



LUMPKIN COUNTY Board of Commissioners

Regular Meeting Agenda Commissioners Boardroom

Lumpkin County Administration Building, 99 Courthouse
Hill, Dahlonega, GA 30533

October 18, 2022
6:00 P.M.

- **CALL TO ORDER**

Chairman Dockery

- **INVOCATION**

- **CONSIDERATION OF AGENDA**

- **PUBLIC COMMENTS (Agenda Specific)**

- **CONSIDERATION OF MINUTES**

1. Board of Commissioners - Work Session - Sep 6, 2022 4:00 PM
2. Board of Commissioners - Joint Special Called Work Session - Sep 12, 2022 2:00 PM
3. Board of Commissioners - Public Hearing - Sep 20, 2022 5:15 PM
4. Board of Commissioners - Work Session II - Sep 20, 2022 5:30 PM
5. Board of Commissioners - Regular Meeting - Sep 20, 2022 6:00 PM

- **RESOLUTIONS**

6. 2022 - 49 - Appointment of Associate Probate Judge (*Probate Judge Michael Chastain*)
7. 2022 - 50 - Resolution Setting Forth LC Position to the LOST Certificate of Distribution Dated July 19, 2022

- **REPORTS**

Department reports can be viewed on the Commissioners web page at www.lumpkincounty.gov
Elected Officials

- **CONTRACTS/AGREEMENTS**

8. 2022-065 - Housing & Rental Agreement – Blackburn Fire Station #8 (*EMA Director David Wimpy*)
9. 2022-066 - Unifirst Uniform Corporation Service Agreement - Public Works Department (*Public Works Director Larry Reiter*)
10. 2022-067 - LC Wimpy Airport Consultant Contract Award (*Public Works Director Larry Reiter*)
11. 2022-068 - Agreement between Lumpkin County Board of Commissioners and Windstream Services, LLC (*Development Authority Director Rebecca Mincey*)
12. 2022-069 - Banking Services Contract (*Finance Director Abby Branan*)

13. 2022-070 - NGN Fiber Service Agreement: Lumpkin County Justice Center (*Special Projects Director Ashley Peck*)
14. 2022-071 - NGN Fiber Service Agreement: Lumpkin County Administration Building (*Special Projects Director Ashley Peck*)

- **OTHER ITEMS**

15. Secure Rural Schools Act – Title III Money Certification on Use of Funds (*Finance Director Abby Branan*)

- **COUNTY MANAGER**

- **COUNTY ATTORNEY**

- **COMMISSIONERS**

- **PUBLIC COMMENTS**

- **EXECUTIVE SESSION - Possible Litigation**

- **ADJOURNMENT**

LUMPKIN COUNTY
Board of Commissioners
Regular Meeting Minutes
Commissioners Boardroom



October 18, 2022
6:00 P.M.

CALL TO ORDER

The meeting was called to order at 6:00 PM by Chairman Chris Dockery

Attendee Name	Title	Status	Arrived
Chris Dockery	Chairman	Present	
Tucker Greene	District 1 Commissioner	Present	
Bobby Mayfield	District 2 Commissioner	Present	
Rhett Stringer	District 3 Commissioner	Present	
Jeffrey Moran	District 4 Commissioner	Present	

INVOCATION

CONSIDERATION OF AGENDA

Motion: A motion was made by District 3 Commissioner Stringer to approve the agenda. The motion was seconded by District 2 Commissioner Mayfield. The motion was approved and carried.

PUBLIC COMMENTS (Agenda Specific)

CONSIDERATION OF MINUTES

Motion: A motion was made by District 4 Commissioner Moran to approve the minutes by acclamation. The motion was seconded by District 1 Commissioner Greene. The motion was approved and carried.

1. Board of Commissioners - Work Session - Sep 6, 2022 4:00 PM
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5. Board of Commissioners - Regular Meeting - Sep 20, 2022 6:00 PM

RESOLUTIONS

6. 2022 - 49 - Appointment of Associate Probate Judge (Probate Judge Michael Chastain)

Appointment of Associate Probate Judge. To obtain board approval for the appointment of an Associate Probate Judge, as required by OCGA 15-9-2.1.

Motion: A motion was made by District 3 Commissioner Stringer to approve Appointment of Associate Probate Judge. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

7. 2022 - 50 - Resolution Setting Forth LC Position to the LOST Certificate of Distribution Dated July 19, 2022

Resolution Setting Forth Lumpkin County's Position with Regard to the LOST Certificate of Distribution Dated July 19, 2022.

Motion: A motion was made by District 2 Commissioner Mayfield to approve Resolution Setting Forth LC Position to the LOST Certificate of Distribution Dated July 19, 2022. The motion was seconded by District 1 Commissioner Greene. The motion was approved and carried.

REPORTS

Department reports can be viewed on the Commissioners web page at www.lumpkincounty.gov
Elected Officials

CONTRACTS/AGREEMENTS

8. 2022-065 - Housing & Rental Agreement – Blackburn Fire Station #8 (EMA Director David Wimpy)

Housing & Rental Agreement – Blackburn Fire Station #8. Approval of new tenant and rental agreement for Station #8 House.

Motion: A motion was made by District 2 Commissioner Mayfield to approve Housing & Rental Agreement – Blackburn Fire Station #8. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

9. 2022-066 - Unifirst Uniform Corporation Service Agreement - Public Works Department (Public Works Director Larry Reiter)

Unifirst Uniform Corporation Service Agreement - Public Works Department. Consideration of Annual Service agreement for the supply and service of work uniforms for the Lumpkin County Public Works Department. This is an annual Service Agreement between LCBOC and Unifirst Uniform Corporation to supply LCBOC Public Works Department, work uniforms and laundry service for a period of 12 months

Motion: A motion was made by District 1 Commissioner Greene to approve Unifirst Uniform Corporation Service Agreement - Public Works Department. The motion was seconded by District 3 Commissioner Stringer. The motion was approved and carried.

10. 2022-067 - LC Wimpy Airport Consultant Contract Award (Public Works Director Larry Reiter)

LC Wimpy Airport Consultant Contract Award. Award a contract to GMC professional engineering, architectural, and construction inspection/administration services for the Lumpkin County Airport.

Motion: A motion was made by District 4 Commissioner Moran to approve the contract award to GMC. The motion was seconded by District 1 Commissioner Greene. The motion was approved and carried.

11. 2022-068 - Agreement between Lumpkin County Board of Commissioners and Windstream Services, LLC (Development Authority Director Rebecca Mincey)

Agreement between Lumpkin County Board of Commissioners and Windstream Services, LLC.

Motion: A motion was made by District 3 Commissioner Stringer to approve Agreement between Lumpkin County Board of Commissioners and Windstream Services, LLC. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

12. 2022-069 - Banking Services Contract (Finance Director Abby Branan)

Banking Services Contract Recommendation to renew the banking services contract with United Community Bank.

Motion: A motion was made by District 1 Commissioner Greene to approve Banking Services Contract. The motion was seconded by District 2 Commissioner Mayfield. The motion was approved and carried.

13. 2022-070 - NGN Fiber Service Agreement: Lumpkin County Justice Center (Special Projects Director Ashley Peck)

NGN Fiber Service Agreement: Lumpkin County Justice Center. Contract with NGN to upgrade the fiber connection to the Justice Center to 1 Gigabyte.

Motion: A motion was made by District 2 Commissioner Mayfield to approve NGN Fiber Service Agreement: Lumpkin County Justice Center. The motion was seconded by District 1 Commissioner Greene. The motion was approved and carried.

14. 2022-071 - NGN Fiber Service Agreement: Lumpkin County Administration Building (Special Projects Director Ashley Peck)

NGN Fiber Service Agreement: Lumpkin County Administration Building. Contract with NGN to upgrade the fiber connection to the Administration Building to 1 Gigabyte.

Motion: A motion was made by Chairman Dockery to approve NGN Fiber Service Agreement: Lumpkin County Administration Building. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

OTHER ITEMS

15. Secure Rural Schools Act – Title III Money Certification on Use of Funds (Finance Director Abby Branan)

Secure Rural Schools Act – Title III Money Certification on Use of Funds. To certify that all funds have been used or obligated by September 30, 2022.

Motion: A motion was made by District 1 Commissioner Greene to approve Secure Rural Schools Act – Title III Money Certification on Use of Funds. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

COUNTY MANAGER

COUNTY ATTORNEY

COMMISSIONERS

PUBLIC COMMENTS

Stephanie Kaufman said she was here last month with some issues regarding Iron Mountain Park. She was

promised that someone from the County would reach out to her, but so far she has not heard back. Ms. Kaufman said they have been experiencing problems for a couple of years now, and County officials have promised to make it better with no results.

Ms. Kaufman gave a handout to the Commissioners with some suggested changes for Iron Mountain, including a shortening of the hours of operation and decibel levels. According to the SLUA, vehicles are allowed to generate up to 120 decibels, but she said that is almost equivalent to a jet engine from 100 feet away. Ms. Kaufman said this goes on day and night, well beyond the time they are supposed to stop. She would also like assurances from the County that all of the fencing around Iron Mountain Park meets the requirements of the SLUA and the Land Use regulations. She wants clarification on what defines a "quiet zone" and where they are located.

Ms. Kaufman said they have also had issues with ATV drivers coming onto the old logging roads, which is contrary to the regulations of the SLUA. She said these issues have been going on for two years, and despite talking to the Planning Director and to Commissioner Mayfield, nothing has changed.

Commissioner Mayfield said he accepts responsibility for not getting back to her. He read aloud an e-mail that he sent to the BOC and to the County Manager following a recent trip to Iron Mountain Park:

"I spoke with the residents of Little Bear Trail after our meeting last Tuesday and I met with Craig Stansberry this Monday. The assertions I took away from the residents was that park patrons were encroaching right up to their property line and that there was activity in the park after dark.

To address the encroachment claims, I walked then entire length of the Iron Mountain Park property bordering Little Bear Trail with Mr. Stansberry, his son, and their Head of Security. The only place I saw any ATV tracks or other tracks of any kind was on the established ATV trail which is well beyond the 300 feet referenced in the SLUA. I also verified that the trail specifically mentioned in the SLUA agreement is completely closed off and has vegetation growing in it. There is adequate signage indicating that the area is a quiet zone as well.

Mr. Stansberry introduced me to his Head of Security who patrols the park on Friday, Saturday, and Sunday nights and he keeps logs of his checks. He also noted that he routinely patrols the fence line to identify any potential violations. Sadly, it was also noted that while the Head of Security does enforce the existing park rules and regulations, he serves a dual role in protecting the park from encroachment and trespass. He also keeps a log of gate damage and cut fences, which I found to be surprisingly long.

While I have no doubt that the residents probably do hear ATVs from time to time due to the fact that they are located on higher terrain than the adjacent park and the sound most likely does travel up the hill, I did not find that Iron Mountain Park was in direct violation of any of our SLUA requirements. I did mention the need to cut back the vegetation which is beginning to obscure the signs. Attached are photos from my trip."

Ms. Kaufman reiterated her statements about ATVs being at the gate which leads onto Little Bear Trail. She told the Commissioners they can come over and see which gate she is talking about, and she said she sent in a picture of the supposed gate at the 100-foot buffer. Ms. Kaufman said she has called the Sheriff's Office every single weekend since her meeting with Commissioner Mayfield because ATVs continuously operate past the curfew. The Sheriff's Office said it would be two hours before a deputy could come out. When it is 1:00 AM, who wants to wait two hours for a deputy to arrive, she asked? Two hours after the fact, what good would it do?

Commissioner Mayfield offered to come over and look at this gate she mentioned. He walked the trail, but perhaps he missed it. Mr. Georgia, the Planning Director, said he knows the area Ms. Kaufman is talking about, but it has been some time since he has seen it. There was further discussion regarding the trail and how it may connect to Little Bear Trail. Ms. Kaufman said it seems there should be a fence or gate at the 100-foot buffer, but it is somehow being circumvented by ATV riders.

Mr. Ours apologized that no one from the County contacted Ms. Kaufman. He said he plans to call her tomorrow. Ms. Kaufman was frustrated that her letters and phone calls do not seem to help with the problem. She said she is tired of putting up with this every weekend. She asked Chairman Dockery if the BOC would consider the changes, she is recommending to the SLUA?

Chairman Dockery said he is not prepared to answer any questions about changing the SLUA; he will have to do some research. He knew Commissioner Mayfield had gone out to Iron Mountain, but he was under the assumption someone had called her back. He reiterated that he cannot answer questions about changing the SLUA, but someone from the County staff will be in touch with her about the problems. Then we will see if there is anything the BOC can do, he stated.

Matt Hodge, 35 Ross Lane, also came to discuss his issues with Iron Mountain Park. He said that there are just a few bad apples that are causing the problems out at Iron Mountain, and it does not reflect everyone who uses

the park. He does not live right next to the boundary like Ms. Kaufman, but he said the noise can be very loud. Sometimes, they are even out there riding at 5:00 AM. Mr. Hodge said Mr. Stansberry just needs to enforce the regulations, and if he is enforcing the rules, he isn't doing a very good job.

Mr. Hodge said last month, that wild ATV club from Atlanta was at IMP, and they were being loud until 3 in the morning. The Sheriff's Office said they were not coming out, but they would keep a log of the activity. Mr. Hodge said the County could issue a shutdown order if Mr. Stansberry is not following the rules. Someone needs to step up and make him obey the rules. He could hire additional personnel if needed, said Mr. Hodge.

Mr. Hodge also had some concerns about the progress of the road work out at Little Mountain Road, and he wondered when the County would finish the work. Chairman Dockery said he would speak with staff and find out about the road.

EXECUTIVE SESSION - Possible Litigation

***Motion:** Commissioner Mayfield moved to enter Executive Session at 6:30 pm, and was seconded by Commissioner Greene. The motion was approved unanimously.*

***Motion:** Commissioner Moran made a motion to exit Executive Session and re-enter regular session at 7:25 pm. Commissioner Mayfield seconded the motion, which was approved unanimously.*

ADJOURNMENT

***Motion:** Commissioner Mayfield moved to adjourn the meeting at 7:26 pm, and was seconded by Commissioner Greene. The motion was approved and carried.*

November 16, 2022

Date



Melissa Witcher
County Clerk, Lumpkin County



Chris Dockery, Chairman
Lumpkin County Board of Commissioners