



Spalding County online

Board of Commissioners

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their regular monthly meeting on Monday, November 5, 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 and Johnie McDaniel present. Commissioner Michael Kendall was absent due to illness. 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 – Led by Rev. Tim Newby in the absence of Rev. Valimont.**
- III. PLEDGE TO FLAG – Led by County Manager Wilson.**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. A representative from Sullivan & Sturdivant is here to present a check for indigent reimbursement. Sam Sullivan, Harold Sturdivant and Michelle Ogletree were present and presented a check in the amount of \$26,270.64 for the first payment of FY 2002.

2. Consider approval of a Proclamation proclaiming Sunday, November 11, 2001 as “Retired Educators Day” in Spalding County. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel the following Proclamation was unanimously approved by a vote of 4-0.*

Proclamation

“Retired Educators Day”

WHEREAS, The Governor of the State of Georgia has proclaimed the day of Sunday, November 11, 2001, to be known as Georgia Retired Educators Day; and

WHEREAS, There are over 50,000 retired educators in Georgia, 15,000 of whom are members of the Georgia Retired Educators Association (GREA); and

WHEREAS, The retired educators of Georgia and particularly those affiliated with the Georgia Retired Educators Association and Local Units of Retired Educators

Associations return to the state, without compensation, hundreds of thousands of hours of vital community service; and

WHEREAS, It is fitting that a day be set aside for citizens to recognize the lasting contributions of our retired educators to the educational development of our children and to express their thanks and appreciation for the outstanding service they provide; and

WHEREAS, Local Churches in this county will recognize the lasting contributions made and being made by retired educators in this community.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County that Sunday, November 11, 2001 is proclaimed as:

“RETIRED EDUCATORS DAY”

and call upon the citizens of this community to observe that day in an appropriate manner honoring the retired educators in our midst.

V. PRESENTATION OF FINANCIAL STATEMENTS – n/a

VI. CITIZENS COMMENTS – n/a

VII. PUBLIC COMMENT

There was no one present who wished to make comment.

VIII. MINUTES

1. Consider approval of the minutes for the Extraordinary Session of October 22, 2001 and Public Hearing of October 25, 2001. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the minutes were unanimously approved by a vote of 4-0.*

IX. CONSENT AGENDA

Commissioner Morrow asked if the Consent Agenda could be voted on each item separately. The Board had no problem with his request.

1. Consider at first reading an ordinance amending the Spalding County Code relative to Animal Control Ordinance, Chapter 1, Section 12-1016-Fee Schedule. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the ordinance was unanimously approved by a vote of 4-0. **The ordinance will be incorporated into the minutes on second and final reading.***

2. Consider at second reading an ordinance amending the Spalding County Code relative to provision of a Four Way Stop at Intersection of Birdie and Patterson Roads.

Motion made by Commissioner Morrow to table this reading until the December 3rd meeting to give him a chance to find out how people in his area feel about this ordinance as the Board had received a letter from Representative John Yates stating their was opposition to this ordinance. Commissioner Massengale seconded the motion. After a discussion regarding setting precedence as this ordinance had gone through the normal due process as any other traffic ordinance, Chairman Massengale called the question. The vote was 2-2 with Commissioner Morrow and Commissioner Massengale voting for the motion to table and Commissioner Martha McDaniel and Commissioner Johnie McDaniel voting against the motion. County Attorney Fortune stated that with a 2-2 vote, no action was taken and another motion could be made at this time.

Motion made by Commissioner Johnie McDaniel to approve the following ordinance at second reading as presented. Commissioner Martha McDaniel seconded the motion and motion passed by a vote of 3-1 with Commissioner Morrow voting against the motion. Commissioner Massengale changed his vote giving the reason that everyone in the community had a chance to voice their approval or disapproval and this went through the due process for traffic control devices.

SPALDING COUNTY, GEORGIA FOUR-WAY STOP ORDINANCE NO. 2001-12

AN ORDINANCE

TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR FOUR-WAY STOP INTERSECTION ON CERTAIN COUNTY ROADS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT RESOLVED AND ORDAINED by the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, as follows:

Section 1. That the Code of Spalding County, Georgia, be amended in Part VII, Chapter 1, Section 7-1007, Traffic Control Devices, by inserting new paragraph (18), said new paragraph to read as follows:

"(18) Birdie Road at Patterson Road."

Section 3. The within ordinance shall be and become effective immediately upon its adoption by the affirmative vote of a majority of the members of the Board of Commissioners of Spalding County, Georgia present at two meetings, as provided in Section 2-1005 of the Code of Spalding County, Georgia; and, upon the erection of signs as required herein by the public works forces of Spalding County, Georgia.

Section 4. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

3. Consider at second reading an ordinance amending the FY 2002 Budget Ordinance to provide for renovations to AMBUCS gym. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel the following ordinance was unanimously approved by a vote of 4-0.*

**AN ORDINANCE AMENDING THE
FISCAL YEAR 2002 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

WHEREAS, the Official Code of Georgia, specifically Title 36, Chapter 81-3, provides that said Board may amend its annual budget ordinance so as to adopt to changing governmental needs during the fiscal year.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on June 30, 2001, be amended as follows:

Section I. General Fund

A. Revenues

Contributions & Donations	From	\$	0	to	\$	3,000
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B. Expenditures

Recreation	From	\$	1,541,667	to	\$	1,544,667
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Approved on first reading this 22nd day of October, 2001.

Approved, adopted and enacted on second reading this 5th of November, 2001.

X. OLD BUSINESS

1. **Lift from the table.** Consider request from Jan McCracken for residents of Cumberland Subdivision to maintain entrance of subdivision. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel item was unanimously lifted from the table.*

County Manager Wilson stated that County Attorney Fortune has prepared a License Agreement to Ms. McCracken and she has submitted a landscaping plan for the teardrop entrance. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the request was unanimously approved by a vote of 4-0.* The License Agreement is as follows:

GEORGIA, SPALDING COUNTY

LICENSE AGREEMENT

For and in consideration of the sum of One Dollar (\$1.00) in hand paid, and other good and valuable consideration, the undersigned hereby grants unto Jan McCracken, individually, hereinafter referred to as Grantee, a license for landscaping the following real property, to wit:

All that lot tract or parcel of land lying being and situate in Land Lot 183 of the 2nd Land District of originally Monroe, now Spalding County, Georgia and being more particularly described as the “tear-drop” shaped traffic island located at the intersection of Cumberland Road and South 6th Street Extension. Said island is shown on a property survey entitled “Cumberland Subdivision” prepared by Kenneth E. Presley Associates, Inc. dated June 19, 1973 and recorded in Plat Book 10 page 192 of the Spalding County Superior Court records, which said plat is incorporated herein and made a part of this legal description.

The license to use this real property is granted to Jan McCracken and shall not run with the land.

This license shall be terminated at will by the undersigned. In the event of termination, Jan McCracken agrees to vacate said real property immediately.

As a condition of this license, Grantee agrees that the landscaping of the above-described real property shall in no way constitute a traffic hazard or impair motor vehicle drivers’ ability to observe oncoming traffic.

Witness, the hand and seal of the undersigned, this 5th day of November 2001.

2. Consider at second reading of Amendments to the Official Zoning Ordinance and Official Zoning Map of the following:

- **Rezoning Application #01-19Z:** Lewis Brewer, Owner—Minerva Properties, LLP, Agent – Trestle Road, 111.49 acres, R-2 to PDD, Conditional.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Resolution was unanimously approved by a vote of 4-0.

IN RE:

**APPLICATION OF LEWIS BREWER
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-19Z

**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 “R-2, Single Family Residential;”

WHEREAS, Lewis Brewer, applicant, applied for a change in zoning classification to be applied to the within described property to “PDD, Planned Development District;”

WHEREAS, such application was filed with Spalding County, Georgia on August 24, 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 October 25, 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:

Tract A

All that tract or parcel of land lying and being in Land Lots 247 and 234, 3rd Land District, Spalding County, Georgia, and being more particularly described as follows:

Beginning at a 1 inch re-bar found at the Land Lot Corner common to Land Lots 246, 247, 176, and 145; thence South 00°25'44" West along the Land Lot Line dividing Land Lots 247 and 145, a distance of 1481.28 feet to a 1 inch re-bar found; thence South 02°48'25" West, a distance of 558.14 feet to an angle iron found; thence South 00°53'17" East, a distance of 92.14 feet to a ½ in re-bar set at the northerly Right of Way of Johnson Road Extension (60" R/W); thence along said Right of Way along a curve to the right an arc distance of 98.28 feet, said arc being subtended by a chord which bears North 72°15'45" West 98.13 feet and having a radius of 500.00 feet to a point; thence North 66°37'54" West tangent to said curve, a distance of 36.15 feet to a ½ inch re-bar set; thence North 00°48'47" West, a distance of 199.63 feet to a ½ inch re-bar set; thence South 84°33'02" West, a distance of 1380.81 feet to a ½ inch re-bar set; thence North 67°08'55" West, a distance of 55.57 feet to a point; thence North 78°49'15" West, a distance of 90.00 feet to a point; thence South 84°06'34" West, a distance of 73.07 feet to a point; thence North 34°36'49" West, a distance of 147.53 feet to a point; thence North 53°42'51" East, a distance of 80.98 feet to a point; thence North 13°24'12" West, a distance of 161.17 feet to a point; thence North 34°12'09" West, a distance of 159.10 feet to a point; thence North 19°26'01" West, a distance of 77.37 feet to a point; thence North 76°33'04" West, a distance of 81.91 feet to a point; thence North 08°47'42" East, a distance of 91.68 feet to a point; thence North 60°02'15" East, a distance of 154.08 feet to a point; thence North 43°46'33" East, a distance of 85.04 feet to a point; thence South 78°28'56" West, a distance of 120.06 feet to a point; thence South 69°18'29" West, a distance of 97.07 feet to a point; thence North 74°39'32" West, a distance of 71.66 feet to a point; thence North 01°53'42" West, a distance of 113.05 feet to a point; thence North 36°57'37" East, a distance of 91.15 feet to a point; thence North 51°07'20" West, a distance of 131.25 feet to a point; thence South 62°11'59" West, a distance of 172.47 feet to a point; thence South 36°30'53" West, a distance of 124.71 feet to a point; thence North 63°44'32" West, a distance of 67.43 feet to a point; thence South 51°29'57" West, a distance of 35.88 feet to a point; thence North 76°01'33" West, a distance of 103.52 feet to a point; thence South 37°54'52" West, a distance of 76.28 feet to a point; thence North 47°14'26" West, a distance of 157.68 feet to a point; thence North 70°54'59" West, a distance of 62.27 feet to a point; thence North 28°15'16" West, a distance of 68.43 feet to a point; thence North 03°25'18" West, a distance of 180.74 feet to a point; thence North 36°55'58" East, a distance of 201.44 feet to a point, thence North 24°19'49" East, a distance

of 31.74 feet a point; thence North 75°50'43" West, a distance of 133.28 feet to a point, thence South 67°29'42" West, a distance of 60.80 feet to a point; thence North 62°55'18" West, a distance of 116.87 feet to a point; thence North 32°14'40" West, a distance of 189.10 feet to a point; thence North 14°26'40" West, a distance of 163.06 feet to a point; thence North 00°55'52" East, a distance of 132.97 feet to a point; thence North 86°09'09" East, a distance of 17.85 feet to a point; thence North 34°16'06" West, a distance of 31.24 feet to the line dividing Land Lots 234 and 235; thence along said Land Lot Line South 89°19'46" East, a distance of 308.58 feet to a stone found at the Land Lot Corner common to Land Lots 234, 235, 246 and 247; thence along said Land Lot Line North 88°45'55" East, a distance of 901.63 feet to a concrete monument found; thence North 87°47'00" East, a distance of 1892.69 feet to a 1 inch re-bar found being the Point of Beginning. Said tract containing 107.275 ACRES, more or less.

Tract B

All that tract or parcel of land lying and being in Land Lot(s) 247 and 248, 3rd Land District, Spalding County, Georgia, and being more particularly described as follows:

Beginning at a 1 inch re-bar found at the Land Lot Corner common to Land Lots 246, 247, 176 and 145; thence South 00°25'44" West along the line dividing Land Lots 247 and 145, a distance of 1481.28 feet to a 1 inch re-bar found; thence South 02°48'25" West, a distance of 558.14 feet to an angle iron found; thence South 00°53'17" East, a distance of 153.54 feet to a ½ inch re-bar set at the southerly Right of Way of Johnson Road Extension (60' R/W) and being the True Point of Beginning; thence South 00°53'17" East, a distance of 324.26 feet to a ½ inch re-bar found; thence South 01°12'06" West, a distance of 425.49 feet to a ½ in re-bar found at the Land Lot Corner common to Land Lots 247, 248, 144, and 145; thence South 01°10'10" West, a distance of 942.82 feet to a 1 inch re-bar found; thence South 89°13'40" West, a distance of 78.94 feet to a ½ inch re-bar set; thence North 00°48'47" West, a distance of 1733.35 feet to a ½ inch re-bar set on the southerly Right of Way of Johnson Road Extension; thence along said Right of Way South 66°37'54" East, a distance of 9.21 feet to a point; thence along a curve to the left an arc distance of 123.89 feet, said arc being subtended by a chord of South 72°58'08" East, a chord distance of 123.63 feet and having a radius of 560.00 feet, to a ½ inch re-bar set and the True Point of Beginning. Said Tract containing 4.215 ACRES, more or less.

From "R-2, Single Family Residential" to "PDD, Planned Development 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. Zoning by Pod (Pods as defined by developer's concept plan/conceptual plat):

1. Section AA shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
2. Section BB shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
3. Section CC shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
4. Section DD shall be developed consistent with the requirements of the R-1 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
5. Section EE shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
6. Section FF shall be developed consistent with the requirements of the R-1 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
7. Section GG shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.

The development incentives referred to in Section A, Nos. 1-7, pertain to development incentives stated within the Planned Development District.

B. General conditions applied to all property within the property subject to this rezoning:

1. All front and side yards shall be sodded. Rear yards abutting open space or the golf course shall be sodded.
2. The minimum roof pitch for all structures shall be 6:12.
3. Architectural shingles shall be required.
4. Cantilevered chimneys are not permitted.
5. Exposed concrete foundations shall not be allowed. No concrete block foundations are allowed.
6. Wooden decks shall be painted or stained if they back onto the golf course or open space.
7. Mailboxes shall be coordinated and uniform within neighborhoods.

8. No chain link fencing permitted unless it is vinyl coated.
 9. Freestanding dog pens shall not be permitted.
 10. Accessory structures shall match the style and materials of the home.
 11. Recreational vehicles shall not be stored between the street and the front building line of any home.
- C. Sections AA, BB, CC, DD, FF and GG: Street trees shall be required on both sides of the street. Trees are required at 50-foot intervals. Trees shall be hardwood species, with a minimum 2-inch caliper.

The minimum standard for vinyl use on all siding construction dwellings within the property subject to rezoning shall be the standard of a Georgia Pacific Vision Pro 5- inch width wood grain texture or comparable or higher-grade product. The maximum protrusion for a front entry garage is 10-feet measured from the front wall of the house and the front wall of the garage.

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 November 5, 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(s) 247, 248 and 234 of the 3rd Land District, Spalding County, Georgia, consisting of approximately 111.49 acres, zoned PDD, conditional.

(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.

- **Rezoning Application #01-19AZ:** Quail Creek Land & Timber Company, Owner—Minerva Properties, LLP, Agent, - Johnson Road Extension, 3.211± acres, R-2 to PDD, Conditional.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel the following Resolution was unanimously approved by a vote of 4-0.

IN RE:

**APPLICATION OF QUAIL CREEK LAND AND TIMBER COMPANY
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-19AZ

**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 “R-2, Single Family Residential;”

WHEREAS, Quail Creek Land and Timber Company, applicant, applied for a change in zoning classification to be applied to the within described property to “PDD, Planned Development District;”

WHEREAS, such application was filed with Spalding County, Georgia on August 24, 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 October 25, 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 certain piece, parcel or tract or land lying and being in Land Lot 145 of the 2nd District, Spalding County, Georgia consisting of approximately 3.211± acres in the aggregate, being Lot 1 of Upper Towaliga Estates by Gary W. Witherington, Georgia Registered Land Surveyor No. 1930, dated September 18, 1997, and recoded in Plat Book 22, Page 682, Spalding County, Georgia as more particularly described as follows:

COMMENCING at a point on the northerly right-of-way of Johnson Road Extension (60-foot right-of-way) which point lies on the common land lot line of Land Lots 247 and 145 and is the POINT OF BEGINNING North 00 degrees 57 minutes 43 seconds West a distance of 91.74 feet to a 5/8-inch rebar; thence North 02 degrees 41 minutes 59 seconds East a distance of 558.61 feet to a 2-inch rebar; thence South 89 degrees 32 minutes 43 seconds East a distance of 200.00 feet to a point; thence South 00 degrees 27 minutes 17 seconds West a distance of 660.00 feet to a point; thence North 89 degrees 32 minutes 43 seconds West a distance of 118.31 feet to a point; thence along the arc of a curve to the right a distance of 102.02 feet (said arc being subtended by a chord length of 101.84 feet and a chord bearing of North 83 degrees 42 minutes 01 seconds West) to a point which is the POINT OF BEGINNING.

From “R-2, Single Family Residential” to “PDD, Planned Development 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. Zoning by Pod (Pods as defined by developer’s concept plan/conceptual plan):

1. Section AA shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
2. Section BB shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.

3. Section CC shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
4. Section DD shall be developed consistent with the requirements of the R-1 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
5. Section EE shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
6. Section FF shall be developed consistent with the requirements of the R-1 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
7. Section GG shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.

The development incentives referred to in Section A, Nos. 1-7, pertain to development incentives stated within the Planned Development District.

B. General conditions applied to all property within the property subject to this rezoning:

1. All front and side yards shall be sodded. Rear yards abutting open space or the golf course shall be sodded.
2. The minimum roof pitch for all structures shall be 6:12.
3. Architectural shingles shall be required.
4. Cantilevered chimneys are not permitted.
5. Exposed concrete foundations shall not be allowed. No concrete block foundations are allowed.
6. Wooden decks shall be painted or stained if they back onto the golf course or open space.
7. Mailboxes shall be coordinated and uniform within neighborhoods.
8. No chain link fencing permitted unless it is vinyl coated.
9. Freestanding dog pens shall not be permitted.
10. Accessory structures shall match the style and materials of the home.
11. Recreational vehicles shall not be stored between the street and the front building line of any home.

C. Sections AA, BB, CC, DD, FF and GG: Street trees shall be required on both sides of the street. Trees are required at 50-foot intervals. Trees shall be hardwood species, with a minimum 2-inch caliper.

The minimum standard for vinyl use on all siding construction dwellings within the property subject to rezoning shall be the standard of a Georgia Pacific Vision Pro 5- inch width wood grain texture or comparable or higher-grade product. The maximum protrusion for a front entry garage is 10-feet measured from the front wall of the house and the front wall of the garage.

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 November 5, 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 145 of the 2nd Land District, Spalding County, Georgia, consisting of approximately 3.211± acres, zoned PDD, conditional.

(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.

- **Rezoning Application #01-19BZ:** Cole Tract Associates, L.P., Owner—Minerva Properties, LLP, Agent – Trestle Road, 95.47 acres, R-2 to PDD, Conditional.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Resolution was unanimously approved by a vote of 4-0.

IN RE:

**APPLICATION OF COLE TRACT ASSOCIATES, L.P.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-19BZ

**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 “R-2, Single Family Residential;”

WHEREAS, Cole Tract Associates, L.P., applicant, applied for a change in zoning classification to be applied to the within described property to “PDD, Planned Development District;”

WHEREAS, such application was filed with Spalding County, Georgia on August 24, 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 October 25, 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:

TRACT C (SPALDING COUNTY)

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 145 of the 2nd District, Spalding County, Georgia, shown as Tract C on Property Survey for Minerva Properties, L.L.P., Cole Tract Associates, L.P., and Fidelity National Title Insurance Company of New York, dated February 29, 2000, last revised November 6, 2000, by Rochester & Associates, Inc., bearing the seal of Mark A. Buckner, Georgia Registered Land Surveyor No. 2422, which plat is incorporated herein by reference, and being more particularly described according to said plat as follows:

BEGINNING at a 1 inch rebar found at the Land Lot corner common to Land Lots 145 and 176 of the 2nd District and Land Lots 246 and 247 of the 3rd Land District, which is also the Spalding County/Henry County Line; thence along the Land Lot Line common to Land Lots 145 and 176 and said County Line South 89°29'19" East, a distance of 2238.37 feet to a ½ inch rebar set on the westerly right-of-way of Trestle Road (60' Right-of-Way); thence southerly along the westerly right-of-way of Trestle Road the following five calls: South 00°31'26" East, a distance of 40.80 feet to a point; thence South 01°30'09" West, a distance of 493.16 feet to a point; thence South 00°05'42" East, a distance of 190.33 feet to a point; thence South 00°19'42" West, a distance of 478.16 feet to a point; thence 279.74 feet along a curve to the right, said curve having a chord of South 04°04'23" West 279.68 feet and a radius of 3941.56 feet to a ½ inch rebar found; thence leaving Trestle Road North 89°28'59" West, a distance of 2214.61 feet to a 1 inch rebar found on the Land Lot and District Line common to Land Lot 145 of the 2nd District and Land Lot 247 of the 3rd District; thence along said Land Lot and District Line North 00°25'44" East, a distance of 1481.28 feet to a 1 inch rebar found, being the POINT OF BEGINNING. Said tract contains 75.890 acres of land, more or less.

ALSO TOGETHER WITH AND INCLUDING:

TRACT D (SPALDING COUNTY)

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 145 of the 2nd District, Spalding County, Georgia, shown as Tract D on Property Survey for Minerva Properties, L.L.P., Cole Tract Associates, L.P., and Fidelity National Title Insurance Company of New York, dated February 29, 2000, last revised November 6, 2000, by Rochester & Associates, Inc., bearing the seal of Mark A. Buckner, Georgia Registered Land Surveyor No. 2422, which plat is incorporated herein by reference, and being more particularly described according to said plat as follows:

BEGINNING at a ½ inch rebar set at the intersection of the southwesterly right-of-way of Southern Railroad and the line common to Land Lots 145 and 146; thence along said Land Lot Line South 00°18'15" East, a distance of 1176.93 feet to a ½ inch rebar found; thence North 89°28'59" West, a distance of 632.34 feet to a ½ inch rebar set on the easterly right-of-way of Trestle Road (60' Right-of-Way); thence northerly along the easterly right-of-way of Trestle Road the following five calls: 279.02 feet along a curve to the left, said curve having a chord of North 04°01'28" East 278.97 feet and a radius of 4001.56 feet to a point; thence North 00°19'42" East, a distance of 479.28 feet to a point; thence North 00°05'42" West, a distance of 189.71 feet to a point; thence North

01°30'09" East, a distance of 493.38 feet to a point; thence North 00°31'26" West, a distance of 40.78 feet to a ½ inch rebar set on the Land Lot Line common to Land Lots 145 and 176, which is also the Spalding County/Henry County Line; thence along said Land Lot Line and County Line South 89°29'19" East, a distance of 129.58 feet to a ½ inch rebar set on the southwesterly right-of-way of Southern Railroad; thence southeasterly along said railroad right-of-way the following three calls: 20.99 feet along a curve to the left, said curve having a chord of South 52°38'59" East 20.99 feet and a radius of 1478.36 feet to a point; thence 207.28 feet along a curve to the left, said curve having a chord of South 55°32'55" East 207.24 feet and a radius of 3336.86 feet to a point; thence South 56°53'20" East, a distance of 327.52 feet to a ½ inch rebar set; being the POINT OF BEGINNING. Said tract contains 18.976 acre of land, more or less.

ALSO TOGETHER WITH AND INCLUDING:

TRACT F (SPALD COUNTY)

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 145 of the 2nd District, Spalding County, Georgia, shown as Tract F on Property Survey for Minerva Properties, L.L.P., Cole Tract Associates, L.P., and Fidelity National Title Insurance Company of New York, dated February 29, 2000, last revised November 6, 2000, by Rochester & Associates, Inc., bearing a seal of Mark A. Buckner, Georgia Registered Land Surveyor No. 2422, which plat is incorporated herein by reference, and being more particularly described according to said plat as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 145, 146, 175 and 176, which is also on the Spalding County/Henry County Line; thence along the Land Lot Line common to Land Lots 145 and 146 South 00°18'15" East, a distance of 184.97 feet to a ½ inch rebar set on the northeasterly right-of-way of Southern Railroad; thence along said railroad right-of-way North 56°53'20" West, a distance of 261.93 feet to a point; thence northwesterly along said right-of-way 80.78 feet along a curve to the right, said curve having a chord of North 56°37'12" West 80.78 feet and a radius of 3236.86 feet to a ½ inch rebar set on the Land Lot Line common to Land Lots 145 and 176, which is also the Spalding County/Henry County Line; thence along said Land Lot Line and County Line South 89°29'19" East, a distance of 285.88 feet to a rock found, being the POINT OF BEGINNING. Said tract contains 0.608 acres of land, more or less.

From "R-2, Single Family Residential" to "PDD, Planned Development 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. Zoning by Pod (Pods as defined by developer's concept plan/conceptual plat):

1. Section AA shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
2. Section BB shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
3. Section CC shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
4. Section DD shall be developed consistent with the requirements of the R-1 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
5. Section EE shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
6. Section FF shall be developed consistent with the requirements of the R-1 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.
7. Section GG shall be developed consistent with the requirements of the R-2 zoning district, with the additional conditions prescribed in Section B and C of these conditions; however, notwithstanding, the fact the development incentives contained within in the development ordinance may apply to that pod subject to the satisfaction of those development incentive requirements.

The development incentives referred to in Section A, Nos. 1-7, pertain to development incentives stated within the Planned Development District.

B. General conditions applied to all property within the property subject to this rezoning:

1. All front and side yards shall be sodded. Rear yards abutting open space or the golf course shall be sodded.
2. The minimum roof pitch for all structures shall be 6:12.
3. Architectural shingles shall be required.
4. Cantilevered chimneys are not permitted.
5. Exposed concrete foundations shall not be allowed. No concrete block foundations are allowed.
6. Wooden decks shall be painted or stained if they back onto the golf course or open space.
7. Mailboxes shall be coordinated and uniform within neighborhoods.

8. No chain link fencing permitted unless it is vinyl coated.
9. Freestanding dog pens shall not be permitted.
10. Accessory structures shall match the style and materials of the home.
11. Recreational vehicles shall not be stored between the street and the front building line of any home.

- C. Sections AA, BB, CC, DD, FF and GG: Street trees shall be required on both sides of the street. Trees are required at 50-foot intervals. Trees shall be hardwood species, with a minimum 2-inch caliper.

The minimum standard for vinyl use on all siding construction dwellings within the property subject to rezoning shall be the standard of a Georgia Pacific Vision Pro 5- inch width wood grain texture or comparable or higher-grade product. The maximum protrusion for a front entry garage is 10-feet measured from the front wall of the house and the front wall of the garage.

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 November 5, 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 145 of the 2nd Land District, Spalding County, Georgia, consisting of approximately 95.47 acres, zoned PDD, conditional.

(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.

- **Rezoning Application #01-20Z:** Michael West, Owner—Pilkenton-Murray, LLC, Agent – Swint and Morgan Road, 45.94 acres, AR-1 to R-1, Conditional.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Resolution was unanimously approved by a vote of 4-0.

IN RE:

**APPLICATION OF MICHAEL WEST
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-20Z

**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, Agricultural and Residential;”

WHEREAS, Michael West, applicant, applied for a change in zoning classification to be applied to the within described property to “R-1, Single Family Low Density Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on August 20, 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 October 25, 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 24 of the Third Land District of originally Monroe, now Spalding County, Georgia, and being more particularly shown and designated as Area 45.94 Ac. on that plat of survey entitled, "Property Survey for Niles Murray", dated August 30, 2001, prepared by G. Tim Conkle, Georgia Registered Land Surveyor No. 2001, a copy of which said plat is attached hereto as Exhibit "A", and which said plat together with metes, bounds, courses and distances are shown thereon is incorporated herein and made a part of this description.

From said plat subject property may be more particularly described as follows: BEGINNING at the iron pin found at the intersection of the southerly right of way of Swint Road with the line dividing Land Lots 9 and 24, said intersection being the true point of beginning; proceeding along said right of way of Swint Road from said true point of beginning, north 70 degrees 23 minutes 44 seconds east, a distance of 839.70 feet to a point; thence continue along said right of way around a curve to the right, a distance of 516.98 feet to an iron pin at the intersection of the southerly right of way of Swint Road and the westerly right of way of Morgan Road (said curve having a radius of 1623.07 feet, a chord bearing of north 77 degrees 20 minutes 37 seconds east, and a chord length of 514.80 feet); thence running along said right of way of Morgan Road, south 07 degrees 19 minutes 34 seconds east, 901.56 feet to an iron pin; thence running south 75 degrees 29 minutes 56 seconds west, 160.1 feet to an iron pin; thence running south 06 degrees 35 minutes 13 seconds east, a distance of 101.03 feet to an iron pin; thence running north 82 degrees 30 minutes 41 seconds east, a distance of 159.64 feet; thence running south 07 degrees 12 minutes 21 seconds east, a distance of 586.37 feet to an iron pin; thence running south 88 degrees 50 minutes 44 seconds west, a distance of 1483.14 feet to an iron pin and the common intersection of Land Lots 8, 9, 24 and 25; thence running north 00 degrees 38 minutes 42 seconds west, a distance of 1231.01 feet to an iron pin and the true point of beginning.

From "AR-1, Agricultural and Residential" to "R-1, Single Family Low Density Residential" 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. Maximum of 23 lots.
- b. 42% green space minimum.

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 November 5, 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 24 of the 3rd Land District of originally Henry, now Spalding County, Georgia, consisting of approximately 45.94 acres, zoned R-1, conditional.

(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.

- **Rezoning Application #01-21Z:** Ralph Hojosy, Owner—Pilkenton-Murray, LLC, Agent – Aerodrome Way, 25.65 acres, AR-2 to R-4, Conditional.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Resolution was unanimously approved by a vote of 4-0.

IN RE:

**APPLICATION OF RALPH HAJOSY
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-21Z

**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-2, Rural Reserve;”

WHEREAS, Ralph Hajosy, applicant, applied for a change in zoning classification to be applied to the within described property to “R-4, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on August 20, 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 October 25, 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 86 of the Second Land District of originally Monroe, now Spalding County, Georgia, and being more particularly shown and designated as Tract B, containing 25.65 acres, on that plat of survey entitled, “Property Survey for Niles Murray”, dated August 31, 2001, prepared by G. Tim Conkle, Georgia Registered Land Surveyor No. 2001, a copy of which said plat is attached hereto as Exhibit “A”, and which said plat together with the metes, bounds, courses and distances as shown thereon is incorporated herein and made a part of this description.

From said plat, Tract B may be more particularly described as follows: BEGINNING at the iron pin found at the southerly right of way of the intersection of Aerodrome Way with the line dividing Land Lots 75 and 86, thence running south 88 degrees 23 minutes 42 seconds east, a distance of 462.33 feet to an iron pin; thence running south 0 degrees 03 minutes 17 seconds west, a distance of 236.56 feet to an iron pin and the true point of beginning. From said true point of beginning, running south 00 degrees 03 minutes 17 seconds west, a distance of 1157.25 feet to a point; thence running north 88 degrees 42 minutes 09 seconds east, a distance of 960.33 feet to an iron pin; thence north 00 degrees 47 minutes 26 seconds east, a distance of 1028.74 feet to an iron pin; thence running along the southerly right of way of Aerodrome Way, north 67 degrees 27 minutes 28 seconds west, a distance of 206.38 feet to a point; thence proceeding along said right of way, north 69 degrees 15 minutes 35 seconds west, a distance of 297.81 feet to a point; thence running along said right of way north 65 degrees 56 minutes 36 seconds west, a distance of 145.91 feet to an iron pin; thence running south 00 degree 10 minutes 47 seconds west, a distance of 136.98 feet to an iron pin; thence running 89 degrees 57 minutes 54 seconds west, a distance of 370.39 feet to an iron pin and the true point of beginning.

From “AR-2, Rural Reserve” to “R-4, Single Family Residential” 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. Minimum of 20% green space.
- b. All front yards must be sodded to the building line.
- c. All roofs must have a minimum 7:12 roof pitch.
- d. A minimum of a one-car garage is required per home.

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 November 5, 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 86 of the 2nd Land District of originally Henry, now Spalding County, Georgia, consisting of approximately 25.65 acres, zoned R-4, conditional.

(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.

- **Rezoning Application #01-22Z**: Lawrence and Helen Jump, Owners—Patterson Road, 6 acres, R-4 to AR-1.

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the following Resolution was unanimously approved by a vote of 4-0.

IN RE:

**APPLICATION OF LAWRENCE & HELEN JUMP
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-22Z

**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 “R-4, Single Family Residential;”

WHEREAS, Lawrence and Helen Jump, applicant, applied for a change in zoning classification to be applied to the within described property to “AR-1, Agricultural and Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on August 21, 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 October 25, 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 88 of the 3rd Land District originally Henry, now Spalding County, Georgia, being designated as Lot 8 as shown on a plat entitled "FINAL PLAT OF MOBLEY HILLS" containing 6.000 acres and may be more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING commence at the intersection of the north right-of-way of Birdie Road and the northeast right-of-way of Patterson Road thence running in a northwesterly direction along said right-of-way of Patterson Road a distance of 299.28' to a point and POINT OF BEGINNING; thence continuing along said right-of-way North 38°16'03" West a distance of 96.55' to a 1" pipe; thence North 01°07'33" East a distance of 456.17' to a 1" pipe; thence North 89°23'36" East a distance of 506.99' to a point; thence 00°10'10" East a distance of 500.01' to a point; thence South 83°51'40" West a distance of 459.54' to a point located on said northeast right-of-way of Patterson Road said point being the POINT OF BEGINNING.

From "R-4, Single Family Residential" to "AR-1, Agricultural and 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 November 5, 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 88 of the 3rd Land District of originally Henry, now Spalding County, Georgia, consisting of approximately 6.00 acres, zoned AR-1.

(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.

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

- **Amendment to UDO #A-01-16:** C-1, C-!B, C-1C Zoning Districts—add provision to allow minimum lot frontage of 50' for lot abutting the turn around portion of dead end streets (cul-de-sacs).

Upon motion by Commissioner Morrow, seconded by Commissioner Johnie McDaniel the following Resolution was unanimously approved by a vote of 4-0.

IN RE:

Text Amendment #A-01-16

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment 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 October 25, 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; and

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 is in conformance with 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: Existing Section 1204(H) of the Zoning Ordinance shall be deleted in its entirety.

Section 2: A new Section 1204(H) of the Zoning Ordinance of Spalding County shall be enacted as follows:

Minimum Frontage Width: 75 feet. Minimum frontage width shall be reduced to 50 feet for lots abutting the turnaround portion of dead end streets (cul-de-sacs).

Section 3: Existing Section 1404(H) of the Zoning Ordinance shall be deleted in its entirety.

Section 4: A new Section 1404(H) of the Zoning Ordinance of Spalding County shall be enacted as follows:

Minimum Frontage Width: 75 feet. Minimum frontage width shall be reduced to 50 feet for lots abutting the turnaround portion of dead end streets (cul-de-sacs).

Section 5: Existing Section 1404A(H) of the Zoning Ordinance shall be deleted in its entirety.

Section 6: A new Section 1404A(H) of the Zoning Ordinance of Spalding County shall be created as follows:

Minimum Frontage Width: 100 feet. Minimum frontage width shall be reduced to 50 feet for lots abutting the turnaround portion of dead end streets (cul-de-sacs).

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

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 7: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 8: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

XI. NEW BUSINESS

1. Public Hearing relative to application of Will's Walk Subdivision for street lighting district (76 lots).

There was no one present who wished to make public comment.

2. Consider request to approve street lighting district for Will's Walk Subdivision – H. Brian Jackson, Owner.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow street lighting district for Will's Walk Subdivision was unanimously approved by a vote of 4-0.

3. Public Hearing relative to application of Meadowview Subdivision for street lighting district (33 lots).

There was no one present who wished to make public comment.

4. Consider request to approve street lighting district for Meadowview Subdivision – Reese Developers, Inc., Owner.

Upon motion by Commissioner Morrow, seconded by Commissioner Johnie McDaniel street lighting district for Meadowview Subdivision was unanimously approved by a vote of 4-0.

5. Consider approval for new Alcoholic Beverage License for 2001 Retail Package Store, Beer for the following:

- Bharalhimar A. Patel, Smith, Inc. d/b/a Copeland Grocer, 1578 High Falls Road.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow License was approved by a vote of 3-1 with Commissioner Johnie McDaniel voting against the motion.

6. Consider approval for new Alcoholic Beverage License for 2001 Retail Package Store, Beer/Wine/Liquor for the following:

- Patel Prakash I, d/b/a 19-41 Package Store, 2004 N. Expressway.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow License was approved by a vote of 3-1 with Commissioner Johnie McDaniel voting against the motion.

7. Consider request from Varnadoe & Associates to expand scope of Spalding County CHIP program to include areas within City of Griffin. Assistant County Manager Sabine explained that we had received a 250,000 CHIP grant and so far have only spent \$50,000. He said that we have handled twelve (12) applications so far with varying degrees of success. There is a deadline date on this grant and Varnadoe & Associates feel that we should extend this into the City and generate interest in the program and hopefully expend the funds the County has been allocated.

Motion made by Commissioner Martha McDaniel to approve the expansion to include the City of Griffin. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 4-0.

8. Consider at first reading an ordinance amending the FY 2002 Budget Ordinance for purchase of waste receptacles by Parks and Recreation. *Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Massengale the ordinance was unanimously approved by a vote of 4-0. **The Ordinance will be incorporated into the minutes on second and final reading.***

9. Consider request from Probate Judge for payment to Senior Judge for conducting a hearing on October 17, 2001. The request from Judge Simonton was to pay Senior Probate Judge Ben Spear, Jr. from Monroe County an amount of \$364.80 to hear a case that he had to recuse himself from hearing. *Upon motion by Commissioner Massengale, seconded by Commissioner Martha McDaniel the request of payment was unanimously approved by a vote of 4-0.*

10. Consider authorizing County Manager to sign FY 2002 VOCA grant agreement and request for initial advance payment. *Upon motion by Commissioner Massengale, seconded by Commissioner Morrow authorization to sign grant agreement and request initial payment by County Manager Wilson was unanimously approved by a vote of 4-0.*

11. Consider contract with Georgia Historic Preservation Division (HPD) for grand funds pertaining to Original Spalding County Courthouse exterior renovation. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow contract was unanimously approved by a vote of 4-0. **Reference Contract #2001-11-05(A).***

12. Consider Preservation Agreement with Georgia Historic Preservation Division (HPD) relative to Original Courthouse preservation grant. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the following Agreement was unanimously approved by a vote of 4-0.*

PRESERVATION AGREEMENT

This agreement is made the 5th day of October, 2001, by the Spalding County Board of Commissioners (hereafter referred to as the "Subgrantee") and in favor of the State acting through the State Historic Preservation Officer (hereafter referred to as the "Grantee") for the purpose of

the preservation of a certain Property known as the Spalding County Courthouse/Spalding County Jail, located in Griffin, Spalding County, Georgia, which is owned in fee simple by the Subgrantee and is listed or is eligible for listing on the National Register of Historic Places.

The Property is comprised essentially of grounds, collateral, appurtenances, and improvements and is known as the Spalding County Courthouse/Spalding County Jail. The property is more particularly described as follows:

In consideration of the sum of Forty Thousand Dollars (\$40,000.00) received in grant-in-aid assistance through the Grantee from the State of Georgia, the Subgrantee hereby agrees to the following for a period of five (5) years:

1. The Subgrantee agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, or archaeological integrity of the same in order to protect and enhance those qualities that made the Property eligible for listing in the National Register of Historic Places.
2. The Subgrantee agrees that no visual or structural alterations will be made to the property without prior written permission of the Grantee.
3. The Subgrantee agrees that the Grantee, its agents and designees shall have the right to inspect the property at all reasonable times in order to ascertain whether or not the conditions of this agreement are being observed.
4. The Subgrantee agrees that when the property is not clearly visible from a public right-of-way or includes interior work assisted with Georgia Heritage Grant funds, the property will be open to the public, for the purpose of viewing the grant-assisted work, no less than 12 days a year on an equitably spaced basis and at other times by appointment. Nothing in this agreement will prohibit the Subgrantee from charging a reasonable, nondiscriminatory admission fee, comparable to fees charged at similar facilities in the area.
5. The Spalding County Board of Commissioners agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d), the Americans with Disabilities Act, and with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). These laws prohibit discrimination on the basis of race, religion, national origin, or handicap. In implementing public access, reasonable accommodation to qualified handicapped persons shall be made in consultation with the Grantee.

To comply with the Americans with Disabilities Act, and with Section 504 of the Rehabilitation Act when interior public access is required at least 12 days per year and at other times by appointment, it is not required that a recipient make every part of the property accessible to and useable by persons with disabilities by means of physical alterations. That is, for public access periods, videos, slide presentations, and/or other audio-visual material and devices should be used to depict otherwise inaccessible areas or features.

6. The Subgrantee further agrees that when the Property is not open to the public on a continuing basis, and when the improvements assisted with Georgia Heritage Grant Funds are not visible from the public way, notification will be published in newspapers of general circulation in the community area in which the Property is located giving dates and times when the Property will be open. Documentation of such notice will be furnished annually to the State Historic Preservation Officer during the term of the agreement.

This agreement shall be enforceable in specific performance by a court of competent jurisdiction.

13. Discuss possible lease on 6th Street parking lot for additional courthouse parking. *Motion made Commissioner Massengale to approve a three-year lease at \$500/mo with county making improvements and paying property taxes on the lot beginning 2002. Commissioner Martha McDaniel seconded the motion and motion passed by a vote of 3-1 with Commissioner Morrow voting against the motion.* County Manager Wilson stated that he would like to start the lease December 1, 2001 and the total cost of improvements to the lot is approximately \$5,000 to \$6,000.

14. Discuss possible dates for reapportionment public hearings. County Manager Wilson suggested dates of November 19th and December 3rd at 5:00 p.m. before the Board of Commissioners' meetings. The procedure is for the county to have a couple of public hearings and then ask our legislative delegation to prepare these for adoption pending pre-clearance from the Justice Department.

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the dates of November 19th and December 3rd at 5:00 p.m. were unanimously approved by a vote of 4-0.

15. Commissioner Kendall would like to discuss funding priorities for the Griffin-Spalding County Hospital Authority. Due to the absence of Commissioner Kendall, his request was to table until the next meeting. *Upon motion by Commissioner Massengale, seconded by Commissioner Johnie McDaniel the item was tabled by a unanimous vote of 4-0.*

16. Consider travel request of Commissioner Martha McDaniel. Mrs. McDaniel's request was to attend the ACCG Board of Managers retreat in Glynn County on December 12th and 13th with an estimated cost of \$488 including meals.

Upon motion Commissioner Johnie McDaniel, seconded by Commissioner Massengale travel request was unanimously approved by a vote of 4-0.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson reported that the tax bills went out Saturday and the due date is December 20, 2001.

County Manager Wilson reported that Lt. Colonel Allen Imes had contacted him as they were having a special celebration at Veterans Park on Sunday, November 11th and asked that the City and County consider doing a Joint Proclamation for Veterans Day, which one is being prepared.

County Manager Wilson reported that the county had received a letter from the William Carter Co. at 1124 Carver Road and this facility would be closing its doors on December 21, 2001 effecting 170 employees.

County Manager Wilson stated that a meeting of all elected officials regarding the jail overcrowding problem plus other county officers would be having a meeting on Monday, November 12, 2001 at 10:00 a.m. to discuss this problem. The meeting will be held in the Courthouse Annex Meeting Room and invited all the commissioners to attend. Bob Greene, Carter Goble & Associates will facilitate.

County Manager Wilson thanked everyone that worked or gave blood during the county-sponsored community blood drive held October 30th. He said that Red Cross had a goal of 55 pints and the county exceeded that goal by 27%, with individuals giving 70 pints of blood. It was a successful event and the commissioners asked Mr. Wilson to consider having an annual blood drive during the month of October.

XIII. REPORT OF COMMISSIONERS

Commissioner Johnie McDaniel asked County Manager Wilson and/or Mrs. Doane to follow up on his ACCG Certification certificate as he has not received it as of yet. Mr. Wilson commented that it is up at ACCG and someone will pick it up as they don't fair well with the postal service right now.

Commissioner Martha McDaniel stated in light of the events that have happened with the City of Griffin as far as their redistricting problems, she said that she went up to the redistricting office, as she had some questions in her mind if the maps the commission drew were fair, and she drew another proposal. The numbers seem to be better on this than the ones we left with. She said that she has two (2) copies of the map and asked the Board's consideration that she offer this map for a fourth proposal. She said that she would like for the Commissioners to look at this map and also welcomed the NAACP to look at this map also as well as the other maps. She said that she would like to receive some comment from them prior to our public hearings and sending map off to the justice department. She feels that this was overlooked when the City drew their map. She submitted these two (2) copies of the map to the County Manager.

Commissioner Morrow stated that the City is searching for a new Community Development Director and the County is also searching for a new director of Community Development. He said that he works with both of these groups and feels that maybe this would be a good time to have a joint Community Development Services Department where we could get the rules off on the same page as the same set of rules are viewed differently by both the City and County.

Commissioner Martha McDaniel commented that this has been talked about for years and this came up during the 489 discussions and there has been reluctance on behalf of the City of Griffin to work jointly on any of these issues. She feels there is a duplication of effort here and she said that she would welcome trying again one more time.

The Commissioners stated that they certainly had no objections of exploring this option. Mrs. McDaniel suggested that County Manager Wilson talk to City Manager Rabun to see if they would even be interested in joining services. County Manager Wilson stated he would discuss this with Mr. Rabun and get back to the Board. Mr. Wilson stated one of the major issues is where you would house this department as neither the County nor City has the room.

Commissioner Morrow stated that the time is coming when we will need our own engineer and the City would also like to have their own engineer and I feel that we could share engineers and work toward that goal also.

Commissioner Massengale had no comments.

XIV. CLOSED MEETING – n/a

XV. ADJOURNMENT

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the meeting was unanimously adjourned at 7:03 p.m.

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
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