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is owned by  
Good Shepherd  
Media, LLC

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# OPINIONS & VIEWPOINTS



**HISTORICALLY SPEAKING**  
current events through a historical lens  
Dr. James Finck, USAO History Professor

## Presidential Competence in an Age of Instantaneous Interaction and Decisiveness

By James Finck, Ph. D.

A bombshell was dropped earlier this month when Department of Justice Special Counsel Robert Hur released his findings on President Joe Biden’s handling of classified documents. The good news for Biden was Hur does not plan to bring charges. However, the bad news was that even though Hur concluded that Biden was actually guilty, no jury would convict him because Biden is too old and has, “limited precision and recall.” Hur’s ultimate conclusion was that Biden is “a sympathetic, well-meaning elderly man with a poor memory.” The statements—though probably politically motivated—are damning to the president because to many they only confirm what they already suspect: Biden is too old and will never make four more years.

Age has always been a concern for presidential elections. It was one of the biggest issues facing Ronald Reagan when he ran for president at age 73. Yet that is now seeming young compared to the two presumptive candidates with Trump at age 77 and Biden at 81.

With Biden, between the reports and what seems like mental slips in the last few years, voters have wondered what happens if the president becomes mentally unable to fulfill his duties. Historically speaking, it would not be the first time a president was mentally incapacitated, only the first time it happened that the public never knew.

In 1912 the very progressive ex-governor of New Jersey, Woodrow Wilson was elected President of the United States as a Democrat, only the second since James Buchanan’s 1856 election. As a progressive, he shaped the direction of the nation including instituting income tax, direct election of senators and women’s suffrage. While in office, arguably Wilson’s two biggest events were personally the marriage to his second wife Edith Galt Wilson in 1915, and internationally the beginning of WWI in 1914. Wilson used American neutrality in the war as his campaign slogan, “Vote for Wilson! He kept us out of war,” when he ran for reelection in 1916. Yet it was only about a year later that America sided with the Allies and started shipping soldiers off to France.

Historians debate whether Wilson intended all along to enter the war. Those who believe he always planned on fighting do not believe his progressive nature would allow him to stay out of a fight that had such important outcomes. The war changed the map of Europe and toppled four major empires. Wilson knew the only way he would have a seat at the table after the war was as a fighting participant. Wilson, who held a Ph.D. in history and government from Johns Hopkins University and had served as president of Princeton University, was so confident he could solve all the worlds issues he showed up at the negotiating table with his Thirteen Points and expected to dominate the meeting. While Wilson did not get all his points into the Treaty of Versailles, he did get his most desired point: establishing the League of Nations, an international body that could solve future problems before they escalated into war.

The problem for Wilson was the Republican congress back home. Knowing the treaty needed congressional ratification, Wilson should have consulted with key Republicans on the treaty, but he was not that kind of president. When he presented the treaty to the Senate it was rejected, especially the League of Nations.

However, instead of compromising with Republican senators, Wilson took his cause to the people. He believed that the people would rally to his cause and force the senate to accept the League. For months Wilson rode a train around the nation giving whistlestop speeches to any crowd that would listen. However, in October, overworked and physically exhausted, the president suffered from a stroke that left him paralyzed and mentally impaired.

Instead of reporting the stroke, Edith and a small group decided to cover it up and tell the American people he was suffering from exhaustion. While the government continued to function normally Edith began making the executive decisions, including meeting with cabinet members and foreign dignitaries. When Republicans demanded an audience, Edith pulled a scene straight out of Weekend at Bernie’s, where she dressed Wilson up, put his bed in the shadows with his paralyzed side to the wall. Wilson was able to pull it off with enough ability to carry a very short conversation to appease his detractors. Edith pulled off the act for over a year, knowing that, if discovered, the League of Nations would be doomed. In the end, it did not matter as the Republicans voted down American membership in the League, killing it before it even got started. As for Wilson, Edith was able to keep his secret until President Warren G. Harding was inaugurated.

I’m not sure if Jill Biden would be up to the task like Edith Wilson, but fortunately, if something were to happen to the president there are now laws in place. After the death of President John F. Kennedy, Congress pushed through the 25th Amendment that set up the line of accession to the presidency. In Section Four it states, “Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.”

This section allowed for the president to be replaced if he is no longer able to perform his executive duties. While so far this amendment has only been used temporarily, mostly for colonoscopies, there are many who believe it might be enacted for the first time no matter which elderly statesman holds the office..

*James Finck, Ph.D. is a professor of history at the University of Science and Arts of Oklahoma and writes for the Southwest Ledger. You can follow Historically Speaking on Facebook or at Historicallyspeaking.blog.*

## Valdosta Monkey’s Thoughts & Opinions

Send your questions for

Valdosta Monkey to

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## Thoughts on legal and illegal Public Meetings

Opine Monkey is still out of country and has asked me to pen this week’s column. Allow me to introduce myself, I am Political Monkey.

Recently I’ve seen some hate on social media aimed at this publication. I’ve also noticed a common denominator in the origin of said hate, which I will keep to myself for the time being.

In reference to “Public Meetings” and “Illegal Public Meetings” let me paste the following...

The public must be given full access to all open meetings and may make video and audio recordings of all open meetings.

In addition to mandating open meetings, the Law requires that agencies provide notice to the public in advance of all meetings, even emergency meetings. That means agencies must make information available to the general public by, in the case of regular meetings, posting at least one week in advance a notice containing the information in a conspicuous location at the agency’s regular meeting place and on its website if the agency has one. The notice must do more than simply meet the technical requirements of the Law. It must be sufficient to reasonably apprise a concerned party of an upcoming meeting and must not be misleading.

Special or emergency meetings that are not held at the regularly posted time and place require more rigorous notice procedures. Such notice includes the posting at least 24 hours in advance at the regular meeting place and oral notification to the newspaper which serves as the legal organ for the county. In counties where the legal organ is published less than four times a week, notice also must be given to any local media outlets that make a written request to be so notified. Such outlets must be notified at least 24 hours in advance of the called meeting. In those rare circumstances where a meeting must be held upon less than 24 hours’ notice, either the county’s legal organ or a newspaper having a circulation at least as high as that of the legal organ must be notified, as well as other media that have requested to be notified by the agency.

Prior to all meetings, including emergency meetings, the agency holding such meetings must make an agenda of all matters expected to be considered available upon request and must post the agenda at the meeting site as far in advance as possible within two weeks prior to the meeting. Items not on the agenda may be considered at a meeting where it becomes “necessary” to do so and such items were not anticipated in advance and deliberately omitted from the agenda.

Minutes of all public meetings must be kept in writing and made available to the public for inspection no later than immediately following the next regular agency meeting. Such minutes must contain, at a minimum, the names of the members present at the meeting, a description of each motion or other proposal made, the identity of the individuals making and seconding the motion or other proposal and a record of all votes. These minutes are subject to the Open Records Law after approval, unless voluntarily released before approval. A summary of the meeting also must be provided by the agency within two business days.

**Penalties for Non-Compliance**

**All actions taken during a meeting closed in violation of the Law are void and can be set aside by a court if challenged within ninety days of discovery. Anyone who “knowingly and willfully” conducts or participates in a meeting without complying with every part of the Law is guilty of a misdemeanor punishable by a fine not in excess of \$1,000.00. Alternatively, a court may impose a civil penalty not to exceed \$1,000.00 against anyone who negligently conducts or participates in a meeting without complying with the Law. The court also may impose a criminal fine or civil penalty not in excess of \$2,500.00 for each additional violation committed within a year of the first violation.**

Additionally, public officials who participate in closed meetings in violation of the Law can be subject to recall. Moreover, failure to give adequate notice can result in the invalidation of the proceedings, the issuance of legal injunctions and the requirement to pay the objecting party’s legal costs. In addition, the Attorney General may bring a civil or criminal action to enforce compliance with the Law. As with the Open Records Law, a government agency may be liable for the attorney’s fees of a party who brings a lawsuit to require compliance with the Law if that agency has acted without substantial justification.

Let me be clear, I’m not saying that illegal meetings have or are taking place. I’m just stating the Georgia Sunshine Laws concerning public meetings.

What would be outstanding is if more of the public would take the time to attend such meetings. Especially when those that you have elected are having the meetings and are spending your tax dollars.

I think more people should request to see the operational budgets of all governmental agencies. It might be interesting to see exactly how, where and with whom your tax dollars are being spent.

Is it a bad thing to demand good stewardship and accountability when the politicians are spending our money?

If everything is on the up-and-up then there should be no issue with being as transparent as is required by law.

Some of you may be asking yourself, “Why did Political Monkey paste the Georgia Sunshine Law?” Because “ignorance of the law” is no excuse.

You are invited to “Like” and “Follow” Valdosta Monkey on Facebook and visit his webpage at [www.valdostamonkey.com](http://www.valdostamonkey.com)