

**Lamar County Board of Commissioners
Regular Business Meeting
December 19th, 2023
7:00 p.m.**

Present for the meeting were Chairman Traylor, Vice-Chair Thrash, Commissioner Fletcher, Commissioner Lovett, Commissioner Gilles, County Administrator Townsend, County Clerk Davidson, and County Attorney Mayfield. The meeting was available via Zoom.

I. Call to Order

Chairman Traylor called the meeting to order at approximately 7:00 p.m.

II. Pledge of Allegiance & Invocation

The Pledge of Allegiance was recited. Chairman Traylor gave the invocation.

III. Recess for Public Hearing

Commissioner Gilles made a motion to recess for a Public Hearing. Commissioner Fletcher seconded the motion. The motion passed unanimously.

**IV. Public Hearing
Joint Planning Commission Board- Planning Commission and Board of Appeals**

Planning and Community Development Director Buice explained that a year ago they started working on two parts; One to have a Joint Planning Commission, they already have this with the City of Barnesville, and one that would also include the City of Milner. On the Regular Business meeting agenda there are two separate 2nd Reader Ordinances. One re-creating the Joint Planning Commission that will include the City of Milner, and the other rolling the duties of the Board of Appeals into the Joint Planning Commission.

There were no Public Comments.

V. Reconvene the Regular Business Meeting

Commissioner Gilles made a motion to reconvene the Regular Business meeting. Commissioner Fletcher seconded the motion. The motion passed unanimously.

VI. Agenda Approval

Commissioner Fletcher made a motion to approve the agenda. Commissioner Lovett seconded the motion. The motion passed unanimously.

VII. Minutes Approval

Vice-Chair Thrash made a motion to approve the minutes changing the word denied to opposed that Commissioner Lovett made when voting on the Floating Holidays on November 14th, 2023. Commissioner Gilles seconded the motion. The motion passed unanimously.

- i. Workshop Minutes-November 8th, 2023
- ii. Public Hearing-November 14th, 2023
- iii. Regular Business Meeting-November 14th, 2023
- iv. Budget Workshop Meeting-November 29th, 2023

VIII. Annual Appointments

Commissioner Fletcher made a motion to approve the following annual appointments. Commissioner Lovett seconded the motion. Commissioner Gilles abstained from her appointment to Vice-Chairman. The motion unanimously.

Vice-Chairman

Ashley Gilles

County Attorney

Scott Mayfield

Smith, Welch, and Webb and White

Open Records Custodian

Scott Mayfield-Attorney

County Surveyor

James Butler

County Physician-Worker's Compensation

- 1. Doctors Woodall, Wilson, and Manley
- 2. Doctor Aaron Buice
- 3. Family Medical Center (Family Medicine) Griffin, Ga.
- 4. The Hughston Clinic (Orthopedic Surgery)
- 5. Orthopedics Sports Medicine & Surgery-Thomaston Ga.
- 6. Orthopedics Sports Medicine & Surgery-Brandon Boyce-Barnesville, Ga.
- 7. Resurgens Orthopedics-Griffin, Ga.
- 8. Resurgens Orthopedics-Fayetteville, Ga

IX. Board Appointments

Commissioner Fletcher made a motion to re-appoint Irvin Trice-Non-Public member to the Council of the Three Rivers Regional Commission. Commissioner Gilles seconded the motion. The motion passed unanimously.

Commissioner Gilles made a motion to re-appoint Jason Lovet to the Three Rivers Regional Commission-County. Commissioner Fletcher seconded the motion. The motion passed unanimously. Commissioner Lovett abstained from the vote. The motion passed 3-0.

Commissioner Lovett made a motion to re-appoint Ashley Gilles to the E911 Committee. Commissioner Fletcher seconded the motion. Commissioner Gilles abstained from the vote. The motion passed 3-0.

Commissioner Lovett noted that the board agreed in the September Regular Business meeting not to re-appoint anyone to the Lamar County Regional Solid Waste Authority once their term expired. Ryran Traylor's term expires on 12-31-2023 and is for a 4 year term. Commissioner Lovett requested to table the appointment to the Lamar County Regional Solid Waste Authority and to allow citizens to submit their request for board appointment consideration. Commissioner Gilles seconded the motion. The motion passed unanimously.

Vice-Chair Thrash made a motion to approve the re-appointment of Monica Walters to the Board of Elections with a term of four years expiring on 12-31-2023. Commissioner Fletcher seconded the motion. The motion passed unanimously.

Commissioner Fletcher made a motion to appoint the following members to the Recreation Advisory Board; Roger Samples, Luke Andrews, Will Sneed, T.J. Imberger and Bo Dunn. Commissioner Lovett seconded the motion. The motion passed unanimously. County Clerk Davidson noted that the appointment terms are as follows.

- 4 year term- Will Sneed- District 1
- 3 year term- Rogers Samples- District 2
- 3 Year term- TJ Imberger- Chairman Traylor
- 2 Year term- Luke Andrews- District 4
- 2 Year term- Bo Dunn-District 3

Commissioner Lovett made a motion to adopt the Joint Planning Commission with the appointments as follows. Commissioner Fletcher seconded the motion. The motion passed unanimously.

- 2 year 12-31-2025 Eddie Felton
- 4 year 12-31-2024 Doug Walker
- 4 year 12-31-2024 Dwight Fleming

X. 1st Reading of Ordinance 2023-23 Personnel Policy-Appendix

County Administrator Townsend reported that there will several changes to the Personnel Policy. The changes include the Paid Time Off (PTO) plan, and the two (2) additional Floating Holidays. There are also some Association of County Commissioners of Georgia (ACCG) and Liability Policies added to the Personnel Policy. Vice-Chair Thrash made a motion to approve the 1st Reading of Ordinance 2023-01 Personnel Policy-Appendix A. Commissioner Gilles seconded the motion. The motion passed unanimously.

XI. 2nd Reading of Ordinance 2023-20 Planning Commission

Planning and Community Development Director Buice explained that this is the 2nd reading of the Ordinance combining the original Joint Planning Commission with Lamar County and the City of Barnesville and adding in the City of Milner. There will be two new members of the seven member board. Commissioner Gilles made a motion to approve the 2nd Reading of Ordinance 2023-20 Planning Commission. Commissioner Fletcher seconded the motion. The motion passed unanimously.

XII. 2nd Reading of Ordinance 2023-21 Board of Appeals

Planning and Community Development Director Buice explained that the 2nd Reading of Ordinance 2023-21 Board of Appeals takes the current language and rolls the duties of the Board Appeals into the Joint Planning Commission. Vice-Chair Thrash made a motion to approve the 2nd Reading of Ordinance 2023-21 Board of Appeals. Commissioner Lovett seconded the motion.

XIII. 2nd Reading of Ordinance 2023-22 Speed Limit Change from 45 to 35 mph

Commissioner Gilles made a motion to approve the 2nd Reading of Ordinance 2023-22 Speed Limit change from 45 to 35 mph for Skinners Bypass. Commissioner Fletcher seconded the motion. The motion passed unanimously. County Administrator Townsend noted that it would have to go to the Georgia Department of Transportation and Public Safety before the speed limits signs are posted.

XIV. Resolution 2023-18 Tax Assessors Board for re-appointment of Andy Bush to a 4-year beginning 1/1/2024 through 12/31/2027.

Commissioner Fletcher made a motion to approve Resolution 2023-18 re-appointing Andy Bush to the Tax Assessors board for a four year term beginning 1/1/2024 through 12/31/2027. Commissioner Lovett seconded the motion. The motion passed unanimously.

XV. Resolution 2023-19 Qualifying Fees

Commissioner Fletcher made a motion to approve the following Qualifying Fees for the Board of Elections. Vice-Chair Thrash seconded the motion. The motion passed unanimously.

County Commissioner District 3	\$ 3,600.00	\$ 108.00
County Commissioner District 4	\$ 3,600.00	\$ 108.00
Board of Education District 1	\$ 6,600.00	\$ 198.00
Board of Education District 3	\$ 6,600.00	\$ 198.00
Magistrate Judge	\$ 56,451.65	\$ 1,693.55
Sheriff	\$ 64,255.19	\$ 1,927.66
Probate Judge	\$ 55,344.71	\$ 1,660.34
Clerk of Superior Court	\$ 55,344.71	\$ 1,660.34
Tax Commissioner	\$ 55,344.71	\$ 1660.34
Coroner	\$ 2,400.00	\$ 72.00

XVI. Resolution 2023-20 Budget Approval

County Administrator Townsend explained that the budget for the General Fund is \$15,501,742.00, Date Fund is \$70,000.00, Law Library is \$75,000.00, the Sheriff’s Office confiscated account is \$250,000.00, E-911 is \$496,230.00, Hotel-Motel is \$280,000.00, ARPA is \$190,061.00, and the Capital Project fund is \$3,389,278.00. These are for revenues and expenditures producing a balanced budget.

Chairman Traylor said he was the Quarter Back in High School and he used to love to score a touchdown and give the football to one of the line man and let them celebrate the win. He said this is twice that County Administrator Townsend did not celebrate the win. Chairman Traylor asked that County Administrator Townsend celebrate the win and explain to the people the number he is excited about when it comes to the property tax. County Administrator Townsend said in 2013 the property tax for the total budget was 55 percent, in 2015 it was 60 percent, in 2017 it was 58 percent, in 2019 it was 57 percent, in 2021 it was 56 percent, and the 2024 budget is 46.3 percent of the total budget. He said over the years they came up with a plan to reduce the Tax Anticipation Note (TAN) and now they are passing on to the taxpayers that they are no longer spending money on interest versus putting the services for the citizens. Chairman Traylor said for a lot of years there was not a lot of commercial industry. So, for a community to be able to be at 55 percent from a financial standpoint is a huge accomplishment.

Commissioner Lovett made a motion to approve Resolution 2023-20 Budget Approval. Commissioner Fletcher seconded the motion. The motion passed unanimously.

XVII. Forensic Audit

Commissioner Fletcher made a motion deny the request for the forensic audit. Vice-Chair Thrash seconded it. Commissioner Fletcher said based on legal counsel they do not have the authority to demand this audit. Commissioner Fletcher said he is all for integrity and open records but based on legal counsel, they were given as a board, they do not have that authority.

Commissioner Lovett said there is ambiguity with the law generally speaking. An authority does not directly answer, and you cannot make an authority answer, to this board. He said they are not asking the Solid Waste Authority to forensically audit itself. They are not asking for the Solid Waste Authority to perform its own audit. Commissioner Lovett said in September, they talked about asking for an audit that would pierce the corporate veil. There are only a handful of agencies that are capable of doing that, none of which are the Solid Waste Authority.

Commissioner Lovett said the request should have been that the Lamar County Board of Commissioner ask the Sheriff's Office, the Towaliga Judicial District Attorney, the Georgia Bureau of Investigations, or the Federal Bureau of Investigations. Therefore, they do not have to ask the Solid Waste Authority to audit themselves because you know what the result of the audit would be. Commissioner Lovett said it would be fruitless and it would probably violate the authority to force them to do that. So, if they would like to vote on that he said he would make a separate motion asking one of the other agencies with the ability to pierce the corporate veil; they can vote on that.

Vice-Thrash put a motion on the floor they table the forensic audit and said she would ask the County Attorney to give them a written legal opinion citing that the legal authority has to order this audit in any form shape or fashion. Commissioner Fletcher withdrew his motion. Vice-Chair Thrash said a motion to table has no discussion and it is on the floor for the Chairman to rule. Chairman Traylor said there was a motion to table by Vice-Chair Thrash and a second by Commissioner Fletcher. Commissioner Lovett opposed. Chairman Traylor made a motion to table this motion in order to get clarification from the attorney.

Commissioner Gilles said that up until last month when private counsel was hired by the Regional

Solid Waste Authority the Lamar County attorney has represented both the Lamar County Board of Commissioners and the Solid Waste Authority. Therefore, she would like to make a motion that the Lamar County Attorney immediately be tasked with formulating a short list of qualified legal firms for consideration by the Lamar County Board of Commissioners and to serve as conflict counsel. Commissioner Lovett seconded the motion. The motion passed unanimously. Commissioner Lovett said he has received his fifth attorney letter about the Solid Waste Authority. He said anytime he has asked for a visit, or an update, or any sort of information he does not get a response back. Commissioner Lovett said what he gets back is a legal letter that he finds rather threatening in nature. Today, the letter he received from the attorney specifically stated that all of these contracts benefit families. He said that with AmWaste benefiting you are prohibited from voting on that because in your financial disclosure you are five times over the limit of what you are allowed to by county ethics law. Commissioner Lovett said the vote they just took should not have been allowed. Commissioner Lovett made a motion for the County Attorney to formulate an opinion on whether the vote they just took is legal.

County Attorney Mayfield said that this should come from the new conflict counsel they want to hire. Commissioner Lovett put forth a motion that the conflict counsel determine whether or not vote that they just took is allowed under the county rule of ethics. Commissioner Gilles seconded the motion. Chairman Traylor said that there is a motion and a second to allow the conflict attorney to review it and see if there is a violation of ethics in his vote. Chairman Traylor said that based on the recommendation of the current counsel there is no conflict. Vice-Thrash said the motion was out of order because they voted to have him look into the conflict counsel and she thought they could discuss all those, the conflicts, at one time, or all of those they may be standing. Chairman Traylor said the motion is to have the conflict attorney to review whether or not there is an ethical reason, based on county code, on whether or not he is within his rights to vote. Commissioner Lovett and Gilles seconded the motion. Commissioner Thrash and Fletcher denied the motion. Chairman Traylor voted for the motion. The motion passed 3-2.

Commissioner Lovett agreed that this board may not have the authority to force the Solid Waste Authority to perform an internal audit and that is not what he was going to motion tonight. Commissioner Lovett made the motion that the Lamar County Board of Commissioners request the Sheriff's Office, the Towaliga Judicial District Attorney, the Georgia Bureau of Investigations or the Federal Bureau of Investigations agencies possessing the legal authority to perform a forensic audit of the Regional Solid Waste Authority to begin within the first quarter of 2024. Commissioner Gilles seconded the motion. Vice-Chair Thrash said that her motion to table included those items, and there is no discussion in the motion to table, and they voted to table the motion and this motion is out of order.

Commissioner Lovett said that Vice-Chair Thrash's discussion was on whether or not they had the ability to force the Solid Waste Authority to perform an audit on themselves. He said he has already said they probably have legal standing for that. Commissioner Lovett said that you do not have legal standing to tell this board that you cannot ask a law enforcement agency to look into what is now going on a ten year issue. So, that is the motion before us, none of which has the authority's ability to decide whether or not to audit themselves.

Vice-Chair Thrash addressed Chairman Traylor and said that the motion is out of order and they voted to have a legal opinion on the forensic audit by any entity. She said again that the motion was out of order. Commissioner Lovett said he disagreed and said he has put forth a motion that should be voted on. Vice-Chair Thrash said that under Roberts Rule of Order it is up to the Chairman to rule whether or not the motion is out of order. Vice-Chair Thrash said it does not go to a vote. Chairman Traylor said that he feels like the motion is in order. Commissioner Lovett and Commissioner Gilles voted for it and Commissioner Thrash and Fletcher opposed. Chairman Traylor said he voted against it. The motion to table passed 3-2.

Commissioner Lovett made a motion that the Lamar County Board of Commissioners compel the Lamar County Regional Solid Waste Authority to avail upon reasonable notice, multiple non-affiliated third parties and to review and evaluate the Waste to Energy Project. The viability of the project completion and estimated financial resources needed to accomplish its completion. The status of all equipment owned and leased or operated by the Lamar County Regional Solid Waste Authority including but not limited to the Waste to Energy buildings, property, landfill and on street assets. With all reports completed by the end of first quarter 2024. Commissioner Gilles seconded the motion. Commissioner Gilles said she wanted to be clear that this was an engineering audit for the whole project. Commissioner Lovett said they are not going to use the word audit. The objection is like he has already previously stated, he has asked multiple times throughout the year to go see this. The last request they made, he made on behalf of the Board of Commissioners to go see and include public access so that they could see where they were. But, not only did he get an absolute no from the Solid Waste Attorney, but he also actually got that they were going to look into his finances. Commissioner Lovett said that this was fine, they are free to look at them anyway they want. He said they have got to find out where they are so they know where they have to go. If this is a viable project, there are 11 other companies currently doing this in the United States. He said certainly, some of those 11 companies will come in and give them an opinion about where they are at. They already know how to do this. They are already doing it. Commissioner Lovett said he believes this is owed in addition to the audit. Probably the most important thing that they need to do is to find out where they are at and how they go forward.

Commissioner Fletcher said that it is hard to vote when you do not have all of the information. Some of this stuff has been sprung on them in a moment's notice. Commissioner Fletcher said that for record, it is hard to vote. Commissioner Fletcher said he would like to table this because some of this encompasses legal advice. Vice-Chair Thrash seconded this motion. Commissioner Lovett said he has been trying for a year to get him that information but every times he tries to get the information he is stalled by the legal department. He said the irony cannot be lost. Commissioner Lovett said the Solid Waste Authority is using these people's money, your citizens' money, and they are writing threatening letters to him to tell them to quit asking questions on their behalf. Chairman Traylor said that there was a motion to table. Commissioner Gilles said that this was a special vote. Chairman Traylor said he made a motion to table and he has already tabled it so, they are not discussing it anymore. Chairman Traylor said there was a motion by Commissioner Fletcher and second by Vice-Chair Thrash to table this discussion. Commissioner Fletcher and Commissioner Gilles opposed. Chairman Traylor made a motion to table the discussion. The motion to table passed 3-2.

Commissioner Lovett stated for the record that he does not want any of the votes to be taking on the Solid Waste Authority. Chairman Traylor said that is totally fine, Chairman Traylor said it was on the record ten minutes ago that they were going to use a conflict attorney and they do not need any grandstanding and they do not need any additions. Chairman Traylor said Commissioner Lovett requested the conflict attorney so they will allow the conflict attorney to make that determination. Commissioner Lovett wanted to know since they have tabled the items when would they be on the agenda. Chairman Traylor said when they can identify a conflict attorney. Commissioner Lovett made a motion to put this on the January agenda. Commissioner Gilles seconded the motion. Vice-Chairman Traylor asked if Commissioner Lovett would agree to table this until they can get the legal opinion because they do not know how long it is going to take to get a conflict attorney. She said a lot of attorneys this time of year are not going to be available. Vice-Chair Thrash said if it comes in January, they will put it on the agenda but if it comes in February, they will put it on the agenda in February. Commissioner Lovett said no. He said they were promised by the Solid Waste Authority one year ago that this project would be completed and up and running by February. There was another July 1st where they fell to meet their own internal deadline and they fell to meet the December GEFA deadline. Commissioner Lovett said that certainly they can get it on the agenda in 30 days. Chairman Traylor said the vote and discussion was to apply it on to the January agenda. Vice-Chair Thrash made a motion to table this issue until they get the legal opinion from the Conflict Attorney. Commissioner Lovett said a discussion on a table. Chairman Traylor said there was no discussion on a table. Vice-Chair Thrash and Commissioner Fletcher voted to table this motion. Commissioner Lovett and Commissioner Gilles opposed this motion to table. Chairman Traylor made a motion to put this on the January agenda being that they are seeking a conflict attorney. Chairman Traylor said that a few years back they were involved in a disputed vote and any time this is the case, to protect the citizens, and potential lawsuits they need to make sure they adhere to sound and legal advice. So, in this particular case they will use a conflict attorney to take a look at these things. The motion to put the conflict attorney on the January agenda passed 3-2.

XVIII. LMIG/TSPLOST

County Administrator Townsend explained that they had a quote from EXP to extend the roads on Van Buren and Johnstonville Road. He said a lot of the roads throughout the County are not wide enough. The Public Works Director has spoken to EXP about extending the roads by 3 feet on each side. He said a lot of the roads around 18 feet across and they are trying to get them up to 20 feet. County Administrator Townsend said that on Ingram and Ramah Church Road they are also going to add the additional feet on Ingram and Ramah Church Road. It will cost \$100,000.00 per mile and for 12 miles it will cost \$1,200,000.00. In order to cover this, they will cut back on Phase III of the LMIG/TSPLOST project. Phase III is \$1,996,000 so they will only pave English and Howard Road which will cost \$733,000.00. Commissioner Gilles made a motion to add Johnstonville and Van Buren Road to Phase II of the LMIG/TSPLOST project taken a road off of Phase III. Commissioner Fletcher seconded the motion. The motion passed unanimously.

XIX. Administrator's Report

County Administrator Townsend reported the following:

- i. AmeriPro Health Report:
184 Transported, 98 Refusals, 37 Cancellations, Response Time: 7:14
Mutual Aid Report
27 Upson County
- ii. Reported that revenues over expenditures for November should be at 91.67 percent and are at 88.08 percent.
- iii. Reported that the Tax Commissioner had issues with escrow accounts from banks and on December 11th, 2023 \$4,733,000.00 was received.
- iv. Reported that the Life Safety Plan has been submitted to the Fire Marshall for the gym and it has been approved.
- v. Reported that Hogan Construction has issued an ETA for glass for the Tax Commissioners Office of January 8th, 2024. Signs should be coming in that same week. Hogan is finishing up on painting, and other issues through which they are working.
- vi. Reported that EXP is working with C.W. Matthews on a punch list and working on the Microsurfacing issues with the asphalt.
- vii. Reported that they finished the Courthouse and Detention Center Roof Repairs.
- viii. Reported that an article was written in the legal organ that a new roof was needed for the new jail but when the report went out the Maintenance Department was able to replace the tiles on that same day.
- ix. Reported that \$122,011.66 was received for the Local Option Sales Tax (LOST).
- x. Reported that \$214,076.52 was received for the Special Local Option Sales Tax (SPLOST).
- xi. Reported that \$193,017.27 was received for the Transportation Special Local Option Sales Tax (TSPLOST).
- xii. Reported that there will be a large carryover for the fund balance.

XX. Public Comments

Tom Rauch of 371 Dean Road addressed the Board. Mr. Rauch said that most of his life has been spent in manufacturing, designing new products, and watching investments for profit. He said that this whole thing with the Solid Waste Authority has the warning signs of something not on the up and up. Sometimes people have the best intentions and they really mean to finish a project but they get in over the top. They go beyond their own capability, they do not rely on anyone to help them, and they get into trouble. When they get into trouble, they start to cover it up. The money is gone and it went someplace, they do not know where it went, and everyone else gets stuck with the bill. It is not necessarily because the person started out to do something such as this. Mr. Rauch said he has seen this several times and he has seen good people lose all their money; life savings gone. It is not necessarily because the person started out to do this but they get in over their head and they try to cover it up and it makes it worse. Mr. Rauch said that they all know the promises, and they started in 2013. In 2014, everyone was promised that one of those machines would be up and running and today nothing is up and running. He said that they do not know what machines anyone has, they do not know what assets they have, and no one really seems to want to find out what they bought for 27 million dollars. He said no one wants to know where it went. Mr. Rauch said this has

gone on too long and he believes they should take it seriously. He said whether they like or do not like someone or whether we think they are the greatest person in the world. With performances like this they have to look at it because it is too much money for one person to tell you whether they are doing the right thing or not.

Beth Pearce of 187 Pleasant Road addressed the board. Mrs. Pearce said the five of them are Elected Officials and their primary responsibility is to protect the taxpayer. To run the County, do the right thing, and make sound decisions. The fact they have two members on this Commission, that sit on the Solid Waste Authority board, and did not recuse themselves of the vote, is a crying shame and they should be ashamed of themselves. That would have been the right thing to do but every time they get the chance to do the right thing you balk on it. They table it. There are a lot of people that do not know what is going on but the people that do know what is going on are tired of it. Mrs. Pearce said she is speaking as Beth the citizen and not as the GOP Chairman but she will be looking into what it takes to recall a County Commissioner.

Cindy Bushby of 155 Redbone Run addressed the board. Mrs. Bushby said she received the minutes of the Solid Waste Authority via an Open Records request. She said that in 2022 there were minutes for only one meeting which was in September. In those minutes, it was confirmed by both Nancy Thrash and Johnny Poore they were paid \$150.00 or \$1,800.00 for that year. Mrs. Bushby asked how this could be when the bylaws states \$25.00 per meeting. This would mean both Commissioner Thrash and Chairman Traylor are financially compromised and should recuse themselves from any vote cast by this Commission on any vote regarding the Solid Waste Authority. Mrs. Bushby said also in the minutes received, there were missing pages from different meetings; December 6th, 2019 there were to be discussions about investors to buy out the GEFA loan. Those pages are missing. Mrs. Bushby asked why they would need investors when you are spending millions of dollars of public funds. Is it not maleficent to hid Open Records? Previously in an email to GEFA Johnny Poore purposely did not send a contract with Paradigm Manufacturing to Amanda Carroll to avoid Open Records.

Elaine Hallada of 131 Steeple Chase addressed the board. Mrs. Hallada said she wanted to confirm they are financially compromised. She said she goes back to what Johnny Poore said; \$1,800.00 dollars a year for one meeting. Vice-Chair Thrash joined the Solid Waste Authority board in 2009 and going by that amount of money she would have been paid \$17,550.00. She only attended 43 meetings and at \$25.00 a meeting she should have only been paid \$1,075.00. Mrs. Hallada said that Chairman Traylor only attended 26 meetings and at \$25.00 a meeting he should have only been paid \$650.00 but he has been received over \$12,000.00. Mrs. Hallada said they are both financially compromised and they have no business voting on whether or not there should be a forensic audit. Mrs. Hallada said in the Solid Waste Authority business meeting minutes that Mr. Poore has three companies registered to 172 Roger Brown Drive and asked why he needed three companies. She said that in reviewing the AmWaste contract, she noticed that there was no reference to the fact that the Solid Waste Authority appeared to have allowed \$1,250,000.00 of County assets and equipment and machinery to be used by AmWaste; this includes the trash containers they use for trash pickup. AmWaste is in possession and control of these assets why is there no line item for payment from AmWaste. If the Solid Waste owns this equipment who is paying for

the maintenance of the equipment. It appears that the new board members gave away their valuable assets. Perhaps you could explain your negligent supervision and lack of oversight in any of this. The only way to right this ship is for both of you to vacate your seats on this board immediately and promise to never run for public office again.

Bonnie Martin of 626 Piedmont Road addressed the board. Ms. Martin said she was disappointed that the Board of Commissioners does not care to look into all of the suspicious dealings of the Solid Waste Authority. It is unfortunate that they did not have a Concerned Citizens Group in 2017 when the project for the Waste to Fuel was supposed to be up and running and did not happen. People tend to let Elected Official take care of things and trust them to do what they should. According to some of the Open Records request received, the minutes of both the Solid Waste Authority and the Board of Commissioners, there was never any discussion the project had failed to start. The 27.5 million dollar project just did not materialize. Eventually, both the landfill and the equipment were turned over to a private company and it was filling up with trash all over and making it hard for Lamar County citizens to even utilize. It should have been the responsibility of Commissioner Thrash and Chairman Traylor to lead inquires since both have served on the Solid Waste Authority for many years. Instead, it only came to light when a citizen started asking questions and getting unsatisfactory answers. A concerned citizens group has been discouraged at every attempt to find out the facts. It is sad and embarrassing that FOX 5 news has more interest in finding out what is going on than most of the Elected Representatives. In September, they were told that the final deadline was December 1st, to have the project up and running. A FOX 5 interview with Johnny Poore was where they found out that he now hopes it will be up and running sometime this summer. Relying on a news report for information is not how they should be informed. The more that comes out, the worse they realize the situation. Ms. Martín said that not only do they need a Forensic audit they also need an engineering audit to ascertain that the project is even viable. This is something that the Solid Waste Board members should be aware of and addressing yet they are kicking the can down the road. Ms. Martin said the Board of Commissioners is doing the same thing by delaying and tabling this for another month. She said they were elected to represent the taxpayers of Lamar County, to protect their interest and not to hide and cover up problems. Ms. Martin said thanks for listening and said she hoped they actually heard.

John Carroll of 530 Thomaston Street addressed the board. Mr. Carroll said that he would like to understand the ethical responsibilities of the Board of Commissioners. He said there is no possible reason why any of the Commissioners should not be fully informed on any of these subject. He said when talking about ethic, they have a Commissioner who was stopped by the City Police in Milner and felt comfortable enough to throw around the name of the Lamar County Sheriff to try and intimidate a local officer. Not only that, that Commissioner felt comfortable admitting she had borrowed the trailer in question from a man he believes this County is involved in a lawsuit with which is actually the first black eye that this County has had in the past year that made it onto the news regarding that racetrack. Mr. Carroll said, “What kind of power do you think that you have where you are able to have such an ethical lapse? “ You need to resign. You are morally compromised and you have no business voting on the interest of this County.

James Hyde of 116 White Oak Drive addressed the board. He said that Georgia Code Section 12-8-53 authorizes the setting up the Solid Waste Authority in the State. However, Georgia Code Section 12-8-54 sets up the control and management of the authorities. Mr. Hyde quoted “ Control and Management of an Authority shall be vested in a board of at least five directors who shall be residents of the County or Municipal corporation. At least three such directors shall be elected officials of the County or Municipal corporation. The directors shall serve at the pleasure of the governing authority of the County or Municipal corporation.” This clause clearly gives this Commission authority and governance over the Solid Waste Authority board. This is further solidified by Georgia Code 12-8-59 which reads, “ The governing body of any unit or local government which has authorized the functioning of an authority made by proper Resolution or Ordinance declaring that there is no need for such an authority to function.” This further underscores the County governing authority has ultimate control over the Solid Waste Authority. This firmly puts to rest the assertion that it is an independent authority outside the control of the County Commission as was stated earlier and by the Solid Waste Authority’s attorney. Furthermore, the Lamar County Regional Solid Waste Authority is not in compliance with the Georgia Department of Community Affairs as is required by the O.C.G.A. 36-80-16. It has delinquent reports for the last four years as reported on the AARF dated December 15th, 2023. Mr. Hyde said, “ Per O.C.G.A 36-80-16 subparagraph F states that any local governmental authority which fails to register with the Department of Community Affairs shall not incur any debt or credit obligations nor shall it be eligible to any State funds until should time that it meets the registration requirements.” Mr. Hyde said that while GEFA may believe that they are in compliance with the terms of the loan agreement, they are not in compliance with the laws of the State of Georgia that allows them to receive fund, spend funds or incur debt. With that, it is incumbent on you as the County Governing Authority to immediately remove all current Directors from the Board of the Lamar County Regional Solid Waste Authority and install new members who can read and follow the law and who have some integrity, honesty and who actually cares about the citizens of Lamar County.

Donald Hartman of 507 Old Milner Road addressed the board. He said the key word is transparency. He said they had discussions with Commissioner Lovett, Commissioner Gilles, and everyone else here in regards to legal counsel. It is his understanding their legal counsel with the County is Scott Mayfield and the Solid Waste Authority now has their own legal counsel. Mr. Hartman said the discussion here tonight was that counsel get with the counsel and let them see what they need to do as one counsel and let the Commissioners get together and see what they can do about getting a forensic audit. It is well deserved and they need to find out where everything is going. He said that he moved here to join his family. Mr. Hartman said he saw something on social media where Johnny Poore was showing product that he could do but it was a prototype, patented pending, back in 2013. However, Lamar County was supposed to be one of the first ones in the Country to have it. Mr. Hartman said there are a lot of questions that are unanswered. He said that the public is invited to come see it but yet Commissioner Lovett cannot go over there to see it; he is being turned down. There are a lot of holes in this project. Mr. Hartman said that businesses call it ROI, Return on Investment. He said that they have been too long on this project and it should have been running because other projects are running within two years. He said theirs has been going from 2013 to 2024. He said that the citizens deserve some answers and he would like to know them. Mr. Hartman asked for Townhall meetings and asked where Johnny Poore and his counsel is tonight.

Dixie Benson of 399 Grove Street addressed the board. Ms. Benson said that some Commissioners are stalling, hoping to put off the inevitable, while others are seeking truth and accountability. If a guest walked into this meeting and they were not privy to the interest of our County, it would be obvious to our guest that the desires of the Lamar County citizens want to have accountability from the Solid Waste Authority.

Mike Maddox 121Magnolia Farms addressed the board. Mr. Maddox said that 13 years ago he and his wife moved to Lamar County. He said he thanked citizens then for letting them move into this County. He said he left Henry County because of this same type of stuff that is going on right here. They moved down here, bought their house, and guess what? They pay taxes every year in this County and not everyone in this room can say that; they own their home and pay taxes in this County. He said that when it come from the landfill, he has heard from citizens that they used to be able to take two tons a year and dump it at the landfill. Now they cannot go there and take their trash to the landfill; they get turned away. Mr. Maddox said that everyone needs to get in their car and drive around because the County is turning into a landfill. There is stuff on the side of the road because they cannot take it to the dump anymore and they need to think about it real hard and what has opened since that landfill has been taken over. He said he saw he a boat on the side of the road full of trash; he said who pays for that and just more money that they have to spend. He said that they are spending money before they pay money back and they got a big one to pay back. Mr. Maddox said that he has seen things being tabled and it has Henry County MO all over it; you table it to cover it up and it is going to keep right on going.

XXI. Round Table

Commissioner Lovett said there is an open seat on the Solid Waste Authority Board and requested the citizens interested on serving on the board send their background information to him and why they want to serve on the board especially with technical ability to look at these projects. He said several people from the meeting have been involved with projects this big who would be an asset to that seat. Commissioner Lovett noted the seat had been tabled until January and asked they use his email to send him a resume.

Commissioner Gilles thanked everyone for coming out and wished everyone a Merry Christmas and a Happy New Year.

Vice-Chair Thrash wished everyone a Merry Christmas and a Happy New Year.

Chairman Traylor said that a lot of people were disappointed in the motions and the lack there of but said the responsibility of their board was to not do symbolic motions. Chairman Traylor said it could have been easy to sit there and vote for something they did not have the authority to vote for. Chairman Traylor said in all due diligence the board did a great thing to allow their counsel and conflict counsel to identify what it is this board has the ability to do. Chairman Traylor said the worst case scenario is they impose their will in a symbolic motion and they end up in a major lawsuit citing they did not have the authority to do that in the first place.

Chairman Traylor said that there were a lot of people here tonight that he remembers standing there when they were working through the renovations of the gym. He said especially at the end when there was as a lot of concern that the gym was safe and the Fire Marshall was called in to the project. Chairman Traylor said Saturday morning when he went to the gym and he talked to players, parents, grandparents and part-time employees that were so appreciative of what happened to that gym. He said this was from them the bathroom to the lighting to the entire facility. Chairman Traylor said it was very disappointing that those who complained did not show up and it would have nice to see them come and celebrate and see what happened with that facility and what it turned out to be. Chairman Traylor said he hoped everyone has a Merry Christmas and they have an opportunity to step away from the frustrations they have with the Solid Waste Authority or any other item that is out there that is taking up their time but to enjoy it with their family. He said to remember why we have Christmas, and to step away from that and to truly to put it aside to enjoy their family and their grandkids; have a Merry Christmas and a Happy New Year.

XXII. Adjournment

Commissioner Gilles made a motion to adjourn the Regular Business meeting at approximately 8:27 p.m. Commissioner Fletcher 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