



**EXTRAORDINARY SESSION**

The Board of Commissioners of Spalding County, Georgia, held its Extraordinary Session on Monday, August 15, 2005 in its 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 County Manager William Wilson, Stephanie Windham from the law firm of Beck, Owen and Murray, and Executive Secretary Teresa Watson.

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

**II. INVOCATION – Dr. David Hill**

**III. PLEDGE TO FLAG – Led by Commissioner Eddie Freeman**

**IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Consider Proclamation declaring the week of August 15, 2005 as MDA Spalding County Firefighter Appreciation Week.

Chairman Edward Goss read the proclamation.

*Commissioner McDaniel made a motion to approve the Proclamation declaring the week of August 15, 2005 as MDA Spalding County Firefighter Appreciation Week. Commissioner Davis seconded the motion, which carried by a unanimous vote of 5-0.*

Chairman Edward Goss presented the proclamation to Ms. Tori Harrison of the Muscular Dystrophy Association and Spalding County Fire Chief Chipper Gardner.

2. Consider Proclamation declaring August 19, 2005 as Fairmont High School Alumni Reunion Day.

Commissioner Flowers-Taylor read the proclamation and volunteered to take the proclamation for presentation to the Fairmont High School Alumni Reunion Committee.

*Commissioner McDaniel made a motion to approve the Proclamation declaring August 19, 2005 as Fairmont High School Alumni Reunion Day. Commissioner Flowers-Taylor seconded the motion, which carried by a unanimous vote of 5-0.*

**V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of Financial Statement for one month ended July 31, 2005.

*Commissioner Davis made a motion to approve Financial Statements for the one month period ending July 31, 2005, seconded by Commissioner Freeman, and the motion carried by a unanimous 5-0 vote.*

**VI. CITIZENS COMMENTS – N/A**

**VII. PUBLIC COMMENT**

Matthew Stafford, 1560 Flynt Street, Griffin, Georgia

Mr. Stafford said the Hampton Inn was the host hotel for the Fairmont High School Reunion and has offered a special discount for participants. The Hampton Inn will also be accepting donations and raising funds during the entire months of August and September for the Spalding County Fire

Department. The owner has committed a 100% match of funds raised, and the monies will be presented during the month of October to the Spalding County Fire Department.

The first annual Tourism Convention to take place on August 29, 2005, from 6 to 10 p.m. at the Stuckey Building of the UGA Griffin Campus is shaping up nicely. Participants will include Pike, Lamar, Fayette, Butts, and Coweta counties (both county and city governments in each, as well as Chambers of Commerce and/or Convention/Tourism Councils). The first two rows of seating have been reserved for local City and County officials and dignitaries.

Commissioner McDaniel thanked Mr. Stafford for all his tireless efforts to support and further tourism in this area.

### VIII. MINUTES

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

*Commissioner McDaniel made a motion to amend the agenda to add for approval of the minutes of the July 25, 2005 Joint Special Called Meeting, seconded by Commissioner Davis. The vote to add carried by a unanimous 5-0 vote.*

*Commissioner Flowers-Taylor made a motion to approve the minutes of the July 25, 2005 Joint Special Called Meeting. Commissioner Davis seconded the motion, which carried by a unanimous 5-0 vote.*

*Commissioner McDaniel made a motion to approve the August 1, 2005 Regular Monthly Meeting, seconded by Commissioner Davis, and the motion carried unanimously at 5-0.*

### IX. CONSENT AGENDA

1. Consider approval on second reading Amendments to the Official Zoning Ordinance for the following:

**-Application #05-11Z:** Willie A. Alford and Mary L. Alford, Owners – 1857 West McIntosh Road – 1.95 acres, R-2 to O & I, Conditional.

**APPLICATION OF WILLIE A. ALFORD AND MARY L. ALFORD  
FOR REZONING CERTAIN PROPERTY  
LOCATED WITHIN SPALDING COUNTY, GEORGIA;**

**REZONING APPLICATION 05-11Z**

RESOLUTION AMENDING  
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA  
AND  
THE OFFICIAL ZONING MAP 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, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “R-1, Single Family Residential Low Density;”

WHEREAS, Willie A. Alford and Mary L. Alford, applicant, applied for a change in zoning classification to be applied to the within described property to “C-1, Highway Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on April 1, 2005;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on July 28, 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 and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that lot, tract or parcel of land situate, lying and being located in Land Lot 94 of the 3<sup>rd</sup> Land District originally Henry County, now Spalding County, Georgia, containing 1.95 acres and may be more particularly described as follows:

BEGINNING at a point of the north right-of-way of Georgia State Route 92 said point being located 215.00' northwesterly along said right-of-way from the southwest corner of Lot 40 in Pine Meadow Subdivision; thence proceed along said right-of-way N 88°29'07" W a distance of 159.32' to a point; thence N 68°36'16" W a distance of 52.94' to a point; thence N 88°08'00" W a distance of 6.26' to a point; thence leaving said right-of-way N 00°25'02" E a distance of 380.65' to a point; thence S 88°49'50" E a distance of 214.81' to a point; thence S 00°24'13" W a distance of 399.99' to a point located on the North right-of-way of Georgia State No. 92 and Point of Beginning

From “R-1, Single Family Residential Low Density” to “O & I, Office and Institutional” District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a) Staff requests authorization to amend the Future Land Use Map and review the potential impact of said revision.
- b) All structures will be constructed entirely of brick or stone facades on all sides.
- c) Only professional offices and institutional uses shall be allowed.
- d) A permanent structure must be constructed. No temporary buildings. The site will limit all lighting so any neighboring residential properties or rights of way will not be affected by glare.
- e) A variance will be necessary for a group development with respect to the two (2) acre requirements.
- f) An acceleration and deceleration lane at entrance shall be provided.
- g) All parking shall be to the side and rear of buildings and not between buildings and not on the Georgia Highway 92 right of way.

Section 3:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On August 15, 2005, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County. All that lot, tract or parcel of land situate, lying and being in Land Lot 94 of the 3<sup>rd</sup> Land District originally Henry County, now Spalding County, Georgia, containing 1.95 acres at 1857 West McIntosh Road, zoned O & I, Conditional.

(b) The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment of the Official Zoning Map of Spalding County, Georgia.

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

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**-Application #05-12Z:** Jonathan W. Baird, Owner – 111 Mt. Zion Road – 8.1± acres – AR-1 to R-5, Conditional.

**APPLICATION OF JONATHAN W. BAIRD  
FOR REZONING CERTAIN PROPERTY  
LOCATED WITHIN SPALDING COUNTY, GEORGIA;**

**REZONING APPLICATION 05-12Z**

RESOLUTION AMENDING  
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA  
AND  
THE OFFICIAL ZONING MAP 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, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “AR-1, Agricultural and Residential;”

WHEREAS, Jonathan W. Baird, applicant, applied for a change in zoning classification to be applied to the within described property to “R-5, Single Family Residential;”

WHEREAS, such application was filed with Spalding County, Georgia on April 27, 2005;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on July 28, 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 and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that 8.1± acre tract or parcel of land lying and being in Land Lot 29 of the First Land District of originally Monroe, now Spalding County, Georgia, and being more particularly described as follows:

Beginning at the northeast corner of Land Lot 29; thence S 00°10'00" W along the east boundary of Land Lot 29 620.00' on the north margin of East Mt. Zion Road' thence N 74°00'00" along the north margin of East Mt. Zion Road 670' to a point; thence North 300.00' to a point; thence N 68°00'00" W 300.00' to a point; thence North 60.00' to a point on the north boundary of Land Lot 29; thence S 89°57'00" E 935.00' along the north boundary of Land Lot 29 and Point of Beginning.

From “AR-1, Agricultural and Residential” to “R-5, Single Family Residential” District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a) Homes shall be a 1350 square foot minimum.
- b) All front porches be underpinned and finished in character with the house.
- c) All homes shall have two-car garages.
- d) All home shall have a 25% brick façade with a minimum .043 for vinyl siding.

Section 3:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On August 15, 2005, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County. All that tract or parcel of land lying and being in Land Lot 29 of the First Land District of originally Monroe, now Spalding County, Georgia, containing 8.1± acres on 111 Mt. Zion Road, zoned R-5, Conditional.

(b) The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment of the Official Zoning Map of Spalding County, Georgia.

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

2. Consider approval on second reading Amendments to the Official Zoning Ordinance for the following:

**-Amendment to UDO #A-05-11:** Appendix A. Subdivision Ordinance – Add provision for Gated Communities.

**IN RE:Text Amendment #A-05-11**

**AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY**

**RESOLUTION AMENDING  
THE SUBDIVISION 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 as Appendix A thereto, the Subdivision Ordinance of Spalding County;

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 Subdivision Ordinance of Spalding County;

WHEREAS, such text amendments to the Subdivision 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 July 28, 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 Subdivision Ordinance of Spalding County, Georgia conforms with sound comprehensive planning principles and is 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 Subdivision Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be added to the Zoning Ordinance of Spalding County, Appendix A, Subdivision Regulations, Article 5, **Required Development Standards** to appear as Section 502(F):

Section 502. Development Standards for Streets

FF. Gated Streets: Gated streets may be developed within a “Planned Residential Development” and a “Planned Neighborhood Development,” as defined in the Zoning Ordinance of Spalding County, Article 17, Planned Development District (PDD). A gated street shall be developed in compliance with the standards set forth in this section. Gated streets may be developed only with the approval of the Board of Commissioners.

Section 2: The foregoing amendments of the Subdivision Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 3: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

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**IN RE: Text Amendment #A-05-11**

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 July 28, 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 provision of the Zoning Ordinance of Spalding County, Article 17, Planned Development District, Section 1706(O) shall be renumbered to appear as Article 17, Planned Development District, Section 1706(P).

Section 2: The following provision shall be added to the Zoning Ordinance of Spalding County to appear as Section 1706(O):

Section 1706. Planned residential development standards.

The following standards shall govern planned residential development:

O. Gated Streets. A limited number of gated streets may be developed within a planned residential development pursuant to the criteria set forth herein:

1. Each gated street shall enter by means of an entrance with a landscaped median at least four (4) feet in width which separates paved one-way entry and exit lanes.
2. The entry and exit lanes shall have a minimum paved width of twenty (20) feet each.
3. The landscaped median shall be designed in manner which allows for traffic to return from the entry and into the exit lane before reaching the location of the street gate.
4. The entry and exit lanes shall be designed in manner to provide temporary parking at or near the street gate for vehicles to remain stationary in order to avoid interference with through traffic.
5. A separate gate shall be placed across the entry and exit lanes.
6. A monitor call box shall be placed at or near the gate.
7. Each call box shall be siren activated for emergency vehicle access.
8. Each call box shall provide access for County and/or utility employees to access the public utilities placed along the gated street.
9. Any pedestrian gate developed adjoining or near the street gate shall remain unlocked.

Section 3: The provisions of the Zoning Ordinance of Spalding County, Article 17, Planned Development District, Section 1707(N) shall be renumbered to appear as Article 17, Planned Development District, Section 1707(O).

Section 4: The following provision shall be added to the Zoning Ordinance of Spalding County to appear as Section 1707(N):

Section 1707. Planned neighborhood development standards.

The following standards shall govern planned neighborhood development:

O. Gated Streets. A limited number of gated streets may be developed within a planned residential development pursuant to the criteria set forth herein:

1. Each gated street shall enter by means of an entrance with a landscaped median at least four (4) feet in width which separates paved one-way entry and exit lanes.
2. The entry and exit lanes shall have a minimum paved width of twenty (20) feet.
3. The landscaped median shall be designed in manner which allows for traffic to return from the entry and into the exit lane before reaching the location of the street gate.
4. The entry and exit lanes shall be designed in manner to provide temporary parking at or near the street gate for vehicles to remain in order to avoid interference with through traffic.
5. A separate gate shall be placed across the entry and exit lanes.
6. A monitor call box shall be placed at or near the gate.
7. Each call box shall be siren activated for emergency vehicle access.
8. Each call box shall provide access for County and/or utility employees to access the public utilities placed along the gated street.
9. Any pedestrian gate developed adjoining or near the street gate shall remain unlocked.

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.

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**-Amendment to UDO #A-05-12:** Quarterly adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

**IN RE: Text Amendment #A-05-12**

**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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on July 28, 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; and

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: A new paragraph shall be added to Section 2302(E) of “Official Zoning Map Spalding County, Georgia (Official Map)” of the Zoning Ordinance of Spalding County as follows:

A new Official Map was adopted on August 15, 2005, which will replace the previous Official Map.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

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**-Amendment to UDO #A-05-13:** Article 17. PDD Planned Development District – Amendment to Sections 1701-1704.

**IN RE: Text Amendment #A-05-13**

**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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on July 28, 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; and

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: Section 1701 shall be deleted in its entirety and replaced with the following:

Section 1701: Purpose. Planned development districts are intended to encourage the development large tract, mixed use neighborhoods in areas of the County designated as villages in the Spalding County Comprehensive Plan and Land Use Map. The development is based on the as planned residential, retail, institutional, industrial and hospitality; land uses which are to be incorporated into a mixed use villages that are designed to be live work, shop communities. Planned Development districts also encourage flexible and creative concepts in site planning; conserve natural topographical and geological features of the land by encouraging scenic and functional open spaces; accomplish a more desirable environment than would be possible through the strict application of minimum requirements of this Ordinance; provide for an efficient use of land resulting in smaller networks of utilities and street and thereby lower development and housing costs; promote a less sprawling form of development; and provide an environment of stable character compatible with surrounding areas.

Section 2: Section 1702 shall be deleted in its entirety and replaced with the following:

Section 1702: Boundaries of the PDD Districts. The PD district shall be applicable to areas that are identified on the Spalding County Comprehensive Plan as Medium Density Residential, and all PD districts shall be located on major arterial roads and where public water and sewerage facilities are available and installed.

Section 3: Section 1703 shall be deleted in its entirety and replaced with the following:

Section 1703: Permitted Uses.

A. The following **Principal Uses** are permitted in PDD Districts:

1. Residential development meeting the criteria of this ordinance, which development may include any and all Principal Uses contained in Article 7 (R-1 Single Family Residential Low Density District), Section 703(A); Article 8 (R-2

Single-Family District), Section 803(A); Article 8A (R-2A Single-Family and Two Family Residential District), Section 803A(A)(4); Article 9 (R-3 Multiple-Family District), Section 903(A)(1); Article 10 (R-4 Single Family District), Section 1003(A); and Article 11A (R-6 Planned Residential Community District), Section 1103A(A) of the Zoning Ordinance of Spalding County.

2. Neighborhood Commercial development meeting the criteria of this Ordinance, which development may include any and all Principal Uses contained in Section 1703(A)(1) of this ordinance and in Article 13 (C-1A Neighborhood Commercial District), Section 1303(A) of the Zoning Ordinance of Spalding County.

3. Shopping center development meeting the criteria of this Ordinance, which development may include any and all Principal Uses contained in Article 12 (C-1 Highway Commercial), Section 1203(A) and Article 13 (C-1A Neighborhood Commercial District), Section 1303(A) of the Zoning Ordinance of Spalding County.

4. Industrial Park meeting the criteria of this Ordinance, which development may include any and all Principal Uses contained in Article 14A (C-1C Manufacturing Light), Section 1403A(A)(1-3, 6-18, 20) and Article 15 (C-2 Manufacturing), Section 1503(A)(1-3, 6-26, 29-31, 33, 35-40, 46-48, 50), of the Zoning Ordinance of Spalding County.

5. Recreation/lodge development meeting the criteria of this Ordinance which development may include any and all Principal Uses as follows: Residential Uses as allowed under Section 1703(A)(1), Hotels and Motels associated with Retreats, Conference Buildings, Training Centers, Hostels, Campgrounds with RV and Tent facilities, Amusement Activities, Recreation Facilities, Golf Courses, Golf Driving Range, Riding Stables, Country Clubs.

Section 4: Section 1704.A. shall be deleted in its entirety and replace with the following:

Section 1704: Review Process

**A. Pre-Application Concept Conference/Review.**

1. Prior to filing an application for a planned development, the applicant shall confer with the Zoning Administrator in order to review the general character of the planned development (on the basis of tentative land use sketch) and to obtain information on development standards and ordinances affecting the proposed planned development.

2. Before an application is authorized, the applicant shall submit a preliminary concept plan for review by the Community Development Department.

3. The applicant shall arrange a public meeting to be held at his expense that will arrange for a public meeting preferably near to the site where development is proposed. The applicant shall contact the adjacent property owners and property owners within a 1.5-mile radius by mail in the surrounding area notifying them of the public meeting date, location and time and the development intent. Notification should be structured as to provide a response from the owner. A list of all property owners, responses, and copies of the notification should be presented along with the preliminary concept plan. The format of the public meeting shall be such where interested property owners and other members of the public can review plans, ask questions of the applicant and staff and make verbal or written comments which shall be recorded by the applicant and submitted with the concept plan to the Community Development Department.

4. The department shall coordinate review of the plan and associated documents and provide a report to the planning commission. The plan shall be submitted to the

planning commission, for review at a public meeting. The planning commission shall review the plan and provide comments and recommendations within thirty (30) days from the date of submittal of a completed application packet.

3. Preliminary Concept Plan Requirements: The following is required to be included with the preliminary concept plan:

- a. Planned development name;
- b. The owner and developer of the property;
- c. Architect, engineer or planner who designed the plan;
- d. Location or orientation map of the property;
- e. Legal description of the parcel;
- f. Date, scale, north arrow;
- g. Total acreage of tract;
- h. Topography at ten-foot contour intervals;
- i. Proposed land use and net acreage in each type;
- j. Proposed street layout;
- k. Proposed lot layout;
- l. Proposed buffers, open space and natural environmental features such as surface drainage and open water;
- m. General location of proposed buildings to be used for commercial, industrial, recreation, or public facility uses.
- n. Proposed building elevations of typical buildings

4. Following submittal of the preliminary concept plan review and approval by the planning commission, the developer of the planned development project may apply for rezoning pursuant to the requirements of the Unified Development Ordinance, and master development plan approval.

Section 5: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 6: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 7: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 8: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

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**-Amendment to UDO #A-05-14:** Article 11A. R-6 Planned Residential Community District – Section 1104A – Amend maximum impervious surface and decrease density.

IN RE: Text Amendment #A-05-14

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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on July 28, 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; and

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: Delete Section 1104A.B.a and replace with the following:

- a. For developments served by public water, but not public sewerage, net density for dwellings within the R-6 district shall be determined by Environmental Health, but in no case shall net density exceed six (6) units per acre.

Section 2: Delete Section 1104A.F and replace with the following:

- F. **Maximum Impervious Surface:** Maximum impervious surface coverage shall be forty (40) percent.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

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**-Amendment to UDO #A-05-15:** Article 19. Office and Institutional – Section 1903:A – Add provision for group development.

**IN RE: Text Amendment #A-05-15**

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 July 28, 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 provision shall be added to the Zoning Ordinance of Spalding County, Article 19, "O&I Office and Institutional District" to appear as Section 1903(A)(22):

**Section 1903: Permitted Uses.**

A. The following **Principal Uses** are permitted in O&I districts:

22. Group development meeting the following development standards:

- a. The minimum lot size requirement shall be sufficient so that any structure constructed on said lot or groups of lots can be located so as to meet all setback requirements, parking requirements, and space requirements for loading and unloading for each proposed use, as per the respective zoning district, but in no event shall it be less than two (2) acres.
- b. All principle buildings established as a part of a group development shall be accessible to emergency or County service vehicles.
- c. All buildings and structures established as a part of a group development project shall comply with the established front yard setbacks and exterior side and rear yard requirements.
- d. All distances between buildings shall comply with the Southern Building Code Congress International (SBCCI) Fire Prevention Code.
- e. Uses are limited to those Permitted and Special Exception Uses allowed within this district.

Section 2: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 3: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

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3. Consider approval on second reading an Ordinance amending Part VII Motor Vehicles and Traffic, Chapter 1, General Traffic Regulations, Section 7-1004, No-parking zones on streets.

SPALDING COUNTY, GEORGIA  
NO PARKING ZONE  
**ORDINANCE NO. 2005-12**  
AN ORDINANCE

TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR NO PARKING ZONES ON CERTAIN COUNTY ROADS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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 7-1004, relating to no parking zones on streets by inserting new paragraphs (36) and (37), said new paragraphs to read as follows:

“(36) *Ninety-Two Place.*” Upon any portion of the roadway or public right-of-way of Ninety-Two Place from Georgia Highway 92 to its dead end.”

“(37) *Ninety-Two Court.*” Upon any portion of the roadway or public right-of-way of Ninety-Two Court from Ninety-Two Place to its dead end.”

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.

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4. Consider approval on second reading an Ordinance amending the Noise Abatement and Control Ordinance to allow noise-producing activity prohibited by ordinance with permission for such activity from the Board of Commissioners.

ORDINANCE TO AMEND Section 11-4002  
OF THE SPALDING COUNTY CODE OF ORDINANCES

**ORDINANCE NO. 2005-11**

Ordinance to amend Section 11-4003 of the Spalding County Code of Ordinances as follows:

-1-

By adding to said Section 11-4003 a new subparagraph (4) to read as follows:

“(4)Any activity which produces noises resulting from any use or activity which has been specifically permitted by securing a written permit for such activity from the Board of Commissioners.”

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5. Consider approval on second reading an Ordinance amending the FY 2006 Budget Ordinance to provide for prior year’s incomplete projects.

**AN ORDINANCE AMENDING THE  
FISCAL YEAR 2006 BUDGET ORDINANCE**

**FOR  
SPALDING COUNTY, GEORGIA**

**WHEREAS**, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2006 Fiscal Year pursuant to the requirements of Title 36, Chapter 81 of the Official Code of Georgia, and Section 2-5003 of the Code of Spalding County; and

**WHEREAS**, the Official Code of Georgia, specifically Title 36, Chapter 81-3, provides that said Board might amend its annual budget ordinance so as to adapt to changing governmental needs during the fiscal year.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on July 1, 2005, be amended as follows:

**Section I. General Fund**

**A. Revenues**

Fund Balance	From	\$ 1,845,882	to	\$ 1,918,582
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**B. Expenditures**

Parks 1,993,983	From	\$ 1,924,983	to	\$
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General Appropriations 2,818,455	From	\$ 2,815,955	to	\$
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Emergency Management 13,611	From	\$ 12,411	to	\$
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Approved on first reading this 1<sup>st</sup> day August 2005

Approved, adopted and enacted on second reading this 15<sup>th</sup> day August 2005.

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

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

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6. Consider approval on second reading an Ordinance amending the FY 2006 Budget Ordinance to provide for prior year's encumbrances.

**AN ORDINANCE AMENDING THE  
FISCAL YEAR 2006 BUDGET ORDINANCE  
FOR  
SPALDING COUNTY, GEORGIA**

**WHEREAS**, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2006 Fiscal Year pursuant to the requirements of Title 36, Chapter 81 of the Official Code of Georgia, and Section 2-5003 of the Code of Spalding County; and

**WHEREAS**, the Official Code of Georgia, specifically Title 36, Chapter 81-3, provides that said Board might amend its annual budget ordinance so as to adapt to changing governmental needs during the fiscal year.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on July 1, 2005, be amended as follows:

**Section I. General Fund**

**A. Revenues**

Fund Balance Appropriated	From	\$ 1,420,253	to	\$ 1,845,882
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<b>B. Expenditures</b>				
Administration	From	\$	382,588	to \$ 388,240
Information Systems	From	\$	132,078	to \$ 133,761
Tax Commissioner	From	\$	722,587	to \$ 723,197
Tax Assessors	From	\$	383,723	to \$ 383,768
General Appropriations	From	\$	2,662,912	to \$ 2,815,955
Judicial Circuit	From	\$	776,191	to \$ 776,295
Clerk of Court	From	\$	801,211	to \$ 912,181
State Court	From	\$	624,351	to \$ 624,714
Solicitor	From	\$	155,594	to \$ 156,014
Magistrate Court	From	\$	634,210	to \$ 634,344
Sheriff Administration	From	\$	940,749	to \$ 968,197
Jail	From	\$	6,346,324	to \$ 6,373,206
Narcotics Task Force	From	\$	735,294	to \$ 736,550
Correctional Institution	From	\$	5,687,575	to \$ 5,690,178
Emergency Management	From	\$	10,170	to \$ 12,411
Public Works	From	\$	3,160,420	to \$ 3,196,075
Sanitation	From	\$	922,108	to \$ 922,125
Garage	From	\$	211,048	to \$ 211,129
Health	From	\$	827,415	to \$ 827,513
Recreation	From	\$	623,309	to \$ 625,989
Parks	From	\$	1,924,983	to \$ 1,977,676
Community Development	From	\$	594,502	to \$ 595,128
Code Enforcement	From	\$	112,933	to \$ 113,258

**Section II. Emergency 911 Fund**

<b>A. Revenue</b>				
Fund Balance	From	\$	262,785	to \$ 268,660
<b>B. Expenditures</b>				
Emergency 911	From	\$	1,460,813	to \$ 1,466,688

**Section III. Fire Fund**

<b>A. Revenue</b>				
Fund Balance	From	\$	385,449	to \$ 386,244
<b>B. Expenditures</b>				
Fire Department	From	\$	4,529,327	to \$ 4,530,122

**Section IV. Water System Fund**

<b>A. Revenue</b>				
Fund Balance	From	\$	626,114	to \$ 626,150
<b>B. Expenditures</b>				
Water Department	From	\$	5,298,224	to \$ 5,298,260

Approved on first reading this 1<sup>st</sup> day August 2005

Approved, adopted and enacted on second reading this 15<sup>th</sup> day August 2005.

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

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

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*Commissioner Davis made a motion, seconded by Commissioner McDaniel, to approve the consent agenda in its entirety. The motion carried by a unanimous 5-0 vote.*

**X. OLD BUSINESS**

**XI. NEW BUSINESS**

1. Consider funding request from Main Street Advisory Board.

This \$15,250 request was made during regular budget planning sessions and encompasses advertising and operating expenses. This request is funded out of hotel/motel tax monies.

***Commissioner Davis made a motion to approve the funding request from Griffin Main Street for \$15,250.00, seconded by Commissioner McDaniel, and the motion carried by a unanimous 5-0 vote.***

2. Consider authorizing rental of offices for the Personal Growth Center.

Cathy Johnson, Executive Director of the McIntosh Trail Community Service Board, answered questions regarding this request. For several reasons the old Post Office Building on Solomon Street, provided to them in the late 1970s, no longer meets the current mission of the Personal Growth Center and doesn't suit their needs any longer. The County provides the old Post Office facility in lieu of rent, but it is in need of some major repairs and renovation. After this work is done, perhaps another County office could be located there in the future or it could be leased to a tenant. This request will pay their rental until the end of the fiscal year in June.

Commissioner Davis, who sits on the McIntosh Trail Community Service Board, endorsed the recommendation.

Ms. Johnson responded to questions regarding the level of service provided, work environments, the continuity of client care, maintenance problems in the old Post Office building, the change in direction for the mission of the Personal Growth Center, and the agency's standing with state government. The state considers this public organization an essential provider of mental health services for the state. The state has drastically changed how they want services delivered within the past five years. The Center already has one office in the North Hill Street location being requested, the Residential Services housing office. They will most likely move to the third floor and the first floor would house the intake and assessment area. The Center won't have as much space as in the old Post Office building, but this old facility also has a great deal of wasted space. Some staff will be sharing offices. Many patient services now must be made available beyond the normal 5 p.m. business hours at all the full-time sites. Because of this state requirement this office, which is not staffed to provide a normal business work week and after-hours availability, chose to close on Friday. Ms. Johnson said as far as the people who are sometimes seen outside the Personal Growth Center at all hours, there is no assurance that these people are actually consumers of the Center or in their care. She surmised that perhaps some are homeless or have simply chosen to gather in whatever area of the community they feel comfortable. The Personal Growth Center provides assessment and counseling services for citizens with mental illness, drug and alcohol clients, and some with problems in both areas. Evening programs are provided for those who work. Many of the clients are court-referred. Several programs serve needs out in the community and not necessarily on site.

***Commissioner Davis made a motion to approve the funding request from McIntosh Trail Community Service Board for the Personal Growth Center to move to a new location on Hill Street for a yearly rental of \$30,000.00. Commissioner Flowers-Taylor seconded the motion, which carried by a unanimous vote of 5-0.***

3. Consider approval of Section 5311 Public Transportation Service Agreement.

County Manager Wilson said this is the joint City/County/McIntosh Trail RDC public transportation system which will start in January 2006. This contract is for January 1, 2006 through June 30, 2006 for \$13,500. In the FY 2006 budget, \$25,000 was included for this project. The previous bus program cost a great deal more than this allotment. The new leadership at Georgia Department of Transportation is more willing to allow regional systems such as this multi-county one which will be much more efficient and cost effective. Previously each county had to have its own plan. This plan, while not mandated, could prevent the county's having to utilize a GRTA bus which would be much more expensive.

***Commissioner McDaniel made a motion to approve Section 5311 Public Transportation Service Agreement, seconded by Commissioner Davis, and motion carried by a unanimous 5-0 vote.***

4. Consider approval of the Indigent Defense Memorandum of Agreement.

County Manager Wilson said this MOA with the State for indigent defense in this circuit mimics our Public Defender circuit budget. The State requires a MOA because it pays the employees up front and bills the county at a later date, so the State would like some assurance it will recoup its money. The numbers do match our budget figures, and Ms. Garrison has worked closely with the Public Defender's Office and the MOA is in order. This MOA essentially conveys to the State that we do have a budget and it is acceptable to go ahead and pay employees with assured reimbursement from the circuit.

***Commissioner Davis made a motion to approve the Indigent Defense Memorandum of Agreement, seconded by Commissioner Freeman, and the motion carried by a unanimous 5-0 vote.***

5. Consider approval of Resolution to Establish a Local Revolving Loan Fund (RLF) for Employment Incentive Program (EIP) Grant monies from Ga. Dept. of Community Affairs (DCA).

County Manager Wilson said this RLF will allow the County to service the loan for the EIP grant received last fall. Monies can be loaned out, as well, for other economic development improvement programs once this loan begins to be paid back by the original recipient, the old Coca Cola bottling facility. Establishment of such a fund is a requirement of DCA.

***Commissioner McDaniel made a motion to approve the resolution to establish a Local Revolving Loan Fund (RLF) for the EIP grant from the Ga. Department of Community Affairs, seconded by Commissioner Davis, and the motion carried unanimously at 5-0.***

6. Consider approval of 2006 LARP submission.

County Manager Wilson said 140 roads were listed on this LARP request. The first fifteen roads are the ones for which the County had to perform the most extensive patching over the past two years. These are the top priorities for the County, and the remaining ones are ranked from that point. Georgia Department of Transportation will still prioritize the roads according to their evaluations, so the order of priority is likely to change.

***Commissioner Davis made a motion to approve the 2006 LARP submission as presented, seconded by Commissioner Freeman, and the motion carried by a unanimous 5-0 vote.***

7. Consider Contract with City of Orchard Hill to provide fire protection services for October 1, 2005 through September 30, 2006.

County Manager Wilson noted this contract for October 1, 2005 through September 30, 2006 was based on the millage rate, and the digest of the City of Orchard Hill and totals \$17,604 for this year.

***Commissioner Freeman made a motion to approve the contract for fire protection services for the City of Orchard Hill for October 1, 2005 through September 30, 2006, seconded by Commissioner Davis, and the motion carried by a unanimous 5-0 vote.***

8. Consider Resolution authorizing Chairman to execute all documents necessary to amend Third Restated Defined Benefit Plan to meet IRS regulations.

County Manager Wilson said this was the County's old Defined Benefit Plan administered by ACCG. The IRS notified them of deficient language in the plan, and ACCG recommends amending the verbiage to meet IRS guidelines in order to avoid penalties.

***Commissioner Davis made a motion to approve the resolution authorizing the Chairman to execute all documents to amend Third Restated Defined Benefit Plan, seconded by Commissioner Freeman, and the motion carried by a unanimous 5-0 vote.***

9. Consider bids for water line relocation on the SR 155 passing lanes project.

County Manager Wilson said three bids were received for this project starting at the intersection of Kennedy Road and SR 155, and they end at Teamon Road on SR 155. They encompass three bridge projects and one intersection improvement project. All the utilities in the area must be relocated. The State funds construction of these projects, but the County agreed in a local government project agreement several years ago to pay for utility relocation, such as water lines. This arrangement was standard on Department of Transportation projects in the 1980s and 1990s. Low bid from Davidson Brothers Utility

Contractors was \$387,331.31 and is a good price for this 5+ mile project area. This is one of the last projects from the 1997 SPLOST transportation funds, and money is available.

*Commissioner Davis made a motion to approve Davidson Brothers Utility Contractors for the water line relocation for the SR 155 passing lanes project at a low bid of \$387,331.31, seconded by Commissioner McDaniel, and the motion carried by a unanimous 5-0 vote.*

10. Consider on first reading amending the Motor Vehicles and Traffic Code of Spalding County to provide for school zones and speed limits therein.

County Manager Wilson advised these amendments would provide for school zones and speed limits therein for the new Moreland Road Elementary School area. These changes are recommended by Major Wendell Beam of the Sheriff's Department.

*Commissioner McDaniel made a motion to approve on first reading the amendment to provide for school zones and speed limits therein on Moreland Road and Carver Road as recommended by the Spalding County Sheriff's Department, seconded by Commissioner Freeman, and the motion carried by a unanimous 5-0 vote.*

11. Commissioner McDaniel desires to discuss prohibition to variances in relation to minimum lot size.

Commissioner McDaniel said on the most recent agenda for the Board of Appeals, two requests for variances as to lot size were to be considered, one to .6 acre. He is concerned about the Board of Appeals having such authority. The Zoning Attorney can prepare an Ordinance to prohibit acceptance of applications to vary from the required minimum lot size, and he would like to see that happen. Consistency in granting such requests is elusive in this area and he was concerned that detrimental precedents were being set. There are not a great many limitations on what Community Development can accept variance requests for, and this would help define this area more for them administratively.

The general consensus of the Board was to direct County Manager Wilson to ask Zoning Attorney Newton Galloway to begin the process of preparing an Ordinance to prohibit the acceptance of applications by Community Development to vary from the required minimum lot size and the granting of variances as to lot size by the Board of Appeals. Per the request of Commissioner Flowers-Taylor, Mr. Wilson will request that Community Development Director Chuck Taylor gather figures on variances granted as to road frontages over the past two years and arrange to meet with Commissioner Flowers-Taylor regarding same.

12. Consider rescheduling or canceling the September 5, 2005 regular monthly meeting due to observance of the Labor Day holiday.

*Commissioner Davis made a motion to cancel the September 5, 2005 meeting, seconded by Commissioner Freeman, and the motion carried by a unanimous 5-0 vote.*

## **XII. REPORT OF COUNTY MANAGER**

- Envision 6+ Regional Transportation Plan Meeting will take place on August 18, at 9 a.m. in the Courthouse Annex Meeting Room. The County will announce that a quorum of commissioners may be in attendance.
- The first annual Tourism Convention will be held August 29, in the Stuckey Building on the UGA Griffin Campus, from 6 to 10 p.m.
- The Fairmont High School Reunion Parade will take place on August 21, 2005, with lineup at 2:30 p.m. Commissioners desiring to participate should call the office.
- Investment Education Seminar by the Office of Secretary of State and Spalding County will be held on Thursday, September 22 at Griffin Tech, from 5:30 to 8 p.m.
- The County is proud to announce it has completed all 18 necessary requirements to qualify for ACCG Workers Compensation Safety Discount. Human Resources Director Bill Gay was appointed Safety Coordinator. This action entitled the County to a 7.5% discount on the next billing cycle for an estimated \$9000 savings.

- The request for commissioners to review speed limits and advise of any areas of concern, per the April memo, has prompted a response from Commissioner McDaniel. Mr. Wilson will send out request memo again to make sure there are no other areas to be researched for adjustment.
- There will be a Special Called Meeting probably at 5:45 p.m. prior to the Zoning Public Hearing at 6:00 p.m. on August 25, 2005 to call for an election for the November 8, 2005 SPLOST.
- The ACCG Fall Policy Conference will be September 26-28, 2005 in Atlanta. Commissioners desiring to attend should contact the office.
- A work session/retreat with members of the Board of Commissioners and the Water Authority has been scheduled for Saturday, September 10, 2005, beginning at 9:00 a.m., to discuss sewer and other issues as requested by Commissioner Flowers-Taylor.
- North 9<sup>th</sup> Street has been reopened. Considerable fill was required for this culvert replacement project.
- West Ellis Road has been reopened after the major water line break.
- The Chairman would like to discuss appointments to the SPLOST Steering Committee.
- There has been a long-standing policy of the Water Authority to allow someone to have an easement through their property to allow water service to an adjacent property. A subdivision at North Pomona, Pomona and Kilgore Roads is testing this policy. Mr. Wilson would like to effectively suspend this policy as of tonight until another policy can be developed. The subdivision in question comes into play but was in progress already, so it will not be affected. This practice results in future maintenance problems. The Board gave direction to suspend this policy until a replacement policy can be developed.
- There are ongoing discussions concerning fire hydrants on existing county water lines. There is an adopted fire placement standard of 500 feet – interpreted to mean 500 feet on any line, whether new or existing. A problem has arisen with a subdivision. Water lines in 1980s may have had actual placements of 1000 feet because roads were sparsely populated at the time. The subdivision developer is questioning the requirement to place hydrants on existing lines, and this issue will probably come before the Board at a future meeting.

### **XIII. REPORT OF COMMISSIONERS**

**Commissioner Freeman** – He wondered if a resolution could be crafted stating the County’s opposition to the inflated price of gasoline.

**Commissioner Flowers-Taylor** – The High Falls Road junkyard property is actually getting “junkier,” and she would like to see this situation improve. She also wondered about the trash around Ingle’s Shopping Center and questioned why the store was not cited, although she noted they had demonstrated a cooperative spirit to resolve this issue in the past.

Chairman Goss noted that when commissioners write up a complaint form, it often comes back as having issued a warning to comply only to have the complaint manifest itself again a short time later. He asked if there were some mechanism for follow-up for violators that could ensure compliance.

**Commissioner Davis** – The last complaint call regarding Ingle’s was in January 2004 so this problem only appears about every 12 to 18 months, and Ingle’s was always cooperative. This situation is hard for Ingle’s to totally eliminate since trash often blows out of the parking lot before any employees can clear it away.

**Commissioner McDaniel** – no comments.

**Chairman Goss** – Many people who worked on the proposed SPLOST from a UGA standpoint are available to serve on the SPLOST Steering Committee, and they have expressed a willingness to do so. He asked if other commissioners had recommendations as he had requested in his memo. It was suggested that perhaps Regina Abbott, Wilbur Bailey, and Ronnie Perdue could serve from the Parks & Recreation Advisory Board. Commissioners said they will provide additional names to Chairman Goss by Tuesday afternoon, August 16, 2005.

County Manager William Wilson responded to the Board that County employees can only provide information but cannot pass out flyers, etc. or promote the SPLOST in any way during business hours, while in uniform, or in vehicles. It is the recommendation of bond counsel and general counsel that County employees not serve on these type committees. They can disseminate information and provide facts only.

**XIV. CLOSED MEETING**

County Manager requests a Closed Meeting to discuss acquisition of real estate.

*Commissioner McDaniel made a motion to enter Closed Meeting to discuss acquisition of real estate, seconded by Commissioner Freeman, and approved unanimously at 5-0, at 7:30 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 August 15, 2005.

2.

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

3.

The executive session was called to order at 7:30 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:

**No** 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 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);

**Yes** 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 15<sup>th</sup> day of August 2005 .

Spalding County Board of

Commissioners

Sworn to and subscribed

Before me this 15<sup>th</sup> day of August 2005

Teresa A. Watson (L.S.)

Notary Public

My commission expires: March 3, 2007

Edward Goss, Jr. (L.S.)

Cecil L. Davis (L.S.)

Eddie L. Freeman (L.S.)

Gwen Flowers-Taylor (L.S.)

Johnie McDaniel (L.S.)

*Commissioner McDaniel made a motion to reconvene to Open Meeting, seconded by Commissioner Davis, and approved with a unanimous 5-0 vote at 7:49 p.m.*

**XV. ADJOURNMENT**

*On a motion by Commissioner Davis, seconded by Commissioner McDaniel, the vote was unanimous at 5-0 to adjourn at 7:50 p.m.*

Please send comments to [updates@griffinwebdesign.com](mailto:updates@griffinwebdesign.com)  
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