

LAMAR COUNTY BOARD OF COMMISSIONERS
Regular Commissioner Meeting Minutes
May 21st, 2013
7:00 p.m.

I. Reconvene Regular Business Meeting

Chairman Jay Matthews reconvened the Regular Business Meeting at approximately 7:41 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 Minutes Approval

Commissioner Glass made a motion to approve the Minutes for the Regular Business Meeting on April 16th and the Special Called Meeting on April 19th, 2013. Commissioner Thrash seconded the motion. The motion passed 4-0.

III. Insurance Broker

Commissioner Horton made a motion to retain Main Street Advisors with Al Adamson as the Insurance Broker. Commissioner Baker seconded the motion. The motion passed 4-0.

IV. Three Rivers Regional Commission-Public Transportation Program Contract

The Board discussed the contract for the Three Rivers Regional Public Transportation Program. The contract will be for a 12 month period and the Georgia Department of Transportation (GDOT) has now transitioned to a state fiscal year. Chairman Matthews would be authorized to sign the contract as agreed upon below.

1. Sign and return prior to June 30th, a service agreement between the Three Rivers Regional Commission and Lamar County to provide public transportation.
2. Appropriate \$9,421 for the purpose of providing public transportation services with the county for the 2014 contract year. This funding request reflects normal transit operation and the replacement of one (1) transit shuttle bus with a wheelchair lift. However, if all of the funds are not utilized the funds will go towards the future purchase of another bus.

Commissioner Thrash inquired about the spending of the \$9421.00 and County Administrator Zellner explained that \$4500.00 goes towards the maintenance of the bus and the remaining \$4921.00 would go towards the future purchase of a bus. Commissioner Baker made a motion to approve the contract above and Commissioner Horton seconded the motion. The motion passed 4-0.

V. Pest Control

Chairman Matthews and the Board discussed doing away with Pest Control Contract due to several factors. The first reason given was that there were only two bids submitted during the bidding process and the other reason given was that in order to save the county money, pest control services would be utilized on an as needed basis. Commissioner Thrash made a motion to use pest control services on an as needed basis. Commissioner Glass seconded the motion. The motion passed 4-0.

VI. Towaligia Circuit Budget

Commissioner Glass made a motion to approve the 2014 Fiscal Year Towaligia Circuit Budget. Commissioner Thrash seconded the motion. The motion passed 4-0.

VII. Agritourism Ordinance

Building and Zoning director Dan Gunter read the 1st reading of Ordinance 2013-01 amending the Zoning Ordinance of Lamar County, Georgia to add a definition specifying that the definition be allowed only on Agricultural Residential districts as a Special Exception. Mr. Gunter read Ordinance 2013-01 amending the zoning ordinance by adding a definition to Sec. 2012 of the Ordinance. The definition reads "Agritourism or Agritainment: as is defined broadly, involves any agriculturally based operation or activity that brings visitors to a farm or ranch. This includes a wide variety of activities, such as farm markets, roadside stands, U-Pick operations, Christmas tree farms, pumpkin patch, local products retail operations (farm produced crafts and food products), corn mazes, farm-related interpretive facilities and exhibits, agricultural educational experiences, agriculturally related events/ fairs/festivals, on site farm/garden/nursery tours, walking and bicycling tours and trails, bird watching, horseback trail riding, family reunion and community organizations picnic sites and Garden Weddings. Add a new subparagraph Sec. 504. (b) (19) for a Special Exception use in an

A-R district as follows:

"(19) Agritourism or Agritainment as defined in Sec. 202. Of this Ordinance, with the following design standards:

- a. Establishments catering to outdoor group events must provide off road secured parking for attending vehicles.
- b. Any outdoor gathering spaces, patios, pavilions, and/or other similar temporary or permanent open structures must be at least 50 feet from all residentially zoned properties.
- c. Amplified sound or music for outdoor activities shall only be permitted between the hours of 11:00 A.M. and 7:00 P.M.
- d. No noise shall be so loud to be determined a public nuisance; i.e., greater than 85dB measured at the site property line. The burden of

proof shall be on the person responsible for such sound generation to prove otherwise.

- e. Food and/or beverages provided for sale and/or consumption on the subject property must meet all federal, state, and local requirements.
- f. A valid Lamar County business license must be held. If Equine activities are planned or anticipated as part of the business, a State of Georgia “Stable License” must be held before a Lamar County business license may be issued.

Commissioner Glass made a motion to approve the first reading of Ordinance Number 2013-01 and Commissioner Horton seconded the motion. The motion passed 4-0.

VIII. Amendment to the Agenda

Chairman Matthews called for a motion to add a request from the City of Barnesville to add some easements on the county right of way on Johnstonville Road. They would like to place three monitoring wells so they can monitor the ground water where they are re-claiming their old landfill. Commissioner Glass made a motion to amend the agenda with the request to add three monitoring wells on the county right of way. Commissioner Thrash seconded the motion. The motion passed 4-0.

IV. Easement Request from the City of Barnesville

Commissioner Glass shared with the citizens present that the City of Barnesville is trying to re-claim the old City landfill on the railroad tracks just north of Johnstonville Road and east of Crawford Road. It was originally an underlined landfill and there were no restrictions. The landfill has been closed down for many years and EPD is requiring that the monitoring wells be put in place so that they can make sure that there are no contaminants in the ground water. The Environmental Protection Division (EPD) has asked them to monitor a little farther away. In the past years there have been some issues with contamination with ground water just south of Johnstonville Road. There is 80 feet of total right of way along Johnstonville Road. The plan from the contractor is to drill a hole and put in a concrete pad around the hole up to 6 x 6 feet in diameter. There will be a steel cover on each of the wells. Every six months there will be a sampling period with at least 2 cycling periods. Commissioner Thrash inquired about expansion of the roadway in the future, the time frame for testing the water and the final closure of the wells. Commissioner Baker stated another concern would be the safety of the wells. Commissioner Glass stated that these concerns would be addressed with the City of Barnesville and that having these wells is an added safety issue for the citizens of Lamar County. Commissioner Glass concluded with the fact that there would be a metal cap on the wells that would be locked except during the testing period. Commissioner Glass made a motion to approve the easement request from the City of Barnesville adding three monitoring wells. Commissioner Baker seconded the motion. The motion passed 4-0.

X. Public Comments

Preston Thompson of Hwy 36 East, Milner, Georgia addressed the Board with his concerns about the recent employee raises that were given and the reason why the Board increased the millage rate to balance the budget. Mr. Thompson suggested that the Board give the millage increase back to the citizens or take away the raises from the employees. Commissioner Baker came to the defense of the employees stating that he was embarrassed to find out what the employees of Lamar County are currently making. The three percent increase for the employee compared to giving the millage rate back would be insignificant. Commissioner Baker also stated that the employees of Lamar County had not been given a raise in over five years.

Julia Heidbrink of 588 Hwy 36 Barnesville, Georgia addressed the Board about the dangers of horse racing. Ms. Heidbrink indicated that safety standards need to be put in place. Ms. Heidbrink listed ambulances, medical personnel, veterinarians, and an increase in insurance as necessary requirements for the Board to consider.

Brenda Ross of 386 Ingram Road thanked the Board for the gravel that was put on her road but that it was put at the top of the hill and her husband had to move it with his tractor. Mrs. Ross stated that at the last meeting Commissioner Baker stated that \$900.00 did not make a difference when deciding on a company for a paving project. Commissioner Baker declared that he was wrong and offered an apology. Commissioner Baker stated that the decision had been rescinded by the Board and the paving project was awarded to the lowest bidder. Mrs. Ross stated that she would be watching the Board closely as she was recently retired.

XI. Round Table

County Administrator reported that the new early warning sirens were installed at the Redbone and Milner Fire Stations. Mr. Zellner also stated that the new Fire Station on Country Kitchen Road was almost complete.

XII. Adjournment and Executive Session

Commissioner Glass made a motion to adjourn the Regular Business Meeting at approximately 8:50 p.m. to go into Executive Session to discuss litigation. Commissioner Thrash seconded the motion. The Commissioners came out of executive session at approximately 9:03 p.m. and no action was taken.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Jay Matthews, Chairman

Bennie Horton, Vice-Chairman

Charles Glass, Commissioner

Van Baker, Commissioner

Nancy M. Thrash, Commissioner

Attest:

Robert Zellner, County Administrator