



Spalding County online

Board of Commissioners

EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, June 16, 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, 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. Commissioner Kendall came in later during the meeting.

Agenda Topics

- I. OPENING (CALL TO ORDER) – Chairman Morrow**
- II. INVOCATION - Rev. Randy Valimont**
- III. PLEDGE TO FLAG – Led by Chairman Morrow**

Commissioner Morrow recognized the large crowd we have at our meeting tonight and stated that an item was going to be presented later that would interest most of the people here; however, the Board decided to take care of this item before any business was transacted.

Motion made by Commissioner McDaniel to amend the agenda to consider authorizing the County Manager to initiate a Pay Plan Study. He said that money has been allocated in the FY 2004 Budget to do this study. Commissioner Davis seconded the motion and motion to amend agenda was approved by a vote of 3-1 with Commissioner Goss voting in opposition. Commissioner Kendall was not present for this part of the meeting.

Motion made by Commissioner McDaniel that the Board authorize County Manager Wilson to initiate the Pay & Classification Plan Study pending approval of the FY 2004 Budget. Commissioner Davis seconded the motion and motion was approved by a vote of 3-1 with Commissioner Goss voting in opposition. Commissioner Kendall was not present for this part of the meeting.

Commissioner Kendall came into the meeting at this time.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Steve Rhodes and Andy Macke of COMCAST are present to brief the Board of the cable television rebuild project. Andy Macke introduced Kirk Dale, Vice President and General Manager of the Atlanta Perimeter Area and Steve Rhodes, the Area Manager, whose office is just off Airport Road. He said Mr. Dale would provide information about the company and the

division of the perimeter and Mr. Rhodes would provide the update on the specifics of the rebuild.

Mr. Dale said that it had been approximately 90 days since acquiring the Spalding County franchise. He said they assessed three (3) important issues for this area. The first was people. He said they have increased their headcount by six (6) as well as bringing all work in-house. The second was customer service. He said they want customer service to be able to handle service calls the same day called in and install service by request. The third, from a future perspective, was assessing their network. He said there was a whole list of new products that they want to offer to the citizens of Spalding County as soon as possible. He said that also needed a local leader and they placed Steve Rhodes, a resident of the County.

Mr. Rhodes, Area Manager of Comcast, gave a brief outline of what has been done and what is going to be done. He said that there are 355 miles of cable in Spalding County to upgrade. He said 80 per cent of it is aerial. He said they would pass approximately 12,000 homes and were planning to get 100 miles per month done. He said their completion time is in September as long as they get the permits they need from Central Georgia EMC. He said the people will be notified when we are in their area to make the transfer and we will also provide street sheets.

Mr. Dale gave a brief explanation of what will be offered when the rebuild is finished, which is providing more channels, as well as high speed internet. This includes high definition television and as well as video on demand services. He said they were excited about being able to offer these extra services.

Mr. Dale stated they plan to have a couple of town hall style meetings to solicit some customer input before the rebuild is completed.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of the Financial Statements for the Eleven Months Ended May 31, 2003. Ms. Jinna Garrison was present to answer any questions. She addressed General Fund balance showing on this statement. *Upon motion by Commissioner Davis, seconded by Commissioner McDaniel the Financial Statements were unanimously approved by a vote of 5-0.*

2. The Finance Director is present to give an update on audit requirements and GASB 34 requirements. Ms. Garrison stated that the reporting on capital won't look like it is shown on the statements now. She said she would be reporting entity wide statements. You will see a statement of net assets, which will replace "fund balance". She said we have done a physical inventory of our fixed assets. She said we have compiled a list of bridges, roads and rights of way and are determining the fair market value of these and are currently determining fixed asset depreciation. For Fiscal Year 2004 we are required to comply with new auditor independence standards. Our auditors would previously go into our elected officials' offices and compile their financial statements for them and they can no longer do that. We have compiled an excel spreadsheet that the departments can utilize to plug in their disbursements and cash receipts and produce their own reports for the auditors.

VI. CITIZENS COMMENTS – n/a

VII. PUBLIC COMMENT

Captain Jamie Clark, Spalding County Fire Department, addressed the Board on behalf of all the employees of the Fire Department. He addressed salaries in comparison with other comparable surrounding counties. He commented that because of salaries the department had lost forty-seven (47) firefighters over the past ten (10) years. He said that they had met with Chief Samuel Gardner on March 28th and again with County Manager Wilson on April 17th and presented him with a study they had done on salaries with other fire departments surrounding Spalding County. He said they met again with Mr. Wilson on June 10, 2003 and still had not been able to reach a consensus. He said unless we stay competitive with other counties we were going to lose our employees to other counties. He said every time we lose one (1) firefighter it costs the County about \$10,000. He said we are going to lose a lot of firefighters this year as Henry is building five (5) new fire stations and will need ninety (90) firefighters. He said that we have some of the very best firefighters in the world and are dedicated men; however, he sees it coming. He said we have got to give these firefighters a raise or we are going to have to shut something down, start closing stations and we can't afford to do that.

Captain Franklin Allen, Spalding County Sheriff Department, addressed the Board on behalf of the employees of the Sheriff Department regarding disparity in pay and alleged unfair hiring practices. He handed a package to each Commissioner that correlates to the information he discussed relating to issues and problems that are going on in County government. He said they were appealing to the Commissioners to rectify the situation. He addressed the memo where it was stated that all County employees would receive a one step increase (2 ½%) increase in salary and found out later that all department heads (excluding elected officials) were receiving the one step increase plus three (3) additional steps and questions why there were selective employees given more increases. He said in 1993 when the Pay & Classification Plan was enacted, it was recommended that all employees should receive a one step increase each year, which has not been done. If this had been followed, he said we would not be here tonight voicing our concerns. He asked on behalf of the department that the job classification study can be conducted and once completed ask the Board to accept and approve the recommendations of that study and make any pay increases effective for the 2005 Fiscal Year and adhere to the recommendation that the yearly step increases be made for all county employees. He said all they were asking to the Board of Commissioners is to be fair to all county employees.

Ms. Ashley Brookshaw came forward and stated that her husband was a county firefighter and has been one for seven (7) years. She said that he makes approximately \$9.33/hr. and could go to another county making more but he is dedicated to his job and this county. She said firefighters and police officers save lives and feels that the Board needs to take into consideration their salaries and what they do for this county.

Commissioner Davis addressed the audience made up mostly of Spalding County employees of the Fire Department and Sheriff Department. He thanked everyone for coming and stated we love to hear from you. He congratulated the Fire Department and Sheriff Department on their presentations and stated as for him they would get serious consideration.

Commissioner Morrow commented that he knows our employees need an increase in pay and know that in particular the firefighters and police officers put their lives on the line for us and should be paid more. He said that we are in a very difficult position with the tax increase this year but we are going to do our very best to get salaries in line as they should be and do right by the employees.

VIII. MINUTES

An Ordinance to Amend Section 12-1016(b)(4) of the Spalding County Code pertaining to the waiver of animal adoption fees for qualified entities registered by the Georgia Department of Agriculture or other qualified governmental authority.

WHEREAS, the Board of Commissioners is charged with the responsibility of operating the Spalding County Animal Shelter and associated Animal Control Department;
AND

WHEREAS, the Board has deemed it in the best interest of the public health and safety of the County to waive the animal adoption fee for qualified entities that operate as licensed rescue groups; AND

WHEREAS, the Board is aware that the number of qualified entities is increasing, while current County Ordinance specifies each entity by name; AND

WHEREAS, the Board desires to equitably and evenly administer its regulations in this area.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF SPALDING COUNTY:

Section 1. The following portion of the current Code of Ordinances of Spalding County, Georgia shall be stricken in its entirety:

“Section 12-1016(b)(4)

A new portion of the Code of Ordinances of Spalding County, Georgia shall be added as follows, to be entitled Section 12-1016(b)(4):

“Any other fees deemed necessary or which are incurred while the animal(s) are in custody of the animal control department can or shall be assessed in addition to the impoundment and/or adoption fees. Provided, however, that if such animal is adopted by a group or entity which is non-commercial in nature and is licensed by the state of Georgia, or other appropriate government authority, to rescue and/or rehabilitate animals then said impoundment and/or boarding fees shall not apply, but the cost of rabies tags shall be paid.

“Groups or entities that desire to have the aforementioned impoundment and/or adoption fees waived shall make written application with the animal control department requesting the waiver of fees. This application shall consist of a cover letter containing the request and a copy of the relevant licensing obtained by the group or entity. The County Manager, or designee, shall have authority to determine the validity of requests made under these provisions and shall further have the authority to deny requests made by groups or entities that lack the appropriate licensing.

“If said adoption is to be made by the animal’s owner or immediate previous owner, the fees listed hereinbefore shall apply.”

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, or portions thereof, in conflict with the foregoing shall stand repealed.

3. Consider at second reading Amendments to the Official Zoning Ordinance of the following:

- **Amendment to UDO #A-03-07:** Article 11. R-5 Section 1103(A)(10) –add conservation subdivision as principal use, and Article 7: -1 – Section 704(B)(B’); Article 8: R-2 – Section 804 (B)(B’); Article 10: R-4 – Section 1004 (B) (B’) and Article 11: R-5 – Section 1104 (B) (B’) – amend density allowances for sewerred property within conservation subdivisions.

IN RE:

Text Amendment #A-03-07

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

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

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

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

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

WHEREAS, such proposed text amendment was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on May 22, 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: The following provision shall be deleted from the provisions of the Zoning Ordinance of Spalding County, Article 7 “R-1 Single-Family Residential Low Density District:” Section 704(B).

Section 2: A following provisions shall be added to the Zoning Ordinance of Spalding County, Article 7 “R-1 Single Family Residential Low Density District” to appear as Section 704(B) and Section 704(B’):

B. Minimum Lot Area:

Outside of a Conservation Subdivision: As specified by the Spalding County Health Department, but in *no* case less than 2 acres, unless a special exception allowing a reduction in lot size to 1 acre is approved pursuant to Section 413.

Inside of a Conservation Subdivision: See Appendix A: Subdivision Ordinance, Article 7: Conservation Subdivision, Section 703(3) for minimum required lot areas.

Lot of Record (*lawfully existing at the time of passage of this Ordinance*): A lot having an area, which does not conform to the above standards, may nevertheless be developed with a use, which is permitted within an R-1 district if approved by the Spalding County Health Department.

Land Divisions not falling under the purview of the Spalding County Subdivision Ordinance as defined in Appendix A, Section 202(QQ): Lot area shall be a minimum of 1 acre.

B’. Density Calculations: For purposes of calculating density within a conservation subdivision by this Ordinance, a density of 1 lot per acre shall be used in areas served by public water and 1 lot per acre in areas served by both public water and public sewerage. This calculation is based on the adjusted tract acreage.

Section 3: The following provision shall be deleted from the provisions of the Zoning Ordinance of Spalding County, Article 8 “R-2 Single-Family Residential District:” Section 804(B).

Section 4: A following provisions shall be added to the Zoning Ordinance of Spalding County, Article 8 “R-2 Single Family Residential District” to appear as Section 804(B) and Section 804(B’):

B. Minimum Lot Area:

Outside of a Conservation Subdivision: As specified by the Spalding County Health Department, but in *no* case less than 2 acres, unless a special exception allowing a reduction in lot size to 1 acre is approved pursuant to Section 413.

Inside of a Conservation Subdivision: See Appendix A: Subdivision Ordinance, Article 7: Conservation Subdivision, Section 703(3) for minimum required lot areas.

Lot of Record (*lawfully* existing at the time of passage of this Ordinance): A lot having an area, which does not conform to the above standards, may nevertheless be developed with a use, which is permitted within an R-2 district if approved by the Spalding County Health Department.

Land Divisions not falling under the purview of the Spalding County Subdivision Ordinance as defined in Appendix A, Section 202(QQ): Lot area shall be a minimum of 1 acre.

B'. Density Calculations: For purposes of calculating density within a conservation subdivision by this Ordinance, a density of 1 lot per acre shall be used in areas served by public water and 1 lot per acre in areas served by both public water and public sewerage. This calculation is based on the adjusted tract acreage.

Section 5: The following provision shall be deleted from the provisions of the Zoning Ordinance of Spalding County, Article 10 "R-4 Single-Family District:" Section 1004(B).

Section 6: A following provisions shall be added to the Zoning Ordinance of Spalding County, Article 10 "R-4 Single Family District" to appear as Section 1004(B) and Section 1004(B'):

B. Minimum Lot Area:

Outside of a Conservation Subdivision: As specified by the Spalding County Health Department, but in *no* case less than 2 acres, unless a special exception allowing a reduction in lot size to 1 acre is approved pursuant to Section 413.

Inside of a Conservation Subdivision: See Appendix A: Subdivision Ordinance, Article 7: Conservation

Subdivision, Section 703(3) for minimum required lot areas.

Lot of Record (*lawfully existing at the time of passage of this Ordinance*): A lot having an area, which does not conform to the above standards, may nevertheless be developed with a use, which is permitted within an R-4 district if approved by the Spalding County Health Department.

Land Divisions not falling under the purview of the Spalding County Subdivision Ordinance as defined in Appendix A, Section 202(QQ): Lot area shall be a minimum of 1 acre.

- B'. **Density Calculations:** For purposes of calculating density within a conservation subdivision by this Ordinance, a density of 1 lot per acre shall be used in areas served by public water and 1 lot per acre in areas served by both public water and public sewerage. This calculation is based on the adjusted tract acreage.

Section 7: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 11, "R-5 Single-Family District" to appear as Section 1103(A)(10):

Section 1103: Permitted Uses:

- A. The following **Principal Uses** are permitted in R-5 districts:

10. Conservation Subdivision

Section 8: The following provision shall be deleted from the provisions of the Zoning Ordinance of Spalding County, Article 11 "R-5 Single-Family District:" Section 1104(B).

Section 9: A following provisions shall be added to the Zoning Ordinance of Spalding County, Article 11 "R-5 Single Family District" to appear as Section 1104(B) and Section 1104(B'):

B. Minimum Lot Area:

Outside of a Conservation Subdivision: As specified by the Spalding County Health Department, but in *no* case less than 2 acres, unless a special exception allowing a reduction in lot size to 1 acre is approved pursuant to Section 413.

Inside of a Conservation Subdivision: See Appendix A: Subdivision Ordinance, Article 7: Conservation

Subdivision, Section 703(3) for minimum required lot areas.

Lot of Record (*lawfully existing at the time of passage of this Ordinance*): A lot having an area, which does not conform to the above standards, may nevertheless be developed with a use, which is permitted within an R-5 district if approved by the Spalding County Health Department.

Land Divisions not falling under the purview of the Spalding County Subdivision Ordinance as defined in Appendix A, Section 202(QQ): Lot area shall be a minimum of 1 acre.

- B'. **Density Calculations:** For purposes of calculating density within a conservation subdivision by this Ordinance, a density of 1 lot per acre shall be used in areas served by public water and 1 lot per acre in areas served by both public water and public sewerage. This calculation is based on the adjusted tract acreage.

Section 10: 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 11: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 12: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 13: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

- **Amendment to UDO #A-03-16:** Quarterly adoption of Zoning Map.

IN RE:

Text Amendment #A-03-16

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

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

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

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

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

WHEREAS, such proposed text amendment was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on May 22, 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: The following provision shall be deleted from the provisions of the Zoning Ordinance of Spalding County, Section 2302(E) of “Official Zoning Map Spalding County, Georgia (Official Map)”.

Section 2: 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 June 16, 2003, which will replace the previous Official Map.

Section 3: 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 4: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 5: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 6: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

X. OLD BUSINESS n/a

XI. NEW BUSINESS

1. Consider request from Divine Faith Ministries to utilize a portion of the parking lot at 843 Memorial Drive for a youth outreach program. County Manager Wilson stated that this was a request from one of our tenants at Oxford Square. The area requested is a defined area near their church and he did not see any problem with their request to have basket ball tournaments. The games would be scheduled on Mondays, Tuesday, Fridays and Saturdays throughout the month of July. Mr. Wilson stated that we do require insurance and would make sure that we have the insurance policy in the file.

Upon motion by Commissioner Davis, seconded by Commissioner McDaniel the request from Divine Faith Ministries was unanimously approved by a vote of 5-0.

2. Griffin-Spalding County School System requests approval of Standby Tax Levy Resolution for Series 2003 General Obligation School Bonds. Chairman Morrow stated “let the record show that this has nothing to do with the County selling bonds.”

Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the following Resolution was unanimously approved by a vote of 5-0.

**RESOLUTION OF THE BOARD OF COMMISSIONERS
OF SPALDING COUNTY**

WHEREAS, it appears that on September 18, 2001, the voters of the Griffin-Spalding County School System (the “School System”) did, at an election called for that purpose, authorize the imposition of a 1 percent sales and use tax for educational purposes (the “SPLOST”) on all sales and uses within the School System, as authorized by Article VIII, Section VI, Paragraph IV of the Constitution of the State of Georgia and Official Code of Georgia Annotated Section 48-8-140 *et seq.*, and the issuance of Griffin-Spalding County School System General Obligation School Bonds in the aggregate principal amount of \$26,500,000; and

WHEREAS, on February 26, 2002, the School System did actually issue and deliver \$14,000,000 (of an authorized issue of \$26,500,000) aggregate principal amount of Griffin-Spalding County School System General Obligation School Bonds, Series 2002; and

WHEREAS, it appears that the Griffin-Spalding County Board of Education (the “Board of Education”), charged with the duty of managing the affairs of the School System, has sold \$9,000,000 aggregate principal amount of said authorized issue of \$26,500,000, same being designated Griffin-Spalding County School System General Obligation School Bonds, Series 2003 (the “Bonds”), bearing interest from date at the rate per annum set forth below opposite each principal maturity, all interest payable semiannually on February 1 and August 1 in each year, commencing August 1, 2003, and maturing on February 1 in the following years and principal amounts:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2005	\$1,005,000	1.82%
2006	2,485,000	1.82
2007	2,680,000	1.82
2008	2,830,000	1.82

WHEREAS, the School System encompasses all of Spalding County, Georgia (the “County”); and

WHEREAS, the Board of Education has determined that the principal of and interest on the Bonds shall be payable first from the proceeds of the SPLOST received by the School System and, if such proceeds are not sufficient to pay the entire principal of and interest on the Bonds when due, then such unpaid amount shall be payable from a direct annual ad valorem tax, unlimited as to rate or amount, on all property within the School System subject to taxation for school bond purposes sufficient to raise the amounts as hereinafter set forth; and

WHEREAS, proper certificates and recommendations have been made to the Board of Commissioners of Spalding County (the “Board of Commissioners”) that, in the event the proceeds of the SPLOST received by the School System are insufficient to pay the principal of and interest on the Bonds, a direct annual ad valorem tax for such purpose be levied and it is necessary that the tax to be levied in each year for the purpose of paying the principal of and interest on the Bonds as same mature to produce funds to pay the principal maturing February 1 and the interest maturing February 1 and August 1, in each calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Spalding County, and it is hereby resolved by authority of the same, that, in the event the proceeds of the SPLOST received by the School System are insufficient to pay the principal of and interest on the Bonds, there shall be and is hereby levied a direct annual ad valorem tax upon all the taxable property subject to taxation for school bond purposes located in the County sufficient to provide moneys required to pay the principal of and interest on the \$9,000,000 (of an authorized issue of \$26,500,000) aggregate principal amount of Griffin-Spalding County School System General Obligation School Bonds, Series 2003 as follows:

<u>Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
August 1, 2003	\$ -0-	\$ 15,470.00	\$ 15,470.00
February 1, 2004	-0-	81,900.00	81,900.00
August 1, 2004	-0-	81,900.00	81,900.00
February 1, 2005	1,005,000	81,900.00	1,086,900.00
August 1, 2005	-0-	72,754.50	72,754.50
February 1, 2006	2,485,000	72,754.50	2,557,754.50
August 1, 2006	-0-	50,141.00	50,141.00
February 1, 2007	2,680,000	50,141.00	2,730,141.00
August 1, 2007	-0-	25,753.00	25,753.00
February 1, 2008	<u>2,830,000</u>	<u>25,753.00</u>	<u>2,855,753.00</u>
Total	<u>\$9,000,000</u>	<u>\$558,467.00</u>	<u>\$9,558,467.00</u>

which moneys are hereby irrevocably pledged and appropriated to the payment of the principal of and interest on the Bonds at maturity. Said moneys shall be collected by the Tax Commissioner

of Spalding County in each year and shall be paid into a debt service fund to be maintained for and applied to the payment of the principal of and interest on the Bonds at maturity, and provision to meet the requirements of this resolution shall be made annually hereafter so that the Griffin-Spalding County School System General Obligation School Bonds, Series 2003, including both principal and interest, shall be fully paid on February 1, 2008.

BE IT FURTHER RESOLVED that all orders and resolutions, or parts of orders and resolutions, in conflict with this resolution this day passed be, and the same are, hereby repealed.

SO ADOPTED this June 16, 2003.

SPALDING COUNTY, GEORGIA

(L.S.) Dick Morrow, Chairman of the
Board of Commissioners

ATTEST:

(L.S.) Phyllis Doane, Clerk

3. Consider approval of final plat for Will's Walk Subdivision Phase II, located off Vineyard Road. *Upon motion by Commissioner Davis, seconded by Commissioner McDaniel final plat was approved by a vote of 4-1 with Commissioner Goss voting in opposition.*

4. Consider acceptance of right of way deed for Sammy Circle, Ashley Trail and Janie Lane located in Will's Walk Subdivision Phase II off Vineyard Road. *Motion made by Commissioner McDaniel to approve acceptance of right of way deed conditioned upon receipt of original Addendum to Letter of Credit as requested by Community Development Director Chuck Taylor. Commissioner Davis seconded the motion and motion was approved by a vote of 4-1 with Commissioner Goss voting in opposition.*

5. Consider request to set a public hearing date to establish street lighting district for The Orchards Subdivision. *The consensus of the Board was to have the public hearing during the regular July 21st meeting, which begins at 6:00 P.M.*

6. Consider approval at first reading the FY 2004 Budget Ordinance. *Upon motion by Commissioner McDaniel, seconded by Commissioner Davis the FY 2004 Budget Ordinance was approved by a vote of 4-1 with Commissioner Goss voting in opposition. **The Budget Ordinance will be incorporated into the minutes on second and final reading.***

7. Consider rescheduling/canceling the July 7, 2003 meeting. *Motion made by Commissioner Davis to cancel the July 7^h meeting and only have the one meeting for the month, which is July 21, 2003. Commissioner Morrow seconded the motion and motion was unanimously approved by a vote of 5-0.*

8. Consider Resolution of Intent to Abandon An Unused portion of Seven Forks Road north/east of Teamon Road. *Upon motion by Commissioner Davis, seconded by Commissioner McDaniel the following Resolution was unanimously approved by a vote of 5-0.*

**RESOLUTION OF INTENT TO CONSIDER THE ABANDONMENT
OF AN UNUSED PORTION OF SEVEN FORKS ROAD**

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

WHEREAS, the Board of Commissioners of Spalding County, Georgia has been requested to determine whether an unused portion of Seven Forks Road located in Landlot 201 of the Third District of original Henry, now Spalding County, running north/easterly from its intersection with Teamon Road 560 feet, more or less, then southerly 680 feet, more or less, to its intersection with Teamon Road, has ceased for any reason to be used by the public to the extent that no substantial public purpose is served by it; and

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

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

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County that a copy of the within resolution, and a copy of such plat or sketch, be posted at the Spalding County Courthouse and at the Spalding County Courthouse Annex, and further that a copy of this resolution and said plat or sketch be transmitted to the Postmaster of Griffin, Georgia for his review with the local mail carrier, and a copy hereof be transmitted to the Superintendent of Schools for his review with the person in charge of bus transportation for the students of the local school system, so that this Board may have any response from the public or from the local postmaster or from the Superintendent of the Griffin-Spalding County School System on or before July 21, 2003 that would aid and assist this Board in making, or declining to make, such determination; and

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

9. Consider declaring surplus three vehicles previously employed by Parks and Recreation Department and authorizing disposal by means of sealed bid. Assistant County Manager Sabine commented that the vehicles to be declared surplus are as follows: 1984 Dodge ½ ton pickup with 246,552 miles, VIN# 1B7FD14TIE5347101; 1986 Chevy ½ ton with tool bed with 238,730 miles, VIN# 2GCDC14H1G1165004; 1986 Chevy ½ ton pickup with 238,201 miles, VIN# 1GCDC14H3GF408983.

Motion made by Commissioner McDaniel to declare these three vehicles surplus and authorize disposal by means of seal bid. Commissioner Davis seconded the motion and motion was unanimously approved by a vote of 5-0.

10. Discuss composition of proposed Development Impact Fee Advisory Committee and schedule a date for Committee appointments. Chairman Morrow said that one of the legal requirements is a Citizens Committee between 5 and 10 members with a minimum of 40% from the realtor/contractor/developer community. After a discussion of the make-up of this committee it was the consensus of the Board to have ten (10) members with each Commissioner appointing

two (2) persons each with at least four of the people being in real estate/developer industry. It was decided that this Committee would be appointed at the August 4, 2003 meeting.

Motion made by Commissioner McDaniel that there be ten (10) members appointed to the Development Impact Fee Advisory Committee and they are to be made at the August 4, 2003 meeting. Commissioner Goss seconded the motion and motion was unanimously approved by a vote of 5-0.

11. Discuss existing Section 506 of Spalding County Subdivision Ordinance pertaining to the bonds and release of final plat on incomplete subdivision projects. County Manager Wilson stated that Section 506 of the UDO allows for a developer to seek approval of the final plat without actually finishing the roads in his development and to post a bond deemed appropriate by the County to cover 120% of the total cost of construction and installation. This could put the County back into the road paving business. He recommended that this be taken out of the UDO as this gives the developer a blank check as it is very open ended right now.

The Board felt like there should be a provision in the section that states the subdivision needs to be a certain percent completed before you can get a final plat and the County accepts the deeds. There was a recommendation of 90 to 95% complete. County Manager Wilson stated that this would require an amendment to the UDO and would have to go back to the Planning Commission for review. They would then make a recommendation back to the Board with some of the comments made tonight. The Board agreed to send their recommendations back to Planning & Zoning Board.

12. Review results of the June 10, 2003 Workshop with Board of Zoning Appeals and Planning Commission and consider future action steps. It was decided that Commissioner Morrow and Commissioner McDaniel would work with Mr. Taylor on developing the guidelines and criteria for the Special Exception for one-acre lots and that Commissioner Morrow and Commissioner Davis would work with Mr. Taylor on raising the minimum house sizes.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson reminded the Board that Jordan, Jones & Goulding would be holding a Comprehensive Plan Meeting to recommend a draft future land use plan in the Courthouse Annex Meeting Room with the Board of Commissioners and Planning Commission on Monday, June 23, 2003 from 6:00 until 8:00 P.M.

County Manager Wilson announced that the Board of Elections is holding a reception for Helen Grayson retiring as Election Supervisor on June 25, 2003 from 4:00 PM until 6:00 PM at the First Methodist Church Fellowship Hall.

County Manager Wilson announced that there would be an EPD informational meeting on non-attainment issues Thursday, June 19, 2003 from 6:00 PM until 8:00 PM in the Courthouse Annex Meeting Room.

County Manager Wilson announced that Red Cross would be holding a blood drive at Wachovia Bank on June 26, 2003 from 10:00 AM until 3:00 PM and encouraged the public and especially Spalding County employees to go and give blood.

County Manager Wilson stated that a portion of Trestle Road would be closed for traffic on June 23, 2003 for approximately the next six months. A condition to the agreement with Minerva

Properties was that no trucks or construction equipment would be allowed to use Johnson Road because of the small timber bridge on the road.

County Manager Wilson stated that we have been having trouble with final inspections and the clean-up of utility permits such as grassing and mulching after completion of the project. It agreeable with the Board the County was going to withhold future permits until the clean-up has been completed and a final inspection performed on previous permits.

Assistant County Manager Sabine gave an update of the Highland Mill Sewer Project. He said that 37% of the lines have been installed with fifteen (15) homes connected.

Assistant County Manager Sabine briefed the Board on the status of the MPO (Metropolitan Planning Organization) regarding future transportation projects for Spalding County. There was discussion regarding the alternatives that have been offered other than joining the ARC MPO, a three-county organization (Coweta, Carroll and Spalding through McIntosh Trail RDC and a six-county organization (Carroll, Coweta, Paulding, Bartow, Fayette and Spalding). He said that he would be attending a meeting in Coweta County tomorrow and he and Mr. Morrow will attend a meeting at the Governor's office regarding the MPO situation on June 26, 2003.

Assistant County Manager Sabine discussed the possibility of Spalding County being listed as a non-attainment area and the impact that it would have on industrial and transportation on Spalding County. He asked the direction of the Board in coming up with a stance. In some places some communities are going with EPA Federal as opposed to State EPD and proposing an early action compact or early plan. The county would have to take specific steps to promote air quality in the community. The other alternative is in your non-attainment rating, there are three (3) different degrees, severe, serious and moderate. We could propose to the Governor's Office and EPD that as an outer county that we should be under moderate non-attainment rather than serious or severe. The Atlanta non-attainment area is in the serious rating and is about to go into the severe and feel we are being penalized in industrial growth and transportation projects. Commissioner Morrow stated that he feels that the County needs to go on record that we feel we should be in the moderate rating. The Board directed Mr. Sabine to draft a resolution to be sent to the Governor's Office and EPD stating that we are in support of asking to be placed in a moderate rating. The Resolution would be adopted at the Special Called Meeting of June 26, 2003 when we meet at 5:45 PM.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall asked if there was an update on the question of the grant writer that the Hospital Authority was trying to get. Commissioner McDaniel stated there is some discussion now about the possibility of looking for someone that would be paid out of the monies from the applicants.

Commissioner Kendall asked what the Board was planning to do about a Sales Tax Referendum. He said the only revenues he knew to finance pay raises other than through property taxes is to entertain the idea and take the lead on this sales tax situation and start to prosecute the issue coming back. He said that now is the time for us to get out there in front of this and not leave it to the Development Authority. We really need the industrial tax base to raise some revenue in Spalding County.

Commissioner Goss wanted to know if the County had ever looked at setting up a schedule to pay property taxes on a bi-annual basis. County Manager Wilson stated that we did several years ago

when we looked at the credit card payments. We did implement the credit card payments; however, bi-annual collections would adversely affect the budget. He said he would check again with the County Attorney and the Tax Commissioner.

Commissioner Goss addressed road problems in the Seven Forks Subdivision. He said someone had called him and said the roads were bad. County Manager Wilson commented that we would go back to the developer as they do have to maintain a warranty on that.

Commissioner Davis had no comments.

Commissioner McDaniel addressed the mowing of rights of way schedule. He said that they are all getting calls about the grass needing cutting but suggested not to fill out commissioner complaint reports as the grass crews would have to be moved from one side of county to another on a daily basis. He suggested that they just inform the people that call that the County does the mowing on a schedule in an area and it will be cut when your area is scheduled to be mowed.

County Manager Wilson commented that staff looks at the complaint forms and if we feel it is dangerous in any way we will pull the crews and mow the right of way.

Commissioner Goss commented that the complaints he has had is that when they call out to Public Works, they are told it will be done and to tell the people how long it will take would alleviate some of the problem. County Manager Wilson stated that he would address this matter with Public Works.

Commissioner Morrow had no comments.

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 litigation.
2. The County Manager requests a Closed Meeting to discuss acquisition of real estate.

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 June 16, 2003.

2.

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

3.

The executive session was called to order at 8:11 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)_____;

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

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

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

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

This the 16th day of June 2003.

Spalding County Board of Commissioners

Sworn to and subscribed
Before me this 16th day of
June 2003.
Phyllis P. Doane
Notary Public
My commission expires: March 13, 2006

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

Upon motion by Commissioner McDaniel, seconded by Commissioner Davis 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 8:22 P.M.

County Clerk

Chairman

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Please send comments to webmaster@spaldingcounty.com
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