



Spalding County online

Board of Commissioners

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their regular monthly meeting on Monday, December 4, 2000 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 Earle Childres, Martha McDaniel, Merrill Massengale, Johnie McDaniel and Michael Kendall present. Also present were County Manager William Wilson, County Attorney Jim Fortune and County Clerk Phyllis Doane.

Agenda Topics

- I. **OPENING (CALL TO ORDER) – Chairman Kendall**
- II. **INVOCATION - Rev. Randy Valimont – Led by Daa'ood Amin in the absence of Rev. Valimont.**
- III. **PLEDGE TO FLAG – Led by Chairman Kendall**
- IV. **PRESENTATIONS/PROCLAMATIONS/RECOGNITION – n/a**
- V. **PRESENTATION OF FINANCIAL STATEMENTS – n/a**
- VI. **CITIZENS COMMENTS – n/a**
- VII. **PUBLIC COMMENT**

Ms. Betty Gebhardt, 79 Richardson Road, addressed the Board regarding the “No Parking” signs erected on the left side of Richardson Road. She said that during Thanksgiving holidays there was parking on both sides of this street and she had contacted 911 and the Sheriff’s Department but nobody would help enforce the signs. She said that the “No Parking” was not being enforced and she would like to have some help.

Chairman Kendall asked County Manager Wilson to contact the Sheriff to request his department to enforce this “No Parking” ordinance. Mr. Wilson stated that he would also contact Captain Wendell Beam and also the Sheriff-Elect. Code Enforcement is also to review.

VIII. MINUTES

1. Consider the minutes of the Extraordinary Session of November 20, 2000. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres the minutes were unanimously approved by a vote of 5-0.*

VI. CONSENT AGENDA – n/a

VII. OLD BUSINESS

1. Consider at second reading an ordinance amending the FY 2001 Budget Ordinance to provide for a planner in the Community Development Department. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres the following Ordinance was approved by a vote of 4-1 with Commissioner Kendall voting against the motion.*

AN ORDINANCE AMENDING THE FISCAL YEAR 2001 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 might amend its annual budget ordinance to adapt 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, 2000, be amended as follows:

Section I. General Fund

| | | | | |
|------------------------|------|---------------|----|-----------------|
| A. Revenue | From | \$ 26,150,162 | to | \$ \$26,161,150 |
| B. Expenditures | | | | |
| General Appropriations | From | \$ 2,435,945 | to | \$ 2,427,800 |
| Community Development | From | \$ 325,736 | to | \$ 344,869 |

Approved on first reading this 20th day of November 2000.

Approved, adopted and enacted on second reading this 4th day of December 2000.

XI. NEW BUSINESS

1. Consider Resolution Approving the Issuance of Revenue Bonds by the Griffin-Spalding Development Authority. Mr. David Luckie, Executive Director of the Authority and Mr. Daa'ood Amin, Chairman of the Board was present to answer any questions.

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

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

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

WHEREAS, Griffin-Spalding County Development Authority (the "Issuer"), on November 17, 2000, caused to take place a public hearing on the question whether there should be issued industrial development revenue bonds (the "Bonds"), the proceeds of which are to be used to acquire and rehabilitate a manufacturing facility to be used by F. W. Busch Corporation or F. W. Busch, LLC, in its manufacturing operations (the "Project"); and

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

WHEREAS, the Issuer has caused said hearing to be conducted on behalf of Spalding County and has received the report of Jyll Barr of the hearing; and

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

- (a) The principal amount of the Bonds shall be a maximum of \$4,000,000;
- (b) The Project to be financed by the Bonds is a manufacturing facility;

(c) The user of the Project will be either F. W. Busch Corporation or F. W. Busch, LLC; and

(d) The location of the Project is a 777 Greenbelt Parkway, Spalding County, Georgia

2. Consider the renewal of Alcoholic Beverage Licenses for 2001 Retail Package Store, Beer, Wine and Liquor License for the following:

- Christopher M. Hellgeth d/b/a Carver Package Store, 1557D Williamson Road

Upon motion by Commissioner Childres, seconded by Commissioner Martha McDaniel license was approved by a vote of 4-1 with Commissioner Johnie McDaniel voting against the motion.

- Raymond J. Beaugrand d/b/a Fatzo's Bottle Shop, 3931 N. Expressway

Upon motion by Commissioner Childres, seconded by Commissioner Martha McDaniel license was approved by a vote of 4-1 with Commissioner Johnie McDaniel voting against the motion.

- Jong Se Kim d/b/a The Liquor Gate, 1740 Zebulon Road

Upon motion by Commissioner Childres, seconded by Commissioner Martha McDaniel license was approved by a vote of 4-1 with Commissioner Johnie McDaniel voting against the motion.

- Alex Chang d/b/a Northside Package Store, 1301 N. Hill Street

Upon motion by Commissioner Childres, seconded by Commissioner Martha McDaniel license was approved by a vote of 4-1 with Commissioner Johnie McDaniel voting against the motion.

- Mayank D. Desai d/b/a Max's Liquor, 1600A Williamson Road

Upon motion by Commissioner Childres, seconded by Commissioner Martha McDaniel license was approved by a vote of 4-1 with Commissioner Johnie McDaniel voting against the motion.

3. Consider the renewal of Alcoholic Beverage License for Robert H. Glover d/b/a Jackson Beverage, 915 S Pine Hill Road, Wholesale Dealer- Beer – 2001 License. Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres license was approved by a vote of 4-1 with Commissioner Johnie McDaniel voting against the motion.

4. Consider the renewal of Alcoholic Beverage License for James A. McGuffey d/b/a Griffin Moose Lodge #1503, 1435 Zebulon Road, Consumption on Premises – Beer, Wine and Liquor – 2001 License. Upon motion by Commissioner Childres, seconded by Commissioner Martha McDaniel license was approved by a vote of 4-1 with Commissioner Johnie McDaniel voting against the motion.

5. Consider authorizing Chairman to execute lease supplement agreement with ACCG Lease Program for rubber tire loader for the Water Department. Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres the following Agreement was unanimously approved by a vote of 5-0.

AUTHORIZATION RESOLUTION FOR LEASE SUPPLEMENT

A RESOLUTION TO AUTHORIZE AND DIRECT AN OFFICER OF THE COUNTY TO EXECUTE A LEASE SUPPLEMENT FOR A LEASE UNDER THE ACCG ALTERNATIVE LEASING PROGRAM; TO DESIGNATE SUCH LEASE AS A QUALIFIED TAX-EXEMPT OBLIGATION; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the County has entered into a Master Lease (the "Master Lease") dated as of _____, with Association County Commissioners of Georgia for the leasing from time to time of certain personal or real property pursuant to one or more Lease Supplements;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY GOVERNING BODY OF THE COUNTY:

1. The **Chairman** of the County is hereby authorized and directed to execute and deliver a Lease Supplement pursuant to the Master Lease to put into effect a lease for Caterpillar Rubber Tired Tool Carrier; said officer of the County is authorized and directed in the name and on behalf of the County to execute and deliver:

(a) a Lease Supplement in substantially the form attached to the Master Lease, with such changes and additions as may be approved by said officer, and

(b) such other documents as may be deemed by such officer to be necessary or desirable to effect the purposes hereof or of the Master Lease, and such execution shall constitute conclusive evidence that the executed document has been authorized and approved hereby; the aforesaid officer is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.

2. If real property will be subject to the Lease Supplement, the **Chairman** of the County is hereby authorized and directed to execute and deliver a Warranty Deed to Association County Commissioners of Georgia for the site(s) of such buildings which site(s) will be subject to such Lease Supplement.

3. An appropriation from unappropriated and unreserved amounts in the County's current operating budget is made in the amount of **\$29,696.19** for the "Rentals" "Additional Rentals" and the "Termination Payment" during the "Starting Term" under the Lease Supplement.

4. The lease contemplated by the said Lease Supplement is hereby designated a "Qualified Tax-Exempt Obligation" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and said officer shall be authorized to confirm such designation by execution of appropriate documents in connection therewith.

5. This authorization shall be effective immediately.

Agreed upon this the 4th day of December 2000.

6. Consider at first reading an ordinance amending the FY 2001 Budget Ordinance to provide for contractual services to the Parks and Recreation Departments. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres the ordinance was approved by a vote of 5-0. **The Ordinance will be incorporated into the minutes on second and final reading.***

7. Consider request from Parks and Recreation Advisory Commission to re-grade the interior of the Wyomia Tyus Olympic Park walking track. The proposal is to lower the existing hill so that visibility to the concession building and playground is available. This can be added to the paving contract of the baseball entrance road and parking lot.

Upon motion by Commissioner Childres, seconded by Commissioner Massengale request to re-grade walking track was unanimously approved by a vote of 5-0.

8. Consider request from HDR/W L Jordan & Co. to advertise for bidding a fine grading and paving contract for the baseball field area at Wyomia Tyus Olympic Park. *Upon motion by Commissioner Childres, seconded by Commissioner Massengale advertisement for bidding for a contract was unanimously approved by a vote of 5-0.*

9. Consider recommendation from HDR/W L Jordan & Co. for award of bid for the Elder Road Project. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres low bid of Hill Construction Co. in the amount of \$401,338.15 was unanimously approved by a vote of 5-0. Amount budgeted \$460,000-\$500,000. **Reference Contract #2000-12-04(A).***

10. Consider request from the City of Griffin relative to the purchase of a water line along Green Valley Road. The request is for the county to pay for one-half of the cost of an impartial profession engineer as an arbiter to decide the amount of the purchase. County Manager Wilson asked for permission to get Bill Jordan & Ron Harris, the County and City Engineers to recommend this engineer.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres authorization was given for County Manager Wilson to have Bill Jordan meet with Ron Harris to get an arbiter and pay one-half cost of an impartial engineer to decide an amount for purchase of the water line by a unanimous vote of 5-0.

11. Consider request from Basketball Association for Gym Supervisor for Moore Elementary School Program.

Commissioner Kendall stated that the Basketball Association was seeking permission from the school board to allow them to use the Moore Elementary gym for practices and also Kelsey Middle School. The school board is going to consider this tomorrow at their meeting. He said that the Recreation Department does not have an extra person to supervise the gyms and the department would be asking for a part-time position to do the supervision. This would be approximately twenty (20) hours per week at \$8.25/hr for approximately twelve (12) weeks. This position is not budgeted. He requested the Board to approve this position pending approval of use of the gyms by the school board.

Commissioner Kendall made a motion to approve one part-time position subject to the approval of the use of gym by the school board. Commissioner Massengale seconded the motion.

Commissioner Martha McDaniel asked Mr. Kendall if the Basketball Association could share in the cost of the position. She said that she would have no problem if they shared the cost of the position 50-50. Mr. Kendall stated that he felt sure the Association could pay half the cost.

Commissioner Kendall called the question and the motion was unanimously approved by a vote of 5-0.

12. Discuss rescheduling December 28th Public Hearing, December 18th Commission Meeting and January 1st and 15th Commission Meetings. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Childres the December 28th meeting was rescheduled to December 21st at 6:00 p.m., the December 18th Commission Meeting was rescheduled to December 21st at 5:00 p.m., the January 1st meeting was rescheduled to January 8th and the January 15th meeting was rescheduled to January 22nd. Motion was unanimously approved by a vote of 5-0.*

XII. REPORT OF COUNTY MANAGER

County Manager Wilson announced that the Commissioners are invited to attend a ribbon cutting and groundbreaking ceremony for the *Griffin Daily News* site tomorrow, Tuesday, December 5, 2000 at 2:00 p.m. at 1209 Greenbelt Drive, which is in the old industrial park.

County Manager Wilson addressed manufactured homes under the 1997 UDO. He said that the 1987 zoning ordinance permitted multiple single-family dwellings on a single lot up to three and the new zoning ordinance does not allow this. He said that we have had a request to upgrade some of these existing mobile homes. Under the new zoning ordinance they are required to get a special exception to replace that mobile home and also requires a variance. He said staff believes these are grand fathered in and should have to apply for the special exception and is recommended by the Community Development Department. The Board agreed with this policy decision. Commissioner Johnie McDaniel stated that a stipulation in the 1987 zoning ordinance was that related family members occupy the additional dwellings and that condition should be met.

XIII. REPORT OF COMMISSIONERS

Commissioner Massengale commented that two people were killed this past week at the Hwy 19/41 Birdie Road intersection and in his opinion this is the most dangerous intersection in Spalding County at this time. It was discussed that we have already sent in a request for a traffic signal and Keith Rohling from DOT, Thomaston, stated they were recommending to DOT, Atlanta a traffic signal with the addition of turn lanes on Birdie Road. This will be at the cost of the county and will be extremely costly along with utility relocation and the cost of the installation of the signal.

Commissioner Johnie McDaniel had no comments.

Commissioner Martha McDaniel had no comments.

Commissioner Childres had no comments.

Commissioner Kendall stated that Mr. Joe Long that lives on Wisso Road has taken it upon himself to remove debris and garbage on the county right of way in the surrounding area and depositing debris at the recycling center. Mr. Kendall commended this young man for doing something to help this community. Commissioner Martha McDaniel asked Mr. Kendall to write a letter to Mr. Long on behalf of the Board of Commissioners and commend him for his generosity of time of picking up litter.

County Manager Wilson announced that County Attorney Fortune has stated that the Board needs to have a Closed Meeting to discuss pending litigation.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel the agenda was amended to have a Closed Meeting to discuss pending litigation and unanimously approved by a vote of 5-0.

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

XIII. CLOSED MEETING

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

CLOSED MEETING AFFIDAVIT

[A copy of the affidavit must be filed with the minutes of the meeting]

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

M. Michael Kendall, Chairman, 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 knowledge and belief:

1.

The Spalding County Board of Commissioners met in a duly advertised meeting on December 4, 2000.

2.

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

3.

The executive session was called to order at 6:35 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 4th day of December 2000.

Chairman
Spalding County Board of Commissioners

Sworn to and subscribed
Before me this 20th day of
December 2000.

Notary Public
My commission expires: March 18, 2002

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

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
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