

## **EXTRAORDINARY SESSION**

The Board of Commissioners of Spalding County, Georgia, held their Extraordinary Session on Monday, August 21, 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 L. Freeman presiding and Commissioners Cecil Davis, Gwen Flowers-Taylor, Edward Goss, Jr. and Johnie McDaniel present. Also present were County Manager William Wilson, Jr., Administrative Services Director Jinna L. Garrison, County Attorney Jim Fortune and Executive Secretary Teresa Watson.

### **I. OPENING (CALL TO ORDER) – Chairman Eddie L. Freeman**

### **II. INVOCATION – Commissioner Flowers-Taylor**

### **III. PLEDGE TO FLAG – Led by Commissioner Goss**

### **IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Barry Griffith, Airport Director, would like to address the Board regarding current initiatives related to a Request for Qualifications process for an airport site selection study consultant.

Mr. Brett Lavender introduced Mr. Griffith, stating the Airport Director had been working since February with a subcommittee to look at airports outside this community to research their economic engines. The subcommittee met 6 times to put together a presentation that was unanimously adopted by the seven-member Airport Advisory Commission on May 6, 2006. A subsequent RFQ was brought to the City's workshop with slight changes made to the presentation.

Mr. Griffith thanked Mr. Lavender and the three other Airport Advisory Commission members present: Chairman Freeman, Keith Cox and Carl Pruitt. A PowerPoint presentation was provided for Commissioners detailing operations at the Griffin-Spalding County Airport, as well as the research done into surrounding, comparable airports. This overview pointed out aerial perspectives, runway lengths, approaches and ground transportation availabilities, operations, runway obstacles, hangars and individual related businesses that utilized the airports. The airports used for comparison were the Newnan Coweta County Airport, the Peachtree City Airport at Falcon Field, Tara Field and the Thomaston-Upson County Airport. Mr. Griffith highlighted several businesses lost to Upson County because of the Thomaston-Upson County Airport.

Mr. Griffith noted the airport here has some 32,000 operations per year with 101 aircraft based from this airport, with one jet. Some expansion options that could have been explored in the 2003 Airport Master Plan but were not were highlighted. The airport brings in \$75,698.49 in property taxes. Ad Valorem taxes for 2005 totaled \$80,769.75. A Gulfstream IV Jet has an assessed value of about \$30,000,000 which means it would contribute \$493,000 annually to the above figures. The inclusion of jet aircraft capabilities is vital because of several reasons: clientele profile, fuel profit margin, taxes collected, peripheral economic impact, increase in industrial and economic development opportunities for the community, and attraction for corporate executives to locate here as opposed to surrounding areas with airports that can accommodate.

Mr. Griffith wants to proceed with a Request for Qualification to select a qualified aviation consulting firm to explore available options. A site study will be conducted and then they will meet with City and County governments as well as the Industrial Development Authority. They will meet with FAA and GDOT and seek federal and state funding sources. Georgia Department of Transportation has expressed an interest in seeing the City, County and Development Authority fund the Site Selection Study, and FAA will consider refunding that cost to the City, County and Development Authority on a 97/3% split respectively.

Butts, Lamar and Monroe counties have all pushed to get a regional airport but all these locales have proven to be problematic, so Spalding is poised to take a leadership role now in securing a regional airport. The Airport is not operating at a profit, although revenues are improving.

He was, he stated, asking for approval to go with an RFQ to choose a consultant to do site selection, not to exceed \$150,000, based on a high range. The cost may be able to be reduced tremendously from that figure because data previously done is still current, so much of the legwork is already done. They will meet with the Development Authority next month and hopefully can split this cost three ways. He is expecting a letter from the FAA but has been told verbally if site selection and environmental assessment are successfully done and paid for, then they will reimburse at 97%.

Chairman Freeman felt it was time to do something with airport and he proposed to proceed; other commissioners concurred for a unanimous consensus.

2. Steve Noble of Grice & Associates, transportation consultants, to make a presentation on the Spalding County Comprehensive Transportation Plan.

Anthony Dukes, Urban Transportation Planner, introduced Steve Noble of Grice & Associates. They are the transportation consultants guiding the Spalding County Comprehensive Transportation Plan.

Steve Noble presented an overview of the process funded through the Atlanta Regional Commission (ARC) which provides additional focus on transportation. This plan will be long-range and broad-based, positioning Spalding County for better funding opportunities. He highlighted the firm's guiding principles that should serve to provide for smart and affordable growth. Mr. Noble detailed the project's technical approach and his firm's scope of service. The plan will be heavily involved with public input and that of other stakeholders throughout the process. He provided a general public depiction of the community involvement process, including kick-off, interviews, focus groups, scenarios and alternatives, and an open house for presentation of the plan.

Land use and transportation must be examined collectively, and their technical approach utilizes the goal of moving people and not just vehicles. The process will include a Project Management Committee, Technical Committee, Public Involvement Advisory Group and a Steering Committee (the Griffin-Spalding Area Transportation Committee). The general project schedule, begun in August 2006, should complete by October 2007. ARC requires a 2-3 month period for review of the plan for approval.

3. Presentation by Spalding County Office of Homeland Security on NIMS (National Incident Management System) for preparing for and responding to disaster incidents.

Kenny West, Director, and David Smith, Assistant Director, of Spalding County Office of Homeland Security, detailed the course that will be required of the Board of Commissioners. This is a two-hour course, and hopefully the state can do an on-site visit before the September 30 deadline to provide the required training for everyone at once, or they can elect to take the course online. This training will ensure compliance which will make possible federal funding. 911 personnel are currently completing their training, and the Sheriff's Department will comply as well, to ensure the County is certified.

#### **V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of Financial Statement for one month ended July 31, 2006.

*Commissioner Davis moved to approve the financial statements, seconded by Commissioner McDaniel, and the motion carried by a unanimous vote of 5-0.*

#### **VI. CITIZENS COMMENTS**

#### **VII. PUBLIC COMMENT**

Kelly Palmatier, 450 Malier Road, Griffin, Georgia

Ms. Palmatier spoke recently during a presentation with several experts in the Atlanta area. She detailed some additional information to her previous presentation to the Board. Fulton County actually outsources spay/neuter licensing to Pet Data, Inc., a private company which administers pet licensing programs in totality. Susan Feingold, director of animal control in Fulton County, says they are well pleased with the process. Brent Foster is on board with this concept, also. Ms. Palmatier will prepare information for commissioners later that provides more detail on these suggested modifications to her previous proposal.

#### **VIII. MINUTES**

1. Consider approval of the minutes of the August 7, 2006 Regular Monthly Meeting.

*Commissioner McDaniel moved for approval of the minutes of the August 7 Regular Monthly Meeting, seconded by Commissioner Davis, and motion carried by a unanimous 5-0 vote.*

#### **IX. CONSENT AGENDA**

- a. Consider on second reading an Ordinance to amend the Motor Vehicles and Traffic Code of Spalding County to provide for School Zones and Speed Limits therein for Kennedy Road Middle School.

### **SPALDING COUNTY, GEORGIA TRAFFIC REGULATION ORDINANCE**

**ORDINANCE NO. 06-05**

**AN ORDINANCE**

**TO AMEND THE MOTOR VEHICLES AND TRAFFIC CODE OF SPALDING COUNTY, GEORGIA, SO AS TO PROVIDE FOR SCHOOL ZONES AND SPEED LIMITS THEREIN; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

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

**Section 1.** Pursuant to Section 7-1003, School zones and speed limits therein, the following shall be added to the areas established as school zones and shall be posted as such with posted speed limits as hereinbelow designated.

“(j) *Kennedy Road*, from a beginning point .30 miles north of State Route 155 for a distance north of .35 miles to North 2<sup>nd</sup> Street where the school zone would end, to be zoned for twenty-five (25) miles per hour with appropriate signs reading school zone, school days only, 7:00 a.m. to 8:30 a.m. and 2:30 p.m. to 4:00 p.m. Signs shall be installed on North 2<sup>nd</sup> Street north and south of Kennedy Road intersection, as well, indicating school buses entering roadway.

**Section 2.** Be it resolved that any person convicted of a violation of this ordinance shall be punished as provided for by law.

**Section 3.** That the within ordinance shall be and become effective immediately upon its adoption on two presentations, as provided by Section 2-1005 of the Code of Spalding County, Georgia, and upon erection of speed limit signs as designated herein.

**Section 4.** All ordinances and parts of ordinances in conflict herewith are repealed.

- b. Consider on second reading an Ordinance to amend the FY 2007 Budget Ordinance to provide for receipt of ACCG Health and Wellness Grant funds.

**AN ORDINANCE AMENDING THE  
FISCAL YEAR 2007 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 June 22, 2006, be amended as follows:

**Section I. General Fund**

**A. Revenues**

Fund Balance From \$ 2,417,492 to \$2,419,615

**B. Expenditures**

General Appropriations From \$ 2,945,881 to 2,948,004

- c. Consider on second reading an Ordinance to amend the FY 2007 Budget Ordinance to provide for reappropriation of unexpended Wellness Grant funds from FY 2006.

**AN ORDINANCE AMENDING THE  
FISCAL YEAR 2007 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 June 22, 2006, be amended as follows:

**Section 1: General Fund**

**A. Revenues**

Intergovernmental Revenue	From	\$	2,063,991	to	\$	2,066,491
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**B. Expenditures**

General Appropriations	From	\$	2,950,451	to	\$	2,952,951
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- d. Consider on second reading an Ordinance to amend the FY 2007 Budget Ordinance to provide for 2006 outstanding encumbrances.

**AN ORDINANCE AMENDING THE  
FISCAL YEAR 2007  
BUDGET ORDINANCE  
FOR SPALDING COUNTY, GEORGIA**

**WHEREAS**, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2007 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 June 22, 2006, be amended as follows:

**Section 1: General Fund**

**A. Revenues**

Fund Balance Appropriated	From	\$	2,419,615	to	\$	2,741,700
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**B. Expenditures**

Board of Elections	From	\$	212,761	to	\$	217,761
Administration	From	\$	382,719	to	\$	383,094
Information Systems	From	\$	135,833	to	\$	136,747
Tax Commissioner	From	\$	754,880	to	\$	755,490
Tax Assessors	From	\$	371,867	to	\$	371,912
General Appropriations	From	\$	2,948,004	to	\$	2,950,451
Judicial Circuit	From	\$	880,522	to	\$	801,609
Clerk of Court	From	\$	831,687	to	\$	831,988
Magistrate Court	From	\$	653,329	to	\$	680,044
Probate Court	From	\$	240,207	to	\$	241,589
Public Defender	From	\$	40,635	to	\$	43,012
Public Defender Circuit	From	\$	1,276,807	to	\$	1,282,047
Sheriff Administration	From	\$	1,133,409	to	\$	1,139,716
Sheriff Warrant Division	From	\$	541,909	to	\$	544,079
Sheriff Criminal Investigation Division	From	\$	828,398	to	\$	829,398
Sheriff Uniform Patrol Division	From	\$	2,659,389	to	\$	2,669,317
Jail	From	\$	6,576,593	to	\$	6,587,508
Jail Work Release	From	\$	448,158	to	\$	448,558
Special Operations	From	\$	869,384	to	\$	875,167
Correctional Institution	From	\$	5,999,879	to	\$	6,003,335
Juvenile Probation	From	\$	443,028	to	\$	443,273
Public Works	From	\$	3,543,473	to	\$	3,765,632
Solid Waste	From	\$	924,695	to	\$	924,712
Health	From	\$	484,457	to	\$	484,740
Recreation	From	\$	644,658	to	\$	646,189
Parks	From	\$	1,948,904	to	\$	1,959,663

Cooperative Extension Service	From	\$	121,831	to	\$	121,869
Community Development	From	\$	691,280	to	\$	691,881

**Section 5: Emergency Telephone System**

A. Revenue

Fund Balance	From	\$	300,000	to	\$	300,324
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B. Expenditures

Emergency 911	From	\$	1,556,536	to	\$	1,556,860
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**Section 10: Fire District Fund**

A. Revenue

Fund Balance	From	\$	453,344	to	\$	531,903
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B. Expenditures

Fire Department	From	\$	4,770,522	to	\$	4,849,081
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**Section 16: Water System Fund**

A. Revenue

Fund Balance	From	\$	373,130	to	\$	373,501
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B. Expenditures

Water Department	From	\$	5,259,240	to	\$	5,259,611
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- e. Consider on second reading an Ordinance to amend the FY 2007 Budget Ordinance to provide for reappropriation of funds from the sale of property off Cowan Road to MEAG Power.

**AN ORDINANCE AMENDING THE  
FISCAL YEAR 2007 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 June 22, 2006, be amended as follows:

**Section 1: General Fund**

**A. Revenues**

Fund Balance	From	\$	2,741,700	to	\$	2,810,700
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**B. Expenditures**

Parks	From	\$	1,959,663	to	\$	2,028,663
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*Commissioner McDaniel moved to approve all items on Consent Agenda, seconded by Commissioner Davis, and motion carried by a unanimous 5-0 vote.*

**X. OLD BUSINESS – N/A**

**XI. NEW BUSINESS**

- 1. Consider establishing an Animal Restraint District for that portion of Kilgore Road numbered 1143 to 1410, effective November 22, 2006.

Mr. Wilson noted Animal Control supported the establishment of the district, and the percentage of property owners who signed the petition in support totaled 75%, which was in excess of the required two-thirds.

*Commissioner Davis moved to approve this Animal Restraint District as presented for that portion of Kilgore Road numbered 1143 to 1410, effective November 22, 2006,, seconded by Commissioner Flowers-Taylor and motion carried by a unanimous 5-0 vote.*

2. Consider approval of final plat of The Villas at Heron Bay Subdivision.

*Commissioner Davis moved to approve the final plat of The Villas at Heron Bay Subdivision, seconded by Commissioner McDaniel, and motion carried by a unanimous 5-0 vote.*

3. Consider acceptance of right-of-way (ROW) deed for Court Crossing and High Court Way located in The Villas at Heron Bay Subdivision.

*Commissioner McDaniel moved to accept the right of way for Court Crossing and High Court Way, seconded by Commissioner Flowers-Taylor; motion carried by a unanimous 5-0 vote.*

4. Set a date for a Public Hearing to establish street lighting district for The Villas at Heron Bay Subdivision.

*Commissioner Davis moved to set September 11, 2006, at the next Board of Commissioners meeting, as the date to hold a Public Hearing for a street lighting district for The Villas at Heron Bay Subdivision, seconded by Commissioner McDaniel, and motion carried unanimously at 5-0.*

5. Consider request of Minerva Properties to install a traffic signal at the intersection of Jordan Hill Road and Baptist Camp Road.

Brian Davison and Jane Curtis were present to answer questions. Mr. Wilson explained this will be the main entrance to Sun City Peachtree, and turn lanes will be constructed.

Since there will also will be considerably more traffic at the Jordan Hill Road and Teamon Road intersection, Mr. Wilson asked if Mr. Davison would also consider signaling this intersection as well for this subdivision. Mr. Davison said Minerva has a propensity to do off-site things to improve their areas, and he responded he will be happy to look at needs for increased traffic flow. Lights might add other costs, as will road widenings, accel/decal lanes, etc., so this intersection presents a more complex picture. The project being requested tonight is much easier to project on their own property, but he will be happy to become involved with the County and others and try to figure out the best scenario. He felt they could perhaps blend this need into the upcoming comprehensive transportation plan and their suggested improvements.

*Commissioner Davis moved to approve request of Minerva Properties to install a traffic signal at the intersection of Jordan Hill Road and Baptist Camp Road, seconded by Commissioner McDaniel. Motion carried unanimously at 5-0.*

6. Consider request of Minerva Properties for alternative alignment for the bridge replacement project over Troublesome Creek at Jordan Hill Road.

Mr. Wilson said, again, there is a Department of Transportation project for this bridge replacement, but their replacement coincides with the Sun City Peachtree opening and will be detrimental to showcasing the development. An alternate proposal for a new bridge, to be constructed on right of way donated by Minerva, would be offset from the old bridge and would allow the old bridge to be kept open during construction of the new, enabling Minerva's Sun City opening to proceed without adverse impact. Additional design and engineering will be assumed by Minerva, and they will be donating all the right of way on their side of the road. Minerva, as usual, will work with the County and Mr. Wilson recommended approval.

*Commissioner McDaniel moved to approve the request of Minerva Properties for alternative alignment for the bridge replacement project over Troublesome Creek at Jordan Hill Road, seconded by Commissioner Davis; motion carried by a unanimous 5-0 vote.*

7. Consider request of Alan Mobley, Mobley Construction, concerning the paving of East Maddox Road.

Mr. Wilson said Staff had researched cost estimates, but Mr. Mobley has inquired about his paving the roadway as is (ditch to ditch) at its current width. He would like to pave that portion of East Maddox from County Line Road to a point about 50 feet past the entrance to his development, The Meadows. Mr. Mobley may look at possibly getting a future

commitment from residents for the paving of the remaining portion, but that is not in the immediate projected plan.

Mr. Alan Mobley, 715 West Solomon Street, Griffin, Georgia

Mr. Mobley said The Meadows was his best development to date, and he felt this paving would benefit not only him but the County, as well. He realized the County had no funding to participate in this paving project, which consists of just over 2000 feet.

There are ten spec homes now in the development, all over \$250,000 and one valued over \$300,000. One couple is currently living there, and there are two pre-sales. The development is on schedule. This type house, this price house and this type development is what Spalding County needs more of, and this paving would only add to its value.

No extra right of way is needed; he will pave to county specifications for thickness; no trees will be disturbed; no utility relocation is required; the speed limit will be posted at 25 mph; and he will do the accel/decel lane himself with private funds for this 18-foot width, to which GDOT has agreed. Aesthetics of the development would stay much the same as they are now.

*Commissioner McDaniel moved to approve the request of Alan Mobley, Mobley Construction, concerning the paving of East Maddox Road from County Line Road to a point 50 feet past The Meadows Subdivision entrance to County specs at current width (18 feet) as approved by DOT, with no trees disturbed, no utility relocation, 25 mph posted speed limits, and accel/decel lane from County Line Road, seconded by Commissioner Davis. Motion carried unanimously at 5-0.*

8. Consider Contract with City of Sunny Side to provide fire protection services for October 1, 2006 through September 30, 2007.

Mr. Wilson advised this was the standard annual contract and Orchard Hill's similar contract for fire protection services would be on an agenda for approval next month.

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

**STATE OF Georgia  
COUNTY OF Spalding**

**THIS AGREEMENT** made and entered into on this the first day of October, 2006 by and between the City of Sunny Side, hereafter sometimes referred to as the "Municipality", a municipal corporation of the State of Georgia, and the "COUNTY OF Spalding", hereinafter sometimes referred to as the "County". a political subdivision of the State of Georgia,

#### **WITNESSETH:**

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

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

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

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

-1-

Beginning at 12:00 o'clock Noon on October 1, 2006 the County shall serve as an agent of the Municipality in providing fire protection services within the fire district of the Municipality, being within the corporate limits of the Municipality, for a term of twelve (12) months ending at 12:00 o'clock Noon on October 1, 2007 which such fire protection services furnished hereunder shall be

comparable to the fire protection services that the County is now furnishing its aforesaid Fire Protection District, being the unincorporated area of Spalding County, and all such services furnished hereunder shall be done and furnished by the County as the agent of the Municipality, who shall be the principal furnishing such fire protection services to the people and property, residing and located, within the corporate limits of the Municipality in the Municipality's exercises of a governmental function, and not a ministerial function, and at no time shall the County be acting hereunder in the capacity or role of an independent contractor.

-2-

During the term of the within contract the Municipality shall pay the County the sum of One Thousand One Hundred Eighty-Nine Dollars and seventy cents (\$1,189.70) per month for providing such fire protection services, which sum shall be due and payable by the Municipality to the County on the 10th day of each calendar month, beginning October 10, 2006, and continuing in monthly succession thereafter on the 10th day of each successive month with the last such payment being due and payable on September 10, 2007, or until this contract is sooner terminated as hereinafter provided.

-3-

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

-4-

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

-5-

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

If to the Municipality, address to:  
City of Sunny Side  
P. O. Box 100  
Sunny Side, Georgia 30284

If to the County, address to:  
County of Spalding  
P. O. Box 1087  
Griffin, Georgia 30224-1087

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

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*Commissioner Davis moved to approve Contract with City of Sunny Side to provide fire protection services for October 1, 2006 through September 30, 2007, second by Commissioner McDaniel; motion carried unanimously at 5-0.*

9. Consider amending lease agreement with Griffin Flea Market for 917 Memorial Drive.

Mr. Wilson explained this would add the greenspace area in front of the complex for an additional \$450 per month to his rental at 917 Memorial Drive. The City has approved a special exception for this purpose. Mr. Maddox, the tenant, assures the County the property will be well kept.

*Commissioner Flowers-Taylor moved to approve amending the lease agreement with Griffin Flea Market for 917 Memorial Drive to include the greenspace at an additional \$450.00 rental per month, seconded by Commissioner Davis for discussion.*

Commissioner Davis said he would favor keeping the flea market inside and did not support the use of this greenspace for outside display. Commissioner McDaniel agreed, saying he would hate to see this venture on a major gateway to the community (Highway 16) become a blight on the landscape. Commissioner Flowers-Taylor felt that the outside displays would be no more detrimental a view than empty storefronts in the complex.

*Motion carried by a vote of 3-2 with Commissioners McDaniel and Davis opposing*

10. Consider approval of lease agreement for the Yamacraw Road Landfill property.

Mr. Wilson advised the Board had approved a lease earlier this year, but problems with the title have arisen. Mr. Fortune said language on bottom of first page deals with quiet title action for a 1/12 remainder interest on two life estate tenants. This relative is being uncooperative and doesn't want to sign. This approval tonight can be contingent on their filing an action to separate his interest, but language needs to be precise. He requested the Board approve the lease agreement, subject to Mr. Fortune's getting the language changed for the County's protection with regard to this quiet title action and/or partitioning action.

*Commissioner Davis moved to approve the contract, with authorization granted to Mr. Fortune for negotiation capabilities, seconded by Commissioner McDaniel. Motion carried by a unanimous vote of 5-0.*

Mr. Wilson noted this contract is for three, five-year periods and may finish out the life of the landfill; methane gas wells are now being vented. There is not enough methane being emitted to gather commercially but there is enough to warrant getting it out of the ground.

11. Consider adoption of the Spalding County Wastewater Management Plan 2000-2015.

If approved tonight, the plan would be forwarded to the City for action. The current 489 agreement specifies the County will provide sewer in the County and the City in the City, but in this plan it will be expanded to reflect changes since the County has decided not to get into the sewer business.

Brian Upson presented a map detailing the service area, noting the County was not expanding sewer into the county but taking service areas for each and identifying the City's responsibilities.

Mr. Upson confirmed for Commissioner McDaniel that the Highland Mill Sewer Plant was not included in the yellow area designated for the City.

*Commissioner Davis moved to adopt Spalding County Wastewater Management Plan 2000-2015, amended to stipulate for the years 2005-2025, seconded by Commissioner McDaniel for 2005-2025 amended. Motion carried by a unanimous 5-0 vote.*

12. Consider approval of 2007 LARP Request to Department of Transportation.

Mr. Wilson said notification to Department of Transportation, along with a map, would be due September 1, 2006 and could be done online for the first time. There are 128 roads on this list, and Department of Transportation may award the first 10 or 15. They could also revise the prioritization and choose another 10 or 15 elsewhere in the list, as well.

*Commissioner Davis moved to approve the 2007 LARP Request to Department of Transportation as presented, seconded by Commissioner McDaniel. Motion carried by a unanimous vote of 5-0.*

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

-Skate Park Summit will be held August 22 at 7 p.m. at City Park Gym.

-At the last Griffin-Spalding Area Transportation Committee meeting, members discussed utilization of North McDonough Road from Jackson Road to Highway 16 as a designated state route for truck traffic. G-SATC requests a consensus from the Board to approach Department of Transportation for federal funding to improve that road (right of ways, depth, widening, etc.), but the road in its existing condition won't qualify as a state route, so it must be improved. Right of way acquisition will be a major issue for these residents. He requested that commissioners give it considerable thought, and he will place it on the next agenda for a vote. Discussion followed.

-A Project 25 overview meeting will be held next Monday, August 28, 2006 at 8:30 a.m. Steve Macke and Dan Brown will both be in attendance, and bids are due that day at 3:00 p.m. from vendors. This public meeting will be publicized and noticed.

-A TDR (transfer development rights) workshop will be held on Thursday, August 24, at 4 p.m., prior to the Zoning Public Hearing. Sandwiches will be available for the commissioners from the Correctional Institute.

-No September 4, 2006 Board of Commissioners meeting will be held but rather will occur on September 11, 2006.

-The City/County blood drive that day as well, September 11, 2006, in Memorial Drive Plaza in the old Rent-A-Center location which is now vacant.

-The City has contacted Warden Massac and would like to utilize extra skilled inmate labor for renovations to help with the Wachovia Building they recently agreed to purchase, supervised by properly trained city officials. They pay for one crew now and their correctional officers are trained to do this. Mr. Wilson said the County has helped in this manner in the past, so he thought it would be appropriate in this instance, but he can reverse that decision if the Board so desires. Mr. Fortune advised he didn't think the County could charge for inmate labor as suggested, saying the practice was eliminated because of much abuse in the past. They entities normally utilizing work details pay for transportation, food, and salary of the detail officer in most instances, but the City has officers who can supervise and a County detail officer will not be needed.

-Henry County will be paving Frog and Luella Road (which becomes Amelia Road in Spalding County), which will include paving several hundred feet in Spalding County at no cost to the County.

-Envision 6 transportation fair will be Tuesday, September 26, 2006 at Atlanta Motor Speedway from 6 to 8 pm for East Fayette, Clayton, Henry and Spalding counties.

-The Assistant to County Manager position has been in the County's budget for three years, and a candidate has been hired for that position. Paul Van Haute will report to work on September 5, 2006, and Mr. Wilson looked forward to introducing him.

**XIII. REPORT OF COMMISSIONERS**

**Goss** – no comment.

**Flowers-Taylor** - no comment.

**Davis** – no comment.

**McDaniel** – He inquired about the status of the parking lot in the old Hill's Tire Store location. Mr. Wilson will have Brian Upson and Public Works advise of status. Retail/commercial growth is just around the corner, he noted, so the County should move toward establishing architectural criteria and guidelines so no Wal-Mart is on every corner. The Planning Commission can begin the process.

Commissioner Goss agreed and said conservation subdivisions are becoming more prolific, as well. He wanted to make a concerted effort to get this concept right and wanted to put a moratorium on conservation subdivisions until such time as the ordinance could be tightened. Too many developers are using this as a mechanism to get what they want or as a path of least resistance. Staff is now looking at a preliminary draft ordinance with significant changes for mandated items from the Planning Commission and the Board of Commissioners that should net significant changes and weed out some of the requests for conservation subdivisions that use this type of subdivision as a lowest common denominator. Commissioner Goss still wants a moratorium as soon as possible in the interim. Mr. Wilson said they can amend Thursday's zoning public hearing agenda to include this request for a moratorium.

**Freeman** – He wants to discuss with Mr. Wilson the signage he proposed at County line entrances, and Joe Harrell has contacted Mr. Freeman about assistance with Camp Stephens, the old civil war site. There is potential for lease of this property as a park facility.

**XIV. ADJOURNMENT**

*Commissioner McDaniel moved to adjourn at 8:12 p.m., seconded by Commissioner Davis; motion carried by a vote of 5-0.*

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County Clerk

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Chairman

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