BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

In Re: Sandersville Railroad Company's Petition For Approval to Acquire Real Estate by Condemnation	**Docket No.: 45045**

DIRECT TESTIMONY OF DAVID MARK SMITH

to be presented as a panel consisting of
Members of the No Railroad in Our Community Coalition
& Others

August 25, 2023

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Q. PLEASE STATE YOUR NAME, OCCUPATION, AND ADDRESS.

A. My name is David Mark Smith. I am a retired educator and a veteran. I began my career in teaching with the Hancock County School System where I taught for five years. I also taught for three years with the Department of Defense School System in Japan and then retired with the Washington County School System. I'm now a third-generation farmer and serve my community by providing vegetables through our Smith Gardens Food Ministry and our local food bank, Helping Hands. I live with my wife, Janet Paige Smith, on Shoals Road in Sparta, GA.

Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE COMMISSION?

A. No, I have not previously testified before the Commission.

Q. HOW LONG HAVE YOU RESIDED AT YOUR HOME ON SHOALS ROAD IN SPARTA?

A. We moved to Sparta in June 1992, after serving and traveling in the army for fifteen years. We built our current home on the thirty acres my father gave to me. We have lived in our home since then, almost 31 years now. Our family has lived on this property and surrounding properties for almost 100 years. I was raised on the farm my grandfather established in 1927. My grandfather, James Blaine Smith, was a descendant of enslaved people, and he traded his harvest to buy almost 600 acres of land, including our land, in around 1926. He started a farm business on the land called Smith Produce, where he sold cotton, peas, butterbeans, corn, and more.

Q. DESCRIBE YOUR NEIGHBORHOOD AND COMMUNITY AS IT

EXISTS TODAY.

A. Many of our neighbors are the same families that lived here when my grandfather owned the land. Everyone in the community benefitted from my grandfather's 600 or so acres of land, and they still remember it. He was very generous and allowed people to live on the land. He owned a neighborhood store where people purchased produce grown on the farm. The community is still tight-knit, and our lifestyle is quiet and peaceful. Most of the people who live here are African Americans, retired, and live on fixed incomes, or they work in factories or are domestic workers. We have a historic church in our community, the St. Galilee Baptist Church, and a graveyard where our ancestors are buried. There are ponds surrounded by beautiful pine trees and a real sense of serenity. We are proud of the community we live in and the stewardship the Smith family has put into preserving this land for future generations.

Q. HOW LONG DO YOU PLAN TO REMAIN IN YOUR COMMUNITY AND IN SPARTA?

A. Janet and I both just retired. We will be here on this land for our lifetime.

Q. HAVE YOU EVER CONSIDERED SELLING YOUR PROPERTY?

A. No.

Q. WHAT IS YOUR RELATIONSHIP TO THE NO RAILROAD IN OUR COMMUNITY COALITION?

A. We are the founders of the No Railroad in Our Community Coalition, which is an unincorporated association that was created in August 2022 in response to

Sandersville Railroad Company's threats to take land from people in the chosen path of the proposed railroad project. We talked to our neighbors and realized that many of our neighbors located near the quarry never received a letter stating that a railroad would travel near their property lines and that others opposed a railroad running near their homes. The Coalition's headquarters are located at our home on Shoals Road in Sparta, Georgia. Although Benjamin Tarbutton, President of the Sandersville Railroad Company, sent us a letter on July 12, 2022, stating our property would no longer be needed because he had moved the train route back, it was still going to be on Smith property and continue to run down our neighbors' back yards.

Q. WHAT IS THE PURPOSE OF THE NO RAILROAD IN OUR COMMUNITY COALITION?

A. The purpose of the No Railroad in Our Community Coalition is to stop Benjamin Tarbutton from taking land from property owners and running his railroad near our neighbors' homes and near the historical St. Galilee Baptist Church and historical graveyard in the community. The church and graveyard are listed in a book, *Cemeteries of Hancock County*, located in Hancock Public Library recognizing their historical importance.

Q. **WHAT INTERACTIONS HAVE YOU HAD WITH THE SANDERSVILLE RAILROAD COMPANY?**

A. The railroad company held an August 2022 meeting, which was supposed to be a meeting with the railroad company and our community, but, in my opinion, it

was not a meaningful exchange, and they tried to show us all the "great things" that would benefit our community. The meeting was for the whole county, with the Sandersville Railroad Company and its staff, CSX, surveyors, the Hanson Quarry– everyone who could profit from the railroad was there. The community meeting was not set up to give members of the community an opportunity to ask questions or express their concerns and disapproval of the railroad. They did not even have chairs for the elderly, no microphone—they did not intend to listen to us. The railroad company was even taking job applications when there were no jobs for people in this community. The people in our community are too old to work on the railroad and in the quarry. The ones who are still working do not meet the qualifications. In fact, most of the people in Hancock County do not meet Sandersville Railroad Company's qualifications. I represented the community at that meeting and told Tarbutton we disagreed and did not want this in our community, that the quarry was already there, that folks had historical attachments to property, and that this would be disruptive to our community. No compensation could make up for that. He just walked away from me and the other coalition members.

Sandersville Railroad has not given us all the information we would like about its plan for the railroad and the route since we received a letter from Tarbutton on April 4, 2022. No map/route of the proposed spur was attached to the letter. We received a map of the proposed route in August from our neighbor, who also received a letter. After studying the map, we noticed how close it would come to our home and that it would almost split other Smith properties in half. We noticed on the map large

tracts of forest and no homes or businesses. We also noticed that the route ran behind our community members' homes. Researching Hancock County property records, we saw that white property owners owned the property. We questioned, did Benjamin Tarbutton target our county and community because we are a predominately Black and low-income neighborhood?

Q. WHERE IS THE PROPOSED RAILROAD PROJECT LOCATED WITH RESPECT TO YOUR PROPERTY?

A. Initially, Tarbutton's route had the railroad coming between the Smith ponds, which would have been right behind my home and the Family Home house. At some point, and we are unsure why, he moved the train route. He moved it back from our property line but not from our neighbors on Maggie Reynolds Road. Currently, our property is no longer on the proposed route. But we continue to object to the railroad because the project will affect our use and enjoyment of our property and the character of our neighborhood and community and limit our options by decreasing the value of our property.

Q. WHAT DISTURBANCES, IF ANY, DO YOU EXPECT THE RAILROAD, THE EXPANDED QUARRY, AND ALL OTHER ASSOCIATED DEVELOPMENT WILL CAUSE TO YOUR PROPERTY?

A. I expect that our property will be devalued, and our children will not want to return to their home place. Hancock County, a predominantly Black county, is already labeled one of the poorest counties in Georgia because of our lack of economic opportunity. We already have a 32-year-old quarry and asphalt plant in our

neighborhood and another quarry and train five miles from our home. But our County Board Chairman has already stated that the county receives very little sales or ad valorem taxes from the quarries and asphalt plant.

Q. WHAT DISTURBANCES, IF ANY, DO YOU EXPECT THE RAILROAD, THE EXPANDED QUARRY, AND ALL OTHER ASSOCIATED DEVELOPMENT WILL CAUSE YOUR NEIGHBORHOOD?

A. We have a volunteer fire department in our town, but no other emergency response teams. I have seen rail accidents on the news in other places recently, and I am concerned that a similar accident with the railroad or quarry, like a fire or derailment, would cause extensive damage and even loss of life in our community.

Q. ARE THERE ANY OTHER REASONS YOU FOUNDED THE COALITION?

A. I know most of our community members, and they are elderly. I know they have limited knowledge of how to represent themselves or fight against a powerful railroad company. They have been living with Heidelberg Quarry and Pittman Asphalt Plant in the neighborhood and have protested to local officials for years, and the quarry and the plant remain in the neighborhood. Janet and I wanted to be a voice for our neighbors. Benjamin Tarbutton has said that his railroad hauling granite rock is going to help our impoverished county. We may be on the poverty scale compared to other counties, but we do not live in poverty. Our community members own their own homes, have served in the military, sent their children to college, and look forward to spending summers with grandchildren. We fear that allowing a train,

rock quarry, and asphalt plant to further establish themselves would lower property values and decrease generational wealth in our community.

Q. IF THE RAILROAD IS NOT BUILT, WHAT IS YOUR PLAN FOR YOUR PROPERTY?

A. This land means everything to us. My grandfather came from very little, and he was able to get this land and build something. Then he passed it down to my father. My family has fought so hard to keep it through all these years. We hope to pass all our land to our family members intact, with its monetary value, beauty, and peacefulness, just as it was passed down to us through generations. We want to keep this land in our family for hundreds more years.

Q. IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD?

A. Yes, as a veteran myself, and being from a family of veterans including my wife Janet, who served during Desert Storm, and my sons, who served on combat duty during the Iraq war, I know what sacrifice feels like. I'm not only fighting for our right to keep my family property, but for my community. I'd like Mr. Tarbutton to know that the freedom he has and privilege to own a business was not free.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing Direct Testimony via electronic mail and United States Mail with sufficient postage thereon to the following, pursuant to Ga. Comp. R. & Regs. 515-16-16-.02 and 515-2-1-.04(4)(b), (3), addressed as follows:

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