



Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, April 21, 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, Johnnie 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 Davis in the absence of Rev. Valimont.**
- III. PLEDGE TO FLAG – Led by Chairman Morrow.**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Parks and Recreation Director Louis Greene is present to present to the Board of Commissioners the “Puffout” 2003 award the department received in recognition of outstanding Achievement in Policy Development. This unsolicited award was given by the District Four Health Services for the adoption of the new tobacco rule in our parks system. Louis Greene presented this award to Chairman Morrow.

2. Consider approval of a Proclamation Honoring the Griffin High School Boys’ Varsity Basketball Team State Championship. Chairman Morrow presented this Proclamation to Coach Ferris Qualls, Principal Curtis Jones and members of the Basketball team and gave each one present a Spalding County logo pin. *Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the following Proclamation was unanimously approved by a vote of 5-0.*

Proclamation

“Honoring the Griffin High School Boys Varsity Basketball
Team State Championship”

WHEREAS The 2002-2003 Griffin High School Boys Varsity Basketball Team (“Bears”) won the State Quad A Championship in Atlanta, Georgia on Friday, March 7, 2003 by defeating South Atlanta by the score of 72 to 62; and,

WHEREAS The Bears won the Region Tournament played at Griffin High School on February 11 - 15, 2003; and,

WHEREAS The State Champion Bears established a fine winning record of 28 wins and 3 losses; and,

WHEREAS The Bears have now claimed the third State Championship Title since 1988; and,

WHEREAS The Spalding County Board of Commissioners and the community are extremely proud of our Griffin Bears State Championship Team, consisting of Seniors Kemo Spear, Sherrod Martin, J. T. Nash, Arthur Driver, Brent Petway, Donald Thomas, Omar Banks, Yusuf Ali and Brandon Jenkins; Juniors Rashaad Snead, Brandon Gaston, Carlos Mitchell, Jeremy Hightower, Marcus Johnson and Twan Jackson; Sophomores Randrick Coggins, Jay Brown and Nathaniel Newton; Freshman Eddie Adams and their Head Coach, Mr. Ferris Qualls along with Assistant Coaches Bennie Dix, Mike Willis and Greg Wilson.

NOW, THEREFORE BE IT RESOLVED, that the Spalding County Board of Commissioners do hereby acknowledge and recognize the achievements and accomplishments of the 2002-2003 Griffin High School Boys Varsity Basketball Team, Coach Ferris Qualls, his coaching staff and Principal Curtis Jones and are grateful for the pride and honor brought to this community by this State Championship Team.

3. Consider approval of a Proclamation “Nunc Pro Tunc” Honoring the Selection of Robert H. “Bob” Glover as The Griffin Exchange Club’s Man of the Year 2002. Chairman Morrow presented this Proclamation to Mr. Glover at the Griffin Exchange Club Luncheon held last Tuesday. *Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the following Proclamation was unanimously approved by a vote of 5-0.*

A PROCLAMATION HONORING THE SELECTION OF ROBERT H. GLOVER AS THE GRIFFIN EXCHANGE CLUB’S MAN OF THE YEAR FOR 2002

WHEREAS, The Griffin Exchange Club has selected Robert H. Glover as its 2002 Man of the Year; and

WHEREAS, Mr. Glover is a native of Worcester, Massachusetts coming to Griffin in 1972 to work with Commercial Bank & Trust Company and is currently Vice President/General Manager of Jackson Beverages, Inc. where he has been employed since 1982. He is married to the former Kay Elliott from Seneca, South Carolina, who

has been his loving wife for thirty-nine years and is the loving father of four children, Chris, Tracy, Brian and Brad and three grandchildren, Hailey, Abbey and Elle; and

WHEREAS, Mr. Glover is an active member of the First United Methodist Church, and is past President of the Men's Bible Class; and

WHEREAS, Mr. Glover's vision and love for the Spalding County community is evidenced by the numerous civic and charitable activities in which he has taken a leadership role. These activities include past Treasurer of the Pine Valley Girl Scout Council; past President and currently Treasurer of the Flint River Council, Boy Scouts of America serving on the Board since 1972 and receiving the Silver Beaver award; past member of the Board, Griffin/Spalding Chamber of Commerce where he has served as President in 1980 and 1989; past Chamber Boss of the Year; Chairman of Governmental Affairs for several years and recipient of the Mildred Rainwater 2002 Member of the year award. Mr. Glover served as 1992 Campaign Chairman of the Griffin/Spalding United Way; currently the 2nd Vice President of the Spalding County Republican Party, where he has also served as Chairman. Mr. Glover is a past member of the Griffin/Spalding Development Authority where he held the position of Vice Chairman; currently serving as Chairman of the Board, Spalding Regional Medical Center. Mr. Glover is also a member of the Moose Club, Elks Club, Griffin Country Club and member of the Rotary Club of Griffin since coming to Griffin in 1972; and

WHEREAS, Mr. Glover's activities in his professional capacity include past member of the National Beer Wholesaler Board of Directors 1997-2000 and currently 1st Vice President/Incoming President of the Georgia Beer Wholesaler Association; and

WHEREAS, Mr. Glover has actively been involved in the Workforce Investment Program of West Central Georgia where he has been a member of the Board of Directors of the West Central Georgia Private Industrial Council, serving as Vice President and President. He is currently serving as President of the West Central Georgia Workforce Investment Board, a ten County Board involved in workforce development for the Chattahoochee Flint and McIntosh Trail R.D.C. areas and currently serving on the Southeastern Training Association Board of Directors, a Board made up of professionals and volunteers involved in workforce development for the Southeastern states.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Spalding County, recognizing his contributions to Spalding County and honoring his selection as "Man of the Year" that we hereby declare **Tuesday, April 15, 2003** as

"ROBERT H. "BOB" GLOVER DAY"

BE IT FURTHER RESOLVED that a copy of this Proclamation is to be spread upon the minutes of the proceedings of this Board to memorialize Mr. Glover's contributions to the citizens of Spalding County and commemorate his selection as the Griffin Exchange Club's Man of the Year for 2002.

This the 15th day of April 2003.

4. Andy Johnson with Natural Resources Conservation Service (NRCS) would like to address the Board regarding his agency's program with Spalding County. Mr. Johnson said that their organization is part of the Federal USDA and most of what they do involves conservation planning with private landowners which has traditionally been agriculture and wildlife and forestry activities, generally in rural areas. They run the farm bill programs. He spoke regarding the cooperative agreement that they have with us and Butts County and introduced Steven Cook, who is the employee under this agreement. The agreement is basically a cooperative grants agreements where NRCS gives monies to the counties and we share an employee. Steven works out of the region office in McDonough, GA to provide conservation assistance to private landowners in Spalding and Butts County. The salary is divided by thirds.

Commissioner McDaniel asked that the agenda be amended to remove Item No. 1 under New Business and add to Citizens Comments Item No. 5, as he did not clarify himself when he asked that this item be placed on the agenda.

Commissioner McDaniel made a motion to amend the agenda to move Item No. 1 under New Business to Citizens Comments Item No. 5. Commissioner Davis seconded the motion and motion was unanimously approved by a vote of 5-0.

5. Alan Duncan desires to address the Board of Commissioners regarding the construction of a dirt bike track in Spalding County. Alan along with his family was recognized by Commissioner McDaniel as a Boy Scout who is working to obtain his Eagle badge and has chosen as his project the construction of a dirt bike track for the enjoyment of those who like to ride. In his letter he had suggested maybe a vacant lot in one of the industrial parks could be used and the Commissioners stated that his letter would be forwarded to Mr. Luckie at the Griffin-Spalding Development Authority to review and consider his request.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Nine Months Ended March 31, 2003. Ms. Jinna Garrison was present to answer any questions the Board might have. Chairman Morrow asked Ms. Garrison to explain the rather large figures under Capital Outlay. She said that we have purchase orders out for a garbage truck, a Construction & Maintenance truck and a couple of Parks & Recreation vehicles and we will pay for them and then do a lease with Wachovia and be reimbursed. At that time a budget amendment will be done.

Upon motion by Commissioner Davis, seconded by Commissioner McDaniel the Financial Statements were unanimously approved by a vote of 5-0.

VI. CITIZENS COMMENTS

1. Mark Scudder desires to address the Board of Commissioners regarding fencing around the lake at Wyomia Tyus Olympic Park. Additionally Mark Scudder desires to

further address the Board regarding dogs running at large. He said that we have out at Wyomia Tyus Park a ticking time bomb that is going to kill some people very soon as we have a sloping driveway maybe 300-400 ft. long at a 5 or 6 degree grade which leads straight into the lake. He said that we are allowing children to ride bicycles and skates on the asphalt part of the trail and they could possibly go into the lake and drown. He requested again that a fence be put up around the lake. He also addressed a child bitten by dogs on Wisso Road and stated he was going to work with County Manager Wilson to get his signs put up warning about dogs running at large. He asked the Board to consider taking some money out of the discretionary fund to help support our National Guardsman and Reservists.

VII. PUBLIC COMMENT - none

VIII. MINUTES

1. Consider approval of the minutes for the Regular Monthly Meeting of April 7, 2003. Chairman Morrow asked that a word change from "person" to "purpose" be made on the first line under the last paragraph, Page 420 under Item No. 12 on New Business. *Motion made by Commissioner McDaniel to approve the minutes with change requested by Chairman Morrow. Commissioner Goss seconded the motion and motion was unanimously approved by a vote of 5-0.*

IX. CONSENT AGENDA

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

1. Consider at second reading amended ordinance amending the Spalding County Code by adding Article B to Part XI, Offenses, Chapter 2, to provide for no swimming or wading on property of Spalding County.

ORDINANCE NO. 2003-02

ORDINANCE TO AMEND PART XI OFFENSES, CHAPTER 2 BY ADDING A NEW ARTICLE TO BE DESIGNATED ARTICLE B

**BE IT RESOLVED AND ORDAINED BY THE BOARD OF COMMISSIONERS
OF SPALDING COUNTY AND IT IS HEREBY RESOLVED AND ORDAINED:**

Section 1. To amend Part XI Offenses, Chapter 2 of the Spalding County Code as follows:

By adding a New Article To Be Designated as Article B, Swimming or Wading Prohibited on Property of Spalding County, Georgia as follows:

**Article B. SWIMMING OR WADING PROHIBITED ON PROPERTY OF
SPALDING COUNTY**

Sec. 11-2008.

It shall be unlawful and a violation of this Article for any person to swim or wade in any lake located on property belonging to Spalding County.

Sec. 11-2009. Violations and Enforcement.

(a) Any person who shall do anything prohibited by this article as it now exists or as it may hereafter be amended, or who shall fail to do anything required by this article as it now exists or as it may hereafter be amended, is hereby declared to be in violation of this article and the pertinent regulations or county ordinances herein set forth.

(b) Each and every day that any such violation exists shall be deemed a separate offense.

(c) Any such violation, upon conviction thereof, as prescribed by the laws of Georgia, shall be punishable by a fine or imprisonment, or both, not to exceed the maximum fine or the maximum imprisonment, or both, as prescribed by the pertinent laws of Georgia and as more particularly set out in section 1-1007 of this Code, which such section is incorporated herein and made a part hereof by reference.

Section 2. This ordinance shall be and become effective immediately upon its adoption by the Board of Commissioners of Spalding County, Georgia, as prescribed by Section 2-1005 of the Code of Spalding County.

Section 3. All ordinances and parts of ordinances in conflict herewith are repealed.

2. Consider at second reading an ordinance amending the FY 2003 Budget Ordinance to provide for an operating transfer to the Workers Compensation Trust Fund.

**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. Employee Benefit Trust Fund

A. Revenues

Fund Balance Appropriated	From	\$	0	to	\$	126,300
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B. Expenditures

Operating Transfer Out	From	\$	0	to	\$	126,300
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Section II. General Fund

A. Revenues

Fund Balance Appropriated	From	\$	281,511	to		155,211
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Operating Transfer In	From	\$	0	to	\$	126,300
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B. Expenditures

Operating Transfer	From	\$	0	to	\$	126,300
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C. Revenues

Fund Balance Appropriated	From	\$	155,211	to	\$	281,511
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Section IV. Worker's Compensation Trust Fund

A. Revenues

Fund Balance Appropriated	From	\$	500,000	to	\$	373,700
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Operating Transfer In	From	\$	0	to	\$	126,300
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Approved on first reading this 7th day of April 2003.

Approved, adopted and enacted on second reading this 21st of April 2003.

X. OLD BUSINESS – n/a

XI. NEW BUSINESS

1. Consider request from DeKalb Humane Society to waive adoption fees for animals at the Spalding County Animal Shelter. *Upon motion by Commissioner Davis, seconded by Commissioner McDaniel request was unanimously approved by a vote of 5-0. An ordinance will have to be drafted to change the code to add this organization.*

2. Consider at first reading an ordinance amending Section 7-1007 of the Spalding County Code of ordinances regarding designation of three-way stop intersections to add intersection of David Elder Road, Bicycle Road and Hardy Lane. This recommendation came from Major Wendell Beam at the Law Enforcement Complex. *Upon motion by*

Commissioner Davis, seconded by Commissioner Goss the 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.

3. Consider at first reading an ordinance amending the Fiscal Year 2003 Budget Ordinance to provide for reimbursement from the Narcotics Task Force and insurance proceeds for the replacement of a Sheriff's vehicle. *Upon motion by Commissioner McDaniel, seconded by Commissioner Goss first reading was unanimously approved by a vote of 5-0. The ordinance will be incorporated into the minutes on second and final reading.*

4. Consider approval of DOT Contract for Acquisition of Right of Way for the SR16 & Wilson Road project. County Manager Wilson stated that we signed a Local Government Project Agreement a few years back stating that we would acquire right of way for this project and relocate all necessary utilities at no cost to DOT. Funding is allotted in the 1997 SPLOST.

Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the contract was approved by a vote of 5-0 as well as the following Resolution:

RESOLUTION OF COUNTY

STATE OF GEORGIA COUNTY OF SPALDING

BE IT RESOLVED by the Board of Commissioners of Spalding County and it is hereby resolved, that the foregoing attached Agreement, relative to Project STP-0003-00 (862), Spalding County be entered into by the Board of Commissioners and that Dick Morrow as Chairman, and Phyllis P. Doane as Clerk, be and they are, thereby authorized and directed to execute the same for and in behalf of said Board of Commissioners.

5. Consider termination of the Jail Services Contract with the City of Griffin. Chairman Morrow stated that the City is considering re-opening their municipal court for traffic offenses, which would affect our budget tremendously as we now have a full-time State Court to accommodate their traffic offenses. Our jail contract states "space available" and we have no available space and we are going to consider canceling the jail contract with the City. However, the City has a workshop tomorrow evening at 5:00 p.m. on this issue and Mr. Morrow and staff recommended that we wait to take any action on this until they hold their workshop.

Motion made by Commissioner Davis to table this item until the next regular scheduled meeting of May 5, 2003. Commissioner Goss seconded the motion and motion was unanimously approved by a vote of 5-0.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson had no report.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall had no comments.

Commissioner Goss had no comments.

Commissioner Davis had no comments.

Commissioner McDaniel passed on some information from the Hospital Authority meeting. He said that United Bank is now the custodian for the funds and since taking over there has been about a 7% gain. He also made the Board aware that the dental program this year has treated 900 children in the schools with fillings, cleanings sealings and extractions. He said that grant applications are due July 15.

Commissioner McDaniel asked if it would be possible to start posting the Board of Commissioners zoning agenda on the website. County Manager Wilson commented that we would start doing this.

Commissioner Morrow stated that we got a nice "Thank You" from Bob Glover for the Proclamation that he read at the Exchange Club's luncheon.

Commissioner Morrow announced to the Board that the annual Griffin High School JROTC Awards Program is scheduled for Thursday evening, May 8, 2003 at 7:00 p.m. in the Commons Area.

Commissioner Morrow commented that he had been talking with David Millen of DOT and he would be addressing the Board at our next meeting on structuring bypasses around Griffin and overlay zones to protect these. He said that their concern is with growth coming we clog the roads that become our future bypasses.

Commissioner Morrow commented on the building permits for March. He said our average house in March was 1,681 SF heated.

Commissioner Morrow handed out a worksheet he composed based on our Joint Workshop with Planning Commission and the Board of Education. He said they use \$2200 per student local cost for their education expenses per year and they currently have a millage rate of 18.54 mills and pursuant to our meeting they have dropped their planning purposes from 1.8 students per house to 1.2 students per house, which is a much more realistic estimate. He said that it takes a \$356,000 house to pay for 1.2 students in school.

XIV. CLOSED MEETING

1. The County Attorney desires a Closed Meeting to discuss pending/potential litigation. County Attorney Fortune advised that the Closed Meeting would not be necessary.

XV. ADJOURNMENT

Upon motion by Commissioner Davis, seconded by Commissioner Goss the meeting was unanimously adjourned at 6:50 P.M.

County Clerk

Chairman

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