

REGULAR MONTHLY MEETING

The Regular Monthly Meeting was held by the Spalding County Board of Commissioners in Room 108 in the Courthouse Annex, Monday, December 4, 2006 beginning at 6:00 o'clock p.m. Commission Chairman Eddie Freeman presided, and Commissioners Cecil Davis, Gwen Flowers-Taylor, Edward Goss, Jr., and Johnie McDaniel were present. Also present were County Manager William P. Wilson, Jr., Assistant to the County Manager Paul Van Haute, County Attorney James R. Fortune, Jr. and Executive Secretary Teresa Watson.

I. OPENING (CALL TO ORDER) – Chairman Eddie L. Freeman

II. INVOCATION – Reverend Randy Valimont

III. PLEDGE TO FLAG – Led by Commissioner Cecil Davis

Commissioner Goss moved to amend the agenda to include as first item under Consent Agenda the following: Consider second reading of Amendment to the Official Zoning Map Application #06-07Z: Julia Spencer Sailors, Executrix for the Estate of Mary W. Spencer, Owner – Harlow Avenue – 1.90 acres – AR-1 to C-1B, Conditional. Motion was seconded by Commissioner McDaniel, and carried by a unanimous 5-0 vote.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Regina Abbott, Chair of the Parks and Recreation Advisory Commission, desires to address the Board of Commissioners regarding the proposed Skate Park and requests authorization to issue Requests for Proposals for skate ramps to prospective bidders.

Regina Abbott, 1129 Placid Road, Griffin, GA 30224

Ms. Abbott asked Kim Willis, Ben Shockley, and Sandy Nelms to speak briefly.

Kim Willis, 204 Westchester Drive, Griffin, Georgia

Mr. Willis advised this successful campaign has now raised about \$14,000 with more donations coming in daily. The youth benefit concert was very good and showed excellent initiative among the younger citizens who will actually be the beneficiaries and the users of the skate park.

Sandy Nelms, 122 Bobolink Drive, Griffin, Georgia

As a parent of four children, up to age 13, hers was a unique perspective and she was very much in favor of this project. She had seen first-hand what involvement in this sport had done for her son. Skateboarding parks can run the gamut from mediocre to fantastic, and she desired to see Spalding County do a quality park. She was the sole support for her family as her husband was disabled and she watched her spending very carefully, but she felt so strongly that the skate park should become a reality, she personally made a donation to the effort.

Ben Shockley, 1560 Flynt Street, Griffin, Georgia

Mr. Shockley presented a proposed design and layout of the skate park. Two different groups provided input to arrive at this general design consensus. He explained the varying aspects of the design and equipment and strongly urged support from the Board.

Ms. Abbott concluded by saying they have applied to the Tony Hawk Foundation for a \$20,000 grant. They have also applied for a \$1,000 grant from Wal-Mart. Two churches have donated \$1,000 each, and the churches are also interested in working with Parks and Recreation to hold events at the facility. She asked that the Board authorize the County Manager to put forth two Requests for Proposals. The estimate of cost originally provided appears to be holding firm; that estimate was \$100,000, and Louis Greene, Parks and Recreation Director, detailed individual costs. The ramps are designed to be steel and/or Skatelite, which is a type of fiberboard. The skaters would rather have the Skatelite material but it requires much more maintenance, and Mr. Greene advised the reality is that equipment will utilize the steel construction to lower construction costs while still providing the much-desired skate park for the youth.

It was the consensus of the Board of Commissioners to have Mr. Wilson proceed with issuing the Requests for Proposals in collaboration with Parks and Recreation Staff.

V. PRESENTATION OF FINANCIAL STATEMENTS – N/A

VI. CITIZENS COMMENTS – N/A

VII. PUBLIC COMMENT

Kelly Palmatier, 450 Malier Road, Griffin, Georgia

She advised she supported the skate park, as well. An email this morning from someone in Boston, Massachusetts alerted her to the fact that this issue is well known across the county, not just locally. Over 90% of the dogs and cats adopted from shelter go out of state, primarily due to the influences and availability of the worldwide web. Other counties have seen SpaySpalding.com and much interest has been generated. This past week she met with Commissioner-Elect David Phillips, and he had some ideas, as well. She is not the only one who wants to see something done in Spalding County. Most believe that killing healthy, adoptable animals simply because we do not have a home for them is a waste of taxpayer money. Perhaps it would make more sense to set up an animal care advisory board to invest time and effort in this issue. If appropriate, perhaps people with legal expertise, animal care, political experience, etc. could serve and effectively research a proposed program then make recommendations to the Board.

Betty Gephardt, 79 Richardson Street, Griffin, Georgia

Ms. Gephardt is still encountering problems with illegal parking in the no parking zone on her street. Law enforcement does nothing to help her, and she said nothing would work until the County made the street no parking on both sides. She stated she had been locked up for no valid reason because of residents on the street who retaliate against her. She requested help.

Rhonda Landers, 178 Quail Road, Griffin, Georgia

Her road, Quail Road, is a dirt road with a 35 mph speed limit. There are many children and grandchildren on the road, and cars travel the road doing 55 or 60 mph. The County Sheriff Department says they don't have the right to clock speeds on the road, and the Georgia State Patrol said they could do so but have not to date. She wondered if help could be provided.

Norma Giles, 302 Elizabeth Lane, Griffin, Georgia

Ms. Giles has read about the animal spay/neuter licensing program being proposed and felt it would not be viable. The irresponsible pet owners will still be irresponsible, and the conscientious pet owners will still have to shoulder the burden. She stated she had opposed a leash law in the past but now felt it might be a more sensible solution to the problem. If the County plans to implement this spay/neuter licensing program, it will take a tremendous amount of manpower to ensure compliance. She encouraged serious thought before trying to amend the animal control ordinance to accommodate this proposal and felt the advisory commission to study the issue further might be a good suggestion.

VIII. MINUTES

1. Consider approval of the minutes of the November 20, 2006 Extraordinary Session and the November 30, 2006 Zoning Public Hearing.

Commissioner McDaniel moved to approve the November 20, 2006 Extraordinary Session, seconded by Commissioner Davis, and motion carried by a unanimous 5-0 vote.

Commissioner McDaniel moved to approve the November 30, 2006 Zoning Public Hearing, seconded by Commissioner Flowers-Taylor, and motion carried by a 4-1 vote with Commissioner Davis abstaining since he was absent from that meeting.

IX. CONSENT AGENDA

1. Consider second reading of Amendment to the Official Zoning Map Application #06-07Z: Julia Spencer Sailors, Executrix for the Estate of Mary W. Spencer, Owner – Harlow Avenue – 1.90 acres – AR-1 to C-1B, Conditional.

APPLICATION OF JULIA SPENCER SAILORS,
EXECUTRIX FOR THE ESTATE OF MARY W. SPENCER
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 06-07Z

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, Julia Spencer Sailors, Executrix for the Estate of Mary W. Spencer, applicant, applied for a change in zoning classification to be applied to the within described property to “C-1B, Heavy Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on September 22, 2006;

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 November 30, 2006, 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 tract or parcel of land lying or being in Land Lot 17 of the Second Land District, originally Monroe, now Spalding County, Georgia, and being more particularly described as follows:

Beginning at an iron stake which lies 320.05' northeasterly of the intersection of the north right-of-way of Georgia State Route No. 16 and the east right-of-way of Harlow Avenue; thence from said POINT OF BEGINNING, N45°42'43" East, 150.77' along the east right-of-way of Harlow Avenue to an iron stake; thence S53°12'42" East, 438.83' to an iron stake; thence S23°07'49" West, 68.95' to an iron stake; thence S23°54'30" West, 138.06' to an iron stake; thence N47°18'39" West, 511.98' to an iron stake on the East right-of-way of Harlow Avenue and the POINT OF BEGINNING.

From "AR-1, Agricultural and Residential" to "C-1B, Heavy Commercial" 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:

1. Fencing will be located behind the front setback to screen storage from Harlow Avenue.
2. All outdoor storage shall be neat and orderly at all times.
3. The site will limit all lighting so any neighboring residential properties or rights-of-way will not be affected from glare.
4. A variance shall be obtained for front setback and minimum lot size in a C-1B.

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 December 4, 2006, 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 or being located in Land Lot 17 of the Second Land District, originally Monroe, now Spalding County, Georgia, containing 1.90 acres on Harlow Avenue, zoned C-1B, 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.

Commissioner McDaniel moved to approve Consent Agenda, seconded by Commissioner Goss, and motion carried by a unanimous 5-0 vote.

X. OLD BUSINESS – N/A

XI. NEW BUSINESS

1. Consider approval of new 2007 Alcoholic Beverage License – Consumption on Premises for: R. Todd Gullede, d/b/a Hangar 19 Steak & Seafood Restaurant, 1742 Zebulon Road, Suites A & B, Griffin, Georgia – Beer and Wine.

Commissioner Davis moved to approve the 2007 application for Alcoholic Beverage License – Consumption on Premises for: R. Todd Gullede, d/b/a Hangar 19 Steak & Seafood Restaurant, 1742 Zebulon Road, Suites A & B, Griffin, Georgia – Beer and Wine, seconded by Commissioner Goss, and motion carried by a vote of 4-1 with Commissioner McDaniel opposing.

2. Consider approval of Alcohol License for 2007 – Retail Sales – Beer & Wine for the following: Accent World, Inc. (a convenience store), 390 Airport Road, Griffin, Georgia. Harshad Savalia is the new owner of this existing business now known as BP Foodmart.

Commissioner Davis moved to approve the Alcohol License for 2007 – Retail Sales – Beer & Wine for the following: Accent World, Inc. (a convenience store), 390 Airport Road, Griffin, Georgia. Harshad Savalia is the new owner of this existing business now known as BP Foodmart, seconded by Commissioner Goss, and motion carried by a vote of 4-1 with Commissioner McDaniel opposing.

3. Consider approval of revised final plat for Crestwick Subdivision, Phase I, located off County Line Road, revising interior common lot lines for lots #41 and 42.

Commissioner McDaniel moved to approve the revised final plat for Crestwick Subdivision, Phase I, located off County Line Road, revising interior common lot lines for lots #41 and 42, seconded by Commissioner Davis, and the motion carried by a vote of 5-0.

4. Consider resolution to amend and restate the current ACCG Defined Benefit Pension Plan and adopt the updated ACCG Defined Benefit Pension Plan.

**RESOLUTION TO AMEND AND RESTATE THE CURRENT ACCG
DEFINED BENEFIT PENSION PLAN AND ADOPT THE
UPDATED ACCG DEFINED BENEFIT PENSION PLAN**

WHEREAS, Spalding County (the “**Employer**”) previously elected to become a participating Employer in the Association County Commissioners of Georgia Defined Benefit Plan and the Association County Commissioner of Georgia Defined Benefit Plan Master Trust Agreement (the “**Plan and Trust**”) sponsored by the Association County Commissioners of Georgia by adopting the Plan and Trust in full, along with one or more Adoption Agreement(s), as if the **Employer** were a signatory to those agreements; and

WHEREAS, the ACCG Board of Trustees (“**Pension Trustees**”) for the ACCG Plan and Trust has updated the ACCG Plan and Trust to (1) reflect changes in federal and state law and regulations and (2) to enhance the flexibility of the Plan and Trust for the participating Employers; and

WHEREAS, the Pension Trustees have recommended to each of the participating Employers to adopt the updated Plan and Trust.

NOW THEREFORE, THE EMPLOYER HEREBY RESOLVES AS FOLLOWS:

RESOLVED, that the **Spalding County** Board of Commissioners, at a meeting held on the **fourth** day of **December, 2006** hereby amends and restates the Association County Commissioners of Georgia Defined Benefit Pension Plan for **Spalding County** Employees and the ACCG Defined Benefit Plan Master Trust Agreement by adopting the updated ACCG Plan and Trust for the benefit of its eligible employees and executes one or more Adoption Agreement(s) to implement the updated ACCG Plan and Trust effective **January 1, 2007**.

FURTHER RESOLVED, that **Eddie Freeman, Commission Chair** is authorized by the **Spalding County** to execute the Adoption Agreement and any other documents necessary to implement the ACCG Plan and Trust, and to take all further actions necessary to carry out the intent and purposes of the foregoing resolutions.

IT IS HEREBY FURTHER ORDERED that a true copy of this resolution be recorded in the **Employer’s** records as of this date.

Commissioner Davis moved to amend and restate the current ACCG Defined Benefit Pension Plan and adopt the updated ACCG Defined Benefit Pension Plan, seconded by Commissioner McDaniel, and motion carried by a vote of 5-0.

5. Consider resolution to implement a three-tier plan retirement program for Spalding County employees.

**RESOLUTION OF COUNTY COMMISSIONERS FOR RETIREMENT PROGRAM
FOR SPALDING COUNTY EMPLOYEES**

WHEREAS, Spalding County (the “**Employer**”) maintains the Association County Commissioners of Georgia Third Restated Defined Benefit Plan for Spalding County Employees (the “**DB Plan**”) and the Spalding County Money Purchase Plan (the “**Money Purchase Plan**”) for the benefit of its eligible employees;

WHEREAS, the DB Plan was frozen September 30, 1998, except with respect to certain employees who were eligible to retire from the County prior to September 30, 2008,

WHEREAS, the Employer desires to change the structure of its retirement program effective January 1, 2007, to provide a three –tiered approach and provide employees with certain elections to remain in the current plans or participate in the new program;

WHEREAS, the Employer desires to amend the DB Plan and the Money Purchase Plan through the Adoption Agreements to each Plan,

NOW, THEREFORE, the Employer resolves as follows:

1.

The Employer shall implement a “Three-Tier Plan” for retirement that shall apply to all eligible Spalding County employees hired on or after March 1, 2006, as follows:

- (a) A new defined benefit plan with a one percent benefit.
- (b) A section 457(b) Plan for employee voluntary contributions.
- (c) A new money purchase plan that provides for matching contributions only on a portion of the voluntary contributions made by the participant into the section 457(b) Plan.

2.

All Employees who were Plan Participants in the frozen DB Plan as of September 30, 1998, and are 100% vested in the Money Purchase Plan as of February 28, 2006, shall have a special one-time irrevocable election to choose one of the following options:

- A. A frozen retirement benefit determined as of September 30, 1998, under the frozen DB Plan plus the Employee’s account balance in the Money Purchase Plan as of termination of employment, determined under the terms of the Money Purchase Plan in effect on December 31, 2006, with no future rights to participate in the Three-Tier Plan; or
- B. A frozen retirement benefit determined as of September 30, 1998, under the frozen DB Plan, plus the Employee’s account balance in the Money Purchase Plan as of December 31, 2006, plus future benefits under the Three-Tier Plan, for future service only, effective January 1, 2007.

3.

All employees who were active Participants in the DB Plan as of September 30, 1998, and will complete a minimum of twenty-five (25) Years of Service as of September 30, 2008, but are not eligible to retire before October 1, 2008, shall have a special one-time irrevocable election to choose one of the following options:

- A. A frozen retirement benefit determined as of September 30, 1998, under the frozen DB Plan plus the Employee’s account balance in the Money Purchase Plan as of termination of employment under the terms of the Money Purchase Plan in effect on December 31, 2006, with no future rights to participate in the Three-Tier Plan; or
- B. A frozen retirement benefit determined as of September 30, 1998, under the frozen DB Plan, plus the Employee’s account balance in the Money Purchase Plan on December 31, 2006, plus future benefits under the Three-Tier Plan for future service only, beginning January 1, 2007; or
- C. A retirement benefit under the frozen DB Plan determined as of September 30, 2008, (or date of actual retirement if earlier) with no benefits under the Money Purchase Plan, plus future benefits under the Employer’s Three-Tier Plan for future service only, beginning October 1, 2008, if actively employed on that date; or
- D. A retirement benefit under the frozen DB Plan determined as of September 30, 2008, (or date of actual retirement if earlier) with future benefits only under the Money Purchase Plan under the terms of the Money Purchase Plan in effect on December 31, 2006, beginning October 1, 2008, if actively employed on that date.

The Employees eligible to make this election are listed below:

- | | |
|---------------------|-------------------|
| 1. Marvin Brown | 7. Kenny West |
| 2. Robert Domineck | 8. Melanie West |
| 3. Kathy Hollis | 9. Timothy Whalen |
| 4. Cathy Leach | 10. David White |
| 5. Felecia Mathis | 11. Sherry White |
| 6. Cynthia McDaniel | 12. Larry Wilson |

4.

All employees who were active Participants in the DB Plan as of September 30, 1998, and are eligible to retire before October 1, 2008, shall have a special one-time irrevocable election to choose one of the following options:

- A. A frozen retirement benefit determined as of September 30, 1998, under the frozen DB Plan plus the Employee's account balance in the Money Purchase Plan as of termination of employment under the terms of the Money Purchase Plan in effect on December 31, 2006, with no future rights to participate in the Three-Tier Plan; or
- B. A frozen retirement benefit determined as of September 30, 1998, under the frozen DB Plan, plus the Employee's account balance in the Money Purchase Plan on December 31, 2006, plus future benefits under the Three-Tier Plan for future service only, beginning January 1, 2007; or
- C. A retirement benefit under the frozen DB Plan determined as of September 30, 2008, (or date of actual retirement if earlier), with no benefits under the Money Purchase Plan, plus future benefits under the Employer's Three-Tier Plan for future service only, beginning October 1, 2008, if actively employed on that date; or
- D. A retirement benefit under the frozen DB Plan determined as of September 30, 2008, (or date of actual retirement if earlier) with future benefits only under the Money Purchase Plan under the terms of the Money Purchase Plan in effect on December 31, 2006, beginning October 1, 2008, if actively employed on that date; or
- E. Maintain prior election rights and make no election at this time. (Employee will decide at actual retirement on or before September 30, 2008 whether to take a DB benefit under the frozen DB Plan as of his retirement date with no benefits under the Money Purchase Plan or a frozen DB benefit as of September 30, 1998 and his account balance in the Money Purchase Plan as of his retirement date.)

5.

All Employees who were hired prior to March 1, 2006 and who participate only in the Money Purchase Plan, shall have a special one-time irrevocable election to choose one of the following options.

- A. The Employee's account balance in the current Money Purchase Plan as of termination of employment under the terms of the Money Purchase Plan in effect on December 31, 2006, with no future rights to participate in the Three-Tier Plan; or
- B. The Employee's account balance in the current Money Purchase Plan as of December 31, 2006, plus future benefits under the Three-Tier Plan for future service only, effective January 1, 2007.

6.

Eligible employees must make their election by December 4, 2006. Any changes must be in writing and submitted to Spalding County Human Resources by December 11, 2006. If the Employee fails to submit an election by the December 4, 2006 deadline the Employee will retain his current retirement plan in effect as of December 31, 2006.

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners of Spalding County, Georgia is hereby authorized, empowered, and directed to take all further actions and to execute all documents necessary to implement these resolutions and file all necessary forms with the Internal Revenue Service if applicable.

BE IT FURTHER RESOLVED that any resolution in conflict with this resolution is hereby repealed.

Commissioner McDaniel moved to approve the resolution to implement a three-tier plan retirement program for Spalding County employees, seconded by Commissioner Davis, and motion carried by a vote of 5-0.

- 6. Consider approval of revised Lease Agreement between the Griffin-Spalding Historical Society and Spalding County.

STATE OF GEORGIA
 COUNTY OF SPALDING
 LEASE AGREEMENT

This agreement, made and entered into this fourth day of December, 2006 between The Griffin Spalding Historical Society, hereinafter called Lessor, and Spalding County, a political subdivision of the State of Georgia hereafter called Lessee. (It is mutually agreed by both parties hereto, where either is mentioned herein, that same refers to their heirs, executors, administrators, successors or assigns, who are bound as fully and completely by the covenants as the parties hereto).

WITNESSETH. That the said Lessee has this day rented and leased from said Lessor and Lessor has rented and leased to said Lessee, the following premises: Camp Stephens, 1410 Jackson Street, Griffin, Georgia, further identified as Lots 5, 6, 7, 9 and 10 of land lot 131, district 3, more fully described on Warranty Deeds attached hereto as Exhibits A and B, and Tract Three of Land Lot 126, district 3, more fully described on Deed of Distribution attached hereto as Exhibit C, *to be used for the operation of a historic site under the direction of the Spalding County Parks and Recreation Department* for a term of one (1) year commencing on

December 1, 2006, and ending on November 30, 2007, for which the Lessee agrees to pay Lessor, their successors or assigns, at their office, annual rental of \$1.00. This agreement shall be automatically renewed on December 1, 2007 and on each succeeding December 1 unless positive action is taken by either party to terminate this Agreement. The renewal term shall be at the rental set forth above and otherwise upon the same covenants, conditions and provisions as provided in this Lease.

It is further mutually agreed as follows:

- 1) Lessor or Lessee shall have the right to cancel this Lease Agreement at any time upon thirty (30) calendar days prior written notice to the other party.
- 2) Lessee agrees to include this property on its liability insurance coverage, which coverage must be in a minimum amount of \$1,000,000.00, and which policy should show The Griffin Spalding Historical Society as an additional insured. Lessee shall also maintain workers' compensation insurance to the extent required in accordance with the laws of the State of Georgia.
- 3) Lessee is to make no changes of any nature in the above named premises without first obtaining written consent of Lessor, other than routine cutting of grass, clearing of brush, etc.; and the Lessor or his agents shall have the right to enter said premises at reasonable hours, to examine the same, make such repairs, additions or alterations as may be deemed necessary for the safety, comfort and preservation of said property.
- 4) Lessee agrees to comply with all rules, orders, ordinances and regulations of city government, if any, and all of its departments, and with all Statutes, rules and regulations of the State of Georgia in any or all of its departments.
- 5) During the Lease term, Lessee shall be responsible for regular maintenance of the Park, mowing grass on a regular basis and any other regular maintenance as required.
- 6) If the Lessee shall violate any of the restrictions in this lease or fail to keep any of its covenants, the Lessor or his agents at once, if they so elect declare this lease void, terminate the same and at once take possession of the premises.
- 7) The within premises shall not be used for any purposes except for the purposes herein designated, without the written consent of the owner or, of the owner's agent. ***The Lessee agrees to allow the Lessor to use the property for programs and functions with prior written notice and agreement as to dates and times and Lessee agrees to consult with Lessor regarding any historical programs or functions on the property.***
- 8) ***The Lessor shall provide a management plan for the site in conjunction with the Spalding County Parks and Recreation Department, using National Park Service and Civil War Battlefield specialists.***

IN WITNESS WHEREOF the Lessor and the Lessee have hereunto set their hands and seals, this day and year first above written.

Commissioner McDaniel moved to approve the revised Lease Agreement between the Griffin-Spalding Historical Society and Spalding County, seconded by Commissioner Davis, and motion carried by a unanimous 5-0 vote.

7. Consider request of Griffin-Spalding County Hospital Authority to approve allocation of funds for 2007 projects for the Spalding County Health Department.

Mr. Wilson explained this was the required annual approval from both City and County prior to the disbursement of funds from the Hospital Authority for 2007 projects.

Commissioner McDaniel moved to approve the allocation of funds for 2007 projects for the Spalding County Health Department from the Griffin-Spalding County Hospital Authority, seconded by Commissioner Davis.

Commissioner Flowers-Taylor said she had gone to a couple of the Hospital Authority meetings and much discussion has been held about the Health Clinic. She was not even sure why the Hospital Authority was asking for approval to award these funds and saw no reason to place funds at the Health Department since there was no doctor there and the same plan has been in place for at least the last year and a half when the last doctor left. The feasibility of the Health Department operating such a clinic on its own is so money-constricting, she did not understand this funding. There is nothing done there except for creating a space for a program that hasn't operated.

Mr. Wilson advised the procedure for these funds, once allocated and approved, is that the Health Department makes expenditures and requests reimbursement. The funds must be spent first and

then the funding from the Hospital Authority will take effect, so if no expenditures are made then no reimbursements will be forthcoming, and the money won't be disbursed.

Commissioner Flowers-Taylor said the same money was not spent last year, and nothing has changed, so she did not understand the reason for this request. The hope of having a doctor this year was no closer than last year.

Commissioner Davis said if they should hire a doctor, they would certainly need to fund the program so it needed to be made available.

Commissioner Flowers-Taylor said there was no evidence that would be the case. In theory this is a good idea, but in reality this money could be spent wiser elsewhere. She understood the funds allocation was the business of the Hospital Authority, but she was uncomfortable with funding the Health Department. Even when the clinic was open before, you must have patients and clients which just did not happen.

Chairman Freeman asked why the Hope Health Clinic was not on this schedule for funding, and Mr. Wilson replied this request was merely for the Health Department. More requests would be received later for approved projects, probably early in 2007. Chairman Freeman said there appeared to be a great deal of traffic at the Hope Health Clinic with people lined up, and he did not want to see them left out of the funding process.

Commissioner Goss said the Health Department has been working for about a year to locate a physician and have interviewed some and thought some would come who instead walked away from the hiring process. He heard today that there may be a physician on the way, and Dr. Colvin has been working diligently to locate a doctor for a year. He said Commissioner Flowers-Taylor was correct in that a lot of the money the Hospital Authority throws around could be better used in places besides the Health Department, such as the Hope Health Clinic. What the Hope Health Clinic does provides some of the most needed services in all of Spalding County. It is one of the best organizations as far as assisting citizens with no medical or dental coverage and sometimes even no food. Commissioner Goss said he attended one Hospital Authority meeting at which there was a great deal of discussion because funding had been cut to the Hope Health Clinic, and he, too, agreed with Commissioner Flowers-Taylor and Chairman Freeman that Hope Health Clinic greatly needed those funds. They still fund the Hope Health Clinic, but for some reason this year they cut them back, and he did not agree with that. He felt it was the wrong thing to do, but he understood that as an authority they make their own decisions. He felt this was another of the situations that tend to develop with authorities where some members of the authority have been on the board for so many years that they have begun to view the money as their own instead of correctly remembering it belongs to the taxpayers.

Commissioner Davis said he felt the members of the Hospital Authority have been most gracious in their funding of health care in various aspects. When interest rates decline in their investments, they must adjust the amounts awarded to the limited number of fundings which have to be government-backed and guaranteed. In some years the fund accounts don't realize as much income as in other years; and in this grant year, adjustments were made for entities across the board, including but not limited to the Hope Health Clinic.

Commissioner McDaniel called the question, and motion carried by a vote of 4-1 with Commissioner Flowers-Taylor opposing.

XII. REPORT OF COUNTY MANAGER

- A called Water and Sewerage Facilities Authority meeting will be held tomorrow at 2 p.m. in the Meeting Room to address water rates and view a presentation on package plant maintenance.
- The bridge on Smoak Road won't allow school bus traffic. Replacement is long-range plan of Department of Transportation, taking out the curve, as well. The property owner involved has already agreed to donate any necessary right of way for the project.

XIII. REPORT OF COMMISSIONERS

Goss:

No comments.

Flowers-Taylor:

She thanked Ms. Palmatier for starting up the spay/neuter website. She was happy that many animals are finding homes, even if they are out of state. She felt that animal restraint and spay/neuter were not exclusive of each other and also considered the advisory commission a viable means of addressing the problem since others may be able to spend the time necessary to fully explore options. This committee could explore ideas and address concerns while searching for acceptable ways of dealing with problems that are not going away on their own. As the County continues to grow, the issue will become more

problematic. The committee can look at the issue on several levels and solicit the assistance of several departments and staff, then make recommendations to the Board for consideration.

Davis:

The animal overpopulation problem does need to be addressed, and he hoped a plan can be worked out that is acceptable to all involved and that can provide a modicum of relief.

McDaniel:

Commissioner McDaniel asked if the maps of animal restraint districts had been returned, and Mr. Wilson responded no one had turned them in to the office as yet. Chairman Freeman and Commissioner McDaniel advised they had no problem with their maps, but Commissioner McDaniel said he would get his turned in to the office. Commissioner Goss advised he was still working on his district map, stating he has had many phone calls from constituents. Commissioner Goss said he supports the concept of establishing a small, advisory committee to review the issue and come up with recommendations, but added the caveat that it needed to be composed of a broad cross-section of citizens who could work together and provide direction as desired by the Board.

Freeman:

Chairman Freeman also supported the idea of an advisory commission to study the spay/neuter issue but favored addressing the restraint issue first.

XIV. ADJOURNMENT

The vote was unanimous at 5-0 to adjourn at 6:52 p.m. on a motion by Commissioner McDaniel, seconded by Commissioner Davis.

County Clerk

Chairman

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