



**After Agenda  
Board of Commissioners – Extraordinary Session  
December 19, 2022 6:00 PM  
Room 108, Spalding County Annex Building  
119 E. Solomon Street  
Griffin, GA 30223**

**The Spalding County Board of Commissioners held an Extraordinary Session on Monday, December 19, 2022, in Room 108 of the Spalding County Annex Building, beginning at 6:00 p.m. with Chairman Clay Davis presiding. Commissioners James Dutton, Gwen Flowers-Taylor, Ryan Bowlden and Rita Johnson were present for the meeting. Also present were County Manager, Dr. Steve Ledbetter, County Attorney, Stephanie Windham and County Clerk, Kathy Gibson to record the minutes.**

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

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

**II. INVOCATION**

1. Reverend Warren East of City Church to deliver the Invocation.

Reverend East of City Church was unexpectedly called out of town, and he will not be back in time to deliver the invocation; however, he had asked Pastor Seth Brown of First Baptist Church to attend the meeting for him and Pastor Brown delivered the Invocation.

**III. PLEDGE TO THE FLAG**

1. Commissioner Ryan Bowlden, District #4, will lead the Pledge to the Flag.

***Motion/Second by Johnson/Bowlden to amend the agenda to move the Executive Session to immediately follow agenda item V. Presentations and Proclamations and to add a new Agenda Item VI. Old Business to vote on the LOST negotiation and discussion. Motion carried unanimously by all.***

**IV. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of financial statements for the five months ended November 30, 2022.

Jinna Garrison, Administrative Services Director was present to answer any questions the Board may have regarding the financial statements.

***Motion/Second by Flowers-Taylor/Dutton to accept the financial statements for the five months ended November 30, 2022 as presented. Motion carried unanimously by all.***

## **V. PRESENTATIONS/PROCLAMATIONS**

1. Presentation of the Georgia Recreation and Park Association District and State Volunteer of the Year Awards.

T.J. Imberger, Director of Parks, Public Grounds and Public Works and newly installed President of the GRPA presented the awards. Mr. Imberger stated that the Georgia Recreation and Parks Association is the professional organization representing 205 parks and recreation agencies and over 2000 park professionals throughout Georgia. The GRPA recognizes the assistance of our volunteers is invaluable. Our volunteers work tirelessly every day in many capacities at all our facilities. This evening we would like to recognize the Quarry's Edge volunteers. Their hard work and vision led to the forming of volunteer groups, trail building workdays and groups to assist in the maintenance of established trails. Their continued work and dedication is a shining example of a public/private partnership that is the envy of the southeast.

Atlanta MTB has recently announced that Quarry's Edge Park will be the recipient of an \$86,000 grant to complete the advanced Black Trail and the construction of a skills area.

Mr. Imberger then recognized the Quarry's Edge Volunteers as the GRPA 4<sup>th</sup> District Parks Network Volunteers of the Year and the 2022 GRPA State Volunteers of the Year. Representing the volunteers this evening are Chuck Copeland, Stuart Ogletree, Bret and Donna Broughton along with the Atlanta Mountain Bike Executive Director, Brett Davis and President of SORBA, Chris Doan.

Mr. Copeland stated that this has been an amazing public/private partnership. It truly has been the perfect blend of public and private input. Bret and Donna Broughton were instrumental in helping the County procure \$100,000 grant through the Department of Natural Resources that kicked off the development of this park. Now Chris Doan has brought forth the \$86,000 to continue this project.

### **EXECUTIVE SESSION (Agenda amended to move this item up.)**

1. Consider request to conduct an Executive Session for consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1).

***Motion/Second by Flowers-Taylor/Dutton to enter into an Executive Session for consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims,***

***administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1) at 6:13 p.m. Motion carried unanimously by all.***

***Motion/Second by Dutton/Flowers-Taylor to close the Executive Session at 6:22 p.m. Motion carried unanimously by all.***

## **VI. OLD BUSINESS**

1. Consider LOST Renegotiation and vote on proposed Certificate of Distribution.

Dr. Ledbetter then read from the Certificate of Distribution and outlined the proposed distribution of funds through a graduated scale over the next five years with the final distribution on the scale occurring in 2028 and ending December 31, 3032 will be 37% (City of Griffin) and 63% (Spalding County).

***Motion/Second by Johnson/Flowers-Taylor that the Spalding County Board of Commissioners direct staff to present the final offer as reflected on the Certificate of Distribution and authorize the Chairman to sign the Certificate of Distribution once the document has been approved, signed and returned by the City of Griffin. Motion carried unanimously by all.***

## **VII. CITIZEN COMMENTS**

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 Member or to the audience. Personal disagreements with individual Members 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 (3) minutes to speak on their chosen topics as they relate to matters pertinent to the jurisdiction of the Board of Commissioners. No questions will be asked by any of the members 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 (3) minutes or more than once, unless the Board votes to suspend this rule.

Mike Laster, 1415 Vineyard Road, expressed his concern over the Citizen Comment section of the meeting as many people think that it is a question and answer time. He would like to have it included that this is not a question and answer session, it is just an opportunity to comment.

Mr. Laster then stated that there have been a number of people in the meetings lately regarding the rezoning in the Tomachichi and Arthur Bolton areas. That area is currently zoned AR or R throughout; however, the plans are that it should be commercial. All of

the maps available from the County, even though it says it is AR1, it is in a corridor that is destined for other use and he feels that anyone looking to purchase property in that area needs to be aware of the corridor designation and what that could mean. He doesn't know how the county can do this, but something needs to be done so that folks wanting to purchase property are aware of the possibility they could have a commercial business or warehouse built next door.

David Lynch, 185 N. Walkers Mill Road, expressed his concerns regarding items #2 and #3 under New Business. He stated that although both of these projects need to be undertaken, the project on Jackson Road at Locust Grove Road should be the priority due to the number of accidents at that location in the past year.

Rick Taylor, 1616 Beville Drive, stated that the County had repaved his road this year and he felt that an excess of asphalt was used on the right-of-way because of the level of asphalt on the curbing had almost caused the curbing to disappear.

## VIII. MINUTES

1. Consider approval of the Minutes from the Spalding County Board of Commissioners Regular Meeting and Executive Session on December 5, 2022.

***Motion/Second by Flowers-Taylor/Bowlden to approve the Minutes from the Spalding County Board of Commissioners Regular Meeting and Executive Session on December 5, 2022. Motion carried unanimously by all.***

## IX. CONSENT AGENDA

1. Consider approval on 2nd reading of the FY 2023 Budget Amendments.

***Motion/Second by Flowers-Taylor/Dutton to approve on 2<sup>nd</sup> reading the FY2023 Budget Amendments. Motion carried unanimously by all.***

2. Consider on second reading a resolution to amend the county ordinances "Rules of the Road" designed to support the work of aligning the County Ordinances with the Official code of Georgia Annotated in a way that strengthens the citations written by the Sheriff's Office and reduces the requirements of adding incongruent, inconsistent, and opposing ordinances within the County code.

Commissioner Flowers-Taylor advised that she had a question before this ordinance is passed on second reading. She stated that over the course of the Town Hall Meetings, many people expressed their concerns about the road situation with the school signs and the flashing lights. People were concerned that there used to be flashing lights in the school zones, is that a State Ordinance? Did we do that or did the school system do that? How does that fit into the ordinance this evening?

Stephane Windham, County Attorney then advised that the statute which is 40-14-18 regarding school zone speed cameras did provide for an introductory period and

the flashing lights were designed to initially let people know that something has changed here, but they were never intended to remain as flashing lights.

Chief Deputy Tony Thomason with the Spalding County Sheriff's Office then advised the way the law is written there is not a requirement for flashing lights in any of the school zones; however, the Sheriff's Office agrees that flashing lights are a good idea. At the inception of the program there were lights in some school zones but not in all. They also noticed that some of the lights flashed old times and did not reflect the current school zone timing. The school would have changed the times and not communicated that change to whomever should have changed the timing on the lights. This caused a lot of confusion, so the Sheriff's Office asked that they all be cut off. It is better for them to be off, then flashing at the wrong time.

The Sheriff's Office has also requested purchasing new lights that are timed through cellular devices that would be very precise and would come on at the correct times and through a cellular signal can be changed, so if there is a snow day they can be turned off, if there is a reason school lets out early this system will provide a better way to control and have them synchronized properly. They were ordered a year ago and at the time this program started it was the Sheriff's Office intention to have all of the lights in place as an extra safety precaution. The lights have arrived, and the Public Works Department is working very hard to get them in place. A number of the lights are currently in place, and it is planned that by Christmas 100% of the lights will be in place and working.

Ms. Windham then clarified that statute regarding school zone cameras is not part of the ordinance that was passed on first reading. That statute is not part of the Georgia Uniform Rules of the Road.

Commissioner Dutton then reiterated that this ordinance has nothing to do with the school zone cameras.

Ms. Windham confirmed that the ordinance has nothing to do with the school zone cameras.

***Motion/Second by Flowers-Taylor/Johnson to approve on second reading a resolution to amendment the county ordinances "Rules of the Road" designed to support the work of aligning the County Ordinances with the Official code of Georgia Annotated in a way that strengthens the citations written by the Sheriff's Office and reduces the requirements of adding incongruent, inconsistent, and opposing ordinances within the County code. Motion carried unanimously by all.***

3. Consider approval of a street light district for the River Falls Subdivision.

***Motion/Second by Dutton/Flowers-Taylor to approve the street light district for River Falls Subdivision. Motion carried unanimously by all.***

## **X. NEW BUSINESS**

1. Consider approval of the Sidewalk Concept Plans for North Hill Street and Spalding Street.

Director Imberger stated that they have provided the plans and the costs estimates for these sidewalks and he is here this evening to answer any questions the Board may have regarding this project.

Commissioner Flowers-Taylor stated that she has reviewed the plans and is very excited about them. These are projects that abut the City Limits, have we had conversations with the City to try and coordinate the bidding out of the projects to get the best possible value for the money.

Dr. Ledbetter advised that he has had conversations with City Manager O'Connor and he is hopeful that there can be an intergovernmental agreement signed to bid out the projects to get the best possible value.

***Motion/Second by Flowers-Taylor/Johnson to approve the Sidewalk Concept Plans for North Hill Street and Spalding Street. Motion carried unanimously by all.***

2. Consider request from the Public Works Department for installation of a Four Way Stop and intersection realignment at Jackson Road/Tomochichi Road and Jenkinsburg Road.

Mr. Imberger advised that this work will be performed by a combination of in-house forces and through contractors. The estimated cost for the project is \$75,000 and he would request to use funds from the Road Improvement Line Item in the budget for this year. The Sheriff has approved of this plan as well.

Commissioner Flowers-Taylor expressed her concerns regarding Mr. Lynch's statement earlier in the meeting that the number of accidents at the Jackson Road and Locust Grove Road intersection is much higher than the accidents that occur at this location and if there is a possibility to address that intersection first, that should be considered.

***Motion/Second by Flowers-Taylor/Dutton to approve the installation of a Four Way Stop and intersection realignment at Jackson Road/Tomochichi Road and Jenkinsburg Road. Motion carried unanimously by all.***

3. Consider Request from the Public Works Department for a Task Order Form to contract concept design services for a 90 degree "T" intersection at Jackson Road and Locust Grove Road.

Mr. Imberger stated that this would address the other intersection that was of concern to Commissioner Flowers-Taylor. This is a task order form that would be

contracted with Paragon under their master services contract to provide a design that is similar to the one presented in item 2.

***Motion/Second by Flowers-Taylor/Dutton to approve a Task Order Form to contract concept design services for a 90 degree "T" intersection at Jackson Road and Locust Grove Road. Motion carried unanimously by all.***

4. Consider approval of two (2) Change Orders and one (1) Pay Request from MEJA Construction for the Aquatics Center.

Mr. Imberger advised that MEJA has requested an additional 67 days be added to their completion contract due to issues incurred in securing the building permit for the facility. The second is a reduction in the cost as MEJA will not be building the retaining wall on Rehoboth Road and there will be 19 parking spaces that were planned for that area that will be moved to the other side of the facility. The pay request is for additional fire protection items that were required by the Fire Marshall. We are looking at a reduction of approximately \$136,000 that will be deducted from the current contracted amount.

***Motion/Second by Flowers-Taylor Johnson to approve two (2) Change Orders and one (1) Pay Request from MEJA Construction for the Aquatics Center. Motion carried unanimously by all.***

## **XI. REPORT OF COUNTY MANAGER**

- ✓ Just to let everyone know, some of the coldest weather we have seen in nearly five years is expected to move into the area this Friday and continue over the weekend. The latest report from our EMA Director is there is a possibility for a dusting of snow in the middle portions of Georgia on Friday and Saturday. The weather with respect to the temperature is going to be in the teens this weekend with 20-40 MPH winds. Please help us keep our pets safe and secure and we have some homeless people in the area that we need to be paying attention to and making sure that they have some place warm to go.
- ✓ The Commissioners completed the Town Hall meetings this afternoon on our continued partnership with the City of Griffin for LOST Renegotiations. Our intent is to continue our Town Hall meetings quarterly to update the community on what's happening across the county. You will hear more about the quarterly meetings in January.
- ✓ Last Friday staff met to continue planning for the BOC Retreat and he is encouraged by the level of input from our staff and how we are engaging on what will be presented to you at the Retreat in January.

## **XII. REPORT OF COMMISSIONERS**

**Rita Johnson** – Congratulations to the volunteers on the GRPA Award it was much deserved. The \$86,000 grant we have received should be highlighted. We have awesome volunteers in this community.

The gentleman who mentioned the resurfacing on Beville Drive, that is her district and when we do these roads they are done by priority as far as condition. She has been working with the neighbors on that road and we did get that road paved and from her interaction with the people on the road they are very pleased with the resurfacing. She stated that she was sorry to hear that Mr. Taylor was unhappy with the resurfacing.

Commissioner Johnson stated that she is very happy with the success of the Town Hall Meetings on LOST. She felt that the majority of the meetings were very successful. We got the citizens involved and were able to answer questions. She hopes that the City and County can get the LOST settled so that we can move on and have a Merry Christmas.

This is the last meeting of this year and she wished everyone a Merry Christmas and a Happy New Year.

**Ryan Bowlden** – Had no comments this evening.

**Gwen Flowers-Taylor** – Thanked TJ and the Bike Group, for all their hard work and dedication on the bike trail. She applauded Park & Rec for garnering that relationship and the success that group has had here in Spalding County.

She was also happy to hear about the flashing signs. She feels the Sheriff's Department goal is to be public friendly and hopefully getting these flashing lights out at the schools will help people who are not paying attention to realize they are getting close to a school zone.

She also commented on what Mr. Laster spoke about regarding the current zoning in commercial and industrial corridors. It is an issue for her as well. Part of what we are trying to do with the Development Authority, the Water Authority, Planning and Zoning is to look at these corridors where we may project growth in the future and her concern is also how to inform potential buyers of the property. If the front side of the property is industrial, how far back can we go before we start impinging on residential? She feels we need to address this because so that people can have some assurance that there is a clear line of delineation where industrial will stop or how close it can encroach on residential.

She hopes that we are successful in trying to get the LOST completed.

She then wished everyone a Merry Christmas and thanked everyone for attending the meetings.

**James Dutton** – We have some great parks in Spalding County and the bike trails are fantastic. He wanted to thank the City of Griffin Police Department for their quick response in his neighborhood over some coyote calls that were made. He wasn't here for the Christmas Parade, but he wanted to thank everyone who participated this year in the parade. He wishes it took place a little earlier in the evening as his small



children had to leave before seeing Santa arrive. He hopes to see the same level of turn out for the MLK Parade.

He went by the Animal Shelter today, they are doing a fantastic job, but there are a record number of people who are not taking care of their animals and there are animals that have had to be removed due to deplorable conditions and their owners are now awaiting their court dates. He encouraged everyone to visit the Animal Shelter.

**Clay Davis** – Congratulated Commissioner Dutton on his re-election. Well done Board on the LOST, it was tough times thinking about everyone's different views on a tough subject. Hopefully, we have come up with a common focus. He thought the parade went great, he too felt it was too late at night. He also hopes that we will be able to continue this tradition. He thanked Mr. Imberger for all his hard work and for bringing in the two intersections in his district for consideration and approval this evening.

He then wished everyone a Happy Holidays, please be safe.

### **XIII. EXECUTIVE SESSION**

1. Consider request to conduct an Executive Session for consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1).

***This item was amended to the first part of the agenda and already heard.***

### **XIII. ADJOURNMENT**

***Motion/Second by Flowers-Taylor/Johnson to adjourn the meeting at 7:08 p.m. Motion carried unanimously by all.***