



Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, March 18, 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

III. PLEDGE TO FLAG – Led by Chairman McDaniel

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Consider approval of a Proclamation in recognition of the accomplishments of the A.Z. Kelsey Middle School Girls and Boys Basketball Teams. The Coaches from A.Z. Kelsey Middle Schools, Janna Forrester & Joel Singleton, were present to receive the Proclamation.

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

Proclamation

“Recognition of A. Z. Kelsey Middle School Basketball Teams”

WHEREAS, Kelsey Avenue Middle School originated in the fall of 1987 when the Griffin-Spalding County School System established three middle schools; and

WHEREAS, Kelsey Avenue Middle School was changed to A.Z. Kelsey Middle School in October 2001; and

WHEREAS, A.Z. Kelsey Middle School is located on the former campus of Unit III and currently has an enrollment of 461 sixth, seventh and eighth grade students; and

WHEREAS, A.Z. Kelsey Middle School has an athletic program, formed in the fall of 1997, consisting of football, and boys and girls basketball; and

WHEREAS, Under the guidance of Athletic Director/Girls Basketball Coach, Ms. Jana Forrester and Boys Basketball Head Coach, Mr. Joel Singleton, A.Z. Kelsey Middle School has an outstanding basketball program; and

WHEREAS, A.Z. Kelsey Middle School Boys Basketball team made it to the finals, finishing second in the East Region and being the only middle school in the East Region to win the Georgia Middle School Athletic League Championship title three times consecutively; once in the 1999-2000 school year and second in the 2000-2001 school year under the coaching of Mr.

Kelvin Talley and for the third time in the 2001-2002 school year, under the coaching of Mr. Joel Singleton; and

WHEREAS, A.Z. Kelsey Middle School Girls Basketball team has won the East Region and Georgia Middle School Athletic League Championship in the 2000-2001 school year and again in this 2001-2002 school year.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Spalding County hereby recognize the Boys and Girls Basketball Team of A.Z. Kelsey Middle School for their accomplishments as well as outstanding representation of the community and wishes them much success in their commitment to excellence in their sport.

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 this occasion and express our congratulations on behalf of the citizens of Spalding County.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Eight Months Ended February 28, 2002. Ms. Jinna Garrison, Finance Director, was present to answer any questions the Board might have. *Upon motion by Commissioner Massengale, seconded by Commissioner Morrow the Financial Statements were unanimously approved by a vote of 5-0.*

VI. CITIZENS COMMENTS – n/a

VII. PUBLIC COMMENT

Ms. Katherine Gloss, 924 Campground Road, addressed the Board regarding the Animal Control Ordinance. She thanked the Commissioners for all the efforts they have made on the ordinances against Animal Control that they are trying to pass, which is making people responsible for their dog's actions. She stated while researching the ordinance she found that fish were not identified in the category as protected livestock and asked that the ordinance be changed to include fish. She said that she had an ornamental fish on her property that is worth \$8,000 and that dogs get into her pond.

Ms. Christine Cochran, 800 Campground Road, also addressed the animal control problem in Spalding County. She said that she has a dog and loves dogs and keeps the dog in its own yard. She said that people should be held responsible for their dogs.

Mr. William Dixon, 132 LaPrade Road, addressed the Board regarding a state bicycle path. He said that a state path was suppose to come from Henry County through Spalding County to Lamar County and asked the Commissioners to check into this. He said that he had a map at home that outlines this.

He said that Spalding County does not have a huge coyote problem because of the dogs that are around here. He said that the Animal Control Ordinance is very vague in some parts and it needed tweaking.

VIII. MINUTES

1. Consider approval of the minutes for the meeting of March 4, 2002. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the minutes were unanimously approved by a vote of 5-0.*

IX. CONSENT AGENDA

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel items 1 and 2 on the Consent Agenda were unanimously approved by a vote of 5-0.

1. Consider at second reading an ordinance amending the Spalding County Code relative to the Animal Control Ordinance.

ORDINANCE NO. 2002-02
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 12-1006 (2)(d) by striking sub-paragraph (d) in its entirety and inserting in lieu thereof a new (d) to read as follows:

“All public areas owned or leased by any federal, state or local government or its agencies or the Board of Education, including, but not limited to, all public parks, recreation areas, school grounds, as well as all sidewalks, streets, roads, highways and rights of ways located in Restraint Districts designated by the Spalding County Board of Commissioners.”

Section 2. 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, the Newnan-Coweta Humane Society-Shelter Rescue or Puppy Love Rescue Shelter, Inc., 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, Puppy Love Rescue Shelter, Inc., or Atlanta Pet Rescue and Adoptions, Inc. then said impoundment fee and boarding fee shall not apply, but the cost of rabies tags shall be paid”.

Section 3. 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 4. All ordinances and parts of ordinances in conflict herewith are repealed.

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

- **Amendment to UDO #A-02-01:** Amendment to Appendix E. Sign Ordinance—Article 2: Definitions – Section 250, Wall Sign – to allow illuminated wall signs.

IN RE:

Text Amendment #A02-01

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

RESOLUTION AMENDING
THE SIGN 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 as Appendix E thereto, the Sign Ordinance of Spalding County;

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 Sign Ordinance of Spalding County;

WHEREAS, such text amendments to the Sign Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Sign Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on February 28, 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 Sign 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 Sign Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision of the Sign Ordinance of Spalding County, shall be deleted: the first complete sentence of Section 514.

Section 2: The provision shall be added to the Sign Ordinance of Spalding County to appear as the first complete sentence of Section 514:

Illuminated signs shall be permitted as a component of a freestanding signs and wall signs.

Section 3: The foregoing amendments to the Sign 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.

- **Rezoning Application #01-35Z:** Edna Perkins Raven, Hilda Perkins Howard & Mitchell Perkins, Sr. – Zebulon Road, 13.143 acres—R-1 & C-1 to C-1.

IN RE:

**APPLICATION OF EDNA PERMKINS RAVEN, HILDA PERKINS HOWARD, AND MITCHELL PERKINS, SR .
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-35Z

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA
AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to

regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled "C-1, Highway Commercial" and "R-1, Single Family Residential;"

WHEREAS, Sofran Group applicant, applied for a change in zoning classification to be applied to the within described property to "C-1, Commercial;"

WHEREAS, such application was filed with Spalding County, Georgia on December 27, 2001;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on January 29, 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 and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that tract and parcel of land lying and being in Land Lot 119 of the 2nd District of originally Monroe County, now Spalding County, Georgia, being more particularly described as follows:

Beginning at a ½ inch rebar found on the northeasterly right of way line of U.S. Route 19 and 41, said point being located 101.9 feet northwesterly from the intersection of said right of way line with the northwesterly right of way line of Zebulon Highway, thence continuing north 33 degrees 42 minutes 53 seconds west along said right of way line a distance of 518.39 feet to a concrete right of way marker found, thence continuing along said right of way line and following a regular curve to the right an arc distance of 34.83 feet, said curve having a radius of 2739.86 feet and being subtended by a chord bearing of north 33 degrees 13 minutes 05 seconds west and a chord distance of 34.83 feet, to a ½ inch rebar set, thence leaving said right of way line south 87 degrees 55 minutes 22 seconds east a distance 1278.16 feet to an axel found, thence south 08 degrees 10 minutes 44 seconds west a distance of 150.14 feet to an axle found, thence south 89 degrees 03 minutes 56 seconds east a distance of 273.89 feet to a 1 inch hollow pipe found

on the northwesterly right of way line of Zebulon Road, thence southwesterly along said right of way line and following a regular curve to the right and arc distance of 318.54 feet, said curve having a radius of 2982.84 feet and being subtended by a chord bearing of south 14 degrees 14 minutes 37 seconds west and a chord distance of 318.39 feet to a ½ inch rebar found, thence north 87 degrees 36 minutes 56 seconds west a distance of 1145.65 feet to the point of beginning. Said tract containing 13.143 acres of land.

From “R-1, Single Family Residential” and “C-1, Commercial” to “C-1, Commercial” District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. Receive a traffic count at the Moreland Road intersection from an independent Consultant and present it to the Georgia DOT and for the Sofran Group to pay for the light, if approved by DOT.

Section 3

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On February 28, 2002, by official action of the Board of Commissioners of Spalding County, Georgia the following change was made in the Official Zoning Map, Spalding County: All those tracts or parcels of land situate lying and being in Land Lot 119 of the 2nd Land District of originally Monroe, now Spalding County, Georgia, consisting of approximately 13.143 acres, zoned C-1.

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

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

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

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

- **Rezoning Application #01-18Z, #01-18AZ and #01-18CZ thru #01-18RZ:** East McIntosh Road and Pineview Road – C-2 to R-2, conditional.

IN RE:

**APPLICATION OF SPALDING COUNTY PLANNING COMMISSION
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-18Z, 01-18AZ, 01-18CZ, 01-18DZ, 01-18EZ, 01-18FZ, 01-18GZ, 01-18HZ, 01-18IZ, 01-18JZ, 01-18KZ, 01-18LZ, 01-18MZ, 01-18NZ, 01-18OZ, 01-18PZ, 01-18QZ, 01-18RZ.

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA
AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “C-2, Manufacturing;”

WHEREAS, Spalding County Planning Commission, applicants, applied for a change in zoning classification to be applied to the within described property to “R-2, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia in August, 2001;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on August 28, 2001, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

Parcel Number: 108D-2-2, 108D-2-10, 108C-2-2, 108C-2-3, 108C-2-4, 108C-2-5, 108C-2-6, 108C-2-7, 108C-2-8, 108C-2-9, 108C-2-10, 108C-2-11, 108C-2-12, 108C-2-13, 108C-2-14, 108C-2-15, 108C-2-16, and 108C-2-17.

From “C-2, Manufacturing” to “R-2, Single Family Residential” District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the

amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. All homes shall be a minimum of 1,400 heated square feet.

Section 3:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On February 28, 2002, by official action of the Board of Commissioners of Spalding County, Georgia the following change was made in the Official Zoning Map, Spalding County: Parcel Number: 108D-2-2, 108D-2-10, 108C-2-2, 108C-2-3, 108C-2-4, 108C-2-5, 108C-2-6, 108C-2-7, 108C-2-8, 108C-2-9, 108C-2-10, 108C-2-11, 108C-2-12, 108C-2-13, 108C-2-14, 108C-2-15, 108C-2-16, 108C-2-17, zoned R-2, Conditional.

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

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

X. OLD BUSINESS

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

- **Rezoning Application #01-18BZ:** East McIntosh Road and Pineview Road—C-2 to R-5, conditional.

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale Application #01-18BZ was approved by a vote of 3-2 with Commissioners Martha McDaniel and Kendall voting against the motion.

IN RE:

**APPLICATION OF SPALDING COUNTY PLANNING COMMISSION
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-18BZ

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA
AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “C-2, Manufacturing;”

WHEREAS, Spalding County Planning Commission, applicants, applied for a change in zoning classification to be applied to the within described property to “R-2, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia in August, 2001;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on August 28, 2001, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

Parcel Number: 108C-2-1.

From “C-2, Manufacturing” to “R-5, Single Family Residential” District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. All homes shall be a minimum of 1,300 heated square feet.
- b. All homes shall be site built.
- c. All homes shall have a two-car garage with a turn around area.
- d. All homes shall have a minimum 7:12 roof pitch.
- e. A maximum of 13 lots may be developed on the property.

Section 3:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On February 28, 2002, by official action of the Board of Commissioners of Spalding County, Georgia the following change was made in the Official Zoning Map, Spalding County: Parcel Number: 108C-2-1, zoned R-5, Conditional.

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

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

- **Rezoning Application #02-01Z:** Jay W. Bethune – Rehoboth Church Road—6.431 acres – AR-1 to R-5, conditional.

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale Application #02-01Z was approved by a vote of 4-1 with Commissioner Martha McDaniel voting against the motion.

IN RE:

**APPLICATION OF JAY BETHUNE
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 02-01Z

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA
AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “AR-1, Agricultural and Residential;”

WHEREAS, Pat Golden, applicant, applied for a change in zoning classification to be applied to the within described property to “R-5, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on January 10, 2002;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on February 12, 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 and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that lot, tract, or parcel of land situate, lying and being in Landlot 106 of the 3rd Land District originally Monroe, now Spalding County, Georgia containing, 6.431 acres and my be more particularly described as follows:

Beginning at the intersection of the northwest right-of-way of Buck Creek Road and the northwest right-of-way of Rehoboth Church Road thence running South 52 degrees 15 minutes 15 seconds West a distance of 191.85 feet to a point; thence South 59 degrees 00 minutes 01 seconds West a distance of 193.51 feet to a point; thence South 66 degrees 39 minutes 51 seconds West a distance of 173.54 feet to a 1 inch rod; thence North 16 degrees 43 minutes 09 seconds West a distance of 401.83 feet to a point; thence North 51 degrees 51 minutes 57 seconds East a distance of 648.19 feet to a point located on the northwest right-of-way of Buck Creek Road; thence South 45 degrees 25 minutes 00 seconds East a distance of 29.48 feet to a point; thence South 39 degrees 00 minutes 18 seconds East a distance of 89.52 feet to a point; thence South 14 degrees 13 minutes 35 seconds East a distance of 79.29 feet to a point; thence South 02 degrees 26 minutes 26 seconds West a distance of 332.43 feet to a point and the point of beginning.

From “AR-1, Agricultural and Residential” to “R-5, Single Family Residential” District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. The site shall be conditioned to the site plan submitted with the application.

- b. All lots shall have a two-acre minimum lot size.
- c. All homes shall be site built.
- d. All home shall have a two-car garage.

Section 3:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On February 28, 2002, by official action of the Board of Commissioners of Spalding County, Georgia the following change was made in the Official Zoning Map, Spalding County: All those tracts or parcels of land situate lying and being in Land Lot 106 of the 3rd Land District of originally Monroe, now Spalding County, Georgia, consisting of approximately 6.431 acres, zoned R-5, Conditional.

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

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

XI. NEW BUSINESS

1. Consider approval for new Alcoholic Beverage License for 2002 Retail Package Store, Beer and Wine License for Jimmy R. Allen – Big Jim’s Wing Shack, Inc. – 1557 Williamson Road.

Chairman McDaniel stated that there was a correction to be made to Item 1 as the license being applied for is for consumption on premises rather than retail package store. He asked for a motion to amend the agenda to show this change in the request.

Motion made by Commissioner Morrow, seconded by Commissioner Martha McDaniel and unanimously approved to amend the agenda to show license for consumption on premises.

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

2. Consider award of bids for Chehaw Road (**Reference Contract 02-03-18(A)**); Hardy Lane (**Contract #02-03-18(B)**); Wani Road (**Contract #02-03-18(C)**); and Dickerson Road (**Contract #02-03-18(D)**) improvements as recommended by HDR/W L Jordan & Co. *Motion made by Commissioner Martha McDaniel to award Chehaw Road to Shepherd Construction Co. in the amount of \$286,041.13, to award Dickerson Road to Shepherd Construction Co. in the amount of \$160,106.34, Hardy Lane to Hill Construction Co. in the amount of \$460,848.68 and Wani Road to Shepherd Construction Co. in the amount of \$279,664.94. Commissioner Massengale seconded the motion and motion was unanimously approved by a vote of 5-0.*

3. Consider request from Griffin Ballet Theatre for a summer dance program for the Spalding County Parks & Recreation Department. The request was for the Griffin Ballet Theatre to apply for a grant for this dance program that would offer to the children who enroll in the summer camp programs of the Spalding County Parks and Recreation Department dance classes. Classes would be taught at Studio Do, 111 North Street and the student would be transported by bus to

and from the studio. There would be no cost to the county or to the children to have this program.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the request to apply for grant to sponsor this program was unanimously approved by a vote of 5-0.

4. Consider approval of grant application for the Georgia Division of Public Health for fitness stations at Wyomia Tyus Olympic Park walking trail submitted by the Parks & Recreation Department. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow grant application was unanimously approved by a vote of 5-0.*

5. Consider a one-year Lease Agreement between Divine Faith Ministries, Inc. and Spalding County for property at 841 Memorial Drive. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow Lease Agreement was unanimously approved by a vote of 5-0.*

6. Consider renewal of Commercial Lease Agreement with Josiah Christian Fellowship, Inc. for a five-year period for property at 883 Memorial Drive. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow Lease Agreement was unanimously approved by a vote of 5-0.*

7. Consider approval of Chairman to execute Authorization Resolution Lease Supplements for leases under the ACCG Alternative Leasing Program. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the following Resolutions were unanimously approved by a vote of 5-0.*

SCHEDULE E

AUTHORIZATION RESOLUTION (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 December 12, 2000, 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 **(19) Nineteen Fleet Vehicles**; 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 **\$354,470.66** 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 Supplements is hereby designated "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 resolution shall be effective immediately.

SCHEDULE E

AUTHORIZATION RESOLUTION (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 December 12, 2000, 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 **New Case 1845C Uni-Loader and Attachment**; 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 **\$20,883.20** 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 Supplements is hereby designated "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 resolution shall be effective immediately.

8. Consider acceptance of Right of Way Deed for Stoneybrook Drive and Autumn Ridge Drive located in Autumn Ridge Subdivision, Phase Two. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow Right of Way Deed was unanimously approved by a vote of 5-0.*

9. Consider amendment to the Pay and Classification Plan to add Contract Detail Officer position. This will be at a pay grade 16 with salary range of \$25,311 - \$36,415. The position will be funded by the agency requesting inmate work details. County Manager Wilson stated that the school system had already requested an inmate detail and the contract would be on an April agenda.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow amendment to the Pay and Classification Plan was unanimously approved by a vote of 5-0.

10. Consider Lease with Best Textile, LLC for parking spaces. This lease is for 8 spaces to be rented at \$150/month in the Blake parking Lot to be used for turnaround for their loading dock area. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the following Lease was unanimously approved by a vote of 5-0.*

LEASE AGREEMENT

THIS LEASE, made this 18th day of March, 2002, by and between Spalding County, Georgia, a political subdivision of the State of Georgia, first party, (hereinafter called "Landlord"); and Best Textile, LLC, second party, (hereinafter called "Tenant");

WITNESSETH:

- Premises** 1. The premises is identified as that portion of the Blake parking lot, which is marked as "No Parking" area. The Blake parking lot is located at the southeast corner of Sixth Street and Bank Alley in the City of Griffin, Spalding County, Georgia.
- Term** 2. To have and to hold the same beginning on the 1st day of April, 2002, and continuing therefrom until one party or the other gives thirty days notice of their intent to terminate this contract.
- Rental** 3. Tenant agrees to pay Landlord, by payments to Landlord at office of the landlord in Griffin, Georgia, promptly on the first day of each month in advance, during the term of this lease, a monthly rental of \$150 per month.
- Time of Essence** 4. Time is of the essence of this agreement.
- Use of Premises** 5. Premises shall not be used for any illegal purposes; nor in any manner to create any nuisance or trespass; nor in any manner to vitiate the insurance or increase the rate of insurance on premises. Premises shall be used only as a parking lot.
- Mortgagee's Rights** 6. Tenant's rights shall be subject to any bona fide mortgage or deed to secure debt which is now, or may hereafter be, placed upon the premises by Landlord.
- No Estate in Land** 7. This contract shall create the relationship of Landlord and Tenant between the parties hereto; no estate shall pass out of Landlord. Tenant has only a usufruct, not subject to levy and sale, and not assignable by Tenant except by Landlord's consent.
- Rights Cumulative** 8. All rights, powers and privileges conferred hereunder upon parties hereto shall be cumulative but not restrictive to those given by law.
- Waiver of Rights** 9. No failure of Landlord to exercise any power given Landlord hereunder, or to insist upon strict compliance by Tenant with his obligation hereunder, and no custom or practice of the parties at variance with the terms hereof shall constitute a waiver of Landlord's right to demand exact compliance with the terms hereof.
- Definition** 10. "Landlord" as used in this lease shall include first party, her heirs, representatives, assigns and successors in title to premises. "Tenant" shall include second party, its heirs and representatives, and if this lease shall be validly assigned or sublet, shall include also Tenant's

assignees or sub-lessees, as to premises covered by such assignment or sublease. "Agent" shall include third party, his successors, assigns, heirs, and representatives. "Landlord", "Tenant", and "Agent", include male and female, singular and plural, corporation, partnership or individual, as may fit the particular parties.

Improvements 11. Tenant agrees that it accepts the property "as-is" and that the Tenant will be responsible for any improvements that it desires.

This lease contains the entire agreement of the parties hereto and no representations, inducements, promises or agreements, oral or otherwise, between the parties, not embodied herein, shall be of any force or effect.

IN WITNESS WHEREOF, the parties herein have hereunto set their hands and seals, in triplicate, the day and year first above written.

11. Consider Resolution of Intent to Abandon a Portion of Hunter Road. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale the following Resolution was unanimously approved by a vote of 5-0.*

RESOLUTION
OF INTENT TO CONSIDER THE ABANDONMENT
HUNTER ROAD OR A PORTION THEREOF

WHEREAS, subsection 32-7-2(b)(1) of the Official Code of Georgia Annotated provides the procedure for abandonment of a section of the county road system when, for any reason, it has ceased to be used by the public to the extent that no substantial public purpose is served by it; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia has been requested to determine whether Hunter Road lying in the northeastern portion of Spalding County, and in the Cabin Militia District running north northwesterly from its intersection with Johnson Road Extension approximately 2,200 feet, to the Henry/Spalding County line as more particularly shown and designated on the plat or sketch attached hereto, has ceased for any reason to be used by the public to the extent that no substantial public purpose is served by it; and

WHEREAS, a plat or sketch of said road, which is hereto attached, has been tendered to this Board for its use in making such determination; and

WHEREAS, the Board of Commissioners of Spalding County deems it prudent and in the best interest of the County to investigate this request and to make a determination as to whether or not such road should be abandoned;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County that a copy of the within resolution, and a copy of such plat or sketch, be posted at the Spalding County Courthouse and at the Spalding County Courthouse Annex, and further that a copy of this resolution and said plat or sketch be transmitted to the Postmaster of Griffin, Georgia for his review with the local mail carrier, and a copy hereof be transmitted to the Superintendent of Schools for his review with the person in charge of bus transportation for the students of the local school system, so that this Board may have any response from the public or from the local postmaster or from the Superintendent of the Griffin-Spalding County School System on or before April 1, 2002 that would aid and assist this Board in making, or declining to make, such determination; and

BE IT, AND IT IS, FURTHER RESOLVED that the within resolution shall become effective immediately and that all acts or resolutions, or parts thereof, in conflict herewith be, and the same are hereby repealed.

12. Commissioner Kendall would like to discuss possible CDBG Grant application for the 2003 funding period. Commissioner Kendall commented that the Sewer Task Force had meet March 6, 2002 and the group agreed to proceed with the idea of applying in the 2003 CDBG grant cycle for the north side sewer project. He advised that an application could not be submitted in the

2002 period because the County was funded for the Highland Mill Project in the 2001 grant cycle and the proposed project would require a joint application. He also advised that McIntosh Trail Regional Development Center would put together the information necessary to apply for the 2003 grant cycle. He asked for support from the Board so the Sewer Task Force can take action at their next meeting, which is April 16, 2002 at 3:00 p.m. The Board had no problem for the Sewer Task Force to proceed but wanted to know what the cost would be for McIntosh Trail to write this grant.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson made the Board aware that we had received two (2) proposals on the Comprehensive Plan and interviews have been set up for April 12, 2002 at 1:00 p.m. and 3:00 p.m. with Assistant County Manager Sabine, Chairman of the Planning Commission, Chairman McDaniel and himself being in attendance at these interviews.

County Manager Wilson stated that the county would be implementing a new process, which is a building inspections checklist, in the Community Development Department for more efficient record keeping.

County Manager Wilson stated that a letter from County Attorney Fortune outlines discrepancies in the Alcoholic Beverage Ordinance pertaining to prohibited distances. The consensus of the Board was to bring this ordinance in line to outline three hundred feet from the property line of any private residence in all sections.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall commented the article that appeared in the newspaper on animal responsibility problems that we have in Spalding County generated numerous telephone calls for him and Commissioner Massengale with interest that we pursue this particular subject. He said that he had spoken with County Attorney Fortune and given him some of his ideas of what he thinks an animal responsibility ordinance might look like and asked the other members of the Board to share their thoughts also. The Board agreed that this should be an item to be discussed at their retreat in April.

Commissioner Kendall commented on the HOST (Homestead Optional Sales Tax) that citizens have been interested in. He said that he had spoken with Assistant County Manager Sabine and he is in the process of putting together a memo defining the tax and stating the pros and cons of such a tax.

Commissioner Kendall gave an update on the Hospital Authority. He said that they are in the processing of hiring a new investment manager to manage \$33 Million. He said that they have received numerous proposals with a variety of proposals \$40,000/year to \$200,000/year for the funding of the money. He said if any member of the Board was interested he would provide them a copy of those proposals.

Commissioner Massengale stated that he had received about twelve (12) calls regarding the animal responsibility law or possibility of such and all the calls were positive about this. He commended Chris Cecil for the way he presented the article in the *Griffin Daily News*.

Commissioner Massengale stated that he had received a call from Vice Chairman Barbara McCartney of Rockdale County regarding Hospital Authority problems. She had researched Spalding County's issue with the Hospital Authority and asked if she could meet one or two of the commissioners and get their input. He asked Commissioner Kendall to meet with her since he was very familiar with this issue.

Commissioner Martha McDaniel commended the Griffin-Spalding County Development Authority for their decision to fund their FY 2003 Budget and passed out a letter from the Authority to the Board members, which she read and asked that the letter be spread into the minutes. She said she feels that this is a very remarkable gesture and how grateful she is as a Commissioner that this has been done and how proud she is as a county representative on the Development Authority.

March 14, 2002

Mr. William P. Wilson, Jr.
County Manager
Spalding County
P.O. Box 1087
Griffin, GA 30224

Dear Mr. Wilson:

The Griffin-Spalding Development Authority has always enjoyed its relationship with both the City of Griffin and Spalding County. We still, in fact, rely upon both governments to assist in certain areas related to the economic development of our community. We have also relied upon the City and County for our operational funding. Our funding source, as you know, changed with the passing of HB 489 to include only Spalding County. You have funded the Authority solely for the last two years. We would also like to point out that the Authority has consistently come in under budget each year.

Last year our budget request, along with all other departments and agencies funded by Spalding County, was cut to better match the projected revenues anticipated by the County. We are aware of certain "out of budget" expenditures the County has had to make along with the tight budgetary preparation process for the year ending June 30, 2003 budget requests.

We would like to, therefore, propose that the Griffin-Spalding Development Authority fund itself for the year ending June 30, 2003 in an effort to assist Spalding County in matching anticipated revenues with anticipated expenses. We would also propose that Spalding County reinstate our funding in full beginning with the year ending June 30, 2004. The Authority was unanimous in its vote for this proposal at this morning's meeting. Our funding will come out of our reserves that are used for prospects and projects.

Thank you for your past support. We look forward to continuing representing our community in its economic development efforts.

Sincerely,

(L.S.) David M. Luckie, CEcD
Executive Director

Commissioner Martha McDaniel stated that the Governor has funded the Department of Transportation with \$150 Million additional funds. She said that it was her understanding that this money could go for other projects than just roads. She said that we have two (2) projects which she feels would qualify, the Birdie Road stop light and turn lanes and the other is the Amelia Road Bridge project, which when Commissioner Shackelford was up there committed \$100,000 to this project. We have yet to see this \$100,000. She said she had asked for an appointment with Deputy Commissioner Harold Linnenkohl to find out if these funds were available and, in fact, get funds for these projects. She, Roland Hinnens and County Manager Wilson have an appointment at 9:00 a.m. tomorrow morning to see Mr. Linnenkohl and ask for some of these additional funds.

Commissioner Morrow commented he agrees with Commissioner Kendall about their being a whole lot of confusion regarding the HOST tax. He said that the public is too much uninformed on this and we do need to inform the citizens.

Commissioner Morrow stated at last year's retreat we talked about dilapidated buildings and trash and had asked and obtained copies of the City's new ordinances on these. He had distributed copies of these to the commissioners and staff. He said one is on nuisances and the other is on unsafe building abatement and unfit buildings. He asked that these be compared to the existing ordinances that we have and bring the results back to the Board. He said that he feels that they are good and it wouldn't hurt to have the same rules that the City has.

Commissioner Johnie McDaniel commented that he too had received phone calls regarding animal control. He said after talking to some of these people he got to wondering just what are the procedures of Animal Control Shelter. He said that he was a little disturbed about some of the comments the citizens were making. He said that he had spoken to County Manager Wilson about this and he asked Mr. Wilson to have Brent Foster come to one of their meetings and explain the procedure and answer any questions the Board might have. Mr. Wilson stated he would get something to the Board in written form first and have Mr. Foster at a future Board meeting.

Commissioner Kendall commented that St. Phillip AME Church had requested that the County send a congratulatory letter for their Open House on Saturday to go into their book. County Manager Wilson commented that a letter would be drawn up for Chairman McDaniel to sign.

Commissioner Johnie McDaniel asked for an update on the proposed changes to the Noise Nuisance Ordinance. County Attorney Fortune stated that it would be on the April 1st agenda. He said that he had received input from only one commissioner.

XIV. CLOSED MEETING

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

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

1. The County Manager desires a Closed Meeting to discuss acquisition of real estate.

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 18, 2002.

2.

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

3.

The executive session was called to order at 7:09 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:

No 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)*_____;

Yes 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 18th day of March 2002.

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

Spalding County Board of Commissioners

(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 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 meeting was unanimously adjourned at 7:15 P.M.

County Clerk

Chairman

.....
Please send comments to webmaster@spaldingcounty.com
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