

# After Agenda

**Board of Commissioners of Spalding County  
Extraordinary Session  
Monday, April 19, 2021  
6:00 PM  
Room 108, Annex Building**

**The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 of the Spalding County Annex on Monday, March 19, 2021, beginning at 6:00 p.m. with Chairman Clay Davis presiding. Commissioners Gwen Flowers-Taylor, Rita Johnson, James Dutton and Ryan Bowlden were present for the meeting. Also present were Assistant County Manager, Michelle Irizarry, County Attorney, Stephanie Windham and Kathy Gibson, Executive Secretary to record the minutes.**

**I. OPENING (CALL TO ORDER) by Chairman Clay W. Davis.**

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

**II. INVOCATION**

Pastor Zachery Holmes of Grace Paradise Fellowship Baptist Church delivered the invocation.

**III. PLEDGE TO FLAG**

Commissioner Ryan Bowlden, District #4, led the Pledge to the Flag.

Chairman Davis then requested a motion to change the Agenda.

***Motion/Second by Flowers-Taylor/Johnson to move Item 4 under New Business and make it Item 1 and to move Item 3 under New Business and make it Item 2. Motion carried unanimously by all.***

**IV. PRESENTATIONS/PROCLAMATIONS**

**1. Presentation of the 2021 Bain Proctor Award recipient.**

Ms. Irizarry advised that this is a presentation of the 2021 Bain Proctor Award for Volunteerism. Kelly Carmichael, Leisure Services Supervisor and Lauren Brown, Senior Center Supervisor.

Kelly Carmichael then gave the following recognition for the 2021 Bain Proctor Award recipient:

The Bain Proctor Award for Volunteerism is awarded annually by the Spalding County Board of Commissioners in recognition of outstanding current and/or past service as a volunteer in developing, sustaining, and enhancing facilities and/or programs for Spalding County citizens.

As a volunteer, Bain Proctor for whom the award is named, epitomized unselfish service in his 23 years as a member of the Spalding County community. He led by example, volunteering his time and services and encouraged others to volunteer and improve their community.

This is the 18th year that Spalding County has presented this prestigious award.

Dr. A. Bruce Reid is an active member of Griffin United Methodist Church, where he has been involved in organizing their annual Walk and Roll charity bicycle ride and health walk with a portion of the proceeds benefitting the Amick Fund, the church's benevolent missions. He also serves on the church's Disaster Recovery and Relief Team, which travels throughout the region to render disaster relief to communities such as the tornado ravaged area around Bainbridge, Georgia. He has volunteered his time to lead health and physical fitness classes through the church's Christian Education Center, lends his voice to the choir, and performs with Griffin Choral Arts. He often volunteers his talents on the Scottish bagpipes for community events.

Dr. Reid constructed one, if not the first of our community's "lending libraries", including one in front of his Maple Drive residence, which he maintains and keeps stocked with children's books.

As a past Canadian National Champion, finishing tied for 2nd in the world as a professional water skier, Dr. Reid serves on a national board of the U.S. Waterski Association, advising on the development of concussion protocols for waterski athletes. He regularly volunteers at the Spalding County Senior Center where he has led classes in yoga, nutrition, and other health related subjects. Recently, Dr. Reid has joined other volunteers and Spalding County Parks and Leisure Services, working to build a mountain bike trail system at the new Quarry's Edge Park.

Finally, Dr. Reid brought national attention to our community in 2020 when he started a nightly tradition of recognizing our frontline healthcare workers and memorializing those who had lost their life to the COVID-19 Coronavirus, for several weeks performing a bagpipe recital at 8:00 p.m. from his front lawn. This act of kindness drew national media attention as people from throughout the community gathered to show their respect.

Dr. Reid stated that he is a proud citizen of Spalding County and he loves the activities available to the citizens and he loves to participate in them. He stated that he has lived longer in Griffin than he has lived at any other house in his lifetime. So, he considers himself to be from Griffin. He appreciates the recognition and it is a big honor.

## **V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of financial statements for nine-month period ended March 31, 2021.

Jinna Garrison, Administrative Services Director stated she would be happy to answer any questions the Board may have.

***Motion/Second by Dutton/Flowers-Taylor to approve the financial statements for the nine-month period ended March 31, 2021. Motion carried unanimously by all.***

## **VI. 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.

**Spoke in favor of Sewer Service extending up 19-41:**

Wanda Chronic Howell, 1706 Quail Drive  
Daaood Amin, 133 N. Hill Street

**Spoke regarding a private driveway off of Bethany Road:**

Brandy Byard, 135 Bethany Road  
Larry J. Sutton, 133 Bethany Road  
Andrea Latourrette, 129 Bethany Road

**Spoke regarding the Fairmont/Heritage Park Gym:**

Ellen Brushe, 106 Corley Court  
Jewell Walker-Harps, 103 McEthel Drive  
Zach Holmes, 357 Moreland  
Daaood Amin, 133 N. Hill Street  
Mike Kendall, 130 N. Hill Street

**VII. MINUTES –**

1. Consider approval of Minutes for the Spalding County Board of Commissioners Regular Meeting on April 5, 2021.

***Motion/Second by Dutton/Johnson to approve the minutes for the Spalding County Board of Commissioners Regular Meeting on April 5, 2021. Motion carried unanimously by all.***

**VIII. OLD BUSINESS –**

***Chairman Davis then requested a motion to lift from the table Items 1 and 2 for consideration by the Board this evening.***

***Motion/Second by Dutton/Bowlden to lift from the table the two items for consideration under Old Business. Motion carried unanimously by all.***

1. Consider approval of lease with Jan's Used Furniture for the 115 East Solomon Street property.

Ms. Irizarry stated that the initial lease is for \$800 a month for Jan's Used

Furniture with a 1% escalation per year, its has been reviewed by the County Attorney and staff recommends approval.

Commissioner Dutton then asked how long is the lease?

Ms. Irizarry advised it is a one-year lease with an automatic renewal with the 1% escalation annually.

Commissioner Flowers-Taylor then asked the square footage of the building?

Ms. Irizarry stated she did not know the square footage of the building, but she could get that information.

Commissioner Flowers-Taylor then stated that is what the Board had asked for before. In the County Manager's email to the Board regarding this property, his attempt was to show the different prices utilized by the County, but the buildings he used as an example were all quazi-governmental buildings. They all come under the umbrella of having to do with government. So, she can see how some of the tenants may get a \$1/year or \$100/month lease. But when we are leasing a building out to a private entity, there should be some objective data that we use.

The explanation in this request is that we haven't done anything to the building so it's not a bad deal to lease it for that much. How can we ask other commercial businesses to live up to a standard, that we can live up to ourselves? We're complaining about how other people lease buildings, why are we leasing a building that has no air conditioning and it has a bad roof?

Commissioner Flowers-Taylor stated that she simply doesn't have enough information to make a decision regarding this lease. She further stated that she does remember that when the old Food Depot building was leased out, it was leased out per square foot and when the church had a lease there, they also leased per square foot. She wants to know who made the decision that we were going to stop doing that? She doesn't remember voting for that.

Commissioner Johnson then stated that it sounds like we don't have the answers this evening to make this decision. We need to probably table this request again.

Commissioner Dutton stated there is a market value for this building, that market value includes things such as it's roof issues, it not having a/c, etc. There are other buildings that don't have roof issues, that do have a/c that lease for less than this because he has looked into leasing them. There's a lot of square footage in the building, but there is no one else at this time who could really make a use of that square footage. If this room was twice as big, we could put twice as many people in it, but if a law office is twice as big you don't put twice as many lawyers, that's not how it works. Where as a thrift store or discount store like this is can make use of this as storage. So, it's less about a square foot issue as a market rate issue and frankly \$800 a month with an automatic increase is more than the market rate for that building. On the other side, there is a lot of empty space here in downtown Griffin, a lot of empty store fronts. If we don't lease it to them, then we are going to have another empty store front that the County is going to have to take care of. Again, we don't sell them the building because there may be a

need in the future to expand the annex into that building, but until we need that space for what is above the market rate for downtown seems like a pretty good deal. None of us are real estate agents up here, but he has looked into both purchasing and leasing places downtown and he can't believe Jan's is willing to pay that much. He doesn't understand why we wouldn't renew this lease. He can't see a good reason not to do this.

Commissioner Flowers-Taylor stated she understands his concern, but it is less about market value. If the building is substandard and it belongs to the County it should be fixed or demolished. But at the rate that someone started out 25 years ago paying \$700/month rent and 25 years later they are paying \$800/month rent. Because it's not about keeping the store front open, if the City of Griffin wants to do that, that's fine. But if we allow them to lease this building and the square footage associated with it and we don't have a rule for how we are doing it, we're providing them a gratuity. We don't have all the information that we need, we asked for the square footage of the building the last time and we asked them for the policy.

Commissioner Bowlden stated he would like to also see people charged a uniform rate somehow. There has to be something that we can do. Charging different rates to different entities, he wants to be able to look at a lease and say this is what we are going to charge.

Commissioner Dutton stated there is no way to do a uniform rate on real estate. The three things that are important in real estate is location, location, location. You can't say that all things the County rents are going to be for "X" per square foot. You can't do that because a building on Solomon Street is different from a building on SR 16, which is different from a building on North Hill Street or South Hill Street. You can't say, our rule is this because some are going to get filled and others are going to remain empty. Market is what market is. Last year, he looked at a space was less square foot with a/c and it was \$750/month. So say that somehow they are not paying a market rate at \$800/month with automatic increases is simply incorrect. That is simply not true.

Commissioner Johnson stated that she does feel the different buildings do need to be on a case by case basis; however, in this particular situation the information the Board had requested previously has not been provided. If we are to make a good decision on this, we have to have all the facts.

Commissioner Flowers-Taylor then stated that we are the County, we are not in the business of leasing property. When we lease property, we are leasing taxpayer property. This is not about us making a profit, if you rent the Fairmont Center you pay a designated amount of rent, if you rent the ballfields the price is going to be the same no matter the location. It is County property. There is no way we can not uniformly figure out how we are going to lease this property. We don't have to lease county property, we could use it ourselves, but if it is going to be leased and it is County property, she believes we can most certainly have a uniform policy and should because we are dealing with taxpayer money and we have to be fair to every individual who comes before us wanting to do the same thing. It doesn't matter where it is located, if it is County property and it is worth renting then it should be that rate.

***Motion/Second by Flowers-Taylor/Johnson to table approval of a lease with Jan's Used Furniture for the 115 East Solomon Street property until staff can provide the information requested at the last meeting. Motion carried 4-1 (Dutton).***

2. Discussion regarding Private Driveway off Bethany Road aka Kelly Drive.

Ms. Windham advised that the property is currently owned by the Griffin-Spalding Land Bank Authority. This is true, but it is also misleading in that the property was purchased by the Land Bank Authority at a tax sale and when you purchase property at a tax sale you do not obtain marketable title and you do not obtain the right of possession until the Right of Redemption is foreclosed against the prior owner, which is the debtor in FiFa.

In this particular instance, a company by the name of R.R. Browning owned the property known as Kelly Drive, Lot 1, off of Bethany Road and when that property was platted it was shown as Lot 1 also known as Kelly Drive. R.R. Browning conveyed all of the lots, except for Lot 1 to Ray Browning and all of those deeds contained an easement expressly in the language for access via Kelly Drive. It was never intended to be a public road, it was always a private driveway.

The Land Bank purchased the property at a tax sale, but they have yet to foreclose the Right of Redemption. So, they do not have the right of possession to date. The property was conveyed by the Land Bank by Quitclaim deed to three of the four owners. One of the deeds was to a prior owner in the prior chain of title, but they did not accept the deed so the conveyance is a nullity.

Ms. Windham stated that in Mr. Galloway's email regarding the Land Bank's Agenda, this item will be on the May agenda to have an affidavit prepared and recorded that will undo the quitclaim deed to the owners and then it is their intention to quitclaim the property back to the debtor in FiFa, which they are perfectly within their rights to do and then the Land Bank will no longer have any interest or say so regarding this property.

Commissioner Bowlden advised that he asked a number of questions about it in the work session this morning. When the deed is conveyed back to Mr. Browning. The residents will then have access to that easement, so when and if they decide to sue, Mr. Browning cannot do anything to the easement to prevent their access to that driveway.

Ms. Windham stated that is correct as the easement is not only shown on the plat, but it is also referenced on the original deeds to all four of those lots. It is also still referenced in both Mr. Sutton's and Ms. Byard's deeds as well. It is not referenced in the deeds for the other two lots on the road, but regardless it is on the plat that they have those access rights.

Commissioner Bowlden stated that they are within their rights to maintain that private driveway. If they hire someone to come in and fix the driveway and Mr. Browning is totally against, they will still be able to do this.

Ms. Windham confirmed they would be able to do this because it is the access to their homes. It is as if you have a shared driveway agreement with your neighbor, typically you are going to be responsible for the maintenance of that driveway.

Commissioner Bowlden stated this is noted as Old Business on the Agenda. Would this morning's discussion be the first time or the New Business agenda item?

Ms. Windham stated she would assume so.

Commissioner Bowlden stated that it hasn't really been talked about as an agenda item, so how can it be Old Business. At 9:30 these folks are at work and we are here talking about the future of their road and they're not here. I know they can't come and speak during the work session, but they weren't here to hear what was being said. If he had known that he would have contacted them and let them know they needed to be here. We discussed a lot more than we are now. In reading through the binder of documents the perception that he has and he is sure the perception that they have, is there is a cover up. He can't prove it, he doesn't think there was anything illegal done, but there was stuff done that was morally wrong. I wanted to get in here and do this job for the right reason, but the way things are going he may as well resign, because the things he is fighting for he isn't going to be able to accomplish.

Commissioner Dutton stated that we see examples of this happening all over. We need to change the underlying zoning issues, let's hold these people accountable who are coming in and doing this kind of garbage. We continue to go from one emergency to the next and we never fix the underlying issue which is both Griffin and Spalding County allow these builders to come in and simply build crap and do this kind of stuff. They come to us and promise the world, then when we give them what they want they use every trick in the book to get around the conditions, then get as much money as they can out of the transaction and then they are gone and the citizens of Spalding County are the ones left holding the bag. He gets that this is a terrible situation, but it is simply indicative of something that we have seen over and over. If we want to make a difference not just for the folks who are here tonight, but for the future of Spalding County, we have to change the underlying zoning code, the building codes, the actual rules that those folks have to use to develop in Spalding County and we have to strengthen that for the people who currently live here and for the future people who live here.

We can't go back in time Commissioner Bowlden and undo what these predatory people have done in the past, but in the future we are the ones to make these decisions and we're not going to allow this to happen. We have been waiting on staff for language that changes this and that is what we as a Board can do. The changes we have been talking about for months need to be done for the people that are here and the people who are coming in behind them.

Commissioner Johnson stated that her concern is that emergency vehicles cannot access these homes which is a tremendous safety issue. If something were to happen and here we will be sitting and saying what could we have done, what

should we have done. I know this puts us in a situation, but that is possible, it could happen and she doesn't know the resolution to this.

Commissioner Dutton stated that if something like that were to happen it would then put the County on the same side of that suit we have been alluding to, with the homeowners saying "Builder, our emergency vehicles can't get down there, you must do this." They're saying their cars can't access their homes and we would be saying our emergency vehicles can't get there.

Commissioner Flowers-Taylor then stated that the reason that the land bank has this property is because the landowner didn't pay the taxes. So, turning that property back over to him is essentially starting back over at square one. They can't sue him, he doesn't care about that piece of property and their road still is not working. She then advised that she had Ms. Irizarry called E-911 and there has never been an emergency call on that road where the emergency vehicle that called could not access the property; however, she does remember that at the last meeting we gave staff direction to find a way for this to work. That was the instructions we gave staff and what we get back was the County Attorney's legal opinion and Newton Galloway's opinion which is legally we cannot do that. It was not on the agenda, but that is how the discussion came about, was that we directed staff to find a way. She then stated that she wishes there was something that we can do, but she is not going to jail and based on what is contained in these documents, this has never been a road.

Ms. Windham stated that this was never intended to be a road, it was always a flag lot, it never met the criteria for a public road and it was never conveyed as such. To take on the maintenance of this road would be a gratuity and the Georgia Constitution does not allow you to do that.

Chairman Davis stated that he wanted to make sure that everybody understands that there is a big difference between the Spalding County Board of Commissioners and the Griffin-Spalding County Land Bank Authority, they do not report to us and they were created by the Georgia General Assembly. Additionally, it appears that on May 5, the Land Bank will be addressing the issues that the citizens brought to us regarding the deeds and we will see what they do at that time. The four residents need to discuss and come to some type of agreement whether it is a maintenance contract or a verbal agreement on how to fix the private drive is the only real solution. The long-term solution that Commissioner Dutton talked about is fixing the ordinances so that this doesn't happen to anyone again is the end answer and we just have to remember that when we go to planning and zoning meetings and vote on matters concerning development in the community.

Commissioner Flowers-Taylor then stated that it summarizes it for the Board, but what is the takeaway for the citizens?

Ms. Windham stated that the conclusion has to be that the County cannot legally take over maintenance of this private drive and that homeowners will need to make a decision as to whether or not they want the property or whether they want it to go back to Mr. Browning.

## **IX. NEW BUSINESS –**

### **1. Discuss Heritage Park projects funded in the 2016 SPLOST.**

Ms. Irizarry advised that she would answer any questions the Board had regarding the 2016 SPLOST based on the documentation that she has available to her this evening.

Commissioner Dutton asked when the SPLOST passed how much was designated for Heritage Park?

Ms. Irizarry stated that Fairmont and Heritage Park was one line item and \$1.915 million was budgeted for the line item and currently there is approximately \$500,000 remaining of that budgeted line item.

Commissioner Dutton stated that we have recently approved doing the Rosenwald School how much is that Project?

Ms. Irizarry stated that the Rosenwald School Project is being funded by the 2008 SPLOST.

Commissioner Flowers-Taylor advised that we were anticipating \$1.9 million; however, the actual bid came back at approximately \$1.7 million for Rosenwald.

Commissioner Dutton then stated that we currently have \$500,000 left from the 2016 SPLOST line item in addition to what we are spending from the 2008 and in addition to the \$1.2 million we spent on Fairmont. The Housing Authority is going to fix the Equalization School, that is a done deal. So essentially, we have \$500,000 left for the gym. The quote for the gym was more in the presentation from Paragon, maybe just like Rosenwald we will be able to cut the costs back and get it closer to \$500,000?

Ms. Irizarry then stated that the cost for the gym was an estimated \$3.2 million.

Commissioner Dutton stated that is if we refurbished the building with all the bells and whistles. Would it be possible to pull back a little and not just leave that building sitting and rotting?

Commissioner Flowers-Taylor then stated there is not many bells and whistles that we could pull out because it is a basic building with wooden benches.

Commissioner Dutton stated that to be ADA compliant because of the way we had designed the building we would have to install an elevator, because we have changed the location of the parking lot, maybe there is a way to change the plans.

Commissioner Johnson stated that Mr. Upson had suggested this morning removing some of the bleachers to make the building ADA compliant.

Commissioner Flowers-Taylor stated that in the present plan, there is no elevator, everything is going to be on ground level coming in from where the entry to the Rosenwald School is. There was going to be an elevator/dumb waiter or whatever you call it because the catering kitchen was going to be under the stage area, but now the catering kitchen is going to be a separate place off the entryway on the front side. At this point, there is no minimal to take away. We are just fixing what was there already. We are at the bare bones, we are not trying to add any bells and whistles at this point, we are simply trying to renovate it.

Commissioner Dutton then stated that we allocated a certain amount of money for these projects, we did a lot of extra stuff at Fairmont and spent a majority of the money at Fairmont, again poorly planned by our predecessors by not having done the studies before hand and walking into a huge deficit.

Commissioner Johnson then added that we have had a lot of excess SPLOST money come in as well. She then asked about the American Rescue Funding and wanted to know when staff would know how those funds are to be used.

Ms. Irizarry advised that she and Mr. Wilson have an appointment regarding the American Rescue Funds on April 29<sup>th</sup> and they are going to try to figure out the rules and regulations around that funding.

Commissioner Dutton then stated that one of the items he has discussed with the City in regard to a TSPLOST is neighborhood connectivity. It was brought up in how to link trails from different areas of town and one of the things that the City wants to do is expand golf cart access to the rest of Griffin and all of that can be part of a TSPLOST. Additionally, the trailhead building where that starts can be part of the TSPLOST and that is what got him thinking about Heritage Park. The plan was to have a trail to Heritage Park and the trail head building could be the gym. You don't have to use it for the trail head you could use it for other things as well and it could be part of the TSPLOST.

Commissioner Flowers-Taylor stated that we have a fund balance that is currently better than it has been over the last 15 years and in the last SPLOST we spent \$8-10 million to pay off debt. So, why can't we finish the projects we need to do and if we are going to do a TSPLOST or another SPLOST then we can take that money and put it back in the General Fund. We can take this money and feel confident that we can go forward with any other kind of SPLOST. She is very hesitant about going forward and asking voters about any type of SPLOST until we have the projects completed.

Chairman Davis then stated that the number we came up with this morning when we talked about an Aquatic Center and Heritage Park was \$8 million. To complete everything that we said we wanted to do was included in that total. The issue of American Rescue and how we can spend that money and we will get that guidance soon. The idea that you are talking about now of taking out of the Fund Balance, get another SPLOST and pay back the fund balance is another option we can look into to doing that. Mr. Kendall's idea of a SPLOST is to pay the remainder of the shortfall for the projects and have the remainder of any money go for another SPLOST is also another avenue.

Chairman Davis stated that we need help to accomplish what we are needing to do, currently we are \$8 million short to do a project. This is not just an issue with the Heritage Park Project, we had the same issue with Pickleball and we fixed it as time went on, then we had the loss of a Commissioner and we didn't have that push for the remainder of the projects. Now we are in the situation where we should be looking for \$8 million to complete these projects. The President has allocated to the County \$12 million, we know that is coming, but we do not know what the rules are except currently there are three rules: Broadband, COVID and Water and Sewer. There is supposed to be more coming down the line. If we can take some of that money and apply it to our projects then this problem will go away, but to do what we want to do is going to cost us an additional \$8 million.

Chairman Davis stated he is not in favor of reducing any project, when we finish a project it should be something that we are proud of and want to show off. So he is trying to get the money. What can you do to help? If you have an idea, please don't hesitate to get to a Commissioner and staff and relay that idea. Mr. Kendall had done that a couple of times and we appreciate that input. Ms. Walker-Harps has also come up with some ideas that we have tried to work on. We are working this issue as hard as we can.

Chairman Davis then stated that we wanted everyone to understand that we don't have a solution yet, but we are working toward it.

Commissioner Flowers-Taylor then stated she wanted everyone to understand that we hear you when are saying until these projects are complete don't ask for another SPLOST.

Commissioner Johnson then added that it is safe to say that after the meeting next week when we have our meeting on May 3<sup>rd</sup> we will have a better understanding of what the American Rescue Funds can be used for. Either we can use it or we can't.

Chairman Davis stated if we can't use part of the \$12 million, then we have two choices, use of Fund Balance or don't do it. He added that there are a number of things the Board is looking at to reduce this number. We know this is a problem and we are working hard to solve the problem.

2. Establish a date and time to meet with the Cities of Griffin, Orchard Hill and Sunny Side to discuss 2021 T-SPLOST Referendum.

Chairman Davis stated that we need to pick a date because we have to send a letter out to the City of Griffin, City of Sunny Side and City of Orchard Hill. We have to give them 10-day notice. At the work session we discussed May 6, 2021 at 4:00 p.m. On that date we will all meet in the Meeting Room and decide what we are going to do.

3. Consider approval of Delinquency Prevention Grant in the amount of \$20,000 for the Juvenile Probation Department.

Ms. Irizarry advised that the grant has been reviewed by the County Attorney and they have approved it as to form. Staff recommends approval and we have Judge Ott and Ms. Syble Jones, Chief Probation Officer from Juvenile Court here this evening if you have any additional questions.

Judge Ott advised that he is available if there is any questions.

Commissioner Flowers-Taylor asked Judge Ott to give the Board the short version of what the grant is about. She stated that she appreciated his giving her the short version and she feels it is important for people to know the group you are trying to target and what it is you are trying to achieve.

Judge Ott wanted to take the opportunity to invite the Board to Juvenile Court. He believes this a good snapshot of what is happening in the community. We address the issues of poverty, homelessness, hunger, and crime. Spalding County Juvenile Court meets almost every day.

This grant addresses the low-level offenders. We have Functional Family Therapy (FFT) but you have to already be adjudicated as a criminal to participate. This grant initially is for \$20,000 but will go for successive years at \$30,000 a year to target the low risk offenders. This will allow a more concentrated approach with these offenders, so that we can try to reach more of our young people before they ever enter our system.

Judge Ott stated that they are looking at new programming for the Juvenile Court and he feels more money is going to be available for behavioral health.

Commissioner Bowlden stated he would like to commend Judge Ott for the work that he does. He has one of the hardest jobs in the justice system, you see them in the beginning.

***Motion/Second by Flowers-Taylor/Dutton to approve a Delinquency Prevention Grant in the amount of \$20,000 for the Juvenile Probation Department. Motion carried unanimously by all.***

4. Consider approval of memorandum of understanding with SORBA (Southern Off-Road Bicycle Association).

Ms. Irizarry stated that this memorandum of understanding is to establish the framework and cooperation with SORBA (Southern Off-Road Bicycle Association). It has been reviewed by the County Attorney and staff recommends approval.

Ms. Windham stated there is one correction that needed to be made on the indemnification portion of the MOU. It says “the department” and “the department” needs to be changed to “Spalding County.”

***Motion/Second by Dutton/Johnson to approval of memorandum of understanding with SORBA (Southern Off-Road Bicycle Association) with corrections.***

Commissioner Flowers-Taylor stated that she had talked with Jim Fortune at length about this and she is assuming these changes are what was discussed.

Ms. Windham advised that the changes are as discussed.

***Motion carried unanimously by all.***

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

Ms. Irizarry advised that since Mr. Wilson is out that she will deliver both the County Manager and Assistant County Manager reports.

- ✓ There is a letter received from Mr. Brett Hanes with Charles Abbott. New Home permits for March 2021 are still posting strong numbers even with the pandemic causing supply problems with builders.
- ✓ He also wanted everyone on the Board to know that Debbie Bell, Mariza Eller, Chelsea Seimen and Charlie Hearn currently manage all of the telephone calls and handles in-service customer service and that he has been reassigned to Monroe County. We are blessed with Angie Tkacsik, who is here now and she will be helping to move through the transition. She is the past president of GACE (Georgia Association of Code Enforcement) and she is also a certified building official.

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

- She had sent out the doodle poll regarding the groundbreaking at Rosenwald, and she has had some conversations with Commissioner Flowers-Taylor because she was unable to make the May 3<sup>rd</sup>. She then asked Commissioner Flowers-Taylor to advise her concerns.

Commissioner Flowers-Taylor then stated that the groundbreaking is being scheduled at a time of day when people generally are at work. Since this is a community groundbreaking, she feels that it should be held at a time when people from the community can attend. When we had the groundbreaking for the Fairmont Gym and the park, the people in the community showed up.

Ms. Irizarry stated that McElroy is really moving forward with construction, so we have to make sure it is safe for everybody to be out there. So that is another thing

that we need to look at. She will talk with the construction company and see if they can give us some dates.

## **XV. REPORT OF COMMISSIONERS**

**Rita Johnson** it is going to be very important to complete the Fairmont/Heritage Park projects for us to establish trust before we can even discuss another SPLOST.

Bethany Road, she understands that our hands are tied there, and there is something to be said about people who don't do the right thing when it comes to housing. Whenever you can't help your citizens it is tough.

**Ryan Bowlden** - he continues to receive phone calls regarding Alpha Dynamics, he wanted to know if we have heard anything else about the shooting range on McDonough Road.

He wanted to ask about Code Enforcement, last week was the first week their citations were to go to court and he wanted an update on how that went.

Ms. Irizarry stated there was only a couple of cases and we are working in District 4 with a few of the homeowners. What they have said regarding Alpha Dynamics is they are monitoring the social media pages because they are still posting things, but they haven't had any complaints come in.

He participated with staff in a test run on the mastic asphalt and he hasn't had a chance to go out there to check it out. He is going to ride out there tomorrow to see how it is holding up. He is excited about seeing something being done on Hollonville Road.

He wanted to commend the citizens of Oak Grove, Lenox Circle, Petticoat and Dunlap for coming together to address the annexation. He has never seen citizens get involved as much as they have. They have created their own committees they are having meetings and they have hired an attorney. He is praying for them and he hopes that things work out for them.

He wanted to say "good job" to the Sheriff and his department, they have had several high profile incidents happen over the last couple of weeks. With the scam in Orchard Hill, that is unheard of to actually solve a scam case and get the money back. The murder suspects were located very quickly. Good job. There was a chase that they had that ended at the Rehoboth Middle School and that was well executed, very organized and they were able to set up a parameter and catch the guy that ran.

**Gwen Flowers-Taylor** she wanted to say good job on the work that we did this morning, she wanted everyone to know that she appreciates working with a Board that she doesn't feel like she has to keep "beating you in the head" to make you understand. I get it that you all get it and it makes it easier for her to accept things, however they work out.

The other thing is, she has been on the Board for about 16 years and everything about Bethany Road just makes her stomach hurt. She don't know what the answer is, but

she's not through with it yet. We have to figure out something. It is on us, as a Board, to figure out a time when we need to make an exception or not. What she is saying is she is still looking because the whole thing is all kind of wrong.

**James Dutton** – stated that we are going to continue having these building issues until we fix it countywide, zone for zone requirements and regulations for building materials. Until we make it impossible for people to come in and take advantage of us, people are going to keep coming and taking advantage of us. They are going to keep coming and take advantage of homeowners who think that their title is correct, then 10 years later they realize they are in a situation and there is nothing they can do about it. It is up to us. We have been talking about this for years in our retreats “raise the bar” this is the bar that we need to raise.

Chairman Davis stated that we are going to have to figure out how we are going to do this. It is over our heads so staff is going to have to guide us through this. If we need meetings or work sessions, we have got to come up with a way to raise this standard across the Board. He knows there is a lot going on in Community Development, but in the end we are going to have to get this done, so we got to start figuring out a plan.

Commissioner Dutton stated that Forsyth County's building code is spectacular and he would like to as closely as possible mimic that code. It has just been updated and it is fantastic.

Another thing that he is going to bring up every single time is Heritage Park. Something he thinks everyone should be aware of is he went out to Heritage Park last week and met with some of the workmen that were there and asked the workers how things were going and they advised that they came here and tried to secure the building and we came in the next day and all the locks were ripped off and although they didn't lose anything of value, they are going to have a hard time moving their equipment back and forth because they are not going to be able to secure the things that they need on site.

There are a lot of things that we can do with this money that is literally falling for the sky, but we need to look at the pension plan. When the auditors came in they said that the pension plan is only funded at 65% and right now this is not a problem. There is a thing called compound interest and if we wait until later it can be a real problem. We need to start digging toward reducing this percentage or this problem is going to get worse and worse until we do something with it.

Chairman Davis asked Ms. Irizarry to have someone come in and let us know if this is a problem, we need to have someone come in and explain this to us so that we will be more educated regarding this problem. If this is not a problem, it goes away, but if it is a problem, we need to address it, so find out who the right people are and get them to come in and give us some direction.

Commissioner Flowers-Taylor advised that when this started several years ago there was supposed to be a plan in place to handle the trajectory, if we need to change that plan that is what we need to know. If we are tracking like we should be, then we need to be aware of that as well.

One thing that hasn't been resolved is the issue that the Conflict Public Defenders Office is being closed here and they are forcing them to go to Atlanta and thus forcing

all of the clients to meet with them in Atlanta. There are a number of clients that simply won't drive to Zebulon to meet with them there, so they are not going to Atlanta which means the quality of their defense is going to drastically decrease. The point is we need to provide them space.

Commissioner Dutton and Chairman Davis then asked Ms. Irizarry to make some phone calls to see if we can find two desks.

**Clay Davis** – two quick things: Vaccines, everybody please get vaccinated, it is important, it saves lives. Everybody needs to do this, the President has opened it up for us now, so that everyone 16 and older who live in Georgia. Please get your shots if you haven't and encourage others to get them.

Regarding Code Enforcement, Brett did a good job for him on two separate occasions. He was really impressed with him and his ability to deal with the situation and come up with the right answer.

Commissioner Flowers-Taylor stated that the Tax Commissioners/Tag Offices are closed this week due to COVID and staffing but will open Monday, April 26<sup>th</sup>.

**XVI. CLOSED SESSION** – None.

**XVII. ADJOURNMENT**

***Motion/Second by Flowers-Taylor/Johnson to adjourn the meeting at 8:18 p.m. Motion carried unanimously by all.***