



Board of Commissioners

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their regular monthly meeting on Monday, May 7, 2001 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Commissioners Martha McDaniel, Merrill Massengale, Johnie McDaniel and Michael Kendall present. Commissioner Dick Morrow was absent. Also present were County Manager William Wilson, County Attorney Jim Fortune and County Clerk Phyllis Doane.

Agenda Topics

- I. OPENING (CALL TO ORDER) – Chairman Massengale**
- II. INVOCATION - Rev. Randy Valimont**
- III. PLEDGE TO FLAG – Led by County Manager Wilson**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Brian Smith with Sullivan & Sturdivant is present to present a check from the Georgia Indigent Defense Council in the amount of \$24,777.28. Sam Sullivan and Harold Sturdivant were present to present the check for the second distribution.

2. Consider approval of a Joint City/County Proclamation “Nunc Pro Tunc” proclaiming Friday, April 20, 2001 as “High School Soccer Day” in the City of Griffin and Spalding County, Georgia. This Proclamation was present at the Griffin High/Spalding High Soccer Game Friday, April 20, 2001 by Commissioner Johnie McDaniel. *Motion made by Commissioner Martha McDaniel to approve the following Proclamation and incorporate same into the minutes. Commissioner Johnie McDaniel seconded the motion and motion was unanimously approved by a vote of 4-0.*

Joint City/County Proclamation

“High School Soccer Day”

WHEREAS, The City of Griffin and Spalding County are proud to join the Griffin High School and the Spalding County High School Soccer Booster Clubs as they celebrate the inaugural season of two high school soccer teams, the Griffin High Bears and Spalding High Jaguars, in their first meeting April 20, 2001 and anticipate it to become an annual cross town rivalry unlike any other; and

WHEREAS, Soccer is the world’s most popular team sport played by millions of players across almost every continent. Soccer as a team sport encourages good character, strong sense of self-determination and self-worth, promotes and encourages good behavior at school and in the community and teaches respect, courtesy, caring, responsibility, honesty, healthy lifestyles, intelligence and integrity; and

WHEREAS, Soccer is one of the fastest growing sports for children in Griffin and Spalding County. The sport was almost unknown twenty years ago, but now five hundred fifty (550) kids play Griffin Youth Soccer. In addition, many parents serve as coaches, team “Moms” and referees. Griffin Youth Soccer hosts a minimum of three tournaments each year drawing teams in from all over the United States; and

WHEREAS, Griffin High School has a history of excellence in the game of soccer. They have been in region play off games and even made it to state playoff games. Both of the boys and girls teams are known and respected around the State of Georgia. The JV teams get these boys and girls ready to play. Of the fifteen Seniors that will be recognized on April 20th, most have been scouted by college coaches and several will be offered scholarships; and

WHEREAS, In its first year of existence, Spalding High School sports have come on strong whether playing at a varsity or JV level. Each sport has stepped up to try to out do the other. The Spalding High

School Athletic Department has set a real precedence for a first year program—one that would be hard to compete with even in a seasoned program.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County and the Board of Commissioners of the City of Griffin that **Friday, April 20, 2001** is hereby proclaimed as

“HIGH SCHOOL SOCCER DAY”

in the City of Griffin and Spalding County, Georgia and urge all citizens to recognize and support this inaugural soccer day.

This the 20th day of April 2001.

V. PRESENTATION OF FINANCIAL STATEMENTS – n/a

VI. CITIZENS COMMENTS – n/a

VII. PUBLIC COMMENT

1. Eddie Grogan, Chairman of the Committee that is charged with the responsibility of educating citizens on the Recreational SPLOST asked the Board what was the priority of the construction projects that are going to occur. He asked the Commission to memorialize in some respect the exact project priority for the three projects on the sales tax referendum.

County Manager Wilson stated that he believes that it was the Board’s intent that the ballot was written in the order in which they wanted them to be accomplished. He said that the engineering and design on the Wyomia Tyus Olympic Park Aquatic Center was completed and that could be and should be the first project. He said the other two projects on the ballot have had no design nor engineer work done on them at all.

Commissioner Martha McDaniel stated that the recommendation from the Parks and Recreation Advisory Commission was that the Aquatic Center be done first, then the Fairmont Center Project and then the Senior Center expansion.

She asked that it be memorialized in the minutes indicating that the construction projects in order be the Wyomia Tyus Olympic Aquatic Center, the Fairmont Community Center pool and then the Senior Center expansion as so shown on ballot. The other Commissioners concurred with her.

VIII. MINUTES

1. Consider approval of the minutes for the Extraordinary Session of April 16, 2001 and Public Hearing of April 26, 2001. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel the minutes were unanimously approved by a vote of 4-0.*

IX. CONSENT AGENDA

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the items on the Consent Agenda were unanimously approved by a vote of 4-0.

1. Consider at first reading an ordinance amending the Spalding County Code to provide for a Four-Way Stop at Birdie and Steele Roads Intersection. ***The Ordinance will be incorporated into the minutes on second and final reading.***

2. Consider at second reading an ordinance amending the FY 2001 Budget Ordinance to provide for additional appropriations for Employee benefits.

**AN ORDINANCE AMENDING THE
FISCAL YEAR 2001 BUDGET ORDINANCE
FOR
SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2001 Fiscal Year pursuant to the requirements of Title 36, Chapter 81 of the Official Code of Georgia, and Section 2-5003 of the Code of Spalding County; and

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 5, “AR-1 Agricultural and Residential District”, Section 503(A)(8).

Section 2: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 5, “AR-1 Agricultural and Residential District”, Section 503(B)(19):

Section 503: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exception** in the AR-1 District:

19. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 504 are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 3: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 6, “AR-2 Rural Reserve District”, Section 603(A)(7).

Section 4: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 6, “AR-2 Rural Reserve District”, Section 603(B)(13):

Section 603: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exception** in the AR-2 District:

13. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 604 are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 5: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 7, “R-1 Single Family Residential Low Density District”, Section 703(A)(6).

Section 6: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 7, “R-1 Single Family Residential Low Density District”, Section 703(B)(4):

Section 703: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exception** in the R-1 District:
4. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 704 are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 7: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 8, “R-2 Single-Family Residential District”, Section 803(A)(9).

Section 8: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 8, “R-2 Single-Family Residential District”, Section 803(B)(4):

Section 803: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exception** in the R-2 District:
4. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 804 are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 9: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 8A, “R-2A Single-Family and Two-Family Residential District”, Section 803A(A)(9).

Section 10: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 8A, “R-2A Single-Family and Two-Family Residential District”, Section 803A(B)(3):

Section 803A: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exception** in the R-2A District:

3. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 804A are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 11: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 9, “R-3 Multiple-Family District”, Section 903(A)(4).

Section 12: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 9, “R-3 Multiple-Family District”, Section 903(B)(1):

Section 903: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exception** in the R-3 District:

1. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 905 are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 13: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 10, “R-4 Single-Family District”, Section 1003(A)(6).

Section 14: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 10, “R-4 Single-Family District”, Section 1003(B)(4):

Section 1003: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exception** in the R-4 District:

4. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 1004 are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 15: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 11, “R-5 Single-Family District”, Section 1103(A)(9).

Section 16: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 11, “R-5 Single-Family District”, Section 1103(B)(5):

Section 1103: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exception** in the R-5 District:

5. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 1104 are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 17: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 11A, “R-6 Single-Family District”, Section 1103A(A)(6).

Section 18: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 11A, “R-6 Single-Family District”, Section 1103A(B)(4):

Section 1103A: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exception** in the R-6 District:

4. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.

- b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
- c. No vehicles or equipment may be stored on the lot.
- d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
- e. All other development standards as enumerated in Section 1104A are waived, except for J., M., T., and X.
- f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 19: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 12, “C-1 Highway Commercial District”, Section 1203(A)(13).

Section 20: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 12, “C-1 Highway Commercial District”, Section 1203(B)(4):

Section 1203: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exception** in the C-1 District:

- 4. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 1204 are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 21: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 13, “C-1A Neighborhood Commercial District”, Section 1303(A)(49).

Section 22: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 13, “C-1A Neighborhood Commercial District”, Section 1303(B)(7):

Section 1303: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exception** in the C-1A District:

- 7. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.

- c. No vehicles or equipment may be stored on the lot.
- d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
- e. All other development standards as enumerated in Section 1304 are waived, except for J., M., T., and X.
- f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 23: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 14A, “C-1C Manufacturing-Light District”, Section 1403(A)(20).

Section 24: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 14A, “C-1C Manufacturing-Light District”, Section 1403(B)(6):

Section 1403: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exception** in the C-1C District:

- 6. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
 - e. All other development standards as enumerated in Section 1404A are waived, except for J., M., T., and X.
 - f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 25: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 15, “C-2 Manufacturing District”, Section 1503(A)(50).

Section 26: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 15, “C-2 Manufacturing District”, Section 1503(B)(7):

Section 1503: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exception** in the C-2 District:

- 7. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.

- d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
- e. All other development standards as enumerated in Section 1504 are waived, except for J., M., T., and X.
- f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.”

Section 27: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 28: All Ordinances or Resolutions, or portions thereof, in conflict herewith shall be and are hereby repealed.

- **Amendment to UDO-A-01-07:** Article 2. Definitions: Section 202—add definition for utility substation.

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on April 26, 2001 pursuant to O.C.G.A. 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 2, "Definitions" to appear as Section 202SSS':

Section 202: General Definitions.

SSS'. **Utility Substation:** Any public or private utility facility which is designed for the purposes of switching, storage, transfer, rebroadcast or other transmission or re-transmission purposes, exclusive of individual transmission line, which provides services including (but not limited to) cable television, telephone, gas and electricity. This definition shall exclude any facility of the City of Griffin or Spalding County for the provision of electricity, water or sewer service.

Section 2: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 3: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

- **Amendment to UDO-A-01-08:** Article 4. General Procedures: Section 419(G)(1)(b)(1' & 2')—revision to fee schedule.

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 4, Section 419, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on April 26, 2001, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia conforms with sound comprehensive planning principles and is of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Georgia: Article 4, entitled “General Procedures”, Section 419(G)(1)(b)(1’) and Section 419(G)(1)(b)(2’).

Section 2: The following provisions shall be added to the Zoning Ordinance of Spalding County, Georgia, to appear as Article 4, “General Procedures” to appear as Section 419(G)(1)(b)(1’) and Section 419(G)(1)(b)(2’):

Section 419: Fees.

G. Building Permit

1. General Contractor or Owner using Day Labor: a minimum fee of \$25.00, plus the fees specified below in either Section 419(G)(1)(a) or Section 419(G)(1)(b).

b. All other construction types (based on construction cost):

- 1’. \$1,000 or less: No fee, unless inspection is required, in which case a \$50.00 fee for each inspection shall be charged.

- 2'. \$1,000.01 to \$50,000: \$50.00 for the first \$1,000 plus \$8.00 for each additional thousand or fraction thereof.

Section 3: The foregoing amendments of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 4: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

2. Consider at first reading an ordinance amending the Spalding County Code relative to Board of Commissioners. *Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Martha McDaniel ordinance on first reading was unanimously approved by a vote of 4-0. **The Ordinance will be incorporated into the minutes on second and final reading.***

XI. NEW BUSINESS

1. Consider fully insured health insurance program for FY 2002. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel the following Blue Cross Blue Shield dual choice program through ACCG where an employee can elect either an HMO or PPO coverage with premiums as follows was unanimously approved by a vote of 4-0.*

	HMO	PPO	CURRENT
Employee	\$395.22	\$464.38	\$310.00
1 Dependent	\$190.00	\$223.25	\$138.50
Family (2+dep)	\$290.00	\$340.75	\$238.50

2. Consider at first reading an ordinance amending the FY 2001 Budget Ordinance to adopt a budget for Law Library Fund and Confiscated Asset Fund. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel budget ordinance on first reading was unanimously approved by a vote of 4-0. **The ordinance will be incorporated into the minutes on second and final reading.***

3. Consider adoption of a Resolution for the Griffin-Spalding County Development Authority. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel the following Resolution was unanimously approved by a vote of 4-0.*

STATE OF GEORGIA *
 * **RESOLUTION**
COUNTY OF SPALDING *

BUSINESS RETENTION AND EXPANSION PROCESS

WHEREAS, the goal of every unit of local government in Georgia is to provide the highest possible quality of life for its citizens; and

WHEREAS, the overall health of the businesses in a community contributes significantly to the economy, local tax base, and employment opportunities for local citizens; and

WHEREAS, the Griffin-Spalding County Development Authority and other local government officials, working with business and civic leaders, can form working partnerships to encourage the retention and expansion of the existing community business base; and

WHEREAS, the Georgia Business Retention and Expansion Process, coordinated by the Georgia Department of Community Affairs, offers tools which can be utilized by local leaders to improve knowledge about and communication with local industry to encourage further economic development; and

WHEREAS, the governing body of Spalding County, has reviewed this program process and pledges its full support as a part of the overall commitment to community preparedness for economic development;

NOW, THEREFORE, the Board of Commissioners of Spalding County has entered into the Georgia Business Retention and Expansion Process and commends to all community leaders full participation in these activities designed to promote overall economic development.

4. Consider request from Griffin/Spalding County Development Authority to install landscaping and lighting for Green Valley Boulevard and Boyd's Crossing. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the request to install landscaping and lighting with the Authority maintaining the right-of-way on the above-mentioned roads was unanimously approved by a vote of 4-0.*

5. Consider request from First Assembly of God Men's Outreach Ministry to use Fairmont Park Gym on November 17, 2001 for an outreach dinner. *After discussion regarding the rental policy, motion was made by Commissioner Martha McDaniel to deny the request and send letter stating if they would like to pay rent the Board would be happy to approve their request as the Board cannot waive rental fee. Commissioner Massengale seconded the motion and motion was unanimously approved by a vote of 4-0.*

6. Consider DOT Local Project Agreement for Intersection Improvements SR 362 @ CR 507 Rover-Williamson Roads. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnnie McDaniel DOT Local Project Agreement was unanimously approved by a vote of 4-0.*

7. Consider Contract with Griffin Tech for Adult Literacy Program Reimbursement. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the following Contract was unanimously approved by a vote of 4-0.*

**CONTRACT BETWEEN
SPALDING COUNTY BOARD OF COMMISSIONERS
AND
GRIFFIN TECHNICAL COLLEGE**

THIS AGREEMENT, entered into this 7th day of May 2001, between the Spalding County Board of Commissioners, (hereinafter referred to as the "Board") and Griffin Technical College (hereinafter referred to as the Recipient):

WHEREAS, the Board recognizes that the issue of adult literacy is of considerable importance in the social and economic development of Spalding County; and

WHEREAS, the Board has been awarded funds by the Georgia Department of Community Affairs for the purpose of expanding the adult literacy program at Griffin Technical College; and

WHEREAS, the Recipient warrants that it is a validly existing entity in good standing under the laws of the State of Georgia, and is eligible to receive public funds for the purposes set forth herein;

NOW THEREFORE, in consideration of the mutual covenants and warranties contained herein; the parties agree and consent as follows:

1. Scope of Project. The Board shall grant to the Recipient funds not exceeding the sum of forty thousand dollars and no cents (\$40,000.00) for the expressed purpose of expansion of the adult literacy program at Griffin Technical College. The Recipient agrees and acknowledges that funds received have been spent for the above stated purpose. The Recipient further agrees to utilize its best efforts to effect the above stated purpose.
2. Accountability. The Recipient agrees to seek reimbursement of funds expended in conformance with this Agreement, and to account for said funds in accordance with generally accepted accounting practices. Any funds not expended for the purposes provided herein shall not be eligible for reimbursement under the terms-and-conditions of this Agreement. Recipient shall certify use of requested funds for eligible purpose(s).
3. Distribution of Funds. Funds shall be disbursed on a reimbursement basis for actual costs incurred in conjunction with the purposes set forth herein.
4. Satisfaction With County and State Requirements. In the event that Spalding County and/or the Georgia Department of Community Affairs determines, at their sole or joint discretion, that the Recipient has failed to comply with the terms of this Agreement in a timely manner or has violated any local, state, or federal law, ordinance, or regulation, the Recipient shall be required to return to the Board all funds disbursed under this Agreement, upon request of the Board.
5. Entire Agreement. This Agreement constitutes the entire agreement among and between the parties. No other representations, oral or otherwise, other than this Agreement shall be binding unless both parties agree in writing.

8. Consider request from City of Griffin to fund one-half of July 4th Fireworks Display. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale request in the amount of \$5,000 to be taken from tourism fund was unanimously approved by a vote of 4-0.*

9. Consider request from Griffin/Spalding County Hospital Authority for allocation of funds in the amount of \$6727 for a project for the Griffin Fire Department for Year 2001. County Manager Wilson stated that the County Fire Department had also applied for a grant and that if our grant is awarded, we would be requesting the match also from the Griffin/Spalding County Hospital Authority. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel request was unanimously approved by a vote of 4-0 contingent upon approval of the grant.*

10. Consider at first reading an ordinance amending the Spalding County Code relative to Mailbox Requirements. *After a lengthy discussion regarding mailboxes, motion was made by Commissioner Martha McDaniel to approve, seconded by Commissioner Johnie McDaniel.* Commissioner Martha McDaniel stated that the Public Works Director requested this for the reason on most of our county roads we are following the DOT standard which is that you cannot have a brick structure that in fact would cause serious harm and injury in an automobile accident. The request is to be permitted to place a brick mailbox on the right of way in curb and gutter subdivision streets. She said that the rationale for the distinction is that in a subdivision you are not likely to be traveling as fast so people would not get hurt.

After more discussion Commissioner Martha McDaniel withdrew her motion as well as Commissioner Johnie McDaniel his second.

County Manager Wilson asked the Board to table this item in order for Community Development Director Michael Sabine to check with surrounding counties and obtain further information for the Board.

Upon motion by Commissioner Kendall, seconded by Commissioner Johnie McDaniel item was tabled to a date certain of May 21, 2001 by a unanimous vote of 4-0.

11. Consider at first reading an ordinance amending the Spalding County Code relative to Article D, General Business and Occupation Tax. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale ordinance on first reading was unanimously approved by a vote of 4-0. **The ordinance will be incorporated into the minutes on second and final reading.***

12. Commissioner Kendall would like to discuss responsibilities of the Board of Election and Voter Registrar Office. Chairman Massengale commented that Mrs. Helen Grayson Chairman of this Board was present to address this issue and to answer any questions that may arise.

Commissioner Kendall commented that state law basically says that any county by local legislation can create its own Board of Elections. The Election Board was created sometime in the 1980's and the appointment process was whereby we have the five persons on the Board, two people appointed by the two leading vote getters in terms of the political parties and those four people elect a fifth person for the position of Chairman. He addressed concerns about how the people on the Election Board are appointed here in Spalding County and that it was his feeling that the Board of Commissioners should have some input into this process and the people running the elections should have some accountability and responsibility to the general public.

Commissioner Kendall commented that when the problem occurred on the last SPLOST vote with the wording of the ballots, nobody from the Board of Elections office had any responsibility to say anything to the county commissioners concerning the problem.

Ms. Grayson went on to explain the error in the 1996 SPLOST vote. She inadvertently left out a sentence on the ballot and former County Manager Mike Ruffin discovered the error. The error was corrected and it was put on the machine correctly but not corrected on the absentee ballots because people had already voted. She said if the absentee ballots had been thrown out, it would not have changed the outcome of the election. There was a conversation between her and Mr. Ruffin, and it never occurred to her that she was to come down to the county commissioners to report this as that is not her responsibility and should not be. She took the responsibility for the error.

Both Commissioner Martha McDaniel and Johnie McDaniel spoke very highly of the county's Board of Elections office and felt like it was being run very well and wanted it to stay exactly the way that it is now. Comments were made by both that nobody is perfect and even placing it under the control of an entity like the Board of Commissioners would not make it mistake proof. The Board of Elections get very little pay for the job that they do to even hold an election and it is a very responsible job and a very thankless job.

There was no support to make any changes in the process of the appointment of the Board of Elections; therefore, no action was taken.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson reminded the Board that the Downtown Development Authority, the Main Street Advisory Board and the Downtown Council were hosting a reception for the Head family May 8, 2001 from 5:00 – 6:00 p.m. at City Hall and the Commissioners had been invited.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall had no further comments.

Commissioner Johnie McDaniel addressed reapportionment that the Commissioners are going to have to look at. He said the census figures are in and the clock is ticking and felt that we need to start looking at this. He asked for some direction. County Manager Wilson commented that he had asked the Board of Elections and the Voters Registration Office to contact Linda Meggers and see if they can get some preliminary information. He said that there are some precinct problems that we need to take care of and other things to try to clarify and make it easier for the voters. He suggested that both the Board of Elections and Voters Registrars be involved actively in this project.

Commissioner Martha McDaniel addressed the lawsuit at the airport. The county had been asked if we were aware of it or not and she had stated that we were not aware of it and that we would not be paying any of the cost of the settlement. She said that she was incorrect as the City of Griffin took half of the budgeted money to pay for Spalding County’s portion of the lawsuit. She said that she wanted to apologize for her incorrect comments at an earlier meeting.

Commissioner Massengale commented that he had gotten out and rode a lot and looked at the roads that had just been resurfaced and they look pretty good. He mentioned that on Tomochichi Road the contractor started resurfacing at the creek and there is a large chunk of asphalt missing out there about 100 ft. from Cabin Creek. He asked Mr. Wilson to see that the contractor fills this in.

XIV. CLOSED MEETING

Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Martha McDaniel the Board voted unanimously to go into Closed Meeting and Mrs. McDaniel asked for a five-minute recess.

- 1. The County Attorney desires a Closed Meeting to discuss potential litigation.

Those present were Commissioners Michael Kendall, Martha McDaniel, Johnie McDaniel, Merrill Massengale, County Manager William Wilson, County Attorney Jim Fortune and County Clerk Phyllis Doane. Commissioner Dick Morrow was absent.

CLOSED MEETING AFFIDAVIT

[A copy of the affidavit must be filed with the minutes of the meeting]

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

Members of the Spalding County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

- 1.

The Spalding County Board of Commissioners met in a duly advertised meeting on May 7, 2001.

- 2.

During such meeting, the Board voted to go into closed session.

- 3.

The executive session was called to order at 7:35 p.m.

- 4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Yes Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be

brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

No Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and
(insert the citation to the legal authority making the tax matter confidential)_____;

No Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

No Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

No Other (describe the exemption to the open meetings law):
_____ as provided in
(insert the citation to the legal authority
exempting the topic)_____.

This the 7th day of May 2001.

Spalding County Board of Commissioners

Sworn to and subscribed
Before me this 7th day of
May 2001.
Phyllis P. Doane
Notary Public
My commission expires: March 18, 2002

(L.S.) H. Merrill Massengale
(L.S.) Johnie A. McDaniel
(L.S.) Martha W. McDaniel
(L.S.) M. Michael Kendall

Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Massengale the Board voted unanimously to come out of Closed Meeting and go back into Open Session.

No business was transacted at this time.

XIV. ADJOURNMENT

Upon motion by Commissioner Massengale, seconded by Commissioner Johnie McDaniel the meeting was unanimously adjourned.

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
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