



Board of Commissioners

**REGULAR MONTHLY MEETING**

The Board of Commissioners of Spalding County, Georgia, held their regular monthly meeting on Monday, November 1, 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 Cecil Davis, Eddie Goss, Johnie McDaniel and Dick Morrow present. Absent was Commissioner Michael Kendall. Also present were County Manager William Wilson, County Attorney Jim Fortune, Community Development Director Chuck Taylor, and Executive Secretary Teresa Watson.

**AGENDA TOPICS**

**I) OPENING (CALL TO ORDER) – Vice-Chairman Cecil Davis**

**II) INVOCATION – Rev. Reginald Jacobs**

**III) PLEDGE TO FLAG – Commissioner Davis**

**IV) PRESENTATIONS/PROCLAMATIONS/RECOGNITION - N/A**

**V) PRESENTATION OF FINANCIAL STATEMENTS - N/A**

**VI) CITIZENS COMMENTS – N/A**

**VII) PUBLIC COMMENT**

**VIII) MINUTES**

1. Consider approval of the minutes of the Extraordinary Session of October 18, 2004 and the Zoning Public Hearing of October 28, 2004.

*On a motion by Commissioner Morrow, and a second by Commissioner McDaniel, the vote was unanimous to approve both the minutes of the Extraordinary Session of October 18, 2004 and the Zoning Public Hearing of October 28, 2004 as presented.*

**IX) CONSENT AGENDA – N/A**

**X) OLD BUSINESS – N/A**

**XI) NEW BUSINESS**

*On a motion by Commissioner McDaniel and a second by Commissioner Morrow, the vote to amend the agenda to add Item #7 to New Business was approved by a unanimous vote of 4-0.*

1. Conduct Public Hearing to consider establishment of a street lighting district for Meadowview Subdivision Phase II and Sunshine Ridge Subdivision.

Chairman Davis opened the Public Hearing and asked if anyone wished to comment on this request for either Meadowview Subdivision Phase II or Sunshine Ridge Subdivision. There were none.

Mr. Wilson said everything related to the application was in order.

*On a motion by Commissioner McDaniel and a second by Commissioner Morrow, the vote to close the Public Hearing was unanimous at 4-0.*

2. Consider request to approve street lighting district for Meadowview Subdivision Phase II, Reese Building & Developers, Inc., Owner; and Sunshine Ridge Subdivision, Alan Mobley and Kenneth Dorsey, Owners.

*On a motion by Commissioner McDaniel to approve the street lighting district for Meadowview Subdivision Phase II, and a second by Commissioner Morrow, the vote was unanimous at 4-0.*

*On a motion by Commissioner McDaniel to approve the street lighting district for Sunshine Ridge Subdivision, and a second by Chairman Davis, the motion passed with a 3-0-1 vote with Commissioner Morrow abstaining due to a conflict since he is married to the mother of one of the applicants, Mr. Alan Mobley.*

3. Consider setting a date for a Public Hearing to establish street lighting district for Deer Creek Subdivision off Macon Road.

*At the recommendation of Mr. Wilson, the date of the requested Public Hearing was set for November 15, 2004 on a motion by Commissioner Morrow and a second by Chairman Davis by a unanimous vote of 4-0.*

4. Consider approval of lease agreement with CompuVisions for 879 Memorial Drive property.

Spalding County has proposed a standard lease agreement for this 1000 square foot property at 879 Memorial Drive in the old Cook's shopping center. Tenant has provided one month's rent as a security deposit, the first month's rent, and an insurance certificate. Everything is in order for this one-year lease. For informational purposes, Mr. Wilson pointed out the tenant was a Spalding County employee, Mr. Steve Harless, who is a firefighter, and the lease is for his computer business, CompuVisions.

*On a motion by Commissioner McDaniel and a second by Commissioner Morrow, the vote was unanimous at 4-0.*

5. Consider agreement with Johnson Controls for replacement of roof on the Spalding County Health Department building.

Mr. Wilson said this would be Phase III of the ongoing work being done by Johnson Controls in the Planned Service Agreement (PSA). Total price to replace both the flat roof on top and the mansard (sloped) roof on the side is \$152,995.00. There was approximately \$75,000 budgeted for half of this project this year, but Mr. Wilson recommended paying for the project completely rather than financing due to the current fund balance. He will bring a budget amendment to the Board of Commissioners at the next meeting. There will be a 30-year warranty on the steel panels and a 10-year warranty on the flat portion of the roof.

*On a motion by Commissioner Morrow and a second by Commissioner McDaniel, the vote was unanimous to approve at 4-0.*

6. Discuss response from the City of Griffin regarding water payments.

Mr. Wilson referenced previous correspondence from both the City of Griffin to the Spalding County Board of Commissioners and vice versa regarding the \$901,823.46 overpayment the City claims to have made to the County. The City stands by the accuracy of its records and declines to negotiate this amount. This matter was addressed at the last meeting of the Water Authority.

Commissioner Davis stated the Water Authority proposed to hire temporary personnel to audit these reports that the City can now provide to verify or discount this claim for payment. This proposed employee will work under the supervision of Ms. Jinna Garrison. The Water Authority entertained the idea of asking the City to pay for this since it was their problem which necessitated the hiring of this person to verify records, but for several reasons felt it would be better to assume sole responsibility for this action. One of the main reasons is that the information garnered will belong exclusively to the County. It is true that the number of customers varies greatly sometimes from month to month; over one two-month period recently

the total number of customers went down considerably while income went up. They do insist they can now provide this information that is required under the present contract.

Ms. Garrison said the City was now sending a monthly report that approximates 300 pages by customer. Initially, this report needs to be reconciled to the summary which matches the check they send each month. Mr. Rocky Kenway has suggested they reconcile customer by customer to ensure they are billing the correct amounts. This will also ensure a correct customer count.

Mr. Wilson said Spalding County has a record of water taps installed and, now that monthly reports are coming in from the City, they verify new meters that come onto the system. This has been done since October 2003. With this double-check, we can at least verify that new customers are being added on a monthly basis. The County really has no record of changes or disconnects to meters, though, since we are not involved in those type transactions.

Commissioner Davis said with the constraints Ms. Garrison already has on her time, it would be impossible to expect her to reconcile records of this magnitude. Thus, an additional person was a plausible solution.

Ms. Garrison confirmed they were discussing three and one-half years' reports. She and Mr. Wilson wanted a temporary person who is numerically inclined who may be interested in this position without benefits. This person will be both an employee of Spalding County and the Water Authority. The process should take at least a couple of months. This person is not an accountant but is numerically inclined. They will decide how they want to present the information and go from there.

Commissioner Davis stated the hourly rate should be around \$10 to \$11, based on probably a 25-hour work week. The total amount incurred, split between the County and the Water Authority, should not be much. They may check several consecutive months and then skip randomly to try to determine patterns. He urged everyone to keep in mind, more reports would be arriving while they were still trying to check previous reports, so it would very much be a work in progress. He felt this was the only solution to the problem at the time since they had no data with which to challenge the City's request for repayment of these funds. The Water Authority was in favor of this process, as well.

Mr. Wilson stated this would be a monumental task but one that should prove well worth the effort. When the Water Authority did this same thing in the early 1990s, before the water contract, they found several tens of thousands of dollars owed to the Authority. They will keep the Board of Commissioners apprised of developments throughout the process.

*The motion by Commissioner Morrow and the second by Commissioner McDaniel to authorize the County Manager to hire part-time personnel to assist with verification of City Utility water billing statements was approved by a unanimous vote of 4-0.*

7. Consider approval of new 2004 Wholesale Beer Dealership for J & L Ventures, LLC, d/b/a Jackson Beverages, LLC, 915 South Pinehill Road, Griffin, Georgia.

Mr. Wilson said this was the only wholesale beer dealership in the County, and it was presently being acquired by J & L Ventures, LLC. Their closing is scheduled for November 2, 2004, and this would correctly show the license in the name of J & L Ventures. The license is presently in Mr. Bob Glover's name, so effective tomorrow that license will no longer be valid with the transfer of ownership. This will give them a 2004 license and allow them to have goods shipped into their location. They have already applied for the 2005 license. Everything has been inspected and in good order; all fees have been paid. Several associates of J & L Ventures were in attendance, and Mr. John Tanzine introduced himself as general counsel but stated he was actually employed by the company. He introduced Mr. Don Leebern, III, CEO and Chairman of the Board and Mr. Lee Jackson, President and COO.

*On a motion by Commissioner Morrow and a second by Commissioner Davis, the request was approved by a vote of 3-1 with Commissioner McDaniel voting in opposition.*

## **XII) REPORT OF COUNTY MANAGER**

1. Mr. Wilson reported that Norfolk-Southern had contacted him regarding the railroad crossing at Hudson and Gateridge Roads. They have requested a stop sign be placed in an attempt to deter students who are dangerously crossing the tracks at inappropriate times. The Sheriff's Department has also recommended approval of the stop sign, and the Board of Commissioners gave their approval for Mr. Wilson and Mr. Fortune to proceed.
2. Mr. Wilson noted they would need to have a Special Called Meeting on Wednesday before noon to certify votes on the SPLOST Referendum, and a time of 11:30 a.m. was set.
3. Mr. Wilson commented that groundbreaking ceremonies for the new Georgia Theatre Company, at Griffin Crossroads behind Fire Mountain Grill, would be held on Wednesday, as well, at 10:30 a.m. and urged Commissioners to attend if possible.
4. Mr. Wilson reported the meetings for the ARC, TCC and TAQC have become quite frequent and the paperwork generated has become voluminous. He proposed a jointly funded Transportation Planner position on a 50/50 basis between the City of Griffin and Spalding County. He or she would be the principal staff person for the Griffin-Spalding Area Transportation Committee and attend every TAQC meeting with the chief elected official who decides to take this position after the first of the year, as well as every TCC meeting that ARC conducts. The demands of these programs on Mr. Wilson's time have become prohibitive. It would require a yearly commitment of \$65,000 to \$75,000 for the County's portion of salary and benefits, and there are sufficient monies in the budget to fund this joint position. The employee will be a McIntosh Trail employee working jointly with the City, County, and Transportation Committee. This proposal for McIntosh Trail will appear on the November 15, 2004 agenda, and the goal is to have someone with some transportation planning experience hopefully in this position by January 2005. McIntosh Trail will interview, hire, train, and provide space and supplies.
5. Mr. Wilson provided an update on the Automatic Meter Reading (AMR) and Backflow Prevention programs being proposed by the City to the Water Authority. This item will be on the November 15 agenda. Backflow Prevention is mandated by the State and must be in place by the end of calendar year 2005. Automatic Meter Reading is currently being implemented by some surrounding counties and is certainly the wave of the future. The Water Authority is reviewing the program and, he cautioned, it will be very costly. It looks as though the County's portion of debt service, should we decide to take it on, will be about \$420,000 per month for a turnkey operation with both AMR and Backflow Prevention, and increased revenues will probably be in the neighborhood of \$200,000. As requested, Staff will explore the possibility of utilizing a system that reads directly to a central location rather than the current AMR systems that read from a utility truck driving by the meter.
6. Mr. Wilson noted two upcoming charity events, The Humane Society Chili Cook-Off and the Shriners Club fundraiser, need a letter from Spalding County to the State Revenue Department stating the County does not issue one-day licenses for alcoholic beverages and that Spalding County has no problem with the State issuing a license for that single day event. The Board had no objections to the issuance of the letters.
7. Mr. Wilson reminded Commissioners that the Zoning Public Hearing had been rescheduled from November 25 to November 23 because of the Thanksgiving holidays, and he cautioned the meeting will be lengthy.
8. Mr. Wilson reported that Early Voting worked as well as it could. There were some negative comments, but they tried to accommodate everyone. Some streamlining procedures and improvements that were discovered as early voting progressed will be implemented next time. About 2400 voters took advantage of the early voting period, and the meeting room was extremely crowded all week. The employees in Board of Elections and Voter Registration Office are to be commended for their hard work and long hours.
9. Finally, Mr. Wilson sadly reported that David Doane, husband of former Executive Secretary Phyllis Doane, passed away on Saturday. Visitation will be from 7 to 9 p.m. at Conner-Westbury Funeral

Home on Tuesday and the memorial service will be at Southside Baptist Church at 2 p.m on Wednesday, November 3, 2004. All the administrative office will attend, but the office will not be closed. Someone from another department will answer phones in their absence.

### **XIII) REPORT OF COMMISSIONERS**

Mr. Morrow reported the Task Force on which he and Commissioner McDaniel serve finished up their work on the Infill Ordinance. They will now begin work on the Sign Ordinance. This committee will meet again on Friday morning at 9 p.m. in the Conference Room.

Mr. Goss requested that, should SPLOST fail on November 2, they immediately begin procedures to rezone the Wallace Road property back to its original zoning designation.

Mr. Morrow noted the Development Authority now had a non-binding verbal offer for twice the purchase price of this property. The Development Authority could sell it, with this zoning, for a nice profit that could be used to develop the Industrial Park.

Mr. McDaniel said he had been privileged to consider the Doane family friends for a number of years. He urged everyone to keep the family in their thoughts and prayers, even after Wednesday.

### **XIV) CLOSED MEETING**

1. County Manager requested a Closed Meeting to discuss the acquisition of real estate.

*On a motion by Commissioner McDaniel and a second by Commissioner Morrow, the vote was unanimous at 4-0 to go into a Closed Meeting at 7:50 p.m.*

Those present at the closed session were Commissioners Dick Morrow, Cecil Davis, Johnie McDaniel and Eddie Goss. Also present were County Manager William Wilson, County Attorney Jim Fortune and Executive Secretary Teresa Watson.

#### **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 November 1, 2004.

2.

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

3.

The executive session was called to order at 7:50 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)\_\_\_\_\_.

This the 1<sup>st</sup> day of November 2004.

Sworn to and subscribed  
Commissioners  
Before me this 1st day of November, 2004 .

Spalding County Board of  
M. Michael Kendall  
Cecil L. Davis

Notary Public: Teresa A. Watson  
My commission expires: March 3, 2007.

Edward Goss, Jr.  
Dick Morrow

*At the end of the closed session, the Commissioners reconvened in open session at 8:05 p.m. with all Commissioners present on a motion by Commissioner McDaniel, seconded by Commissioner Morrow and unanimously approved.*

#### **XV. ADJOURNMENT**

On a motion by Commissioner McDaniel and a second by Commissioner Morrow, the vote was unanimous to adjourn at 8:05 p.m.

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