

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their Regular Monthly Meeting on Monday, December 5, 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.

I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.

II. INVOCATION – Rev. Michael Moore

III. PLEDGE TO FLAG

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Recognize 2005 SPLOST Steering Committee.

Chairman Goss read the certificate of appreciation presented to 2005 SPLOST Steering Committee Co-Chairs, Dave Lamb and Cheryl Matlock.

Ms. Matlock said this was a great honor, but the greatest affirmation was the 67% approval rate. Mr. Lamb conveyed his appreciation to the Board and local citizenry. Both applauded Spalding County for its foresight and courage in supporting this effort.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider for approval the Financial Statement for the four months ended October 31, 2005.

Commissioner Davis made a motion to approve the Financial Statement for the four months ended October 31, 2005, seconded by Commissioner McDaniel, and motion carried by a unanimous 5-0 vote.

VI. CITIZENS COMMENTS

1. Ms. Deborah Thomas desires to address the Board of Commissioners regarding conflict within the Spalding County Court System and the Griffin-Spalding County School System.

Ms. Deborah Thomas, 2010 Steel Road, Griffin, Georgia

Ms. Thomas addressed perceived injustices with the school system, the court system, and the Sheriff's Department.

Mr. John Rivers, 148 Buck Creek Circle, Griffin, Georgia

Mr. Rivers provided additional comments to those of Ms. Thomas regarding the incident specific to the Sheriff's Department.

VII. PUBLIC COMMENT – N/A

VIII. MINUTES

1. Consider approval of Minutes for the November 7, 2005 Regular Monthly Meeting, the November 9, 2005 Special Called Meeting and November 17, 2005 Zoning Public Hearing.

Commissioner McDaniel made a motion to approve the minutes of the November 7 Regular Monthly Meeting, seconded by Commissioner Davis, and the motion carried by a 5-0 unanimous vote. Commissioner Davis made a motion to approve the November 9 Special Called Meeting, seconded by Commissioner Freeman, and the motion carried by a vote of 3-2 with Commissioner Flowers-Taylor and McDaniel abstaining as they were not present for this meeting. Commissioner McDaniel made a motion to approve the minutes of the November 17 Zoning Public Hearing, seconded by Commissioner Davis, and motion carried unanimously at 5-0.

IX. CONSENT AGENDA

1. Consider on second reading Amendments to the Official Zoning Ordinance as follows:
 - a) Amendment to UDO #A-05-25 General Procedures—Section 414:L—amend Amendments.

IN RE: Text Amendment #A-05-25

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 November 17, 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 deleted from the Zoning Ordinance of Spalding County, Article 4, "General Procedures", Section 414(L).

Section 2: The following provisions shall be added to the Zoning Ordinance of Spalding County, to appear as, Article 4, "General Procedures", Section 414(L):

Section 414: Amendments.

L. After reviewing the record of the public hearing, considering the recommendations of the Planning Commission and applying the criteria set forth in Section 414(F), the Board of Commissioners may approve or deny the requested amendment, reduce the land area for which the amendment is requested, change the district or land use category requested, or impose conditions which may restrict the use or development of the property in a manner not otherwise required by this Zoning Ordinance. Any such conditions imposed by the Board of Commissioners shall be incorporated into this Zoning Ordinance and shall become a part of the Official Zoning Map, whether or not actually entered upon the Official Zoning Map.

Section 3: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 4: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

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

**AN ORDINANCE AMENDING THE
FISCAL YEAR 2006 BUDGET ORDINANCE
FOR SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2006 Fiscal Year pursuant to the requirements of Title 36, Chapter 81 of the Official Code of Georgia, and Section 2-5003 of the Code of Spalding County; and

WHEREAS, the Official Code of Georgia, specifically Title 36, Chapter 81-3, provides that said Board might amend its annual budget ordinance so as to adapt to changing governmental needs during the fiscal year.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on July 1, 2005, be amended as follows:

Section I. General Fund

A. Revenues

Intergovernmental Revenue	From	\$ 2,088,206	to	\$ 2,091,086
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B. Expenditures

Emergency Management	From	\$ 13,611	to	\$ 16,491
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Approved on first reading this 7th day November 2005

Approved, adopted and enacted on second reading this 5th day December 2005.

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

X. OLD BUSINESS

1. Consider on second reading Amendments to the Official Zoning Map as follows:

- a) Application #05-16Z: Markland Management, LLC, Owner – 1495 Macon Road – 0.93 acre, C-2 to R-6 Conditional.

APPLICATION OF MARKLAND MANAGEMENT, LLC
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-16Z

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

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

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

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

WHEREAS, Markland Management, LLC, applicant, applied for a change in zoning classification to be applied to the within described property to “R-6, Planned Residential Community District;”

WHEREAS, such application was filed with Spalding County, Georgia on June 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 November 17, 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 204 of the Second Land District of originally, Monroe, now Spalding County, Georgia, containing 0.93 acre and being more particularly described as follows:

Beginning at a point which is the southeast corner of Tract B as shown at Plat Book 14 Page 452, Spalding County Superior Court Records, and running thence North 57 degrees 40 minutes 38 seconds East, a distance of 406.24 feet; thence North 32 degrees 29 minutes 11 seconds West a distance of 510.05 feet to a point which MARKS THE REAL POINT OF BEGINNING, and running the following courses and distances:

North 32 degrees 14 minutes 15 seconds West, a distance of 24.96 feet; thence North 32 degrees 24 minutes 37 seconds West, a distance of 75.04 feet; thence South 57 degrees 40 minutes 38 seconds West, a distance of 405.40 feet; thence South 32 degrees 21 minutes 55 seconds East, a distance of 100.00 feet; thence North 57 degrees 40 minutes 38 seconds East, a distance of 405.40 feet to a point WHICH MARKS THE REAL POINT OF BEGINNING.

Said property is bounded as follows: Northeast by 12.99 acre tract owned by Markland and a 2.18 acre tract owned by Markland, Southeast by property now or formerly owned by Barnes, Southwest by U.S. Highway 41, and Northwest by property now or formerly owned by Caraway.

From "C-2, Manufacturing" to "R-6, Planned Residential Community" 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:

- 1) That a plan for the amenity area be submitted to staff for review and approval per Section 1104A:Y.
- 2) An acceleration/deceleration lane shall be provided for sight distance and traffic issued.
- 3) Provide a streetscape plan with decorative streetlights and tree plantings for both sides of the drives. Trees to be planted at 50-foot intervals are to be hardwood species with minimum 2 inch caliper.
- 4) Provide a landscape plan that shall be submitted to staff for approval. This plan shall detail any significant features on the property as it now exists, indicate effort to retain the existing tree cover as much as possible and show proposed landscaping for the common area and boulevard entrance. A 25' undisturbed natural buffer shall be established around the perimeter of the property. Tree save area shall be shown for the central common area and the surrounding 25' buffer areas. Areas where the buffer does not have sufficient vegetation to meet Section 407, additional vegetation shall be planted.
- 5) The architectural style of the development will be a craftsman style. Each unit shall be unique which shall be achieved with the use of a mixture of architectural details and building materials. Elevations of each building shall be submitted for approval by staff prior to construction.
- 6) Exterior materials shall be masonry based with vinyl products allowed only as decorative accents on fascia and soffit treatments.
- 7) Walking trails shall be included per a design submitted by staff.
- 8) Only four units per building shall be allowed.
- 9) Any design matters that cannot be resolved between staff and the applicant shall be presented before the Board of Commissioners for resolution.
- 10) Maximum of 60 residential units at 1430 minimum hearing square feet per dwelling unit.

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 December 5, 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 204 of the Second Land District of originally Monroe, now Spalding County, Georgia, containing 0.93 acre on 1495 Macon Road, zoned R-6, 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 Application #05-16Z, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

- b) Application #05-16AZ: Markland Management, LLC, Owner – Macon Road – 2.18 acres, AR-1 to R-6 Conditional.

APPLICATION OF MARKLAND MANAGEMENT, LLC
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-16AZ

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 “AR-1, Agricultural and Residential;”

WHEREAS, Markland Management, LLC, applicant, applied for a change in zoning classification to be applied to the within described property to “R-6, Planned Residential Community District;”

WHEREAS, such application was filed with Spalding County, Georgia on June 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 November 17, 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 204 of the Second Land District of originally, Monroe, now Spalding County, Georgia, containing 2.18 acres and being more particularly described as follows:

Beginning at a point which is the Southeast corner of Tract B as shown at Plat Book 14 Page 452, Spalding County Superior Court Records, and running thence North 57 degrees 40 minutes 38 seconds East, a distance of 406.24 feet to a point which MARKS THE REAL POINT OF BEGINNING, and running the following courses and distances:

North 32 degrees 29 minutes 11 seconds West, a distance of 510.05 feet; thence North 32 degrees 14 minutes 15 seconds West, a distance of 24.96 feet; thence North 57 degrees 53 minutes 13 seconds East, a distance of 177.68 feet; thence South 32 degrees 25 minutes 27 seconds East, a distance of 534.36 feet; thence South 57 degrees 40 minutes 38 seconds West, a distance of 177.20 feet to a point WHICH MARKS THE REAL POINT OF BEGINNING.

The said 2.18 acre tract is bounded as follows: Northeast and Northwest by 12.99 acre tract owned by Markland, Southeast by property now or formerly owned by Smith, Southwest by property now or formerly owned by Head, by Baird, by Barnes and by 0.93 acre tract owned by Markland.

From “AR-1, Agricultural and Residential” to “R-6, Planned Residential Community” 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:

- 1) That a plan for the amenity area be submitted to staff for review and approval per Section 1104A:Y.
- 2) An acceleration/deceleration lane shall be provided for sight distance and traffic issued.
- 3) Provide a streetscape plan with decorative streetlights and tree plantings for both sides of the drives. Trees to be planted at 50-foot intervals are to be hardwood species with minimum 2 inch caliper.
- 4) Provide a landscape plan that shall be submitted to staff for approval. This plan shall detail any significant features on the property as it now exists, indicate effort to retain the existing tree cover as much as possible and show proposed landscaping for the common area and boulevard entrance. A 25' undisturbed natural buffer shall be established around the perimeter of the property. Tree save area shall be shown for the central common area and the surrounding 25' buffer areas. Areas where the buffer does not have sufficient vegetation to meet Section 407, additional vegetation shall be planted.
- 5) The architectural style of the development will be a craftsman style. Each unit shall be unique which shall be achieved with the use of a mixture of architectural details and building materials. Elevations of each building shall be submitted for approval by staff prior to construction.
- 6) Exterior materials shall be masonry based with vinyl products allowed only as decorative accents on fascia and soffit treatments.
- 7) Walking trails shall be included per a design submitted by staff.
- 8) Only four units per building shall be allowed.
- 9) Any design matters that cannot be resolved between staff and the applicant shall be presented before the Board of Commissioners for resolution.
- 10) Maximum of 60 residential units at 1430 minimum heated square feet per dwelling unit.

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 December 5, 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 204 of the Second Land District of originally Monroe, now Spalding County, Georgia, containing 2.18 acres on Macon Road, zoned R-6, 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 Davis made a motion to approve Application #05-16AZ, seconded by Commissioner McDaniel, and motion carried by a vote of 5-0.

- c) Application #05-16BZ: Markland Management, LLC, Owner – Macon Road – 12.99 acres, AR-1 to R-6 Conditional.

APPLICATION OF MARKLAND MANAGEMENT, LLC
FOR REZONING CERTAIN PROPERTY

LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 05-16BZ

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 “AR-1, Agricultural and Residential;”

WHEREAS, Markland Management, LLC, applicant, applied for a change in zoning classification to be applied to the within described property to “R-6, Planned Residential Community District;”

WHEREAS, such application was filed with Spalding County, Georgia on June 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 November 17, 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 204 of the Second Land District of originally, Monroe, now Spalding County, Georgia, containing 12.99 acres and being more particularly described as follows:

Beginning at a point which is the Southeast corner of Tract B as shown at Plat Book 14 Page 452, Spalding County Superior Court Records, and running thence North 57 degrees 40 minutes 38 seconds East, a distance of 406.24 feet; thence North 32 degrees 29 minutes 11 seconds West, a distance of 510.05 feet, and thence North 32 degrees 14 minutes 15 seconds West, a distance of 24.96 feet to a point which MARKS THE REAL POINT OF BEGINNING, and running the following courses and distances:

North 32 degrees 24 minutes 37 seconds West, a distance of 474.95 feet; thence North 32 degrees 17 minutes 59 seconds West, a distance of 100.01 feet; thence North 57 degrees 36 minutes 22 seconds East, a distance of 286.22 feet; thence South 86 degrees 07 minutes 33 seconds East, a distance of 694.85 feet; thence South 01 degrees 23 minutes 55 seconds West, a distance of 841.56 feet; thence South 57 degrees 40 minutes 38 seconds West, a distance of 200.45 feet; thence North 32 degrees 25 minutes 27 seconds West, a distance of 534.36 feet; and thence South 57 degrees 53 minutes 13 seconds West a distance of 177.68 feet to a point WHICH MARKS THE REAL POINT OF BEGINNING.

The said 12.99 acre tract is bounded as follows: North by property now or formerly owned by Barnes and Spalding County Schools, East by Orchard Park Subdivision and by 2.18 acre tract owned by Markland, South by 2.18 acre tract owned by Markland, by 0.93 acre tract owned by Markland, by property now or formerly owned by Caraway, and by property now or formerly owned by Kitchens.

From “AR-1, Agricultural and Residential” to “R-6, Planned Residential Community” 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:

- 1) That a plan for the amenity area be submitted to staff for review and approval per Section 1104A:Y.
- 2) An acceleration/deceleration lane shall be provided for sight distance and traffic issued.
- 3) Provide a streetscape plan with decorative streetlights and tree plantings for both sides of the drives. Trees to be planted at 50-foot intervals are to be hardwood species with minimum 2 inch caliper.
- 4) Provide a landscape plan that shall be submitted to staff for approval. This plan shall detail any significant features on the property as it now exists, indicate effort to retain the existing tree cover as much as possible and show proposed landscaping for the common area and boulevard entrance. A 25' undisturbed natural buffer shall be established around the perimeter of the property. Tree save area shall be shown for the central common area and the surrounding 25' buffer areas. Areas where the buffer does not have sufficient vegetation to meet Section 407, additional vegetation shall be planted.
- 5) The architectural style of the development will be a craftsman style. Each unit shall be unique which shall be achieved with the use of a mixture of architectural details and building materials. Elevations of each building shall be submitted for approval by staff prior to construction.
- 6) Exterior materials shall be masonry based with vinyl products allowed only as decorative accents on fascia and soffit treatments.
- 7) Walking trails shall be included per a design submitted by staff.
- 8) Only four units per building shall be allowed.

- 9) Any design matters that cannot be resolved between staff and the applicant shall be presented before the Board of Commissioners for resolution.
- 10) Maximum of 60 residential units at 1430 minimum heated square feet per dwelling unit.

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 December 5, 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 204 of the Second Land District of originally Monroe, now Spalding County, Georgia, containing 12.99 acres on Macon Road, zoned R-6, 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 Application #05-16BZ, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

XI. NEW BUSINESS

1. Discuss Subgrant Agreement with Atlanta Regional Commission for Spalding County CTP (Comprehensive Transportation Plan) and authorize Chairman to execute.

County Manager Wilson said this agreement stipulates local funds budgeted shall account for 20% of the funding with the remaining 80% funded by the ARC. A brief discussion followed.

Commissioner Freeman made a motion to authorize Chairman to execute Subgrant Agreement with the ARC for the Spalding County CTP, seconded by Commissioner McDaniel. Motion carried by a vote of 5-0.

2. Consider approval of new Alcohol License for 2005 and a renewal Alcohol License for 2006 – Retail Sales – Beer Only – for the following: Sang Bong Chyoi, applicant for Rahia, Inc., d/b/a Griffin Farmers Market, 1650 N. Hill Street, Griffin, GA 30223 (new owner for an existing business).

This item has been deleted from tonight's agenda due to inadequate documentation. It will be added to a subsequent agenda.

3. Consider approval of 2006 renewals of Alcoholic Beverage License – Wholesale Distributor for: J & L Ventures, d/b/a Jackson Beverages, LLC, 915 S. Pine Hill Road – Beer Only.

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Wholesale Distributor for J & L Ventures, d/b/a Jackson Beverages, seconded by Commissioner Freeman, and motion carried by a vote of 4-1 with Commissioner McDaniel voting in opposition.

4. Consider approval of 2006 renewals of Alcoholic Beverage License – Consumption on Premises for:

-Jimmy R. Allen, d/b/a Big Jim's Wing Shack, 1557 Williamson Road – Beer and Wine

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Consumption on Premises for Beer & Wine for Jimmy R. Allen, d/b/a Big Jim's Wing Shack, seconded by Commissioner Freeman, and motion carried by a vote of 4-1, with Commissioner McDaniel voting in opposition.

-Robert M. Atchison, d/b/a Griffin Moose Lodge #1503, 1435 Zebulon Rd. – Beer, Wine & Liquor

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Consumption on Premises for Beer, Wine & Liquor for Robert M. Atchison, d/b/a Griffin Moose Lodge #1503, seconded by Commissioner Freeman, and motion carried by a vote of 4-1 with Commissioner McDaniel voting in opposition.

-Joe Lee Mathis, d/b/a JJ's Restaurant & Lounge, 2043 Hwy. 16 West – Beer & Liquor

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Consumption on Premises for Beer & Liquor for Joe Lee Mathis, d/b/a JJ's Restaurant & Lounge, seconded by Commissioner Freeman, and motion carried by a vote of 4-1 with Commissioner McDaniel voting in opposition.

-Windy R. Golden, 2700 North, LLC, d/b/a Pole Position, 2700 N. Expressway – Beer, Wine & Liquor

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Consumption on Premises for Beer Wine & Liquor for Windy R. Golden, 2700 North, LLC, d/b/a Pole Position, seconded by Commissioner Freeman, and motion carried by a vote of 4-1 with Commissioner McDaniel voting in opposition.

5. Consider approval of 2006 renewals of Alcoholic Beverage License–Retail Package Stores:

-Prakash I. Patel, d/b/a 19/41 Package Store, 2004 N. Expressway – Beer, Wine & Liquor

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Retail Package Stores for Beer, Wine & Liquor for Prakash I. Patel, d/b/a 19/41 Package Store, seconded by Commissioner Freeman, and motion carried by a vote of 4-1 with Commissioner McDaniel voting in opposition.

-Raymond J. Beaugrand, d/b/a Fatzo's Bottle Shop, 3933 N. Expressway – Beer Wine & Liquor

Commissioner Freeman made a motion to approve the 2006 renewal of Alcoholic Beverage License – Retail Package Stores for Beer, Wine & Liquor, for Raymond J. Beaugrand, d/b/a Fatzo's Bottle Shop, seconded by Commissioner Davis, and motion carried by a vote of 4-1 with Commissioner McDaniel voting in opposition.

-Jong Se Kim, d/b/a The Liquor Gate, 1740 Zebulon Road – Beer, Wine & Liquor

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Retail Package Stores for Beer, Wine & Liquor for Jong Se Kim, d/b/a The Liquor Gate, seconded by Commissioner Freeman, and motion carried by a vote of 4-1 with Commissioner McDaniel voting in opposition.

-Ashaya H. Patel, d/b/a Carver Package Store, 1557D Williamson Road – Beer, Wine & Liquor

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Retail Package Stores for Beer, Wine & Liquor for Ashaya H. Patel, d/b/a Carver Package Store, seconded by Commissioner Freeman, and motion carried by a vote of 4-1 with Commissioner McDaniel voting in opposition.

-Young Jin Moon, YJ Enterprises, Inc., d/b/a Sam's Package Store, 1301 N. Hill Street – Beer & Wine

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Retail Package Stores, for Beer & Wine, Young Jin Moon, YJ Enterprises, Inc. d/b/a Sam's Package Store, seconded by Commissioner Freeman, and motion carried by a vote of 3-2 with Commissioners Flowers-Taylor and McDaniel voting in opposition.

-Young Jin Moon, YJ Enterprises, Inc., d/b/a/ Young's Liquor Store, 1301 N. Hill Street – Liquor

Commissioner Davis made a motion to approve the 2006 renewal of Alcoholic Beverage License – Retail Package Stores, for Liquor, Young Jin Moon, YJ Enterprises, Inc. d/b/a Young's Liquor Store, seconded by Commissioner Freeman, and motion carried by a vote of 3-2 with Commissioners McDaniel and Flowers-Taylor opposing.

6. Consider approval of final plat for Walker's Mill Estates located off South Walkers Mill Road.

Mr. Wilson said all requirements had been met and all departments have approved the final plat.

The roundabouts shown on the plat were suggested by Community Development Staff as traffic calming devices. Some discussion followed. Mr. Mobley indicated on the plat to Commissioner McDaniel where the pool would be positioned for this subdivision.

Commissioner McDaniel made a motion to approve the final plat for Walker's Mill Estates, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

7. Consider acceptance of right-of-way (ROW) deed for Sarah Lane, Emily Jane Drive and Paul Walker Drive, located in Walker's Mill Estates off South Walkers Mill Road.

Commissioner McDaniel made a motion to approve the ROW deed for Sarah Lane, Emily Jane Drive and Paul Walker Drive located in Walker's Mill Estates, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

8. Consider approval of final plat for Pinelea Road Extension Subdivision, Phase I (minor), located off Dewey Street.

Mr. Wilson said there would be another phase which would include new road construction. All requirements have been met and all departments have approved the plat.

Commissioner McDaniel made a motion to approve the final plat for Pinelea Road Extension Subdivision, Phase I (minor), seconded by Commissioner Davis, and motion carried by a unanimous vote of 5-0.

9. Consider approval of final plat for Elder Woods Subdivision (minor) located off Elder Road and Minter Road.

Commissioner Davis made a motion to approve the final plat for Elder Woods Subdivision (minor), seconded by Commissioner Freeman, and motion carried by a vote of 5-0.

10. Consider approval of final plat for North Meadows Subdivision (minor), located off Vaughn Road, New Salem Road and Church School Road.

Commissioner Freeman made a motion to approve the final plat for North Meadows Subdivision (minor), seconded by Commissioner McDaniel. Motion carried by a vote of 5-0.

Commissioner McDaniel said while this project met all conditions as stated for a conservation subdivision, it was not what was envisioned by Spalding County.

11. Consider approval of final plat for The Enclave at Heron Bay, located off Trestle Road.

Commissioner McDaniel made a motion to approve the final plat for The Enclave at Heron Bay, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

12. Consider acceptance of right-of-way (ROW) deed for Dawnview Drive and Pebble Creek Lane, located in The Enclave at Heron Bay, located off Trestle Road.

Commissioner McDaniel made a motion to approve the ROW deed for Dawnview Drive and Pebble Creek Lane located in The Enclave, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

13. Consider request from Spalding County Coroner, Sonny Foster, to introduce local legislation regarding the Coroner's salary.

Mr. Wilson referenced the letter from the Spalding County Coroner, Sonny Foster, and elaborated on Mr. Foster's request of \$25,000 total in salary with no car allowance. The general consensus was to petition for the increase, and the Board commended Mr. Foster's performance as Coroner. Some counties tie elected officials to a percentage of the Sheriff's pay, which is raised incrementally and is linked to population, as well. Some discussion followed regarding whether or not to restructure the Coroner's pay so linked to the Sheriff's salary, and the County Manager will discuss the option with Mr. Foster.

Commissioner Davis made a motion to request that local legislation be introduced for a salary increase to elevate the pay for the position of Coroner to \$25,000 as noted in the Coroner's request, with no car allowance. Commissioner Freeman seconded the motion. The option of possibly linking the Coroner's salary to that of the Sheriff will be more fully explored with the Coroner. Motion carried by a vote of 5-0.

14. Consider authorizing Chairman to execute Inmate Work Detail Agreement with Henry County, Georgia.

Commissioner McDaniel made a motion to authorize the Chairman to execute the Inmate Work Detail Agreement with Henry County, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

15. Consider authorizing Chairman to execute Inmate Work Detail Agreement with City of Thomaston.

Commissioner Davis made a motion to authorize the Chairman to execute the Inmate Work Detail Agreement with the City of Thomaston, seconded by Commissioner Freeman, and motion carried by a vote of 5-0.

16. Consider approval of grant allocations from The Griffin-Spalding County Hospital Authority for the Spalding County Board of Health, Fire Department, SHAPP Clinic, Griffin Fire Department, Griffin Police Department, Griffin Sexual Assault Center, Reflections Geriatric Services, Spalding County Collaborative, and Council on Aging.

The grants, totaling \$503,750, have to be approved by both the City and the County. Commissioner Flowers-Taylor inquired about the sizeable allocation for the Spalding County Board of Health when they see so few patients, around six per day according to statements made to her. Chairman Goss said he could not accurately recall but thought the number of patients seen, according to his figures a couple of months ago, was about 45 per day. There is a possibility of getting WIC back in this building, and these funds will be needed if that transpires. Dr. Putnam has resigned her position and the Board of Health is looking for a replacement physician. The dentist has also left and the nurse practitioner is leaving, as well. Commissioner McDaniel reminded commissioners that not all the allocations are expended sometimes. This allocation is a reimbursement of expended funds on an ongoing basis. Commissioner Flowers-Taylor was concerned this was an unwise funding. Chairman Goss said the Board of Health was working diligently behind the scenes to improve services.

Commissioner McDaniel made a motion to approve grant allocations from The Griffin-Spalding County Hospital Authority for the Spalding County Board of Health, Fire Department, SHAPP Clinic, Griffin Fire Department, Griffin Police Department, Griffin Sexual Assault Center, Reflections Geriatric Services, Spalding County Collaborative, and Council on Aging. Commissioner Freeman seconded the motion which carried by a vote of 4-1 with Commissioner Davis voting in opposition.

17. Consider Public Works Director request to dispose of excess firewood at recycling centers.

Mr. Fortune said the problem was that excess wood was rotting before the fire departments could utilize it. This procedure would facilitate the disposal of wood while benefiting citizens who could utilize it, as well. Inmate labor would be used to move the wood. Discussion followed.

Commissioner Davis made a motion to declare the excess firewood surplus and make it available at the recycling centers, provided consumers are limited to one pickup truck load per year and the wood not be utilized for resale. Commissioner Flowers-Taylor seconded the motion which carried by a 5-0 vote.

18. Consider approval of Interlocal Cooperation Agreement to Establish the Griffin-Spalding County Land Bank Authority.

Mr. Wilson said the City of Griffin approved this draft on its last agenda. His only reservation dealt with funding which was somewhat ambiguous.

Commissioner McDaniel said this document provides this authority could be in the position of renting, managing and leasing properties. Mr. Fortune said the language which does give broad power was so this authority could have the power to deal with many pieces of property, many of which are small and not considered first-class real estate. Commissioner McDaniel said they could decline to acquire properties they deemed undesirable. Discussion followed. The objective is to return properties not currently serviceable to the tax digest and make them productive. Commissioners McDaniel and Davis said they considered this agreement, in its present form, a blank check. Perhaps a little fleshing out of the issue might at least provide a general idea of funding. More discussion followed.

Commissioner Davis made a motion to table this issue until the leasing/rental language and the matter of cost are addressed. Commissioner Freeman seconded the motion to table.

Commissioner Davis said he supports the authority in concept but wants to see these two issues clarified. Chairman Goss agreed the concept was good but he also would like to see the costs addressed. Mr. Fortune said a ceiling could be applied to the cost and have the authority work within that constraint rather than just approaching it from a “blank check” mentality. The authority can prove their mettle by working within their budgetary constraints. He suggested phasing in the money perhaps, but it would need to be agreed upon by the City, as well.

The motion to table carried by a vote of 4-1 with Commissioner Flowers-Taylor voting in opposition.

19. Commissioner Davis requests update on the status of Health Department staffing and operations.

Commissioner Davis said he understood the director has been fired, the dentist had quit, and the doctor and nurse practitioner had resigned. Additionally, he understood the number of patients was drastically reduced, and he wondered what was going on at the facility.

Chairman Goss said the doctor was leaving the first of the year and the nurse practitioner was leaving, as well. The numbers have been down, but some of the problems were inherited from previous board(s). The director position cannot be discussed since there is litigation involved. This Health Board is making efforts to remedy some of these problems, but it will take time. The last Board wanted to make Spalding County a district of its own rather than having it be a part of District Four Health Services. A closer look led this Board to determine that would not be in the County’s best interest. He wondered why Palmetto was dismissed from administering Health Department programs several years ago when they seemed to have been doing a good job. Commissioner Flowers-Taylor said Spalding County has epidemic proportions of obesity, hypertension and diabetes, and she has not seen tangible efforts by the Health Department to improve these statistics.

Chairman Goss said the Health Department would be returned to its previous status, but just as it had not been torn down in a year, it would not be rebuilt in a year.

20. Commissioner Flowers-Taylor desires to discuss the request of City of Griffin to annex into the City limits properties, in whole and in part, known as the Green Valley Industrial Park, owned by the Griffin-Spalding County Development Authority.

Commissioner Flowers-Taylor needed some clarification as to how much revenue would be lost by the County in the event the Industrial Park was annexed into the City, and this amount varies between the City and County. Mr. Wilson said the County will be affected in the areas of fire district tax revenue, and the current fire district taxes for this year for these properties would be in the neighborhood of \$91,000. This is the major monetary loss to the County. There would be some funds owed to the County by the City for water lines that would be annexed, and some discussion followed regarding a renegotiation of the LOST ratio of City to County in disbursement of the collected taxes. The City would definitely be the primary benefactor of such annexation. City Commissioner-Elect Dick Morrow advised it appeared as though most businesses in the Industrial Park might actually

benefit monetarily when reduced insurance premiums because of better fire ratings are weighed against an increase in taxes if annexed into the City.

Commissioner Davis said he would work with County Manager Wilson to determine overall advantages and disadvantages of such an annexation, and the matter would be revisited later.

XII. REPORT OF COUNTY MANAGER

- The Spalding County Health Fair last week was a success with 112 participants having cholesterol and diabetic testing, blood pressures taken, weights recorded, total body fat and body mass index percentages determined, and glucose levels tested.
- Customer service training for both supervisors and staff is scheduled for February, March and April with supervisory training occurring first.
- The Envision 6+ program, from the ARC, has an interim report and would like to make a presentation. This matter will be forwarded to the Griffin-Spalding Area Transportation Committee for action.

XIII. REPORT OF COMMISSIONERS

Commissioner Freeman:

He would like to see more inmate labor being utilized on County roadways, ditches and culverts. One complainant asked that inmates pick up trash before mowing. Commissioner Freeman would like to see mowers cutting all the way back to the right of way.

Commissioner Freeman asked County Manager Wilson to pursue the issue of salary increases for commissioners, broached earlier this year at the annual Board of Commissioners retreat and to bring information to the Board at a future meeting.

Commissioner Flowers-Taylor:

She was disturbed by what appeared to be about 30 probationers with only one officer, and many appeared to be just standing around on a local street. It was noted that State Court probationers are out on the weekends with deputies who are paid by the Probation Office rather than by the County. Judge Esary of State Court has sentenced these probationers to work details.

Commissioner Flowers-Taylor thanked commissioners for their patience and mentoring throughout this first year for her.

Commissioner Davis:

He would like to see progress on the parking lot project across the street from Courthouse in the old Hill's Tire Store location as soon as possible since it had been more than a year since the building was torn down.

Commissioner McDaniel:

No comments.

Chairman Goss:

Two weeks ago there were reports of jail overcrowding, with one major factor appearing to be parole violators. Some inmates were sleeping in stairwells at one point. Chairman Goss and Commissioner Freeman have met with judges and feel that if the situation continues in the same trend, lawsuits might result. He wanted to see the County pursue possibly opening up the old Correctional Institution facility as they are maxing out available space quickly.

XIV. ADJOURNMENT

On a motion by Commissioner Davis, seconded by Commissioner McDaniel, the vote was unanimous to adjourn at 8:50 p.m.