

Town of Tyrone
Council Meeting Minutes
April 19, 2012

Present:

Mayor Eric Dial
Council Member Ken Matthews
Council Member Linda Howard
Council Member Ryan Housley
Police Chief and Interim Town Manager Brandon Perkins
Town Attorney Dennis Davenport
Finance/HR Manager Penny Hunter
Town Clerk Dee Baker

Absent: Mayor Pro Tem, Gloria Furr

Call to Order, Invocation and Pledge of Allegiance

Mayor Dial called the meeting to order at 7:00 p.m. The invocation was given by Pastor Greg Mallet, Way of Life Community Church. The invocation was followed by the Pledge of Allegiance.

Public Comments

Scott Harris who lives on Castle Lake Drive spoke regarding the soccer field drainage issue. Mr. Harris who is the Tyrone Soccer League's Treasurer spoke of several options to rectify the soccer field drainage issues. He stated that upon Council's request he gave four options; 1) to repair each field individually, which would take approximately one year, 2) repair the upper fields first followed by the lower fields which would reduce the time, 3) close down Tyrone Youth Soccer for a year and repair all fields at one time, 4) to ask one of the select soccer leagues such as Concord Soccer who came to us 5 years ago stating that they would repair the fields for free. However, they would have complete control over the current soccer field. Mr. Harris made the suggestion that we obtain an engineer study prior to any repairs which the soccer league asks to be a part of. The least costly would be to close all four fields and repair them at one time. The most costly option would be to repair one field at a time. Irrigation and a detention pond would need to be included in the cost of the upper fields.

Adrienne S. Brown who lives on Keswick Manor Drive spoke in opposition of the location of the gun range. Ms. Brown stated that family is the cornerstone of our community and wishes for it to remain that way. She stated that the gun range will be located 400 ft. from a family's home. She added that she is disappointed that Council approved a gun range so close to shopping, a grocery store, restaurants, schools and a place of worship. She also stated that she is concerned about the impact of property values, the impact on the environment and the increase in criminal activity.

She ended by saying that the community is asking for a different location perhaps in an industrial area.

Greg Bullard Jr. who lives on Arborcrest Court stated that he is in opposition of the location of the gun shop and shooting range at the Southampton Shopping Center. He stated that there is well-documented information regarding the hazards of lead. He stated that his information comes from the Centers for Disease Control (CDC). They have stated that for two decades there have been warnings issued regarding the hazards of lead in shooting ranges. He stated that there is a growing body of evidence that lead poisoning is a serious threat to health at and around gun ranges. He stated that in 2009 the National Institute for Occupational Safety and Health (NIOSH) issued an alert to those who worked in indoor firing ranges. The alert spoke of the exposure to hazardous levels of lead and noise, this included those who frequent the ranges as well. He stated that the factors included the type of ventilation system, types of ammunition and length of time used. He then added that the lead dust from the firearms used can be inhaled and can contaminate surfaces that will transfer to skin and clothing. He used an example of someone using a firearm at the gun range, and then shopping at Publix. The cart they use could then be used by a mother and child. The child could easily be contaminated. He named several symptoms of lead poisoning such as mental retardation. He presented pictures of the site and one of an individual shoveling casings in a hazmat suit.

Larry Hou who lives on 120 Newcastle Lane spoke in opposition of the gun range. Mr. Hou stated that if the gun range is placed in the Southampton Shopping Center it would have a negative impact on property values in the Town. According to his financial analysis the average Southampton home is valued at \$250,000. With the gun range in place values could drop 20%, multiplied by 350 homes this would add up to \$227,500 in lost revenue. He stated that the presence of gun shops lowers property values because of the noise pollution, health hazards caused by lead and the safety concerns. The lost sales tax if 200 households were to no longer shop at the Publix Shopping Center could add up to \$109,400 per month. He added that the lost revenue could be more than \$300,000 a year. In conclusion he asked if the Town had prepared a cost / benefit analysis to assess the full economic impact and if the Town is willing to take the risk of losing that much revenue.

Mary Conyers Taylor who lives on Maycroft Court spoke in opposition of the gun shop. She stated that she is a health practitioner that relocated from Baltimore, Maryland. She stated that when she left it was the most dangerous place in American due to gun violence. After several months looking for a place to relocate her family, she picked Tyrone. Tyrone has low violence, dedication to family and the county is one of the best for education. She stated that the neighborhood she grew up in is now a scary place. It started with a pawn shop, then a liquor store, then crime rose. I am concerned about people learning how to shoot that are not in law enforcement. Georgia has a "stand your own ground law". If there is an altercation for a parking spot, what stops you from going to your car and getting your gun. I found peace living in Tyrone. I will not have that again if the gun shop is built. Please listen to the passion in the voices of the moms. Worry about the revenue that will be lost if citizens like me will stop shopping at the Publix Shopping Center.

Derrick Jackson who lives at Westbourne Drive stated that he is a proud resident of Tyrone. You have heard many aspects of the impact the gun shop and range could have on the area. You heard about the potential criminal activity, safety hazards related to accidental firings, lead poisoning and economic distress on businesses. My question is, what is the vision of Tyrone? You are asking us to submit facts that we do have. It is obvious that an impact study was not initiated. Please do your due diligence. If studies are complete and we stand corrected put in on the website. Would you want this shooting range 400 feet from your backyard? Are you willing to take a risk of an accidental firing, losing small businesses or contamination?

Connie Redd who lives on Keswick Manor Drive spoke in opposition of the gun range location. She stated that she is a gun owner and her husband is a member of the National Rifle Association (NRA) and was happy to hear the gun range was coming to Tyrone. She was appalled to find out the range was 800 feet from her daughter's bedroom window. She stated that because she grew up around guns she did her due diligence. I have logged over 80 hours of research and can say without a shadow of a doubt it is too risky to put the gun range in the shopping center. Place the range in an industrial zoned area. I believe that the owner is a reputable man however lead is harmful to individuals and there is no threshold. She stated that according to the NRA range book there are two main causes of accidents; 1) human error and 2) mechanical failure. It takes one employee to skip a step and toxins could be released into the environment.

Dr. Anna Just-Buddy who is a business owner on Swanson Road spoke in opposition of the shooting range. She stated that her business deals with neurotoxicity on a daily basis. Lead toxins are extremely dangerous. According to the Environmental Protection Agency (EPA) if we come in contact with anything on our skin, within 26 seconds it gets into all organs. Georgia has a high rate of Attention Deficit Disorder and Autism. Why would we want to contribute to that? The Centers for Disease Control (CDC) says after pistols have been used there are measures that are needed in order to eliminate cross-contamination. The CDC suggests wearing protective gear such as gloves, glasses and shoe-covers when firing a gun.

Eric Woods who lives on Parkhaven Lane spoke in opposition of the location of the shooting range. Mr. Woods stated that he has 3 main points; 1) April 12, 2012 someone broke into AR Bunker and stole a shot gun. Another incident two young men entered AR Bunker a left with 2 firearms.

2) We are not opposed to a gun shop and shooting range, we are defiantly opposed to the location. There is a two acre lot across from the Shell station for a potential location.
3) I am praying that you listen to the will of the people that selected you and reconsider the location.

Randal C. Fleming who lives on Wynfield Drive spoke in opposition of the gun shop/firing range. Mr. Fleming started by quoting Mayor Dial, "At the end of the day, we are dealing with a legal business that desires to locate in an appropriately designated heavy commercial zoning district. Anything short of its approval would be a violation of the constitutional rights of the private property owner." He stated that every property owner has to adhere to the existing zoning practices. These rules fall under Mayor and Council and the rules have changed. There is a reason why the zoning was put in place when Southampton was built. You can not come back later and say, "Now I want a gun shop located near a subdivision." It does not work that way. It

does not match. It does not take into consideration all of the stakeholders that are grandfathered into that zoning. We, the residents do not agree with your decision. I would love to hear your follow up.

Approval of Agenda

Council Member Housley made a motion to approve the agenda.
Council Member Howard seconded the motion. Motion was approved 3-0.

Approval of Consent Agenda

Approval of Minutes, April 5, 2012

Council Member Howard made a motion to approve the consent agenda.
Council Member Matthews seconded the motion. Motion was approved 3-0.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

OLD BUSINESS:

NEW BUSINESS:

FINANCE:

1. Finance Report for the month of March, 2012. *Penny Hunter, Finance/HR Manager*

Revenue:

The Town has completed 75.00% of its fiscal year at the end of March, 2012. At this point, Tyrone had realized \$2,625,074 in revenue against a budget of \$3,506,255; this amount represents 74.87% of budgeted revenue. Property taxes are down \$37,064 and Franchise taxes are down \$63,789 from one year ago at the end of March. However, Property taxes are keeping ahead of budget at 98.31% collected while Franchise taxes are coming in just slightly ahead of budget at 79.97%.

Another revenue source that is lagging is the Governmental grants budgeted from D.O.T. for the road resurfacing, LARP and LMIG projects. These funds will be requested and matched against expenses as they occur.

Local Option Sales Taxes are now ahead of budget by only 1.90% or \$15,160.

Expenditures:

All Town Departments are currently under budget or right at budget for a total of \$2,113,951 against a budget of \$3,506,252. Overall expenditures are up from last March by \$49,793.

Of the \$488,990 budgeted for Capital Improvements, \$152,831 has been completed. Although this is only 31.25% of C.I.P., it is anticipated that all budgeted projects will be completed this fiscal year.

Year-End Projection:

I am projecting revenues to end the fiscal year at \$3,256,751 and expenditures to end at \$3,141,161. This will mean that the Town will not have to balance this year's budget with reserves as projected and budgeted. This year-end projection assumes that all capital projects are completed and invoiced this fiscal year, and it also assumes that grant funds are not received by the end of the fiscal year.

Available Cash:

The Town currently has 13 months of operating revenue for the General Fund in Reserves.

2. Comprehensive Annual Financial Report, June 30, 2012. Penny Hunter, Finance/HR Manager

Early this calendar year, Post & Associates completed the audit for Tyrone's fiscal year 2011. Per the Independent Auditors' Report , ..." the basic financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund position of the Town of Tyrone, Georgia, as of June 30, 2011 and the respective changes in financial position and cash flows, where applicable, thereof and the respective budgetary position of the General fund for the year the n ended, in conformity with accounting principles generally accepted in the United States of America."The assets of the Town exceeded its liabilities at the close of the fiscal year by \$12,869,164 (net assets). Of this amount, \$5,378,586 (unrestricted net assets) may be used to meet the Town's ongoing obligations to citizens and creditors. The government's total net assets decreased by \$17,641, primarily due to decreases in the governmental activities net assets. As of the close of the current fiscal year, the Town's governmental funds reported combined ending fund balances of \$4,591,288 an increase of around \$129,000 in comparison with the prior year. The governmental funds contain about \$119,000 in non-spendable amounts, \$516,000 in amounts restricted for specific purposes, committed funds of \$136,1 00, and unassigned funds of around \$3.8 million. The Town's revenues for fiscal year 2011 totaled \$3,930,000. Of this amount, \$3,249,000, or eighty three percent (83%), was generated from governmental revenues. The balance of \$681,000, or seventeen percent (17%), was generated from proprietary revenue.

Public Comments:**Staff Comments:**

Ms. Hunter briefed Council on her meeting with Representative Tom Tyler with Milner, Inc. The meeting was to discuss leasing options for the Town Hall and Police Department copiers. She stated that the administration options included color copies, a larger sorter, and a three-hole punch. The cost would be a difference of \$168.00 a month. The Police Departments upgrade is not as extensive. Their difference in cost would be \$56.00 a month. She stated that Mr. Tyler informed her that there would be no penalty for starting the new lease early and no charge for pick up of the used copiers. Ms. Hunter stated that there is \$4,000 in the office supplies budget and \$8,000 in other supplies so it is well within the range of budget. She then added that next fiscal year she will complete a reallocation.

Council Member Housley made a motion to move forward with the two lease options with Milner, Inc. for the administrative offices and the Police Department.
Council Member Howard seconded the motion. Motion was approved 3-0

Council Comments:

Executive Session:

Pursuant to O.C.G.A. § 50-14-4 (b) of the Open and Public Meetings At, Council will meet in Executive Session to deliberate: 1. Pending Litigation, 2. Threatened Litigation

Council Member Matthews made a motion to enter into executive session to discuss an item of pending litigation and one item of threatened litigation.
Council Member Howard seconded the motion. Motion was approved 3-0.

Council Member Howard made a motion to reconvene.
Council Member Matthews seconded the motion. Motion was approved 3-0.

Adjournment

Council Member Matthews made a motion to adjourn. Motion was approved 3-0.

Meeting adjourned at 9:10 pm.

By: _____
Eric Dial, Mayor

Attest: _____
Dee Baker, Town Clerk