

LAMAR COUNTY BOARD OF COMMISSIONERS
Regular Commissioner Meeting Minutes
April 16th, 2013
7:00 p.m.

I. Call to Order

Chairman Jay Matthews called the Public Hearing to order at approximately 7:00 p.m. Present for the meeting was Vice-Chairman Bennie Horton, Commissioner Nancy Thrash, Commissioner Van Baker, Commissioner Charles Glass, County Administrator Robert Zellner, Financial Analyst Carlette Davidson and Attorney Scott Mayfield.

II. Pledge of Allegiance

The Pledge of Allegiance was said by everyone. Building and Zoning director Dan Gunter gave the invocation.

III. Special Exception App # 2013-01 High Falls Park Road (Radio Tower)

Building and Zoning director Dan Gunter read Special Exception Application 2013-01 by David Piper, as agent for Necholous Ogden to erect a 312 ft. radio tower for the WTGA/Fun 101 FM Radio Station. The property is located on High Falls Park Road in Land Lot 188 of the 3rd Land District as shown on Tax Map 071, Parcel 040; and recorded in Deed Book 139, Page 327. Mr. Gunter explained that the tower would be deep in the woods and that only the very top of the tower could be seen from Hwy 36 and it would also be fenced in. Mr. Gunter stated that the radio tower would resemble the tower that is next to the Lamar County Senior Center. Mr. Gunter stated that there was no opposition at the Public Hearing. Mr. Gunter said that Mr. Price would allow for a repeater for the Sheriff's Department and the Fire Department would be installed at no cost to the County.

Mr. David Price from Thomaston, Georgia addressed the Board in regards to his application. He stated that he had been in the radio business for 40 years and that he had been looking for a place that would provide the appropriate FM frequency. Mr. Price stated that he had looked for over 8 months to find the site when he found High Falls Park Road for sale. He stated that it is not a cellular tower and it would not be intrusive. The tree buffer on the 10 acre property would prevent the tower from being seen from the road. Mr. Price stated that he would only use about 4 ½ to 5 acres of the land for the radio tower. Commissioner Thrash asked Mr. Price about the interference with cell phone communication. Mr. Price responded that there would be no interference. Commissioner Baker asked if he was leasing or purchasing the property and Mr. Price stated that he was purchasing the land valued at about \$64,645.00. The Board discussed the possibilities of Mr. Price adding a cell phone dish to the tower. Mr. Price

responded that this was not what he intends to do and that he would probably not get the cell phone business due to the limitations of putting a cell phone dish on the tower. Mr. Price stated that the radio tower was not designed to hold extra dishes and cables. He further stated that there is a weight issue with the cell phone cable and the height of the radio tower.

The Board continued their discussion on approving the Special Exception for the radio tower. Mr. Price stated that there is a 200 ft setback from the road and they only have to clear enough land to get a crane into to erect the tower. Carl Pruitt addressed the Board and stated that he was knowledgeable about the foot print of the tower. He stated that it would require about a 6 to 8 ft chain length fence to be placed around the tower. He stated that the cleared area for the Tower would be about the size of the Lamar County Grand Jury room. A buffer of trees would be left which would hide the tower. He also stated that there was no intention to clear cut the land and no trees would be removed except to put in an S shaped type driveway leading to the tower so that people could not see straight into the road therefore they would not be able to see the tower. Commissioner Glass asked about the placement of the guide lines and how far away from the base they would be located. Mr. Price stated that it would be about 150 ft out from the base and about 60 ft away from the property line. Mr. Price stated that he would accept the stipulations and conditions to keep the front buffer and to not put up any type of cell phone dish.

IV. Public Hearing Comments

David Dodd of 408 Parker Branch Road Milner, Georgia addressed the Board stating that there has been about an 8 month discussion on the radio tower. Mr. Dodd stated that his neighborhood does not want this radio tower erected and that at the meeting he attended for the North Lamar County Citizens Association those citizens shared the fact that they did not want it the radio tower erected either.

Shanna English of 903 Thomaston Street, Barnesville, Georgia addressed the Board in regards to the radio tower. Mrs. English stated that her husband Arthur English, who is 86 years of age, is very concerned about the placement of this tower. Mrs. English stated that this is a historic area where the Old Alabama Stage Coach came through from Augusta Georgia to Mobile Alabama. Mrs. English stated that they have done a lot of work on the family farm and to their 1845 farm house. Mrs. English shared the fact that the family farm house comes within 4 tenths of a mile from the proposed placement of the radio tower. Mrs. English stated that she fears that this radio tower will bring down the value of their property.

Preston Thompson of Hwy 36 East, Milner, Georgia addressed the Board with a list of reasons why he wanted the Commissioners to stop picking on North Lamar County. He listed the following causes for concern.

1. Airport-Johnsonville Road

2. Rock Quarry
3. Dump
4. Federal Tower
5. Radio Tower

Mr. Preston also stated that if the tower comes down it will come across the road and that it needs to be setback a minimum of 230 feet from the road. He stated that this tower is not needed in North Lamar County community.

George Brown of 554 High Falls Road Milner, Georgia addressed the Board stating that putting repeaters on the towers is a good idea. There are several dead spots on Eady Creek Road, and in other parts of Lamar County making the cell phone useless. Mr. Brown further stated that the Commissioners have Mr. Price put in writing that they install the repeaters as they are building the tower with no cost to the County. Mr. Brown requested that the Commissioners find how much money is in the 911 account fund and what the cost savings to the County would be. Mr. Brown told the Commissioners that they are caught between a rock and a hard place because if Mr. Price has met all the requirements the Commissioners would be required to pass the Special Exception application.

Charlie Muise of 368 Eady Creek Road addressed the Board stating that installing the repeaters for the Fire Department and the Sheriff Department is very appealing to anyone who works for the Fire & EMS. Mr. Muise questioned the Commissioners about the engineers who have studied the radio patterns, the depth of reception and the guide wires and the tree buffers.

Dora Cox of 129 Honeysuckle Lane, Barnesville, Georgia addressed the Board stating that there is no zoning for radio towers and that you have to go through a Special Exception change to the code. Mrs. Cox spoke about the Tower located behind the Hot Spot and noted that there is minimal land usage. Mrs. Cox shared the fact that there has been no effect on property values and that there has been no effect on land values for cell phone towers that she has encountered. Mrs. Cox stated that a cell phone tower is designed for up to 200 miles per hour winds. Mr. Gunter interjected that when the tornado came through and destroyed his home and those homes around him the cell phone tower at the Hot Spot was left standing.

Sheriff Brad White addressed the Board in regards to the topography of the dead zones in the North Lamar County area. Sheriff White stated that he would like to have the repeaters placed on the radio tower but also added that this would be the first step in getting the process for complete coverage. The cost to complete the process would be anywhere from \$60,000 to \$80,000. Sheriff White stated that although he would like to see the repeaters installed he recommended that the Board listen to the wishes of the citizens in North Lamar County. Sheriff White also mentioned that WTGA Fun 101 FM Radio Station is an advocate to Lamar County law enforcement and that by being able to add these repeaters would be a

great step in the process of getting complete coverage in the North Lamar County area.

V. Adjournment

Commissioner Thrash motioned to come out of the Public Hearing and Commissioner Horton seconded the motion. The motion passed 4-0.

VI. Minutes Approval

Commissioner Horton made a motion to approve the Minutes for the Regular Business Meeting for March 19th, 2013 and the Workshop for April 10th, 2013. Commissioner Glass seconded the motion. The motion passed 4-0.

VII. Presentation of Proclamations

Commissioner Glass read and presented a Proclamation for the American Cancer Society Relay for Life held on May 11, 2013 to Tracey Muise. Commissioner Glass also read and presented a Proclamation to Fannie Mae Watts who turns 90 on April 19th, 2013.

VII. Special Exception Application #2013-01 Radio Tower High Falls Park Road

Commissioner Glass made a motion to approve the Special Exception Application #2013-01 for the Radio Tower to be erected on High Falls Park Road with restrictions that the County be allowed to put repeaters on the tower with no charges for installation, that the repeaters be rent free to the County, that Mr. Price maintains and reserves the buffers and no cell phone dishes be installed on the tower. Commissioner Horton seconded the motion. Commissioner Thrash opposed the motion. The motion passed 3-0.

IV. Bid Approval-Re-Paving Evans Road

County Administrator Robert Zellner read the bid request for the deep reclamation & resurfacing of Evans Road. The bids were as follows:

Blount Construction, Inc.	\$261,228.00
C.W. Matthews Contracting, Co., Inc.	\$262,192.00
Georgia Asphalt, Inc.	\$289,338.62
Cecil Key Paving, Inc	\$414,584.35

County Administrator Zellner stated that the funds from the LMIG of \$266,000.00 would cover the expenses of this project. County Administrator recommended that they approve the low bid from Blount Construction for the Evans Road project. Commissioner Baker suggested that they approve C.W.

Matthews contracting because they are a larger well known company and that Lamar County has had previous experience with C.W. Matthews Contracting. Commissioner Baker further stated that there is only a difference of \$900.00 to be considered. Commissioner Baker made a motion to approve C.W. Matthews contracting for the Evans Road project. Commissioner Thrash seconded the motion. Vice-Chairman Horton opposed the motion to approve C.W. Matthews contracting for the Evans Road project. The motion passed 3-0.

X. Victoria Stewart-Tax Exception Refund Request

Attorney Karen Martin on behalf of Victoria Stewart addressed the Board with her request that they have a hearing with the Board of Commissioners or persons designated to hear taxpayers' claims/request to address the matter of Ms. Stewart and her tax refund request. Attorney Martin stated that Ms. Stewart is medically disabled from a horse injury and that she was no longer able to keep her property. Attorney Martin stated that Ms. Stewart paid the \$22,896.40 to settle the breach of the Conservation Covenant under protest. Chairman Matthews stated that the Tax Commissioner and the Lamar County Board of Education would need to be involved in this issue as well. Attorney Mayfield stated that the Commission needs to make a motion to give or not give a hearing or to table the issue. Commissioner Baker made a motion to give Ms. Victoria Stewart a hearing and Commissioner Horton seconded the motion. The motion passed 4-0.

XI. Public Comments

Katherine McHan of 7 Spencer Hollow Barnesville, Georgia gave the Board information about an article written by Kay Pedrotti on child sex abuse and early teen alcohol and drug abuse. Ms. McCann read an excerpt from the article by Kay Pedrotti stating that Krista Gonce, Prevention Regional Coordinator for GCCA, told the Lamar County Family Connection Collaborative last week there is not only an emotional impact associated with child sexual abuse but an economic impact. Ms. McCann stated that studies show that one in four girls and one in six boys will be sexually abused before their 18th birthday. Ms. McCann stated that it cost Lamar County approximately \$200,000 for these cases. Ms. McCann reported that there is a training class for adults teaching them how to recognize the signs of abuse. The cost for the Stewards of Children class is \$15.00 for 3 hours. Ms. McCann gave the numbers for LCFCC director Dorothy Carter 678-572-8286 and referred the Board to the article written by Kay Pedrotti in the Barnesville Herald Gazette.

Julia Heidbrink of 588 Hwy 36 Barnesville, Georgia addressed the Board about the Boston Marathon and a citizens 2nd amendment rights. She read an article about protecting the rights of the constitution and listed all the countries that had disarmed their citizens.

Robert Heiney of 746 Community House Road Barnesville, Georgia addressed the Board stating that no one has the right to take away a citizens' gun. He also mentioned the 2nd amendment rights and said that the Government shouldn't use tragedy to take away citizens' rights. He made a request to the Board that they stand for all Lamar County citizens and asked that they not enforce unconstitutional gun laws.

Penny Jenkins addressed the Board with a report on the Federal law and the constitution.

Jere Moore of 102 Rose Avenue addressed the Board with regards to a Resolution pertaining to and supporting the 2nd Amendment rights. This resolution states that it would be a crime for law enforcement officers to challenge and enforce any firearms legislation that the commissioners deem unconstitutional. He praised the Board for the job they do and also the Lamar County Sheriff, Brad White.

Tonya Horton of 1206 City Pond Road, Milner, Georgia addressed the Board with her thoughts on communication to the citizens of Lamar County. Ms. Horton would like to see more information on County business and would like for the County to subscribe to face book and any other online type social media sites. Ms. Horton suggested that information be put on flash drives and passed out for citizen review before open meetings are held.

Beverly Eskridge of 130 Holmes Street Barnesville, Georgia addressed the Board with a report on the Humane Society. Ms. Eskridge stated that adoption is slow at this time. Ms. Eskridge requested volunteers for the Great Day of Service and provided information in regards to the selling of the Pet Honor Bricks.

XII. Round Table

Commissioner Horton asked the citizens present to pray for the World.

Commissioner Glass shared with the citizens present that a group of youth associated with the Youth Leadership of Lamar County Comprehensive High School were present for the meeting tonight. He stated that it was nice to see youth participate in local government activities.

Commissioner Baker stated that it was good to see so many people at the meeting tonight.

Commissioner Thrash stated that our freedoms are challenged and are slowly being tugged away. Commissioner Thrash stated that she is a firm believer in guns and that they are for protecting our homes and our families. Commissioner Thrash requested that everyone call their local and State representatives.

XIII. Adjournment

Commissioner Glass motioned for adjournment at approximately 9:10 p.m. The motion was seconded by Commissioner Thrash and passed 4-0.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Jay Matthews, Chairman

Bennie Horton, Vice-Chairman

Charles Glass, Commissioner

Van Baker, Commissioner

Nancy M. Thrash-Member

Attest:

Robert Zellner, County Administrator