctuary County in Georgia is lawlessness. However, her opinion is that any politician that enacts a gun law is ignoring the Constitution, the foundation of what this Country was built on. The reason why the veterans who were recognized at the meeting fought for us was to be able to have those Constitutional Rights. Vice-Chair Thrash said that it is their responsibility as elected officials to protect that Constitution and to uphold it. She said that they are the citizens voice. Vice-Chair Thrash said that challenged, this is what she is going to do. She said that passing a Resolution or an Ordinance or whatever they decide to do makes a statement that says we are going to protect that Constitution. She said that any gun laws that are passed, are unconstitutional in any way shape or form. She said that the Red Flag Law violates the Constitution and violates due process which is protected in the Constitution. Vice-Chair Thrash said again that she is going to protect the Constitution as an elected official.

Chairman Glass asked for a show of hands for those that were at their first County Commissioners meeting. After a round of applause, Chairman Glass thanked them and everyone for coming. He said it was a great turn out and said that they need this kind of support and feedback every month. He thanked everyone for coming and for their patience with the board.

XVI. Adjournment

Vice-Chair Thrash made a motion to adjourn the Regular Business meeting at 8:00 p.m. Commissioner Horton seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Charles Glass, Chairman

Nancy Thrash, Vice-Chairman

Bennie Horton, Commissioner

Robert Heiney, Commissioner

Ryran Traylor, Commissioner

Attest: _____ Carlette Davidson, County Clerk