

After Agenda

**Board of Commissioners of Spalding County
Extraordinary Session
Monday, March 21, 2022
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 21, 2022, at 6:00 p.m. with Acting Chairman James Dutton presiding. Commissioners Rita Johnson, Ryan Bowlden and Gwen Flowers-Taylor were present for the meeting. Also present were County Manager, Dr. Steve Ledbetter, County Attorney, Stephanie Windham, County Zoning Attorney, Newton Galloway and County Clerk, Kathy Gibson to record the minutes.

I. OPENING (CALL TO ORDER) by Acting Chairman James Dutton.

PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.

II. INVOCATION

Elder McCauley with the Church of Jesus Christ of Latter-Day Saints delivered the Invocation.

III. PLEDGE TO FLAG

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

Motion/second by Flowers-Taylor/Johnson to amend the agenda to add a new Item #2 under Presentations and Proclamations for an update from the Jewkes Law Firm on their caseload, the feedback from their clients and how things are going. Motion carried unanimously by all.

IV. PRESENTATIONS/PROCLAMATIONS

1. The Spalding County Fire Department would like to present the individuals who participated in CERT Program #15 on February 28, 2022.

Chief Glenn Polk recognized those who participated in the CERT Program. He advised that this is the 15th CERT Program and these participants graduated from the program on February 28, 2022. It is a six-week program that includes lectures, PowerPoints, hands on stop the bleed medical, primary assessments, search and rescue and fire extinguisher simulator. He advised that they have had over 300 participants since 2012 when the program started. He also thanked Captain Josef Miller and Lieutenant Rocky White for their participation in this program. He advised the program would not be able to go forward without the help of these two individuals.

2. Consider request from the Jewkes Law Firm to update the Board of Commissioners on their caseload, the feedback they have received from their clients and how things are going in general.

Jordan Jewkes opened the update by advising that Harry Charles had a heart attack over the weekend and is in the hospital and cannot be here this evening. He then reviewed the data. Ms. Ava Standard then passed out a summary of feedback that has been given to the group. One of the things the County asked the firm to do is to give the clients the opportunity for anonymous fair feedback and there are a series of questions that are presented to each client and the report reflects their honest feedback. Out of 450 responses, most have been 5 star, there are a few 1 stars and that is to be expected, but there aren't many. Over 90% of the responses have been 5 star. We have a lot more cases than we had expected, but we have had very positive experiences from everyone at the courthouse.

Mr. Jewkes then stated that they wanted to come and answer any questions the Board may have. Terrance Malloy and Harry Charles are the "boots on the ground" here in Spalding County and they would be able to answer any questions. Terrance and Harry have done a phenomenal job and we appreciate their efforts.

Commissioner Flowers-Taylor stated that as soon as their contract started, COVID started and you were already behind on cases. We are two years out where are we with caseload in terms of you being able to catch up?

Mr. Jewkes stated that Mr. Malloy would be the one to answer that question. He knows they have done a phenomenal job of keeping caught up. He then turned it over to Mr. Malloy to respond.

Mr. Malloy advised that they have made some dents in the backlog, but every time they seem to take a step forward, they have to take two steps back due to COVID. He assured the Board that they are able to process new cases as they come to the firm and are working on the backlog that was inherited and hope to make progress on the backlog within the next year.

Acting Chairman Dutton then asked if the questionnaire given to individuals when they come in could be made a blanket questionnaire instead of one for State Court and one for Superior Court, then the Sheriff's Office can divide them between the two courts according to charges?

Mr. Malloy advised he would contact Superior Court and see if they couldn't work that out. Sheriff Dix agreed that would be a good idea.

3. Consider request for a Proclamation recognizing Registered Dietitian Nutritionists and the roles they play in our community and proclaim March as National Nutrition Month in Spalding County.

Dr. Ledbetter read the Proclamation.

Motion/Second by Johnson/Bowden to approve the Proclamation recognizing Registered Dietitian Nutritionists and the roles they play in our community and to proclaim March as National Nutrition Month in Spalding County. Motion carried unanimously by all.

4. Consider request from Blue Cyprus to update the Board on the Comprehensive Plan.

Amanda Hatton with Blue Cyprus advised that she is working closely with Dr. Ledbetter, Brad Vaughan and DeAndre Smith on the Comprehensive Plan. She advised that she is here this evening to give the Board a brief presentation to formally kick off the Comprehensive Plan which is a State Requirement for the Comprehensive Plan.

This goal this evening is the kickoff of the project and provide a snapshot of what the Comprehensive Plan is and why we are updating it and to let community members know how they can get involved. The Comprehensive Plan is a long-term vision for the County's future growth and development. It does include the cities of Orchard Hill and Sunny Side. The City of Griffin has its own separate Comprehensive Plan and we are not planning for the City of Griffin. This is the guide that drives the rezoning decisions. It also serves as a day-to-day guide for growth and development decisions, and it has a Community Work Program element to identify ways that you use staff time and resources to move forward. The last important note is that it is a requirement of the State of Georgia that all Counties maintain a Comprehensive Plan and regularly update it. All Cities and Counties in the State are required to update their Comp Plan every 5 years.

Ms. Hatton then covered the key elements of the Comprehensive Plan: Land Use, Broadband Services, Regional Water Plan & Environmental Planning Criteria and Transportation (currently being addressed by the Comprehensive Transportation Plan and will be incorporated into this Plan upon completion). The Core Elements for the Plan are Community Goals, Priority needs and Opportunities, Community Work Program and Capital Improvement Element (to include an Impact Fee Methodology Report).

Ms. Hatton then advised there have already been two Public Kick-off Meetings one in Orchard Hill on March 14 and tonight at this meeting for Spalding County. The Steering Committee had their first meeting on March 17. Additionally, they have planned Community Leader Interviews and there are two Visioning Workshops scheduled: March 28 at the Spalding County Senior Center and March 29th via Zoom, and the details for the Zoom meeting are on the website.

According to Ms. Hatton, the schedule for the plan is Plan Foundation and Community Visioning will be held February through April, the Goals and Alignment will take place from April through June with Documentation and Finalization to be complete by September so it can be submitted to the Three Rivers Regional Commission and Georgia Department of Community Affairs for approval.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of financial statements for the eight months ended February 28, 2022.

Ms. Garrison advised that the financial statements included in the Agenda Package were dated incorrectly, so she has provided the Board with a corrected copy of the Financial Statements. The statements that were attached included the first week of March revenues and expenditures and the revised copy in front of you is for the eight months as indicated on the Agenda Item.

Motion/Second by Flowers-Taylor/Johnson to approve the financial statements for eight months ended February 28, 2022. 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.

Rahn Mayo, 5555 Glenridge, Atlanta, Noresco, wanted to talk about the LEC Plumbing at the Jail.

Summer Clackum, 1959 Williams Mill Road, spoke about the County Marshal position.

VII. MINUTES -

1. Consider approval of Minutes for the Spalding County Board of Commissioners Regular Meeting and Executive Session on March 7, 2022.

Motion/Second by Johnson/Flowers-Taylor to approve the Minutes for the Spalding County Board of Commissioners Regular Meeting and the Executive Session on March 7, 2022. Motion carried unanimously by all.

VIII. OLD BUSINESS – None.

IX. NEW BUSINESS -

1. Consider request from Melissa Lawrence for an amplification permit to host a family BBQ at their home located at 1386 Patterson Road, Griffin, Georgia on Sunday, April 17th from 12:00 p.m. until 5:00 p.m.

Dr. Ledbetter stated that this application has been approved by Community Development and the Sheriff's Office.

Mr. & Mrs. Lawrence were present and advised that they would be hosting an Easter Egg Hunt and having a family Barbecue on this date.

Motion/Second by Bowlden/Flowers-Taylor to approve an amplification permit for Melissa Lawrence to host a family BBQ at their home located at 1386 Patterson Road , Griffin, Georgia on Sunday, April 17, 2022 from 12:00 p.m. to 5:00 p.m. Motion carried unanimously by all.

2. Consider request from the Spalding County Fire Department to adopt a Resolution approving the Spalding County Pre-Hazard Mitigation Plan Update.

Chief Polk advised that this is part of the adoption process through FEMA. It is the plan that has to be updated every 5 years and it examines through Community Partners any types of hazards that are manmade or technological that we can try to avoid and how we can prepare ourselves should this happen. We feel that we have a very good plan and it has been approved by GEMA and we are simply waiting on an amendment through Safe Dams that is a requirement. This is part of the process to finalize it through FEMA, we have to get a Resolution from the Board and he already has the process started with the cities of Griffin, Sunny Side and Orchard Hill.

Motion/Second by Johnson/Flowers-Taylor to approve the request from the Spalding County Fire Department to adopt a Resolution approving the Spalding County Pre-Hazard Mitigation Plan Update. Motion carried unanimously by all.

3. Consider request from Human Resource Director, Miles Neville to approve the Resolution to Adopt the 2022 DC Plan Restatement and the 2022 Restated 401(a) DC Adoption Agreement for Spalding County Employees.

Mr. Neville stated that what you are being asked to do today is to approve restating our plan. We have to restate the plan every 4-5 years according to IRS directive. It just so happens at this time we are having to make a change to the Senior Management Plan which is different from everyone else. The Senior Management Plan was put in place for the County Manager. It is a separate plan that has a different amount percentage of income that goes into it, so it was written as a separate plan. The IRS has notified us that it is time to restate that plan and we need to make a change because we no longer have someone who is using that plan.

Mr. Neville advised that the current County Manager has chosen not to go with ACCG and we are going to put the plan in "limbo" but not get rid of it because down the road we might want it again and then we would have to start over again. The IRS requires that periodically we restate this even if there are no changes. It is time to restate the Senior Plan and we were just going to go ahead and restate both plans.

Motion/Second by Flowers-Taylor/Dutton to approve the Resolution to adopt the 2022 DC Plan Restatement. Motion carried unanimously by all.

Motion/Second by Flowers-Taylor/Johnson to approve the 2022 Restated 401(a) DC Adoption Agreement for Spalding County Employees. Motion carried unanimously by all.

4. Consider a proposed contract between the JAG Program and Spalding County State Court.

Judge Josh Thacker introduced Marty Matthews, Chief Probation Officer for the JAG for Spalding County and the City of Griffin. She is an integral part of the team we have been talking about this evening because we are constantly moving information. Judge Thacker advised that he is the one driving this train.

When he came into office in 2017, Spalding County had a contract with Judicial Attorneys of Georgia. For felony probation it is the State of Georgia, State employees who are law enforcement sworn officers that supervise felony probationers. For all State Courts, there are zero State employees and either you contract with a private probation company or you create a department within the County for sentence enforcement.

The City of Griffin and Spalding County, each had independent contracts with JAG, at two different offices. Two different courts, two different offices, two different teams, two different infrastructures, two different everything. He sat down with Tim Donovan, the CEO of JAG, and talked about just how inefficient that was and how it was costing a lot of money and causing confusion as people were reporting to the wrong offices, so he and I discussed merging the two offices. So, that has been done and Marty Matthews was chosen as the Chief Probation Officer of both Courts together in one office which is across from GBS at this time.

Motion/Second by Flowers-Taylor/Johnson to approve a proposed contract between the JAG Program and Spalding County State Court. Motion carried unanimously by all.

5. Consider approval of Memorandum of Agreement with Small Treasures Learning Center Inc. to provide the 2022 Happy Helpings Program of Bright From the Start for Summer Food Program Services at three Community Center sites.

Kelly Carmichael, Supervisor of Leisure Services, advised that for more than 25 years Spalding County has provided summer meals for children throughout our community, and we've had a great partnership in the past with Small Treasures Learning Center. Since they have partnered with us, they have provided a seamless summer food program. It is a Food Truck style and they bring the food to the community centers for the children. We don't have to handle any paperwork which is amazing.

Motion/Second by Flowers-Taylor/Johnson to approve the Memorandum of Agreement with the Small Treasures Learning Center, inc., to provide the 2022 Happy Helpings Program of Bright from the Start for Summer Food Program services to Fairmont, Ambucs and City Park Community Centers. Motion carried unanimously by all.

6. Consider the approval of the following: 2022 New Alcohol License for the Retail of Sale of Beer and Wine:

ABA & QR INC, DBAA1 Food Mart, located at 1650 N Hill Street, Griffin, GA 30223. Beer and Wine. No violations.

Dr. Ledbetter advised that the owners had met all criteria for an Alcohol License at this location, they have had no violations and staff recommends approval.

Commissioner Flowers-Taylor expressed her concern over the number of stores in this area that are allowed to sell alcohol.

Motion/Second by Johnson/Dutton to approve a 2022 Alcohol License for Retail Sale of Beer and Wine to ABA & QR Inc., DBA A1-Food Mart located at 1650 N. Hill Street, Griffin, Georgia. Motion carried 3-1 (Flowers-Taylor).

7. Consider appointment of Cynthia Tidwell to the Spalding County Board of Health to fill the unexpired term of Mildred Stull which is due to expire on 12/31/2023.

Commissioner Flowers-Taylor expressed her concern over the fact that this appointment had not been advertised so that the citizens of the County would know there is an opening.

Kathy Gibson, County Clerk, advised that when the list of appointments were sent to the Griffin Daily News this year, we were told that we would have to purchase an ad in order to have the openings in the paper.

Commissioner Flowers-Taylor then asked that the appointment notification be advertised on our social media and on the website and that the matter be tabled until the next meeting to allow for more people to apply for the opening.

Commissioner Johnson stated that she had signed the nomination for Ms. Tidwell and even if there are other people who come in, Ms. Tidwell will be the first one in the book for consideration and with her background she would probably be appointed. She then asked if this couldn't be implemented going forward.

Motion/Second by Flowers-Taylor/Bowlden to table the appointment for the Spalding County Board of Health until the April 4th meeting and that the opening be advertised on social media and the website. Motion carried 3-1 (Johnson).

8. Consider recommendation from the Parks and Leisure Services Commission to approve the fundraising efforts of Lucid Skate Shop and their donation of materials and services for skate park equipment at the Grind Skate Park.

Kelly Carmichael introduced Brandon Flory who came to the Parks and Leisure Advisory Commission and presented a proposal to create a concrete rail within our skate park for skateboarding tricks. This is an element that is not currently offered in our skate park but so many who do this sport enjoy this feature. He has come forward and would like to perform for fund raising. He will also be a part of coordinating with the Parks Department in getting it installed. There will be no cost to the County.

Motion/Second by Flowers-Taylor/Dutton to approve the recommendation from the Parks and Leisure Services Commission for a fund-raising effort by Lucid Skate Shop and their donation of materials and services for equipment at the Grind Skate Park. Motion carried unanimously by all.

9. Discuss possible annexation of property at North 9th Street and Northside Drive presented by the City of Griffin on Tuesday, March 15, 2022.

Newton Galloway, Zoning Attorney, advised that on March 16th the City of Griffin

notified the County of possible annexation of two tracts, one 58 acres and one 27.64 acres on Northside Drive and North 9th Street for annexation and zoning under their Planned Residential (PRD) District. There is an error in the City's notice, it references the old statute governing annexation disputes. You will recall that we ran into this last year. It references Section 36-36-11 (c)(1) which purportedly would give the County only 7 days to respond, but that statute applies to annexation that occurred before 2007 when the statute was amended.

If the County chooses to make an objection is governed by OCGA 36-36-113 which provides that you have the opportunity to file an objection with the City by a majority vote based upon a material increase in burden upon the County directly related to the proposed change in zoning or land use, proposed increase in density and infrastructure demands related to the proposed change in zoning and land use. That objection is due on the 30th calendar day following receipt of the notice. He then advised that he was going to operate under the assumption that the notice provided by the City satisfies the appropriate statute and that would mean the County must notify the City on or before, based upon the date of the letter, April 14, 2022.

Mr. Galloway then advised that he needed to disclose that he has a conflict in this and cannot represent the County in an objection to this annexation. It is probably not a legal objection, but it is close enough to where he feels uncomfortable being involved as he has represented the proposed developer in a recent zoning in Locust Grove and one in Lamar County and he has discussed this with Ms. Windham and she will be able to follow through with any objections and procedure required. The deadline is April 14 and you do have to pass a vote or Resolution to oppose it and file an objection.

Motion/Second by Flowers-Taylor/Dutton to allow staff and our legal representative to send a response back to the City of Griffin that we are opposed to this annexation. Motion carried unanimously by all.

X. REPORT OF COUNTY MANAGER

- To reiterate Amanda's Comments from Blue Cypress, they will be hosting two public hearings on March 28th from 6:00 p.m. until 8:00 p.m. at the Spalding County Senior Center and a virtual meeting by Zoom on March 29th from 12:00 p.m. to 1:00 p.m. Please join us for the first public hearing on our Comp Plan. For more information, please go to the County's website and click on "Spalding Comp Plan." Additionally, we are working to schedule public hearings at our Fire Stations across the county. Our plan is to have at least one public hearing at each of our Fire Stations in the early evening to hear from all of the County.
- The chiller was installed at the Correctional Institute last week. The project is now closed.
- The Animal Shelter will begin Saturday Adoptions on April 9th. Please visit our website for more information.
- Grass cutting crews are starting to roll out as the temperature begins to warm. Please use caution when you see them out and about cutting and maintaining our county roads.
- Staff will begin scheduling budget reviews with the Board of Commissioners within

the next week.

- Finally, Carolyn and I are moving back to Spalding County this week. Please be patient with us over the next few days as we physically move our home.

XI. REPORT OF ASSISTANT COUNTY MANAGER – None.

XII. REPORT OF COMMISSIONERS

Rita Johnson – Yesterday, she and Commissioner Flowers-Taylor attended a wonderful event sponsored by the Spalding County Democratic Party and the urban outreach association. It was the unveiling of the John Lewis mural located at 403 East Broad Street.

The Spalding County Collaborative just received a Community Service Grant from State Farm of \$2,500.

Ryan Bowlden – Asked if we had heard anything from the Governor about the \$1,000 for law enforcement and first responders?

Dr. Ledbetter stated that we have received one for the Sheriff's Office, one for Fire and one for E-911. We are working with Miles Neville and the HR team to roll those out to our employees. They should see them on April 7th. We are still awaiting approvals for the other four areas of the County that we have submitted.

He wanted to reiterate to Marshal Smart Webb that we've got your back. He knows you are already catching "heck" and he just wants you to know we've got your back.

He then thanked Brad Vaughn for stepping up, he has answered multiple questions for him over the last two weeks and he has learned a lot from him.

Gwen Flowers-Taylor – Stated she would like to know when Marshal Smart Webb is going to be available to drive the Commissioners around so they can show him what is broken in their district? She can drive you two blocks on her street and show you so much junk. She would like to be able to do that soon.

She then asked: "Where are we on hiring additional code enforcement?" She knows there is a plan for regular hires, but we have almost a year and a half of problems that need to be addressed. She has felt really bad over the last few months when people have called and asked what they can do about certain problems, and we really couldn't do anything. A lot of the stuff that we had worked on has gotten up-side down and we have got to get to it with Code Enforcement.

She was at Fairmont Park yesterday and she knows that T.J. is waiting to get a piece of equipment, but she was absolutely elated and surprised at the diversity of the people that were using that park. Everybody loves the baby lot, kids of all ages were there. It is really jewel. We did a good job at Fairmont and we need to keep it going.

James Dutton – Wanted to echo Commissioner Flowers-Taylor statement regarding Fairmont Park, that is his children's favorite park as well.

He and his family went to the Quarry's Edge Park for the first time and walked around and his kids thought it was the coolest thing. Loved that park.

He has talked with the County Manager and Citizen Engagement Specialist about doing a video of all of our parks and rolling them out one at a time and then having the website include an interactive map that you can click on each of the County Parks. When you click it would be directed to the video for the park.

He stated that a number of citizens have asked him about the TSPLOST and the tax on gas due to the increase in gas prices; however, it is his understanding that TSPLOST does not tax gas. TSPLOST excludes gasoline sales. So, no part of the increase in the gas pricing is caused by the TSPLOST.

If you haven't attended any of the classes given during the CERT program, he would highly recommend it. He hasn't sat through all six yet, but he has taken some of his youth groups and boys scouts to some of them and they are beyond interesting and the information you gain is invaluable. He would highly recommend it.

Can't say enough good things about the Jewkes Firm and the whole State Court team in general. He travels the whole state and Spalding County is a model court and we should really be proud of that.

A lot of people call weekly wanting to know how to complain about potholes, barking dogs or other things that need to be done. We have the Spalding County App and people need to use it.

This goes along with the County Marshal; these services have to be done. In general, if we can do it under one roof, it saves us money and gets the job done better. We are going to pay somebody anyway and he feels Marshal Smart has done a great job and he hopes that he continues.

He hopes that our citizens are as proactive at other county's commission meetings as their citizens are in ours. Coming and telling us what is wrong with our County when our citizens don't show up to complain about these things. He hopes that we have citizens who go to other counties and relay them how their citizens feel. Cause that seems to happen a lot here.

The Summer Food Service is so important holistically for the County and he is glad that we voted for that this evening. He wishes there was more that we could do.

XIII. CLOSED SESSION

Consider request from the County Zoning Attorney Newton Galloway to hold an Executive Sessions to discuss future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4) and an Executive Session to consult with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1).

Motion/Second by Johnson/Flowers-Taylor to enter into closed session to discuss future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4) and an Executive Session to consult with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1). Motion carried unanimously by all at 8:05 p.m.

Motion/Second by Flowers-Taylor/Johnson to close the Executive Session at 9:00 p.m. Motion carried unanimously by all.

XIV. ADJOURNMENT

Motion/Second by Flowers-Taylor/Johnson adjourn the meeting at 9:01 p.m. Motion carried unanimously by all.