

## GRADY COUNTY BOARD OF COMMISSIONERS

### MEETING MINUTES

June 2, 2020 Regular Meeting

The Grady County Board of Commissioners met on June 2, 2020 at 9:00 am for the regular meeting and public hearing. Commissioners Keith Moye, June Knight, Ray Prince, County Administrator Buddy Johnson, County Clerk John White, Financial Director Holly Murkerson, Executive Assistant Mary Griffin, and County Attorney Gabe Ridley were present. Commissioners LaFaye Copeland and Phillip Drew participated by telephone.

A Public Hearing was held for the Ray Woods variance request for events scheduled to be held on October 17-18, 2020 and November 13-14-15, 2020 for noise level and hours.

Mr. Ray Woods, 891 Bold Springs Rd spoke about the request. Mr. Woods stated that he and his son needed the variance to help make a living. Mr. Woods stated that the first race is an ARMA sanctioned event for vintage motorcycles and the second event is for the scholarship fund. Mr. Woods stated that riders from California and Canada will participate in the events. Mr. Woods presented a petition of people who are in support of the events.

Mr. Eddie Stuckey, 224 Connell Lane

Mr. Stuckey stated that he has known and completed work for the motocross people, and he supports them. We have great weather for fall events and they bring in money for the county.

Mr. Terry Bishop, 209 Brier Green Lane,

Mr. Bishop stated that he lives about a mile from Mr. Woods and talked about the noise the motorcycles create. Mr. Bishop requested a copy of the petition that Mr. Woods presented, and Mr. Buddy Johnson provided him with the petition.

Betty Godwin, 369 Pine Level Rd

Mrs. Godwin stated that the request for variance does not meet the requirements of Article 6 section 6.13. Mrs. Godwin talked about the Georgia Tech study completed and wants to know who paid the \$2,100.00 for the study. Mrs. Godwin stated that it would be a conflict of interest for Mr. Drew and Mr. Prince to vote on the variance as they do business with Mr. Woods and it would be a conflict of interest for Mrs. Knight as she is on the Grady Grows Committee working to bring people to the county.

Ray Woods, Rebuttal.

Mr. Bishop had stated that Mr. Woods had previously stated that he could run the event without the variance. Mr. Woods stated that if he stated that then he was incorrect.

Mr. Peter Wright, 304 Stevens Rd

Mr. Wright stated that you must have mercy on the people who lived close to the tracks. Mr. Wright does not feel it brings in much money to the county.

The Public Hearing was then closed.

Mr. Moye called the meeting to order.

Mr. Moye asked Mr. White to give the invocation and pledge to the flag.

Motion by Mr. Prince, second by Mrs. Copeland to approve the agenda as presented. The motion was approved.

#### **Public Comments**

Richard Jordan, 303 Jordan Lane

Mr. Jordan spoke about the Lake Authority meeting on June 1, 2020 with Davenport. Mr. Jordan stated he pressed about the fees for Davenport in issuing the bonds and they would not state what the fees would be. Mr. Jordan stated it makes no sense to bring in a middleman when Raymond James does a fine job. Mr. Jordan stated that it would be somewhere between \$175,000.00 to \$225,000.0 for the bond issuance.

Mr. Johnson asked where his numbers come from and Mr. Jordan would not answer.

Mr. Johnson stated the Lake Authority makes the decision concerning the bonds. Mr. Jordan stated that if you only save \$15,000.00 to \$20,000.00 it would not be worth it.

Mr. Johnson stated that the Lake Authority will make the final decision and recommend to the board.

## **PRESENTATIONS**

Zee Medical Service Co., Tony Barber

Mr. Barber is the sales rep for Zee Medical who services the Road Department. He spoke about the need for AED's in the county. Mr. Barber suggested the ZOLL A.E.D. which is good for 5 years for batteries at a cost of \$2,195.00 per unit. That includes the wall mount cabinet and training for up to 10 individuals per unit. The board will take this under advisement.

## **CORRESPONDENCE**

The Calendar of Events was reviewed.

Primary elections June 9, 2020, Early Voting ends June 5, 2020.

Grady Grows Committee Meeting June 8, 2020, 9:00 at Ag Center

Commissioners Regular Meeting on June 16, 2020 at 6:00 pm

## **CONSENT ITEMS**

Motion from Mr. Prince, second by Mrs. Copeland to approve the following consent items:

C034-20 Approval of Regular Meeting Minutes from 05/19/2020,

C035-20 Approval of Joint Meeting Minutes from 05/19/2020,

C036-20 Approve the sale of 2010 Dodge Charger on GOV Deals website

C037-20 Approve/Renew Intergovernmental Agreement Number 000003 between Grady County Board of Commissioners and the Department of Public Safety for space on the radio communications tower.

The motion was approved.

## **FORMAL ACTIONS**

FA0040-20 Motion by Mr. Prince, second by Mrs. Copeland to appoint Mr. Chip Wells and Mrs. Laura Register to a three-year term on the Lake Authority retro back to January. The motion was approved.

## **NEW/UNFINISHED BUSINESS**

Mr. Johnson provided an update on the new county website and it is looking great. Mr. Johnson stated that Summerhill has done a great job with the website.

Mr. Johnson stated that the Board of Commissioners have a good, solid relationship with the Lake Authority as things move forward.

Mr. Johnson offered the following comments on Grady County being a 2<sup>nd</sup> Amendment Sanctuary County:

To properly address this matter and get you the citizens of Grady County the correct information as to why the Board of Commissioners has not taken this matter up.

The specific duties of the board of commissioners are limited, but they do play a vital role in being the executive and legislative branch of the local jurisdiction. They keep required records, assess property, assist in administering elections and they oversee road maintenance.

Other duties assigned to the Commissioners are to oversee consumer protection through, economic development, planning, environmental quality, and social welfare programs and to establish local ordinances that have positive impacts on the County and its Citizens .

Commissioners may also oversee: Issuing bonds - Managing county parks - Collecting and disposing of trash - Managing pensions for county employees - Assisting Judges and The Sheriff in Administering courts and jails and Assisting the Tax Commissioner in collecting property and sales taxes

The commissioners are ultimately responsible to ALL voters in the County.

The County Commissions duties are defined and controlled by the state constitution and state statutes. Therefore, any actions they take can be overturned by the state courts.

Which leads us to the issue of becoming a Sanctuary County on any subject. Before the Commissioners take up this or any decision or cause they MUST consider a few things first:

1. Will the matter be beneficial to the Citizens and Taxpayers of Grady County as a whole?

2. Is the matter within the jurisdiction or control of the Commissioners?
  - a. Is it in our wheelhouse?
3. What is the need or threat to the County or its Citizens?
4. What positive gain will come from the actions that will benefit all taxpayers and Citizens?
5. What negative effects or losses will occur to the taxpayers or the county?
6. Is it legal and within the regulations of State and Federal Laws?

When considering the 2nd Amendment Sanctuary status, we must look at the reason that it came to life in the first place.

Several months ago, the Governor of Virginia sponsored a piece of legislation that if passed would have threatened the citizens of that state and their current rights under the 2nd amendment.

This act on his part gained national media attention. From that came the talking heads and pundits - for - and against - which created a national stir on the issue.

Some Georgia Counties, out of fear and concern, decided to create a resolution to become 2nd Amendment Sanctuary counties which in essence simply shows support for the current 2nd Amendment as it is written and was done so in reaction to the Virginia Governors proposed legislation.

The document was given to the Grady County Commissioners for review. In the meantime, the State of Virginia shut the proposed legislation down and the matter was dead before it could get started. Incidentally, The State of Georgia killed a similar proposed bill as well.

We did however have the County attorney look over the resolution to which he determined it was:

Non-Enforceable and would only serve as a written position that the Commissioners would be taking on behalf of ALL citizens of Grady county. It would have no authority or impact on any law and certainly would make no impact one way or the other on the Constitutional 2nd Amendment.

So, we tested the resolution and its need:

1. Will the matter be beneficial to the Citizens and Taxpayers of Grady County as a whole?
  - a. NO. There is no benefit, financial or otherwise to Grady County that would arise from this resolution or status.
2. Is the matter within the jurisdiction or control of the Commissioners?
  - a. NO. The Commissioners have absolutely no jurisdiction or legislative control over this matter and the document is worthless in the eyes of the courts.
3. What is the need or threat to the County or its Citizens?
  - a. NONE. There is no tangible or enforceable threat to any citizen of this County or in the State of Georgia for that matter of losing their 2nd amendment right to bear arms.
  - b. The Current politics of the United States were also considered:
    - i. The President is in full support of the 2nd Amendment and has veto power over any legislation less than a 2/3 majority vote.
    - ii. The US Senate has made it clear that they will not support any legislation that threatens the 2nd Amendment right to bear arms. Insuring a Federal Safe Zone for all US and Grady county citizens.
    - iii. The Governor of Georgia, Brian Kemp has made it abundantly clear that he has no intention of changing the 2nd amendment laws and he too has veto power over any legislation less than a 2/3 majority vote. This will be in effect for at least 2 and 1/2 more years.

iv. The Georgia Congress has made it abundantly clear and even proven that they will not allow any legislation that would change the 2nd Amendment rights of Georgia citizens to bear arms. Insuring a State safe zone for all Grady County citizens.

4. What positive gain will come from the actions that will benefit all taxpayers and Citizens?

a. NONE. There is no tangible benefit to becoming a 2nd amendment sanctuary county as it has no bearing on the amendment or the laws surrounding it and there is no benefit to any citizen of Grady County as there is NO CURRENT OR IMPENDING THREAT to anyone's constitutional right to bear arms in Grady County.

b. It should also be noted that if this were switched and an anti-2nd amendment resolution - there would be no tangible positive benefit to the County or its citizens in that scenario either.

5. What negative effects or losses will occur to the taxpayers or the county?

a. There would be a negative impact to the citizens who oppose the 2nd amendment, as they would feel – CORRECTLY - that the matter has been politicized and they would see it as an attack from the Commissioners that are supposed to be in support of all citizens.

b. It should also be noted that if this were an anti-2nd amendment resolution, there would be a negative impact from the citizens who support the 2nd amendment as they would too, would feel – CORRECTLY - that the matter has been politicized and they would see it as an attack from the Commissioners that are supposed to be in support of all citizens.

6. Is it legal and within the regulations of State and Federal Laws?

a. YES, as it mirrors what is already firmly in place both Federally and on the State levels.

Other things we considered...

Since the inception of the matter and its evolutionary death in the Virginia Congress, making it a moot point - and...

The current and foreseeable Federal and State Political environment is in complete agreeance with what is written in the resolution making a sanctuary status redundant, and...

there is no tangible positive impact to the community for the resolution or the sanctuary status -- yet-- there is a negative impact from taking up the matter, and...

If a threat should arise in the future that might require some action on the local level, that action would have plenty of time to be put into place,

Why should the Grady County Commissioners take the matter up at all???

They should not.

These issues are important and should be protected and if a person wishes to be an activist either for or against gun rights then they should do so through the APPROPRIATE channels.

There are organizations that specialize in pro-gun rights -and- there are organizations that specialize in anti-gun rights.

That is where a citizen or activist gets a collaborative voice! NOT in an elected Position as a Commissioner that has – ABSOLUTELY NO AUTHORITY over such matters and is designed to support and work for all citizens well-being...

not just the ones that only meet your personal beliefs.

The Grady County Commissioners have properly addressed this request and through sensible and reasonable thought have properly concluded that this matter is NOT within their scope of responsibility at this time and that taking any stance on it would bear a negative result with NO POSITIVE gain to our County, therefore leaving only one logical action.... TO TAKE NO ACTION.

Mrs. Becky Bracewell met with the board to answer questions concerning the start of activities at Barber Park as some parents have concerns about it. Mrs. Bracewell stated that they are putting all appropriate protocols in place to ensure the safety of the children. She will meet with the coaches this week and gage the number of kids who can participate and then she and Buddy will meet Friday to discuss.

**EXECUTIVE SESSION**

Motion by Mrs. Knight, second by Mr. Prince to enter in Executive Session to discuss Personnel. The motion was approved.

Motion by Mrs. Knight, second by Mr. Drew to exit Executive Session. No action was taken as a result of Executive Session.

**REPORTS**

- A. Attorney’s Report – None

**ADJOURNMENT**

Motion to adjourn was made by Mr. Prince and second by Mrs. Knight. The motion was approved.

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KEITH MOYE, CHAIR

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PHILLIP DREW, VICE-CHAIR

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RAY PRINCE, COMMISSIONER

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JUNE KNIGHT, COMMISSIONER

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LAFAYE COPELAND, COMMISSIONER

ATTEST:

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JOHN WHITE, COUNTY CLERK