



EXTRAORDINARY SESSION

The Board of Commissioners of Spalding County, Georgia, held its Extraordinary Session on Monday, October 17, 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, County Attorney James R. Fortune, Community Development Director Chuck Taylor and Executive Secretary Teresa Watson.

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

II. INVOCATION – Rev. Michael Moore

III. PLEDGE TO FLAG – Led by Commissioner McDaniel

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Will Doss, Coordinator, to make a presentation on the Spalding County Collaborative Authority for Families and Children, Inc.

Mr. Doss was not present.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statement for three months ended September 30, 2005.

On a motion by Commissioner McDaniel, seconded by Commissioner Davis, the vote was unanimous at 5-0 to approve the Financial Statement for three months ended September 30, 2005.

VI. CITIZENS COMMENTS – N/A

VII. PUBLIC COMMENT

James Bevil, 1844 Carver Road, Griffin, Georgia

Mr. Bevil supports an animal control ordinance for the County. Currently the only requirement for pet ownership in the County is a rabies inoculation with appropriate tags, and there are some animal restraint districts scattered about. The dangerous dog act is incorporated within the County, as well. This is Mr. Bevil's third time before this Board and from his first appearance came the animal restraint districts. He would like for the result of this third visit to be a County animal control ordinance. He was concerned for pets that get mangled and killed, as well as people, and for property damage by animals roaming unrestrained. He detailed the problems he had been having on his property with unrestrained dogs. Mr. Bevil would like to see an ordinance that required any pet to be restrained on its owner's property unless accompanied by, and under the control of, a responsible adult. He suggested commissioners not call it a leash law and take a stand. Twelve confirmed cases of rabies have occurred in Spalding County. Mr. Bevil concluded he wants an animal control ordinance with some teeth in it, and he felt the Animal Control Department would support it.

Dick Morrow, 263 Westchester Drive, Griffin, Georgia

Mr. Morrow felt Mr. Bevil made a good point. Two proposals made during the past few years could work, and he urged review of those options. One involved putting a "dog box" around

the City which already has a leash law, basically just expanding the City area where a leash ordinance already exists. These areas in close proximity would be subject to the same restrictions as the City. A second option is to put the issue on a referendum and let citizens vote; this would let the wishes of the people be known, whether the vote was binding or not. Mr. Morrow did feel, however, that the most pressing animal problem in the County rural area is simply people who dump the pets on others' properties.

VIII. MINUTES

1. Consider approval of the Minutes of the October 3, 2005 Regular Monthly Meeting.

On a motion by Commissioner Davis, seconded by Commissioner Freeman, the vote was unanimous at 5-0 to approve the Minutes of the October 3, 2005 Regular Meeting.

IX. CONSENT AGENDA – N/A

X. OLD BUSINESS – N/A

XI. NEW BUSINESS

1. Consider approval of request from Pastor Tony Kent, Cornerstone Assembly of God, for outside amplification permit Sunday, October 30, 2005, from 1 to 4 p.m. for fall carnival.

Joel Kent, Youth Pastor, Cornerstone Assembly of God, 1630 Zebulon Road, Griffin, Georgia, was present to answer questions regarding this fall carnival.

Motion to approve the request of Cornerstone Assembly of God for outside amplification was made by Commissioner McDaniel, seconded by Commissioner Davis, and carried by a unanimous vote of 5-0.

2. Consider approval of request from Jonathan Prescott of DaySpring Community Church for youth group to distribute bottled water at Parks and Recreation walking tracks as a civic project.

Motion to approve the request of DaySpring Community Church for the distribution of bottled water by its youth group at Airport Road Park was made by Commissioner McDaniel, seconded by Commissioner Davis, and carried by a unanimous vote of 5-0.

3. Consider annual request from Young Life for use of Wyomia Tyus Olympic Park on November 12, 2005 for Turkey Trot 5K Race fundraiser.

Motion to approve the request of Young Life to use Wyomia Tyus Olympic Park for its annual Turkey Trot 5K Race fundraiser was made by Commissioner Davis, seconded by Commissioner McDaniel, and carried by a unanimous vote of 5-0.

4. Consider extension on preliminary plat approval for The Highlands Subdivision, located off Highway 92, Westmoreland Road and West McIntosh Road, for Meridian Development.

Chuck Taylor said the preliminary plat was originally approved by the Board of Commissioners in December 2003 as a conservation subdivision. The approval time period expires in December 2005, but the new developer who recently purchased the property, Meridian Homes, wants to extend the period so they can begin construction plans. It's coming before the Board since they are the body that granted original approval.

Dwayne Sells, Meridian Development, 3525 Highway 81 South, Loganville, Georgia
Meridian Development has recently begun developments in both Henry County and Spalding County. Meridian Development took possession of this tract on September 30, 2005 from Hart Jones, and they need additional time to develop the site to the final plat stage. Mr. Sells stated that Meridian will continue with Omni Engineering and plans that were previously approved. He offered to answer questions and said he realized that square footage was a major concern. The homes in The Highlands Subdivision will be well above the 2000 square foot range for one-story dwellings, and two-story homes will all be over

2400 square feet. This project shares sewer with a subdivision pump station for another development approved recently for JAL (Jason Lewis) properties, and it was sewer that had held the project up for so long. The price point will average in the \$180s. This property was approved as an R-1 subdivision and at that time had a 1750 square foot minimum requirement. The minimum requirement now is 2000 square feet. When asked if he could improve on the use of green space, Mr. Sells said he has already made suggestions to engineers for some improvement. He did not like this layout design, but it was the layout dictated to him since it was there at the time of purchase. He stated he would be glad to address basic layout changes and improvements through redlines in working with Staff as the project progresses. There are only ten lots that do not have greenspace adjoining the lot. If not granted an extension tonight, he said Meridian Development would have to go back to square one in the process and get a higher density hopefully. He is happy with the density now, and a one-per-acre yield with sewer is almost unheard of these days. He personally likes the bigger lots but would ask for smaller lots if the request for an extension is denied tonight because time and money would become more of a factor in a delayed process. Limited road access for this 100-acre tract, with an entrance only on Highway 92 and not on Westmoreland Road, prohibits breaking up the design for more varied greenspace, as JAL was able to do. Commissioners looked at access, plat design, proposed entrance, greenspace and general design.

Commissioners Freeman and Flowers-Taylor both said they didn't particularly like the plan but did like having one-acre lots.

It was noted that should Meridian Development have to return and begin the process anew, they could get a three-lot-per-acre yield with the availability of sewer.

Mr. Dick Morrow spoke on the project, noting it had a long history with the Board and was not the best design. This was begrudging compromise for many who were involved in the initial process. The design is not great, but 98 lots are much better than the 180+ lots which can be requested as a matter of right and would most certainly result from a new process, should this request be denied.

Commissioner Freeman said he had no problem with granting the extension.

Commissioner McDaniel said, as an editorial comment, he hoped floor plans could be different, with no split foyers. Mr. Sells assured him Meridian Development did not and would not incorporate the split foyer design with the garage to the front as described by Commissioner McDaniel.

Motion to approve the preliminary plat extension for The Highlands Subdivision, located off Highway 92, Westmoreland Road and West McIntosh Road, for Meridian Development, beginning anew a two-year extension period to expire December 2007, was made by Commissioner McDaniel, seconded by Commissioner Davis, and carried by a vote of 3-2 with Chairman Goss and Commissioner Flowers-Taylor voting in opposition.

5. Consider authorizing Chairman to execute subgrantee award for the 2005-2006 VOCA Grant for the Sheriff's Department.

Motion to approve authorizing the Chairman to execute subgrantee award for the 2005-2006 VOCA Grant for the Sheriff's Department was made by Commissioner Davis, seconded by Commissioner Freeman, and carried by a vote of 5-0.

6. Conduct Public Hearing to Abandon a Portion of The By-Way Road.

Motion to convene a Public Hearing to Abandon a Portion of The By-Way Road was made by Commissioner McDaniel, seconded by Commissioner Davis, and carried by a unanimous vote of 5-0.

Motion to close a Public Hearing to Abandon a Portion of The By-Way Road was made by Commissioner Davis, seconded by Commissioner McDaniel, and carried by a unanimous vote of 5-0.

7. Consider approving Resolution to Abandon Unused Portion of The By-Way Road.

Motion to Approve the Resolution to Abandon a Portion of The By-Way Road was made by Commissioner Davis, seconded by Commissioner McDaniel, and carried by a unanimous vote of 5-0.

8. Conduct Public Hearing to Abandon a Portion of West Williamson Road.

Motion to convene a Public Hearing to Abandon a Portion of West Williamson Road was made by Commissioner McDaniel, seconded by Commissioner Davis, and carried by a unanimous vote of 5-0.

Ronnie Cain, 650 Brook Circle, Griffin, Georgia

Mr. Cain said he owns property adjacent to Florida Rock, and the new road affects him more than anyone else. Florida Rock pretty much gets what they want. When he bought his property 23 years ago, Florida Rock was down the road and not across the street and down his property line. They leased the property then and said they would be gone in a few years, but that hasn't happened. Mr. Cain doesn't live on the property. He has no access to the new road, but the new paved road comes within 15 feet of his property. The new road is nice but takes all his privacy for 1500 to 2000 feet. Mr. Robuck, of Florida Rock Industries, said he would give Mr. Cain an easement to the new paved road in July but now says he doesn't recall that offer. Mr. Cain may subdivide his property into tracts of 8 or 9 acres each and sell, so there will possibly be four tracts. He stated he was against the closing of this portion of West Williamson Road. Mr. Cain said he was not losing any road frontage. A contractor put in the driveway in error, and he has never owned that driveway property. Florida Rock owns small amount of frontage between the road and his property. Three appraisers have told him that the value of his property has dropped 50% because of its proximity to Florida Rock.

Ben Robuck, 23 Brookwood Drive, Newnan, Georgia

Mr. Robuck said he regrets the misunderstanding with Mr. Cain, and the contractor is the one who erroneously agreed for the landowner to have right of way. Florida Rock has proceeded with construction of the roadway only to increase the buffer area and limit areas of intrusion. They are not interested in seeing maximum growth along the roadway as might be allowed by current ordinances. They feel if they can control access, they can subsequently control zoning changes and ensure maintenance of the buffer area.

Mr. Dick Morrow stated that Mr. Bell, an adjacent landowner, and Mr. Robuck met with him earlier regarding the driveway which the contractor erroneously put in, although Mr. Bell had requested a driveway not be provided for access to the road.

Motion to close a Public Hearing to Abandon a Portion of West Williamson Road was made by Commissioner McDaniel, seconded by Commissioner Freeman, and carried by a unanimous vote of 5-0.

9. Consider approving Resolution to Abandon a Portion of West Williamson Road.

Mr. Fortune requested the Board of Commissioners make sure they will accept the deed to the new road before voting to abandon this portion of West Williamson Road.

Motion to approve the Resolution to Abandon a Portion of West Williamson Road was made by Commissioner Freeman, seconded by Commissioner Flowers-Taylor, and carried by a vote of 4-1, with Commissioner Davis voting in opposition.

10. Consider accepting deed to relocated portion of West Williamson Road.

Motion to accept the deed to a relocated portion of West Williamson Road was made by Commissioner McDaniel, seconded by Commissioner Freeman, and carried by a vote of 4-1, with Commissioner Davis voting in opposition.

11. Consider Indigent Defense Proposals for State and Juvenile Court for calendar year 2006.

County Manager Wilson said proposals had been received from the Office of Public Defender and the firm of Sullivan, Sturdivant and Ogletree. In the FY 2006 budget, \$346,000 has been appropriated. Sullivan et. al. has proposed \$343,000 to provide services for the year, and \$298,502.37 is proposed by the Office of Public Defender. Mr. Wilson recommended the Board accept the proposal of Sullivan, Sturdivant and Ogletree for calendar year 2006 for one year at \$343,000, giving the Office of Public Defender another year to get its operations under control and establish office space.

Motion to approve the proposal of Sullivan, Sturdivant and Ogletree for \$343,000 was made by Commissioner Davis, seconded by Commissioner Freeman, and carried by a unanimous vote of 5-0.

12. Consider bids for 2005 LARP resurfacing program.

Mr. Wilson said the County accepted bids earlier this month, and the low bid was \$523,586.45 from Hill Construction. Eleven roads are to be paved: Wildwood, Beverly Street, Blanton Mill Road, Griffin Park Road, Holly Grove Road, Jenkinsburg Road, Kennedy Road, Lamar County Line Road, Manley Road, Mintz Street, and Mobley Road. The County has experienced good results in the past from Hill Construction.

Motion to approve the bid award for the 2005 LARP resurfacing program to Hill Construction in the amount of \$523,586.45 was made by Commissioner Davis, seconded by Commissioner Freeman, and carried by a unanimous vote of 5-0.

13. Consider Resolution of Support for Pike County OneGeorgia Authority Application.

County Manager Wilson said this resolution would benefit a neighboring county and he recommended approval.

Motion to approve the Resolution of Support for Pike County OneGeorgia Authority Application was made by Commissioner Davis, seconded by Commissioner Freeman, and carried by a unanimous vote of 5-0.

14. Consider Health & Wellness Proposal from Human Resources Department.

The County is into this fourth year with BlueCross/BlueShield and has seen an increase in premiums of 17%. The City wants to partner in a health and wellness program with the County, the Centers for Disease Control and the Department of Human Resources. This year Spalding County received a grant from Local Government Risk Management Service to conduct a health and wellness fair. A complete health risk assessment will be done and sent directly to a third party unit to identify and solicit participation in this program to control/manage health issues. Containing cost on high-risk employees should help contain overall premium increases and benefit both employees and employers. The County will work with the City to get participant numbers up to around 1000. Mr. Wilson felt it would be worthwhile for the County to pursue the possibility of joint participation with the City, DHR and the CDC in this pilot employee wellness program.

Motion to approve proceeding with the proposed Health and Wellness program in conjunction with the City was made by Commissioner Davis, seconded by Commissioner McDaniel, and carried by a unanimous vote of 5-0.

15. Consider adopting a policy for Retention Schedule for audio tape backup media.

County Manager Wilson said he and Ms. Watson have assembled information from surrounding counties and recommend a period of one year as a retention schedule for audio tape backup media, once the written minutes are approved and made official. Some discussion followed.

Motion to approve, for all County meetings, the recommended retention schedule of one year for audio tape backup media was made by Commissioner McDaniel, seconded by Commissioner Davis, and carried by a unanimous vote of 5-0.

XII. REPORT OF COUNTY MANAGER

- A memo regarding the Regional Public Safety Training Center initiative has been placed in commissioners' boxes for review. The Industrial Drive property, proposed at a recent meeting, is now too small and limited in scope. The project is now being proposed as a mini-public safety training center requiring about 50 acres, so the Byne property off Shoal Creek landfill site (Highway 16) is recommended for the state to build and man such a facility. Fire training, driving ranges, search and rescue, and other operations will be provided with a full-time staff.
- ACCG's 4th District Meeting will be held in LaGrange, November 16, 2005.
- Christmas Parade will be Sunday, December 4, at 2:30 p.m. Commissioner Flowers-Taylor said she would participate, and other commissioners were encouraged to do likewise.
- The annual Chamber Retreat will be held November 4, 2005, at 8:30 a. m. at Griffin Tech.
- The Griffin-Spalding County School Tour will be this Friday, October 21, for commissioners and staff. The tour will visit several schools and provide lunch. Mr. Wilson encouraged commissioners to attend.
- Community Development is working on an LCI grant for Spalding Heights and Carver Heights areas. The first year's portion will be for planning and rehabilitation of this area.
- The \$60,000 budgeted master plan update for Parks & Recreation was recently pursued, but bids were considerably higher than budgeted. However, a recurring theme came from the interviews -- most communities do a needs assessment first before implementing a master plan. The Parks & Recreation Advisory Board suggests this be done and include county-wide issue questions, as well, to identify needs areas and to plan better for future SPLOST allocations. He asked if the Board would authorize preparatory work for RFPs for a needs assessment, particularly as pertains to SPLOST. The Board agreed to meet for a November 18, 2005 luncheon where Mr. Rex Schuder, Principal Planner with Gwinnett County, would make a presentation. Gwinnett County has had much success with using needs assessment to determine community interest and SPLOST proposals.

XIII. REPORT OF COMMISSIONERS

Freeman – No comments.

Flowers-Taylor – She received two dog calls over weekend and shared the sentiments of Mr. Bevil. She does think some type of animal restraint is needed and would like to see it addressed on a future agenda. Perhaps identifying urban proximity areas for declaring an enlarged animal restraint district around the City is a viable option. One gentleman had called Animal Control which operates on complaint basis.

Commissioner McDaniel asked Mr. Wilson to get a County map showing animal restraint districts highlighted for commissioners to review. Mr. Wilson will put the map in the Chairman's office.

Davis – No comments.

McDaniel – No comments.

Goss – Chairman Goss agreed they should not have to legislate the responsibilities of dog owners but unfortunately that seemed to be the case. He would like to see some type of restrictions placed, as well.

XIV. ADJOURNMENT

On a motion by Commissioner Davis, seconded by Commissioner McDaniel, the vote was unanimous at 5-0 to adjourn at 7:57 p.m.

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