



Spalding County online

Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, April 15, 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, County Attorney Jim Fortune and County Clerk Phyllis Doane. Assistant County Manager Michael Sabine was absent.

Agenda Topics

- I. OPENING (CALL TO ORDER) – Chairman Johnie McDaniel**
- II. INVOCATION - Rev. Randy Valimont**
- III. PLEDGE TO FLAG – Led by Vice Chairman Dick Morrow**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Consider approval of a Proclamation “Nunc Pro Tunc” Honoring the Selection of David Lamb as The “Griffin Exchange Club’s Man of the Year for 2001”. This Proclamation was presented by Commissioner Morrow to Mr. Lamb at the Man of the Year Luncheon on April 2, 2002. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Proclamation was unanimously approved by a vote of 5-0.*

A PROCLAMATION HONORING THE SELECTION OF DAVID LAMB AS THE GRIFFIN EXCHANGE CLUB’S MAN OF THE YEAR FOR 2001

WHEREAS, The Griffin Exchange Club has selected David Lamb as its 2001 Man of the Year; and

WHEREAS, Mr. Lamb is a native of Fairfax County, Virginia coming to Griffin in 1985 as Manager of the Lowell Bleachery, married to the former Diane Mason, who has been his loving wife for thirty-five years and is the loving father of two children, Carla and David, Jr.; and

WHEREAS, Mr. Lamb is currently Division Manager, Process Capacity with Springs Industries (previously Dundee) where he has been employed since 1985; and

WHEREAS, Mr. Lamb is an active member of the First Baptist Church; and

WHEREAS, Mr. Lamb's vision and love for the Spalding County community is evidenced by the numerous civic and charitable activities in which he has taken a leadership role; and

WHEREAS, Mr. Lamb's civic and charitable activities include Griffin-Spalding Chamber of Commerce serving in several capacities as Chairman of Board of Directors, Treasurer and Chairman of Education Council; Georgia Textile Manufacturers Association (GTMA) serving as Current Chairman, Textile Committee of Consortium for Competitiveness in the Apparel, Carpet and Textile Industry; Dundee Community Association serving as a member of Board of Trustees; Griffin Country Club serving on Board of Directors and Past President; Griffin Daybreak Rotary Club serving as a Charter Member and on Board of Directors and Boy Scouts of America; and

WHEREAS, Mr. Lamb plays a big role in educational activities in Spalding County including Griffin-Spalding Partners in Education participating with Springs Industries Partner, Atkinson Elementary; Griffin-Spalding Education Foundation serving in capacity as Chairman of Board of Directors 2002; Griffin High School Council serving as member of 2001-2002; Junior Achievement serving on Board of Directors; volunteer instructor, 9th Grade Introduction to Business; a volunteer Youth Sports Coach for Baseball, Basketball and Soccer and is currently serving as a member of the Citizens for Continuing Griffin & Spalding's Future.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County that Tuesday, April 2, 2002 is hereby proclaimed as

“DAVE LAMB DAY”

To recognize his contributions to Spalding County and honor his selection as Man of the Year.

BE IT FURTHER RESOLVED that a copy of this Proclamation is to be spread upon the minutes of the proceedings of this Board to memorialize Mr. Lamb's contributions to the citizens of Spalding County and commemorate his selection as the Griffin Exchange Club's Man of the Year for 2001.

This the 2nd day of April 2002.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Nine Months Ended March 31, 2002. Ms. Jinna Garrison was present to answer any questions. *Upon motion by*

Commissioner Massengale, seconded by Commissioner Morrow the Financial Statements were unanimously approved by a vote of 5-0.

VI. CITIZENS COMMENTS

1. Mr. Will Doss of the Spalding County Community Collaborative Authority is present to make a brief presentation on the Authority and their new web site. Mr. Doss stated he is Vice Chairman of the Authority and the Chairperson is Bonnie Pfrogner and he did their web site presentation for the Board and the public as well. He said the most important page on the web site is SpaldingResources.com., which helps people find the help and assistance they need for food, clothing, shelter, etc. He said they have had an average of 344 visits on their web site since January. The county staff invited them to cross link with the County web page.

VII. PUBLIC COMMENT

Before allowing Public Comment Commissioner Johnie McDaniel stated to the audience that when this item comes up on the agenda his intentions is for this item to be tabled indefinitely until we can get some proper research done and it will be up to the Board whether or not to table.

The public comments made were mostly in reference to the second reading of the Noise Ordinance relative to ATV's, etc. regarding the 1500 ft. distance required from a property line.

The only comment made for a different reason was comments from Mr. Dwight Bowlin. He gave his address as 45 East Lake Circle and made complaints against the Department of Family and Children Services. He said a case had been made against him concerning his family, as there was a complaint made that his children were being neglected and he was arrested on November 1, 2001 and had lost custody of his kids. His children were now in Texas living with relatives and he wanted his children back.

Mr. Bowlin was told that the Board of Commissioners had no jurisdiction over DFACS, as this was a part of the Department of Human Resources. He was told that they had nothing to do in hiring a director for the agency. Mr. Bowlin commented that OCGA 49 states that the county commissioners are responsible.

Mr. David Duncan, 310 Maxwell Drive, stated that he was the neighbor Commissioner Johnie McDaniel referred to in the newspaper article stating he had some trouble in his neighborhood with noise of bikes and motorcycles all weekend. His sons do have dirt bikes and they do ride them on weekends. He said that the dirt bike was no louder than a lawn mower. He said that the Noise Abatement Ordinance does not refer to noise and the County needs to set a standard for noise.

Mr. Rick Sasser, 34 Dunlap Circle, asked the Commissioners to not table the issue but deal with it tonight. He said he owns two (2) acres and he has a little track for ATV's back of his house.

Mr. Rick Rickerson, 2026 Tallwood Place, spoke about his son and how great he is and the only thing he is going to be guilty of is riding his motorcycle on weekends. He said that he has been riding all his life and there has never been a complaint by any neighbor on noise.

Mr. Lee Ellison, 111 Jessica Drive, stated if the ordinance is passed you need to include every piece of equipment that has the same similar type of motor. He said this is a ridiculous ordinance.

Mr. Robert Morgan, 19 Johnson Road, Orchard Hill, GA said hat the 1500 ft. restriction would prevent his brother riding his four-wheeler. He asked the Board to consider the distance when they take another look at the ordinance.

Mr. Eddie Goss, 105 Parham Road, urged the Commissioners to vote on this ordinance tonight one way or the other as the people in the audience are here wanting to know what the Board is going to do.

Mr. Mike McNeal, 1830 Swint Road, stated he had a small farm and four-wheeling is he and his son's hobbies. He said if this ordinance passes, you are going to have a lot of teenagers and young boys and girls picked up. He said that a lot of people are upset with this ordinance. He asked the Board to look at it more thoroughly.

Mr. C. J. Drades, 516 Dobbins Mill Road, agreed with all the comments made tonight and asked the Board to make a decision tonight.

Ms. Cindy Tarleton, 1640 Rehoboth Church Road, spoke against the amendment to the Noise Ordinance. She said that people are beginning to feel like that the County is trying to tell them what they can and can't do on their property. She said that she has a 17 year old and would much rather see him ride his bike in the back yard than for him to be carousing uptown. She said these young teenagers and children are not hurting anybody.

Mr. Robert McIntyre, 124 Magnolia Drive, stated he was here regarding the first part of the Noise Ordinance Amendment, Section 1, Paragraph 2, referring to radios, etc. He asked the Commissioners to maintain this part. Section 2, distances, he had no comment.

Mr. Buddy Ellis, 1695 Rover-Zetella Road, stated he was a business owner in Griffin and he works on motorcycles and four wheelers and he did not want to move his business out of Spalding County. He agreed with the other comments made tonight. He said that he rides himself and has a loud motorcycle. He said that there were all kinds of noise that causes nuisances to neighbors, especially the loud dump trucks that come down the road.

Mr. Larry Smith, 1696 Rover-Zetella Road, a neighbor of Mr. Ellis, commented he agreed about the loud noise of the trucks making more noise than the noise from the motorcycles. He also agreed that kids riding their bikes at home mean less getting in trouble.

Mr. Charles Bostwick, 116 Wilder Way, Williamson, GA, stated he purchased his two-year-old son a little four-wheeler recently and he enjoys riding it. He said people have their rights and asked the Board to address the issue tonight.

Mr. Scott Wimpy, 1595 Beville Drive, stated that he owns seven (7) acres and he has step kids and grandkids and they ride their go-carts and mini-bikes. He said that people have got to have a relax and release and if they choose let them ride their bikes; don't take it away from them. He said not everyone has the opportunity to have larger tracts of lands. He said this is not the Soviet Union. He said that he understands noise and that people should be considerate and ride their bikes at certain times. He said riding the bikes to him is quality family time.

Mr. James Beville, 1844 Carver Road, stated he was not against bike riding, etc. but the noise has got to go. He said that it has been going on within 200 ft. of his house for the last three (3) years and he is tired of it. He said that nobody is complaining about the bike riding but the noise from them and they need to be quieted down. He said that the noise is very unnerving. He said that he had contacted Judge Cavanaugh and was told that he could make a case against this individual. He said that Henry County controls noise by decibel readings. He suggested requiring some type of muffler on these bikes. He stated he understands the Board is going to table this tonight but he asked them to address this in the immediate future. He said he knows that the ordinance on the agenda tonight needs a lot of work to be done on it and he would be glad to help in any way he can.

Mr. Anson Cook stated he is a local business owner of a motorcycle shop and commented that he feels this is ridiculous. He agreed with what had been said by others and agreed that if you are going to take bikes away from kids, this also needs to apply to lawnmowers, weed eaters, etc. as they make a lot of noise also.

Mr. Floyd Chadwick, 1511 West Poplar Street stated he agreed with the comments made tonight. He said he would rather hear a dirt bike any day than kids screaming.

Ms. Pat Sullivan, 339 Seven Forks Road asked the Board not to group all four wheelers as loud and obnoxious. She said that she has two children and their bikes are their recreation and if you pass this you are taking this away from us.

VIII. MINUTES

1. Consider approval of the minutes for the Regular Monthly Meeting of April 1, 2002. *Motion made by Commissioner Martha McDaniel to approve the minutes. Commissioner Morrow seconded the motion requesting that a word correction be made on page 528, item no. 8. With correction noted, 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 of Amendment to the Official Zoning Ordinance and Official Zoning Map of the following:

- **Rezoning Application #02-02Z:** Ann J. Everett, Owner – Tract 5 Kilgore Road, 4.783 acres – AR-1 to R-5.

IN RE:

**APPLICATION OF ANN J. EVERETT
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 02-02Z

**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 24, 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 March 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 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, lot or parcel of land situate, lying and being in Landlot 103, 3rd Land District originally Henry now, Spalding County, Georgia containing 4.783 acres and may be more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING commence at the common Landlot corner of Landlots 102, 103, 122 & 123 thence running in a northwesterly direction 608.2’ to a ½” re-bar and **TRUE POINT OF BEGINNING**; thence South 87°39’00” West a distance of 562.36’ to a point located on the east right-of-way of Kilgore; thence North 00°43’07” West along right-of-way a distance of 374.04’ to a point; thence North 87°57’00” East a distance of 556.36’ to a ¾” rod; thence South 01°38’00”

East a distance of 371.00 to a ½” re-bar and **TRUE 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. All homes shall be site built homes.
- b. The lot layout is approved as shown on the concept plan submitted as a part of the application. The lot width of tract 3 is approved as drawn.
- c. All homes 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 April 15, 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 Landlot 103 of the 3rd Land District of originally Henry, now Spalding County, Georgia, consisting of approximately 4.783 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.

- **Amendment to UDO #A-02-02:** Article 5. R-5 Single Family Residential – amendment to Section 1104(B).

IN RE:

Text Amendment #A-02-02

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 March 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; 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: Existing Section 1104(B) of the Zoning Ordinance shall be deleted in its entirety.

Section 2: A new Section 1104(B) of the Zoning Ordinance of Spalding County shall be enacted as follows:

As specified by the Spalding County Health Department, but in *no* case less than 2 acres for development located outside of a conservation subdivision, unless a special exception allowing a reduction in lot size to 1 acre is approved pursuant to Section 413. However, a lot of record *lawfully* existing at the time of passage of this Ordinance and having an area which does not conform to the above standards may nevertheless be developed with a use which is permitted within an R-5 district if approved by the Spalding County Health Department. For subdivisions not falling under the purview of the Spalding County Subdivision Ordinance as defined in Appendix A, Section 202(QQ), lot area shall be a minimum of 1 acre. For purposes of calculating density within a conservation subdivision by this Ordinance, a net density of 1 lot per acre shall be used in area served by public water and 2.2 lots per acre in areas served by both public water and public sewerage.

Section 3: The Chairman of the Board of Commissioners of Spalding County, Georgia directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 4: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

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

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

2. Consider at second reading an ordinance amending the Spalding County Code relative to the Alcohol Beverage Ordinance relating to distances.

**SPALDING COUNTY, GEORGIA
ALCOHOL BEVERAGE ORDINANCE
PART VI, CHAPTER 1, ARTICLES A, B & C
ORDINANCE NO. 2002--03**

AN ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, AS AMENDED TO PROVIDE FOR CHANGE RELATING TO DISTANCES

WHEREAS, the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, is empowered under and by virtue of the Constitution and the Laws of the State of Georgia to provide, and to amend, the Spalding County Code; and

WHEREAS, this Board of Commissioners now deems it appropriate and in the best interest of the County of Spalding to amend the Spalding County Alcohol Beverage Ordinance;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County, as follows.

Section 1. To amend Section 6-1003.1 of the Spalding County Code by striking subparagraph (c) in its entirety and inserting in lieu thereof the following:

“(c) Three hundred feet or more from the property line of any private residence, unless such residence is itself in a commercial district; or”;

Section 2. To further amend said Spalding County Code by striking in its entirety subparagraph (c) of Section 6-1025 and inserting in lieu thereof the following:

“(c) Three hundred feet or more from the property line of any private residence, unless such residence is itself in a commercial district; or”;

Section 3. By further amending Section 6-1058.1 of the Spalding County Code by striking sub-paragraph (c) in its entirety and inserting in lieu thereof the following language:

“(c) Five hundred feet or more from the property line of any private residence, unless such residence is itself in a commercial district; or”.

Section 4. This ordinance shall be and become effective immediately upon its adoption by the Board of Commissioners of Spalding County, Georgia.

Section 5. All ordinances and parts of ordinances in conflict herewith are repealed.

X. OLD BUSINESS

1. Consider at second reading an ordinance amending the Spalding County Code relative to changes to the Noise Abatement and Control Ordinance. *Motion made by Commissioner Johnie McDaniel to table indefinitely until some further research can be done and find a solution to this problem. Commissioner Morrow seconded the motion for purpose of discussion.*

Commissioner Morrow admitted that he made a mistake originally voting for this after thinking about all the implications; however, some of the citizens of the county are imposing on their neighbors with noise and we do have noise problems in the county they we are going to have to address. He said that obviously this is not the answer.

Commissioner Johnie McDaniel commented for everybody's benefit that is what we are looking for is a way to control not the use of but the nuisance of. He said that everybody has privileges and freedom to, there is also a freedom and privilege of not to. He said that somewhere in the middle there is a way to make this work.

Commissioner Martha McDaniel commented that we need to go ahead and make a decision as requested by the citizens who spoke tonight; however, she addressed them saying that you all need to be good conscientious neighbors giving regard to their rights also.

After a discussion regarding Section 1, loud radios, televisions, etc. Commissioner Martha McDaniel asked for Chairman McDaniel to call the question. Chairman McDaniel asked for vote on the motion to table indefinitely. The motion failed by a vote of 2-3 with Commissioners Morrow, Martha McDaniel and Massengale voting against the motion.

A new motion was made by Commissioner Morrow to deny the second reading of the amendment to the Noise Ordinance as presented. Commissioner Martha McDaniel seconded the motion and motion to deny was unanimously approved by a vote of 5-0.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the Board voted unanimously to take a five-minute recess.

Chairman McDaniel called the meeting back to order.

XI. NEW BUSINESS

1. Consider request from the Griffin-Spalding Chamber of Commerce and the Mayfling Committee for tourism funds in the amount of \$11,000. This money is to be taken out of the Hotel/Motel Tax Fund. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel, the request of \$11,000 was unanimously approved by a vote of 5-0.*

2. Consider text revisions in the Resolution establishing the Spalding County Parks and Recreation Commission and the Youth Association Agreements.

Stating that these should be two (2) separate items to vote on, Commissioner Johnie McDaniel made a motion to amend the agenda to separate these two issues. Commissioner Martha McDaniel seconded the motion and motion was unanimously approved by a vote of 5-0.

The first item considered was the Resolution establishing the Spalding County Parks and Recreation Commission as submitted, which is as follows

Section 3, Page 3, D: To establish rules applicable to Youth League Associations...**add ...and all recreation activities.**

Section 9, Page 11, (B) 4-C: The notice shall be dated and shall advise the individual of the right to request a hearing on the Director's determination within five (5) working days after receipt...**change to...after the United States Post Office notifies individual.**

Appendix A, Section 1,#2: No smoking is allowed on the field...**add...(See Appendix Item dated September 4, 2001.**

Appendix D: Change #3 to: **All pets and animals shall be restrained in all parks and not allowed in specified areas.**

Motion made by Commissioner Martha McDaniel to approve text revisions as stated above. Commissioner Johnie McDaniel seconded the motion. Chairman McDaniel asked for any discussion on the motion. Commissioner Morrow requested that Section 3, Page 3, wording be changed to...and county sanctioned recreation activities in lieu of "and all recreation activities. Commissioner Morrow asked if Commissioner Martha McDaniel would amend her motion to make this change. Commissioner Martha McDaniel amended her motion as well as Commissioner Johnie McDaniel his second. Motion to approve text revisions with amendment was unanimously approved by a vote of 5-0.

The second item was to consider Amendments to the Youth Association Agreement.

Commissioner Johnie McDaniel asked for a three part motion as follows: (1) To send the Youth Association Agreement back to the Parks and Recreation Advisory Board for further review and amend the current Consent to Conduct Background Check form as follows: Change the Background Check for Coaches to For the fourth offense – At least 15 years from date of conviction must pass before applicant can coach; For the fifth offense- NEVER.

Commissioner Martha McDaniel made a motion to send the proposed Youth Association Agreement back to Parks and Recreation Advisory Commission for further review and recommendations. Commissioner Johnie McDaniel seconded the motion. Motion was unanimously approved by a vote of 5-0.

There was a discussion regarding the current Consent to Conduct Background Check Form. County Manager Wilson stated that the current form for background check only applies for coaches at the current time as reflected in the minutes. It does not apply to umpire and/or officials.

Motion made by Commissioner Martha McDaniel to change on the Background Check Form for the fourth offense change it to "Fourth Offense – At least 15 years from date of conviction must pass before an applicant can coach and for the "Fifth Offense - Never. Commissioner Morrow seconded the motion. Since the entire Youth Association Agreement is being sent back to Parks and Recreation Advisory Board for further review, Commissioner Martha McDaniel withdrew her previous motion as well as Commissioner Morrow his second. The current Consent for Background Check Form stands as it is until Advisory Board changes the Agreement.

3. Consider authorizing Wyomia Tyus Olympic Park Phase VIII, Lake Restoration Project and Phase IV, Picnic, Pavilion Parking Lot Project. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Massengale, the Lake Restoration Project in the amount of \$150,000 and the Picnic Pavilion Parking Lot Project in the amount of \$100,000 was unanimously approved by a vote of 5-0.*

4. Consider Agreement between BI Incorporated and the Superior Courts-Fayette and Spalding Counties. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the Agreement between BI Inc. and Superior Courts was unanimously approved by a vote of 5-0.*

5. Consider declaring three fire trucks surplus as requested by the Fire Department. The fire trucks are a 1971 Ford John Bean, a 1985 Ford FMC and a 1986 Ford Grumman all with 1000 GPM. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel, the fire trucks were unanimously declared surplus.*

6. Consider declaring surplus Anne Street property acquired by Sheriff's Tax Deed. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow Anne Street property was declared surplus by a unanimous vote of 5-0. The property is to be auctioned off at Courthouse steps.*

Motion made by Commissioner Morrow to amend the agenda to allow him to discuss application for grant money to develop a Spalding County Park and Greenspace Master Plan. Commissioner Martha McDaniel seconded the motion and motion was unanimously approved by a vote of 5-0.

Mr. Morrow stated that when Spalding County becomes eligible for the Governor's greenspace money, which will probably be another year or so, you will be required to have a Greenspace Master Plan to get the money available. He said to do one of these Master Plans is going to be quite expensive ranging from \$25,000 to \$30,000. He said that there is a Georgia Forestry Commission grant where you can get up to \$20,000 and it has to be applied for before May 17th. It would cost between \$1,500 and \$5,000 to write the grant. He is not sure if the Forestry Commission money could be used for a greenspace master plan but has inquired and hopes to get an answer soon. There is a 100% match but it can be in in-kind contributions.

Motion made by Commissioner Martha McDaniel to approve up to \$2,000 out of the Contingency fund for writing a grant proposal to the Georgia Forestry Commission to fund a proposed Greenspace Master Plan. Commissioner Massengale seconded the motion for discussion.

Commissioner Massengale made a request to let McIntosh Trail RDC write this grant proposal. Commissioner Morrow stated that he did not know their time schedule as this grant has to be applied for by May 17th and he did not have everything enumerated yet. He said that he had no problem with getting McIntosh Trail prepare the grant.

Chairman McDaniel called the question and the motion to approve up to \$2,000 was unanimously approved by a vote of 5-0.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson stated that Herman Parker had contacted him today and he has a group that would like to use the Old Jail for a music video. They would like to rent the facility for one day. The Board had no problems with this request.

County Manager Wilson stated that we received today from Central Georgia EMC utility relocation costs for Wani Road and Dickerson Road and asked the Board to agree to pay actual cost of utility relocation. *Motion made Commissioner Martha McDaniel, seconded by Commissioner Massengale and unanimously approved to pay actual cost of utility relocation for the two above-mentioned roads.*

County Manager Wilson stated that we have a CHIP Program through Community Development and we have been contacted by our administrator that we need to subordinate and allow a piece of property to be refinanced that is in default. *Motion made by Commissioner Martha McDaniel, seconded by Commissioner Morrow and unanimously approved for Chairman to sign and execute a Subordination Agreement.*

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall made comments regarding Mr. Massengale's announcement that he is retiring from the Board and wished him luck in his endeavor to move into state politics as he announced he is running for State House.

Commissioner Massengale made comments regarding the paving of Hickory Circle. Citizens are upset about the condition of the road; however, he told them that the weather has prevented them from moving on with the paving but as soon as we can get some dry weather the paving process will resume.

Commissioner Martha McDaniel had no comments.

Commissioner Morrow made comments regarding the Vietnam Memorial, which is being held May 24-26 at Wyomia Tyus Park. He said that he hoped we got a lot of publicity out about this.

Commissioner Morrow announced that the Long Range Planning Committee meets tomorrow at noon at the Chamber of Commerce. It is open to the public.

Commissioner Morrow made comments regarding NPDES, National Pollution Discharge Elimination System. This is an expensive unfunded mandate placed upon us. He said that he had attended a seminar on this subject last week and this is serious business. He said March 3, 2003 the Phase II of the NPDES system goes into effect and Spalding County might be part of it. He said that then he would have to have a whole program in place or we have no more construction, road building, and no more funds. He discussed the possibility of having to put in place a Water Protection District Tax if this does indeed affect Spalding County and we have to put a full program in place.

Commissioner Johnie McDaniel commented that he did receive phone calls in favor of the amendment to the Noise Ordinance; consequently they did not show up tonight to show their support. He apologized to the Board for the waste of time in preparing for this

change in the ordinance. He said that he did feel very strong about this and thought more support was there than was actually there. Mr. Morrow commented that he did not feel like this was a waste of time and commented that the City is approaching this from being a nuisance instead of noise and was told that we would be better served if we tackle this as being a nuisance. He said that he feels that maybe this is the way we should look at it.

XIV. CLOSED MEETING – n/a

XV. ADJOURNMENT

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the meeting was unanimously adjourned at 8:48 P.M.

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
Copyright © 2000 Spalding County all rights reserved