



Spalding County online

Board of Commissioners

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their regular monthly meeting on Monday, February 4, 2002 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Commissioners Martha McDaniel, Merrill Massengale, Dick Morrow, Johnie McDaniel and Michael Kendall present. Also present were County Manager William Wilson, Assistant County Manager Michael Sabine, County Attorney Jim Fortune and County Clerk Phyllis Doane.

Agenda Topics

- I. OPENING (CALL TO ORDER) – Chairman Johnie McDaniel**
- II. INVOCATION - Rev. Randy Valimont – Led by Mike Freeman in the absence of Rev. Valimont.**
- III. PLEDGE TO FLAG – Led by Chairman McDaniel**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

Chairman McDaniel recognized the Leadership Griffin/Spalding Class of 2002. He commented that he and Commissioner Morrow had an opportunity to meet with them before the meeting and stated that they were a fine group. He asked the Class to stand up and be recognized. They were attending the commission meeting as one of their class assignments.

1. Presentation of FY 2001 Audit. Mr. Miller Edwards of Mauldin & Jenkins, CPA made the presentation of the audit for year ended June 30, 2001. He said that as of June 30th we had \$129 Million in Total Assets. He said that the Financial Section includes the auditor's opinion of the finances. He said that the financial position as of June 30, 2001, the County shows \$2.5 Million in cash and approximately \$3 Million in the Fund Balance, which is only one month's reserve. He said this means that the County needs to look into getting more money back into the fund balance. There were \$2.1 Million expenditures over revenues as the County drew down their fund balance due to health care costs from the self-funded health care insurance that the county previously offered. He said that Spalding County was not the only government that he worked with last year that had this situation occur. He said that the County did the best thing by looking into another type of insurance program.

Commissioner Martha McDaniel commented that \$950,000 was drawn down from the Fund Balance as well as some of the departments going over budget as well as the Sheriff's Department going over budget \$500,000 primarily associated with inmate costs. She said that we are no longer in this self-funded program and hopefully that will bring our reserves back up. We have had several meetings concerning the court system and the problems of jail overcrowding.

Mr. Edwards commented that there are approximately twenty-seven (27) pages of footnotes, which consist of explanation of financial statements.

Mr. Edwards said that the status of GASB 34 in Spalding County is moving along. He said that the biggest issue he sees is the fixed assets. He said that the County needs to go ahead and do an inventory of all fixed assets.

- V. PRESENTATION OF FINANCIAL STATEMENTS – n/a**
- VI. CITIZENS COMMENTS – n/a**
- VII. PUBLIC COMMENT**

Ms. Kathy Gloss, 924 Campground Road, addressed the Board regarding animal control in Spalding County and the lack of a countywide leash law. She and her husband own ten (10) acres and she said that she has had over \$10,000 worth of property damaged done to her yard and has been bitten eight (8) times in her yard. Her cat had been killed by a rottweiler yesterday as two of them were fighting over her cat and the dogs knocked her down. She said that she has replaced the liner in her pond seven (7) times. She has been told that her fish are not considered livestock. She said she no longer gets out in her yard when she is alone. She said she was held captive in her pond by her neighbor's dog for three (3) hours. She said that she has called Animal Control seventy-two (72) times. All they can do is write the people a warning ticket. She said if we couldn't get a leash law passed; consider an ordinance to declare a dog a nuisance.

Mr. Allan McCallum, 2831 Williamson Road, commented on the changes the Board was considering making on the Noise Ordinance. He asked them to consider addressing mufflers on cars and trucks, specifically gravel trucks and also modified mufflers on some of the small sport cars. He also commented that we need more Code Enforcement personnel.

VIII. MINUTES

1. Consider approval of the minutes for the Public Hearings and Extraordinary Session of January 22, 2002 and also Zoning Public Hearing of January 24, 2002. Commissioner Morrow asked that the minutes of the Extraordinary Session be corrected under Report of Commissioners to show the Airport Master Plan Study Committee Meeting would be held February 7, 2002 at 6:00 p.m.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale minutes with correction as noted above were unanimously approved by a vote of 5-0.

IX. CONSENT AGENDA

1. Consider at second reading an ordinance amending the FY 2002 Budget Ordinance to provide for donation from Griffin-Spalding Youth Softball Association. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following ordinance was unanimously approved by a vote of 5-0.*

**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	\$	14,900	to	\$	24,400
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B. Expenditures

Recreation	From	\$	1,556,567	to	\$	1,566,067
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Approved on first reading this 22nd day of January, 2002.

Approved, adopted and enacted on second reading this 4th of February, 2002.

X. OLD BUSINESS

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

- **Amendment to UDO #01-20:** Amendment to C-1, C-1A, C-1C & C-2 Districts – to allow the continued use and expansion of existing single family homes being used for residential use.

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the following Resolution was approved by a vote of 4-0-1 with Commissioner Kendall abstaining stating he was not present for the first reading.

IN RE:

Text Amendment #A-01-20

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 January 24, 2002, 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: A new Section 1203(A) (66) of C-1 of the Zoning Ordinance of Spalding County shall be enacted as follows:

66. Expansion of a detached single family dwelling, as defined in Section 203(L) of this Ordinance, which is being used for residential purposes, including the expansion of any accessory building, as defined in Section 202(O) of this Ordinance.

Section 2: A new Section 1303(A) (52) of C-1A of the Zoning Ordinance of Spalding County shall be enacted as follows:

52. Expansion of a detached single family dwelling, as defined in Section 203(L) of this Ordinance, which is being used for residential purposes, including the

expansion of any accessory building, as defined in Section 202(O) of this Ordinance.

Section 3: A new Section 1403(A) (79) of C-1B of the Zoning Ordinance of Spalding County shall be enacted as follows:

79. Expansion of a detached single family dwelling, as defined in Section 203(L) of this Ordinance, which is being used for residential purposes, including the expansion of any accessory building, as defined in Section 202(O) of this Ordinance.

Section 4: A new Section 1403A(A) (97) of C-1C of the Zoning Ordinance of Spalding County shall be enacted as follows:

97. Expansion of a detached single family dwelling, as defined in Section 203(L) of this Ordinance, which is being used for residential purposes, including the expansion of any accessory building, as defined in Section 202(O) of this Ordinance.

Section 5: A new Section 1503(A) (124) of C-2 of the Zoning Ordinance of Spalding County shall be enacted as follows:

124. Expansion of a detached single family dwelling, as defined in Section 203(L) of this Ordinance, which is being used for residential purposes, including the expansion of any accessory building, as defined in Section 202(O) of this Ordinance.

(a) 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.

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

Section 6: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 7: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

- **Amendment to UDO #-01-21:** Amendment to Appendix E. Sign Ordinance –Section 1104: allow permitting of signs less than 12 feet in height without certification by a surveyor or registered engineer.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Resolution was approved by a vote of 4-0-1 with Commissioner Kendall abstaining stating he was not present for the first reading.

IN RE:

Text Amendment #A-01-21

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;

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, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on January 24, 2002, 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 shall be and is hereby amended as follows:

Section 1: Existing Section 1104 of Appendix E of the Zoning Ordinance shall be deleted in its entirety.

Section 2: A new Section 1104 of Appendix E of the Zoning Ordinance of Spalding County shall be enacted as follows:

Plans, specifications and structural details of the construction and attachment of a proposed sign to a building or to the ground shall be submitted to the Zoning Administrator at the time of application. For signs under twelve feet in height, plans, specifications and structural details as generated and submitted by the applicant shall fulfill the requirements of this Section. For signs in excess of twelve feet in height, formal structural and site drawings must be submitted. These formal structural and site drawings must be sealed by a registered professional engineer.

All signs permitted shall conform to setback requirements as established in Article Nine of this Ordinance (Sign Table). All signs must conform to the standards of the Standard Building Code and all other codes of the County that are applicable. Permits shall be issued conditional on compliance with all applicable provisions of the Building and Electrical codes, as well as all other applicable provisions of the Spalding County Code of Ordinances.

Section 3: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 4: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

- **Amendment to UDO #01-22:** Appendix to Article 3. Establishment of Districts- Section 301:A – change R-2 to Single Family Residential; add R-2A – Single Family and Two Family Residential, R-6 – Planned Residential Community, O&I – Office & Institutional, & PDD – Planned Development Districts, and Section 301:B – add AKB – Arthur K. Bolton Parkway Overlay Zone, S-3 – Sensitive Land-Groundwater Recharge Protection & S-4 – Sensitive Land-Wetlands Protection.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Resolution was approved by a vote of 4-0-1 with Commissioner Kendall abstaining stating he was not present for the first reading.

IN RE:

Text Amendment #A-01-22

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;

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, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on January 24, 2002, 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 shall be and is hereby amended as follows:

Section 1: Existing Section 301(A) of the Zoning Ordinance shall be deleted in its entirety.

Section 2: A new Section 301(A) of the Zoning Ordinance of Spalding County shall be enacted as follows:

A. **Districts:** For the purposes of this Ordinance, Spalding County is divided into districts for the purpose of establishing zoning regulations as follows:

1. AR-1 Agricultural and Residential
2. AR-2 Rural Reserve (A-99-15, 01-03-00)
3. R-1 Single-Family Residential
4. R-2 Single-Family Residential
5. R-2A Single-Family and Two-Family Residential
6. R-3 Multiple-Family Residential
7. R-4 Single-Family Residential
8. R-5 Single-Family Residential
9. R-6 Planned Residential Community

10. C-1 Highway Commercial
11. C-1A Neighborhood Commercial
12. C-1B Heavy Commercial
13. C-1C Manufacturing Light
14. C-2 Manufacturing
15. C-3 Used Vehicle Parts Dealers, Automobile and Truck Repair Facilities, Junkyards, and Use Vehicle Processing Facilities
16. O & I Office and Institutional District
17. PDD Planned Development District
18. PRRRD Planned Residential and Recreational Resort Development

Section 3: Existing Section 301(B) of the Zoning Ordinance shall be deleted in its entirety.

Section 4: A new Section 301(B) of the Zoning Ordinance of Spalding County shall be enacted as follows:

B. **Overlay Districts:** In addition, overlay districts apply additional standards to specific areas which may lie within any of the above districts. Those districts are as follows:

1. S-1 Sensitive Land-Flood Hazard
2. S-2 Sensitive Land-Watershed Protection
3. S-3 Sensitive Land-Groundwater Recharge Protection
4. S-4 Sensitive Land-Wetlands
5. AKB Arthur K. Bolton Parkway

Section 5: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 6: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

XI. NEW BUSINESS

1. Consider approval of Allen-Smith Consulting for CDBG grant administration services. Assistant County Manager Sabine stated that under revised guidelines, we had to re-bid grant administration services, which we did. RFP packets were sent to seven (7) consultants and a notice was also run in the legal ads of the Griffin Daily News. We received two (2) bids with Allen Smith being the better proposal based on price and recent experience in this specific grant area.

Upon motion by Commissioner Massengale, seconded by Commissioner Morrow approval of Allen-Smith Consulting for the Highland Mill CDBG grant administration was unanimously approved by a vote of 5-0.

2. Consider Phase II engineering services for Highland Mill sewer rehabilitation project in the amount of \$12,000. County Manager Wilson stated that this would allow us to bid for the construction of a sewer

lift station with inner connection with the City, which would keep the County out of the sewer business. We have received a CDBG grant in the amount of \$500,000 for rehabilitation of the WWTP Sewer Plant.

Commissioner Martha McDaniel made a comment to be placed in the official records of this meeting. “I oppose Allen-Smith Consulting firm; however, I voted for this and I also oppose the bailing out of Mr. Tenison and WWTP in doing the engineering services, but I am going to vote for this. I find it totally appalling that we are bailing out this man and Federal tax dollars are being used for this. She said I am going to vote for it because I know that we have to go forward.”

Upon motion by Commissioner Massengale, seconded by Commissioner Morrow Phase II Engineering Services with HDR/WL Jordan was unanimously approved by a vote of 5-0.

3. Consider authorization to solicit bids for paving of the following unimproved roads with SPLOST program proceeds:

- Chehaw Road (Section C) High Falls to Tomochichi
- Dickerson Road
- Hardy Lane
- Wani Road (Phase I) AKB to Bridge

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale authorization to solicit bids for the above-mentioned roads was unanimously approved by a vote of 5-0.

4. Consider supplemental SPLOST Program Management services for period ending June 30, 2002. County Manager Wilson stated that the cost of the services is \$271,900. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale SPLOST Program Management services were unanimously approved by a vote of 5-0.*

5. Consider approval of final plat of Autumn Ridge Subdivision Phase II, located off Wilson Road and U.S. Highway 41. *Motion made by Commissioner Martha McDaniel to approve for discussion. Commissioner Massengale seconded the motion. She said that she recalls that they had a tremendous amount of problems with stormwater runoff with Phase I as well as other items and she would like for staff to make sure that they take better care of our land this time. It was noted by Assistant County Manager Sabine that the signature of the engineer was omitted from the plat and asked that the motion already on the table be withdrawn. Commissioner Martha McDaniel withdrew her motion as well as Commissioner Massengale his second.*

A new motion was made by Commissioner Martha McDaniel to table until the next meeting due to the signature missing. Commissioner Massengale seconded the motion and motion was unanimously approved by a vote of 5-0.

6. Consider Local Government Project Agreement for Intersection Improvement SR 16 @ CR 55/Wilson Road – utilities relocation. County Manager Wilson stated that the County would be responsible for \$8,000 in reimbursable costs.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale Local Government Project Agreement was unanimously approved by a vote of 5-0.

7. Consider request from Atlanta Pet Rescue and Adoptions, Inc., Georgia Animal Shelter License A-316 to waive pet adoption fees. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow request was unanimously approved by a vote of 5-0.*

8. Consider approval of FY 2003 Budget Calendar. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow FY 2003 Budget Calendar was unanimously approved by a vote of 5-0.*

9. Consider approval of Resolution establishing Zero-Based Budgeting (ZBB) guidelines in preparing FY 2003 Budget. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the following Resolution was unanimously approved by a vote of 5-0.*

**BOARD OF COMMISSIONERS
SPALDING COUNTY, GEORGIA**

Resolution

WHEREAS the Board of Commissioners is charged under Georgia law with maintaining appropriate fiscal controls over departments and agencies receiving funds from the county treasury; AND

WHEREAS the Board of Commissioners desire to expend public funds with great care and due regard for the citizens remitting funds to the county treasury; AND

WHEREAS the Board of Commissioners recognize that the demands of new growth combined with increasing service-delivery needs require additional efforts to maximize the benefit of tax dollars expended; AND

WHEREAS the Board of Commissioners supports efforts to demonstrate additional accountability regarding public funds budgeted;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Spalding County that the Board endorses and mandates the following measures relative to the preparation of the FY 2003 Spalding County budget:

1. All departments and agencies funded by the Board of Commissioners with funds deposited in the county treasury shall propose a line-item budget request consistent with Zero-Based Budgeting (ZBB) principles for consideration by the Board.
2. No department or agency funded by the Board of Commissioners shall receive funds from the county treasury unless said request, corresponding with ZBB, has been received, reviewed, and approved by the Board, consistent with the Board's lawful responsibility to enact a balanced budget under Georgia law.
3. In the event that any department or agency funded by the Board of Commissioners with funds from the county treasury shall not propose said request by noon on Tuesday, March 29, 2002, the Board of Commissioners shall direct the County Manager to prepare a budget for the respective entity consistent with ZBB principles.

BE IT FURTHER RESOLVED that the County Manager or his designee be directed to offer relevant assistance to any constitutional officer of Spalding County requesting assistance relative to ZBB efforts in the preparation of the FY 2003 Spalding County budget.

10. Consider amendment to the Position Classification and Pay Plan. The amendment is to add position of Principal Planner to the Position and Pay Plan at a pay grade of Grade 27 with salary range of \$33,895 - \$50,317.

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

11. Discuss reactivation of the Long Range Planning Committee. Commissioner Martha McDaniel asked to discuss several things with the members of the Board. She said that she and Commissioner Johnie McDaniel had attended several meetings of this group as the county's representatives and it was her feeling that we had a number of people there that had excellent leadership skills; however, she feels that the entities involved could achieve a lot, if not more, if we were to have a one day retreat with elected officials and school board members with a professional conducting the meeting more so than reactivating this committee again. She feels that this concept just did not work.

County Manager Wilson stated that the City had acted on this request from McIntosh Trail but was unsure of whether the school board had or not.

Commissioner Morrow agreed with Commissioner Martha McDaniel that a retreat would be better to work this out instead of on-going meetings.

Commissioner Johnie McDaniel said he thinks that the purpose of this committee was to discuss quality of life issues and planning for the growth in the County and City. He said that he was never quite comfortable with this concept as he might not include enough people or the right people. He said that you first need to start with a visioning project and build around that project.

County Manager Wilson suggested that this be an elected officials and school board full-board participation retreat rather than representatives from each serving on a committee.

Commissioner Kendall stated he objected to retreats as he feels that this would be a waste of time and he also has a problem with facilitators. He said that this committee was supposed to be a working group like the Sewer Task Force. He said that he was not interested in having a retreat and spending taxpayers' money.

Motion made by Commissioner Martha McDaniel to authorize County Manager Wilson to discuss a different format to have better dialogue for a long range planning committee with City Manager Ron Rabun and School Superintendent Jesse Bradley and report back to the Board at the next meeting. Commissioner Morrow seconded the motion and motion was approved by a vote of 4-1 with Commissioner Kendall voting against the motion.

12. Discuss proposed changes to the Noise Ordinance. County Attorney Fortune presented and discussed the recommended changes to the Noise Ordinance. He suggested that we need to abandon any idea of using decibel levels because of the problems which will be encountered using this method. He said it will cost a lot of money and will not get top priority with law enforcement. He suggested that "recreational vehicles" to include, but not be limited to, motorcycles, dirt bikes, four wheelers, motor bikes, scooters, go carts and vehicles not designed and/or permitted to be used on public roads. He asked for direction as to the number of feet that no recreational vehicle could be used of any residence other than the residence of the owner of the recreational vehicle. There was discussion regarding the number of feet to be applied and also the hours of operating such vehicles. He addressed other issues regarding unnecessarily loud radio, television sets and "boom box" type devices.

It was agreed upon by the Board that each Commissioner was to put their comments regarding changes to the Noise Ordinance in writing and give these to Mr. Fortune to aid in the direction for him to draft changes to the ordinance.

13. Discuss changing the February 18, 2002 Commissioners Meeting date due to the 2002 ACCG Legislative Conference in Atlanta, GA. County Manager Wilson commented that he had been contacted by Jim Smith of the Griffin/Spalding County School System and in order for them to issue bonds for SPLOST, they would need a Resolution adopted by the Board of Commissioners on or before the 25th of February.

Motion made by Commissioner Martha McDaniel to change the February 18th regular scheduled meeting to Thursday, February 21, 2001 at 6:00 p.m. Commissioner Massengale seconded the motion and motion was unanimously approved by a vote of 5-0.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson advised the Board of problems with the Animal Control Ordinance and advised an Ordinance Amendment would be forthcoming at a future meeting to correct these problems.

County Manager Wilson advised the Board that Request for Proposals for the Comprehensive Master Plan were issued today and proposals will be due February, 28, 2002.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall asked that staff pull the minutes of the meeting regarding an Animal Control Leash Law and make him a copy as he was not sure some of the comments made were not correct.

Commissioner Kendall commented that there would be a special called meeting of the Hospital Authority on February 19, 2002 for the discussion of specific purpose of the direction of the Authority. He said he was not certain of the time and place and would inform them of this before the meeting date.

Commissioner Massengale made comments regarding the previous meeting the Board had on a countywide leash law. He said that he recalls that there was an ordinance prepared and ready to go but the audience was large and hostile and that he remembers making a motion to accept the proposed ordinance and no one seconded the motion and motion died.

Commissioner Massengale asked to read a copy of a note he wrote to the Commissioners regarding the reapportionment maps and asked that it be entered into the record. It is as follows:

"Commissioners,

I wish to inform you that I no longer support the imposition of Spalding County map alternate one. I plan to inform the school board members, who support this map of my decision. After consultation with

Commissioner Morrow and re-checking all data for all maps, I have determined that Spalding Plan Spaldcc5 is the fairest map for all of Spalding County for the next ten years.

Thank you for your patience and understanding as we went through this procedure.

Sincerely,
Merrill Massengale”

Commissioner Johnie McDaniel commented that he had attended a meeting hosted by Cradle Bray of the Clayton County Commission and DOT and consultants interested in the Governor’s direction to expand HOV lanes. He said that he had brochures about HOV transportation lanes and other information if the Board was interested in taking a lot at these.

Commissioner Johnie McDaniel commented there was a meeting last Friday at the Board of Education. The Supreme Court of Georgia is coming to Griffin on May 2nd and they will be hearing arguments on three (3) Supreme Court cases. The high school students will be brought in to hear these cases at the Griffin auditorium.

Commissioner Johnie McDaniel commented regarding the letter Commissioners at the Capitol. This will be February 27th and wanted to know if the Commissioners were planning on attending or not.

Commissioner Johnie McDaniel asked County Manager Wilson to contact the City to find out if there are any estimates currently available for the expansion of sewer on the north side of town and also obtain information on any requirements for annexation as it relates to sewer. He asked for this information to have it available for the next Sewer Task Force meeting.

XIV. CLOSED MEETING

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

1. County Manager Wilson desires a Closed Meeting to discuss potential litigation.

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

CLOSED MEETING AFFIDAVIT

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

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

Members of the Spalding County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1.

The Spalding County Board of Commissioners met in a duly advertised meeting on February 4, 2002.

2.

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

3.

The executive session was called to order at 8:26 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 February 2002.

Spalding County Board of Commissioners

Sworn to and subscribed
Before me this 4th day of
February 2002.
Phyllis P. Doane

Notary Public

My commission expires: March 18, 2002

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

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie 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 Johnie McDaniel the
meeting was unanimously adjourned at 8:30 P.M.*

County Clerk

Chairman

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