

Lamar County Board of Commissioners

Regular Business Meeting

November 19th, 2024

7:00 PM

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 Teams Meeting.

1. Call to Order

The meeting began promptly at 7:00 PM.

2. Pledge of Allegiance & Invocation

Pastor Allan Newman of Calvary Baptist Church gave the Invocation.

3. Approval of Agenda

Commissioner Lovett made a motion to approve the agenda adding the following items: # 7 Insurance Renewal with NFP, # 8 GDOT request for support letters for -R-Cut at Zebulon Road and Zebulon Street and SR7 High 41, # 9 Chappel Mill Road, Rock Springs Road and High Falls Road Project, and # 10 Noise Ordinance. Vice-Chair Gilles seconded the motion. The motion passed unanimously.

4. Approval of Minutes

Commissioner Thrash made a motion to approve the following minutes. Vice-Chair Gilles seconded the motion. The motion was approved unanimously.

- i. Workshop: October 8th
- ii. Regular Business: October 15th
- iii. Budget Workshop: October 24th
- iv. Special Called: October 24th

5. Board Appointment

Industrial Development Authority

Vice-Chair Gilles made a motion to re-appoint Charles Glass and appoint Glenn Allen to the Industrial Authority Board for a term of three years beginning January 1st, 2025, and ending December 31st, 2028. Commissioner Lovett seconded the motion. The motion passed unanimously.

6. New Business

1. Ordinance 2024-12

Vice-Chair Gilles made a motion to approve Ordinance 2024-12 for a rezoning request from Conway Goodwin rezoning a portion of parcel 027, 207A from A-R (Agricultural Residential) to M-2 (Manufacturing 2) with conditions: no access allowed onto Highway 36, to be used as an overflow for existing business only, the fencing along the southside of the property line with 4 x 4 post and barbed wired on top, an agreement with an adjacent property owner and the applicant. Commissioner Fletcher seconded the motion. The motion passed unanimously.

2. Resolution 2024-08 Fee Schedule

Commissioner Lovett made a motion to approve Resolution 2024-08 Fee Schedule. Vice-Chair Gilles seconded the motion. The updated fee schedules are for building and zoning and are based on minor changes. The motion passed unanimously.

3. Alcohol License Renewal

Vice-Chair Gilles made a motion to approve the following alcohol license renewals. Commissioner Fletcher seconded the motion. The motion passed unanimously.

Beer By the Drink	Hugh Mangham	Deer Trail Country Club	1782 Hwy 341 South
B/W By the Drink	Jennifer Hovis	Honeywood Gardens	894 Hwy 18 West
B/W By the Drink	Ronald L. Horton	The Rendevouz Goodwood LLC	134 Crawford Rd
B/W Package	Rujuta Patel	Arihant C Stores I, LLC dba TJ Outfitters	1054 Hwy 36 West
Farm Winery	Stephanie Thomas	The Goth Gardener	356 Cook Rd
Beer By the Drink	Glen Vogel, Commander	VFW Post 6542	361 Old 41 Hwy
B/W Package	Anitaben Patel	A AND S 2023 LLC dba C&B Store	402 Fredonia Church Rd
Beer Package	Shezan Battiwala	Majik Market	919 Veterans Parkway

4. 2023 Audit Approval

Commissioner Thrash made a motion to approve the 2023 Audit conducted by Mauldin and Jenkins. Commissioner Lovett seconded the motion. County Administrator noted that it was a clean report and stated the General Fund increased by \$24,849.00. The funds from ARP and SPLOST III have been spent and they ended up with a balance of \$40,000 used for the animal shelter.

5. PTSD Program Proposal

Commissioner Thrash made a motion to approve the ACCG-IRMA Post-Traumatic Stress Disorder (PTSD) Program quote proposal required by HB 451(2024) effective January 1, 2025, in the amount of \$12,541.00. Vice-Chair Gilles seconded the motion. The motion passed unanimously.

6. Surplus Vehicle Sale

Commissioner Lovett made a motion to surplus Chevrolet 2006 Truck C65 C6C042MG declared salvage due to fire damage. Vice-Chair Gilles seconded the motion. The motion passed unanimously.

7. Insurance Renewal

Chairman Traylor explained that they did an in-person employee survey with a choice of three different insurance plans versus having a higher increase in salary. A survey a few years ago indicated that a salary increase was more important than insurance coverage. At this time, the insurance coverage was better than the current plan the County has in place. County Administrator Townsend explained that one of the choices was for a Traditional Plan which comes with a 2.5 salary percent increase for Traditional Plan + NFP/Cigna at 100 percent coverage and does not include the Buy Up Plan. The three different options were within \$20,000.00 of each other. There were ninety-eight responses out of 120 employees that were done online along with a staff meeting with the Sheriff's Office.

Chairman Traylor explained that the Board discussed three or more options for the employees to choose from in a recent Workshop. County Administrator Townsend and HR Director Kilchriss held an employee luncheon and explained three options including staying with a non-traditional insurance plan, a plan with a higher salary increases and a lower insurance plan and then a 2.5 percent salary increase with 100 percent paid traditional insurance with NFP/CIGNA. This did not include the buy-up plan. The survey indicated the employees preferred the 2.5 increase with 100 percent paid traditional insurance with NFP/CIGNA.

Vice Chair-Gilles made a motion to approve a 2.5 salary percent increase for Traditional Plan + NFP/Cigna at 100 percent coverage which does not include the Buy Up Plan. Commissioner Thrash seconded the motion. The motion passed unanimously.

8. GDOT Request for RCUT Support Letter

Commissioner Thrash made a motion to approve the GDOT request for a Support Letter for RCUT at Zebulon Street/Zebulon Road and SR 7 (Hwy 341). Commissioner Lovett seconded the motion. The motion passed unanimously.

9. Rock Springs Project Approval

County Administrator Townsend presented a report on the Rock Springs, High Falls, and Chappel Mill Road Project showing the proposed turn lanes and decal lanes.

The proposed cost for the project is listed below.

Revenues

GADOT LMIG Funds 2024	\$	468,722
GADOT Special LMIG funds	\$	542,000
GADOT LAR Funds	\$	580,535
Rock Spring funding commitment	\$	1,000,000
Current TPSLOST	\$	2,256,466
LMIG 2025	\$	481,521

Total of Revenues: \$ 5,329,245

Expenditures

Chappell Mill, Rock Spring, & High Falls	\$	3,937,953
Phase II- Howard Road and Piedmont Road	\$	1,173,000

Total Expenditures: \$ 5,110,953

Diffence: \$ 218,291.33

Commissioner Thrash made a motion to approve a project with Rock Springs Road, Chappel Mill Road, and High Falls Road. The plan is to have turning lanes and decal lanes with funding from GDOT, LMIG, TSPLOST, and other sources. The total cost is around \$3,937,953.00. The Request for Proposal will be released in the future. Chairman Traylor noted that Butts County is also committed to this project on the Butts County side of High Falls Road. Commissioner Lovett seconded the motion. The motion passed unanimously.

10. Noise Ordinance

Jen Eady from Field Crest Subdivision addressed the Board of Commissioners regarding noise complaints on 276 Old Alabama Road (the property). Mrs. Eady said her home is 150 feet away from that property, The cul-de-sac is 350 feet away from the property and from the front of the subdivision it is 800 ft from the property. She produced two videos from her phone to the Board of Commissioners where two officers came and discussed what they were hearing in Field Crest Subdivision from an event on 276 Old Alabama Road. The video was recorded on her phone from her front porch. Mrs. Eady stated that the Board of Commissioner approved the Noise Ordinance for events and officers refuse to come to her home when the events are allowed to go on from 10:00 p.m. until 11:00 p.m. Mrs. Eady said they are in the City and not the County and the officers are saying that Code Enforcement would have to enforce this. Mrs. Eady said that the police cannot go outside of their jurisdiction even though 276 Old Alabama Road is in the County. Mrs. Eady mentioned Lamar Country Code Section 2-13-60, 2-13-61, and 2-13-62. She said they are not getting help in their neighborhood because the officers tell them that it is allowed until 10:00 p.m. to 11:00 p.m. and the buck is being passed around. Mrs. Eady said that Code

Enforcement does not work on the weekends. She requested a Resolution for Code Enforcement to be able issue a nuisance citation that comes from one of the above Code Ordinances. Mrs. Eady also read responses from neighbors on a Social Media page regarding the effects from the noise on 276 Old Alabama Road coming from the events that last until 10:00 p.m. to 11:00 p.m. Mrs. Eady requested that all events on this property cease at dusk.

Planning and Community Development Director Buice stated there is an Ordinance in place where there is a distance. If you can hear noise from so many feet from A-Z and so many feet in the evening hours, then it could cause a violation. She said they are looking into a request where they use a decibel meter. The County Attorney has several drafts of Ordinances, but it may take three months to get them ready and in place.

Commissioner Lovett stated that he has inherited two locations with noise issues and if they pass an updated Noise Ordinance are they grandfathered into the old Noise Ordinance. County Attorney Mayfield said you cannot grandfather in a nuisance. Commissioner Lovett said if they vote on this, then they will be subject to the new Noise Ordinance even though for a decade the one on High Falls Road has been allowed to do whatever they want to do. County Attorney Mayfield said this is apples and oranges and the one on High Falls Road has been allowed to do what they want to do because they did not do anything. County Attorney Mayfield said you cannot grandfather in a nuisance if it not zoning. This noise issue is unrelated to zoning and is a noise violation. It is not a zoning issue; it is a plain out nuisance for noise and not grandfathered in. County Attorney Mayfield said he was unaware of where the 10:00 to 11:00 p.m. issue comes from because it is not in the documents placed on the property in the Resolution. Planning and Community Development Director Buice stated that for this particular location, the conditions that were listed state that it must meet the Noise Ordinance requirements. County Attorney Mayfield said the one on High Falls Road has a time constraint. Commissioner Thrash stated that Resolution for this property states that events conducted must be concluded at dusk.

Commissioner Lovett said they had been fighting this for 18 months and this is the first time he has heard that they can pass an ordinance regarding Noise. County Attorney Mayfield, Planning and Community Development Director Buice and Chairman Traylor stated they have a Noise Ordinance in place. Commissioner Lovett asked why the current Noise Ordinance has no teeth. County Attorney Mayfield said this is because no one will write a ticket on it. Planning and Community Development Director Buice said the Sheriff's Office writes the tickets. Commissioner Lovett said this is round robin where the buck is being passed around. County Attorney Mayfield said in 2015 and in 2020 they tried to pass a decimal ordinance. He said the current Noise Ordinance is fine, but it needs to be enforced. Chairman Traylor said they are hearing from the Sheriff's Office that they want it to be clear cut like with a radar gun. County Attorney Mayfield said to keep in mind the property owner can have a decimal reader too and it could be one under. Chairman Traylor

said that Major Holmes stated that her decimal reader will trump anyone else's decimal reader.

Planning and Community Development Director Buice stated she is working on an updated Noise Ordinance with decimal reader conditions. There could be a first reader in January and a second reader in February. Chairman Traylor said this would be County-wide even for cookouts and birthday parties. Commissioner Thrash requested that there be a penalty for violation of the Ordinance. County Attorney Mayfield said the penalty could not be more than \$1,000.00 per occurrence.

7. Administrator's Report

- Revenues for the Month of October are \$1,527,592.21.
- Expenditures for the Month of October are \$1,479,938.03.
- General Fund Revenue is \$799,513.16 for the month of October.
- Special Revenue Funds is \$31,551.13 for the month of October.
- Capital Project Funds are \$2,920,513.34 for the month of October.
- TSPLOST sinking funds are \$2,296,466.33 for the month of October.
- Total Governmental Funds are \$6,048,043.96.
- Animal Shelter: Exterior is close to complete and working on final additions. The goal is to have the Animal Shelter completed by mid-December.
- Received new Fire Trucks (2)
- Senior Center bus expected by late November or early December.
- Collections for LOST for October were \$128,589.45.
- Collections for SPLOST for October were \$225,595.19.
- Collections for TSPLOST for October were \$205,553.44.
- Ameri-Pro Health: Requested 316, Transport 156, Refusal 123, Cancellation 37, Response Time 7:55.

8. Public Comments

- **Harold Jackson 200 Laurel Drive:** Concerns hearing what the employees are saying while paying property taxes. Requested to have the Tax Commissioners Office moved back to Country Kitchen Road. Reported that the cone is up, and they still have no drive-thru window.
- **Donald Hartman 507 Old Milner Road:** Requested Transparency and stated the Solid Waste Authority (SWA) project was scheduled to be completed by 2017 and there has been no clear direction in 2024 as to when it will happen. Compared the project to the movie Titanic and how long it took to build; one hundred days. The replica of the Titanic was built with an enormous water tank, 750 long ship and seven acres and seventeen million gallons of sea water was created for the project. The original Titanic was built in 1909, and it only took three years to build an entire ship. It had ten decks, three main engines, and a 100-ton rutter. Requested that they get a professional to tell them whether or not they are going to fail or succeed entirely. Is the captain or the people going down with the ship because the County co-signed. He said it

had been a year since they asked for an audit, and they keep getting detours. He said their New Years Resolution could be for transparency on the project.

- **Elaine Hallada 131 Steeple Chase:** Stated that it was great for Rock Springs but wondered if every other church be given the same consideration and they be given turn lanes into their church. Stated she had two Open Record requests received showing that \$46,000.00 had been spent on the Conflict Counsel. When the audit was proposed they had someone offer to come in for \$5,000.00 to do the audit. Chairman Traylor rejected that offer even when numerous citizens offered to pay for the audit. Mrs. Hallada asked how much more would be paid, and when will it be done. Asked how Commissioner Thrash can legally delay the audit when she is no longer a member of the SWA board. Stated she does not want anymore of her trash money going towards SWA training or any legal fees for past or present SWA board members. These fees are over a quarter million dollars. Anyone who is paying for trash pickup is paying for this stall tactic; quit wasting the citizens taxpayer money. Mrs. Hallada referenced an article where the word per diem was used, and this means per day. She said in 2021 both Chairman Traylor and Commissioner Thrash both received \$1,800.00 for attending one single meeting. Mrs. Hallada said if the Board of Commissioners, by law, have control over the SWA, she suggested that they cut off funding to their lawyer. She asked who Emily C. Ward from continuum was representing on October 30th. If this board has control over the SWA then no money should be allowed to pay for their legal fees. Mrs. Hallada stated that Ordinance 2008-02 where there are supposed to be turning lanes, decal, and acceleration lanes into Enercon; they do not have that. If Rock Springs is getting this, why does the dump not have to conform to those rules. Mrs. Hallada said that the elections have consequences and Commissioner Thrash has recently figured that out. They still have one Commissioner who hid what was happening with the SWA since 2017 and said he needs to get on board with the rest of them.
- **Dixie Benson of 399 Grove Street:** Mrs. Benson stated she attended the workshop last and as a citizen it was her understanding that legal action happened threatening the Lamar County Board of Commissioners. It was also her understanding that the Conflict Counsel, Amy Cowan, feels that the law supports the Board of Commissioners to stand firm on the decision to remove Commissioner Thrash from the SWA board and to move against the City of Milner if the need arises. Mrs. Benson asked if the SWA met since the Chairman of the SWA board was removed in October? If there is a new person serving in that position, then who is that person? Is that the person who is giving the marching orders to the lawyer from the SWA that is threatening to come against the Board of Commissioners? Mrs. Benson said as a citizen, looking towards accountability and transparency, for over a year, she cannot appoint these people out of office. They were appointed by a board and that board needs to be the one to reign in the SWA. They do not stand alone. They must answer to someone like everyone who answers to someone. Mrs. Benson said she gave a ride to her elderly neighbor to the landfill on Roger Brown Drive. She said there were trucks down the driveway and on the road because the line is so long. Mrs. Benson said as citizens in our own County, they cannot take their trash to the dump. When she

finally got her neighbor up to the landfill to drop her trash off, she was told that she should come on the weekend and told her she had four hours on Saturday to bring her trash. Mrs. Benson said she can see from her front porch the tractor trailers lined up ready to dump all day long. She said during these dark days they have their lights running on top of the mountain and that mountain is growing terribly fast. Mrs. Benson said this is frightening because she sees this every day.

09. Round Table

- Commissioner Thrash gave a special acknowledgment to Cameron Shiflet from Rock Springs and County Administrator Townsend for ongoing efforts on the Rock Springs Project.
- County Clerk Davidson reported that the Barnesville Lamar County Christmas Parade will be on December 14th, 2024, at 6:30 p.m. The line-up for the parade will begin at 4:30 p.m. You can find information in regard to the Christmas Parade on the Lamar County Commissioners Facebook Page and the Barnesville-Chamber Facebook page. There will be prizes for golf carts and floats in the Christmas Parade. The theme is “Welcome to Whoville” and everyone is invited to participate.
- Chairman Traylor said many times he quotes Pastor Benny Tate and Pastor Collier. He said he had written something down from church a few weeks ago and he knew that Pastor Collier was talking to him. He said his Stepdad had been ill and they were trying to take care of him. Chairman Traylor said that when God speaks to you and all of a sudden you are in a situation like tonight where Mrs. Hallada has mentioned things that she knows are false. He said it reminds him of what Pastor Collier said that night. He talked about in the name of Jesus, and he said this is why I am able to check. This is why I can still smile. Chairman Traylor said it is not because he goes to church on Sunday but because he stands on Gods promises, and he knows what Gods promises stand for him and that is the reason he can sit up there and smile. Chairman Traylor said this is why I know God goes before me to fight all my battles with all of the enemies; new and old, he takes care of me. He said he believes this with his whole heart, and he believes that with the Board of Commissioners and with the County. Chairman Traylor said he knows this is what it is about. He said that Thanksgiving is coming up and asked that everyone enjoy their family, and he looks forward to seeing their Facebook post and asked that everyone be safe and enjoy.

10. Executive Session

None

11. Adjournment

Commissioner Thrash made a motion to adjourn the Regular Business meeting at approximately 8:065 p.m. Commissioner Fletcher 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