

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their Regular Monthly Meeting on Monday, March 6, 2006 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 Eddie Freeman presiding and Commissioners Cecil Davis, Gwen Flowers-Taylor, Edward Goss and Johnie McDaniel present. James Fortune, County Attorney; Jinna Garrison, Administrative Services Director; Chad Jacobs, Senior Planner; and Yvonne Langford to record the minutes.

- I. OPENING (CALL TO ORDER) – Chairman Eddie L. Freeman**
- II. INVOCATION – Reverend Michael Moore**
- III. PLEDGE TO FLAG – Led by Commissioner Edward Goss, Jr.**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

- 1. Lanier Boatwright, Jr., Executive Director, McIntosh Trail R.D.C. to present the final draft on the Potato Creek 319 TMDL Project.

Mr. Boatwright gave a brief background and overview of the report summary that was a result of a court order to improve impaired waterways. The Potato Creek Watershed, covering approximately 237 square miles, was one of the 125 identified impaired waterways, and it was cited for fecal coliform. A draft copy of *Potato Creek: Bacterial Source Tracking Technical Report* was passed out to Board members. Mr. Boatwright introduced Mr. Adam Hazelle, Planning Director with McIntosh Trail RDC, who made a Power Point presentation regarding Sustainable Water Quality, along with a brief synopsis of the program.

- VI. PRESENTATION OF FINANCIAL STATEMENTS – N/A**
- VII. CITIZENS COMMENTS**

- 1. Greg Pruitt to discuss water lines in the Ingram Hills Subdivision.

Mr. Pruitt, of 55 Partridge Path, discussed water lines in the Ingram Hills Subdivision and the issue of sleeving a water line that would traverse a pond. Chad Jacobs, Senior Planner, read from the minutes of the meeting where Mr. Pruitt discussed the matter, saying he would drain the pond to run the water line, encasing it in a larger pipe to sleeve and protect it, and then refill the lake which is spring fed by several springs. He stated at that meeting that the 1" water line would be encased in a larger sleeve to facilitate repairs in the future without having to drain but rather just by slipping the line out for replacement/repair. The motion at that meeting included the provision that the 1" water line in the lake be encased, sleeved in the pond area to facilitate easy access in the future, and the motion to approve with that amendment carried by a 4-1 vote. Mr. Pruitt said one water line would have to run about 60 to 70 feet in deep water after running for some portion along the dam. The other line, at the end of the lake, is probably 60 to 80 feet. The lake is about an acre in area and needs a new spillway already. If he had to drain the lake, Mr. Pruitt would have to dig the dam out on the corner, let it run down and rebuild it. This lake is older and does not have any mechanism for draining it other than busting the dam. He felt this would require much more effort and time than is necessary. He would rather dig into the sides of the bank of the lake with a backhoe and sink the water line with a sweep and cement blocks. Water would also be in the two sleeved lines run into the lake to help with submersion and equalize pressure. He would use Schedule 40 PVC, and he welcomed any inspection. No one would be digging in the future around the water lines. Some discussion followed. Mr. Pruitt said he thought Mr. Wilson had raised the question of the water lines being buried after draining the lake versus being sleeved and dropped. Since Mr. Wilson was not present, the consensus of the Board was to place it on the

next agenda for further discussion. Mr. Pruitt requested he be put on the agenda for the March 20, 2006 meeting for both water line and fire hydrant issues at Ingram Hills Subdivision.

VIII. PUBLIC COMMENT

Elaine Bolton, 839 East Maddox Road

Ms. Bolton requested that the street lighting in The Meadows Subdivision, scheduled to be heard later in this meeting, be of the dark skies type lighting that is focused to shine downward to the ground with less light above and to the sides of the fixtures. This would allow all residents to be able to continue viewing starry nights along their neighborhood road. She provided written information to Board members about the proposed light fixtures and urged commissioners to meet with Mr. Mobley, the developer, and existing residents.

IX. MINUTES

1. Consider approval of the minutes of the February 20, 2006 Extraordinary Session and the February 23, 2006 Zoning Public Hearing.

Commissioner McDaniel made a motion to approve the minutes of the February 20, 2006 Extraordinary Session and the February 23, 2006 Zoning Public Hearing, seconded by Commissioner Davis. Chairman Freeman said under his comments during the February 20, 2006 Extraordinary Session, there was a reference made that he would get Danny Kendrick of the School Board to coordinate with Mr. Wilson, but in fact he had requested Mr. Wilson to coordinate with Mr. Kendrick. Commissioners McDaniel and Davis accepted the amendment to their motion and second. The motion to approve both minutes, with the February 20, 2006 minutes as amended, carried unanimously at 5-0.

X. CONSENT AGENDA

1. Consider second reading of Amendment to the Official Zoning Map of the following:
 - a) Application #05-22Z: Minerva Spring Lake, L.P., Owner – Jordan Hill Road and Teamon Road, 1715.568 acres, PDD and AR-1 to AAR, Conditional.

APPLICATION OF MINERVA SPRING LAKE, L.P.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-22Z

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 "PDD, Planned Development District, and AR-1, Agricultural and Residential;"

WHEREAS, Minerva Spring Lake, L.P., applicant, applied for a change in zoning classification to be applied to the within described property to "AAR, Active Adult Residential;"

WHEREAS, such application was filed with Spalding County, Georgia on December 27, 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 February 23, 2006, 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:

Tract 1:

All that tract or parcel of land lying and being in Land Lot 184, 3rd District, Spalding County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the northwesterly Right-of-Way of Seven Forks Road (60' Right-of-Way) and the easterly Right-of-Way of Jordan Hill Road (80' Right-of-Way), being the TRUE POINT OF BEGINNING; thence along the easterly Right-of-Way of Jordan Hill Road (80' Right-of-Way) the following calls: North 00°01'46" West, a distance of 854.83 feet to a point; thence North 00°00'36" West, a distance of 1504.17 feet to a point on the Land Lot Line common to Land Lots 183 & 184; thence along said Land Lot Line the following calls: South 88°13'22" East, a distance of 610.36 feet to an iron pin set; thence North 89°56'21" East, a distance of 560.55 feet to an iron pin set; thence South 76°57'39" East, a distance of 186.59 feet to a point on the northwesterly Right-of-Way of Seven Forks Road (60' Right-of-Way); thence along said Right-of-Way the following calls: 41.26 feet along a curve to the left, said curve having a chord of South 37°06'19" West 41.18 feet and a radius of 190.00 feet to a point; thence South 30°53'04" West, a distance of 902.27 feet to a point; thence South 30°49'04" West, a distance of 1017.53 feet to a point; thence 154.43 feet along a curve to the left, said curve having a chord of South 20°31'44" West 153.60 feet and a radius of 430.00 feet to a point; thence South 07°50'29" West, a distance of 85.40 feet to a

point; thence 248.23 feet along a curve to the right, said curve having a chord of South 10°13'27" West 243.60 feet and a radius of 370.00 feet to a point; thence South 30°38'19" West, a distance of 17.02 feet to a point; thence 50.51 feet along a curve to the right, said curve having a chord of South 47°20'54" West 49.97 feet and a radius of 100.00 feet to a point; thence South 61°49'06" West, a distance of 213.55 feet to a point, being the TRUE POINT OF BEGINNING.
Said tract contains **37.455** acres or 1631520 square feet.

Together with,

Tract 2:

All that tract or parcel of land lying and being in Land Lots 184, 185, 186, 187, 199, 200, 217, 218, 231 & 232, 3rd District, Spalding County, Georgia, and being more particularly described as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 186, 187, 198 & 199, being the TRUE POINT OF BEGINNING; thence along the Land Lot line common to Land Lots 187 & 198 South 00°24'51" East, a distance of 1407.99 feet to a point on the original northerly Right-of-Way of North Second Street (40' Right-of-Way); thence along said Right-of-Way North 75°22'09" West, a distance of 13.02 feet to a point on the northeasterly Right-of-Way of North Second Street Extension (80' Right-of-Way); thence along said Right-of-Way the following calls: 613.58 feet along a curve to the left, said curve having a chord of North 43°44'15" West 603.91 feet and a radius of 995.08 feet to a point; thence North 61°24'08" West, a distance of 1036.10 feet to a point; thence 57.12 feet along a curve to the right, said curve having a chord of North 46°00'16" West 57.12 feet and a radius of 1117.38 feet to a point; thence 122.37 feet along a curve to the left, said curve having a chord of North 51°21'53" West 122.35 feet and a radius of 2057.60 feet to a point; thence 192.07 feet along a curve to the left, said curve having a chord of North 68°01'55" West 190.42 feet and a radius of 421.73 feet to a point; thence North 83°32'55" West, a distance of 65.13 feet to a point; thence 177.52 feet along a curve to the left, said curve having a chord of North 77°08'08" West 177.13 feet and a radius of 779.42 feet to a point; thence North 83°39'37" West, a distance of 243.37 feet to a point; thence 114.98 feet along a curve to the right, said curve having a chord of North 78°57'03" West 114.85 feet and a radius of 699.41 feet to a point; thence North 74°14'29" West, a distance of 435.15 feet to a point; thence 218.20 feet along a curve to the right, said curve having a chord of North 65°18'14" West 217.31 feet and a radius of 699.41 feet to a point on the easterly Right-of-Way of Jordan Hill Road (80' Right-of-Way); thence along said Right-of-Way the following calls: North 00°03'45" East, a distance of 329.14 feet to a point; thence North 00°29'56" West, a distance of 881.83 feet to a ½ inch rebar found; thence North 00°25'05" West, a distance of 738.29 feet to a point; thence North 00°14'01" West, a distance of 807.00 feet to a point; thence North 00°20'35" West, a distance of 621.16 feet to a point; thence North 00°15'48" West, a distance of 1086.61 feet to a point; thence North 00°00'10" West, a distance of 1391.20 feet to a point; thence North 00°02'34" West, a distance of 597.54 feet to an iron pin set on the southeasterly Right-of-Way of Seven Forks Road (60' Right-of-Way); thence along said Right-of-Way the following calls: North 61°49'06" East, a distance of 245.66 feet to a point; thence 80.82 feet along a curve to the left, said curve having a chord of North 47°20'54" East 79.96 feet and a radius of 160.00 feet to a point; thence North 30°43'47" East, a distance of 20.62 feet to a point; thence 288.49 feet along a curve to the left, said curve having a chord of North 10°13'27" East 283.11 feet and a radius of 430.00 feet to a point; thence North 10°02'38" East, a distance of 65.56 feet to a point; thence 132.88 feet along a curve to the right, said curve having a chord of North 20°31'44" East 132.17 feet and a radius of 370.00 feet to a point; thence North 30°49'04" East, a distance of 1017.49 feet to a point; thence North 30°53'04" East, a distance of 902.23 feet to a point; thence 132.57 feet along a curve to the right, said curve having a chord of North 60°05'55" East 126.90 feet and a radius of 130.00 feet to a point; thence North 89°18'46" East, a distance of 1084.06 feet to an iron pin set; thence leaving said Right-of-Way

South 01°02'15" West, a distance of 474.72 feet to a ½ inch rebar found; thence South 01°02'15" West, a distance of 2547.61 feet to a ½ inch rebar found on the Land Lot Line common to Land Lots 184 & 185; thence along said Land Lot Line South 89°28'21" East, a distance of 374.71 feet to a 1 inch pipe found at the Land Lot corner common to Land Lots 184, 185, 200 & 201; thence along the Land Lot Line common to Land Lots 200 & 201 the following calls: South 89°23'46" East, a distance of 823.74 feet to a ½ inch rebar found; thence South 89°41'26" East, a distance of 2237.21 feet to a ¾ inch pipe found at the Land Lot corner common to Land Lots 200, 201, 216 & 217; thence along the Land Lot Line common to Land Lots 216 & 217 South 89°45'16" East, a distance of 2522.13 feet to an iron pin set along the southwesterly Right-of-Way of Teamon Road (60' Right-of-Way); thence along said Right-of-Way the following calls: South 41°08'36" East, a distance of 47.41 feet to a point; thence 311.61 feet along a curve to the right, said curve having a chord of South 36°22'11" East 311.25 feet and a radius of 1870.00 feet to a point; thence South 31°28'43" East, a distance of 453.92 feet to a point; thence South 31°26'48" East, a distance of 457.32 feet to a point; thence South 31°45'15" East, a distance of 299.14 feet to a point; thence South 31°56'28" East, a distance of 290.50 feet to a point on the northwesterly Right-of-Way of Smoak Road (60' Right-of-Way); thence along said Right-of-Way the following calls: South 54°57'48" West, a distance of 23.16 feet to a point; thence 739.84 feet along a curve to the left, said curve having a chord of South 31°55'31" West 720.06 feet and a radius of 920.00 feet to a point; thence South 08°53'15" West, a distance of 94.63 feet to a point; thence South 08°23'59" West, a distance of 202.01 feet to a point; thence South 09°19'14" West, a distance of 168.85 feet to a point; thence South 09°09'14" West, a distance of 169.53 feet to a point; thence South 08°48'51" West, a distance of 134.79 feet to an iron pin set; thence North 33°28'39" West, a distance of 135.18 feet to an iron pin set; thence North 56°12'26" West, a distance of 102.19 feet to an iron pin set; thence North 87°23'50" West, a distance of 30.52 feet to a 5/8 inch rebar found at the Land Lot corner common to Land Lots 217, 218, 231 & 232; thence along the Land Lot Line common to Land Lots 218 & 231 South 00°29'07" West, a distance of 667.00 feet to a ½ inch rebar found along the centerline of Troublesome Creek; thence along said creek centerline the following calls: South 66°53'24" West, a distance of 31.03 feet to a point; thence South 76°09'18" West, a distance of 73.24 feet to a point; thence South 58°03'59" West, a distance of 66.69 feet to a point; thence South 59°03'37" West, a distance of 110.16 feet to a point; thence South 54°52'56" West, a distance of 154.45 feet to a point; thence South 57°42'03" West, a distance of 106.72 feet to a point; thence South 53°35'47" West, a distance of 70.67 feet to a point; thence South 58°22'10" West, a distance of 55.83 feet to a point; thence South 45°10'01" West, a distance of 97.16 feet to a point; thence South 54°44'28" West, a distance of 1111.24 feet to a point; thence leaving said creek centerline South 11°08'43" West, a distance of 227.37 feet to a point; thence South 23°58'38" West, a distance of 206.00 feet to a point; thence South 41°38'25" West, a distance of 161.92 feet to a point; thence South 19°42'00" West, a distance of 293.80 feet to a point; thence South 07°21'10" East, a distance of 233.73 feet to a point on the northwesterly Right-of-Way of Roosevelt Railroad Museum, Inc (100' Right-of-Way); thence along said Right-of-Way South 28°09'15" West, a distance of 316.73 feet to an iron pin set on the Land Lot Line common to Land Lots 218 & 219 and 198 & 199; thence along said Land Lot Line North 89°42'43" West, a distance of 3885.16 feet to a rock found at the Land Lot corner common to Land Lots 186, 187, 198 & 199, being the TRUE POINT OF BEGINNING.

Said tract contains **1284.992** acres or 55974272 square feet.

Together with,

Tract 3:

All that tract or parcel of land lying and being in 155, 165, 166 & 187, 3rd District, Spalding County, Georgia, and being more particularly described as follows:

BEGINNING at a ½ inch rebar found at the Land Lot corner common to Land Lots 187, 188, 197 & 198, being the TRUE POINT OF BEGINNING; thence along the Land Lot Line common to Land Lots 187 & 188 the following calls: North 89°50'13" West, a distance of 2017.01 feet to a 1 inch pipe found; thence North 89°17'28" West, a distance of 959.92 feet to a 1 inch pipe at the Land Lot corner common to Land Lots 165, 166, 187 & 188; thence along the Land Lot Line common to Land Lots 165 & 166 North 89°00'49" West, a distance of 1658.17 feet to a 1 inch pipe found; thence South 01°10'53" East, a distance of 788.77 feet to a ½ inch rebar found; thence North 89°45'56" West, a distance of 195.93 feet to a ½ inch rebar found; thence North 89°45'00" West, a distance of 183.61 feet to a ½ inch rebar found; thence South 34°22'07" West, a distance of 34.40 feet to a ½ inch rebar found; thence South 78°09'12" West, a distance of 53.61 feet to a point; thence South 65°47'43" West, a distance of 362.67 feet to a point on the northeasterly Right-of-Way of Dundee Lake Road (60' Right-of-Way); thence along said Right-of-Way North 41°27'24" West, a distance of 26.18 feet to a 1 inch pipe found; thence North 65°47'43" East, a distance of 370.44 feet to a ½ inch rebar found; thence North 43°52'58" West, a distance of 321.88 feet to a ½ inch rebar found; thence North 09°08'27" West, a distance of 245.84 feet to a ½ inch rebar found; thence South 89°45'32" East, a distance of 283.45 feet to a ½ inch rebar found; thence North 00°09'12" East, a distance of 550.13 feet to a ½ inch rebar found; thence North 75°54'19" West, a distance of 300.28 feet to a ½ inch rebar found; thence North 00°17'45" East, a distance of 240.65 feet to a ½ inch rebar found; thence North 00°18'00" East, a distance of 240.28 feet to a 1 inch pipe found; thence North 00°19'21" East, a distance of 241.55 feet to a 1 inch pipe found; thence South 89°52'41" East, a distance of 1149.81 feet to a point; thence South 00°25'08" West, a distance of 129.66 feet to a point; thence South 89°34'52" East, a distance of 500.00 feet to a point; thence North 00°25'08" East, a distance of 279.66 feet to a point; thence North 89°34'52" West, a distance of 500.00 feet to a point; thence South 00°25'08" West, a distance of 90.00 feet to a point; thence North 89°52'41" West, a distance of 1096.53 feet to a 1 inch pipe found; thence North 00°00'00" East, a distance of 357.48 feet to a point; thence South 89°34'18" West, a distance of 243.28 feet to a ¾ inch pipe found; thence South 89°58'38" West, a distance of 308.48 feet to a ¾ inch pipe found; thence South 89°45'48" West, a distance of 268.28 feet to a 1 inch pipe found; thence South 89°14'50" West, a distance of 1465.03 feet to an iron pin set on the easterly Right-of-Way of Jordan Hill Road (80' Right-of-Way); thence along said Right-of-Way the following calls: North 00°12'33" East, a distance of 785.98 feet to a point; thence North 00°17'01" East, a distance of 123.97 feet to a point; thence 946.38 feet along a curve to the right, said curve having a chord of North 45°19'11" East 851.90 feet and a radius of 602.00 feet to a point; thence South 89°38'38" East, a distance of 830.96 feet to a point; thence South 89°23'45" East, a distance of 1126.80 feet to a point; thence South 88°20'42" East, a distance of 699.43 feet to a point; thence South 88°07'41" East, a distance of 621.58 feet to an iron pin set; thence South 88°06'41" East, a distance of 776.94 feet to a ½ inch rebar found; thence South 00°39'37" East, a distance of 3.54 feet to a point on the southerly Right-of-Way of North Second Street Extension (80' Right-of-Way); thence 233.78 feet along a curve to the left, said curve having a chord of South 65°38'54" East 232.91 feet and a radius of 779.42 feet to a point; thence South 74°14'29" East, a distance of 435.15 feet to a point; thence 128.13 feet along a curve to the left, said curve having a chord of South 78°57'03" East 127.99 feet and a radius of 779.42 feet to a point; thence South 83°39'37" East, a distance of 243.37 feet to a point; thence 271.70 feet along a curve to the right, said curve having a chord of South 72°31'53" East 270.00 feet and a radius of 699.41 feet to a point; thence South 61°24'08" East, a distance of 1100.48 feet to a point on the original southwesterly Right-of-Way of North Second Street (40' Right-of-Way); thence along said Right-of-Way the following calls: 20.89 feet along a curve to the right, said curve having a chord of South 25°51'31" East 20.86 feet and a radius of 117.96 feet to a point; thence South 14°43'06" East, a distance of 111.71 feet to a point; thence 209.19 feet along a curve to the left, said curve having a chord of South 30°53'53" East 207.69 feet and a radius of 504.23 feet to a point; thence South 44°13'31" East, a distance of 103.46 feet to a point; thence 186.55 feet along a curve to the left, said curve having a

chord of South 64°15'59" East 183.97 feet and a radius of 322.92 feet to a point; thence South 80°31'04" East, a distance of 129.94 feet to a point; thence South 75°22'09" East, a distance of 76.10 feet to a point on the southerly Right-of-Way of North Second Street Extension (80' Right-of-Way); thence South 26°45'33" East, a distance of 10.45 feet to a point; thence 74.35 feet along a curve to the right, said curve having a chord of South 24°06'15" East 74.33 feet and a radius of 915.07 feet to a point; thence South 21°46'35" East, a distance of 157.39 feet to a point on the Land Lot Line common to Land Lots 187 & 198; thence along said Land Lot Line South 00°24'51" East, a distance of 383.04 feet to a point on the original westerly Right-of-Way of North Second Street (40' Right-of-Way); thence along said Right-of-Way the following calls: South 14°32'50" West, a distance of 54.41 feet to a point; thence 152.84 feet along a curve to the left, said curve having a chord of South 05°47'28" East 149.91 feet and a radius of 224.93 feet to a point on the Land Lot Line common to Land Lots 187 & 198; thence along said Land Lot Line the following calls: South 00°24'51" East, a distance of 313.69 feet to a 1 inch pipe found; thence South 00°55'21" East, a distance of 384.19 feet to a ½ inch rebar found at the Land Lot corner common to Land Lots 187, 188, 197 & 198, being the TRUE POINT OF BEGINNING.

Said tract contains **391.391** acres or 17048994 square feet.

Together with,

Tract 4:

All that tract or parcel of land lying and being in Land Lot 187 of the 3rd District, Spalding County, Georgia and being more particularly described as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 186, 187, 198 & 199; thence South 04°29'17" West, a distance of 1381.32 feet to a point at the intersection of the southwesterly right-of-way of North Second Street Extension (80' R/W) and the original northerly right-of-way of North Second Street (40' R/W), being the TRUE POINT OF BEGINNING; thence along the original northerly right-of-way of North Second Street the following calls: North 75°22'09" West, a distance of 40.02 feet to a point; thence North 80°31'04" West, a distance of 135.00 feet to a point; thence 159.22 feet along a curve to the right, said curve having a chord of North 64°04'37" West 157.12 feet and a radius of 282.92 feet to a point; thence North 44°13'31" West, a distance of 101.69 feet to a point; thence 190.63 feet along a curve to the right, said curve having a chord of North 30°57'29" West 189.30 feet and a radius of 464.23 feet to a point; thence North 14°43'06" West, a distance of 89.13 feet to a point on the southwesterly right-of-way of North Second Street Extension (80' R/W); thence along said right-of-way South 61°24'08" East, a distance of 175.38 feet to a point; thence along said right-of-way 492.95 feet along a curve to the right, said curve having a chord of South 45°58'10" East 487.02 feet and a radius of 915.07 feet to a point, being the TRUE POINT OF BEGINNING.

Said tract contains **1.730** acres or 75379 square feet of land.

Total of Tracts 1, 2, 3 & 4 is 1715.568 acres.

**Tract A
Seven Forks Road (60' Right-of-Way)**

Legal Description
Owned by Spalding County

All that tract or parcel of land lying and being in Land Lot 184, 3rd District, Spalding County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the northwesterly Right-of-Way of Seven Forks Road (60' Right-of-Way) and the easterly Right-of-Way of Jordan Hill Road (80' Right-of-Way) being the TRUE POINT OF BEGINNING; thence along the northwesterly Right-of-Way of Seven Forks Road (60' Right-of-Way) the

following calls: North 61°49'06" East, a distance of 213.55 feet to a point; thence 50.51 feet along a curve to the left, said curve having a chord of North 47°20'54" East 49.97 feet and a radius of 100.00 feet to a point; thence North 30°38'19" East, a distance of 17.02 feet to a point; thence 248.23 feet along a curve to the left, said curve having a chord of North 10°13'27" East 243.60 feet and a radius of 370.00 feet to a point; thence North 07°50'29" East, a distance of 85.40 feet to a point; thence 154.43 feet along a curve to the right, said curve having a chord of North 20°31'44" East 153.60 feet and a radius of 430.00 feet to a point; thence North 30°49'04" East, a distance of 1017.53 feet to a point; thence North 30°53'04" East, a distance of 902.27 feet to a point; thence 41.26 feet along a curve to the right, said curve having a chord of North 37°06'19" East 41.18 feet and a radius of 190.00 feet to an iron pin set; thence South 89°50'31" East, a distance of 136.66 feet to a point on the southeasterly Right-of-Way of Seven Forks Road (60' Right-of-Way); thence along said Right-of-Way the following calls: 132.57 feet along a curve to the left, said curve having a chord of South 60°05'55" West 126.90 feet and a radius of 130.00 feet to a point; thence South 30°53'04" West, a distance of 902.23 feet to a point; thence South 30°49'04" West, a distance of 1017.49 feet to a point; thence 132.88 feet along a curve to the left, said curve having a chord of South 20°31'44" West 132.17 feet and a radius of 370.00 feet to a point; thence South 10°02'38" West, a distance of 65.56 feet to a point; thence 288.49 feet along a curve to the right, said curve having a chord of South 10°13'27" West 283.11 feet and a radius of 430.00 feet to a point; thence South 30°43'47" West, a distance of 20.62 feet to a point; thence 80.82 feet along a curve to the right, said curve having a chord of South 47°20'54" West 79.96 feet and a radius of 160.00 feet to a point; thence South 61°49'06" West, a distance of 245.66 feet to an iron pin set at the intersection of the southeasterly Right-of-Way of Seven Forks Road (60' Right-of-Way) and the easterly Right-of-Way of Jordan Hill Road (80' Right-of-Way); thence North 00°01'55" West, a distance of 68.05 feet to a point, being the TRUE POINT OF BEGINNING.

Said tract contains 3.842 acres or 167354 square feet.

North Second Street
Legal Description
Owned by Spalding County

All that tract or parcel of land lying and being in Land Lot 187, 3rd District, Spalding County, Georgia, and being more particularly described as follows:

Tract B: Future 80' ROW:

BEGINNING at the intersection of the easterly Right-of-Way of Jordan Hill Road (80' Right-of-Way) and the northeasterly Right-of-Way of North Second Street Extension (80' Right-of-Way), being the TRUE POINT OF BEGINNING; thence along the northeasterly Right-of-Way of North Second Street Extension (80' Right-of-Way) the following calls: 218.20 feet along a curve to the left, said curve having a chord of South 65°18'14" East 217.31 feet and a radius of 699.41 feet to a point; thence South 74°14'29" East, a distance of 435.15 feet to a point; thence 114.98 feet along a curve to the left, said curve having a chord of South 78°57'03" East 114.85 feet and a radius of 699.41 feet to a point; thence South 83°39'37" East, a distance of 243.37 feet to a point; thence 177.52 feet along a curve to the right, said curve having a chord of South 77°08'08" East 177.13 feet and a radius of 779.42 feet to a point; thence 125.27 feet along a curve to the right, said curve having a chord of South 66°00'24" East 125.13 feet and a radius of 779.42 feet to a point; thence South 61°24'08" East, a distance of 300.28 feet to a point; thence South 61°24'08" East, a distance of 1036.10 feet to a point; thence 613.58 feet along a curve to the right, said curve having a chord of South 43°44'15" East 603.91 feet and a radius of 995.08 feet to a point; thence 29.99 feet along a curve to the right, said curve having a chord of South 25°12'34" East 29.99 feet and a radius of 995.08 feet to a point on the Land Lot corner common to Land Lots 187 & 198; thence South 00°24'51" East, a distance of 216.91 feet to a point on the

southwesterly Right-of-Way of North Second Street Extension (80' Right-of-Way); thence along said Right-of-Way the following calls: North 21°46'35" West, a distance of 157.39 feet to a point; thence 74.35 feet along a curve to the left, said curve having a chord of North 24°06'15" West 74.33 feet and a radius of 915.07 feet to a point; thence North 26°45'33" West, a distance of 10.45 feet to a point; thence North 28°48'41" West, a distance of 55.09 feet to a point; thence 492.96 feet along a curve to the left, said curve having a chord of North 45°58'10" West 487.02 feet and a radius of 915.07 feet to a point; thence North 61°24'08" West, a distance of 175.38 feet to a point; thence North 61°24'08" West, a distance of 60.52 feet to a point; thence North 61°24'08" West, a distance of 1100.48 feet to a point; thence 271.70 feet along a curve to the left, said curve having a chord of North 72°31'53" West 270.00 feet and a radius of 699.41 feet to a point; thence North 83°39'37" West, a distance of 243.37 feet to a point; thence 128.13 feet along a curve to the right, said curve having a chord of North 78°57'03" West 127.99 feet and a radius of 779.42 feet to a point; thence North 74°14'29" West, a distance of 435.15 feet to a point; thence 233.78 feet along a curve to the right, said curve having a chord of North 65°38'54" West 232.91 feet and a radius of 779.42 feet to a point; thence North 26°56'45" East, a distance of 80.50 feet to a point, being the TRUE POINT OF BEGINNING.

Said tract contains **6.182** acres or 269299 square feet.

Together with the Existing ROW outside of Future ROW including:

Tract D:

All that tract or parcel of land lying and being in Land Lot 187 of the 3rd District, Spalding County, Georgia and being more particularly described as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 186, 187, 198 & 199; thence South 04°29'17" West, a distance of 1381.32 feet to a point at the intersection of the southwesterly right-of-way of North Second Street Extension (80' R/W) and the original northerly right-of-way of North Second Street (40' R/W), being the TRUE POINT OF BEGINNING; thence along the southwesterly right-of-way of North Second Street Extension 55.10 feet along a curve to the right, said curve having a chord of South 28°48'41" East 55.09 feet and a radius of 915.07 feet to a point on the original southerly right-of-way of North Second Street (40' R/W); thence along said right-of-way the following calls: North 75°22'09" West, a distance of 76.10 feet to a point; thence North 80°31'04" West, a distance of 129.94 feet to a point; thence 186.55 feet along a curve to the right, said curve having a chord of North 64°15'59" West 183.97 feet and a radius of 322.92 feet to a point; thence North 44°13'31" West, a distance of 103.46 feet to a point; thence 209.19 feet along a curve to the right, said curve having a chord of North 30°53'53" West 207.69 feet and a radius of 504.23 feet to a point; thence North 14°43'06" West, a distance of 111.71 feet to a point; thence 20.89 feet along a curve to the left, said curve having a chord of North 25°51'31" West 20.86 feet and a radius of 117.96 feet to a point on the southwesterly right-of-way of North Second Street Extension (80' R/W); thence along said right-of-way South 61°24'08" East, a distance of 60.52 feet to a point on the original northerly right-of-way of North Second Street (40' R/W); thence along said right-of-way the following calls: South 14°43'06" East, a distance of 89.13 feet to a point; thence 190.63 feet along a curve to the left, said curve having a chord of South 30°57'29" East 189.30 feet and a radius of 464.23 feet to a point; thence South 44°13'31" East, a distance of 101.69 feet to a point; thence 159.22 feet along a curve to the left, said curve having a chord of South 64°04'37" East 157.12 feet and a radius of 282.92 feet to a point; thence South 80°31'04" East, a distance of 135.00 feet to a point; thence South 75°22'09" East, a distance of 40.02 feet to a point, being the TRUE POINT OF BEGINNING.

Said tract contains **0.712** acres or 31029 square feet of land.

Together with,

Tract E:

All that tract or parcel of land lying and being in Land Lot 187 of the 3rd District, Spalding County, Georgia and being more particularly described as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 186, 187, 198 & 199; thence South 70°26'26" West, a distance of 1411.06 feet to a point at the intersection of the northeasterly right-of-way of North Second Street Extension (80' R/W) and the original northerly right-of-way of North Second Street (40' R/W), being the TRUE POINT OF BEGINNING; thence along the northerly right-of-way of North Second Street Extension North 61°24'08" West, a distance of 300.28 feet to a point; thence along said right-of-way 125.27 feet along a curve to the left, said curve having a chord of North 66°00'24" West 125.13 feet and a radius of 779.42 feet to a point on the original northerly right-of-way of North Second Street (40' R/W); thence along the northerly right-of-way of North Second Street the following calls: South 83°32'55" East, a distance of 65.13 feet to a point; thence 192.07 feet along a curve to the right, said curve having a chord of South 68°01'55" East 190.42 feet and a radius of 421.73 feet to a point; thence 122.37 feet along a curve to the right, said curve having a chord of South 51°21'53" East 122.35 feet and a radius of 2057.60 feet to a point; thence 57.12 feet along a curve to the left, said curve having a chord of South 46°00'16" East 57.12 feet and a radius of 1117.38 feet to a point, being the TRUE POINT OF BEGINNING.

Said tract contains **0.238** acres or 10349 square feet of land.

Together with,

Tract F:

All that tract or parcel of land lying and being in Land Lot 187 of the 3rd District, Spalding County, Georgia and being more particularly described as follows:

BEGINNING at a ½ inch rebar found at the Land Lot corner common to Land Lots 187, 188, 197 & 198; thence along the Land Lot Line common to Land Lots 187 & 198 North 00°55'21" West, a distance of 384.19 feet to a 1 inch pipe found; thence along said Land Lot line North 00°24'51" West, a distance of 313.69 feet to a point on the original westerly right-of-way of North Second Street (40' R/W), being the TRUE POINT OF BEGINNING; thence along said right-of-way 152.84 feet along a curve to the right, said curve having a chord of North 05°47'28" West 149.91 feet and a radius of 224.93 feet to a point; thence along said right-of-way North 14°32'50" East, a distance of 54.41 feet to a point on the Land Lot line common to Land Lots 187 & 198; thence along said Land Lot line South 00°24'51" East, a distance of 201.82 feet to a point, being the TRUE POINT OF BEGINNING.

Said tract contains **0.062** acres or 2710 square feet of land.

Together with,

Tract G:

All that tract or parcel of land lying and being in Land Lot 187 of the 3rd District, Spalding County, Georgia and being more particularly described as follows:

BEGINNING at a rock found at the Land Lot corner common to Land Lots 186, 187, 198 & 199; thence along the Land Lot Line common to Land Lots 187 & 198 South 00°24'51" East, a distance of 1407.99 feet to a point on the original northeasterly right-of-way of North Second Street (40' R/W), being the TRUE POINT OF BEGINNING; thence along said Land Lot line South 00°24'51" East, a distance of 23.84 feet to a point on the northeasterly right-of-way of North Second Street Extension (80' R/W); thence along said right-of-way 29.99 feet along a curve to the left, said curve having a chord of North 25°12'34" West 29.99 feet and a

radius of 995.08 feet to a point on the original northeasterly right-of-way of North Second Street (40' R/W); thence along said right-of-way South 75°22'09" East, a distance of 13.02 feet to a point, being the TRUE POINT OF BEGINNING.

Said tract contains **0.003** acres or 148 square feet of land.

From "PDD, Planned Development District, and AR-1, Agricultural and Residential" to "AAR, Active Adult 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) Future Land Use Map shall be amended.
- b) Provide a traffic study with respect to traffic stacking at gated entrances.
- c) Provide acceleration and deceleration lanes at all entrances.
- d) Mailboxes shall be coordinated and uniform within the neighborhoods.
- e) No chain link fencing permitted unless it is vinyl coated.
- f) Freestanding dog pens shall not be permitted.
- g) Accessory structures shall match the style and materials of the home.

Section 3:

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

On March 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) 184, 185, 186, 187, 199, 200, 217, 218, 231 & 232 of the 3rd Land District, Spalding County, Georgia, containing 1715.568 acres on Jordan Hill Road and Teamon Road, zoned AAR, 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.

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- b) Application #05-24Z: Steve Eidson and Tammy Eidson, Owners – 86 Westwood Drive – 2 acres, AR-1 to R-4, Conditional.

APPLICATION OF STEVE EIDSON AND TAMMY EIDSON
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 05-24Z

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, Steve Eidson and Tammy Eidson, applicant, applied for a change in zoning classification to be applied to the within described property to “R-5, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on December 27, 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 February 23, 2006, 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 located in Land Lot 14 of the 4th Land District originally Henry County, now Spalding County, Georgia, being designated as Lot 15 of Slade Realty, Inc. Subdivision containing 2.00 acres of land and may be more particularly described as follows: Beginning at the intersection of the East right-of-way of Westwood Circle and the South right-of-way of Westwood Drive; thence proceeding along the South right-of-way of Westwood Drive a distance of 703.03’ to a point and true point of beginning;

thence continuing along said right-of-way in a curve to the right have a radius of 422.01' and an arc distance of 484.85' being subtended by a chord bearing of S 35°48'16" E and a chord distance of 484.85' to a point; thence N 88°31'00" W a distance of 362.40' to a point, thence N 14°31'51" E a distance of 374.55' to a point on the South right-of-way of Westwood Drive and true POINT OF BEGINNING.

From "AR-1, Agricultural and Residential" to "R-4, Conditional, 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) Stairs and porches, if used, are to be finished and must be consistent with the design of the homes.
- b) No exposed concrete foundations.

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 March, 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 14 of the 4th Land District of originally Henry, now Spalding County, Georgia, containing 2.00 acres at 86 Westwood Drive, zoned R-4, 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.

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- 2. Consider on second reading an Ordinance Amending Part VII of the Spalding County Code of Ordinances pertaining to Railroad Crossings.

**SPALDING COUNTY, GEORGIA
RAILROAD GRADE CROSSING
ORDINANCE NO. 2006-01**

AN ORDINANCE
TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR RAILROAD GRADE CROSSING; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT RESOLVED AND ORDAINED by the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, as follows:

Section 1. That the Code of Spalding County, Georgia, be amended in Part VII, Chapter 1, General Traffic Regulations, by adding a new section to be denominated as Section 7-1011, relating to railroad grade crossing, to read as follows:

“It shall be unlawful and a violation of this Chapter for any person to drive a vehicle over a railroad grade crossing if there is insufficient undercarriage clearance for the vehicle to negotiate the crossing.”

Section 2. The within ordinance shall be and become effective immediately upon its adoption by the affirmative vote of a majority of the members of the Board of Commissioners of Spalding County, Georgia present at two meetings, as provided in Section 2-1005 of the Code of Spalding County, Georgia; and, upon the erection of signs as required herein by the public works forces of Spalding County, Georgia.

Section 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

Approved on first reading this twentieth day of February 2006.

Approved on second reading this sixth day of March 2006.

Mr. Davis made a motion to approve Application #05-22Z, Application #05-24Z and to amend Part VII of the Spalding County Code of Ordinances pertaining to Railroad Crossings. The motion passed on a second by Commissioner McDaniel by a unanimous 5-0 vote.

XI. OLD BUSINESS

1. Consider on second reading an Ordinance Amending Distance Requirements for the Sale of Alcoholic Beverages.

SPALDING COUNTY, GEORGIA
PART VI, LICENSING AND REGULATION
ORDINANCE NO. 2006-02

AN ORDINANCE

TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR CHANGES IN DISTANCE REQUIREMENTS FOR ALCOHOLIC BEVERAGES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT RESOLVED AND ORDAINED by the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, as follows:

Section 1. That the Code of Spalding County, Georgia, be amended in Part VI, Licensing and Regulation, Chapter 1, by striking sections as follows and inserting in lieu thereof the new sections, to read as follows:

I.

An Ordinance to amend Article A, Section 6-1003.1. Location of Business, by striking same in its entirety and inserting in lieu thereof a new Section 6-1003.1 to read as follows:

“Article A, Section 6-1003.1. Location of Business

No original retail or wholesale malt beverage or wine license shall be granted hereunder to any person unless the premises of the proposed location is situated:

- (a) Three hundred (300) feet or more from the property line from any school ground or college campus; the schools and colleges referred to herein shall include not only such state, county, city, church and other schools as teach the subjects commonly taught in the common schools and colleges of this state,

and shall not include private schools or colleges wherein only specialized subjects such as law, stenography, business music art, medicine, dentistry, vocational occupations, karate and other martial arts, performing arts, and other special subjects are taught; or

- (b) Three hundred (300) feet or more from the property line of any branch of any private residence, unless such residence is itself in a commercial district; or
- (c) Two hundred (200) feet or more from the property line of any branch of any public library.

For the purposes of this article, distances shall be measured along the margin of the public right-of-way from the front door of the premises which serves as the primary pedestrian access to the premises to the nearest point referred hereinabove.”

II.

An Ordinance to amend Article B, Section 6-1025, by striking it in its entirety and inserting in lieu thereof a new Section 6-1025 to read as follows:

“Article B, Section 6-1025. Location of Business

No original retail or wholesale liquor license shall be granted hereunder to any person unless the premises of the proposed location is situated:

- (a) Three hundred (300) feet or more from the property line of any church, synagogue, shrine, or other place used exclusively for religious services, including the chapel of a mortuary or cemetery; or
- (b) Six hundred (600) feet or more from the property line of any school ground or college campus; the schools and colleges referred to herein shall include only such state, county, city, church or other schools as teach the subjects commonly taught in the common schools and colleges of this state, and shall not include private schools or colleges wherein only specialized subjects such as law, stenography, business, music, art, medicine, dentistry, vocational occupations, and other special subjects are taught; or
- (c) Three hundred (300) feet or more from the property line of any private residence, unless such residence is itself in a commercial district; or
- (d) Two hundred (200) feet or more from the property line of any branch of any public library.

For purposes of this article, distances shall be measured along the margin of the public right-of-way from the front door of the premises which serves as the primary pedestrian access to the premises to the nearest point referred hereinabove. However, no distance requirements set forth herein shall apply to any location at which a license for the sale of retail or wholesale liquor is currently legally issued to the present owner.”

III.

An Ordinance to amend Article C, Section 6-1058.1, by striking it in its entirety and inserting in lieu thereof, a new Section 6-1058.1 to read as follows:

“Article C, Section 6-1058.1. Separate License

No original license shall be granted hereunder to any person for the sale of alcoholic beverages for consumption on premises unless the property upon which such premises is to be located is situated:

- (a) Three hundred (300) feet or more from the property line of any church, synagogue, shrine, or other place used exclusively for religious services, including the chapel of a mortuary or cemetery; or
- (b) Six hundred (600) feet or more from the property line of any school ground or college campus; the schools and colleges referred to herein shall include only such state, county, city, church or other schools as teach the subjects commonly taught in the common schools and colleges of this state, and shall not include private schools or colleges wherein only specialized subjects such as law, stenography, business, music, art, medicine, dentistry, vocational occupations, and other special subjects are taught; or
- (c) Three hundred (300) feet or more from the property line of any private residence, unless such residence is itself in a commercial district; or
- (d) Two hundred (200) feet or more from the property line of any branch of any public library.

For purposes of this article, distances shall be measured along the margin of the public right-of-way from the front door of the premises which serves as the primary pedestrian access to the premises to the nearest point referred hereinabove. However, no distance requirements set forth herein shall apply to any location at which a license for the sale of retail or wholesale liquor is currently legally issued to the present owner.”

Section 2. The within ordinance shall be and become effective immediately upon its adoption by the affirmative vote of a majority of the members of the Board of Commissioners of Spalding County, Georgia present at two meetings, as provided in Section 2-1005 of the Code of Spalding County, Georgia; and, upon the erection of signs as required herein by the public works forces of Spalding County, Georgia.

Section 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

Approved on first reading this twentieth day of February 2006.

Approved on second reading this sixth day of March 2006.

Mr. Davis made a motion, seconded by Mr. Goss, to approve, on second reading, an Ordinance Amending Distance Requirements for the Sale of Alcoholic Beverages. The motion passed by a vote of 3-2 with Chairman Freeman and Commissioners Davis and Goss voting for, and Commissioners Flowers-Taylor and McDaniel voting against.

XII. NEW BUSINESS

- 1. Conduct Public Hearing to consider the establishment of a street lighting district for The Meadows Subdivision.

It was noted the Board would consider Ms. Elaine Bolton’s previous comments as part of the Public Hearing portion of this agenda item.

Commissioner McDaniel made a motion to close discussion. Motion passed on a second by Commissioner Davis by a unanimous 5-0 vote.

- 2. Consider approval of establishment of street light district for The Meadows Subdivision.

Commissioner Davis made a motion, seconded by Commissioner McDaniel, to approve the establishment of a street light district for The Meadows Subdivision.

Commissioner Davis asked if there was a great deal more expense incurred with this specialized type of lighting. Ms. Bolton said she could not address that but would be glad to obtain it for another meeting. Commissioner Davis said he didn't want to surprise Mr. Mobley with a large unexpected expense, although he was generally accommodating, but he did like the idea behind the dark skies lighting. He would like to touch base with Mr. Mobley and perhaps the Board could explore requiring this type lighting in the future. He wondered if they could table the issue, but there was a motion on the floor already.

Commissioner McDaniel said he like the concept, as well, but wondered if the several electric providers in this area could accommodate the request.

The Ordinance does not specify what type lighting is to be used, and the Board has not required this type lighting of other developers in the past. Most felt they should not hold up this project by tabling but they could explore the issue for future projects.

The motion passed by a vote of 4-1 with Commissioner Davis voting against.

3. Consider Public Hearing to consider the establishment of a street lighting district for Walkers Mill Estates Subdivision.

No one desired to speak.

Commissioner Davis made a motion seconded by Commissioner McDaniel, to close discussion. The motion passed by a unanimous 5-0 vote.

4. Consider approval of establishment of street light district for Walkers Mill Estates Subdivision.

Commissioner McDaniel made a motion, seconded by Commissioner Davis, to approve the establishment of a street light district for Walkers Mill Estates Subdivision. The motion passed by a unanimous 5-0 vote.

5. Discuss request from Paradigm Development and Consulting regarding Savannah Park Subdivision.

Chad Pruitt, 2099 Honeybee Creek Drive, Griffin, Georgia

This item was requested to be on the agenda because he wanted to let Staff know they were looking at a project in the City that also included a piece of County property, and they were considering bringing an entrance through the County property zoned R-4 into the City development. He read a letter he had sent to County Manager William Wilson. He had not gotten a clear answer and wanted to put the County on notice they desired to come through. There did not seem to be a procedure in place to handle this and he had not gotten clarification.

Mr. Fortune said Zoning Attorney Newton Galloway, Mr. Wilson, Mr. Taylor and he had a conversation about this matter. The original plan was to have ingress and egress for this development on Highway 362, but Department of Transportation was going to require an expensive left-turn lane, so this is an effort to avoid that expense. They inquired of the City as to the type of development and dwellings that would be contained in an effort to determine compatibility with the residents on Oak Grove Road, which is a two-lane County road. The City said square footage would be significantly less than existing Oak Grove Road homes. Additionally, Oak Grove Road was never designed to carry this type volume. Lastly, to allow this might necessitate some changes at the intersection of Oak Grove Road and Highway 362 because of the increased traffic. The County envisions some problems with approval of this request. The developer can, in fact, build a road since he owns the lot, but the County does not have to accept the road as a public road. If the County chose to accept the road, it would certainly have to meet County specifications.

Mr. Pruitt said he had requested information from staff on the sizes of surrounding area homes on Oak Grove Road and also Powers Court but never received a response. He

also noted that Oak Grove Road had two entrances/exits onto Highway 362, so he did not feel overcrowding would be an issue. Minimum home size would be 1250 square feet for these 79 lots. He was unsure as to architectural style of the developers' homes.

Mr. Ronnie Perdue, in attendance, noted the homes on Oak Grove Road were in the \$200,000 range and there were about 12 residences between his home and the road. Some discussion followed.

Since the agenda item tonight called for discussion only, this item will be on the agenda for the March 20, 2006 meeting for action.

6. Consider approval of intergovernmental agreement with the City of Griffin for the collection of development impact fees.

If approved, this would become effective April 1, 2006.

Commissioner McDaniel made a motion to approve an intergovernmental agreement with the City of Griffin for collection of development impact fees. The motion passed on a second by Commissioner Davis by a unanimous 5-0 vote.

7. Consider on first reading approval of an Ordinance Amending the FY 2006 Budget Ordinance to provide for insurance proceeds for damaged vehicle.

Commissioner McDaniel made a motion to approve an ordinance amending the FY 2006 Budget Ordinance to provide for insurance proceeds for damaged vehicle. The motion passed on a second by Commissioner Davis by a unanimous 5-0 vote.

8. Set a date for a Public Hearing to establish street lighting district for Autumn Ridge Subdivision Phase II.

Commissioner Davis made a motion to authorize the date of March 20, 2006 for a public hearing to consider the establishment of a street lighting district for Autumn Ridge Subdivision Phase II, seconded by Commissioner McDaniel. The motion carried by a unanimous 5-0 vote.

9. Consider approval of detour route for the replacement of the bridge over Troublesome Creek on Jordan Hill Road as requested by the Department of Transportation.

Commissioner McDaniel made a motion, seconded by Commissioner Davis, to table consideration of a detour route for the replacement of the bridge on Troublesome Creek until the March 20, 2006 meeting. Motion passed by a unanimous 5-0 vote.

10. Consider resolution of intent to abandon the unused portion of Amelia Road.

Mr. Fortune said this was the portion of Amelia Road that was unused after the bridge washed out because they came in and relocated Amelia Road to align better with the bridge. We have acquired new right of way and wish to abandon the old right of way. This will swap land with Henry County Water and Sewer Authority to accomplish this.

Commissioner Davis made a motion, seconded by Commissioner McDaniel, to approve a resolution of intent to abandon the unused portion of Amelia Road. The motion passed by a unanimous 5-0 vote.

11. Consider approval of submission of Health and Wellness Grant Application.

Ms. Garrison said this was a request for a grant to the Local Government Risk Management and is the same type of grant the County received last year in the amount of \$2500 that allowed us to hold the health fair this year. We would like to do this again this year.

Commissioner McDaniel made a motion to approve the submission of the Health and Wellness Grant Application. The motion passed on a second by Commissioner Davis by a unanimous 5-0 vote.

XIII. REPORT OF COUNTY MANAGER

Jinna Garrison reported in County Manager William Wilson’s absence:

- The Dundee Lake cleanup is scheduled for June 24, 2006. A dive team from the Peachtree Dive Center, of which Tom Ridgeway (of Griffin MEAG) is a member, will be doing the cleanup.
- There will be a County/City Blood Drive on March 30, 2006 here in the Annex from 8 a.m. to 1 p.m.
- The new playground at Airport Road is open and is among the first projects to be completed using impact fees.
- Updates to the Capital Improvements Element (CIE) and the Short Term Work Program (STWP) will be considered on March 23, 2006.
- Notification from the City of Griffin regarding their intent to withdraw City personnel from the Narcotics Task Force has been received.

XIV. REPORT OF COMMISSIONERS

Goss: No comments.

Flowers-Taylor:

Commissioner Flowers-Taylor discussed the job opening at Parks and Recreation for the current caretaker position at Dundee Lake. She provided an update on the utilization of the school system facilities at Fairmont. Based on initial tentative assessments, asbestos abatement should cost around \$8000. They will ask if the School System would like to partner with the County in sharing this cost and will report further details later.

Davis: No comments.

McDaniel:

Commissioner McDaniel addressed the meetings Parks and Recreation had held on the Dundee Lake Park Master Plan.

Freeman: No comments.

XV. CLOSED MEETING

1. County Attorney desires a Closed Meeting to discuss pending litigation.

Commissioner McDaniel made a motion, seconded by Commissioner Davis, to go into Closed Meeting to discuss pending litigation. The motion passed by a unanimous 5-0 vote at 7:40 p.m.

Commissioner Flowers-Taylor made a motion to adjourn from Closed Meeting and reconvene in Open Session at 7:55 p.m. The motion passed on a second by Commissioner Davis by a unanimous 5-0 vote.

XVI. ADJOURNMENT

The meeting was adjourned on a motion by Commissioner McDaniel and a second by Commissioner Davis by a unanimous 5-0 vote.

County Clerk
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Chairman
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