

**After
Agenda**

**Board of Commissioners of Spalding County
Regular Meeting
November 4, 2019
6:00 PM
119 E. Solomon St., Meeting Room 108**

The Spalding County Board of Commissioners held their Regular Meeting in Room 108 of the Spalding County Annex on Monday, November 4, 2019, beginning at 6:00 p.m. with Chairperson Rita Johnson presiding. Commissioners Donald Hawbaker, James R. Dutton, Gwen Flowers-Taylor and Bart Miller were present for the meeting. Also present were County Manager, William P. Wilson, Jr., Assistant County Manager, Michelle Irizarry, County Attorney, James Fortune, County Attorney Stephanie Windham and Executive Secretary, Kathy Gibson who recorded the minutes.

I. OPENING (CALL TO ORDER) by Chairperson Rita Johnson.

PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.

II. INVOCATION led by Commissioner James R. Dutton, District #2.

III. PLEDGE TO FLAG

Commissioner Donald Hawbaker, District #5 led the Pledge to the Flag.

IV. APPOINTMENTS

1. Consider appointment to the Griffin-Spalding Development Authority to fill the unexpired term of Ballard Brooks to expire December 31, 2020.

Motion/Second by Flowers-Taylor/Miller to table the appointment to the first meeting in January 2020. Motion carried unanimously by all.

V. PRESENTATIONS/PROCLAMATIONS

1. Recognize Spalding County Employees who completed the 2019 Griffin Leadership Development Institute.

County Manager, William Wilson, stated Miles Neville, Human Resources Director who introduced the employees.

Mr. Neville advised there are 4 of the 6 graduates in attendance this evening, one is out of town on business and one is not feeling well, so we ask that person not to come in and get anyone else sick. We do this every year, and this is the 13th year we have done the Griffin Leadership Development Institute and the County has participated in 5 of those classes. We are proud that the City and the County can coordinate in bringing this program to our employees.

He then recognized those who attended the program: Steven Arnold, Code Enforcement, Joey Ingram, Fleet Services Supervisor, Rico McCrary, E-911, Harold Williams, Fire Marshall. Not present this evening are Felicia Camp, Administrative Assistant II and Brent Foster, Animal Shelter Supervisor.

VI. PRESENTATION OF FINANCIAL STATEMENTS – None.

VII. CITIZEN COMMENT

Speakers must sign up prior to the meeting and provide their names, addresses and the topic they wish to discuss. Speakers must direct your remarks to the Board and not to individual Commissioners or to the audience. Personal disagreements with individual Commissioners or County employees are not a matter of public concern and personal attacks will not be tolerated. The Chairman has the right to limit your comments in the interest of disposing of the County's business in an efficient and respectable manner.

Speakers will be allotted three minutes to speak on their chosen topics as they relate to matters pertinent to the jurisdiction of the Board of the Commissioners. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting. No speaker will be permitted to speak more than three minutes or more than once, unless the Board votes to suspend this rule.

Ellen Baush, 106 Corley Court, Griffin, GA discussed her concerns regarding the preliminary feasibility reports required by ArtSpace. Stated she felt ArtSpace is making significant requests that will cost the citizens of Spalding County and at this point they have no “Skin in the game.” She does like the idea of an Artistic Development in Griffin, but that is an idea that is coming from outside of Griffin and it certainly is not coming from any of the people who currently live in that neighborhood and it has been her experience that really successful projects have a strong local ownership and she is not sure that this one has that.

Virginia Church, 406 N. Hill Street, Griffin, GA, stated that she wanted to speak in support of ArtSpace. The Land Bank Authority initially brought this group into Griffin and they have stepped back right now, but they still want to be involved in the project. She then explained that the next phase for ArtSpace is to see if there are enough artists in this area (50 mile radius) to support this project. Committing to this phase of the project does not commit the County to anything going forward.

Jewel Walker-Harps, 103 McEthel Drive, Griffin, GA stated that they are pleased that there is some action being taken on the Heritage Park Project; however, they want to stress their continued interest in the quality of the action. There is a strong awareness that brick and mortar will not solve all of our problems. They are hoping that whatever actions are taken will be the result of detailed, thoughtful and well researched planning. With the best interests of both the City and the County at heart. She too questioned how much “skin” ArtSpace has in this game?

Ms. Walker-Harps then stated that it would be a number of years before we would actually see something on the ground. The need for expending additional funds with no guarantee that the project will meet the desires of ArtSpace to accept the project as something that would be profitable and desirable for them makes her question putting money into the project. She then questioned if ArtSpace would feel Spalding County was in their best interest. Additionally, she questions what is going to be in the best interest of our City? She then expressed her concerns regarding the possibility of residents of that community being displaced, what will happen to them and what provisions will be made for them?

She then stated that if funding can be accessed through the Housing Authority locally, we would be much better off than working with an outside group. We know the quality of work that the Housing Authority has done, and we are confident in their interest and concern for this community.

She stated that all she is saying is that things are bad now, but they could be worse. They are asking that the Board think very carefully and do a good job.

VIII. MINUTES -

Consider approval of minutes for the Spalding County Board of Commissioners Extraordinary Session on October 21, 2019 and the Spalding County Board of Commissioners Zoning Public Hearing and Executive Session on October 24, 2019.

Motion/Second by Flowers-Taylor/Miller to approve the minutes for the Spalding County Board of Commissioners Extraordinary Session on October 21, 2019 and the Spalding County Board of Commissioners Zoning Public Hearing and Executive Session on October 24, 2019. Motion carried unanimously by all.

IX. OLD BUSINESS –

1. Lift from the table and consider approval of funding for Artspace Phase 2.

Mr. Wilson advised that the Board of Commissioners had asked that staff contact the Board of Education, the City of Griffin, the Development Authority and the Housing Authority. Both the Development Authority and Housing Authority have each committed \$6,000 toward this study. The City of Griffin and the School System have not committed at this time. This is \$12,000 of the \$30,000 required for the study and staff recommends moving ahead with Phase 2. He then added that Phase 2 does not commit the County to any future phases. It just determines whether there is enough demand for this type of project in our area.

Commissioner Dutton stated that we explored the reason why people were turned down after the different phases during the process and what was found was that the only reason projects that have gotten this far have been turned down is if the market study doesn't work and there aren't enough artists or if when they are getting ready to build the tax credits don't work out. Having the Development Authority on board is in our favor and right now if we can find enough artists. This is artists within a 50-mile radius, and we have had artists at the meetings expressing their desire for this project to come to fruition.

Chairperson Johnson stated that she thinks that the largest concern she has heard is that "we are not on the hook" so she thinks is worth our doing the market study and it is important for everyone to know that "we are not on the hook" for anything additional.

Commissioner Dutton then stated that Ms. Walker-Harps brought up people being displaced from housing in the area. It is our understanding that it will be all new housing construction that will take place.

Mr. Wilson advised that there would be no displacement of existing residents there will only be the addition of new residents to that area.

Commissioner Hawbaker then asked from what fund the \$18,000 would be drawn.

Mr. Wilson stated that he would recommend that the funds come from SPLOST, but that is for the Board to decide.

Commissioner Flowers-Taylor then stated that first of all we never voted to lift this from the table.

Motion/Second by Dutton/Hawbaker to lift from the table and consider approval of funding for ArtSpace Phase 2. Motion carried 4-1 (Flowers-Taylor).

Commissioner Flowers-Taylor stated that her concern with this project is not the funding that is to come later, because clearly, we do not have that funding already budgeted. This project is not part of the Heritage Project, it has nothing to do with the Heritage Project and she has a real concern that until we do what we are supposed to do on the Heritage Project, there is nothing that will attract ArtSpace to that spot. She doesn't know if there is an extreme rush, she feels that if we are a good candidate today, we will be a good candidate in six months or in a year. She would like to see something happen at Heritage Park as a project itself before we start looking at adorning the Heritage Park Project.

Commissioner Flowers-Taylor then stated that she personally feels that at this point the \$18,000 would be better spend working on Heritage, because that is what we told voters we were going to do that is the main project. Anything extra that happens is gravy, we need to do the project first, before we start finding things that will accentuate the project.

Commissioner Dutton stated that he wasn't on the board when the SPLOST was approved by the voters and that it was his understanding that the Heritage Park project was to involve renovating and bringing up to standard the Rosenwald School, Equalization School and the attached Gymnasium with a Community Garden in the back.

Mr. Wilson stated that the Heritage Park Project was Rosenwald and the Gymnasium, the Equalization School was to be torn down. The very limited scope of the SPLOST was to bring the two buildings up to minimal standards so that they could be used and not to the scope that the project has become.

Commissioner Flowers-Taylor stated that it was very clear that the Rosenwald School was supposed to be rehabbed to what its natural state was when it was being used. It was to be restored as a historic building based on the historical data that we have, we have never veered from that. We have never veered from the fact that we want the gym to be used as a community building. The thing that we didn't anticipate was the Equalization School and she feels any taxpayer can understand that if you have a building that is going to cost \$3 million to renovate and you didn't vote for that, then you don't have that money. So, we can't even talk about doing that building. For all intents and purposes, if Rosenwald was finished today, the Equalization Building would not be finished because we don't have the money for it.

Commissioner Flowers-Taylor then added that Fairmont started out as a small project and it blossomed into a huge project but is quite obvious that should have had a larger scope to start off and we did what we needed to do, we made it a first-class park on the same caliber as Wyomia Tyus Park. All she is saying is we told the voters we would finish Rosenwald and it's been almost 4 ½ years into the SPLOST and the first thing has not been done.

Commissioner Flowers-Taylor then stated that as a voter, until she sees something happening there, her confidence is very low and when she hears us talking about spending other money around the project, not on that project and not coming up with solutions for that project, even spending \$30,000 is a “slap in the face” for her. She will go with the wishes of the Board, as a Commissioner she thinks it is a great idea, as a taxpayer and a voter she thinks “no” that is not what we voted for.

Commissioner Dutton then asked if ArtSpace comes in will they be renovating all three buildings.

Mr. Wilson advised that ArtSpace would renovate the Equalization Building and the Gym, the County would still renovate the Rosenwald Building.

Commissioner Dutton then asked if there would be enough money left after completing all the phases of ArtSpace to do what we need to do to the Rosenwald School.

Mr. Wilson then advised that there is approximately \$800,000 remaining in SPLOST funds of the original budget for “Heritage Park.” Mr. Wilson then advised that the additional funding mechanisms currently being explored by the County is later in the agenda; however, if it is the will of the Board, he will review them at this time.

Chairman Johnson then asked Mr. Wilson to review the funding currently being considered.

Mr. Wilson stated that everyone knows there is not \$7.2 million available to do the estimated project that was presented to us several months ago. He then added that we wouldn't even be here if there wasn't a Rosenwald Building.

A. Rosenwald is the priority and we can take the monies that we currently have in the SPLOST fund and maybe take some of the “surplus” collections if the Board so allocates and do a nice historic renovation of the Rosenwald Building and possibly add a separate building for an entrance with restrooms, an area for tourists to line up and handicap accessibility and not take up one of the rooms in the Rosenwald Building for that. We could possibly do that with the funding available.

The Equalization Building was originally slated for demolition, there is absolutely no funding left once the Rosenwald Building is complete and there would be no funding remaining to do anything to the Gym. So, we can complete the Rosenwald renovation and board the other two buildings and wait for funding from other sources.

B. ArtSpace – We partner with them, it is a longer period of time, 5 to 7 years, they build some housing, they utilize some of the rooms in the Equalization Building and they renovate the gym for use as a display area and a community area.

C. The Board has given permission for staff to complete the pre-application process for the \$2 million CDBG Innovation Grant.

D. While working with that, we met with representatives from the City and the Griffin Housing Authority, it was brought to our attention there is a possibility of a solution in joining with the Housing Authority and the City of Griffin for projects that they are going to be working on in that area.

Mr. Wilson then noted that both ArtSpace and the Housing Authority are Tax Credit programs that make those projects work. There are two types of Tax

Credits, there is a 4% which is not competitive, you apply for and do the funding and that is what the Housing Authority is currently recommending for the projects that the City has and possibly inclusion of Heritage Park. Then there is a 9% tax credits which is what ArtSpace is proposing, those are competitive grants and once an area is awarded a 9% Tax Credit you can apply for any additional tax credits for a period of approximately 5 years in that area. There is still a lot to learn from the Housing Authority.

- E. There is a fifth option, that we should know for certain in the next week or two about something that will hopefully come to fruition and it is not necessary a funding thing; however, it could help to generate some interest and produce additional funding.

There are currently 5 things for consideration. One being complete the Rosenwald School and board everything else up. The second is ArtSpace. The third one is the CDBG Innovation Grant. The fourth is working with the City and the Housing Authority, they had three projects they were working on in that area and one may have gone private, so there is room for us to get in with them on the pre-planning stage for the 4% to work with the Housing Authority and maybe couple and blend it with the Innovative Grant and do both, but this all has to happen within a very short time frame.

Chairperson Johnson then asked if ArtSpace could play a piece in the item #5 funding. ArtSpace may only want the 9% tax credit.

Mr. Wilson stated that Bob Dull advised that we would need a market study no matter which avenue we decide to pursue. The market study will either rule out ArtSpace or make it an ArtSpace project and they could work with the Housing Authority, City of Griffin and Spalding County to make this come to fruition. That is why the Housing Authority was willing to put in \$6,000 toward the market study.

Commission Dutton then stated that even if ArtSpace doesn't work out we can use the market study for the other projects.

Mr. Wilson advised that it would all help.

Commissioner Miller then stated that he feels if the County goes ahead and does the Rosenwald School, ArtSpace would be more likely to participate if we have something established. We've got nothing established right now. It doesn't make any since to take money that we could put into the project to fund a market study. If we get started it may help ArtSpace to make up their mind that they want to participate.

Commissioner Flowers-Taylor then stated she would like to challenge whether or not we can use SPLOST funds for this study. This was never part of the original SPLOST, it was never part of the original study and she doesn't feel it meets the criteria for projects that we said we were going to do.

Chairperson Johnson then asked how much is in the Commissioner's Contingency Fund?

Mr. Wilson advised that currently there is a little over \$90,000 in the Commissioner's Contingency Fund and it could be taken from there.

Chairperson Johnson stated that she would be willing to take the money out of the Contingency Fund.

Commissioner Hawbaker then added that we are going to need the study and we will not be restricted if we decide not to go forward with ArtSpace.

Mr. Wilson stated that it is the County's study, ArtSpace will be conducting it for Spalding County.

Motion/Second by Dutton/Hawbaker to approve \$18,000 out of the Commissioners Contingency Fund to combine with \$6,000 from the Development Authority and \$6,000 from the Housing Authority to complete a market study for ArtSpace Phase 2. Motion carried 4-1 (Flowers-Taylor).

2. Lift from the table and discuss request for refund of "overpayment" of 800 MHz services by the City of Griffin.

Motion/Second by Hawbaker/Flowers-Taylor to lift from the table and discuss request for refund of "overpayment" of 800 MHz services by the City of Griffin. Motion carried 4-1 (Dutton).

Mr. Wilson then advised that since this matter was last discussed we have received another invoice from the City of Griffin, which includes interest for October as well, bring the total for the City is asking for reimbursement is \$58,968. The Board voted to table this to give you time to put your thoughts together on how we should proceed. Staff was not given any direction, so we await your instructions.

Commissioner Flowers-Taylor stated that the City's invoice indicates that they made an overpayment and she feels that the City used the services, they continue to utilize the services and her suggestion at the last meeting was if the City chooses to no longer use this service then we give them a notice that the service will be discontinued. She doesn't feel this is a double taxation, she was there during the initial negotiations for this service and everyone agreed that all of the entities involved would pay for use of the system. They would pay for operation and maintenance and we agreed on a cost per unit. The EMS, City of Griffin and Spalding County. Like so many of our contracts that have expired with the City, if we start going back and looking at the different contracts to find out whether we continue to do the service even without a contract, which in many cases we have, that's a can of worms we may not want to open. Her process being if we feel the City owes us money for those months then we should bill them for it. Just like they are billing us to refund them, but she doesn't feel that we need to continue to provide service and make other entities who were at the table at the time this agreement was made continue to pay for the service and then allow the City to use it for free.

Commissioner Dutton then stated that even if he did not watch his cable TV for two months, he would not be able to go to Comcast and say I didn't watch TV for the last two months can you give me my money back. That's not how it works, I could say I want it shut off and I don't want to pay anymore, which is fine going forward, but you don't get to reach back and say you didn't utilize it. Sorry the service was there for your use.

Chairperson Johnson then asked if there were any legal ramifications for these actions? Can you do this kind of stuff?

Mr. Fortune stated that if we "pull the plug" on their ability to use our system, he doesn't know if they have a back-up system.

Commissioner Flowers-Taylor then stated that we obviously can give them some time, but they had a system before we went to the 800 MHz. This is not 911, everybody has access to 911 and they don't necessarily pay for 911, but once you get beyond 911, the distribution to the different entities, that is what the maintenance and operation comes in. This is not a free county service.

Mr. Wilson stated that should we wish to advise the City if they wish to no longer continue the service that they should proceed in acquiring their own service. There was 30, 60- and 90-days mention by the Board; however, this would be a much longer process than that, it would take them 9 months to a year to put everything in place and maybe even longer than that for a stand-alone system.

Commissioner Flowers-Taylor stated, but we cannot continue to allow them to use the system when everybody else is paying their portion of maintenance and operation and they are paying nothing.

Commissioner Dutton stated that he totally agrees, if you are going to utilize our system you have to pay for it. If they don't want to and they want to do their own thing, that is totally fine and if they are going to get fined or something for not having the service after they quit using ours, then that is their decision. If they want to use and have access to our system, they should have to pay their portion according to the old agreement.

Commissioner Hawbaker then asked what the City had been doing since July 1 of 2018. This invoice covers up to June 30, 2018, so for the last 15 months...

Mr. Wilson then advised if you look at the attachments to the Agenda Item, we billed them for service earlier this year for FY2019 and when we did, we got this request back from them for a refund for overpayment. According to their letter: "inadvertently the City paid July 1, 2017 thru June 30, 2018 although the contract expired in 2017." The City had a meeting on April 23rd where they authorized Mr. Smith to request a refund for the overpayment. We bill for this service once a year for 800 MHz and our invoice to them for FY2019 is what triggered this response.

Commissioner Flowers-Taylor stated that according to the letter the contract ended in October 2017?

Mr. Wilson responded, "That is correct." They paid for FY 2018 but have not paid for FY 2019 which is the fiscal year that ended June 30, 2019 and we are currently in FY 2020 right now.

Commissioner Hawbaker then stated that technically our bill for them is larger than their request for refund. If we were to give them the refund. Again, they got the service, he doesn't really see what the issue is.

Commissioner Dutton then ask at what point they told us that they don't want to use our service anymore? When did we receive notice?

Mr. Wilson stated they have never said they wanted to discontinue the service.

Commissioner Flowers-Taylor stated that her original suggestion is to refund their overpayment and give them 30 days' notice that their access to the system will be over. She is not prepared to wait 9 months and still not get paid for that time.

Commissioner Dutton then asked what the original contract call for as far as payment dates. Do they have to pay in advance, do they pay every 6 months?

Mr. Wilson stated that on the second page of the agreement: The City shall make payment in the amount of \$220,000 (there was a disagreement before which caused this agreement to be signed) and then they agreed to do that, but tied it to Service Delivery which was scheduled to take place in 2017 and Service Delivery was not renegotiated in 2017.

Commissioner Dutton stated that if you have access to a service, even if you choose not to utilize the service without notification you owe for that service.

Commissioner Flowers-Taylor stated that we really didn't renegotiate SDS in 2017, but had we known this was on the table for that negotiation we would have done something different. It is as much their fault as it is our fault, because we didn't do SDS. All that being said, we're not in a position to do the SDS.

Mr. Wilson stated that we are currently working on SDS. He then advised that you can negotiate SDS at any time. There are mandated, required dates and our next date is 2022 or 2023, but staff has been in the process over the last six months meeting and agreeing to what we can agree on and then putting the items aside that we do not agree on and we have another meeting that Ms. Irizarry will tell you about during her report. Currently, there are two items on the SDS that we vehemently disagree on: Animal Control and 800 MHz and Mr. Smith and he have drastically differing opinions on those items, so we have put those aside to be worked on by the Commissioners and we have moved ahead with what we can agree on, so there is very little for the Commissioners to do should they choose to accept what we have talked about.

Commissioner Flowers-Taylor wanted to know how long the process was going to take to get to the point of talking about this. If we already know it is going to be Animal Control and it's going to be 800 MHz, then as a Board we should be talking about those things now. If y'all can figure the other stuff out, that is great, but if we know there is a problem now, then we need to start working on it now, because this is part of why we are where we are right now. She's not trying to strand anybody, but she is sure that the City can make a decision on whether or not they want to continue to utilize the service. If we were buying electricity from them and our contract ran out and if we got electricity beyond our contracted time, they would want their money. And if this was a case where the other stakeholders were not continuing to pay for maintenance and operation, then she would understand, but that is not the case.

Commissioner Dutton stated that he agrees with let's consider this notice that you want to have your own system and we will give you six months from today but going back the payment is due.

Commissioner Flowers-Taylor then stated that we need to make up our mind as to what we are going to do and if we're not going to have the City to be responsible for their portion of the maintenance and operation, then by the same token, the other stakeholders should have to be responsible.

Chairperson then asked that each Commissioner give a time frame for cut off of the service: Bart Miller – No refund. Gwen Flowers-Taylor stated we should refund them the amount requested and give them 60-days before they are cut off. James Dutton is totally opposed to giving a refund as they are using something right now that they haven't paid for and they are asking us for money. No refund. Donald Hawbaker stated no refund and give them a 90-day notice and pay us for the service they have used.

Kenny Smith, City of Griffin-City Manager, stated that the Board is relating this to cable T.V. and he wants to make sure that the Board understands that they are cutting off the citizens of Griffin's emergency communication. So, there is no access for citizens of the City to get police or fire response once you cut-off this service.

Commissioner Dutton then stated that what we need to make clear is that the City of Griffin has chosen to stop providing that service to their citizens by not paying the bill.

Mr. Smith stated he has a contract that has expired, there are four attorneys in the room, and he has a contract that expired. So, you are telling me that the expiration date of a contract doesn't mean anything. All we want to do is renegotiate a contract, that has expired. That is all we want to do.

Chairperson Johnson then asked Mr. Smith, what you are saying is if we work together to renew this contract, this can be worked out.

Mr. Smith stated that he feels like it can be worked out. The City feels there is a fundamental difference that the City feels 800 MHz communications equipment is part of emergency communication, just like a console, a chair that the person sits in, the telephone, the radio is part of emergency communication. That is what the City feels like. The County feels that it is totally separate, it is not part of emergency communications, that is the fundamental difference that we need to work out, it is or is it not a part of emergency communications? The City had a contract that we requested be renegotiated with service delivery strategy; however, they did not have that opportunity. The contract expired, so they are asking to renegotiate a new contract.

Commissioner Miller then asked Mr. Smith how long this renegotiation was going to take.

Mr. Smith replied that he had no idea. You will propose a new contract, we will look at it, if we have comments, we will send it back and if you have comments you send it back to us. All he wanted to do is to make it clear that if you cut off 800 MHz to the City, we have no emergency communication.

Commissioner Flowers-Taylor stated that before 800 MHz, the City had a dispatcher and that is what the County had. The same way you had a dispatcher before, if you want people to get your message. People can still call 911 and they will patch that call to the police department or they will patch that call to the fire department. You just won't have use of that 800 MHz system for that radio, that's what it is. It's not us cutting off services to the people of the City of Griffin. 90-Days is enough time for your Board if they choose to get whatever dispatch services, they need prepared for their citizens. If that is what y'all want to do. So don't make it look like we're doing a bad thing, because it doesn't work for you because that is what you had before, so if you choose not to pay for the service, then it appears that you want to go and do something else.

Commissioner Dutton then responded that the idea that the County is somehow cutting off emergency services to the citizens of the City of Griffin is ludicrous. The City of Griffin has chosen not to pay for a service for their citizens and therefore the City has chosen not to provide this service. To say that we, as the service provider have done something wrong by cutting off a service, they have not paid for and is a decision that was consciously made by the City then to put that on us like we're the bad guys, that is ludicrous. Now if they want to renegotiate, that is totally fine, but that is not what the letter says.

Commissioner Hawbaker stated that we can give them a year's notice as long as they pay for the service until termination, he is good with that.

Mr. Wilson then asked if the Board would allow staff to draft a contract between now and the next meeting for the Board to review and present to the City.

Mr. Fortune the stated that the City's position is going to be this is a countywide service, SDS, you guys are supposed to be paying for it and they aren't going to be interested in signing a contract. They are not going to be interested in working this out if that is their position, that it is the County's bill and not the City's bill.

Commissioner Dutton then stated thus it would be the City's conscious choice to stop providing that service to their citizens and it won't be any fault of the County if they consciously choose to not come to the table and provide the service anymore it is their choice and we can't make them make the right decision.

Motion/Second by Dutton/Hawbaker to table this matter until the November 18, 2019 Extraordinary Session. Motion carried unanimously by all.

Commissioner Miller stated he would like the Animal Shelter included in that contract.

Commissioner Flowers-Taylor stated there are two things that we already know is an issue, why not do them both at the same time.

Commissioner Dutton stated that if you can, make that happen, but if you can't let go with the 800 MHz.

3. Discuss Heritage Park funding possibilities.

Mr. Wilson advised that he reviewed these items earlier in the meeting when we talked about ArtSpace.

Commissioner Flowers-Taylor stated at the last meeting she suggested to this Board that we look at the Hotel-Motel Tax money that we are collecting and going into the General Fund as a funding mechanism to finish not only the projects for Heritage Park, but also to provide funding for the Aquatic Center.

When we had to come up with money for the airport, we didn't have \$3 million, the City was gracious enough to make a loan to us, but we went into debt for that. So why are we so reluctant to make a financial commitment to complete the Heritage Park and Aquatic Center. We are going to be at this some place in less than a year on what we are going to do with the Aquatic Center. When we did the SPLOST we paid off all of our debt, so we don't have a lot of debt, so I don't understand the reluctance of staff to recommend that we do this or this Board to come up with a funding mechanism that we can pay off over time using these funds and perhaps leveraging what we would have with what we may be able to get from GSBTA and maybe a CDBG grant. So that the project can get started.

Mr. Wilson talked about doing Rosenwald, but there is a big field in front of Fairmont that is supposed to be graded and made into a green space, there is supposed to be a walking track that leads from Fairmont and goes all the way around Rosenwald and comes through the Fairmont Park use to be over near More. None of that is done, you are talking about fixing the Rosenwald school and building an entrance way where people can get in there and put a bathroom, what about the green grass? What about the sidewalks?

She would have at least expected the 2.5 to 3-mile walking trail to be completed, if it is just a sidewalk. It is not going to be just fixing the Rosenwald Building, there is the garden, where is the money for that going to come from? She wants us to really look at this, it is one of those hard decisions that we have to make. We don't need to start picking and choosing. If we thought the airport was important enough to make a loan for \$3 million, is this not just as important? Is this not something that the voters voted on? Which should make it mandated that we figure out a way to make it happen. So, while she appreciates Mr. Wilson coming and talking about those potential things, there is nothing about anything that he said that has a potential to make money until that happens. What are we going to do in the meantime? When are we going to move some dirt? Plant some grass? Put some soccer goals up? This is not big stuff, so you may have \$800,000 to finish the building, but what are you going to do about the landscaping? What are you going to do about the walking trail? How are you going to connect all of that together?

Chairperson Johnson asked if anyone had talked with GSBTA?

Commissioner Flowers-Taylor advised that no one had talked to GSBTA because there had been no commitment by the Board. Until there is a way to put money with it on an annual basis for several years, if that would be what we want. It is hard to look people in the face and continue to say, well we're hoping. Everything else we have voted for in the SPLOST has been done.

Mr. Wilson then advised that the Hotel-Motel Tax that is allocated to the General Fund is \$120,000 per year.

Commissioner Flowers-Taylor stated that this is one of those hard decisions, we wanted the Hotel-Motel Tax money, we decided that we were going to put it in the General Fund, but it is Hotel-Motel Tax money, and this is an Economic Development Project. And it is one of the projects that meet the "Low Hanging Fruit" for Economic Development for GSBTA as well as for us, so she would like for the Board to look seriously at what we can do. Even if we were able to get the money for the portions of Heritage Part that does not include the Equalization School, we still have the Aquatic Center.

Commissioner Flowers-Taylor stated she feels that people are trying by applying for grants, but there were some projects in past SPLOST where we paid for the project, then when we did the SPLOST, we put it in the SPLOST that we would pay that money back. So, why can't we do something innovative in that nature. Why don't we take the financial responsibility for it and when the project is completed when and if we can get another SPLOST, we ask to pay that debt off. But you have to have something on the ground before you can ask people for anything.

Chairperson Johnson asked if we should have another Special Called Meeting to try to work out where we are going to get the extra money.

Mr. Wilson advised that we do not have the updated costs on the changes that the Board authorized from Paragon with the improvements. He stated he would check on that and get back to the Board and then we can set a date to look at those improvements which will more than likely be greater than the \$7 million estimate was originally presented to the Board.

X. NEW BUSINESS

1. Consider approval of the following 2020 New Alcohol License for Consumption on Premises Beer, Wine and Liquor:

Victoria McDaniel-Hole N The Wall, located at 1647 N. Hill Street, Griffin, GA

Mr. Wilson stated that all criteria have been met for the Consumption on Premises License.

Motion/Second by Miller/Hawbaker to approve the 2020 New Alcohol License for Consumption on Premises Beer, Wine and Liquor for Victoria McDaniel, Hole N The Wall, located at 1647 N. Hill Street, Griffin, Georgia. Motion carried unanimously by all.

2. Consider approval of contract to purchase Airport Road Park property from the Griffin-Spalding Airport Authority.

Mr. Wilson stated that we have been working on this since 2017. Originally, the appraisal came back considerably more than we were willing to pay for the property (\$413,000). So, we inquired as to whether or not the appraiser was aware of the contamination from Rental Uniform Service. There is a non-hazardous plume under that walking track that is not moving and the responsibility for maintain and cleaning up that plume is with Rental Uniform Service and whomever comes after them. As you know, over the years the Board has authorized installation of ground water monitoring wells on that property, and we have coordinated with Park and Rec to make sure that the activities out there are not disrupted in any way by the wells that have been bored out there.

Mr. Wilson stated that fast forward a year and a half, Airport Authority starts negotiating with the Kiwanis Club for them to purchase the Kiwanis Club Property and the parking lot out front, which got a reappraisal and the County got a reappraisal as well. The County agreed to pay for our reappraisal and the Kiwanis agreed to pay for their reappraisal. The new appraisal came in at \$193,000, much more in line with what the Board of Assessors feel the property is valued. Mr. Wilson then advised that we currently pay \$91,000 per year to lease this property, so as soon as we can purchase the property that lease will go away. We budgeted the full lease in this year's budget and if we close in December, we will have approximately \$45,000 to pay towards the cost of this Park. Mr. Wilson stated that he had put an estimated cost of \$250,000 to cover all costs for closing on this property, he feels this is high, but we've got to pay for the appraisal and some associated with some associated fees with Croy Engineering, the new firm that the airport authority hired to negotiate work on the existing airport and on the new airport.

Mr. Wilson stated that staff is recommending approval, this was not a budgeted expense, we should have the \$45,000 and he would recommend that you take the rest out of Fund Balance. Mr. Wilson has checked with Ms. Garrison and there should be more than \$200,000 in revenues over expenditures for the last fiscal year. However, all of the audit adjustments have not been made, but we have advised the Airport Authority that we are interested in the property. The appraisal has come back and what they are waiting for now, is that originally this property was sent up to the FAA for release; however, GDOT stated that they wanted to release both properties at the same time. He thinks that both properties have now been submitted to the FAA for release, but it hasn't been approved at this time because there must be a personal signature from the Federal FAA Director in order to dispose of real property that is encumbered by the FAA.

Stephanie Windham, Airport Authority Attorney, stated that the contract is contingent upon FAA release, which we are sure we will get, we just don't know when. Hopefully, it will be before the end of the year, but she feels it would probably be the first quarter of next year.

Motion/Second by Dutton/Flowers-Taylor to approve the contract to purchase Airport Road Park property from the Griffin-Spalding Airport Authority.

Commissioner Flowers-Taylor then stated "So, it is okay to take \$200,000 out of the fund balance to buy a park that we are already using, but it's not okay to take money out of fund balance to work at Heritage. I'm not getting that. That's all I've got to say Madam Chairman."

Commissioner Dutton then stated that now we lease the property for \$91,000 a year and we have the opportunity to purchase the park for a little more than double that price? So, in 2 ½ years we will have the park paid for?

Chairperson Johnson then asked if we were taking \$200,000 or \$45,000 out?

Mr. Wilson stated that we would take the difference between the \$45,000 and whatever the closing is, so about \$150,000.

Motion carried 4-1 (Flowers-Taylor).

3. Consider approval of TOF from Paragon Consulting in the amount of \$22,300 to provide Civil Engineering Services to Spalding county related to the Jail and CI Bar Screen Structure.

Mr. Wilson stated that since June, he had been forwarding correspondence from the City of Griffin. The City of Griffin is in the process of refurbishing their Wastewater Treatment Plant at Shoal Creek and he has forwarded pictures of what Dr. Keller has sent to him. Where garbage from the CI and the Jail are getting into the sewer system.

Spalding County currently operates a machine that will grind up anything that the inmates flush, it is called a "Muffin Monster," but it will not grind up a potato chip bag, because it is not set to grind things that small and they eventually wind up at the wastewater treatment plant.

Dr. Keller has sent us a permit application for this project, because essentially Federal Guidelines say that you can't introduce trash of this type into the sewer system. Dr. Keller has given us an extension on filling out that pre-treatment 50-page questionnaire if the Board of Commissioners approve the Task Order Form to move forward tonight. If not, he will proceed with an issuance of notice of violation.

Staff is recommending approval to move ahead with this. It is nothing that anyone knew about, and the funding is going to have to come from somewhere.

Mr. Wilson stated that he has asked both the Sheriff's Office and the CI to do whatever they can to prevent the flushing of these items and they are doing what they can do, but it is a problem in all prisons. He doesn't know if there is anything that can be done with the inmates to correct this, because the inmates at the jail are not sentenced.

Chairperson Johnson exited the meeting at 7:39 p.m.

Mr. Wilson then advised that the solution is called a bar screen and it would be placed where the line from the jail and the line from the CI come together and it would go into a bar screen which is set to filter out items, it has a conveyor belt on it to catch the items filtered and it dumps it into a dumpster to be disposed of. We have an estimate of \$200,000, it is incredibly expensive. What you have before you is a Task Order Form from Paragon to complete the specifications, the bidding to bid this out as well as oversight of construction and initial start-up of this project. Total estimate is approximately \$225,000 for this project. It will take 6 weeks for construction plans and bid documents and 5 weeks after advertisement for bidding administration and construction management. This is not something that we can do with our crews, it must be part of the manhole and part of the sewer. We will be building a field road from Justice Boulevard for the trash truck to be able to go out there and pick up the dumpster once it fills up and take it to the landfill and bring it back. There will be ongoing electrical and disposal fees for this project.

Commissioner Flowers-Taylor stated that she understands this is a problem with most prisons and she understands that people at the detention center haven't been sentenced, but are they allowed to eat in their units?

Sheriff Dix advised that they have access to a commissary service where they can purchase potato chips, personal hygiene products, ramen noodles, honey buns and things like that out of their store allowance that is deposited by their families and friends. Each cell has its own individual toilet, not only do they flush potato chip bags and things like that, they flush jump suits, they flush towels, they flush sheets, etc.

Commissioner Flowers-Taylor then stated that she was aware of that and that is what the Muffin Monster is for, but what she is saying is, are there not trash cans available.

Sheriff Dix responded yes ma'am, but they won't use them. There are trash cans that are emptied daily.

Commissioner Flowers-Taylor then asked what we can do on our side to prevent this type of behavior? She feels there should be some proactive thing that can be done.

Sheriff Dix stated that the people are in jail for breaking the law, so they think nothing about breaking a rule in the jail regarding putting stuff in a trash can. You have one detention officer that is locked in a cell block with up to 90 inmates, that detention officer can't watch all 90 inmates at one time to see what they are flushing. This is just one of the things that comes with running a jail or a correctional facility.

Commissioner Dutton then stated that when this jail was built, much of this type of stuff wasn't contemplated and it certainly was not put into the design. More modern facilities have this type of preventative equipment built into the system, so these problems are taken care of. They don't have the higher levels, per prisoner, upkeep issues that we're having. This is just one more reason we need to form a committee and look toward the future because our jail is not meeting the needs of the community now and in 10 years it is going to be even worse.

Sheriff Dix then stated that all we are doing right now is patching problems repeatedly. It's like a giant quilt with pieces sewn together to make it work.

Commissioner Miller then asked where we are going to get the money from for this \$200,000+ project.

Mr. Wilson stated he would have to look at the budget and see what he can find it, he just doesn't know of anywhere we can find it. Currently, we have \$91,000 in the Capitol Projects fund that could be used for this, but he will look for more.

Motion/Second by Dutton/Hawbaker to approve the amount of \$22,300 to provide Civil Engineering Services to Spalding County related to the jail and CI bar screen structure.

Commissioner Miller then asked if the \$22,300 would be the total amount owed to Paragon for this project.

Mr. Wilson stated this would cover the project from start to finish.

Chairperson Johnson rejoined the meeting at 7:41 p.m.

Motion carried unanimously by all.

4. Establish a date for a future workshop to discuss solid waste alternatives.

Mr. Wilson stated Commissioner Miller and asked that the Board talk about the Collection Centers and Commissioner Flowers-Taylor would like to talk about litter in general, as well as the Collection Centers.

Commissioner Miller stated that he doesn't have a problem including litter on the streets.

Mr. Wilson then advised that if the Board would like to meet on November 18th at 4:00 p.m. he will have our refuse collection staff here to discuss things that we would recommend for the collection centers. As far as littering, he will leave that up to the Commissioners to make recommendations. We have littering laws on the books, but it is not easy to enforce.

Mr. Wilson then asked the Board to remember that the City transfer station has not been reconstructed and it is scheduled to reopen in February or March, so anything we do at the Collection Centers to divert folks from using the collection centers we need to have a local area for them to dispose of their stuff. So, as discussed with Commissioner Miller we could say: Effective 90 days from now or effective 60 days from now we will no longer do this.

Commissioner Miller then stated that his thoughts are that we meet in November and set forth what we are going to do and then we come up with a date that this will be implemented. He wants to give everyone plenty of time to realize what the changes are going to be. He doesn't not want to close down the household garbage.

Commissioner Dutton then stated that no one wants to close down the collection centers, no one wants to stop solid waste collection. He wanted to put down anything along that line. That is not what we are talking about.

Consensus of the Board is to set a Work Session at 4:00 p.m. on November 18th to discuss the Collection Centers and littering in Spalding County.

5. Consider granting Monday December 23, 2019 as an additional paid County

Holiday.

Mr. Wilson stated the County will get Tuesday, December 24th and Wednesday, December 25th off for the Christmas Holiday. He has asked in the past when a holiday has fell on a Tuesday and the Board has graciously given us the additional holiday. There will be limited staff in every department that day, so he would ask that the Board consider doing this again on Monday, December 23rd.

Commissioner Dutton stated he has no problem with doing this, it is much the same as the Board did for Friday, July 25th.

Mr. Wilson then stated that there are no instances in 2020 where there is a holiday on a Tuesday or Wednesday and Thursday. So, something like this will not occur in 2020.

Commissioner Dutton then stated that he would like to go on record as far as additional holidays and say there are there are 3 holidays considered the most patriotic: Memorial Day, which honors all who have fallen in their service of our Country. July 4th, the day we declared independence and Veterans Day, where we honor all of those who have served or are currently serving. Right now, Veterans Day is not a holiday and he really feels that Veterans Day would need to be a holiday.

Chairman Johnson asked that this be included for discussion at the Annual Retreat.

Motion/Second by Dutton/Johnson to approve December 23rd, 2019 as an additional paid County Holiday.

Commissioner Flowers-Taylor stated that she doesn't mind people getting the day off, she just doesn't feel that we should pay them to have it off.

Mr. Wilson stated that the County will not be out \$93,000 what will happen is if this is not an additional holiday, many people will take leave, so you will not be saving that amount of money. They only thing being lost is the productivity that date, which at best will be minimal.

Motion carried 4-1 (Flowers-Taylor).

X. REPORT OF COUNTY MANAGER

- Freight Cluster Study workshops are this week, Wednesday, November 6th, from 1-3:30 p.m. and Thursday, November 7th from 9 a.m. – 11:30 at the Griffin College and Career Academy. He encourages everyone to come to those workshops, he asked that the Commissioners try to attend at least one of the two workshops.
- The Two Rivers RC & D Meeting is scheduled for Tuesday, November 12th, at 10:30 a.m. He asked if Commissioner Hawbaker would be attending or if he would like for staff to attend the meeting. Commissioner Hawbaker requested that staff attend the meeting.
- The Veterans Day program will be November the 11th at 4:00 p.m. at Veterans Park weather permitting or at the Senior Center should it be needed.
- Monthly home data, October was a good month for building permits there were 35 permits issued. Average square footage 2,825, so for the year we have done 235 building permits and only one out of the 235 has been under 1,500 square feet.

- Festival of Lights will be doing something a little different this year, there will not be buses. We are going to close Airport Road and everyone will be walking. There will be lights out. We are making provisions for those who will need handicapped parking. Mark your calendars it will be November 26th from 6:00 – 8:00 p.m.
- The City of Griffin has submitted an event list for the use of the portable bathrooms at the Park at 6th for City of Griffin events for next year. Just wanted to make everyone aware because some of you are new on the Board. We were told at the time the portable restrooms were purchased that when Historic City Hall was renovated there would be restroom space available for events at the Park at 6th and earlier this year, Kenney Smith stated unfortunately they would not have public restrooms accessible from the side of the building; therefore, they would need to continue to utilize mobile restrooms. That is something that we can do, but it is not a budgeted item.

Commissioner Flowers-Taylor stated that she would like to know what the maintenance is on those restrooms annually. She likes the fact that the City is having a lot of events downtown, but she doesn't like the idea that the County is going to be held responsible to provide that amenity at no cost.

Mr. Wilson stated that he would get a cost together for the Board.

- Mr. Wilson stated that the SPLOST collections for the month of October is \$855,148.03. We budgeted \$700,000 so that is great news for projects that are underfunded. That brings our average collections to \$755,756.17 over the 42-month period. This is a 72-month SPLOST because we have an Intergovernmental Agreement.

XI. REPORT OF ASSISTANT COUNTY MANAGER

- As discussed earlier in the meeting, we did hold SDS meetings with the City of Griffin on October 28th, the forms will be updated to reflect changes and be ready for final review of management on November 18th.
- United Way Kick-Off was on October 29th, we are excited to collaborate county wide to raise money for our Community. The Correctional Institute will be smoking pork butts, orders can be placed until November 15th at 4:00 p.m. with pick-up being November 22nd after 9 a.m.
- She also wanted to remind everyone if you are looking for a “Fur-ever Friend” you may find your new Furever Friend at the Animal Shelter. We have a flyer which shows the new adoption fees as we move toward the no kill initiative.
- She will be attending the final class with the Georgia Academy for Economic Development next week
- Spalding County Fire Department has been working with Safe Kids Spalding collaboration and they presented pedestrian safety information at Atkinson Elementary School Students and walked them to school on the morning of November 1st to practice what had been presented.
- There have been a number of car seat checks with another coming up on November 7th in connection with the parents at the Child Care Network and on November 16th for anyone interested in the community.

- The Fire Department has completed the “Give Burns The Boot” drive this past week and they are still working on the totals for that initiative.
- Spalding County Fire had just completed the 13th Annual CERT Program and they participated in Career Days at Southern Crescent Technical College and Carver Road School.
- The Spalding County Fire Department will also be hosting an auto extrication class this month which will help with hybrid cars and other vehicles that we will be seeing more of.

XII. REPORT OF COMMISSIONERS

Bart Miller – Stated that we as a Board have got to learn how to stop spending money. The taxpayers of Spalding County are going to have ulcers after they get through reading the paper about all this money we spent tonight. We have got to figure out a way to cut expenses some place.

Airport Road Park should have been put on this past SPLOST.

Commissioner Flowers-Taylor – She stated she had one thing to say: “Heritage Park.”

James Dutton – Stated that we have been beating the bushes, searching the caves and picking the rocks for finding money for Heritage Park. He was equally skeptical when ArtSpace said, “Hey you have to pay for us to look into this” then there is this Phase and that Phase and he didn’t want us to be Griffin’s monorail, so he got the Assistant County Manager to look into it as well as to what are reasons people have been turned down at this point.

They learned that the only reason that a project that has gotten this far would not be approved is (1) if there aren’t enough artists in the area who are interested or (2) if the tax credits do not go through and that is up to the local governments to decide. He doesn’t see why we would have any problem with the tax credits and at multiple meetings we have had artists from the community come out in support of this project. He feels this is a great way to have those dollars come into to do everything that we want to do with that project.

Currently, the County has enough money to do the Rosenwald Project, but not the remainder of the Project like we want to. If we did this, we could do Rosenwald and the Equalization School and the gym and have some nice new housing built out there, he feels it is going to be a great project.

Looking toward the Aquatic Center, he toured the Clayton County Center which is huge. That said, on the other end of the spectrum, Peachtree City has four pools, but only one they keep open year-round. They are all outdoor pools, but in the winter, they put a canvas dome over one of the pools and they do aquatic events during the winter and they don’t have to have a big building. He is going to go to Peachtree City and tour their aquatic center and he would encourage other members of the board to do the same.

He at one time worked for the Department of Law in the City of Atlanta in the land use and development area. When the former mayor decided that he wasn’t going to give any money to the Atlanta Braves and Turner Field, they decided to leave. The City of Atlanta ended up selling that billion-dollar Olympic Stadium to Georgia State

for \$36 million. And everyone said, “Where does Georgia State get \$36 million to spend on this project?” Georgia State was renting the parking lot of Turner Field for \$2.1 million a year when the Braves weren’t paying. That’s Airport Road Park. We are currently leasing Airport Road Park for \$91,000 a year and now we are going to buy it for \$193,000, it is a no brainer. If we continue to lease, in 2 years and two months we will break even and after that we no longer have to spend \$91,000 a year. It’s the same math as Georgia State used to buy Turner Field only our breakeven point is 2.5 years instead of 20. This is good use of the taxpayer’s money to stop paying every year to rent something when you can buy it so cheaply. Personally, he hopes that we can look at our other finances and find more opportunities to save in the long run for small short-term expenditures.

Donald Hawbaker – He just wanted to acknowledge the huge loss to our community when Pastor Randy Valimont suddenly passed away. His condolences to his family and the entire Griffin First Assembly congregation and staff.

He then wished good luck to the candidates in the election tomorrow and he hopes that everyone will exercise their right to vote.

Chairperson Johnson – She wanted to ditto everyone on their comments regarding Heritage Park. She would like to have this as an agenda item for updates and discussion at every meeting from now on. She stated that she knows that staff is continuously meeting and discussing funding opportunities and the Board wants continuous updates on where we are with this. We need to start making some decisions and moving some dirt to make this thing happen.

As Commissioner Flowers-Taylor said, the Aquatic Center is right behind this project and we need to start, hopefully by the end of this year, get a location for this project. We have waited long enough, it is time to move forward. The people have voted, and we need to go ahead and fulfill our promise.

It got a little tense with the City Manager here this evening, but she hopes that we will be able to work together and get something done. We need our City partners and they need us and although things get a little heated sometimes we need to work together. Let’s get that contract done and see what we can do to work with our City partners.

XIII. CLOSED SESSION

County Attorney James Fortune requests a closed session for 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); and,

County Manager, William Wilson, requests a closed session to discuss possible future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4).

***Motion/Second by Dutton/Miller to enter into Closed Session at 8:09 p.m.
Motion carried unanimously by all***

Motion/Second by Miller/Hawbaker to come out of Closed Session at 8:21 p.m. Motion carried unanimously by all.

XIV. ADJOURNMENT

***Motion/Second by Johnson/Miller to adjourn the meeting at 8:22 p.m.
Motion carried unanimously by all.***