



Spalding County online

Board of Commissioners

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their regular monthly meeting on Monday, May 6, 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, Dick Morrow, Johnie McDaniel and Michael Kendall present. Commissioner Massengale was absent. Also present were County Manager William Wilson, County Attorney Jim Fortune and County Clerk Phyllis Doane. Assistant County Manager Michael Sabine did not attend the meeting.

Agenda Topics

- I. OPENING (CALL TO ORDER) – Chairman Johnie McDaniel**
- II. INVOCATION - Rev. Randy Valimont – Led by Rev. Tim Newby in the absence of Rev. Valimont.**
- III. PLEDGE TO FLAG – Led by County Manager William Wilson.**

Chairman McDaniel made an announcement before beginning the meeting. He said that Commissioner Massengale was involved in an automobile accident on Solomon Street earlier this afternoon and he is at the Emergency Room now being checked out and we wish him well.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Sam Sullivan and Hal Sturdivant are present to present a check in the amount of \$26,270.64 from the Georgia Indigent Defense Council. Hal Sturdivant was present to present the check to Chairman McDaniel

V. PRESENTATION OF FINANCIAL STATEMENTS – n/a

VI. CITIZENS COMMENTS - n/a

VII. PUBLIC COMMENT

Chairman McDaniel recognized Ms. Olivia Boggs, Governor's Office of Highway Safety, to come and speak to the Board, as she called a little too late to be placed on the Agenda. Ms. Boggs said she does represent the Governor's Office of Highway Safety and brings greeting from Governor Roy Barnes and Yvonne McBride who is their director. She came to the meeting to remind the Board of the Click It or Ticket campaign, which is statewide and it is a campaign to remind all the citizens of Georgia to buckle seat belts. She said when you buckle up, you save a life. She quoted that 1,541 people died in 2000 on Georgia Highways. Each Commissioner was given a folder on the Click It or Ticket Campaign, which had information relating to Spalding County.

Mr. Ivan Taylor, 1245 Carver Road, addressed the Board on "No Thru Trucks" on Odell Road. He said that this had work well until a propane truck repair business opened on this road and now there was beginning to be low spots in the road from the heavy trucks going in and out of the driveway.

Rev. C. R. Richmond, 825 Pamela Drive, addressed the Board on a bus system for Griffin-Spalding County.

Ms. Jackie Patterson, 215 Hillandale Drive, addressed the Board regarding the turn lanes and traffic signal project at the Birdie Road Intersection. She said that she is a teacher at Beaverbrook Elementary School located on Birdie Road and she asked the Board to please strongly consider making this intersection their top priority. She said that the school population is 610 students and this is a very dangerous intersection with school buses and vehicles crossing Highway 19/41 every morning coming and going to the school.

VIII. MINUTES

1. Consider approval of the minutes of the Extraordinary Session of April 15, 2002 and Public Hearing of April 25, 2002. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the minutes were unanimously approved by a vote of 4-0.*

IX. CONSENT AGENDA

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow Items 1 and 2 on the Consent Agenda were unanimously approved by a vote of 4-0.

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

- **Rezoning Application #01-33Z:** Frances Jackson Evans, Sr., Owner – Christine Livingston, Agent – Off Jacqueline Drive off Georgia Highway 16 (Newnan Road) –42.32 acres, AR-1 to R-4.

IN RE:

**APPLICATION OF FRANCES JACKSON EVANS, SR.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 01-33Z

**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, Frances Jackson Evans, Sr. applicant, applied for a change in zoning classification to be applied to the within described property to “R-4, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on November 20, 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 April 25, 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 Land Lot 31 of the First District of Spalding County, Georgia, and comprised of 42.32 acres, known as Tract 5 on that certain plat of survey titled "Final Plat of Turtle Tracts" subdivision prepared by Integrated Science & Engineering dated April 18, 2002 (D. Ray Allgood, RLS). Said metes, bounds and courses set forth on said plat are hereby incorporated as if originally set out herein. Said property is further described as:

BEGINNING at the intersection of Land Lot 31 and 32 of the 1st Land District and Land Lot 1 and 2 of the 1st Land District, Spalding County, Georgia, which said point shall constitute the point of beginning; thence South 00 degrees 31 minutes 15 seconds West a distance of 231.41 feet to a point; thence South 01 degrees 10 minutes 19 seconds West a distance 1431.02 feet to a point, said course to constitute an approximately boundary being a stream; thence South 72 degrees 24 minutes 21 seconds West a distance of 717.25 feet to a point; thence North 63 degrees 45 minutes 15 seconds West a chord distance of 86.70 feet with an arc of 96.88 feet and radius of 60.00 feet to a point; thence North 9 degrees 59 minutes 17 seconds East a distance of 532.65 feet to a point; thence South 88 degrees 48 minutes 08 seconds West a distance of 490.97 feet to a point; thence North 01 degrees 11 minutes 52 seconds East a distance of 1,316.15 feet to a point; thence North 89 degrees 29 minutes 24 seconds East a distance 1,163.84 feet to the point of beginning.

From "AR-1, Agricultural and Residential" to "R-4, Single Family Residential" District.

Section 2

(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 May 6, 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 31 of the 1st Land District of Spalding County, Georgia, consisting of approximately 42.32 acres, zoned R-4.

(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 #02-04Z:** Griffin Area habitat for Humanity, Owner – Fifth Street, .172 acre, C-2 to R-5, Conditional.

IN RE:

**APPLICATION OF GRIFFIN AREA HABITAT FOR HUMANITY
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 02-04Z

**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, Griffin Area Habitat for Humanity 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 February 21, 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 April 25, 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 Land Lot 207 of the Second Land District of originally Monroe, now Spalding County, Georgia, more particularly shown on a plat of survey entitled, “Site Plan for Habitat for Humanity” prepared by G. Tim Conkle, RLS, dated February 18, 2002, which plat is incorporated herein by reference, and from said plat being more particularly described as follows:

BEGINNING at an iron pin located on the western right of way of Fifth Street (40 foot right of way), which iron pin lies 175.4 feet south of the intersection of the west right of way of Fifth Street and the southern right of way of High Falls Road (as measured along said right of way); from said point of beginning proceed along the western right of way of Fifth Street South 01 degrees 27 minutes 00 seconds West 93.2 feet to an iron pin; thence North 87 degrees 34 minutes 00 seconds West 160.4 feet to an iron pin; thence North 02 degrees 36 minutes 00 seconds East 93.5 feet to an iron pin; thence South 87 degrees 28 minutes 00 seconds East 158.5 feet to an iron pin located on the western right of way of Fifth Street and the TRUE POINT OF BEGINNING.

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. Home shall be a site built home.

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 May 6, 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 207 of the 2nd Land District of originally Monroe, now Spalding County, Georgia, consisting of approximately .172 acre, 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 #02-05Z:** L. Jack Clark and Regenia S. Clark, Trustee of the Regenia S. Clark Trust, Owners – C. Mark McCullough, Agent – 1941 Zebulon Road, 14 ± acres—R-1 & AR-1 to R-6, Conditional.

IN RE:

**APPLICATION OF L. JACK AND REGENIA S. CLARK,
TRUSTEE OF THE REGENIA S. CLARK TRUST
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 02-05Z

**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 “R-1, Single Family Residential Low Density, and AR-1, Agricultural and Residential;”

WHEREAS, L. Jack and Regenia S. Clark, Trustee of the Regenia S. Clark Trust applicant, applied for a change in zoning classification to be applied to the within described property to “R-6, Planned Residential Community;”

WHEREAS, such application was filed with Spalding County, Georgia on February 21, 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 April 25, 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 105, 2nd Land District originally Monroe, now Spalding County, Georgia containing 14.00 acres and may be more particularly described as follows:

BEGINNING at the intersection of the east boundary of Landlot 105 and the northwest right-of-way of U.S. Route 19 thence running along said right-of-way South 40°44’53” West a distance of 149.54’ to an iron pipe; thence North 59°35’00” West a distance of 1108.32’ to an iron pin; thence North 53°06’09” East a distance of 1192.58’ to an iron pin; thence South 00°41’30” East a distance of 1113.30’ to an iron pin and **POINT OF BEGINNING.**

From “R-1, Single Family Residential Low Density, and AR-1, Agricultural and Residential” to “R-6, Planned Residential Community” 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 units constructed shall be a minimum of 1,400 square feet heated space.
- b. All units constructed shall have a front and side façade encompassing a minimum thirty (30) percent brick, stone, or masonry stucco. Remaining exterior wall portions shall be constructed of hardiplank (concrete plank siding).
- c. All units constructed shall have a minimum 7/12 or greater roof pitch.
- d. Interconnecting sidewalks shall link development clusters within the community.
- e. Streetlamps shall be installed, with direction given that the developer shall request a County streetlight district when appropriate.

- f. Since the R-6 District requires amenity features to be included with a planned residential community, the following amenities shall be incorporated: A clubhouse with various spaces for community activities; and an outside recreation area.
- g. A landscaping plan shall be filed with, and approved by, the Planning Commission before construction begins. This plan shall detail any significant landscaping features on the property as it now exists, proposed efforts to retain these existing features, and proposed landscaping for common areas and/or greenspace.
- h. Fencing installed on the side and rear perimeter of 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 May 6, 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 105 of the 2nd Land District of originally Henry, now Spalding County, Georgia, consisting of approximately 14± acres, zoned R-6, 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 #02-07Z:** Ronald G. Cox, Elaine C. Green & Nancy C. Fox, Owners – Pat Golden, Agent – Kilgore Road, 4.926 acres, AR-1 to R-5 Conditional.

IN RE:

**APPLICATION OF RONALD G. COX, ELAINE C. GREEN, AND NANCY C. FOX
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 02-07Z

**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, Ronald G. Cox, Elaine C. Green, and Nancy C. Fox 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 February 21, 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 April 25, 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 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 southeast corner of Landlot 103 thence running in a northerly direction a distance of 608.2’ to 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 Road; thence North 00°43’07” West along said 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 **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.
- 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 May 6, 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 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.

- **Rezoning Application #02-08Z**: Ben Bishop, Owner - School Road and Wood Road –7.42 acres, C-1 & R-2 to C-1B, Conditional.

IN RE:

**APPLICATION OF BEN BISHOP
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 02-08Z

**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-2, Single Family Residential;”

WHEREAS, Ben Bishop applicant, applied for a change in zoning classification to be applied to the within described property to “C-1B, Heavy Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on February 21, 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 April 25, 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 or parcel of land lying and being in Land Lot 86 of the 3rd Land District of originally Henry County now Spalding County and being more fully described as follows:

Beginning at the intersection of the south right of way of School Road (60' R/W) and the west right of way of Woods Road (50' R/W), said point is the TRUE POINT OF BEGINNING. Thence South 00 degrees 58 minutes 29 seconds East for a distance of 600.00 feet along the west right of way of Woods Road to an iron pin, thence North 77 degrees 43 minutes 36 seconds West for a distance of 629.37 feet leaving the said right of way to an iron pin found, thence North 01 degrees 29 minutes 20 seconds West for a distance of 454.65 feet to an iron pin on the south right of way of School Road, thence North 89 degrees 07 minutes 19 seconds East for a distance of 102.96 feet along said right of way to a point, thence North 89 degrees 10 minutes 06 seconds East for a distance of 451.40 feet along said right of way, thence North 86 degrees 46 minutes 57 seconds East for a distance of 62.39 feet back to the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 7.42 acres more or less.

From "C-1, Highway Commercial, and R-2, Single Family Residential" to "C-1B, Heavy 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. 40 foot buffer on the western edge of the property.
- b. The following uses not permitted: tire retreading, major automotive repair, heavy equipment sales, mobile homes sales and outdoor advertising signs.

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 May 6, 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 86 of the 3rd Land District of originally Henry, now Spalding County, Georgia, consisting of approximately 7.42 acres, zoned C-1B, 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-02-03:** Article 7, R-1, Single Family Residential, Article 8, R-2, Single Family Residential & Article 10, R-4 Single Family Residential—technical amendment to development standards relative to correcting work “deduction” to “reduction”.

RESOLUTION AMENDING THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

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

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

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

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on April 25, 2002 pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

Section 1: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 7, "R-1 Single Family Residential Low Density:" Section 704(B).

Section 2: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 7, "R-1 Single Family Residential Low Density" to appear as Section 704(B):

Section 704: Development Standards for R-1 Districts.

B. Minimum Lot Area: As specified by the Spalding County Health Department, but in *no* case less than two (2) acres for development located outside of a conservation subdivision, unless a

special exception allowing a reduction in lot size to one (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-1 district as 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 one (1) acre. For purposes of calculating density within a conservation subdivision by this Ordinance, a net density of one (1) lot per acre shall be used in areas served by public water and 2.2 lots per acre in areas served by both public water and public sewer.

Section 3: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 8, "R-2 Single Family Residential District:" Section 804(B).

Section 4: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 8, "R-2 Single Family Residential District" to appear as Section 804(B):

Section 804: Development Standards for R-2 Districts.

B. Minimum Lot Area:

As specified by the Spalding County Health Department, but in *no* case less than two (2) acres for development located outside of a conservation subdivision, unless a special exception allowing a reduction in lot size to one (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-2 district as 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 one (1) acre. For purposes of calculating density within a conservation subdivision by this Ordinance, a net density of one (1) lot per acre shall be used in areas served by public water and 2.2 lots per acre in areas served by both public water and public sewer.

Section 5: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 10, "R-4 Single Family District:" Section 1004(B).

Section 6: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 10, "R-4 Single Family District" to appear as Section 1004(B):

Section 1004: Development Standards for R-4 Districts.

B. Minimum Lot Area:

As specified by the Spalding County Health Department, but in *no* case less than two (2) acres for development located outside of a conservation subdivision, unless a special exception allowing a reduction in lot size to one (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-4 district as 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 one (1) acre. For purposes of calculating density within a conservation subdivision by this Ordinance, a net density of one (1) lot per acre shall be used in areas served by public water and 2.2 lots per acre in areas served by both public water and public sewer.

Section 7: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 8: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

2. Consider at first reading ordinances amending the Fiscal Year 2002 Budget Ordinance to provide for the following:

- To report federal seizure monies received and related expenditures in the Confiscated Assets Funds as required by the State Department of Audits.
- Final expenditures for the self-funded Health Insurance Program and monthly dental self-insurance program.
- To provide for a budget for CHIP program as required by State Department of Audits.
- To provide for a budget for Law Library Fund as required by State Department of audits.
- To provide for a budget for the Correctional Institution Capital Projects Fund as required by the State Department of Audits.
- To correct a budget amendment made twice.

The above budget amendments will be incorporated into the minutes on second and final reading.

X. OLD BUSINESS – n/a

XI. NEW BUSINESS

1. Consider request from Tony Bailey, Pastor, World of Pentecost Church, to use a P.A. system for outside revival on church property from May 19, 2002 through June 2, 2002. Rev. Bailey was present to answer any questions. This permit is for a tent revival on church property located at 2510 N. Expressway. The request is from the hours of 7:30 p.m. until 10:30 p.m. May 19th through June 2nd.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow request to use amplification for the above dates and specified hours were unanimously approved by a vote of 4-0.

2. Consider request from Gene Turkett, President of McCullough Funeral Home for funds from the Hotel/Motel Tax to defray the cost of the Vietnam Wall event that is to be held Memorial Day weekend at Wyomia Tyus Olympic Park. Gene Turkett was present and gave his address as 210 Laramie Road. He said that Spalding County was very fortunate to get to host this wall. He said the Wall is a three quarter replica of the Wall that is now in Washington, D.C. He said the Wall is 240 ft. long and 8 ft. high and made of polished black granite. There will be over 58,000 names on this wall. He said that there is an estimated budget of approximately \$22,000 to bring the Wall to Griffin and they are expecting thousands of people to come to this area during this event, which will bring in revenue for Spalding County. To transport the Wall to Spalding County will cost \$4,000 with a portion of that to be charged off to the two funeral homes hosting this venue. On behalf of the Steering Committee he was requesting a contribution from the Hotel/Motel Tax fund.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow a contribution of \$1,500 from the Hotel/Motel Tax Fund was unanimously approved by a vote of 4-0.

3. Consider approval for new Alcoholic Beverage license for 2002 Retail Package Store, Beer and Wine License for the following:

- Hanif A. Sachwani –Numera, Inc. d/b/a North Star Grocery – 1639 N. Hill Street

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow, the above Alcoholic Beverage License was approved by a vote of 3-1 with Commissioner Johnnie McDaniel voting against the motion.

- Mayank Desai – Max’s Quick Mart – 1600 C Williamson Road (Beer only)

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the above Alcoholic Beverage License was approved by a vote of 3-1 with Commissioner Johnie McDaniel voting against the motion.

4. Consider proposal from Mauldin & Jenkins for audit services for Fiscal Years 2002-2004. Jinna Garrison, Finance Director was present for this item. She requested that the Board retain the audit services of Mauldin & Jenkins to ensure a successful transition to GASB 34. Gross fees will not exceed \$33,000, \$37,000 and \$35,000 for the years ended June 30, 2002, 2003 and 2004.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the three-year proposal from Mauldin & Jenkins was unanimously approved by a vote of 4-0.

5. Consider recommendations by the Parks & Recreation Advisory Commission relative to Consent to Conduct Background Check Form for Coaches and Officials. *Motion made by Commissioner Martha McDaniel to approve form with the addition of the following to the form: "I understand that I may not be allowed to coach or officiate if I come within the following categories" and also place an initial bracket after statement to be initialed. Commissioner Morrow seconded the motion.*

After a lengthy discussion regarding some of the changes that have been made by the Parks and Recreation Advisory Commission regarding degree of convictions and the appeals process, Commissioner Martha McDaniel withdrew her motion to approve as well as Commissioner Morrow his second.

Commissioner Martha McDaniel asked Commissioner Kendall if he could take this and rewrite it and clean it up within the scope of what the Board is thinking and ask the Parks and Recreation Advisory Board to look at it again. Commissioner Kendall commented he could do this. The Advisory Board meets this Thursday night and Commissioner Kendall was asked to have a draft for them to look at by then so it could be ready to place on the next agenda.

Motion made by Commissioner Martha McDaniel to table item until the May 20, 2002 meeting. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 4-0.

6. Consider recommendations by the Parks & Recreation Advisory Commission relative to proposed changes to the Youth Association Agreement. *Motion made by Commissioner Martha McDaniel to table this item also because it incorporates the Background Check Form. Commissioner Johnie McDaniel seconded the motion and motion was unanimously approved by a vote of 4-0.*

7. Consider bids for 15.37 miles of plant mix resurfacing on 22 county roads. *Motion made by Commissioner Martha McDaniel to approve low bid of Hill Construction Co. in the amount of \$476,143.21. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 4-0. This resurfacing of road will be paid out of the SPLOST Fund. Reference Contract #2002-05-06(A).*

The following roads to be resurfaced: Airport Road, Amanda Avenue, Dutchman Road, Golfview Drive, Hudson Road, Jackson Street, Mandy Lane, Manley Avenue, McEthel Drive, Meadowview Lane, N. Lee Street, N. Second St., Ext., N. Stewart Lane, Pinecrest Drive, Poplar Street, Roberts Street, Rover-Zetella Road, S. Stewart Lane, S. Walkers Mill Road, Sidney Road, Southbrook Drive and Yamacraw Road.

8. Discuss right of way acquisition on Birdie Road Traffic Signal Project. Commissioner Martha McDaniel stated that last Friday she received the good news that the DOT is going to pay for this project. County Manager Wilson stated that they will give us a County contract, which would account for 50% to 60% of the total cost of the project. Spalding County would be responsible for the acquisition of right of way.

There are nine (9) parcels on the corners of this intersection and the majority of the property owners will not donate the right of way. There are varying amounts of right of way but none is very much. The greatest is .2 of an acre. That intersection is commercial property.

County Manager Wilson recommended that if you proceed with acquiring right of way that you use the Tax Assessors' file and inflate those 10% to 20% to account for the revaluation that is going on at present and that be the maximum that we would offer any of these property owners. If not successful with our offer that we proceed with condemnation if we acquire 95% of the parcels.

With this problem in mind, County Manager Wilson asked Roland Hinnners to address Amelia Road also. Mr. Hinnners stated there are fifteen (15) parcels (on the north side) and nine (9) of those have already expressed displeasure of not being reimbursed. The alignment of the road had to be moved to get the new bridge in there to keep from impacting the wetlands and therefore some of the parcels would be more taking than from the other side and this has caused quite a contention with property owners.

Commissioner Martha McDaniel stated that Amelia Road would be on next year's DOT funding project with a commitment of \$100,000; however, if it is going to split this community she said she had just soon drop it but would like guidance from the Board.

Mr. Hinnners commented that presently it is inconvenient to provide service to those property owners on the other side. He said that a house had almost been destroyed as it took over fifteen (15) miles to get there and the fire station was only four (4) miles away.

Commissioner Morrow stated that he was not in favor of closing roads and bridges in the County as we grow.

County Manager Wilson commented that staff could work up some figures to acquire this right of way on Amelia Road and bring back to the Board if they are interested.

County Manager Wilson stated that we need to proceed on Birdie Road immediately with acquisition of right of way. *Motion made by Commissioner Martha McDaniel to authorize W.L. Jorden's real estate people to make offers on property based on Tax Assessor's file up to 20% increase to take into consideration the revaluation. Commissioner Johnnie McDaniel seconded the motion and motion was unanimously approved by a vote of 4-0.*

9. Consider at first reading an amendment to the Spalding County Code relative to the addition of a three-way stop at the intersection of Chestnut Street at Poplar Street. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel first reading of ordinance was unanimously approved by a vote of 4-0. **The Ordinance will be incorporated into the minutes on second and final reading.***

10. Consider request from City of Griffin to share one-half of the cost of the annual 4th of July Fireworks Display held at City Park. The County's share would be \$5500.

Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the appropriation of \$5,500 out of Hotel/Motel Tax Fund was unanimously approved by a vote of 4-0.

11. Consider Payment Agreement with Central Georgia EMC for utility relocations for the paving projects of Hardy Lane and Chehaw Road. *Motion made by Commissioner Martha McDaniel to authorize paying actual costs for these two projects. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 4-0.*

12. Consider Local Government Project Agreement for utility relocations for Intersection Improvement SR 362 @ 231/S. Pine Hill Road Project. County Manager Wilson stated that the detailed cost estimate for utility relocation for this project is \$150,000.

County Manager Wilson recommended that we write DOT stating that we could not commit now as we do not have the funds available at this time but we do consider it a priority project.

Motion made by Commissioner Johnnie McDaniel that we notify DOT that Spalding County cannot participate at this time. Commissioner Martha McDaniel seconded the motion and motion was unanimously approved by a vote of 4-0.

13. Consider authorizing the Chairman to sign Resolution to adopt the Acquisition and Procedures Policies for Spalding County Sewer Improvements on the 2001 CDBG Grant for Highland Mills Sewer System Project. *Upon motion by Commissioner Morrow, seconded by Commissioner Johnnie McDaniel authorizing Chairman to Sign Resolution and adopt Acquisition and Procedure Policies by a vote of 3-1 with Commissioner Martha McDaniel voting against the motion.*

RESOLUTION

SPALDING COUNTY, GEORGIA

A RESOLUTION TO ADOPT ACQUISITION POLICIES AND PROCEDURES FOR THE

SPALDING COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT CDBG #01P-Y-126-1-2497.

WHEREAS, Spalding County desires to make certain improvements in the County using funds from a CDBG grant;

WHEREAS, the governing authority of Spalding County is the Chairman and Board of Commissioners thereof; and

WHEREAS, federal laws require that the County adhere to certain policies and procedures regarding the expenditure of CDBG funds.

THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Chairman and Board of Commissioners of Spalding County, Georgia and by the authority thereof that the following policies and procedures are hereby adopted:

BE IT RESOLVED this 6th day of May, 2002.

14. Consider amendment to the Pay and Classification Plan. The amendment is to change the position of Warden to a Grade 53 with salary range of \$54,185-\$80,439 effective January 1, 2003. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow amendment to Pay and Classification Plan was unanimously approved by a vote of 4-0.*

15. Consider approval of final plat for Robert F. Flewellen (minor subdivision) located on Lenox Circle. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow final plat was unanimously approved by a vote of 4-0.*

16. Consider authorizing the Chairman to execute Letter of Intent for participation as a non-Federal sponsor in the Shoal Creek Aquatic Ecosystem Restoration Plan. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnnie McDaniel authorizing Chairman to execute Letter of Intent was unanimously approved by a vote of 4-0.*

17. Consider adoption of Resolution Authorizing Release of Tax Information From the Georgia Department of Revenue relative to LOST renegotiations with the City of Griffin. *This item had been discussed at the Board's retreat and motion was made by Commissioner Morrow to not sign this Resolution. Commissioner Martha McDaniel seconded the motion and motion was unanimously approved by a vote of 4-0.*

XII. REPORT OF COUNTY MANAGER

County Manager Wilson gave a summary report on the Exit Interviews that have transpired since December 2001 to present. He advised that this procedure will continue and the information from these interviews would be reported to the Board periodically.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall gave an update on the Hospital Authority. He stated that bid interviews with banks and investment brokers would be held May 7th and 15th on the Hospital's funds. He also made comments about the funding cuts for the Health Department at the state level. One of the cuts was the federal grant money for the Teen Plus Center.

Commissioner Martha McDaniel made comments regarding an article that appeared in the Horizon of the *Atlanta Journal Constitution* on the Silver Comet Trail coming to Rockmart. She said that she would like for the Board to consider the abandon railway from Spalding County over into Fayette County. She asked County Manager Wilson to ask Assistant County Manager Sabine to do some investigation and keep us updated on what in fact we could be doing to acquire that abandoned rail site and perhaps we can have our own trail.

Commissioner Morrow made comments regarding the Long Range Planning Committee's next meeting. He reported that the next meeting would be held May 15, 2002 at 6:00 P.M. at the Chamber office. The Committee will be transported to Fairmont Park Community Center to get the members familiar with that area of town for the proposed revitalization project.

Commissioner Morrow made comments regarding placing a buffer zone along the Jail and C.I. property to disguise these facilities from traffic flowing on Highway 19/41.

Commissioner Morrow commended Chairman McDaniel in making the front page of the *Griffin Daily News* as one of our local heroes.

Commissioner Johnie McDaniel had no comments.

XIV. CLOSED MEETING

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

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

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

CLOSED MEETING AFFIDAVIT

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

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

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

- 1.

The Spalding County Board of Commissioners met in a duly advertised meeting on May 6, 2002.

- 2.

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

- 3.

The executive session was called to order at 7:42 p.m.

- 4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Yes Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

No Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and *(insert the citation to the legal authority making the tax matter confidential)*_____;

No Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

No Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

No Other *(describe the exemption to the open meetings law):* _____ as provided in *(insert the citation to the legal authority exempting the topic)*_____.

This the 6th day of May 2002.

Spalding County Board of Commissioners

Sworn to and subscribed
Before me this 6th day of
May 2002.

Phyllis P. Doane

Notary Public

My commission expires: March 13, 2006

(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 8:00 P.M.

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
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