

Workshop Meeting
Lamar County Board of Commissioners
July 11th, 2024
12:30 p.m.

The meeting was called to order at approximately 12:30 p.m. on March 19th-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.

1) Line of Credit Recreation Lighting Upgrade

County Administrator Townsend reported that he has been working on getting a line of credit from United Bank for the Recreation Lighting. They will need a Resolution from the Board of Commissioners, the History of SPLOST IV collections, and Lamar County Financials. They anticipate paying it back in 15 months, which will call for a balloon note with an interest rate of around 8.00 to 8.5 percent. Currently, there is \$400,000.00 in SPLOST IV Collections, but with the purchase of the Senior Bus, the collections are left at around \$250,000.00 to \$280,000.00.

Recreation Director Lowe addressed the board. She stated that this would include underground wiring for the new poles and lights, which would be much safer for the kids. This will include all of the recreation fields, including the tennis courts, skate park, and parking lots. The quote for the lighting upgrade is \$1.1 million. County Administrator Townsend reported that he had budgeted \$1.3 million in the SPLOST IV budget. Recreation Director Lowe said they used previous quotes from Recreation Board Director T.J. Imberger. The lighting company, Musco Lighting, is the one they are interested in using because of the type of lights they can provide for the park. They did have Middle Georgia Lighting come out and review the situation with the lights, and they had major concerns about the conditions of the poles and how the beams from the lights are tilting and the poles are rotting from the inside. They provided letters of recommendation for the lighting upgrade. Recreation Board member Will Sneed also reviewed the lighting, and because he works with poles, he stated that Georgia Power could not tilt the ballfield lights back into place.

Recreation Director Lowe stated that the turnaround time for obtaining the line of credit is around 8-12 weeks. During this time, they will be into the Fall Season, so the estimated project timeline is to complete it for the Spring Season. She further stated that they did look at financing with Musco Lightning, but the interest would be around \$300,000.00.

Chairman Traylor requested that County Administrator Townsend send the documents to the board. He also congratulated Recreation Director Lowe on The LC 10U All-Stars. They play again at 2:15 p.m.

Commissioner Lovett said he would like to shop for other banks with better interest rates.

2) The Board Reviewed the Regular Business Meeting Agenda.

1. Call to Order
2. Pledge of Allegiance
3. Invocation-Pastor Cole Smith with Chris Chappel

4. Approval of Agenda
5. Recess for Public Hearing
6. Public Hearing
 1. Public Hearing-Rezoning from Breezy Point Way from A-R to M-2 (Tax Map 061, Parcel 002)

Planning and Community Development Buice addressed the board. She stated that the applicant has requested to rezone approximately 22 acres from A-R to M-2 located at Breezy Point Way (Tax Map 061, Parcel 002). The application is for LOR properties. There has been no update because the Planning Commission does not meet until 6:00 p.m. tonight, and she said she would email the Board of Commissioners a list of conditions if there are any stated.

Planning and Community Development Buice gave an update on a requested stream buffer for a property that is located on High Falls Lake, located in Lamar and Butts County. The developer has asked the State for a stream buffer variance on a stream head. Lamar County officially sent a request to disallow that variance. Monroe County also sent the same request. It is in the hands of the State. Commissioner Thrash requested to have an update at the next Regular Business meeting.

7. Reconvene Regular Meeting
8. Proclamation-Waylon Knight
 1. Proclamation-Waylon Knight
9. Minutes Approval
 1. May 16th, 2024-Workshop Meeting
 2. May 21st, 2024-Regular Business Meeting
10. Old Business
11. New Business
 1. Ordinance 2024-04 Paul Daily & Illicia Goodman to Rezone A-R to R-1 Tax Map 023, parcel 006A
12. Administrator's Report
13. Public Comment
14. Round Table
15. Executive Session
 1. Real Estate
 2. Litigation
 3. Personnel
16. Adjournment
- 3) **Solid Waste Authority**

Conflict Attorney Amy Cowan (Ms. Cowan) addressed the Board of Commissioners. She said she was asked to take a look at a couple of issues.

- 1) Liability of an engineering inspection of the Solid Waste Authority
- 2) Process for the deactivation of the Solid Waste Authority

An engineering inspection is something that the Board of Commissioners can authorize. They can do that with a qualified engineer who knows what they are looking at when they go there. She said there is no lawsuit pending so the extent that it is enforceable by law will have to be done by an agreement between the Board of Commissioners and the Solid Waste Authority. The process of deactivation of the Solid Waste Authority requires negotiation between the City of Milner, Lamar County, and the Solid Waste Authority to agree with all of the contracts and projects and pending items before the Solid Waste Authority and all of the parties. A Resolution has to be passed by the County and City of Milner to deactivate the Solid Waste Authority. There is a procedure for winding up the affairs of the authority. The Solid Waste Authority triggers the default of the GEFA loan, which is something to consider.

Commissioner Lovett said that both of those are liable options. He said in the original Solid Waste Authority agreement between the Solid Waste Authority and the County to underwrite the agreement, it stated that the Solid Waste Authority would participate in audits. He asked if the engineering audit requested was enforceable based on the signed original contract. Ms. Cowan said that the GEFA Loan audits are more financial in nature and the definition of those terms. The best way to make an engineering inspection occur is by negotiation with the Solid Waste Authority. Ms. Cowan said that without a lawsuit, it would be difficult to enforce. Commissioner Lovett said the easiest path is for everyone to cooperate and seek the facts, and he believes an engineering audit is the way to go. This is the path that is the easiest and best way for the community to look and see if this is a viable project.

Vice-Chair Gilles said she was not at the last Solid Waste Authority meeting, but she was at the one prior to that one. She said she was under the impression the entire Solid Waste Authority Board had to vote when they had another expenditure, and she thought it had to be done in a public forum. Vice-Chair Gilles produced a document saying they had this much in receipts where they were reimbursed for another 4 million dollars. She asked if there was anything that they could do to get a hold of that and asked if all of the expenditures were voted on in a meeting. Vice-Chair Gilles said it was supposed to be approved by the Solid Waste Authority Board, with minutes showing the approval. Ms. Cowan said that if that is a question for her, she would have to look at the requirements and let her know if that occurred. Vice-Chair Gilles said this is the first time learning that another 4 million dollars was pulled, it has been a hot topic, and she does not understand why the Board of Commissioners were not informed. She said this was ridiculous when they have two people sitting on the Board of Commissioners, and they could all have a discussion. She said she does not understand why it has to go back and forth with lawyers where it costs the Solid Waste Authority and the County money when all they have to do is open their mouths and talk.

Commissioner Lovett thanked his wife Linda Lovett for finding T. R. (Thomas) Miles, an experienced pyrolysis engineer with impeccable credentials. His father started pyrolysis consulting in the 1940s, and T.R. Miles started in the 1970s. He has worked around the world and has been involved in numerous consultations for pyrolysis and waste to fuel, and he would consider him a worldwide expert. He will be the keynote speaker in Charleston, South Carolina on char as a use on water filtration. He will be coming through Atlanta and will be available before or after his conference to speak to the Board of Commissioners, providing his analysis of the project and its viability. Commissioner Lovett said he would like the Solid Waste Authority to endorse his visit for credibility and to provide facts about anything that is going on there. This is a great opportunity to show the community this is a viable project, and if he agrees this is a viable project, then they are all good. If the report is not good, they need to agree to open it up and show them how to move

forward. Commissioner Lovett suggested the Solid Waste Authority have a meeting before the Board of Commissioners Regular Business Meeting and show their willingness to participate so they can start the healing process in the community.

Commissioner Lovett said Mr. Miles's fee is \$5,000.00. If the County does not have this budgeted, he would be willing to pay the fee. Vice-Chair Gilles said she would also be willing to contribute to the fee.

Chairman Traylor said he was in an Industrial Development Authority (IDA) meeting when he received the document and had not had a chance to look at his credentials. He said he would look at it before Tuesday. Chairman Traylor said Commissioner Fletcher is out of town but will also look at it before the Regular Business meeting on Tuesday. Commissioner Thrash said she has not had a chance to look at his credentials. Vice-Chair Gilles said his credentials are impeccable, from char, to waste to fuel, to pyrolysis. Commissioner Thrash said, as usual, Commissioner Lovett had thrown something at them at the last minute and blindsided them with it. She said she wanted to have an opportunity to look at the credentials. Commissioner Lovett said this is a Workshop, and this is the time they bring things to the Board of Commissioners so they can have these types of discussions. Commissioner Thrash said he asked for a nod of heads, and she said she was not going to nod her head today. Commissioner Lovett said he would like to know if she would look at it and consider it. Then, at the Regular Business Meeting on Tuesday, they could have an answer from the Board of Commissioners stating yes or no. Commissioner Lovett said they need to convene the Solid Waste Authority board so that on Tuesday, they can have an agreement from the Solid Waste Authority saying they will participate in an engineering audit. Commissioner Thrash said she could not speak for the Solid Waste Authority Board, nor could Chairman Traylor. She said they would take it back to the Solid Waste Authority Board. Chairman Traylor asked Conflict Attorney Cowan to review this as well. Conflict Attorney Cowan said if the direction is to investigate alternate engineers or have some options, please let her know. She said that she had briefly reviewed Mr. Wilson's credentials.

Conflict Attorney Cowan said that he seems to be knowledgeable on the particular topic. Commissioner Lovett said that Mr. Wilson is the keynote speaker at the Water Filtration Conference in Charleston and the use of Char and Pyrolysis in Water Filtration. He considered him an expert because he is the keynote speaker at someone else's conference. Conflict Attorney Cowan said by hiring an engineer; they are assuming that, let's say, the Solid Waste Authority rejects the request; she thinks it is valuable to have an engineer look at the situation and the documents where she believes you can authorize something that may involve two possible scenarios. Commissioner Lovett said for clarification, if the Solid Waste Authority does not allow access, they can hire them anyway. He said there are twelve thousand pages of documents, and they can provide that information to him and get an analysis based on the information the Solid Waste Authority has provided over a decade. Conflict Attorney Cowan said yes, and she thought he would be able to provide an engagement letter that included his possible rules, including a review of current information and an inspection review. Commissioner Lovett said he had provided Conflict Attorney Cowan his contact number and told him that she would be reaching out to him. Conflict Attorney Cowan said that she would do that.

4) Public Comments

Harold Jackson of 200 Laurel Drive addressed the board. Mr. Jackson said before the County purchased the old Fred's building, he had a conversation with Chairman Traylor regarding the Tax Commissioner's Office and the drive-thru window where the Seniors could come through and get their tags. Mr. Jackson said it had never been opened and wanted to see something done about it.

He said his friends struggle to get in and out of this building. Mr. Jackson said the people asked the Conflict Counsel to answer one question, which has not been answered yet. He asked when the people would have a change to speak to the Conflict Counsel about that question. Mr. Jackson said since she is here today, maybe she could answer the question now. The question is, " Is it legal for Chairman Traylor to sit on the Solid Waste Authority Board because his time has expired?" Mr. Jackson said there was not a vote for him to go back on that board and he has attended the meetings and voted. He said that if it was not legal for him to sit on the board, then none of the meetings were legal. Mr. Jackson said this needs to be looked into and investigated.

James Hyde, 116 Whiteoak Drive, addressed the board. Mr. Hyde said he was going to address the High Falls Project, but after attending the IDA meeting this morning, he thinks it all went well. He said he is pleased that Lamar County sent a letter to the State that they do not want the variance to go through. Mr. Hyde said he read the minutes from December, January, and February, and the question that the Conflict Attorney was authorized to answer, and the reason she was retained was whether Commissioner Thrash or Chairman Traylor could vote on anything regarding the Solid Waste Authority. Mr. Hyde said he had already given them the answer based on the State Law. Mr. Hyde said the Conflict Attorney had not answered that question. He said he was appalled that the County had paid her \$19,000.00 plus dollars to show up here and answer two questions that are completely irrelevant. Mr. Jackson said in State Law, the Solid Waste Authority can only be dissolved once all debt is resolved. This is the 27.5 million dollars plus whatever else they have. Mr. Hyde said he was at a loss for words. He said he spoke to the Conflict Counsel Attorney after the Solid Waste Authority meeting, and she is under the impression that she works for the Board of Commissioners and not for us. Mr. Hyde said apparently, she has never read the State Constitution because working for you is working for us. She refused to answer any questions. Mr. Hyde said he sympathized with Mr. Jackson's point. Mr. Hyde said that one question from Mr. Jackson was answered because he answered it several times for the Board of Commissioners. They are financially compromised because they have no authority to vote on anything whatsoever that has to do with the Solid Waste Authority. This leaves three members, a quorum, and that vote should have happened without them.

Donald Hartman of 507 Old Milner Road addressed the board. Mr. Hartman said Commissioner Lovett, it appears, has brought us an experienced professional regarding waste to fuel, waste to energy, pyrolysis, char, etc. He said this guy appears top-notch and is the go-to guy. Mr. Hartman said that transparency is needed for the citizens and that this individual will help provide some answers. He said he supports bringing him on board economically and financially. Mr. Hartman said he liked the idea of bringing someone in to do an overview of where they stand and where they are headed. He said they need to move forward. Mr. Hartman said he is not trying to slam the project, but regarding transparency, they need to move forward and get an overview of the project: Is the equipment good or bad? Mr. Hartman said they need transparency for the citizens and both boards working together with public representation.

Elaine Hallada of 131 Steeple Chase addressed the board. Mrs. Hallada said she was one of the 90 percent who voted for a Solid Waste Authority engineering audit. She said Commissioner Thrash mentioned she did not want to be blindsided. Does she not remember that they just had an election, and 90 percent of the people wanted this? So do not say you were blindsided because you are not; the citizens want this. If T.R. Miles is the guy, they need to get this done as soon as possible because this is what the citizens want, and she, as an individual citizen, will help pay for this. She told Commissioner Lovett and Vice-Chair Gilles that they had her word. Mrs. Hallada said as a businessperson, she wanted to remind them that since 2017, the citizens of both Lamar County and the City of Milner were supposed to profit from the Waste to Energy: 2.5 million dollars a year, which is about \$50,000.00 a week. She said they would not have had a problem finding money for

the new lights for the baseball fields. Mrs. Hallada said the Commissioners failed to apply for a grant that went to Spalding County. How many millions of dollars were given to Spalding, Butts and Upson County. She said the comment was made, "Do you know how hard it is to apply for a grant?" She said you missed out on it. Mrs. Hallada said they could have had that money for the recreation lighting. Mrs. Hallada thanked Vice-Chair Gilles and Commissioner Lovett for putting this on the agenda for Tuesday night, and she said that she would vote to use T.R. Miles and put her money where her mouth is.

Mike Perry, 100 Maple Drive, addressed the board. Mr. Perry thanked Commissioner Lovett for bringing up the engineering audit. He said this is easy enough to do and cost effective. He said he agreed with Mrs. Hallada, and if it comes down to paying the fee, he and Mrs. Perry will pay their share. He said between all of them, they could raise enough money in the County to pay for an audit. He said this fee is \$5,000.00, which is not a lot of money in the true sense of the word. Mr. Perry said they could raise it if they are concerned about paying for it out of the County budget.

Cindy Bushby of 125 Redbone Run addressed the board. Mrs. Bushby said she was happy to chip in on the audit.

Matthew Ctibor of 2395 Hwy 36 East addressed the board. Mr. Ctibor said around 6:30 p.m., there was a car crash. He said the section he lives in is right next to Parker Branch Road and is a dangerous intersection. Mr. Ctibor said he can recall many times when he and his family have responded before the first responders to help people in car crashes in that area. He said many of them have collided into their fence where they have a horse pasture. Mr. Ctibor said last night was a DOA case where one of the drivers flipped over and overturned in between two trees and died before the fire and EMS could get there. He requested that some type of extra signage be placed in this area to designate it as a dangerous intersection. Mr. Ctibor said this has affected many people in this County for many years. He said he has lived in this area for 15 years and cannot tell them how many car accidents he has responded to along with his other family members. Mr. Ctibor said at dinner last night the accident was all his family, himself, mom, and sister, could talk about and the fact that someone was getting a death notification because of this dangerous intersection. He said the lady involved was around 50 years old, and when you drive that long, you become complacent. Mr. Ctibor said he would like some dangerous intersection signs put in place as soon as possible because he is tired of dealing with these situations.

5) **Round Table**

Commissioner Lovett thanked Mrs. Martin and Mrs. Bushby for their help the other night and everyone who stepped up today because it is important to see where they stand. He said that only by seeing where you stand can you determine where you go from there.

Vice-Chair Gilles thanked Mr. Ctibor for responding to the accidents. She said they would get something worked out very soon.

Commissioner Thrash thanked Mr. Ctibor and his family for what they do. She told Mr. Ctibor that she had been waiting for three months on the State to do signs for the dangerous intersection at Liberty Hill and Hwy 36. Commissioner Thrash said there is red tape that you have to go through with the Georgia Department of Transportation because it is a State Highway. She said she wanted him to know it might take some time.

Chairman Traylor inquired about the accident at Parker Branch Road. Mr. Ctibor responded that there were two cars involved in the accident. One of them was his neighbor who lived on Parker Branch Road. She was coming home from the store and thought she could make it. She pulled out

in front of a truck on Highway 36 because she thought she could make it. She got rear-ended and spun out, and the other driver in the truck slid off into the ditch, flipped over, and landed between two trees. Chairman Traylor said they had similar accidents happening on Hwy 41 and Fredonia Church Road. He said he googled dangerous signs online, and since the Public Works Department can make signs in-house, they put up dangerous signs on both sides of Fredonia Church Road. He said there have been a lot of people who have moved into the community who do not know the roads in the County. The signs say, "Dangerous Intersection Ahead and no Cross Stop," and tend to slow people down. Chairman Traylor said he would reach out to the Public Works Director to see if they could put this type of sign on both sides of Parker Branch Road but having something put up on Highway 36 would take a little more time.

Chairman Traylor addressed the comment about him sitting on the Solid Waste Authority Board. He said that the approved motion was for a replacement that has not happened, and that is why he still sits on the board. Chairman Traylor said he did not know if Vice-Chair Gilles was ready and prepared to sit on the Solid Waste Authority Board.

Chairman Traylor said he received a call regarding the Tax Commissioner's Office this week. He said the goal was to have access to everything in one building. Chairman Traylor explained that Rite Aid was buying all of the Fred's buildings, and they had to have a drive-through with access to Murphy Avenue. At the time, the City of Barnesville would not grant this access, so Rite Aid decided to shut down this location. Chairman Traylor said that County Administrator Townsend is working hard to get the drive-thru issue taken care of. He urged the citizens to speak to Tax Commissioner Elect Amanda Gamez and Tax Commissioner Andrea Anthony about this issue with the drive thru. Chairman Traylor said there is also a door in the back into the Tax Commissioner's office, and the goal is to establish parking and access to their side door. Chairman Traylor said that the Board of Commissioners is in charge of the building, but the Tax Commissioner, an elected official, is in charge of the operation.

Chairman Traylor said he hoped everyone has had a great summer. However, with the reported increase in heat strokes, and people being admitted to the ER, he highly recommends that everyone stay hydrated. He suggested people get their work done in the early morning or late afternoon because he would hate to see anyone injured.

Commissioner Lovett noted that the Solid Waste Board Authority Board appointment was actually tabled and has been tabled since Vice-Chair Gilles was sued. Chairman Traylor said this was his mistake since it was a tabled motion and said they could do some research on this as well.

6) **Adjournment**

Commissioner Thrash made a motion to adjourn the meeting at approximately 1:30 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

Jarrold Fletcher, Commissioner

Jason Lovett, Commissioner

Nancy Thrash, Commissioner

Attest: _____ Carlette Davidson, County Clerk