



**After Agenda
Board of Commissioners -
Zoning Public Hearings October 27, 2022
6:00 PM
Room 108, Annex Building
119 E. Solomon Street
Griffin, GA 30223**

The Spalding County Board of Commissioners held a Zoning Public Hearing on Thursday, October 27, 2022, in Room 108 of the Spalding County Annex Building, beginning at 6:00 p.m. with Chairman Clay W. Davis presiding. Commissioners Ryan Bowlden, Rita Johnson and James Dutton were present for the meeting. Commissioner Gwen Flowers-Taylor joined the meeting at 6:05 p.m. Also present were County Manager, Dr. Steve Ledbetter, County Attorney, Stephanie Windham, Community Development Director, Kellie Littlefield and County Clerk, Kathy Gibson to record the minutes.

A. Opening (Call to Order) by Chairman Clay Davis

PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.

Chairman Davis then called for a motion to amend the agenda.

Motion/Second by Bowlden/Johnson to amend the agenda to include the adoption of a joint resolution with the City of Griffin for approval of the Service Delivery Strategy and submission to the State of Georgia under Item #1 Old Business. Motion carried unanimously by all.

B. Invocation was delivered by Commissioner James Dutton, District #2.

C. Pledge to Flag was led by Commissioner Ryan Bowlden, District #4.

D. Old Business

1. Consider adoption of a joint resolution with the City of Griffin for approval of the Service Delivery Strategy and submission of the documents to the State of Georgia.

Dr. Ledbetter stated it is his privilege to show the hard work that the County and City staff have completed and he gave City Manager, Jessica O'Connor a round of applause for the wonderful job that she and her staff have done to put this together. There were a few items that were deliberated back and forth.

- The City will retain their Animal Control Officers, but we have a new IGA with respect to the Animal Shelter. He is very pleased with how this turned out and he is please with how the Animal Control discussion turned out.

- The agreement regarding the 800 MHz radios is done. We are in full agreement with it.
- One addition that we have inside of the SDS this evening for consideration is that the City is asking us to take over all of City Park, not the swimming pool or the golf course, but the pavilion, the tennis courts and the other equipment located within the park. The City acknowledges that the County does a good job at recreation and taking care of the park area and the City would like for us to take over that area. Good news is that the tennis courts were updated last year, so we won't have to worry about the maintenance on those courts. The pavilion area is a rental facility and that will be some additional revenue coming in for the rental of that facility.

He then thanked everyone involved and the time that was spent on pulling together this document. He feels this is an exceptional document and he thinks we have a substantial intergovernmental agreement on each of the items that are listed. He then asked Ms. O'Connor to speak.

Jessica O'Connor, City Manager, echoed what Dr. Ledbetter has said. We have been working on the SDS for about three years and it has finally come to an end. She stated that she didn't feel the documents had ever been right, no offense to anyone who worked on this in the past, we just really didn't know what SDS meant. The law we are working under is a newer law than what was implemented in 1999 and she feels that this time we are submitting a document that is correct. The document provides the services that that each entity is responsible for and we have the right party doing the service. She is glad to see it submitted.

Dr. Ledbetter then stated that this morning's City's Special Called Meeting included a joint resolution for the adoption of the Service Delivery Strategy and Mr. McCord and Ms. O'Connor have signed the document. He then read the resolution.

Commissioner Flowers-Taylor joined the meeting at 6:05 p.m.

Chairman Davis then stated this is 600+ pages that have been worked through by both entities and is for a period of 10 years.

Commissioner Flowers-Taylor asked if staff is aware that the playgrounds have to be replaced at City Park? One has already been torn down and that means the financial responsibility for replacing the playground equipment is going to be on the County? We are taking on additional financial responsibility. Are we also taking over the responsibility of the pavilions?

Dr. Ledbetter advised the county would be taking over the pavilions, the playgrounds and the tennis courts. The tennis courts were refurbished last year and the pavilion is in really good shape and is a revenue generator.

Commissioner Flowers-Taylor then stated that the children's play ground was torn down last year and has not been replaced. The playground equipment at the

bottom area by the restrooms and the big pavilion has been there for a number of years. She just wants everyone to be aware that if this park is going to be operated at the level that Spalding County operates its parks, we are going to immediately be required to do something at this location.

Commissioner Flowers-Taylor then advised that she had questions regarding the mutual aid agreement for Animal Control. She doesn't understand through reviewing the State Agreement, how an emergency at Animal Control could constitute an emergency with the State Mutual Aid Agreement because Animal Control is not a police agency nor a first responder agency.

Dr. Ledbetter stated that it is not a police agency; however, it can be considered a first responder agency because it is responding to issues with animals that could pose a life-safety issue. Police officers are typically the ones to respond to those type of instances and they will call an Animal Control Officer to participate and support them in that activity.

Commissioner Flowers-Taylor then stated that her question is if there is an emergency in the county, where there are multiple animals involved, would that mean that the City of Griffin Animal Control Officers will provide aid to us and will we do that if they have such an emergency in the City?

Dr. Ledbetter stated that if there is a desire to have a specific IGA for Mutual Aid for Animal Control, he doesn't feel that would be an issue at all. We have responded under mutual aid for Henry County and Pike County in the last few months where our Animal Control went and supported them. He advised that he would sit down and work with Ms. O'Connor on a joint IGA for mutual aid.

Stephanie Windham, County Attorney, advised that this IGA would not have to be part of the SDS. We pass mutual aid agreements all the time and they are not part of the SDS.

Commissioner Flowers-Taylor then added that one of the things she has learned from the SDS process is that if it isn't in writing, it didn't happen. Commissioner Flowers-Taylor then expressed that she would like for any funds paid to the County by the City of Griffin for the Animal Shelter be designated for the Spay and Neutering of the animals.

Motion/Second by Johnson/Bowlden to Consider the adoption of a joint resolution with the City of Griffin for approval of the Service Delivery Strategy and submission of the documents to the State of Georgia. Motion carried 4-1 (Flowers-Taylor).

- Lift from the Table and consider for approval the Heron Bay Master Development Plan:** Cole Tract Associates, LP, Owner; Minerva Properties, LLC, Agent: Parcel 201 01002, 201 01002B and 201 01009 (approximately 179.98 total acres located in Land Lot 146 and 143 of the 2nd Land District).

Applicant requests approval of the master development plan for Heron Bay Pod KK, LL & MM.

Motion/Second by Flowers-Taylor/Dutton to lift from the table and consider for approval the Heron Bay Master Development Plan. Motion carried unanimously by all.

Kellie Littlefield, Director of Community Development, stated that this was presented to the Board last month and it was tabled to get more information from the applicant on their capacity to provide water to the residents. They have been working with Mr. Johnson, General Manager for the Spalding County Water and Sewerage Facilities Authority, and they have come to an agreement with that Authority. Staff does recommend approval with the following conditions:

1. Fire hydrants shall be installed a minimum of 500 ft.
2. The Spalding County Water and Sewerage Facilities Authority (SCWSFA) approval is **Conditional** on the understanding that Minerva will continue to work with the Spalding Water and Sewerage Facilities Authority on modifying the Sewer Service Delivery and revising existing contracts as necessary.
3. All additional fire hydrants required to meet the Life Safety Code Minimum Fire Hydrant spacing requirement shall be installed at the developer's expense and approved to be fully functional by the SCWSFA prior to the approval of the final plat by Spalding County.
4. All lots, impacted by flood plain, shall provide flood hazard mitigation, and a note shall be installed on each plat describing the boundaries of the flood plain.

Motion/Second by Johnson/Flowers-Taylor to approve the Heron Bay Master Development Plan for Heron Bay Pod KK, LL & MM with conditions as stated by staff. Motion carried unanimously by all.

E. Public Hearings

Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics as they relate to the matters being considered by the Board of Commissioners on this Agenda. 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.

1. Conduct a Public Hearing on a street light district for the Vineyard Park Subdivision.

Logan Moss, 1110 Tallis Street, Bogart, GA advised they have been working with Central Georgia EMC on the street light design for this subdivision and their design is the documents that have been submitted for approval.

Motion/Second by Flowers-Taylor/Dutton to close the Public Hearing. Motion carried unanimously by all.

F. New Business

1. **Application 22-21S:** Adam Luke Smith, Owner-965 Campground Road (Approximately 3.67 acres located in Land Lot 26 of the 1st Land District). Applicant requests a Special Exception for a Home Occupation, General to conduct firearm sales, transfers, and gunsmithing.

Ms. Littlefield stated that this is a special exception for an in-home gunsmithing business. We have had several of these recently come before the Board and we are recommending the following:

- No exterior signage
- The Fire Marshall will inspect the premises.
- Any felony conviction must be reported within 10 days.

Ms. Littlefield then stated that this is not a shooting range this is sales, transfer and the ability to do gunsmithing in a minor home occupation setting. This is not an outdoor shooting range.

Commissioner Flowers-Taylor expressed her concern regarding shooting that may take place at a business of this kind. She stated that people are allowed to discharge firearms on their personal property within the County but she is worried that the discharge of firearms may increase with a business of this kind.

Commissioner Dutton advised that the reason we are getting these type of requests is that the ATF has gotten involved in this type of business and are requiring that the County Zoning be corrected in order for their license to be issued. Many of these businesses have been in place for years; but until recently the AFT did not require that county zoning be approved for the home occupation.

Adam Smith 965 Campground Road, Griffin, GA stated that he does discharge his personal firearms at his home and will continue to do so; however, the home occupation being requested will not require any discharge of firearms. Nothing that he will be doing in this business will require that he discharge a firearm. He stated that he has no intention of having a shooting range at his home, nor does he have any intention of letting people onto his property that he does not know to discharge a weapon on his property. He stated that he does and will continue to discharge his personal firearms on his property.

Motion/Second by Dutton/Bowlden to approve Application 22-21S: Adam Luke Smith, Owner-965 Campground Road (Approximately 3.67 acres located in Land Lot 26 of the 1st Land District). Applicant requests a Special Exception for a Home Occupation, General to conduct firearm sales, transfers, and gunsmithing. Motion carried unanimously by all.

Commissioner Dutton left the meeting at 6:46 p.m.

G. Other Business

1. Consider approval for Parks and Leisure Services staff to move forward in seeking two grants, one for Ambucs and one for Volunteer Park to provide a maximum \$2 million for each location to overhaul the ball fields. Additionally, the request is to allocate \$34,800 for contracting with CLP Team from Suwanee, Georgia to provide an extensive set of deliverables in support of the grant and the proposed improvements.

Dr. Ledbetter stated that he believes we are now at 5 grants for these projects.

T.J. Imberger, Director of Parks and Public Works, advised there are two projects for Volunteer Park and three for Ambucs are being submitted.

Dr. Ledbetter then advised that the team consisting of Mr. Imberger, Greg Stansell, Lisa Perkins and I met with Jenn Wade yesterday. Jenn Wade is the Director of OPB for the State of Georgia. She administers all of the grant funds and during the discussion we came to the realization that we could ask for more money by splitting the projects into separate applications resulting in a considerable amount of upgrades to both Volunteer and Ambucs Parks.

Dr. Ledbetter then thanked Commissioner Flowers-Taylor for sending over the information on the Neighborhood Improvement Grant that she received by email. This is what has sparked the conversation over the last few weeks about getting us into position to where we can make application.

Commissioner Johnson then stated that the ask this evening is for \$34,800 to contract for the deliverables to support the grant?

Dr. Ledbetter stated that is correct and the money would be designated for conceptual engineering designs for both locations and is split \$17,400 per location. We need this information to put us in a position for the grants. It would satisfy one of the major requirements of conceptual design and give us a very strong understanding from an outside vendor of how much each project will cost the County. If we can accomplish this, according to Ms. Wade, it will move us up in line for the grant monies available.

Dr. Ledbetter then stated that there are only two census tracts in the County that qualify for application and those are Ambucs and Volunteer Park. The State has identified specific areas that this money will qualify to pay for projects.

Commissioner Johnson then asked about the park that we are taking over now from the City of Griffin.

Dr. Ledbetter stated that if it is in the census tract, then we could look at doing some additional grant funding for that location.

Commissioner Flowers-Taylor then stated that we started out with two projects and now we are at five? Will there need to be a workup for every individual project?

Mr. Imberger advised that CLP has agreed to handle all of the required paperwork, concepts and pricing for the five projects. They were notified yesterday and have agreed to that. The pricing was originally for two projects and now they have agreed to do all five for us.

Commissioner Flowers-Taylor then asked what the timeline would be for the grant.

Mr. Imberger advised it is November 16th, but we have to have our application in 72 hours prior and CLP has agreed to start immediately. We will have a site visit the first part of next week and they have agreed to no later than 10 days. This firm should be large enough to handle that deadline and they have committed to that.

Commissioner Flowers-Taylor then asked where the money is coming from?

Dr. Ledbetter asked that the Commissioners afford us the opportunity to use contingency funds for this project in the amount of \$34,800.00. With this amount coming out of contingency we stand to get \$10+ million in return. This is a huge opportunity for us.

Commissioner Flowers-Taylor asked if there could be a Phase Schedule for the board once the grant is awarded?

Dr. Ledbetter then stated that when we get the award we will come back to the Board with a full plan on how we are going to complete these projects. The plan is to do one project at a time so that we don't overspend and get the money we have coming back to us.

Commissioner Flowers-Taylor then asked if more money should be delegated from the contingency fund as you may be looking at two more locations that may be in the census block?

Dr. Ledbetter stated that with the short amount of time we have to put these projects together we may take those two additional locations and do inhouse conceptual designs and make them a part of the application process.

Motion/Second by Flowers-Taylor/Johnson to approve up to \$50,000 for engineering and conceptual plans with CPL for the documentation for this grant application. Motion carried unanimously by all.

H. **Adjournment**

Motion/Second by Johnson/Bowlden to adjourn the meeting at 6:59 p.m. Motion carried unanimously by all.