



# Spalding County online

## Board of Commissioners

### EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, September 17, 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, Assistant County Manager Michael Sabine, 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 Two Months Ended August 31, 2001. Ms. Jinna Garrison, Finance Director, was present to answer any questions. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel Financial Statements were unanimously approved by a vote of 5-0.*

#### **VI. CITIZENS COMMENTS**

1. Fred Edwards, Chairman of the Spalding County Water & Sewerage Facilities Authority, is present to discuss forming a study committee in regards to water. Mr. Fred Edwards gave his address as 747 Steele Road and asked for the support of the County Commission to meet with the City of Griffin to address with them the possibility of a coalition of a City/County Water Authority. He said that he has read where two (2) City Commissioners, Joanne Todd and Dick Slade, are in favor of a working agreement in some form of nature with the county in regards to developing a new reservoir and water treatment plant in Pike County. He said that he recalls where City Manager Ron Rabun stood up and said at a meeting that he would be willing to work with the County also.

If commented that if the Commissioners had a desire to publicly support open discussions with the City as to the future cooperation regarding water operations, he will see that there is a meeting with the City along with the commissioner that is on the Water Authority, Chairman Massengale. Mr. Edwards commented that he would ask to be placed on one of their agendas.

He said that he is going to bring this up at the Water Authority meeting on Wednesday.

Each commissioner made their comments regarding the possibility of this meeting and each gave their support for Mr. Edwards as Chairman of the Spalding County Water & Sewerage Facilities Authority to try and start a coalition for a joint City/County Water Authority. They agreed that this was the City's water system and would hope they would be gracious enough to work on a plan to make this either a community or a regional water system and hope that Mr. Edwards finds them receptive to this.

Mr. Edwards stated that after he meets with the City, he would come back and let the commissioners know personally what has taken place and he thanked the Commissioners for their support.

## **VII. PUBLIC COMMENT**

There was no one present who wished to make comments.

## **VIII. MINUTES**

1. Consider approval of the minutes of the Regular Meeting of September 4, 2001 and Special Called Meeting of September 11, 2001. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the minutes were unanimously approved by a vote of 5-0.*

## **IX. CONSENT AGENDA – n/a**

## **X. OLD BUSINESS**

1. Discuss appointments to the "Citizens Committee for the Airport Master Plan". Commissioner Martha McDaniel stated that she understood that this has been changed to twenty-four (24) members and a Chairman for a total of twenty-five (25) members, twelve from the City and twelve from the County with the Chairman being appointed at first meeting and then a new member appointed by the group to take the appointment of the one that was elected Chairman. She asked the Board to consider that each commissioner appoint two (2) to serve along with she and Commissioner Morrow, who desire to serve, which would total twelve (12). The City has already made some of their appointments to this committee.

*Motion made by Commissioner Martha McDaniel to have each commissioner make their two appointments to this committee at their next regular scheduled meeting, which would be October 8, 2001. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 5-0.*

2. Lift from the table. Consider Work Authorization for Engineering & Planning Services for the development of a Master Plan for the Griffin/Spalding County Airport. *Motion made by Commissioner Morrow, seconded by Commissioner Martha McDaniel and unanimously approved to lift item from the table.*

*Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the Work Authorization for Engineering & Planning Services for the development of an Airport Master*

*Plan was unanimously approved by a vote of 5-0. The cost of the study locally is \$8,000 to be split between the City of Griffin and Spalding County.*

## **XI. NEW BUSINESS**

1. Consider approval of Resolution relative to the terrorism attacks against the United States. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Resolution was unanimously approved by a vote of 5-0.*

### **RESOLUTION**

**WHEREAS**, on September 11, 2001, the United States was suddenly and brutally attacked by foreign terrorists, and;

**WHEREAS**, these terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, and a third into the Pentagon outside Washington, DC, and;

**WHEREAS**, thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers, and bystanders, and;

**WHEREAS**, these cowardly acts were by far the deadliest terrorist attacks ever launched against the United States, and, by targeting symbols of American strength and success, clearly were intended to intimidate our nation and weaken its resolve, and;

**WHEREAS**, these horrific events have affected all Americans. It is important that we carry on with the regular activities of our lives. Terrorism cannot be allowed to break the spirit of the American people, and the best way to show these cowards that they have truly failed is for the people of the United States and their counties to stand tall and proud,

**THEREFORE BE IT RESOLVED**, that the Spalding County Board of Commissioners condemns the cowardly and deadly actions of these terrorists, and;

**BE IT FURTHER RESOLVED**, that the Spalding County Board of Commissioners supports the President of the United States, as he works with his national security team to defend against additional attacks, and find the perpetrators to bring them to justice, and;

**BE IT STILL FURTHER RESOLVED**, that the Spalding County Board of Commissioners recommends to its citizens to support relief efforts by giving blood at the nearest available blood donation center.

2. Consider appointment to fill the unexpired term of Tangelia Booker-Fuller Post #1 on the Board of Zoning Appeals. (Term expires 12-31-01) (Appointment to be made by Commissioner Kendall). ***Commissioner Kendall appointed Mr. Charles Heggie to fill this unexpired term which expires 12-31-01.***

3. Consider Resolution Approving the Issuance of Revenue Bonds by the Griffin-Spalding County Development Authority for Swanton Welding & Manufacturing, Inc. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the following*

*Resolution was approved by a vote of 4-0-1 with Commissioner Morrow abstaining stating conflict of interest.*

**RESOLUTION OF  
THE BOARD OF COMMISSIONERS  
OF  
SPALDING COUNTY**

**A RESOLUTION APPROVING THE ISSUANCE OF REVENUE BONDS BY THE GRIFFIN-SPALDING COUNTY DEVELOPMENT AUTHORITY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Griffin-Spalding County Development Authority (the “Issuer”), on September 10, 2001, caused to take place a public hearing on the question whether there should be issued industrial development revenue bonds (the “Bonds”), the proceeds of which are to be used to finance the cost of acquisition of a laser cutting machine to be used in metal fabrication and all necessary convenient, or related interest in machinery, equipment and furnishings to be used by Swanton Welding & Machining, Inc., in its manufacturing operations (the “Project”); and

**WHEREAS**, it is intended by the Issuer that interest on the Bonds be exempt from federal income taxation, and the Internal Revenue Code of 1986, as amended (the “Code”) requires, as a condition to such exemption, that the Board of Commissioners of Spalding County approve such issuance, after a public hearing open to the public; and

**WHEREAS**, the Issuer has caused said hearing to be conducted on behalf of Spalding County and has received the report of Robert H. Smalley, Jr., of the hearing; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Spalding County, that the issuance of the Bonds for the purpose of paying all or a portion of the cost of the Project is hereby approved. In accordance with applicable regulations promulgated under the Code, the Issuer does hereby determine as follows:

- (a) The principal amount of the Bonds will not exceed \$1,000,000;
- (b) The Project to be financed by the Bonds is a welding and metal fabrication of parts and equipment for customers engaged in manufacturing;
- (c) The user of the Project will be either Swanton Welding Co., Inc., a Ohio corporation, or Swanton Welding & Machining, Inc.; and
- (d) The location of the Project is at 350 Hudson Road, Griffin, Spalding County, Georgia

4. Consider approval of 2002 LARP requests. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the 2002 LARP list was unanimously approved by a vote of 5-0.*

5. Consider proposals for cleaning and inspecting the water tanks on Williamson Road and Old Atlanta Road. County Manager Wilson stated that the low bid was Utility Service Co. in the amount of \$3700.

*Motion made by Commissioner Martha McDaniel to approve low bid of Utility Service Co. in the amount of \$3700. Commissioner Johnie McDaniel seconded the motion and motion was unanimously approved by a vote of 5-0.*

## **XII. REPORT OF COUNTY MANAGER**

County Manager Wilson stated that the Board needed to set a new date to go to Atlanta and discuss reapportionment. The Commissioners chose September 24, 2001 at 11:00 a.m. if Mr. Wilson is able to schedule this meeting with the reapportionment office.

County Manager Wilson reminded the Board that we had scheduled three (3) public hearings on increasing taxes. Two of them were Thursday, September 20<sup>th</sup> at 11:30 a.m. and 6:00 p.m. The third public hearing is scheduled for September 27<sup>th</sup> at 5:00 p.m., followed by a special called meeting to set the tax levy at 5:30 p.m. and the regular scheduled public hearing at 6:00 p.m.

County Manager Wilson stated that we had been approached by Pike County to provide animal control services. This is limited service including euthanization of animals that are either dangerous or unstable to be kept by Pike County and quarantined boarding animals in need of isolation. He said that our county can handle these requested services and if the Board doesn't have any objections, we can work some costs and get back with Pike County.

County Manager Wilson stated that the Fire Department would be collecting money for the September 11<sup>th</sup> fund. A basketball game has been scheduled between Spalding County Public Safety employees and Spalding County School System employees at First United Methodist Church at 6:00 p.m. September 22, 2001. All donations will benefit The New York Fire 9-11 Relief Fund. They will also probably do the "pass the boot" at locations in the County.

County Manager Wilson stated that Fire Chief Gardner would like to know the feelings of the Board on renaming an existing fire station to obtain donation of the Old Dundee fire truck. Mrs. Roberts has stated that she might be willing to give the fire truck to the county if we would name a station after her husband. Chief Gardner has suggested renaming either Akin or Cabin stations. The Board had no problem with this request but requested some background information on Mr. Roberts before renaming a station.

County Manager Wilson requested that the agenda be amended to go into Closed Meeting to discuss potential litigation after the Report of Commissioners.

## **XIII. REPORT OF COMMISSIONERS**

Commissioner Kendall made comments about an incident that happened at Animal Control regarding euthanization several years ago that drew more heat locally and nationally and asked Mr. Wilson to bring Commissioner Morrow up to date on this incident. He said that you couldn't take animal control lightly.

Commissioner Johnie McDaniel had no comments.

Commissioner Martha McDaniel commented that the Sesquicentennial Committee had mET and the consensus of the group was because of the times we are in right now that they felt that they should postpone the celebration indefinitely.

Commissioner Martha McDaniel commented how proud she was in the fact that the citizens of Spalding County were displaying and wearing their flags.

Commissioner Martha McDaniel addressed placing the red white and blue bunting on the Courthouse and for what length of time. Mrs. McDaniel suggested displaying the bunting through the end of the month. The Board had no problem with this request.

Commissioner Johnie McDaniel asked County Manager Wilson if he would obtain the rules on flag etiquette as he feels that we have been guilty of violating some rules in the handling of the American flag by lowering it from time to time. He said that he was proud of the flag and wanted to see it done properly.

Commissioner Morrow stated that he had a concern with dump trucks on Rover-Zetella Road being overloaded. Spalding County has no enforcement of overloads on county roads and we are having road damage from these trucks. He asked County Manager Wilson to contact DOT and asking them to enforce this and set up some scales.

Commissioner Massengale stated that he also had concerns about dump trucks that were coming down Highway 92 from Fayette County cutting across to Highway 19-41 through Birdie Road and Vineyard Road to get to the landfill on the Butts County Line. It was noted that Birdie Road is not a "No Thru Trucks" road. County Manager Wilson stated that he would ask the Sheriff and Public Works to look at this concern and make a recommendation for "No Thru Trucks".

*Motion made by Commissioner Morrow, seconded by Commissioner Martha McDaniel and unanimously approved to amend the agenda to go into a Closed Meeting to discuss potential litigation.*

*Motion made by Commissioner Massengale, seconded by Commissioner Morrow and unanimously approved to go into Closed Meeting.*

#### **XIV. CLOSED MEETING**

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

#### **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 September 17, 2001.

2.

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

3.

The executive session was called to order at 7:10\_ 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 17<sup>th</sup> day of September 2001.

Spalding County Board of Commissioners

Sworn to and subscribed  
Before me this 17<sup>th</sup> day of  
September 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

*Motion made by Commissioner Johnie McDaniel, seconded by Commissioner Martha McDaniel and unanimously approved 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.*

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County Clerk

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Chairman

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Please send comments to [webmaster@spaldingcounty.com](mailto:webmaster@spaldingcounty.com)  
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