



EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, June 18, 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, Dick Morrow, Johnie McDaniel and Michael Kendall present. 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 – n/a

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Eleven Months Ended May 31, 2001. Ms. Jinna Garrison Finance Director was present to answer any questions. She made the Board aware that we have used \$1.4 Million of Fund Balance. *Upon motion by Commissioner Morrow, seconded by Commissioner Johnie McDaniel Financial Statements were unanimously approved by a vote of 5-0.*

VI. CITIZENS COMMENTS

VII. PUBLIC COMMENT

Mr. Johnny Phillips, 127 Hummingbird Hollow stated he was Vice President of the Manley Lake Homeowners Association and wanted to address their concerns about the horses on a zoning R-4 property and he feels confident that this problem is being taken care of by the county. He said they have concerns about the new homeowner of this property making an attempt to rezone it agricultural so they can put the horses and possible a park out there in a subdivision.

It was noted that no application has been submitted as of present. The horses were supposed to have been removed over the weekend; however, they have not been. County Manager Wilson stated that we have turned the matter over to the County Attorney for a title research to find out exactly who owns the parcel and then that person can be cited for violation of ordinance. There will be no more warnings.

Fred Edwards, 747 Steele Road made comments regarding the possibility of installing a four-way stop at Birdie and Patterson Roads. He said that on April 24th while he was on his way to Beaverbrook School, a lady coming out Patterson Road, slowed down, didn't stop and he hit her and his pickup truck was totaled. He said that people are not stopping coming out Patterson Road. He suggested instead of making a four-way stop, put up a blinking light electricity operated and let it be caution on Birdie Road and a big red sign coming out Patterson Road. He said that if this were made into a four-way stop, this would make four (4) four-way stop intersections between 19/41 and Highway 92.

VIII. MINUTES

1. Consider approval of the minutes for the Public Hearing of May 24, 2001, Budget Hearing and Regular Meeting of June 4, 2001. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow minutes were unanimously approved by a vote of 5-0.*

IX. CONSENT AGENDA

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the Consent Agenda was unanimously approved by a vote of 5-0.

1. Consider at second reading of Amendment to the Official Zoning ordinance and Official Zoning Map of the following: (To correct typographical errors).

- **Rezoning Application #01-09Z and #01-09AZ:** John T. Bolton – Rover-Zetella Road, 4.16 acres – AR-1 to R-2.

IN RE:

**APPLICATION OF RICHARD MULLINS, APPLICANT
JOHN BOLTON, OWNER.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-09Z AND 01-09AZ

RESOLUTION AMENDING THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA AND THE OFFICIAL ZONING MAP 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, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “AR-1, Agriculture and Residential;”

WHEREAS, Richard Mullins, applicant, applied for a change in zoning classification to be applied to the within described property to “R-2, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on March 22, 2001;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on May 24, 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 and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that tract or parcel of land situate, lying and being in Land Lot 35 of the First Land District of originally Monroe, now Spalding County, Georgia, and being Tract "A" containing 1.23 acres, on plat of survey entitled "Rezoning Plat for Johnny Bolton", dated February 16, 2001, prepared by Conkle-Lane & Associates, Inc., and being more particularly described as BEGINNING at a point on the east right of way line of Rover-Williamson Road, which is located a distance of 3520.26 feet from the intersection of the east right of way line for Rover-Williamson Road and the south boundary of Land Lot 62, as measured in a northerly direction along the east right of way line of Rover-Williamson Road; running thence north 88 degrees 09 minutes 34 seconds east 426.74 feet to a point; thence north 12 degrees 57 minutes 43 seconds west 127.39 feet to a point; thence south 88 degrees 09 minutes 34 seconds west 431.40 feet to a point on the east right of way line of Rover-Williamson Road; running thence in a southerly direction along the east right of way line of Rover-Williamson Road 128.37 feet to the point of beginning.

All that tract or parcel of land situate, lying and being in Land Lot 35 of the First Land District of originally Monroe, now Spalding County, Georgia, and being Tract "B" containing 1.71 acres, on plat of survey entitled "Rezoning Plat for Johnny Bolton", dated February 16, 2001, prepared by Conkle-Lane & Associates, Inc., and being more particularly described as BEGINNING at a point on the east right of way line of Rover-Williamson Road, which is located a distance of 3340.33 feet from the intersection of the east right of way line of Rover-Williamson Road and the south boundary of Land Lot 62, as measured in a northerly direction along the east right of way line of Rover-Williamson Road; and running thence north 88 degrees 33 minutes 31 seconds east 420.78 feet to a point; thence north 12 degrees 57 minutes 43 seconds west 181.54 feet to a point; thence south 88 degrees 09 minutes 34 seconds west 426.74 feet to a point on the west right of way line of Rover-Williamson Road; thence in a southerly direction along the east right of way line of Rover-Williamson Road 179.93 feet to the point of beginning.

All that tract or parcel of land situate, lying and being in Land Lot 35 and 62 of the First Land District of originally Monroe, now Spalding County, Georgia, and being Tract "C" containing 1.20 acres, on plat of survey entitled "Rezoning Plat for Johnny Bolton", dated February 16, 2001, prepared by Conkle-Lane & Associates, Inc., and being more particularly described as BEGINNING at a point on the east right of way line of Rover-Williamson Road, which is located a distance of 3211.75 feet from the intersection of the east right of way line of Rover-Williamson Road and the south boundary of Land Lot 62, as measured in a northerly direction along the east right of way line of Rover-Williamson Road; running thence south 88 degrees 33 minutes 31 seconds east 416.10 feet; thence north 12 degrees 57 minutes 43 seconds west 127.57 feet to a point; thence south 88 degrees 33 minutes 31 seconds west 420.78 feet to a point on the east right of

way line of Rover-Williamson Road; thence in a southerly direction along the east right of way line of Rover-Williamson Road 128.58 feet to the point of beginning.

From “AR-1, Agriculture and Residential” to “R-2, Single Family Residential” District.

Section 2:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On June 18, 2001, by official action of the Board of Commissioners of Spalding County, Georgia the following change was made in the Official Zoning Map, Spalding County: All those tracts or parcels of land situate lying and being in Land Lot 35 and 62 of the 1st Land District of originally Monroe, now Spalding County, Georgia, consisting of approximately 4.16 acres, zoned R-2.

(b) The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment of the Official Zoning Map of Spalding County, Georgia.

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 3: The foregoing amendment 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.

X. OLD BUSINESS – n/a

XI. NEW BUSINESS

1. Consider re-appointment of Mrs. Kay Harper to the Spalding County Board of Family and Children Services (term to expire 06-30-2006). *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale Mrs. Kay Harper was re-appointed by a unanimous vote of 5-0.*

2. Consider Performance Contract Project Development Agreement with Johnson Controls, Inc. County Manager Wilson explained that this was for an in-depth study of the four buildings involved, the Courthouse Annex, Courthouse, old part of jail and the Health Department. This is for replacement of HVAC systems for the Health Department, Courthouse and the older portion of the jail and replacement of roof on Courthouse Annex and maintenance contracts for these four (4) buildings. This will be an electric monitoring device for HVAC, which would allow them to monitor more carefully the sections of the buildings being monitored now. County Manager Wilson stated that if we decide not to carry through with this project, there would be a \$.10 per sq. ft. charge, which would be approximately \$200,000.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the Performance Contract Project Development Agreement was unanimously approved by a vote of 5-0.

3. Consider Resolution for the condemnation of tracts of land on Boynton Road. *Upon motion by Commissioner Massengale, seconded by Commissioner Morrow the following Resolution was unanimously approved by a vote of 5-0.*

RESOLUTION

WHEREAS, the Board of Commissioners of Spalding County has determined that it would be in the public's best interest to pave a certain County road known as Boynton Road; and

WHEREAS, it is necessary for the County of Spalding to obtain the tracts of land known and identified as "Parcel No. 32 and Parcel No. 36, tracts A and B" a complete legal description of which is attached hereto as Exhibit A; and

WHEREAS, it does not appear that this land can be obtained by contract and it now appears it will be necessary to condemn said land for the purposes here and before stated;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED, by the Board of Commissioners of Spalding County, Georgia that the power and authority be, and is hereby, expressly delegated to the Chairman of said Board, or in his absence the Vice Chairman of said Board, and the duly constituted nominees of each such officer, to acquire for the County of Spalding, and for the uses aforesaid, by purchase, contract or condemnation the real property described in Exhibit A attached hereto, and on behalf of this Board to initiate such proceedings, perform such acts and execute such documents and instruments as the said person or persons so acting may deem reasonable, proper or necessary.

IT IS SO RESOLVED this 18th day of June 2001.

EXHIBIT "A"

Parcel No. 32

All that tract or parcel of land lying and being in Land Lot 171 and 172 of the 3rd Land District of Spalding County more particularly described as follows:

Beginning at a point on the North existing right of way line of Boynton Road at the Western property line of the condemnee; Thence running N 00-43'-01 W for a distance of 19.28 ft.; Thence running N 88-07-39 E for a distance of 1022.45 ft.; Thence running in an easterly direction along a curved line for an arc distance of 389.30 ft. (chord=N89-12-25 E for a distance of 289.28 ft.); Thence running S89-42-50E for a distance of 396.05 ft.; Thence running N 52-18-40 E for a distance of 18.53 ft. to a point on the west existing right of way of Jordan Hill Road; Thence running S 01-43-56 E for a distance of 22.55 ft.; Thence running S 88-49-04 W for a distance of 905.02 ft.; Thence running S 88-15-38 W for a distance of 817.87 ft. back to the point of beginning, shown colored yellow on the attached plat marked exhibit "A". Said tract contains 0.80 acres and is bordered as follows: South by Boynton Road, West by Melvin Folds and Thelma P. Folds Estates, North by other lands of the condemnee and East by Jordan Hill Road.

Also condemned herein is an easement for construction and maintenance of a drainage structure within the area shown colored blue on same plat. This easement area contains 250.0 sq. ft.

Also condemned herein is a temporary construction easement for the construction of slopes within the areas shown colored green on same plat. Said easement becomes effective at the beginning of construction of the above numbered project and will expire upon completion and final acceptance of said project by Spalding County. These easement areas contain 7479 sq. ft.

Parcel No. 36 – Tract A

All that tract or parcel of land lying and being in Land Lot 171 of the 3rd Land District of Spalding County more particularly described as follows:

Beginning at a point on the South existing right of way line of Boynton Road at the Western property line of the condemnee; Thence running N 88-49-04 E for a distance of 352.80 ft., Thence running S 01-10-56 E for a distance of 16.01 ft.; Thence running in a westerly direction along a curved line for an arc distance of 147.14 ft.; (Chord-S 88-40-56 W for a distance of 147.13 ft.); Thence running S 88-07-39 W for a distance of 206.43 ft.; Thence running N 01-05-02 E for a distance of 18.86 ft. back to the point of beginning. Said tract is shown colored

yellow on the attached plat marked Exhibit "A" and contains 0.14 acres and is bordered as follows: West by John S. Burke, North by Boynton Road, East by Marie W. Lowry and South by other lands of the condemnee.

Parcel No. 36 – Tract B

All that tract or parcel of land lying and being in Land Lot 171 of the 3rd Land District more particularly described as follows:

Beginning at a point on the South existing right of way line of Boynton Road at the Western property line of the condemnee; Thence running N 88-49-04 E for a distance of 339.87 ft.; Thence running S 00-21-21 E for a distance of 28.36 ft.; Thence running N 89-42-50 W for a distance of 339.57 ft., Thence running N 01-10-56 W for a distance of 19.65 ft. back to the point of beginning. Said tract is shown colored yellow on the attached plat marked Exhibit "A" and contains 0.19 acres and is bordered as follows:

West by Marie W. Lowry, North by Boynton Road, East by Jordan Hill Road and South by other lands of the condemnee.

Also condemned herein is a temporary construction easement for the construction of slopes within the areas shown colored green on same plat. Said easement becomes effective at the beginning of construction of the above numbered project and will expire upon completion and final acceptance of said project by Spalding County. These easement areas contain 8219 sq. ft.

4. Consider Agreement with Central of Georgia Railroad Company in the amount of \$25,300 for roadway improvements on Railroad Right-of-way. This is for the Green Valley Road Widening Project. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel Agreement was unanimously approved by a vote of 5-0.*

5. Consider Agreement with Central Georgia EMC for actual cost of relocation of utilities for Green Valley Road. The estimated cost was \$2200.00. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale actual cost of relocation of utilities was approved by a unanimous vote of 5-0.*

6. Consider recommendation from HDR/WL Jorden for award of Hickory Circle Paving Project to low bidder McCoy Grading, Inc. in the amount of \$400,667.49. (Estimated cost of project \$500,00-\$600,000). *Upon motion by Commissioner Massengale, seconded by Commissioner Morrow bid award to McCoy Grading, Inc. was unanimously approved by a vote of 5-0. Reference Contract #2001-06-18(A).*

7. Consider Rental Agreement with Department of Human Resources (DOHR) –Family & Children Services for office space at 411 East Solomon Street (DFACS) for FY 2002. County Manager Wilson stated that the rent has been increased from \$10,800/mo to \$12,000/mo. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale Rental Agreement was unanimously approved by a vote of 5-0.*

8. Consider Change Order No. 7 from Hollis & Spann, Inc. for the C.I. This change order is for \$2,002, which includes a larger compactor pad, and installing two 6' light poles bases. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale Change Order No. 7 was unanimously approved by a vote of 5-0.*

9. Consider at first reading the Resolution and Ordinance for Fiscal Year 2002 Budget. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the first reading of Budget Ordinance was unanimously approved by a vote of 5-0. The Resolution will be incorporated into the minutes on second and final reading.*

10. Consider authorizing Fire Department fundraiser to purchase antique fire truck. County Manager Wilson stated that this was the first fire truck purchased for fire protection in unincorporated Spalding County. *Upon motion by Commissioner Martha McDaniel, seconded*

by Commissioner Morrow to permit a fundraiser for the sole purpose of purchasing and renovating the fire truck and unanimously approved by a vote of 5-0.

11. Commissioner Martha McDaniel would like to discuss a resolution of support for commuter rail. Mrs. McDaniel asked the Board to consider a Resolution to be sent to our local delegation and also to the Governor. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the following Resolution was unanimously approved by a vote of 5-0.*

**Board of Commissioners
Spalding County, Georgia**

Resolution

A Resolution in Support of the “Locally Preferred Alternative” Endorsed by PMT-GRPP

WHEREAS the State of Georgia has advanced the prospect of renewed passenger rail service through the work of the Georgia Rail Passenger Program, the Georgia Rail Passenger Authority, the Georgia Regional Transportation Authority, and the Georgia Department of Transportation; and

WHEREAS the Board of Commissioners has endorsed the concept of commuter and inter-city passenger rail service through Spalding County on two previous occasions; and

WHEREAS the Program Management Team for the Georgia Rail Passenger Program has endorsed a preferred concept, which encompasses commuter rail along the Atlanta-Griffin-Macon corridor and express high-occupancy bus service; and

WHEREAS the Board of Commissioners realizes the importance of regional job access and better mobility provided by commuter rail, as well as its role in promoting Spalding County as a place to live, work, and visit; and

WHEREAS the Board of Commissioners desires to encourage the prompt development of commuter rail service in this corridor.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Spalding County that the Board endorses the “locally preferred alternative” for commuter rail service along the Atlanta-Griffin-Macon corridor expressed by the Program Management Team of the Georgia Rail Passenger Program, and that the Board supports the implementation of this alternative at the earliest available opportunity.

BE IT FURTHER RESOLVED that the Chairman of the Board is hereby directed to forward copies of this resolution to the Governor, the Lieutenant Governor, and the Speaker of the Georgia House of Representatives, as well as to the Georgia Rail Passenger Program.

12. Commissioner Martha McDaniel would like to discuss Georgia Heritage Program relative to possible grant for Old Spalding Courthouse. Mrs. McDaniel stated there is matching grant money to assist in historic and archaeological resources in Georgia and she has been very interested in maintaining our Old Courthouse. She said that this is an opportunity for us to submit a grant and match with some funds that we have been saving. The maximum amount we can get is \$40,000. She said this would be the stabilization of the exterior of the Old Courthouse by taking out the windows and redoing them and removing the old telecommunications tower on the roof. She said that we have \$45,000 in the Broad Street Renovation Fund for this project. She asked the Board to approve \$40,000 to match the funds and \$5,000 to Paul Cropsy to prepare all the necessary paperwork.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow approval to apply for grant in the amount of \$40,000 and use matching funds from the Broad Street Renovation Fund to stabilize the Old Courthouse was unanimously approved by a vote of 5-0.

13. Consider authorizing Chairman to execute a Letter of Support to Sheriff Dee Stewart in his efforts to eradicate illegal drugs in Spalding County. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale execution of letter by Chairman was unanimously approved by a vote of 5-0.*

XII. REPORT OF COUNTY MANAGER

County Manager Wilson reported to the Board that the July 4th parade line-up would begin at 9:15 a.m. at the former Heilig Meyers and wanted to know how many of the Commissioners would like a golf cart and if they would like to have candy or not.

County Manager Wilson asked if the Board had any interest in canceling the Regular Meeting of July 2nd as they had done so in the past during the week of July 4th. *Motion made by Commissioner Martha McDaniel, seconded by Commissioner Massengale and unanimously approved to cancel the July 2nd Commission Meeting.*

County Manager Wilson asked if the Board wished to have a special work session on Monday, July 9th to discuss the SPLOST referendum as the sixty days to call for the referendum would be July 18th and this item would have to be on the July 16th agenda. They would need to invite the Development Authority and Sewer Task Force to meet with them to finalize figures for a vote on expansion of the industrial park for September 18, 2001. Commissioner Kendall stated that he was going to suggest why didn't we wait and call the vote in the regular city election in November. Commissioner Martha McDaniel commented that she feels that when the school board calls for a vote, either in September or November that is when we should also go for a vote. No decision was made.

County Manager Wilson stated that he had had several inquiries as to the disposition of the old Georgia flags when they were replaced with the new Georgia flags. The Commissioners decided that the method of disposal would be sealed bids.

County Manager Wilson stated that he had been approached by the Chairman of the Republican Party to use the Senior Center for a training session in August. The Board agreed with Mr. Wilson that the Republican Party could rent this facility according to the Senior Center Rental Policy.

County Manager Wilson commented that the *Griffin Daily News* had made an error in their editorial regarding the SPLOST vote tomorrow as they had stated it was for industrial and recreation. He was notified that the error would be corrected on the front page of the Tuesday paper.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall stated that the Sewer Task Force had met last Thursday to try to finalize figures for the sales tax extension for the industrial park. He said they were contemplating to come up with figures for the July deadline for a resolution with a vote in September. The Sewer Task Force agreed to recommend a figure of \$16 Million for the wastewater treatment plant. The Development Authority did not want to put forth a number until after the vote Tuesday on the recreation projects and made no commitment at this meeting for the industrial park aspect. The figure floating around has been \$20 Million, which would make the total \$36 Million, and the way the sales tax was coming in, he wondered if that was even a safe figure. He said that his suggestion was to do all this in November and he asked Dr. Bradley and the school board about considering everything on one ballot and not have two (2) votes 45 days apart; however, unofficially the school board has voted to have their SPLOST in September.

Commissioner Johnie McDaniel addressed the upcoming SPLOST. He said that he was not sure that some of the confusion was caused by this Board to separate recreation and industrial into two (2) votes. He said that he would like for us to demonstrate some more positive and collective leadership as we go into this next SPLOST. He said that he had mixed feelings whether we vote in September or November. He said that he feels that we need to have a special called meeting the week of July 9th with the Development Authority and the Sewer Task Force

prior to when we decide to call a vote. He said that we need to do the next SPLOST in a positive way to get this SPLOST passed.

Commissioner Martha McDaniel made comments regarding SPLOST. She said that we have to step up to the plate as an entire Board and speak as one voice and that is what is important. She said whether the decision to vote in September or November, it doesn't make a difference but what makes a difference to her is that we are all on the same page and that is for the Development Authority and any other entity as well.

Commissioner Morrow stated he had asked at the last meeting about having the stop signs at abandoned railroad crossings removed and the one at West Ellis Road was still up. Mr. Wilson stated that he would have it removed.

Commissioner Morrow also made comments regarding the letter received from Dr. Tommy Hopkins concerning the County's new insurance program. He is on the PPO Plan but not on the HMO Plan.

Commissioner Massengale had no comments.

XIV. CLOSED MEETING – n/a

County Attorney Fortune stated that we needed a motion to amend the Agenda to go into Closed Meeting to discuss potential litigation.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the Agenda was amended to go into Closed Meeting by a unanimous vote of 5-0.

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the Board voted unanimously to go into Closed Meeting to discuss potential litigation.

Those present were Commissioners Michael Kendall, Dick Morrow, Martha McDaniel, Johnie McDaniel, Merrill Massengale, County Manager William Wilson, County Attorney Jim Fortune and County Clerk Phyllis Doane. Also present was Michael Sabine, Community Development Director.

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 June 18, 2001.

2.

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

3.

The executive session was called to order at 7:45 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 18th day of June 2001.

Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 18th day of

June 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.) Dick Morrow

(L.S.) M. Michael Kendall

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

No business was transacted at this time.

XV. ADJOURNMENT

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the meeting was unanimously adjourned.

County Clerk

Chairman

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Please send comments to webmaster@spaldingcounty.com
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