

**Workshop Meeting
Lamar County Board of Commissioners
3-16-2023
12:30 p.m.**

The meeting was called to order at approximately 12:30 p.m. on March 16th, 2023. Present for the meeting were Chairman Traylor, Vice-Chair Thrash, Commissioner Fletcher, Commissioner Lovett, Commissioner Gilles, County Administrator Townsend, and County Clerk Davidson.

Call to Order

Chairman Traylor called the meeting to order at approximately 12:30 p.m. Chairman Traylor thanked everyone involved in the Groundbreaking Ceremony for the Animal Shelter.

Discussion of Adverse Possession-Ginger Tant

Ginger Tant was a no-show at the Workshop Meeting.

Rural Designation

Commissioner Gilles deferred the Rural Designation until the Comprehensive Plan was completed.

Personnel Policy

County Administrator Townsend shared the 2016 Personnel Policy with the board, stating that Human Resource Director Kilchriss is working on updating the policy. One update would be to change the Vacation and Sick time to a Paid Time Off (PTO) Plan starting with the next fiscal year. Another change is to update the Holiday schedule to include Juneteenth.

Priority 1A Retention of Employees

County Administrator Townsend presented a survey regarding the retention priorities of the employees. The Survey rate was 87 %.

Priority 1	Priority 2	Priority 3	Priority 4
Yearly Raise 51.4%	Yearly Bonus 31.5%	Yearly Bonus 32.4%	Family Insurance 54.1%
Retirement 29.7%	Retirement 28.8%	Retirement 27.9%	Yearly Bonus 29.7%
Family Insurance 12.6%	Yearly Raise 27.9%	Family Insurance 21.6%	Retirement 13.5%
Yearly Bonus 6.3%	Family Insurance 11.7%	Yearly Raise 18.9%	Yearly Raise 1.8%

Over the past five years, there have been Board of Commissioner approved salary increases with no increase in 2019, a 2 percent increase in 2020, in 2021 a wage study increase, and in 2022 a 2.5 percent increase for all employees. In 2020, the salary range was 8% to 25% behind other counties, in 2021 the salary range was 10% to 15% behind other counties, and in 2023 Lamar County's salary range is still behind by 7% to 12% compared to other counties. County Administrator Townsend suggested that a committee of 2 Commissioners, Department Heads, and Constitutional Officers meet with Gebcorp to discuss the retirement compensation for Lamar County. Currently, the percentage is 1% of the final average compensation up to \$6,600.00 plus 1.5% times the final average up to \$6,600.00 plus \$36.00. The total is multiplied by the years of credited service.

Commissioner Fletcher suggested some type of bonus for the employees. Chairman Traylor stated that the yearly bonus is something that everyone agrees on, especially at Christmas time. Vice-Chair Thrash pointed out that bonuses are taxed at a higher percentage. Human Resource Director Kilchriss stated that the premium pay bonus given to employees from the American Rescue Plan (ARP) fund was taxed at a higher rate. County Administrator Townsend noted that the taxes are based on the employee's W-4 form. Commissioner Lovett said that ordinary income is taxed regardless of where it falls in the pay structure. The total cumulative total versus the number of exemptions determines your gross pay.

Roofing Bid

County Administrator Townsend is working on the Request for Proposal (RFP) for the roofing bid, and the material specifications in the proposal will be the same for all roofing contractors. Planning Commission Board member Dwight Fleming (Mr. Fleming) suggested that they hire a roofing consultant.

Legislative Update

- State Resolution (SR 82) proposed an amendment allowing the Tax Commissioner the authority to waive county and city delinquent tax sales. They must go through the process of board approval. It failed to meet the crossover deadline.
- House Bill (HB290) caps the compensation for the tax commissioner and provides a uniform three-party contract between the County, city, and tax commission. It passed the House unanimously on Monday, March 6th.
- State Resolution (SR 214) establishes a joint study for Local Option Sales Tax (LOST) and Service Delivery Strategy (SDS). The resolution passed the House Ways and Means Committee by substitute this week SR 214.
- Senate Bill (SB 19) didn't make crossover. It caps the fees that clerks and probate judges can personally pocket for processing U.S. passport applications at \$20,000 a year and splits the remainder of fees evenly between the County and the clerk/probate office. Counties and the clerk/probate can agree to provide a higher or lower supplement, as can a local act of the General Assembly.
- House Bill 189 (HB189) is a bill relating to the dimensions and weight of vehicles and loads so as to provide for an allowable variance for weight limitations upon a vehicle or load. The weight would be raised from 80,000 to 88,000 lbs. Vice-Chair Thrash addressed the Senate regarding this bill. She stated that they had just paved Silver Dollar Road, and with the increased truck weight, repaving the road would cost another \$600,000.00. The County can attach the bonds to their permits, which only go up to \$5,000.00. Commissioner Gilles said she had spoken to Senator Marty Harbin and Representative Beth Camp about this issue. Commissioner Lovett suggested they have unmanned fueling stations for revenue collections to offset road repair expenses.

Public Hearing Discussion

Chairman Traylor suggested that they allow 10 minutes for those opposed to the zoning and 10 minutes for those that are for the zoning based on Georgia Code 36-66-5(a).

Planning and Community Development Director Buice (Ms. Buice) explained the rezoning from Agriculture-Residential to High-way Commercial-(Tax Map 037, Parcel 010A)-Adam Todd Laney. This property is on Hwy 36 and the corner of Country Kitchen Road. No one opposed the rezoning at the Planning Commission meeting, and the Planning Commission recommended approval. The corner of the property was zoned High-Way Commercial, but the remaining five acres were not, but the entire five acres

were taxed High-Way Commercial for the last three years. They do not plan to have any extra driveways on Hwy 36; the driveway will come from Country Kitchen Road. Fencing and trees on the back property line will be added to the property. The standard buffer is 10 feet and is required when going from one zoning to another. Commissioner Lovett requested a privacy fence because he knows he is in the grading and the roll-off dumpster business. There was continued discussion about the privacy fencing and vegetative buffer to protect the surrounding property owners.

Ms. Buice explained the Rezoning from Residential 1 to Agricultural-Residential in Magnolia Trace (Tax Map 052, Parcel 015). The entire subdivision borders all the Agricultural-Residential property. The deed has the property at 31 acres, but Qpublic listed it at around 35 acres. Phase 1 of the subdivision was approved for recording on January 9th, 2008. On Phase 1 of the final plat, it is referenced for Phase II, but no record of having final approval. Phase I and Phase II were rezoned from Agricultural-Residential and went into foreclosure around 2014. It was bought by the current owner in the same year and has held the property for the last nine years. It has been for sale for the previous five years. The topography shows a lot of floodplain areas and creeks, and it would cost too much money to develop this portion of land as a subdivision, so the developers decided it would be best to sell the property to an end user as one parcel for someone who wants to live there. Ms. Buice said it was common (back in the day) to find a subdivision zoned Agricultural, but they never changed the zoning. They went through the process of getting subdivision approval, but the zoning stayed the same. In 2017, former Building and Zoning Director Dan Gunter went through the entire County and did a master rezoning. This particular piece of property was rezoned from Agricultural to R-1 Residential, and rezoning was not required for the subdivision to be approved. The property is bordered on the North side by residential lots, and on the East, West, and South side by Agriculture-Residential. Ms. Buice said that when it was first advertised, some bad information was discussed in the community regarding this being another horse track. This was never discussed with the applicant and is not permitted in Agricultural zoning. If he wanted a horse track on this property, it would fall under the Outdoor Concentrated Commercial zoning. Since there is no Homeowners Association (HOA), the neighbors got together and requested one of the neighbors to be their spokesperson but not their spokesperson because this person is also an attorney and made it very clear that he would not be representing the neighbors. The neighbors came up with a list of conditions they wanted for the property, and after the Planning Commission meeting, they returned with a revised list of conditions. Ms. Buice said that before the Planning Commission meeting, she met with the applicant and reviewed the list of permitted uses. He self-imposed his own restrictions even though things are allowable in Agricultural zoning that he felt were not conducive to this property. A list of permitted uses in Agricultural-Residential are listed below and answers yes or no to those allowed for the property as proposed by the Planning Commission and agreed to by the applicant and then yes or no for those allowed for this property as proposed by the neighbors as follows:

Current Permitted Use in Agricultural-Residential

- Site built single family home square minimum- Yes, Yes,
- Industrial Home-Yes, Yes,
- Class A Manufacture Home-No, No
- Local, State, or Federal Building-No and No
- Crop Farming, fisheries and aquaculture, forestry-Yes, Yes,
- Livestock, 1 per pasture acre unless approved pasture plan by National Resources Conservation Service (NRCS)-Yes, and then Neighbors want no more than five pasture animals at a time, not including newborns that are not weaned, if more than five are allowed, an increased buffer is requested.
- Publicly owned and operated par or recreation area-No, No
- Commercial Poultry House-No, No

- Utility Substation-No, No
- Private Cemetery, No, No
- Home Occupation-Yes with the exception of large equipment business, yes with the exception of large equipment business
- Hunting/Deer Camp-No, No
- Agritourism; Small Scale-No, No
- Swimming pool, playhouse, tennis court, etc.-Yes, Yes
- Accessory Buildings-Yes, Yes
- Parking of Unoccupied Travel Trailers-Yes, Yes
- Sign-No, No
- Camper as temporary living quarters during home construction-Yes, Yes
- Guest Quarters-Yes, Yes
- Paved or concrete driveway 25' in length, Planning Commission and Applicant-paved or concrete driveway to the length of neighboring drives, Neighbors: curb cut and dust and paved at least 150 or portion not paved by planted to reduce noise and dust, standard width

Allowed for this property as proposed by the Planning Commission and agreed to by the applicant:

- 35' vegetative buffer from the property line that is shared with R1. The original motion by the Planning Commission was a 35' ft buffer all the way around the property, but after Planning and Community Buice spoke to all 3 Planning Commission board members, the intention was only along the north side. Mr. Fleming misspoke when he made the motion. The minutes of the Planning Commission board will be corrected at the April meeting.

Allowed for this property as proposed by the neighbors

- 50' vegetive buffer; fencing on the south side of the buffer; building setbacks to be measured from the buffer, not the property line; fencing for pasture animals should be on the south side of the buffer.
 - Originally wanted a 100' vegetive buffer all the way across the north property line that is parallel to Magnolia Trace, with the fencing of the buffer on the inside of the property and not along the property line. Any building setbacks would start from the buffer and not the property line. This would be about 4 to 5 acres of unusable space for the owner.

Allowed for this property as proposed by neighbors

- No swine at all
- Utilities on access easement must be underground
- Cannot apply for any special exceptions

Mr. Fleming stated that he still thinks of Lamar County as rural, and if they act on everything that the neighbors are requesting, then they are saying that Lamar County is not rural. Commissioner Gilles stated that if the neighbors request all of these stipulations they want to impose on someone else, she wondered what they were doing to install a buffer. Mr. Fleming said that the easiest lots to sell in the subdivision were with the view of the horses. Ms. Buice noted that people are starting to go backward on zoning, and they think their purpose is for them to tell people what to do on their property instead of understanding that the purpose of zoning is to protect their own property. Chairman Traylor shared that this happened with his property. He said that the developer combined the lot before he bought it, so he purchased 38 acres inside of a subdivision, and 10 minutes later, he found out that the entire property had been foreclosed. When the bank got the property, he bought two more acres in front of him. He said his neighbors love it and everyone is buying as much as possible to keep the extra development from happening. They did not have an HOA, and at first, his driveway was not a requirement, but he did pave his driveway initially the length of the neighbor's driveway and then he paved it the rest of the way. Chairman Traylor said that he had seen both sides. They still have a buffer along their driveway even though no stipulations were put on them. Ms. Buice said that Chairman Traylor's property was never

rezoned Residential, and it was approved as a subdivision without a rezoning, and his property was still zoned Agricultural; therefore, there would not have been any stipulations.

Mr. Fleming said that in the Planning Commission, it was so crowded you would have thought all the neighbors were in attendance, but there were actually only 15 couples at the meeting, and at least three of the couples who favored the rezoning and having this neighbor. He said that Mr. Mena left Miami because he felt like he was fixing to kill someone to protect his family. He transferred to Georgia with the help of homeland security, and he ended up in a not-so-desirable area of Henry County, and he felt like he needed to move. Mr. Mena has six more years before he can retire. He has a horticulture degree, and he wants to have a family compound. His children are homeschooled.

District 2 Commissioner Lovett's recommendations for the conditions.

- Livestock, 1 per pasture acre unless approved pasture plan by NRCS.
- Agreement for a paved driveway of at least 25 feet.
- 35' buffer from the property line that is shared with R1 but will walk the property to determine what the natural buffer should be.
- Curb Cutting 25' feet.
- No to no swine at all or restrictions on farm animals.
- Utilities are already established underground until they pass the primary neighbors.
- No to cannot apply for any special exceptions.

Commissioner Gilles returned to the rezoning on Hwy 36 and asked if there was anything in the Ordinance about lights. Ms. Buice said there was nothing in the Ordinance about lights, but she would check on this.

Discussion of Peddler's Permits/Transient Selling for Food Trucks

Ms. Buice explained that she had advertised that there would be a Public Hearing to discuss Food Trucks. The point is not to introduce a new regulation, but as a community member or a business owner, what are the thoughts and what do they think is reasonable so she can draft an Ordinance for Food Trucks? The Ordinance on occupational tax permits for businesses was completely redone a few years ago. There is the standard brick-and-mortar business license, the transient selling license, and the peddler's permit license. The transient license was changed to limit setups to no more than four times a year, once a quarter. The peddler's permits are almost a thing of the past because no one goes door to door selling a product, but it was left in the code. However, the way it was written, it was left in the Ordinance to include Food Trucks. Currently, one section limits it to four times a year, and another section has unlimited times during the year. If someone applies for a peddler's permit license, they have to have a Health Department inspection, but that inspection can cross County lines. Vice-Chair Thrash said she was concerned about the brick-and-mortar restaurants such as Tracy's in Milner, Georgia, because of the taxes and other expenses incurred with running the restaurant. The concern is allowing a Food Truck establishment that does not have to go through all of the hoops the brick-and-mortar business has to go through and asked if this was a fair playing field. Ms. Buice explained that to make it a fair playing field, they could do this through the permit fees compared to what is paid in property taxes. They could limit the number of days that a Food Truck is allowed. However, her concern is whether they want to say they already have a restaurant with a meat and two sides and no one else could open a restaurant with a meat and two sides. Vice-Chair Thrash said her concern is allowing someone to come in and take from the commercial businesses that have jumped through hoops. Ms. Buice explained that you have other types of commercial businesses that are brick-and-mortar and then other businesses that work out of a home office. If you determine that every business has to be brick-and-mortar, then you are doing away with about 200 businesses in Lamar County.

Commissioner Gilles inquired about caterers who bring a grill to the event. Ms. Buice explained that private events are exempt. Commissioner Gilles asked if a caterer could sell plates for a specific group. Chairman Traylor stated that under the transient selling license, they could four times a year, once a quarter. He said he did not know if other counties have Food Trucks, but he knows that other cities have Food Trucks. The Health Department requires you to be within 200 ft. of a bathroom, and you have to have a commissary at home where you can drain out the water into a septic tank that has been approved. He said he had traveled to Texas and Tennessee, and the establishments available for food consumption were all Food Trucks. This will need to be addressed in Lamar County, and the City of Barnesville is also working on this. Ms. Buice explained that Food Trucks are in cities, but they are in the County as well because True Value has had a hamburger and hotdog Food Truck in their parking lot since they opened, but no one thought to complain about it. She said the one-day transient license costs \$25.00 per day, and the peddler's license is \$25.00 for two weeks.

County Administrator Townsend said that they are missing out on sales taxes from Food Trucks that come into Lamar County from another County because they are going back to their home County. Ms. Buice explained that they are supposed to be running the Food Truck as a point of sale. Chairman Traylor said that once the Department of Revenue is missing the taxes, they will impose some regulations. Mr. Fleming said that the Food Trucks would be like most brick-and-mortar restaurants where very few cash transactions are recorded. The only ones recorded are done on debit or credit card machines. County Administrator Townsend said that there are different sales taxes in each County. Ms. Buice said it would be impossible to regulate this. Ms. Buice said there are only three brick-and-mortar restaurants in Lamar County; Country Kitchen, Mama's Kitchen, and Honeywood Farms.

Regular Business Meeting Discussion

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Recess for Public Hearing
- 5) Reconvene Regular Business Meetings
- 6) Approval of Agenda
- 7) Minutes Approval
 - i. Workshop Meeting-February 16th, 2023
 - ii. Public Hearing Meeting-February 21st, 2023
 - iii. Regular Business Meeting-February 21st, 2023
- 8) Proclamation
 - i. Child Abuse Prevention Awareness Month
 - ii. Gordon College-2022 National Club Football Association (NCFB) National Champions
 - iii. Wrestling Championship-Clint Williamson
- 9) Ordinance 2023-03 Rezoning from Agriculture-Residential to High-way Commercial (Tax Map 037, parcel 010A)
- 10) Ordinance 2023-04 Rezoning from Residential 1 to Agricultural-Residential (Tax Map 052, Parcel 015)
- 11) CSRA Probation Contract
- 12) Owner-Consultant Agreement-Lamar County Master Services On-call-EXP US Services, Inc.
- 13) Surplus Vehicles for the Sheriff's Office
 - 1980 Chevrolet S6000 Bus-Vin# 6237
 - 2005 Ford Truck-Vin#1036

- 2007 Chevrolet Avalanche-Vin# 0798
- 2008 Dodge 4 Door Charger-Vin #9861
- 2008 Jeep Cherokee-Vin #7315
- 2011 Ford F150-Vin #3382
- 2014 Ford 4 Door Caprice Police-Vin#0473
- 2015 Dodge Charger-Vin #2733
- 2019 Dodge 4-Door Charger-Vin #1896

14) Administrator's Report

- Reviewed a bid from Beacon for McIntosh Trails Mental Health building for a total cost of \$14,000.00. Commissioner Fletcher suggested that they invest in a panic button for this facility.
- Opened a Sweeping Account, a Reserve Account, to earn higher interest on General Funds.
- Reported that continued work on ceiling tiles, walls for the Elections, duct, and electrical work is ongoing on the new Administration building. Reported that the air conditioner units are on hold, and the temporary air conditioner units will not be available until sometime in August for \$10,000.00.
- Reported that they will need to market the Administration Building by obtaining a local Real Estate Agent.
- Reported that they still need to swap the land on Hwy 36, Liberty Hill Park.
- Reported that it would be the end of March before a Ribbon Cutting for the Gym could take place.

15) Public Comments

16) Round Table

17) Executive Session

18) Real Estate and Litigation

- i. Real Estate
- ii. Litigation
- iii. Personnel

19) Adjournment

Round Table

Vice-Chairman Thrash reported that she and Commissioner Gilles held a town hall meeting at the Courthouse to discuss Bottoms and Turner Bridge Road. The citizens present wanted to turn Bottoms Road back to dirt. Commissioner Gilles suggested they have an Intergovernmental Agreement with Pike County to gravel Turner Bridge Road.

Chairman Traylor thanked everyone involved with the Animal Shelter groundbreaking. He reported that the turnout for the election was low and encouraged the Commissioners to share the FAQs sheet regarding the Special Local Options Sales Tax (SPLOST). He said that the Board of Commissioners could share the information about SPLOST but could not tell them how to vote.

Executive Session

Commissioner Gilles motioned to adjourn the Workshop meeting to go into Executive Session for Real Estate, and at approximately 4:10 p.m. Commissioner Fletcher seconded the motion. The motion passed unanimously. The board came out of Executive Session and resumed the Workshop meeting.

Adjournment

Commissioner Fletcher made a motion to adjourn the Workshop meeting at approximately 4:27 p.m. Vice-Chairman Thrash seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Ryran Traylor, Chairman

Nancy Thrash, Vice-Chair

Jarrod Fletcher, Commissioner

Jason Lovett, Commissioner

Ashley Gilles, Commissioner

Attest: _____ Carlette Davidson, County Clerk