



Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, March 15, 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**
- III. PLEDGE TO FLAG - Led by Chairman Kendall**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Consider approval of a Proclamation proclaiming Sunday, March 28, 2004 as “Saint Phillip A.M.E. Church Day” to celebrate their 139th Anniversary. Chairman Kendall presented the Proclamation to Reverend Reginald Jacobs. *Upon motion by Commissioner Morrow, seconded by Commissioner Davis the following Proclamation was unanimously approved by a vote of 5-0.*

Proclamation

“Saint Phillip A.M.E. Church Day”

WHEREAS, Saint Phillip A.M.E. Church was established in 1865 and has provided service to this community faithfully for 139 years; and

WHEREAS, Following destruction by fire on Broad Street, a new church was erected facing West Broad Street and occupied on June 8, 1905; and

WHEREAS, In 1972, under the leadership of Reverend A. G. Conyers, the members purchased a lot at 837 North Hill Street and in 1979, under the leadership of Rev. H. H. Kenner, the construction of Saint Phillip A.M.E. Church began; and

WHEREAS, On May 13, 1979 the Dedication Service was held and keys were presented by the Stewards and Trustees; and

WHEREAS, In 1999, under the leadership of Dr. W. Ray Hill, the members purchased twenty-nine acres of land adjacent to the Hill Street location for future growth, expandability and to help in the revitalization of Griffin's north side of town.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Spalding County that Sunday, March 28, 2004 marks the 139th anniversary of Saint Phillip A.M.E. Church and is hereby proclaimed as

“SAINT PHILLIP A.M.E. CHURCH DAY”

in Spalding County and urges all the citizens of Spalding County to recognize the importance of this celebration of their 139th year of faithful service to this community and to join in this memorable occasion.

This the 15th day of March 2004.

2. Consider approval of a Proclamation proclaiming the month of March 2004 as “American Red Cross Month” in Spalding County. Chairman Kendall presented the Proclamation to Edie Jeffas of the Georgia Piedmont Chapter of the American Red Cross. *Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the following Proclamation was unanimously approved by a vote of 5-0.*

Proclamation

"American Red Cross Month, 2004"

WHEREAS, While we are fortunate that no terrorist acts have occurred since September 11, 2001, it is critical that all Americans and residents in Spalding County remain vigilant, prepared and ready to deter terrorist attacks; and

WHEREAS, The Georgia Piedmont Chapter of the American Red Cross has devoted itself to that goal—educating individuals, families, schools and businesses in the Spalding County community about what they can do at each threat level of the federal alert system to strengthen our community's response in the event of future attacks and other disasters. The Georgia Piedmont Chapter of the Red Cross has an unparalleled record of helping the residents of Spalding, Upson, Pike and Lamar counties prevent, prepare for, and respond to life-threatening emergencies by delivering relief services to victims of 47 disaster incidents in 2003; offering health and safety training such as first aid, CPR and aquatic lifesaving, to more than 12,500 people last year; providing emergency communication services to military families; participating in international humanitarian projects that save lives; and collecting over 2500 units of blood in eighty blood drives in 2003; and

WHEREAS, Being prepared ranges from knowing what to do in a natural or man-made disaster to making sure lifesaving blood is available when a family member needs surgery. The Red Cross urges all Americans to take five simple emergency preparedness steps – make a plan outlining what to do if a disaster strikes, create a disaster supplies kit, have at least one member of your household trained in first aid and CPR, volunteer to help the local community prepare for disasters and give blood regularly to ensure a safe and adequate blood supply for the victims of medical emergencies. Communities must be prepared with a five-to-seven day supply of blood; and

WHEREAS, By joining the American Red Cross as a volunteer, course participant or instructor, contributor or blood donor, you can help make the Spalding County community and our nation safer. Our disaster response services are provided free of charge, paid for by generous contributions from the American people.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County, to commemorate these valuable humanitarian services, hereby proclaim that the month of March 2004 is

"AMERICAN RED CROSS MONTH"

in Spalding County and urge all the residents of Spalding County to work through the Georgia Piedmont Chapter of the American Red Cross to help prepare their families and this community for emergencies and continue to give of their time, financial contributions and blood donations to support this worthy organization's mission to prevent and relieve suffering and to save lives.

This the 15th day of March, 2004.

3. Tom Gardner, Senior Vice President of Springs Industries, to present donation of 67.39 acres from Springs Industries and the Dundee Community Association to Spalding County. Mr.

Gardner stated he was very pleased to announce a property donation that will benefit the County and our area citizens and be a source of pride for all of us in the future. He said that Springs Industries has been a part of the community since 1995 since they acquired Dundee Mills. Among the Dundee Community Association's assets is the Dundee Park and a spot of land known as the "rock quarry" which are along West Quilly Street. The DCA has been leasing Dundee Park land to the County for approximately 20 or 30 years and the County has maintained and improved that property. Springs Industries and Dundee Community Associations are donating the Dundee Park, the "rock quarry" and certain other parcels of land to the County. Their hope is that this donation of 67.39 acres to the County will help to expand recreational facilities and opportunities and link the site to the County's existing park on North Ninth Street. Mr. Gardner presented to Chairman Kendall a deed to this piece of property.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Eight Months Ended February 29, 2004. Ms. Jinna Garrison was present to answer any questions. *Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the Financial Statements were unanimously approved by a vote of 5-0.*

VI. CITIZENS COMMENTS – n/a

VII. PUBLIC COMMENT

Mr. Marvin Clark, 107 Chapleau Lane, addressed the Board requesting that a three-way stop sign be placed for safety reasons at the intersection of Chapleau Lane and Valley Court in the Sherbrooke Woods Subdivision. Chapleau Lane was a dead end street and a new street has been cut in for another phase of the subdivision.

VIII. MINUTES

1. Consider approval of the minutes of the Regular Monthly Meeting of March 1, 2004 and the Joint Special Called Meeting of March 4, 2004. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel the minutes were unanimously approved by a vote of 5-0.*

IX. CONSENT AGENDA – n/a

X. OLD BUSINESS

1. Consider at second reading of Amendment to the Official Zoning Map of the following:

- **Application #03-27Z:** Chuck Pruitt Builders, Inc., Owner—Millcreek Lane—2.53 acres – AR-1 to R-5.

Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the following Rezoning Resolution was approved by a vote of 3-1-1 with Commissioner Morrow voting in opposition and Commissioner Kendall abstaining as he was not present for the discussion.

**APPLICATION OF CHUCK PRUITT BUILDERS, INC.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,**

GEORGIA;

REZONING APPLICATIONS 03-27Z

**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, Chuck Pruitt Builders, Inc., 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 December 23, 2003;

WHEREAS, such applications were reviewed by the Spalding County Planning Commission, and a hearing on the applications were conducted by the Board of Commissioners of Spalding County, Georgia on February 26, 2004, 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 situate, lying and being in Land Lot 93 of the First Land District of originally Monroe, now Spalding County, Georgia, containing 2.53 acres, and being more particularly described as follows:

BEGINNING at a point on the southerly right-of-way line of Millcreek Lane (60' R/W), said point being located South 88°19' West 420.00 feet from the intersection of the southerly right-of-way line of Millcreek Lane with the westerly right-of-way line of Crystal Creek Drive (60'R/W), and proceeding thence South 00°57' East 613.86 feet to a point; thence North 51°26' West 272.20 feet; thence North 00°57' West 437.97 feet to a point on the southerly right-of-way line of Millcreek Lane; thence along said right-of-way line North 88°19' East 210.00 feet to the TRUE POINT OF BEGINNING.

From "AR-1, Agricultural and Residential" to "R-5, 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 March 15, 2004, 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 that tract or parcel of land lying and being in Land Lot 93 of the First Land District of Spalding County, Georgia, containing 2.53 acres, on Millcreek Lane, zoned R-5.

(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.

2. Consider at second reading of Amendment to the Official Zoning Ordinance of the following:

- **Amendment to UDO #A-04-01:** R-1A—establish residential district to allow minimum heated area of 2,500 square feet.

Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel the following Resolution was approved by a vote of 3-1-1- with Commissioner Goss voting in opposition and Commissioner Kendall abstaining as he was not present for the discussion.

IN RE:

Text Amendment #A-04-01

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA**

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

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on February 26, 2004, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia; and

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

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

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

Section 1: A new Article 6A of the zoning Ordinance of Spalding County shall be enacted as follows:

ARTICLE 6A. R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT

Section 801: Purpose. R-1A zoning districts are intended to establish and preserve quiet, relatively low-to-medium-density neighborhoods of single-family residences. These districts are free from other uses, which are incompatible with single family homes.

Section 802: Boundaries of R-1A Districts. The Official Map (Section 2301 of this Ordinance) shows the boundaries of all R-1A districts within Spalding County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

Section 803: Permitted Uses.

- A. The following **Principal Uses** are permitted in R-1A districts:
1. Site-built single-family detached dwelling with a heated floor area of at least 2,500 square feet.
 2. Local, State, or Federal government building.
 3. Family Personal Care Home.
 4. Publicly-owned and-operated park or recreation area.
 5. Subdivision recreation area owned, operated, and maintained by a homeowner's association exclusively for the use of residents and their guests.
 6. Conservation Subdivision.
- B. The following **Principal Uses** are permitted as **Special Exceptions** in R-2 districts:
1. Church, synagogue, chapel, or other place of religious worship including educational buildings, parsonage, church-related nursery or kindergarten, and other related uses meeting the following development standards:
 - a. It must be located on either an arterial or collector road;
 - b. The lot must have a minimum road frontage of 200 feet;
 - c. The lot must have an area of at least four (4) acres.
 - d. All buildings must be located at least fifty (50) feet from any property line;
 - e. A buffer (as provided by Section 405) must be provided along all side and rear property lines.
 - f. No property line in which any proposed church is to be established shall be located within nine hundred (900) feet of the main entrance of an establishment, which has been licensed for the sale, or consumption of alcoholic beverages.
 - g. No additional approval shall be required for the expansion or modification of any facility, as defined in this Section, which existed as of January 4, 1994 on the property on which it is presently located.
 2. Bed and Breakfasts.

3. Condominium dwelling, patio dwelling or zero lot line dwelling meeting the following development standards:
 - a. Density shall not exceed six dwellings per acre.
 - b. Site-built, single family dwelling with a heated floor area of at least 2,500 square feet.
 - c. If the special exception requested hereunder is approved, the applicant must comply with the requirements and procedures of the Subdivision Ordinance of Spalding County, irrespective of the number of dwellings or lots on which the special exception is requested.
 - d. Each dwelling must be served by public water and sewer.
 - e. Development standards for construction of condominium dwelling, patio dwelling or zero lot line dwelling in R-1A districts:
 - i. Minimum lot area: 6,000 square feet
 - ii. Minimum lot width: 50 feet
 - iii. Minimum front yard depth: 25 feet
 - iv. Minimum side yard depth: 15 feet (or closer subject to compliance with applicable fire rating construction and codes)
 - v. Minimum rear yard depth: 20 feet (or 20 feet from the exterior walls of the structure abutting to the rear for interior lots bounded on the rear by other lots within the same subdivision.
 - vi. Garage: Each structure must include a garage to accommodate at least one (1) vehicle. Additional off street paved parking must be provided for at least one (1) additional vehicle.
 - vii. Street Lighting: Subdivision plans must provide for street lighting within the subdivision.
 - viii. Sidewalks: Minimum three (3) feet wide sidewalk located between edge of curb and exterior margin of right of way.
4. Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.

- b. Structures must be placed at least thirty (30) feet from all property lines.
- c. No vehicles or equipment may be stored on the lot.
- d. A buffer, as provided in Section 405 of this Ordinance, must be maintained along the side and rear property lines.
- e. All other development standards as enumerated in Section 804 are waived, except for J., M., T., and X.
- f. In the event that the Special Exception required hereunder is approved, the aforementioned development standards (a., b., c., d., e.) shall not be waived.

C. The following **Accessory Uses** are permitted in R-1A districts:

- 1. Private garage or carport.
- 2. Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
- 3. Structure for a children's playhouse and the storage of children's play equipment.
- 4. Private swimming pool and bath house or cabana meeting the following development standards:
 - a. All such swimming pools must meet the specifications of the Standard Swimming Pool Code (SBCCI).
- 5. Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten (10) feet high.
- 6. Non-commercial garden, including a greenhouse and other customary garden structures.
- 7. Deck, patio, barbecue grill, or other such facility.
- 8. Fence, wall, exterior lighting fixture, or other general landscaping and site development facility.
- 9. Tower, domestic or antenna, domestic.
- 10. Temporary building for storage of materials meeting the following development standards:
 - a. Permitted only in conjunction with construction of a building;
 - b. Allowed either on the same lot where construction is taking place or on adjacent lots;

- c. Such a use must be terminated upon completion of construction.
11. The parking of one (1) unoccupied travel trailer or motor coach, and one (1) pleasure boat in the side or rear yard only.
 12. Sign as permitted by the Spalding County Sign Ordinance (Appendix E).
 13. Home Occupation, Minor, excluding public garage, repair garage and kennel.
 14. Temporary construction office facility at a construction site for a residential subdivision, as defined by the Subdivision Ordinance of Spalding County, Unified Development Ordinance, Appendix A, Section 202(QQ) and for any special exception use allowed in this zoning district for which construction of a new structure is required, meeting the following development standards:
 - a. The procedure for applying for a temporary construction office facility is as follows:
 - a'. Plans for a water/well and sewage/septic system suitable for the construction office facility must be submitted to the Spalding County Health Department for its review and approval.
 - b'. Upon approval by the Spalding County Health Department, the owner shall present evidence of such approval to the Administrative Officer and apply for a building permit for the proposed construction office facility, including the water and sewage systems.
 - c'. Upon receipt of the building permit, the owner should proceed with construction of the proposed water and sewage systems. The Spalding County Health Department will provide required inspections of these systems during and upon completion of construction. No other water or sewage system may be approved for the temporary construction office facility.
 - d'. Upon certification of the Administrative Officer that the water and sewage systems have been properly installed according to the approved plans, the owner shall, pursuant to the building permit issued in Section 703(c)(13)(b') be authorized to temporarily maintain the construction office facility.
 - e'. The Administrative Officer shall explain to the owner all conditions and limitations attached to such a permit and will secure the written certification that he understands and will abide by those conditions.
 - b. The following conditions apply to the permit issued for the temporary construction office facility:

- a'. Only one temporary construction office facility is allowed per subdivision.
 - b'. It is no-transferable from one owner to another.
 - c'. Any permit is temporary; the valid period of the permit will expire on the date that a Certificate of Occupancy for the last residential dwelling in the subdivision is issued or after thirty-six (36) months, whichever occurs first. For non-residential construction, the permit will expire on the date that a Certificate of Occupancy for the structure is issued or after twelve (12) months, whichever occurs first.
 - d'. In the event that construction of the residential subdivision or non-residential construction is underway, but not yet completed and approved for occupancy when the building permit for the temporary construction office facility expires, the owner may apply to the Administrative Officer for an extension. The Administrative Officer, at his discretion, may extend the permit for periods of up to twelve (12) months.
- c. Upon completion of the residential subdivision or other expiration of the permit, the temporary construction office facility must be disconnected from the water and sewage systems and use of the temporary construction office facility must cease.
 - d. The temporary construction office facility must be removed within thirty (30) days of either the issuance of the Certificate of Occupancy of the last residence in the Subdivision or the expiration of the temporary construction office facility permit – whichever is earlier.

D. The following **Accessory Uses** are permitted as **Special Exceptions** in R-1A districts:

- 1. Home Occupation, General, excluding public garage, repair garage and kennel.
- 2. *Reserved.*
- 3. Manufactured home (Class B or C) for temporary use in case of certified hardship meeting the following development standards:
 - a. A person having a Certified hardship shown according to the procedure contained in this section and meeting any one (1) of the following conditions may apply to the Board of Appeals for the Special Exception Permit.
 - a'. The applicant for the Special Exception is to be the owner and/or occupant of the temporary unit and is 65 years of age or older.

- b'. The applicant for the Special Exception is to be the owner and/or occupant of the temporary unit; and at least one (1) member of his family who will reside in the unit is 65 years of age or older.
 - c'. The applicant for the Special Exception is to be the owner and/or occupant of the temporary unit and is physically disabled and requires frequent attendance by others for medical or physical care.
 - d'. The applicant for the Special Exception is to be the owner and/or occupant of the temporary unit and at least one (1) member of his family is physically disabled and requires frequent attendance by others for medical or physical care.
 - e'. The applicant for the Special Exception is not to be the owner and/or occupant of the temporary unit but at least one (1) of the residents of the unit is a member of the applicant/owner's family and is 65 years of age or older.
 - f'. The applicant for the Special Exception is not to be the owner and/or occupant of the temporary unit but at least one (1) of the residents of the unit is a member of the applicant/owners' family and is physically disabled and requires frequent care.
- b. In order to determine if the need for the Special Exception Permit presented by the applicant is a certified hardship, the Board of Appeals will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the Board of Appeals directly from the doctor in attendance upon the person who is asserted to be disabled. The applicant will be required to sign a release to the doctor for such information to be supplied to the Board of Appeals prior to any action by the Board of Appeals to obtain the certificate from the doctor and any possible subsequent issuance of the Special Exception Permit.
 - c. The procedure for applying for a Special Exception Permit for a temporary manufactured home for certified hardship is as follows:
 - a'. Application should be made to The Board of Appeals for the Special Exception Permit for a temporary manufactured home for certified hardship.
 - b'. The Board of Appeals will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he understands and will abide by those conditions if issued the Special Exception Permit.
 - c'. The Board of Appeals will consider each application, and upon determining that all requirements have been met for such a permit, will issue the Special Exception Permit.

- d. Upon being granted a Special Exception Permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Administrative Officer for a Building Permit for the installation of the temporary manufactured home. The procedure is as follows:
 - a'. Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Spalding County Health Department for its review and approval.
 - b'. Upon securing concurrence of the Spalding County Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Administrative Officer and apply for a Building Permit for installation of the proposed temporary manufactured home, including the water and sewage systems.
 - c'. Upon approval of the Administrative Officer and receipt of the Building Permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Administrative Officer will provide required inspections of these systems during and upon completion of construction.
- e. The following conditions apply to Special Exception Permits issued for temporary use of a manufactured home for hardship:
 - a'. Any permit for a manufactured home for temporary use in case of certified hardship shall be valid for the calendar year in which such permit is first issued, and thereafter, such permit may be renewed annually upon submission of medical documentation attesting the continuation of the certified hardship in a form sufficient to satisfy the requirements of Section 803(D) (3) (b). Notice that the certified hardship has ceased must be given within thirty (30) days of the date on which such certified hardship terminated.
 - b'. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems, and the temporary manufactured home. That development plan must be approved by the Board of Appeals before issuing the temporary Special Exception Permit.
 - c'. During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems.
 - d'. The temporary manufactured home must be removed within thirty (30) days of either the expiration of the Special Exception Permit for the temporary manufactured home or upon finding of

the Board of Appeals, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the Special Exception was granted no longer exists--whichever is earlier.

- e'. The temporary manufactured home must be either a Class B or Class C manufactured home.
- f. No more than one (1) such unit is permitted per lot.
- g'. The unit must be located entirely within the rear yard of the principal dwelling, as shown on the approved development plan.

4. Manufactured home (Class B or C) for temporary use in case of certified hardship meeting the following development standards:

a. A person having a certified hardship shown according to the procedure contained in this section and meeting the following conditions may apply to the Board of Appeals for the Special Exception Permit.

a'. The applicant for the Special Exception is to be the owner and/or occupant of the temporary unit.

b'. The temporary unit is a replacement or substitute of an existing residential dwelling located on the same lot, which was, within the six (6) months immediately preceding the time of application for the Special Exception, destroyed or damaged from fire, natural disaster or other act of God.

b. In order to determine if the need for the Special Exception Permit presented by the applicant is a certified hardship, the Board of Appeals will require evidence of the damage to the existing residential dwelling located thereon due to fire, natural disaster or other act of God.

c. The procedure for applying a Special Exception under this provision shall be the same as that set forth in Section 803(D)(3)(c) through 803(D)(3)(e).

d. Any permit issued hereunder shall be valid for a period of twelve (12) months from the date of issuance, within such period of time reconstruction and/or repair of the existing residential dwelling thereon must be complete.

5. Tower or antenna meeting the standards and development criteria established in the Spalding County Ordinance to Establish Standards for Telecommunications Antennas and Towers, limited to those towers defined in Section 4(B)(i-v) and which additionally shall be determined by the Spalding County Board of Zoning Appeals to meet the criteria for approval set forth in Section 6(C).

E. All accessory uses must meet the following standards:

1. They must be located in the rear yard.
 2. They may not be located closer than five (5) feet from any property line.
 3. They may not be located in any front or side yard.
 4. Accessory buildings and structures not attached to the principal building must be located at least twelve (12) feet from the principal building on the lot.
- F. All uses not permitted within R-1A districts by this Section are specifically prohibited.

Section 804: Development Standards for R-1A Districts. In addition to the development standards contained in Article 5 of this Ordinance, the following standards are required within R-1A districts:

- A. Minimum Heated Floor Area per Dwelling Unit:** 2,500 square feet.
- B. Minimum Lot Area:**
- Outside of a Conservation Subdivision:**
As specified by the Spalding County Health Department, but in *no* case less than 2 acres, unless a special exception allowing a reduction in lot size to 1 acre is approved pursuant to Section 413.
- Inside of a Conservation Subdivision:** See Appendix A: Subdivision Ordinance, Article 7: Conservation Subdivision, Section 703:A(3) for minimum required lot areas.
- Lot of Record (*lawfully existing at the time of passage of this Ordinance*):** A lot having an area, which does not conform to the above standards, may nevertheless be developed with a use, which is permitted within an R-1A district if approved by the Spalding County Health Department.
- Land Divisions not falling under the purview of the Spalding County Subdivision Ordinance as defined in Appendix A, Section 202(QQ):** Lot area shall be a minimum of 1 acre.
- B'. Density Calculations:** For purposes of calculating density within a conservation subdivision by this Ordinance, a density of 1 lot per acre shall be used in areas served by public water and 1 lot per acre in areas served by both public water and public

sewerage. This calculation is based on the adjusted tract acreage.

C. Minimum Lot Width: Each lot shall have a minimum width of at least 200 feet where public water and sewer are not available. Where public water, but no public sewer, is provided the minimum lot width may be reduced to 125 feet. Where public water and public sewer are provided, the minimum lot width may be reduced to 100 feet.

D. Minimum Front-Yard Depth:

1. 100 feet. However, the minimum front yard may be reduced to 70 feet where public sewer is provided.
2. Irrespective of the provision of public sewer, the minimum front yard depth may be reduced to 50 feet upon proof of compliance with the following additional standards:
 - a. The lot is located within a development governed by the Subdivision Ordinance of Spalding County and the reduced setback and criteria stated herein applied to each lot within the subdivision.
 - b. The lot must be located within a subdivision for which curb and gutters are installed.
 - c. The front yard must be fully sodded on each lot irrespective of the setback. For double frontage lots, the side yard must be sodded a minimum distance of ten (10) feet from the curb.
 - d. Each lot must have a paved driveway.
 - e. The subdivision must be governed by restrictive covenants containing standards and requirements for the maintenance of the front and side yards.

E. Minimum Side-Yard Depth: 25 feet. However, the minimum side yard may be reduced to 12 feet where public water is provided.

F. Minimum Rear-Yard Depth: 25 feet.

G. Maximum Bldg. Height: 35 feet. Building height may be increased to 60 feet, provided the structure is serviced by an approved sprinkler fire suppression system and upon approval as a special exception pursuant to Section 413 of this Ordinance. Any height limitation stated

herein does not apply to projections not intended for human habitation.

- H. Minimum Frontage Width:** Each lot shall have minimum frontage width of at least 100 feet where public water and sewer are not available. Where public water is provided, the minimum frontage width shall be reduced to 75 feet. Minimum frontage width shall be reduced to 35 feet for lots abutting the turnaround portion of dead end streets (cul-de-sacs).
- I. Sight Distance:** Within 30 feet of the pavement edge, plants cannot be of a type, which will exceed a height of 30 inches at maturity and/or a trunk diameter of 4 inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond 30 feet from pavement edge. Almost any type of planted vegetation is permissible.
- J. Applicability to Land and Buildings:** No building, structure or land may be used or occupied--and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered--unless in conformity with all of the regulations specified for the district in which it is located.
- K. Every Use Must Be on a Lot:** No building or structure may be erected or use established unless upon a lot as defined by this Ordinance.
- L. Only One Principal Building Per Lot:** Only 1 principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- M. Open Space Not to Be Encroached Upon:** No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the Ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers are not considered to be encroachments of yards. Open space areas as required by this resolution must be permanently maintained as open space in accordance with the requirements of this Ordinance.
- N. Reduction of Yards or Lot Area:** Except as otherwise provided in this Ordinance, no lot existing on or before the date of the adoption of this Ordinance may be reduced, divided or changed in any way which does not comply with the area, width, or yard requirements of this Ordinance provided, however, that:
1. The area of a lot may be reduced if the reduction is necessary to provide land for a governmental function.
 2. The yard requirements for any lot within a subdivision, which was platted and recorded in the office of the Clerk of Superior Court on or before the date of adoption of this Ordinance in the AR-1, R-1, R-1A, R-4, or R-5

districts may be reduced to the yard requirements which existed on that date that subdivision was originally recorded.

O. Lots with Multiple Frontage: In the case of a corner lot or double frontage lot, the front yard setback shall be a minimum of 100 feet, which may be reduced to 70 feet where public sewer is provided. The setback applicable to any other portion of the lot, which abuts a street shall be a minimum of 50 feet, which may be reduced to 35 feet where public sewer is provided. For purposes of this section, the front yard setback shall apply to that side of the lot, which must comply with the minimum frontage width, required in this district.

P. Landlocked Lots: In the case of a landlocked lot (a lot without direct access to a public street or road) lawfully existing as of the effective date of this Ordinance, the property owner is entitled to one (1) Building permit, as long as all of the following requirements are met:

1. No other principal building exists or is being constructed on the property;
2. No other valid Building Permit has been issued prior to the effective date of this Ordinance and is currently valid;
3. The property was and continues to be under single ownership since the effective date of this Ordinance;
4. The property owner has acquired a 30-foot easement to a City-, County-, or State-maintained street or road, and the easement has been duly recorded and made a part of the property deed;
5. In the event the property is divided, no additional permits will be issued.

Q. (Reserved)

R. Yards and Other Spaces: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this Ordinance.

S. Substandard Lots: Any lot existing at the time of the adoption of this Ordinance, which has an area or a width, which is less than required by this Ordinance, is subject to the following exceptions and modifications:

1. Adjoining Lots in Same Ownership: When 2 or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district;
2. Single Lot: When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located, but was a lot at

the effective date of this Ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this Ordinance are met.

- T. Encroachment on Public Rights of Way:** No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights of way.
- U. Physical Design Standards:** Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in Appendix A, Spalding County Subdivision Regulations. Consult that document for specific requirements.
- V. Off-Street Parking and Service Requirements:** Minimum standards for Off-Street Parking and Service Requirements are contained in the Spalding County Standard for Off-Street Parking and Service Facilities (Appendix G).
- W. Other Applicable Development Regulations:** Information concerning any other applicable development regulations may be obtained by consulting the Administrative Officer.
- X. Signs:** Minimum design and location standards for signs are contained in the Spalding County Sign Ordinance (Appendix E). Consult that document for specific requirements.

Section 21: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption.

Section 22: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

XI. NEW BUSINESS

1. Consider Resolution of Intent to Abandon an Unused Portion of Trestle Road as requested by Minerva. Ms. Jane Curtis, Minerva Properties, was present to answer any questions regarding the request. County Manager Wilson stated that we need to abandon the old Trestle Road for Minerva to construct the new portion to be called Southgate Drive. Minerva is currently the property owner on both sides of the road. This is for the Heron Bay Development.

Upon motion by Commissioner Morrow, seconded by Commissioner Davis the following Resolution was approved by a vote of 4-1 with Commissioner Goss voting in opposition.

RESOLUTION OF INTENT TO CONSIDER THE ABANDONMENT OF AN UNUSED PORTION OF TRESTLE ROAD

WHEREAS, subsection 32-7-2(b)(1) of the Official Code of Georgia Annotated provides the procedure for abandonment of a section of the county road system when, for any reason, it has ceased to be used by the public to the extent that no substantial public purpose is service by it; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia has been requested to determine whether an unused portion of Trestle Road in Land Lot 145, 2nd District, Spalding

County, Georgia and has ceased for any reason to be used by the public to the extent that no substantial public purpose is served by it; and

WHEREAS, the legal description is as follows: BEGINNING at the Land Lot Corner common to Land Lots 145, 146, 175 & 176; thence along Land Lot Line common to Land Lot 176 and Land Lot 145 which is the Henry/Spalding County line North 89°29'19" West, a distance of 589.89 feet to a point on the easterly R/W of Trestle Road (60' R/W) being the TRUE POINT OF BEGINNING; thence along said R/W the following calls: South 00°31'26" East, a distance of 40.78 feet to a point; thence South 01°30'09" West, a distance of 493.38 feet to a point; thence South 00°05'42" East, a distance of 189.71 feet to a point; thence South 00°19'42" West, a distance of 479.28 feet to a point; thence 279.02 feet along a curve to the right, said curve having a chord of South 04°01'28" West 278.97 feet and a radius of 4001.56 feet to a point on the easterly R/W of Trestle Road; thence leaving said R/W North 89°28'59" West, a distance of 60.28 feet to a point on the westerly R/W; thence along the westerly R/W of Trestle Road the following calls: 279.74 feet along a curve to the left, said curve having a chord of North 04°04'23" East 279.68 feet and a radius of 3941.56 to a point; thence North 00°19'42" East a distance of 478.16 feet to a point; thence North 00°05'42" West, a distance of 190.33 feet to a point; thence North 01°30'09" East, a distance of 493.16 feet to a point; North 00°31'26" West, a distance of 40.80 feet to a point on said Land Lot Line and County Line; thence along said Land Lot Line and County Line South 89°29'19" East, a distance of 60.01 feet to a point on the easterly R/W of Trestle Road; being the TRUE POINT OF BEGINNING. Said tract contains 2.041 acres or 88930 square feet; and

WHEREAS, a plat or sketch of said road, which is hereto attached, has been tendered to this Board for its use in making such determination; and

WHEREAS, the Board of Commissioners of Spalding County deems it prudent and in the best interest of the County to investigate this request and to make a determination as to whether or not such road should be abandoned;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County that a copy of the within resolution, and a copy of such plat or sketch, be posted at the Spalding County Courthouse and at the Spalding County Courthouse Annex, and further that a copy of this resolution and said plat or sketch be transmitted to the Postmaster of Griffin, Georgia for his review with the local mail carrier, and a copy hereof be transmitted to the Superintendent of Schools for his review with the person in charge of bus transportation for the students of the local school system, so that this Board may have any response from the public or from the local postmaster or from the Superintendent of the Griffin-Spalding County School System on or before April 19, 2004 that would aid and assist this Board in making, or declining to make, such determination; and

BE IT, AND IT IS, FURTHER RESOLVED that the within resolution shall become effective immediately and that all acts or resolutions, or parts thereof, in conflict herewith be, and the same are hereby repealed.

2. Consider request from Minerva to change name of a portion of Trestle Road, north of Johnson Road, to Southgate Drive to correspond with road named in the Heron Bay Development. County Manager Wilson stated that this affected less than 600 ft. Minerva is working with the property owners on both sides and they are going to make improvements to the roadway in that area. Mr. Wilson stated that we will have to notify the property owners and the Board would have to adopt an ordinance for a name change.

Upon motion by Commissioner Davis, seconded by Commissioner McDaniel request to change name of a portion of Trestle Road, north of Johnson Road to Southgate Drive was approved by a vote of 4-1 with Commissioner Goss voting in opposition.

3. Consider approval of final plat of Larson Place Subdivision, located off Rehoboth Church Road and Whatley Road. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel final plat was unanimously approved by a vote of 5-0.*

4. Consider acceptance of right of way (ROW) deed for Larson Lane located in Larson Place Subdivision off Rehoboth Church Road and Whatley Road. *Upon motion by Commissioner Morrow, seconded by Commissioner Davis acceptance of right of way deed was unanimously approved by a vote of 5-0.*

5. Consider review and approval of the construction plans for the Highland Subdivision located off Fayetteville Highway and Westmoreland Road. *Upon motion by Commissioner Morrow, seconded by Commissioner Davis construction plans were approved by a vote of 4-1 with Commissioner Goss voting in opposition.*

6. Consider at first reading an ordinance amending the Spalding County Code relative to the addition of Leach Road designated as "No Thru Trucks". *Upon motion by Commissioner Morrow, seconded by Commissioner Davis first reading of ordinance was unanimously approved by a vote of 5-0. **The Ordinance will be incorporated into the minutes on second and final reading.***

7. Consider the joint appointment to the Griffin-Spalding County Development Authority to fill the unexpired term of Douglas Wren. Term to expire 12/31/05. Chairman Kendall stated there were two (2) names listed in the Nomination Book. Commissioner Morrow nominated Harvey Pilkenton and Commissioner Goss nominated Robert McIntyre. Chairman Kendall stated they would vote on the name put in the book first and the nominee who gets three votes would be the appointee. Harvey Pilkenton's name was place first and he received the votes of Commissioners Morrow, Davis and McDaniel. **Harvey Pilkenton** was appointed to the Griffin-Spalding County Development Authority.

8. Consider request from Keep/Griffin Spalding Beautiful, Inc. of the appointment of Lt. Joe Estenes to serve on their Committee. Term to expire 12/31/05. *Upon motion by Commissioner Davis, seconded by Commissioner Morrow **Lt. Joe Estenes** was unanimously approved by a vote of 5-0.*

9. Consider authorizing Spalding County Fire Department to apply for the Assistance to Firefighters Grant Program. County Manager Wilson stated there is a local match of 10% if grant is awarded in the amount of \$29,525. *Upon motion by Commissioner Davis, seconded by Commissioner Morrow the authorization to apply for grant was unanimously approved by a vote of 5-0.*

10. Consider contract between ZSI Probation Services, Inc. and Superior Court of Spalding County to provide Private Probation Services. *Upon motion by Commissioner Morrow, seconded by Commissioner Davis the following contract was unanimously approved by a vote of 5-0.*

STATE OF GEORGIA

COUNTY OF SPALDING

CONTRACT FOR PRIVATE PROBATION SERVICES

This agreement made and entered into this 10th day of March, 2004, to be effective April 1, 2004 between the SUPERIOR COURT OF SPALDING COUNTY, GEORGIA (hereinafter "COURT"), and ZSI Probation Services, Inc., (hereinafter "Probation Supervisor")

WITNESSETH:

WHEREAS, pursuant to O.C.G.A. Section 42-8-1100, et seque, the parties desire to enter into an agreement for general probation supervision, fine collection services, counseling and other probation services for persons convicted of misdemeanor offenses in the SUPERIOR COURT OF SPALDING COUNTY, and

WHEREAS, ZSI Probation Services, Inc. represents that it is registered with and authorized by the County and State Probation Advisory Council to contract with the court to provide such probation services,

NOW, THEREFORE, in consideration of the mutual covenants and promises exchanged herein, the parties agree as follows:

(1) The Court does hereby designate ZSI Probation Services, Inc. as the private entity to coordinate and provide direct probation rehabilitation program services to offenders sentenced under jurisdiction of the Court.

(2) Said probation supervisor shall provide the following services and programs for the Court:

(a) It shall provide such services as specifically set forth in the proposal submitted (Exhibit A);

(b) It shall maintain individual files for each offender participating in the programs. The files will be maintained in a secured area in a locked file cabinet or safe;

(c) It shall provide timely and prompt reports as will be required by the Court during the period of the contract, under no circumstances less frequently than once each month;

(d) It shall maintain fiscal and program records and shall make same available to the Court within (10) working days after request for review. All financial records shall be maintained upon a timely basis and in a manner reflective of good business practices;

(e) It shall submit to the Court on a monthly basis a written report on the amount of Court fines, costs, and restitution collected for each offender. The monthly reports shall be provided to the Court no later than the tenth (10th) day of each month;

- (f) It shall comply with all State and Federal laws regarding confidentiality of records; it shall secure a contractor's bond, which shall pay to the Court or County any amount lost or misappropriated by any officer, employee, or subcontractor of the probation supervisor, and maintain liability insurance for the benefit of the County and the Superior Court of Spalding County in no less than the amount of one million dollars, and it shall provide written proof of the maintenance of such bond and insurance coverage at least once per year and at any time upon request;
 - (g) It shall indemnify and hold harmless the County and the Superior Court of Spalding County from all claims, demands, actions, and causes of action, including costs of court and reasonable counsel fees, arising from any acts or omissions of the probation supervisor in any way pertaining to the services and other duties of it under the terms of this agreement;
 - (h) It shall comply with all State law concerning conflicts of interests regarding it and its employees and shall not attempt to profit from any fines, restitution, or court costs collected from any offender, and
 - (i) It shall tender to the Court no later than the tenth (10th) day of each month all Court fines, costs and restitution ordered by the Court and collected during the proceeding month.
- (3) Deficiencies in services: In the event that the Court determines that there are deficiencies in services provided by the probation supervisor, the Court shall notify the probation supervisor in writing as the precise nature of any such deficiency. Within ten (10) working days of receipt of any such notice, the probation supervisor shall take reasonable and necessary steps to correct any such deficiency. If the probation supervisor fails to correct any deficiency thus noted within thirty (30) days after receipt of notice, the Court may declare that the probation supervisor is in default in its performance of this contract and this contract shall be terminated upon receipt of a notice of termination to the probation supervisor. Any notice to the probation supervisor required by this contract shall be considered received when delivered to ZSI PO Box 34, Jackson Georgia 30233 by regular mail.
- (4) Access to records: The County and the Court shall have reasonable access to all records, receipts, and memoranda pertaining to work under this agreement upon reasonable notice to the probation supervisor. Either the County or the Court shall be allowed access to these and other records for the purpose of conducting an independent fiscal audit for the fiscal year within the previous two (2) years.
- (5) Term: This agreement shall commence on April 1, 2004, and terminate March 31, 2005. The contract shall be automatically renew on April 1, 2005 unless the Court notifies ZSI Probation Services, Inc. in writing thirty days prior to the renewal date that the contract shall not automatically be renewed. The provisions of this contract shall be deemed valid unless conflicting with any County ordinance, state or Federal law.
- (6) Qualifications: Probation supervisor represents that it is presently in good standing with the County and State Advisory Council and that it is presently in compliance with all published rules and regulations of said Council, including but not limited to those contained in O.C.G.A. Section 42-8-102. If any deficiency occurs in the registration,

- qualification, or other standards of the probation supervisor relating to any current or future requirement during the term of this agreement, the probation supervisor will immediately notify the Court in writing of such deficiency and its plan and timetable for compliance with such requirements.
- (7) Basic Offender Supervision: The Court will sentence each offender to pay thirty-five (\$35.00) dollars per month fee to the probation supervisor for supervision services rendered. Probation supervisor will thereafter supervise the offender, and the Court will receive reports of the progress or delinquency where appropriate. All conditions of probation sentenced by the Court will be monitored and enforced by the probation supervisor. In addition to the thirty-five (\$35.00) dollars supervision fee, the Court shall order each probationer to pay all extra charges or add-ons required by state law, as now enacted or hereafter amended. The probation supervisor shall be obligated to transmit to the State any such State fees according to State law.
 - (8) Court appearance and intake: During court sessions, the probation supervisor will provide at least one individual supervisor who will attend and complete a case history of each offender and provide orientation and instruction regarding compliance with the Court's order.
 - (9) Fine / restitution collections: Court ordered fines, restitution, and costs will be collected and compliance with payment schedules will be closely monitored. Where applicable, delinquencies will be reported to the Court for action. Payments collected will be paid to the Court on a monthly basis.
 - (10) Referral to substance abuse treatment: Referrals of offenders to Court ordered substance abuse evaluation or treatment will be provided and compliance will be monitored.
 - (11) Standards for the performance of supervision: There must be an individualized plan of casework supervision, including making regular contacts on all cases placed under supervision. All available facilities and resources which can be of assistance in the planning and carrying out of casework treatment should be in the supervision process. The frequency and location and mode of reporting is to be based on the individual case needs, the level of supervision and the client's demonstrated compliance. The minimum standard for contacts is monthly for the balance of probation. Exceptions to this standard must require documentation.
 - (12) Violation and Modification: The probation supervisor will report through a written delinquent report all applicable infractions of Court orders to the Court. The probation officer must refer to the Court matters in which modifications of the Court order or revocation of probation are indicated. Failure to make timely payments of fines or restitution, failure to serve Court ordered community service hours as set out by the Court, and failure to report to the probation officer may be determined by the Court to be probation violations. A subsequent arrest or conviction of a probationer for any offense may also be considered a violation of probation.
 - (13) Collection of fees: The probation supervisor shall account to the Court for all moneys collected by it from each probationer.

- (14) Staff levels: Probation supervisor will provide sufficient qualified and trained staff to supervise the offenders. All staff will meet statutory requirements of Title 42 of the Georgia Code governing State probation officers. A criminal records check shall be conducted on all employees of the probation supervisor and written documentation of same shall be provided to the Court upon request. There shall be individualized training to orient newly hired probation officers and probation aids to all policies and functions of the probation supervisor's obligation under this contract.
- (15) Indigent offenders: In all cases where the Court suspends the payment of court costs due to indigency of the offender, the probation supervisor will suspend its program costs.
- (16) Quarterly reports: The probation supervisor shall supply the Court at least quarterly a report summarizing the number of offenders supervised, payments received, and the number offenders for whom supervision or rehabilitation will be terminated and the reasons for such termination.
- (17) Records open: All records of the probation supervisor shall be open to inspection upon request of the County, the Court, the State of Georgia Department of Audits, or their agents.
- (18) Renewal: At or before the end of the term of this agreement, the parties may agree to renew this agreement, either upon exactly the same terms or upon modified terms by execution of a written document signed by the Court and the probation supervisor and approved by the State Council, which document unambiguously states the intentions of the parties.

IN WITNESS WHEREOF, the parties have hereunto set hand and seal, this the 15th day of
March 2004.

SUPERIOR COURT OF SPALDING COUNTY

BY: (L.S.) Paschal A. English, Jr.

JUDGE

ZSI PROBATION SERVICES, INC.

BY: (L.S.) Walter F. Zant

PRESIDENT

ZSI Probation Services Inc.

PO Box 34

Jackson, Georgia 30233

Phone (770) 504-0340

PROGRAMS AND SERVICES

ZSI Probation Services Inc. Probation Supervisors shall provide the following services and programs for the Court:

I Court Services

- A. Attend court, establish and maintain individual case history files for each probationer participating in the program.
- B. Aggressively pursue the collection of fines, restitution, court ordered fees and costs.
- C. Monitor and enforce sentence conditions including fines, fees, costs, GED attendance, drug testing, community service, jail time and other requirements of the court.
- D. Provide timely and prompt statistical reports on collections no less frequently than once a month.
- E. Be available locally on a regular weekly basis with office hours sufficient to meet the reasonable needs of participating probationers.
- F. Insure that Probation Supervisors meet all requirements of the County and State Probation Advisory Council and the laws of the State of Georgia

II. Community Service Supervision

- A. Coordinate Court ordered community service with agencies and local Government Department Heads
- B. Secure agencies for community service workers, maintain performance records, and provide monthly reports to court of hours served.
- C. Aggressively deal with probationers who are negligent in performing community service work.

III. Substance abuse and / or mental health treatment.

- A. Refer probationer to appropriate agency.
- B. Monitor treatment by making regular contact with treatment providers.
- C. Document progress of probationer and report to Court upon request.

IV. Job Placement / Assistance

- A. Probationers requiring assistance securing employment will be counseled and directed to appropriate community resources.
- B. Act as liaison to assist in job placement of probationers.

11. Consider renewal of Commercial Lease Agreement for an additional year between Spalding County and Divine Faith Ministries for property at 841 Memorial Drive. *Upon motion by Commissioner Davis, seconded by Commissioner Morrow renewal of Commercial Lease Agreement for Divine Faith Ministries was approved by a unanimous vote of 5-0.*

XII. REPORT OF COUNTY MANAGER

County Manager Wilson announced that there will be a reception for the new City Manager, Mr. Kenny Smith, at the Griffin Welcome Center Tuesday, March 16, 2004 from 5:00 p.m. until 7:00 p.m. Mr. Wilson invited everyone present to attend and meet the new City Manager.

County Manager Wilson announced that there will be a Joint City/County Meeting Thursday, March 18, 2004 at 6:00 p.m. in the Courthouse Annex Meeting Room to discuss the RPZ (Runway Protection Zone) at the Griffin-Spalding County Airport. Mr. Wilson stated that Mr. Bob Stapleton would be making a brief power point presentation to the Boards.

County Manager Wilson announced that there will be an ice cream social at Fairmont Park at 6:00 p.m. on Tuesday, March 23, 2004 to recognize the 4th District GRPA 12 & Under Girls State Basketball champions.

County Manager Wilson announced that the annual Griffin High School JROTC Awards Program is scheduled for Thursday evening, May 13, 2004 in the Commons Area beginning at 7:00 p.m. The Allen B. Imes JROTC Medal sponsored by the County will be presented and Mr. Wilson asked Chairman Kendall if he could attend and present this award.

XIII. REPORT OF COMMISSIONERS

Commissioner Morrow addressed the tree ordinance that the currently exists in the County. He said in his opinion that this ordinance was not satisfactory and would like for his task force to hold a meeting to discuss this ordinance. He asked Mr. Wilson to set a meeting up March 26, 2004 at 9:00 a.m. and contact the members.

Commissioner Goss had no comments

Commissioner Davis addressed the retreat. He said it was very rewarding to him to have everyone there and discuss some of the issues that were very important to us.

Commissioner McDaniel addressed the procedure that the Board has for appointments to Boards, Authorities and Commissions. He said he would like for the Board to think about the procedure in place now as there are qualified people to serve in these positions without having the same people serve on various Boards. He said that he does not feel that we give ourselves enough time to look for the right people to appoint to these Boards. He would like to see us examine our process, procedures and the thought process that goes into making decisions for these appointed positions.

Commissioner Kendall reiterated his concerns over the City of Griffin reservoir and their indebtedness. He said that people need to be more cognizant of the problem. He said with the Spalding County being the largest water customer of the City, we need to be informed of any water rate increases that the City is proposing. He asked County Manager Wilson to set up a meeting with the City staff to discuss these water rate concerns.

XIV. CLOSED MEETING – n/a

XV. ADJOURNMENT

Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the meeting was unanimously adjourned at 7:05 P.M.

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
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