

Garland County
Public Health, Welfare & Safety
Working Group Committee Meeting
Minutes
June 27, 2018

Members Present: Chairman Larry Griffin, Justices Dave Reagan, Larry Raney, Thomas Anderson and Jimmy Young

Members Absent: None

Also present: Citizens, Elected Officials, Staff, and Media

Chairman Griffin called the meeting to order and introduced the County Attorney, John Howard. Mr. Howard stated that a local attorney and Paradise Cove resident, Hal Cook, requested the meeting to address a public safety problem on Lake Hamilton, to determine if any action needs to be taken, whether there needs to be any amendments to the county ordinance, and to see if there are any ways to address the public safety issues. Mr. Howard gave a brief history of the Sheriff's Department's authority to monitor the buoy placement on Lake Hamilton. That authority was abdicated by Ordinance O-03-30 to Entergy with guidelines and requirements as to how that would be done. This ordinance allows the Sheriff's Office to request the placement of a buoy and the Game & Fish Commission to approve it through a permitting process. The ordinance suggests that the county follow the requirements of the Game & Fish Commission, which states that buoys will only be allowed at commercial establishments, public launching ramps, and public swimming areas. Howard stated that Mr. Cook's concerns do not fall within those requirements. A change in the law or a recommendation and a request by the Sheriff is needed to change the placement of the buoys.

Sheriff Mike McCormick stated that the Sheriff's Department could only enforce violations on the lake, but does not have the equipment or the resources to place or maintain the buoys. McCormick stated that he would not be opposed to making a request if a buoy placement would not cause an unsafe situation. McCormick feels like that a buoy located in Paradise Cove would be a reasonable request.

Ms. Kimberly Bogart, an Entergy representative, stated that Entergy is involved with permitting the buoys because the buoys are attached to Entergy property. Bogart stated that Entergy has no boating law authority, refers to the boating law administrators for the position of the buoys, and follows the recommendations of the Sheriff and the Game & Fish Commission. Sheriff McCormick stated that the Marine Patrol resources are very limited when enforcing the boating laws on Lake Hamilton. Howard stated that if the Sheriff makes a request, the Game & Fish has 90 days to approve or deny it. If no action is taken, then the request is approved. Sheriff McCormick stated that the Sheriff has the authority to remove buoys if they are not in the specified location; however, he does not have the resources to remove them. Ms. Bogart stated that Entergy has a 50-foot buffer on the buoy location and anything beyond that will fall under the Sheriff's authority to remove the buoys; tasked with monitoring the existing buoys on the lake.