

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, July 21, 2008 beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Eddie Freeman, Gwen Flowers-Taylor, Johnie McDaniel and David Phillips present. Also present were County Manager William P. Wilson, Jr., County Attorney James R. Fortune, Jr., Administrative Services Director Jinna L. Garrison, Assistant to the County Manager Paul Van Haute, and Executive Secretary Teresa Watson.

- I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.**
- II. INVOCATION – Commissioner Johnie McDaniel**
- III. PLEDGE TO FLAG – Led by Commissioner Flowers-Taylor**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**
 - 1. Consider Proclamation declaring July 21, 2008 as Bonnie Pfrogner Appreciation Day.

Proclamation

Declaring July 21, 2008 as Bonnie Pfrogner Appreciation Day

WHEREAS, Prior to her twelve years with the Chamber, Bonnie was the very visible face of WHIE Radio where she was news director, station manager and on-air news personality. Bonnie gives so generously of her time and efforts to advocate for our local Chamber and its leadership position in all phases of economic development for Griffin and Spalding County, lifting the community's image and status tirelessly to both longtime residents and newcomers alike; and

WHEREAS, She is dedicated to furthering the Chamber in a positive way which advances community development; Ms. Pfrogner handles the balancing act of promoting business (commercial, retail, industrial, and institutional), county, city, education, and civic groups with equal ease. Her integrity, professionalism and natural

leadership ability make her the absolute “go-to” person in our community. She is adept in most environments, as at-home with the Spalding County Board of Commissioners as she is with visitors to the Welcome Center, which is home to the Chamber, the Griffin Main Street-Downtown Council, local artist exhibits, rental banquet/meeting room space, and gifts that promote Griffin/Spalding; and

WHEREAS, Her lifelong passion for service has included actively serving in: American Business Women’s Association (ABWA), Griffin Utility Club, Elementary Science Enrichment Center Board, Griffin Daybreak Rotary Club, Board of Directors for the Griffin-Spalding County Hospital Authority, Certified Literate Community Commission, South Metro Inc., and GACCE Board of Directors. Bonnie has also worked to advance quality of life for our community through service with the following: Griffin-Spalding Art Association, Griffin Area Resource Center, Griffin-Spalding Community Education Advisory Board, Georgia Federation of Women’s Clubs, Griffin-Spalding Development Authority, Spalding County Collaborative Authority for Families and Children, Pine Valley Girl Scout Council, Spalding County Cancer Society, McIntosh Trail Council on Aging, Griffin-Spalding Area Transportation Committee, United Way Board of Directors, First Presbyterian WOC, Griffin Women’s Bowling, Presidential Pathways Tourism Association, Griffin-Spalding Clean Community Commission, Partners for a Prosperous Griffin-Spalding County Committee, the GCCE Nominating Committee and Georgia Award for Communications Excellence Committee, Tallulah Falls School; and

WHEREAS, Ms. Pfrogner has received numerous awards, including the 2006 designation of Georgia Certified Chamber Executive, 2004 Bain Proctor Award for Volunteerism, ABWA/Pine Valley Girl Scout Council Woman of Distinction Award, J.C. Penney Spirit of American Women Award for Community Involvement, 1996 Olympic Torch Bearer, Griffin BPW Woman of the Year, Jaycettes Young Woman of the Year, 6th District GaFWC Clubwoman of the Year, and Outstanding Community Education Volunteer Award from the Georgia Association of Community Education; and

WHEREAS, Her greatest achievement, apparent to those who know this diminutive powerhouse, is that of family, and she has worked diligently to ensure that the world to be inherited by her five children and eleven grandchildren is delivered to them better than when she found it. It is this abiding and unshakable desire to make a positive difference in our corner of the universe that best qualifies her as the 2008 Kent Lawrence Professional of the Year.

NOW, THEREFORE, Be it resolved that we, the Board of Commissioners of Spalding County, do urge our citizenry to congratulate Ms. Pfrogner on her achievement and do hereby declare that a copy of this proclamation be spread upon the minutes of the proceedings of this Board, reflecting the seal of Spalding County, Georgia, declaring this twenty-first day of July, in the year of our Lord two thousand and eight, as **Bonnie Pfrogner Appreciation Day**.

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Motion to approve Proclamation declaring July 21, 2008 as Bonnie Pfrogner Appreciation Day by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried unanimously.

2. Consider Proclamation honoring Spalding County 4-H Horse Club achievements.

Proclamation

WHEREAS, The mission of Spalding County 4-H is to assist youth in acquiring knowledge, developing life skills and forming attitudes that will enable them to become self-directing, productive and contributing members of society in general with the Spalding County 4-H Horse Club offering, in particular, valuable experience in equestrian precision drills requiring that riders and horses join collective spirits to perform choreographed, precision riding in pattern and step with teammates; and

WHEREAS, Ten members of the Spalding County 4-H Horse Club competed for the first time in the 2008 United States Equestrian Drill Competition, Super Ride VI, June 27-29, in Tyler, Texas with teams being judged on performance, equitation skills and degree of routine difficulty; and

WHEREAS, Spalding County competed in seven of the fifteen contested events, as well as the National Champion Division 1, with the following results: Color Guard Youth--4th place, Division 3 Theme--4th place, Division 6 Youth--2nd place Reserve Champion, Division 11A Youth Quaddrill--of two teams entered, Spalding County placed 1st National Champion and 2nd Reserve Champion, Division 5A Youth/adult Mix--1st place National Champion, and 5th place in Division 1 National Championship; and

WHEREAS, The Division 1 National Championship class pitted Spalding County 4-H against the best teams in the nation, youth and adult, with teams placing 1-4 being adult teams with members who have been riding longer than most of the Spalding County team members have been alive, yet they achieved an astonishing 5th place finish in their first attempt against repeat Champions and contenders; and

WHEREAS, Spalding County would like to congratulate team members: Colter Chasten, Ashlyn Coffey, Mary Kate Coffey, Alyssa Hughes, Rusty Hulon, Leah Kirchner, Taylor Long, Sydney Moore, Aly Schortinghouse, and Ashton Shellnut and, in the Youth/Adult Mix, the following: Don Hulon, Ashley Shellnut and Melissa Fulton-Chasteen who joined to complete the team; and

WHEREAS, These young citizens have given Spalding County a lot to be proud of, and they exemplify how 4-H can impact the lives of our youth, we wish to commend them not only for their riding abilities, but for the way in which they represented themselves in competitions and programs outside our area. They truly personify the 4-H credo of utilizing head for clearer thinking, heart for greater loyalty, hands for larger service and health for better living – and they make a positive impact while doing so. They will more easily grow and mature into responsible leaders due, in large part, to the many 4-H activities and programs, and we congratulate them.

NOW, THEREFORE, Be it resolved that the Board of Commissioners of Spalding County does hereby encourage our citizens to support and recognizes the importance of this youth-oriented organization and further declares that a copy of this proclamation be spread upon the minutes of the proceedings of this Board on this, the twenty-first day of July, in the year of our Lord two thousand and eight, as we congratulate and honor **The Spalding County 4-H Horse Club.**

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Motion to approve Proclamation honoring Spalding County 4-H Horse Club achievements by Commissioner McDaniel, seconded by Commissioner Freeman, carried unanimously. A letter of congratulations from Governor Sonny Perdue was received only today and read into the record, as well.

3. Consider Proclamation honoring Spalding County 4-H Project S.A.F.E. achievements.

Proclamation

WHEREAS, The mission of Spalding County 4-H is to assist youth in acquiring knowledge, developing life skills and forming attitudes that will enable them to become self-directing, productive and contributing members of society in general with Project S.A.F.E. (Shooting Awareness Fundamentals and Education) offering, in particular, valuable experience in firearm safety, proper shooting techniques, good sportsmanship and teamwork; and

WHEREAS, Project S.A.F.E. serves over 90 4-H members with teams currently utilizing the Ole Mill Range Complex to teach youth in the disciplines of BB, Air Rifle, Air Pistol, Rimfire Sporter and Smallbore. Spalding County 4-H Project S.A.F.E. began in 1990 with a shotgun discipline and added other disciplines to its curriculum in subsequent years, operating with competition safety rules and procedures for firearm ranges; and

WHEREAS, In recent years the group began using The Ole Mill Range Complex, a 52-position, 10-meter (10M) airgun range which provides opportunities for young athletes to compete and prepare for national level competition, collegiate scholarships and Olympic aspirations, taking their training to new

levels with construction of 14 positions for dual use in air rifle/50 foot small bore, as well as ten, 50-meter lanes at the facility, one of only a handful in the entire nation. The 10M range conforms to International Shooting Sports Federation (ISSF) specifications for target height and distance, featuring individual ISSF spec target lighting for range illumination; and

WHEREAS, Spalding County 4-H Project S.A.F.E. members Matt Branyon, April Dunn, Adam Thrasher and Kyle Whisenant competed as Georgia Competitive Shooters and won the Gold Medal at the NRA 2008 National Precision Air Gun Championship in Des Moines, Iowa recently against teams from across the country. The above-mentioned team members with the addition of Jacob Brown, Jake Neri, and Morgan Kelley just this week won the Bronze Medal at the Junior Olympic Three P(osition) Air Rifle National Championship held in Anniston, Alabama.

WHEREAS, These young citizens truly make Spalding County proud, and they personify just how much 4-H can impact the lives of our youth. We, the Spalding County Board of Commissioners, wish to commend them not only for their marksmanship, but for the way in which they represented themselves in competitions and programs outside our area. They validate, day in and day out, the 4-H credo of utilizing head for clearer thinking, heart for greater loyalty, hands for larger service and health for better living, all while making a positive impact for our youth. These are the responsible leaders of our future and their successful maturation is due, in large part, to the many 4-H activities and programs. We congratulate them and thank those tireless leaders, parents and volunteers who work so diligently to ensure the success of the program.

NOW, THEREFORE, Be it resolved that the Board of Commissioners of Spalding County does hereby encourage our citizens to support and recognize the importance of this youth-oriented organization and further declares that a copy of this proclamation be spread upon the minutes of the proceedings of this Board on this, the twenty-first day of July, in the year of our Lord two thousand and eight, as we congratulate and honor

The

Spalding County 4-H Project S.A.F.E.

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Motion to approve Proclamation honoring Spalding County 4-H Project S.A.F.E. achievements by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a unanimous vote.

4. Pam McCollum would like to address the Board regarding the scope of service for McIntosh Trail Community Service Board.

Ms. McCollum, Executive Director of the McIntosh Trail Community Service Board, provided an overview of the Community Service Board in Spalding County with statistics and details of the board's services. With a staff of 22, they served in excess of 1300 clients in FY 2008. She thanked the Board of Commissioners and the County Manager, as well as Terry Tardy and Construction and Maintenance, for their financial support and help with facilities. She introduced Pat Callaway, who heads up the new Griffin counseling center.

5. Vanessa Motley, Assistant Director of Promise Place, desires to address the Board regarding their scope of service to Spalding County in the area of assistance with cases of domestic violence.

This non-profit organization receives funding from private donations and grants, and the center provides much assistance with victims of domestic violence in Spalding County. As a DHR Certified Domestic Violence Program for the Griffin Judicial Circuit, Promise Place works closely with law enforcement, and judicial entities to serve its clients.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Twelve Months Ended June 30, 2008.

Motion to approve Financial Statements for the Twelve Months Ended June 30, 2008 by Commissioner McDaniel, seconded by Commissioner Freeman, carried unanimously.

Motion to add as Item #1 under New Business a discussion of the SPLOST proposal for a November 4 ballot by Commissioner McDaniel, seconded by Commissioner Freeman, and motion carried unanimously.

Motion to add a Closed Session to discuss personnel issues by Chairman Goss, seconded by Commissioner Flowers-Taylor, carried unanimously.

VI. CITIZENS COMMENTS – No Requests.

VII. PUBLIC COMMENT

Speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted 5 minutes to speak on topics pertinent to the Board's jurisdiction. No speaker will be allowed to readdress the Board without express consent from a Board member. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during meeting.

Kelly Palmatier, 450 Malier Road, Griffin, Georgia

She recapped what the Spalding County Animal Care and Control Advisory Board was able to accomplish during the past year: i.e., security for Shelter, Spay/Neuter, oxygen masks for animals, and an increase in adoption fee to help fund the voucher spay/neuter program (\$3000 to date). There have been so many different ideas and the Board prioritized those most important. The biggest problem is large intake (3,000 to 4,000 per year) with a distinct handling cost for each. All will increase unless we are proactive. It takes just one unaltered dog or cat to produce over 10,000 exponential offspring in five years, a statistic which underscores the urgency of the problem. There is not a quick fix but rather a plan that has service, educational, financial and personnel components. One idea was an incentive program with prizes donated to present to those who choose to spay/neuter an animal. Many changes are on the horizon and a look at other counties helps to ensure that Spalding County is abreast of the latest developments. There is little cost to continue this Board since it is volunteer, so it is a win-win situation and Ms. Palmatier urged the Board of Commissioners to please let the Board continue.

Sheriff Dee Stewart, 839 Manley Road, Griffin, Georgia

He has experienced great problems with political signs being pulled up (15 this morning on Manley Road) with County personnel going into well-groomed yards that are surely not on the right-of-way and certainly did not need grass cutting by the crews. Politicians generally do not know what right-of-ways are as they are different for different roads. These signs are expensive and today one was pulled out of a flower bed. He has talked to Public Works and others and understands that someone directed immediate compaction/disposal without opportunity for candidates to recover them. To make matters worse, he heard this afternoon of a guard who was bragging to others that he had gone into yards and pulled up signs that were not in areas being cut. The Sheriff asked for some type of relief.

Chairman Goss agreed and said he would determine who ordered the immediate disposal. There was no sense in making someone pay for signs for which they had already spent a great deal of money. Commissioner Flowers-Taylor said there was no intent to have the signs destroyed when she requested a policing of signs being found on County rights-of-way. Commissioner Freeman said he had signs that have disappeared, and this has always been a hot topic during election campaigns. Commissioner Freeman agreed signs should be held for pickup until after a certain time. Commissioner McDaniel suggested revisiting the sign ordinance to provide greater clarity.

William Ed Brown, 132 King Richard Drive, Griffin, Georgia

He also had signs that seemed to selectively be missing, whereas other candidates' signs are left in the same general area. He, too, has been told that his signs were being disposed of after pickup. He asked that he and others be properly notified should there be violations and give him an opportunity to rectify. When he worked for Spalding County previously as a Code Enforcement officer, and when he pulled signs on the rights-of-way, he would bring the signs back and leave them by the dumpster out back for people to retrieve should they so desire. If not, then they were disposed of after a time.

Carrie Watson, 22 Lakeview Avenue, Griffin, Georgia

Ms. Watson detailed her efforts to get a street light district declared for Lakeview Avenue and the problems she has encountered in that area. There is an extreme problem with homelessness, vagrancy, loitering and theft of neighborhood belongings, as well as rampant drug activity and other criminal elements. Street lights would, in her opinion, make a substantial difference in neighborhood security. Commissioner Flowers-Taylor directed Staff to further assist Ms. Watson in her efforts.

Stephanie Windham, 655 South 6th Street Extension, Griffin, Georgia

She represents the Heart of Georgia Realtors Association, and they are victims of signs being pulled by the County's grass-cutting crews. She asked the Board to reconsider the policy of immediate disposal. In the City, they have written citations and provide an opportunity to recover

signs. Commissioner Phillips said we even keep animals for possible reclaim; with signs we know who the owner is and there are no costs associated with keeping the signs for a reasonable period of time. The best alternative is to suggest just pulling up the sign and throwing it in the respective nearby yards for retrieval, suggested Ms. Windham.

VIII. MINUTES

1. Consider approving Minutes of the July 7, 2008 Regular Monthly Meeting, the July 11, 2008 Public Hearing, and the July 11, 2008 Special Called Meeting.

Motion/second by Commissioners Phillips and Freeman for the July 7, 2008 Regular Monthly Meeting, carried by a vote of 5-0.

Motion/second by Commissioners Phillips and Freeman for the July 11, 2008 Public Hearing and Special Called Meeting carried by a vote of 4-0-1 with Commissioner Flowers-Taylor abstaining.

IX. CONSENT AGENDA

1. Consider, on second reading, Ordinance #2008-08 to amend part VI, Licensing and Regulation, Chapter 1, Businesses and Occupations, Article A. Sales of Malt Beverages and Wine, Section 6-1003.1, Location of Business, to add new subparagraph (4) relating to distance of any place used exclusively for religious services.

**SPALDING COUNTY, GEORGIA
PART VI, LICENSING AND REGULATION
ORDINANCE NO. 2008-08**

AN ORDINANCE

TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR AN ADDITION IN DISTANCE REQUIREMENTS FOR ALCOHOLIC BEVERAGES ARTICLE A. SALE OF MALT BEVERAGES AND WINE; 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, Businesses and Occupations, Article A, Sales of Malt Beverages and Wine, Section 6-1003.1, Location of Business, by adding a new subparagraph to be denominated as subparagraph 4, to read as follows:

“(4)Six hundred (600) feet 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.”

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.

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

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2. Consider, on second reading, Ordinance #2008-09 to amend Part VI, Licensing and Regulation, Chapter 2, Section 6-2004, Route of Travel – Through Trucks to provide for No Thru Trucks for Sandy Flat Road in its entirety.

**SPALDING COUNTY, GEORGIA
STREET USE ORDINANCE
ORDINANCE NO. 2008-09**

AN ORDINANCE

TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR NO THROUGH TRUCKS ON CERTAIN COUNTY ROADS.

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, Chapter 2, Section 6-2004, Item (e), relating to no through trucks on streets, by adding paragraph (54) as follows:

“ (56) Sandy Flat Road Road, in its entirety from Manley Road to Birdie Road.”

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.

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Motion to approve Consent Agenda by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0.

X. OLD BUSINESS – N/A

XI. NEW BUSINESS

1. Discuss SPLOST.

Mr. Wilson detailed the most recent SPLOST proposals for commissioners. Several scenarios varied slightly, offering different options for projects. Hopefully, something can be developed tonight that can be presented to the City of Griffin tomorrow. Much discussion followed.

Commissioner McDaniel moved to approve Alternate 8, seconded by Commissioner Freeman. Motion failed by a vote of 2-3 with Chairman Goss and Commissioners Flowers-Taylor and Phillips opposing.

Chairman Goss moved to approve Alternate 8A, and subsequently withdrew his motion.

Commissioner Flowers-Taylor moved to approve Alternate 8B, seconded Commissioner Phillips. Motion carried by a vote of 5-0. Mr. Wilson will present the proposal to the City of Griffin in the morning at 9 am per Chairman Goss’ request. The Board also directed that Mr. Wilson request to waive the 90-day implementation period to allow for continuation of the SPLOST by general consensus. Mr. Wilson will obtain approval from the Cities of Orchard Hill and Sunny Side, as well.

Special Purpose Local Option Sales Tax Six Year Program June 26, 2008

Total Collections for 72 months based on a 0% growth factor : \$54,000,000
(Estimated \$750,000/month X 72 months)

Bond Issuance Amount \$15,500,000	Interest Expense	\$ 2,826,000
Amount available for pay as you go projects		<u>\$35,674,000</u>
Total:		\$54,000,000

AMOUNTS AVAILABLE FOR PROJECTS:

Bond proceeds net of closing costs	\$15,000,000
Pay as you go projects	<u>\$35,674,000</u>

TOTAL AVAILABLE FOR ALL PROJECTS \$50,674,000

**Special Purpose Local Option Sales Tax Project Requests and Recommendations
Alternate # 8B - without annexation City and County to split any excess collections
50/50**

	Requested	Recommended
TOTAL AVAILABLE FOR ALL PROJECTS	\$50,674,000	\$50,674,000

Griffin Spalding Development Authority	\$25,000,000	\$21,250,000
Griffin Technical College	\$8,500,000	\$7,000,000
City of Griffin	\$12,183,470	\$10,924,198
City of Orchard Hill	\$475,605	\$475,605
City of Sunny Side	\$100,000	\$100,000
TOTAL AVAILABLE COUNTY PROJECTS	\$4,414,925	\$10,924,198

Bus for Park & Rec		\$150,000
Sewer Expansion & Infrastructure		\$2,500,000
Transportation/Infrastructure Improvements/Equipment		<u>\$8,274,198</u>

2. Consider request of UGA Griffin Campus for additional SPLOST funds for the Student Learning Center.

Dr. Arkin was present to answer questions regarding his request to find three different items. Mr. Wilson advised there may be \$1,000,000 in excess collections for the 2005 SPLOST if current trends continue. Mr. Wilson advised as to appropriate uses of the excess.

Dr. Arkin reported he has been pleased with the quality and timeliness of construction to date for the new Student Learning Center. He thanked everyone involved in the process and provided some historical background of the project. The number of students for the new center is increasing at better than the expected pace. The cost of the building would have been \$11.4 if done to original specifications but a decision was made to adhere to the funded \$10 million, so there had to be some value engineering implemented to trim the cost, which was successfully done. All classroom space was preserved but the overall building's open area was reduced. The cupola was eliminated from the exterior design, as well as the two chimneys, and these items are greatly desired to maintain functionality and an architectural quality that sets the tone for the Campus which has not had any new buildings in decades. All involved parties feel the cupola was an important element and would serve to designate the building with the higher education look, as would the chimneys. The addition of these architectural design elements would also ensure some uniformity with the existing buildings on the UGA Campus in Athens. The final request is to reinstate the landscape and hardscape which, according to Kenneth Moore with Manley Spangler and Smith Architects, would provide for greater aesthetics overall.

Commissioner Freeman moved to approve the cupola and two chimneys with a review of SPLOST excess in January 2009 for possible funding of the landscape/hardscape. Commissioner Flowers-Taylor seconded the motion which carried by a vote of 5-0.

3. Consider approval of a no-cost, 90-day lease with Trimax Mowing Systems, Inc., a new business in Spalding County, for the use of a Pegasus 493 CL 16' wide area roller mower for use at Parks and Recreation.

This new company to the Green Valley Industrial Park and came to the County with an offer to let the best Parks and Recreation Department in the state use their state-of-the-art mower at no cost for 90 days. They will supply equipment and gather data from its use at all County parks, so it is a win-win proposition for all parties. This is a 16-foot, nine gang rotary mower that will cut to a 1/2" height without scalping the turf.

Motion/second by Commissioners McDaniel and Flowers-Taylor to approve a no-cost, 90-day lease with Trimax Mowing Systems, Inc., a new business in Spalding County, for the use of a Pegasus 493 CL 16' wide area roller mower for use at Parks and Recreation carried 5-0.

4. Approve an intergovernmental contract with the City of Griffin for the estimated monthly costs of the 800 MHz Communications System.

Mr. Wilson explained this agreement was one of two on tonight's agenda and deals with operations and maintenance costs that are prorated according to percentages of units for the three users: Spalding County, City of Griffin and Spalding Regional Medical Center. Charges will begin at the onset of the next fiscal year, which begins July 1, 2009, and the

estimated monthly amount for operations and maintenance will be \$18,700. At such time as the communications system manager position is filled, his or her salary will also be prorated among the three users.

CONTRACT TO PROVIDE FOR ESTIMATED MONTHLY COST OF
800MHZ RADIO COMMUNICATION SYSTEM

This Agreement is entered into this 21st day of July, 2008 by and between Spalding County, Georgia, a political subdivision of the State of Georgia, (hereinafter referred to as "The County") and The City of Griffin, Georgia, a municipal corporation (hereinafter referred to as "The City").

WHEREAS, the County has built an 800MHz radio system which will be used by both The City and The County; and

WHEREAS, the parties have agreed to share in the cost of operating said system based upon the pro rata share of the system being used by each party;

NOW, THEREFORE, in consideration of the mutual covenants and promises herein made, the receipt, adequacy and sufficiency which are hereby acknowledged, the parties agree to be bound each unto the other, as follows:

-1-

LEGAL AUTHORITY

This instrument shall constitute a binding, legal contract by and between the parties hereto, in accordance with the authority granted by Article IX, Section III, Paragraph I of the 1983 Constitution of the State of Georgia. Each of the parties herein covenants that it has the requisite legal authority to enter into said contract and agrees to be bound thereby.

-2-

The City agrees to pay its pro rata share of utility costs, tower rental costs, the operations and maintenance for the five tower sites and the 100' monopole located at the 911 center. Additionally, pay its pro rata share of the two (2) hour emergency response maintenance program on the 100' monopole located at the 911 center and the five (5) cell tower sites more particularly set out in the Exhibit A attached hereto.

-3-

The parties acknowledge that the cost estimates for utilities and maintenance shown on Exhibit A are believed to be accurate, however they may be subject to change. The City agrees that it will pay its pro rata share of actual expenses incurred. The parties further agree that handheld radios, mobile radios, and control point mobile data, data modems, and computer equipment operations and maintenance are specifically excluded from this estimate and will be addressed at a later date.

-4-

The parties acknowledge that the Spalding Regional Medical Center will be a party to a separate contract with Spalding County for its pro rata share of these expenses.

-5-

As of the execution of this contract the percentage of the share of the expenses to be paid by each entity are as follows:

Spalding County	51%
City of Griffin	45%
Spalding Regional Medical Center	4%

-6-

Spalding County will bill The City quarterly and shall include copies of invoices for all services provided during the quarter. Payment shall be due within ten days of receipt.

-7-

The percentages will be recalculated annually based on equipment changes. At the present time, the equipment is assigned to the various entities as set out in Exhibit B attached hereto.

-8-

The payments will begin on the first day of the month following acceptance of the system. This agreement will terminate fifty (50) years following the acceptance of the system.

<u>Description</u>	<u>Cost per month</u>	<u>Sites</u>	<u>Monthly Cost</u>
Utilites*	\$ 250 per month X	5 sites+911 pole	\$1,500
AT&T Hwy. 155 lease	\$5870 per month X	1 site	\$5,870
WKEU tower lease	\$3000 per month X	1 site	\$3,000
Newnan Rd. Tower	\$2330 per month X	1 site	\$2,330
Maintenance*	\$6000 per month X	5 sites+911 pole	\$6,000

Total Monthly O&M \$18,700

Motion/second by Commissioners McDaniel and Phillips to approve an intergovernmental contract with the City of Griffin for the estimated monthly costs of the 800 MHz Communications System, estimated to be \$18,700, prorated at 45% for the City of Griffin, carried 5-0.

5. Approve a contract with Tenet Health System for the estimated monthly costs of the 800 MHz Communications System.

CONTRACT TO PROVIDE FOR ESTIMATED MONTHLY COST OF
800MHZ RADIO COMMUNICATION SYSTEM

This Agreement is entered into this 21st day of July, 2008 by and between Spalding County, Georgia, a political subdivision of the State of Georgia, (hereinafter referred to as "The County") and Tenet HealthSystem Spalding, Inc., a Georgia corporation, (hereinafter referred to as "Tenet").

WHEREAS, the County has built an 800MHz radio system which will be used by both Tenet and The County; and

WHEREAS, the parties have agreed to share in the cost of operating said system based upon the pro rata share of the system being used by each party;

NOW, THEREFORE, in consideration of the mutual covenants and promises herein made, the receipt, adequacy and sufficiency which are hereby acknowledged, the parties agree to be bound each unto the other, as follows:

-1-

LEGAL AUTHORITY

This instrument shall constitute a binding, legal contract by and between the parties hereto, and each of the parties herein covenants that it has the requisite legal authority to enter into said contract and agrees to be bound thereby.

-2-

Tenet agrees to pay its pro rata share of utility costs, tower rental costs, the Malier Road tower site, Williamson Road tower site and a two (2) hour emergency response maintenance program on the 100' monopole located at the 911 center and the five (5) cell tower sites that are more particularly set out in the Exhibit A attached hereto.

-3-

The parties acknowledge that the cost estimates for utilities and maintenance shown on Exhibit A are believed to be accurate, however they may be subject to change. Tenet agrees that it will pay its pro rata share of actual expenses incurred. The parties further agree that radio and computer equipment operation and maintenance are specifically excluded from this estimate and will be addressed at a later date.

-4-

The parties acknowledge that the Spalding Regional Medical Center will be a party to a separate contract with Spalding County for its pro rata share of these expenses.

-5-

As of the execution of this contract the percentage of the share of the expenses to be paid by each entity are as follows:

Spalding County	51%
City of Griffin	45%
Spalding Regional Medical Center	4%

-6-

Spalding County will bill Tenet quarterly and shall include copies of invoices for all services provided during the quarter. Payment shall be due within ten days of receipt.

-7-

The percentages will be recalculated annually based on equipment changes. At the present time, the equipment is assigned to the various entities as set out in Exhibit B attached hereto.

-8-

The payments will begin on the first day of the month following acceptance of the system. This agreement will terminate fifty (50) years following the acceptance of the system.

Exhibit A

Description	Cost per month	Sites	Monthly Cost
Utilites*	\$ 250 per month X	5 sites+911 pole	\$ 1,500
AT&T Hwy. 155 lease	\$5870 per month X	1 site	\$ 5,870

WKEU tower lease	\$3000 per month X	1 site	\$ 3,000
Newnan Rd. Tower	\$2330 per month X	1 site	\$ 2,330
Maintenance*	\$6000 per month X	5 sites+911 pole	\$ 6,000
Total Monthly O&M			\$18,700

Motion/second by Commissioners Flowers-Taylor and Freeman to approve a contract with the Tenet Health System for the estimated monthly costs of the 800 MHz Communications System, estimated to be \$18,700, prorated at 4% for Tenet Health (Spalding Regional) carried 5-0.

6. Consider the recommendation of Steve Macke, MHz Communications System consultant, and Charlie Powell, of Pros Ltd., to execute a Letter of Intent to use three channels currently licensed to the Region 10, 800 MHz NPSPAC plan for the State of Georgia.

Mr. Van Haute advised these are the additional frequencies that were needed and, although Spalding County must agree to return them should all Georgia counties come to participate in the NPSPAC Plan for the State, it is highly unlikely. Consultant Macke has recommended approval.

Motion/second by Commissioners Phillips and McDaniel to execute a Letter of Intent to use three channels currently licensed to the Region 10, 800 MHz NPSPAC plan for the State of Georgia carried 5-0.

7. Consider Indigent Defense Memorandum of Agreement in lieu of Standard Contract for FY 2009 for Spalding County's pro-rata share for personnel and operating expenses of the Public Defender's Office.

Motion/second by Commissioners Phillips and Freeman to approve the Indigent Defense Memorandum of Agreement in lieu of Standard Contract for FY 2009 for Spalding County's pro-rata share for personnel and operating expenses of the Public Defender's Office carried by a vote of 5-0. Contract on file.

8. Consider declaring as surplus property located at 601 Camp Northern Road.

Motion/second to declare the Camp Northern property as surplus after appraisal from Tax Assessors to set a floor limit and to reserve the right to reject bids below by Commissioners McDaniel and Freeman carried by a vote of 5-0.

9. Consider, on first reading, Ordinance #2008-10 to Amend Part VII, Motor Vehicles and Traffic, Section 7-1004 to provide for No Parking Zones on either side of Barrow Road from Arthur K. Bolton Parkway to Rehoboth Road.

Motion/second to approve, on first reading, Ordinance #2008-10 to Amend Part VII, Motor Vehicles and Traffic, Section 7-1004 to provide for No Parking Zones on either side of Barrow Road from Arthur K. Bolton Parkway to Rehoboth Road by Commissioners McDaniel and Phillips carried 5-0.

10. Discuss proposed changes to Amend Spalding County Code of Ordinances, Part XI, Offenses, Chapter 4. Noise Abatement and Control, Sec. 11-4001. Noises prohibited generally, to provide for changes to Paragraph (1) Loudspeakers and amplifiers, (2) Radios, television sets, and similar devices, and (3) Drums.

Discussion of the proposed changes was held and additional adjustments explored. The issues will be revisited in the near future.

11. Commissioner Flowers-Taylor desires to discuss extending the term of the Animal Care and Control Advisory Board.

Commissioner Flowers-Taylor's plan, since Mr. Van Haute who has been directing the Advisory Board has scheduling conflicts, is to have her sit as liaison on this Board and allow it to continue for another year. Many good things have happened; they also set up a website for animal adoption. Most animals picked up are in city limits and we do not get adequate reimbursement to help offset our cost. This and other ways to better fund the effort, as well as exploration of community education have not had enough time to develop. She felt the Board needs to extend the original term for additional year and she be allowed to serve. ***Commissioners Flowers-Taylor and Phillips so moved/ seconded to continue as planned for another year, and motion carried 5-0.***

XII. REPORT OF COUNTY MANAGER

- General Griffin Statue Committee going to McDonough tomorrow to view the finished product ready for casting. They will depart at 11:15. Commissioner Freeman advised he would attend.
- A demonstration and press release on the Trimax mower was held at 2 p.m. today at Wyomia Tyus Olympic Park.
- Meriwether County wants the opportunity to obtain an old chip spreader and 1952 tar truck. They still do triple surface road treatments. Mr. Fortune advised the County can declare the items surplus for sealed bids and give preference to a governmental entity in the bid process.
- An internet and email usage policy is being developed for implementation.
- On the issues of signs, Mr. Wilson read from the minutes of the 11-19-01 meeting whereby Assistant County Manager (Michael Sabine) presented and obtained a Board consensus to have signs discarded that are picked up on County rights-of-way, effective 1-1-02. The County ran an ad in the Griffin Daily News to that effect. So, our policy since 2002 has been that if grass cutting crews from Public Works come across signs on rights-of-way, they pull them up and take to recycling centers at the end of the day, with other trash picked up ahead of the mowers, for disposal. Each candidate is provided with campaign sign information when they qualify that informs them of the County's policy. Mr. Wilson stated the Board is free to change this policy if desired, but this is the history of what a previous Board did regarding this issue. Public Works has been operating according to this policy ever since. Chairman Goss said there appears to be a real influx since the primary, and he wondered why the extreme problem all of a sudden. Mr. Wilson advised he would explore with Jake Garner, Public Works Director, tomorrow exactly what is going on. Mr. Wilson understands this represents a significant loss of sign money for both candidates and for real estate agents. Perhaps the County can still discard the signs, but give a period of grace for retrieval said Commissioner Flowers-Taylor. Jake Garner could bring the signs to the Board of Elections, to recycling centers or any other designated location. Signs are currently dumped at whatever recycling center is closest at the end of the day when the crews take the other trash that they picked up in the mowing process. After much discussion, it was determined that Public Works crews are to take any signs pulled from rights-of-way only to the nearest recycling center and leave for ten days to allow for pick up. Mr. Wilson advised he could ensure the centers coordinate ten areas for signs to provide for accurate rotation and disposal for a ten-day period.

XIII. REPORT OF COMMISSIONERS

Freeman

Commissioner Freeman commended the Board on the SPLOST project approval. He also noted that scam artists are targeting senior citizens with a new scam in recent days. One lady in his district called 911 and they instructed her to call the phone company. Finally, she called the Sheriff's Department and a deputy wrote up the complaint.

Flowers-Taylor

No comments.

Phillips

Commissioner Phillips noted that while employees appear to be thrilled with the County's new health care coverage, some live in Pike and Upson counties and would like to see Upson Regional as an in-network provider. Perhaps Mr. Gay, Human Resources Director, can pursue this possibility.

McDaniel

As happens with the law of unintended consequences, the Board approved personal care homes as special exceptions and subsequent foster child care facilities with good intentions. However, they have seen a rash of these (five to date) very quickly, and he felt the County would find these problematic sooner or later. There are simply not enough criteria for a good decision. Perhaps a moratorium until we can develop something more concrete would be a good idea, and he urged commissioners to give careful consideration to the matter.

Goss

Chairman Goss asked if only the Commissioners, Attorney Fortune and Mr. Wilson could be present during Closed Session, and Mr. Fortune advised that was appropriate.

XIV. CLOSED MEETING

Motion/second by Commissioners Flowers-Taylor and Phillips at 9:28 p.m. to go into Closed Meeting was approved unanimously at 5-0.

CLOSED MEETING AFFIDAVIT

[A copy of the affidavit must be filed with the minutes of the meeting]

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

Members of the Spalding County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1.

The Spalding County Board of Commissioners met in a duly advertised meeting on July 21, 2008.

2.

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

3.

The executive session was called to order at 9:28 p.m.

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

No Consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

No Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____(insert the citation to the legal authority making the tax matter confidential);

No Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

Yes Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

No Other (describe the exemption to the open meetings law): _____ as provided in _____(insert the citation to the legal authority exempting the topic).

This the 21st day of July 2008, Spalding County Board of Commissioners

Sworn to and subscribed Edward Goss, Jr. (L.S.)

Before me this 21st day of July 2008, Johnie A. McDaniel (L.S.)

Notary Public – Teresa A. Watson Eddie L. Freeman (L.S.)

My commission expires: Gwen Flowers-Taylor (L.S.)

March 1, 2011 David Phillips (L.S.)

Reconvened to Open Meeting per motion and second by Commissioners Phillips and McDaniel at 9:40 p.m. on unanimous 5-0 vote.

XV. ADJOURNMENT

Motion to adjourn at 9:41p.m.by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

Chairman

County Clerk

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