



LAMAR COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting

Courthouse

July 18, 2023, 7:00 PM

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Approval of Agenda
5. Minutes Approval
 - [i.](#) Workshop Meeting-June 6th, 2023
 - [ii.](#) Public Hearing Minutes June 20th, 2023
 - [iii.](#) Regular Business Meeting June 20th, 2023
6. Ordinance 2023-09 Kunst Freeman Road Rezoning from Agricultural Residential to Residential 1
 - [i.](#) Kunst Freeman Road Rezoning from Agricultural Residential to Residential 1
7. Ordinance 2023-10 Latimer Fredonia Road-Rezoning from Residential 3 to Highway Commercial
 - [i.](#) Latimer Fredonia Road-Rezoning from Residential 3 to Highway Commercial
8. Ordinance 2023-11 Strickland Van Buren Road Rezoning 2 acres from Agricultural Residential to Residential
 - [i.](#) Strickland Van Buren Road Rezoning 2 acres from Agricultural Residential to Residential 1
9. Ordinance 2023-12 Shockley Ethridge Mill Road -Remove Restriction of a Site Built Home so a Manufactured home can be placed on the property
 - [i.](#) Shockley Ethridge Mill Road -Remove Restriction of a Site Built Home so a Manufactured Home Can Be Placed on the Property
10. FY24 Three Rivers Regional Transit Agreement
 - [i.](#) FY24 Three Rivers Regional Transit Agreement
11. Mowing and Trash Pickup

- [i.](#) Mowing and Trash Pickup
- 12. Acceptance of conveyance of old Barnesville Armory property
- 13. Administrator's Report
- 14. Public Comment
- 15. Commissioners Comment
- 16. Round Table
- 17. Executive Session
 - i. Real Estate
 - ii. Litigation
 - iii. Personnel
- 18. Adjournment

Meeting Summary
Workshop Meeting
Lamar County Board of Commissioners
6/6/2023
10:00 a.m.

The meeting was called to order at approximately 12:30 p.m. on May 11th, 2022. Present for the meeting were Chairman Traylor Vice-Chair Thrash, Commissioner Fletcher, Commissioner Lovett, Commissioner Gilles, County Administrator Townsend, and County Clerk Davidson. The meeting was recorded and available via Zoom.

The board heard a presentation from James Daniel, the subdivision developer for Coffee Road. The subdivision was established in 1972, and the County adopted the road as a dirt road. Coffee Road is a County road that has not been maintained in several years. The County paved around 185 ft., and then they stopped. The unpaved portion of the road is dirt and grass. There were originally twenty-two lots in the subdivision, and six lots were sold. Mr. Daniel has 16 lots, five through twenty, that are available. The homes could sell for approximately \$400,000.00. He explained that the water line comes up Coffee Road and turns down Johnston Road, and they will need to be extended. The County will need to provide the right of way and water line approval for the extension. The lots are on a septic system. Mr. Daniel asked the board whether they wanted him to finish paving the road or if they wanted him to donate the money to the County and let them pave the road. The board agreed for Mr. Daniel to finish paving the unfinished road during the subdivision process of building new houses and bring it back to the board for maintenance approval. Mr. Daniel noted that it would be in the best interest of everyone to improve the road and bring it up to standard with nice homes. He stated that houses in the Needleleaf subdivision are now selling for over \$300,000.00. Chairman Traylor said that neighbors in his subdivision were complaining about the property taxes, and he explained to them that the influx in growth has led to the increase. The neighbors then turned around and told him they might sell their house for more money and move to the beach if this was the case.

The Lamar County Health Department regulates food trucks, and they set the fees for food trucks, and the Board of Commissioners will need to reaffirm the fees. The fees are \$50.00; if they go out on inspection, it is \$100.00. The Health Department fees will be added to the County fee schedules for the board to approve. The County fees for food trucks will be \$100.00 every Monday and every day of the year except during festivals. The fee that they had been paying was \$25.00 every two weeks. The license for a brick-and-mortar is based on population and typically starts at \$100.00. In Transient Selling, Church and Recreation fundraisers are exempt from fees.

County Administrator Townsend presented the Lamar County Emergency Medical Services (EMS) Mutual Aid Agreement between Lamar County and Pike County. He noted that the agreement has non-emergency instead of emergency, so they are working on updating it to emergency only.

Vice-Chair Thrash stated that, in her opinion the Right of Way Mowing crew is not working. She realizes that they are saving on having employees and equipment, but they are not getting the job done. They are not cutting enough so that the citizens are not complaining. This is one of the top three complaints that she gets from the citizens. Vice-Chair Thrash suggested that they hire a crew and purchase more equipment to handle the grass-cutting full-time. Vice-Chair Thrash said that when she was first elected, the County contracted with the State, and the female inmates picked up the trash. This economy cut in 2008-09 was never picked back up. She said she is not saying that the Right of Way Mowing crew is not doing a good job, but they are not giving the citizens the services they deserve. Vice-Chair Thrash said that they cut the North end of the County last, and then the South side

needs cutting again. She suggested they put a Public Works crew in place because she understands why people throw their bud lights out the windows and there is trash everywhere.

Chairman Traylor stated that staffing is the issue. County Administrator Townsend said that the Public Works crew could only cut once or twice a year, and the contracted Right of Way Mowing crew is mowing and picking up trash three times a year. He stated that the Public Works crew mowed but did not pick up trash. The Right of Way Mowing and Trash pickup cost around \$66,000.00 per cut and trash pickup. Vice-Chair Thrash asked if they could put this job under the Maintenance Department. County Administrator Townsend stated that the Maintenance Department handles the mowing for all the County buildings. Chairman Traylor suggested County Administrator Townsend create a spreadsheet of employees and equipment costs for in-house mowing and trash pickup. County Administrator Townsend said that the total cost for the Right of Way Mowing and Trash Pickup is around \$266,000.00 for three times a year.

The board reviewed the Regular Business meeting agenda.

1. Call to Order
2. Pledge of Allegiance
3. Invocation

There was a discussion about the invocation. Commissioner Fletcher said he would contact the Pastor of the Church close to Eady Creek Road. County Clerk Davidson stated that she would handle contacting them if he would send her the contact information. Commissioner Lovett said that Tax Assessor Haddock should have a list of Churches in Lamar County. He suggested that they send a letter inviting them to do the invocation. Vice-Chair Thrash suggested that the Pastor giving the invocation give a brief history of their Church or something they have going on in their Church. County Clerk Davidson stated that the Pastoral Association is where she used to pull from for the invocation, but it was suggested that they start inviting other people, such as Major Holmes, to give the invocation. There is always someone to give the invocation unless they do not show up, and then a Commissioner can provide the invocation. Chairman Traylor said he would send a letter to the Churches in Lamar County.

4. Chairman Traylor stated that Vulcan is paving on Hwy 36 tonight and tomorrow. They will begin selling rocks on June 19th, 2023. They have gotten permission from the Georgia Department of Transportation (GDOT) for the trucks to turn right in and right out of the property. Vulcan contacted the Road Department and GDOT, and neither had a map, so they are looking for guidance for the trucks to move forward without having a map. They will need a map or guidance of all the no-thru truck roads. They will need guidance that will take them back to I-75. Chairman Traylor said they would go down to Morgan Dairy, turn on Barnesville Road, and circle back around. Vice-Chair Thrash said that the trucks could not go down Morgan Dairy Road if they were loaded. She said that if you force them to turn right, you are forcing them to have an alternative to get back on Hwy 36 to get to I-75. Vice-Chair Thrash said if they would turn right on Morgan Dairy Road and then try to make the U-turn, they would end up having an accident or stuck trucks. Public Works Director Rigdon joined the meeting via conference call and said that this has always been an issue. They will try to go down Van Buren Road and Chappell Mill to Hwy 36 if they do not stop them. They usually go down High Falls Park Road, but it is temporarily closed. Public Works Director Rigdon said he had had no phone calls or communication with Vulcan, so he does not know who they spoke to. Van Buren Road has signs that state No Thru Trucks. He said that in the Lamar County Code Book, there is a list of all of the No Thru Truck Roads.

Sheriff White joined the meeting via conference call. Sheriff White stated that their only option was to go to Morgan Dairy Road, take Barnesville Road, and come back out left on Hwy 36. Commissioner Lovett said they are killing two roads from a trucker's perspective. He said that from a safety standpoint, there is a curve on Barnesville Road. Vice-Chair Thrash said they could make the trucks go down to the Hwy 36 By-Pass, but it will cost the truckers more money. Sheriff White said that they would not do this.

Chairman Traylor requested a cost estimate for Public Works to put signs out saying No Thru Trucks behind the stop signs. He said that they cost around \$67.00 per sign. Chairman Traylor said that Vulcan might cover this cost. Public Works Director said Barnesville Road and Morgan Dairy Road are not on the No Thru Truck Road list. Vice-Chairman Thrash said that trucks could not travel on Morgan Dairy Road loaded. Public Works Director Rigdon said this is not in the Lamar County Code book.

Commissioner Lovett said that Shiloh Missionary Baptist Church on Hwy 36 has a large area in the back of the Church that the trucks could turn around. He suggested that Vulcan could come in and gravel the area and create a parking lot for the Church in return for the use of their services. Vice-Chair Thrash said that the GDOT Commissioner wanted to put a roundabout in that location about seven or eight years ago but could not. Commissioner Lovett said if they could get a temporary entrance, that is not on their graveled parking lot, they could do a roundabout behind the Church. Vulcan would make the agreement with the Church.

Chairman Traylor stated that he did not realize how difficult this would become and said he would speak to Public Works Director Rigdon offline. He said they might have to go down to the Hwy 36 By-Pass, and they could be subject to tickets and fines if they did not follow Vulcan's map. Chairman Traylor requested a cost for detour signs and no-thru truck traffic signs.

4. Approval of Agenda
5. Minutes Approval
 - i. Workshop Minutes May 11th, 2023
 - ii. Regular Business Meeting May 16th, 2023
 - iii. Special Called Meeting May 23rd, 2023
6. Ordinance 2023-07 Robert and Alice Beachamp-Rezoning from Agriculture-Residential to Residential 2-Tax Map 007, Parcel 124

Planning and Community Development Director Buice (Ms. Buice) said the Public Hearing will begin at 6:00 p.m. This is a rezoning on Martin Dairy Road for Robert and Alice Beachamp. The original house near Martin Dairy Road, where they raised their family, was sold to another family when they built their retirement home on the other side of the pond. The family in the Beachamp's original home has a family member who wants to build beside them. They are asking to rezone two acres, and the road frontage goes down to the pond on Martin Dairy Road. They are requesting to rezone from Agriculture-Residential (A-R) to Residential 2 (R-2) so a grandparent can move beside the family. They have a centennial farm where they have been on the property for over 100 years.

7. Ordinance 2023-8 Alphonzo and Mary Watson-Rezoning from Agriculture to Commercial 2-Tax Map 086, Parcel 044

Planning and Community Development Director Buice (Ms. Buice) said they made this zoning request last year and could not make the meeting, so they withdrew it. This is on High Falls Road, where a lot of property is already zoned commercial. A truck parking lot is beside them, and the area is a mix of industrial and commercial zoning. The Watsons do not live in Lamar County and

want to rezone the property to commercial to help sell it. Vice-Chair Thrash said she did not like cart blanche zoning and would like them to sell the property without rezoning. Commissioner Lovett said that most of the area is commercial, and there is so little commercial zoning on the interstate that he would like anything up there to be zoned commercial. Vice-Chair Thrash said they could put conditions on the property, such as no gas stations. Vice-Chair Thrash withdrew her concerns. Commissioner Lovett said that this would be an excellent spot for a gas station, and they could get fuel tax revenue. Vice-Chair Thrash said that this was an example of a condition.

8. Resolution 2023-06 Ivan Minks-Thousand Hills Cattle Ranch-Special Exception in Agriculture-Agritourism and Retail Sales-Tax Map 027-Parcel 034

Planning and Community Development Director Buice (Ms. Buice) said that the Minks had processed their own organic cattle for many years and could not do organic anymore. In Agriculture, you can sell products raised on your property without special permission from the County. They have partnered with other farms and have already built and stocked a farm store on the property. They have since found out that when they bring in other products from other farms, they are required, under the new zoning ordinance, to apply for Agritourism on the Large Scale. They have been selling, but they were not aware of the change so they want to comply with the code.

Chairman Traylor asked if there were others like this in the County. Ms. Buice said that Honeywood Farms is like this, but the ordinance differs. They pulled a few acres around their farm store and went to commercial zoning. The ordinance is zoned now, and you can do that without a rezoning to commercial but with a Special Exception. Ms. Buice said this makes more sense because you would want to avoid random commercial zoning in that area. If they sell the farm, it reverts to Agriculture, and the Special Exception disappears. Rezoning never goes away unless you go through the process again. Commissioner Lovett said he is a huge advocate of farm-to-table and moving away from industrial food; this is a good industry for the community. Ms. Buice said the application fee is \$300.00 for the Special Exception, and a Business License is required for anything Large Scale Agritourism. That cost is \$125.00 a year.

Commissioner Gilles inquired about the difference between Small and Large Scale Agritourism. Ms. Buice said that there are differences, but what the Minks are doing is related to selling products outside of their home and from other farms. It is all retail sales.

9. Resolution 2023-07 Verizon Wireless-Special Exception in Agriculture-Residential to place wireless telecommunication facility-Lamar County Line Road-016-04210.

Planning and Community Development Director Buice (Ms. Buice) said that this is for a cell tower on County Line Road. Vice-Chair Thrash said that it is on a wooded lot, and you will not be able to see much of the cell tower from the road. Ms. Buice said that cell phone companies did not like to show you their coverage areas years ago, but now they show the coverage area maps. Chairman Traylor said that a person had an issue years ago, and they ended up tabling the cell phone tower request. Ms. Buice said it was approved, but the cell tower was not constructed. One of the residents close by said that she picked up interference from a cell tower on her hearing aids. She had implants, and she could not explain why it was happening. Ms. Buice said that FCC has strict regulations on when you can say no to approving a new cell tower, but it is very limited. There have been no calls or issues with this cell tower request. Vice-Chair Thrash spoke to a neighbor across the street from the cell tower location on County Line Road, and they had no problem with the request. Vice-Chair Thrash said in the past, people had issues with radiation from cell towers, and a lot of research went into the approval process. They discovered that you get more radiation from a microwave oven than from a cell tower.

Vice-Chair Thrash requested that they put a repeater on this cell tower because Hog Mountain is the only one in the County. County Administrator Townsend said that there is one on High Falls Park Road. He said that the repeater on that cell tower is around 280 feet.

10. Administrator's Report

Reported that he has two Request for Proposal (RFP) out for bid; a Roofing bid for the Courthouse and the Animal Shelter. He is working with the roofing contractor, Charlie Hearn, on the specs for the Jail so that they can bid and put it out to bid.

Reported that they are installing new glass front windows and doors in the new Administration Building. They are scheduled to put the temporary units in by the end of the week so that they can put in floors, cabinets, doors, and tiles. He will be meeting with the locksmith tomorrow. The new panels will be installed in the back. Received bids for the concrete pads. Waiting on bids for the metal, which will be painted black.

Reported that Ameripro had 272 responses in May with 164 transports. The average time was 8 minutes and 16 seconds.

Working with the City of Barnesville on High Falls Park Road. They have agreed to move the waterline to raise the culvert according to the recommendation from EXP.

Reported that last year they voted to update the County's financial software program. The process for the migration started yesterday and all of the Administrative staff will be busy with the migration for the next 4 to 8 months. There may be some finance reporting that are late due to the updates.

County Clerk Davidson reported on the Scanning Project with MCCI. The Administration staff reviewed all the records, which was a team effort. Everyone from the County Administrator's and County Clerk's Office, Finance Department, Human Resource/Payroll, Tax Assessors Office, and the Planning and Community Development Office contributed their records to be scanned. All of the documents were reviewed before keeping or shredding. Before the beginning of this project, a Summer Intern from the ACCG Summer Intern Grant program was hired to create a State of Georgia retention manual. They followed the Retention Manual and checked for updates on retentions with the State. County Clerk Davidson and all of the Administration staff went through all of the current and old records and determined which records to keep and which to shred based on the retention schedule. A record of destruction was also recorded. They brought assistance from the Public Works Department to box up the records to be kept and those that they determined could be shredded. After many months, the shredding process was complete, and the records were boxed and labeled to go to the MCCI scanning facility in Atlanta. If a record was needed, a request to the MCCI scanning team could be made and returned to the County Clerk. MCCI scans the records in an optical character recognition (OCR) format so that the record can easily be searched. The records were also scanned so that it appears you are looking at the live record. The previous board voted in 2022 to allow the electronic record to be the original document. To date, 176 out of 204 boxes of records have been scanned, uploaded, and downloaded into the MCCI scanning program.

Chairman Traylor reported on the septic system issue at the new Animal Shelter location. Initially, the hold up on the animal shelter was that the Environmentalist, Eric Cooper (Mr. Cooper) for the Lamar County Health Department could not find virgin soil. This soil was put there when they planned to build a Fire Station in this location. The soil would not perk, so they discovered they would have to purchase a costly system. They went back out and looked at the soil closer to the arena. They found virgin soil but Mr. Cooper put the usage at 48000 gallons a day; County Administrator noted that it was not a water park. So, they set up a meeting and used

a committee that gathered information from around the surrounding counties, even calling on counter partners. Mr. Cooper wanted to split the usage in half, but the surrounding counties only use 600 to 700 gallons of water a day in their animal shelters. After many conversations, he dropped it down to 600 gallons a day. The book that he used says that a washer uses 500 gallons of water a day, and two employees use 250 gallons of water a day. Chairman Traylor said it was not that he was overestimating this, but he was using the data that he had been given. Chairman Traylor said that the shelter will be green by rinsing and not washing down stalls, picking up heavy poop, and doing all of these things to reduce water. He said they are now having to determine if they have to have a pump because the water goes up the bill.

County Administrator Townsend announced the bid package for the Animal Shelter is on the website, the legal organ, the Georgia Procurement Registry, and the Georgia Local Access Market Place through the Association of County Commissioners of Georgia (ACCG). Chairman Traylor requested that County Administrator Townsend share how local vendors are chosen. County Administrator Townsend said if they receive a bid within five percent, they can negotiate with the local vendor and bring their bid down to the lowest bid. Commissioner Gilles said that they could accept the bid if it is within the five percent range. Chairman Traylor said that this helps the local vendors to put in a bid. He said that when he became a Commissioner, they had no local vendors bidding, and they were all coming from out of County.

11. Public Comment

Chairman Traylor requested an agenda item to include Commissioner's Comments so they can address anyone who speaks during Public Comment. He said the time limit will now be three instead of four minutes for someone to speak during Public Comment.

12. Round Table

Commissioner Lovett stated that some awards for Park and Recreation Grants from the State and Lamar County were missed. They were due in November, and he wanted to know how the process for Grants works. He said Upson County received 1.46 million dollars with a \$100,000.00 cash match, Butts County received 4.4 million dollars, and Spalding County received 9.35 million dollars. Commissioner Lovett said that he is proactive about Lamar County's Park and Recreation, and he feels very foolish trying to get Elaine Hallada to help him do several thousand-dollar fundraisers to re-do some bathrooms when all three surrounding counties received multi-million dollar grant packages. He said that our State Representatives, both Beth Camp and David Knight, helped Spalding and Upson County with their grants. The Spalding County newspaper congratulated Representative David Knight for helping them to receive the grant. Commissioner Lovett asked if there was a list of grants from the State. He said that as a district representative, his job is to make sure that as little money as possible flows out of there and then get all of it back as you can. Commissioner Lovett said this was a huge miss for Lamar County because the County needs that money. Commissioner Lovett said that moving forward, if Federal and State money does not have a significant cash match, he wants to ensure we get it. Chairman Traylor said that the Departments need to look for these grants. He said he knows they do not have an active Grant Writer on staff. He said that he and County Administrator Townsend are meeting with companies that can start looking for grants. Commissioner Lovett said that he is passionate about economics and suggested that they get in contact with these companies. He also wanted to know what to do about the State Representatives that helped the other counties but not Lamar County, and to say he is angry is a mild statement. Vice-Chair Thrash said David Knight did not carry Lamar County in the last election. County Administrator Townsend suggested that they look at the projects they want to complete to do some engineering and have a plan. He said that on Hwy 36, they have a piece of property that they need to work on swapping. When they sell the current Administration Building, he is looking at doing a land

swap, and he wants to do a lottery with the local real estate agents as to who gets the sale. Commissioner Gilles inquired about ACCG and their involvement with grants. Vice-Chair Thrash said this is the benefit of someone serving on the Board of Managers.

Chairman Traylor requested that everyone send County Clerk Davidson their picture and biography. He said it bothered him when they took the pictures and did not put them out there. He admitted he had not submitted his either. Chairman Traylor requested that they be submitted before the next Regular Business meeting.

Chairman Traylor stated that he sent out an email regarding the Youth Commission. He said that it is in the talking point stages, and they could purchase tee shirts for the group of 10 to 12 students. He said that the goal is to get community sponsors. In Monroe County, Georgia Power is the sponsor for their Youth Commission. Commissioner Fletcher said that the surrounding counties are giving supplements such as money for transportation, food, and snacks. Commissioner Gilles suggested that this could be done through a grant with Give365. Chairman Traylor said that this would be something great to give back and educate the youth of Lamar County and exploit their minds.

Commissioner Lovett inquired about how much the Youth Commission program would cost. Commissioner Fletcher said that surrounding counties give each student around \$750.00 to \$1,000.00 supplement per year, including donations. Commissioner Fletcher said it should cost less than \$15,000.00, and Chairman Traylor said that he was considering the cost to be less than \$2,000.00 to get it started. Commissioner Lovett requested that they send him a sponsorship letter to his company.

Vice-Chair Thrash congratulated the County Appointed Special Advocates (CASA). They now have a program representing all the kids in 159 counties. Commissioner Lovett inquired about the 2.5 percent, the 50 percent of the 5 percent of the Victim's Advocate Program. County Administrator Townsend said the funds will need to be reallocated. He has a line item in the budget, but the Commissioners will need to vote on this in the Regular Business meeting. Chairman Traylor requested that the agenda item be called Reallocation of the Victim's Advocate Funds.

Chairman Traylor announced that there would be a Town Hall meeting for the Republican Party located at Hidden Haven Estate on Van Buren Road on June 8th, 2023 at 6:30 p.m.

13. Executive Session

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

14. Adjournment

Commissioner Gilles made a motion at approximately 11:57 a.m. Commissioner Fletcher seconded the motion. The motion passed unanimously.

Recording Ended.

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

**LAMAR COUNTY BOARD OF COMMISSIONERS
PUBLIC HEARING
June 20th, 2023
6:00 p.m.**

Call to Order

Chairman Traylor called the meeting to order.

**Rezoning from Agriculture-Residential to Residential 2 (Tax Map 007, Parcel 124)-
Robert and Allen Beachamp.**

Planning and Community Development Director Buice (Ms. Buice) addressed the board and stated the application had been withdrawn.

**Alphonzo and Mary Watson-Rezoning from Agriculture to Commercial 2-Tax Map
086, Parcel 044**

Planning and Community Development Director Buice (Ms. Buice) addressed the board and stated this is a Rezoning from Agriculture-Residential to Commercial 2 (C2). The location is High Falls Road (tax map 086, parcel 044), and is located on 4.58 acres. The Planning Commission board recommended approval with the following conditions:

- No Gas Station
- No Utility substation
- 25 ft landscape buffer on both sides

Public Comments

Holly Wells of 689 High Falls Road addressed the board. She stated her family, the English's and the Goin's, had owned and lived on High Falls Road for over 120 years. Ms. Wells said she thought she would get congratulations from the board for being a lifelong Lamar County resident. Ms. Wells said this is a County residential road, and this location is only 20 ft wide. She said in 2019, the board approved a truck parking lot and changed the zoning to Manufacturing (M1). There is an abandoned truck the owner who passed away left behind. There is a privacy fence on the property which is really a chain link fence. She said changing the zoning to Commercial 2 allows for a motel and/or a gas station, and she does not want an extended-stay motel on High Falls Road. Ms. Wells said they needed to pause and not do what they did in 2019. Ms. Wells said the I-75 extension and the Rock Quarry are coming, and they plan to close the High Falls bridge for 18 to 24 months. Ms. Wells said they would not widen the road. She said she spoke to Ms. Watson and asked to try and sell the property as residential, and her neighbors just bought 17 acres with plans to build a retirement home. Ms. Wells said she texted Vice-Chair Thrash about this issue. She also said her neighbor Deon Wolf did not like Commissioner Lovett showing up at his house uninvited because it upset him. Ms. Wells requested the board think and pause about zoning the property to Commercial 2.

Pauline Bowman representing the Watsons, addressed the board regarding selling their four lots. Ms. Bowman stated the property adjacent to Watson's was rezoned to Commercial 2. With all of the development coming to Jackson and down I-75, it would be beneficial to rezone the property to Commercial 2 because there will be an array of potential buyers. Ms. Bowman apologized for the situation with the trucking yard on the opposite side of the road but said this has nothing to do with the Watson's desire to rezone their property and hopes this does not affect their rezoning request.

Commissioner Lovett questioned why they are requesting C2 zoning when the property adjacent to the Watson's is M1 zoning. Ms. Watson said this zoning was recommended by Ms. Buice when they put in the application and is also the same type of zoning that backs up to the Watson's property. There were restrictions with that lot. The same restrictions for the Watson's lots include no gas stations or outdoor vendors such as flea markets. The pool of buyers for commercial property comes in a wide range. Commissioner Lovett asked Ms. Bowman if she knew the market for residential and commercial buyers and asked her for numbers. She replied for lots that have sold as residential, they are under \$300,000.00, and if this property is zoned commercial could be sold for three times as much. The other property on the other side is listed at 1.9 million dollars.

Commissioner Gilles asked about the current land use plan. Ms. Buice said it is in the Comprehensive Plan under Interstate Highway 75 Corridor (Area 5). The development area is located on the east and west sides of I-75 and is adjacent to agricultural and residential areas on its west side. The Van Mar Industrial Park and Region South Industrial Park are located in this area. This area is expected to expand as new locations and business infill occur. This sensitive area of High Falls Lake is protected by design with significant distance and vegetative buffers separating the industrial areas from the streams. In the Land Use Categories: Clean manufacturing and warehousing operations (M-2 Zoning), Commercial enterprises catering to tourism and highway traffic (C-2 zoning), and Open Space protective buffer (undeveloped land).

Vice-Chair Thrash asked if the Watsons had potential buyers. Ms. Buice said they have yet to be listed. Commissioner Gilles asked if the lots around the property were vacant. Ms. Buice said they were still undeveloped but had been rezoned to commercial in the last four to five years. Commissioner Gilles noted this was mainly commercial and light industrial according to the Comprehensive Plan. Ms. Buice said properties to the North are a part of the I-75 Corridor, and properties to the South are not.

Ms. Buice said one of the conditions for the heavy industrial rezoning that runs parallel with the interstate was no heavy truck traffic going on that section of High Falls Road, and they must use Van Mar. Commissioner Lovett said Ms. Wells spoke of the closing of I-75 in two conversations, one by telephone with him and one at the meeting, and asked if Ms. Buice had any indication of this. Ms. Wells said it was on the I-75 expansion website with GDOT. Ms. Buice said it was, and GDOT sent out a request asking if it would interfere with anything, and her response was it would because there is an industrial property on the other side of I-75. If the bridge is closed, it would be an issue because large trucks cannot travel down Buck Creek Road. So, when GDOT saw the reality of closing the bridge and

shutting two businesses down, they said they would not shut the bridge down but find another alternative.

Vice-Chair Thrash asked if anyone had shown an interest in this property. Ms. Bowman said they have a pool of over 5000 buyers, but currently, their property is not listed. Once it is listed and marketed, and advertised through her company, there will be interest.

Ivan Minks-Thousand Hills Cattle Ranch-Special Exception in Agriculture-Agritourism and Retail Sales-Tax Map 027-Parcel 034

Planning and Community Development Director Buice (Ms. Buice) addressed the board, stating Ivan Minks of Thousand Hills Cattle Ranch has applied for a Special Exception in Agriculture Agritourism to sell retail products grown or produced in Georgia. The zoning will remain Agricultural-Residential (A-R) if approved. The location is 156 Perdue Road (Tax map 027-Parcel 034). For full transparency, the Minks have already opened the store on the property. Through discussions with the Tax Assessors, they realized what they had put in went outside the boundaries of Small Scale Agritourism which is allowed as a permitted use. Any farm in Lamar County can sell products made on their farm without any special permission, but bringing in other products in the State of Georgia requires you to have a Special Exception for Large Scale Agritourism. The Board of Appeals recommended approval without conditions.

Public Comments

Shirley Williams of 148 Perdue Road addressed the board with her concerns. Ms. Williams said she had lived there for 23 years and was against this because of the noise. She said she had no problem with the ranch or the store, but she did have a problem with potential traffic and groups coming in and out of the property. Ms. Williams said that since their store sits very close to her property, she cannot sit on her back porch or backyard without hearing the noise. She said this would affect herself and the community and said if she wanted noise, she would have to move to the City. Ms. Williams asked why she should deal with any noise this might bring.

Brandon Heath of 278 McCollum Road addressed the board. He said his property backs up to the Minks' property. He said he moved there this year and has been blessed to have gotten to know the Minks, and they are a strong Christian couple. He does not know of any groups they would bring in on a Thursday or a Friday that they are open. They shut down at 6:00 p.m., and as far as any special event, wedding event, or loud music is concerned, they are not people who will be having this type of activity. He did not realize he would speak tonight but concluded by saying God Bless the Minks.

Vice-Chair Thrash asked Ms. Williams if she had received any complaints. Ms. Williams said they have not had any events to date, but they can have groups of people if the permit is approved. Her concern is with the noise at her back door or backyard.

Commissioner Lovett asked if this was an application for the store. Ms. Buice said there is a list of things you can do in Small and Large Scale Agritourism in each category, such as wedding events, reunions, or other things, that could be permitted. Ms. Buice said at the Board of Appeals meeting, the Minks stated they had no intention of having these types of events.

Commissioner Lovett said in the past, Agritourism has opened Pandora's box, and there are things the community has not been fond of. Ms. Buice said it had been rewritten since then. He said if, in the event, they impose conditions and at a later date they decide differently, they can address this. Commissioner Lovett said he wanted to avoid giving blanket approval so it could expand past the store. He said he loves local products and the idea of what they are bringing, but he is very cautious about what has happened in the past. Ms. Buice said they could approve the Special Exception with a condition that there be no events or more than one event per year or whatever flavor they set. To change this, they would go through the same Public Hearing process to change any conditions set by the board. Commissioner Lovett asked if it handicapped Saturday sales because he understood it would be agricultural beef and other people's products. He wanted to know if this would be considered a special event. Ms. Buice said they are currently only selling on Thursdays and Fridays and thought it would be a good idea if they set a day and time limit on this property. Ms. Buice said there are four conditions for Large Scale Agritourism; Dinner on the Farm-Working Farm, where meals are prepared for members of the general public from products on the farm, Farmer's Market, Farm Retail Sales, Horseback Riding Lessons, and Special Events.

Commissioner Gilles asked the Minks if they were comfortable with this. The Minks nodded. Ivan Minks addressed the board. He said the store is 400 square feet, and it fits between the small and the large scale agritourism. They have a mobile store and a 28 ft. race trailer, and they go to events with their homegrown products. They do everything as close to right as possible, and they carry many products all over the Southeast. They sell beef, pork and chicken, honey, and jams. The lot is 1400 square feet deep lot. He does not have parties on Friday nights, wedding venues, dirt bike rallies, or high school reunions. He may have the Barnesville Lamar County Chamber Business After Hours, Lamar County Appreciation Saturday, give out hamburgers and hotdogs or have his family or a Church social event. Mr. Minks said having the general public or high schoolers walk around the property under Agritourism is not feasible because of the expense of the insurance premium. He said having elementary students is too expensive to come to see livestock, and without parental supervision, it will not happen. Mr. Minks said they are quiet people, and Amazon coming on the property is the most traffic of people they have. The intent was to sell farm products out of a trailer or in their store. He said most of what they do is shipping.

Verizon Wireless-Special Exception in Agriculture-Residential to place wireless telecommunication facility-Lamar County Line Road-016-042

Planning and Community Development Director Buice (Ms. Buice) addressed the board, stating Verizon Wireless has applied to place a wireless telecommunication facility on

Lamar County Line Road located on Tax Map 016 Parcel-042. The Board of Appeals recommended approval. Since then, she received an email from Aaron Darley, who lives at 301 County Line Road, opposing the application.

Donald and Wendy Spears of 170 County Line Road addressed the board in opposition to the application. Mrs. Spears said they are next door to the property they bought 11 years ago. They have spent a lot of money clearing it off to raise horses. She said their house sits parallel to where they want to put the cell tower, and basically, it will be in their front yard. Even though there are a lot of trees on the property, it will be over the trees. Mr. Spears said he believed they owned the entire block of 40 acres and asked why they could not put it in the cow pasture. Mrs. Spears said if the board approves the cell tower, they request it is relocated to another spot on their property. Mr. Spears said it would only be as far over the property line as tall, 270 ft. in the woods, and they would have an easement cut down through the road. He said it would ruin his property value. Mrs. Spears said it would have guide wires on it. Mrs. Spears said they live in Lamar County, and people across the street live in Spalding County and wondered if they knew about this application. She said they are going to be affected by this too. The Spears said they do not want it in the front yard. Commissioner Gilles asked them if they had cell service at their house. The Spears said they have great Verizon Service. Mr. Spears said they just had installed fences for their horses and requested they put the cell tower somewhere else on the 40 acres of cow pasture.

Wendy Doyle with Verizon Wireless addressed the board. Ms. Doyle said she appreciated what the Spears had mentioned but wanted to clarify a few things. She presented a site location diagram and stated they are not proposing to place the tower in the corner of the lot. They are meeting the setback guidelines in the Ordinance to be tower height away from a major road and from the existing property owners to the left, right, North, south, east, and west. The property is a great location because of the trees, and they can bring it 270 to 280 feet from the main road. She said if you walked the property, the further you get below the southern border, there is a pond and a creek that runs through the property. Ms. Doyle said from an environmental standpoint, it is better for Verizon to construct a tower with the best environmental foundation. They have had environmental and soil reports done to show the ground is feasible and there are no issues with plants, vegetation, and wildlife. The compound they propose to build will be 100 x 100 with a fence surrounding it and the natural trees.

Ms. Doyle said the tower Verizon proposes to build has no guide wire. It is a self-support tower, and four other carriers will also be able to use it. There is no other tower within two and a half miles of this area. Ms. Doyle heard the Spears have service, but they also had to purchase a booster to have the service provided. Ms. Doyle presented the service area they are trying to cover with cell service. The objective is to improve In-building and In Car & Street Level coverage within the desired service area for residences, businesses, vehicles, and pedestrians in the City of Orchard Hill and along major roads; Macon Road, Old Ga 41, Swint Road, S. McDonough Road, Morgan Dairy Road, Cook Road, Pleasant Road, Philip Weldon Road, S. Walker Mill Road, Johnston Road, Lamar County Line Road, and other small streets enclosing an area of approximately 41 square kilometers. Major towns in the desired service area are Orchard Hill and Griffin. The distance between the proposed

and existing Verizon sites is approximately 3.8 miles to 5.5 miles. Currently, there is no service in this area, and calls are being dropped. The existing Long Term Evolution (LTE) coverage needs adequate service in the above locations. The proposed LTE coverage is 250 from the radiation center. They are both Federal Aviation Administration (FAA) and FCC-approved. Ms. Doyle said it took Verizon three years to find a piece of property that met all of the requirements for a cell tower. Ms. Doyle said Verizon extensively evaluates property values with their Real Estate Corporate department. She said 75 percent of homeowners prefer to have cellular service because they no longer have land lines. Ms. Doyle said with the progression of technology, people who are moving to this rural area want to know they have cellular service along with hospitals and doctors who monitor pacemakers, blood pressure cuffs, and electrocardiogram (EKG) machines.

Vice-Chair Thrash asked if Lamar County could have permission to use the cell tower as a repeater for the Emergency Medical Services (EMS). Ms. Doyle said absolutely because Verizon has a program set up and a phone number where the EMS could use that site for fire or emergencies. There is a first responders program that Verizon and AT&T both have.

Kathy Conkle of 441 Cook Road addressed the board and stated Lamar County Line Road dead ends at her location. Ms. Conkle said people who do various work at her house try to reach their company, and they have no cell service. It would be beneficial to have this service. She said the Spears are wonderful neighbors and did not want to cause them trouble, but she approved of this request.

James Cook of 248 Lamar County Line Road addressed the board. Mr. Cook said he received a letter showing it would be located 300 feet from his house. Mr. Cook said his wife is disabled, and he knows there are no proven facts it affects your health, but there are no proven facts it doesn't. He said they have consulted with physicians. She has a muscle disorder, and they have told them there are patients with the same type of disorder and have found a cell tower can make the pain worse. He said this could affect her health, and this is a concern. Mr. Cook said he has been living in this same place for 74 years, and it is zoned residential and agricultural. He said at this point, he has no plans to sell even though a lot of people would like to have his house and property. He said it is a nice, wooded area. Mr. Cook said he does not plan to sell his house now, but in talking to realtors, this cell tower will affect the value of the property, and he would like to know his value is still high so he can sell it and downgrade to a smaller place if it becomes necessary in later years.

Vice-Chair Thrash said with the last cell tower application, the issue was raised about health concerns, and they stated that cell tower radiation is far less harmful than a microwave in someone's home. Ms. Doyle addressed the issue of health concerns and said she had researched reports from the Center for Disease Control (CDC) and reports overseas. There are no significant negative results on this type of connection. She said holding a cell phone up to your ear is far more dangerous than an antenna 250 ft. away. Ms. Doyle recommended a cell phone not be placed up against your ear/head and agreed that a microwave emits far more frequency than a cell tower. Ms. Doyle said she had had no negative information from physicians and would like to speak to Mr. Cook's wife's physician to see the data they are using that shows it affects muscles. She said she had seen

the reports from the Cancer Society and other health organizations, and no data showed a cell tower's negative effects.

Vice-Chair Thrash said she had received several emails/texts and relayed those to the board. She said that with the request for the rezoning application from the Watsons, she received an email/text from Dion Wolf with his opposition. His main concern is the road might not handle the commercial traffic that would come through the area. She also received an email/text from Beverly Vickers. Mrs. Vickers said she and her husband just bought 17.5 acres and are opposed to the zoning request.

Adjournment

With no further questions, Chairman Traylor requested they adjourn the meeting. Commissioner Fletcher made a motion to adjourn the Public Hearing at approximately 6:57 p.m. Commissioner Gilles 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

**iLamar County Board of Commissioners
Regular Business Meeting
June 20th, 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

Everyone said the Pledge of Allegiance. Pastor Waylon Knight of West Mt. Sinai Baptist Church gave the invocation.

III. Agenda Approval

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

IV. Minutes Approval

Commissioner Gilles made a motion to approve the minutes. Commissioner Lovett seconded the motion. The motion passed unanimously.

- i. Workshop Minutes May 11th, 2023
- ii. Regular Business Meeting-May 16th, 2023
- iii. Special Called Meeting May 23rd, 2023

V. Ordinance 2023-06- 2nd Reader Transient Selling

Vice-Chair Thrash made a motion to approve Ordinance 2023-06 Transient Selling. Commissioner Lovett seconded the motion. The motion passed unanimously.

VI. Ordinance 2023-07 Robert and Alice Beachamp-Rezoning from Agriculture-Residential to Residential 2-Tax Map 007, Parcel 124

Planning and Community Development Director Buice stated that the rezoning application from Robert and Alice Beachamp had been withdrawn.

VII. Ordinance 2023-8 Alphonzo and Mary Watson-Rezoning from Agriculture to Commercial 2- Tax Map 086, Parcel 044

Commissioner Lovett made a motion to approve Ordinance 2023-08 Alphonzo and Mary Watson-Rezoning from Agriculture to Commercial 2-Tax Map 086, Parcel 044 with the

following conditions. Commissioner Fletcher seconded the motion. The motion passed unanimously.

- No Gas Station
- No Electric Substation
- 25 Ft. Vegetative Buffer

Vice-Chair Thrash noted that she would like to add three more conditions.

- No underground tanks
- No Off-street parking or parking garage
- No Clubs

Commissioner Lovett amended his motion to include the six conditions. Commissioner Fletcher seconded the motion. The motion passed unanimously.

- No Gas Station
- No Electric Substation
- 25 Ft. Vegetative Buffer
- No underground tanks
- No Off-street parking or parking garage
- No Clubs

VIII. Resolution 2023-06 Ivan Minks-Thousand Hills Cattle Ranch-Special Exception in Agriculture-Agritourism and Retail Sales-Tax Map 027-Parcel 034

Commissioner Gilles made a motion to approve Resolution 2023-06 Ivan Minks-Thousand Hills Cattle Ranch-Special Exception in Agriculture-Agritourism and Retail Sales-Tax Map 027-Parcel 034 with the following condition. Commissioner Lovett seconded the motion. The motion passed unanimously.

- No Paid Events

IX. Resolution 2023-07 Verizon Wireless-Special Exception in Agriculture-Residential to place wireless telecommunication facility-Lamar County Line Road-016-042

Vice-Chair Thrash made a motion to approve Resolution 2023-07 Verizon Wireless-Special Exception in Agriculture-Residential to place wireless telecommunication facility-Lamar County Line Road-016-042. Commissioner Fletcher seconded the motion. The motion passed unanimously.

X. Resolution 2023-08-Transient Fee Schedule

Commissioner Fletcher made a motion to approve Resolution 2023-08 Transient Fee Schedule for the following transient license fee schedule. Commissioner Gilles seconded the motion. The motion passed unanimously.

- Lamar County Permit Fee \$100
- Environmental Health Authorization Fee \$50
- Environmental Health Inspection Fee \$100

XI. Lamar County EMS Mutual Aid Agreement

Commissioner Gilles made a motion to approve the Lamar County EMS Mutual Aid Agreement with Pike County noting that non-emergency calls was removed from the agreement. Commissioner Fletcher seconded the motion. The motion passed unanimously.

XII. Reallocation of Victim Advocates Funds

Vice-Chair Thrash made a motion to allocate 3 percent of the 5 percent Victim's Advocate funds to the District Attorney's (DA) and 2 percent to the Court Appointed Special Advocates (CASA). Commissioner Fletcher seconded the motion. Commissioner Lovett stated that the Sheriff's Office no longer needs the funds of the 50 percent funds of the 5 percent money and that the DA's office has had an increase in their budget. He said the Director of CASA would refund the County \$5,000.00 from their General Fund if we give them the 2.5 percent. He said that it is a win for the community and for CASA. Vice-Chair Thrash said that the DA's office advocates for all of the victims in the County. Vice-Chairman Thrash pointed out that the Board members of CASA have to determine allocations of money and not the Director. DA Jonathan Adams pointed out that the payments received from the 2.5 percent are \$10,000.00. Commissioner Gilles made a motion to table the reallocation of Victim Advocates Funds. Commissioner Fletcher seconded the motion. The motion passed unanimously.

XIII. Administrator's Report

County Administrator Townsend reported the following:

- i. Reported that revenues over expenditures for March are at 38.2% and are at 41.67%.
- ii. Reported that the Cash Flow is on schedule for December.
- iii. Reported on the gym that they are finishing with the painting in the bathrooms and under the bleachers. Working on lighting, flooring, wiring, and concreting a portion where a gas line was installed. Once they are done, they will contact the Fire Marshall for inspection.
- iv. Reported on the Administration Building. The temporary HVAC units have come in, and they are waiting on the City of Barnesville to do an inspection. They will be installing ceiling tiles, tiles in the bathrooms, lights, fire alarms, and Wi-Fi for the camera system
- v. Reported that he has three bids; the Courthouse Roof, The Roof at the Jail, and the Animal Shelter. The bids are due by July 11th, 2023.
- vi. Reported that the Local Options Sales Tax (LOST) distribution for May was \$139,0128.05.
- vii. Reported that the Special Purpose Local Options Sales Tax (SPLOST) distribution for May was \$238,739.43.
- viii. Reported that the Transportation Special Purpose Local Options Sales Tax (TSPLOST) for April was \$224,099.36.
- ix. Reported that EXP is checking on the paving project, and road striping will be done soon.

XIV. Public Comments

Lynn Hadaway of Morgan Dairy Road and Chair of the Lamar County Democratic Party addressed the board. Ms. Hadaway said that she was looking for a resource that she could not find. She said many years ago she received a list of all of the boards, Commissions and Authorities in the County, with the people on the board, along with their terms and expirations. Ms. Hadaway said she realized that some of them are voluntary while others have specific criteria's of qualifications to serve in that position. Ms. Hadaway requested the Board of Commissioners announce these positions via social media, the newspaper, or the website. Vice-Chair Thrash stated the list of Board Appointments is on the website. County Clerk Davidson explained that the list was located under "About Us" on the Homepage and the third item down. The name of the Board, and the Board members term of expiration are listed. Vice-Chair Thrash noted the website is "lamarcountygga.com."

Rick Stephenson of 184 Jones Road addressed the board. Mr. Stephenson said the Superior Clerk board he serves on is not listed because only the Board Appointments that the Board of Commissioners are responsible for are listed; the Grand Jury appoints that board. He wanted to know what the Fire Department has found out about the flow rate and asked if they could share it publicly via the newspaper or social media to put some pressure on the City of Barnesville. Mr. Stephens wanted to know if there was anywhere in the County that would be conducive for a gas station outside of the City of Barnesville. He said for two years, within a mile of I-75 there have been stipulations put on commercial property; no gas stations. Mr. Stephens said there is nowhere to buy gas in Lamar County unless you drive to Barnesville. He said that he does not know what kind of tax revenue a Quick Trip would bring to Lamar County. Mr. Stephens said on the High Falls Road exit and off of Johnstonville and below is Lamar and Monroe County. Mr. Stephens wanted to know if it was possible to establish a Water and Sewage Authority for this area with Lamar and Monroe County. He said he thought it would be conducive to the industry in District 2. Commissioner Gilles said there was one gas station in District 3.

Vice-Chair Thrash stated a while back, they announced. in the newspaper, a program where you could go online and use because people are stealing property by doing quick claim deeds. She said that Mr. Stephenson got a hit off of the program and they notified him that someone was potentially messing with his property. Vice-Chair Thrash said if anyone had not signed up for the program to see her after the meeting.

Elaine Hallada of 131 Steeple Chase addressed the board with her concerns about grants. Mrs. Hallada said that there was a \$250,000.000.00 grant for improvements that were put out by the Governor and was due August 30th, 2022, including recreation facilities. Lamar County never took advantage of applying for this grant. Mrs. Hallada said she called the Governor's office. They gave her a website that showed in February of 2022, where Representative Camp had announced there were \$422,00,000.00 in awards to reinforce water and sewer infrastructures in communities across the State. Mrs. Hallada said Lamar County would have been eligible. She said she was concerned the County does not seem to take advantage of applicable grants. Vice-Chair Thrash said the City of Barnesville did take advantage of this opportunity. Mrs. Hallada said her question was related to rules they go by and got this from

the Governor's Office. The Governor's Office notifies which grant is available via social media, newspapers, radio, and television. It is up to each municipality to apply for these grants. The municipality gets their State representative only after they have made their application available and then the State representative writes their letter of approval that goes with the application to the Governor's Office. Mrs. Hallada said that she spoke with someone at the Governor's Office and they said once the application and the approval letter come in, they send it back to the municipality and they tell them what they need to fix. The grant process begins and grants are awarded. Mrs. Hallada said they had a town hall meeting recently and one of the things said was the District representative for Georgia should have notified Lamar County about the grant and this is not how it happened. She said that the State representative is there to support you once you apply for the grant. She said that when she was talking to this person at the State office, who has held this position for 20 years, she asked her what County she was from and when she told her Lamar, she told her that Lamar is one of the County's that has an attitude and she chuckled. She said that people in Lamar County are not likely to apply for grants because then they will have to follow State rules. She said that she heard this from the previous Commissioners three or four years ago and then she heard it repeated recently. Mrs. Hallada said to look at what happened with the gym when they did not follow State rules. She asked the board why they are missing out on grants and said she was told from the Governor's Office that there are water and sewer grants every second year. She asked if they had applied for a water and sewer grant over the last seven to eight years. Chairman Traylor stated that the 3 minute time was up for Mrs. Hallada and stated that he would respond to her during the Commissioner Comments.

Cindy Bushby of 155 Redbone Run addressed the board with a question about the gym. Ms. Bushby asked who would pay for the repairs to repair the issues. Will the contractors absorb the initial cost since they did the work that the inspectors did not approve, or will the County be responsible for the additional cost? Ms. Bushby asked if they had a dollar figure. Chairman Traylor said this was Public Comment, not for them to go back and forth. Ms. Bushby asked where she could find her answer. Chairman Traylor said thank you very much. Ms. Bushby asked if it would be on the website. Chairman Traylor said they would have responses.

Holly Wells of 689 High Falls addressed the board. Ms. Wells said that since they are talking about sewers, she said they just approved Commercial 2 (C-2), and on High Falls Road there is no sewer. Ms. Wells said look what you have done and think about that. She said they need to work on things they approve and said they have put the cart before the horse again. She said they have to think and look at the big picture.

XV. Commissioner Comments

Chairman Traylor addressed the grant application process. He said that Monroe County has a full-time person who looks for and writes grants all day. Lamar County does not have a designated employee that looks for grants; if there is one you all know about, then let them know. He said when they started working on the gym renovation, Ms. Barkley talked about possible grants, and they looked to see if there were some Lamar County qualified for. Chairman Traylor said they welcome any grants they know about and asked that they do their due diligence and share it with them. He asked them not to wait to come to these meetings

once a month to share information. Their contact information is on the website, and they call them anytime. Chairman Traylor addressed the sewer and water grant and said they recently met with the Department of Community Affairs (DCA). Commissioner Gilles set this meeting up, and he asked the DCA representative how the City of Barnesville and the City of Milner help access these grant funds that are available for water and sewer. The response was the County cannot because only the City of Barnesville can apply for a water and sewer grant because they own the Water Authority. Commissioner Gilles said that the City of Barnesville has applied for sewer and water grants. Chairman Traylor learned that the McElroy buildings with restaurants and businesses in Pike County are all on a septic system because they do not have sewer. The entire commercial development is on a septic system. Chairman Traylor said that they are building an animal shelter on a septic system.

Commissioner Gilles said the City of Barnesville can only apply for sewer and water grants. The City of Barnesville has received the most grants per capita in the State of Georgia. Commissioner Gilles said that they need to speak to the City Council about the grant issues.

Vice-Chair Thrash asked if Mrs. Hallada would volunteer the information about who she spoke with in the Governor's Office. Mrs. Hallada said that she had just called the Governor's Office. Vice-Chair Thrash asked if she would share the contact information that she spoke so despairingly of Lamar County. Mrs. Hallada said that she would not share that information. Vice-Chair Thrash said that she would like to make a motion that Mrs. Hallada's comment about speaking to someone at the Governor's Office be stricken from the record. Commissioner Fletcher seconded the motion. Commissioner Lovett said that he thought that Public Comment is Public Comment, so he did not think anything should be stricken from the record. Commissioner Lovett and Commissioner Gilles opposed the motion. Chairman Traylor broke the tie by opposing the motion to remove the comment about the contact at the Governor's Office from the record. The motion carried 2-3 in favor of opposition. Vice-Chair Thrash said to let the record reflect that she did ask for the person's name so they could address the issue.

XVI. Round Table

Commissioner Fletcher said that the past weekend with the community celebrating Juneteenth was a success. There were lots of activities for the young people and adults. It was a learning opportunity, and commended those that played a part in the celebration.

Commissioner Gilles wished a Happy Anniversary to Commissioner Fletcher.

Chairman Traylor thanked everyone for coming out to the meeting regardless of the side of the issue or concern that they may stand on. This is an opportunity for them to come out and learn and hear what is going on in the community and encouraged them to go back and share the information with their neighbors over a cup of coffee. He said it was nice to hear comments and ideas, but it is also great to have solutions and not wait until the meeting to let the board know about an issue so that they can add some clarification for it. Chairman Traylor said that he sits back in the meetings, and when he was a District Commissioner, he always tried to give public ideas or thoughts, but he stopped doing it. Chairman Traylor said he grew up in Lamar

County sitting on his grandmother's porch on Jackson Street. He said that his grandmother was a third-generation midwife, and Sheriff Waller used to talk about how his grandmother delivered him. She had a big smile, her name was Nanny, and a lot of people knew her. Chairman Traylor said that people, black or white, used to come and sit on her porch to hear her laugh, and she loved wrestling. Nanny always said that wrestling was not real, and one day she had him get an enquirer because she loved to read it. Chairman Traylor said he told her that the stuff she was reading could not be real, and she responded that it was not real it was entertainment. Chairman Traylor said that sometimes in life, they allow sources of social media or something that has been written online or something that someone says to you that should be just entertainment; we allow it to be factual and true. Chairman Traylor said that they live in a great community, and it is obvious because people and businesses are coming to Lamar County. He said that when they talk about the community, talk about positive things because this is a great place to live. Chairman Traylor says a Councilman always says Barnesville is the "World's Greatest City." He said that Lamar County is the "World's Greatest County" and said he appreciated everyone for being there and asked for everyone to have a great week and weekend and to be blessed.

XVII. Adjournment

Commissioner Gilles made a motion to adjourn the Regular Business meeting at approximately 8:12 p.m. Commissioner Lovett 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

DRAFT

**LAMAR COUNTY BOARD OF COMMISSIONERS
ORDINANCE NO. 2023-09**

AN ORDINANCE FOR THE PURPOSE OF REZONING PROPERTY IN LAMAR COUNTY, GEORGIA, AND TO AMEND THE OFFICIAL ZONING MAP OF LAMAR COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Lamar County, Georgia (hereinafter “County”) under the authority of its County Code and the Constitution and Laws of the State of Georgia, is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of the County, and to provide for and enact zoning and developmental regulations; and

WHEREAS, the County has enacted the current Zoning Ordinance of the County and thereby adopted the Official Zoning Map of the County; and

WHEREAS, under the Zoning Ordinance of the County and the Official Zoning Map of the County, the within described property is currently classified AR (Agricultural Residential); and

WHEREAS, on June 9, 2023, Paul Kunst initiated an application to change the zoning classification of the within described property to R-1 (Residential 1); and

WHEREAS, notice of this application, public hearings, and action was properly advertised in the legal organ, a sign was placed on the subject property, and letters describing the application and hearing dates were sent to property owners within 300’ of the subject property; and

WHEREAS, a public hearing was held on July 13, 2023, and the application was reviewed by the Lamar County Planning Commission, and a second public hearing on the application was conducted by the County on July 18, 2023, pursuant to O.C.G.A. §33-66-1, *et seq.* and local ordinances at the Lamar County Courthouse; and

WHEREAS, the Board of Commissioners considered the proposed amendment, all alternate proposals or amendments, the report of the Planning Commission, and all data and evidence taken at both public hearings; and

WHEREAS, it is deemed by the County that rezoning the within described property and amending the Official Zoning Map of the County is in conformance with the sound comprehensive planning principles, of substantial benefit to the public, and in promotion of the best interest and general welfare of the people of the County; Now, therefore,

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF LAMAR COUNTY,
GEORGIA:**

Section 1: The Zoning Ordinance of Lamar County, Georgia, and the Official Zoning Map of Lamar County, Georgia, designating the boundaries of several types or classes of zoning districts within the County, shall be, and are hereby amended so as to change the zoning classification applicable to the following described property:

XXXXXXXXXXXX

from AR (Agricultural Residential) to R-1 (Residential 1) subject to the following conditions:

Section 2: The Official Zoning Map of the County is hereby amended to reflect such zoning classification for the within described property.

Section 3:

- A. It is hereby declared to the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.
- B. It is hereby declared to the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- C. In the event of any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgement or decrees of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining sections, paragraphs, sentences, clauses or phrases of the Ordinance shall remain valid, constitutional, enforceable, and full force and effect.

Section 4: Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: Effective Date. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners of Lamar County, Georgia.

SO ORDAINED, this _____ day of _____, 2023.

RYRAN TRAYLOR, Chairman

ATTEST:

CARLETTE DAVIDSON, County Clerk

**LAMAR COUNTY BOARD OF COMMISSIONERS
ORDINANCE NO. 2023-10**

AN ORDINANCE FOR THE PURPOSE OF REZONING PROPERTY IN LAMAR COUNTY, GEORGIA, AND TO AMEND THE OFFICIAL ZONING MAP OF LAMAR COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Lamar County, Georgia (hereinafter “County”) under the authority of its County Code and the Constitution and Laws of the State of Georgia, is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of the County, and to provide for and enact zoning and developmental regulations; and

WHEREAS, the County has enacted the current Zoning Ordinance of the County and thereby adopted the Official Zoning Map of the County; and

WHEREAS, under the Zoning Ordinance of the County and the Official Zoning Map of the County, the within described property is currently classified R-4 (Residential 4); and

WHEREAS, on May 23, 2023, Brent Latimer initiated an application to change the zoning classification of the within described property to C-2 (Highway Commercial); and

WHEREAS, notice of this application, public hearings, and action was properly advertised in the legal organ, a sign was placed on the subject property, and letters describing the application and hearing dates were sent to property owners within 300’ of the subject property; and

WHEREAS, a public hearing was held on July 13, and the application was reviewed by the Lamar County Planning Commission, and a second public hearing on the application was conducted by the County on July 18, pursuant to O.C.G.A. §33-66-1, *et seq.* and local ordinances at the Lamar County Courthouse; and

WHEREAS, the Board of Commissioners considered the proposed amendment, all alternate proposals or amendments, the report of the Planning Commission, and all data and evidence taken at both public hearings; and

WHEREAS, it is deemed by the County that rezoning the within described property and amending the Official Zoning Map of the County is in conformance with the sound comprehensive planning principles, of substantial benefit to the public, and in promotion of the best interest and general welfare of the people of the County; Now, therefore,

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF LAMAR COUNTY,
GEORGIA:**

Section 1: The Zoning Ordinance of Lamar County, Georgia, and the Official Zoning Map of Lamar County, Georgia, designating the boundaries of several types or classes of zoning districts

within the County, shall be, and are hereby amended so as to change the zoning classification applicable to the following described property:

XXXXXXXXXX

from R-4 (Residential 4) to C-2 (Highway Commercial) subject to the following conditions:

Section 2: The Official Zoning Map of the County is hereby amended to reflect such zoning classification for the within described property.

Section 3:

- A. It is hereby declared to the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.
- B. It is hereby declared to the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- C. In the event of any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgement or decrees of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining sections, paragraphs, sentences, clauses or phrases of the Ordinance shall remain valid, constitutional, enforceable, and full force and effect.

Section 4: Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: Effective Date. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners of Lamar County, Georgia.

SO ORDAINED, this _____ day of _____, 2023.

RYRAN TRAYLOR, Chairman

ATTEST:

CARLETTE DAVIDSON, County Clerk

**LAMAR COUNTY BOARD OF COMMISSIONERS
ORDINANCE NO. 2023-11**

AN ORDINANCE FOR THE PURPOSE OF REZONING PROPERTY IN LAMAR COUNTY, GEORGIA, AND TO AMEND THE OFFICIAL ZONING MAP OF LAMAR COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Lamar County, Georgia (hereinafter “County”) under the authority of its County Code and the Constitution and Laws of the State of Georgia, is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of the County, and to provide for and enact zoning and developmental regulations; and

WHEREAS, the County has enacted the current Zoning Ordinance of the County and thereby adopted the Official Zoning Map of the County; and

WHEREAS, under the Zoning Ordinance of the County and the Official Zoning Map of the County, the within described property is currently classified AR (Agricultural Residential); and

WHEREAS, on June 1, 2023, Mindolin Strickland initiated an application to change the zoning classification of the within described property to R-1 (Residential 1); and

WHEREAS, notice of this application, public hearings, and action was properly advertised in the legal organ, a sign was placed on the subject property, and letters describing the application and hearing dates were sent to property owners within 300’ of the subject property; and

WHEREAS, a public hearing was held on July 13, 2023, and the application was reviewed by the Lamar County Planning Commission, and a second public hearing on the application was conducted by the County on July 18, 2023, pursuant to O.C.G.A. §33-66-1, *et seq.* and local ordinances at the Lamar County Courthouse; and

WHEREAS, the Board of Commissioners considered the proposed amendment, all alternate proposals or amendments, the report of the Planning Commission, and all data and evidence taken at both public hearings; and

WHEREAS, it is deemed by the County that rezoning the within described property and amending the Official Zoning Map of the County is in conformance with the sound comprehensive planning principles, of substantial benefit to the public, and in promotion of the best interest and general welfare of the people of the County; Now, therefore,

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF LAMAR COUNTY,
GEORGIA:**

Section 1: The Zoning Ordinance of Lamar County, Georgia, and the Official Zoning Map of Lamar County, Georgia, designating the boundaries of several types or classes of zoning districts within the County, shall be, and are hereby amended so as to change the zoning classification applicable to the following described property:

XXXXXXXXXXXX

from AR (Agricultural Residential) to R-1 (Residential 1) subject to the following conditions:

Section 2: The Official Zoning Map of the County is hereby amended to reflect such zoning classification for the within described property.

Section 3:

- A. It is hereby declared to the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.
- B. It is hereby declared to the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- C. In the event of any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgement or decrees of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining sections, paragraphs, sentences, clauses or phrases of the Ordinance shall remain valid, constitutional, enforceable, and full force and effect.

Section 4: Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: Effective Date. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners of Lamar County, Georgia.

SO ORDAINED, this _____ day of _____, 2023.

RYRAN TRAYLOR, Chairman

ATTEST:

CARLETTE DAVIDSON, County Clerk

**LAMAR COUNTY BOARD OF COMMISSIONERS
ORDINANCE 2023-12**

Item i.

WHEREAS, David and Gail Addison were granted Residential 2 zoning via Ordinance 2022-04 dated April 19, 2022. The property is approximately 9 acres, located at 743 Ethridge Mill Road, in Land Lot 190, of the 2nd Land District, as shown on Tax Map 006 Parcels 023, 023A, 023B, 023C; and recorded in Deed Book 130 Page 272; Deed Book 1191 Page 198; Deed Book 1193 Page 196;

AND WHEREAS, the Ordinance approving the rezoning to Residential 2 contained the following conditions:

1. Only stick-built homes shall be built on the property;
2. All lots must be a minimum of two acres; and
3. There must be a vegetative buffer between the homes.

AND WHEREAS, Andrew Shockley has purchased lot 4, as shown on Tax Map 006 Parcel 023C and has made application to the Board of Commissioners requesting modification of a certain condition;

AND WHEREAS, the notice of public hearings to be held on July 13, 2023 and July 18, 2023, at the Lamar County Courthouse, Barnesville, Georgia, for the purpose of considering this request was properly published in the Barnesville Herald-Gazette, the official newspaper for Lamar County, Georgia;

AND WHEREAS, a sign was erected on said property to give further public notice of the requested change as required by the Lamar County Zoning Ordinance;

AND WHEREAS, the public hearings as advertised were held July 13, 2023 at 6:00 pm and on July 18, 2023 at 6:00 pm to consider the request and giving an opportunity for interested persons to be heard;

AND WHEREAS, after hearing all matters and evidence presented at the public hearing and after considering all factors involving the rezoning of this property, the Board of Commissioners of Lamar County, Georgia, determined the use of the property shall be subject to the following modified conditions:

1. All lots must be a minimum of two acres; and
2. There must be a vegetative buffer between the homes.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the above facts and as provided by law in accordance with the Lamar County Zoning Ordinance, Lamar County, Georgia, does hereby grant an alteration of the conditions regulating the rezoning previously approved by the Lamar County Board of Commissioners.

Adopted this 18th day of July, 2023.

LAMAR COUNTY BOARD OF COMMISSIONERS

Ryran Traylor, Chairman

Attest:

Carlette Davidson, County Clerk

To: Lamar County
From: Tommy Kennedy, Three Rivers Regional Commission *TK*
Subject: Contract adjustments for fiscal year 2024
Date: June 23, 2023

Three Rivers Regional Commission (TRRC) provides transit service to residents of Lamar County through an annual contract with the County. Three Rivers also provides similar service in six other counties. During fiscal year 2023 TRRC had a contract with a third party operator (TPO). The TPO contract expires on 6/30/23. We have had some on-going challenges with our TPO. After evaluating the transportation needs of the residents in our area, and reviewing the performance of our TPO, TRRC has implemented a plan to transition the service from a TPO to direct management and operation by TRRC effective 7/1/23.

The transit system will continue with the same vehicles, most (if not all) of the same drivers, serving the same customers, using the same phone number. The call center will be moved to the TRRC office and will be under the direct supervision of TRRC. The same grants will be used to finance the service. The dollar amount provided by Lamar County in the FY24 contract and the fares are the same as the amounts in the FY23 contract.

We believe that direct operation by TRRC will allow us to increase the quality and effectiveness of the transit service. We are happy to partner with you in providing this essential service to the residents of Lamar County.

**SECTION 5311 PUBLIC TRANSPORTATION
SERVICE AGREEMENT**

**FOR OPERATION OF
THREE RIVERS REGIONAL TRANSIT SYSTEM**

**BETWEEN THE
BOARD OF COMMISSIONERS OF LAMAR COUNTY**

AND

THREE RIVERS REGIONAL COMMISSION

PREAMBLE

This Agreement is made and entered into this _____ day of _____, 2023 by and between the Board of Commissioners of LAMAR COUNTY hereinafter referred to collectively as the “COUNTY”; and THREE RIVERS REGIONAL COMMISSION, hereinafter referred to as “TRRC”; and shall terminate on the 30th day of June, 2024, unless terminated earlier under other provisions of this Agreement.

WHEREAS, the Georgia Department of Transportation (GDOT) in cooperation with the Three Rivers Regional Commission has agreed to participate in the operation of a Regional 5311 Public Transportation System; and

WHEREAS, the Georgia Department of Human Services (DHS) has agreed to purchase transportation services from Three Rivers Regional Commission; and

WHEREAS, The COUNTY has agreed to participate in this regional transportation system administered by the Three Rivers Regional Commission; and

NOW, THEREFORE, the parties agree as follows:

ARTICLE I

**TERM OF AGREEMENT
TERMINATION PROVISIONS
AND ATTACHED DOCUMENTS**

1. Engagement: The TRRC is retained and engaged by the counties for the purpose of operating a 49 U.S.C. 5311 public transportation program aka the Three Rivers Regional Transit System (the “Program”).
2. Term of Agreement: The term of Agreement shall be from July 1, 2023 through June 30, 2024.

3. Termination of Agreement: The COUNTY and TRRC reserve the right to terminate this Agreement for just cause upon 60 (sixty) days written notice to the other party.
4. Attachments:

Attachment A: Terms of Usage

Attachment B: Service Areas and Fares

Attachment C: Georgia Security and Immigration Compliance Act of 2006

ARTICLE II

SCOPE OF WORK

COUNTY RESPONSIBILITIES

1. The COUNTY will appropriate funds to operate the Section 5311 Rural Public Transportation Program for the stated contract year.
2. The COUNTY will provide one or more vehicles for use by the TRRC for use in the regional public transit program.
3. The COUNTY understands that the typical useful life of a transit bus is approximately five years. The COUNTY will support TRRC's 5311 application to GDOT for vehicle replacements including provision of required local match.

TRRC RESPONSIBILITIES

1. The TRRC will manage the day-to-day operation of the Regional 5311 Public Transportation program. At its discretion, TRRC may utilize agency employees or contractors in providing the Regional 5311 Public Transportation program. The TRRC will ensure compliance with local, state, and federal laws and regulations.
2. The TRRC will manage the financial reporting and statistical analysis for the Program, and request the appropriated funds from the COUNTY no more than monthly and no less than once a year.
3. The TRRC shall procure insurance policies for all DOT assigned vehicles including automotive liability, commercial general liability, and excess liability with endorsement to insure contractual liability, broad form property damage, personal injury, personal and advertising liability. The insurance certificates must include the COUNTY listed as additional insured parties. Said insurance must meet the below qualifications or their equivalency:
 - a. \$1,000,000 per occurrence (Each Occurrence Limit – indicates the amount

of coverage the contractor has under a liability policy for any one occurrence other than Personal & Advertising injury occurrences.)

- b. \$3,000,000 aggregate (Aggregate Limit – indicates the amount of coverage (for other than Products/Completed Operations Liability occurrences) the contractor has under a liability policy for the policy period; no matter how many separate losses that may occur.)

ADDITIONAL RESPONSIBILITIES

1. The TRRC shall defend all lawsuits, not related to insurance claims, brought in connection with the Program, or any claim related to the Program. The TRRC agrees to pay in full all costs and expenses incidental thereto; however, the COUNTY may have the right, at its own expense, to participate in the defense of any suit, without relieving TRRC of any obligation.
2. All expenses for the operation of the Program, including without limitation, all wages, salaries, fringe benefits, other employee costs, services, and all maintenance and operation of the vehicles, including without limitation, fuels, lubricants, parts, materials, taxes and the expenses required for the performance of this contract shall be supplied and paid for by TRRC. Payment from the COUNTY to the TRRC for all expenses incurred in fulfilling the intent of this Agreement shall be limited to the fund amount listed in Article IV.
3. TRRC shall operate the Program services in accordance with all laws and regulations, including the guidelines and policies set by GDOT and DHS. TRRC further agrees to maintain appropriate books, records, documents, papers, and other evidence pertaining to public transportation operations for the period of this Agreement and for three years beyond the period of this Agreement and to make such materials available for inspection, upon request by the Authorized Representative or his designee, the COUNTY, GDOT, DHS or their representatives.
4. Service expansions or improvements may be recommended by TRRC to the participating County. It is agreed that the TRRC must have approval and additional funds (if applicable) from the COUNTY before implementation of expansions or improvements.

ARTICLE III

SCOPE OF SERVICES

SERVICES TO BE OFFERED

Services to be offered under this Agreement will be based on response to specific requests (hereinafter “demand response transportation”), within the following parameters:

1. This service (demand response transportation) will be offered only under the terms of

this Agreement.

2. Demand response service constitutes service with at least 24-hour advance notice. Any advance notice less than 24-hours should be worked into the regular schedule when feasible. Demand response service is either subscription service (prearranged to meet the repetitive travel needs of riders) or random service (scheduled sporadically by riders).
3. Service is available to public passengers a minimum of 8 (eight) hours a day, Monday through Friday. DHS related services may be available up to 7 (seven) days per week.
4. Passenger constitutes any resident of COUNTY. A normal passenger trip constitutes transporting one passenger one-way between two locations within the service area described in Attachment B.

REVENUE AND EXPENSE REPORTING AND INVOICING

Fare Box Revenue: There is a fare box structure established for the transit system. The fare amount is described in Attachment B. The fare structure shall remain in force until the TRRC has sufficient data to justify a change.

ACCIDENT REPORTING

An initial written accident report will be prepared by TRRC within 24 hours (but no sooner than the next business day) after an accident. This initial accident report shall be emailed to the County with available information including the nature of the accident, the findings as to cause, personal injury sustained, property damage and information, and if a drug and alcohol test was administered. A final written accident report will be provided to the County within two weeks following each accident.

FEDERAL COMPLIANCE

The COUNTY and TRRC hereby agree as a condition of participating in the Section 5311 Rural Transportation Program, that:

1. No persons shall on the grounds of race, color, religion, creed, national origin, sex, age, or handicap be excluded from participation in, or denied the benefits of, or be subject to discrimination under any project, program, or activity for which this recipient receives federal financial assistance from the Federal Transit Act;
2. TRRC shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin, and shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, or national origin;

3. TRRC will conduct any program or operate any facility that receives or benefits from federal financial assistance administered by the Department of Transportation in compliance with all requirements imposed by or pursuant to 49 CFR, Part 27, Non-discrimination on the Basis of Handicap in Federally Assisted Programs and Activities received or benefiting from Federal Financial Assistance.

ARTICLE IV

COMPENSATION

<u>Operating & Program Administration:</u>	\$17,900
<u>Vehicle Matching Funds</u>	\$ 0
<u>Total Funding Request:</u>	\$17,900

The COUNTY’s maximum obligation to TRRC for the term of this contract shall not exceed \$17,900. Compensation will be requested no more than monthly and no less than once a year.

LAMAR COUNTY

ATTEST: By: Chairman, Board of Commissioners

Clerk, Board of Commissioners of
LAMAR County

Three Rivers Regional Commission

Executive Director

Witness

TRRC Chairman

Notary Public (Seal)

ATTACHMENT A

TERMS OF USAGE

*An Attachment to the Service Agreement Between
The Board of Commissioners of the aforementioned
COUNTY
AND
THREE RIVERS REGIONAL COMMISSION*

WHEREAS, the Boards of Commissioners for the aforementioned COUNTY have indicated a desire to contract with THREE RIVERS REGIONAL COMMISSION to provide public transportation services within their county area, located in the Three Rivers region; and

WHEREAS, the aforementioned COUNTY has supplied at least one vehicle for operation of a public transportation system in the Three Rivers region.

THEREFORE, the parties agree to the following, as an Attachment to their Service Agreement as referenced above:

1. THREE RIVERS REGIONAL COMMISSION will have the right to operate and manage vehicles placed by the above named COUNTY into the Three Rivers Regional Transit System, an FTA Section 5311 program.
2. THREE RIVERS REGIONAL COMMISSION will follow all state and federal laws regarding the safe operation of any vehicle placed in the Three Rivers Regional Transit System.
3. THREE RIVERS REGIONAL COMMISSION recognizes that program vehicles are the property of COUNTY, and will treat said property with proper care and attention. Nothing in the "Terms of Usage" shall constrain the County from its rights of ownership and supervision over respective program vehicles.
4. THREE RIVERS REGIONAL COMMISSION acknowledges the following: Should the COUNTY withdraw from the main Service Agreement, program vehicle(s) must be returned to the COUNTY.

This "Terms of Usage" agreement is effective only upon execution of the main agreement between the COUNTY and THREE RIVERS REGIONAL COMMISSION. Termination of the main agreement automatically eliminates any claim the TRRC may have pertaining to rights of operation for said program vehicles.

ATTACHMENT B
SERVICE AREAS AND FARES

NORMAL SERVICE AREAS:

Butts County Service Area: Butts, Lamar, Pike, Spalding, and Upson Counties

Carroll County Service Area: Carroll County and the City Limits of Bremen, Georgia.

Lamar County Service Area: Butts, Lamar, Pike, Spalding, and Upson Counties

Meriwether County Service Area: Meriwether County

Pike County Service Area: Butts, Lamar, Pike, Spalding, and Upson Counties

Spalding County Service Area: Butts, Lamar, Pike, Spalding, and Upson Counties

Upson County Service Area: Butts, Lamar, Pike, Spalding, and Upson Counties

City of Griffin Service Area: Butts, Lamar, Pike, Spalding, and Upson Counties

FARES:

Carroll County Fare: \$3.00 per one-way passenger trip (\$1.00 for veterans).

Butts County Fare: \$2.00 per one-way passenger trip.

Lamar County Fare: \$2.00 per one-way passenger trip.

Meriwether County Normal Fare: \$3.00 per one-way passenger trip.
\$10 per one-way passenger trip out of county. Minimum two passengers going to same place at the same time. Locations limited to Columbus, LaGrange, Griffin, Newnan, and Senoia.

Pike County Fare: \$2.00 per one-way passenger trip.

Spalding County Fare: \$2.00 per one-way passenger trip.

Upson County Fare: \$2.00 per one-way passenger trip.

City of Griffin Fare: \$2.00 per one-way passenger trip.

ATTACHMENT C

GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT OF 2006

Effective July 1, 2007, the following language is required to be included in all contracts entered into by **COUNTY** for the physical performance of services:

- A. Pursuant to the Georgia Security and Immigration Compliance Act of 2006, the Contractor understands and agrees that compliance with the requirements of O.C.G.A. § 13-10-91 and Georgia Department of Labor Rule 300-10-1-.02 are conditions of this Agreement. The Contractor further agrees that such compliance shall be attested by the Contractor through execution of the contractor affidavit required by Georgia Department of Labor Rule 300-10-1-.07, or a substantially similar contractor affidavit. The Contractor's fully executed affidavit is attached hereto as Exhibit 1 and is incorporated into this Agreement by reference herein.
- B. By initialing in the appropriate line below, the Contractor certifies that the following employee-number category as identified in O.C.G.A. § 13-10-91 is applicable to the Contractor:
1. _____ 500 or more employees;
 2. _____ 100 or more employees;
 3. X Fewer than 100 employees.
- C. The Contractor understands and agrees that, in the event the Contractor employs or contracts with any subcontractor or subcontractors in connection with this Agreement, the Contractor shall:
1. Secure from each such subcontractor an indication of the employee-number category as identified in O.C.G.A. § 13-10-91 that is applicable to the subcontractor;
 2. Secure from each such subcontractor an attestation of the subcontractor's compliance with O.C.G.A. § 13-10-91 and Georgia Department of Labor Rule 300-10-1-.02 by causing each such subcontractor to execute the subcontractor affidavit required by Georgia Department of Labor Rule 300-10-1-.08, or a substantially similar subcontractor affidavit. The Contractor further understands and agrees that the Contractor shall require the executed subcontractor affidavit to become a part of the agreement between the Contractor and each such subcontractor. The Contractor agrees to maintain records of each subcontractor attestation required hereunder for inspection by the Department at any time."

ATTACHMENT C

CONTRACTOR AFFIDAVIT AND AGREEMENT

COMES NOW before me, the undersigned officer duly authorized to administer oaths, the undersigned contractor, who, after being duly sworn, states as follows:

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with **COUNTY** has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.


The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with **COUNTY**, contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to **COUNTY** at the time the subcontractor(s) is retained to perform such service.

286740

EEV / Basic Pilot Program* User Identification Number

Three Rivers Regional Commission

Contractor Name

BY:  Authorized Officer or Agent

Date

6/20/2023

Executive Director

Title of Authorized Officer or Agent of Contractor

Mark Butler

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

20th DAY OF June, 2023

Kimberly C. Bennett

Notary Public

My Commission Expires:

01/24/2026



* As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the "EEV / Basic Pilot Program" operated by the U. S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

Adding Roadside mowing to 2024 Budget

2024

Public Works -M&O

Salaries- (4) Employees	\$ 124,800.00
FICA	\$ 8,186.88
Medicare	\$ 1,809.60
Group Insurance	\$ 48,000.00
Uniform	\$ 3,120.00
Fuel	\$ 20,000.00
M&R Equipment	\$ 20,000.00
Worker Comp	\$ 1,584.00
Subtotal:	\$ 227,500.48

Equipment- Capital Outlay- Not Budgeted in the New SPLOST

Massey Fergusson 5710 Tractor	4	\$ 83,173.74	\$ 332,694.96
Bush Hog 316 Rotary Cutter- 6 Foot	3	\$ 7,316.60	\$ 21,949.80
Bush Hog 4110 10 foot Mower	1	\$ 25,795.20	\$ 25,795.20
Crew Truck	1	\$ 45,000.00	\$ 45,000.00
Total			\$ 425,439.96

Total Increase: \$ 652,940.44