



Spalding County online

Board of Commissioners

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their regular monthly meeting on Monday, March 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 Merrill Massengale, Dick Morrow, Johnie McDaniel and Michael Kendall present. Commissioner Martha McDaniel was absent as she was attending a NACO convention in Washington, D.C. 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 Chairman McDaniel in the absence of Rev. Valimont.
- III. PLEDGE TO FLAG – Led by First Baptist Church Boy Scout Troop #2
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Consider approval “Nunc Pro Tunc” of a Proclamation proclaiming Monday, February 25, 2002 as “Kenneth Roberts Day” in Spalding County. *Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the following Proclamation was unanimously approved by a vote of 4-0.*

Proclamation

A PROCLAMATION HONORING CHIEF KENNETH ROBERTS FOR HIS SERVICE TO SPALDING COUNTY AS DUNDEE MILLS FIRE DEPARTMENT CHIEF

- WHEREAS,** prior to 1978, Spalding County did not possess its own firefighting unit; and
- WHEREAS,** fire protection services before this time were provided voluntarily by the Dundee Mills Fire Department throughout unincorporated Spalding County; and
- WHEREAS,** Chief Kenneth Roberts directed these fire protection efforts for Dundee Mills for approximately 15 years; and
- WHEREAS,** Chief Roberts took no salary for his firefighting duties during this time; and
- WHEREAS,** Chief Roberts has evidenced tireless dedication to Spalding County, not only through his voluntary service over an extended period, but also through his recent donation of a vintage 1941 Ford Pirsch fire truck to Spalding County’s Fire Department for the enjoyment of future generations.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County that Monday, February 25, 2002 is hereby proclaimed as

“KENNETH ROBERTS DAY”

to recognize his contributions to Spalding County and honor his service as Dundee Fire Department Chief.

BE IT FURTHER RESOLVED that a copy of this Proclamation is to be spread in the minutes of the proceedings of this Board to memorialize Chief Roberts’ contributions to the citizens of Spalding County and commemorate the dedication of Roberts Fire Station in his honor.

This the 25th day of February 2002.

V. PRESENTATION OF FINANCIAL STATEMENTS – n/a

VI. CITIZENS COMMENTS – n/a

VII. PUBLIC COMMENT

Mr. Mark Stewart, 38 Oak Drive, stated he was President of the Griffin Youth Baseball Association and was addressing the letter sent from Parks and Recreation that the county would not be providing practice lights prior to opening season and also would not be striping fields on Saturdays to keep Mr. Greene's budget in line for the remainder of the fiscal year. He said that the county was not living up to their agreement to maintain the ballparks in Spalding County and wanted to know why. He said that the county was taking money from the kids as it was already costing \$85 to play baseball. He said with higher cost for sign-up, the more kids will be on the streets. He said that the coaches volunteer their time and work very hard and suggested that the commissioners donate their money back to the fund in order to pay for the lights because the association cannot afford it. He said that he has been told that the association will have to chalk the fields on Saturdays to cut over time for county employees.

Mr. Buck Lee, 130 Brice Street, addressed the Board on the same issue that Mr. Stewart did. He commented that he had heard several parents comment that if the county is not going to support the kids, then they will go to other counties. He said that if the county does not support lights, then we would lose kids. He said that sign-ups are down this year. He said to keep this going year from year we have got to have support from the community.

Ms. Jewel Walker-Harps, 103 McEthel Drive, stated she was speaking as President of Griffin Branch of the NAACP and asked why a grant application request from the Parks and Recreation Advisory Commission did not make the agenda tonight. She requested a copy of the item and an explanation of the content of the application and why this item did not make the agenda. She said that she understands it has to do with the facility at Fairmont Park.

Chairman McDaniel stated that the reason this grant request was not on the agenda was it had been discussed and he made the decision not to put it on the agenda until we had an opportunity to discuss it in the context of the budget at our retreat, which was scheduled for March 16th. The agenda cut-off was Tuesday and on Thursday Commissioner Kendall reported that he had a schedule conflict and we had to reschedule our retreat to April; therefore, I will ask for a motion to amend the agenda tonight to include this item for discussion with the other grant applications.

VIII. MINUTES

1. Consider approval of the minutes for the Extraordinary Session of February 21, 2002 and Public Hearing of February 28, 2002. *Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the minutes were unanimously approved by a vote of 4-0.*

Chairman McDaniel asked for a motion to amend the agenda to include another grant application at Item No. 2 under New Business. Motion to amend agenda was made by Commissioner Morrow, seconded by Commissioner Massengale and unanimously approved by a vote of 4-0.

IX. CONSENT AGENDA

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale Items 1-5 on the Consent Agenda were unanimously approved by a vote of 4-0.

1. Consider at first reading an ordinance amending the Spalding County Code relative to the Animal Control Ordinance. ***This ordinance will be incorporated into the minutes on second and final reading.***

2. Consider at second reading an ordinance amending the FY 2002 Budget Ordinance to provide for grant proceeds received for the Sheriff's Victims Assistance program.

**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. Fire District Fund

A. Revenues

Fund Balance Appropriated	From	\$	400,129	to	\$	375,129
Intergovernmental Revenue	From	\$	0	to	\$	25,000

Approved on first reading this 21st day of February 2002.

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

5. Consider at second reading an ordinance amending the Spalding County Code relative to reduction of speed limit on a portion of Rover-Zetella Road.

**SPALDING COUNTY, GEORGIA
TRAFFIC REGULATION ORDINANCE
ORDINANCE NO. 2002-01**

TO AMEND THE MOTOR VEHICLES AND TRAFFIC CODE OF SPALDING COUNTY, GEORGIA, SO AS TO PROVIDE FOR REDUCED SPEED LIMIT ON A PORTION OF ROVER-ZETELLA ROAD AND AN EFFECTIVE DATE.

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 7-1002, relating to speed limits on specific County Roads, by deleting sub-section as follows:

“Rover-Zetella Road” From SR 362 to SR 16 zoned 45 miles per hour

Section 2. That the Code of Spalding County, Georgia, be amended in Part VII, Chapter 1, Section 7-1002, relating to speed limits on specific County Roads, by adding two sub-sections as follows:

“Rover-Zetella Road” From SR 16 to North Rover Road 3.0 miles zoned 45 miles per hour.

Rover-Zetella Road From North Rover Road to SR 362 1.0 miles zoned 35 miles per hour.”

Section 3. That the within ordinance shall be and become effective immediately upon its adoption on two presentations, as provided by Section 2-1005 of the Code of Spalding County, Georgia, and upon erection of speed limit signs as designated herein.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed.

X. OLD BUSINESS

1. Consider appointments to Boards, Authorities and Commissions.

2. **Spalding County Board of Zoning Appeals- 3 Year Term**

a. At-Large to succeed Rosa Callaway, Three-year term to expire 12-31-04

Chairman McDaniel stated there were two (2) names in the Nomination Book for this position, incumbent Rosa Callaway and Mose Stogner nominated by himself. He called for the votes for Rosa Callaway and

she received no votes. He called for the votes for Mr. Stogner and Mr. Stogner received four (4) votes. **Mose Stogner** was appointed to this position on the Board of Zoning Appeals.

The Board asked that a thank you letter be sent to Mrs. Callaway for her years of service on this board.

XI. NEW BUSINESS

1. Consider recommendation from the Parks and Recreation Advisory Commission to change opening time for WTOP from 8:00 a.m. to 6:00 a.m. in order to accommodate walkers utilizing the walking trail. Parks and Recreation Director Louis Greene addressed this item. He reported that a senior citizen had called his office and complained that a sheriff deputy would not let them in before 8:00 a.m. at the WTOP walking trail. Mr. Greene contacted the Sheriff and he suggested that either ask the deputies to ignore the rules or the time be changed from 8:00 a.m. to 6:00 a.m. to accommodate the walkers. He said that he did not feel that we need to ask the deputy to ignore the rules at the park and therefore was asking for the time change. He said that he had contacted the Sherbrooke Homeowners Association and they had no problems changing the opening time as long as we left the closing time at 11:00 p.m.

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the request to change the time at WTOP from 8:00 a.m. to 6:00 a.m. was unanimously approved by a vote of 4-0.

2. Consider grant applications as recommended by the Parks & Recreation Advisory Commission.

- Georgia Department of Natural Resources Land and Water Conservation Fund
- Georgia Environmental Facilities Authority (GEFA) Recycling and Waste Reduction Grant Awards
- Innovation in American Government at the John F. Kennedy School of Government at Harvard University

Parks and Recreation Director Louis Greene also addressed these grant applications request. These all pertain to the WTOP walking track and the playground.

The Land and Water Conservation Fund grant is furnished through the National Parks Service and a 50-50 match is required. The minimum total of grant is \$25,000 and the maximum total is \$75,000. All that is required for this fiscal year is a resolution from the governing body up front.

The Recycling and Waste Reduction Grant (GEFA) is the same grant we got for Airport Road walking track. The applicant can apply for up to \$50,000 with a match required, either cash or it can be in-kind services. He said that the rubberizing the track would cost \$41,000 and the playground cost would be \$43,000. He said that a commitment from Pine Ridge Landfill donating \$2,000 towards this project.

The Innovation in American Government is an award that they make to various governments for innovations. The award is for up to \$100,000 with no match required. He said that he feels improvements to the walking trail is an innovative program.

County Manager Wilson commented that the matches in these grants would be required and have to be budgeted in Fiscal Year 2003. Mr. Wilson commented that he would recommend that we apply for the \$100,000 Innovation in American Government because it does not require a match. He was recommending that we not fund any thing new (new programs or capital projects) of any kind for the next fiscal year.

The Board felt that we should not apply for any grant that requires a match of funds but had no problem with applying for the GEFA grant (walking trail) with the match being in-kind services and also the \$2,000 donation.

Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Massengale permission was given to apply for the GEFA grant and Innovation in American Government grant by a unanimous vote of 4-0.

- National Park Service Urban Parks and Recreation Recovery Program in the amount of \$500,000.

Mr. Greene also addressed this item. He said that the grant requires a 50-50 match. The grant specifically states that you can take a park that is in need of repair, replacement or rehabilitation in an economically distressed neighborhood and apply for those monies. The grant has only been funded for the last two (2) years. He said that this has to be project specific and is very complicated and the

department would need someone with federal grant experience to assist them in the grant application. He said that it has been recommended by Mr. Wilbur Bailey to apply for the grant to replace the pool for Fairmont Community.

Mr. Greene said that he sees a lot wrong with the Fairmont Community and housing is one of them. He said that he also sees the Park being small on greenspace. He said he would like to see us buy up some of the rental property in the neighborhood to gain additional greenspace and then find a way to come back and build the pool. He said that seniors are not going to walk to the park going through all this bad neighborhood of housing.

There was a lengthy discussion regarding the use of this money for worthwhile projects and it was determined that we need to get a plan first and then go after the money. Commissioner Morrow commented that this could be one of the projects that the Chamber Long Range Planning Committee work on. Commissioner Kendall commented that it seems that the City of Griffin has a citywide problem with old housing and they have a comprehensive urban renewal going on and allowing people to try to maintain what they have. You are talking about buying it all up and they are letting folks renovate this property so at some point their thoughts and your thoughts are going to have to mesh. Commissioner Kendall said with this particular grant with everything going on, the school, the city, it would be best to have all the folks come together to figure out what needs to happen in this community. He said that this area is in the corporate limits of the City of Griffin and there is not a whole lot we can do except ask them to get involved.

Upon motion by Commissioner Morrow not to pursue the National Park Service Urban Parks and Recreation Recovery Program this March submission and possibly pursue the grant the next grant period. Commissioner Massengale seconded the motion and motion was unanimously approved by a vote of 4-0.

3. Consider acceptance of Right-of-Way deed for Lake Chase Drive South, Lake Chase Drive North and Chase Place in Park Place Phase I Subdivision. *Upon motion by Commissioner Morrow, seconded by Commissioner Massengale acceptance of Right-of-Way Deed was unanimously approved by a vote of 4-0.*

4. Consider contract with Department of Transportation for LARP 2003, twenty-four county roads. This is for 15.370 miles of resurfacing and the roads included are: Airport Road, Amanda Avenue, Dutchman Road, Golfview Drive, Hudson Road, Jackson Street, Kline Circle, Mandy Lane, Manley Avenue, McEthel Drive, Meadowview Lane, N. Lee Street, N. Second St., Ext., N. Stewart Lane, Pinecrest Drive, Poplar Street, Roberts Street, Rover-Zetella Road (2 parts), S. Stewart Lane, S. Walkers Mill Road, Sidney Road, Southbrook Drive and Yamacraw Road. County Manager Wilson stated this was approximately \$300,000 of DOT funding and about \$300,000 SPLOST funding also.

Upon motion by Commissioner Massengale, seconded by Commissioner Kendall contract with DOT for LARP 2003 was unanimously approved by a vote of 4-0.

5. Consider joint City/County appointment to the Griffin-Spalding County Airport Commission to fill the unexpired term of Fred Gordon, whose term expires 12-31-02. Chairman McDaniel read the letter of resignation of Mr. Gordon. Commissioner Dick Morrow has nominated Mr. Ed Bowlin, 95 Cedar Ridge Airport, Griffin, GA, a retired airline pilot.

*Upon motion by Commissioner Morrow, seconded by Commissioner Kendall **Ed Bowlin** was appointed to this position by a unanimous vote of 4-0.*

XII. REPORT OF COUNTY MANAGER

County Manager Wilson stated that the 1997 SPLOST brought in a total of \$38.56 Million over a five-year period. This was the revised projection we made. He said that Spalding County sales tax has increased 3.77% in 2001.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall commented that the Hospital Authority is in the process of re-bidding the investment portfolio. He said that the money was left sitting in their bank account at Wachovia as they had not received any instructions from the Hospital Authority since the demise of the trust as to what to do with the money. He said that he believes they have seven or eight bidders for this portfolio.

Commissioner Kendall commented that he was hoping that the Chamber Long Range Planning Committee would focus on some of the priority items in front of us and one is to pursue the renovation of Kelsey community.

Commissioner Massengale commented that he had a good friend on the Fayette County Commission and he heard me say some good things about Griffin, GA and he came down here and looked around and then made the comment to me that “Griffin looks like a blight” and wanted to know how come I was so proud of Griffin, GA. He said that this comment really upsets him. He said that we can really fix this problem if we really work at it.

Commissioner Morrow made comments regarding an article in the *Griffin Daily News* on Sunday that said that Spalding County is guilty of building little houses on little lots. He said that this statement is wrong as these little houses on little lots is in the City. He said that he has unofficially been tracking the building permits and there were thirty-one home building permits in the County last month with an average of 1655 sq. ft. per house. He said that this is not a bad average for Spalding County and our housing is on the upward move. He also said there were two single-family manufactured houses moved into the County and they averaged 1800 sq. ft.

Commissioner Johnie McDaniel asked County Manager Wilson if arrangements had worked out for rescheduling the retreat for the 27th of April. Mr. Wilson commented everything had been rescheduled.

XIV. CLOSED MEETING

Upon motion by Commissioner Massengale, seconded by Commissioner Morrow the Board voted unanimously to go into Closed Meeting to discuss pending and potential litigation.

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

Those present were all Commissioners Merrill Massengale, Johnie McDaniel, Michael Kendall and Dick Morrow, 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 March 4, 2002.

2.

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

3.

The executive session was called to order at 8:00 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 March 2002.

Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 4th day of

March 2002.

Phyllis P. Doane

Notary Public

My commission expires: March 18, 2002

(L.S.) H. Merrill Massengale

(L.S.) Johnie A. McDaniel

(L.S.) Dick Morrow

(L.S.) M. Michael Kendall

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

There was no business transacted at this time.

XV. ADJOURNMENT

Upon motion by Commissioner Morrow, seconded by Commissioner Johnie McDaniel the meeting was unanimously adjourned at 8:15 P.M.

County Clerk

Chairman

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