

**Lamar County Board of Commissioners
Regular Business Meeting
February 16th, 2021**

Present for the meeting were Chairman Glass, Vice-Chairman Horton, Commissioner Heiney, Commissioner Traylor, 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 7:40 p.m.

II. Pledge of Allegiance and Invocation

Everyone said the Pledge of Allegiance. Pastor Mark Dicks of Rock Springs Church gave the invocation.

III. Agenda Approval

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

IV. Minutes Approval

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

- i. Workshop January 15th, 2021
- ii. Regular Business Meeting-January 19th, 2021

V. Proclamation

Vice-Chairman Horton read a Proclamation proclaiming the month of February as Black History Month whereas the 2021 theme for the observance is “The Black Family: Representation, Identity and Diversity” and, African American/Black History Month is an annual celebration that recognizes the considerable contributions of African Americans throughout our nation’s history, through their influences in arts, entertainment, law, politics, sciences, medicine, sports and so much more.

VI. Resolution 2021-21 Annual Budget Amendment-General Fund

County Administrator Townsend explained that in working with auditors this past year, in order to approve the budget, a Resolution was required to move \$225,000.00 out of the General Fund and transfer those funds over to the E-911 fund so they can keep a clean track of how the funds are booked each month. He said that they allocated \$92,335.00 that is coming out of the General Fund revenue as an interfund transfer.

Commissioner Thrash made a motion to approve Resolution 2021-02 Annual Budget Amendment for the General Fund. Commissioner Traylor seconded the motion. The motion passed unanimously.

VII. Resolution 2021-02 Annual Budget Amendment-E911

County Administrator Townsend said that Resolution 2021-02 Annual Budget Amendment for E911 was required because this is where the money is coming into the E911 fund. He said that the E911 payroll each month is paid through the General Fund. County Administrator Townsend said that it has to be transferred over to the E911 expenditures in the budget and then reimbursed to the General Fund.

Commissioner Traylor made a motion to approve Resolution 2021-02 Annual Budget Amendment for the E911. Vice-Chairman Horton seconded the motion. The motion passed unanimously.

VIII. Resolution 2021-03 TMJ Investments, LLC-Solar Panels

Planning and Community Development Director Buice gave an overview of the request for approval of Resolution 2021-03 by TMJ Investments, LLC. Seeking approval to operate a solar panel farm on Crawley Road: Tax Map 017; Parcels 22 and 42 as a Special Exception in Agricultural Residential (A-R). She said that if the Resolution is approved, there is a place on the Resolution to add conditions.

Commissioner Traylor said that he appreciated Mr. Fleming sharing the information on the solar panel farms in Twiggs County. He said that he looked it up and it has a great layout but noticed that there was nothing around the solar panel farm but trees.

Commissioner Thrash said that zoning is one of the hardest things that they do as Commissioners. She said that you cannot please everyone and sometimes you will make someone mad. Commissioner Thrash said that one of the things that bothers her about this is that she is a strong Constitutionalist and she believes that everyone has the right to utilize their property to the fullest extent. She said that in all of the discussion, no one has brought up one thing about Mr. McCook begin able to utilize his property to the fullest extent. Commissioner Thrash said that everyone in the room has talked about me, me, me, me, me and how this is going to affect me. She said having said that, you are important too but like Mrs. Holloway said in her email that she sent to them, the documents that she brought up are from 2007 and things have changed drastically since then. Commissioner Thrash said that she has done more research in the last month on solar panels than she has ever wanted to do ever again. She said that with the runoff issue, in order for something to leach, there has to be something to change the composition of what is leaching and there is nothing in the panels that causes any solar erosion or bad runoff that is going to be detrimental health-wise to anyone. Commissioner Thrash said that it is just a proven fact and it is just not there in the research that she has done. She said that they did not need to be concerned about this because she has had extensive conversations with Mr. McCook about things that she feels like that he needs to do if it is approved. She said that he has agreed to put the tree buffers all the way

down Crawley Road so that they won't have to see it. Commissioner Thrash said that there are already tree buffers on that side and the buffers are already there except for when you pass the property. She said that she really did not see any reason why they should deny him from doing this on his property.

Vice-Chairman Horton addressed Mr. Chris McCook and asked if in five to twenty-five years, if they decide to take down the solar panel farm, will they be willing to put this in writing that you would put the land back like the way it was when you started. Mr. McCook said that this was a fact and that the beautiful thing about the solar panels is that it is not like demolishing a building. He said that they will go on the land and then they will pull them straight off the land and they will go to a recycling center. Vice-Chairman Horton asked Mr. McCook what type of heat the solar panels generated. He replied that they generate zero heat. He said that he could personally testify to that through building and developing solar panel farms. Vice-Chairman Horton said that he did not want to stand in the way of progress but he was also concerned about the property owners and wanted to make sure that the Environmental Protection Agency (EPA) and the Environmental Protection Division (EPD) check the solar panels closely. Mr. McCook said that they monitor them every single day. Vice-Chairman Horton said that when he makes his vote that he puts himself in the place of the constituents to the best of his ability and that they uphold a position that they are asking for him to do. He asked Mr. McCook to not go out there after four or five years and leave it to go someplace else and then Lamar County is left with problems.

Mr. Chris McCook said that they would be able to put all of this in writing and said that the project is around thirty-five million dollars and they are not walking away from a project that has to pay for itself and they have to see it to the end. He said that there will be maintenance crews coming and going and the EPA and the EPD will constantly be coming in to check on the solar panels.

Commissioner Traylor said that he was sure that they were aware that previously there were two solar panel farms approved in Lamar County and nothing has transpired with those solar panel farms. He asked if they had communicated with Georgia Power as to why nothing happened with these solar panel farms. Mr. McCook said that he could not speak for Georgia Power but said that they would apply for the program with them immediately and hopefully they will begin construction within five to six months. Commissioner Traylor said that he was looking at the solar panel farms in Twiggs County and said that most of them are in Industrial Parks. He asked Mr. McCook what made them decide to have a solar panel farm on the property. Mr. McCook said that it was the clean energy and renewable sources of energy and the best thing that they could put on the property and the best investment that they could work out for everyone including them and the County.

Mr. Mark McCook said that on a lot of fields, you put them around fuel stations or a clear-cut timber track where there is massive grading, millions of dollars of grading, that goes into these projects which does disturb the soil tremendously. He said that it is more costly to manage the roads. He said that this property has zero clearing because it is just a field. He said that this property is not steep and not a mountain but a gentle roll. He said that it is basically cutting out

the grading. Mr. McCook said another aspect of this property is that it is pretty remote and they are key factors that they studied when choosing this piece of property.

Commissioner Thrash asked Mr. Zabala to explain the composition of the solar panels. She asked if there were hazardous materials in the panels. Mr. Zabala said that there is one manufacturer in the United States. He said that these types of panels are manufactured in China, and they use silicon which is a component in the cells. He said that they get activated with the rays of the sun and that is how the energy is generated. He said that in this particular case, there is no cadmium whatsoever. He said that these panels basically have glass and said to compare it to the windshield in your car.

Mr. Zabala said that the solar panels in some cases are basically designed as fixed panels. He said that the fixed panels do not take advantage of the sun as they rotate so the efficiency of those solar panels is less and makes it more costly to design. He said that in order to optimize the efficiency of the solar panels the manufacturers added a tracking mechanism and this allows the solar panels only to rotate up and down to follow the sun in the daytime. He said it rotates an average of 60 to 90 degrees. The rotation is one degree at a time to be able to keep track of the sun. Mr. Zabala said that in the case of tornados, or heavy winds they usually make the solar panel flat in order to provide less resistance to the wind.

Commissioner Thrash asked what time of day do you get the calm reflection from the solar panels. Mr. Zabala said that a typical day starts at 7:00 to 8:00 a.m. and then the rotation starts about 9:00 a.m. to 10:00 a.m. and then it stops about 2:00 to 3:00 p.m. in the afternoon. He said that this is the typical rotation of a solar panel. Commissioner Thrash asked if this is what they hear when the solar panels rotate. Mr. Zabala said that it is a little click much like that of clicking a pen.

Commissioner Heiney said that they are looking at 130 acres of property and asked what else are they going to tell him that he cannot do on this property. He said what if this project is turned down and he builds a subdivision on it or he puts a pig farm on it, or chicken houses. Commissioner Heiney said that he heard comments about experiencing country living; wildlife and deer. He said that this was a repeated statement. He said that if Mr. McCook cannot build this project and he decides to put in a 50-unit subdivision, and how will you feel when you look outside your windows. Commissioner Heiney asked what that would do for wildlife and he said that they are looking at the project a little too harshly. He said that this project will be quiet and will not make any noise or generate any traffic. He said that it will sit there and as the outer perimeter grows up you will not even see it. Commissioner Heiney said that this is their choice and they can ask the board to deny this project but remember he may come back and put in a trailer park or 400 tiny homes for veterans. He said that they need to think about that and the noise and what they are trading off if they deny this project.

Chairman Glass said that he wanted to address the question that Commissioner Traylor had asked about the other two solar panel sites that were approved by the board. He asked if there was any consideration given to using one of those sites. Mr. Mark McCook replied no that it was already approved and that was their site. Chairman Glass asked what was different about this site than the other sites that were approved and never built out. Mr. McCook said that they

did not know anything about their personnel situation but they may have been trying to negotiate their price amount with the power companies but they had no way of knowing. Mr. Chris McCook said that it may have been harder for a smaller site to get a contract. Chairman Glass asked the McCook's if they had an agreement with Georgia Power. Mr. Chris McCook said that once they have the application approved then they proceed to the RFP process. He said that there are engineering, wetland, and soil erosion studies. Chairman Glass asked about the expected timeline for beginning construction. Mr. McCook said that he hopes it will be within six months.

Commissioner Thrash asked if there had been a conversation with Georgia Power. Mr. Chris McCook said that they had already done pre-applications online and there had already been studies done. He said that they did not want to proceed any further because of the expense of doing this without approval from the board.

Chairman Glass asked if they had other sites that they work with. Mr. Chris McCook said that they work daily with other solar panel sites doing grading, maintenance, and soil erosion studies, and such. Chairman Glass asked if there were any decommissioning agreements on the other sites. Mr. McCook replied that these sites are not their sites and they are just working on them. He said that they are contracted with other companies. Chairman Glass asked if they had decommissioning agreements on them. Mr. McCook replied that they do.

Chairman Glass said that he heard a comment about the presentation being one-sided. He said that he found that to be true from both sides. He said that he understands that you have to stand on your side of the argument and he has tried to enter into this with an open mind. Chairman Glass said that a lot of research was put into the other solar panel sites. He said that the cadmium was one of the concerns and they found that this is not used in these types of panels. He said that they consulted with Dr. Yeller at the University of Georgia and he told them that there is little to no risk from the installations once they are in place. He said that they spoke to the Solid Waste Authority Director Johnny Poore and he received a statement from Harbin Engineering that said if you are going to dispose of the solar panels, they recommend a municipal solid waste landfill that will require testing and confirmation that solar panels are not characteristically hazardous. He said that they test for four conditions: ignitable, erosive, reactive, or toxic. He said that if you put less than 220 lbs. a month into the landfill then there are no restrictions. He said that if you are a commercial project that is decommissioning a solar panel farm and they expect you to provide that type of testing otherwise they expect that they are taken into the landfill which Lamar County is not a hazardous landfill but a municipal solid waste landfill.

Commissioner Traylor said that the other two solar panel farms that were approved did not have any opposition. Chairman Glass said that they did have opposition. Chairman Glass called for a motion for Resolution 2021-03 TMJ Investments, LLC-Solar Panels. Commissioner Thrash made a motion that they approve Resolution 2021-03 TMJ Investments, LLC-Solar Panels with the following conditions:

- 1) Will fence in the entire property around the solar panel farm
- 2) Plants tree buffers all the way down Crawley Road

3) On the backside where Mr. Edward Bistany lives a tree buffer will be planted to keep his house from looking down on the panels and whatever is planted so that he will not see the solar panels.

Commissioner Thrash stated that whatever is planted they will reach the growth so that he does not see the solar panels when he is looking out. Commissioner Heiney stated that they needed to refer to Ms. Holloway's letter because there was a simple request at the end of the letter. He said that they are very similar to what Commissioner Thrash is saying. Commissioner Heiney said that Ms. Holloway said that a 150 ft. buffer between the solar panels and the road and a requirement of a 150 ft. buffer between the solar panels and the adjacent properties to obstruct the view of the solar panels. This would be a vegetative buffer. Commissioner Heiney asked if these things would be impossible for the McCook's to do. Mr. Mark McCook replied that 50 ft. is a typical buffer. Commissioner Heiney asked if they could do a 100 ft. buffer. Mr. McCook said that they would be getting deep into the field and they would be going much more than 50 ft. and if vegetation gets to a full height it will start blocking the sun coming into the field and this is the reason that they usually go with a 50 ft. buffer. Commissioner Heiney asked if they could meet her halfway and do a 75 ft. buffer. Mr. McCook said that he would hate to comment on much more footage than they have already put on the preliminary without talking to the engineers. Mr. Chris Cook asked if they were talking about the front or the backside of the property. He said that on the first side of the property there are 800 ft. of trees before you get to a house. Commissioner Thrash said that there was already a tree buffer on that side of the property.

Chairman Glass said that they were trying to get a motion and asked Commissioner Thrash if she had any other conditions so they could continue with the motion. Commissioner Thrash continued with her motion.

4) Plant tree buffers on Mr. David Key's property so that he will not see the solar panels

Commissioner Thrash restated her motion for the minutes.

- 1) Will fence in the entire property.
- 2) He has to put the tree buffers all the way down Crawley Road.
- 3) He has to put the buffer on the backside where Mr. Bistany's s property is located.
- 4) He has to put the buffer where Mr. Key's property is located.

Chairman Glass called for a motion to approve the Resolution with the conditions added for a fence and tree buffers in various areas. Vice-Chairman Horton seconded the motion. He asked if he needed to discuss anything or add anything. Chairman Glass asked if they wanted to put something in the motion about decommissioning. Commissioner Thrash said that she did and amended her motion adding the following condition:

5) When the life of the solar panel farm is over the property will be returned to its original condition.

Chairman Glass said that they talked about putting a deadline on the start of the project and the special exception would expire if the project had not started within a certain amount of time. He asked if the board wanted to address this. Commissioner Thrash said that the only downside that you could see to this would be with Georgia Power. Mr. Chris McCook said that they had a 24-month timeline to get it up and running but he hoped to have it done within six months depending on Georgia Power's timeline. Commissioner Thrash said that if the solar panel farm is not up and running within two years then this special exception zoning reverts back to A-R. Chairman Glass asked if this is up and running or the start of construction.

Mr. Zabala said that right now Georgia Power is seeking to issue an RFP in 2021 but they have not exactly decided when. He said that once they issue the RFP, by the time they go through the process and they select the potential developer, sign the agreement, all of the permit applications are completed, financial backing, constructions arrangements are made, it could take as much as 24 to 36 months to be able to complete this particular project. Mr. Zabala said that they are looking potentially for as long as three years from now until you have an operating facility.

Commissioner Thrash said that she is just not interested in letting this thing ride on forever so she will amend that motion to add the following:

6) If the solar panel farm construction has not started within three years, the zoning reverts back to A-R.

Commissioner Traylor said that he personally feels that they have plenty of space within Lamar County that would support a Solar Panel farm. He said that if this is going through, in his opinion the trees being planted should start now. Commissioner Traylor said that if he is that committed to it then he should go and invest in the trees now and not wait until the Solar Panel farm project is approved and then plant trees. He said that he should go ahead and plant the trees now. Commissioner Thrash said that he said that he was going to do that and asked if he wanted to put this as part of the special exception. Chairman Glass said that they already had a motion to approve. Commissioner Traylor said that he was talking about making this a part of the stipulation and that they go ahead with planting the trees now so that there can be three years of growth by the time they start the project. Mr. Mark McCook said that the only problem he sees with this is because of the potential work going on around the trees. He said that if you plant the trees now, when the fence goes in, and the tractor is going through the driving fence post, you stand a chance of damaging the trees. He said that it is better to get the full engineering done and set the fence and then plant the trees. Commissioner Thrash said that she agreed with Commissioner Traylor and she would like to see the tree growth go ahead and get started. Mr. McCook said that it is a substantial risk of damaging the trees during the process and then they will have to re-plant the trees. He said maybe not all of them but some of them.

Chairman Glass said that there was a motion to approve Resolution 2021-03 TMJ Investments, LLC-Solar Panels with the following conditions:

- 1) The entire property will be fenced
- 2) The tree buffers should be planted as soon as possible

Chairman Glass asked if they needed to put a date as to when the tree buffers needed to be planted. Mr. Mark McCook asked if they could put a date on it based on when Georgia Power actually gets them on the books. He said that once they approve them, they could start planting the trees. Chairman Glass said that the trees would be planted as of the start of January 1, 2022.

- 3) The buffer will be all of Crawley Road
- 4) They will shield all of the other parcels that have residents on them
- 5) The decommissioning agreement where at the end of the life of the solar panel farm the property will be returned to its original condition.
- 6) The condition to revoke the special exception if the project is not started within three years of tonight's date.

Chairman Glass said that they have a motion from Commissioner Thrash for approval with these conditions. Vice-Chairman Horton seconded the motion. Chairman Glass called for a vote to approve Resolution 2021-03 TMJ Investments, LLC-Solar Panels with conditions as follows:

- 1) The entire property be fenced
- 2) Tree buffer be planted along Crawley Road
- 3) Screen other parcels with houses on them.
- 4) Get started no later than January 2020
- 5) Decommissioning Plan at the end of life of the project
- 6) If construction has not begun within three years or the Special Exception will be revoked

Vice-Chairman Horton asked Chairman Glass about the date of January 2020 and he clarified that he meant the date of January 1, 2022. Chairman Glass asked for a vote with the above conditions. The board approved the vote 3-1 with Commissioner Traylor opposing the vote.

IX. Resolution 2021-04 Richard and Geri Lewis-Minor Subdivision

Planning and Community Development Director Buice said that the Resolution is to divide 5.225 acres in half and rezone both properties from A-R to R-1. The location is on Five Points Road, Milner, Georgia, and is on Map 020 and Parcel 022016. The two parcels will be roughly the same size.

Commissioner Heiney made a motion to approve Resolution 2021-04 Richard and Geri Lewis-Minor Subdivision. Commissioner Thrash seconded the motion. Commissioner Thrash said that she wanted to go on the record because there are some concerns about drainage and the water runoff on the right side of the property. She said that Public Works Director Rigdon would get with the Lewis's about this. Commissioner Thrash said that there is a certain size pipe that needs to be put in and Mr. Lewis and the grandson agrees with this and they will work with Public Works Director Rigdon.

Chairman Glass asked if this needed to be a condition on the Resolution and Commissioner Thrash responded that it did not need to be a condition, she just wanted it to be on the record.

Chairman Glass said that the vote passed unanimously.

X. Ordinance 2021-01 Richard and Geri Lewis-Minor Subdivision-Rezone from Agricultural Residential (AR) to Residential (R2)

Vice-Chairman Horton made a motion to approve Ordinance 2021-01 Richard and Geri Lewis-Minor Subdivision-Rezone from Agricultural Residential (A-R) to Residential (R- 2) Commissioner Heiney seconded the motion. The motion passed unanimously.

XI. FY 2021-County-Wide IT Managed Services

County Administrator Townsend stated that he had been working on this for several months trying to get someone to get some bids. He said that lately, the services need to be looked at and a lot of costs were coming in. He said that he talked with some IT companies and Wired Technologies is coming in with services that will cost \$32,400.00 per year. County Administrator Townsend said that last year and the year before they spent around \$50,000.00 to \$60,000.00 so this will help them out a lot. He said that Wired Technology would give them a budget as to what is needed on the computers and they will be doing that in the near future. County Administrator Townsend said that all three companies were talking about doing that too. He said that the biggest cost with each company was bringing in switches. He said that one company wanted to charge around \$28,000.00 and another one to charge around \$32,000.00 just to come in with all of the equipment and give them service. County Administrator Townsend said that they are currently using Wired Technology so it is a good fit for the County.

Commissioner Thrash asked if they made a mistake when they terminated the IT position and went with a contracted IT company. She asked if it would be more costly to do it this way. County Administrator Townsend replied that it would not. He said that when they had the IT person on staff, he would spend most of his time researching how to do something. Commissioner Thrash said that they needed to get someone who knows about IT when they hire someone. County Administrator Townsend said that for one person it is hard to do one thing. He said that Wired Technology has several people that do the work and this is a good situation for the County.

Chairman Glass noted that the staff recommendation was for Wired Technology for \$32,400.00 per year. Commissioner Thrash made a motion to approve the bid for Wired Technology for \$32,400.00 per year. Commissioner Traylor seconded the motion. The motion passed unanimously.

XII. Administrator's Report

County Administrator Townsend stated that within the next month he will have a Voice Over IP (VOIP) bid because Wired Technology will give us a good recommendation as to whom to choose. He said that he knows enough to be dangerous with VOIP.

County Administrator Townsend reported that as of January everything is doing good. He said that the prior year closed out above his forecast. Chairman Glass noted that last year's higher forecast was due to receiving the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds and the Local Option Sales Tax (LOST) being higher than in the past. Chairman Glass said that there was also expense control with all of the Departments and all of this helped the County. County Administrator Townsend said that January is above forecast. He said that they are not going to get into the line of credit until March or April but most of the higher bills will start coming into the County for payment in March.

County Administrator Townsend reported that he should be receiving the last bid for the windows at the Courthouse tomorrow. He said that Lowe's and Home Depot were supposed to give him bids and no one showed up. County Administrator Townsend said that he is hoping to get the windows installed by March.

County Administrator Townsend said that he is putting together a Request for Proposal (RFP) for an Architect and Engineering firm within the next day or two so that they can get this started.

XIII. Public Comments

No Comments

XIV. Round Table

No Comments

XV. Adjournment

Vice-Chair Horton made a motion to adjourn the meeting at 8:33 p.m. Commissioner Thrash seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Charles Glass, Chairman

Bennie Horton, Vice-Chairman

Robert Heiney, Commissioner

Ryran Traylor, Commissioner

Nancy Thrash, Commissioner

Attest: _____ Carlette Davidson, County Clerk