



# Spalding County online

## Board of Commissioners

### EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their extraordinary session on Monday, August 16, 2004 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Commissioners Michael Kendall, Cecil Davis, Eddie Goss, Johnie McDaniel and Dick Morrow present. Also present were County Manager William Wilson, County Attorney Jim Fortune and Recorder Yvonne Langford.

### AGENDA

- I. OPENING (CALL TO ORDER) – Chairman Kendall**
- II. INVOCATION – Johnie McDaniel**
- III. PLEDGE TO FLAG – Led by Chairman Kendall**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION – n/a**
- V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of Financial Statements for the One Month Ended July 31, 2004. Ms. Jinna Garrison, Finance Director, was present to answer any questions.

*On a motion by Commissioner Davis and a second by Commissioner Morrow Financial Statements were unanimously approved by a vote of 5-0.*

### VI. CITIZENS COMMENTS

1. Dennis Duncan is present to discuss the removal of the Four-Way Stop at Birdie and Patterson Roads Intersection. Mr. Duncan, 142 Mobley Road, made comments in opposition to the removal of the stop signs. He presented a petition signed by citizens in the area. Additional comments in opposition to the removal of the signs were made by Lawrence Jump, 53 Mobley Road, Barbara Buice, 57 Mobley Road and Barbara Ensign, 502 Birdie Road. Mr. Goss and Mr. Morrow will review the petition and it could be discussed at a future meeting.

### VII. PUBLIC COMMENT

Larry Mathis, 245 Pine Tree Circle, present to discuss the SPLOST projects. He is concerned because there are no provisions for sewer in his neighborhood in the SPLOST projects.

John Dugdale, 1985 North Walkers Mill road, present to discuss a proposed conservation subdivision on Locust Grove Road. He is concerned about the number of subdivisions in the eastern part of the county and wanted the zoning to remain AR-1 and three acres per lot.

### VIII. MINUTES

1. Consider approval of the minutes of the Regular Monthly Meeting of August 2, 2004.

*Mr. Morrow made a motion to approve the minutes of the August 2, 2004 meeting. The motion passed 5-0 on a second by Mr. Davis.*

### IX. CONSENT AGENDA – n/a

### X. OLD BUSINESS – n/a

## **XI. NEW BUSINESS**

1. Consider request from Jennifer Gladden for an outside amplification permit at 42 Pickens Drive for her wedding to be held August 28, 2004. Ms. Gladden was present to make the request. The neighbors have been contacted and they do not object. The hours will be from 7:00 – 10:30 p.m.

*Mr. McDaniel made a motion, seconded by Mr. Davis to approve the request. The motion passed on a 5-0 vote.*

2. Consider request from Southern Natural Gas Company to grant additional right of way for their project in Spalding County. Mr. Wilson said this is a request for an additional two feet on Dewey Street and there appears to be no problem with granting this request.

*Mr. Kendal made a motion to approve the additional right of way for Southern Natural Gas Company on Dewey Street. The motion passed 5-0 on a second by Mr. Morrow.*

3. Consider request from Board of Elections and Registration for an additional part-time registrar. Mr. Wilson said his recommendation is to approve a temporary part-time employee immediately. This position will be approved through January 2005 with a review at that time. With the general election in November this is a very busy time.

*Mr. Morrow made a motion to approve an additional part-time registrar through January 2005. The motion passed 5-0 on a second by Mr. Davis.*

4. Consider approval of a Sketch Plan for a proposed Conservation Subdivision for Georgia Properties Unlimited, L.L.C. located on Locust Grove Road consisting of 111.27 acres located in Land Lot(s) 107 & 118 of the 2<sup>nd</sup> Land District.

Spencer Wheelless, 45 Parkland Drive, Stockbridge, Georgia, gave a review of the preliminary plat they wanted approved for a subdivision on Locust Grove Road. They have been working with the Community Development Office on the design of this subdivision. The following comments were noted:

- The 12' one way streets are fine as long as there is no parking. If parking is allowed emergency vehicles are restricted.
- County maintenance is more difficult with open ditch as proposed. Curb and gutter is preferred even though the cost is greater to the developer.
- There is concern over flag lots. They are being allowed in this subdivision and are allowed in conservation subdivisions only.

*Mr. Morrow made a motion, seconded by Mr. Davis, to approve the sketch plan for Georgia Properties Unlimited, L.L.C. located on Locust Grove Road, conditioned on the one way sections being designated as no parking. The motion passed 3-2 with Mr. Davis, Mr. McDaniel and Mr. Morrow voting for the motion and Mr. Goss and Mr. Kendall voting against.*

5. Consider renewal of Fire Protection Services Contract for the City of Sunny Side. Mr. Wilson noted that the renewal contracts for both Sunny Side and Orchard Hill are the standard contracts. They fluctuate year to year based on the tax digest and mileage rate.

*Mr. Morrow made a motion to approve the renewal of the Fire Protection Services Contract in the amount of \$1,158.55 for the City of Sunny Side. The motion passed 5-0 on a second by Mr. Davis.*

### **AGENCY CONTRACT FOR FIRE PROTECTION SERVICES**

**STATE OF Georgia**

**COUNTY OF Spalding**

**THIS AGREEMENT** made and entered into on this the first day of October, 2004 by and between the City of Sunny Side, hereafter sometimes referred to as the "Municipality", a municipal corporation of the State of Georgia, and the "COUNTY OF Spalding", hereinafter sometimes referred to as the "County". a political subdivision of the State of Georgia,

**WITNESSETH:**

THAT WHEREAS, the Municipality now deems it in the best interest of the City of Sunny Side and its citizens for the Municipality to furnish fire protection services in the exercises of a governmental function of the Municipality, and has requested the County to aid and assist it in furnishing such fire protection services within the corporate limits of the Municipality; and

WHEREAS, the County has now established a Fire Protection District comprising all of the unincorporated area of Spalding County and is presently furnishing fire protection services for such Fire Protection District and is willing to serve as an agent of the Municipality in providing the equipment, personnel and supplies for furnishing such fire protection services within the corporate limits of the Municipality for the consideration hereinafter set out; and

WHEREAS, the County deems it in the best interest of both parties hereto to enter into the within agency contract;

NOW, THEREFORE, for and in consideration of the premises and the respective benefits to be derived by each party hereto and in consideration of the covenants and agreements hereinafter set forth and payments of money by the Municipality to the County, as hereinafter set out, it is hereby mutually understood and agreed by and between the parties hereto, as follows:

-1-

Beginning at 12:00 o'clock Noon on October 1, 2004 the County shall serve as an agent of the Municipality in providing fire protection services within the fire district of the Municipality, being within the corporate limits of the Municipality, for a term of twelve (12) months ending at 12:00 o'clock Noon on October 1, 2005 which such fire protection services furnished hereunder shall be comparable to the fire protection services that the County is now furnishing its aforesaid Fire Protection District, being the unincorporated area of Spalding County, and all such services furnished hereunder shall be done and furnished by the County as the agent of the Municipality, who shall be the principal furnishing such fire protection services to the people and property, residing and located, within the corporate limits of the Municipality in the Municipality's exercises of a governmental function, and not a ministerial function, and at no time shall the County be acting hereunder in the capacity or role of an independent contractor.

-2-

During the term of the within contract the Municipality shall pay the County the sum of One Thousand One Hundred Fifty-Eight Dollars and fifty-five cents (\$1,158.55) per month for providing such fire protection services, which sum shall be due and payable by the Municipality to the County on the 10th day of each calendar month, beginning October 10, 2004, and continuing in monthly succession thereafter on the 10th day of each successive month with the last such payment being due and payable on September 10, 2005, or until this contract is sooner terminated as hereinafter provided.

-3-

Time is of the essence of this contract and each of its provisions.

-4-

Notwithstanding anything herein contained to the contrary the within agreement may be terminated by either party hereto on the first day of any calendar month during the aforesaid twelve month term by giving notice in writing of such termination to the other party hereto at least thirty days in advance of the designated date of such termination, and thereafter this contract shall be terminated and neither party hereto shall be obligated to furnish fire protection services to the other party hereto, and no further monthly payments shall become due and payable thereafter by the Municipality.

-5-

Any notice contemplated or required by this contract shall be deemed effectively given when mailed by United States registered or certified mail, with the required postage prepaid, and addressed as follows:

If to the Municipality, address to:

City of Sunny Side  
P. O. Box 100  
Sunny Side, Georgia 30284

If to the County, address to:

County of Spalding  
P. O. Box 1087  
Griffin, Georgia 30224-1087

The parties hereto have respectively caused the within agreement to be duly executed in duplicate originals by and through their authorized officers and under their respective hands and seals on the day and year first above written.

6. Consider renewal of Fire Protection Services Contract for the City of Orchard Hill.

*Mr. Davis made a motion to approve the renewal of the Fire Protection Services Contract in the amount of \$1,509.55 for the City of Orchard Hill. The motion passed 5-0 on a second by Mr. McDaniel.*

**AGENCY CONTRACT FOR FIRE PROTECTION SERVICES**

**STATE OF Georgia**

**COUNTY OF Spalding**

**THIS AGREEMENT** made and entered into on this the first day of October 2004, by and between the City of Orchard Hill, hereinafter sometimes referred to as the "Municipality", a municipal corporation of the State of Georgia, and the "COUNTY OF SPALDING", hereinafter sometimes referred to as the "County", a political subdivision of the State of Georgia,

**WITNESSETH:**

THAT WHEREAS, the Municipality now deems it in the best interest of the City of Orchard Hill and its citizens for the Municipality to furnish fire protection services in the exercises of a governmental function of the Municipality, and has requested the County to aid and assist it in furnishing such fire protection services within the corporate limits of the Municipality; and

WHEREAS, the County has now established a Fire Protection District comprising all of the unincorporated area of Spalding County and is presently furnishing fire protection services for such Fire Protection District and is willing to serve as an agent of the Municipality in providing the equipment, personnel and supplies for furnishing such fire protection services within the corporate limits of the Municipality for the consideration hereinafter set out; and

WHEREAS, the County deems it in the best interest of both parties hereto to enter into the within agency contract;

NOW, THEREFORE, for and in consideration of the premises and the respective benefits to be derived by each party hereto and in consideration of the covenants and agreements hereinafter set forth and payments of money by the Municipality to the County, as hereinafter set out, it is hereby mutually understood and agreed by and between the parties hereto, as follows:

-1-

Beginning at 12:00 o'clock Noon on October 1, 2004, the County shall serve as an agent of the Municipality in providing fire protection services within the fire district of the Municipality, being within the corporate limits of the Municipality, for a term of twelve (12) months ending at 12:00 o'clock Noon on October 1, 2005, which such fire protection services furnished hereunder shall be comparable to the fire protection services that the County is now furnishing its aforesaid Fire Protection District, being the unincorporated area of Spalding County, and all such services furnished hereunder shall be done and furnished by the County as the agent of the Municipality, who shall be the principal furnishing such fire protection services to the people and property, residing and located, within the corporate limits of the Municipality in the Municipality's exercises of a governmental function, and not a ministerial function, and at no time shall the County be acting hereunder in the capacity or role of an independent contractor.

-2-

During the term of the within contract the Municipality shall pay the County the sum of One Thousand Five Hundred Nine Dollars and fifty-five cents (\$1,509.55) per month for providing such fire protection services, which sum shall be due and payable by the Municipality to the County on the 10th day of each calendar month, beginning October 10, 2004, and continuing in monthly succession thereafter on the 10th day of each successive month with the last such payment being due and payable on September 10, 2005, or until this contract is sooner terminated as hereinafter provided.

-3-

Time is of the essence of this contract and each of its provisions.

-4-

Notwithstanding anything herein contained to the contrary the within agreement may be terminated by either party hereto on the first day of any calendar month during the aforesaid twelve month term by giving notice in writing of such termination to the other party hereto at least thirty days in advance of the designated date of such termination, and thereafter this contract shall be terminated and neither party hereto shall be obligated to furnish fire protection services to the other party hereto, and no further monthly payments shall become due and payable thereafter by the Municipality.

-5-

Any notice contemplated or required by this contract shall be deemed effectively given when mailed by United States registered or certified mail, with the required postage prepaid, and addressed as follows:

If to the Municipality, address to:

City of Orchard Hill  
P. O. Box 448  
Orchard Hill, Georgia 30266

If to the County, address to:

County of Spalding  
P. O. Box 1087  
Griffin, Georgia 30224-1087

The parties hereto have respectively caused the within agreement to be duly executed in duplicate originals by and through their authorized officers and under their respective hands and seals on the day and year first above written.

7. Consider at first reading an ordinance amending the Spalding County Code to provide for additional "No Parking" on High Falls Road. Due to a misinterpretation in the request that was approved at the last meeting. The request was intended for no parking on High Falls Road in its entirety and the approval was only from Bucksnot Road to Arthur K. Bolton Parkway. This is to approve from the city limits to the Arthur K. Bolton Parkway.

*Mr. Goss made a motion to approve the no parking on High Falls Road from the city limits to the Arthur K. Bolton Parkway. The motion passed 5-0 on a second by Mr. Morrow. **The Ordinance will be incorporated into the minutes on second and final reading.***

8. Consider at first reading an ordinance amending the FY 05 Budget Ordinance to provide ACCG lease proceeds from the previous fiscal year. Mr. Wilson said this was received after the new fiscal year began.

*Mr. Morrow made a motion to approve the FY 05 Budget Ordinance to provide for the lease proceeds. The motion passed 5-0 on a second by Mr. McDaniel. **The Ordinance will be incorporated into the minutes on second and final reading.***

9. Consider approval of 2005 LARP request and authorize transmittal to Department of Transportation. Mr. Wilson said they are submitting a list of 111 roads for proposed paving to the DOT. It is due by the end of the month. Notice of which roads are approved will be received probably by April 2005.

*Mr. Morrow made motion to approve the 2005 LARP list and submit to the Department of Transportation. The motion passed 5-0 on a second by Mr. McDaniel.*

10. Discuss Federal Transit Administration (FTA) Section 5307 Funds. Mr. Wilson said Spalding County was notified last year by Atlanta Regional Commission that there were some 5307 funds which are public transportation funds available for Spalding County. They require a match and there no funds in the budget. Spalding County has never participated in this program in the past but may be looking at participation in the future. *The County did not have a program that would qualify at this time; therefore no action was necessary.*

11. Consider approval of Special Purpose Local Option Sales Tax Intergovernmental Agreement. Mr. Wilson said this agreement was drafted by King and Spalding and the Mr. Fortune. It is between the City of Griffin and Spalding County. It is based on the per capita formula required by the new law and includes funding for Sunny Side and Orchard Hill. Sunny Side and Orchard Hill are not parties to the agreement but will sign off acknowledging the agreement. It outlines the local option sale tax projects in the amount of \$48,352.785 calling for bonds in the amount of \$33,000,000.

*On a motion by Mr. Morrow and a second by Mr. Davis approval as given on a 3-2 vote to approve the Special Purpose Local Option Sales Tax Intergovernmental Agreement. Mr. Davis, Mr. McDaniel and Mr. Morrow voted for the motion and Mr. Goss and Mr. Kendall voted against.*

## **STATE OF GEORGIA**

### **COUNTY OF SPALDING**

#### **SPECIAL PURPOSE LOCAL OPTION SALES TAX INTERGOVERNMENTAL CONTRACT**

This Intergovernmental Contract (the "Contract") between Spalding County, Georgia (the "County"), and the City of Griffin (the "City"), both acting pursuant to lawful authority by their respective governing bodies, does hereby

#### **WITNESSETH:**

WHEREAS, Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, as amended (the "Act"), authorizes the imposition of a one percent sales and use tax (the "Sales and Use Tax") for purposes, *inter alia*, of financing roads, streets and bridges and certain capital outlay projects specified therein and retiring previously incurred general obligation debt; and

WHEREAS, Section 48-8-111(a)(1)(C) of the Act authorizes capital outlay projects which will be operated by a joint authority or authorities of the County and one or more "qualified municipalities" within the "special district" (as such terms are defined in the Act); and

WHEREAS, Section 48-8-111(a)(1)(D) of the Act authorizes capital outlay projects to be owned or operated or both either by the County, one or more qualified municipalities within the special district, one or more authorities within the special district, or any combination thereof; and

WHEREAS, Section 48-8-111(a)(1)(A)(E) and (H) of the Act authorize, respectively, capital improvement projects for road, street, and bridge purposes, recreational facilities and public safety facilities; and

WHEREAS, the County and the City wish to use the proceeds of the proposed Sales and Use Tax for the purposes described above;

NOW, THEREFORE, the parties hereto mutually agree as follows:

Section 1. Representation of the Parties. Each party hereto makes the following representations and warranties which are specifically relied upon by all other parties as a basis for entering this Contract:

(a) The County agrees that it will take all actions necessary to call an election, to be held in all the voting precincts in the County on the 2nd day of November, 2004, for the purpose of submitting to the qualified voters of the County for their approval, the question of whether or not a Sales and Use Tax of one percent shall be imposed on all sales and uses in the special district of Spalding County, as authorized by the Act for 24 calendar quarters (six years) commencing on April 1, 2005 for the purpose of funding the projects (hereinafter more fully referred to and hereby defined collectively as the "Projects"). The amount of money to be raised by the Sales and Use Tax is

estimated to be \$48,352,785. The Resolution calling the election will also provide that if the Sales and Use Tax is imposed by affirmative vote of the qualified voters of the County, such vote will also authorize general obligation debt (“bonds”) of the County in connection therewith and in a principal amount of not to exceed \$33,000,000.

(b) The City is a municipal corporation as defined by law and judicial interpretation and a “qualifying municipality” as such term is defined in the Act and has validly adopted a resolution to authorize the entity to enter into this Contract at a public meeting of its governing board conducted in compliance with the Open Meetings Act, O.C.G.A. § 50-14-1, et seq. The population of the City represents no less than 50% of the aggregate municipal population of the County.

(c) The County is a political subdivision of the State of Georgia created and existing under the Constitution and laws of the State and has validly adopted a resolution to authorize it to enter into this Contract at a public meeting conducted in compliance with the Open Meetings Act, O.C.G.A. § 50-14-1, et seq.

Section 2. Conditions Precedent. The obligations of all parties under this Contract are conditioned upon the following events:

(a) The adoption of a resolution by the Board of Commissioners of Spalding County authorizing the imposition of the Sales and Use Tax and calling the election hereinbefore referred to.

(b) The approval of the Sales and Use Tax and the issuance of the debt by a majority of the voters in the County voting in the election for those purposes.

Section 3. Apportionment of Proceeds. All funds received by the County from the Georgia Department of Revenue from the imposition of the Sales and Use Tax shall be apportioned by the County according to the figures provided herein. The parties hereto understand and agree that the figures set forth herein are binding and not subject to change or modification except upon written agreement by all parties.

(a) The County agrees that in connection with the election authorizing the imposition of the Sales and Use Tax, it will authorize the issuance of general obligation bonds of the County as contemplated and permitted by the Act in a total amount of not to exceed \$33,000,000 (the “Bonds”) and from the net bond proceeds and Sales and Use Tax proceeds will make distributions into separate accounts to be maintained by the County for the City, the City of Orchard Hill and the City of Sunnyside (collectively, the “Cities”) as follows:

(1) To the City of Griffin account for:

(A)	Road, Street and Bridge Projects	\$1,585,250
(B)	Sub-Standard Housing Removal	266,640
(C)	Wastewater Improvements	2,225,000
(D)	Fire Department	<u>221,765</u>
	Total - City of Griffin:	\$4,298,655

(2) To the City of Orchard Hill account for:

(A)	Wastewater Improvements	\$ 21,080
(B)	Recreation Facilities	<u>21,080</u>
	Total - City of Orchard Hill:	\$ 42,160

(3) To the City of Sunnyside account for:

(A)	Transportation Improvements	\$ 13,014
(B)	Recreation Facilities	<u>13,015</u>
	Total - City of Sunnyside:	\$ 26,029

(b) The County agrees that it will use a portion of the net bond proceeds and a portion of the proceeds from the Sales and Use Tax for the following projects:

(1) Bond-Financed Projects

(A)	Industrial Park Projects by the Griffin-Spalding Development Authority, including interest expense on the Bonds	\$19,882,315
(B)	Acquisition of 800 MHZ Radio System, including interest expense on the Bonds	13,148,803
(C)	University of Georgia Griffin Campus, including interest expense on the Bonds	<u>4,613,615</u>

Subtotal: \$37,644,733

(2) Other Projects:

(A)	Senior Citizens Center	\$ 750,000
(B)	Road, Street and Bridge Projects	<u>5,591,208</u>

Subtotal: 6,341,208

Total - Spalding County: \$43,985,941

Grand Total of all Sales and Use Tax Projects: \$48,352,785

(c) The parties hereto understand that the Bond-Financed Projects listed in Section 3(b)(1) above will be financed with net proceeds of the Bonds. Proceeds of the Sales and Use Tax will be used to pay debt service due on the Bonds prior to being used to pay the costs of the Projects not financed with net bond proceeds (*i.e.*, the projects listed in Section 3(a) and (b)(2) above). The costs of the Projects listed above are estimated amounts and each of the Cities and, with respect to the Other Projects, the County may adjust the allocation of its Sales and Use Tax proceeds to its different Projects as needed. Notwithstanding the foregoing, each of the Cities and the County hereto agrees that all of its Projects listed above shall be funded from Sales and Use Tax proceeds. After the County deposits Sales and Use Tax proceeds necessary to pay debt service coming due on the Bonds, it will deposit the remaining Sales and Use Tax proceeds it receives each month into accounts maintained by the County for the Cities based upon the ratio that the amount of such City's projects and, with respect to the County, the amount of the Other Projects of the County listed in Section 3(b)(2) above, bears to the total amount of Projects not financed with Bonds.

(d) The parties also understand that the distribution amounts listed above (other than distributions for Bond-Financed Projects) are based on the assumption that the Sales and Use Tax raises the estimated amount, *i.e.* \$48,352,785.

Section 4. Term of this Contract. The term of this Contract shall expire at the later of June 30, 2011 or the date that the accounts of the County holding Sales and Use Tax proceeds are fully depleted, but in no event shall this Contract run for more than fifty years from the date hereof. If the voters of the County shall fail to approve the Sales and Use Tax, this Contract shall be of no force and effect after the date of such failure to approve.

Section 5. Mutual Covenants. Each party to this Contract does hereby covenant and agree to the following:

(a) The City hereby agrees that it will submit any invoices to be paid from Sales and Use Tax proceeds to the County promptly upon receipt thereof, together with a requisition specifying the Project for which such cost was incurred and certifying that the cost was incurred for such authorized Project.

(b) The County agrees that it will pay each invoice submitted to it by the City provided that: (i) the invoice is accompanied by a requisition as described in (a) above and (ii) the amount of the invoice does not exceed the amount of available moneys set aside for the specified project in the account maintained by the County for such purpose.

(c) The County agrees that it will maintain specific records for the bond proceeds and Sales and Use Tax proceeds it receives to verify that all such proceeds so received are expended for the individual purposes set forth above.

(d) The parties hereto agree that to the extent lawfully permitted, if Bond proceeds allocated to a particular project are not needed to complete such project, the County may reallocate such Bond proceeds to other projects of the County which are set forth in Section 3, above.

(e) Sales and Use Tax Proceeds received by the County and each City shall be kept in a separate account from other funds of such County or City, shall not in any way be commingled with other funds of such County or City and shall be used exclusively for the specified purposes.

Section 6. Project Monitoring, Record-Keeping and Reporting. All parties to this Contract shall promptly move forward with the acquisition, construction, equipping and installation of the Projects in an efficient and economical manner and at a reasonable cost in conformity with all applicable laws, ordinances, rules and regulations of any governmental authority having jurisdiction in the premises.

Beginning on October 1, 2005, and semiannually thereafter, the Cities shall submit a report of progress to the County for all Projects for which they have received Sales and Use Tax proceeds as specified above. The report of progress shall contain the following information:

- (a) Identity of the Projects;
- (b) A prediction of the length of time needed for completion;
- (c) An itemization of bond funds or Sales and Use Tax proceeds expended for each Project to the date such report is submitted; and
- (d) Any other information the party may deem relevant to the report of progress.

The governing authority of the County and the governing authority of each of the Cities shall comply with the requirements of O.C.G.A. § 48-8-121(a)(2) which requires that certain information be included in the annual audit of such County or City and O.C.G.A. § 48-8-122 which requires the publication of annual reports concerning expenditures for the Projects.

Any Sales and Use Tax proceeds which have been allocated to a City and which are not used by such City during the term hereof shall be returned by such City to the County and applied by the County for any other purpose permitted under state law.

Section 7. Project Completion and Termination. Within thirty days after the acquisition, construction and installation of all of the Projects proposed by any local government entity have been completed, such local governmental entity shall file with the County a Certificate of Completion signed by the designated representative of the local governmental entity, setting forth the date on which the final Project(s) was completed and stating that all Sales and Use Tax proceeds received have been applied to the Project or remitting any excess proceeds.

Section 8. Arbitration. The parties hereto agree to submit any controversy arising under this Contract to arbitration pursuant to the provisions of O.C.G.A. § 9-9-1 et seq., the Georgia Arbitration Code. Such arbitration shall in all respects be governed by the provisions of the Arbitration Code and the parties hereby agree to comply with and be governed by the provisions of said Arbitration Code as to any controversy so submitted to arbitration.

Section 9. Counterparts. This Contract may be executed in several counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

Section 10. Governing Law. This Contract and all transactions contemplated hereby shall be governed by, construed and enforced in accordance with the laws of the State of Georgia.

Section 11. Severability. Should any provision of this Contract or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Contract or the application of such provision to any person or circumstance, other than those to which it is held invalid or unenforceable,

shall not be affected thereby, and each provision of this Contract shall be valid and enforceable to the full extent permitted by law.

Section 12. Notices. All notices, demands or requests required or permitted to be given pursuant to this Contract shall be in writing and shall be deemed to have been properly given or served and shall be effective on being deposited or placed in the United States mail, postage prepaid and registered or certified with return receipt requested to the addresses appearing below, or when delivered by hand to the addresses indicated below:

(a) Spalding County Board of Commissioners  
P.O. Box 1087  
Griffin, Georgia 30224  
Attention: Chairman

(b) City of Griffin  
P.O. Box T  
Griffin, Georgia 30224  
Attention: Mayor

IN WITNESS WHEREOF, all parties hereto have agreed as of this 1st day of August, 2004.  
SPALDING COUNTY, GEORGIA

By: (L.S.) M. Michael Kendall  
Chairman

Attest:

(L.S.) Phyllis P. Doane  
Clerk

CITY OF GRIFFIN

By: (L.S.) Cynthia R. Ward  
Mayor

Attest:

(L.S.) Kenny L. Smith  
Clerk

Acknowledged and agreed to this 16th day of August, 2004:

CITY OF ORCHARD HILL

By: (L.S.) Julian Jones  
Mayor

Attest:

(L.S.) Frances F. Jones  
Clerk

CITY OF SUNNYSIDE

By: (L.S.) Larry F. Gossett  
Mayor

Attest:

(L.S.) William R. Slaughter  
Clerk

12. Consider Resolution calling for a November 2, 2004 SPLOST referendum.

*Mr. Davis made a motion to pass a resolution calling for a November 2, 2004 SPLOST referendum. The motion passed 3-2 on a second by Mr. Morrow with Mr. Davis, Mr. McDaniel and Mr. Morrow voting for the motion and Mr. Goss and Mr. Kendall voting against.*

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF SPALDING COUNTY, GEORGIA AUTHORIZING THE IMPOSITION OF A ONE PERCENT SALES AND USE TAX AS AUTHORIZED BY ARTICLE 3 OF CHAPTER 8 OF TITLE 48 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED; SPECIFYING THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH TAX ARE TO BE USED; SPECIFYING THE PERIOD OF TIME FOR WHICH SUCH TAX MAY BE IMPOSED; SPECIFYING THE ESTIMATED COST OF THE CAPITAL OUTLAY PROJECTS TO BE FUNDED FROM THE PROCEEDS OF SUCH TAX; AUTHORIZING THE ISSUANCE OF CERTAIN GENERAL OBLIGATION DEBT SECURED BY THE PROCEEDS OF SUCH TAX; SPECIFYING THE PRINCIPAL AMOUNT OF SUCH GENERAL OBLIGATION DEBT TO BE ISSUED; SPECIFYING THE PURPOSE FOR WHICH SUCH GENERAL OBLIGATION DEBT IS TO BE ISSUED; SPECIFYING THE MAXIMUM INTEREST RATE OR RATES OF INTEREST WHICH SUCH GENERAL OBLIGATION DEBT MAY BEAR; SPECIFYING THE PRINCIPAL AMOUNT TO BE PAID IN EACH YEAR DURING THE LIFE OF SUCH GENERAL OBLIGATION DEBT; REQUESTING THE BOARD OF ELECTIONS TO CALL AN ELECTION OF THE VOTERS OF THE SPECIAL DISTRICT OF SPALDING COUNTY TO APPROVE THE ISSUANCE OF SUCH GENERAL OBLIGATION DEBT; APPROVING THE FORM OF BALLOT TO BE USED IN SUCH ELECTION; AND FOR OTHER PURPOSES.

WHEREAS, Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, as amended (the "Act"), authorizes the imposition of a one percent sales and use tax for the purpose, inter alia, of financing certain capital outlay projects; and

WHEREAS, a meeting was held at least 30 days prior to this resolution to discuss the capital outlay projects that would be included in the proposed referendum; and

WHEREAS, the Board of Commissioners of Spalding County provided written notice by mail at least 10 days in advance of such meeting to the chief elected official of each Qualified Municipality (as such term is defined in the Act) located within the special district of Spalding County (the "County"), notifying them of the date, time, location and purpose of the meeting; and

WHEREAS, the County and the City of Griffin (the "City"), which Qualified Municipality comprises more than 50% of the municipal population of the County, have entered (or prior to the date the Board of Elections of Spalding County, Georgia calls the proposed referendum, will enter) into an Intergovernmental Contract, dated as of August 1, 2004 (the "Contract"), regarding the capital outlay projects to be financed by the proposed one percent sales and use tax; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia agreed with the City, pursuant to the Contract, that it is in the best interest of the citizens of the special district of Spalding County that a one percent sales and use tax be imposed in the County to raise an estimated amount of \$48,352,785 for the purposes of funding the following projects: (i) improvements at the I-75 Industrial Park including the acquisition of all necessary property, to be owned and developed by the Griffin-Spalding Development Authority; (ii) the acquisition of an eight hundred megahertz radio system; (iii) renovations to an existing building to be used as a teaching facility for the University of Georgia Griffin Campus; (iv) the expansion and renovation of the Spalding County Senior Citizens Center or the acquisition of a new facility and improvements thereto; (v) road, street and bridge improvements by the County, the City of Griffin and the City of Sunnyside; (vi) wastewater improvements, substandard housing removal and the acquisition of a new fire engine by the City of Griffin; (vii) wastewater and recreation improvements by the City of Orchard Hill; and (viii) recreation improvements by the City of Sunnyside (collectively, the "Projects"); and

WHEREAS, the Board of Commissioners of the County has also determined that it is in the best interest of the citizens of the County that not to exceed \$33,000,000 of general obligation debt of the County (the "Bonds"), secured by the proceeds of such sales and use tax, be issued to permit the County to fund the projects listed in (i), (ii) and (iii) in the preceding paragraph (together, the "Bond-Financed Projects") from proceeds of such Bonds so as to insure that there will be no shortfall of construction funds for the Bond-Financed Projects during the period over which the sales and use tax is being collected for such purposes; and

WHEREAS, pursuant to the Contract, proceeds of the one percent sales and use tax will first be applied to pay debt service on the Bonds prior to being used to pay the costs of the Projects; and

WHEREAS, the County has determined that during each year in which any payment of principal or interest on the Bonds will come due the County will receive from the sales and use tax proceeds authorized by this resolution, net proceeds sufficient to fully satisfy the County's obligation with respect to payment of such principal and interest on a current basis;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Spalding County, Georgia, and it is hereby resolved by authority of the same as follows:

Section 1. Authorization of Sales and Use Tax. In order to finance the Projects, there is hereby authorized to be levied and collected within the special district of Spalding County a sales and use tax in the amount of one percent on all sales and uses in the County as provided in the Act. As required by Section 48-8-111(a) of the Act:

(a) a portion of the proceeds of such tax in the estimated amount of \$19,882,315 is to be used to finance a capital outlay project consisting of improvements at the I-75 Industrial Park, including the acquisition of all necessary property, to be owned and developed by the Griffin-Spalding Development Authority, and to finance the interest expense with respect to the Bonds issued to fund this project;

(b) a portion of the proceeds of such tax in the estimated amount of \$13,148,803 is to be used to finance a capital outlay project consisting of the acquisition of an eight hundred megahertz radio system, and to finance the interest expense with respect to the Bonds issued to fund this project;

(c) a portion of the proceeds of such tax in the estimated amount of \$4,613,615 is to be used to finance a capital outlay project consisting of renovations to an existing building to be used as a teaching facility for the University of Georgia Griffin Campus, and to finance the interest expense with respect to the Bonds issued to fund this project;

(d) a portion of the proceeds of such tax in the estimated amount of \$750,000 is to be used to finance a capital outlay project of the County consisting of the expansion and renovation of the Spalding County Senior Citizens Center; or the acquisition of a new facility and improvements thereto;

(e) a portion of the proceeds of such tax in the estimated amount of \$5,591,208 is to be used to finance a capital outlay project of the County consisting of road, street and bridge improvements including resurfacing, paving and intersection improvements;

(f) a portion of the proceeds of such tax in the estimated amount of \$1,585,250 is to be used to finance a capital outlay project of the City of Griffin consisting of road, street and bridge improvements including resurfacing, bridge repair and right of way improvement;

(g) a portion of the proceeds of such tax in the estimated amount of \$266,640 is to be used to finance a capital outlay project of the City of Griffin consisting of the removal of substandard housing;

(h) a portion of the proceeds of such tax in the estimated amount of \$2,225,000 is to be used to finance a capital outlay project of the City of Griffin consisting of enhancements to the wastewater infrastructure;

(i) a portion of the proceeds of such tax in the estimated amount of \$221,765 is to be used to finance a capital outlay project of the City of Griffin consisting of the acquisition of a new fire engine;

(j) a portion of the proceeds of such tax in the estimated amount of \$21,080 is to be used to finance a capital outlay project of the City of Orchard Hill consisting of recreation improvements;

(k) a portion of the proceeds of such tax in the estimated amount of \$21,080 is to be used to finance a capital outlay project of the City of Orchard Hill consisting of wastewater improvements;

(l) a portion of the proceeds of such tax in the estimated amount of \$13,015 is to be used to finance a capital outlay project of the City of Sunnyside consisting of recreation improvements;

(m) a portion of the proceeds of such tax in the estimated amount of \$13,014 is to be used to finance a capital outlay project of the City of Sunnyside consisting of road, street and bridge improvements;

(n) such sales and use tax is hereby authorized to be imposed for a period of twenty-four consecutive calendar quarters commencing on April 1, 2005;

(o) assuming that the imposition of such sales and use tax and the issuance of the Bonds is approved by the voters of the County in the election hereinafter referred to, the County is hereby authorized to issue the Bonds (in whole or in part), secured by the proceeds of such sales and use tax, in the aggregate principal amount of not to exceed \$33,000,000. The Bonds shall bear interest from the first day of the month during which the Bonds are to be issued or from such other date as may be designated by the County prior to the issuance of the Bonds, at a rate or rates to be determined in a supplemental resolution to be adopted by the County prior to the issuance of the Bonds, which rates shall not exceed 6.50% per annum, payable semiannually on the first days of March and September in each year until paid commencing on September 1, 2005, and the maximum amount of principal to be paid on September 1 in each year during the life of such debt shall be as follows:

<u>Date</u>	<u>Amount</u>
2006	5,115,000
2007	5,240,000
2008	5,400,000
2009	5,560,000
2010	5,740,000
2011	5,945,000

The proceeds of the Bonds shall be deposited by the County in a separate account or accounts for the purpose of funding the Bond-Financed Projects, and any interest earnings on such proceeds shall be similarly applied by the County.

Sales and use tax proceeds received in any year pursuant to the imposition of such taxes shall first be used for paying debt service requirements on the Bonds for any such year before such proceeds are applied for the purposes authorized above. Proceeds of the sales and use tax not required to be deposited in the separate fund in any year for the payment of principal and interest on the Bonds coming due in the current year shall be deposited in a separate trust fund to be maintained by the County and applied toward funding the Projects to the extent such projects have not been funded with Bond proceeds.

Section 2. Call for Election. There is hereby called an election to be held in all the voting precincts in the County on the 2<sup>nd</sup> day of November, 2004, for the purpose of submitting to the qualified voters of the County the question set forth in paragraph 3 below.

Section 3. Form of Ballot. The ballots to be used in such election should have written or printed thereon substantially the following:

- YES      Shall a special one percent sales and use tax be imposed in the special district of Spalding County for a period of time not to exceed twenty-four calendar quarters and for the raising of an estimated amount of \$48,352,785 for the purpose of funding the following projects which are the subject of a contract dated as of August 1, 2004, between Spalding County, Georgia and the City of Griffin, which qualified municipality comprises more than 50% of the municipal population of the special district: (i) improvements at the I-75 Industrial Park, including the acquisition of all necessary property, to be owned and developed by the Griffin-Spalding Development Authority; (ii) the acquisition of an eight hundred megahertz radio system; (iii) renovations to an existing building to be used as a teaching facility for the University of Georgia Griffin Campus; (iv) the expansion and renovation of the Spalding County Senior Citizens Center or the acquisition of a new facility and improvements thereto; (v) road, street and bridge improvements by Spalding County, the City of Griffin and the City of Sunnyside; (vi) substandard housing removal,
- NO

wastewater improvements and the acquisition of a new fire engine by the City of Griffin; (vii) recreation and wastewater improvements by the City of Orchard Hill; and (viii) recreation improvements by the City of Sunnyside? If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of Spalding County in the principal amount of not to exceed \$33,000,000 for the purpose of funding items (i), (ii) and (iii) above.

Section 4. Manner of Election. The date of such election shall be and is hereby set for November 2, 2004, the polls of each election district of the County shall be open at 7:00 a.m. and close at 7:00 p.m., and the election shall be held by the same persons and under and in accordance with the election laws of the State of Georgia, and the returns of such election shall be made to the Board of Commissioners of Spalding County and the Board of Elections of Spalding County (the "Board of Elections"), which shall count the votes, consolidate the returns and declare the result of said election in the manner required by law.

Section 5. Publication of Notice of Election. The Board of Elections is hereby authorized and requested to publish the notice of said election as required by law in the newspaper in which Sheriff's advertisements for the County are published once a week for five weeks immediately preceding the date of the election in substantially the form attached hereto as Exhibit "A". Prior to the date of the election authorized herein, there shall be appointed proper Election Managers and Clerks to supervise and hold said election.

Section 6. Property Tax Levy. Should the Bonds be authorized by the requisite number of qualified voters, the Board of Commissioners of the County shall levy a tax upon all property subject to taxation for general obligation bond purposes within the County sufficient in amount to pay the principal of and interest on the Bonds at their respective maturities to the extent of any deficiency in the sales and use tax proceeds.

Section 7. Notice to Board of Elections. The Clerk of the Board of Commissioners of the County is hereby authorized and directed to deliver a copy of this resolution to the Board of Elections, with a request that the Board of Elections join in this call of the election.

Section 8. Advertisements as Binding Statements of Intention. As required by O.C.G.A. Section 36-82-1(d), any brochures, listings or other advertisements issued by the County or by any other person, firm, corporation or association with the knowledge and consent of the County, shall be deemed to be a statement of intention of the County concerning the use of the proceeds of the Bonds; and such statement of intention shall be binding on the County in the expenditure of any such bond funds or interest received from such bond funds which have been invested.

Section 9. Further Authority. The proper officers and agents of the County are hereby authorized to take any and all further actions as may be required in connection with the imposition of such sales and use tax, the acquisition, construction and installation of the projects above described and the issuance of the general obligation Bonds as herein provided.

Section 10. Effective Date. This Resolution shall take effect immediately upon its adoption.

This 16th day of August, 2004.

SPALDING COUNTY, GEORGIA

By: (L.S.) M. Michael Kendall  
Chairman, Board of Commissioners  
of Spalding County, Georgia

(SEAL)

(L.S.) Cecil L. Davis  
Commissioner

By: (L.S) William P. Wilson, Jr.  
Ex Officio Clerk, Board of  
Commissioners of Spalding  
County, Georgia

(L.S.) Edward Goss, Jr.  
Commissioner

(L. S.) Johnie A. McDaniel  
Commissioner

(L.S.) Dick Morrow  
Commissioner

#### CLERK'S CERTIFICATE

I, William P. Wilson, Jr., Ex Officio Clerk of the Board of Commissioners of Spalding County, DO HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted by the Board of Commissioners of Spalding County, Georgia on August 16, 2004, at a meeting which was duly called and assembled and open to the public and at which a quorum was present and acting throughout, which resolution has not been modified, repealed, revoked or rescinded as of the date hereof.

This 16<sup>th</sup> of August, 2004.

(L.S.) William P. Wilson, Jr.  
Ex Officio Clerk, Board of Commissioners of  
Spalding County, Georgia

13. Consider at first reading an ordinance amending the Spalding County Code relative to Sunday alcohol sales. Mr. Fortune said the state law regarding this matter requires the county to pass a resolution and then put it before the people for a vote. The effective date of the ordinance needs to be designated before the Commissioners take a vote. The city made November 15, 2004 the effective date on their resolution. Mr. Wilson said his recommendation is to make the effective date November 15, 2004 to coincide with the city date to avoid any conflicts.

*Mr. Davis made a motion to put on first reading an ordinance amending the Spalding County Ordinance relative to Sunday alcohol sales to become effective November 15, 2004. The motion passed 4-1 on a second by Mr. Morrow with Mr. Davis, Mr. Goss, Mr. McDaniel and Mr. Morrow voting for the motion and Mr. Kendall voting against. **The Ordinance will be incorporated into the minutes on second and final reading.***

Mr. McDaniel said that he, personally, does not support this change but it is a decision that the people of the community need to make. He feels it is appropriate for it to be on the ballot. Mr. Goss said he supports Mr. McDaniel's comments.

14. Commissioner Morrow would like to discuss Pinetree Circle Sewer Service.

Mr. Morrow said he does care about the north side of Griffin and has concerns regarding the sewer needs in that area. He has been working on a possible solution and has met with the engineer, Brian Upson to get some information. There was a meeting with Mr. Davis, who is on the Water Authority, Mr. Upson, Mr. Morrow and Ms. Delaney and Mr. Goodrum residents of Pinetree Circle. Mr. Hollberg from the City Commission was also invited to attend the meeting since the city will be affected by any action regarding sewer service. The project that Mr. Upson is going to present may be a possible solution to the needs for this area.

Mr. Upson made a presentation regarding a possible Pinetree sewer expansion area. The proposal is in two phases with Phase I serving 64 lots at a cost of \$425,000 and Phase II serving 94 lots at a cost of \$878,000. Phase II would require a lift station.

Mr. Morrow said the money could be borrowed with low interest doing Phase I first. If it is financed over 20 years the service on the debt would be approximately \$36 per month per lot. It would have to be mandatory for every lot to make it work.

Ms. Delaney said the community is grateful for the consideration and would expect to pay some but there are some in the area that would need some help because they cannot afford the additional \$432 annually. They will meet with the neighborhood to get a consensus.

They were assured that every effort would be made to get any funding available to help with the expense of this project. Ms. Delaney and Mr. Goodrum will report the response from the neighborhood after they have met.

## **XII. REPORT OF COUNTY MANAGER**

County Manager Wilson announced that an ice cream social would be held at City Park on Tuesday, August 24, 2004 at 6:30 p.m. to honor the Griffin Youth Baseball Boys 14 & Under and also the Spalding Youth Softball Girls 10 & Under.

County Manager Wilson announced that the City Park Open House would be held Saturday, September 11 2004 from the hours of 10:00 a.m. until 12:00 noon. Everyone was invited and encouraged to attend this Open House.

County Manager Wilson stated that he had been contacted by Will Doss, Griffin-Spalding Collaborative Executive Director, regarding a request to utilize the Courthouse Annex Meeting Room for their monthly meetings which are held the second Wednesday at 9:00 a.m. The meetings last approximately one hour. The consensus of the Board of Commissioners was to allow them to use this room unless the meeting room needed to be used by the County.

County Manager Wilson announced that Phyllis Doane, County Clerk, was retiring and a reception would be held in her honor on Friday, August 27, 2004 from 3:00 until 5:00 p.m.

County Manager Wilson announced that the Board of Commissioners' Regular Monthly Meeting, which was scheduled for Monday, September 6, 2004, which is a holiday, had been cancelled. The next meeting would be Monday, September 20, 2004.

County Manager Wilson made the Board aware that a letter had been received from the City of Griffin stating the City, according to their records, had overpaid Spalding County approximately \$900,000 in water revenues. The County does not feel that the documentation is sufficient and the Board advised County Attorney Fortune to draft a letter and authorized the Chairman to sign this letter on their behalf stating the County's position regarding this matter.

## **XIII. REPORT OF COMMISSIONERS**

Mr. Morrow said he had attended an ARC meeting/workshop where they presented the new mobility 2030 plan. It is \$50,000,000,000 in Greater Atlanta Transportation. It is a good plan that does not solve all the problems but it is the best than can be done with the money. ARC will be voting on that in November. If approved it will become the plan in January 2005 and the money will begin to be spent. The next plan will begin to be formulated in January/February next year and the process begins again. That plan includes Spalding County. 4.5 million of Q-23 money has been allocated for Spalding County. That is federal transportation money. That fund requires a \$900,000 and the transportation money is SPLOST if for that match. Without the match Spalding County will not receive the 4.5 million. This is a serious issue.

Mr. Goss had no comments.

Mr. Davis expressed appreciation to Mr. Morrow for his time and effort on a possible solution to the sewerage problem.

Mr. McDaniel said he wanted to add his appreciation to Mr. Morrow also. He encouraged all the commissioners to go to one of the Parks and Recreation Department events that Mr. Wilson mentioned.

Mr. Kendall had no comments.

## **XIV. CLOSED MEETING**

1. The County Manager desires a Closed Meeting to discuss acquisition of real estate.

*Mr. Morrow made a motion to go into executive session to discuss the acquisition of real estate. The motion passed 5-0 on a second by Mr. Davis.*

Commissioners present were: Cecil Davis, Eddie Goss, Mike Kendall, Johnie McDaniel, and Dick Morrow. Also present were County Manager William Wilson and County Attorney Jim Fortune.

**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 16, 2004.

2.

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

3.

The executive session was called to order at 8:00 p.m.

4.

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

**No** 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)*\_\_\_\_\_.

Spalding County Board of Commissioners

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

Sworn to and subscribed  
Before me this 16<sup>th</sup> day of  
August 2004  
Phyllis P. Doane  
Notary Public  
My commission expires: March 13, 2006

*Mr. McDaniel made a motion to return to open session. The motion passed 5-0 on a second by Mr. Goss.*

*No business was transacted at this time.*

**XV. ADJOURNMENT**

*The meeting was adjourned with a unanimous vote on a motion by Mr. Kendall and a second by Mr. McDaniel at 8:10 P.M.*

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County Clerk

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Chairman

Please send comments to [webmaster@spaldingcounty.com](mailto:webmaster@spaldingcounty.com)  
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