



# **Spalding** County online

## Board of Commissioners

### REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their regular monthly meeting on Monday, March 1, 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 Michael Kendall, Cecil Davis, Eddie Goss, Johnie McDaniel and Dick Morrow 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. Reginald Jacobs – Led by Commissioner McDaniel in the absence of Rev. Jacobs.**
- III. PLEDGE TO FLAG – Led by Chairman Kendall**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION – n/a**
- V. PRESENTATION OF FINANCIAL STATEMENTS – n/a**
- VI. CITIZENS COMMENTS – n/a**
- VII. PUBLIC COMMENT**

Mr. James Walker, 1119 Briarcliff Street, addressed the Board regarding concerns of being one of the residents that live in the Airport Runway Protection Zone. He said that he feels that he is living in danger everyday and requested that the City and County purchase this property to control this protection zone.

Mr. Keith Smith, 1305 Greenview Drive, addressed the Board on behalf of the Evergreen Forest, which is on the northwest side of the runway, regarding the airport issue. He said the entire community was against any expansion of the runway and felt if the County and City purchased the property in the Runway Protection Zone it would be a big mistake. They feel that the money to buy these properties out would eventually become the taxpayer's burden. He said that the City back in October voted to deny the adoption of the new Airport Master Plan and the County declined to take action on it and feels the County should not continue pursuing this issue. He stated he felt that Commissioner Morrow had a conflict of interest in this airport issue as he and his business partner own property in the RZP (Runway Protection Zone).

Ms. Jean Clark, 1471 Gloria Street addressed the airport issue also. She said that she resides on the southeast side of the runway. Her concern was that it could start a dangerous precedent if the

County starts purchasing property without being completely knowledgeable of the procedure. She said that the County should know the clear picture of the costs associated with purchasing this property in the Runway Protection Zone. She said that the County needs to have clear limitations and understanding of what the long term ramifications of committing to something like this would be.

## **VIII. MINUTES**

1. Consider approval of the minutes of the Extraordinary Session of February 16, 2004 and Zoning Public Hearing of February 26, 2004. Commissioner Morrow asked that the minutes be voted on separately as Chairman Kendall was not present for the Zoning Public Hearing.

*Upon motion by Commissioner Morrow, seconded by Commissioner Davis the minutes of the Extraordinary Session of February 16, 2004 was unanimously approved by a vote of 5-0.*

*Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel the minutes of the Zoning Public Hearing of February 26, 2004 was approved by a vote of 4-0-1 with Commissioner Kendall abstaining as he was not present for the meeting.*

## **IX. CONSENT AGENDA – n/a**

## **X. OLD BUSINESS – n/a**

## **XI. NEW BUSINESS**

1. Pastor Jerome Garland is present to request a letter of support for the submission of a Juvenile Justice Grant. Pastor Garland addressed the Board requesting the letter of support that he had come before them and asked for in 2001. He said that he had an agreement from the Spalding County Collaborative Authority stating that they supported the proposal submitted by Community Ministries Baptist Church for the Juvenile Justice Grant and Teen Abstinence Grant. Pastor Garland said that his letter request when typed up omitted support for the Teen Abstinence Grant but was requesting support of this grant submission also. He said the Teen Abstinence program will focus in scope on mentoring, counseling, tutoring and parent involvement and be designed with a curriculum to advocate premarital abstinence. The Juvenile Justice program will focus on adolescence truancy, teenage pregnancies, school drop out rate and juvenile delinquency. Pastor Garland stated that grant deadline for each was March 8, 2004.

County Manager Wilson stated that the only request the County received from Pastor Garland was for the Juvenile Justice Grant. *A motion was made by Commissioner McDaniel to amend the agenda to include the Teen Abstinence Grant to item number 1 under New Business. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 5-0.*

*Motion made by Commissioner McDaniel to approve the request for the Letter of Support authorizing the Chairman to sign the letter for the submission of both the Juvenile Justice Grant and the Teen Abstinence Grant. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 5-0.*

2. Consider appointment to the Spalding County Water & Sewerage Facilities Authority to fill the unexpired term of Dr. Gayle Goodin. Term to expire 12/31/07. The only nomination in the

Appointment Book was the name of Bennie Owens, who has served on the Water Authority previously. *With no other nominations, the Board of Commissioners voted unanimously to appoint **Bennie Owens** to the Spalding County Water & Sewerage Facilities Authority.*

3. Consider recommendation of the Parks and Recreation Advisory Commission of proposed list of members to serve on the review committee for the Bain Proctor Award for Volunteerism. County Manager Wilson commented when the Board of Commissioners approved this Award, a committee was to be formed comprised of five members, which included an Advisory Board member to serve as Chairman; previous year's recipient (there is none) and three at-large members with an additional member of the County Commission serving in an ex-officio capacity. The Parks and Recreation Advisory Commission has requested that the committee be comprised of Wayne Gardner, Advisory Board member as Chairman, Danny Proctor, son of Bain Proctor, representing the previous recipient, with the three at-large panel members being Judd Ficklin, Ron Franklin and Ann Whatley with Helen Grayson serving as an alternate member. Commissioner Morrow asked the County's representative, Johnie McDaniel, if he would be willing to serve as the ex-officio panel member. Commissioner McDaniel stated he would be willing to serve in that capacity.

*Motion made by Commissioner Morrow to accept the recommended panel members with Commissioner McDaniel being the ex-officio member from the Board of Commissioners. Commissioner Davis seconded the motion and motion was unanimously approved by a vote of 5-0.*

4. Discuss possible dates for a joint City/County meeting to discuss plan to purchase properties in runway protection zone and possible grant funding. County Manager Wilson stated he had received correspondence from Acting City Manager Lisa Hutcheson stating the City Board of Commissioners would like to meet with the Spalding County Board of Commissioners to discuss this. Mr. Wilson asked the Board to propose a few possible dates to send back to Ms. Hutcheson. The possible dates the meeting room was available in mid-March was Tuesday, March 16<sup>th</sup> and Thursday, March 18<sup>th</sup>. The Board had no problem with these two dates and Mr. Wilson would confer with Ms. Hutcheson to set a meeting date.

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

County Manager Wilson reminded the Board of the meeting with the Municipalities regarding SPLOST Projects on Thursday, March 4, 2004 at 6:00 P.M. in the Courthouse Annex Meeting Room.

County Manager Wilson reminded the Board of the County Commissioners' Retreat to be held Saturday, March 13, 2004 at Clayton State University from 8:30 a.m. until 4:00 p.m. There was some discussion as this weekend being race weekend at the Atlanta Motor Speedway and a suggestion was made that the retreat be held here in Griffin. Mr. Wilson was to check on the possibility of having the retreat in the Conference Room at Griffin Technical College.

County Manager Wilson notified the Board that Pine Ridge Landfill would be doing some work on Bailey Jester Road beginning Friday, March 5, 2004 at 12:00 noon. They are going to be closing one lane of this road completely through Tuesday, March 9, 2004. Mr. Wilson commented Pine Ridge would be handling all the traffic control including flagman during the day and DOT approved signage for night and paying for all the associated costs as per their agreement with Spalding County. Mr. Wilson commented that Pine Ridge Landfill is responsible for all maintenance on this road

County Manager Wilson stated that Spalding County has approximately one hundred (100) old railroad crossties located at the Public Works Department. Mr. Wilson commented that the County has used the good ones and rather than disposing of the others he has had several requests from employees and others who would like to purchase these crossties. He asked the Board if they had any problem selling these crossties for \$2.00 each. The Board had no objections to selling these old crossties.

County Manager Wilson commented that he and County Attorney Fortune has been talking with Mr. Mears regarding the State Public Defender Program. Mr. Mears has volunteered to come to Griffin to meet with us to discuss this program. He wanted to know if there was any interest on the Board to attend this meeting with Mr. Mears. He, County Attorney Fortune, Finance Director Jinna Garrison and representatives from Sullivan, Sturdivant and Ogletree would also be attending this meeting. Other members of the Board felt that Commissioner Kendall should attend the meeting as their representative as he has been kept abreast of this program. Mr. Wilson commented that once the meeting was set up, he would notify Commissioner Kendall of the date and time. A notice to Sullivan, Sturdivant and Ogletree, who handles our current indigent defense program, has been sent notifying them that we would be terminating the current contract and would need to renegotiate services for State Court and portions of Juvenile Court. Mr. Wilson commented that we would have to provide space for this program, most likely in the Old Cook's Shopping Center. The Public Defender will take office July 1, 2004 and will have the office up and handling cases by January 1, 2005.

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

Commissioner Morrow reiterated that he owns one building at the end of Anne Street but that it is not in the Runway Protection Zone. Neither he nor his business partner owns any building that is in the Runway Protection Zone. He has no interest in any property out there whatsoever. He has no financial interest and there is no conflict of interest as was stated previously.

Commissioner Goss had no comments.

Commissioner Davis had no comments.

Commissioner McDaniel made the Board aware of the article in the *Griffin Daily News* that ran today regarding recreation fees paid to the County. He said we were considerably less expensive for children to participate in the programs. He made mention of the letters from Louis Greene to County Manager Wilson stating some of the most recent expenditures the different associations had made. The Soccer Association purchased eight soccer nets for \$1,000; Youth Baseball Association donated \$4,900 for brick dust for the fields and the Youth Girls Softball Association purchased two electric hand dryers for the restroom to replace the County from having to furnish paper towels. He said that we do have some good working relationships with all the associations and applauded Mr. Greene and staff for these fine relationships with these associations.

Commissioner Kendall discussed the finances of the City of Griffin in regards to the new Griffin Reservoir being built in Pike County. He said his concern was the negative financial impact that this is going to place on everyone in Spalding County and the surrounding counties who purchase water from the City by the financial decisions they have made. He said that he has tried to integrate himself into the decisions made by the City to no avail. The City has grave concerns regarding any potential loss of water customers as there has got to be a massive intrusion of new customers into the City water system to keep this financial impact at a minimum. He said that the

County has been kept out of the loop and he feels at this point that the County needs to sit down with the City and discuss the finances on this reservoir to enable us to better understand what the true impact is going to be.

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

*Upon motion by Commissioner Kendall, seconded by Commissioner McDaniel the Board voted unanimously to go into Closed Meeting to discuss acquisition of real estate.*

1. Chairman Kendall requests an Executive Session to discuss acquisition of real estate.

Those present were Commissioners Dick Morrow, Michael Kendall, Cecil Davis, Johnie McDaniel and Eddie Goss. Also present were County Manager William Wilson (for a portion of the meeting as he had a conflict of interest in one matter that was discussed) 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 March 1 2004.

2.

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

3.

The executive session was called to order at 7:00 p.m.

4.

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

**No** Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

**No** Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and

*(insert the citation to the legal authority making the tax matter confidential)\_\_\_\_\_;*

**Yes** Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

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

No Other (describe the exemption to the open meetings law):

\_\_\_\_\_ as  
provided in (insert the citation to the legal authority  
exempting the topic)\_\_\_\_\_.

Spalding County Board of Commissioners

Sworn to and subscribed  
Before me this 1st day of  
March 2004.  
Phyllis P. Doane  
Notary Public

Dick Morrow  
Cecil L. Davis  
Edward Goss, Jr.  
Johnie A. McDaniel  
M. Michael Kendall

My commission expires: March 13, 2006

*Upon motion by Commissioner Davis, seconded by Commissioner Goss 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 Davis, seconded by Commissioner Goss the meeting was unanimously adjourned at 7:08 P.M.*

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman

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