

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Extraordinary Session meeting in Room 108 in the Courthouse Annex, Monday, July 19, 2010, beginning at 6:00 p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Gwen Flowers-Taylor, David Phillips, Eddie L. Freeman, 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 Commissioner Flowers-Taylor**
- III. PLEDGE TO FLAG – Led by Commissioner Eddie Freeman**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

- a. Bradley LeRay, Senior Vice President of PBS&J Constructors, Inc. presented alternative construction options for construction of the Senior Center. He presented an option called “Construction at Risk.” This alternative allows the county to maximize the scope of the project while having the assurance that the budget will not change.

Eighty percent of PBS&J’s work is with repeat clients. They do over \$2.5B in construction in the Southeast. They are ranked with ENR as #329 of the Top 400 Contractors.

They are a full service construction company experienced in vertical and horizontal construction methods. Thirty-seven percent of their work is done with local/state government.

Mr. LeRay stated the goal is to build a senior center very quickly and very efficiently at a low cost. The “Construction Management @ Risk” process is different from other construction processes. They become an early team member and work with the architect. They have a fixed competitive fee. They prequalify all of their subs. They get involved in the budget and the scheduling as well as in the design and construction phase.

They constantly monitor the pricing of jobs to ensure the project never goes over budget. There are no change orders unless the customer changes something. Mr. LeRay shared photos of several previous projects they have completed. Any construction savings are returned to the owner.

They start construction before the design is complete and they start site work at the same time architects are designing. Mr. LeRay stated you can cut at least two to three months off your schedule time this way.

Mr. Freeman stated he likes the way the company handles everything and that there are no change orders.

Mr. LeRay stated that generally there is a cost savings. If not at the front of the job, by the end of the job you will have saved money because you’re not constantly taking change orders.

Ms. Flowers-Taylor stated she was very impressed with what was presented but she would like to know how he became aware of the fact the county is in need of assistance for the construction of the senior center.

He stated he had been hearing of the senior center for a while. He stated his company monitors these things from county websites.

- V. PRESENTATION OF FINANCIAL STATEMENTS – Consider approval of the financial statements for the twelve months ending June 30, 2010.**

Ms. Flowers-Taylor asked if this would be the budget that ends our fiscal year. Mr. Whalen stated it is. Ms. Flowers-Taylor asked about revenues. She stated that it looks like what we budgeted and what we spent looks like it is significantly less than what we

anticipated. Mr. Whalen stated there was a \$1,103,220 shortfall and there was \$39,963,000 on the revenue side and \$41 million on the expenditure side.

Ms. Flowers-Taylor stated it looks to her like the county spent less than they budgeted out. She asked how the county was in the minus. She also asked how short the county is on tax revenue collections. Mr. Whalen stated there is a shortfall of about \$2.4 million dollars in tax collections.

She asked where this leaves the county with the fund balance. Mr. Whalen stated the fund balance as of June 30th is \$3,997,094 which is about 2 months of operating expenses.

Motion/second to approve by Commissioners Phillips/Freeman 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 re-address 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

1. Consider approval of Minutes of the following: Extraordinary Session of June 21, 2010; Special Called Meeting of June 24, 2010; Zoning Public Hearing of June 24, 2010.

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

IX. CONSENT AGENDA

X. OLD BUSINESS

XI. NEW BUSINESS

1. Consider setting a date for a Public Hearing to establish street lighting district for Crestwick Subdivision off County Line Road.

There was a Public Hearing set for the next Board of Commissioners meeting of August 2, 2010.

2. Discuss adding license for wholesale liquor sales to county ordinances.

Mr. Fortune stated the county has had a request to have a wholesale liquor distributorship and they want a license. The current code does not provide for a wholesale liquor license. The county has retailers, but no wholesale operators. Mr. Fortune would like to know the will of the commissioners. He can amend the existing ordinance to add this license if the commissioners so desire. This change should provide additional revenue for the county and provide some jobs. All commissioners were in agreement with making the amendment to the ordinance.

Discussion led to agreement by all commissioners to amend existing ordinance to add license for wholesale liquor sales. This item will be considered at the next BOC meeting.

3. Consider revision to Personnel Ordinance regarding county manager's discretion with steps in transferring employees.

Ms. Martin stated that the county has a classification system where jobs are placed in certain classifications and there is a step system within that allows for raises and hiring rates. She discovered that if the county manager is hiring someone from outside the county to come in, he has the discretion of up to six steps above the hiring rate however he does not have the same discretion if the person he would like to offer the job to is already a county employee. In this case the person outside the county employment can

be offered more money than the person being promoted within the county. This seems inequitable to her.

Mr. Phillips asked if it is legally actionable. Ms. Martin stated she did not consider it from that point of view. She provided the commissioners with a copy of the ordinance she had worked out with the county attorney.

The commissioners wanted time to look over the ordinance before they voted as they had just received the documentation. Ms. Martin would like to have this placed on the next agenda.

Ms. Flowers-Taylor did not like some of the language used in the ordinance. She felt like the term "deemed when necessary in the best interest of the county" is subjective. Ms. Martin stated there are factors listed to assist with that decision. Ms. Flowers-Taylor asked the definition of a step. She asked if it is based on longevity, education, experience, or a person's evaluation. She believes there is something inherently wrong with the way it is set-up now.

Mr. Freeman questioned the wording of the ordinance. He stated the document doesn't say anything about transferring an employee. It does however, discuss new hires. Ms. Martin stated this is for promoting an employee.

This item will be reviewed by commissioners and placed on the next agenda.

4. Consider cancelling the September 6, 2010 BOC meeting due to Labor Day holiday.

Motion/second by Commissioners Gilreath/Freeman to cancel September 6th Board of Commissioners meeting and carried by a vote of 5-0.

5. Per Mr. Freeman, consider approval of Animal Restraint Districts in the following areas: Seminole Dr. in its entirety and Jacqueline Dr. in its entirety.

Mr. Freeman stated there had been a problem on Seminole Dr. There was an elderly lady whose small dog was killed by three big dogs. She had only been in the area about two or three months. He stated there are quite a few dogs running around in the neighborhood. They have the same problem on Jacqueline Dr. Animal Control has already picked up some of the dogs in the area. The dogs that were picked up trashed several of the homes in the neighborhood. Mr. Freeman stated this is the only way to control this issue and this will help Animal Control with the problems in the neighborhood.

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

6. Consider approving lease with Water Authority for ground space at Williamson Road water and cell tower location.

Mr. Fortune stated the lease is not quite ready. There is a glitch with the easement. The Water Authority is working with the individual to try and sort this out.

Decision was made to table this item and place it on the next agenda.

7. Consider requesting the County Manager to appoint a Public Information Officer for Spalding County government, who will approve all press releases and issue all statements to the media.

Mr. Gilreath stated when any items are released from the county to be published in the local media it should come from one entity. The county manager should know what is going to be in the paper or on the radio.

Mr. Whalen stated this is a part of the job description for the Assistant County Manager. Mr. Freeman stated this does not affect a commissioner that wants to make a statement to the media.

Mr. Whalen asked that all inquiries from the press be forwarded to Ms. Martin as this is in her job description. Ms. Martin will notify Mr. Whalen of all press releases.

XII. REPORT OF COUNTY MANAGER

Tyus Park is hosting the 2010 age 10-11 year old Little League Tournament.

Atlanta Gas Light Co. began the Stride Program this week. They are laying 16 inch transmission pipe lines starting on the west side of McDonough Rd. through Spalding County. There will be 26 miles of construction. They have started the surveying process.

The Department of Community Affairs has approved a \$500,000 Block Grant for the Norcom Rail Spur.

On August 14th there will be a radio controlled sailboat event at Tyus Park.

Ms. Martin gave an update on the Fairmont property. It has been recommended by Stephanie Windham of Beck, Owen and Murray that the property be surveyed. This should be finalized within the next few weeks so the city and school board can move ahead with the property transfer.

XIII. REPORT OF COMMISSIONERS

Eddie Freeman

Mr. Freeman thanked Jake from Public Works along with his crew and all the inmates for the job they have done thus far on the pocket park.

He wanted it noted for the record that BlueCross and Tenant did in fact reach an agreement and that a total of \$542,000 could have been saved if the county had elected to go with Blue Cross as the initial vote was cast.

Gwen Flowers-Taylor

Ms. Flowers-Taylor is also happy that Tenant and Blue Cross reached an agreement.

Ms. Flowers-Taylor would like the Board to have a discussion of a Memorandum of Understanding with other governmental entities such as the Water Authority, the Hospital Authority, the Development Authority and others regarding the county administering insurance coverage for members of these authorities. She would like Spalding County to have the staff contact Fayette, Henry and Lamar counties to see how other nearby counties handle this.

She believes if the authorities are hiring people without any input from the county, they should not be adjudicated in the county processes if there is a termination or something of that nature.

She had a complaint that items being discussed and requested by the Board are not being followed up on. One such item is a policy on employees taking leave for elective surgery as opposed to worker's comp. She was told there were some concerns with legalities so it was not brought back to the commissioners. She stated this is not staff's decision to make. She would like to see this stop happening. She stated people in personnel are not elected to make those decisions.

Ms. Flowers-Taylor gave the example of a time it was recommended to the Board not to place the Lord's Prayer on the courthouse wall. They were informed they could very easily be sued. She stated it has been four years and no one has complained. Her point is when the Board asks for something, let the Board make the decision as to whether they believe there are legal issues with it.

She stated the swim meet was awesome. There were hundreds of people bringing a boost to the local economy. She stated this was a very good economic stimulus for the county. She did however note there were issues with not enough parking and the lack of adequate bathroom facilities.

She commented she is hoping that at some point the Board can discuss going to the Hospital Authority and as a Board consider asking for part of the Hospital Authority grant for the county's senior program. Most of the programs are geared to health oriented items. She stated that Kelly does a great job with health checks and screenings and she believes with our

upcoming senior center that will enhance some of the programs we have and it may be an avenue the county can look at in terms of getting funding.

David Phillips

Mr. Phillips stated that Corporal Bill Harris from the Sheriff's Department was involved in a hit and run accident. He suffered multiple fractures to his leg. Mr. Phillips' thoughts and prayers are with Corporal Harris. He commended Deputy McKinny, the Griffin Police Department and the EMT's for their quick response to the accident.

Bob Gilreath

Mr. Gilreath wished Mr. Raymond Head, Jr. well. He is in Brightmore Nursing Center.

Chase Todd has resigned his position on the Animal Control Board. According to information he closed his business on Solomon St. in Griffin and no longer resides within the county. He is another good person this county has lost along with his business.

At the June 7, 2010 BOC meeting Mr. Gilreath pointed out this Board is contributing money for maintaining and operating a department of the City of Griffin. This has been going on for many years. He believes this is the responsibility of Griffin, Georgia to maintain and operate their department by furnishing the necessary funds and not the county's responsibility. He is again asking the Board to stop this funding.

He was glad to see the big turnout for the National Guard 2nd Battalion 121st First Infantry welcome home celebration on Saturday. The county had good representation at the event. Mr. Goss gave an outstanding speech.

He brought up the issue again of house numbers not being displayed properly for emergency personnel. This is for the safety of the people. He believes this should be addressed immediately.

He stated there is progress on the beautification projects. There are gateway signs being looked at that will need to be approved by the city and county. UGA may have some plants that can be used for the projects.

He asked once again for the Board to discuss land conservation.

He also commented on the success of the swim meet. He estimated there were close to 1,000 people in attendance. There were several counties represented at the meet including Carroll and Douglas. There were teams from Macon and Statesboro. He thanked those that put on this event.

He further commented that he has worked for a year and a half to bring the city and county commissioners together for a meeting. There is a meeting on July 26th between the county and city commissioners. This will be held at 6:00 in the annex meeting room. He feels like good things will come out of this meeting.

He reminded everyone that July 20th is Election Day and everyone should get out and vote. He stated how and who you vote for will be very important to this county. The outcome will determine whether this county moves forward in a timely manner making strides that will be of benefit for all or whether or not this county will revert to the old game of politics, personal agendas and backroom decisions. He hopes the voters make the right decision.

He congratulated Mr. Freeman on being appointed as a county and district board member for ACCG.

Eddie Goss

Mr. Goss asked all the commissioners to please look over the packet for the zoning meeting on Thursday night regarding the Tri County Overlay as they are expecting a big crowd. He asked them to speak with Chuck Taylor from the Community Development office if they have any questions regarding this issue. Mr. Goss commented there seems to be a lot of misinformation out there. There will be a huge crowd at the meeting.

He stated he was in attendance to celebrate 100 years of the Elk's Club on Friday night.

He reiterated Mr. Gilreath's concerns regarding house numbers not being clear for emergency personnel. He has noticed just how many homes in the area do not have house numbers on the mailbox. He would like to work with the media to get the word out about this. Mr. Phillips suggested the county work with the post office regarding this matter. Ms. Flowers-Taylor would like for the Board to discuss this further as it is very important.

He stated he had a great time at the welcome home for the National Guard troops and he is glad to see them home.

Mr. Goss stated that the county could not have taken a chance on Blue Cross and Tenant not reaching an agreement when deciding on a healthcare provider for employees. The county was up against a deadline.

XIV. CLOSED SESSION - None

XV. ADJOURNMENT

Motion/second to adjourn by Commissioners Flowers-Taylor/Freeman at 7:12 p.m. and carried by a vote of 5-0.

Chairman

Interim County Clerk

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