



Spalding County online

Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, July 16, 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 – Led by Pastor Danny Stewart in the absence of Rev. Valimont.**
- III. PLEDGE TO FLAG – Led by County Manager Wilson**
- III. PRESENTATIONS/PROCLAMATIONS/RECOGNITION – n/a**
- IV. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider the Financial Statements for the twelve months ended June 30, 2001. Ms. Jinna Garrison was present to answer any questions. The expenditures over revenues for the year were \$1.987 Million. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel the Financial Statements were unanimously approved by a vote of 5-0.*

V. CITIZENS COMMENTS

1. Mr. Baron Lights, 505 Oak Grove Road, would like to address the Board concerning Oak Grove Road. Mr. Lights was not present for the meeting.

VI. PUBLIC COMMENT

Mr. Glenn Betsill, 500 Oak Grove Road, made comments to the problem on Oak Grove Road. He said that they were trying to get the road paved. This is the part north of Lenox Circle. The County has checked and there has not been any right of way obtained on this part of the road. The part not paved is 700 ft. County Manager Wilson stated that we would have to do some minor surveying and engineering done to get this section paved.

Ms. Betty Gebhardt gave her address as 79 Richardson Road, but stated she resided at 1510 High Falls Road and spoke on the “No Parking” placed on Richardson Road. She said she was still having problems with certain families out there and requested that “No Parking” be placed on both sides of Richardson Road. She had pictures showing basketball goals placed on right of way

and stated kids were playing out in the road. Commissioner Massengale told Ms. Gebhardt to make an appointment with Sheriff Dee Stewart and if he recommends "No Parking" on both sides of Richardson Road and endorses it, then the Commissioners would do the same.

Mr. Ivan Taylor, 1245 Carver Road stated that he had been before the Commissioners in May of last year requesting that the rough railroad crossing at Carver Road and Kalamazoo Drive be reworked; however, as of this date nothing had been done. Mr. Taylor was told that the railroad company was written after he addressed the commissioners. Mr. Taylor stated that this was a safety issue and that the commissioners needed to lean on them hard and get this crossing repaired. Mr. Wilson was instructed to write the railroad company again.

VII. MINUTES

1. Consider approval of the minutes for the Extraordinary Session of June 18, 2001, Special Called Meeting of June 20, 2001, Public Hearing of June 28, 2001 and Special Called Meeting of June 29, 2001. *Motion made by Commissioner Morrow to approve the minutes with one correction, which was on page 205 under Rezoning Applications, **Application #01-11Z** that it read Commissioner Morrow made a motion to approve with condition of a 15 ft. buffer as recommended by the Planning & Zoning Board. Commissioner Martha McDaniel seconded the motion and motion was unanimously approved by a vote of 5-0.*

VIII. CONSENT AGENDA

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel Consent Agenda items were unanimously approved by a vote of 5-0 with monies coming out of tourism funds.

1. Consider Griffin Main Street funding request. The request was in the amount of \$13,125 to help promote the downtown area.
2. Consider request from University of Georgia for funding of Continuing Education Program. The request was in the amount of \$17,500 for July 1, 2001 thru June 30, 2002.

IX. OLD BUSINESS

1. Consider at second reading of Amendment to the Official Zoning Ordinance and Official Zoning Map of the following:

- **Rezoning Application #01-11Z:** Jim and Marshall Woodall—42 Wood Road, 0.873 acres – C-1 to C-1B.

Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Morrow the following Resolution was unanimously approved by a vote of 5-0.

IN RE:

**APPLICATION OF JIM AND MARSHALL WOODALL.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-11Z

**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 “C-1, Highway Commercial;”

WHEREAS, Jim and Marshall Woodall, applicant, applied for a change in zoning classification to be applied to the within described property to “C-1B, Heavy Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on April 26, 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 June 28, 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 lot, tract or parcel of land situate, lying and being in Land Lot 107 of the Third Land District of originally Henry, now Spalding County, Georgia, and being more particularly described by metes and bounds as follows;

Beginning at a point where the Southerly boundary of LandLot 107 intersects the Easterly R/W of Wood Road, and thence running North 33 degrees 52 minutes 58 seconds West, a distance of 45.53 feet; thence running North 9 degrees 54 minutes 4 seconds West, a chord distance of 90.46 feet (Arc distance is 90.93 feet having a 257.37 foot radius point); thence running North 89 degrees 17 minutes 0 seconds East, a distance of 303.53 feet to the West R/W of U.S. Route 19/41; thence running South 5 degrees 23 minutes 3 seconds East, a chord distance of 129.04 feet (Arc distance is 129.04 feet having a 5789.89 foot radius point); along the West R/W of said highway; thence running South 89 degrees 32 minutes 5 seconds West, a distance of 274.69 feet to the aforesaid point of beginning.

The above described property, containing 0.873 Acres is also known as 42 Wood Road, Griffin, Georgia.

From "C-1, Commercial" to "C-1B, Heavy Commercial" District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. A fifteen (15) buffer is required instead of a twenty-five (25) foot buffer.

Section 3:

(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 July 16, 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 107 of the 3rd Land District of originally Henry, now Spalding County, Georgia, consisting of approximately 0.873 acres, zoned C-1B.

(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 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

2. Consider at first reading the final version of the S-2 Watershed Protection District Ordinance. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the S-2 Watershed Protection District ordinance was unanimously approved on first reading. **The Resolution will be incorporated into the minutes on second and final reading.***

X. NEW BUSINESS

1. Consider request from Praise Worship Center to use Oxford Square Parking Lot for an outside event. Pastor Danny Stewart was present to address this item. He said that he was requesting to conduct a three-day revival in the parking lot of Food Depot on Thursday, July 19th, Friday, July 20th and Saturday, July 21st from 7:00 p.m. to 9:00 p.m. There will be outside amplification. County Manager Wilson commented that we did allow this event last year and we did require insurance and the church has provided the insurance for this event. County Manager Wilson advised the Board that we have not charged a rental fee in the past; however, they might want to consider this if there is going to be many requests like this.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the request to use the parking lot for this revival was unanimously approved by a vote of 5-0.

2. Consider request from Minerva regarding additional (approx.) 111.5 acres at proposed Blue Sky Golf & Country Club. The request was permission to allow Henry County to supply sewer and water to an additional 111.5 acres (approx.) of Spalding County to facilitate their residential/golf development project.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the request was unanimously approved by a vote of 5-0.

3. Consider authorizing VOCA grant application by Sheriff's Department. Major Greg Potter and Major Wendell Beam were present to address this item and answer any questions the Board might have. The total grant request is for \$115,447 and will be a First Responder Program in conjunction with the District Attorney. The matching funds of \$67,000 can be done with in-kind match with \$3,000 - \$6,000 being taken from budget. *Upon motion by Commissioner Massengale, seconded by Commissioner Martha McDaniel the submission of grant was unanimously approved by a vote of 5-0.*

4. Consider request from Griffin/Spalding Hospital Authority to allocate funds for a dental program for Health Department in the amount of \$162,600. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow request was unanimously approved by a vote of 5-0.*

5. Consider recommendation from Spalding County Board of Health for appointments to the McIntosh Trail Community Service Board. The recommendations from the Board of Health was for Mrs. Suzi Herbert to continue to serve on the Community Service Board and Mrs. Joy Kelley to serve in Horace Bud Kelley's unexpired term of office on this Board.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow recommendations of Suzi Herbert and Joy Kelley to serve on the Community Service Board were unanimously approved by a vote of 5-0.

6. Consider re-appointments of Trudy McDevitt and Samuel Gardner to the West Georgia Emergency Medical Services Council (terms to expire 7/1/03). *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel re-appointments were unanimously approved by a vote of 5-0.*

7. Consider Agreement to Provide Dispatch Communication Services between Spalding County and Spalding Regional Hospital. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the following Agreement was unanimously approved by a vote of 5-0.*

AGREEMENT TO PROVIDE DISPATCH COMMUNICATION SERVICES

Whereas Tenet HealthSystem Spalding, Inc. (hereinafter referred to as the "Hospital") desires to purchase and obtain certain dispatch and dispatch related services for the Emergency Medical Services Department (hereinafter referred to as "EMS"), and whereas Spalding County (hereinafter referred to as "the County") desires to provide said services, now therefore the following agreement is made:

Spalding County through the Emergency Communications Center (hereinafter referred to as "Communications") agrees to:

1. Receive, process, and dispatch "Emergency Transport" calls for the EMS, according to standard operating procedures established by and agreed upon by both the EMS and Communications.
2. Receive, process, and dispatch "Urgent Transport" calls for EMS, according to standard operating procedures established by and agreed upon by both the EMS and Communications.
3. Provide the EMS with "Response Numbers," also known as "Log" numbers.
4. Provide the EMS with required "Mileage" and associated "Times".
5. Provide the EMS with the "Dispatch Cards" which will contain dispatch information required for inclusion in the files of patients who are transported. These cards will be available for pick-up in a timely fashion on a daily basis.
6. Maintain continuous "Vehicle Location" status.
7. Provide the EMS with monthly data and statistical data, broken down by major services, to be consistent with the level of computer software currently utilized by Communications.
8. Allow authorized agents of the EMS to purchase computers, land mobile radios, pagers, portable radios, and other related equipment through Communications sources, as permitted by law.

Hospital agrees to enter into an agreement with the County, for the provisions of the above listed services. Said agreement shall commence on July 1, 2001 and shall terminate absolutely and without further obligation at the close of the calendar year 2001 and at the close of each

succeeding calendar year for which it may be renewed as provided herein. This agreement shall be automatically renewed on January 1, 2002 and on each succeeding January 1 to and including January 1, 2006, unless either party chooses to terminate the agreement, as set forth in paragraph five following. Compensation will be determined as follows:

1. Charges for services will be based upon the projected direct personnel costs for five (5) telecommunication positions, at job rate salary for the fiscal year in question, plus forty (40) percent of those salaries to adjust for fringe benefit costs and overtime pay. It is agreed to assume that EMS related calls will require approximately 1/2 position each shift, and that a factor of fifty (50) percent should be applied to the total of those projected direct personnel costs plus fringe benefits and overtime pay for those five dispatch positions.

2. These fees will be phased in over a five-year period, as indicated below:

- A. Fiscal Year 2002 (July 1, 2001 - June 30, 2002):
 $5 \times \$22,190 = \$110,950 \times 1.40 = \$155,330 \times .500 = \$77,665.00$
- B. Fiscal Year 2003 (July 1, 2002 - June 30, 2003):
 $5 \times \$23,078 = \$115,390 \times 1.40 = \$161,546 \times .500 = \$80,773.00$
- C. Fiscal Year 2004 (July 1, 2003 - June 30, 2004):
 $5 \times \$24,001 = \$120,005 \times 1.40 = \$168,007 \times .500 = \$84,003.50$
- D. Fiscal Year 2005 (July 1, 2004 - June 30, 2005):
 $5 \times \$24,961 = \$124,805 \times 1.40 = \$174,727 \times .500 = \$87,363.50$
- E. Fiscal Year 2006 (July 1, 2005 - June 30, 2006):
 $5 \times \$25,959 = \$129,795 \times 1.40 = \$181,713 \times .500 = \$90,856.50$

Total Fees: \$420,661.50

3. Payments for the above dispatch services shall be remitted on a quarterly basis, in the amount of \$19,416.25, with the first payment due on September 28, 2001. Subsequent quarterly payments will be due on December 31, 2001, March 31, 2002, and June 30, 2002. Such payments shall be made to Spalding County, Georgia, and deposited and accounted for in the Spalding County Emergency Telephone System Fund.

4. At the end of each fiscal year for the duration of this five (5) year agreement, an assessment will be made to assure that, based on "call volume load", charges made to the EMS for dispatch services rendered by the County reflect costs realized to provide those services. Necessary adjustments can be effected upon mutual consent by both parties and if this agreement is amended, would become effective on the first day of each fiscal year from FY 2003 to FY 2006.

5. Each party to this agreement reserves the right to withdraw participation by submitting a 180 day written notice of intent to terminate the agreement, by mail return receipt requested.

In confirmation thereof, we hereunto affix our signatures authorized representatives of the parties affected and obligated by this agreement, this 16th day of July 2001.

(L.S.) Lex Guinn
Executive Director

(L.S.) H. Merrill Massengale
Chairman

8. Consider proposal from Hill Construction Co. to raise railroad Spur Line for the Green Valley Road South Project. The proposal is in the amount of \$9,500. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale proposal was unanimously approved by a vote of 5-0.*
9. Consider payment to BB&T Insurance Services in the amount of \$8,364.05 for Railroad Protection Insurance Policy for Green Valley Road North Project. This will come out of the EIP Grant funds. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow payment to BB&T Insurance Services was unanimously approved by a vote of 5-0.*
10. Consider request from HDR/W L Jorden to begin design and right of way acquisition on Cook Road and Parham Road. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale request from HDR/W L Jorden was unanimously approved by a vote of 5-0.*
11. Consider Resolution of Intent to consider abandonment of a portion of Sandy Flat Road lying north of Birdie Road. *Upon motion by Commissioner Morrow, seconded by Commissioner Johnie McDaniel the following Resolution was unanimously approved by a vote of 5-0.*

RESOLUTION
OF INTENT TO CONSIDER THE ABANDONMENT A PORTION OF
SANDY FLAT ROAD

WHEREAS, subsection 32-7-2(b)(1) of the Official Code of Georgia Annotated provides the procedure for abandonment of a section of the county road system when, for any reason, it has ceased to be used by the public to the extent that no substantial public purpose is served by it; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia has been requested to determine whether a portion of Sandy Flat Road in the northwestern portion of Spalding County, and in the Africa Militia District, running north northeasterly from its intersection with Birdie Road approximately 686 feet, to a point intersecting with Patterson Road that is more particularly described as being a point approximately 700 feet northwest of the intersection of Birdie and Patterson Roads has ceased for any reason to be used by the public to the extent that no substantial public purpose is served by it; and

WHEREAS, a plat or sketch of said road, which is hereto attached, has been tendered to this Board for its use in making such determination; and

WHEREAS, the Board of Commissioners of Spalding County deems it prudent and in the best interest of the County to investigate this request and to make a determination as to whether or not such road should be abandoned;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County that a copy of the within resolution, and a copy of such plat or sketch, be posted at the Spalding County Courthouse and at the Spalding County Courthouse Annex, and further that a copy of this resolution and said plat or sketch be transmitted to the Postmaster of Griffin, Georgia for his review with the local mail carrier, and a copy hereof be transmitted to the Superintendent of Schools for his review with the person in charge of bus

transportation for the students of the local school system, so that this Board may have any response from the public or from the local postmaster or from the Superintendent of the Griffin-Spalding County School System on or before August 20, 2001 that would aid and assist this Board in making, or declining to make, such determination; and

BE IT, AND IT IS, FURTHER RESOLVED that the within resolution shall become effective immediately and that all acts or resolutions, or parts thereof, in conflict herewith be, and the same are hereby repealed.

12. Consider approval of final plat for Huguley Dairy Estates Phase II Subdivision, located off Steele Road. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale final plat was approved by a vote of 4-0-1 with Commissioner Morrow abstaining giving reason as conflict of interest as his son's involvement with this project.*

13. Consider amended FY 2001 CSBG Services Contract with Council on Aging for McIntosh Trail. The amendments will (1) increase funds made available to the Council on Aging for the CSBG Home Delivered Meals (Nutrition) program. Council on Aging's current contract will be increased to approximately \$52,000 for federal fiscal year 2001, with funds coming from the CSBG program; (2) Consolidate home delivered meals contract employees under the administration of Council on Aging. Currently, these employees have separate contracts with Spalding County and are contractually administered by our Finance Department and (3) Terminate a home delivered meals contract with one employee who has fully retired (voluntary retirement).

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow amendment to contract was unanimously approved by a vote of 5-0.

14. Consider at first reading an amendment to the Spalding County Code relative to Traffic Control Devices, to amend Part XII, Section 7-1007. This is to add a three-way stop at Maloy Road at Kendall Drive. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the amendment was approved unanimously by a vote of 5-0. **The Ordinance will be incorporated into the minutes on second and final reading.***

15. Consider contract with Georgia DOT for acquisition of right of way on Teamon Road turn lane project. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the contract was unanimously approved by a vote of 5-0.*

16. Consider proposal from Buck Cooper, Inc. for right of way acquisition on SR 155 for Teamon Road turn lane project. County Manager Wilson stated that this was a federal safety project and you have to have a DOT approved right of way negotiator and Buck Cooper has these credentials. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale proposal was unanimously approved by a vote of 5-0.*

17. Consider at first reading an amendment to the Spalding County Code relative to Part III, Chapter 4: Regulation of Manufactured Homes. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale amendment was unanimously approved by a vote of 5-0. **The Ordinance will be incorporated into the minutes on second and final reading.***

18. Consider Change Order No. 8 in the amount of \$35,738 for the Correctional Institution. This change order is to furnish labor, material and equipment to stall interior cameras. *Upon motion*

by Commissioner Martha McDaniel, seconded by Commissioner Massengale Change Order No. 8 was unanimously approved by a vote of 5-0.

19. Consider Resolution authorizing reimbursement from Bond proceeds. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Resolution was unanimously approved by a vote of 5-0.*

RESOLUTION

WHEREAS, Spalding County, Georgia (the "County") intends to pay for certain capital costs incurred in connection with the acquisition and construction of an economic development park and sewer treatment facility; and

WHEREAS, all or a portion of the costs of the Project will be financed with the proceeds of tax-exempt obligations (the "Bonds") to be issued by the County; and

WHEREAS, prior to the issuance of the Bonds, the County or the Griffin-Spalding County Development Authority may pay for all or a portion of the costs of the Project; and

WHEREAS, the County may reimburse itself or the Griffin-Spalding County Development Authority with Bond proceeds for the costs of the Project paid by it prior to the issuance of the Bonds; and

NOW, THEREFORE, be it resolved by the Board of Commissioners of the County, and it is hereby resolved by the same, as follows:

1. The County reasonably expects to reimburse itself or the Griffin-Spalding County Development Authority with Bond proceeds for the costs of the Project paid by it prior to the issuance of the Bonds.
2. The maximum principal amount of debt which the County presently expects to be issued relating to the Project is currently estimated to be \$36,000,000.

Adopted this the 16th day of July 2001.

20. Set a date for meeting with cities of Griffin, Orchard Hill and Sunny Side as required by O.C.G.A. 48-8-111 for SPLOST extension. *Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the date of Monday, July 30, 2001 and time of 6:00 p.m. was unanimously approved by a vote of 5-0.*

21. Chairman Massengale would like to discuss dwelling space requirements. Mr. Massengale stated that Fayette County had problems with multiple occupants in residences and they amended their code to stop this kind of living conditions. They changed their minimum dwelling space requirements by adding every room occupied for sleeping purposes by one occupant shall contain at least 70 sq. ft. of floor space and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 sq. ft. of floor space for each occupant thereof.

There is a similar problem in Spalding County where there are multiple occupants residing in a residence on Crestview Drive. There has been a complaint regarding late night activities disrupting the neighborhood and other quality of life offenses.

Commissioner Morrow commented that he feels this is a nuisance suit between two neighbors and asked County Attorney Fortune if there were nuisance laws on the books for these kinds of suits.

County Attorney Fortune commented that you have state law nuisance claims and bringing action to abate a nuisance is definitely a course of action that is available to the grieved parties.

There was a discussion regarding the impact if Spalding County passed this ordinance. There are large families living in small houses and would not meet the 70 sq. ft. minimum and this ordinance could not be enforced selectively. This would affect a lot of dwellings in violation of the law. This would address one problem but would create a whole lot of other people who are in violation of the law.

Community Development Director Michael Sabine commented that a very narrowly way to address this problem is to define a rooming house or boarding house as where cash, rent and/or lodging is provided as a function of employment. This would be in residential zones only. Mr. Sabine was instructed to draft an amendment for the Board to review.

22. Commissioner Morrow would like to discuss Animal Restraint Districts. Mr. Morrow stated that our ordinance allows restraint districts in certain defined areas and he stated two (2) possible solutions to the dog problem. The first solution was since this is subdivision driven, when somebody plats a new subdivision in Spalding County the developer make that subdivision an animal restraint district. The second solution was a straw poll on ballot and let folks tell us what their opinion is of a countywide leash law. There was a discussion regarding the straw poll vote on referendum but no action was taken. County Manager Wilson suggested that maybe the *Griffin Daily News* would be willing to do a straw poll in the newspaper and that the County could do one on their web page.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson stated that the agenda needed to be amended to address two (2) items. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the agenda was amended by a unanimous vote of 5-0.*

The first item was to consider Supplemental Agreement with Hill Construction Co. for Wyomia Tyus Olympic park Phase III Entrance Road and Parking Area. The amount to be approved is in the amount of \$5,000 and this is for erosion control.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel Supplemental Agreement in the amount of \$5,000 was unanimously approved by a vote of 5-0.

The second item was a request from the Parks and Recreation Advisory Commission that the Cricket Association be allowed to use the Wyomia Tyus Olympic Park for practices and games with lights for games only. Soccer's next season will not begin until the fall so there would be no immediate interference with that association. The Cricket Association plays on Sunday nights only and the games last from four to six hours. Mr. Greene stated that they have been pushing the Soccer Association to lay off the fields to reduce some of the foot traffic. He said that he just wanted to let the Commissioners know because there is going to be some controversy if they are allowed to use the field. ***The Board took no action. Staff was instructed to make the decision.***

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall requested that County Manager Wilson place Ella Circle on the LARP list.

Commissioner Kendall spoke regarding the Intergovernmental Agreement between City and County if the sales tax passes in November and also what, if any, were we going to do to promote the passage of the sales tax. County Manager Wilson commented that he assumes that it would be the Sewer Task Force to work out the detail of an Intergovernmental contract for the operation of the sewer plant. Mr. Fortune commented on the promotion of the sales tax. He said that the county Board as a whole could not expend any funds or use personnel but could promote individually in your capacity as long as you don't do it in the name of Spalding County. It was discussed that the Griffin-Spalding Development Authority was forming a committee to promote passage of SPLOST for the economic development park and sewer plant. Mr. Kendall stated that the politicians on this Board need to be the lead agency in that particular loop and suggested that Commissioner Martha McDaniel, who is our member on the Development Authority, be the liaison between Spalding County and Development Authority and the City of Griffin to promote this SPLOST. Commissioner Martha McDaniel commented that she would be happy to do that.

Commissioner Johnie McDaniel commented that we were not solidly behind the SPLOST recreation and it is very important if we have to do it as individuals that we make it known in this community that we are behind this economic development SPLOST individually and collectively. He commented that he totally supported the SPLOST.

Commissioner Martha McDaniel stated Warden Massac had asked her to request directional signs on the 19/41 Bypass and Highway 362 for the new C.I. Commissioner Martha McDaniel asked Mr. Wilson to write a letter to DOT to see if they have any problem with this request. The Board had no problem with the request being made to DOT.

Commissioner Martha McDaniel also agreed with Mr. Kendall and Mr. McDaniel that we have to make a united front on the upcoming SPLOST as it is very important for the future of Spalding County.

Commissioner Morrow also agreed with the comments made regarding the upcoming SPLOST and commented he was 100% behind this as it is an absolute necessity for Spalding County's future.

Commissioner Morrow stated that he had a call from a church that objected to a \$1,000 commercial review fee for an extension of a church. He feels that this might be excessive for small commercial buildings and has asked Mr. Sabine to check around with other counties to see if there is a better way of charging for plan review fees, especially for small buildings.

Commissioner Massengale commented that there was a meeting last Friday morning with Representative Yates and Sanders, Mrs. Doane, Roland Hinnens and himself with Keith Rohling, DOT Traffic Control Specialist and the discussion was the signalization of Birdie Road and Highway 19/41. The traffic signal has been approved; however, there is a provision that turn lanes in both directions on Birdie Road have to be constructed. The cost to install traffic signal and construct turn lanes would cost \$140,000. Mr. Rohling presented a proposal at the meeting that because of the safety issue at this intersection that Federal safety funds could be applied for with 90% funding and 10% match. It would take two (2) years to get this project funded. That is the problem. Mr. Massengale stated another problem is that Georgia DOT in the very near future

is going to three-lane 19/41 northbound and southbound and if we go ahead and fix the intersections now for \$140,000 then it will have to be redone and the cost would be \$250,000. The choices for the Board are to apply for the Federal Safety Funds now for the \$140,000 or wait and get the \$250,000 or spend our own money and do this project now.

County Manager Wilson commented that this amount could be taken out of the current SPLOST transportation money. The Board felt like this was a very dangerous intersection and the money should be spent now and fix the intersection. Mr. Wilson stated that he would have HDR/WL Jorden to prepare some more detail cost estimates and timetable and place on the August 6 agenda for your consideration.

XIV. CLOSED MEETING

XV. ADJOURNMENT

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

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
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