



Spalding County online

Board of Commissioners

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their regular monthly meeting on Monday, August 5, 2002 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 Martha McDaniel, Merrill Massengale, Dick Morrow, Johnie McDaniel and Michael Kendall 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 Johnie McDaniel**
- II. **INVOCATION - Rev. Randy Valimont – Led by Rev. Mike Freeman in the absence of Rev. Valimont.**
- III. **PLEDGE TO FLAG – Led by Commissioner Martha McDaniel**
- IV. **PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Mr. Russ Madison, Voter Education Coordinator for the Secretary of State Election Board is present to demonstrate one of the new voter machines. Mr. Madison stated he is the Voter Education Coordinator for Region 4, which is a ten county area. He said he would be going around to different civic groups and church groups and demonstrate the new machine. He said the new system would be used for the November 5th election. He said the system is made by Diebold Election Systems. The State is paying \$54 Million for this new election system with some of the monies going to the individual counties to do local voter education outreach. This is a touch screen voting machine that uses a smart card, which has your ballot programmed in it. There is no personal information on this card. There are also headphones for those who need the ballot read to them.

2. Consider approval of a Proclamation declaring Tuesday, August 6, 2002 as 'Griffin High Rage Rollerhockey Appreciation Day' in Spalding County, Georgia. Several members of the team were present to receive the Proclamation and Chairman McDaniel presented each one of them a Spalding County logo pin. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the following Proclamation was unanimously approved by a vote of 5-0.*

Proclamation

HONORING THE STATE CHAMPIONSHIP VICTORY BY THE GRIFFIN HIGH SCHOOL RAGE ROLLERHOCKEY TEAM

WHEREAS, the Griffin High School Rage RollerHockey team is in its second year of existence, playing its matches at The Cooler sports facility in Alpharetta; AND

WHEREAS, in its first year of existence, the team placed third in the "A" Division, and committed itself to improvement by playing in open league activities during the summer months, and were moved up to the "AAAA" Division in their second year of regular season play; AND

WHEREAS, these improvement efforts were rewarded as the Griffin High Rage beat the Milton High School team, which was a four time state champion as well as a two time national champion; AND

WHEREAS, the Griffin High Rage is actually comprised of team members from Griffin High and Spalding High, as well as a few players from Sandy Creek High, Eagles Landing High, and Windsor Academy; AND

WHEREAS, the Griffin High Rage was coached in its second season by Joe Andresen, Harry Kierbow, and Larry Williams; AND

WHEREAS, the team included Michael Andresen, John Chudzik, Alternate Captain Jacob Cline, Jonathan James, Harry Kierbow, Captain Jonathan Payne, Alternate Captain Thomas Michael, and Seth Simons .

NOW THEREFORE BE IT PROCLAIMED by the Board of Commissioners of Spalding County, Georgia that the Board hereby declares that Tuesday, August 6, 2002 is

“GRIFFIN HIGH RAGE ROLLERHOCKEY APPRECIATION DAY ”

and encourages all citizens of Griffin and Spalding County to reflect upon the significance of their commitment to excellence and the general importance of team sports and physical activity in our local community.

This the 5th day of August 2002.

V. PRESENTATION OF FINANCIAL STATEMENTS – n/a

VI. CITIZENS COMMENTS

1. Mr. Tim Heinzl, 68 Smoak Field Road, is present to discuss possible solutions to the Smoak Field and Teamon Road intersection. Mr. Heinzl stated this was a very dangerous intersection as there is limited visibility to on-coming traffic in this area. There have been several accidents that have occurred at this intersection. He said that temporary measures have been taken by the County to help improve the problem, extension of pavement on Smoak Field Road and dangerous intersection signs installed with 35 MPH. He said that Smoak Field Road used to be a rural area but growth has begun as well as the access to the reservoir. He said that Teamon Road is also used as a cut-through over to 19/41 from Highway 155. His children catch the bus at Teamon Baptist Church as it will not go down Smoak Field Road and that slows down the traffic in the morning and in the afternoon. The solution he feels that would be the greatest is to cut back the bank and the foliage to be able to see on-coming traffic. It was determined that the bank is on private property.

County Manager Wilson stated that the County has trimmed everything it possibly can to make the intersection safer. There are two (2) lots on the corner that are issues. One is a vacant lot and the other one the owner has the house up for sale. The bank being on private property is the problem with the County shaving off the hill.

Commissioner Massengale said that he would go to the Tax Assessors office and research who owns this property and he would be glad to meet with the individual and see if something could be worked out.

VII. PUBLIC COMMENT

Mr. Dexter Thomas, 180 Smoak Field Road, also addressed the intersection of Smoak Field Road and Teamon Road intersection. He said that his wife has been trying to get the school system to let the bus come down Smoak Field Road and pick children up at their mailboxes but have not succeeded. The problem is getting the buses back out onto Teamon Road as the school system said this is a safety issue. He said that it was one-half mile up to church from where they live and he has to pick three grandchildren up at different times at the bus stop.

Ms. Amanda Trowell, 256 Smoak Field Road, also addressed the intersection. She said that her son had an accident at this intersection. He couldn't hear a motorcycle approaching and the motorcycle slid under his truck.

Ms. Gloria Handley, 190 Smoak Field Road, also addressed the intersection. She said her concern is visibility pulling out onto Teamon Road. She said that you couldn't see anything on the left hand side.

Ms. Michelle Barnes, 74 Smoak Field Road, also addressed the intersection. She presented the Commissioners a petition with all but three signatures from people living on Smoak Field Road to correct

this dangerous intersection. She said it was very dangerous to pull out onto Teamon Road with children in their cars.

Mr. Fred Edwards, 747 Steele Road, asked what was the status of the traffic signal at the 19/41 at Birdie Road intersection. County Manager Wilson stated that the County had acquired all the rights of way but were waiting on a State Contract with Department of Transportation.

VIII. MINUTES

1. Consider approval of the minutes of the Special Joint Called Meeting and Extraordinary Session of July 15, 2002. *Upon motion by Commissioner Johnie McDaniel, seconded by Commissioner Massengale the minutes were approved by a vote of 3-0-2 with Commissioners Martha McDaniel and Dick Morrow abstaining, as they were not present for these meetings.*

2. Consider approval of the minutes of the Special Joint Called Meeting of July 23, 2002 and Public Hearing of July 25, 2002. *Upon motion by Commissioner Morrow, seconded by Commissioner Martha McDaniel the minutes were unanimously approved by a vote of 5-0.*

IX. CONSENT AGENDA – n/a

X. OLD BUSINESS

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

- **Rezoning Application #02-11Z:** Griffin Area Habitat for Humanity, Owner—Cascade Avenue, .735 acre – C-2 to R-5 Conditional.

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow the following Resolution was unanimously approved by a vote of 5-0:

IN RE:

APPLICATION OF GRIFFIN AREA HABITAT FOR HUMANITY FOR REZONING CERTAIN PROPERTY LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 02-11Z

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

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “C-2, Manufacturing;”

WHEREAS, Griffin Area Habitat for Humanity applicant, applied for a change in zoning classification to be applied to the within described property to “R-5, Single Family Residential;”

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

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on

July 25, 2002, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

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

All that lot, tract or parcel of land situate, lying and being in Land Lot 207 of the Second Land District of originally Monroe, now Spalding County, Georgia and being more particularly described as follows:

BEGINNING at the intersection of the west right-of-way of Third Street (40 foot right-of-way) and the southern right-of-way of Cascade Avenue (40 foot right-of-way); thence South 02 degrees 24 minutes 00 seconds East along the western right-of-way of Third Street 111.6 feet to a point; thence North 89 degrees 45 minutes 00 seconds West 120.5 feet to a point; thence continue North 89 degrees 45 minutes 00 seconds West 167.9 feet to a point; thence North 00 degrees 15 minutes 00 seconds East 112.9 feet to a point on the southern right-of-way of Cascade Avenue; thence South 89 degrees 45 minutes 00 seconds East 167.6 feet along the southern right-of-way of Cascade Avenue to a point; thence continue South 89 degrees 45 minutes 00 seconds East 115.0 feet to a point located at the intersection of the western right-of-way of Third Street and the southern right-of-way of Cascade Avenue and the **POINT OF BEGINNING**.

From “C-2, Manufacturing” to “R-5, Single Family Residential” District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. Home shall be a site built home.

Section 3

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

On August 5, 2002, by official action of the Board of Commissioners of Spalding County, Georgia the following change was made in the Official Zoning Map, Spalding County: All those tracts or parcels of land situate lying and being in Land Lot 207 of the 2nd Land District of originally Monroe, now Spalding County, Georgia, consisting of approximately .735 acre, zoned R-5, Conditional.

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

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

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

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

- **Rezoning Application #02-13Z:** Teramar Holdings, LLC & Eric Yu, Owners—Zebulon Road, 4.0 acres – C-1 to C-1B, Conditional.

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

IN RE:

**APPLICATION OF TERAMAR HOLDINGS, LLC & ERIC YU
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY,
GEORGIA;**

REZONING APPLICATION 02-13Z

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

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

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

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

WHEREAS, Teramar Holdings, LLC & Eric Yu applicant, applied for a change in zoning classification to be applied to the within described property to “C-1B, Heavy Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on May 23, 2002;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on July 25, 2002, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

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

All that lot, tract or parcel of land situate, lying and being in Land Lot 120 of the Second Land District of originally Monroe, now Spalding County, Georgia and being more particularly described as follows:

Commence at the intersection of the southernmost corner of the right-of-way of U.S. Highway 19 and the right-of-way of Hemphill Road; thence, follow the right-of-way of U.S. Highway 19 in a southwesterly direction for a distance of 290 feet to a point; thence, leave the right-of-way in a southeasterly direction for a distance of 148 feet to a point of beginning; thence, continue in a southeasterly direction for a distance of 266 feet to a point; thence head in a northeasterly direction for a distance of 174 feet to a point on the right-of-way of Hemphill Road; thence, follow the right-of-way of Hemphill Road in a southeastern direction for a distance of 360 feet to a point; thence, leave the right-of-way of Hemphill Road in a easterly direction for a distance of 558 feet to a point; thence, head in a northwesterly direction for a distance of 220 feet to a point; thence, head in a northeasterly direction for a distance of 345 feet to the point of beginning. Said tract contains 4.0 acres.

From “C-1, Highway Commercial” to “C-1B, Heavy Commercial” District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. Building facades/elevations visible from US Highway 19 (Zebulon Road) shall be constructed of brick, stone, or masonry stucco.

Section 3

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

On August 5, 2002, by official action of the Board of Commissioners of Spalding County, Georgia the following change was made in the Official Zoning Map, Spalding County: All those tracts or parcels of land situate lying and being in Land Lot 120 of the 2nd Land District of originally Monroe, now Spalding County, Georgia, consisting of approximately 4.0 acres, zoned C-1B, Conditional.

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

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

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

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

2. **Lift from the table.** Consider approval for new Alcoholic Beverage License for 2002 Consumption of Premises, Beer and Wine for the following:

- Kenneth D. Woo, AV-KEN Corporation d/b/a The Tropic, 2043 North Expressway

Chairman McDaniel stated that the applicant, Mr. Woo, has asked that the application be withdrawn as he is no longer in business at this location.

3. Consider at second reading an ordinance amending the Part V, Chapter 2 Section 5-2001 of the Spalding County Code relative to Water Supply and Distribution. *Upon motion by Commissioner Massengale, seconded by Commissioner Kendall the following ordinance was unanimously approved by a vote of 5-0.*

**SPALDING COUNTY, GEORGIA
ORDINANCE NO. 2002-06**

AN ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, PART V, CHAPTER 2, WATER SUPPLY AND DISTRIBUTION, SECTION 5-2001.

WHEREAS, the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, is empowered under and by virtue of the Constitution and the Laws of the State of Georgia to provide, and to amend, the Spalding County Code; and

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County, as follows.

Section 1. Code of Spalding County, Part V, Chapter 2, Section 5-2001 should be amended by striking same in its entirety and inserting in lieu thereof the following:

“Section 5-2001. Water conservation; power to declare state of water emergency; impositions of sanctions and penalties for violation of conservation measures; enforcement.

(a) The county manager or his designee has the duty and responsibility of monitoring the county water system and the supply and distribution of water to the citizens and customers served by the county water system. Whenever the county manager, or his designee, has determined that supplies have reached a level where water usage should be restricted in order to conserve water supplies, he shall issue an advisory statement or declaration of a water emergency against non-essential water usage by imposing such measures as he may deem appropriate. Such measures as he may impose shall be immediately disseminated to the news media and to the general public in an expeditious and efficient manner.

(b) Any person who shall violate such mandatory restrictions imposed under the authority of this chapter is hereby declared to be in violation of this chapter.

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

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

(e) 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 in section 1-1007 of this Code, which such section, by reference, is incorporated herein and made a part hereof.

(f) The imposition of such fine or imprisonment, or both, for any violation shall not excuse the violation or permit it to continue; and all violators shall be required to correct or remedy such violations or defects within the time as prescribed by the court having jurisdiction of such matter, and, in the absence

of any such completion time being fixed by the court, within a reasonable time after such violations occur.

(g) The application of any fine, imprisonment or other penalty shall not be construed to prevent forced removal of prohibited conditions or postpone any action required.

(h) The remedies herein set out for the purpose of enforcing the provisions of this chapter shall not be deemed to be exclusive, but shall be cumulative of all other remedies, civil or criminal, provided by the laws of Georgia, or by the ordinances of Spalding County. (Ord. of 8-19-86, § 1; Res. of 6-7-88, § 5)”

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

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

4. **Life from the table.** Consider recommendations by the Parks and Recreation Advisory Commission relative to Consent to Conduct Background Check Form for Coaches and Officials. *Upon motion by Commissioner Martha McDaniel, seconded by Morrow item was lifted from the table by a unanimous vote. Upon motion by Commissioner Kendall, seconded by Commissioner Morrow the following Consent to Conduct Background Check Form for Coaches and Officials was unanimously approved by a vote of 5-0.*

CONSENT TO CONDUCT BACKGROUND CHECK

FULL LEGAL NAME: _____

DATE OF BIRTH: _____ SEX: _____

ADDRESS: _____

SOCIAL SECURITY NUMBER: _____

By executing this document, I hereby authorize the Spalding County Parks and Recreation Department to make any inquires it deems appropriate into my background in order to complete the application process. I realize that this inquiry will include a criminal background check that will reveal any crime that I have ever been convicted of or entered a plea of nolo contendere to, whether it was a misdemeanor or a felony. This will include criminal conduct involving domestic abuse, alcohol and controlled substances as defined by Georgia law. I specifically authorize the Spalding County Parks and Recreation Department to conduct a criminal background check on me. **I WILL BE SUBJECT TO THE FOLLOWING CONDITIONS AND PENALTIES REGARDING COACHING AND OFFICIATING IN SPALDING COUNTY PARKS AND RECREATION ASSOCIATIONS AND PROGRAMS. I DO HEREBY ACKNOWLEDGE MY UNDERSTANDING THAT MY PRIVILEGE TO COACH AND/OR OFFICIATE IN THE YOUTH PROGRAMS WITH THE SPALDING COUNTY PARKS AND RECREATION IS SUBJECT TO THE FOLLOWING LIMITATIONS:**

1. Anyone convicted of a criminal offense involving child abuse, child molestation, statutory rape, or any other offense against children, may not coach or officiate. **Penalty:** Never.
2. **Misdemeanors: Anyone who has been convicted or plead nolo contendere to the following (not including traffic citations) five years prior to the date this document is signed.**
 - A. One (1) misdemeanor: **No Penalty.**
 - B. Two (2) to four (4) misdemeanors: **Penalty** – Will not be allowed to participate until five (5) years after the last conviction.
 - C. For more than four (4) misdemeanors: **Penalty** – Will not be allowed to participate until eight (8) years after the last conviction.
3. **Felonies:** Anyone who has been convicted or plead nolo contendere to a felony will not be allowed to coach or officiate for a period of three (3) years from the date the person is released from probation or parole for the conviction. Proof of release from parole or probation is required.

4. If a person has any criminal charge pending against him or her, except a pending traffic violation not involving drugs or alcohol (such as a speeding ticket), that person may not coach or officiate. Upon completion of the case, results may be presented to the Director of Parks and Recreation for a final decision.

I understand that I have a right to request and to (1) obtain a copy of any background check report, and (2) challenge the accuracy and completeness of any information contained in any such report. I also understand that I may be required to submit a classifiable fingerprint card should an initial records check reveal that I have been arrested or convicted or that I am currently charged with any of the above enumerated offenses.

I acknowledge that the Spalding County Parks and Recreation Department may choose to deny me unsupervised access to a child or children pending the completion of the background check; and I further agree to release and hold the Spalding County Parks and Recreation Department and/or Spalding County harmless regarding any liability for defamation, invasion of privacy, or any other claim based upon good faith action taken pursuant to the provisions of this consent.

By signing this document, I do hereby certify to the Spalding County Parks and Recreation Department that I am not subject to any of the rules as stated above. I further understand that I am subject to the rules as stated above irrespective of whether a conviction or plea fails to appear on my background check report.

This _____ day of _____, _____.

Applicant's Signature

XI. NEW BUSINESS

1. Consider recommendation from the Parks and Recreation Advisory Commission to use \$2,500 SPLOST funds to do a study plan for wetlands at WTOP. *Upon motion by Commissioner Johnnie McDaniel, seconded by Commissioner Morrow recommendation was unanimously approved by a vote of 5-0.*
2. Consider authorizing Chairman to sign letter indicating consent to the CEDS (Comprehensive Economic Development Strategy) as being the overall economic development planning guide for the district as requested by McIntosh Trail Regional Development Center. Ms. Jeannie Brantley, McIntosh Trail, was present to answer any questions.

Assistant County Manager Sabine stated the EDA (Economic Development Administration) is provided by McIntosh Trail. The County has not taken a whole lot advantage to the EDA assistance as most of our initiatives have been state focused through Dept. of Industry and Trade and through programs of the Griffin-Spalding Development Authority. He said that the sole project that would be specifically related to Spalding County would be proposed sewer extension on the North side.

Ms. Brantley stated that taking advantage of EDD is at the Board's discretion. By being a member of EDA through McIntosh Trail you can apply for funds and be funded up to 60% or 70% for a new business that can create jobs or maintain jobs. Ms. Brantley said that there is no cost to consenting to this plan.

Upon motion by Commissioner Morrow, seconded by Commissioner Massengale the Chairman was authorized to sign letter indicating consent by a unanimous vote of 5-0.

3. Consider request from the Griffin Downtown Council to use the landing at the top of the Courthouse steps for live entertainment during their Arts, Crafts & Antiques Fest on Saturday, October 26, 2002. The event will be held between the hours of 10:00 a.m. – 4:00 p.m. on Solomon Street from 8th Street to 6th Street. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow request to use landing at top of Courthouse was unanimously approved by a vote of 5-0.*
4. Consider request from the Griffin Downtown Council for tourism funds in the amount of \$13,780 for advertising, purchase of brochures, banners and operating budget expenses. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow request for tourism funds was unanimously approved by a vote of 5-0.*
5. Discuss composition of Board of Zoning Appeals. After discussion staff was directed to request a zoning change be brought before the Planning Commission to eliminate the crossover member, which

will give them a seven-member board. Commissioner Massengale and Commissioner Kendall are to contact their appointments due to extensive absenteeism from monthly meetings.

6. Consider issuance of Requests for Qualifications (RFQ's) for engineering and grant administration services for a proposed 2003 CDBG Application. *Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Morrow issuance for RFQ's was unanimously approved by a vote of 5-0.*

7. Discuss projects to be included in 2003 SPLOST. Commissioner Morrow stated that he had a proposal to offer. His proposal is to accept the Griffin-Spalding Development Authority's economic development proposal for a total amount of \$30,777,525, \$1Million for the North Griffin revitalization and \$250,000 for City of Orchard Hill projects and \$250,000 City of Sunny Side projects. This would bring us up to approximately \$32 M with the remainder of the \$36.5 Million for bonded indebtedness. This would make this SPLOST primarily an economic development SPLOST. The deadline date for projects to be included in SPLOST is the August 19th meeting in order to call for the SPLOST election in November. County Manager Wilson commented the Development Authority meets Thursday, August 8, 2002 and hopefully we can get more information to see where they stand on obtaining these parcels of land.

XII. REPORT OF COUNTY MANAGER

County Manager Wilson had no report.

XIII. REPORT OF COMMISSIONERS

Commissioner Kendall commented that he felt like it may be time to revisit the countywide animal restraint as we are getting too urbanized now. He said that he had several phone calls urging the re-visitation of this issue and it is imperative that we do something about these uncontrolled animals. Our ordinance addresses dangerous or potentially dangerous dogs once they have been proven vicious but there needs to be a provision in the ordinance where an animal has exhibited some vicious propensity and can be declared a vicious animal.

Commissioner Massengale commented that there is an opening on the Region 2 Mental Health, Mental Retardation, Substance Abuse Board and requested that the Commissioners fill this position as soon as possible. There are certain criteria for this Board.

Commissioner Martha McDaniel announced that the Georgia Rural Development Council would be having a meeting in this room on Wednesday at 6:30 p.m. This meeting is for our region and she invited everyone to come.

Commissioner Morrow had no comments.

Commissioner Johnie McDaniel reminded the Board of the meeting with Planning & Zoning Board Tuesday evening at 6:00 p.m. for a workshop.

XIV. CLOSED MEETING

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

1. The County Manager desires a Closed Meeting to discuss personnel matters and potential litigation.

Those present were all Commissioners Merrill Massengale, Johnie McDaniel, Martha McDaniel, Michael Kendall and Dick Morrow, County Manager William Wilson, Assistant County Manager Michael Sabine (for a portion of the meeting), County Attorney James 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 August 5, 2002.

2.

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

3.

The executive session was called to order at 8:10 p.m.

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

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

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

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

Yes 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 5th day of August 2002.

Spalding County Board of Commissioners

Sworn to and subscribed
Before me this 5th day of
August 2002.

Phyllis P. Doane
Notary Public

My commission expires: March 13, 2006

Johnie A. McDaniel
H. Merrill Massengale
Martha W. McDaniel
Dick Morrow
M. Michael Kendall

Upon motion by Commissioner Martha McDaniel, seconded by Commissioner Johnie McDaniel 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 Martha McDaniel, seconded by Commissioner Johnie McDaniel the Board unanimously adjourned at 9:50 P.M.

County Clerk

Chairman

Please send comments to webmaster@spaldingcounty.com
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