



Spalding County online

Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, March 17, 2003 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, Assistant County Manager Michael Sabine, County Attorney Jim Fortune and County Clerk Phyllis Doane.

Agenda Topics

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

Chairman Morrow recognized Boy Scout Troop 109, who was attending the meeting, and presented the scout leaders and troop members a Spalding County logo pin and thanked them for coming to learn about local government.

Chairman Morrow stated that we needed to amend the Agenda and asked for a motion to add a Resolution Declaring Wednesday, March 19, 2003 as a Day of Prayer and Reflection in Honor of United States Armed Forces Serving in the Persian Gulf. Motion made by Commissioner McDaniel, seconded by Commissioner Davis and unanimously approved to amend the agenda to add Resolution and unanimously approved the following Resolution.

Resolution

A Resolution Declaring Wednesday, March 19, 2003 as a Day of Prayer and Reflection in Honor of United States Armed Forces Serving in the Persian Gulf

WHEREAS, since the first organized American armed forces were engaged at the start of the War for Independence in 1775, our nation's

servicemen have been called upon on numerous occasions to protect and defend the liberty enjoyed by citizens of the United States; and

WHEREAS, this call for service by the men and women that defend this nation's freedom has been extended once again as the scourge of tyranny threatens the security of the United States in the person of Saddam Hussein and his henchmen; and

WHEREAS, the armed forces of the United States may well be called upon within hours or days to defend liberty, promote freedom, and protect the security of this nation and various nations in the Persian Gulf region; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia support and appreciate the efforts of the individual men and women that have made personal sacrifices to enlist in the armed forces of this nation.

NOW THEREFORE BE IT RESOLVED BY the Board of Commissioners of Spalding County, Georgia that the Board hereby declares Wednesday, March 19, 2003 as

“A DAY OF PRAYER AND REFLECTION IN HONOR OF UNITED STATES ARMED FORCES SERVING IN THE PERSIAN GULF.”

BE IT FURTHER RESOLVED that the Board respectfully asks all citizens to reflect upon the contributions of our armed forces in protecting liberty and promoting freedom throughout this nation's history, including the contributions being made at the present time.

1. Will Doss and representatives of the Spalding County Collaborative Authority for Families and Children, Inc. are present to make a presentation on the progress and activities of the Collaborative. Mr. Doss passed out a Spalding Collaborative brochure explaining what the Collaborative does, the Memorandum of Agreement, their Vision, Mission Statement and Goal. He stated that they had set up a website named www.SpaldingCollaborative.com and they had approximately 1500 hits on it last month. He gave a brief history of the Collaborative and said that it is growing with a large number of participants involved in the monthly meetings. He thanked Commissioner Goss for attending all the meetings since he had come on the Board of Commissioners in January. Ms. Leanne Murphy came forward and gave a brief slide presentation regarding a survey that was taken to address the needs in Spalding County and the priority of each.

2. Consider approval of a Proclamation proclaiming Tuesday, March 18, 2003 as “Griffin Utility Club, Inc. Appreciation Day” in Spalding County. *Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the following Proclamation*

was unanimously approved by a vote of 5-0. Chairman Morrow presented the Proclamation to Utility Club members, Cindi Alexander, President, Kaye Quam, Mary Brittain, Bonnie Pfrogner and Jinna Garrison.

Proclamation

“The Griffin Utility Club, Inc. Appreciation Day”

WHEREAS, The Griffin Utility Club, Inc. is a non-profit women’s service organization established in 1927 and is celebrating its 76th Anniversary this year; and

WHEREAS, The Griffin Utility Club, Inc. fosters interest among its members in social, educational, cultural and civic life of the community by giving many hours of service to our community, participating in fundraiser activities, attending monthly meetings and paying dues in order to give good quality time and donations to area citizens and organizations of our community; and

WHEREAS, Its motto is “to grow in Christian life in serving God, our country and our fellow man”; and

WHEREAS, The Griffin Utility Club, Inc. is the producer of the famous cookbook, *The Stuffed Griffin* and the Club is celebrating the 26th Anniversary of this cookbook; and

WHEREAS, The Griffin Utility Club, Inc. also sponsors nursing, memorial and academic scholarships.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County that **Tuesday, March 18, 2003** is hereby proclaimed as

“GRIFFIN UTILITY CLUB, INC. APPRECIATION DAY”

in Spalding County and encourage the citizens of our community to recognize the continuing contribution of the members of this Club in making our community a better place to live for all citizens.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Eight Months Ended February 28, 2003. Ms. Jinna Garrison, Finance Director, was present to answer any questions the Board might have. *Upon motion by Commissioner Davis, seconded by Commissioner Goss the Financial Statements were unanimously approved by a vote of 5-0.*

VI. CITIZENS COMMENTS – n/a

VII. PUBLIC COMMENT

There was no one present who wished to make comments.

VIII. MINUTES

1. Consider approval of the minutes for the Regular Monthly Meeting of March 3, 2003. *Upon motion by Commissioner Davis, seconded by Commissioner Goss the minutes were unanimously approved by a vote of 5-0.*

IX. CONSENT AGENDA

Upon motion by Commissioner McDaniel, seconded by Commissioner Davis Items 1 & 2 on the Consent Agenda were unanimously approved by a vote of 5-0.

1. Consider at second reading an ordinance amending the Fiscal Year 2003 Budget Ordinance to correct a posting error providing for the GEFA Grant.

**AN ORDINANCE AMENDING THE
FISCAL YEAR 2003 BUDGET ORDINANCE
FOR
SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2003 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 July 1, 2002, be amended as follows:

Section I. General Fund

A. Revenues

GEFA Grant From \$ 61,000 to \$ 31,000

B. Expenditures

Parks From \$ 1,612,974 to \$ 1,582,974

Approved on first reading this 3rd day of March 2003.

Approved, adopted and enacted on second reading this 17th of March 2003.

2. Consider at second reading of Amendments to the Official Zoning ordinance and Official Zoning Map of the following:

- **Amendment to UDO #A-03-01:** Appendix J. Commercial/Industrial Development Ordinance – Article 3 – add a section which designates a new set of site plan requirements for small commercial projects such as building additions.

IN RE:

Text Amendment #A-03-01

**RESOLUTION AMENDING
THE COMMERCIAL/INDUSTRIAL DEVELOPMENT ORDINANCE
OF SPALDING COUNTY, GEORGIA**

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

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted as Appendix J thereto, the Commercial/Industrial Development Ordinance of Spalding County;

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

WHEREAS, such text amendments to the Commercial/Industrial Development Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on February 27, 2003 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 Commercial/Industrial Development Ordinance of Spalding County, Georgia conforms with sound comprehensive planning principles and is 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 Commercial/Industrial Development Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provisions of the Commercial/Industrial Development Ordinance of Spalding County, Georgia, shall be deleted: Section 405, Introductory Paragraph only.

Section 2: The following provision shall be added to the Commercial/Industrial Development Ordinance of Spalding County, Georgia, to appear as Section 405', Introductory Paragraph:

Section 405. Specifications for Construction Plans: The Construction Plan for new construction or any expansion or addition not otherwise governed by Section 405' must meet the minimum standards of design set forth in this Ordinance and must include the following:

Section 3: The following provision shall be added to the Commercial/Industrial Development Ordinance of Spalding County, Georgia, to appear as Section 405':

Section 405': Specifications for Construction Plans for Expansion and/or Addition to Existing Commercial or Industrial Sites not Exceeding 5,000 square feet of impervious surface. Construction Plans for expansions and/or additions to existing commercial or industrial sites, which *do not expand or add to such site by more than 5,000 square feet of impervious surface and do not add additional or multiple stories* must meet the minimum standards of design set forth in this Ordinance and must include the following:

- A. A letter requesting review and approval of the construction plans for the expansion or addition, giving the name, address and telephone number of the developer submitting the plan.
- B. Name and location of the development.
- C. Name, address, telephone number and seal of engineer preparing the plan for expansion or addition.
- D. Date, scale, north arrow and number of sheets.
- E. Locations and dimensions of all existing structures (principal and accessory).

- F. Location and dimensions of the proposed expansion or addition.
- G. Minimum yards and setbacks specified in the Zoning Ordinance.
- H. Exits, entrances, internal circulation patterns showing traffic lanes, fire lanes and acceleration/deceleration lanes, only if being modified or changed as a result of the expansion or addition.
- I. Parking layout, including handicapped parking and landscaping, only if being modified or changed as a result of the expansion or addition.
- J. Off-street loading, only if being modified or changed as a result of the expansion or addition.
- K. Location of refuse collection and any outside storage and/or service areas, and how such refuse and storage areas will be screened, only if being modified or changed as a result of the expansion or addition.
- L. Water and sanitary sewer plans (if applicable) which comply with all county development standards, only if being modified or changed as a result of the expansion or addition.
- M. A specification chart on the plans with all pipe gauges and other pertinent specifications.
- N. Site grading plan with soil erosion and sedimentation control plan.

Section 4: The foregoing amendments of the Commercial/Industrial Development Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

- **Amendment to UDO #A-03-02:** Appendix A. Subdivision Ordinance – Article 5: Required Development Standards – Section 501: Development Standards in General – add a section which designates required architectural standards for single-family residential developments.

IN RE:

Text Amendment #A-03-02

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

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

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted as Appendix A thereto, the Subdivision Ordinance of Spalding County;

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

WHEREAS, such text amendments to the Subdivision Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on February 27, 2003 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 Subdivision Ordinance of Spalding County, Georgia conforms with sound comprehensive planning principles and is 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 Subdivision Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be added to the Subdivision Ordinance of Spalding County, Georgia, to appear as Section 501(I):

Section 501. Development Standards in General

- I. **Architectural Criteria for Single Family Dwellings located within a Subdivision:** Single family dwellings constructed within a subdivision located within AR-2 (Rural Reserve), R-1 (Single-Family Residential Low Density), R-2 (Single Family Residential), R-4 (Single Family), and R-5 (Single Family) zoning districts shall comply with the following architectural criteria:

1. The pitch of the roof of each residential dwelling shall have a minimum vertical rise of seven (7) feet for each twelve (12) feet of horizontal run, provided this requirement shall not apply to roof structures covering bay windows, dormer windows, and garages;
2. Each residential dwelling shall be constructed with a garage with minimum dimensions of twenty (20) feet width by twenty (20) feet length;
3. The facade of each residential dwelling shall include accents of brick, stone or stucco which cover at least 25% of the surface area thereof.

Section 2: The provisions of this Ordinance shall apply to any subdivision platted on or after the date of enactment of this Ordinance.

Section 3: The foregoing amendments of the Subdivision 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.

- **Amendment to UDO #A-03-03:** Article 2: Definitions of Terms Used – Section 203: Housing Definitions – add a section (H’) which will define “dwelling, loft residential”; Article 12: C-1, Highway Commercial – Section 1203:66(b) – add provision for establishing density limitations for loft dwelling units; Article 13: C-1A, Neighborhood Commercial – Section 1303:52(b) – add provision for establishing density limitations for loft dwelling units; Article 14: C-1B, Heavy Commercial – Section 1403:A(80) – add loft residential development as principal use; Article 14A: C-1C, Manufacturing-Light – Section 1403A:A(93) – add loft residential development as principal use.

IN RE:

Text Amendment #A-03-03

**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 27, 2003 , 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 Section 203(H') of "Housing Definitions" of the Zoning Ordinance of Spalding County shall be enacted as follows:

- H'. Dwelling, Loft Residential: Part of a mixed-use development featuring multi-family (owner or renter occupied) uses over retail commercial or professional office space; the conversion of an existing commercial space into adaptive reuse of residential units; or the conversion of existing or formerly used commercial, industrial or warehouse space into adaptive reuse of residential units.

Section 2: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 12 "C-1 Highway Commercial" to appear as Section 1203(A)(66)(b):

- b. Maximum Density: Six (6) units per net developable acre, where public sewage and water are provided. Where public sewage and water are not provided, densities must meet the requirement of the Spalding County Health Department, but may

not be greater than six (6) dwelling units per net acre.

Section 3: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 13 “C-1A Neighborhood Commercial” to appear as Section 1303(A)(52)(b):

- b. Maximum Density: Six (6) units per net developable acre, where public sewage and water are provided. Where public sewage and water are not provided, densities must meet the requirement of the Spalding County Health Department, but may not be greater than six (6) dwelling units per net acre.

Section 4: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 14 “C-1B Heavy Commercial” to appear as Section 1403(A)(80):

Loft Residential Development meeting the following development standards:

- a. Minimum dwelling heated area of 1,000 square feet
- b. Maximum Density: Six (6) units per net developable acre, where public sewage and water are provided. Where public sewage and water are not provided, densities must meet the requirement of the Spalding County Health Department, but may not be greater than six (6) dwelling units per net acre.

Section 5: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 14A “C-1C Manufacturing – Light” to appear as Section 1403A(A)(93):

Loft Residential Development meeting the following development standards:

- a. Minimum dwelling heated area of 1,000 square feet
- b. Maximum Density: Six (6) units per net developable acre, where public sewage and water are provided. Where public sewage and water are not provided, densities must meet the requirement of the Spalding County Health Department, but may not be greater than six (6) dwelling units per net acre.

Section 6: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 15 “C-2 Manufacturing” to appear as Section 1503(A)(125):

Loft Residential Development meeting the following development standards:

- a. Minimum dwelling heated area of 1,000 square feet
- b. Maximum Density: Six (6) units per net developable acre, where public sewage and water are provided. Where public sewage and water are not provided, densities must meet the requirement of the Spalding County Health Department, but may not be greater than six (6) dwelling units per net acre.

Section 7: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 8: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 9: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 10: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

- **Amendment to UDO #A-03-04:** Airport Overlay District – Establish an overlay district to limit the height of structures within critical airport approach zones.

IN RE:

Text Amendment #A-03-04

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

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

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and

therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 22', Section 2301, et. seq.;

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

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on February 27, 2003, pursuant to O.C.G.A. • 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

Section 1: The following provision shall be added to the Zoning Ordinance of Spalding County, Georgia to appear as Article 22'. Airport Overlay District:

ARTICLE 22'. A-O AIRPORT OVERLAY DISTRICT

Section 2201': Purpose.

The Airport Overlay District is an overlay zone which governs the development of property located in and adjacent to certain developed airports located within Spalding County. It also governs development of property located within and under flight paths to such airports. The purpose of the overlay zone is to develop standards and criteria for development of property within the zone in a comprehensive manner to protect the safety of persons and property located at or near airports, in, under or near airport flight paths and using the airport facilities within Spalding County.

Section 2202': Short Title.

This ordinance shall be known and may be cited as the Griffin - Spalding County Airport Overlay Zoning District.

Section 2203': Definitions.

- A. Airport: The Griffin–Spalding County Airport and any other airport now existing or that may be developed in the future which is subject to the regulations of this ordinance.
- B. Airport Elevation : The highest point of an airports usable landing area as measured in feet from sea level.
- C. Approach Surface: A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface area at the same slope as the approach zone height limitation slope as set forth in Section C of this ordinance. In plan the perimeter of the approach zone.
- D. Approach, Transitional, Horizontal and Conical Zones: These Zones are set forth in Section 2304 of this Ordinance.
- E. Board of Appeals : The Board of Appeals as created in Appendix C of the Unified Development Ordinance of Spalding County, Georgia.
- F. Conical Surface : A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
- G. Hazard to Air Navigation: An obstruction determined to have substantial adverse effect on the safe and efficient utilization of the navigable airspace.
- H. Height: For the purpose of determining the height limits in all zones set forth in the zoning map in conjunction with the Griffin–Spalding County Airport Overlay District, the datum shall be the mean sea level elevation unless otherwise specified.
- I. Heliport Primary Surface: The area of the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.
- K. Horizontal Surface: A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

- L. Larger than Utility Runway: A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.
- M. Nonprecision Instrument Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.
- N. Obstruction: Any structure, growth, or other object, including a mobile object, which exceeds a limiting height as set forth in Section C of this ordinance.
- O. Person: an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; including a trustee, a receiver, an assignee, or similar representative of any of them.
- P. Precision Instrument Runway: A runway having an existing instrument approach procedure utilizing all Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
- Q. Primary Surface: A surface longitudinally centered on a runway. When a runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is set forth in Section B of this ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- R. Runway: A defined area of an airport prepared for landing and take-off of aircraft along its length.
- S. Structure: an object, including a mobile object, constructed or installed by man, including and without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.
- T. Transitional Surfaces: These surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline an the runway centerline extended at a slope of seven (7) feet horizontally for each one (1) foot vertically from the sides of the primary approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces which project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) feet measured horizontally from the edge

of the approach surface and at ninety (90) degree angles to extended runway centerline.

- U. Tree: Any object of natural growth.
- V. Unified Development Ordinance: Unified Development Ordinance of Spalding County, Georgia
- W. Utility Runway: A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
- X. Visual Runway: a runway intended solely for the operation of aircraft using visual approach procedures.

Section 2204': Airport Zones.

In order to carry out the provisions of this ordinance, there are hereby created and established certain zones which include all of the land lying beneath the approach surface, transitional surfaces, horizontal surface and conical surface as they apply to the Griffin – Spalding County Airport. Such zones are shown on the map established pursuant to Section 2311. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- A. Utility Runway Visual Approach Zone : The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- B. Utility Runway Nonprecision Instrument Approach Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- C. Runway Larger Than Utility Visual Approach Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- D. Runway Larger Than Utility With A Visibility Minimum Greater Than $\frac{3}{4}$ Mile Nonprecision Instrument Approach Zone : The inner edge of this approach zone coincides with the width of the primary surface and is 500

feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

- E. Runway Larger Than Utility With A Visibility Minimum As Low As • Mile Nonprecision Instrument Approach Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width-of 4,000feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- F. Precision Instrument Runway Approach Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the center-line of the runway.
- G. Heliport Approach Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 50 feet wide. The approach zone expands outward uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface.
- H. Transitional Zones: The transitional zones are the areas beneath the transitional surfaces.
- I. Heliport Transitional Zones: These zones extend outward from the sides of the primary surface and the heliport approach zones a horizontal distance of 250 feet from the primary surface centerline and the heliport approach zone centerline.
- J. Horizontal Zone: The horizontal zone is established by swinging arcs of 5,000 feet radii from the center of each end of the primary -- surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
- K. Conical Zone: The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.

Section 2205': Airport Zone Height Limitations.

Except as otherwise provided in this Ordinance, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this Ordinance to a height in excess of the applicable height limit herein established for such

zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A. Utility Runway Visual Approach Zone: Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B. Utility Runway Nonprecision Instrument Approach Zone: Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- C. Runway Larger Than Utility Visual Approach Zone: Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- D. Runway Larger Than Utility With A Visibility Minimum Greater Than $\frac{3}{4}$ Mile Nonprecision Instrument Approach Zone : Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- E. Runway Larger Than Utility With A Visibility Minimum As Low As \bullet Mile Nonprecision Instrument Approach Zone : Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- F. Precision Instrument Runway Approach Zone: Slopes fifty (50) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward forty (40) feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.
- G. Heliport Approach Zone: Slopes eight (8) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a distance of 4,000 feet along the heliport approach zone centerline.
- H. Transitional Zones : Slopes seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 958 feet above mean sea level. In addition to the

foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

- I. Heliport Transitional Zones: Slopes two (2) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the heliport approach zones and extending a distance of 250 feet measured horizontally from and at 90 degree angles to the primary surface centerline and heliport approach zones centerline.
- J. Horizontal Zone: Established at 150 feet above the airport elevation or at a height of feet above mean sea level.
- K. Conical Zone: Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
- L. Excepted Height Limitations: Nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to thirty-five (35) feet above the surface of the land.

Section 2206': Use Restrictions.

Notwithstanding any other provisions of this Ordinance, no use may be made of land or water within any zone established by this Ordinance in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

Section 2207': Nonconforming Uses.

Unified Development Ordinance Shall Govern – The nonconforming use section of the Unified Development Ordinance of Spalding County, Georgia (Section 403) shall be applicable to the provisions of this ordinance.

Marking and Lighting - Notwithstanding any other provisions of the Unified Development Ordinance, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Administrative officer to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the Spalding County Airport Authority.

Section 2208': Permits.

A. Future Uses: Except as specifically provided in subparts 1, 2, and 3 hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved in accordance with paragraph 4. below.

1. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than seventy-five feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
2. In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.
3. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than seventy-five feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this Ordinance except as set forth in Section 2305.

- B. Existing Uses: No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
- C. Nonconforming Uses Abandoned or Destroyed: Whenever the Administrative Officer determines that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.
- D. Variances: Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed in this Ordinance, may apply to the Board of Appeals for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Ordinance. Additionally, no application for variance to the requirements of this Ordinance may be considered by the Board of Appeals unless a copy of the application has been furnished to the Spalding County Airport Commission for advice -- as to the aeronautical effects of the variance. If the Spalding County Airport Commission does not respond to the application within fifteen (15) days after receipt, the Board of Appeals may act on its own to grant or deny said application.
- E. Obstruction Marking and Lighting: Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Board of Appeals, this condition may be modified to require the owner to permit the Spalding County Airport Commission at its own expense, to install, operate, and maintain the necessary markings and lights.

Section 2209': Enforcement.

It shall be the duty of the Administrative Officer to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Administrative Officer upon a form published for that purpose. Applications required by this Ordinance to be submitted to the Administrative Officer shall be promptly considered and granted or denied. Application for action by the Board of Appeals shall be forthwith transmitted by the Administrative Officer.

Section 2210': Conflict With Other Development Regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this Ordinance and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

Section 2211': Adoption of the Spalding County Airport Overlay District Map.

The A-O District consists of the area located within the Airport Overlay Zone, as established by the criteria set forth in Section 2304, are shown and designated on a certain map identified as the "A-O District, Spalding County Airport Overlay Map," which map is adopted hereby into and made a part of this Ordinance as if fully set forth. Such map shall be signed by the Chairman of the Board of Commissioners of Spalding County and bear the seal of the County or that of a Notary Public under the following words: "This certifies that this is the Official A-O District Airport Overlay District Map, referred to in Article 23 of the Zoning Ordinance of Spalding County."

Section 2: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 3: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

- **Amendment to UDO #A-03-05:** Approval of Digital Zoning Map – Adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

IN RE:

Text Amendment #A-03-05

**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 27, 2003, 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 paragraph shall be added to Section 2302(E) of “Official Zoning Map Spalding County, Georgia (Official Map)” of the Zoning Ordinance of Spalding County as follows:

A new Official Map was adopted on March 17, 2003, which will replace the previous Official Map.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

X. OLD BUSINESS

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

- **Rezoning Application #02-30Z:** William R. King, Jr., A.M. Oshlag, Gayle Taylor, Owners—Highway 19/41, 10.801 acres, R-3, Conditional to R-3, Conditional.

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

**APPLICATION OF WILLIAM R. KING, JR.,
A. M. OSHLAG, AND GAYLE TAYLOR
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 02-30Z

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA
AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA**

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “R-3, Multiple Family, Conditional;”

WHEREAS, William R. King, Jr., A. M. Oshlag, Gayle Taylor, applicants, applied for a change in zoning classification to be applied to the within described property to “R-3, Multiple Family;”

WHEREAS, such application was filed with Spalding County, Georgia on October 4, 2002;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on February 27, 2003, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that tract or parcel of land lying and being in Land Lot 101 of the Third District of originally Henry, now Spalding County, Georgia, and being more particularly described as follows:

Beginning at an 1 ¾" open top pipe found along the western right-of-way of U.S. Highway 41; thence along said western right-of-way of U.S. Highway 41 South 02 degrees 11 minutes 58 seconds East a distance of 257.13 feet to a point; said point being the POINT OF BEGINNING; thence along said western right-of-way of U.S. Highway 41 South 02 degrees 11 minutes 58 seconds East a distance of 149.99 feet to a point; thence leaving said right-of-way South 87 degrees 45 minutes 57 seconds West a distance of 277.49 feet to a point; thence South 02 degrees 11 minutes 58 seconds East a distance of 209.27 feet to a point; thence South 87 degrees 10 minutes 37 seconds West a distance of 122.12 feet to a 1 ¼" open top pipe found; thence South 87 degrees 09 minutes 06 seconds West a distance of 874.77 feet to a point; thence along the arc of a curve to the right (said curve having a radius of 618.24 feet and being subtended by a chord with a bearing of North 24 degrees 13 minutes 01 seconds East and a length of 132.75 feet) an arc distance of 133.01 feet to a point; thence along the arc of a curve to

the right (said curve having a radius of 618.50 feet and being subtended by a chord with a bearing of North 36 degrees 32 minutes 31 seconds East and a length of 132.77 feet) an arc distance of 133.03 feet to a point; thence along the arc of a curve to the right (said curve having a radius of 618.65 feet and being subtended by a chord with a bearing North 48 degrees 51 minutes 51 seconds East and a length of 132.78 feet) an arc distance of 133.04 feet to a point; thence along the arc of a curve to the right (said curve having a radius of 3439.25 feet and being subtended by a chord with a bearing of North 59 degrees 32 minutes 10 seconds East and a length of 180.56 feet) an arc distance of 180.58 feet to a point; thence along the arc of a curve to the right (said curve having a radius of 3439.21 feet and being subtended by a chord with a bearing of North 62 degrees 32 minutes 40 seconds East and a length of 182.37 feet) an arc distance of 182.35 feet to a point; thence North 02 degrees 36 minutes 28 seconds East a distance of 149.90 feet to a ½" rebar found; thence North 87 degrees 00 minutes 02 seconds East a distance of 62.44 feet to a point; thence North 86 degrees 32 minutes 29 seconds East a distance of 110.05 feet to a point; thence North 87 degrees 07 minutes 40 seconds East a distance of 242.44 feet to a point; thence South 02 degrees 11 minutes 58 seconds East a distance of 254.29 feet to a point; thence North 87 degrees 45 minutes 04 seconds East a distance of 277.49 feet to a point; said point being the POINT OF BEGINNING.

Said above described tract containing 10.87 acres.

From "R-3, Multiple Family, Conditional" to "R-3, Multiple Family" District.

Section 2

Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia, and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. Six (6) units per net developable acre, where public sewage and water are provided. Where public sewage and water are not provided, densities must meet the requirements of the Spalding County Health Department, but may not be greater than Six (6) dwelling units per net acre.
- b. Minimum square footage of each unit shall be 1,000 square feet heated space.
- c. All other applicable requirements of the R-3 district, and of the entire Unified Development Ordinance of Spalding County, presently in effect shall remain in force and no deviation from them shall be authorized.
- d. A Development Plan, in conformance with the above stated conditions and incorporating all relevant site information required of similar developments at the time of plan submission, under the R-3 zoning classification and the entire Unified Development Ordinance, shall be presented for review and approval by the Board of Commissioners prior to the consideration and/or granting of any land disturbance permit, building permit, or other such development permit as may be required under applicable regulations.

Section 3

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On March 17, 2003, 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 101 of the Third District of originally Henry, now Spalding County, Georgia, consisting of 10.87 acres located on North Expressway (Highway 19/41), zoned R-3, Conditional.

(b) The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment of the Official Zoning Map of Spalding County, Georgia.

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

- **Rezoning Application #02-35Z:** Griffin-Spalding County Development Authority, Owner—Hudson Industrial Drive, 44.7 acres, C-1C, Conditional to C-1C.

Upon motion by Commissioner Davis, seconded by Commissioner Goss the following Resolution was approved by a vote of 4-0-1 with Commissioner Morrow abstaining from the vote since he has property in this area.

**APPLICATION OF GRIFFIN-SPALDING COUNTY
DEVELOPMENT AUTHORITY
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 02-35Z

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA
AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA**

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “C-1C, Manufacturing-Light, Conditional;”

WHEREAS, Griffin-Spalding County Development Authority, applicant, applied for a change in zoning classification to be applied to the within described property to “C-1C, Manufacturing-Light;”

WHEREAS, such application was filed with Spalding County, Georgia on December 20, 2002;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on February 27, 2003, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types

or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that lot, tract or parcel of land situate, lying and being in Land Lots 212 and 213 of the Second Land District of Spalding County, Georgia, consisting of Phase 2, containing 44.77 acres as shown on plat of survey entitled, "Rezoning Plan for Phase 2 of Hudson Industrial Park/G.D.S.A.", prepared by Integrated Science & Engineering, dated December 10, 2002.

To find the True Point of Beginning, begin at an $\frac{3}{4}$ inch pipe located at the intersection of the west margin of Land Lot 212 and the south margin of Hudson Road (60 foot Right of Way); thence running along said westerly margin of Land Lot 212 South 00 degrees 09 minutes 19 seconds West a distance of 1489.23 feet to a concrete monument; thence running along said land lot line South 00 degrees 21 minutes 01 seconds West a distance of 299.85 feet to a concrete monument; thence running along said land lot line South 00 degrees 39 minutes 22 seconds West a distance of 116.57 feet to a concrete monument; thence running South 79 degrees 04 minutes 36 seconds East a distance of 298.95 feet to a 30 foot oak found and the TRUE POINT OF BEGINNING; thence running from said point of beginning North 79 degrees 04 minutes 36 seconds West a distance of 118.44 feet to a point located in the center of a creek; thence North 31 degrees 38 minutes 04 seconds East a distance of 209.60 feet to a point; thence running North 63 degrees 19 minutes 44 seconds East a distance of 173.96 feet to a point located on the westerly margin of Hudson Industrial Drive (50 foot right of way); thence running North 44 degrees 23 minutes 25 seconds East a distance of 53.37 feet to a point located on the easterly margin of Hudson Industrial Drive; thence running North 59 degrees 20 minutes 35 seconds East a distance of 971.38 feet to a point; thence running South 68 degrees 47 minutes 42 seconds East a distance of 554.35 feet to a point located on the westerly right of way (50 foot right of way) of the Central of Georgia Railroad; thence running along said right of way of the Central of Georgia Railroad South 08 degrees 04 minutes 55 seconds West a distance of 341.84 feet to a point; thence running along said right of way of the Central of Georgia Railroad South 08 degrees 58 minutes 37 seconds West a distance of 662.82 feet to a point; thence running along said right of way of the Central of Georgia Railroad South 08 degrees 58 minutes 37 seconds West a distance of 329.64 feet to a point located on the south margin of Land Lot 212; thence running along the south margin of Land Lot 212 South 88 degrees 57 minutes 29 seconds West a distance of 497.29 feet to a point; thence running North 7 degrees 56 minutes 27 seconds East a distance of 29.10 feet to a point; thence running North 85 degrees 39 minutes 04 seconds West a distance of 591.11 feet to a point; thence running South 26 degrees 47 minutes 54 seconds West a distance of 95.37 feet to a point on the south margin of Land Lot 212; thence running along the south line of Land Lot 212 South 89 degrees 45 minutes 47 seconds West a distance of 471.20 feet to a point; thence running South 17 degrees 25 minutes 43 seconds West a distance of 73.12 feet to a point located on the northerly margin of Futral Road (80 foot right of way); thence running along said right of way of Futral Road North 62 degrees 11 minutes 06 seconds West a distance of 25.03 feet to point located on the west margin of Land Lot 213; thence running along the west margin of Land Lot 213 North 00 degrees 54 minutes 22 seconds West a distance of 57.91 feet to a point located at the

northwest corner of Land Lot 212 and the southwest corner of Land Lot 212; thence running North 22 degrees 48 minutes 05 seconds East a distance of 283.65 feet to a point; thence running North 22 degrees 42 minutes 40 seconds East a distance of 507.35 feet to The True Point of Beginning.

From “C-1C, Manufacturing-Light, Conditional” to “C-1C, Manufacturing-Light” 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 17, 2003, 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 lot, tract or parcel of land situate, lying and being Land Lots 212 and 213 of the Second Land District of Spalding County, Georgia, consisting of Phase 2, containing 44.77 acres as shown on plat of survey entitled, “Rezoning Plan for Phase 2 of Hudson Industrial Park/G.D.S.A.”, prepared by Integrated Science & Engineering, dated December 10, 2002, zoned C-1C.

(b) The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment of the Official Zoning Map of Spalding County, Georgia.

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

XI. NEW BUSINESS

1. Consider request from representatives of Project Linus. Ms. Joyce Hughes and Ms. Irene Carter came forward and gave their name and address. Ms. Joyce Hughes gave her address as 804 Sunnybrook Drive and Ms. Irene Carter gave her address as 110 N. 10th Street (St. George’s Court). They requested permission to use the space in front of the Old Food Depot building on Memorial Drive to have a yard sale on Saturday, April 12th to raise money for Project Linus. Project Linus is a 501(3) (c) charity and was chartered in April 2002 and has placed in excess of 1,000 blankets in and around the Griffin area and are obligated for 110 blankets per month to seriously ill or traumatized children. All the volunteers that make these blankets furnish their own supplies and they have to rely

on means of raising money to supply their needs and most of the volunteers are senior citizens and are on a fixed income.

It was noted that we do have other tenants at the Oxford Shopping Center and other options for the yard sale were discussed with the representatives to keep from setting a precedence. The Food Depot building is vacant but the parking lot is utilized by other tenants.

Ms. Hughes stated that they were looking for parking and also the use of the shelter in case we had inclement weather that day. The only facility the County owns that has shelter facilities is the Old Food Depot building.

Motion made by Commissioner McDaniel to grant permission for Project Linus to use the area in front of the Food Depot building on Saturday, April 12th with the precedence being that the building is not leased at the moment. Commissioner Davis seconded the motion and motion was unanimously approved by a vote of 5-0.

2. Consider amended Griffin Technical College and Spalding County Fire and Emergency Services Agreement for Clinical Services. The Agreement was modified per the Board of Regents office with change of wording “educational institution” to Technical College and also removal of the hold harmless clause, which was Paragraph 9 under Section D.

Upon motion by Commissioner McDaniel, seconded by Commissioner Goss the following amended Agreement was unanimously approved by a vote of 5-0.

**Griffin Technical College and Spalding County Fire and Emergency Services
AGREEMENT FOR CLINICAL SERVICES**

This Agreement is made and entered into this the 17th day of March , 2003, by
And between Spalding County Fire and Emergency Services and Griffin Technical College, hereafter referred to as “the Technical College”.

Whereas, the purpose of this Agreement is to guide and direct a working relationship between Spalding County Fire and Emergency Services and the Technical College in which learning experiences for the students of the Technical College are provided.

Whereas, the Spalding County Fire and Emergency Services agrees to allow the students of the Technical College the privilege of clinical experience as well as field work using the Spalding County Fire training facility and burn building so as to assist the students in improving their skills and knowledge.

Now, therefore, in consideration of the following promises, covenants, and conditions, the parties agree as follows:

SECTION A: The Technical College shall do or cause to be done the following:

1. Be responsible for the initial training and education of the student participating in an approved, Fire fighter I Fire Academy program. As well as provide the staffing which includes a teacher(s) for the Technical Certificate, instructional support staff and student services staff to assist with admissions, registration, and other support as provided for all credit programs;
2. Will insure that the individuals participating in this rotation have satisfactorily completed the necessary portions of their curriculum prior to beginning their Field training at Spalding County Fire and Emergency Services Spalding County Fire and Emergency Services
3. Provide adequate written information regarding the students and the training experiences needed 30 days prior to the scheduling of each education experience.
4. Will provide Spalding County Fire and Emergency Services with the objectives of the training ground rotation while assigned to Spalding County Fire and Emergency Services. A copy of those field activities in which the students may participate during the field training rotation must be submitted and will be incorporated herein by reference.
5. Assure observance by all of its participating students of existing Spalding County Fire and Emergency Services policies and procedures.
6. Initiate, as needed, appropriate follow-up with Spalding County Fire and Emergency Services concerning all students entering the field training experience, to ascertain appropriateness of performance, behavior, and need for restructuring of program.
7. Will insure that all students are covered by professional liability insurance, at a level of at least \$1,000,000.00 and provide evidence of coverage prior to scheduling for all students.
8. The student will be responsible for any expense incurred the students due to illness or accident while participating in the program. Each student will be responsible for signing a waiver to this effect prior to their first field training exercise at Spalding County Fire and Emergency Services.
9. Agrees to ensure that all students training at Spalding County Fire and Emergency Services are assigned solely for the purpose of obtaining clinical education and experience. They will not be considered employees of Spalding County Fire and Emergency Services for the purpose of compensation or other purposes or benefits having to do with employee status.
10. Will withdraw from the training rotation program any student whom Spalding County Fire and Emergency Services requests to be withdrawn for reasons including, but not limited to, one whose behavior or work is hazardous or potentially hazardous to themselves or others.
11. Will insure that there is a qualified DTAE instructor at the Technical College who is ultimately responsible for the conduct and actions of the students and this person will be available at all times for the students and Spalding County Fire and Emergency Services. The name and contract number of each responsible instructor must be on file prior to the training ground rotation.

12. Will insure that all students report to the field training exercise in appropriate attire as follows:
Black slacks (BDUs), Gray shirt with picture identification, to identify the student with Technical College, and present a professional appearance, Yellow turn out gear with yellow helmet to help identify the students.
13. Interpret and explain to current and prospective students the conditions and requirements for admission.
14. Provide textbooks, study guides, and other pertinent materials for student purchase in the Griffin Technical College bookstore.
15. Ensure that adequate library access and resources are available to support courses offered, to provide inter-library loan service and reference service by toll-free
16. Phone or FAX, bibliographies, and listings of materials.

SECTION B: Spalding County Fire and Emergency Services shall do or cause to be done the following:

1. Provide adequate clinical services for the Technical College in accordance with the objectives.
2. As requested by the Technical College, assist in a supervised orientation for the students and provide accessibility to any and all equipment as necessary for teaching purposes for the Fire Fighter programs.
3. Assist in the evaluation of the Technical College students' learning, performance and patient care and or Fire Fighter I Skills when availability allows.

SECTION C: The Technical College and Spalding County Fire and Emergency Services agree to be mutually responsible for the following:

1. Clinical and lab assignments for the Fire Fighter students taking part in the rotation, and or labs, based on the goals and objectives of the program availability of in-service instructors.
2. Both staffs will work together to maintain an environment which provides quality student learning.
3. The parties mutually agree that neither party will discriminate against any employee/student or applicant for employment or against any applicant for enrollment for a course of study or against any student in his/her course of study on the basis of race, color, sex, creed, national origin, age or handicap; provided such handicap does not preclude Spalding County Fire and Emergency Services such person's physical and mental ability to participate therein. The applicable provisions of Executive Order 11246,503 of the Rehabilitation Act of 1973 and the Vietnam Veterans Readjustment Assistance Act, and applicable regulation there under, are incorporated by reference.

SECTION D: It is further understood that:

1. This agreement shall remain in full force and in effect for at least a 3-year time frame, renewable for successive 3-year terms unless otherwise terminated 30 days prior to the date of expiration.

2. Either party may terminate this Agreement by thirty (30) days advance written notice provided students enrolled in the Fire Fighter I Certificate of Credit program at the time of notification will be allowed to finish the quarters needed to complete the certificate.
3. This agreement may be modified by mutual consent, provided any and all modification will be in writing and signed by both parties, Spalding County Fire and Emergency Services and the Technical College.
4. This agreement will be interpreted and construed by the Laws of the State of Georgia.
5. If any provision of this agreement is held to be illegal, invalid or unenforceable under present or future laws effective during the term of this agreement, the legality, validity and enforceability of the remaining provision shall not be affected thereby.
6. Under this agreement the relationship of the parties will be that of independent contractors. Neither party shall exercise control over the method, manner or means by which the other performs it duties.
7. Any addendums or amendments to this agreement are made a part of this agreement by reference.
8. This agreement cannot be assigned without written approval of both parties.

SECTION E: COMPENSATION

1. No compensation will be granted to either party by the other.

AGREEMENT FOR CLINICAL SERVICES

SECTION F: IN WITNESS WHEREOF, this agreement is entered into on the first date above written.

3. Consider at first reading an ordinance amending the Spalding County Code by adding Article B to part XI, Offenses, Chapter 2 to provide for no swimming or wading at Spalding County Park facilities. *Upon motion by Commissioner Davis, seconded by Commissioner McDaniel 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.***

4. Consider Resolution supporting the proposal to offer academic credit courses at The University of Georgia, Griffin Campus. *Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the following Resolution was unanimously approved by a vote of 5-0.*

**RESOLUTION SUPPORTING THE PROPOSAL TO OFFER ACADEMIC
CREDIT COURSES AT THE UNIVERSITY OF GEORGIA, GRIFFIN CAMPUS**

WHEREAS, The Spalding County Board of Commissioners has been informed that The University of Georgia, College of Agricultural and Environmental Sciences, is considering offering academic credit courses at the Griffin Campus that would lead to an undergraduate degree from The University of Georgia; and

WHEREAS, The University of Georgia, College of Agricultural and Environmental Sciences, faculty and administration, are exploring suitable curricula course offerings and the faculty and resources necessary for launching a for-credit degree granting teach program at The University of Georgia, Griffin Campus; and

WHEREAS, The University of Georgia, College of Agricultural and Environmental Sciences, Griffin Campus, is engaged in a planning activity with Gordon College to consider a 2 + 2 program that will allow students to take their freshman-sophomore year at Gordon College and the junior-senior year at The University of Georgia, Griffin Campus.

BE IT RESOLVED, by the Spalding County Board of Commissioners that the Commission unanimously supports the proposal to offer academic credit courses at the campus leading to an undergraduate degree from the University of Georgia.

THEREFORE, BE IT FURTHER RESOLVED, that the Spalding County Board of Commissioners offers its aid and assistance to the University of Georgia in making this proposal a reality.

ADOPTED, this the 17th day of March 2003.

5. Consider agreement with Council of Aging for home-delivered meals (meals-on-wheels) as provided through federal Community Services Block Grant (CSBG). The maximum reimbursement under this contract shall be \$52,482. *Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the Agreement was unanimously approved by a vote of 5-0.*

6. Consider Resolution authorizing the Chairman to execute a Lease Purchase Agreement for purchase of a garbage truck for the Solid Waste Department. *Upon motion by Commissioner Davis, seconded by Commissioner McDaniel the following Resolutions were approved by a vote of 4-1 with Commissioner Goss voting in opposition.*

**RESOLUTION TO AUTHORIZE
MASTER EQUIPMENT LEASE**

WHEREAS, Spalding County Board of Commissioners (the "Lessee") desires to lease certain property (the "Equipment") from time to time pursuant to a Master Equipment Lease (the "Master Equipment Lease") with Association County Commissioners of Georgia, to be assigned to Wachovia Bank, National Association.

WHEREAS, it is found that the Equipment, and the leasing thereof, is essential to the operation of the governmental functions of Lessee.

NOW, THEREFORE, BE IT RESOLVED:

1. The Chairman of Lessee is hereby authorized and directed in the name and on behalf of Lessee to execute, seal and deliver the Master Equipment Lease in substantially the form presented to this meeting, with such changes and additions as shall be approved by the officer who executes the same, and such other documents as shall be deemed by such officer to be necessary or desirable to effect the purposes hereof; and such execution shall constitute conclusive evidence that the executed document has been authorized and approved hereby.

2. The aforesaid officers are further authorized to do all things necessary or appropriate to affect the purposes hereof.

3. This action shall be effective immediately.

RESOLUTION FOR LEASE ADDENDUM

A RESOLUTION TO AUTHORIZE AND DIRECT THE EXECUTION
OF ONE OR MORE LEASE ADDENDA FOR A LEASE
OR LEASES WITH ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA;
TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Spalding County Board of Commissioners ("Lessee") has entered into a Master Equipment Lease (the "Master Equipment Lease") dated as of _____ with Association County Commissioners of Georgia, for the leasing from time to time of certain property pursuant to Lease Addenda;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY GOVERNING BODY OF THE LESSEE:

1. The Chairman of Lessee is hereby authorized and directed to execute and deliver a Lease Addenda pursuant to the Master Equipment Lease to put into effect one or more leases for New Garbage Truck (the "Equipment"); said officer of the Lessee is authorized and directed in the name and on behalf of the Lessee to execute and deliver: (i) one or more Lease Addenda for items of the Equipment in substantially the form attached to the Master Equipment Lease, with such changes and additions as may be approved by said officer, and (ii) such other documents as may be deemed by such officer to be

necessary or desirable to effect the purposes hereof or of the Master Equipment Lease, and such execution shall constitute conclusive evidence that the executed document has been authorized and approved hereby; the aforesaid officer is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.

2. An appropriation in Lessee's current operating budget has previously been made in the amount of \$32,007.81, which shall be sufficient to pay the "Rents" during the "Commencement Term" under such Lease Addenda; or
3. The lease or leases contemplated by the said Lease Addenda are hereby designated "Qualified Tax-Exempt Obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and said officer shall be authorized to confirm such designation by execution of appropriate documents in connection therewith. (This paragraph 3 is not applicable and the Lease will be a Non-Bank Qualified Lease if the following box is checked)
4. This resolution shall be effective immediately.

7. Set meeting date and time to certify the results of the SPLOST Election. The consensus of the Board was to hold the meeting on Wednesday, March 19, 2003 at 5:00 P.M. in the Meeting Room 108.

8. Discuss pending legislation regarding Joint Board of Elections/Registration. County Attorney Fortune stated that the Board of Commissioners had received a letter from their local legislative delegation regarding the requests they had made for some changes to the legislation. The legislative delegation chose not to entertain any of the suggestions. No discussion or action was taken on this item.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson commented that he had received a letter from the Griffin-Spalding Hospital Authority stated they had set aside some "seed money" to explore the possibility of hiring an employee as a "grant writer" to seek funds from government and private sources to benefit local agencies. They could not fund a full-time employee by themselves and wants to know if the County would be interested in possibly a joint effort with the Authority, City and School Board in collaborating to hire a full-time employee. The same letter had been sent to the City of Griffin and Griffin-Spalding School Board. The Board felt like this would be a good investment and was very interested in pursuing whether or not the other entities were interested in sharing this with us.

County Manager Wilson stated that he and Chairman Morrow had had a meeting with the Board of Assessors and announced that the tax digest would be prepared "in-house" this year.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall had no comments.

Commissioner Goss had no comments.

Commissioner Davis had no comments.

Commissioner McDaniel encouraged the citizens to get out and vote tomorrow.

Commissioner Morrow stated that the Citizens for Economic Progress Committee along with technical backup from him, County Manager Wilson, David Luckie and Daa'ood Amin had made twelve (12) presentations on SPLOST. He hopes everyone understands what this SPLOST is for and they will get out and vote.

XIV. CLOSED MEETING

Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the Board voted unanimously to go into a Closed Meeting.

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

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

CLOSED MEETING AFFIDAVIT

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

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

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

1.

The Spalding County Board of Commissioners met in a duly advertised meeting on March 17, 2003.

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:

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

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

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

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

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

This the 17th day of March 2003.

Spalding County Board of Commissioners

Sworn to and subscribed
Before me this 17th day of
March 2003.
Phyllis P. Doane
Notary Public
My commission expires: March 13, 2006

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

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 McDaniel, seconded by Commissioner Davis the meeting was unanimously adjourned at 7:17 P.M.

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
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