



**After Agenda
Board of Commissioners - Regular Meeting
December 5, 2022 6:00 PM
Room 108, Annex Building
119 E. Solomon Street Griffin, GA 30223**

The Spalding County Board of Commissioners held their Regular Meeting on Monday, December 5, 2022, in Room 108 of the Spalding County Annex Building, beginning at 6:00 p.m. with Chairman Clay Davis presiding. Commissioners Gwen Flowers-Taylor, Ryan Bowlden and Rita Johnson were present for the meeting. Commissioner James Dutton joined the meeting via ZOOM. 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.

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

II. INVOCATION

1. Commissioner Gwen Flowers-Taylor, District #1, delivered the Invocation.

III. PLEDGE TO FLAG

1. Commissioner Rita Johnson, District #2, led the Pledge to the Flag.

IV. PUBLIC HEARING

Motion/Second by Flowers-Taylor/Johnson to enter into a Public Hearing. Motion carried unanimously by all.

1. Conduct a Public Hearing on street light district for the River Falls Subdivision.

Kellie Littlefield, Community Service Director, advised this is a hearing on a street light district for the River Falls Subdivision. It is a request from the residents of the subdivision. They have been made aware of the costs which will consist of 12 black colonial LED lights total and will be lower wattage LED's so that they do conform to our lighting ordinance. The total cost is \$137.00 per month.

Steven Hill, 2101 River Walk Court, stated he is a member of the homeowners' association and resides in the River Falls Subdivision. Mr. Hill stated that the subdivision is pitch black dark in the morning and in the evenings. The developer handed the subdivision over to the builder and no lights were set up. When they were sold their homes, they were told there would be lights and sidewalks, but we haven't received any of that and they have been struggling. They are beginning to have some theft in the neighborhood, and they are trying to curb these trends before they become a major issue. He stated that he speaks for everyone in the neighborhood regarding the cost as we need the lighting in our neighborhood.

Commissioner Flowers-Taylor then asked Ms. Littlefield how does something like this happen? How did we accept a subdivision or a plan for a subdivision that didn't have streetlights and didn't have sidewalks?

Ms. Littlefield stated that at the time this subdivision was established, there was not mention of lighting in the ordinance. This is part of why she wanted to pass the lighting ordinance, so that we can go back and have a mechanism to regulate those areas in agreement that they want streetlights. At the time this subdivision was accepted, it was not a requirement of the ordinance.

Commissioner Johnson then asked if there is a possibility there are more of these subdivisions that do not have streetlights?

Ms. Littlefield stated that it is possible as there are other small subdivision that have been approved and they have been through the process of the subdivision ordinance as it was written at that time. It is possible we will have other subdivisions that will make the same request.

Motion/Second by Flowers-Taylor/Johnson to close the public hearing. Motion carried unanimously by all.

2. **Application 22-09Z:** Clinton C O'Brien & Sandra O'Brien Maloy, Owners. HFG Development, Agent. 480 Tomochichi Road (Approximately 85.90 located in Land Lot 49 & 50 of the 3rd Land District). Applicant requests rezoning from AR-1, Agricultural and Residential and R-2, Single-Family Residential to C-2, Manufacturing.

Motion/Second by Flowers-Taylor/Bowlden to enter into a public hearing for Application 22-09Z. Motion carried unanimously by all.

Robert Knight, representing HFG Development, 827 Fairways Court, Stockbridge, GA, stated that some of the neighbors have retained an attorney who wants to meet with them to discuss the project, which they are happy to do, to make sure they make every effort to meet with the community and their attorney, they asked that the Board of Commissioners table the application to allow them time to hear and address any new concerns that these individuals may have.

Dr. Ledbetter advised there are a number of people here this evening who would like to speak, but in light of the request to table what does the Board want to do.

Motion/Second by Johnson/Flowers-Taylor to table Application 22-09Z-Clinton C O'Brien & Sandra O'Brien Maloy, Owners. HFG Development, Agent. 480 Tomochichi Road (Approximately 85.90 located in Land Lot 49 & 50 of the 3rd Land District). Applicant requests rezoning from AR-1, Agricultural and Residential and R-2, Single-Family Residential to C-2, Manufacturing until the Public Zoning Hearing on January 26, 2022. Motion carried unanimously by all.

Motion/Second by Flowers-Taylor/Bowlden to close the Public Hearing on Application 22-09Z. Motion carried unanimously by all.

V. PRESENTATIONS/PROCLAMATIONS

1. Consider request from Fire Chief Glenn Polk to recognize the graduates of the 2022 CERT Class.

Chief Glenn Polk, Spalding County Fire Department stated they have completed their 16th and 17th CERT Program. There have been well over 350 people who have participated in this training since it's beginning in 2012. It is a six-week program that covers medical operations, fire safety and disaster preparedness.

Chief Polk and Chief Byrd thanked the Board for everything they do to support the Fire Department and the citizens of Spalding County. They then presented the Board members with Challenge Coins which are awarded for service above and beyond, and they feel the Board exhibits service above and beyond to the staff and our citizens on a daily basis.

2. Consider request from Raymey Salyer and Brittany Standifer from the University of Georgia to review of the Human Resource and Financial Dashboards created by UGA students for Spalding County.

Motion/Second by Flowers-Taylor/Johnson to move this item down for consideration once the ZOOM program is working. 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.

Amy Claxton, 50 Partridge Path, wanted to know about school zone cameras. She wanted to ask questions regarding oversight of the cameras and the Chairman advised that the Citizen Comment section of the agenda was for citizens to come in

and comment. The Board does not answer questions during this segment but listens to what is concerning the citizens. He asked Ms. Claxton to submit her questions to the County Manager and he would respond.

VII. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of the Financial Statements for the four months ended October 31, 2022.

Jinna Garrison, Administrative Services Director, stated that in October the County received the Fire Insurance Premium Tax. We received \$3.3 million and had only budgeted \$3.1 million so that is good news. Tax revenues have not started coming in yet, but she does expect the Tax Commissioner to submit a half month of receipts in December.

Motion/Second by Flowers-Taylor/Johnson to accept the financial statements for the four months ended October 31, 2022. Motion carried unanimously by all.

VIII. MINUTES

1. Consider approval of the Minutes from the Spalding County Board of Commissioners Special Called Meeting and Regular meetings on November 7, 2022, and the Spalding County Board of Commissioners Special Called Meeting and Executive Session on November 9, 2022.

Motion/Second by Flowers-Taylor/Bowlden to approve the Minutes from the Spalding County Board of Commissioners Special Called Meeting and Regular meetings on November 7, 2022, and the Spalding County Board of Commissioners Special Called Meeting and Executive Session on November 9, 2022. Motion carried unanimously by all.

IX. CONSENT AGENDA

1. Consider approval of a 2023 Renewal of Business/Alcohol License of Wholesale Distribution:
 - Jackson Beverages, LLC dba Beverage South Griffin/Lagrange, located at 915 S Pinehill Road, Griffin, GA 30223. **No violations.**
2. Consider the approval of the following New 2023 Business/Alcohol license of Alcohol Wholesaler Distribution (Liquor only-with conditions):
 - Terry Briggs-Santeri, Inc located at 413A O'Dell Industrial Way, Griffin, GA 30224. **No violations.**

*NO ONSITE (LESS THAN A CASE) STORAGE FOR 413 O'DELL INDUSTRIAL WAY. THE FACILITY IS BEING USED DUALY WITH BRIGGS BROTHERS CONSTRUCTION AND IS NOT UP TO CODE FOR ONSITE STORAGE OR ZONED FOR DUAL USE. THIS ADDRESS IS

TEMPORARY. MR. BRIGGS IS CURRENTLY GETTING THE ADJACENT PROPERTY (429 O'DELL INDUSTRIAL WAY) UP TO CODE AND WILL BE USING THAT LOCATION IN THE FUTURE.

3. Consider approval of the following 2023 Alcohol License for retail sales of beer, wine & liquor:
 - Sadru Ali-Zetella Express, located at 4319 Newnan Road, Unit A, Griffin, GA 30223. **No violations.**
 - Baljinder Singh - Highway 155 Package Store, located at 3430 N McDonough Road, Griffin, GA 30223. **No violations.**
4. Consider the approval of the following 2023 Alcohol License Renewals for sales of retail of beer and wine:
 - Kinjal Patel - Jay Mahakali 1080 Inc, dba, Valero Food Mart, located at 2995 N Expressway, Griffin, GA 30223. **No violations**
 - Pravinbhai Patel - Jay Vasudev, Inc., dba Expressway Food Mart, located at 2903 N Expressway, Griffin, GA 30223. **No violations.**
 - Tushar Patel - Royal Store LLC, dba Exxon Food Mart, located at 2295 N Expressway, Griffin, GA 30223. **No violations.**
 - Chirag Desai - Arihant C Stores, dba Tony's One Stop, located at 4275 Hwy 19-41, Hampton, GA 30228. **No violations.**
 - Aziz Ali - High Value Business Ventures Inc, dba Chevron Food Mart, located at 3200 High Falls Road, Griffin, GA 30223. **No violations.**
5. Consider the approval of 2023 Alcohol License Renewal for Consumption on Premises:
 - Jimmy R. Allen - Big Jim's Wing Shack, Inc, located at 1557 Williamson Road, Suite B, Griffin, GA 30224. **No Violations.**
6. Consider approval of a 2023 Renewal of Alcohol License- Beer only:
 - High Falls Convenience, LLC, dba High Falls Food Mart, located at 2662 High Falls Road, Griffin, GA 30223. **No violations.**
7. Consider approval of a 2022 New Alcohol License for Retail Sales of Beer for:
 - Karim Ratnani-High Falls Convenience LLC, dba High Falls Food Mart, located at 2662 High Falls Road, Griffin, GA 30223. **No violations.**
8. Consider approval of a street light district for Sun City Peachtree Pods 13 & Pod 14.

Motion/Second by Flowers-Taylor/Bowlden to accept items 1, 2, 3, 4, 5, 8, on the Consent Agenda as presented. Motion carried unanimously.

6. Consider approval of a 2023 Renewal of Alcohol License- Beer only:

- High Falls Convenience, LLC, dba High Falls Food Mart, located at 2662 High Falls Road, Griffin, GA 30223. **No violations.**
7. Consider approval of a 2022 New Alcohol License for Retail Sales of Beer for:
- Karim Ratnani-High Falls Convenience LLC, dba High Falls Food Mart, located at 2662 High Falls Road, Griffin, GA 30223. **No violations.**

Dr. Ledbetter advised that Items #6 and 7 are for the same establishment, one is for a new business license for the remainder of 2022 and the second is for the business license for 2023.

Motion/Second by Flowers-Taylor/Bowlden to approve Items #6 and 7 on the Consent Agenda. Motion carried unanimously by all.

X. NEW BUSINESS

1. Consider approval of the FY 2023 Budget Amendments.

Jinna Garrison, Administrative Services Director, advised that the first three budget amendments were for open purchase orders at the end of 2022. They were items that we have issued a purchase order for, but they won't be paid for in 2022 so we will have to move them and move the money.

At a prior meeting on August 1st the Board approved moving money into the motorcoach salaries to raise those salaries and the fourth budget amendment is between departments and she can't do that without coming before the Board because it is an appropriation of new money for the motorcoach department. This will move funds from Leisure Services Budget to the Motorcoach Budget.

Motion/Second by Johnson/Bowlden to approve the FY2023 Budget Amendments as presented. Motion carried unanimously by all.

2. Consider an update to the local Financial Purchasing Policy Procedures to comply with Federal Grant Purchasing Regulations.

Ms. Garrison stated that during training for one of the Sheriff's Office JAG Grants, she realized that we needed to update the financial policies to include federal procurement procedures so we could be in compliance for any type of federal grants that we may acquire. So, at the very end of the policy she has incorporated the federal procurement procedures as established by the federal code regulations.

Motion/Second by Flowers-Taylor/Johnson to approve an update to the local Financial Purchasing Policy Procedures to comply with federal Grant Purchasing Regulations. Motion carried unanimously by all.

3. Consider an increase to the spending limit for the County Manager from the current \$25,000 to \$50,000 to enable the County Manager to better conduct the business of the County.

Dr. Ledbetter stated that with all of the challenges going on within the supply chain and the increase to all of the costs associated with doing business and to be in compliance with the Spalding County Water and Sewerage Facilities Authority requests to move our Director's spending from \$25,000 to \$50,000 the request is that we do the same for the County Manager so that he can sign off as a secondary signature for the work that he is doing and that the County is doing. Our insurance deductible is also above the \$25,000 as a result of an increase so we are working to be as compliant as we can so we don't have to bring everything before the Board of Commissioners. He then assured the Board that he is transparent in everything that he does. He brings everything to the Board to let you know how we are spending money. Should there be any issue at all, the Board of Commissioners could reduce the amount back to \$25,000 at your discretion.

Commissioner Flowers-Taylor stated that she is the person who doesn't trust people. She thinks the reason we had the \$25,000 limit was because there was evidence in the past of going outside of the purchasing policy to meet some needs. However, recently there was an incident that required the \$50,000 amount and spurred this request.

Dr. Ledbetter stated that there were a few opportunities that were presented to the Water and Sewerage Facilities Authority and the work they have going on with the move of the water line at the Flint River Bridge on SR16 and it was approximately \$47,000 and it was well within the authorized expenditure for the move. The contractor needed to move quickly, and it would have happened a lot quicker if he had been able to approve moving that item forward. There have been some additional items at the Rosenwald construction where it was \$42-43,000 for a particular construction, which was well within the guidelines the Board had approved for the construction and it was within the budget and it would have been expeditious for me to be able to sign off on that to move it forward.

Commissioner Flowers-Taylor stated that she doesn't know what the answer is, but the Water Authority is different from the board of Commissioners and she understands where he is coming from with this. She is never going to be good with anybody having the authority to spend \$50,000 of county taxpayer money without her knowing about it. That being said, it is her only concern with this request.

Dr. Ledbetter assured Commissioner Flowers-Taylor and the remainder of the Board that he would always notify the Board of any expenditure of this nature.

Commissioner Johnson stated that she understands Commissioner Flowers-Taylor's concern; however, she knows that Dr. Ledbetter is transparent and the Board will hold you to that transparency. Just for clarification, where would this approval amount fall within the scope of the other 159 counties in the State?

Dr. Ledbetter stated that he has checked this against some of our adjoining counties and how their administrators or managers are afforded the opportunity to sign off, between the \$25,000 and \$50,000 are where they are allowed to sign off.

Motion/Second by Dutton/Bowlden to approve an increase to the spending limit for the County Manager from the current \$25,000 to \$50,000 to enable the County Manager to better conduct the business of the County. Motion carried unanimously by all.

4. Consider on first 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.

Stephanie Windham, County Attorney, advised that this change is being requested pursuant to the Georgia Code and is in the same form that the Code requires. It would incorporate all of the rules of the roads with the exception of Article 15 which are the more serious offenses to include homicides and DUI's. We are not including those in this adoption of the Rules of the Road. This will prevent us from having to revise our Ordinance every time something changes on the State level. As we have seen recently, we have not done the best job of keeping up with those changes and making those changes year after year that are required and also advised that Sheriff Dix had expressed his desire to do this.

Ms. Windham then stated that in Section 7-1001.01 (b) there are blanks which will not remain blank. She had asked for direction as to what those items should be, and Dr. Ledbetter and she discussed the matter and decided on \$1,000.00 and three days is what she would propose.

Commissioner Flowers-Taylor then expressed her concerns regarding adopting the Georgia Code as in many instances such as Animal Control and Substandard Housing and Zoning are much more stringent than the State. So she is trying to determine the differences.

Dr. Ledbetter stated that he would propose that the Deputies are more likely to write a citation for State Code rather than a County Ordinance for a similar offense, so rules of the road they would be more inclined to write out of the "40 Code" instead of the local ordinances. So, this is us updating our ordinances in a way that is supporting our Sheriff's Department and the actual work that is being done.

Sheriff Dix stated that several years ago, the City of Griffin found themselves in a situation where Griffin Police Department was constantly having to go to their Board of Commissioners to get code adopted out of the "40 Code" to run through City Court. This was happening on a routine basis and finally it was proposed that the City adopt the Georgia "40 Code" as the City Ordinance and once that happened, there was no more amendments every few months and it made the process run much smoother. It also worked to the advantage of Code Enforcement Officers because some of the items under the Georgia "40 Code" Code Enforcement whether they were certified or not was able to charge people under code for committing the same violations.

Ms. Windham stated that the changes proposed only involve misdemeanor traffic offenses. It does not involve any felony traffic offenses. Examples of Rules of the Road would be following too closely, running a stop sign, running a red light.

Commissioner Johnson stated that this is really an accountability to make sure that we are doing what we are supposed to do.

Sheriff Dix stated that is correct.

Ms. Windham then advised that the Georgia Rules of the Road are very comprehensive whereas our Ordinance as currently written is not.

Commissioner Dutton then stated that he doesn't know of any violations during his time that have been written to the County Ordinance, they have all been written to the State Code and this will simply work more efficiently.

Sheriff Dix advised that this change would simply hold the County to a higher standard.

Ms. Windham stated that it also repeals any ordinances that we have that may conflict with the Rules of the Road. This resolution would repeal the same matters that are embraced by the uniform rules of the road. That would not prevent us, if we should want to later on impose additional ordinances.

Motion/Second by Johnson/Bowlden to approve on first 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. Motion carried unanimously by all.

5. Consider approval nunc-pro-tunc of the 2022 millage Rate as set by the Griffin-Spalding Board Education to finalize the Tax Levy.

Dr. Ledbetter advised that this matter was addressed at the October 3rd, Regular Meeting and can be removed as an item on this agenda.

Going back to Item #2 under Presentations and Proclamations.

Consider request from Raymey Salyer and Brittany Standifer from the University of Georgia to review of the Human Resource and Financial Dashboards created by UGA students for Spalding County.

Ms. Windham advised that Ms. Standifer indicated that they would have to record their findings and send them in to be reviewed as they were over the time for the room they reserved for this presentation and had to vacate.

Motion/Second by Flowers-Taylor/Johnson to table this presentation until the staff from UGA has had a chance to record their information. Motion carried unanimously by all.

XI. OLD BUSINESS – None.

XII. REPORT OF COUNTY MANAGER

- The Christmas Parade with the City of Griffin is scheduled for this Saturday evening, December 10th, and anyone on the Board wishing to participate will need to let us know.
- Thank you to the graduates from the CERT Training. Thank you to Chief Polk and the Fire Department for putting that program together.
- Parks and Leisure Services Staff is in Carrollton this week bidding on our next year's tournaments. We will let you know the outcome of this later in the week. They will be there through Friday.
- Public Works is working with McLeroy Construction to finish the chip and seal project on Yarbrough Mill Road. That should be completed by the end of the week if all goes well.
- COVID testing is tomorrow at the Department of Public Health from 9 a.m. – 11 a.m.
- Tomorrow is the last opportunity to vote. Please if you have not done so already, get out and exercise your right to vote.

XIII. REPORT OF COMMISSIONERS

Rita Johnson – Stated that she wants to participate in the parade this weekend and ride on one of the Fire Trucks.

Ryan Bowlden – Stated he would love to participate in the parade, but he will be out of town on Saturday.

Code Enforcement is something that has been bothering him, especially over the last week. We have had a year to get this going and he would love to have some kind of game plan by the first of the year. He would love to sit down with both the County Manager and the Sheriff to get an idea because he feels he is lying to people because we don't have anybody out there. We were actually better off with Charles Abbot because we had somebody to show up when there was a problem. Now we have nobody and he would like to see something.

The LOST and the HOST negotiations, we have 26 days until the first of the year, we have to make a decision and come to an agreement with the City. He wants to work something out because the only ones who are going to potentially suffer will be our citizens. He asked to be posted on this.

Commissioner Johnson then asked to add that she knows we are discussing where we are as a County, but when we come to the consensus of where we are, she feels it is very important that we have a public meeting for the citizens for them to understand what is at stake here, why we are asking for what we are asking and is it

justifiable. So, when we do decide and come to that agreement, we need to have a public hearing and let people understand why we are doing what we are doing, and they will understand where we are coming from.

Gwen Flowers-Taylor – Had no comments for the evening.

James Dutton – Excited about the parade scheduled for Saturday, unfortunately he will not be there.

As far as LOST and HOST he agrees the City needs to make a decision on this. As far as our Commission, he feels he has made it very clear that the proposed is a fact and numbers-based decision. This is not an emotional or personal decision. This is what the numbers show, and we need to follow the numbers.

Clay Davis – Extended thoughts and prayers to the Walter Cox family who was a member of the Planning Commission on his recent death.

He felt that the StarBrite event in City Park was excellent, and he and his wife enjoyed all the activities and driving through the park.

He then commended Commissioner Johnson on her video on the roads in her area. He stated it was great and he appreciates her getting the message out to the citizens. We need to continue to do this, it is easy to do and is surprising how much impact these videos have.

XIV. EXECUTIVE SESSION

1. Consider request to conduct an Executive Session as provided by O.C.G.A. 50-14-3(6) for discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee and the County Attorney has requested a consultation 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/Bowlden to go into Executive Session as provided by O.C.G.A. 50-14-3(6) for discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee and the County Attorney has requested a consultation 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 7:16 p.m. Motion carried unanimously by all.

Motion/Second by Flowers-Taylor/Johnson to authorize the County Manager to present our most recent update for LOST negotiation to the City of Griffin. Motion carried unanimously by all.

Motion/Second by Flowers-Taylor/Bowlden to accept the County Manager's contract as presented during the Executive Session. Motion carried unanimously by all.

Motion/Second by Flowers-Taylor/Johnson to close the Executive Session at 7:50 p.m. Motion carried unanimously by all.

XV. ADJOURNMENT

Motion/Second by Flowers-Taylor/Johnson to adjourn the meeting at 7: 57 p.m. Motion carried unanimously by all.