



Spalding County online

Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, November 19, 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 Michael Kendall present. Commissioner Johnie McDaniel was absent. Also present were Assistant County Manager Michael Sabine, County Attorney Jim Fortune and County Clerk Phyllis Doane. County Manager William Wilson was absent also.

Agenda Topics

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

1. Consider approval “Nunc Pro Tunc” of a Joint City/County Proclamation honoring Veterans Day. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the following Proclamation was unanimously approved by a vote of 4-0.*

Joint City-County Proclamation

“Veterans Day”

WHEREAS, The United States of America founded and continually dedicated to freedom and justice for all, with charity to others in time of need, has been grossly violated by guests within its borders, murdering without warning thousands of its citizens, striking its centers of business, and destroying elements of its military structure; and

WHEREAS, The nation is united in grief over the loss of life as a result of the attacks by these terrorists, including the lives lost of many firefighters,

police officers, and civilians while attempting to save others, and in recognition of those who are involved with the massive rescue and recovery operations; and

WHEREAS, The President, in an eloquently articulated address to the Congress and citizens of our United States of America, issued to all nations a directive demanding the surrender of these terrorists and all those who support, harbor, assist, or in way facilitate their activities. He stated further that these demands are not negotiable and are designed to rid the world of global terrorism; and

WHEREAS, It is the determination of Congress that our President shall have the authority to take whatever action he deems necessary to accomplish this end; and

WHEREAS, It is the Armed Forces of the United States of America who are and will be called upon to punish and destroy these terrorists and to rid the world of such dangers.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County and Board of Commissioners of the City of Griffin that since Sunday, November 11, 2001 is hereby proclaimed by the Congress of the United States of America as

“VETERANS DAY”

that all citizens of Griffin and Spalding County take this opportunity to thank all of our nation’s armed service members, past and present, for their sacrifices on behalf of freedom, and convey an unwavering commitment to our country’s leaders and our armed forces as they lead America through this current crisis.

This the 11th day of November 2001.

2. Consider approval of a Proclamation designating the month of November 2001 as “Adoption Awareness Month” in Spalding County. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the following Proclamation was unanimously approved by a vote of 4-0.*

Proclamation

“Adoption Awareness Month
NOVEMBER 2001”

WHEREAS, Every child deserves to grow up in a loving, nurturing family; and

WHEREAS, Nearly 1,200 children in Georgia have no family to call their own because they have been abandoned, abused or neglected; and

WHEREAS, There are adults in Georgia who cannot have children or who have room in their hearts for more children; and

WHEREAS, Through the process of adoption, adults and children can be united to form a family: and

WHEREAS, The month of November is National Adoption Awareness Month, a time to celebrate the joys of adoption and focus on the need for permanent families for our waiting children.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County that the month of **November 2001** is hereby proclaimed as

“ADOPTION AWARENESS MONTH IN SPALDING COUNTY”

And urge all citizens to recognize the families created by adoption and to remember our children who need permanent, loving homes.

3. Louis Greene is present to present an award to the Spalding County Board of Commissioners. Mr. Greene was present as well as Robbie Miller, who supervises The Enrichment of Young Minds (TEOYM) Program at Fairmont Community Center. Spalding County Parks and Recreation Department received the Innovative Program Award for the Georgia Recreation & Parks Association Programmers Section. The Award was presented to Chairman Massengale.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the agenda was amended by a unanimous vote of 4-0 to add approval of a Joint City/County Proclamation proclaiming the week of November 16-22, 2001 as Farm-City Week.

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

Proclamation

FARM -CITY WEEK “Growing a Better Georgia”

WHEREAS, When Americans sit down to a meal each day, we sometimes take for granted the quality and variety of foods we eat. As we have moved further and further away from our agricultural heritage, we sometimes lose sight of the fact that our food does not just come from a store and that much of the clothing we wear began with plants grown in a field.

WHEREAS, American agriculture plays a crucial role in strengthening our economy and providing food and fiber for people around the world. While producing an abundance of safe and affordable food and fiber,

our farmers and ranchers also provide jobs in our community. On a national scale, more than 22 million people today work in the food and fiber system, including transporters and processors, wholesalers and retailers.

WHEREAS, As we gather with family and friends around the Thanksgiving table, it is fitting that we count among our blessings the vital farm-city partnerships that have done so much to improve the quality of our lives. Rural and urban communities working together have made the most of our rich agricultural resources, while continuing to contribute to the health and well-being of our people and to the strength of our local and national economies.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County and the City Commissioners of the City of Griffin that **November 16 through November 22, 2001** is hereby proclaimed as:

“FARM-CITY WEEK”

and we call upon all our citizens to acknowledge and celebrate the achievements of all those who produce an abundance of agricultural products that strengthen and enrich our community and our nation.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Four Months Ended October 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 4-0.*

VI. CITIZENS COMMENTS – n/a

VII. PUBLIC COMMENT

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

VIII. MINUTES

1. Consider approval of the Regular Monthly Meeting of November 5th and Special Called Meeting of November 12, 2001. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow minutes were unanimously approved by a vote of 4-0.*

IX. CONSENT AGENDA

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

1. Consider at second reading an ordinance amending the FY 2002 Budget Ordinance for purchase of waste receptacles by Parks and Recreation.

**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	\$	3,000	to	\$	5,000
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B. Expenditures

Recreation	From	\$	1,544,667	to	
\$1,546,667					

Approved on first reading this 5th day of November 2001.

Approved, adopted and enacted on second reading this 19th of November 2001.

2. Consider at second reading an ordinance amending the Spalding County Code relative to Animal Control Ordinance, Chapter 1, Section 12-1016-Fee Schedule.

**ORDINANCE NO. 2001-13
ORDINANCE TO AMEND SECTION XII OF THE CODE OF LAWS
AND ORDINANCES OF SPALDING COUNTY, GEORGIA,
CHAPTER 1, ANIMAL CONTROL**

BE IT RESOLVED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF SPALDING COUNTY AND IT IS HEREBY RESOLVED AND ORDAINED:

Section 1. To amend Section 12-1016 by striking in its entirety the second sentence of sub-paragraph (4) which reads as follows: “Provided, however, that if such animal is adopted by the Griffin Spalding County Humane Society, the Good Shepherd Humane Society or the Newnan-Coweta Humane Society-Shelter Rescue, then said impoundment fee and boarding fees shall not apply, but the cost of rabies tags shall be paid”, and inserting in lieu thereof a new sentence to read as follows:

“Provided, however, that if such animal is adopted by the Griffin-Spalding County Humane Society, the Good Shepherd Humane Society, the Newnan-Coweta Humane Society-Shelter Rescue or Puppy Love Rescue Shelter, Inc., then said impoundment fee and boarding fee shall not apply, but the cost of rabies tags shall be paid”.

Section 2. This ordinance shall be and become effective immediately upon its adoption by the Board of Commissioners of Spalding County, Georgia, as prescribed by Section 2-1005 of the Code of Spalding County.

Section 3. All ordinances and parts of ordinances in conflict herewith are repealed.

X. OLD BUSINESS – n/a

XI. NEW BUSINESS

1. Consider agreements with Georgia Department of Motor Vehicle Safety and Georgia Technology Authority as requested by the Tax Commissioner to provide for motor vehicle renewals via the internet. Ms. Sylvia Hollums, Tax Commissioner was present to answer any questions the Board might have.

The Manager’s recommendation is to approve the agreement in concept pending final arrangements between the Tax Commissioner and the Dept. of Motor Vehicles. The agreement sets forth a surcharge of \$6.20 fee for the processing of these transactions, which most counties are passing on to the customer. The \$6.20 transaction fee would be for registering up to fifty (50) vehicles at one time.

Ms. Hollums commented that Spalding County is one of the thirteen (13) counties that are involved in this pilot program. She said that six counties would be coming on December 1st but we were not ready to start at this time. She said that this would be the first step towards driver license renewals through the internet.

Motion made by Commissioner Martha McDaniel to approve agreement in concept and authorization to pass the \$6.20 transaction fee along to the internet applicant. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 4-0.

2. Consider recommendation from Parks and Recreation Advisory Board for improvements at Volunteer Park. The recommendations are as follows (1) Put brick dust

on fields #3 and #4 at a cost of \$1,450 each field for a total cost of \$2,900; (2) Install bullpens at a cost of \$1,900 each field (4) fields for a total cost of \$7,600; and (3) Construct two (2) batting cages with nets at a cost of \$7,000; total cost \$17,500. Mr. Martinez, President of the Griffin-Spalding Youth Softball Association has stated that his association would pay for the improvements with the county providing the labor.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the above requests were unanimously approved by a vote of 4-0 pending approval from the City per lease agreement.

3. Consider proposal for engineering services for Highland Mills Sewer upgrade project. The proposal is from HDR/WL Jordan with two options, Phase I, which is the renovation of the sewer collection system at a cost of \$35,336 and Phase II, which is the preparation and plans for a proposed lift station and force main, at a cost of \$12,000. The proposal can be voted on as a whole or individually.

There was a discussion regarding the reason this project was not bid out. Assistant County Manager Sabine stated that the Manager's recommendation was given the time line on the grant and the previous ground work that HDR/WL Jordan had done for the county that this single-source proposal be considered. This project would be county funded, not grant money and Phase I in the amount of \$35,336 is allotted for in this year's budget; however, Phase II is not.

Motion made by Commissioner Massengale to approve the proposal for engineering services Phase I only. Commissioner Morrow seconded the motion and motion was approved by a vote of 3-1 with Commissioner Martha McDaniel voting against the motion.

4. Consider proposal from Hill Construction Co. for milling and paving Rover-Zetella Road between the rock quarry and North Rover Road. Commissioner Martha McDaniel asked if the rock quarry had been approached about paying for this. Assistant County Manager Sabine stated that they had not been contacted.

Motion made by Commissioner Martha McDaniel to table until there is a request made to Florida Rock to see if they would like to participate in the cost of the repaving. Commissioner Morrow seconded the motion.

Assistant County Manager Sabine stated that the cost of the proposal is approximately \$35,000 with an inch and one-half resurfacing, the asphalt and the milling.

Commissioner Kendall called a point of order, as there is no discussion on a motion and second to table and asked Commissioner Morrow to withdraw his second to the motion so the item can be discussed. Commissioner Morrow withdrew his second to the motion so discussion could follow.

Commissioner Kendall commented that we could go ahead and proceed with this as the road is in need of resurfacing and ask for the sharing in the cost. Mr. Sabine stated regardless if they offer

to share the cost or not, this is part of the county road map work and it will eventually have to be repaired before it gets more costly.

Commissioner Martha McDaniel withdrew her motion to table.

Commissioner Kendall made a motion for Hill Construction to proceed with the repaving of Rover-Zetella Road. Commissioner Massengale seconded the motion and motion was unanimously approved by a vote of 4-0.

The consensus of the Board was to direct a member of staff to approach Florida Rock and request their participation by sharing in the cost of the project.

5. Consider acceptance of Right-of-Way Deed for Princess Circle, Maloy Estates Drive, Maloy Road, Hillsborough Court, Delray Circle and Seminary Ridge (Maloy Estates Subdivision). *Upon motion by Commissioner Morrow, seconded by Commissioner Massengale acceptance of Right-of-Way Deed for Maloy Estates Subdivision was unanimously approved by a vote of 4-0.*

6. Commissioner Kendall would like to discuss funding priorities for the Griffin-Spalding County Hospital Authority. Commissioner Kendall apologized for not getting copies of the grant applications to the Board members and asked that this item be tabled and placed on the December 3rd agenda.

Upon motion by Commissioner Kendall, seconded by Commissioner Massengale the item was tabled unanimously by a vote of 4-0.

7. Consider lease for 835 Memorial Drive property. This property is to be leased to Breakthrough Deliverance Ministries with monthly rent of \$2600 beginning on November 20, 2001 and ending on December 31, 2001 with automatic renewal annually thereafter on each January 1st. The security deposit is \$2600 and lease also has a requirement of insurance, etc.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale lease for 835 Memorial Drive property was unanimously approved by a vote of 4-0.

XII. REPORT OF COUNTY MANAGER

Assistant County Manager Sabine stated that there have been signs illegally placed on the County Right of Way and the signs have been picked up and stored on Spalding County property for 30 days to allow individuals the opportunity to pick up their signs. The Board had been asked by Mr. Wilson to decide if they would like this practice continued or have the signs discarded when picked up. The consensus of the Board was to have the signs discarded. Mr. Sabine stated that effective January 1, 2002 all signs placed illegally on County Right of Way would be discarded.

Assistant County Manager Sabine reminded the Board that the Christmas parade was coming up soon and wanted them to let staff know as soon as possible if they would be participating where candy and transportation could be arranged. The parade is Sunday, December 2, 2001 and the line-up would be at 1:30 at the shopping center across from Home Depot.

Assistant County Manager Sabine reminded the Board that the annual Parks and Recreation Festival Lights would be held Monday, November 26, 2001 at Orchard Hill Park and asked how many of the Commissioners would be attending.

Assistant County Manager Sabine announced that McCullough Funeral Home has obtained access to the Two-Thirds Replica Vietnam Veterans Memorial Wall for Memorial Day 2002 and they would like to install this Memorial Day weekend at one of our parks in Spalding County and we are just looking for guidance as to which parks you feel would be most appropriate for this wall to be placed at. Staff recommends Airport Road Park or Wyomia Tyus Park and we would like your input in this and we will bring this to you sometimes into next year for approval of placement.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall made comments regarding the reapportionment maps and wanted to know what the procedure was going to be. Mr. Sabine stated that we had a public hearing today and another one would be held December 3rd and hopefully the Board can make a decision and vote on one of the maps that day and recommend the map to our local delegation and they introduce it in January 2002 as local legislation to the General Assembly at the same time that hopefully it is going through Justice for pre-clearance and the map can be implemented.

Mr. Kendall stated that the local delegation is going to introduce legislation to have the school board change from ten (10) members to five (5) members and use the same districts that the county is going to have and this changes his perspective in how these maps are drawn. He said that he understands that Commissioner Martha McDaniel has gone to the redistricting office and drawn up an alternative map, which the school board seems to think, is the best one. He said he would personally be going back to the drawing board.

Commissioner Kendall commented that he had talked to Louis Greene regarding a new position of gym supervisor for the basketball program. He said that they had approximately 360 children participating in the basketball program and there is a crunch on having access to facilities for these children to participate. He said that he has done a lot of calling around in regards to being able to use Kelsey gym as they are running out of space. He said that the basketball association paid half the cost last year of a new position in Parks and Recreation and would pay half the cost for this year even though it had been budgeted and would also pay the full cost of a new position this year to utilize the gym at Kelsey to take some of these children off the street to keep them out of jail. He asked that a request for a new gym supervisor be placed on the December 3rd agenda.

Commissioner Martha McDaniel had no comments.

Commissioner Morrow gave a report on the Airport Master Plan Committee meeting on Saturday. He said the facilitator was Carol Comer of GDOT Aviation Branch and she gave a slide presentation and overview of Griffin's place in the greater Georgia picture. The consultant group, HNTB, introduced themselves and went through the eleven steps

(tasks) to be used for the study. Committee members asked many questions and later the committee members signed up for the task subcommittees they wish to participate in. He said the first meeting lasted for four hours. All committee and subcommittee meetings will be open to the public. The final task, number 11, will be public hearings and then a recommendation from the committee.

Commissioner Morrow stated that if it were O.K. with the Board, he would make the 25th appointment to replace him as he was appointed Chairman of the committee. This appointment would be made at the December 3, 2001 meeting.

Commissioner Morrow stated Lance Toland had contacted him and offered his helicopter and tour to the members of the city and county commissions of the airport and its surrounding area neighborhoods to understand how this all fits.

Commissioner Massengale reminded the Board if they had not turned their flower fund money in to Mrs. Doane, to please do so.

XIV. CLOSED MEETING

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

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

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

CLOSED MEETING AFFIDAVIT

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 November 19, 2001.

2.

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

3.

The executive session was called to order at 7:03 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 19th day of November 2001.

Spalding County Board of Commissioners

Sworn to and subscribed
Before me this 19th day of
November 2001.
Phyllis P. Doane
Notary Public
My commission expires: March 18, 2002

(L.S.) H. Merrill Massengale
(L.S.) Martha W. McDaniel
(L.S.) Dick Morrow
(L.S.) M. Michael Kendall

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

No business was transacted at this time.

XV. ADJOURNMENT

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the Board unanimously adjourned the meeting at 7:15 P.M.

County Clerk

Chairman

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