



Spalding County online

Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, January 20, 2004 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 Dick Morrow, Michael Kendall, Johnie McDaniel, Cecil Davis and Eddie Goss present. Also present were County Manager William Wilson, County Attorney Jim Fortune and County Clerk Phyllis Doane.

Agenda Topics

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

1. Representatives from the Griffin-Spalding County Development Authority to present proposal for an anticipated 2004 SPLOST. A presentation was made by Daa'ood Amin and David Luckie requesting the Board of Commissioners call for another SPLOST referendum preferably in November 2004 for a \$23.6 Million project for land acquisition and development related issues for future industrial development. Mr. Luckie stated they were looking at purchasing approximately 350 to 400 acres in Spalding County or around the Bolton Parkway. They are trying to finalize the purchase of some parcels right now and cannot identify the property yet. They hope to have the land acquisitions finalized by the Board's next meeting.

Chairman Kendall stated he wanted to move rather rapidly in finalizing the specific proposal and feels it should be completed by the end of April 2004. This would give us ample time to explain to the citizens of Griffin and Spalding County what the sales tax is all about. Mr. Kendall said that we have the statutory obligation to contact the other municipalities to have a joint meeting to discuss what they would like to see on a sales tax and feels that we should go ahead and plan to have this meeting. Mr. Kendall feels that this meeting with the municipalities should be open to the public.

County Manager Wilson commented that he was working on a time frame for a sales tax and would present it to the Board at their next meeting for approval.

- V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of Financial Statements for the Six Months Ended December 31, 2003. Ms. Jinna Garrison, Finance Director, was present to answer any questions. *Upon motion by Commissioner Davis, seconded by Commissioner Morrow the Financial Statements were unanimously approved by a vote of 5-0.*

VI. CITIZENS COMMENTS – n/a

VII. PUBLIC COMMENT

Mr. James Brooks, 148 Tomochichi Road, addressed the Board on the new proposed SPLOST. He commented that any other items on the SPLOST besides the industrial project would not be supported by the Eastern Spalding community.

Ms. Barbara Ensign, 502 Birdie Road, addressed the Board on the Birdie/Patterson Road Intersection. She said she was opposed to the removal of the 4-way stop sign. She said that she understands that you cannot control speed with a traffic sign; however, the 4-way stop has slowed down traffic and made the intersection safer.

Mr. Charles Mobley, 231 Mobley Road, addressed the Board on the Birdie/Patterson Road Intersection. He said there used to be a few cars traveling Birdie Road but now there are many, many cars. He said he was a principal at Beaverbrook School for eighteen years and used to ride his bicycle home, which he cannot do now. He is opposed to the removal of the 4-way stop sign.

Ms. Barbara Buice, 57 Mobley Road, addressed the Board on the Birdie/Patterson Road Intersection. She said that it is getting impossible to get in and out off Patterson to Birdie. She said that when you pull out from the intersection your view is blocked by a hill and this 4-way stop is the only thing that has helped make the intersection safer for cars pulling out onto Birdie Road. She said this is a safety issue and is opposed to the removal of the 4-way stop sign.

Mr. Dennis Duncan, 142 Mobley Road, addressed the Board on the Birdie/Patterson Road Intersection. He stated he was opposed to the removal of the 4-way stop. He feels that this intersection is a safety issue more than a speed control issue. He said there have been a lot of close calls before this 4-way stop was installed. He also mentioned the danger of pulling out onto Birdie Road with the view being blocked by a hill. He said that he just found out about the removal of the 4-way stop sign last night and asked the Board to table their vote to allow him to bring the people in this community to one of the meetings as they are all against the removal. Mr. Duncan commented that there are a lot of people that do not want this stop sign removed.

Commissioner Morrow stated that there were a lot of people who lived to the west that are not happy with the 4-way stop at all. There are really two sides to this issue.

Ms. Millie Stull, 508 Birdie Road, addressed the Board on the Birdie/Patterson Road Intersection. She said that she owns the house next to the corner at the stop sign. She said that she has difficulty getting in and out of her driveway because people will come through the stop sign and pick up speed. If the stop sign was not there, she would never be able to get out of her driveway. She said that she has noticed the traffic on Birdie has increased and also a lot more children on the road. She is concerned for their safety. She stated she was opposed to the removal of the 4-way stop.

VIII. MINUTES

1. Consider approval of the minutes of the Regular Monthly Meeting of January 5, 2004. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel the minutes were unanimously approved by a vote of 5-0.*

IX. CONSENT AGENDA

1. Consider at second reading of an Ordinance amending the Spalding County Code, Section 7-1007 Traffic Control Devices to remove the Birdie Road/Patterson Road Intersection from the list of designated 4-way stop intersections.

After hearing all the opposition tonight from the removal of this 4-way stop intersection, motion was made by Commissioner Goss to table this to for an indefinite time until a town hall meeting with citizens in the Birdie Community and Representative Yates, who requested that the 4-way stop intersection be removed, can be held to come to a resolution on this intersection. Commissioner Davis seconded the motion and motion was unanimously approved by a vote of 5-0.

2. Consider at second reading of an ordinance amending the FY 2004 Budget Ordinance to provide for correction of error in previous budget amendment to the Water System Fund. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel the following ordinance was unanimously approved by a vote of 5-0.*

**AN ORDINANCE AMENDING THE
FISCAL YEAR 2004 BUDGET ORDINANCE
FOR
SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2004 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 might amend its annual budget ordinance so as to adapt 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 26, 2003, be amended as follows:

Section I. Water System Fund

A. Revenues

Fund Balance From \$ 249,234 to \$ 209,302

B. Expenditures

Water Department From \$ 4,076,165 to \$ 4,096,343

Approved on first reading this 5th day January 2004.

Approved, adopted and enacted on second reading this 20th day January 2004.

X. OLD BUSINESS

1. Consider revised changes to Rental Agreement for Parks and Recreation Public Facilities as recommended by the Advisory Commission. Parks and Recreation Director Louis Greene was present to present the revised changes to Rental Agreement regarding advance rental time, free use of rooms at City and Fairmont Parks during regular business hours and changing application to read "Rent/Use Facility. The Board had no problems accepting the revised changes.

Motion made by Commissioner Morrow to approve with change of reservations less than fourteen days may be accepted subject to availability of personnel along with the revised changes. Motion seconded by Commissioner Davis and unanimously approved by a vote of 5-0. The Rental Agreement and Application with changes is as follows:

SPALDING COUNTY PARKS & RECREATION DEPARTMENT RULES & REGULATIONS FOR RENTAL AND USE OF COMMUNITY CENTERS, MEETING ROOMS, PICNIC SHELTERS AND GYMS

The Spalding County Parks and Recreation Department recognizes that its facilities are public property, which it holds in trust for the purpose of providing public recreation. However, as such facilities may be used under certain conditions by legitimate civic groups and organizations for purposes related to or directly connected with community welfare. Spalding County Parks and Recreation shall consider the impact of the intended use of facilities on the community at large. Spalding County Parks and Recreation will allow the City of Griffin, Griffin-Spalding County School Board, and associated youth associations to use its facilities without cost. Spalding County activities will have top priority. The following procedure has been developed by which organizations and civic groups who meet the rules and regulations contained herein, may rent/use AMBUCS Park, Fairmont Park and City Park for the following rates per occasion:

1. Reservations may be made up until time of the event subject to availability of personnel. Damage deposit: \$100.00.
2. CANCELLATION NOTICE: A five (5) day notice of cancellation is necessary for total refund of deposit. Cancellation notice less than five (5) days before the rental will result in **no return of deposit.**
3. Spalding County Parks and Recreation will require a detailed statement showing the amount of funds received from the event, and where funds were distributed if facility is used for fund-raiser. **No tickets will be sold. The event will be by invitation only.** The use of public address systems, amplified music and/or sound equipment at all of the department's pavilions is banned.
4. Any member of the Recreation Staff, Spalding County Parks and Recreation Advisory Commission, or County Commissioner or law enforcement officer, will be permitted at the facility at any time during the rental of same.
5. Any special equipment or decorations brought in to the building must be approved by the Parks and Recreation Assistant Director in advance. Decorations and/or equipment will be the responsibility of the applicant and must be removed by the completion of the event. Decorations shall not alter or damage property in any way.

Cleanup time is included in rental time. Deposit will not be returned until inspection is made by Parks and Recreation Department employee.

6. Any group renting/using a Spalding County Parks and Recreation facility shall hold the Department or County harmless from any claim for property damage or personal injury (including death) resulting from the use of said facility or grounds. Said leasing group shall also be responsible for all attorneys' fees and cost of litigation that may be incurred by either the Spalding County Parks and Recreation Department or Spalding County Government.
7. Any group requesting the rental of a facility shall provide proper security and supervision as determined by Parks and Recreation Security Coordinator. The cost of security is in addition to the rental fee and must be paid directly to security officer. Keys will be given to security officer only.
8. No alcoholic beverages, drugs, or obscene language allowed in park areas.
9. No individual or group shall be allowed to rent/use any Spalding County Parks and Recreation Department facility for more than six (6) calendar days per calendar year. For the purpose of the rule, the term "day" shall mean a 24-hour calendar day.
10. Curfew is 11:00 pm each day and will be strictly enforced. **This includes cleanup time. NO EXCEPTIONS!**

CITY PARK

Gym:	\$75.00 for first two hours \$35.00 for each additional hour	
Meeting Room:	\$50.00 for first two hours \$25.00 for each additional hour	(No rental fee for use during business hours)
T.V. Room:	\$35.00 for first two hours \$20.00 for each additional hour	(No rental fee for use during business hours)

FAIRMONT PARK

Gym:	\$75.00 for first two hours \$35.00 for each additional hour	
Meeting Room:	\$50.00 for first two hours \$25.00 for each additional hour (A \$50.00 fee will be charged if use includes kitchen)	(No rental fee for use during business hours)
T.V. Room:	\$35.00 for first two hours \$20.00 for each additional hour	(No rental fee for use during business hours)
Pavilion:	\$40.00 for first five hours	
Note:	Pavilion reservations are for two time periods per day 8:00 am to 1:00 pm and 2:00 pm to 7:00 pm	

AMBUCS PARK

Gym: \$75.00 for first two hours
\$35.00 for each additional hour

Pavilion: \$20.00 for first five hours
Note: Pavilion reservations are for two time periods per day
8:00 am to 1:00 pm and 2:00 pm to 7:00 pm

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SPALDING COUNTY PARKS & RECREATION
APPLICATION TO RENT/USE FACILITY
(PLEASE PRINT)

DATE OF RENTAL/USE: _____

TIME OF RENTAL/USE: _____ to _____

FACILITY RENTED/USED: _____

Name of Applicant (Organization or Individual): _____

1. Individuals in charge of Event

Name	Address	Phone No
_____	_____	_____
_____	_____	_____

2. Type of event: _____ Number of people expected: _____

3. Person in charge of children in attendance: _____

4. Will you charge admission? ___ YES ___ NO
If YES, state purpose for which funds will be used: _____

5. Facility Rented/Used: ___ Meeting Room ___ T.V. Room ___ Pavilion ___ Gym

6. Rental fees and Damage Deposits are received as **CASH ONLY**.

I have read the "Rules and Regulations" concerning this rental/use and I agree to abide by and enforce them.

LESSEE

DATE

Parks & Recreation Director Approval

DATE

Rent Paid: _____ Deposit Paid: _____ Security Arranged for: _____

Post rental:

Center found in ____Satisfactory ____Unsatisfactory condition Comments: _____

Date Deposit refunded: _____ Lessee Signature: _____

Signature: _____

- 2. Consider appointments to Boards, Authorities and Commissions.

**REMAINING BOARD APPOINTMENTS
FOR TERMS BEGINNING 1-1-2004**

A. APPOINTMENTS BY THE BOARD OF COMMISSIONERS:

1. Spalding County Library Board of Trustees- 4 Year Term

a. To succeed William S. McDaniel, Four-year term to expire 12-31-07 -
The two names in the nomination book were Alicia Stratton nominated by Commissioner Goss and current appointee William S. McDaniel nominated by Commissioner Morrow. *A vote was called on Ms. Stratton and she received a unanimous vote of 5-0. Alicia Stratton was appointed to this Board.*

2. Spalding County Board of Zoning Appeals – 4 Year Term

a. Post 3 Appointment To succeed Keith Dryden (resigned) Unexpired term to expire 12-31-04 – **No action taken.**

3. Keep Griffin/Spalding Beautiful, Inc. – 2 Year Term

There were no nominations for any of these positions and they were tabled again.

- a. To succeed Michael Soper, (resigned) Two-year term to expire 12-31-05
- b. Sunny Side Representative (vacant) – Two-year term to expire 12-31-05
- c. Mrs. Briddie Kruse (a non-member) – Vacant
- d. To succeed Louise Tipton (resigned), Two-year term to expire 12-31-05

15. Board of Directors, McIntosh Trail Regional Development Commission

a. To succeed Frank Thomas – Additional Appointment (for counties with a population exceeding 25,000) (Joint Appointment) – **No action taken.**
2004 is County’s rotation for joint appointments

5. Local Law Enforcement Block Grant Advisory Commission- 1 Year Term

a. Tootsie Powers (School System), One-year term to expire 12-31-04 – **Tabled**

Appointed Raymond Ray, Jr. in February 2003 to this position – Need to reappoint for 2004 – Reappointed Raymond Ray, Jr. by a unanimous vote of 5-0.

B. COMMISSIONERS AS MEMBERS OF APPOINTED BOARDS: All One-Year Terms

1. Sewer Task Force

Members appointed by the Chairman

- a. To succeed Michael Kendall - **Reappointed**
- b. To succeed Johnie McDaniel - **Reappointed**

2. McIntosh Trail TMDL Task Force – 2 Year Term

- a. To succeed Michael E. Sabine, unexpired term to expire 12-31-04

*Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel, **William P. Wilson, Jr.** was appointed to this Task Force by a unanimous vote of 5-0.*

XI. NEW BUSINESS

Items 1-4 regarding Street Lighting Districts were removed from the agenda due to an omission of an ad in a publication.

- 1. Conduct Public Hearing to consider the establishment of a street lighting district for Stanfield West Phase V.
- 2. Conduct Public Hearing to consider the establishment of a street lighting district for Park Place Phase II.
- 3. Consider request to approve street lighting district for Stanfield West Subdivision Phase V – Greg Pruitt Construction Company, Inc., Owner.
- 4. Consider request to approve street lighting district for Park Place Subdivision Phase II – Park Place, LLC, Owner.
- 5. Consider approval of new alcoholic beverage license for 2004 – Retail Package Store – Liquor, Beer & Wine for the following:

- Akshaya H. Patel, Akshaya & Pallavi, Inc. d/b/a Carver Package Store, 1557-D Williamson Road.

Upon motion by Commissioner Morrow, seconded by Commissioner Davis alcoholic beverage license was approved by a vote of 3-2 with Commissioners Goss and McDaniel voting in opposition.

- 6. Consider establishing Qualifying Fees for the Upcoming General Primary & General Election.

Upon motion by Commissioner Davis, seconded by Commissioner Morrow the following Qualifying Fees were established by a unanimous vote of 5-0.

<u>Office</u>	<u>Salary</u>	<u>QualifyingFee</u>
County Commissioner	\$ 12,699	\$ 380.98

Probate Judge	\$ 53,607	\$ 1,608.22
Clerk, Superior Court	\$ 63,235	\$ 1,897.06
Tax Commissioner	\$ 69,167	\$ 2,075.01
Sheriff	\$ 74,604	\$ 2,238.11
Judge, State Court	\$111,281	\$ 3,338.43
Coroner	\$ 10,000	\$ 300.00
Chief Magistrate	\$ 53,607	\$ 1,608.22
Member, Board of Education	\$ 7,315	\$ 219.44

7. Set a date for a Public Hearing to establish a street lighting district for Will's Walk Subdivision Phase II. *Motion made by Commissioner Morrow to set the Public Hearing Date for Monday, February 2, 2004 during the Regular Business Meeting. Commissioner McDaniel seconded the motion and motion was unanimously approved by a vote of 5-0.*

8. Consider approval of allocated funds granted by the Griffin-Spalding County Hospital Authority for the 2004 Projects. *Upon motion by Commissioner Morrow, seconded by Commissioner Davis the following allocated funds were approved by a vote of 4-1 with Commissioner Kendall voting in opposition as he feels that these vital things that our public safety officials need to do their job should be paid for through the City and County budgets.*

Spalding County Board of Health (flu shots)	\$ 18,000
Spalding County Board of Health (Dental Program)	\$110,000
City of Griffin (Jaws of Life Advanced)	\$ 7,000
Spalding County Fire Dept. (Thermal Imaging Cameras)	\$17,034

XII. REPORT OF COUNTY MANAGER

County Manager Wilson announced that February 10th at 5:00 P.M. at City Hall there will be a workshop on 800 MHz radio systems. All the City and County Commissioners are invited to attend. Motorola will be putting on a presentation on 800 MHz.

County Manager Wilson commented that the City has been working with the Georgia Oilman's Association regarding the old Hill's Tire Store trying to find out where the problem with the sewers is coming from. They would like permission from the County to install a monitoring well on our property. The Board had no problems with this temporary monitoring well as long as County Attorney Fortune can work out all the legalities and it does not interfere with the County's parking lot project.

County Manager Wilson announced that there will be a joint City/County meeting scheduled with the FAA February 3rd in the Courthouse Annex Meeting Room from 4:00 p.m. – 6:00 p.m. Liability issues at the Spalding County Airport as well as other issues will be discussed by both Boards. Public comment will not be taken at this meeting.

County Manager Wilson announced that the Griffin-Spalding Area Transportation Committee will have a Special Called Meeting on January 28th at 10:00 A.M. in the Courthouse Annex Meeting Room. Representatives from the DOT will be here to discuss the MPO process. County Manager Wilson commented that if three (3) or more Commissioners plan to attend he will need to announce this as a meeting; otherwise it is already advertised as a Transportation Committee Meeting.

County Manager Wilson announced that we will reopen the Animal Shelter January 21st. He commented that we received a clean bill of health from the Georgia Department of Agriculture today and they have lifted our quarantine. He said the Shelter looks very nice as we have painted the majority of the inside and pressure washed and cleaned the outside.

County Manager Wilson reminded the Board of the Alcoholic Revocation Hearing, which was tentatively scheduled for Monday, February 2nd at 5:00 P.M. There is a hearing with Georgia Department of Revenue within the next few days which will determine if this hearing is necessary. Commissioners Davis and Goss will be in training and asked that the hearing be moved to February 16th.

County Manager Wilson made the Board aware that representatives from several departments of Spalding County and Mr. Fortune met with representatives of Will's Walk Subdivision and announced that there was an agreement reached on accel/decel lanes and hopefully should have that installed in March or April of this year. The developer will be installing the accel/decel lanes on that subdivision.

County Manager Wilson stated that he and Mr. Fortune had been researching the Open Records State Law and we must notify everyone that we are down to the final two (2) candidates for the Personnel Director for Spalding County. They are Mr. Bill Gay and Ms. Karen Sikes, two very highly qualified individuals. Mr. Wilson will be conducting final interviews on these next week and hopefully will be able to announce soon our new Personnel Director to replace Ms. Hays who passed away in December. He announced that their resumes are available upon request.

XIII. REPORT OF COMMISSIONERS

Commissioner Morrow had no comments.

Commissioner Goss asked that the Alcoholic Revocation Hearing be continued until the second meeting in February as he and Mr. Davis would be attending ACCG Training in Atlanta, GA on February 2nd and would not be able to be here by 5:00 P.M. County Manager Wilson commented pending the outcome of the State Dept. of Revenue hearing, if hearing is necessary, he would ask County Attorney Fortune to reschedule the hearing until February 16, 2004.

Commissioner Davis commented that he had a copy of a very alarming letter from the ACCG regarding SPLOST tax being attacked by the Georgia Municipal Association (GMA) where they want to control a large portion of it and also want veto power on anything the County proposes. He said the Cities which outnumber the Counties 4-1 are pounding legislators to get control of the SPLOST money. He asked Chairman Kendall to get with Mr. Wilson and form a letter to our representatives and senators stating we are opposed with these changes of rules by municipalities in handling the SPLOST. The Board was in consensus with this request.

Commissioner Davis reported of a meeting that he and Water Superintendent Rocky Kenway had with Lindy Farmer of the Henry County Water Authority. Henry County is offering us a solution to any problems that we are having in the basin around their reservoir on the Towaliga. Mr. Farmer also offered us support of sewage at our request up Highway 19/41 where they have the capacity to handle it. Mr. Davis stated that the Chairman of the Authority was out of town and Mr. Farmer would set a meeting up with him where we could come back over and speak with their Water Authority in line with this. Mr. Davis said that there were other items discussed that were very rewarding and very pleasant where we may be able to control a little more of our destiny where water and sewage are concerned. Mr. Davis commented they would give us a

letter stating if they run a line of water and sewage and we have the ability to take it over, then they would turn it over to us.

County Manager Wilson stated that all these requirements would require amendments to our Service Delivery Strategy. We have three (3) issues that will require an amendment to our SDS because it currently states that the City of Griffin will be the sole provider of sewer services in Spalding County. The Heron Bay development is expanding in the northeast section of the County, the Industrial Development Authority would like the Wallace Road property to be served by a private sewer plant in Butts County and the Spring Lake development is proposed to have a private sewer plant and these will require an amendment to the Service Delivery Strategy.

Commissioner McDaniel stated that the average house size on building permits for 2003 was 1782 SF. He said that we had come a long way on our ordinances but we still had a way to go. He mentioned some conditions that need to be part of our zoning ordinance, such as accel/decel lanes along with others. He would also like to see some building standards set to upgrade some of our building standards. He asked for input from any of the Commissioners regarding any changes they would like to see added to the Zoning Ordinance.

Commissioner Morrow, in addition, announced that the Task Force is working again on improving our development ordinances. He said that the Task Force is now working on the County's Conservation Subdivision Ordinance and then would be easing into sewer development and try to come to some agreement as to what the sewer density ought to be.

Commissioner Kendall had no comments.

County Manager Wilson stated that he failed to mention that Recreation Department has the applications available at the Recreation office for the Volunteer of the Year Award and those applications are due by March 1, 2004.

XIV. CLOSED MEETING – n/a

XV. ADJOURNMENT

Upon motion by Commissioner Morrow, seconded by Commissioner Davis the meeting was unanimously adjourned at 7:28 P.M.

County Clerk

Chairman

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