



LUMPKIN COUNTY
Board of Commissioners
Regular Meeting Agenda
Commissioners Boardroom
99 Courthouse Hill
Dahlonega, GA 30533

August 20, 2024
6:00 PM

- **CALL TO ORDER**
- **INVOCATION**
- **CONSIDERATION OF AGENDA**
- **PRESENTATIONS**
 1. Certificate of Excellence to Fire/EMS Personnel - Travis McBee, Michael Joiner, and Travares Gordon
- **PUBLIC COMMENTS (Agenda Specific)**
- **CONSIDERATION OF MINUTES**
 2. Board of Commissioners - Work Session - July 2, 2024 4:00 PM
 3. Board of Commissioners - Work Session II - July 16, 2024 5:30 PM
 4. Board of Commissioners - Regular Meeting - July 16, 2024 6:00 PM
 5. Board of Commissioners - Special Called Work Session - July 19, 2024 1:00 PM
- **RESOLUTIONS**
 6. 2024-33 Appoint Members to Joint Development Authority - *Robb Nichols to Seat 1, and Charles "Chuck" Jones to Seat 3, both with terms expiring 12/31/2026 and Henry Davis to Seat 2, and Mac McConnell to Seat 4, both with terms expiring 12/31/2024*
 7. 2024-34 Appoint Member to the Board of Elections & Registration - *Brittani Conner to Seat 5, with a term expiring 12/31/2026*
 8. 2024-35 Appoint Member to the Planning Commission - *Trevor Eudy to Seat 5, with a term expiring 8/27/2028.*
 9. 2024-36 August Surplus Property (*Finance Director Abby Branan*)
 10. 2024-39 Update the Lumpkin County Fee Schedule - Reduce Water Park Admission Fee (*Assistant County Manager Rebecca Mincey*)
- **REPORTS**

County Department reports can be viewed on www.lumpkincounty.gov
- **ELECTED OFFICIALS**
- **CONTRACTS/AGREEMENTS**
 11. 2024-066 2024 LMIG Contract Amendment - Colditz Trucking (*Special Projects Manager Charles Trammell*)

12. 2024-067 Loan of Tractor for Display in the Administration Building Lobby (*Director of Operations Ashley Peck*)
13. 2024-068 Ninth District Opportunity Inc. Lease - Head Start Building (*Director of Operations Ashley Peck*)
14. 2024-069 CTC Technology & Energy Professional Consulting Contract Amendment 2 (*Assistant County Manager Rebecca Mincey*)
15. 2023-070 Mark Robinson Hauling, Inc. - Recycling & Transfer Station Lease Agreement Amendment #4 (*County Manager Alan Ours*)
16. 2024-071 Yahoola Creek Park Baseball/Softball Fields 5, 7, 8, 9, &10 Upgrades Scope Change - Gordian Contract (*Director of Operations Ashley Peck*)

- **OTHER ITEMS**

17. Voting Delegate – Legislative Leadership Conference (*County Clerk Melissa Witcher*)
18. 2014 SPLOST 2024 Work Plan Amendment (*Finance Director Abby Branan*)
19. Yahoola Creek Reservoir Access, Parking and Improvements Update (*County Manager Alan Ours*)
20. New Recycling Area Construction Documents/Plan Located at Transfer Station (*Director of Operations Ashley Peck*)

- **COUNTY MANAGER**

- **ASSISTANT COUNTY MANAGER & DEPARTMENT HEADS**

- **COMMISSIONERS**

- **PUBLIC COMMENTS**

- **ADJOURNMENT**

LUMPKIN COUNTY
Board of Commissioners
Regular Meeting Minutes
Commissioners Boardroom
99 Courthouse Hill
Dahlonega, GA 30533



August 20, 2024
6:00 PM

CALL TO ORDER

The meeting was called to order at 6:00 pm. Present were Chairman Chris Dockery and Commissioners Tucker Greene, Bobby Mayfield, Rhett Stringer, and Jeff Moran.

INVOCATION

Chairman Dockery gave the invocation, which was followed by the Pledge of Allegiance.

CONSIDERATION OF AGENDA

***Motion:** Commissioner Stringer moved to approve the agenda and was seconded by Commissioner Mayfield. The motion was approved unanimously.*

PRESENTATIONS

1. Certificate of Excellence to Fire/EMS Personnel - Travis McBee, Michael Joiner, and Travares Gordon

PUBLIC COMMENTS (Agenda Specific)

CONSIDERATION OF MINUTES

- 2. Board of Commissioners - Work Session - July 2, 2024 4:00 PM
- 3. Board of Commissioners - Work Session II - July 16, 2024 5:30 PM
- 4. Board of Commissioners - Regular Meeting - July 16, 2024 6:00 PM
- 5. Board of Commissioners - Special Called Work Session - July 19, 2024 1:00 PM

***Motion:** Commissioner Moran moved to approve the minutes by acclamation and was seconded by Commissioner Greene. The motion was approved unanimously.*

RESOLUTIONS

6. 2024-33 Appoint Members to Joint Development Authority - Robb Nichols to Seat 1, and Charles "Chuck" Jones to Seat 3, both with terms expiring 12/31/2026 and Henry Davis to Seat 2, and Mac McConnell to Seat 4, both with terms expiring 12/31/2024

***Motion:** Chairman Dockery moved to appoint the nominees by acclamation and was seconded by Commissioner Mayfield. The motion was approved unanimously.*

7. 2024-34 Appoint Member to the Board of Elections & Registration - Britanni Conner to Seat 5, with a term expiring 12/31/2026

***Motion:** Chairman Dockery moved to appoint Brittani Conner to Seat 5 with a term expiring 12/31/2026. His motion was seconded by Commissioner Moran, which was approved and carried.*

8. 2024-35 Appoint Member to the Planning Commission - Trevor Eudy to Seat 5, with a term expiring 8/27/2028.

***Motion:** Chairman Dockery moved to appoint Trevor Eudy to Seat 5 with a term expiring 8/7/2028. His motion was seconded by Commissioner Greene, which was approved unanimously.*

9. 2024-36 August Surplus Property (Finance Director Abby Branan)
Consideration of list of County inventory items to be declared surplus.

***Motion:** Commissioner Stringer moved to approve the resolution and was seconded by Commissioner Moran. The motion was approved unanimously.*

10. 2024-39 Update the Lumpkin County Fee Schedule - Reduce Water Park Admission Fee (Assistant County Manager Rebecca Mincey)

Proposed reduction of admission fee to the Pinetree Recreation Center water park on days when portions of the water park are closed to the public.

***Motion:** Commissioner Greene moved to approve the resolution and was seconded by Commissioner Stringer. The motion was approved unanimously.*

REPORTS

County Department reports can be viewed on www.lumpkincounty.gov

ELECTED OFFICIALS

Sheriff Stacy Jarrard said the LCSO Hunter Safety course will be from 6:00 - 9:00 pm on September 10 and 12. The annual LCSO Gun Show will be on the second weekend of October at StruXure behind Chestatee Ford.

CONTRACTS/AGREEMENTS

11. 2024-066 2024 LMIG Contract Amendment - Colditz Trucking (Special Projects Manager Charles Trammell)

An amendment to add 5 county roads to our existing LMIG contract.

***Motion:** Commissioner Stringer moved to approve the contract amendment and was seconded by Commissioner Mayfield. The motion was approved unanimously.*

12. 2024-067 Loan of Tractor for Display in the Administration Building Lobby (Director of Operations Ashley Peck)

Loan of Tractor for Display in the Administration Building Lobby.

***Motion:** Commissioner Moran moved to approve the agreement and was seconded by Commissioner Greene. The motion was approved unanimously.*

13. 2024-068 Ninth District Opportunity Inc. Lease - Head Start Building (Director of Operations Ashley Peck)

Recommendation regarding the approval of the lease renewal with Ninth District Opportunity, Inc. (NDO) to operate the Lumpkin County Head Start Program in a county facility.

***Motion:** Commissioner Greene moved to approve the lease and was seconded by Commissioner Moran. The motion was approved unanimously.*

14. 2024-069 CTC Technology & Energy Professional Consulting Contract Amendment 2 (Assistant County Manager Rebecca Mincey)

The amendment extends the existing contract with CTC Technology & Energy through June 30, 2025, which is end date of the NTIA grant period of performance.

***Motion:** Commissioner Stringer moved to approve the contract amendment.*

***Motion:** Commissioner Stringer amended his motion to approve course of action C, which is to not approve the amendment. His motion was seconded by Commissioner Mayfield, and it was approved unanimously.*

15. 2023-070 Mark Robinson Hauling, Inc. - Recycling & Transfer Station Lease Agreement Amendment #4 (County Manager Alan Ours)

Request by Mark Robinson to Increase the Current Per Ton Charge at the Transfer Station from \$55.00 to \$58.00

***Motion:** Commissioner Moran moved to approve the contract amendment and was seconded by Commissioner Stringer. The motion was approved unanimously.*

16. 2024-071 Yahoola Creek Park Baseball/Softball Fields 5, 7, 8, 9, & 10 Upgrades Scope Change - Gordian Contract (Director of Operations Ashley Peck)

Consideration of the contract with Gordian and scope change for baseball/softball fields 5,7, 8, 9, 10.

***Motion:** Commissioner Greene moved to approve the agreement and was seconded by Commissioner Mayfield. The motion was approved unanimously.*

OTHER ITEMS

17. Voting Delegate – Legislative Leadership Conference (County Clerk Melissa Witcher)

This is to choose a BOC voting delegate to cast its county's vote on matters at the ACCG Legislative Leadership Conference.

***Motion:** Commissioner Mayfield moved to nominate Chairman Dockery as the voting delegate. His motion was seconded by Commissioner Greene, and it was approved unanimously.*

18. 2014 SPLOST 2024 Work Plan Amendment (Finance Director Abby Branan)

Request to amend the 2014 SPLOST 2024 Work Plan.

***Motion:** Commissioner Stringer moved to approve the amendment and was seconded by Commissioner Moran. The motion was approved and carried.*

19. Yahoola Creek Reservoir Access, Parking and Improvements Update (County Manager Alan Ours)

Reservoir Project Update and Preliminary Plan.

***Motion:** Commissioner Greene moved to approve the preliminary plan and was seconded by Commissioner Stringer. The motion was approved and carried.*

20. New Recycling Area Construction Documents/Plan Located at Transfer Station (Director of Operations Ashley Peck)

Consideration of construction documents/plan for the new recycling area at the transfer station.

***Motion:** Commissioner Moran moved to approve the plan with the change of making the center loop concrete instead of gravel. His motion was seconded by Commissioner Greene, and it was approved unanimously.*

COUNTY MANAGER

ASSISTANT COUNTY MANAGER & DEPARTMENT HEADS

COMMISSIONERS

Chairman Dockery gave a reminder about the upcoming Lumpkin 101 course, which will be offered for free beginning September 9th.

PUBLIC COMMENTS

There was a brief recess from 6:28 to 6:36 pm.

Laura Hendrix of 291 Little Bear Trail read aloud a statement from Stephanie Kaufman, who could not be present at the meeting. In her statement, Ms. Kaufman discussed her frustrations with Iron Mountain Park for the last five years, and she iterated how she and her neighbors had sent in numerous videos, pictures, emails, calls, and complaints to the County. Additionally, they have sent in recommendations from other ATV parks on how safety, pollution, erosion, and employee conduct could be improved at Iron Mountain. In her statement, Ms. Kaufman said she was informed that all of her documents had been sent to the County Attorney for review. We have waited for months; where is the final report from counsel? Did the material get reviewed? Ms. Kaufman expressed her frustration with seemingly no answers from the County.

Ms. Hendrix continued to read through Ms. Kaufman's statement. Recently they learned that Ms. Mincey, who is in charge of the Planning Department, has been tasked with developing a prioritized list of corrective actions regarding IMP to present to the Commissioners. Ms. Kaufman asked if the County Attorney helped develop this, or did Ms. Mincey develop it by herself? As it is the citizens who are impacted by Mr. Stansberry's flagrant violations of the SLUA, said Ms. Kaufman, the citizens of the community must be involved in the process. The citizens would like to hear the decision that

led to the prioritization of concerns leading to possible corrective actions. Ms. Kaufman said she remembers when the amplified noise ordinance was under consideration. A committee including citizens was formed and the issues were discussed. Citizens helped to form the ordinance, and we want the same opportunity. Ms. Kaufman said she sent in the article about the two deaths at IMP this past weekend. She stated the main reason she sent it in was not to inform the Commissioners of what had happened, but so you could see the comments of your constituents. They hold you, the BOC, responsible for the lax conditions at IMP. Ms. Kaufman's statement concluded with her request for a committee created of citizens and staff to develop a comprehensive plan that we can live with as we move forward.

Ms. Hendrix then moved on to her own comments. She said it was very loud last weekend, and she played three recordings of loud ATV noises that she took right behind her house. She said that the ATV riders may not be using the logging path, but there might be a path that runs parallel to the logging path. She also asked about the status of Ms. Kaufman's Open Records Act request from a couple of months ago, the one that totaled over \$400. Chairman Dockery said the invoice for the records had never been paid. Ms. Hendrix said she was under the impression that Chairman Dockery was going to take care of it, but he responded that he was not. Ms. Hendrix replied that they would pay the bill and pick up the records. She commented that for such a large sum, it must be an enormous stack of records. Chairman Dockery informed Ms. Hendrix that such a broad request takes up days of the County Clerk and Deputy Clerk's time, which is the reason for the cost.

Ms. Hendrix asked how many citations has Mr. Stansberry received, and she asked if the SLUA could be revoked due to multiple violations. Chairman Dockery said it would not be appropriate to name someone during a meeting and discuss what citations they have or have not received, but there are pending possible violations. Ms. Hendrix asked if there has been any progression of penalties or if something could be done to restrict his business license. Ms. Hendrix said landowners are entitled to enjoy their property but not if their activities injure adjacent landowners. She said that Lumpkin County's Mission Statement is a bold-faced lie, and she is disappointed.

Anneke Bender of 80 Little Bear Trail also spoke about Iron Mountain Park and the recent deaths of two patrons. She said Craig Stansberry posted a video to social media regarding the incidents, and he said that when people come to IMP, please follow the rules because we want you to be safe. Wear your safety belt, do not speed, and consider wearing a helmet. Ms. Bender read aloud some comments from TripAdvisor about IMP. One reviewer said IMP needs better signage because it took them 45 minutes to find an exit. Another commenter said they were lost in the woods after their machine broke down, and they encountered other patrons who were lost. They were told that there were no staff who could help them. Another commenter said they did not receive a safety briefing from staff when renting a vehicle, and they crashed less than ten minutes into their ride. It took three hours for staff to rescue them, and they were sent a \$16,000 bill for the damage to the vehicle. Ms. Bender said Mr. Stansberry and his staff have operated with abject disregard for their patrons and the surrounding neighbors, and she believes it is a failure of our elected officials. There have been too many complaints brought before our elected officials, she stated, and nothing has been done. Now we have to listen to ATVs constantly when we are at our house. Imagine hearing that all day long, said Ms. Bender. She asked who will police Iron Mountain. Who will enforce the rules?

Matt Hodge of 31 Ross Lane said he lives adjacent to Iron Mountain Park. He said that on Little Mountain Road where Mr. Stansberry has his well houses, there has been a broken-down Jeep Cherokee sitting there for almost two months. He said he hoped someone could have Mr. Stansberry remove the Jeep.

Karen Woody, 457 Klinger Trail, said she and her family live on land bordering IMP. She showed the Commissioners a picture of the muddy creek on her property. Chairman Dockery asked her to send that to Rebecca Mincey.

Lamar Bates, 128 Fern Park, said he remembers when the SLUA was initially debated. He told his wife at that point, something bad is going to happen at Iron Mountain, and he was afraid it would take that for politicians to put a stop to it. Mr. Bates said he didn't know all the details of the deaths, but he knew at least one of them involved a lack of seatbelt and helmet usage. It is about time the people who run this county step up and do the right thing; shut that place down, he said emphatically.

Sheriff Jarrard came before the audience to make comments and answer a few questions from the citizens in attendance. He said if citizens obtain a timestamped video of when they witness violations and turn it in to the LCSO, they can then send that to the Planning Department. He explained they enforce state laws and local codes, but the SLUA enforcement is slightly different. They do deliver SLUA citations on behalf of the Planning Department, but they do not handle the SLUA enforcement directly. The penalty/fine is between the Magistrate Court and the defendant. Sheriff Jarrard also said citizens are free to pursue civil action against Iron Mountain Park. He said when a citizen calls 911 to report a violation, it

is documented and that information can be sent to Ms. Mincey. It helps even more if you have video recordings, he added. The Sheriff also explained why ATV noise is not covered under the County's amplified sound ordinance.

Chairman Dockery summarized the notes he took during the meeting. As far as safety, he said he would not take his family to IMP. His family is his responsibility, and if people choose to patronize IMP that is their responsibility. The noise and erosion can fall into the scope of Lumpkin County. Chairman Dockery said this issue has been frustrating for the County as well, and we have been in talks with both the County Attorney and outside counsel. However, he cannot disclose the details of these discussions because they are under attorney-client privilege. He said they have also reached out to the Georgia EPD, but they have declared multiple times that they "cannot find a point source" for the erosion, which has been frustrating. He also shared that Mr. Stansberry has requested a trial by jury for his amplified noise ordinance violation stemming from a New Year's concert. The BOC has no control over when the District Attorney takes that before a judge.

Ray Sparks, 908 Little Mountain Road, said that any time it rains the creek near his driveway turns red. Chairman Dockery said multiple creeks and a watershed lake appear to have been affected. He offered to give his cell phone number to anyone in the audience.

Clinton Crane said his family was raised around this area and he has seen Crane Lake all his life. It was never muddy until ForeStar began cutting timber. All of the logging roads would make the lake get muddy, but it is worse than ever now. He said the powerlines are also a problem. Mr. Crane also implored the audience to stand up against the building of multifamily housing. If Iron Mountain Park loses their spot, he predicted, that whole area will be clearcut and turned into thousands of houses. Yes, you have problems with ATVs, but the alternative could be worse. He said he wanted to plant that in everyone's mind so they would come together to stop multifamily housing.

Eddie Turner, a resident of Little Mountain Road, said the creek that Mr. Sparks mentioned runs across his property too. He said that it has become completely muddy because of the ATV riders. He is a retired homebuilder and he knows how strict it is for builders in regards to erosion, so he is unsure of how Mr. Stansberry has been able to be so lax. Chairman Dockery said EPD has requested to do another site visit, and when that occurs, Lumpkin County staff will accompany them. He also explained that from the County's perspective, erosion control is triggered when you pull a permit, like for building a house or grading. If Iron Mountain pulls a grading permit, that will trigger erosion control. If they aren't pulling a permit, what is our authority to go out there, the Chairman asked. When the permits were more active, we went out there more often and got a better look at the erosion issues. It seems like some of the erosion is coming from the trails, but there are no permits on the trails. That is why we want to get the EPD involved, he said. It would be like if the County randomly decided to show up at a farm to do an inspection. EPD has requested to do a site walk-through, but Chairman Dockery said he is unsure of what will come of it.

Lynn Culpepper, 4054 Little Mountain Road, said her property backs up to the portion of IMP that has the tunnel. She said her family has experienced thousands of dollars worth of damage from erosion and runoff, and she does not think all of it is from the trails. Ms. Culpepper said they have been absolutely flooded with silt, and they are unable to address the sheer scope of it. The mud and debris filled up their culvert, stream, and pond, and they have had to repair their driveway five times. The erosion has muddied up their well water so badly that they have had to replace their dishwasher and their washing machine. When it rains, red water comes out of their sinks and toilets. They are having to shore up their creek with rocks and dig out as much mud as they can. Ms. Culpepper said they have had EPD out at their house, but they have to witness the deposition of silt in order to do anything about it. Ms. Culpepper said they feel abandoned, and they cannot afford to perpetually mediate this damage. She said they do not have a problem with people recreating, but it should not be at our expense. They have lived there for 20 years and the only time they saw such muddy water was during Hurricane Ida. Every time it rains, she thinks "Will I be able to drink water tomorrow?" Ms. Culpepper said the noise is awful too, and they have been woken up at all hours of the night. She said no one should have to live this way, and if the rest of Lumpkin County was having to live this way, the current Commissioners would not be sitting up there.

Chairman Dockery asked if she had turned this in to Ms. Mincey and the Planning Department, and Ms. Culpepper replied that she has. She also has receipts from all of the money she has spent of repairs and mediation of the damage. She said this is her daily life, and anyone is welcome to come out and see it for themselves. She fears they will not be able to afford to spend their last years in their home, and she has no faith anyone is going to stand up for them. She said the County did not think this out.

A citizen who only identified himself as "Scott," said he has lived here for about five years, about a quarter mile away from IMP. He said he has a generally soundproof home, but it was definitely loud last Saturday night. The citizens have talked about this issue for four years. He has sat through meetings with the Sheriff and Commissioners. Scott said the County let IMP begin operating with a pretty wide-open SLUA and now it is time to close it up. You are elected to stand up for us, he said, and sometimes he wonders how the Commissioners can live with this.

Commissioner Mayfield said he thinks people are good until they prove themselves otherwise. If this Board ever chooses to modify the noise ordinance, he said he will be behind that. If they choose to modify the SLUA, he will support that too.

Chairman Dockery said he wishes it was a simple process. We have reached out to outside counsel, and they are advising us on what we can or cannot do. He does agree that this project has not been neighborly in all aspects. We will address it in the means we have available, and we will continue to work on it.

ADJOURNMENT

The meeting was adjourned at 7:44 pm.

September 17, 2024
Date


Chris Dockery, Chairman
Lumpkin County Board of Commissioners

Attest:


Melissa Witcher
Clerk, Lumpkin County