



Board of Commissioners

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their Regular Monthly Meeting on Monday, November 7, 2005 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Chairman Edward Goss presiding and Commissioners Cecil Davis, Gwen Flowers-Taylor, Eddie Freeman and Johnie McDaniel present. 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) – Chairman Edward Goss, Jr.

II. INVOCATION – Rev. Michael Moore

III. PLEDGE TO FLAG – Led by County Attorney Jim Fortune

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Consider Proclamation declaring November 18-24, 2005 “Farm-City Week.”

Commissioner McDaniel made a motion to declare November 18-24, 2005 as “Farm-City Week,” seconded by Commissioner Davis, and the motion carried unanimously at 5-0.

Chairman Goss read the Proclamation and presented it to Mrs. Barbara Krieder, President of the Spalding County Farm Bureau.

2. Recognize Georgia Search and Rescue (GSAR) team members who participated in rescue efforts along Gulf Coast and Homeland Security staff and others who manned the local relief center.

Spalding County Fire Chief Chipper Gardner, Assistant Chief Kenny West and County Manager William Wilson recognized each employee individually and the collective departments for their relief efforts in different capacities in the wake of Hurricane Katrina. They are as follows:

Dispatched to Louisiana: Captain Willie Lyons, Lieutenant Mike Ellis, Lieutenant Josef Miller, and Firefighters Chris Holloway, Joe Aldridge, Terrance Reid, Jarrison McBrayer, Marco Colbert, Devin Finney and Fernando Harps. Other GSAR team members include: Battalion Chief Wayne Jones, Captain David Smith, and Firefighter Andy Patterson.

Volunteering to assist in local efforts to help the Louisiana evacuees were: Assistant Chief Kenny West, Battalion Chief Summey Brown, Captain David Smith, Captain Jamie Clark, Captain Glenn Polk, Captain Tyrone Coggins, Lieutenant Josef Miller, Lieutenant Lisa Rogers, Lieutenant Steve Harless, Firefighter Marco Colbert, Firefighter James Odom and Mechanic Andy Kinard.

3. Will Doss, Coordinator, to make a presentation on the Spalding County Collaborative Authority for Families and Children, Inc.

Reverend Doss provided commissioners with a copy each of the 2005 Annual Report for the Spalding Collaborative. He highlighted events and programs during the preceding year, as well as changes to personnel and committees. Financial data was included, along with expectations and benefits of partnerships with the Spalding County Collaborative. Hurricane Katrina relief efforts were detailed, as well. Membership, with 140 partners, has grown during the past year.

V. PRESENTATION OF FINANCIAL STATEMENTS – N/A

VI. CITIZENS COMMENTS

1. Greg Pruitt would like to address the Board concerning the requirement to place fire hydrants on existing water lines.

Greg Pruitt, Partridge Path, Griffin, Georgia

Mr. Pruitt said during his 26 years of building, he has never had to install fire hydrants on existing water lines until recently on his Pomona project. Other developers with whom he had spoken also were not aware of this requirement, although all agree they do this as a matter of course in new developments. The only other developer who has had to perform this requirement was Greg Hale on the dirt portion of East Maddox Road. He did not think this unwritten policy was fair to implement and it was unfair to expect that developers could keep abreast of such unwritten rules. He also thought it would be better for the County to do the required work and charge for it as he did not want to be responsible for digging into existing County water lines. Mr. Pruitt said if this practice were to continue, he would like to see public hearings and a written policy developed.

VII. PUBLIC COMMENT

VIII. MINUTES

1. Consider approval of Minutes for the October 17, 2005 Extraordinary Session and the October 27, 2005 Zoning Public Hearing.

Commissioner Davis made a motion to approve both the October 27, 2005 Extraordinary Session and the October 27, 2005 Zoning Public Hearing, seconded by Commissioner McDaniel. The motion carried by a unanimous 5-0 vote.

IX. CONSENT AGENDA

1. Consider on second reading Amendments to the Official Zoning Map as follows:
 - a) Application #05-09Z: Bailey Preferred, LLC, Owner – West McIntosh Road and Beasley Road – Phase I – 18.718 acres, R-2 and AR-1 to R-2, Conditional.

APPLICATION OF BAILEY PREFERRED, LLC
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-09Z

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 “R-2, Single Family Residential and AR-1, Agricultural and Residential;”

WHEREAS, Bailey Preferred, LLC, applicant, applied for a change in zoning classification to be applied to the within described property to “R-2, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on March 24, 2005;

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 28, 2005, 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:

Phase I

All that tract or parcel of land lying and being in Land Lot(s) 30 & 35, 3rd Land District, Georgia Militia District 1068, Spalding County, Georgia and being described as follows: **Commencing** at a 1/2” rebar found at the intersection of the northerly right-of-way of West McIntosh Road (80' right-of-way) and the easterly right-of-way of Beasley Road (80' right-of-way); Thence running along said Beasley Road right-of-way North 48 degrees 30 minutes 45 seconds West a distance of 464.17 feet to an iron pin set and the **Point of Beginning**; Thence North 48 degrees 30 minutes 45 seconds West a distance of 1638.55 feet to a 1/2” rebar found; Thence leaving said Beasley Road right-of-way North 41 degrees 24 minutes 05 seconds East a distance of 477.91 feet to an iron pin set; Thence North 89 degrees 39 minutes 21 seconds East a distance of 309.60 feet to an iron pin set; Thence South 25 degrees 57 minutes 30 seconds East a distance of 195.41 feet to an iron pin set; Thence South 03 degrees 29 minutes 48 seconds East a distance of 154.02 feet to an iron pin set; Thence South 43 degrees 25 minutes 47 seconds East a distance of 100.39 feet to an iron pin set; Thence South 41 degrees 48 minutes 24 seconds East a distance of 100.69 feet to an iron pin set; Thence South 34 degrees 52 minutes 12 seconds East a distance of 102.90 feet to an iron pin set; Thence South 41 degrees 19 minutes 48 seconds East a distance of 100.79 feet to an iron pin set; Thence South 49 degrees 16 minutes 15 seconds East a distance of 100.01 feet to an iron pin set; Thence South 54 degrees 28 minutes 33 seconds East a distance of 100.54 feet to an iron pin set; Thence South 51 degrees 36 minutes 45 seconds East a distance of 100.15 feet to an iron pin set; Thence South 48 degrees 30 minutes 45 seconds East a distance of 120.20 feet to an iron pin set;

Thence South 48 degrees 30 minutes 45 seconds East a distance of 134.35 feet to an iron pin set; Thence South 03 degrees 30 minutes 45 seconds East a distance of 232.90 feet to an iron pin set; Thence South 41 degrees 29 minutes 15 seconds West a distance of 295.48 feet to an iron pin set on the easterly right-of-way of said Beasley Road and the **Point of Beginning**.

Said tract or parcel containing 18.718 acres (815,364 sq. ft.) more or less.

From “R-2, Single Family Residential and AR-1, Agricultural and Residential” to “R-2, 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) With regard to house sizes, Phase 1, as shown on the plan dated 7-28-05, will be split at ½ at 1750 square feet and ½ at 2000 square feet; Phase 2 zoned R-1; and Phase 3 split three ways at 1/3 for a minimum of 1750 square feet, 1/3 for a minimum of 2000 square feet, and 1/3 for a minimum of 2200 square feet. All property outside of Phase 2 shall be rezoned to R-2.
- b) Exteriors shall be brick, stone, stucco, cedar shake or hardy plank.
- c) Front porches shall be underpinned and finished in character of the homes.
- d) Roof pitch shall be a minimum of 8/12.
- e) Each home shall have a brick or stacked stone water table around the house completely on all 4 sides.
- f) The total number of lots shall be limited to 74 unless in compliance with Section 706B, Appendix A, of the UDO with the land trust option.
- g) The design shall be in compliance with submission of the plan dated 7-28-05.
- h) Front yards shall be sodded.
- i) No privacy fence shall be in any front yard or within 30 feet of any existing right of way.

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 November 7, 2005, 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 that tract or parcel of land lying and being in Land Lot(s) 30 and 35 of the 3rd Land District, Georgia Militia District 1068, Spalding County, Georgia, containing 18.718 acres, more or less, located on West McIntosh Road and Beasley Road, zoned R-2, 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.

- b) Application #05-09Z: Bailey Preferred, LLC, Owner – West McIntosh Road and Beasley Road – Phase II – 12.072 acres, R-2 and AR-1 to R-1, Conditional.

APPLICATION OF BAILEY PREFERRED, LLC
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-09Z

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 “R-2, Single Family Residential and AR-1, Agricultural and Residential;”

WHEREAS, Bailey Preferred, LLC, applicant, applied for a change in zoning classification to be applied to the within described property to “R-2, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on March 24, 2005;

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 28, 2005, 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:

Phase II

All that tract or parcel of land lying and being in land lot 35, 3rd district, Georgia Militia District 1068, Spalding County, Georgia and being described as follows:

Commencing at a 1/2" rebar found at the intersection of the northerly right-of-way of West McIntosh Road (80' right-of-way) and the easterly right-of-way of Beasley Road (80' right-of-way); Thence running along said West McIntosh Road right-of-way North 54 degrees 14 minutes 28 seconds West a distance of 422.38 feet to an iron pin set and the **Point of Beginning**; Thence leaving said West McIntosh Road right-of-way North 35 degrees 45 minutes 32 seconds West a distance of 342.86 feet to an iron pin set; Thence North 40 degrees 12 minutes 05 seconds East a distance of 369.71 feet to an iron pin set; Thence North 65 degrees 12 minutes 05 seconds East a distance of 749.22 feet to an iron pin set; Thence North 89 degrees 34 minutes 14 seconds East a distance of 282.31 feet to an iron pin set; Thence South 00 degrees 25 minutes 29 seconds East a distance of 405.00 feet to a 1/2" rod found on said West McIntosh Road right-of-way; Thence, along said West McIntosh Road on curve to the left having a radius of 2369.20 feet, an arc length of 993.80 and being subtended by a chord bearing of South 66 degrees 08 minutes 55 seconds West a distance of 986.53 feet to an iron pin set; Thence South 54 degrees 14 minutes 28 seconds West a distance of 125.00 feet to an iron pin set and the **Point of Beginning**.

Said tract or parcel containing 12.072 acres (525,845 sq. ft.) more or less.

From "R-2, Single Family Residential and AR-1, Agricultural and Residential" to "R-1, Single Family Residential Low Density" 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) With regard to house sizes, Phase 1, as shown on the plan dated 7-28-05, will be split at 1/2 at 1750 square feet and 1/2 at 2000 square feet; Phase 2 zoned R-1; and Phase 3 split three ways at 1/3 for a minimum of 1750 square feet, 1/3 for a minimum of 2000 square feet, and 1/3 for a minimum of 2200 square feet. All property outside of Phase 2 shall be rezoned to R-2.
- b) Exteriors shall be brick, stone, stucco, cedar shake or hardy plank.
- c) Front porches shall be underpinned and finished in character of the homes.
- d) Roof pitch shall be a minimum of 8/12.
- e) Each home shall have a brick or stacked stone water table around the house completely on all 4 sides.
- f) The total number of lots shall be limited to 74 unless in compliance with Section 706B, Appendix A, of the UDO with the land trust option.
- g) The design shall be in compliance with submission of the plan dated 7-28-05.
- h) Front yards shall be sodded.
- i) No privacy fence shall be in any front yard or within 30 feet of any existing right of way.

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 November 7, 2005, 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 that tract or parcel of land lying and being in Land Lot 35 of the 3rd Land District, Georgia Militia District 10678, Spalding County, Georgia, containing 12.072 acres, more or less, located on West McIntosh Road and Beasley Road, zoned R-1, 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.

- c) Application #05-09Z: Bailey Preferred, LLC, Owner – West McIntosh Road and Beasley Road – Phase III – 24.919 acres, R-2 and AR-1 to R-2, Conditional.

APPLICATION OF BAILEY PREFERRED, LLC
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-09Z

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 “R-2, Single Family Residential and AR-1, Agricultural and Residential;”

WHEREAS, Bailey Preferred, LLC, applicant, applied for a change in zoning classification to be applied to the within described property to “R-2, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on March 24, 2005;

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 28, 2005, 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:

Phase III

All that tract or parcel of land lying and being in Land Lot 35, 3rd Land District, Georgia Militia District 1068, Spalding County, Georgia and being described as follows:

Commencing at the land lot corner common to land lots 29, 30, 35 & 36; Thence along said land lot line common to land lots 35 & 36; North 89 degrees 53 minutes 50 seconds East a distance of 908.94 to the **Point of Beginning**; Thence and continuing along said land lot line North 89 degrees 53 minutes 50 seconds East a distance of 453.37 feet to an iron pin set; Thence South 45 degrees 54 minutes 06 seconds East a distance of 104.90 feet to an iron pin set; Thence South 21 degrees 03 minutes 28 seconds East a distance of 53.55 feet to an iron pin set; Thence South 79 degrees 51 minutes 56 seconds East a distance of 75.56 feet to an iron pin set; Thence South 89 degrees 23 minutes 28 seconds East a distance of 75.56 feet to an iron pin set; Thence North 81 degrees 04 minutes 56 seconds East a distance of 75.57 feet to an iron pin set; Thence North 72 degrees 03 minutes 46 seconds East a distance of 75.55 feet to an iron pin set; Thence North 69 degrees 53 minutes 50 seconds East a distance of 300.55 feet to an iron pin set on said land lot line; Thence and continuing along said land lot line North 89 degrees 53 minutes 50 seconds East a distance of 1035.84 feet to a 1-1/2" open top pipe found on the westerly right-of-way of Westmoreland Road (40' right-of-way); Thence along said Westmoreland Road right-of-way South 00 degrees 16 minutes 39 seconds West a distance of 417.94 feet to an iron pin set; Thence leaving said Westmoreland Road right-of-way North 89 degrees 14 minutes 51 seconds West a distance of 174.78 feet to an iron pin set; Thence South 03 degrees 42 minutes 01 seconds West a distance of 171.28 feet to an iron pin set; Thence South 86 degrees 17 minutes 59 seconds East a distance of 185.33 feet to an iron pin set on said Westmoreland Road right-of-way; Thence along said Westmoreland Road right-of-way South 00 degrees 16 minutes 39 seconds West a distance of 372.52 feet to an iron pin set at the northwesterly intersection of said Westmoreland Road and West McIntosh Road (80' right-of-way); Thence along said West McIntosh road right-of-way South 86 degrees 51 minutes 17 seconds West a distance of 398.97 feet to a

1" square rod found; Thence leaving said West McIntosh Road right-of-way North 00 degrees 13 minutes 13 seconds West a distance of 495.93 feet to an iron pin set; Thence South 86 degrees 17 minutes 59 seconds East a distance of 172.45 feet to an iron pin set; Thence North 03 degrees 42 minutes 01 seconds East a distance of 108.02 feet to an iron pin set; Thence, along a curve to the left having a radius of 175.00 feet, an arc length of 115.66 feet and being subtended by a chord bearing of North 15 degrees 14 minutes 03 seconds West for a distance of 113.57 feet to an iron pin set; Thence South 55 degrees 49 minutes 53 seconds West a distance of 175.00 feet to an iron pin set; Thence South 88 degrees 40 minutes 29 seconds West a distance of 359.02 feet to an iron pin set; Thence South 81 degrees 16 minutes 25 seconds West a distance of 81.23 feet to an iron pin set; Thence North 14 degrees 24 minutes 57 seconds West a distance of 175.41 feet to an iron pin set; Thence, along a curve to the left having a radius of 725.00 feet, an arc length of 91.81 feet and being subtended by a chord bearing of South 73 degrees 31 minutes 30 seconds West for a distance of 91.75 feet to an iron pin set; Thence South 69 degrees 53 minutes 50 seconds West a distance of 294.94 feet to an iron pin set; Thence, along a curve to the right with a radius of 725.00 feet, an arc length of 442.88 feet and being subtended by a chord bearing of South 87 degrees 23 minutes 50 seconds West for a distance of 436.02 feet to an iron pin set; Thence North 75 degrees 06 minutes 10 seconds West a distance of 50.56 feet to an iron pin set; Thence, along a curve to the left with a radius of 50.00 feet, an arc length of 65.67 feet and being subtended by a chord bearing of South 67 degrees 16 minutes 14 seconds West for a distance of 61.05 feet to an iron pin set; Thence, along a curve to the right with a radius of 170.00 feet, an arc length of 135.17 feet and being subtended by a chord bearing of South 52 degrees 25 minutes 22 seconds West for a distance of 131.64 feet to an iron pin set; Thence South 14 degrees 47 minutes 53 seconds East a distance of 213.08 feet to an iron pin set; Thence, along a curve to the right having a radius of 383.08 feet, an arc length of 1061.18 feet and being subtended by a chord bearing of North 25 degrees 26 minutes 26 seconds West for a distance of 752.99 feet to an iron pin set on said land lot line and the **Point of Beginning**.

Said tract or parcel containing 24.919 acres (1,085,483 sq. ft.) more or less.

From "R-2, Single Family Residential and AR-1, Agricultural and Residential" to "R-2, 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) With regard to house sizes, Phase 1, as shown on the plan dated 7-28-05, will be split at ½ at 1750 square feet and ½ at 2000 square feet; Phase 2 zoned R-1; and Phase 3 split three ways at 1/3 for a minimum of 1750 square feet, 1/3 for a minimum of 2000 square feet, and 1/3 for a minimum of 2200 square feet. All property outside of Phase 2 shall be rezoned to R-2.
- b) Exteriors shall be brick, stone, stucco, cedar shake or hardy plank.
- c) Front porches shall be underpinned and finished in character of the homes.
- d) Roof pitch shall be a minimum of 8/12.
- e) Each home shall have a brick or stacked stone water table around the house completely on all 4 sides.
- f) The total number of lots shall be limited to 74 unless in compliance with Section 706B, Appendix A, of the UDO with the land trust option.
- g) The design shall be in compliance with submission of the plan dated 7-28-05.
- h) Front yards shall be sodded.
- i) No privacy fence shall be in any front yard or within 30 feet of any existing right of way.

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 November 7, 2005, 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 that tract or parcel of land lying and being in Land Lot 35 of the 3rd Land District, Georgia Militia District 1068, Spalding County, Georgia, containing 24.919 acres, more or less, located on West McIntosh Road and Beasley Road, zoned R-2, 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.

- d) Application #05-19Z: Diversified Fabricators, Inc., Owner – 1325 U.S. Highway 41 South – 5 acres, R-1 and C-1 to C-2 Conditional.

APPLICATION OF DIVERSIFIED FABRICATORS, INC.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-19Z

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 “R-1, Single Family Residential Low Density and C-1, Highway Commercial;”

WHEREAS, Diversified Fabricators, Inc., applicant, applied for a change in zoning classification to be applied to the within described property to “C-2, Manufacturing;”

WHEREAS, such application was filed with Spalding County, Georgia on August 23, 2005;

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 October 27, 2005, 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 tract or parcel of land containing 5.00 acres, located in Land Lot 108 of the Second Land District of original Monroe now Spalding County, Georgia, as shown on a Plat entitled "Property of B. V. O'Dell", dated May 6, 1975, by Griffin Engineering Company and recorded in Plat Book 10, Page 363, of the Spalding County Superior Court Records.

Property may be more particularly described with reference to said plat as BEGINNING at an iron stake at the intersection of the West margin of U.S. Highways 19 and 41 (4 land) with the South boundary of Land Lot 108; thence from said point of beginning, North 0 degrees 21 minutes 00 seconds East 315.0 feet along the West margin of U.S. Highways 91 and 41 to an iron stake; thence South 89 degrees 25 minutes 57 seconds West 691.43 feet to an iron stake; thence 0 degrees 21 minutes 00 seconds West 315.0 feet to an iron stake on the South boundary of Land Lot 108; thence North 89 degrees 25 minutes 57 seconds East 691.43 feet along the South boundary of Land Lot 108 to the point of beginning.

From "R-1, Single Family Residential Low Density and C-1, Highway Commercial" to "C-2, Manufacturing" 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) Outdoor storage shall be neat and orderly at all times.
- b) Only new merchandize/material shall be stored in front of building line. All other outdoor storage shall remain behind required front building setback.
- c) All vehicles and equipment to be stored outdoors shall be maintained in usable/running condition.

- d) No scrap materials or junk will be stored outside.

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 November 7, 2005, 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 that tract or parcel of land located in Land Lot 108 of the Second Land District of originally Monroe, now Spalding County, Georgia, containing 5.000 acres at 1325 U.S. Highway 41 South, zoned C-2, 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.

- e) Application #05-19AZ: Ina Nelson Jones, Owner – U.S. Highway 41 South – 4.27 acres, C-1 and C-2 to C-1B Conditional.

APPLICATION OF INA NELSON JONES
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-19AZ

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 and C-1, Highway Commercial;”

WHEREAS, Ina Nelson Jones, 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 August 23, 2005;

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 October 27, 2005, 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 108 of the 2nd Land District of originally Monroe County, now Spalding County, Georgia, and being more particularly show and designated as 4.27 acres on that certain plot of survey entitled "Property Survey for Su Young Pak" dated April 11, 1989, prepared by G. Tim Conkle, Registered Land Surveyor No. 2001, a copy of which said plat is recorded in Plat Book 18, Page 249, Spalding County Clerk of Superior Court, Georgia, records and more particularly described as follows:

Beginning at a point wherein the land lot line dividing Land Lot 107 and 108 of the Second Land District of originally Monroe now Spalding County, Georgia, intersects with U.S. Highway 19 & 41, and commencing 315.00 feet South zero degrees 21 minutes zero seconds West to an iron stake being the point of beginning. From the point of beginning North 89 degrees 18 minutes 47 seconds West 625.27 feet to an iron stake; thence North 01 degrees 34 minutes 43 seconds East 301.41 feet to a point in an existing pond; thence South 88 degrees 39 minutes 52 seconds East 625.29 feet to an iron stake; thence South 01 degrees 35 minutes 45 seconds West 294.33 feet to the point of beginning.

From "C-2, Manufacturing and 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) Outdoor storage shall be neat and orderly at all times.
- b) Only new merchandize/material shall be stored in front of building line. All other outdoor storage shall remain behind required front building setback.

- c) All vehicles and equipment to be stored outdoors shall be maintained in usable/running condition.
- d) No scrap materials or junk will be stored outside.

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 November 7, 2005, 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 that lot, tract or parcel of land situate, lying and being in Land Lot 108 of the 2nd Land District of originally Monroe, now Spalding County, Georgia, containing 4.27 acres on U.S. Highway 41 South, 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.

- f) Application #05-20Z: Handbuilt Homes, Inc., Owner – 2560 North McDonough Road – 6.64 acres, R-2 to AR-1 Conditional.

APPLICATION OF HANDBUILT HOMES, INC.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-20Z

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 “R-2, Single Family Residential;”

WHEREAS, Handbuilt Homes, Inc., applicant, applied for a change in zoning classification to be applied to the within described property to “AR-2, Rural Reserve;”

WHEREAS, such application was filed with Spalding County, Georgia on August 25, 2005;

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 October 27, 2005, 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 114 of the Second Land District of originally Henry, now Spalding County, Georgia, consisting of a 6.64 acre tract and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at the southeast corner of Land Lot 144, thence proceed North 65°15'45" West 959.01' to a point; thence South 00°15'36" East 97.80' to a point; thence South 00°22'35" East 148.19' to a point; thence South 00°08'17" East 45.21' to a point; thence South 72°11'53" West 130.28' to a point; thence N 01°03'12" West 236.12' to a point; thence North 62°38'00" West 1735.58' to a point; thence North 35°37'01" East 150' to an iron pin located on the southeasterly side of State Route 155; thence South 62°26'47" East 1783.08' to an iron pin and the TRUE POINT OF BEGINNING.

From "R-2, Single Family Residential" to "AR-1, Agricultural and 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) The agricultural use shall be limited to only the stabling of the property owners' horses and calf. No intense agriculture shall be permitted (i.e. chicken houses).
- b) A stable business shall not be permitted.

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 November 7, 2005, 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 that lot, tract or parcel of land situate, lying and being in Land Lot 114 of the 2nd Land District of originally Henry, now Spalding County, Georgia, containing 6.64 acres at 2560 North McDonough Road, zoned AR-1, 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.

Commissioner McDaniel made a motion to approve all items on Consent Agenda, seconded by Commissioner Davis. Motion carried by a unanimous 5-0 vote.

X. OLD BUSINESS

1. Consider on second reading Amendments to the Official Zoning Ordinance as follows:
 - a) Amendment to UDO #A-04-21: Development Standards – add provision to allow private driveways in the AR-1, AR-2, R-1, R-1A and R-2 Districts.

RE: Text Amendment #A-04-21

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

RESOLUTION AMENDING THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

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

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, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on January 27, 2005, 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 shall be and is hereby amended as follows:

Section 1: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 5, "AR-1 Agricultural and Residential" to appear as Section 504(Z):

Section 504: Development Standards for AR-1 Districts.

Z. Development on Private Driveways: Any existing lot of record may be developed with a maximum of four (4) lots for residential dwellings with ingress and egress provided by means of a private driveway jointly serving each lot, subject to the following conditions:

1. the lot of record to be developed must be at least six (6) acres in size, but less than thirty (30) acres in size;
2. each lot developed shall meet the minimum lot area required in this zoning district;
3. the existing road frontage of the lot of record cannot exceed 125 feet;
4. a private driveway shall be provided and all lot served by said driveway shall own an undivided interest in the driveway for maintenance and access purpose.
5. the private driveway shall be covered by an approved all-weather surface which, unless otherwise required, shall be a minimum of 12 feet wide, consist of a minimum of 4 inches of compacted base of #5 stone, topped with a minimum of 2 inches of fines, commonly known as crusher run or pond screen. If more than 3 lots are served by the private driveway, the private driveway shall be paved from the street pavement to the public right-of-way line, in addition to the base described above.
6. the private driveway shall be developed with a minimum 12 feet high by 16 feet wide clear zone along its course;
7. each residential dwelling must be marked clearly on the private driveway with house numbering identification.
8. Water lines, if desired, can be run from the street to each of the dwellings on the private driveway, and meters will be at the street.

Section 2: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 6, "AR-2 Rural Reserve" to appear as Section 604(Y):

Section 604: Development Standards for AR-2 Districts.

Y. Development on Private Driveways: Any existing lot of record may be developed with a maximum of five (5) lots for residential dwellings with ingress and egress provided by means of a private driveway jointly serving each lot, subject to the following conditions:

1. the lot of record to be developed must be at least ten (10) acres in size, but less than

thirty (30) acres in size;

2. each lot developed shall meet the minimum lot area required in this zoning district;
3. the existing road frontage of the lot of record cannot exceed 125 feet;
4. a private driveway shall be provided and all lot served by said driveway shall own an undivided interest in the driveway for maintenance and access purpose.
5. the private driveway shall be covered by an approved all-weather surface which, unless otherwise required, shall be a minimum of 12 feet wide, consist of a minimum of 4 inches of compacted base of #5 stone, topped with a minimum of 2 inches of fines, commonly known as crusher run or pond screen. If more than 3 lots are served by the private driveway, the private driveway shall be paved from the street pavement to the public right-of-way line, in addition to the base described above.
6. the private driveway shall be developed with a minimum 12 feet high by 16 feet wide clear zone along its course;
7. each residential dwelling must be marked clearly on the private driveway with house numbering identification.
8. Water lines, if desired, can be run from the street to each of the dwellings on the private driveway, and meters will be at the street.

Section 3: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 7, "R-1 Single-Family Residential Low Density" to appear as Section 704(Z):

Section 704: Development Standards for R-1 Districts.

Z. Development on Private Driveways: Any existing lot of record may be developed with a maximum of five (5) lots for residential dwellings with ingress and egress provided by means of a private driveway jointly serving each lot, subject to the following conditions:

1. the lot of record to be developed must be at least four (4) acres in size, but less than thirty (30) acres in size;
2. each lot developed shall meet the minimum lot area required in this zoning district;
3. the existing road frontage of the lot of record cannot exceed 125 feet;
4. a private driveway shall be provided and all lot served by said driveway shall own an undivided interest in the driveway for maintenance and access purpose.
5. the private driveway shall be covered by an approved all-weather surface which, unless otherwise required, shall be a minimum of 12 feet wide, consist of a minimum of 4 inches of compacted base of #5 stone, topped with a minimum of 2 inches of fines, commonly known as crusher run or pond screen. If more than 3 lots are served by the private driveway, the private driveway shall be paved from the street pavement to the public right-of-way line, in addition to the base described above.
6. the private driveway shall be developed with a minimum 12 feet high by 16 feet wide clear zone along its course;
7. each residential dwelling must be marked clearly on the private driveway with house numbering identification.

8. where Water lines, if desired, can be run from the street to each of the dwellings on the private driveway, and meters will be at the street.

Section 4: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 7A, "R-1A Single-Family Residential District" to appear as Section 704A(Z):

Z. Development on Private Driveways: Any existing lot of record may be developed with a maximum of five (5) lots for residential dwellings with ingress and egress provided by means of a private driveway jointly serving each lot, subject to the following conditions:

1. the lot of record to be developed must be at least four (30) acres in size, but less than thirty (30) acres in size;
2. each lot developed shall meet the minimum lot area required in this zoning district;
3. the existing road frontage of the lot of record cannot exceed 125 feet;
4. a private driveway shall be provided and all lot served by said driveway shall own an undivided interest in the driveway for maintenance and access purpose.
5. the private driveway shall be covered by an approved all-weather surface which, unless otherwise required, shall be a minimum of 12 feet wide, consist of a minimum of 4 inches of compacted base of #5 stone, topped with a minimum of 2 inches of fines, commonly known as crusher run or pond screen. If more than 3 lots are served by the private driveway, the private driveway shall be paved from the street pavement to the public right-of-way line, in addition to the base described above.
6. the private driveway shall be developed with a minimum 12 feet high by 16 feet wide clear zone along its course;
7. each residential dwelling must be marked clearly on the private driveway with house numbering identification.
8. Water lines, if desired, can be run from the street to each of the dwellings on the private driveway, and meters will be at the street.

Section 5: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 8, "R-2 Single-Family Residential District" to appear as Section 804(Z):

Section 804: Development Standards for R-2 Districts.

Z. Development on Private Driveways: Any existing lot of record may be developed with a maximum of five (5) lots for residential dwellings with ingress and egress provided by means of a private driveway jointly serving each lot, subject to the following conditions:

1. the lot of record to be developed must be at least four (30) acres in size, but less than thirty (30) acres in size;
2. each lot developed shall meet the minimum lot area required in this zoning district;
3. the existing road frontage of the lot of record cannot exceed 125 feet;
4. a private driveway shall be provided and all lot served by said driveway shall own an undivided interest in the driveway for maintenance and access purpose.
5. the private driveway shall be covered by an approved all-weather surface which, unless otherwise required, shall be a minimum of 12 feet wide, consist of a minimum of 4 inches of compacted base of #5 stone, topped with a minimum of 2 inches of fines, commonly known as crusher run or pond screen. If more than 3 lots are served by the private driveway, the private driveway shall be paved from the street pavement to the public right-

of-way line, in addition to the base described above.

6. the private driveway shall be developed with a minimum 12 feet high by 16 feet wide clear zone along its course;

7. each residential dwelling must be marked clearly on the private driveway with house numbering identification.

8. Water lines, if desired, can be run from the street to each of the dwellings on the private driveway, and meters will be at the street.

Section 6: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 7: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

Commissioner McDaniel made a motion to approve Amendment to UDO #A-04-21, seconded by Commissioner Davis. The motion carried by a unanimous 5-0 vote.

- b) Amendment to UDO #A-05-23: Quarterly adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

IN RE:

Text Amendment #A-05-23

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

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

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

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

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

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on October 27, 2005, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia; and

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

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia 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 shall be and is hereby amended as follows:

Section 1: A new paragraph shall be added to Section 2302(E) of “Official Zoning Map Spalding County, Georgia (Official Map)” of the Zoning Ordinance of Spalding County as follows:

A new Official Map was adopted on November 7, 2005, which will replace the previous Official Map.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

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

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.

Commissioner McDaniel made a motion to approve Amendment to UDO #A-05-23, seconded by Commissioner Davis. The motion carried by a unanimous 5-0 vote.

- c) Amendment to UDO #A-05-24: Appendix D. Section IV:C(17) – add provision to minimum requirements for Erosion and Sedimentation Control using best management practices.

IN RE:

Text Amendment #A-05-24

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

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

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, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on October 27, 2005 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 shall be and is hereby amended as follows:

Section 1: The following provision shall be added to the Zoning Ordinance of Spalding County, Appendix D, "Soil Erosion and Sedimentation Control Ordinance" to appear as Section IV(C)(17):

Section IV: Minimum Requirements For Erosion And Sedimentation Control Using Best Management Practices.

C. The rules and regulations, ordinances, or resolutions adopted pursuant to this chapter for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit; and best management practices, including sound conservative and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the Manual for Erosion and Sediment Control in Georgia published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

17. Building and waste materials and non-storm water discharges such as concrete, paint wash water, or machinery leakage or spillage must be managed to prevent them from entering the storm water system, ground water or nearby water body.

Section 2: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 3: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

Commissioner McDaniel made a motion to approve Amendment to UDO #A-05-24, seconded by Commissioner Davis. The motion carried by a unanimous 5-0 vote.

XI. NEW BUSINESS

1. Request approval of a Resolution in support of the Spalding County Livable Centers Initiative Grant and a Resolution in support of the City of Griffin's Livable Centers Initiative Grant.

Community Development Director Chuck Taylor has been working with Frederick Gardner at the City of Griffin. The County wants to apply for a grant for the North Hill Street corridor. One of the benefits of being in the Atlanta area MPO is eligibility for LCI study grant monies. The City is applying for an LCI grant for downtown development and the County for the North Hill Street corridor. The North Hill Street corridor is the combination of two emerging centers in the County. The LCI grant will allow for a planning study focusing on the two key areas, the East McIntosh Road/North Hill Street intersection and the Northside Drive/Hill Street intersection, and determining concrete actions for area improvement. This will encourage both development and redevelopment of properties in these areas. Funding from the Department of Transportation, through the

ARC, will be available for transportation improvements such as streetscape and intersection improvements, which will also encourage area development. The estimated cost is \$100,000, and the funding source is Q23 federal highway grants. The local match will be 20%, or \$20,000, set aside as required to leverage the \$4.5 placeholder amount Spalding County has in the transportation plan.

Commissioner McDaniel made a motion to approve both Resolutions in support of the Livable Centers Initiative Grant for the City of Griffin and Spalding County, seconded by Commissioner Davis. Motion carried by unanimous 5-0 vote.

2. Consider approval of final plat for Autumn Ridge Phase Four Subdivision located off Wilson Road.

All departments have signed off on the project which is ready for final approval.

Commissioner Davis made a motion to approve the final plat for Autumn Ridge Phase Four, seconded by Commissioner Freeman. Motion carried by a unanimous 5-0 vote.

3. Consider acceptance of right of way (ROW) deed for Stonewood, Riverside, and Peppertree located in Autumn Ridge Phase Four Subdivision off Wilson Road.

Commissioner McDaniel made a motion to accept the right of way deed for Stonewood, Riverside and Peppertree streets in Autumn Ridge Phase Four, seconded by Commissioner Freeman. Motion carried by a unanimous 5-0 vote.

4. Consider approval of final plat for The Meadows Subdivision located off East Maddox Road.

Chuck Taylor said Staff recommended approval but wanted to impose a condition. He asked that no additional building permits be approved until the subdivision covenants have been approved and finalized. The Ordinance requires very specific language in conservation subdivision covenants, and attorneys for the developer and the County are working to arrive at conformance to the correct language. Approval tonight can be so conditioned noted County Manager William Wilson.

Commissioner Davis made a motion to approve the final plat for The Meadows Subdivision, with the condition that no additional building permits be approved until the subdivision covenants have been approved and finalized by the Zoning Attorney and the Community Development Department. Commissioner Freeman seconded the motion which carried unanimously at 5-0.

5. Consider acceptance of right of way (ROW) deed for Sage Drive, Maddox Court and Knowles Alley located in The Meadows Subdivision off East Maddox Road.

All departments have reviewed and signed off on the project which is ready for final approval.

Commissioner Davis made a motion to accept the right of way deed for Sage Drive, Maddox Court and Knowles Alley in The Meadows Subdivision, seconded by Commissioner McDaniel. The motion carried by a unanimous 5-0 vote.

6. Discuss 2005 Board of Commissioners Retreat goals and accomplishments.

County Manager Wilson referenced the November 2, 2005 memo to the Board advising them of responses to each action item resulting from the 2005 Commissioners Retreat.

Commissioner Flowers-Taylor requested this agenda item, and she was not sure about the response for the creation of a Vision, Mission and Core Values statement. She knew the department heads had developed the existing statement, but she felt one was needed as well for the Board of Commissioners. She wanted to see this as a topic at the next retreat.

Commissioner Flowers-Taylor asked specifically about the possible development of a blended retirement plan to incorporate those long-term employees slightly outside the window for the defined benefit retirement plan.

County Manager William Wilson said several meetings had been held with representatives from GebCorp, who is the pension plan administrator.

Human Resources Director Bill Gay said they had been researching how other counties are handling the issue. They have inquired as to the cost of removing the defined benefit freeze, thereby removing the window. Essentially there are about 30-35 participants who can retire now and some who fall in the window. Finally, another group of about 85 participants fall outside the window, as well, even though they have a vested benefit as of September 30, 1998 when the plan was frozen. They have asked for a cost projection for all, which came in at \$1.1 million per year for 20 years for these 140-145 affected employees who are vested participants. This is an annual recurring cost and is about 18.1% of these participants' payroll amounts. There is another meeting planned to explore different plans which might be more feasible. The change was implemented because of increased costs, and the new pension plan allowed the employees to participate in their own retirement plan. The DB (defined benefit) plan was very cost prohibitive, provided no mechanism for employee input, and the County paid for it all. The new DC (defined contribution) plan has a base contribution and then incorporates employee contributions before taxes with a match from the County up to 8%, which could amount to 16% per year. The money belongs to the employee and/or his or her estate, whereas with the DB plan, should the employee die, heirs are not entitled to the entire amount. County Manager William Wilson said a workshop could be planned to educate all involved in the decision-making process first, then another workshop could be scheduled that employees could attend.

Mr. Wilson said the County's plan that allowed rehiring of retired employees changed a few years ago. There are currently four employees who have retired and come back 7-10 days later to the same job at the same level of pay while drawing their retirement pensions. So far, these have been staff employees and not managers or department heads. The County has requested an opinion from GebCorp, who administers the County's retirement plans, on whether this practice may violate IRS regulations should the County continue and whether or not it would put the County's retirement plan in jeopardy. GebCorp's initial feeling is that this practice will not withstand IRS regulations, but the County is awaiting their concrete determination.

7. Consider Resolution of support for proposed Griffin-Spalding Regional Public Safety Training Center.

This totally revamped resolution is now in support of an expanded training facility and is different from the previously approved resolution. The concept has progressed from a firefighter training facility to a sort of mini public safety training center on 50(+/-) acres located on SR 16. The facility, already approved by the City, would serve 13-counties.

Commissioner McDaniel made a motion to approve the revised Resolution of support for a Griffin-Spalding Regional Public Safety Training Center, seconded by Commissioner Davis. Motion carried by a unanimous 5-0 vote.

8. Consider on first reading Ordinance Amending the FY 2006 Budget Ordinance to provide for Homeland Security Grant relative to the Emergency Operations Plan.

This grant will pay \$2880.00 toward the Emergency Operations Plan and there will be no cost to the local citizenry.

Commissioner McDaniel made a motion to approve on first reading the Ordinance Amending the FY 2006 Budget Ordinance to provide for a grant relative to the Emergency Operations Plan, seconded by Commissioner Davis. Motion carried by a unanimous 5-0 vote.

9. Consider Agreement with Department of Natural Resources for kids' fishing events.

The Wyomia Tyus Olympic Park lake is the focus of this agreement, but the County is trying to get Dundee lake classified as a dumping lake for placement of surplus fishery stock, as well.

Commissioner Davis made a motion to approve the Agreement with DNR relative to kids' fishing events, seconded by Commissioner Freeman. Motion carried by a unanimous 5-0 vote.

10. Consider requesting local legislators to assist with approving practice of imposing add-on fees by State Court to help defray the cost of narcotics testing.

County Manager Wilson said a letter from the Sheriff's Department referenced approval of Judge Esary for the practice of imposing an add-on fee to the fines levied to help defray the cost of narcotics testing.

Commissioner McDaniel made a motion to approve the request to solicit assistance from local legislators for the practice of imposing add-on fees to defray the cost of narcotics testing, seconded by Commissioner Davis.

Much discussion followed regarding the cost of such testing and whether or not the add-on fee would apply to alcohol-related offenses. The general consensus was to determine what the actual cost of testing is to avoid the appearance using the practice as a revenue enhancement. Mr. Wilson said they could specify that the cost assessed could not exceed the actual testing cost. Mr. Fortune suggested they use wording to the effect that the County will assess as an add-on fee whatever the actual cost of the testing shall be in order to provide for inflationary increases in the future. There may need to be some labor costs involved if personnel on site cannot readily administer and read the test. Much discussion followed.

Commissioner McDaniel subsequently withdrew his motion for the purpose of tabling, and Commissioner Davis withdrew his second.

Commissioner Flowers-Taylor made a motion to table the request for further study and research, seconded by Commissioner Freeman. Motion carried by a vote of 4-1 with Commissioner Davis voting in opposition.

11. Consider bids for utility relocation for the Macon/Futral/East College street intersection.

Davidson Brothers is the low bidder at \$166,961.50 and County Manager Wilson recommended approval of this bid.

Commissioner Davis made a motion to accept the bid of Davidson Brothers for utility relocation at the Macon/Futral/East College intersection in the amount of \$166,961.50, seconded by Commissioner Freeman. Motion carried by a unanimous 5-0 vote.

12. Consider calling special meeting to declare results of election to be held on November 8, 2005.

This meeting should be held on the morning of Wednesday, November 9, 2005 to certify the results of the election.

Commissioner Davis made a motion to call a special called meeting on November 9, 2005 at 10 a.m. to declare the results of the election. A quorum will be required, and Commissioners Davis and Freeman, as well as Chairman Goss, said they could be in attendance. Commissioner Freeman seconded the motion, and the motion carried by a unanimous 5-0 vote.

13. Consider canceling the November 21, 2005 Extraordinary Session of the Board of Commissioners.

Mr. Wilson said this meeting, during the week of Thanksgiving, is traditionally cancelled.

Commissioner Davis made a motion to cancel the November 21, 2005 Extraordinary Session, seconded by Commissioner Freeman. Motion carried unanimously at 5-0.

14. Consider rescheduling the January 2, 2006 Board of Commissioners meeting due to observance of the New Year holiday and the January 16, 2006 meeting due to observance of the Martin Luther King, Jr. holiday.

County Manager Wilson suggested January 9 and January 23, 2006 as alternate dates.

Commissioner Davis made a motion to reschedule the January 2 meeting to January 9, 2006 and the January 16 meeting to January 23, 2006. Commissioner Freeman seconded the motion which carried by a unanimous 5-0 vote.

15. Consider adopting a policy for County Courthouse Annex Meeting Room use.

County Manager Wilson said Mr. Fortune had drafted the proposed set of rules for use of the County Courthouse Annex Meeting Room as a starting point for the Board's consideration. It has been difficult to arrive at a set of rules that could be applied uniformly, and he asked for questions and discussion. Such a policy would definitely open up the meeting room to more people than presently use the facility. Some groups who currently utilize the room would be excluded according to these rules. Extensive discussion followed.

Commissioner McDaniel made a motion to table adoption of a policy on the County Courthouse Annex Meeting Room for further study, seconded by Commissioner Freeman. Motion carried by a unanimous 5-0 vote.

16. Consider approving lease agreement for 841 Memorial Drive.

Fashion Industries wants to lease the old restaurant location at 841 Memorial Drive for \$1350.00 per month as a storefront for their warehouse sales.

Commissioner Davis made a motion to approve the two-month lease for 841 Memorial Drive with American Mills/Fashion Industries, with an option to renew for a year in January 2006, for a monthly rental of \$1350.00, seconded by Commissioner Freeman. Motion carried by a unanimous 5-0 vote.

17. Consider Amendment to the ACCG 457 Deferred Compensation Plan for Spalding County employees.

This amendment will ensure the County is fully compliant with IRS regulations which were changed this year related to mandatory distributions to a former employee participant and required minimums based on the participant's age or death of the participant. Each county is required to approve these amendments by December 31, 2005, in order for their 457 Plan, which is the employee deferred compensation plan, to remain fully compliant with federal law.

Commissioner Davis made a motion to approve the Amendment to the ACCG 457 Deferred Compensation Plan, seconded by Commissioner Freeman. Motion carried by a unanimous 5-0 vote.

Commissioner McDaniel made a motion to amend the agenda to add Item 18 under New Business, seconded by Commissioner Davis. Motion carried unanimously at 5-0.

18. Consider authorizing option to purchase for Atlanta Gas Light Company a regulator site for property owned by the County.

Atlanta Gas Light Company wants a 100' x 100' site across from Mr. Melin's property. The Melin property was the preferred location but would not work for their plans. The property is off High Falls Road with two easements through it, and the location of this property is at the convergence of the two easements for Atlanta Gas Light/Southern Natural Gas and Georgia Power. They are willing to pay \$500 for the option, and \$2500 for the property itself. This would average about \$25,000 per acre based on this price.

Commissioner Davis made a motion to approve the sale of the 100' x 100' site to Atlanta Gas Light Company at a cost of \$500 for the option and \$2500 for the property for a total of \$3000, seconded by Commissioner Freeman. Motion carried by a unanimous vote of 5-0.

XII. REPORT OF COUNTY MANAGER

- Katie Harris' retirement reception will be November 11 (subsequently changed to December 2, 2005), from 2-4 p.m. in the Tax Commissioners Office.
- A work session with a Gwinnett County Parks Planner on Needs Assessment will be held in the Courthouse Annex Meeting Room at 11:30 a.m. on November 18, 2005.
- The annual Christmas Parade will be held December 4, 2005 beginning at 2:30 p.m. with lineup at 1:30 p.m. in the Griffin Tech parking lot. All commissioners will participate and five golf carts will be made available. Commissioners will provide their own drivers.

- December 14, 2005 at 10 a.m. is the dedication of the Still Branch Reservoir in Pike County.
- Airport Road tree lighting ceremony will be November 29, 2005 at approximately 6:30 p.m. Parking will be at Rose's shopping center with shuttles provided to Airport Road Park, and VIP parking will probably be made available.
- The Spalding County Parks & Recreation Department received a Georgia Recreation & Parks Association (GRPA) project award at its annual awards banquet for the Dundee Lake Park project. A press release was issued last week.
- The ACCG Legislative Conference will be February 6-7, 2006.
- The ACCG 4th District Meeting will be held in Troup County on November 16 at noon.
- RFPs for the Transportation Master Plan will be solicited. ARC funding will be explored. The Griffin-Spalding Area Transportation Committee will discuss this item next week, and approval will be requested in December. This plan will require some local funding, but Griffin will now be included in the larger metro plan.
- Spalding County submitted an application for the First Annual Georgia County Excellence Awards, entering the concept of providing for school board representation on the Planning Commission, the first in state to do so.
- Earlier in 2005 Spalding County was awarded a wellness grant. Further in this regard a health fair is scheduled for November 30, 2005 from 8:30 to 4:30 in the Courthouse Annex Meeting Room. Tests provided will include BP screening, health risk assessment, glucose screening, and sign-ups for CPR training. Fitness center representatives will be available, and the fair will be open to all county employees.

XIII. REPORT OF COMMISSIONERS

Commissioner Freeman – The 2005 retreat update item for commissioners' salary increases is still an option, and Commissioner Freeman plans to revisit the issue after the first of next year.

Commissioner Flowers-Taylor – Another retreat question for her was the status of the Employee of the Month or Quarter program. County Manager said no plan had been worked out yet for Employee of the Month or Quarter after looking at other plans, including that of the City of Griffin. The County has started presenting Employee Service Awards personally with the County Manager and Human Resource Director passing out awards and making the presentation more individualized. He responded to Commissioner Flowers-Taylor that he could schedule another look at incentive awards at the next retreat.

Commissioner Flowers-Taylor asked about storage space in the old Food Depot shopping center that is full of furniture and equipment. Mr. Wilson responded most of the items are inoperable; some may be salvageable but most will have to be discarded.

Finally Commissioner Flowers-Taylor wants to look at perhaps getting local pharmacies and/or drug companies to address the new Medicare Part D plan for senior citizens on November 28, 2005 in the Courthouse Annex Meeting Room if the room is free.

Commissioner Davis – No comments.

Commissioner McDaniel – He also felt there should be a written policy regarding the installation of fire hydrants, and Commissioner Davis agreed. Commissioner McDaniel agreed, as well, that a developer doesn't need to be cutting into pressurized County water lines. Mr. Wilson said the County doesn't even do that but rather hires it done by outside contractors. Commissioner McDaniel said this needs to be addressed in the written policy, also. Mr. Wilson will direct Community Development staff to work on drafting an Ordinance amendment.

Commissioner McDaniel asked about the Vaughn Road intersection issue, and Commissioner Freeman responded he was meeting in the morning with a Georgia Department of Transportation representative and Community Development staff and would report on progress at a later date.

Commissioner McDaniel asked about the animal restraint map. Mr. Wilson said the preliminary map required some changes made, so another draft will be made available this week.

Commissioner Goss – He mentioned his memo to commissioners notifying them of his and Commissioner Freeman’s plan to review the Unified Development Ordinance with the goal of simplification. He wanted to stop some of the shuffling back and forth that occurs between the Board of Commissioners, the Planning Commission and the Board of Appeals. He and Commissioner Freeman will be meeting with Chuck Taylor and Community Development Staff in the near future to begin reviewing procedures. Commissioner McDaniel said he just didn’t want to see a duplication of efforts between this group and the Development Ordinance Review Committee.

XIV. ADJOURNMENT

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the meeting was adjourned with a unanimous vote at 8:20 p.m.

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