

**Lamar County Board of Commissioners
Regular Business Meeting
January 16th, 2024**

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

I. Call to Order

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

II. Pledge of Allegiance and Invocation

Everyone said the Pledge of Allegiance. Pastor Mark Henson of the Barnesville Church of the Nazarene gave the invocation.

III. Agenda Approval

Vice-Chair Gilles made a motion to approve the agenda. Commissioner Fletcher seconded the motion. The motion passed unanimously.

IV. Minutes Approval

Vice-Chair Gilles made a motion to approve the following three sets of minutes. Commissioner Thrash seconded the motion. The motion passed unanimously.

- i. Public Hearing -December 12th, 2023
- ii. Workshop Agenda-December 14th, 2023
- iii. Regular Business Meeting Minutes-December 19th, 2023

V. Announcement from Commissioner Lovett

“This evening, I was served legal papers by our Honorable Sheriff, Brad White, naming me a co-defendant in Lamar County Superior Court Case #24B-016-F, filed today by the legal firm representing the Lamar County Regional Solid Waste Authority, chaired by Commissioner Nancy Thrash.

Also personally named as co-defendants in this case are Lamar County Attorney Scott Mayfield and fellow Commissioner Ashley Gilles. Upon learning today of this civil suit, Commissioner Gilles and I contacted the agent with Federal Bureau of Investigation who interviewed us in September regarding the Solid Waste Authority. Although records she and I gathered prior to our September Board meeting remain under Department of Justice subpoena, and therefore are not eligible for open records disclosure, we are allowed to acknowledge receipt of the subpoena from the United States District Court for the Middle District of Georgia.

Just as I've responded to the nine previous Solid Waste Authority attorney letters, I will not cooperate with any open record requests related to the Lamar County Regional Solid Waste Authority or the Waste to Fuel Project until such time as I am directed by a Lamar County Superior Court Judge.”

Chairman Traylor said in the future the idea needs to be added to the agenda. Commissioner Lovett said it could not be added to the agenda because the Sheriff had just served him the papers. Chairman Traylor said he had a written document that he just read, and it could have been added to the agenda, or it could have been done during Round Table comments so that formalities are followed. Commissioner Lovett said he would follow those protocols from there forward.

VI. Solid Waste Authority Board Appointment

Commissioner Thrash made a motion to table the Solid Waste Authority Board Appointment. Commissioner Lovett made a motion that they do not table the motion. Chairman Traylor said that Commissioner Thrash's motion started before his. Commissioner Thrash said, “ I would like to make a motion to table the Solid Waste Authority Board Appointment as both Commissioner Lovett and Commissioner Gilles are individually named in a lawsuit as just mentioned by John Richard's law firm against the County for conspiring together to violate the Open Records law. Commissioner Lovett, Gilles, and County Attorney Scott Mayfield are the focus of a lawsuit filed by the Mayo Hill law firm with depositions noticed for February 9th. Mr. Mayfield is conflicted out of both lawsuits. Conflict Counsel has to be retained and have the opportunity to review the lawsuits, which we have all said all along, and to properly advise the Commission. Mr. Mayfield sent her emails on January 11th and 12th via attorney John Richards, revealing the existence of alleged subpoenas to Commissioner Lovett and Gilles and their production of documents to the Department of Justice allegedly related to the Solid Waste Authority. Commissioner Thrash said that they have to get to the bottom of this and what is going on here regarding Commissioner Lovett and Gilles before any motions involving either of them regarding the Solid Waste Authority are considered.”

Commissioner Lovett said he would make a motion so they could have a discussion. Commissioner Lovett seconded the motion. Commissioner Thrash said that there was no discussion for a table. Commissioner Lovett said that there is a discussion. Chairman Traylor called for a vote. Commissioner Thrash agreed to table the motion. Vice-Chair Gilles opposed the motion. Commissioner Lovett opposed the motion. Chairman Traylor broke the tie and tabled the motion. The motion passed 3-2 to table the Solid Waste Authority Board Appointment.

There was noise from the constituents. Chairman Traylor said he would have them escorted out if another comment or outburst was made. He said they did not understand that the rules are that if he does not vote, the motion dies anyway. So, understand the rules. Commissioner Lovett said to let it die and go to the next motion. Chairman Traylor said at any rate the motion is tabled. He said after the Conflict Counsel takes a look at it and all of this stuff gets sorted out, then Vice-Chair Gilles can be appointed to the board if that is the pleasure of the board.

Chairman Traylor said that at this time, his vote is to support the motion to table the appointment of Commissioner Gilles to the Solid Waste Authority Board.

VII. Conflict Counsel

Chairman Traylor explained that they had been entertaining and interviewing Conflict Counsel, and they have had two candidates they spoke to, including one they spoke to today. They spoke to another one on Thursday of last week.

County Administrator Townsend said that the first Conflict Counsel is Amy Cowan, and the second is Patrick Jaugstetter. They both come from really good firms, and both of them would do a great job for the County.

Commissioner Fletcher made a motion to approve Amy Cowan of Freeman, Mathis & Gary, LLP to be the Conflict Attorney. Vice-Chair Gilles seconded the motion. Vice-Chair Gilles changed her motion to deny. Commissioner Fletcher and Commissioner Thrash both approved the motion. Commissioner Lovett opposed it. Chairman Traylor broke the tie and motioned to approve Amy Cowan of Freeman, Mathis & Gary LLP. The motion passed 3-2.

VIII. Administrator's Report

County Administrator Townsend reported the following:

- i. AmeriPro Health Report:
180 Transported, 108 Refusals, 25 Cancellations, Response Time: 8:25
Mutual Aid Report Upson County 25 Pike 0 and Spalding 0
- ii. Reported that revenues over expenditures for 2023 should be at 100 percent and are actually at 93.92 percent. Reported that this will change with accrued accounting due to the booking of revenues/expenditures from December.
- iii. Reported that staff would be moving into the new Administration Building on January 17th, 2024.
- iv. Reported that the windows for the Tax Commissioner Office will be coming in and installed on Friday, January 19th, 2024. The cabinets should also be installed this week.
- v. Reported that for months and months they have been going out with RFP's and RFQ's for 90 to 120 days. Mr. Wright Woodall has been hired as the general contractor. They are also working with Mr. Dennis Armstrong. The last bid that they received for the RFP was a little over 1.2 million dollars. They are working with Mr. Wright and Mr. Armstrong to bring that cost down. They are hoping to have the budget for the board to approve next month.
- vi. Reported that he met with the State Fire Marshall for the gym and they have received the Certificate of Occupancy (CO).
- vii. Reported that there were issues with the roof leaking at the Jail and the Courthouse. The contractors are reviewing.
- viii. Reported that \$126,962.00 was received for the Local Option Sales Tax (LOST).
- ix. Reported that \$243,757.92 was received for the Special Local Option Sales Tax (SPLOST IV).

- x. Reported that \$222,755.08 was received for the Transportation Special Local Option Sales Tax (TSPLOST).
- xi. Reported that he had received a request from Sheriff White for three new cars for the Sheriff's Office. They cannot purchase them out of SPLOST IV at this time because funds will not be received until March due to paying off the City of Milner and the Town of Aldora. The cars are usually around \$52,000.00, but the Sheriff's staff has found them for around \$37,780.00. The total for three cars will be \$113,340.00. The funds will come from the General Fund, and then SPLOST IV will reimburse the General Fund once they receive the distributions.

IX. Amendment to Agenda

Vice-Chair Gilles made a motion to amend the agenda to include the Purchase of Sheriff's Office vehicles. Commissioner Lovett seconded the motion. The motion passed unanimously.

X. Purchase of Sheriff's Office Vehicles

Vice-Chair Gilles made a motion to approve the purchase of three new vehicles for the Sheriff's Office for a total cost of \$113,340.00. Commissioner Fletcher seconded the motion. The motion passed unanimously.

XI. Public Comments

Harold Jackson of 200 Laurel Drive addressed the board. Mr. Jackson said that there was a movie called "Cool Hand Luke" starring Paul Newman. There was a line in that movie, "What we've got here is failure to communicate." Mr. Jackson said he believes this has been going on ever since the authority was organized. He had four pages of Georgia law. He said he does not think it was ever incorporated into their bylaws. He said that they could google the laws and read them for themselves. Mr. Jackson brought out three points. One of them is for the Directors. The Director shall serve at the pleasure of the County's governing authority. Mr. Jackson said that the Commissioners are the governing authority. The Solid Waste Authority is serving at your authority, and you are all serving at our authority. The Director shall receive no compensation for their services and shall be reimbursed for actual expenses incurred for their performance of duties. Mr. Jackson said that from what he understood, everybody gets \$150.00 a month for so-called meetings. He said he would like to know how they have the stuff to prove that everybody gets the same amount of money every month. He said that to him that sounded a little fishy. Mr. Jackson mentioned O.C.G.A. 36-80-16, the local governing authority registration. He said that Section F reads: Any Local Government Authority who fails to register with the Department of Community Affairs (DCA) shall not incur any debt or credit obligation or shall be eligible to receive any State funds. Failure to register shall not have any adverse effect on outstanding debt or credit obligation. Mr. Jackson said he contacted the Lamar County Probate Judge and found out that the Solid Waste Authority had not registered in the last four years. Mr. Jackson said, if he is not mistaken, the last time there was a draw was in 2022. They were not registered in 2022. The loan was apparently illegal.

Mike Perry of 101 Maple Drive addressed the board. Mr. Perry noted that the Board of Elections Office will not be moving as they are staying through June of 2024. County Administrator Townsend said it could be July or August of 2024. Mr. Perry said the point is that all the Elections business, registration, and voting will still be in the old Administration building until they get permission to move. Mr. Perry said that the letter in today's paper from the Solid Waste Authority explains that they are working to save us money and are trying not to waste any. Mr. Perry congratulated Walter Geiger on the extra business and said he was sure he did not do it for free. Mr. Perry said that it is another example of wasted spending in resources. He said a member of the concerned citizens group denies that they have ever tried to shut down the Solid Waste Authority or ask them to spend money they didn't need to. They have only asked for an explanation as to why it has taken ten years to go nowhere and why they spent 23 to 24 million dollars and still have no waste to fuel system. It looks like they may get a leachate system that they probably could have bought for two to four million dollars. Mr. Perry asked why are they on the hook for 27.5 million dollars. He said that all they have asked for is honesty, and they are not getting much of that.

Elaina Hallada of 131 Steeple Chase addressed the board. Mrs. Hallada said her husband asked her to congratulate two Commissioners for exceeding the ability to fill a room. She commented on the full-page ad that the Solid Waste Authority sent to the Herald Gazette. Mrs. Hallada said you would think that the Solid Waste Authority, which includes Nancy Thrash and Ryan Traylor, would be trying to improve the image of the Solid Waste Authority instead of deflecting blame to the concerned citizens. The project was to be completed by 2017 making 2.5 million dollars a year, which now puts them over 17 million dollars and counting. Mrs. Hallada said that it has still not been turned on. How can you stop a project that never started, which they were accused of doing? At this time, you have been collecting \$50,000 a month from AmWaste, meaning you have banked enough money to pay for the first two years of payments. You sold out our landfill and should have reported the failure of this project to start on time. You are fellow Commissioners and citizens of this County. The Solid Waste Authority paid for a full-page ad in the paper to smear the concerned citizens. You have to be a taxpayer to have your trash picked up, so she helped pay for that. Mrs. Hallada reminded everyone that Nancy Thrash and Ryan Traylor had been taking money from the Solid Waste Authority for many years. At the last Commissioner's meeting, she reported that Nancy Thrash was paid \$17,000.00 and counting, and Ryan Traylor was paid over \$12,000.00 and counting. She said that they both have been financially compromised. Mrs. Hallada said she is glad they chose the Conflict Counsel they heard about in today's Special Called meeting. It felt perhaps that Nancy Thrash knew the lawyer they were interviewing; at one time, he had worked for Smith, Welch, and Associates. Mrs. Hallada said she felt like he would have been compromised if chosen. Mrs. Hallada said that she thinks it is bad that the two of them have not learned how to read a room because you certainly are not doing what the concerned citizens or the taxpayers of this County want.

Donald Hartman of 507 Old Milner Road addressed the board. Mr. Hartman said he acquired a copy of what was printed in the paper. He said that the word for tonight is transparency. We have some civil stuff happening. Could that have been avoided? Be transparent; come over and see what we have. Why can we not say, "Here's where we spent our money." Do it the civil way; show us what is in the books. Mr. Hartman said he felt like

they were trying to hide stuff, and that is not right for the public. You get that image that things are trying to be hidden, and they do not want to be open. Mr. Hartman read an excerpt from the article in the Herald Gazette from the Solid Waste Authority, "The only way the taxpayers could be held responsible for these loan payments is if the waste to fuel project or the other work of the Authority is stopped by the forces who never wanted to see it succeed in the first place." He said he had only been here a little over a year, and many citizens want to see it up and running. Mr. Hartman asked that each of them keep an open and informed mind to assist them in continuing what they truly believe will be a project that they will be proud of and a model for others around Georgia and even the Country. We trust each of you to say yes to that. Mr. Hartman said if he was in business, ten years to get a project up and going, which usually takes two years, is not a model program. Be transparent. A lot of the legal stuff could have been avoided if you just figure out what is going on. Mr. Hartman said he believed things were being hidden and that is not right.

XII. Round Table

Vice-Chair Gilles thanked Mr. and Mrs. Martin for supplying an informative field trip for the 4-H Club, the Horse Quiz Bowl. They gave a tour of their farm to about six children in the 4-H Club.

Chairman Traylor said he had a couple of things. The first one was emotional control. He said that when you look at their community, they all love Lamar County, or they would not be here. That is the reason they are here. Ultimately, they all know that there are issues and concerns, but every story has two sides. He heard the comment that they are not responding to the people here tonight, which is less than .3 percent of the population. It is not like this is on a ballot and voted on by the entire Lamar County population. They are talking about avoidance. Their job here is to represent the entire County. Their job is to do their best and get it right. He said that he was talking to someone in the grocery store, and he said to him, "Ryran, if the FBI is actually looking into it, why do you even need to make a motion to do a forensic audit. The FBI does not need Ryran Traylor to tell them to do a forensic audit". Chairman Traylor said that on the other side of the coin, if they do a frivolous lawsuit, and obviously Commissioner Lovett just mentioned that he was served, does he not think that the County would be sued for negligence for enforcing something that they do not have the authority. As of right now, the Board of Commissioners is doing the best that they can to follow the recommendations of their Counsel, and they have a Conflict Counsel coming in as well.

Chairman Traylor said the thing that bothered him more than anything else was that he grew up in this community. As a little boy he always thought that one day he wanted to be sitting up there being able to help. When he worked for Health South Physical Therapy, his job was to go out and look at the communities and see if they would be a good fit for him to open up a rehab facility. He said he has friends who still do that type of work. Chairman Traylor said that he has had phone calls over the last couple of weeks where several of them have said that Lamar County has come off their board for any type of development, they would be involved in. It is not the fact that there is a legal suit but because of the nature of the hostility that is being portrayed in the community. Chairman Traylor said he truly empowers them and implores them to please think about how we are representing our community. Chairman Traylor said that if the FBI is involved, he is pretty sure that those guys do a phenomenal job

in getting to the bottom of whatever investigation that needs to be done. He feels totally confident that if something were done that the Board of Commissioners or himself did not know about the Solid Waste Authority, they would figure it out. They do not need Ryran Traylor to tell them to do that.

Chairman Traylor asked, ultimately, who do you represent? You represent yourself. You represent Lamar County. Every time you put a discussion post out there. He said he had another individual who said if they were younger, they would storm the capital when everything was going on with President Trump. His next comment was that he was older now, so this is my attempt to storm the capital. The storming the capital here is storming your County. Chairman Traylor said he could not say it enough; he truly has had people calling him, and he is answering them and trying to do the best that he can, but he appreciates those who are actually listening and trying to discuss different things. But, for those of you who think that putting our County out there on Fox 5 in a negative light is going to help you with your tax dollars? One of the guys who called him said that he needed to keep finding a way to pay that \$5,700.00 that he is paying for taxes every year because he would not get any tax relief from any company; no one would want to come here. Chairman Traylor said when he gets personal attacks, how he personally does things. Last month alone, the Boys and Girls Club was trying to raise money for a matching grant of \$100,000.00, and they succeeded. Chairman Traylor said he went to the bank and borrowed \$1,000.00 to help them hit that goal. The girl sitting there asked me why I was doing this. You do not even have kids attending the Boys and Girls Club. I said that because two kids living down the street from me come to his Office all the time talking about the Boys and Girls Club and how much they love it. So, when we start sitting here thinking about how we are attacking people, it is okay to attack the issue, but have respect for people and your community. At the end of the day, that is all we got. Chairman Traylor said that he knows that a lot of people did not grow up like he did, and this is not the Lamar County that he grew up seeing. This is not the one he was all excited about one day being a Commissioner for. So, with that being said, please have a great rest of your month.

XIII. Adjournment

Commissioner Thrash made a motion to adjourn the Regular Business Meeting at approximately 7:37 p.m. Vice-Chair Gilles seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Ryran Traylor, Chairman

Ashley Gilles, Vice-Chair

Jarrod Fletcher, Commissioner

Jason Lovett, Commissioner

Nancy Thrash, Commissioner

Attest: _____ Carlette Davidson, County Clerk