



Spalding County online

Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, April 19, 2004 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Commissioners Michael Kendall, Cecil Davis, Eddie Goss, Johnie McDaniel and Dick Morrow present. Also present were County Manager William Wilson, County Attorney Jim Fortune and County Clerk Phyllis Doane.

Agenda Topics

I. OPENING (CALL TO ORDER) – Chairman Kendall

II. INVOCATION - Rev. Reginald Jacobs

III. PLEDGE TO FLAG – Led by Chairman Kendall

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Presentation of the 2003 Bain Proctor Volunteer of the Year Award.

Chairman Kendall commented that the members of the Proctor family had not arrived to help make this presentation so this item would be postponed until the family arrives.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Nine Months Ended March 31, 2004. Ms. Jinna Garrison, Finance Director, was present to answer any questions. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel, 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 of the Regular Monthly Meeting of April 5, 2004. *Upon motion by Commissioner Morrow, seconded by Commissioner Davis the minutes were approved by a vote of 4-0-1 with Commissioner McDaniel abstaining from voting as he was not present for the meeting.*

IX. CONSENT AGENDA

Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel Items 1, 2 & 3 on the Consent Agenda were unanimously approved by a vote of 5-0.

1. Consider at second reading an ordinance amending the FY 2004 Budget Ordinance to appropriate funds for capital improvements to the Jail.

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

WHEREAS, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2004 Fiscal Year pursuant to the requirements of Title 36, Chapter 81 of the Official Code of Georgia, and Section 2-5003 of the Code of Spalding County; and

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

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on June 26, 2003, be amended as follows:

Section I. General Fund

A. Revenues

Other Financing Sources	From	\$	328,550	to	\$
1,026,082					

B. Expenditures

Jail	From	\$	5,770,526	to	\$
6,468,058					

Approved on first reading this 5th day April 2004.

Approved, adopted and enacted on second reading this 19th day April 2004.

2. Consider at second reading an ordinance amending the FY 2004 Budget Ordinance to provide for funds received from the LEOP Grant (Local Emergency Operations Plan).

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

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

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on June 26, 2003, be amended as follows:

Section I. General Fund

A. Revenues

Intergovernmental Revenue From \$ 927,220 to \$
938,804

B. Expenditures

Emergency Management From \$ 8,007 to \$ 19,591
Approved on first reading this 5th day April 2004.

Approved, adopted and enacted on second reading this 19th day April 2004.

3. Consider at second reading an ordinance amending the FY 2004 Budget Ordinance to provide for transfer of funds within the CSBG Grant Program.

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

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

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on June 26, 2003, be amended as follows:

Section I. CSBG Fund Expenditures

A. Youth Development/P&R From \$ 27,940 to \$ 10,790

B. General Appropriations	From	\$	0	to	\$	7,650
C. Juvenile Probation	From	\$	64,017	to	\$	73,517

Approved on first reading this 5th day April 2004.

Approved, adopted and enacted on second reading this 19th day April 2004.

X. OLD BUSINESS

1. **Lift from the table.** Consider at first reading an ordinance amending the Spalding County Code relative to the Sale of Alcohol and Consumption on Premises on Election Days. *Upon motion by Commissioner Morrow, seconded by Commissioner Davis item was lifted from the table by a unanimously vote of 5-0.*

*Upon motion by Commissioner Morrow, seconded by Commissioner Davis the first reading of ordinance was approved by a vote of 4-1 with Commissioner McDaniel voting in opposition. **The Ordinance will be incorporated into the minutes on second and final reading.***

XI. NEW BUSINESS

1. Consider approval of final plat for Vineyard Ridge Subdivision off Vineyard Road. *Upon motion by Commissioner Morrow, seconded by Commissioner Davis final plat was unanimously approved by a vote of 5-0.*

2. Consider acceptance of right-of-way (ROW) deed for Vineyard Ridge Drive and Vineyard Ridge Lane located in Vineyard Ridge Subdivision off Vineyard Road. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel acceptance of right of way deed was unanimously approved by a vote of 5-0.*

3. Consider approval of amended final plat for Lake Park Commons Subdivision, located off Swint Road and Morgan Road. The amendment is to amend setback requirements for lots 12 and 17 from the private drives Lake Park Circle and Lake Park South Drive. There was a discussion regarding whether or not the private drives are considered part of the common areas and covered under maintenance in the Covenants and Restrictions in the document for the subdivision and did not feel that setbacks could face a private driveway.

Motion made by Commissioner Morrow to approve amended final plat for Lake Park Commons Subdivision. Commissioner McDaniel seconded the motion and motion passed by a vote of 3-2 with Commissioners Kendall and Goss voting in opposition because of the private driveways not being county maintained roads.

Chairman Kendall stated that the Proctor family was still not present for the presentation and stated that they would go ahead with the presentation.

Presentation of the 2003 Bain Proctor Volunteer of the Year Award. The following Press Release was read by Commissioner Johnie McDaniel, a member of the Parks and Recreation Advisory Commission and Chairman Kendall presented the Plaque to Ms. Bonnie Pfrogner. *Motion was made by Commissioner McDaniel, seconded by Commissioner Kendall and unanimously approved the Presentation of the 2003 Bain Proctor Volunteer of the Year Award.*

BONNIE PFROGNER FIRST RECIPIENT OF THE BAIN PROCTOR AWARD FOR VOLUNTEERISM

The Spalding County Board of Commissioners is pleased to announce that Bonnie Pfrogner has been chosen as the first recipient of the annual "Bain Proctor Award for Volunteerism." The award was established on a recommendation from the Parks and Recreation Advisory Commission with select committee members being appointed by the Board of Commissioners. Ms. Pfrogner is currently the Executive Director for the Griffin-Spalding Chamber of Commerce, but is also known as a tireless and dedicated volunteer within the community. Her interests are varied with special emphasis on civic and educational opportunities. She has also been a champion for young children through educational and recreational avenues. She continues to be a strong advocate for senior citizens as well, and has worked tirelessly on relevant issues.

In 2003, Ms. Pfrogner served the following organizations: Griffin-Spalding Hospital Authority, Metro South, Inc., Griffin-Spalding Area Transportation Committee, Regional Advisory Council, Regional Youth Development Center, Griffin Auditorium Advisory Committee, Meals on Wheels, Daybreak Rotary, Griffin-Spalding Certified Literate Community Commission, Education Foundation, Development Authority, Main Street Board, Council on Aging Board of Directors, Pine Valley Girl Scouts Fund Raising Committee, Mayor's Motorcade, Griffin-Spalding Art Association And Griffin Area Arts Alliance. Ms. Pfrogner is also an active member of Oak Hill Baptist Church. She is the mother of five and the grandmother of eleven.

She and Mr. Proctor shared varied interests and worked closely on many projects. The Board of Commissioners feels that Ms. Pfrogner epitomizes the spirit and meaning of the word "volunteer" and is proud to present this award to someone so deserving.

Chairman Kendall stated that he had to leave the meeting and asked Vice Chairman Cecil Davis to preside over the remainder of the meeting and turned the gavel over to him.

4. Consider request from Cowan Road Middle School to utilize Wyomia Tyus Olympic Park for a 5K road race on May 15, 2004. Parks and Recreation Director stated that there would be no conflict with any soccer or baseball games held that day. *Upon motion by Commissioner McDaniel, seconded by Commissioner Morrow request to use WTOP for a 5K road race was unanimously approved by a vote of 4-0.*

5. Conduct a Public Hearing to receive comments on the Abandonment of a Portion of Trestle Road. *There was no one present who wished to make comment.*

6. Consider adoption of a Resolution to Abandon a Portion of Trestle Road. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel the following Resolution was unanimously approved by a vote of 4-0.*

RESOLUTION TO ABANDON A PORTION OF TRESTLE ROAD

WHEREAS, landowners contiguous to Trestle Road contend that a portion of Trestle Road has ceased to be used by the public to the extent that no substantial public purpose is served by said road and have requested the Board of Commissioners of Spalding County as the governing authority of said county, to abandon said portion of road as a part of the county road system; and

WHEREAS, on March 15, 2004 the Board of Commissioners adopted a resolution of intent to consider the abandonment of a portion of Trestle Road; and

WHEREAS, a copy of such resolution along with a copy of said plat and sketch was sent to each of the contiguous property owners and to the local Postmaster for review with the rural mail carrier and to the Superintendent of the Griffin-Spalding County School System for review with the person in charge of the bus transportation for students in the local school system, and in addition thereto copies of such resolution were posted at the Spalding County Courthouse and at the Spalding County Courthouse Annex; and

WHEREAS, no objections to such abandonment have been received;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County that a portion of Trestle Road in Land Lot 145, 2nd District, Spalding County, Georgia with legal description as follows shall hereafter cease to be a part of the county road system.

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

IT IS FURTHER RESOLVED that a copy of the within resolution shall be transmitted to the Georgia Department of Transportation and to the Spalding County Board of Tax Assessors, so as to record the deletion of a portion of Trestle Road as a part of the Spalding County road system; and

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

7. Consider at first reading an ordinance amending the Spalding County Code to change the name of Trestle Road north of Johnson Road to Southgate Drive. *Upon motion by Commissioner McDaniel, seconded by Commissioner Morrow first reading of ordinance was unanimously approved by a vote of 4-0. **The Ordinance will be incorporated into the minutes on second and final reading.***

8. Consider declaring surplus vehicles for Fire Department and Sheriff's Department and authorizing acceptance of sealed bids for disposal. County Manager Wilson asked that the Board also make part of their motion that no county employee will be allowed to bid on these vehicles. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel the following vehicles were declared surplus and authorized acceptance of sealed bids for disposal with the condition that no county employee would be allowed to bid by a unanimous vote of 4-0.*

Fire Department

Year, Make & Model	VIN #
1989 Ford Bronco	1FMEU15Y2KLA94006

Sheriff's Department

Year, Make & Model	VIN #
1997 Ford Aero Star Van	1FMCA11U8VZA79224
1993 Ford Crown Vic	2FACP71W2PX141397
1994 Ford Crown Vic	2FALP71W3RX159894

9. Consider request from the City of Griffin that Spalding County share one-half (\$5,500) of the funding for July 4th Fireworks Display. The projected cost is \$1100 with the County sharing in one-half \$5,500 of the cost. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel the request from City of Griffin for \$5,500 paid with tourism funds was unanimously approved by a vote of 4-0.*

10. Consider adoption of Georgia Department of Transportation Local State Route Acceptance Resolution regarding the relocation and widening of State Route 155. *Upon motion by Commissioner Morrow, seconded by Commissioner McDaniel the following GDOT Resolution was unanimously approved by a vote of 4-0.*

LOCAL STATE ROUTE ACCEPTANCE RESOLUTION

GEORGIA, Spalding County:

WHEREAS, the Commissioners of Spalding County (hereinafter called the County) are being notified that the Georgia Department of Transportation (hereinafter called the Department) intends to relocate a section of State Route 155; to realign the junction of Spalding County Road 510; and to construct a connection road on new alignment in said County as described in Order 3379 and as shown on the sketch maps attached there; and

WHEREAS, the County will accept for ownership, maintenance, utility accommodation, and as part of their local road system the new alignments (State Routes 1119TA and 1119TB), and the old section of State Route 155 that will remain open as a public road when removed from the State Highway System, upon completion of the work required by the Department above;

WHEREAS, upon execution of a forthcoming Order 3379, the County shall accept title and ownership of the property on the old section of State Route 155 that will remain open as a public road; and

WHEREAS, the Department shall continue to retain jurisdictional authority and maintenance responsibility on the section of State Route 155 being removed from the State System until the improvements referenced in Order 3379 are completed; and

WHEREAS, upon completion of the road improvements described in said Order, the County shall by operation of law have jurisdictional as well as maintenance and operational authority over the new alignments (State Routes 1119TA and 1119TB), and the old section of State Route 155 that will remain open as a public road; and

WHEREAS, the advancement of this project to construction is contingent upon the execution of this Resolution.

NOW, THEREFORE, IT IS RESOLVED that the County will execute this Resolution and that a signed copy of this Resolution be furnished to the Department.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson announced that the Senior Games would be held Thursday, April 22nd at Griffin City Park Pavilion #2 with opening ceremony beginning at 9:00 a.m. There will be lunch served at 12:00 noon and an award presentation to be held at 1:30 P.M. Mr. Wilson invited everyone to come out and enjoy the festivities.

County Manager Wilson stated that he had received a request from State DOT employees and other state employees to park their State vehicles at County fire stations. The State has undergone some restrictions on mileage limitations taking vehicles home and they will be required to leave their state vehicles at either State or County facilities. Both state and personal vehicles could be on county property overnight in some cases at any time. Mr. Wilson asked the Board if they were interested in doing this and if they were, he would recommend that employees sign a liability statement releasing the County from any damages, break-ins, etc. that may happen to their vehicles while parked on county facilities. The Board wanted to know how many stations it would involve and the location of the stations. The Board felt like this could get too involved and directed Mr. Wilson to offer the state employees the Park and Ride Lot off the North Expressway.

County Manager Wilson gave an update on the request made several meetings back by a citizen that a stop sign be placed at Chapleau Lane and Valley Court inside Sherbrooke Woods Subdivision. The request has gone through protocol and both the Sheriff's Department and Public Works have recommended denial of this request.

County Manager Wilson recommended to the Board that we eliminate our self-insured dental program the end of June and sign on with Blue Cross Blue Shield effective July 1, 2004. Mr. Wilson stated that our self-insured dental had some unusual high losses and he asked Personnel Director Bill Gay to look into going over to private pay with Blue Cross and Blue Shield. He said that we will come out approximately \$1100 less going with the private plan. Mr. Wilson stated that the dental will be blended with our present Blue Cross Blue Shield health insurance plan and this will be an automatic rollover with deductibles already met for the year being honored and will be same benefit package that we currently have with Delta Dental. The Board had no problem with this change over in the dental plan as recommended by Mr. Wilson. Mr. Wilson also advised the Board that there will be no increase in the health insurance premium this coming year.

XIII. REPORT OF COMMISSIONERS

Commissioner Morrow gave an update on the four year college project. He said that a group had met with Alan Vigil, who is a new regent member from this area, and he was taken on a tour of the Griffin UGA Campus by Dr. Arkin and he was impressed with the program and the facility. Mr. Vigil wrote a nice letter to the Chairman of the Board endorsing this concept. Mr. Morrow said the money is still in the State Budget and he feels that we are on our way of obtaining this four year college program.

Commissioner Morrow announced that Wednesday, April 21st at 1:30 P.M. here in the Meeting Room is our Regional Transportation Meeting and he invited the other Commissioners to attend at this is going to be a very informative meeting. A representative from ARC will be present to brief us on how to submit plans and GDOT will be here with an update on their Transportation Plan also. Time permitting a Northern By Pass will also be discussed.

Commissioner Morrow also made the Board aware that his Task Force Committee had completed drafting a new Tree Ordinance and it would be forthcoming for review and approval.

Commissioner Goss asked about the status of the accel/decel lanes on Vineyard Road at Wills Walk Subdivision entrance. County Manager Wilson stated that the construction should be completed by June 1st.

Commissioner McDaniel asked County Manager Wilson to ask Community Development to take a look at Conservation Subdivision ordinance and make sure our setback rules are clear and if not that the rules would be codified to omit having these setback problems again.

Commissioner Davis made comments congratulating Mr. Wilson and staff in holding the FY 2004 budget in line, a nice increase in reserve for the County and hopefully no tax increase with the new budget and a pay raise for county employees.

XIV. CLOSED MEETING

1. The Zoning Attorney desires a Closed Meeting to discuss potential litigation. County Manager Wilson stated that we do not need a Closed Meeting but it has been postponed until Thursday, April 22, 2004 at 45 P.M.

XV. ADJOURNMENT

There being no further business Vice Chairman Davis declared the meeting adjourned at 6:55 P.M.

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
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