

REGULAR MONTHLY MEETING

The Spalding County Board of Commissioners held their Regular Monthly meeting in Room 108 in the Courthouse Annex, Monday, May 3, 2010, beginning at 6:05 p.m. with Commissioner Chairman Edward Goss, Jr. presiding and Commissioners Gwen Flowers-Taylor, Eddie L. Freeman, David Phillips, and Bob Gilreath present. Also present were Interim County Manager Tim Whalen, Assistant to the Interim County Manager Virginia Martin, County Attorney James R. Fortune, Jr., and Executive Secretary Glinda Robertson.

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

II. INVOCATION – Led by Pastor Dan Todd from Dayspring Community Church

III. PLEDGE TO FLAG – Led by Commissioner Eddie Freeman

Motion/second by Flowers-Taylor/Phillips to amend the agenda to add a closed session to discuss potential litigation and carried by all.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

Dr. Wayne Gardner from UGA Griffin was the recipient of this year's Bain Proctor Award. Chairman Goss read the press release and presented the award to Dr. Gardner.

V. PRESENTATION OF FINANCIAL STATEMENTS

Consider approval of financial statements for the nine months ended March 31, 2010.

Motion/second by Commissioners Freeman/Flowers-Taylor to approve and carried by a vote of 5-0.

VI. CITIZENS COMMENT

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 the meeting.

VIII. MINUTES

Consider approval of Minutes of the following: Extraordinary Session of April 19, 2010; Special Called Meeting of April 22, 2010; and Zoning Public Hearing of April 22, 2010.

Motion/second by Flowers-Taylor/Freeman to approve and carried by a vote of 5-0.

IX. CONSENT AGENDA – N/A

X. OLD BUSINESS

1. Consider second reading of Amendment to the Official Zoning Ordinance of the following: **-Amendment to UDO #A-10-01:** Quarterly adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

IN RE:

Text Amendment #A-10-01

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

RESOLUTION AMENDING THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

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

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on April 22, 2010, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia, is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: A new paragraph shall be added to Section 2302(E) of “Official Zoning Map Spalding County, Georgia (Official Map)” of the Zoning Ordinance of Spalding County as follows:

A new Official Map was adopted on May 3, 2010, which will replace the previous Official Map.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.
Motion/second by Commissioners Flowers-Taylor/Freeman to approve and carried by a vote of 5-0.

-Amendment to UDO #A-10-02: Article 5. AR-1 Agricultural and Residential-Section 503:B(1)(f), Article 6. AR-2 Rural Reserve-Section 603:B(1)(f), Article 7. R-1 Single Family Residential Low Density-Section 703:B(1)(f), Article 7A. Single Family Residential – Section 703A:B(1)(f), Article 8. R-2 Single Family Residential – Section 803:B(1)(f), Article 8A. R-2A Single Family and Two Family Residential – Section 803A:B(1)(f), Article 10. R-4 Single Family Residential – Section 1003:B(1)(f), Article 11. R-5 Single Family Residential – Section 1103:B(1)(f), Article 11A. R-6 Planned Residential Community – Section 1103A:B(1)(f); Article 12. C-1 Highway Commercial – Section 1203:A(21)(e), Article 13. C-1A Neighborhood Commercial – Section 1303:A(51)(e), Article 14. C-1B Heavy Commercial – Section 1403:A(66)(e), Article 14A. C-1C Manufacturing-Light – Section 1403A:A(67)(e), Article 15. C-2 Manufacturing – Section 1503:A(98)(e), and Article 19. O&I Office and Institutional-Section 1903:B(1)(f)-delete church distance.

IN RE:

Text Amendment #A-10-02

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY
RESOLUTION AMENDING

THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

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

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 4, Section 419, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on April 22, 2010, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 5 (AR-1 Agricultural and Residential): Section 503:B(1)(f), which section shall be identified hereafter as "Reserved."

Section 2: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 6 (AR-2 Rural Reserve): Section 603:B(1)(f), which section shall be identified hereafter as "Reserved."

Section 3: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 7 (R-1 Single-Family Residential Low Density): Section 703:B(1)(f), which section shall be identified hereafter as "Reserved."

Section 4: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 7A (R-1A Single-Family Residential): Section 703A:B(1)(f), which section shall be identified hereafter as "Reserved."

Section 5: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 8 (R-2 Single-Family Residential): Section 803:B(1)(f), which section shall be identified hereafter as "Reserved."

Section 6: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 8A (R-2A Single-Family and Two-Family Residential): Section 803A:B(1)(f), which section shall be identified hereafter as "Reserved."

Section 7: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 10 (R-4 Single-Family): Section 1003:B(1)(f), which section shall be identified hereafter as "Reserved."

Section 8: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 11 (R-5 Single-Family): Section 1103:B(1)(f), which section shall be identified hereafter as "Reserved."

Section 9: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 11A (R-6 Planned Residential Community): Section 1103A:B(1)(f), which section shall be identified hereafter as “Reserved.”

Section 10: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 12 (C-1 Highway Commercial): Section 1203:A(21)(e), which section shall be identified hereafter as “Reserved.”

Section 11: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 13 (C-1A Neighborhood Commercial): Section 1303:A(51)(e), which section shall be identified hereafter as “Reserved.”

Section 12: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 14 (C-1B Heavy Commercial): Section 1403:A(66)(e), which section shall be identified hereafter as “Reserved.”

Section 13: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 14A (C-1C Manufacturing-Light): Section 1403A:A(67)(e), which section shall be identified hereafter as “Reserved.”

Section 14: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 15 (C-2 Manufacturing): Section 1503:A(98)(e), which section shall be identified hereafter as “Reserved.”

Section 15: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 19 (Office and Institutional): Section 1903:B(1)(f), which section shall be identified hereafter as “Reserved.”

Section 16: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 17: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

Motion/second by Commissioners Flowers-Taylor/Freeman to approve and carried by a vote of 5-0.

- **Amendment to UDO #A-10-03:** Article 5, AR-1 Agricultural and Residential – Section 503:B(3)(b) and Article 6. AR-2 Rural Reserve – Section 603:B(3)(b) – amend to add may include administrator’s residence for private school.

IN RE:

Text Amendment #A-10-03

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA**

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

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on April 22, 2010, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia, is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 5, "AR-1, Agricultural and Residential," to appear as Section 503:B(3):

- b. may include administrator's residence for private school.

Section 2: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 6, "AR-2, Rural Reserve," to appear as Section 603:B(3):

- b. may include administrator's residence for private school.

Section 3: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 4: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 5: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 6: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Motion/second by Commissioners Freeman/Flowers-Taylor to approve and carried by a vote of 5-0.

XI. NEW BUSINESS

1. Consider approval of use of Cook's Parking Lot on May 15, 2010 for purpose of Car & Bike Show.

Ricky Clark from the Sheriff's Department was present to answer questions for the Board concerning his request. Mr. Clark has a sister that is graduating from college and he wants to put on this event for her. He will have vendors and music. For safety purposes, he will have off duty deputies working security. He stated this will be a non-alcoholic event.

This event will be held from 4:00 p.m. to 8:30 p.m. The music will stop at 8:30 p.m. Mr. Clark will provide a clean up crew that will clean up that night after the event. He will furnish his own trash cans.

Mr. Fortune stated Mr. Clark needs to get an amplification permit from the City of Griffin. This event will be open to the general public.

After much discussion, there was concern about people using county property for events such as this. The county does not currently have a policy in place. Mr. Gilreath asked if Mr. Clark needed an insurance policy for this event. Mr. Clark stated he currently does not have one.

There was also concern over gratuity situations with vendors. The county will basically be letting them operate a business on county property. Who will pay for the electricity? What about insurance? What about security? There were a lot of questions.

Mr. Fortune asked Louis Greene who was present, what are the insurance requirements that Parks and Recreation have in place for the use of their facilities. Mr. Greene stated there

were no insurance requirements or waivers currently being used. Mr. Fortune stated if he were in Mr. Clark's shoes, he would purchase insurance in case someone gets hurt.

Motion/second by Phillips/Flowers-Taylor to approve Mr. Clark's request to use the Cook Shopping Center for a Car and Bike Show and carried by a vote of 5-0.

2. Consider request from Pastor Dan Todd of Dayspring Community Church to move their worship service to downtown Griffin green space at corner of Sixth & Solomon Streets next to the Courthouse for Sunday, June 6th.

Pastor Todd was present to answer questions from the Board. The church will have a generator that will provide all their electricity for the event. Pastor Todd has been requested by the City of Griffin to have a petition signed from local businesses to make sure there are no objections. The church will also provide port-a-potties and a clean-up crew. The service will be from 9:30 to 11:00 a.m. They will set up a trailer that will be a stage.

Ms. Flowers-Taylor is concerned the trailer may tear up the grass. Mr. Greene stated this could be a problem. It was agreed that Mr. Greene and Pastor Todd would get together to work this out.

Motion/second by Phillips/Freeman to approve and carried by a vote of 5-0.

After this vote, it was decided by the Board to impose a moratorium on these types of requests until the Board puts a policy in place for these events.

3. Consider acceptance of 800 MHz Communications System.

Tom Ruck, Program Manager from the Harris Corporation was present to address the Board. The intent of this item is to get the rest of the equipment in place and get the entire county up and running. Mr. Ruck has been on this project for about six or seven months. There have been a variety of tests conducted on the system. He had a binder of documentation with him showing the test procedures that have been conducted and signatures showing they have been signed off on.

This means Harris Corporation is ready to turn the system over to the county. They will now pass out radios and begin training the users. There are still things that are being worked out, however, they are not operation impacting. The Jail and the Correctional Institute have already begun using the radios.

Mobile units are not in place yet. They will take until about the end of July to finish. The users will be running on both systems. They are tied together.

Virginia Martin stated there have been some issues. About 95% have been operator error and 5% has been a problem with the system. She is satisfied with the testing having been successfully completed.

Motion/second by Phillips/Flowers-Taylor to approve and carried by a vote of 5-0.

4. Consider approval of carryover contract for the Spalding County Community Services Development Block Grant (CSBG) Program with Three Rivers Regional Commission for Fiscal Year 2010.

This is a carryover from a previous meeting. Ms. Flowers-Taylor spoke via telephone before the meeting with a representative from Three Rivers to have her questions cleared up.

Motion/second by Commissioners Flowers-Taylor/Phillips to approve and carried by a vote of 4-0. Commissioner Gilreath was not present at the time of the vote.

5. Consider approval of 2010 new Alcohol Beverage License – Consumption on Premises – Beer, Wine and Liquor – Melissa H. Chamblee, dba Country Rock Bar and Grill – 2700 North Expressway – new ownership effective May 25, 2010.

Ms. Chamblee was present to answer any questions. She wanted the commissioners to know this is going to be a clean, nicely run establishment. They are trying to clean up the past and not be a problem for Spalding County.

Ms. Flowers-Taylor has concerns about how past owners of this establishment have caused headaches. The building is owned by Bill Plimmons and has been for about 20 years. Ms. Chamblee will be leasing from the owner.

Motion/second by Phillips/Freeman to approve and carried by a vote of 3-2. Flowers-Taylor and Goss voted against.

6. Consider request of Main St. Program for hotel/motel tax fund FY 2009 and 2010 Budget for initial work on pocket park.

Daa'ood Amin, Ms. Kira Harris-Braggs, and Cynthia Ward (Mayor of Griffin) were present to request funding to jumpstart work on the pocket park. They wish to do some basic structure work to start with. They were requesting a minimum of \$15,000. They have gone before the City of Griffin to see what they will commit for this project. The city is on board with this, however, at this point the commitment is verbal. The City of Griffin has committed to provide the electricity, water, and maintenance of this facility.

Mr. Gilreath stated this lot was purchased by the county for a parking lot for the courthouse. He questioned where people are going to park their cars if this space is made into a pocket park. Mr. Gilreath stated the county has to look after the people that work at the courthouse and their parking situation. He feels the Board needs to look at this before they make a final decision.

Mr. Amin asked if there is money in the budget or any plans to build this parking lot. Mr. Goss says it has been talked about for approximately seven years. Mr. Phillips says we should work something out with the City of Griffin so that the courthouse employees can use their parking deck as it is never full.

Ms. Flowers-Taylor stated the problem between the county and the city is that every time someone wants something from one entity or the other, they think they have to get something tangible back. She feels like this is an opportunity for the county to create a space that will draw people downtown. Parks and Recreation fixed this area up so that it would not be an eyesore. She stated at one time, it may have been a good idea to build a parking lot, however, today what is needed is to revitalize downtown Griffin.

Mr. Gilreath says the city is not even involved in this except to clean up and provide water and electricity. He questioned why the city does not offer more money for this project. Ms. Ward stated no one has asked the city of money. They have only been asked to furnish the electricity and the maintenance. She stated the city is in complete agreement to make this project work.

Mr. Amin stated this property is owned by Spalding County and it will continue to be owned by Spalding County. Mr. Phillips says this is a worthy project and he supports it. Mr. Freeman stated he feels the downtown area needs this for the economic boost.

Mr. Whalen stated that as of March 31st, the county has taken in \$62,151 of the budgeted \$103,000 from hotel/motel tax. The county has expended \$87,795.00. We have expended more than we have taken in. Ms. Flowers-Taylor stated it is her understanding that we do have money in the fund balance. Mr. Whalen said there is money in the fund balance and anything further coming out, will come out of fund balance. It is his understanding that the county has to spend 90% next year of what the county spends this year. So, there will be another \$55,000 projected for this park next year, with \$75,000 total. There is only one month left of collections from hotel/motel taxes this year.

Motion/second by Commissioners Flowers-Taylor/Phillips to approve \$20,000 from hotel/motel tax to start development of pocket park and carried by a vote of 5-0.

7. Discussion on excess SPLOST funds for Senior Center.

Mr. Whalen addressed this issue. There are \$2.5 million dollars that remain from the 2005 SPLOST funds. The remaining balance on the senior center is \$479,445.00. There was \$250,000 from the sale of the former Health Department that was put into the general fund. It was stated the Board would like to remove the money from general funds and place it in the senior center funds. That would then give the senior center approximately 3.25 million dollars available.

Mr. Whalen further stated there is a meeting scheduled for 11 a.m. on Wednesday morning with the developers of the senior center. The developers have requested to meet with the commissioners in groups of two if possible. They would like to do this before having another public meeting.

Ms. Flowers-Taylor stated if the Board takes this money and appropriates it toward developing our portion of the senior center, this actually puts us in a better place. She does

not believe it will be a problem at this point to appropriate this money. She feels like our seniors deserve this.

This item will be placed on the next agenda for a motion to move forward with plans for senior center.

8. Conduct public hearing on Capital Improvement Element (CIE) and Short Term Work Program (STWP) and approve Resolution for submittal to Three Rivers Regional Commission.

Motion/second by Commissioners Flowers-Taylor /Phillips to open the public hearing and carried by a vote of 5-0.

Chuck Taylor stated that by law the county is required annually to update the short term work program and Capital Improvement Element. Mr. Taylor had prepared a draft document for Three Rivers Regional Commission. They have a 60 day review period. During the 60 days, changes can continue to be made to the draft.

Ms. Flowers-Taylor had questions about some of the items listed. She asked about the Community Facilities Greenway and a grant. Mr. Taylor stated this year and next year they will be looking for funding sources for this activity. Grants will be one of those funding sources.

The Jenkinsburg exit was also discussed. According to Mr. Taylor, it's one of those projects that has been pushed back many times as a result of all the changes that are happening with the policies. Ms. Flowers-Taylor asked if there have been any feasibility studies done with the creation of storm water utility this year. Mr. Taylor said it has always been a project that is right over the horizon.

Ms. Flowers-Taylor also questioned the Seek Safe Walk to School funds for Moreland Trail road. She asked why this was necessary. Mr. Taylor stated it was identified as part of the LCI Study that was conducted.

Mr. Taylor stated this would be up for discussion for the next 60 days if anyone had any questions or would like to discuss.

Motion/second by Commissioners Freeman/Flowers-Taylor to close the public hearing.

Motion/second by Commissioners Flowers-Taylor/Freeman to approve resolution and carried by a vote of 5-0.

9. Consider on first reading, an Ordinance amending the FY 2010 Budget Ordinance to provide for year-end budget amendments.

Mr. Whalen spoke on behalf of Ms. Garrison. He stated this is for transferring funds to balance out the budget for the FY.

Motion/second by Commissioners Phillips/Flowers-Taylor to approve and carried by a vote of 5-0.

10. Consider approving letter of support for attaching NOAA (weather) equipment to county owned tower.

Mr. Phillips stated this is a win/win situation for everyone. Louis Patterson, a licensed amateur radio operator was present to explain this request. He belongs to a group called SkyWarn who provides communications during active weather emergencies and they serve as a viable and proven backup in times of catastrophic failure of government communications. They support the National Weather Service located in Peachtree City, GA.

Mr. Phillips stated it will also put a layer of redundancy on our radio system should everything fail. Mr. Patterson requested a letter of authorization.

Motion/second by Commissioners Phillips/Freeman to approve and carried by a vote of 5-0.

XII. REPORT OF COUNTY MANAGER

- The county received notification from the Henry County Water & Sewerage Authority that the Troublesome Creek Reservoir has ceased operation.

XIII. REPORT OF COMMISSIONERS

Freeman

- Mr. Freeman just completed the ACCG Conference. Ross King was named as the new executive director of the organization. He will take the place of Jerry Griffin. It was also announced at the conference that ACCG has received a \$250,000 grant from the Georgia Department of Labor to help fund an eight-week summer program to place college interns in all 159 counties through the Georgia County Internship Program (GCIP).

Flowers-Taylor

- Glad to see the commissioners made a decision about the healthcare plan tonight.
- She would like to see the Board have a workshop before the budgeting process is completed and before the managers bring to the Board what they would like to see for the budget.

Phillips

- Wanted to say how much he appreciates the staff and how readily they come to the Board's service.

Gilreath

- Mr. Gilreath thanked Mr. Amin and Ms. Harris-Braggs for being at the meeting and he supports the work they do.
- He recognized the candidates for the upcoming election: Mr. Torre Daniell who has qualified to run in District 2; Mr. Raymond Ray; Chipper Gardner who will run in District 5; and Mr. Eddie Goss. Mr. Gilreath wished them all well.
- There has been a lot of strain put on the secretary to the County Manager by allowing her to be the secretary for any and all other Boards that are created in the county. He is suggesting that a letter be written to the Spalding County Water Authority and ask them to provide their own secretary. This move will allow her to do more for the Board of Commissioners and the County Manager.

Goss

- Mr. Goss added to Mr. Gilreath's comment. He stated that most other Authorities have their own person to do their paperwork. Also, there is the Griffin Spalding County Transportation Board. He would like to see the city bring their people in to take the minutes for this board.

XIV. CLOSED SESSION – Possible Litigation

Motion/second by Commissioners Flowers-Taylor/Freeman to go into closed session at 8:10 p.m.

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 May 3, 2010.

2.

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

3.

The executive session was called to order at 8:10 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:

Yes 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);

No 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 3rd day of May 2010.

Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 3rd day of May 2010.

Bob Gilreath

Glinda P. Robertson

Notary Public

Eddie Goss

Gwen Flowers-Taylor

My commission expires:

Feb 23, 2014

Eddie Freeman

David Phillips

Motion/second by Phillips/Freeman to come out of closed session at 8:20 p.m. and carried by all.

XV. ADJOURNMENT

Motion/second by Commissioners Phillips/Flowers-Taylor to adjourn at 8:20 p.m. and carried by all.

Chairman

Interim County Clerk

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