

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, October 20, 2008 beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Johnie McDaniel and David Phillips present. Absent were Commissioners Gwen Flowers-Taylor and Eddie L. Freeman. Also present were County Manager William P. Wilson, Jr., County Attorney James R. Fortune, Jr. and Executive Secretary Teresa Watson.

- I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.**
- II. INVOCATION – Johnie McDaniel**
- III. PLEDGE TO FLAG – Led by James R. Fortune, Jr.**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

- 1. Consider Proclamation honoring Futral Road Elementary School as a Blue Ribbon School.

Proclamation

“Honoring Futral Road Elementary as a Blue Ribbon School”

WHEREAS, Each year, the United States Secretary of Education identifies schools, based on highest rank regardless of geographic location, as No Child Left Behind Blue Ribbon Schools, and further that on September 9, 2008, Futral Road Elementary School became the first such Blue Ribbon School in the Griffin-Spalding County School System and one of only eight in Georgia; and

WHEREAS, The United States Department of Education’s Blue Ribbon School Program honors 320 public and private elementary, middle and high schools that are either academically superior or that demonstrate dramatic gains in student achievement to high levels, with this recognition validating the commitment of Superintendent Jesse Bradley, Principal Larry Jones, staff, students, parents and other stakeholders, to teaching and learning as a school of excellence by being in the school group honored for making the greatest gains; and

WHEREAS, Criteria for this honor included having at least 40 percent of disadvantaged students dramatically improve their student achievement to high levels, having a school population that is greater than or equal to 40 percent economically disadvantaged, and having an achievement performance that is within the top 40 percent (at or about the 60th percentile) of the highest grade assessed for all calculable subgroups. Schools recognized for making the greatest gains must also have made Adequate Yearly Progress for at least two consecutive years and must not be designated as Needs Improvement. Additionally, schools nominated for this award were evaluated further by considering their free and reduced lunch percentage, percentage of students meeting Annual Measurable Objectives and degree of academic gain.

THEREFORE, BE

IT RESOLVED that We, the Spalding County Board of Commissioners, do hereby declare that a copy of this proclamation congratulating educators, staff, parents and students of Futral Road Elementary for their prestigious designation as a Blue Ribbon School and recognizing them as a great source of community pride, be spread upon the minutes of the proceedings of this Board, and reflect that the twentieth day of October, in the year of our Lord two thousand and eight, is Futral Road Elementary, Blue Ribbon School, Day.

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Motion/second to approve Proclamation honoring Futral Road Elementary School as a Blue Ribbon School by Commissioners McDaniel and Phillips carried 3-0.

Commissioner Phillips read and presented the proclamation to school officials.

- V. PRESENTATION OF FINANCIAL STATEMENTS**

- 1. Consider Financial Statements for the Three Months Ended September 30, 2008.

Motion/second to approve Financial Statements for the Three Months ended September 30, 2008 by Commissioner McDaniel and Phillips carried 3-0.

- 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.

VIII. MINUTES

1. Consider approving the following Minutes: October 6, 2008 Regular Monthly Meeting and October 13, 2008 Special Called Meeting.

Motion/second to approve the following Minutes: October 6, 2008 Regular Monthly Meeting and October 13, 2008 Special Called Meeting by Commissioners Phillips and McDaniel carried 3-0.

IX. CONSENT AGENDA

X. OLD BUSINESS

XI. NEW BUSINESS

1. Consider Resolution supporting Commuter Rail Service in the Athens-Atlanta-Macon corridor.

Mr. Wilson advised several had attended the Commuter Rail Consortium at the Atlanta Motor Speedway recently, where a request was made to have the involved entities pass the resolution.

**RESOLUTION
In Support of Commuter Rail**

WHEREAS, this local government acknowledges that traffic congestion, deteriorated air quality, and public mobility are current and growing concerns for the residents and businesses of this community, and greatly undermine the quality of life and quality of economic development of our community, county, region and state; and

WHEREAS, the Georgia Department of Transportation will initiate a pilot project for a Commuter Rail line from Griffin, Georgia to Atlanta, Georgia and Commuter Rail is a practical and meaningful alternative to commuting by automobile or bus along the State’s already congested highways and roads; and

WHEREAS, adding commuter rail service in the entire Athens-Atlanta-Macon corridor will more accurately demonstrate the greater viability of commuter rail in Georgia, and contribute to an enhanced quality of life for more of the region’s and state’s residents and businesses; and

WHEREAS, this local government believes it to be in the best interest of the health, safety and general welfare of the citizens of this jurisdiction to support the implementation of Commuter Rail in metro Atlanta and throughout this jurisdiction.

NOW, THEREFORE, BE IT RESOLVED that as a participant of the 2008 Georgians for the Brain Train Summit of Mayors, County Commissioners, City Managers, and County Managers, and as the Chairman of the Spalding County Board of Commissioners, I hereby:

1. Commend Governor Sonny Perdue and the Georgia Department of Transportation for their work on implementation of the pilot Commuter Rail line; and
2. Endorse Commuter Rail in the Atlanta region and state of Georgia as an important mode of transportation to enhance the long-term quality of life and economic development of this jurisdiction; and furthermore
3. Engage in those steps necessary, prudent and proper to identify and secure funding for the implementation, operation and maintenance of the Commuter Rail service in the Athens-Atlanta-Macon corridor.

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Motion/second by Commissioners McDaniel and Phillips to adopt Resolution supporting Commuter Rail Service in the Athens-Atlanta-Macon corridor carried 3-0.

2. Consider, on first reading, Ordinance #2008-13 Traffic Control Devices to amend Part VII, Section 7-1007(a) to provide for four-way stop at the intersection of East McIntosh and North 9th Street.

Major Wendell Beam responded with the recommendation provide for a four-way stop

Motion/second by Commissioners Phillips and McDaniel to approve, on first reading, Ordinance #2008-13 Traffic Control Devices to amend Part VII, Section 7-1007(a) to provide for four-way stop at the intersection of East McIntosh and North 9th Street, carried 3-0.

3. Consider Resolution authorizing the approval and execution of an Intergovernmental Contract with the Spalding County Water & Sewerage Facilities Authority relating to the expansion of the Authority's water and sewerage system.

Mr. Wilson met October 15, 2008 and approved the same Resolution, but this contract also incorporates a clause stipulating the Water Authority approval of \$12,500,000 with a conservative payback over 20+ years. The backing of Spalding County helps to provide for a better bond rating. The Spalding County Water & Sewerage Facilities Authority is a constitutionally created authority, but the County is reimbursed.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF SPALDING COUNTY, GEORGIA AUTHORIZING THE APPROVAL AND EXECUTION OF AN INTERGOVERNMENTAL CONTRACT WITH THE SPALDING COUNTY WATER AND SEWERAGE FACILITIES AUTHORITY RELATING TO THE EXPANSION OF THE AUTHORITY'S WATER AND SEWERAGE SYSTEM; APPROVING THE EXECUTION AND DELIVERY BY SPALDING COUNTY OF DOCUMENTS AND PLEADINGS RELATING TO THE VALIDATION OF BONDS TO BE ISSUED BY THE AUTHORITY RELATING TO SUCH EXPANSION; AND FOR OTHER PURPOSES

WHEREAS, the Spalding County Water and Sewerage Facilities Authority (the "Authority") has adopted a resolution proposing that the Authority proceed with the acquisition, construction, installation and equipping of certain land and facilities in Spalding County, Georgia (the "Project") to provide for the future needs of those citizens served by the Authority's existing water and sewerage system, which includes the citizens of Spalding County, Georgia (the "County"); and

WHEREAS, the Authority has recommended to the County that the County approve the execution and delivery of an Intergovernmental Contract (the "Intergovernmental Contract") with the Authority relating to the Project and to the facilities and services provided by the Authority to the County and the financing of the Project; and

WHEREAS, after study and consideration of such recommendation, the County proposes to approve the execution and delivery of such Intergovernmental Contract and other related matters; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Spalding County, Georgia as follows:

Section 1. Intergovernmental Contract; Participation in Bond Validation. The execution and delivery by the Chairman and Clerk of the Board of Commissioners of Spalding County of the Intergovernmental Contract is hereby authorized and approved. Such Intergovernmental Contract shall be in substantially the form attached hereto as Exhibit "A", subject to such changes, insertions and omissions as may be approved by the Chairman of the Board of Commissioners, and the execution of the Intergovernmental Contract by the Chairman of the Board of Commissioners as herein authorized shall be conclusive evidence of such approval. The Chairman and Clerk are hereby further authorized to execute and deliver any and all other documents, pleadings or other materials or instruments as may be necessary in connection with the validation of bonds to be issued by the Authority to finance the Project.

Section 2. Preliminary Official Statement. The distribution and circulation of a Preliminary Official Statement by Wachovia Bank, National Association is hereby approved and authorized. The Chairman of the Board of Commissioners is hereby authorized to execute a certificate "deeming final" a Preliminary Official Statement within the meaning of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended. The execution of such Rule 15c-12 certificate will be conclusive evidence of the approval of any aforesaid changes, additions and deletions.

Section 3. Additional Actions of County. From and after the date of adoption of this resolution, the Chairman and Clerk of the Board of Commissioners of Spalding County are hereby authorized and empowered to take such other actions and to execute for and on behalf of the County all such agreements, certificates, affidavits and other documents as may be necessary or desirable in connection with the execution and delivery by the County of the Intergovernmental Contract, the effectuation of the matters and actions approved by, or contemplated by, this Resolution, and in connection with the validation, offering, issuance, sale and delivery of any bonds secured under the Intergovernmental Contract.

Section 4. Repealing Clause. All resolutions or parts thereof of the Board of Commissioners of Spalding County in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.

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Motion/second to approve Resolution authorizing the approval and execution of an Intergovernmental Contract with the Spalding County Water & Sewerage Facilities Authority relating to the expansion of the Authority's water and sewerage system by Commissioners McDaniel/Phillips carried 3-0.

XII. REPORT OF COUNTY MANAGER

- December 7 will be the date of the annual Christmas Parade.
- General Griffin Statue unveiling ceremony will be Sunday, 11-23-08, 2:30 outside One Griffin Center.
- ACCG 4th District Mtg, Wed, 11-12 at Garden Patch in Barnesville beginning at 10 a.m.
- Tri-County Crossroads LCI Study Meeting – Breakfast at Pastime Grill 10-27-08 at 10 a.m. Meeting with Lamar County and Pike County. Invite to all.
- FEMA flood maps revised set received. FEMA plans public meeting on 11-20-08 at 5:30 p.m. Invite to all. Administrative meeting at 4 p.m. for executive summary version.
- L.B. Norton Fire Station groundbreaking will be October 24, 2008 at 9:30 a.m.
- Stolen manhole covers are becoming problematic at subdivisions and in areas that are not well populated. The City, noted Commissioner Phillips, is in the process of replacing and securing ones from a polymer plastic compound which would be less expensive and good for low traffic areas, besides not being attractive to market to metal dealers.
- The County will be replacing tower lights at Malier Road 800 MHz tower site. We will switch to LEDs at about \$18,000 which makes the tower blink red at night and white during the day.
- Personnel have been working with Commissioner Flowers-Taylor and have a preliminary draft of the North Hill Street Corridor sewer extensions. The plans are available for review on the conference room table.

XIII. REPORT OF COMMISSIONERS

Phillips

With regard to Futral Road School, there is a higher percentage of driving parents since this is a charter school and not safe entering/exiting the roadway due to heavy traffic. Commissioner Phillips has talked to Major Wendell Beam who will follow up with a recommendation.

McDaniel

He urged attendance at another Public Hearing on 12-9-08 at 6 p.m. in this meeting room on the LCI Tri-County Crossroads Study.

XIV. CLOSED MEETING

1. Chairman Goss requests a Closed Meeting to discuss personnel matters.

Motion/second to add to Closed Meeting a discussion regarding acquisition of real estate, by Commissioners McDaniel and Phillips, carried by a vote of 3-0.

Motion/second to enter Closed Meeting to discuss personnel matters, by Commissioners McDaniel and Phillips, carried by a vote of 3-0 at 6:27 p.m.

Motion/second to adjourn Closed Meeting and reconvene to Open Meeting by Commissioners Phillips and McDaniel, carried by a vote of 3-0 at 6:40 p.m.

XV. ADJOURNMENT

Motion/second to adjourn by Commissioners McDaniel and Phillips, carried by a vote of at 6:41 p.m.

Chairman

County Clerk

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