



# Spalding County online

## Board of Commissioners

### EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, June 17, 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 Merrill Massengale was absent. Also present were County Manager William Wilson, Assistant County Manager Michael Sabine, County Attorney Jim Fortune and County Clerk Phyllis Doane.

### Agenda Topics

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

1. Consider approval of a Joint City/County Proclamation proclaiming Friday, June 7, 2002 as “Bain Proctor Remembrance Day in the City of Griffin and Spalding County”. Chairman McDaniel read the Proclamation and on behalf of the Board of Commissioners presented it to Mrs. Carol Proctor and her daughter, Heather stating to them that we appreciate everything Mr. Proctor did for our community. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the following Proclamation was unanimously approved by a vote of 4-0.*

### Joint Proclamation

#### CITY OF GRIFFIN, GEORGIA AND SPALDING COUNTY, GEORGIA

#### HONORING THE LIFE AND ACHIEVEMENTS OF FORMER CITY OF GRIFFIN AND SPALDING COUNTY COMMISSIONER BAIN PROCTOR

**WHEREAS,** Bain Proctor was a native of Thomaston, Georgia, but moved to Spalding County over twenty years ago, serving the Griffin and Spalding County community steadfastly since that time; **AND**

**WHEREAS,** Mr. Proctor was elected by his fellow citizens to the city commission in 1987 as well as subsequently to the county commission in 1994; AND

**WHEREAS,** Mr. Proctor emphasized civic participation throughout his public service career, continuing his involvement in local affairs upon the conclusion of his elected official career, serving as Chairman of the Spalding County Parks and Recreation Advisory Board; AND

**WHEREAS,** Mr. Proctor's involvement spanned not only city and county government, but also included considerable participation in community organizations, including the Salvation Army, the Boys and Girls Club, the Griffin Rotary Club, and the Spalding County Republican Party, where he served as Chairman prior to his passing; AND

**WHEREAS,** Mr. Proctor's public service career exemplified both the virtues of community service through both elected and appointed office as well as the intangible rewards received by all when citizens involve themselves in the affairs of their local community;

**NOW THEREFORE BE IT PROCLAIMED** by the Board of Commissioners of the City of Griffin and the Board of Commissioners of Spalding County, Georgia that both Boards hereby declare that Friday, June 7, 2002 is

**“BAIN PROCTOR REMEMBRANCE DAY IN THE  
CITY OF GRIFFIN AND SPALDING COUNTY”**

and encourages all citizens of Griffin and Spalding County to reflect upon the importance of the contributions of Bain Proctor in promoting public service and civic participation in our local community.

This the 7<sup>rd</sup> day of June 2002.

**V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of Financial Statements for the Eleven Months Ended May 31, 2002. Ms. Jinna Garrison, Finance Director, was present to answer any questions. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel Financial Statements were unanimously approved by a vote of 4-0.*

**VI. CITIZENS COMMENTS – n/a**

**VII. PUBLIC COMMENT**

Ms. Jewel Walker-Harps, 103 McEthel Drive thanked the Board on behalf of the Griffin Branch NAACP for their participation in helping to make the program on Saturday,

which was a tribute to Gary Reid, a success. She thanked them for all that they did as well as their presence at this event.

Ms. Gwendolyn Flowers, 134 Spalding Street, addressed the Board regarding the Resolution under Item 10 on New Business. She asked how could you adopt a Resolution to reimburse the Development Authority when there is no approved vote yet to have another SPLOST. She also wanted to know if the SPLOST was solely going to be for economic development projects.

County Manager Wilson addressed the questions by Ms. Flowers. He said that this was a reimbursement Resolution that allows the Development Authority to be reimbursed for any monetary commitments they make before the SPLOST. He said that this Resolution in no way binds us if the SPLOST does not pass. The Resolution does not mean that there cannot be any other projects placed on the upcoming SPLOST.

Mr. Allan Imes, 111 Four Oaks Drive, addressed the Board regarding the Vietnam Wall Experience. He expressed his deepest gratitude and respect for the tremendous amount of support we received from the Spalding County Board of Commissioners, and more importantly, the Parks and Recreation Department. He said that the Parks and Recreation Department went above and beyond the call of duty. He said that 25,000 to 30,000 citizens attended the Wall event with 131 cities, 36 states and 3 foreign countries being represented. He said the thing that the County should appreciate is that a lot of Griffin-Spalding County citizens saw the Wyomia Tyus Olympic Park for the first time and they went away from that park with different opinions. He said that he feels that it was a good public relations move for people who live in Griffin, Spalding County.

He also mentioned to the Board of Commissioners and the audience that this patriotic spirit will continue as the presentation of "1776" will be performed at Third Ward School for the next two (2) weekends.

Rev. Gene Turkett, 210 Laramie Road, also addressed the Board on the Vietnam Wall Experience. He too expressed appreciation to Spalding County Board of Commissioners and Parks and Recreation Department for the efforts put forth to make this venue such a success. He said because of this support that they were afforded the opportunity to provide healing and closure for family members of the Vietnam War.

## **VIII. MINUTES**

1. Consider approval of the minutes of the meetings held Monday, June 3, 2002. *Motion made by Commissioner Morrow to approve the minutes with the correction of one typographical error under County Manager's Report changing "lost size to lot size". Commissioner Martha McDaniel seconded the motion and motion was unanimously approved by a vote of 4-0.*

## **IX. CONSENT AGENDA**

1. Consider at second reading an ordinance amending the Fiscal Year 2002 Budget Ordinance to provide for equipment for several departments through ACCG Lease Program. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel, the following Budget Ordinance was unanimously approved by a vote of 4-0.*

**AN ORDINANCE AMENDING THE  
FISCAL YEAR 2002 BUDGET ORDINANCE  
FOR  
SPALDING COUNTY, GEORGIA**

**WHEREAS**, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2002 Fiscal Year pursuant to the requirements of Title 36, Chapter 81 of the Official Code of Georgia, and Section 2-5003 of the Code of Spalding County; and

**WHEREAS**, the Official Code of Georgia, specifically Title 36, Chapter 81-3, provides that said Board may amend its annual budget ordinance so as to adopt to changing governmental needs during the fiscal year.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on June 30, 2001, be amended as follows:

**Section I. General Fund**

A. Revenues

Other Financing Sources	From	\$ 548,198	to	\$ 1,043,790
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B. Expenditures

Parks	From	\$ 1,556,167	to	\$ 1,600,863
Sheriff	From	\$ 3,424,034	to	\$ 3,919,626

Approved on first reading this 3<sup>rd</sup> day of June, 2002.

Approved, adopted and enacted on second reading this 17<sup>th</sup> of June, 2002.

**X. OLD BUSINESS**

1. Considering authorizing distribution of 5% Victim Assistance Program Fines as recommended by Sheriff, District Attorney, and State Court Judge. County Manager Wilson stated that Sheriff Stewart, Judge Esary and District Attorney Bill McBroom have met and have agreed upon the distribution of the funds as 1/3 for the Sheriff, 1/3 for the DA and 1/3 for the State Court effective July 1, 2002. Until a State Court is implemented the DA will receive 2/3 of the distribution.

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the distribution as presented above was unanimously approved by a vote of 4-0.*

**XI. NEW BUSINESS**

1. Consider application for VOCA grant to provide for the Victim Witness position at the Sheriff's Department for Fiscal Year 2003 and authorize the County Manager to

execute application. The grant application is in the amount of \$46,911 with cash or in-kind match of \$11,728. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel submission of grant was unanimously approved by a vote of 4-0 as well as authorization of County Manager to execute.*

2. Consider the re-appointments of Zach Holmes and Walline Pitts to the West Georgia Emergency Medical Services Council with terms to expire 7/01/04. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel re-appointments of Zach Holmes and Walline Pitts were unanimously approved by a vote of 4-0.*

3. Consider relocation agreement with Georgia Power Company for utility pole relocation on Wani Road. The cost of relocation is up to \$32,222. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the relocation agreement was unanimously approved by a vote of 4-0.*

4. Consider at first reading the Budget Ordinance for Fiscal Year 2003 beginning July 1, 2002 and ending June 30, 2003. *Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Morrow the Fiscal Year 2003 Budget Ordinance was unanimously approved by a vote of 4-0. **The Budget Ordinance will be incorporated into the minutes on second and final reading.***

5. Consider Maintenance Resolution with Georgia Department of Transportation for proposed State Highway System Revisions in Spalding and Butts Counties. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the following Maintenance Resolution was unanimously approved by a vote of 4-0.*

#### **MAINTENANCE RESOLUTION**

**GEORGIA**, Butts and Spalding Counties:

**WHEREAS**, the Commissioners of Butts and Spalding Counties (hereinafter called the Counties) have been notified that the Georgia Department of Transportation (hereinafter called the Department) intends to realign the junctions of Butts County Roads 181, 182 and 364 and Spalding County Roads 76 and 94 with State Route 16 on new alignment and to construct certain frontage roads in said counties; and

**WHEREAS**, the proposed alignments will be temporarily designated as State Routes 1069, 1069TA, 1069TB, 1069CT, 1069 TD, 1069TE, 1069TF, 1069TG, 1069TH, 1069TI, 1069TJ, 1069TK, 1069TL and 1069TM as described in the Order of the Commissioner numbered 3314; and

**WHEREAS**, the Counties are being asked to accept as appropriate for maintenance, utility accommodation, and as a part of their local road systems the sections of projected alignments (temporary State Routes) when they are constructed and removed from the State Highway System.

**NOW THEREFORE, BE IT RESOLVED**, that Butts and Spalding Counties will execute this resolution and a copy of the resolution be furnished to the Department.

6. Consider acceptance of Right-of-Way Deed for Kingston Court and Chapleau Lane (Sherbrooke Woods Subdivision Phase II). *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel acceptance of Right-of-Way Deed was unanimously approved by a vote of 4-0.*

7. Consider approval of Final Plat for Lake Park Commons subdivision (adjacent to Swint and Morgan roads). *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow Final Plat was unanimously approved by a vote of 4-0.*

8. Consider travel request of Commissioner Martha McDaniel to attend a NACO Board Managers Meeting in New Orleans, LA July 12-16, 2002. *Upon motion by Commissioner Morrow, seconded by Commissioner Johnie McDaniel travel request of Commissioner Martha McDaniel was unanimously approved by a vote of 4-0.*

9. Discuss timetable for November SPLOST Election. It was the consensus of the Board that we proceed with a November 6, SPLOST vote and that a meeting date with the City of Griffin and municipalities of Sunny Side and Orchard be an agenda item for the July 1<sup>st</sup> agenda. Also Chairman Johnie McDaniel is to present a list of recommended names to serve on a 2003 SPLOST Committee to talk about various projects for inclusion on this SPLOST. If there are to be public hearings they would have to be held during the month of August as September 2<sup>nd</sup> would be the date to adopt the Resolution to call for the SPLOST vote.

10. Consider approval of Resolution authorizing reimbursement from future SPLOST proceeds for economic development projects. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Resolution was unanimously approved by a vote of 4-0.*

### **RESOLUTION**

**WHEREAS**, Spalding County, Georgia (the “County”) intends to pay for certain capital costs incurred in connection with the acquisition and construction of an economic development park, sewer treatment facility and other economic development projects; and

**WHEREAS**, all or a portion of the costs of the Project will be financed with the proceeds of tax-exempt obligations (the “Bonds”) to be issued by the County; and

**WHEREAS**, prior to the issuance of the Bonds, the County or the Griffin-Spalding County Development Authority may pay for all or a portion of the costs of the Project; and

**WHEREAS**, the County may reimburse itself or the Griffin-Spalding County Development Authority with Bond proceeds for the costs of the Project paid by it prior to the issuance of the Bonds; and

**NOW, THEREFORE**, be it resolved by the Board of Commissioners of the County, and it is hereby resolved by the same, as follows:

1. The County reasonably expects to reimburse itself or the Griffin-Spalding County Development Authority with Bond proceeds for the costs of the Project paid by it prior to the issuance of the Bonds.

2. The maximum principal amount of debt which the County presently expects to be issued relating to the Project is currently estimated to be \$36,000,000.

11. Discuss renegotiations of the Local Option Sales Tax distribution. County Manager Wilson stated that negotiations for the LOST distribution have to commence on or before July 1, 2002 and that a renegotiated certificate of distribution must be filed with the Department of Revenue on or before December 30, 2002. The consensus of the Board is that County staff is to renegotiate the LOST distribution with the City of Griffin staff. Mr. Wilson asked for the authorization of the sending of the letter to the City of Griffin to commence renegotiations reserving the date as there has been no definite date set as of yet.

*Motion made by Commissioner Martha McDaniel authorizing the Chairman to execute a letter of formal notification to the Mayor of the City of Griffin to commence renegotiations on LOST and authorizing County Manager to set a date. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 4-0.*

12. Consider at first reading an ordinance amending the Spalding County Code relative to Mailbox Requirements. The ordinance addresses the exemptions of construction of mailboxes on certain streets of the county. *Upon motion by Commissioner Morrow, seconded by Commissioner Johnie McDaniel the ordinance was approved at first reading by a vote of 3-1 with Commissioner Kendall voting against the motion. Commissioner Kendall was in favor of leaving the ordinance as it is exempting all brick mailboxes on all streets and roads. **The ordinance will be incorporated into the minutes on second and final reading.***

## **XII. REPORT OF COUNTY MANAGER**

County Manager Wilson made the Board aware of the upcoming July 4<sup>th</sup> parade and asked how many would be participating in order to provide candy and golf carts.

County Manager Wilson asked the Board for approval of HDR/WL Jorden to offer 20% above 2002 evaluation for right of way acquisition on Amelia Road as we did to acquire right of way on Birdie Road project. The Board had no problem with this request and advised Mr. Wilson to have HDR/WL Jorden to proceed.

County Manager Wilson discussed the Airport Budget funding for FY 2003. The Board agreed not to fund a cash expenditure of depreciation; however, did agree to fund a fair share of the indirect costs. Mr. Wilson is to obtain a copy of the last indirect cost study done by the City of Griffin.

### **XIII. REPORT OF COMMISSIONERS**

Commissioner Kendall commented that the Finance Committee of the Hospital Authority did not recommend the loan he spoke about at the last meeting; therefore, he did not copy the request information for the Board as it appears to have been resolved. He said that their recommendation has to go back to the full Hospital Authority Board for their consideration.

Commissioner Kendall commented that the Sewer Task Force would have a meeting tomorrow and the Development Authority would be giving an update on the proposed Industrial Park Extension, which would dictate what happens to the question regarding the Wastewater Treatment Plant that is being proposed, which will dictate a lot of other things. He said that the No. 1 priority should be to do something about our industrial park.

Commissioner Martha McDaniel had no comments.

Commissioner Morrow gave the Board an update on the 2020 Renaissance Committee. He said that Wednesday at 12:00 noon the Park Committee would be meeting at Parks and Recreation Office and some of the topics for discussion are how to expand Fairmont Park and what to put in it and how to find money for it.

Commissioner Morrow commented that during the retreat he had talked about having a greenspace donation program for park land. He asked Louis Greene to do some research and he has found a power point presentation given by Mr. Schuder of the Gwinnett County Parks and Recreation, which would last an hour. He asked that Louis Greene place on the next Parks and Recreation Advisory Board Meeting as an item if they would be interested in this presentation. If so, the Commissioners who were interested in seeing it could meet with the Committee at one viewing.

Commissioner Johnie McDaniel commented that there have been a number of different kinds of correspondences in reference to honoring Bain Proctor in the area of Recreation. Among one of the recommendations is to name the Wyomia Tyus Soccer Complex after Mr. Proctor. He asked the Board if they would like for one of the Commissioners along with the Recreation Commission to talk with the family to find out what they might think would be appropriate that is within our means to do. The Board felt that Mr. McDaniel should be their representative to meet with the family for their input as he represents them on the Advisory Board.

Commissioner Johnie McDaniel stated that he would be out of town for the June 27<sup>th</sup> Public Hearing and the Pre-Agenda Meeting Tuesday, June 25<sup>th</sup> at 4:30 p.m. He asked Vice Chairman Morrow to attend and officiate in his absence.

#### **XIV. CLOSED MEETING**

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

The Closed Meeting was canceled.

#### **XV. ADJOURNMENT**

*Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the meeting was unanimously adjourned at 7:26 P.M.*

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County Clerk

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Chairman

Please send comments to [webmaster@spaldingcounty.com](mailto:webmaster@spaldingcounty.com)  
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