



**Board of Commissioners of Spalding County  
Extraordinary Session  
September 16, 2019  
6:00 PM  
119 E. Solomon St., Meeting Room 108**

**The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 of the Spalding County Annex on Monday, September 16, 2019, beginning at 6:00 p.m. with Chairperson Rita Johnson presiding. Commissioners Donald Hawbaker, James 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, Stephanie Windham and Executive Secretary Kathy Gibson to record the minutes.**

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

**PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.**

**II. INVOCATION**

Pastor Will Doss with the Eagles Way Church delivered the Invocation and added that he had gotten to know members of the Board of Commissioners through the Archway Program and he appreciates the hard work they are doing. He also thanked the Board for partnership with Eagles Way and the Doc Holiday Festival.

**III. PLEDGE TO FLAG**

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

***Motion/Second by Flowers-Taylor/Dutton to amend the agenda to include a discussion under New Business regarding the Department of Transportation letter received this week regarding SR 155 and McDonough Road. Motion carried unanimously by all.***

**IV. PRESENTATIONS/PROCLAMATIONS**

1. Consider request from Cassandra Davis-Pope for a Proclamation recognizing the 25th Anniversary of the East Side Family Community Day.

Commissioner Flowers-Taylor then read the Proclamation and advised that she would be attending the East Side Family Community Day and would present the Proclamation to the group.

***Motion/Second by Flowers-Taylor/Dutton to approve the request from Cassandra Davis-Pope for a Proclamation recognizing the 25<sup>th</sup> Anniversary of the East Side Community Day. Motion carried unanimously by all.***

**V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of financial statements for the two months ended August 31, 2019.

Jinna Garrison, Administrative Service Director, advised she would be happy to answer any questions the Board may have regarding the financial statements.

***Motion/Second by Hawbaker/Flowers-Taylor to approve the financial statements for the two months ended August 31, 2019. Motion carried unanimously by all.***

## VI. CITIZEN COMMENT

**Chairman Johnson advised that the protocol for the Public Hearing Section, Item 10 on tonight's agenda will also adhere to the following:**

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.

William Wilson, County Manager, advised there were four who had signed up for Citizen Comments:

JoAnn Phinazee, 859 Park Point Drive, spoke regarding the Fairmont Project which is a Bonded SPLOST Project and the community wants to see that project completed soon.

Peter Cabrell, Rocky Creek Road, spoke about a nuisance noise problem coming from his neighbor at 2160 Rocky Creek Road who has applied for amplification being consider this evening. The parties being held at this location are very disruptive and he asks that should a permit be issued for amplification that it be issued to go no later than 9:00 or 10:00 p.m.

George Hollander, 502 Orchid Lights, spoke against a property tax increase.

Ken Parker, 500 Yarbrough Mill Road, spoke about the possibility of a TSPLOST and dirt road paving. He asked that the Board go ahead and request right of way from property owners prior to the TSPLOST to ascertain which roads could be paved.

## VII. MINUTES -

1. Consider approval of minutes for the Spalding County Board of Commissioners Extraordinary Session on August 19, 2019 and the Spalding County Board of Commissioners Zoning Public Hearing on August 22, 2019.

***Motion/Second by Dutton/Hawbaker to approve the minutes for the Spalding County Board of Commissioners Extraordinary Session on***

**August 19, 2019 and the Spalding County Board of Commissioners Zoning Public Hearing on August 22, 2019. Motion carried unanimously by all.**

**VIII. CONSENT AGENDA –**

**Chairperson Johnson advised that she would read the items on the Consent Agenda, then the items could be voted on as a whole or there can be individual discussion on any item prior to voting.**

1. Consider approval on second reading an amendment to the Spalding County Code of Ordinances, Division I - Laws of Local Application, Part VIII - Planning and Regulation of Development, Chapter 2 - Electrical Code, Chapter 3 - Plumbing Code and Chapter 5 - Soil Erosion and Sedimentation Control, to reflect the current laws governing said sections.
2. Consider approval on second reading an amendment to the Spalding County Code of Ordinances, Part III - Public Safety, Chapter 2 - Fire Prevention, Article B, by adding a new section to the code: Section 3-2020 - Private Hydrant Obstruction and Maintenance.
3. Consider approval on second reading Application #19-03Z: DGBTS, LLC, Owner - TPA Group, LLC, Agent - 415 Wallace Road (48.54 acres located in Land Lot 39 of the 2nd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to C-1C, Manufacturing.

**Motion/Second by Flowers-Taylor/Hawbaker to approve items 1, 2 and 3 on the Consent Agenda. Motion carried unanimously by all.**

4. Consider approval on second reading Application #19-05Z - Marshall Grant Henry, Owner - Cecil Jackson Road (43.679 acres located in Land Lot(s) 230 and 251 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to A-T, Agriculture-Tourism.

Commissioner Flowers-Taylor stated that her concern regarding a vote to make Item #4 an Agricultural Tourism Project is we haven't dealt with the fact that this is located on a narrow dirt road. Her question is: "Did the Board do anything to try to get an easement in case that road needs to be paved." She stated that if there is going to be that kind of traffic, that somewhere in the planning there should be something that says that this road needs to be widened or it needs to be fixed. One of the people in the neighborhood when this was first brought up talked about it being difficult for two cars to pass on portions of this road. Was there any discussion surrounding that?

Mr. Wilson advised there was a lot of the discussion regarding the road and part of the conditions of this application approval was that there would be no parking on the road itself. That is one of the conditions that was made part of the zoning approval on first reading.

**Motion/Second by Dutton/Johnson to approve on second reading Application #19-05Z – Marshall Grant Henry, Owner – Cecil Jackson Road (43.6749 acres located in Land Lot(s) and 251 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to A-T, Agriculture-Tourism. Motion failed 2-3 (Hawbaker/Flowers-Taylor/Miller).**

Mr. Wilson then advised that this is a problem, this rezoning was passed on first reading. Second reading according to the Zoning Procedures Act is something that

we do, but second readings are not required by the Zoning Procedures Act so he will have to get with Newton Galloway, the County Zoning Attorney, on this because essentially the item is approved or denied at the Zoning Public Hearing and historically, except for one other case that he can recall, everything has been approved at second reading.

Commissioner Miller stated that he agreed with Commissioner Flowers-Taylor that the 80' right of way should be included as part of the rezoning.

Commissioner Dutton then advised that the other problem is if this isn't changed to Agri-Tourism, he can go in there and build houses. The impact on the road would be much more significant if there were houses built on that property.

**IX. OLD BUSINESS – None.**

**X. PUBLIC HEARING –**

**As a reminder, Chairperson Johnson stated that the protocol for this agenda item will be the same as the protocol read for the Citizen Comment section earlier this evening.**

***Motion/Second by Flowers-Taylor/Miller to open a Public Hearing at 6:20 p.m. Motion carried unanimously by all.***

1. Conduct the second of three Public Hearing regarding on 2019 Tax Levy.

Commissioner Flowers-Taylor advised that she was confused regarding a 2% and an 8% that was mentioned during the Public Comment Section by Mr. Hollander mentioned and she feels there should be come clarification so at least that question is answered before people make their comments.

Mr. Wilson advised that Commissioner Hawbaker addressed this at the morning session and he advised that he can address the matter or Commissioner Hawbaker could address it once again.

Commissioner Hawbaker then advised that the individual property tax bills are a function of three components: (1) the appraised value that the Chief Appraiser and the Board of Tax Assessors attributes to each individual property (2) the exemptions that are available and claimed in a timely manner by each property owner and then (3) the millage rate that is set by Spalding County, the School Board and the Fire District and those of you who live within the City limits of Griffin, Orchard Hill or Sunny Side also have a millage rate address there. Because exemptions vary from property to property, we must talk in generalities.

What is going on here is I that the Board of Tax Assessors, on the recommendation of the Chief Appraiser made an across the board 8% increase in the value of almost every property in the County. That notice was included with the Notice of Proposed Assessment that was sent out in May of this year. This reason was because the values, based on comparative sales data, reflected the property values as being approximately 8% lower than Fair Market Value and what uniformity would require.

When this happens everyone's assessed value, which is approximately 40% of the appraised value increases. If you have a home that is appraised at \$200,000 your assessed value would be 40% of that number or \$80,000 and at that point the exemptions claimed would be applied. For example, a 100% disabled vet would receive a State Exemption making them exempt from almost all taxes. A homeowner, age 75 and older, who has claimed their exemption is allowed a \$30,000 exemption off the assessed value for school tax purpose, so using the \$80,000 assessed value this property owner would deduct \$30,000 from the assessed value and then apply the applicable millage rates.

Commission Hawbaker then advised that when an increase in valuation occurs by valuation and not by actual growth in the property digest, there will be more tax revenue coming into the County and into the various taxing units, just because of the valuation. It is not because of a millage rate increase passed by this Board, but by valuation increase. So, before the tax bills can be sent out, Georgia Law requires a number of reports to be submitted and approved in advance by the Department of Revenue and if the increase in valuation and the gross property tax revenues collected are going to be a result of a valuation increase, we are required by State Law to send out Press Releases, publish Notices in the Newspaper and hold three Public Hearings. This is the second of three public hearings, the first was held this morning at 10:00 a.m. and the third one will be held on Friday, September 20<sup>th</sup>, at 9:00 a.m.

This is the reason you are hearing there will be a property tax increase, this is an issue the Board of Tax Assessors has passed along to the Board of Commissioners and we are required to do two things because there will be a revenue increase: (1) to leave the revenues the same as last year we have to use either a roll back rate or we have to (2) go through the process of calling it a property tax increase leaving the millage rate the same, but the valuation will create more tax revenue.

If the County were to utilize the rollback rate, we would be reducing the 16.535 millage rate by approximately 1 mil. We passed the budget in June of this year that took into account additional expenses that could not be anticipated. One of the largest being an increase in the health insurance for county employees in the amount of approximately \$1.8 million and that \$1.8 million was not achieved until we cut the health benefits in half. If we had passed the entire amount on to the employees, that would have caused the equivalent of a cut in pay for the employees and would greatly affect our ability to attract and retain employees in a very tight labor market.

If we adopt the rollback rate, we currently have approximately \$6 million in reserves which is approximately 46 days of county operations expense. It would not be prudent or good stewardship to use 80% of our savings to make up the difference required for this budget. Commissioner Hawbaker stated that he would speak only for himself, not anyone else, but he can not adopt the rollback rate and utilize 80% of our reserves to accommodate the budget that has already been passed. Commissioner Hawbaker then advised that his vote will not be to increase the millage, the 8% valuation has already added an extra burden and a millage rate increase would be another addition. Even at leaving the millage rate the same as last year, we will be required to use approximately 40% of our reserves and some people will say that is not good stewardship as that will reduce us down to approximately 28 days of county operations.

This is what these public hearings are about and that is why you are being told there will be a property tax increase. There will be an increase since the valuation went up and that is what is going on here. The 8% valuation makes us deal with our millage rate and there would be serious consequences should we adopt the rollback rate and reduce the millage rate.

Mr. Wilson stated that the same questions were asked regarding all the percentages in the newspaper ad. It says that we are going to increase General Fund taxes by 6.81% and that is where people stop reading, but it further reads over the rollback millage rate. As Commissioner Hawbaker said, it is not that we are increasing your taxes by 6%, it is going to depend on each individual piece of property, what it is valued at, what exemptions you have filed for and which millage rate you apply. If you are in Sun City you would apply the Fire District Tax which will remain the same millage rate as last year, the General Fund tax

and then the School Tax and depending on what you have filed exemptions for school, you will have different exemptions for School Tax you will have a different amount from the General Fund Tax and the Fire District Tax. It is an individually calculated bill for each and every person, but it is very confusing because the ad goes on to tell you that if your house is valued at \$100,000 your property tax increase will be \$42.16 which is with no exemptions. But that is the wording that we are required by the State of Georgia to put in the newspaper. They state how the ad must read and we only fill in the numbers, so it is very confusing and the only way to do this is on an individual basis, what your appraisal is, what the fair market value is, what exemptions you have and then what millage rates apply.

Spoke against any type of tax increase:

William Young, 118 Marigold Court.  
LeeAnn Howington, 526 Beauty Berry.  
Shelly Delisle, 518 Beauty Berry.  
Peggy Ridgeway, 1059 High Falls Road.

Commissioner Flowers-Taylor thanked everyone for coming in to speak this evening. She went on to say that she lives in the City of Griffin and has lived in the city for 17 years and over the past 10 years her water, sewer, wastewater and electricity bills have increases exponentially annually and she admires the City of Griffin for taking the stance to roll the property taxes back, but most of you understand that the residents of the City of Griffin are rental properties. So, this across the board 8% valuation increase is an 8% increase on “junk” because that is what is in her neighborhood.

Commissioner Flowers-Taylor then advised that the City of Griffin has been able to rollback their property tax because every year her utility bills go up, her stormwater rate goes up and if you will look at the record you will see that for the last 12 years they have gone up every year and that is what enables them to rollback their taxes. She can't speak for Orchard Hill or Sunny Side, but Sunny Side doesn't provide any services.

The population of Spalding County is a bunch of baby boomers and when you get 50 you start to get sick and you cannot fire people because they have heart attacks, high blood pressure or diabetes, it is just part of life. It would be nice to be able to plan for health care emergencies, but that is the reality of what it is. If we didn't have approximately \$2 million in additional healthcare costs we would be sitting pretty well now and we wouldn't be talking about this, but the reality is we have a graying population, we have a lot of baby boomers, we're not going to make them retire because they are over 50, but they have health issues, one stroke or one heart attack is catastrophic. Yes, she hears what the residents are saying, but there are reasons why we are in this position.

Commissioner Dutton stated that it was brought up that the County needed to work harder on brining in industry and bringing in tourism. We have a Board for each of those and they are very active and are doing an incredible amount of work. They do not do a great job in publicizing it, but approximately \$150 million has been put into direct capital investment this year in Spalding County. We have 4 industrial parks between here and I-75, that are humungous and are actively being built on. In fact, we are about to fill up the one that we currently and we will need to build another to expand even further.

There are jobs flooding into the County through the Development Authority, and he encouraged everyone to look at the Development Authority Website. We had a groundbreaking last week for construction of a new hotel. The same thing is happening with the Tourist Board and with Downtown Development, there really is a lot going on. Why don't you know, it's because the County doesn't have several people who it is their job to market these accomplishments.

It is hard to plan for seven employees in a two-year span getting catastrophic cancer diagnoses and increasing the health premiums. When the companies came to us this year to discuss health insurance was a 48% increase in premiums and we brought them back in and talked with other insurance companies and said we have to cut this. We tripled the deductible for all our employees. We raised all of the out of pocket expenses. We cut to the bone on the health insurance as much as we could and it was still, after taking the lowest possible premium, it was still a \$1.8 million increase. It is because of the catastrophic diagnoses that we have had in the last few years. Those have all been addressed, for the most part and hopefully that trend will change. There again, this is not things that we can plan for.

Commissioner Hawbaker then added that the health insurance increase has been for two years in a row that we have had to deal with a very sizable increase. The website that Commissioner Dutton referred to is [gsda.org](http://gsda.org) which is the Griffin-Spalding Development Authority. Spalding County has been a major funding source for this group at \$100,000 a year and David Luckie and the people on the Development Authority Board have done an incredible job brining in the businesses at the Lake at Green Valley Business Park.

Commissioner Hawbaker then stated that he would like to see a school tax exemption at some age for Spalding County Residents, but all exemptions begin at the State Legislature we do not have the power to enact School Tax exemptions like the counties around us at this level. The people to talk to are the State Representatives and State Senators, tell them that we want an opportunity, in a referendum like what we had in November 2018 to vote on an exemption for school taxes. They will propose what is called Local Enabling Legislation and once it is passed by 2/3rds vote of both houses, and then the Elections Supervisor will be instructed to hold a referendum and then if 50% + 1 vote in favor of the referendum, then it passes.

The Legislators are the ones to start that whole process, it bypasses this Board and goes directly to the voters. That is how you get an exemption and that is how we got the exemption to do a property tax freeze for school tax purposes on any incremental increase in your property valuations at age 65. If you have a \$100,000 house, if you are 65 years of age, and if you claim your property tax freeze and the Tax Assessor then appraises your home at \$110,000, the \$10,000 cannot be taxed for School Tax Purposes. He is hopeful in a few years to be able to get a full school tax exemption at some age.

Commissioner Dutton stated that he loves when citizens get involved in this and other meetings and he wanted to encourage everyone to come out to other meetings. He would like to see more people come out and become involved in the entire process. We would love to have you back, it is important to have your feedback, that is how we know what our constituents want us to do.

Chairperson Johnson stated that in speaking to the comments regarding conducting business in Spalding County, she has been here for 18 years. When she first came here, she had the same questions as expressed this evening, which is one of the reasons she is sitting on the Board today. She can state that in those 18 years and especially in the last 2 years this County has really grown. She then encouraged everyone to get more involved and to come to the meetings.

Mr. Wilson then advised that the meetings are broadcast live and can be watched live from you home.

***Motion/Second by Flowers-Taylor/Dutton to close the Public Hearing at 7:03 p.m. Motion carried unanimously by all.***

## **XI. NEW BUSINESS -**

1. Consider two requests from Iris Hernandez for amplification permits at 2160 Rocky Creek Road, Hampton, Georgia.
  - (1) Saturday, September 21, 2019 from 5:00 p.m. to 11:00 p.m. to celebrate a Sweet 15 Birthday.
  - (2) Sunday, October 13, 2019 from 5:00 p.m. to 11:00 p.m. to celebrate a 50th Birthday.

Mr. Wilson advised that this is the location that one of our speakers during the Public Comments spoke about. The Community Development Department and Sheriff's Office have reviewed both requests and recommend approval.

Commissioner Flowers-Taylor asked if the Sheriff's Department shows where anyone has called and complained about the noise being so loud that you can hear it a mile away. Is this a residence where we have had multiple requests for amplification, if so, how many has it been to date this year and where at what number of requests to you say this is a business? This is no longer you are getting permission to have a party.

Mr. Wilson then asked the applicant to come up and speak.

Ms. Hernandez, 2160 Rocky Creek Road, Hampton, advised that the 50<sup>th</sup> birthday celebration had been cancelled so no permit would be necessary.

Ms. Hernandez advised there have been two occasions that the police came out to the property and the officers who came out stopped at the gate and told them that they must come out because they were called, but everything was fine. She has had her children's birthday parties that they did not permit because there was no amplification. It was like a carnival during the day and everyone left by 9:00 p.m. The only noise was carnival music that was broadcast over a very small speaker system they had purchased at COSCO.

Ms. Hernandez stated that she requested the Amplification Permit for the Sweet 15 because there will be amplified music. The reason they are having the event at this location is because she has a big family and they will have a small horse show and other activities that can't really be done in banquet halls. She advised that they check the noise level around the property and the officers who have come out have not had a problem with the noise level. They have stood at the gate which is approximately 500 feet from the pavilion where we have the event and they have no problem.

The last occasion was a baptism for her niece and when the officer came out, they were in the process of cleaning up, the event itself was over. That event ended at 9:30 p.m. so she doesn't understand the complaint that was made earlier.

Commissioner Hawbaker asked if the time could be scaled back earlier than 11:00 p.m.

Ms. Hernandez stated that they have a celebration at their church prior to coming to this location and the church is a good way away from the property and they could not start any earlier because of the activities at the church. They had this same type of celebration last year for her sister and there were no problems. The property is 30 acres and it is all wooded.



Commissioner Flowers-Taylor then asked if on the two occasions the Sheriff's Office came out if they had a permit for the event.

Ms. Hernandez advised there was no permit, because there was no amplification and the event ended at 9:00 p.m. She further stated that she was advised by the Sheriff that a neighbor had called because they were worried that since there is no residence at the location that someone other than the property owner may have been on the property illegally.

Commissioner Miller then asked if Ms. Hernandez or anyone lived at the address.

Ms. Hernandez advised there is not a residence on the address. She advised there is a pavilion where they have parties and it allows the kids to be able to run around and is safer than a house with a busy street.

Commissioner Flowers-Taylor stated that since the application meets the criteria; however, for her it is a little bit different because if you don't live there, you are not the people on the other end who do live there and are trying to watch tv or whatever else, so that makes it questionable for her.

Ms. Hernandez then advised that she is in the process of building a house on the property. She reiterated that they do check noise levels when they do the initial set up and all the officers who have come out have heard nothing. Last year there was a Deputy who came out for the Sweet 15 party and stayed during the whole event and he didn't hear anything. He remained parked at the gate and was sitting in his patrol car.

Commissioner Flowers-Taylor then asked to hear from Mr. Cabrell who had spoken earlier this evening.

Mr. Cabrell stated that last Saturday he called 911 and she told him they were busy. Which is usually the answer that he gets, they do not show up. He drove down the road, got ahold of 911 again in Henry County, and spoke with Officer Kennedy and that is when somebody finally went out there. He had called several times and had an argument with the 911 operator at Spalding County and they keep saying that 2160 Rocky Creek Road is not in Spalding County.

Mr. Cabrell stated that if you are sitting in the car with an engine running, you may not hear the noise at the end of the driveway. Had he known this would have become a question he would have recorded it. When he did call 911, he took his phone out and placed it on speaker and asked the 911 operator "Can you hear this?" So, had he known this would have been an issue he would have recorded it and played it for you.

Mr. Cabrell stated that he would be the first one that if you try to tell him what he can or cannot do on his land, he is going to have an issue. If he builds a fire and it goes off his property, he is the one responsible. It is the same thing with the noise. He then stated that as far as he is concerned they can have the event, just cut the time back. Uncle Bobby's which is a Sports Bar closes at 10:00 p.m. Six Street Pier closes at 9:00 p.m. these are the two biggest restaurants around. Close it down at those hours and second, just keep the noise down and he will be okay with it. That is what he is asking, he is not trying to restrict what someone does on their own land, but at the same time, if I were to set a fire across the street and the smoke went in and disturbed their party, I guaranty they would be "pissed off." He is simply asking for the same consideration.

Commissioner Flowers-Taylor then stated that the purpose of the amplification permit is because we know that sound does travel, her concern is that it needs to happen within a period that is reasonable.

***Motion/Second by Flowers-Taylor/Hawbaker to approve a request from Iris Hernandez for amplification at 2160 Rocky Creek Road, Hampton, Georgia on Saturday, September 21, 2019 from 5:00 p.m. until 9:00 p.m. to celebrate a Sweet 15 Birthday. Motion carried unanimously by all.***

2. Consider approval of final plat for Sun City Peachtree - Pod 16.

Mr. Wilson stated that Pod 16 has been inspected and is ready for approval by the Board of Commissioners.

***Motion/Second by Flowers-Taylor/Miller to approve the final plat for Sun City Peachtree Pod 16. Motion carried unanimously by all.***

3. Consider acceptance of Right-of-Way Deed for Pod 16 in Sun City Peachtree Subdivision.

Mr. Wilson advised that the right of way has been inspected, the right of way deed has been prepared and approved and staff recommends approval.

***Motion/Second by Flowers-Taylor/Miller to accept the Right-Of-Way Deed for Pod 16 in Sun City Peachtree. Motion carried unanimously by all.***

4. Set a date for a Public Hearing to establish street lighting districts for Sun City Peachtree - Pod 16 and Del Webb Boulevard Extension.

Mr. Wilson stated that staff recommends a Public Hearing on the Street Light Districts be held during the October 7<sup>th</sup> Regular Meeting of the Board of Commissioners.

***Motion/Second by Flowers-Taylor/Dutton to approve October 7<sup>th</sup> as the Public Hearing date to establish street lighting districts for Sun City Peachtree Pod 16 and the Del Webb Boulevard Extension. Motion carried unanimously by all.***

5. Consider approval of low bid submitted by Peek Pavement Marking, LLC in the amount of \$127,606.50 for the 2019 LMIG - Safety Action Plan.

Mr. Wilson stated that the LMIG Safety Action Plan is different from the standard LMIG. The County was notified by GDOT that they had up to \$50,000 available for a project and we are required to match that by 30%. This project is for Bailey Jester, Vineyard and Jordan Hill Roads, it is a total of 9.62 miles and when we bid it out Peek Pavement marking was the low bid. This will be new striping, new signs, new thermoplastic stop bars. Everything constructed to GDOT specifications. Staff is recommending approval.

Mr. Wilson then advised the Board that these roads were not chosen by the County, the County submitted a list of approximately 15 roads, and they must meet certain criteria for accidents and crash history, and these are the three roadways that GDOT approved as meeting the criteria specified. Bailey Jester is 2.81 miles, Vineyard is 3.26 miles and Jordan Hill is 3.55 miles. Totaling approximately 10 miles and it averages approximately \$17,000 per mile for the restriping and all new signage with the County matching 30% of the cost.

***Motion/Second by Dutton/Miller to approve the low bid submitted by Peek Pavement Marking, LLC in the amount of \$127,605.50 for the 2019 LMIG-Safety Action Plan. Motion carried 4-1 (Flowers-Taylor).***

**Chairperson Johnson exited the meeting at 7:22 p.m.**

6. Consider agreement with Dr. Robert Hall to provide Medical Services for the Spalding County Correctional Institute.

Mr. Wilson stated that Dr. Crump had served as the CI physician for almost 32 years. He has sold his practice to WellStar and retired as of August 31<sup>st</sup>. Dr. Hall currently provides medical services for the Spalding County Jail, so we asked him if he would be interested in providing those services to the CI. Dr. Crump was paid approximately \$42,350 annually to provide these services and Dr. Hall's contract is approximately \$40,000 for FY2020. Staff recommends approval of the contract with Dr. Hall. It has been reviewed by the County Attorney and by Dr. Hall and Commissioner Flowers-Taylor has asked that one provision be changed where it reads that either party must give 30-days' notice, she has asked that it read that either party give 60-days' notice if we do not into renew the contract.

Commissioner Flowers-Taylor stated that she is making the request because some years ago this situation occurred at the detention where the contract was discontinued, and we had almost no time to find a provider. So, should Dr. Hall at any time decide not to provide the service it will give us enough time to appropriately look for providers.

***Motion/Second by Flowers-Taylor/Miller to approve an agreement with Dr. Robert Hall to provide Medical Services for the Spalding County Correctional Institute with an amendment to the contract that will change the termination notification from 30-days to 60-days. Motion carried 4-0 (Chairperson Johnson had temporarily left the meeting.)***

7. Consider approval of Intergovernmental Agreements for the City of Sunny Side to provide Building Permitting and Inspection Services and Zoning Administrative Services.

Mr. Wilson stated that Spalding County has provided these services under an old contract. This is a new contract drawn up by Mr. Galloway who is the attorney for Sunny Side, they have been reviewed by the County attorney and we have no problems with the contracts as written. The way this works is Spalding County collects all the fees and they abide by our zoning ordinances and permit prices. We provide this service as they do not have the staff nor the expertise to offer these services.

**Chairperson Johnson rejoined the meeting at 7:25 p.m.**

***Motion/Second by Flowers-Taylor/Miller to approve two Intergovernmental Agreements with the City of Sunny Side to provide Building Permitting and Inspection Services and Zoning Administrative Services. Motion carried unanimously by all.***

8. Consider approval of a contract with Fayette County for use of Inmate Work Details.

Mr. Wilson stated that Fayette County currently has one work detail and they are going to two details. They wanted to revise the contract to provide for two details. Fayette County pays all the salaries and benefits for the correctional officers that supervise the inmates. They pay for the transport, the tools, safety equipment and

they pay a 10% premium on the salaries and benefits as an administrative fee that funds an individual who goes around to check on all the contract details and the 10% fee pay that individual's salary and transportation. Staff recommends approval.

***Motion/Second by Hawbaker/Dutton to approve a contract with Fayette County for use of Inmate Work Details. Motion carried 4-1 (Flowers-Taylor).***

**Commissioner Miller then exited the meeting at 7:31 p.m.**

9. Consider on first reading an amendment to the current False Alarm Ordinance to increase the cost of false alarms to assist the County in recouping some of the costs for resources that are expended on false alarms.

Mr. Wilson advised that our current false alarm ordinance calls for a \$20 fee after two false alarms in one month. This is for any type of alarm.

Chairman Johnson asked what we were averaging in a month right now.

Mr. Wilson stated that in the last few months the Fire Department has been hit with approximately 7 false alarms to one location. He is not sure about the Sheriff.

Sheriff Dix advised that in 2017 the Sheriff's Office answered 1,350 alarm calls and in 2018 we answered 1,870 alarm calls and approximately 90% of those are false alarms. He stated that they spend a lot of time answering alarm calls. They have business owners who will continually set the alarms off in their businesses after they leave for the night and they refuse to come back after multiple alarm activations in one night. We must have something that will "put some teeth" into what is going on.

Mr. Wilson the advised that we are recommending an increase in the fee to \$100 per false alarm after the first two in one months' time.

Commissioner Flowers-Taylor then asked if when an alarm goes off if the Sheriff's Office calls the location. It's not always a business.

Sheriff Dix advised that most alarm companies try to notify the property owner to ascertain if it is a valid alarm before they contact the Sheriff's Office and if they can't get in touch with the property owner then they will call the 911 center and the Sheriff's Deputy is dispatched at that point.

Commissioner Flowers-Taylor stated that the numbers given were for the Sheriff's Office, do we have the numbers for the Fire Department?

Deputy Chief Jamie Clark advised that most of the fire calls are from alarm systems that are malfunctioning, and the property owner will not pay the money to get the company out there to fix, so all night long it is going off and every time it drops we are required to do a full alarm to that business. There was one business we went to seven times in a week.

Mr. Wilson reminded everyone that when it is a fire alarm, you must assume the worst and generally on a fire alarm they don't call the home owner or the business owner, they dispatch first.

***Motion/Second by Dutton/Hawbaker to approve on first reading an amendment to the False Alarm Ordinance to increase the cost of false alarms to assist the county in recouping some of the costs for resources expended on false alarms. Motion passed 4-1 (Commissioner Miller was not present for the vote.)***

10. Consider approval of the proposed projects for the 2020 LMIG (Local Maintenance & Improvement Grant) application.

**Commissioner Miller rejoined the meeting at 7:38 p.m.**

Mr. Wilson stated that the County commissioned Paragon to rank every road in Spalding County and to come up with rankings worst to the best. The last two years we have done the worst roads and we still have about 5-6 more of the worst roads in Spalding County. We try to repave 12-13 miles a year. This year we are doing 13 miles and they are in the process of paving right now. The roads for FY2020 will be Azalea Drive, Hosanna Road, Stephens Street, Lakeside Road, Birdie Road and a second portion of W. Ellis Road from North Pine Hill Road to Vaughn Road.

***Motion/Second by Miller/Hawbaker to approve the proposed projects for the 2020 LMIG application. Motion carried unanimously by all.***

11. Consider rescheduling the Zoning Public Hearing dates for the months of November and December due to the observance of the Thanksgiving and Christmas Holidays.

Mr. Wilson stated that we can have two meetings in November and December this year because of the way the months are structured. Historically, we only have one, but this year because both Thanksgiving and Christmas fall on the fourth week of the month, we can have a meeting on November 18<sup>th</sup> and December 16<sup>th</sup> should the Board choose to.

Mr. Wilson the advised that staff is recommending the Zoning Public Hearings be moved to November 18<sup>th</sup> and December 16<sup>th</sup> and be included as part of the Board of Commissioners Extraordinary Sessions for those two months.

***Motion/Second by Flowers-Taylor/Dutton to reschedule the Zoning Public Hearings due to the observance of the Thanksgiving and Christmas Holidays to be included as part of the Board of Commissioners Extraordinary Sessions on November 18<sup>th</sup> and December 16<sup>th</sup>, 2019. Motion carried unanimously by all.***

12. Commissioner Flowers-Taylor amended the Agenda to include discussion on the SR155 letter from the Georgia Department of Transportation.

Commissioner Flowers-Taylor then asked Mr. Wilson to explain the letter from GDOT regarding SR155.

Mr. Wilson advised that he was asked to get an update from GDOT on the status of the relocation of SR155. He wrote the District Engineer in Thomaston and provided him with paperwork from several years back. We have been talking about the relocation of SR155 from Downtown Griffin to McDonough Road since 2011 when the relocation was approved, and for approximately 10 years prior to that. The Board approved it in 2011 as a project to move forward.

GDOT advised they had put it in the plan, but they had put it in long range, we are working with ARC to get that project moved up in the plan. Mr. Wilson had asked GDOT that during the construction the City is planning, the City will be spending \$6 million on LCI (Livable Centers Initiative) Grant for Downtown that calls for what is called a "Road Diet", which means instead of having two lanes northbound and two lanes southbound and angle parking, it will become one lane northbound and one lane southbound with expanded Bike/Ped lanes and expanded sidewalks and what are called "bulb outs" at each of the intersections. This is a project that has been on the books for the City of Griffin for 5+ years, if not longer than that.

So we went to GDOT and advised that we know this relocation of SR155 is in the long range plan, but the trucks coming through Downtown for the year to year and a half construction period for this LCI is going to cause a problem Downtown and could potentially destroy some of the new work that GDOT has approved and a contractor will be installing Downtown. Not to mention, one of the lanes will be blocked off and there will only be one lane of traffic and now with two lanes we have a problem with tractor trailer traffic and the railroad crossing.

Mr. Wilson stated that the reply was that as District Engineer, he could not recommend relocation of SR155 even temporarily during the construction of the LCI. He also advised that he is the District Engineer, but should we wish to pursue it further there are other folks who have the authority to do that and we may need to "bump it up the chain." That is an item for discussion on this Wednesday's GSATC Agenda, but Commissioner Flowers-Taylor would like to express her concerns.

Commissioner Flowers-Taylor stated that her concern is that part of the Livable Centers Initiative was to make Downtown more friendly. Bicycle pathways allow more restaurants to be able to serve on the sidewalk, this type of small-town space in that center. What concerns her more is that we have already agreed that direct traffic coming down SR155 should go straight to Hwy 16. To her it is a hazard that all that traffic is routed through Downtown.

Commissioner Flowers-Taylor then stated if on one hand GDOT helped the City of Griffin get \$6 million to do that work Downtown, why wouldn't they allow us to reroute traffic during construction. When they worked on the railroad, they were able to reroute the SR155 traffic and the railroad doesn't really have any investment in this community, so she would like for the Board to have Mr. Wilson to contact our legislators: David Knight and Representative Karen Mathiak to meet with someone at DOT who has the authority to look at it, because it just doesn't make sense for them to spend money on this hand and help to destroy what they are paying for with the other hand. She asks that the Board approve this request for a meeting and that we ask the City of Griffin to participate in requesting and attending this meeting as well.

Mr. Wilson then advised that he would like permission from the Board of Commissioners to contact Russell McMurry, who is the GDOT Commissioner, and ask for an appointment, but to bring our legislators: David Knight, Karen Mathiak and Senator Marty Harbin and possibly invite our GDOT Board Member, Lynn Westmoreland, our Transportation Planner, Eric Pitts and the City of Griffin for one big meeting at GDOT Atlanta to discuss this project and see what we can do to advance the project.

Commissioner Miller then expressed his concerns regarding the removal of one of the traffic lanes going through the City. Mr. Wilson advised he would get everyone on the Board a copy of the proposed LCI renderings for their review.

***Consensus of the Board is to go forward with setting up a meeting with Russel McMurry as proposed in coordination with our representatives and the City of Griffin as soon as possible.***

## **XII. REPORT OF COUNTY MANAGER**

- ✓ SPLOST Collections for July 2019 were \$853,304.74. Average collections have been \$750,984.68 per month.
- ✓ We have issued 182 single family dwelling permits issued in 2019. Average Dwelling size is 3,324 square feet.

- ✓ Spalding County and the City of Griffin has been awarded CDBG Grants. The County award is for the Dundee Mills Sewer Project. Chairman Johnson will be attending the DCA Meeting at Great Wolf Lodge on October 16<sup>th</sup> to accept the check. This is a Water Authority Project and they will bear all the expenses over the \$750,000 to Sewer Part I of the Dundee Mill Village.
- ✓ Volunteers are needed to join the Spalding County Fire Department and the American Red Cross of Central Georgia on Saturday, September 28<sup>th</sup>, as part of the Home Fire Preparedness Campaign Neighborhood Canvas Event. If you are interested, please contact the Fire Department.
- ✓ Spalding County Fire Fighters who raised \$7,742 during the 2019 Fill the Boot Campaign for the Muscular Dystrophy Association.
- ✓ Deputy Chief of Operations, Jamie Clark, who came to work in 1985 has announced his retirement December 31, 2019. We started today actively recruiting for a new Deputy Chief of Operations to replace Deputy Chief Clark after 34 years. We will have a reception for Deputy Chief Clark at the end of the year and you will hear more about his plans for the future.
- ✓ Three Rivers Regional Commission has replaced the Third Party Operator for the Rural Transit Program, they took over yesterday from the previous manager. They started operations today at 6:00 a.m. and we haven't heard of any problems they have had.

### **XIII. REPORT OF ASSISTANT COUNTY MANAGER**

- Spalding County Parks and Public Grounds is hosting the NRPA (National Recreation and Parks Association) CPSI (Certified Playground Safety Inspector) Course which started yesterday thru this Wednesday. We are hosting the Certification in conjunction with the UGA Griffin campus. We have 81 participants from the Southeast. These participants are staying in local hotels during the course. Spalding County works directly with the Chamber of Commerce and hotels in providing information to participants regarding local restaurants and activities for participants.

This is the 5th year Spalding County has hosted this national training. Because of its success a 2nd annual class will be offered in March making us the host every 6 months.

- Spalding County Fire and City of Griffin Fire are firming up an Automatic Aid Agreement -Updating the current Automatic Aid Maps and changes to locations and definitions
- New Animal Shelter-Spoke to the Architectural Firm regarding several changes to scale back the original submission to fit within our budget.
- TIM Coordination Meeting was on 8/27-Traffic Incident Management Meeting was held at Spalding County EMA and Fire Headquarters and included Spalding, Butts and Lamar County.

This meeting works to enhance communication, cooperation and coordination for all first responders who respond to traffic incidents along Georgia roadways according to the GDOT and CHAMPS project (Safety – Traffic Incident Management Fundamentals, Scene Size up, Safe Vehicle Positioning, Scene Safety, Command Responsibility and Traffic Management). This will also help with eligibility for some grant funding from TIM as well as CHAMPS.

- SDS information has been gathered and management meetings are to begin tomorrow. She has met with Chief of Staff for the COG Jessica O'Connor and they have reviewed preliminary information to ensure that are working from the same agreements.
- United Way Kick off for Spalding County - September 23-October 31, 2019. I will be asking for a volunteer from all departments (and have a better count) that want to participate in tomorrow's staff meeting. Once I compile that we will have a meeting and get some things set up and kick it off.
- Drive through Flu Shots are scheduled for September 24<sup>th</sup>, free to Spalding County residents beginning at 7 a.m. until they run out of shots at the Spalding County Health Department.

#### **XIV. REPORT OF COMMISSIONERS**

**Bart Miller** – Stated that the Board has had to raise taxes to compensate employees to provide competitive salaries. We train people in the Fire and Sheriff's Office, we provide the training and they leave, they go to one of the surrounding Counties to make more money. We do not have the tax base in Spalding County to offer the salaries that the surrounding counties have. Years ago, I75 was scheduled to come through Spalding County, but at that time this was a mill town and they didn't want it through here because they were worried about wages and that is the reason it is located where it is.

Commissioner Miller stated that from this point forward the Board needs to look at what we approve in SPLOST Projects or grants. A lot of the problems have come about because once the SPLOST money builds whatever, it is going to be the responsibility of the taxpayers to maintain and operate the facility or whatever. The City can "jack their rates up on water", they can "jack their electric rates up" to assist in paying for their projects. He doesn't have their power, but he does utilize their water and he has had a number of increases in water rate since the City took it over. When he pays his bill for the City water it has to go to Atlanta for them to collect it, that is wrong. Why do they continue to raise the rates on us and they are paying somebody up there to collect the money? You have to look at everything involved in building a facility with SPLOST money or grants. From now on when we vote on something, we need to think about what it is going to cost us in the long run, that is the big thing. You can't keep building stuff and hiring people, you have to provide them with insurance and the COLA makes us give raises.

Right now, they are wanting to hire someone for the Senior Center, why can't some of the Seniors go down there and volunteer to work, instead of the tax payers having to "foot the bill." He advised that there are probably less than 15% of tax payers in his district that even visit the Senior Center, but they are having to pay to fund all this stuff.

We need to look for additional streams of revenue other than taxes to provide revenue for the General Fund. He doesn't know where that is going to come from. He has been on the telephone for the last two weeks with people complaining about property taxes. Everybody is upset about taxes.

He asked that from now own when the citizens go to vote for something that look at what is going to cost them and possibly their children in the long term to run it. There is a lot more to think about than just building something with sales tax, you have to maintain and provide people to care for the investment.

**Gwen Flowers-Taylor** – Stated that she doesn't want anyone to think that she is "beating up" on the City of Griffin, that is how they get their money. They generate revenue, we all have our personal concerns about how they spend it, but we don't have any power over that. Spalding County does not have the benefit of having an additional revenue stream. We don't have utilities and we can't afford to take money from one area to help to fund the General Fund, that is not a luxury that we have. There is never an easy solution, but this is where we are.



Commissioner Flowers-Taylor noted that we did not have the planned workshop today on trash. She stated that she is so sick of picking up plastic bottles on the street in front of her house. This place is filthy, and we need to figure out a way to engage our citizens to help us clean the county up. You can hire 5-10 more work crews, but if the people who are throwing the trash down don't understand, you clean it up one day and the next day you come back, and somebody has thrown a grocery bag full of garbage out there.

Resident at 791 High Falls Road had tons of household trash in their back yard. She called Code Enforcement, they came down, they never cut the grass, but they did pick up all the garbage and put it in a pick-up truck that has been sitting out on High Falls Road now for the past 3 weeks full of trash. Please see if we can get someone to go out there and explain to them that the trash needs to go to the trash dump and not just move from the back and sit out in the front yard in the back of a truck.

Wyomia Tyus is in town. Ms. Tyus is an Olympian from Spalding County, the first person in history to win two 100-yard dash gold medals. She is participating in a function by the Pickleball Association, she will be doing some book signings this week. Her story is very interesting and anyone who grew up in Griffin in the 50's and 60's and went somewhere else has an interesting story because of the climate in the community at that time. If you have an opportunity this week, it would be a great thing to see a local Olympian who has come back home. She wrote a book and will be doing some book signings at the library, at the Hall of Fame and there will be a book signing on Friday at the Fairmont Community Center. This will be a good opportunity to thank Ms. Tyus for putting Griffin, Georgia on the map.

**James Dutton** – Stated that Fairmont Park and the Heritage Park Project, we are still looking forward to having ArtSpace there and getting funding through the Public/Private partnership there. He feels if they do select us as the site they want to use, it would be an answer to our prayers.

Commissioner Dutton advised that he went last week and toured the Clayton County Aquatic Center, which is right next door to their Justice Center, both of which could be used as models for the stuff that Spalding County needs. The Aquatic Center didn't have a splash pad, but they had the equivalent of three Olympic size pools and then a warm pool for people to do water aerobics. He will be visiting the Aquatic Center in Peachtree City in the next few weeks that stays open all year. They do not have an indoor facility, but they do have an outdoor pool and during the winter they have a giant dome that inflates so it becomes an inside facility for the winter.

The gentleman who mentioned the possibility of the County obtaining rights-of-way before we chose the roads for TSPLOST. He asked if there is a way for the County to do this? It seems like a smart idea, but he doesn't know if it is feasible.

Mr. Wilson advised that you can ask for donations and we have done that in the past to determine if folks are interested. The most controversial thing on the last TSPLOST was the paving of dirt roads and there was some talk after that of only putting resurfacing, bridges and intersections on the next and not paving of dirt roads because it does require the acquisition of right-of-way and other factors. Nothing has been decided, it was just a discussion at the time. Dirt roads was a big negative talking point during the last TSPLOST.

Mr. Wilson then advised that the problem with trying to acquire right-of-way for a dirt road is you have to spend money. You have to design and engineer the road and have the right-of-way deeds prepared, you can't just accept a deed, now you have to have the engineering and design done to meet the criteria prior to acquiring the right-of-way.

**Donald Hawbaker** – Really great news on the SPLOST collections and the award of the CDBG grant. He wanted to commend Sheriff Dix on the inmates who attended and graduated from the "Serve-Safe" program which is a nine-week program designed to teach potential restaurant employees the skills needed to safely and properly prepare food in a commercial setting.

Intersection 3 is leveled, and the businesses are gone.

Mr. Wilson stated that the house and the multi-business building have been leveled and now they are working on the triangle. The bids are due next week on that intersection. We should have everything ready to move ahead with Intersection #3 which is a GTIB Grant and SPLOST funding.

Commissioner Hawbaker asked for an anticipated completion date and Mr. Wilson advised it would take 6-9 months to complete.

Commissioner Hawbaker stated that we currently have \$6 million in Reserves, but what do our accountants and Financial Advisors suggest that we have in reserve because 46 days is not what we should have on hand, we should have a lot more on hand.

Mr. Wilson stated that the Board of Commissioners adopted a financial policy that states you want 15% of the total General Fund Budget. The General Fund Budget is \$45-\$50 million, so you want \$7.5-8 million in reserve.

Commissioner Hawbaker then asked for some examples of what the Reserve Funds might be needed or utilized for the events that can't be anticipated.

Mr. Wilson stated that there are a number of extraordinary events that require utilization of Reserve Funds such as storms; however, if you notice on the financial reports, we are currently spending approximately \$2.5 million a month and this year we are a month late in approving the tax bills to go out. They will go out in October and will be due in December which means most of our money will not come in until January or February.

Currently, we are spending \$2.5 million a month and collecting less than \$1 million a month. Most of the Reserve Funds are available for cash flow during these periods of draught when you are paying out salaries and benefits etc. etc. We try to push any capital purchases off until January.

Commissioner Hawbaker then added that the delay in the tax bills is due to the difficulties of calculating in the 3,900 or 4,000 people claimed the new School Tax Property Freeze exemption.

Mr. Wilson stated that it took some time to get the computer systems to talk to one another and it required the Department of Revenue, working with the Tax Commissioner, working with the Tax Assessors' Officer, working with the Tax Commissioner's computer vendor and the software vendor who prints the bills and sets up the accounts receivable. So, coordination between a number of entities, one of the being the State of Georgia, one being Spalding County and two being private entities who had to come together and make it work.

Commissioner Hawbaker just wanted everyone to know that the Tax Commissioner's Office has been working diligently to get the digest completed and the bills out.

Commissioner Hawbaker stated the Wyomia Tyus event Sunday evening was unbelievable. It was a packed-out room filled with people in sports, tourism, the City of Griffin and Spalding County. Ms. Tyus gave an awesome speech and Chairperson Johnson gave some very enlightening introductory remarks. Before hearing it last night he never knew that Ms. Tyus was the only Olympian to retain and do back to back gold medals, each time setting a new world record in the 1964 Tokyo Olympics and in the 1968 Mexico City Olympics. She accomplished so much with a modest background and literally put Griffin on the international map. There are four more events that she will be speaking at and one of them will be out at Sun City. There will be opportunities at the Library, the Sports Hall of Fame and at Fairmont.

**Rita Johnson** – Stated that Deputy Chief Clark is not here but she wanted to congratulate him on 35 years of service. Those are the kind of employees that we like to keep around. Thank you, Jamie, for your years of service, your hard work and your dedication to Spalding County.

Chairman Johnson then asked when Phase II of the ArtSpace initiative would be taking place.

Mr. Wilson advised that we will be requesting funding for Phase II of the ArtSpace at the October 7<sup>th</sup> meeting.

The event last night was incredible, the opportunity to meet Ms. Tyus and talk to her, she is a very humbling lady and someone we can be proud of coming from this area.

**XV. CLOSED SESSION**

**XVI. ADJOURNMENT**

***Motion/Second by Miller/Flowers-Taylor to close the meeting at 8:20 p.m.  
Motion carried unanimously by all.***