



Spalding County online

Board of Commissioners

REGULAR MONTHLY MEETING

The Board of Commissioners of Spalding County, Georgia, held their Regular Monthly Meeting on Monday, May 2, 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 Johnie McDaniel, Gwen Flowers-Taylor and Eddie Freeman present. Commissioner Cecil Davis was absent. Also present were County Manager William Wilson, County Attorney Jim Fortune and Executive Secretary Teresa Watson.

- I. **OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.**
- II. **INVOCATION – Commissioner Johnie McDaniel**
- III. **PLEDGE TO FLAG – Led by Commissioner Eddie Freeman**
- IV. **PRESENTATIONS/PROCLAMATIONS/RECOGNITION – N/A**
- V. **PRESENTATION OF FINANCIAL STATEMENTS – N/A**
- VI. **CITIZENS COMMENTS – N/A**
- VII. **PUBLIC COMMENT**

Sinclair Hollberg, 1335 Jackson Road, Griffin, Georgia

Mr. Hollberg provided the Board with a handout entitled “*Griffin Spalding Citizens for Responsible Government Spending.*” In January, Citizens requested that the Board of Commissioners cease funding the Griffin-Spalding County Development Authority. They are now requesting the County apply for funding from the Georgia Land Conservation Council to purchase the 198-acre Wallace Road tract from the Development Authority. The property could be a recreational park for the northeast quadrant of the county. UGA’s Griffin Campus could access the property for experimental plots, as well. Spalding County could borrow through the Conservation Act recently passed at a low interest rate and repay via several options, i.e. impact fees, user fees, etc. This would make the property useful and allow the Board of Commissioners to fulfill its promise to return the property to its original zoning. The Wallace Road property meets seven of the criteria when only one is necessary for funding. The neighborhood would be protected and quality of life enhanced at the same time.

VIII. MINUTES

1. Consider approval of the minutes of the April 18, 2005 Extraordinary Session and the April 28, 2005 Zoning Public Hearing.

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the minutes of the April 18, 2005 Extraordinary Session and the April 28, 2005 Zoning Public Hearing were approved by a vote of 4-0.

IX. CONSENT AGENDA

1. Consider approval on second reading an Ordinance amending the Spalding County Code of Ordinances, Section 7-1002 regarding speed limits.

**SPALDING COUNTY, GEORGIA
TRAFFIC REGULATION ORDINANCE
ORDINANCE NO. 2005-03**

TO AMEND THE MOTOR VEHICLES AND TRAFFIC CODE OF SPALDING COUNTY, GEORGIA, SO AS TO PROVIDE FOR REDUCED SPEED LIMIT ON PORTIONS OF MACON ROAD AND AN EFFECTIVE DATE.

BE IT RESOLVED AND ORDAINED, by the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, as follows:

Section 1. That the Code of Spalding County, Georgia, be amended in Part VII, Chapter 1, Section 7-1002, relating to speed limits on specific County roads, by deleting three sub-sections as follows:

“Macon Road” From Lamar County Line to Johnston Road, zoned 40 miles per hour
“Macon Road” From Johnston Road to Quail Hollow Road, zoned 45 miles per hour
“Macon Road” From Quail Hollow Road to Griffin City Limits, zoned 55 miles per hour

Section 2. That the Code of Spalding County, Georgia, be amended in Part VII, Chapter 1, Section 7-1002, relating to speed limits on specific County roads, by adding two sub-sections as follows:

“Macon Road” From Lamar County Line to Johnston Road, .80 miles, zoned 35 miles per hour
“Macon Road” From Johnston Road to Griffin City Limits, 3.4 miles, zoned 45 miles per hour

Section 3. That the within ordinance shall be and become effective immediately upon its adoption on two presentations, as provided by Section 2-1005 of the Code of Spalding County, Georgia, and upon erection of speed limit signs as designated herein.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed.

First Reading: April 18, 2005
Second Reading: May 2, 2005

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the Ordinance amending the Spalding County Code of Ordinances, Section 7-1002, pertaining to speed limits was approved by a vote of 4-0.

X. OLD BUSINESS

XI. NEW BUSINESS

1. Consider approval of contracts with Department of Transportation for the 2005 LARP projects.

There are 11 roads for a total of 11.433 miles in the contract prepared by the Department of Transportation for resurfacing from the more than 100 miles submitted in the 2005 LARP request. Plans are to bid out the resurfacing in July with a September to October let date.

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the contracts with the Department of Transportation for the 2005 LARP projects were approved as presented by a vote of 4-0.

2. Consider approval of Contract with Allen-Smith Consulting for Grant Administration Services on the 2004 EIP Project for the Old Griffin Bottling Company.

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the contract with Allen-Smith Consulting for Grant Administration Services on the 2004 EIP Project for the Old Griffin Bottling Company was approved by a vote of 4-0.

3. Consider approval of FY2006 Contract with Joint City/County Transportation Planner. County Manager Wilson said this contract was the same in content as the one agreed to earlier for the Joint City/County Transportation Planner, except this amount of compensation will be for a full year whereas the previous agreement was for a partial year through the end of FY 2005.

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the FY 2006 contract for a Joint City/County Transportation Planner was approved by a vote of 4-0.

4. Consider bids for Halon Replacement System at Clerk of Court's Office and authorize Chairman to execute necessary documents.

The successful bidder for this project, included in the FY2005 budget, was Certified Fire Protection in Norcross at \$138,960 with an add-on alternate of \$32,350. The only other bid was from International Fire Protection in Austell at \$162,000 with an add-on alternate of \$30,500. This company has a reputation for quality work and technical expertise, and their available credit to do the work has been verified. Consequently, the recommendation is to award the bid to Certified Fire Protection, Inc.

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the Board of Commissioners voted to authorize the Chairman to execute the necessary documents for the bid award for the Halon Replacement System at the Clerk of Court's Office to Certified Fire Protection, Inc. by a unanimous 4-0 vote.

5. Consider amendment to Licensing and Regulations Section of Spalding County Code of Ordinances, Section 6-1012, to provide for penalties for first, second and third offenses and reapplication for alcoholic beverage license criteria.

This is a graduated method of approaching violations which were not accommodated in the current code for a measured response said Mr. Fortune. For the first offense, a fine of \$1000.00 shall be imposed and the business placed on one year's probation. For the second offense, a \$1500.00 fine shall be imposed and the business shall lose the privilege of selling alcohol for a period of 90 days. For the third offense, a \$2000.00 fine shall be imposed and the business shall lose the privilege of selling alcohol until the owner has reapplied for and been granted a new license. Penalties and fine amounts are arbitrary and can be changed if they are not agreeable. Some discussion followed and some felt the penalty for a third offense was not stringent enough.

On a motion by Chairman Goss, seconded by Commissioner McDaniel, the Board voted to table on first reading the Licensing and Regulations Section of Spalding County Code of Ordinances, Section 6-1012, to provide for penalties for first, second and third offenses and reapplication for alcoholic beverage license criteria until the next BOC meeting. The motion passed by a unanimous 4-0 vote.

6. Commissioner Flowers-Taylor would like to discuss a possible joint retreat with the Board of Commissioners and members of the Water and Sewerage Facilities Authority.

Commissioner Flowers-Taylor gave a brief synopsis of her dealings with the Water and Sewerage Facilities Authority as a commission member. She was confused as to the authority's relationship to the Board of Commissioners and to its limited authority which was altered at some point in the past by the Board of Commissioners. The members are concerned with water and sewer issues but really have their hands tied since the day-to-day operations were removed from their direction in 1995 and transferred to the Spalding County Board of Commissioners. Members of that authority are conscientious but understandably frustrated, and Commissioner Flowers-Taylor felt a retreat and some detailed discussions might be beneficial.

Mr. Wilson noted, along with Water Authority Vice Chairman, Mr. Robert McIntyre, that they have saved over \$1 million by refinancing bonds. The Sewer Task Force was not charged with greater authority than the Water and Sewerage Facilities Authority and did not

meet any more or less frequently. He requested the Board consider scheduling such a retreat in July after budget preparation and approval is over and schedules are a bit more flexible.

Mr. Robert McIntyre and Mr. Wilson responded to Commissioner Freeman that it was not economically feasible to water the entire County at the time water was originally run. Small additions have been done over the years to the point where 95% of the County is now watered.

XII. REPORT OF COUNTY MANAGER

The County Manager had no report.

XIII. REPORT OF COMMISSIONERS

Commissioner Freeman had no comments.

Commissioner Flowers-Taylor had no comments.

Commissioner McDaniel – He was concerned there are no parameters around the requirement to amend the land use plan and future land use map for zoning approvals that are inconsistent with the land use plan. Commissioner McDaniel said he will recommend a moratorium on amendments to land use plan and future land use map until they set these parameters and also establish a fee for same. Commissioner Flowers-Taylor felt they must establish good criteria for allowing these amendments. Requests to amend the land use plan and map must probably run parallel with the zoning request since that request would precipitate the amendment process. The comprehensive land use plan may require some balance in this manner. Some wondered if the Planning Commission was necessary because of the way the procedure would be set up to be heard by the Board of Commissioners. Commissioners were agreeable to having Newton Galloway proceed with a moratorium preparation.

Commissioner Flowers-Taylor – She would like to see workshops scheduled prior to Zoning Public Hearings on a regular basis to make sure all commissioners have questions answered and are as well informed as possible. This would allow the commissioners some quality time for discussion, brainstorming and processing of information relative to rezoning requests.

Chairman Goss – He asked about the status of increasing the warranty on subdivision roads from two years to a possible five years. Mr. Wilson said he would explore developments and get back with Chairman Goss.

XIV. CLOSED MEETING

1. County Manager requests a Closed Meeting to discuss pending litigation.

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the Board of Commissioners voted to go into Closed Meeting at 7:00 p.m.

CLOSED MEETING AFFIDAVIT

[A copy of the affidavit must be filed with the minutes of the meeting]

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

Members of the Spalding County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1.

The Spalding County Board of Commissioners met in a duly advertised meeting May 2, 2005.

2.

During such meeting, the Board voted to go into closed session.

3.

The executive session was called to order at 7:00 p.m.

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Yes 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);

No Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____ (insert the citation to the legal authority making the tax matter confidential);

No Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

No Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

No Other (describe the exemption to the open meetings law): _____ as provided in _____ (insert the citation to the legal authority exempting the topic).

This the 2nd day of May, 2005.

Spalding County Board of

Commissioners

Sworn to and subscribed

Before me this 2nd day of May, 2005

Edward Goss, Jr. (L.S.)

Teresa A. Watson (L.S.)

Eddie L. Freeman (L.S.)

Notary Public

My commission expires:

Gwen Flowers-Taylor (L.S.)

March 3, 2007

Johnie McDaniel (L.S.)

On a motion by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, the Board voted to reconvene to Open Meeting at 7:50 p.m.

XV. ADJOURNMENT

On a motion by Commissioner McDaniel, seconded by Commissioner Freeman, the Board of Commissioners voted to adjourn at 7:51 p.m.