



EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their Extraordinary Session on Monday, March 21, 2005 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Chairman Edward Goss presiding and Commissioners Cecil Davis, Johnie McDaniel, Gwen Flowers-Taylor and Eddie Freeman present. Also present were County Manager William Wilson, County Attorney Jim Fortune and Executive Secretary Teresa Watson.

AGENDA TOPICS

I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.

II. INVOCATION – Commissioner Gwen Flowers-Taylor

III. PLEDGE TO FLAG – Led by Chairman Edward Goss, Jr.

Commissioner Flowers-Taylor made a motion, seconded by Commissioner McDaniel, to amend the agenda to add potential litigation to the items to be discussed in Closed Session, and the motion passed by a unanimous 5-0 vote.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION – N/A

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statement for eight months ended February 28, 2005.

On a motion by Commissioner Davis, seconded by Commissioner McDaniel, the Financial Statement was approved as presented by a unanimous 5-0 vote.

VI. CITIZENS COMMENTS – N/A

VII. PUBLIC COMMENT

Kay Pullin Penn, 665 Jenkinsburg Road, Locust Grove, Georgia

Ms. Penn again urged Commissioners to address the issue of rezoning the Wallace Road property back to its zoning classification before the failed SPLOST in 2004.

Nancy Burks Cook, 3951 Jackson Road, Griffin, Georgia

Ms. Cook suggested open-minded pursuit of a resolution to the problem in her community. She felt a managed difference of opinion could actually lead to a creative solution when participants could avoid being mean-spirited. She hoped for a workable compromise.

VIII. MINUTES

1. Consider approval of the minutes of the Regular Monthly Meeting of March 7, 2005.

Commissioner McDaniel motioned, seconded by Commissioner Davis, to approve the minutes of the March 7, 2005 meeting; motion passed by a unanimous 5-0 vote.

IX. CONSENT AGENDA

X. OLD BUSINESS

1. Consider appointment to Griffin-Spalding County Airport Advisory Board to fill the unexpired term of Frank Chastain for a term to expire December 31, 2005.

Nominees to fill the unexpired term of Frank Chastain to the Griffin-Spalding County Airport Advisory Board for a term to expire December 31, 2005 were as follows:

*Don Taliaferro Vote: 2-3 with Commissioners Goss, Freeman and
Flowers-Taylor opposing.*

*Jeff McCullough Vote: 3-2 with Commissioners McDaniel and Davis
opposing.*

Mr. Jeff McCullough is the new appointee to the Griffin-Spalding County Airport Advisory Board for a term to expire December 31, 2005.

XI. NEW BUSINESS

1. Consider approval for new license for 2005 – Retail Sales Convenience Store – Beer & Wine for the following: Shakeel Lalani, President, Coles Corner, Inc. (former Coles Corner owned by Pyush Patel, President, A & H Food & Gas, Inc.), 7051 Newnan Road, Griffin, Georgia.

County Manager Wilson said the application met all the requirements and Mr. Lalani, new owner of Coles Corner, already held a license for another location at Lucky Star Enterprises at 1639 North Hill Street.

Commissioner Davis made a motion to approve the license for Coles Corner, seconded by Commissioner Freeman, and the motion carried by a 4-1 vote with Commissioner McDaniel voting in opposition.

2. Consider recommendation from the Parks and Recreation Advisory Commission for appointments to the Bain proctor Award for Volunteerism review panel.

County Manager Wilson referenced the memo from Louis Greene regarding the recommendation of the Parks and Recreation Advisory Commission to appoint the following as review panel members: Earnest Wimbush, Chair; Juanita Morris; Shirley Milner; Judd Ficklen; and Bonnie Pfrogner. The panel should meet this week to determine a successful nominee, and the award will be presented in April 2005.

Commissioner Davis made a motion to accept the recommendation of Parks and Recreation Advisory Commission for the Bain Proctor Award for Volunteerism review panel, seconded by Commissioner McDaniel.

Commissioner Davis made a motion to appoint Johnie McDaniel as the Board's representative on this panel, as well, seconded by Commissioner Freeman. Motions carried by a unanimous 5-0 vote.

3. Consider recommendation from Parks and Recreation Advisory Commission for the use of Wyomia Tyus Olympic Park by the Flint River Boy Scouts Council.

County Manager Wilson said this event was planned for Friday, September 30 through Sunday, October 2, 2005 for its Fall Camporee. Commissioner McDaniel said this will be the second time the park has been used by the Boy Scouts. They do work around the park while there for their Camporee; additionally, they are easy to clean behind and do no damage.

Commissioner McDaniel made a motion to approve the recommendation, seconded by Commissioner Davis. The motion carried by a unanimous 5-0 vote.

4. Consider deleting the classification of Security Supervisor (Parks) from the pay plan and approval of recommended pay rate for security officers and security supervisor.

County Manager Wilson said the County primarily uses off-duty City police officers to provide security for Parks and Recreation events. Security officers were removed from the pay plan several years ago but the security supervisor remained until now. This request would remove this position from the pay plan, as well. The pay increase is suggested because of the competitive rate of pay they can demand elsewhere for off-duty work. To use off-duty Sheriff's Deputies would mean paying overtime, so they don't tend to utilize personnel from that department since that practice would be financially prohibitive. Security officers utilized need to have arrest powers, so private security companies have not been considered for such services.

Commissioner McDaniel, seconded by Commissioner Davis, made a motion to approve the deletion of the classification of Security Supervisor from the pay plan and to approve the recommended pay rate of \$18.00 per hour for security officers and \$20.00 per hour for the security supervisor. After discussion, the motion carried by a unanimous vote of 5-0.

5. Consider declaring surplus basketball goals no longer used by the Parks and Recreation Department and authorizing sale to the Greenville Recreation Department.

These items have been in storage for just over four years and, in response to a call from the Greenville Recreation Department which was recently formed, the County can assist them and free up the storage space while recouping some of the investment, as well.

Commissioner McDaniel made a motion to declare the basketball goals surplus and approve the sale to the Greenville Recreation Department, seconded by Commissioner Davis.

County Attorney Fortune responded to Commissioner Flowers-Taylor that the County did not have to go through a bid process since this was personal property and not real property. Generally speaking, the County goes through a bid process even when it doesn't have to but in this case, a ready purchaser approached with an offer that was probably a good bit higher than they could have obtained through bids. These items have a very limited market appeal, also.

The motion carried by a unanimous 5-0 vote.

6. Consider installation of guardrail on Cowan Road as requested by Commissioner Freeman.

County Manager Wilson said the installation of this guardrail, in response to a request from Commissioner Freeman, would rectify a potentially dangerous situation in this area of Cowan Road. The cost estimate from Sheets Construction, approximates \$15,000 for guardrail to both sides of the road.

Commissioner Freeman said this situation was potentially dangerous with close proximity to the schools and Wyomia Tyus Olympic Park and heavy traffic. There is a 40' diameter pool to the left of the creek that, at full pool, would be about 25' deep. Guardrails would improve the situation, although no accidents have occurred to date at this location.

Commissioner Freeman made a motion to approve the installation of new guardrails on Cowan Road, seconded by Commissioner McDaniel. The motion carried by a unanimous 5-0 vote.

7. Consider authorizing grant application through the Assistance to Firefighters Grant Program (AFGP).

Spalding County has again applied for this grant totaling \$205,408 for Self Contained Breathing Apparatus (SCBA) for the Fire Department. The County would have a 10% match, totaling \$20,540. The grant must be submitted by April 8 and is being developed in conjunction with McIntosh Trail RDC. This would constitute the third or fourth attempt to obtain this particular grant, but the Fire Department is hopeful for a favorable response. The monies were included in last year's budget because of the grant application, and can be carried over to next year's budget.

Commissioner Davis, seconded by Commissioner Freeman, made a motion to authorize this grant application, and the motion carried by a 5-0 unanimous vote.

8. Consider recommendations for changes to Noise Abatement and Control Ordinance.

County Attorney Fortune said these suggested changes, resulting from the direction of Commissioners at the annual retreat, are a beginning point. He would like to hear from the Board regarding these suggestions.

Commissioner Flowers-Taylor said she felt all sections, with the exception of number four pertaining to construction, should remain restricted from 9 p.m. to 9 a.m. Discussion followed.

County Attorney Fortune said he surmised that all enumerated noises noted, except Item #4 pertaining to construction, should remain restricted from 9 p.m. to 9 a.m. for all residential areas. For construction in residential areas, the restricted time would be from 9 p.m. to 7 a.m. For construction in commercial and/or industrial zoning districts, with zoning classifications identified, the restricted time would be from 11 p.m. to 7 a.m. Commissioners concurred. It was noted these changes do not affect agricultural activities.

9. Consider approval on first reading the Illicit Discharge and Connection Stormwater Ordinance.

Spalding County was declared an NPDES Phase II Community in 2004 and, as such, adoption of this ordinance is required. This ordinance must be in place before mid-2005. This will be enforced by the Community Development Department. Violators' fines shall be returned to the Magistrate Court, and that Court can impose whatever penalty/fine is deemed appropriate under state law at the time rather than the \$500 per day per violation currently noted in the ordinance under Section 21.

In response to Commissioner Flowers-Taylor, County Manager Wilson said the County adopted the Section 2. portion for Construction Activity detailing activities subject to NPDES Construction Permits in June 2004. This document just broadens that definition and provides for other elements regarding illicit discharge. The County will eventually get into the area of stormwater much as the City has already had to do with more specialized services. Public Works handles a portion and Community Development handles a division, as well. Some discussion followed regarding best management practices for residential construction and subdivision development.

Commissioner McDaniel made a motion to approve with Mr. Fortune's suggested change to Section 21 penalty provision, seconded by Commissioner Davis. The motion carried by a unanimous 5-0 vote.

XII. REPORT OF COUNTY MANAGER

- Henry County Shriners' Club annual fundraising benefit is scheduled for April 9, 2005. One-day permits can now be issued by State, although Spalding County does not do that. Math Field is the location for this annual event. If no objections are noted, the County Manager will issue a letter stating the County has no problem with the state issuing such a permit.
- A County holiday will be observed on Good Friday, March 25, 2005.
- The new transportation planner, Anthony Dukes, started today in a joint position with the City and County at McIntosh Trail RDC. Mr. Wilson will introduce him at a future meeting.
- Due to the Spalding County Water Department crews installing backflow prevention devices, they cannot relocate the water lines on the Highway 155 widening project and on the Macon/College/Futral Road intersection project. Bids will be let for contractors soon to relocate these water lines. This backflow prevention device installation project must be completed by December 31, 2005.
- Requests from the City to clarify impact fees have been addressed by Bill Ross. Information had been provided to Commissioners noting Mr. Ross' response.
- Work sessions before commission meetings were discussed at the 2005 Commissioners Retreat. After further exploration, it was suggested that a work session be called at the discretion of Chair, but not necessarily for every meeting. A work session will more likely be needed with zoning public hearings where Staff input or Zoning Attorney clarification may be desired. There would be ample time to publish and post the work session should one be desired. The Board concurred.
- A March 29, 2005 joint City/County meeting has been scheduled for 5:30 p.m. Mr. Wilson told City Manager Smith that the County may have some interest in City Park Pool provided a contribution from the City over one or two years for operations is included, but he conveyed that Spalding County would have no interest in City Park and other parks. He felt Spalding County could not absorb the costs of maintaining these properties without an infusion of cash to cover the costs. The Board concurred.

XIII. REPORT OF COMMISSIONERS

Commissioner Freeman had no comment.

Commissioner Flowers-Taylor questioned the following:

- For what purpose are the stacks of firewood on Justice Boulevard? County Manager Wilson said he would research the matter but usually such firewood is for the fire stations' woodburning stoves. The wood is probably residual from the storm damage earlier this year.
- Commercial developments in village node areas are cause for concern. She suggested the Board look at expectations for this type development, rather than just residential, very soon. Perhaps a moratorium on such commercial developments could be implemented.

Commissioner McDaniel said if plans come in now for a commercial development, they must meet whatever requirements are in place for that specific zoning application. He agreed the Board needs to begin work on an ordinance for commercial development in village nodes with design criteria, etc. The Zoning Task Force is beginning to review commercial ordinances which contain very little design criteria, if any, presently. Commissioner McDaniel suggested the County charge Community Development and Zoning Attorney Newton Galloway with the responsibility of drafting a starting point on

commercial development, both in village nodes and regular applications. Mr. Wilson said he would be happy to get the process started and then follow-up with the Zoning Task Force. Commissioner McDaniel said he would welcome any assistance and would keep Commissioner Flowers-Taylor informed of the status of the process.

Much discussion followed. Commissioner Freeman asked why they wanted to regulate commercial development more.

Commissioner McDaniel noted that most people will build only the minimums, so it makes sense to zone up the minimums and, thereby, raise the standards. If the Board gets into the pattern of conditioning or customizing approvals of commercial developments, it simply made sense to incorporate those into the actual ordinance. Then everyone is treated equally on applications and it leaves less chance for the Board to err in not imposing certain restrictions. Commissioner McDaniel assured Commissioner Freeman they were not trying to zone out any commercial development.

Commissioner Davis inquired as to when parking lot at the former Hill's Tire Store location would be done? Mr. Wilson said he would inquire of the Public Works Department, but he thought perhaps it would be summer 2005.

Commissioner Davis noted also that agenda packets are completed early so that Commissioners have adequate opportunity to come by and chat with whomever can answer their questions. He often visits with Staff to ask questions or have something clarified. If Commissioners would avail themselves of this opportunity, it should alleviate most of the need for work sessions.

Commissioner McDaniel had no comment.

Chairman Goss noted the following:

- The Board of Health voted 5-1 to discontinue exploration of the Health Department disassociating from Health District IV and becoming its own health district. Extensive discussion determined it might perhaps cost more money rather than saving money. Several months ago much discussion began and many advantages of staying in District IV were pointed out. If becoming a standalone district would be such a moneysaver, why haven't more counties done it? Commissioner McDaniel said he hoped this decision was made on fact and not feelings.
- Chairman Goss would like to explore extending warranties on new roads and subdivisions for five years. The Public Works Director recommended a few years ago to let developers of subdivisions grade, base and put down a base level of asphalt but not the topping. The top level of asphalt could be applied after a high percentage (to be determined) of the subdivision were completed. County Manager Wilson said Community Development Director Chuck Taylor can check other counties' policies. Currently we require a two-year warranty. Roads will fail during construction of subdivision from drywall trucks, concrete trucks, heavy equipment, etc. Reserving the final topping for after this heavy equipment is through would probably fix the problem and eliminate patching roads before the subdivision is even completed.

XIV. CLOSED SESSION

1. County Manager requests a Closed Meeting to discuss acquisition of real estate and pending or potential litigation.

On a motion by Commissioner McDaniel, seconded by Commissioner Davis, the vote was unanimous at 5-0 to adjourn to Closed Meeting at 7:14 p.m.

On a motion by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, the vote was unanimous at 5-0 to reconvene to Open Meeting at 7:35 p.m.

XV. ADJOURNMENT

On a motion by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, the vote was unanimous at 5-0 to adjourn at 7:37 p.m.

County Clerk

Chairman

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