

MINUTES

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, February 20, 2017, beginning at 6:00 p.m. with Chairman Bart Miller presiding. Commissioners Rita Johnson, Raymond Ray, Gwen Flowers-Taylor and Donald Hawbaker were present. Also present were County Manager, William P. Wilson Jr., Assistant County Manager, Eric Mosley, County Attorney, Stephanie Windham for Jim Fortune and Executive Secretary, Kathy Gibson to record the minutes.

I. OPENING (CALL TO ORDER) by Chairman Bart Miller.

II. INVOCATION led by Commissioner Rita Johnson.

III. PLEDGE TOFLAG led by Commissioner Raymond Ray.

IV. PRESENTATIONS/PROCLAMATIONS

1. The Honor Our KIA group would like to make a presentation to the Board of Commissioners.

Presentation of framed thank you certificates presented by John Carlisle.

V. PRESENTATIONS OF FINANCIAL STATEMENTS

1. Consider approval of financial statements for the seven months ended January 31, 2017.

Motion/Second by Ray/Hawbaker to approve financial statements for the seven months ended January 31, 2017. Motion carried unanimously by all.

Chairman Miller presented Ms. Garrison with her 20 year Service Certificate.

VI. CITIZEN COMMENT

Speakers must sign up prior to the meeting and provide their names, addresses and topic in which they will speak on. Speakers must direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Board of the Commissioners. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

No one signed up to speak.

VII. MINUTES -

1. Consider approval of minutes for the Spalding County Board of Commissioners Regular Meeting on February 6, 2017 and the Executive Session on February 6, 2017.

Motion/Second by Hawbaker/Ray to approve minutes for the Spalding County Board of Commissioners Regular Meeting on February 6, 2017 and the Executive Session on February 6, 2017. Motion carried unanimously by all.

VIII. CONSENTAGENDA-

1. Consider approval on second reading an Ordinance amending the Part VI - Licensing and Regulation, Article A, Section 6-1020, Subparagraph (a) to correct an oversight in the wording of the code.

SPALDING COUNTY, GEORGIA LICENSING AND REGULATION ORDINANCE ORDINANCE NO. 2017-01

TO AMEND PART VI – LICENSING AND REGULATION, ARTICLE A, SECTION 6-1020 SUBPARAGRAPH (a) OF THE SPALDING COUNTY CODE OF ORDINANCES BY STRIKING SAID SUBPARAGRAPH (a) IN ITS ENTIRETY AND INSERTING IN LIEU THEREOF THE FOLLOWING TO BE DENOMINATED AS SUBPARAGRAPH (a):

(a) No retail package dealer shall open his place of business, or furnish, sell or offer for sale or distribution any alcohol beverage at any of the following times:

All other provisions of the code shall remain in full force and effect.

Approved on first reading this sixth day of February, 2017.

Approved on second reading this twentieth day of February, 2017.

Bart Miller, Chairman

William P. Wilson, Jr. County Clerk

Motion/Second by Ray/Hawbaker to approve second reading Ordinance amending the Part VI – Licensing and Regulation, Article A, Section 6-1020, Subparagraph (a) to correct an oversight in the wording of the code. Motion carried unanimously by all.

IX. OLD BUSINESS – None.

X. NEW BUSINESS -

1. Consider request from Cindi Alexander, Coordinator for the National Day of Prayer in Spalding County to utilize the veranda at the courthouse on May 4, 2017 in observance of the National Day of Prayer.

Motion/Second by Hawbaker/Ray to allow Cindi Alexander, Coordinator for the National Day of Prayer in Spalding County, to utilize the veranda at the courthouse on May 4, 2017 in observance of the National Day of Prayer. Motion carried unanimously by all.

2. Consider approval of change order #3 in the amount of \$31,000 for the Pickleball Facility at Wyomia Tyus Olympic Park.

Motion/Second by Hawbaker/Flowers-Taylor to approve change order #3 in the amount of \$31,000 for the Pickleball Facility at Wyomia Tyus Olympic Park Funding for this change order to come from Pre-GSBTA Hotel/Motel Tax Funds. Approved by a vote of 3-2 (Ray/Miller).

3. Consider contract with the City of Griffin, Sheriff Darrell Dix and Spalding County for the housing and detention of persons arrested for violating its municipal ordinances and certain state laws while those offenders await trial.

STATE OF GEORGIA
COUNTY OF SPALDING

City of Griffin Inmate Reimbursement Memorandum of Understanding

THIS Memorandum of Understanding made and entered this _____ day of _____ 2017 by and between Spalding County, a political subdivision of the State of Georgia (hereinafter “County”), and City of Griffin, a municipal corporation organized under the laws of the State of Georgia (hereinafter “City”), provides as follows:

WHEREAS, the County owns a jail or detention facility for incarcerating pre-trial detainees and convicted prisoners;

WHEREAS, said jail or detention facility is operated and staffed by the Honorable Darrell Dix, Sherriff of Spalding County, Georgia, within the budgetary allowance provided by the County;

WHEREAS, the City operates a Municipal Court which can sentence offenders to terms of incarceration for violation of its municipal ordinances and certain state laws, resulting in the need to house those offenders during service of the lawful sentence;

WHEREAS, the City has the further need to house and detain persons arrested for violating its municipal ordinances and certain state laws while those offenders await trial;

NOW, THEREFORE, BE IT AGREED BY THE PARTIES:

1.

For the purpose of this Memorandum of Understanding, the term "City detainee" shall mean a person arrested by the City's Police Department for violating its municipal ordinances or those misdemeanor offenses triable before the Municipal Court of the City of Griffin, Georgia; said term shall not include persons arrested with or without a state warrant, for offenses returnable to the general trial courts of Spalding County, Georgia. The term "City prisoner" shall mean a person tried and convicted in the Municipal Court and upon whom has been imposed a sentence of incarceration, including offenders whose probated or suspended sentences have been revoked. The term "inmate" shall mean either a City detainee or a City prisoner or both.

2.

For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the mutual promises herein made, the parties do thereby agree, one with the other, for the benefits and services hereafter described.

- a. The Sheriff shall accept for housing at Spalding County Detention Facility (hereinafter "Jail") all medically acceptable, as determined in the sole discretion of the Sheriff or his designee, pre-trial City detainees and convicted City prisoners as presented to the Sheriff by the Griffin Police Department at said jail in Griffin, Spalding County, Georgia, and shall provide these persons with such services and facilities as substantially similar to those services and facilities provided other State, county or municipal detainees and inmates housed therein. The parties acknowledge that the actual number of detainees and prisoners provided by the City shall, from time to time, vary, and bed space shall be available at all times during the term of this Memorandum of Understanding. Locations of actual bed space may vary between pre-trial detainees and convicted prisoners, and by sex of inmate, with the Sheriff having sole discretion governing cell assignments.

The County shall not be required to accept more than forty of the City's offenders at any one time.

- b. The City of Griffin shall pay Forty dollars per day (\$40.00), per inmate incarcerated by the Griffin Police Department. Said payment shall constitute full and complete payment for the feeding and housing of inmates and no additional payment or per diem charge shall be imposed, except as specified in this Memorandum of Understanding. Payment shall be within 30 days of invoice.

- c. The City shall be responsible for the payment of necessary outside medical care costs for City inmates. If the City inmate requires scheduled or non-emergency outside medical care which costs more than \$100.00, the Sheriff or his designee will contact the City so that they may decide what action to take. Notwithstanding the foregoing, if the Jail reasonably believes that said inmate requires emergency medical care, it shall not be required to inform the City before obtaining such care. There will be no charge other than the \$40.00 daily fee for inmates who receive in-house medical care and prescriptions.
- d. In connection with the services to be provided, the Sheriff or his personnel shall at minimum, book the inmate into the Jail management System, conduct an inmate personal inventory, and produce all other reports presently used at Spalding County Detention Facility for all County pre-trial detainees and inmates. The Griffin Police Department shall supply to the Sheriff or his personnel at the time of presentation of a detainee or prisoner, all required paperwork, including but not limited to legal documentation of the City's authority to arrest, detain or incarcerate a prisoner, and any available medical insurance coverage. The Sheriff shall furnish weekly to the Chief of Police, or his designee, a copy of any written or printed arrest/booking reports and a monthly summary of jail activity involving City detainees and prisoners.
- e. The City, through its Police Department and Clerk of Municipal Court, shall remain solely responsible for scheduling a first appearance, committal or probable-cause hearings for pre-trial detainees in a timely manner. Transportation of detainees and prisoners to normal court hearings, conducted for all city inmates once weekly shall be the sole responsibility of the Sheriff, at no cost to the City.
- f. The Sheriff and his personnel shall exercise due care and diligence to provide for the physical care and well-being of all City detainees and prisoners in custody, in accordance with the minimum standards promulgated by Georgia Law and Statutes. The Sheriff shall make available to detainees and prisoners' access to emergency medical care on the same basis as provided other inmates of the facility, including necessary transportation as required. The City shall be responsible for the payment of necessary outside medical care costs (as referenced in provision 2 above) for said inmate. If the city inmate requires scheduled or non-emergency outside medical care which costs more than \$100.00, the Jail will contact the City so that the City may decide what action to take. If the Jail reasonably believes that said inmate requires emergency medical care, it shall not be required to inform the City before obtaining such care. There will be no charge other than the \$40.00 per diem for inmates who receive in-house medical care and prescriptions.
- g. The Sheriff and/or his designee, in the sole discretion, shall have the right to release any City inmate that would cause an unreasonable medical expense, or to manage the Jail population. If possible, prior to release, the Police Chief will be notified of the pending release, and the reason for the release.

3.

The term of this Memorandum of Understanding shall commence on February 1, 2017 and continue for a period of six (6) months, ending July 31, 2017. The actual jail costs for housing and processing City inmates for future memorandums of understanding will be adjusted based on the data collected during this trial period.

Either party to this contract shall have the right to terminate this agreement prior to August 1, 2017 by giving the other party written notice of their intention to terminate this agreement within thirty (30) days of the notice.

4.

This Memorandum of Understanding constitutes the full understanding and agreement of the parties and supersedes any prior understanding, agreement or negotiations. This Memorandum of Understanding shall be interpreted and enforced in accordance with the laws of the State of Georgia as an intergovernmental Memorandum of Understanding. No amendment or modification hereof shall be valid and enforceable unless reduced to writing, executed and dated subsequent to this writing.

5.

The parties hereby covenant, each to the other, that they have done or performed all acts necessary or convenient to carry out the intentions of this Memorandum of Understanding and that each possesses the requisite authority to exercise the same.

EXECUTED under hand and seal of the duly authorized representative of the respective parties, as their official act, the day and year above written.

SPALDING COUNTY

By: _____ Date _____
Attest: _____ Date _____
Approved By: _____ Date _____
Darrell Dix, Sheriff, Spalding County

CITY OF GRIFFIN

By: _____ Date _____
Attest: _____ Date _____
Approved By: _____ Date _____
William G. Johnston, III
Judge, Municipal Court of the City of Griffin

Motion/Second by Ray/Hawbaker to approve the contract with the City of Griffin, Sheriff Darrell Dix and Spalding County for the housing and detention of persons arrested for violating its municipal ordinances and certain state laws while those offenders await trial. Motion carried unanimously by all.

- 4. Consider approval of Memorandum of Agreement with Hope Diamond Services Inc. for the purpose of serving after school snacks and supper meals to children enrolled in the Fairmont Community Center Afterschool program.

**Memorandum of Agreement
For the Use of Fairmont Community Center**

PARTIES AND DWELLING: The parties to this Agreement are Spalding County and Hope Diamond Services, Inc.

AGREEMENT: Spalding County agrees to grant Hope Diamond Services, Inc. access to Fairmont Community Center located at 241 Blanton Street for the purpose of providing after school program snacks and supper meals.

LENGTH OF TIME (TERM): The initial term of this Agreement shall begin on August 9, 2017 and end on May 25, 2018.

RENT: Parties agree that Spalding County is receiving good and valuable considerations from Hope Diamond Services, Inc. for providing this service for the Fairmont community.

USAGE: The parties agree Fairmont Community Center will be used by Hope Diamond Services, Inc. for the purpose of providing a nutritional service component to their existing after school program.

HOURS: The parties agree on the Hours of Service will be Monday through Friday from 3:00pm to 6:00pm

_____ Signature	_____ Date	_____ Signature	_____ Date
Title		Ola Erinle, Director	
County Representative		Hope Diamond Services Inc.	

Motion/Second by Ray/Flowers-Taylor to approve memorandum of Agreement with Hope Diamond Services Inc. for the purpose of serving after school snacks and supper meals to children enrolled

in the Fairmont Community Center Afterschool program. Motion carried unanimously by all.

5. Consider a Resolution to enact a moratorium on the approval of construction plans for improvements and the issuance of any permits or licenses for equestrian and rodeo facilities on certain real property within Spalding County.

**RESOLUTION TO ENACT A
MORATORIUM ON THE APPROVAL OF CONSTRUCTION
PLANS FOR
IMPROVEMENTS AND THE ISSUANCE OF ANY PERMITS OR
LICENSES FOR EQUESTRIAN AND RODEO FACILITIES ON
CERTAIN REAL PROPERTY WITHIN SPALDING COUNTY**

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 is empowered to consider and enact zoning and development regulations governing the development of property within Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County exercised its authority to enact zoning and development regulations by adopting the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County on January 4, 1994, and various other ordinances governing development thereunder (generally attached as Appendices) to such ordinance;

WHEREAS, the Board of Commissioners of Spalding County is also

empowered with the authority and obligation to develop and prepare comprehensive land use planning within the boundaries of Spalding County, Georgia, and is currently engaged in the preparation of a new comprehensive land use map for such development;

WHEREAS, the Board of Commissioners has reviewed the existing Zoning Map of Spalding County and has noted thereon that certain real properties located in residential and agricultural areas permit equestrian events as a matter of right, which uses may be incompatible with the adjoining residential developments;

WHEREAS, the Board of Commissioners has determined that it is in the best interests of the citizens of Spalding County for the adoption of appropriate zoning resolutions to which correct this problem; and

WHEREAS, the Board of Commissioners desires to briefly control and prohibit equestrian events, including, but not limited to, rodeos on such properties until such time as these zoning issues can be addressed which uses may adversely affect the implementation of the comprehensive land use map of Spalding County and negatively impact the reasonable enjoyment of adjoining residential property in Spalding County;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, and the following Resolution shall be and is hereby enacted, as follows:

Section 1: Definition of Rodeo and Equestrian Facilities. For

purposes of this moratorium the terms “Rodeo and Equestrian Facilities” shall be inclusive, include the singular, and refer to any and all equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian- or rodeo-like events, including, but not limited to, exhibitions or competitions where performers or competitors ride, rope, wrestle, display or corral horses, cattle, swine, or other livestock or any other exhibitions or competitions of any nature involving livestock.

Section 2: Enactment of Permit and License Moratorium. The Board of Commissioners of Spalding County hereby enacts and directs any and all applicable agencies of Spalding County to enforce a moratorium on issuance of any new permits or licenses for any Rodeo and Equestrian Facilities to be located on any and all property which is presently classified and shown on the Zoning Map of Spalding County as lying within the Agricultural and Residential (“AR-1”) and Rural Reserve (“AR-2”) districts.

Section 3: Enactment of Construction Plan Moratorium. The Board of Commissioners of Spalding County hereby enacts and directs any and all applicable agencies of Spalding County to enforce a moratorium on acceptance and approval of any construction plans for any Rodeos or Equestrian Facilities to be located on any and all property which is presently classified and shown on the Zoning Map of Spalding County as lying within the Agricultural and Residential (“AR-1”) and Rural Reserve (“AR-2”) districts.

Section 4: Duration. The moratorium period shall commence on Monday, February 13, 2017 at 12:00 a.m. and shall terminate on Wednesday, May 24, 2017 at 11:59 p.m., unless extended by the Board of Commissioners of Spalding County.

Section 5: Impact on Other Development Ordinances. The

provisions of this resolution shall not restrict or prohibit any other development of any real property except that specifically stated herein.

Motion/Second by Ray/Hawbaker to approve Resolution to enact a moratorium on the approval of construction plans for improvements and the issuance of any permits or licenses for equestrian and rodeo facilities on certain real property within Spalding County. Motion carried unanimously by all.

6. Consider approval of Resolution authorizing issuance of Bonds by the City of Griffin Housing Authority.

APPROVAL FOR
THE HOUSING AUTHORITY OF GRIFFIN, GEORGIA
TO ISSUE BONDS TO FINANCE A SENIOR LIVING COMMUNITY

WHEREAS, Regional Housing & Community Services Corporation, a California nonprofit corporation, or an affiliate thereof (the “**Borrower**”) wishes to incur debt for the purpose of providing funds to: (a) finance the acquisition, construction, installation, furnishing and equipping of a senior living community, (b) fund certain reserves, (c) fund capitalized interest on the Bonds and (d) pay certain costs of issuance of the Bonds. The facility being financed with the proceeds of the Bonds is located at or about 1973 W. McIntosh Road in Griffin, Georgia (collectively, the “**Project**”) within the area of operation of The Housing Authority of the City of Griffin, Georgia (the “**Authority**”); and

WHEREAS, the Authority has adopted a resolution (the “**Resolution**”) authorizing the issuance of its revenue bonds in an aggregate principal amount not to exceed \$62,000,000 (the “**Bonds**”) in order to finance the Project and for the purposes described in the Resolution; and

WHEREAS, the purpose of this approval certificate is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “**Code**”) in connection with the issuance of the Bonds; and

WHEREAS, after publication of a notice more than 14 days prior to the date of this approval, notice of the hearing was published in a newspaper of general circulation in Spalding County, Georgia (the “**County**”) and a public hearing was held regarding the Bonds, as evidenced by the proofs of publication attached hereto as Exhibit A; and

WHEREAS, pursuant to the requirements of the Code, the issuance of the Bonds by the Authority must be approved by the governing body having geographic jurisdiction over the Project; and

WHEREAS, the Authority has requested that the Board of Commissioners of Spalding County (the “**Board**”) approve the financing of the Project and the issuance of the Bonds in order to satisfy Section 147(f) of the Code; and

WHEREAS, the Board is required to approve the issuance of the Bonds and this certificate is designed to satisfy the public approval requirement of Section 147(f) of the Code in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code; and

NOW THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Board, for the sole purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to applicable provisions of the Code, the issuance of the Bonds by the Authority in the aggregate principal amount not to exceed \$62,000,000 and the financing of the Project with the proceeds of the Bonds is approved. This approval is given solely for the purpose of compliance with provisions of the Code; and in no event shall this approval ever constitute any obligation on the part of the Board or the County with respect to the Bonds.

APPROVED, this 20th day of February 2017.

SPALDING COUNTY, GEORGIA

(SEAL)

By: _____ Attest: _____
Chairman Clerk
Board of Commissioners of Spalding County, Georgia

Motion/Second by Flowers-Taylor/Ray to approve Resolution authorizing issuance of Bonds by the City of Griffin Housing Authority. Motion carried unanimously by all.

XI. REPORT OF COUNTY MANAGER

- Mr. Wilson stated that Charles Penney from Paragon Consulting dropped by this afternoon to advise that they have developed a schedule for the North Hill Street the bridge replacement and the roundabout with advertising scheduled to start this week. Bids will be due at the end of March. Construction to start at the end of April and finishing up with both the bridge and the roundabout by the middle of July.
Mr. Wilson then stated that the County has two parcels that we still need to acquire to finalize this project. This is a 2008 and a 2016 SPLOST Project.
- Mr. Wilson reminded everyone that budgets are due this Friday. He and Ms. Garrison will be actively working on those over the next month.

XII. REPORT OF COMMISSIONERS

Commissioner Donald Hawbaker

- ✓ Wanted to commend Public Works on the fine job that they continue to do and their responsiveness each and every time he asks for assistance.
- ✓ It came to his attention that one of our Ordinances may need to be amended and slightly strengthened. Apparently, it is permissible for a burning permit to be pulled almost daily and this has caused a problem within his District.
- ✓ He noted that while today is President’s Day throughout the country, Georgia observes President’s Day on Christmas Eve.

Commissioner Gwen Flowers-Taylor

- ✓ She stated that she had asked Mr. Mosley to get the information together on Workforce Development with regard to training costs, the hours that participants can work and what training is available through this program. She has not heard back from the program manager and requested an update from Mr. Mosley.
- ✓ With regard to the workshop this morning, even though she agrees that everyone employed should get a fair days pay for the work that they do, it just is not the same as someone who leaves their home every morning going out to work in a profession where they may not come back home that evening. She stated that she is hopeful that a solution can be found to this problem that doesn’t “break the bank” that will allow these individuals some type of

- “hazard pay”. She wanted to assure the first responders that we are looking at this problem and she will not let it “go to bed” without some resolution.
- ✓ She wanted to thank the Sheriff for the effort he is making to identify excessive spending and save the County some money. She further stated that if he can do it, it can be done in other departments as well.
 - ✓ She asked about Jenkinsburg Road and requesting an exit off of I-75. She stated that every time she comes down I-75 there is more development. She stated that she is happy for Butts County, but we really need to look at that because the growth is going to be on top of us before we know it and we won't have any infrastructure in place to accommodate the growth.
 - ✓ She expressed her admiration of Jinna Garrison and her group and the job that they do regarding the County's Finances. So many Counties have experienced trouble with their financial people and she has never done anything to put us at risk. She has received an award for the last sixteen years for doing an excellent job.
 - ✓ She asked Mr. Wilson to re-poll the Board of Commissioners regarding garbage pick-up and the possibility of using the transfer station as a possible drop off place in that area so that we can save some money and redistribute personnel.

Commissioner Raymond Ray – No Comments

Commissioner Rita Johnson

- ✓ Stated that she feels we had a good work session this morning and thanked Mr. Wilson for the job that he did facilitating the session.
- ✓ Wanted to know when the next SPLOST celebration would be.

Mr. Wilson stated that it would probably be in June when the Pickleball Complex opens. He stated that there would be a small one at Orchard Hill and Sunnyside before that one and he will make sure that the Board receives an invitation to those events.

She stated that the Press Releases and the visibility of where this money is being spent is extremely important to the public.

Mr. Wilson asked if the Board would like to do an event in conjunction with the City of Griffin once the North Hill Street Intersection and Bridge are complete.

Consensus of the Board is they do feel that would be an appropriate event.

Chairman Bart Miller

- ✓ Thanked Sheriff Dix for his efforts in combining positions and finding money savings within his current budget.

XIII. CLOSED SESSION

County Manager requests an Executive Session for discussion on future acquisition of real estate as provided by O.C.G.A. 50-14-3(4).

Motion/Second by Ray/Flowers-Taylor to enter into Executive Session for discussion or on future acquisition of real estate as provided by O.C.G.A. 50-14-3(4) at 7:07 p.m. Motion carried unanimously by all.

Motion/Second by Ray/Flower-Taylor to close Executive Session at 7:18 p.m. Motion carried unanimously by all.

XIV. ADJOURNMENT

Motion/Second by Hawbaker/Flowers-Taylor to adjourn the meeting at 7:20 p.m. Motion carried unanimously by all.

/s/ _____
Bart Miller, Chairman

/s/ _____
William P. Wilson, Jr., Clerk