



EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held their Extraordinary Session on Monday, June 20, 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, Gwen Flowers-Taylor, Eddie Freeman and Johnie McDaniel present. Also present were Administrative Services Director Jinna Garrison, County Attorney Jim Fortune and Executive Secretary Teresa Watson.

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

II. INVOCATION – Commissioner Flowers-Taylor

III. PLEDGE TO FLAG – Led by Commissioner Johnie McDaniel

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Consider Proclamation recognizing July 2005 as Spalding County Recreation and Parks Month. Chairman Goss read the proclamation as follows:

Proclamation

WHEREAS July is National Recreation and Parks Month for 2005; and

WHEREAS Public parks and recreation systems are dedicated to enhancing the quality of life for millions of residents in communities around the world through recreation programming, leisure activities and conservation efforts; and

WHEREAS Spalding County parks, recreation activities and leisure experiences provide opportunities for its citizens to live, grow and develop into contributing members of society; create and maintain continuous life experiences for older members of the community; generate opportunities for people to come together and experience a sense of community; and pay dividend to communities by attracting businesses, jobs and increased housing values; and

WHEREAS As we observe Recreation and Parks Month locally, we recognize the vital contributions of employees and volunteers in Parks and Recreation facilities. These dedicated supporters keep public parks clean and safe for visitors, organize youth activities, provide educational programming on health, nutrition, first aid, and gardening, advocate for more open space and better trails, and fund raise for local improvements. They ensure that parks and recreation facilities are safe and accessible places for all citizens to enjoy.

NOW THEREFORE We, the Spalding County Board of Commissioners, do hereby declare that a copy of this proclamation be spread upon the minutes of the proceedings of this Board, and that on this, the twentieth day of June, in the year of our Lord, two thousand and five, we hereby proclaim the month of July 2005 as

Spalding County Recreation and Parks Month

FURTHER We call upon park and recreation supporters to join us in recognizing the importance of our parks and recreation facilities and to learn more about how to support the places that bring our communities a higher quality of life, safer places to play and health alternatives through recreation programming for everyone. And we do also resolve that during Recreation and Parks Month all

citizens are encouraged to “Step up to Health” and enjoy what their community has to offer by taking part in their favorite sports, visiting the outdoors, spending time with family and friends or just relaxing. The Executive Order of the Governor of Georgia, Sonny Perdue, states that “Given the right information and prevention opportunities, Georgians will take personal responsibility and adopt new habits in order to live healthier lives.” Active recreation for all people is vital to the promotion and maintenance of general health and wellness. In support of Governor Perdue’s “Live Healthy Georgia” Initiative, all citizens are encouraged to Be Active, Get Checked, Be Smoke-Free, Eat Healthy and Be Positive.

IN WITNESS WHEREOF, I have hereunto set my hand this, the twentieth day of June, in the year of our Lord, two thousand five.

William P. Wilson, Jr., County Clerk (L.S.)

Edward Goss, Jr., Chairman (L.S.)

On a motion by Commissioner McDaniel, seconded by Commissioner Davis, the Board of Commissioners declared July 2005 as Spalding County Recreation and Parks Month.

Kelly Leger, Senior Center Director, spoke to the Board on obesity as an epidemic in Georgia, citing statistics and the inclusion of Spalding County among those counties whose obese populations exceed 60%. The “Step Up to Health” initiative detailed by Ms. Leger begins in Parks and Recreation through an educational process, more detailed programs and support of physical education for citizens of all ages. The kickoff event for “Step Up to Health” is a non-motorized participation in the July 4th Parade.

2. Tom Queen, of the Georgia Department of Transportation presented an update on area transportation projects in the State Transportation Improvement Program (STIP). Mr. Queen also responded to commissioners’ transportation questions.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statement for eleven months ended May 31, 2005.

On a motion by Commissioner Davis, seconded by Commissioner McDaniel, the vote was unanimous at 5-0 to approve the Financial Statement ended May 31, 2005.

VI. CITIZENS COMMENTS – N/A

VII. PUBLIC COMMENT

Mr. Robert McIntyre, 124 Magnolia Drive, Griffin, Georgia

He questioned the need for fireworks prohibition in the County, as detailed in Item #5 under New Business. Fire Chief Chipper Gardner said he requested the ordinance since the state had recently legalized fireworks. Fire Chief Gardner said numerous fire service organizations had stated opposition to the legalization of the sale of fireworks to individuals. This ordinance would not apply to the professional organizations who do holiday pyrotechnic demonstrations. Mr. McIntyre said he felt the ordinance was simply too restrictive from a private standpoint.

Matthew Stafford, 1650 Flynt Street, Griffin, Georgia

Mr. Stafford said his latest information on the article, “A View of the Old South Through Hollywood Eyes”, coming out in September 2006, was that it would be available with pictures and was geared to the senior citizen tour market. The Griffin-Spalding County area would be a feature of the article and should prove to be a senior tourist boom.

VIII. MINUTES

1. Consider approval of the minutes of the June 6, 2005 Budget Hearing and the Regular Monthly Meeting of June 6, 2005.

Commissioner McDaniel made a motion, seconded by Commissioner Davis, to approve both minutes of June 6, 2005, the Budget Hearing and the Regular Monthly Meeting, and the motion carried by a unanimous 5-0 vote.

IX. CONSENT AGENDA

1. Consider approval on second reading an Ordinance amending the Licensing and Regulations Section of the 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.

**SPALDING COUNTY, GEORGIA
ORDINANCE TO AMEND LICENSING AND REGULATIONS SECTION 6-1012
OF THE SPALDING COUNTY CODE OF ORDINANCES**

ORDINANCE NO. 2005-05

TO AMEND THE LICENSING AND REGULATIONS CODE OF SPALDING COUNTY, GEORGIA, SO AS TO PROVIDE FOR PUNISHMENTS FOR FIRST, SECOND AND THIRD OFFENSES AND REAPPLICATION FOR ALCOHOLIC BEVERAGE LICENSE CRITERIA.

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

-1-

That the Code of Spalding County, Georgia, be amended in Part VI, Chapter 1, Businesses and Occupations, Section 6-1012, relating to revocation of licenses, as follows:

The first existing paragraph, currently not enumerated, shall become paragraph (a).

-2-

A second and third paragraph, identified as (b) and (c) shall be added to read:

“(b) For the first violation of this article or for a violation of any law, state or federal, pertaining to the conduct of the license holder’s business, the following punishment shall be imposed:

(1) For the first offense, a fine of \$1000.00.

(2) For the second offense within five (5) years of any other offense, the license holder shall be fined the sum of \$1500.00 and shall lose the privilege of selling alcohol in his establishment for a period of 90 days.

(3) For the third offense within five (5) years of any other offense, the license holder shall be fined the sum of \$2500.00 and his license shall be immediately suspended, and there shall be no further sales of alcohol by that licensee until the licensee has reapplied for and been granted a new license.

(c) Any license holder who has had his license revoked pursuant to the provisions of sub-paragraph B above shall have the right to reapply for a license anytime after his license has been revoked for more than twelve (12) months.”

-3-

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

Approved on first reading this sixth day of June 2005.

Approved on second reading this twentieth day of June 2005.

2. Consider approval on second reading an Ordinance amending the Spalding County Code of Ordinances relative to tax on hotels.

AMENDMENT TO ARTICLE G. TAX ON HOTELS

-1-

The Spalding County Code of Ordinances is hereby amended by striking Section 6-1171 in its entirety, and inserting in lieu thereof a new Section 6-1171, to read as follows:

“Sec. 6-1171. Levied; return, collection and remission.

There is hereby imposed and levied a tax of three (3) percent of the charge to the public for the furnishings of lodging made by each hotel within the county, which tax shall be collected by each hotel and remitted to the county monthly on or before the twentieth day of the month following each monthly period together with a return on a form to be prescribed by the county showing the gross charges for lodging, the amount of tax collected and remitted, and such other information as the county may reasonably require to administer this article.”

-2-

The Spalding County Code of Ordinances is hereby further amended by striking Section 6-1172 in its entirety, and inserting in lieu thereof a new Section 6-1172, to read as follows:

“Sec. 6-1172. Definitions.

As used in this article:

- (1) Hotel includes any motel, inn, lodge, tourist camp, tourist cabin or other place in which lodging is regularly furnished for value.
- (2) Lodging includes the furnishing of any room or rooms, lodging or accommodations for a charge, except that lodging or accommodations furnished to the same patron for a period of more than ten (10) consecutive days or for use as meeting rooms shall be exempt from the provisions of this article and from the tax imposed and levied hereby.”

-3-

The Spalding County Code of Ordinances is hereby further amended by adding a new section, to be denominated as 6-1175, to read as follows:

“Sec. 6-1175. Proceeds of the Tax.

The proceeds of this tax shall be used in accordance with O.C.G.A. Section 48-13-51(a)(4).”

-3-

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

BE IT RESOLVED this 20th day of June, 2005.

Edward Goss, Jr., Chairman (L.S.)

First Reading: June 6, 2005
Second Reading: June 20, 2005
(Adopted/Approved)

3. Consider on second reading an Ordinance to amend the Code of Spalding County Street Use Ordinance to provide for No Through Trucks on certain County roads: Musgrove Road, Oxford Road, Sapelo Road and Wild Plum Road.

**SPALDING COUNTY, GEORGIA
STREET USE ORDINANCE
ORDINANCE NO. 2005-06**

**AN ORDINANCE
TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE
FOR NO THROUGH TRUCKS ON CERTAIN COUNTY ROADS.**

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 VI, Chapter 2, Section 6-2004, relating to no through trucks on streets, by adding paragraphs (49), (50), (51) and (52) as follows:

- “ (49) Musgrove Road from State Route 155 to High Falls Road.
- (50) Oxford Road from Musgrove Road to North McDonough Road.
- (51) Sapelo Road from High Falls Road to Musgrove Road.
- (52) Wild Plum Road from South McDonough Road to High Falls Road. ”

Section 2. The within ordinance shall be and become effective immediately upon its adoption by the affirmative vote of a majority of the members of the Board of Commissioners of Spalding County, Georgia, present at two meetings, as provided in Section 2-1005 of the Code of Spalding County, Georgia; and upon the erection of signs as required herein by the public works forces of Spalding County, Georgia.

Section 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

Approved on first reading this sixth day of June, 2005.

Approved on second reading this twentieth day of June, 2005.

Edward Goss, Jr., Chairman (L.S.)

On a motion by Commissioner Davis, seconded by Commissioner McDaniel, all items on the Consent Agenda were unanimously approved by a unanimous 5-0 vote.

X. OLD BUSINESS

1. Consider approval on second reading the following Amendment to the Official Zoning Ordinance: Amendment to UDO #A-05-06: General Procedures – Section 411:A & Appendix C – Section VII:e – Amendment to modify standards for granting variances.

RE: *Text Amendment #A-05-06*

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, *et. seq.*;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on May 26, 2005 pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 4, "General Procedures:" Section 411(A):

Section 2: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 4, "General Procedures" to appear as Section 411(A):

Section 411: Variances.

- A. A Variance is a permit, issued by the Board of Appeals, which allows use of a parcel of land in a way that varies from the requirements for the district in which the property is located. A variance may be granted only in an individual, specific case under such circumstances as will not be contrary to the public interest where, due to special conditions, a literal enforcement of the provisions of this Ordinance will result in practical difficulty (as distinguished from mere inconvenience) or unnecessary hardship so that the spirit of this Ordinance shall be observed, public safety and welfare secured and substantial justice done.
- B. A variance may not be granted for the use of a parcel, building or structure that is prohibited by this Ordinance.
- C. A variance may not be granted based on circumstances created by the Applicant, such as:
 1. the purchase of a parcel with knowledge of an existing restriction;
 2. a claim of hardship based on prospective sales; or
 3. an expressed economic need, when such need can be met in other ways which would not require a variance.
- D. The Board of Appeals shall, in granting a variance, determine that:
 1. there are extraordinary and exceptional conditions pertaining to the particular parcel because of its size, shape, location and topography;
 2. application of this Ordinance to the particular parcel would create a practical difficulty or unnecessary hardship on the property owner;

3. such conditions are peculiar and unique to the particular parcel;
4. the variance, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this Ordinance;
5. a literal interpretation of this Ordinance would deprive the Applicant of any rights that others owning property within the same zoning classification are allowed;
6. the variance, if granted, shall not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties within the same zoning classification;
7. the variance may be granted with such conditions imposed as may be necessary to protect the health, safety, welfare and general value of the property in the general neighborhood; and
8. granting the variance shall not be based on consideration of any existing nonconforming uses on nearby parcels and no permitted use of any parcel in any other zoning classification.

Section 3: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Appendix C, "Ordinance Establishing Board of Appeals:" Section VIII(e):

Section 4: The following provision shall be added to the Zoning Ordinance of Spalding County, Appendix C, "Ordinance Establishing Board of Appeals," to appear as Section VIII(e):

Section VIII. The Board of Appeals shall have the following powers:

- e. To authorize upon appeal or direct application, in specific cases, such variances from the terms of this Ordinance as will not be contrary to the public interest pursuant to the requirements of the Zoning Ordinance of Spalding County, Section 411(A).

Section 5: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 6: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

Approved on first reading this sixth day of June, 2005.

Approved on second reading this twentieth day of June, 2005.

Edward Goss, Jr., Chairman (L.S.)

Commissioner McDaniel made a motion to approve Amendment to UDO #A-05-05, seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.

XI. NEW BUSINESS

1. Consider request for parade permit from East Griffin Baptist Church.

Pastor Charles Killingsworth, East Griffin Baptist Church, Griffin, Georgia
Pastor Killingsworth was present to answer questions.

Commissioner Flowers-Taylor asked Ms. Garrison to ensure that someone from the Sheriff's Department would be present at all times as the parade route area included sections with heavy traffic flows.

Commissioner McDaniel made a motion to approve the parade permit as requested, seconded by Commissioner Davis, and the motion carried by a unanimous vote of 5-0.

2. Consider request of Leon Smith for permission to utilize Outside Amplification for Family Reunion activities at a residence from 7:00 to 11:30 p.m. on July 1 and 2, 2005.

Deandre Smith, 174 Chappell Mill Road, Griffin, Georgia

Mr. Smith stated the outside activities are desired for a family reunion at 174 Chappell Mill Road on both days from 7:00 p.m. until 11:30 p.m. There will be no P.A. but rather only boom-box type radio sets. Neighbors express no reservations.

Mr. Fortune said our ordinance doesn't specifically address giving such permission, but he felt permission was implicit in the Ordinance. He has prepared an amendment to the Ordinance that will eliminate confusion in the future, and that amendment will be presented at future meetings for first and second readings. He affirmed for commissioners that the Board can allow permission outside the time frames stipulated.

Commissioner McDaniel made a motion to approve the request of Mr. Smith at 174 Chappell Mill Road, Griffin, Georgia to play boom-box type radios until 11:30 p.m. on June 1 and 2, 2005, seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.

3. Consider approval of 2005-2006 VOCA Grant Application by the Sheriff's Department.

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

4. Consider authorizing Fire Department to apply for Staffing for Adequate Fire and Emergency Response (SAFER) Grant.

Fire Chief Chipper Gardner said this presented an opportunity for Spalding County to begin increasing the staffing level of fire fighters with assistance toward a graduated complete acceptance of salary costs. Some standards across the country ask how many people can safely perform certain tasks at a fire scene, and that number varies. The SAFER Grant, over a five-year period, would go from paying 90% in year one, including benefits, to no federal share in year five, which would allow a graduated effort toward getting staffing levels up in the County. He referenced the report he compiled that accompanied the Grant. He was not certain this grant would be available again next year, and he surmised even during this first year that grant approval would probably be a long shot. However, he felt it would be prudent to apply and, if approved, work on funding during the five-year process. Eventually, these additional people would need to be hired with the projected growth, and he was trying to develop any avenues available for an opportunity to help ease that expected growth in personnel costs.

Commissioner Freeman made a motion to authorize the Fire Department to apply for the SAFER Grant, seconded by Commissioner Davis, and the motion carried by a unanimous vote of 5-0.

5. Consider approval on first reading an Ordinance to the Spalding County Code of Ordinances prohibiting fireworks in unincorporated Spalding County.

Fire Chief Chipper Gardner addressed this request. He felt it was incumbent upon him to request this Ordinance in view of the safety of children. He cited many health care industry statistics which address fireworks concerns. Although they should be, not everyone who purchases fireworks for personal use is responsible. The cities of Warner Robins and Covington recently passed similar ordinances, and adjacent counties are currently proposing similar ordinances. This is basically a request to continue the same type legislation that the state law effectively addressed for a great many years. In the neighboring states that allow fireworks, most larger metropolitan areas actually prohibit the sale and most sales occur in the unincorporated areas of those counties. Fire Chief Gardner felt he understood the rationale that it was not always prudent to try to legislate responsibility, but he felt it was incumbent upon his position professionally and his concern personally to point out safety issues and concerns.

Commissioner Davis made a motion to approve the Ordinance as presented. Commissioner McDaniel seconded the motion.

Discussion followed among commissioners. Some felt the proposed ordinance delved too deeply into personal rights, particularly since the problem is sporadic with holiday occurrences and not an ongoing issue for the most part. Commissioner McDaniel said he would like to see what the City of Griffin would propose since they are looking at a similar Ordinance. He also requested that Mr. Fortune research the State law change and its ramifications for their review. Commissioners said they would like to see the issue tabled until further study can be completed.

Commissioner Davis withdrew his motion and Commissioner McDaniel withdrew his second to the motion.

Commissioner Flowers-Taylor made a motion to table until the requested information could be obtained and studied, seconded by Commissioner Freeman, and the motion carried by a vote of 4-0-1 with Commissioner Davis being temporarily absent from the room for the vote.

6. Consider recommendation from Parks and Recreation Advisory Commission to allow Griffin-Spalding Watch and Pray Program to utilize the City Park Community Center.

Parks and Recreation Director Louis Greene said the Watch and Pray Program wanted to have this event over July 18-22, from 6:30 to 9:30 p.m. each night. The event, called Youth Explosion, is free and will encourage participants to have a positive impact on their community first by being drug-free and exhibiting leadership qualities.

Commissioner McDaniel made a motion to approve the request, seconded by Commissioner Flowers-Taylor, and the motion carried by a vote of 4-0-1 with Commissioner Davis being temporarily absent from the room for the vote.

7. Consider agreement with the Georgia Department of Natural Resources for Kids Fishing Events.

Louis Greene, Parks and Recreation Director, said this was a simple contract whereby the Georgia Department of Natural Resources will commit to hold a Youth Fishing Rodeo each year at Wyomia Tyus Olympic Park, they will provide 1000 catfish per acres (3000 catfish for this 3 acre lake) 6" to 8" in size. By the time the next rodeo is held, these stocked fish will be approximately 12" and good pan size. This is to encourage the kids' fishout of the pond. They will also assist with maintenance of the pond and make recommendations with regard to operation.

Commissioner Flowers-Taylor asked if a program of this kind could be executed at Dundee Lake Park. Mr. Greene responded he had asked, and DNR said the 25-30 acre lake would almost wipe out one of their fish hatcheries, so they are hesitant to offer this program. They will help oversee the lake, check the acidity and alkalinity and possibly help with original stocking but not perhaps of the magnitude of the Youth Fishing Rodeo program.

Commissioner McDaniel made a motion to approve, seconded by Commissioner Freeman, and the motion carried by a vote of 4-0-1 with Commissioner Davis being temporarily absent from the room for the vote.

8. Consider Memorandum of Agreements with the Spalding County Board of Health for the Summer Academic Enrichment Program, After School Academic Enrichment Program, School Break Program and a Back-to-School Bash.

These four agreements will total \$24,000 in grant monies received from Spalding County Board of Health for the programs. He detailed the four different programs and the locations where events are held: Summer Academic Enrichment Program and After School Academic Enrichment Program are both held at Fairmont by certified teachers, the School Break Program encompasses the three weeks between quarters for organized activities at Fairmont and the Back-to-School Bash is held at City Park with the assistance of a number of local organizations.

Commissioner McDaniel made a motion to approve the four Memorandums of Agreement with the Spalding County Board of Health, seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.

9. Consider bids for the paving and rubberizing of the Airport Road Walking Trail.

Both bids, stated Parks and Recreation Director Louis Greene, for the paving and rubberizing of the Airport Road Walking Trail are well under budget. He had researched the recommended bid award winners, Southern Rock Contracting, Inc. for the asphalt paving and Hellas Construction for the granular rubberized walking track surface. Both are well respected and satisfactory recommendations were received on each. Mr. Greene detailed the problems with deterioration and the unsafe condition of the walking track there currently. The experimental surface that was the object of the grant has not fared well in the elements. The newly constructed walking trail will be built with technology similar to road construction. This would be the same type construction as was used at Wyomia Tyus Olympic Park's walking trail. The rubberized walking track surface at Airport Road now will be taken up and removed by the County to the landfill. Southern Rock Contracting, if approved, will then level the bed and apply two inches of asphalt paving over the bed which will require 30 days' curing time. Then Hellas Construction will apply ½" of granular rubberized walking track surface. It will have resin type glue that will adhere the surface to the asphalt paving. It will still wear but at a normal rate over a period of years, not in the accelerated fashion as the experimental rubberized surface alone had done.

Commissioner Davis made a motion to approve Southern Rock Contracting, Inc. for the asphalt paving and Hellas Construction for the granular rubberized walking track surface for \$18,200 and \$20,000 respectively. Commissioner McDaniel seconded the motion which carried by a 4-0-1 vote with Commissioner Freeman being temporarily absent from the room for the vote.

10. Consider bids for the Oxford Square roof.

Ms. Garrison noted this was for the old Cook's Building on Memorial Drive. Weyerhaeuser currently rents this space which is used for die-cut corrugated storage. They have lost inventory due to exposure to moisture and respectfully request roof repair. This is the largest tenant of Spalding County. Urethane Foam Roofers, the low bidder, has been used by the County previously.

Commissioner McDaniel made a motion to award the bid to Urethane Foam Roofers at a cost of \$137,610, seconded by Commissioner Davis, and the motion carried by a unanimous vote of 5-0.

11. Consider approval of the FY2006 Capacity Agreement with the Georgia Department of Corrections for housing of state inmates in county prison.

Commissioner Davis made a motion to approve this annual agreement which stipulates the County will provide care and custody for up to 384 inmates at the Correctional Institution, seconded by Commissioner McDaniel, and the motion carried by a unanimous 5-0 vote.

12. Consider approval on first reading of the FY2006 Budget Ordinance.

Commissioner McDaniel made a motion to approve the FY2006 Budget Ordinance as presented, seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.

13. Consider extending moratorium for Urban Proximity developments until Sept. 30, 2005.

Commissioner McDaniel made a motion to extend the moratorium for Urban Proximity developments until September 30, 2005, and Commissioner Davis seconded the motion, which carried by a unanimous 5-0 vote.

14. Commissioner Flowers-Taylor would like to discuss letter from the City of Griffin with regard to the collection of Impact Fees.

Commissioner Flowers-Taylor felt there should have been a response to the City's letter of May 4, 2005 since Mr. Bill Ross of Ross and Associates had addressed their inquiries. She felt there had been no movement, and the issue should not be dragged out, particularly since impact fees are not being collected as a result of the inability to reach an agreement.

Chairman Goss requested that Ms. Garrison contact Kenny Smith the following day and request a meeting between herself, Chairman Goss, City Manager Smith and Mayor Todd to discuss the issues. He said they could discuss the issues, but the matter would have to be taken to their Board for a response.

Commissioner Flowers-Taylor said she wanted to formulate a response to the City in answer to their position. She did not seem to feel most of the City Commissioners would have a problem with the resolution of the issues.

Mr. Fortune noted that the letter was indeed from the City Manager but the letter begins, "The City Commission has met and instructed me to relay the following information to you to forward to your Board of Commissioners regarding the City's position as it relates to the Spalding County Impact Fee Ordinance:" It's hard to reconcile some statements that some City Commissioners did not know what was going on, but yet they directed Kenny Smith to send this letter.

Commissioner McDaniel said he knew Mr. Wilson had discussed the issues with City Manager Kenny Smith, and the City had been provided a copy of Mr. Ross' response. He thought all that needed to happen was to request a response from them since they had been provided a copy of Mr. Ross' response.

Commissioner Davis asked Ms. Garrison if any of the \$214,032 in impact fees year-to-date had come from inside the City, and she responded no.

Chairman Goss suggested that a cordial letter be sent to the City saying some of these items cannot be negotiated in conjunction with impact fees but must be dealt with on a separate level. State regulations with regard to impact fees are very specific, and the County has no latitude in such items as transferring the authority to waive or exempt a fee, nor can they agree to allow City inmates and detainees to be housed at no cost to the City of Griffin and tie such an agreement to the collection of impact fees. Commissioner McDaniel felt it might be beneficial to apprise the City of projected improvements to parks located in the City that will be included in the Parks and Recreation Master Plan. Any facilities expanded or constructed have to be included in the Capital Improvements Element. It's possible the City has not had a chance to review the Capital Improvements Element, and perhaps they could be enlightened. The two non-negotiable items, he agreed, were providing them the ability to excuse or waive the payer of the impact fees and the housing of inmates at no cost.

XII. REPORT OF COUNTY MANAGER

No report.

XIII. REPORT OF COMMISSIONERS

Commissioner Freeman – No comments.

Commissioner Flowers-Taylor – No comments.

Commissioner Davis – No comments.

Commissioner McDaniel – He spoke on the need for more design criteria, particularly in light of the fact he felt they had done all they could in the area of square footage. The Ordinance Review Committee had requested some time ago that stucco accents be removed, but nothing had been accomplished yet in that area. Some concepts that might be incorporated to improve the quality of developments should be the focus of the County's next approach toward raising the bar. Commissioner McDaniel requested this item be placed on the next regular agenda.

Commissioner Goss – Requested that County Manager William Wilson get with Community Development Director Chuck Taylor to develop an itinerary for the July Zoning Public Hearing that would possibility split the meeting time required for the evening and place some items on the agenda of a morning meeting on the same date. The number of agenda items that will come to this Zoning Public Hearing from the upcoming Planning Commission and Board of Appeals meetings will be so numerous and lengthy that one meeting per the usual custom would most certainly last well into the wee hours of the morning. It is the Board’s desire to split the meeting and hold a hearing for some agenda items on the morning of July 28 and the remainder in the evening at the regular 6:00 p.m. time slot on July 28, 2005.

XIV. ADJOURNMENT

Commissioner McDaniel made a motion to adjourn at 8:05 p.m., seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.

Please send comments to updates@griffinwebdesign.com
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