

MINUTES

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, February 15, 2016, beginning at 6:00 p.m. with Chairperson Rita Johnson presiding. Commissioners Bart Miller, Raymond Ray, Donald Hawbaker and Gwen Flowers-Taylor were present. Also present County Manager, William P. Wilson, Jr., Assistant County Manager, Eric Mosley, County Attorney, James Fortune and Executive Secretary, Kathy Gibson to record the minutes.

- I. OPENING (CALL TO ORDER) by Chairperson Rita Johnson.**
- II. INVOCATION led by Commissioner Donald Hawbaker.**
- III. PLEDGE TO FLAG led by Commissioner Bart Miller.**
- IV. PRESENTATIONS/PROCLAMATIONS**

- 1. Janie Clark, Chairman of the Council on Aging to update the Board on the Council's future plans.

Janie Clark stated that she wanted to update everyone on their progress. Approximately six months ago the Board of Commissioners approved for the County to take over the meals program for Spalding County, prior to that time the Council on Aging for McIntosh Trail was responsible for the meals program for Spalding and Pike Counties. The meals program established by both Spalding and Pike Counties have been very successful.

The Council on Aging has reorganized their Bylaws and they remain a non-profit board. By remaining a non-profit Board it allows them to search for funding under that non-profit status and allows them to disburse those funds. One example is the United Way funding, the Council on Aging is able to receive these funds whereas the Counties as government entities are not able to receive this funding; however, we can receive these funds for the counties and allocate them to these programs.

With the reorganization the Council can help plan, take survey, administer, implement, operate and evaluate various programs for the benefit of the older Americans in the counties of Pike and Spalding. Ms. Clark advised that they are currently surveying the older citizens in Pike and Spalding counties to see how they can better serve those individuals. She stated that they are working with The Collaborative in both of these areas to make sure that services offered are not being duplicated.

Ms. Clark stated that the Council on Aging Board meets monthly on the fourth Tuesday of the month at 9:00 a.m. at the Three Rivers Regional Office. She also advised that they have had a few members to resign and they are currently seeking new board members. She stated that the purpose of her being here this evening is to let everyone know that they are still present and operating in the community, even though they are no longer operating the meals programs they do still exist and they are a functioning board.

2. Presentation of the 2015 Comprehensive Annual Financial Report by Miller Edwards of Mauldin & Jenkins LLC.

Mr. Miller Edwards of Mauldin & Jenkins, LLC, stated that purpose of his being here is the present the financial compliance audit of the County. He then covered the highlights of the Audit:

- The audit opinion is clean. What this means is that the financial statements presented we believe reflect the financial results of operation, cash flows and footnotes as required by the standards.
- Spalding is only one of a few counties in the state that put together a Comprehensive Annual Financial Report. This document goes beyond transparency and gives a wealth of information regarding historical audits.
- Spalding County did show an improvement in the General Fund for the second year in a row. He stated that in the last two years the county has seen a fund balance increase of approximately \$1.5 million. He stated that the fund balance at the end of the year was \$3.3 million which approximates to 1 month in reserves for expenditures. It is ideal to have 2 to 3 months in reserves; however, we are headed in the right direction.
- Pension plan this year had to be reflected in the financial statements not in the General Fund, but it had to be reported at an entity wide level. This was \$6.5 million and represents the unfunded portion of the Pension Plan. Spalding County's plan is currently 77% funded. The average funded ratio is 82%, so Spalding County did fall a little short of the average. Inclusion of the pension plan caused the county's equity situation to decrease by \$6.5 million which in turn caused a deficit in the unrestricted funds for this year.
- There were no findings this year, the county had no breakdown in controls. No non-compliance issues that warranted reporting to the Board that there was a problem.

We did have a couple of management points, some of the elected officials are still utilizing cash receipt journals and disbursement journals. We would prefer that they use a general ledger and it is understood that a few of them are headed in that direction. Additionally, there are some old outstanding checks that are greater than five years old that need to be addressed as well.

Mr. Edwards did state that Spalding County received approximately \$400,000 less than anticipated in revenue this year; however, we spent \$2.5 million less than was budgeted for the year. This further shows that the County is keeping tight control over the finances to insure that something doesn't get out of control.

Commissioner Hawbaker asked how many other entities budget 100% of tax collections as projected income and further interjected that he would be more comfortable budgeting at 95% of projected tax collections.

Mr. Edwards assured Commissioner Hawbaker that most governments budget exactly the way that Spalding County does.

3. Fire Marshall, Harold Williams, and Fire Safety Officer, Lt. Rocky White, of the Spalding County Fire Department will give a comprehensive presentation to the Board regarding the New Image Trend Incident Reporting System that has been implemented at the Fire Department.

Fire Marshall Harold Williams stated that Image Trend is an incident reporting system. In March of 2015 the State of Georgia offered Image Trend to all Fire Departments in the State of Georgia to make them all compliant at no cost.

Spalding County started utilizing this software on December 1, 2015. There are a number of functions that can be performed utilizing this software, including, inspections and pre-fire plans but it is not limited to fire reports. Once the new CAD system is up and running we can have full CAD integration with this software.

The benefit of having full CAD integration is that when personnel or equipment is dispatched the CAD system will automatically record the times in the Image Trend system. Prior to that, we would have to contact E911 and get the times and manually record them in the reports.

Once the Image Trend software is integrated to the CAD system, the timing of calls will be automatically recorded into the system. This will allow the firefighters more time to get the equipment back in service, as they will be spending less time on pulling together the information for the report since all of the information will be together in one place.

Lt. Rocky White stated that integration of the Image Trend system and CAD system will streamline the fire reporting process. Currently when the Lieutenant or Captain comes on shift every morning, they go in and enter the personnel and where they are going to be stationed or what apparatus they will be assigned to for the day. Since this system will be tied directly to dispatch, once a call is dispatched the systems will automatically be linked together and the person completing the fire report will not have to determine which personnel at which station was dispatched as the information will already be in the system and available for access.

This software includes all of the codes to interface with the federal

and state governments. Which eliminates the need for preparing reports to send to the federal government, getting the report back, fixing any problems and then submitting it to the State. The State can directly access this information, eliminating the report preparation.

Fire Marshall Williams stated that one of the advantages to this software being web based is numerous departments and individuals can be connected to the software at one time. He advised that on the old system, which was server based, the number of people who could be working in the program at one time was limited.

Fire Marshall Williams then stated that they are in the process of entering statistical data such as fire hydrant locations in the county and once the information is complete, they will know when they get a call for a commercial business where the hydrants are located along with any other vital information needed for that location such as sprinklers in the building, gas cut off locations for the building etc. Having this knowledge going into a scene will help to prevent hazardous situations and assist in getting a business back to normal after a fire.

William Wilson, County Manager, added that this is another example of how the County is moving toward going paperless. We actually started on this program December 1st. We were one of the first Counties in the State to go online with this program. He stated that there were plans to purchase and convert to a new program this year with funding out of the Fire District Fund, but with the State introducing Image Trend, we decided to go with this software and were able to redirect some of those funds to purchase equipment in the form of tablets and laptops that the firefighters can have on the scene so that they can have access to all of the resources while they are working a scene.

Eric Mosley added that once the new CAD system goes live, it can be integrated with the Image Trend system and with the equipment the firefighters now have, they will have all available information regarding a location at their fingertips.

Commissioner Ray asked if data would be in the system to provide any hazardous materials that may be stored at a facility.

Fire Marshall Williams stated that that information would be included as part of the data entered for a business. Data will be derived from his visits to businesses and his fire reports on the business as well as other sources that will feed into the database.

4. Introduction of new Citizens Request App for iPhone and Android devices.

T.J. Imberger, Superintendent of Parks and Public Grounds, stated that he is excited to announce the new Spalding County Citizen Request App. The App is available to all mobile devices, iPads, phones both iPhone and android formats. We have been Beta testing this App for a couple of months now and the test was very successful, there have been very few problems reported.

The benefits of the Spalding County Citizen Request App are:

- Citizens can submit work requests with photos and locations directly from their mobile device.
- Work requests can be submitted for any county department, this

is a drop down option on the App.

- The App utilizes the phone's GPS to accurately mark locations and pinpoints each request on a map which will allow for us to determine what part of the county is using the App.
- Users can also opt not to use GPS and instead manually insert the location's address.
- Fewer phone calls and emails and provide better service to the citizens.

The App is available through Google Play, or iTunes Store.

This App is part of the Facility Dude process. The citizen will receive an email acknowledging receipt of their request, which will include the Work Order Reference Number, what department the request is being assigned to the department head's name and the telephone for the department in case they want to check on the status or provide additional information regarding the request. The App is currently operational. This program will be administered through Parks and Public Grounds.

Mr. Imberger then reviewed the plan for marketing the App to the general public. He provided a post card and flyer that has been created for this purpose and advised that they are looking into banners and other ways to promote the App.

Commissioner Flowers-Taylor asked when the effective date for the App would be.

Mr. Imberger stated that the program is operational at this time and has been for the last couple of months.

Chairperson Johnson asked how the priority of requests would be determined.

Mr. Imberger stated that immediately upon receipt of the request, the Parks and Public Grounds group will complete a Facility Dude request and send it to the appropriate department. Technically we will not be assigning the priority, once the designated department receives the request, they will assign the priority according to the procedures they have established.

Mr. Wilson stated that this App is not meant for a critical needs such as a Stop sign being down, this App is meant for items such as pot holes to bring attention to the problem faster. Any emergency would still need to be reported through the 911 system.

Commissioner Ray stated that he went to the App Store, downloaded the App, registered and signed in while T.J. was giving the demonstration. He said it was very user friendly and easy to access.

5. Consider Proclamation recognizing the Georgia City-County Management Association's 60th Anniversary.

Mr. Wilson stated that this is a proclamation for the Georgia City-County Management Association. This is a professional organization for City and County Managers. He advised that he has been a member of this organization for more than 30 years and in celebration of their 60th Anniversary they have asked every county in Georgia to adopt a proclamation.

Motion/Second by Miller/Ray to adopt the proclamation

recognizing the Georgia City-County Management Association's 60th Anniversary. Motion carried unanimously by all.

V. **PRESENTATIONS OF FINANCIAL STATEMENTS**

1. Consider approval of financial statements for the seven months ended January 31, 2016.

Jinna Garrison, Administrative Services Director, stated that she would be happy to answer any questions the members of the Board may have regarding the financial statements.

Motion/Second by Hawbaker/Flowers-Taylor to approve the financial statements for the seven months ended January 31, 2016. Motion carried unanimously by all.

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.

Barron Cumming, 1331 Grantland Road, current President of the Griffin Youth Soccer Association, stated he was here to thank the Board for all of the work that has been done toward getting lights for the soccer fields at Wyomia Tyus Park.

Brett McIver, 1112 Skyline Drive, current Vice-President of the Griffin Youth Soccer Association stated that he felt it was important to come before the Board to say thank you for working toward getting the lights for the soccer fields at Wyomia Tyus Park.

Tim Peoples, 126 Maplewood Drive, is also part of the Griffin Youth Soccer Association. Mr. Peoples stated that Spalding County has one of the best Park and Recreation systems in the State of Georgia. He stated that currently the Soccer Association is registering children for the upcoming season. He advised that to date they have over 500 kids registered for the upcoming season.

Mussie Habteselassie, 967 E. Maddox Road, stated that he referees soccer at Wyomia Tyus Park and he wanted to add his thanks to the Board for their support on SPLOST for the lights on the soccer fields at Wyomia Tyus Park.

Jewel Walker-Harps, 103 McEthel Drive, President of the NAACP stated that she is concerned about SPLOST projects and their prioritization she wants to make sure that the Fairmont Area is not pushed to the end of the SPLOST bonded projects list. She stated that if many more years pass before this area is addressed, the buildings are going to be beyond repair.

Ms. Walker-Harps then stated that there will be a meeting on Saturday, February 27 at 9:00 a.m. at the Eighth Street Baptist Church, she stated that this is an open meeting for the public to update them on the SPLOST and will provide an opportunity for the Board and staff to interact with the people who attend. She stated there is a lot of interest in what is going to be done, how it is going to be done and when it is going to be done. Ms. Walker-Harps invited the Board and the staff to attend that meeting and share the information you currently have with the people who will be attending.

Jewel Walker Harps, 103 McEthel Drive, stated that she had appeared before the Board last month asking that the County “ban the box.” She stated that this is not going to guarantee employment it is simply going to get the applicant through the door for an interview. She stated she is simply asking that people who have been convicted of a crime not be penalized for the rest of their life for one mistake. These individuals have paid their debt to society and they should be given an equal opportunity for consideration for employment and not be disqualified during the application process. We are asking that they be given an opportunity to be interviewed. She stated that the Federal and State governments have removed “the box” from their application process and is asking that Spalding County do the same. Ms. Walker-Harps stated that she would like to have an answer on this.

Mr. Wilson wanted to assure Ms. Walker-Harps that the one of the first SPLOST projects approved was for the Old Fairmont School project. He advised that the Board of Commissioners at their Regular Meeting on February 1, 2016, had signed a contract with Life Environmental Services to start preparing for asbestos abatement in all of the buildings at Fairmont Heritage Park.

Commissioner Flowers-Taylor asked that the item regarding ban the box be placed on the Retreat Agenda for discussion.

VII. **MINUTES -**

1. Consider approval of minutes of the February 1, 2016 Regular Meeting of the Spalding County Board of Commissioners and the February 8, 2016 Special Called Meeting of the Spalding County Board of Commissioners.

Motion/Second by Ray/Hawbaker to approve the minutes of the February 1, 2016 Regular Meeting of the Spalding County Board of Commissioners and the February 8, 2016 Special Called Meeting of the Spalding County Board of Commissioners. Motion carried unanimously by all.

VIII. **CONSENT AGENDA-**

1. Consider on second reading an Ordinance to amendment to Part VII, Chapter 1, Section 7-1002 to reduce the speed on Rover Road from 35 M.P.H. to 25 M.P.H.

**SPALDING COUNTY, GEORGIA
TRAFFIC REGULATION ORDINANCE
ORDINANCE NO. 2016-01**

TO AMEND THE MOTOR VEHICLES AND TRAFFIC CODE OF SPALDING COUNTY, GEORGIA, SO AS TO PROVIDE FOR POSTED SPEED LIMIT ON ROVER ROAD FROM MORELAND ROAD TO THE BOUNDARY LINE OF PIKE COUNTY, AND AN EFFECTIVE DATE.

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 7-1002, relating to speed limits on specific County Roads, by adding Rover Road from Moreland Road west to the boundary line at Pike County, approximately One (1) mile, 25 MPH as follows:

“Rover Road”

From Moreland Road west approximately one mile to the Boundary line at Pike County
Zoned 25 miles per hour

Section 3. That the within ordinance shall be and become effective immediately upon its adoption on two presentations, as provided by Section 2-1005 of the Code of Spalding County, Georgia, and upon erection of speed limit signs as designated herein.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed.

Approved on first reading this first day of February, 2016.

Approved on second reading this fifteenth day of February, 2016.

Rita Johnson, Chairperson

William P. Wilson, County Clerk

Motion/Second by Flowers-Taylor/Ray approve on second reading an Ordinance to amendment to Part VII, Chapter 1, Section 7-1002 to reduce the speed on Rover Road from 35 M.P.H. to 25 M.P.H. Motion carried unanimously by all.

IX. **OLD BUSINESS** – None.

X. **NEW BUSINESS-**

1. Consider approval of an application and resolution to join the National Joint Powers Alliance (NJPA).

Mr. Wilson stated that the National Joint Powers Alliance is a purchasing organization similar to the State Contract or GSA, which is federal pricing. We can be a member of the National Joint Powers Alliance at no charge, we have to adopt the application which has been included as an attachment to this Agenda item along with the resolution which will allow us to purchase under their contract.

We are wanting to go through this organization to purchase the lighting for the soccer fields. The lighting is a multiyear contract through Musco Lighting; therefore, staff is recommending that the application and the resolution be approved so that we can become a part of the National Joint Powers Alliance. This membership will also allow us to purchase other things in the future as well.

Commissioner Flowers-Taylor asked if the lighting being purchased for the soccer fields was coming from this company.

Mr. Wilson stated that the lighting would be purchased through this Alliance as they perform the bidding process and leverage need within the alliance to bid out projects all over the country. They are like a state contract and we will be purchasing the lighting under their authority as being a member of this Alliance. The lighting will be purchased from the successful bidder of NJPA.

Motion/Second by Ray/Flowers-Taylor to approve an application and resolution to join the National Joint Powers Alliance (NJPA). Motion carried unanimously by all.

2. Consider approval of contract with Musco Lighting for equipment to light Soccer fields at Wyomia Tyus Olympic Park

Motion/Second by Ray/Miller to approve the contract with Musco Lighting for equipment to light soccer fields at Wyomia Tyus Olympic Park.

Commissioner Flowers-Taylor asked if the County had bid out this lighting equipment contract or were we just talking with them. She wanted to know how this contract came about.

Mr. Wilson stated that Musco is one of the companies that participated in the National Joint Powers Alliance bid process and they were the successful low bidder for this type lighting. This company does sports lighting for every type of sports field in the county and soccer lighting is part of that. Musco lighting was the vendor who was awarded the soccer lighting, they may have also gotten tennis lighting, baseball lighting, football lighting, but the only one we were interested in is

**MEMBERSHIP AGREEMENT
PARTICIPATING MEMBER**



This Agreement, made and entered into this 15th day of February, 20 16, by and between National Joint Powers Alliance®, hereinafter referred to as "NJPA" and Spalding County Board of Commissioners, hereinafter referred to as the "Applicant".

Witnesseth:

That for a good and valuable consideration of the premises, mutual terms, covenants, provisions, and conditions hereafter set forth, it is agreed by and between the parties as follows:

Whereas, the NJPA is created by Minnesota Statute §123A.21 as a service cooperative (with membership further defined in M.S. §471.59) to serve cities, counties, towns, public or private schools, political subdivisions of Minnesota or another state, another state, any agency of the State of Minnesota or the United States including instrumentalities of a governmental unit and all non-profits; and

Whereas, NJPA's purpose as defined in M.S. §123A.21 is to assist in meeting specific needs of clients which could be better provided by NJPA than by the members themselves; and

Whereas, the NJPA Board of Directors has established the ability for an "Applicant" desiring to participate in NJPA contracts and procurement programs to become a Participating Member; and

Whereas, the NJPA Board of Directors has determined that Participating Members will have no financial or organizational liability to NJPA or to its organizational activities;

Now Therefore, it is hereby stipulated and agreed that the "Applicant" Agency desires to be a Participating Member of NJPA with contract purchasing benefits, in accordance with terms and conditions of the applicable contract(s), and that NJPA hereby grants said Membership to said "Applicant."

Term:

This continuing agreement shall remain in force or until either party elects to dissolve the Agreement by written notice.

THEREFORE, IN WITNESS THEREOF,

the parties hereto have executed this Agreement the day and year written above.

<p>Member Name:</p> <p>By _____</p> <p>AUTHORIZED SIGNATURE: Rita C. Johnson</p> <p>Its Chairperson</p> <p>TITLE</p> <p>February 15, 2016</p> <p>DATE</p>	<p>National Joint Powers Alliance® 202 12th Street NE Staples, MN 56479</p> <p>_____</p> <p>AUTHORIZED SIGNATURE</p> <p>_____</p> <p>TITLE</p> <p>_____</p> <p>DATE</p>
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soccer lighting.

Mr. Wilson advised that this is the company that was consulted for the budget amount to use for the soccer lights when we were working on pulling together the figures for the SPLOST. This contract includes a 25 year warranty on all of the equipment. The lights will be rebulbed every 5,000 hours. This system can be turned on and off from an iPad or iPhone which will prevent having to send someone out to turn off the lights when the soccer association forgets to turn them off at 10:00 at

night.

Mr. Wilson then stated that the County has broken the purchase of equipment and installation process into two contracts, one for the equipment and one for the installation as we were able to contract directly with Middle Georgia Outdoor Lighting, Inc. This company is used by Musco for their installations and we were able to get a better price on our installation by contracting with them directly. When we received the quote on installation through Musco it was about \$25,000 higher than breaking the process into two contracts.

T.J. Imberger advised that the SPLOST called for the lighting of three fields; however due to the pricing received through NJPA with Musco Lighting and the separate contract for installation we have saved enough money so that we will be lighting the remaining six fields, not just three fields for the amount designated in the SPLOST.

Motion carried unanimously by all.

2. Consider approval of contract with Middle Georgia Outdoor Lighting, Inc. for installation of the lights at the Wyomia Tyus Olympic Park Soccer fields.

Motion/Second by Flowers-Taylor/Ray to approve a contract with Middle Georgia Outdoor Lighting, Inc. for installation of lights at the Wyomia Tyus Olympic Park Soccer fields. Motion carried unanimously by all.

3. Consider approval of contract with Judicial Correction Services, Inc. to provide probation services to the Superior Court of Spalding County.

Ginny Murphy, Probation Manager with Judicial Correction Services was present and asked to speak. She stated that Judge Edwards asked her to be at the meeting this evening. She has worked in the probation services field for over 20 years and she has worked with Judge Fletcher Sams since 1997, she has worked with Judge Edwards for 10 years and she has worked with Judge Hankinson as well. She stated that she is familiar with the Judges who serve Spalding County, she just isn't familiar with Spalding County.

Ms. Murphy stated that she is aware that the number of misdemeanor cases through Superior Court would not be enough for them to open an office here in Spalding County, but she is willing to come to Spalding County and do whatever they need to do to help the probationers. She advised that unless the probationer lives near Fayette County, they would never be required to come to Fayette County to report.

Commissioner Flowers-Taylor wanted to know the history and if this is a function that Spalding County did in house.

Jim Fortune, County Attorney, stated that Judge Edwards, who is the Chief Judge, has the authority to choose who does this type of work. He stated that the Judge had some concerns regarding the company who was providing this service and he terminated the contract with the company that had been performing these services.

Chairperson Johnson asked if there would be a cost to the County.

Ms. Murphy stated that this service is paid for by the probationers, there is no cost to the County for their service.

Commissioner Hawbaker asked how the fees with this company would compare with what the company handling probation for State Court.

Ms. Murphy stated that the fees would be the same.

Mr. Fortune stated that the reason this is before the Board is because although the Judge has the authority to act, the Board of Commissioners have to give it their blessing.

**AGREEMENT TO
PROVIDE PROBATION SERVICES
TO THE SUPERIOR COURT**

OF SPALDING COUNTY, GEORGIA

THIS AGREEMENT is made to be effective as of the latest date written below, by and between the **SUPERIOR COURT OF SPALDING COUNTY**, (hereinafter referred to as the "Court"), and **JUDICIAL CORRECTION SERVICES, INC.** located at 34 Peachtree Street, Suite 1000, Atlanta, Georgia (hereinafter referred to as "Contractor").

WITNESSETH:

WHEREAS, the Court has been duly authorized to establish service for a private probation system and to supervise probationers and collect fines, fees and restitution as ordered by the Court.

WHEREAS, the Court has the express authority, by and through its duly elected and/or appointed officials to enter into an agreement with JCS to provide probation services upon the terms and conditions as set forth herein.

WHEREAS, JCS maintains and conducts a business which provides various probation services to county and city entities.

WHEREAS, JCS represents that it is willing and able to provide probation services to this jurisdiction.

NOW, THEREFORE for and in consideration of the mutual covenants contained herein, and other good and valuable considerations, the receipt, adequacy and sufficiency of which is acknowledged by the parties hereto, this jurisdiction desires to enter into this agreement with JCS to provide probation services for this jurisdiction upon the terms, covenants and agreement as set forth herein.

UNIFORM STANDARDS

The uniform professional standards for anyone employed as a private probation officer through JCS are as follows:

- A. At least 21 years of age at the time of appointment; (O.C.G.A. § 42-8-100)
- B. Having completed a standard two-year college course unless employed as a private probation officer prior to July 1, 1996, and having at least six months experience as a private probation officer. Also, JCS will employ at least one supervisor of private probation officers with a minimum of five years of experience in corrections, parole or probation services; (O.C.G.A. § 42-8-102)
- C. Upon employment, complete a 40-hour initial orientation program and the 20-hour annual in-service continuing education program, consisting of the curriculum approved by the County and Municipal Probation Advisory Council; (O.C.G.A. § 40-8-102)
- D. No person convicted of a felony will be employed by JCS as a private probation officer, use the title private probation officer or otherwise be responsible for the supervision of probationers; (O.C.G.A. § 40-8-102)
- E. JCS will complete record checks on all staff in accordance with O.C.G.A. § 35-3-34

SERVICES PROVIDED BY JCS

JCS agrees to provide the following probation services for and on behalf of the Court:

1. Attend regularly scheduled Court sessions for the purpose of obtaining sentencing

information and personal history information for each offender placed on probation. Dates of regularly scheduled court sessions will be made available to Contractor at least 30 days in advance.

2. Conduct an initial interview with each probationer at the time of his or her sentencing or as soon thereafter as is practicable for purposes of explaining the scope of the court order relative to fines, fees and/or restitution imposed as well as requirements and conditions for probation supervision.
3. Monitor offenders for compliance with terms and conditions of probation as required by the Court, notifying the Court of any non-compliance. The Court will determine when revocation of probation is necessary based upon recommendation by JCS.
4. JCS will supervise all probated cases sentenced by the Court. JCS will also supervise indigent cases as determined as such by the Court. These probationers will not be charged the typical probation fee, but will still be afforded all JCS services. (O.C.G.A. § 42-8-100)
5. Any probationer not complying with the terms set forth in the Court order will be returned to the Court of original jurisdiction, at which time the officer will testify as to the circumstances of the case, giving the probationer full opportunity to refute any or all points. The officer will then comply with the Court's ruling in reference to sentencing or possible revocation of probation. (O.C.G.A. § 42-8-100)
6. If requested by the Court to do so, collect from probationers, Court-ordered fines, restitution and other costs as ordered by the Court, and disburse said monies as follows:
 - a) Restitution shall be paid to JCS who will disburse monies directly to the victim, or, the restitution may be paid to the Clerk of Court or Courts designee for distribution to the victim, as directed by court order.
 - b) All fines, surcharges, and other fees shall be paid to JCS who will disburse monies to the Superior Court of Spalding County as directed by court order.
 - c) In the event a probationer's periodic (i.e. monthly) payment should be less than the amount specified on the court order, the amount collected will be distributed at a rate of 70% towards the court ordered fines and 30% towards supervision fees, until the obligation is paid in full.
 - d) In no instance or under any circumstances will any court monies be moved or transferred from the Court's account to supervision fees (JCS's account) without express permission and a corresponding court order from the Court.
7. Prepare referrals and lend assistance to probationers either ordered to receive or desiring employment assistance or counseling. Provide a dedicated job search computer workstation with appropriate job search software for probationer use.
8. Coordinate community service work with local community service agencies as ordered by the Court as a condition of probation. Contractor will coordinate community service work that is reasonably consistent with those duties performed by regular, unskilled laborers.
9. Maintain case files for each probationer regarding compliance with the terms and conditions of probation, reporting dates, contacts as they occur and the amounts and dates of money collected.
10. Provide monthly (or as required) reports to the Court regarding compliance and payment information.
11. Each party shall comply with all provisions of state and federal law.

12. JCS shall supervise all persons assigned to probation by the Court with a ratio of probationers to staff no greater than 225 to 1.
13. JCS shall provide adequate liability insurance for its employees in an amount not less than One Million Dollars (\$1,000,000) and the Court shall be named as the additional insured.
14. Each probationer placed on probation under the supervision of JCS will be required to meet with their assigned probation supervisor at least every 30 days at a minimum or more frequently as required by the Court. Probationers that do not comply with the probation guidelines and the Court's order may be required to meet with their supervisor more frequently than the minimum guideline.
15. JCS will not collect any supervision fees or any other service or product fees in advance of the supervision services it provides.
16. The Court of jurisdiction will decide any modification to the original court order.
17. JCS may recommend to the Court early probation release, or modification to unsupervised probation, if a probationer has fulfilled all court ordered requirements and paid all fines. Supervision fees will not be assessed against the probationer if the Court grants early release or modification to unsupervised probation.
18. JCS will set aside one dollar (\$1.00) per case per month of its supervision fees into an indigent Mental Health fund. These set-aside funds may be used for indigent probationers requiring mental health and/or substance abuse evaluation and/or treatment as determined by the Court and through a provider jointly agreed upon by the Court and JCS. Funds will accrue monthly and any unused funds in any given month will carry forward for the annual fiscal year.

CONDITIONS

This agreement is made based upon the following conditions:

TERM

The agreement will extend for two years from the date of execution and shall continue to renew for a period of one year from year to year thereafter, unless terminated as set out below.

TERMINATION

Either party may cancel this Contract by providing written notification thirty (30) days prior to cancellation. Within thirty (30) working days of termination, JCS shall peacefully surrender to the Court all records and documents generated by JCS in connection with this Agreement and the services hereunder and any equipment or supplies assigned to JCS by the Court. JCS shall turn over to the Clerk of Court any monies collected or received less supervision fees validly incurred and duly owing to JCS through the termination date. Any fines, costs, fees or restitution received by JCS from probationers of Spalding County Superior Court after termination of this Agreement shall be forwarded to the Clerk of Court, other than fees earned by JCS. The Court shall provide JCS a receipt for all property surrendered under this provision.

INDEMNIFICATION

Neither the Court nor the Spalding County Board of Commissioners shall be liable to JCS nor to anyone who may claim a right resulting from any relationship with JCS for any acts of JCS, its employees, agents or participants in the performance of services conducted on the property of Spalding County.

INDEPENDENT CONTRACTOR

JCS is an independent contractor and is not an agent, joint venture, or other affiliate of Spalding County or the Court in any way. JCS shall use its own employees and agents to perform this contract. It is agreed that JCS is solely responsible for payment of all federal, state and local income taxes, self-employed Social Security taxes, and any other similar obligations arising from the performance of this Agreement or receipt of compensation therefore. JCS agrees to indemnify and hold harmless the Court and Spalding County from and against any and all federal, state or local tax liability or tax penalties that may arise from the payments made to JCS pursuant to this Agreement. JCS acknowledges that neither it nor its employees are eligible for any benefits provided by the Court or Spalding County to their respective employees.

ASSIGNMENT

The Court has entered into this agreement in part on the basis of personal reliance in the integrity and qualification of the staff of JCS. JCS may not delegate, assign or subcontract any obligations of JCS's performance under this Agreement and may not assign any right under this Agreement, in either case without the Court's written approval. The Court's discretion in this regard shall be absolute.

COMPENSATION TO JCS

In consideration of the probation service provided by JCS, the Court agrees that each court order shall provide for the following:

Probation fee of \$35.00 per month (basic supervision).

One time probationer set up fee of \$15.00. This set-up fee includes all data for the ProbationTracker system including digital images.

Other fees due per its published fee/payment schedule, attached hereto. All fees are due from the offender.

NO CONFLICT OF INTEREST

JCS promises to vigilantly avoid even the appearance of conflict of interest of any nature since even an appearance of a conflict of interest can bring the judiciary into disrepute. In furtherance of this duty and as one example of this duty, JCS represents that after diligent inquiry, none of its employees or agents is known to be related within six degrees of consanguinity to any person who is a Spalding County court official or officer of court or employee thereof, including by way of example, but not limited to, an attorney or member or employee of a firm appearing in Spalding County Superior Court, or judge, Sheriff, peace officer, Clerk, deputy clerk, prosecutor or public defender or employee of those offices, employed within Spalding County. If JCS or any employee or agent of JCS at any time discovers any conflict of interest of any nature, including but not limited to discovering that any JCS employee or agent is related within six degrees of consanguinity to any such Spalding County such court official or any such officer of court or employee thereof, JCS shall immediately notify all Griffin Judicial Circuit judges in writing, and JCS shall without request or demand take immediate action to terminate the conflict of interest, whatever the nature of the conflict of interest. JCS also promises to immediately report any illegal act or illegal omission to act by any JCS employee or any such Spalding County court official or officer of court immediately in writing to all four Griffin Judicial Circuit Superior Court judges. JCS promises to make all employees and agents aware of this duty to both avoid and report the appearance of conflict of interest upon execution of this contract, upon its renewal, upon hiring, and in its internal periodic training sessions.

GENERAL

The foregoing constitutes the entire agreement between the parties and supersedes any representation or agreements heretofore made. This agreement shall be governed by the laws of the State of Georgia and may be amended only by a written document signed by duly authorized representatives of the Court and JCS.

Agreement will not be effective until approved by the Spalding County Board of Commissioners. Approval by the Board of Commissioners shall not serve to make Spalding County a party to this contract, or subject Spalding County to liability for any obligation hereunder.

Access to Books and Records: Upon ten (10) business days written notice, JCS shall provide to the Court access to all books, records, correspondence, receipts, vouchers, memoranda, and financial information pertaining to the services rendered under this Agreement for any purpose including but not limited to conducting or reviewing a complete fiscal or program audit for any fiscal or calendar year.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT

ON THE DATES WRITTEN BELOW.

SUPERIOR COURT OF SPALDING COUNTY, GEORGIA

By: _____
Honorable Christopher Edwards
Chief Judge
Date of Execution

JUDICIAL CORRECTION SERVICES, INC.

By: _____
Date of Execution

Approved By:
Spalding County Board of Commissioners

Name: _____ Date of Approval

Motion/Second by Ray/Flowers-Taylor to approve a contract with Judicial Correction Services, Inc. to provide probation services to the Superior Court of Spalding County. Motion carried unanimously by all.

4. Consider recommendation of the Animal Care and Control Advisory Board to set the fee of unaltered animal permits at \$100.00.

Mr. Wilson stated that the ACCAB Board did meet, there have been several discussions regarding this over the last year, and the Ordinance will go into effect on March 1, 2016 so we need to have a fee in place for

an Unaltered Animal Permit and the Board is recommending \$100.00.

Commissioner Flowers-Taylor asked if we have any information on what other communities around Spalding County charge for this type of permit.

Gayle Hawbaker 1121 Satilla Court, Griffin, ACCAB Board Member, stated that Kerri Gebler and Vickie Hennessey called the surrounding areas to determine what the costs for this type of permit and they found the cost to range from \$25.00 to \$200.00.

Motion/Second by Hawbaker/Flowers-Taylor to accept the recommendation of the Animal Care and Control Advisory board to set the fee for an Unaltered Animal permit at \$100.00. Motion carried 4-1 (Ray).

5. Consider on first reading an ordinance removing the portion of Part VI, Chapter 1, Article A, Division 2 Section 2-1099(e)(1)(b) that provided for the issuance of an alcohol license within 101 feet and 300 feet of any private residence.

Mr. Wilson stated that this ordinance was amended last year to accommodate a business owner and the license was not issued. At the time the amendment was made staff expressed their concerns over amending the ordinance and this will remove the modification that was implemented last year. Staff is requesting that the Board rescind the amendment to the Alcohol Ordinance that would allow someone to apply for a license to sell alcoholic beverages within the 101 feet to 300 feet of a private residence.

Motion/Second by Flowers-Taylor/Ray to approve on first reading an amendment to remove the portion of Part VI, Chapter 1, Article A, Division 2, Section 2-1099(e)(1)(b) that provided for the issuance of an alcohol license within 101 to 300 feet of any private residence. Motion carried unanimously by all.

6. Review, discussion and determination of location for Pickleball facility for planning purposes at Wyomia Tyus Park.

Mr. Wilson stated that staff has presented several locations for Pickleball and for the Aquatic Center, at the last meeting the Board was asked to send us your recommendation for the location of these facilities. It was determined that Wyomia Tyus Olympic Park would be the best location for the Pickleball facility.

Mr. Wilson further stated that Commissioner Miller has expressed his reservations regarding this location due to the limited parking, the ingress and egress for the location and would like to explore the possibility of a second entrance to this park.

Mr. Wilson stated that staff is ready to move forward with the planning stage of this bonded facility and getting construction underway.

Motion/Second by Hawbaker/Flowers-Taylor to direct staff to proceed with plans for construction of a Pickleball Facility that was approved in the 2015 SPLOST at Wyomia Tyus Olympic Park on existing property located next to the baseball fields.

Commissioner Miller stated that he would like to explore the possibility of access to Wyomia Tyus Park from Vineyard Road so there will be two ways to get into this park to alleviate some of congestion. Additionally, he asks that the Pickleball people work with the soccer and baseball associations to coordinate their tournaments.

Commissioner Flowers-Taylor stated that there had been no money budgeted for the purchase of property and since we already own the property at Wyomia Tyus it is the logical location.

Motion carried unanimously by all.

8. Commissioner Flowers-Taylor would like to discuss the use of the "old jail property" 230 East Broad Street by the Spalding County Collaborative Authority for Families and Children.

Commissioner Flowers-Taylor stated that at the Intergovernmental Retreat in Carrollton, we found some interesting parallels on organizations trying to do the same thing. There appears to be a lot of duplication of services within our community.

She attended the collaborative meeting last week and there were 20+ organizations present at the meeting. She further stated that the Collaborative doesn't have a place to meet and there is no central location within the county for an individual to go to find out how to access services that are available in our community. For example, where to go for WIC, who is providing after school mentoring or any of the other services available to our citizens. She stated that she had talked with Mr. Joseph Walker and Ms. Regina Abbott and they will be coming to the Board with a request to be able to use that building to facilitate some of the networking for the other organizations that they work under and provide access to services for people on a daily basis.

Commissioner Flowers-Taylor stated that this group will be trying to deal with the homeless population and trying to get GED's and employment for these individuals. Basically they will be doing what we talked about earlier in the meeting regarding educating people and getting them ready for the work environment.

Mr. Wilson stated that right now the building is vacant and has been vacant for some time. Essentially a building of that age and that size deteriorates rapidly without a tenant in it. The County does not have a tenant waiting to go into that building and the County is currently paying the utilities on the building plus the monthly alarm monitoring fee for the building.

Mr. Wilson stated that he has talked with the Collaborative and with Mr. Fortune and he believes that a lease can be structured whereby they will lease the building from us, be responsible for the utilities and monitoring system charges, they will perform their own inside maintenance and if they want to do any remodeling, they will be responsible for the cost of that remodel and it will have to be submitted and approved prior to anything being done.

The County will maintain the outside of the building because it is on the National Register and anything done to the outside has to be done according to the National Register specifications. It is anticipated that this will save the County \$300 to \$500 per month on utilities and monitoring costs. The lease will be renewed on a yearly basis so if it doesn't work out for us or if it doesn't work out for them we can cancel it at the end of that period of time.

He further stated that the County will retain the ability to rent out the top floor of the building. Mr. Wilson stated that what we need from the Board tonight is the approval for the County Attorney to draw up a lease to be considered at the March 7th meeting.

Motion/Second by Miller/Ray to instruct Mr. Fortune to draft a lease agreement for the term of one year with the Collaborative Authority. Motion carried unanimously by

all.

XI. REPORT OF COUNTY MANAGER

- ✓ Nutrition Program Success Story – During the month of January we served 3200 meals, 1469 of those were home delivered, 946 congregate and 789 meals to guests and senior members. The membership at the Senior Center has increased 20% since August we now have 2266 members at the Spalding County Senior Center. The Senior Center is open Monday through Friday from 8:00 a.m. to 5:00 p.m. with extended hours on Tuesday and Thursday until 9:00 p.m.
- ✓ Early Voting is underway. It started on February 8 and will run through Friday, February 26th from 8:00 a.m. until 5:00 p.m. at Memorial Drive Plaza. He encourages everyone to get out and vote.
- ✓ The Joint Development Authority of Butts and Spalding County issued their press release regarding a capital investment of \$85 million and 500 jobs for the joint property. The rezoning of that property will come before the Planning Commission this month and the Board of Commissioners next month.
- ✓ The Archways Young Professionals Meeting will be held on February 18th at the Griffin Spalding Athletic Hall of Fame on Memorial Drive 5:30 -7:00 p.m. everyone is invited.
- ✓ Special Called Meeting on Thursday, February 18th at 9:00 a.m. Voting on the sale of the SPLOST bonds. The bonds will actually be up for sale on February 17th and the Board will confirm it on the 18th. Funds from the sale of the bonds should be in the bank on March 1 for our SPLOST projects
- ✓ Bain Proctor Volunteerism Award Nominations will be accepted until 5:00 p.m. on March 4th, 2016.
- ✓ Griffin Mayor Dick Morrow's son, Jeff Morrow, passed away Sunday. We will let you know the arrangements as soon as they are available. Kenny Smith's niece, Trina Belvin of Jackson GA also passed away and we will send you the information on this as soon as it is available.
- ✓ We have had a scheduling problem and are going to need to reschedule the Retreat originally scheduled for this Saturday. We have a couple of commissioners who will be unable to attend and our facilitator is ill and he was happy to hear that we are going to have to postpone this meeting. The only day that the facilitator has open for reschedule of this meeting is Tuesday, March 29th. If the Board can make that day, it would actually work out very well with the budget.

Commissioner Flowers-Taylor stated that she is concerned over the Board not being able to review the FY2017 budget information until so late in the process.

Mr. Wilson asked if the Board would like to have a workshop to review the health insurance, budget priorities, the turnover that we are experiencing and Phase II of our four year plan and the possible costs on March 7 beginning at 9:30 a.m.

Consensus of the Board is to hold a workshop on March 7, 2016 beginning at 9:30 a.m. to review the health insurance, budget priorities, turnover being experienced in county department and Phase II of the four year plan and the retreat on March 29th.

XII. REPORT OF COMMISSIONERS

Commissioner Donald Hawbaker stated that he appreciates the kind words from the soccer association members that were here this evening, however, the real thanks is to the voters of Spalding County. He anticipates that the voters will be pleased with the projects once they are constructed and in use.

He wanted to note the sad passing of U.S. Supreme Court Justice Anthony Scalia. He was a brilliant jurist and a great human being.

Commissioner Hawbaker stated that he is thrilled by the announcement from Dollar General. He wanted to welcome Dollar General to the slice of Spalding County that they will be occupying.

He wanted to congratulate Lt. Mike Ellis of the Spalding County Fire Department on his promotion from Lt. to Captain.

Commissioner Gwen Flowers-Taylor stated she is excited about the first projects for the SPLOST coming on line. Excited to see the buildings at Fairmont once the asbestos abatement is done coming down. She thinks that people will see that and know that something is actually going to happen. She is also excited about the next phase of the housing authority opening up Meriwether Street.

Commissioner Flowers-Taylor stated that she is glad that the Board has made a decision on our portion of the money to do the roundabout in the flats and the funding for the bridge. She stated that when the group visited Carrollton last week and she went through the roundabout there, she could see the possibilities that the roundabout in the Flats could open up for that area.

She stated that the idea of a distribution center for Dollar General coming here with jobs that are not going to be minimum wage makes her want to get out and start talking to people about getting their GEDs because these jobs will require them to have some aptitude.

She was glad to learn at the retreat that the high school graduation rate is already beginning to turn around the percentage has gone up a couple of points already and the goal of the school board is to be at 80% by the year 2020.

Commissioner Raymond Ray asked for an update on the upgrade to the HVAC system at the CI.

Mr. Wilson stated that it isn't the HVAC it is the control system for the HVAC. He stated that the equipment has been ordered and everything is getting ready for installation.

Commissioner Ray wanted again to offer condolences and sympathy to Chairperson Johnson and her family on the loss of her father.

He stated they did have a good retreat through the Archway Program with the City and the School System as well as other people in the community who attended. He stated that he believes they moved a step forward in bringing Griffin, Spalding County and the School System one step closer together. The choices these three entities have is to "Do it right" or "Do it again" and right now we are trying to "Do it right."

Commissioner Bart Miller stated that he was glad that Dollar General is coming to Spalding County and he feels it is going to be a great thing for the County. It is his understanding that the jobs that will be generated by this employer is not going to be minimum wage, but are going to be more substantial salaries and it is good that the location is going to be partially in Spalding County.

He still wants everyone to know that we need to look at hiring employees. He knows that we have to do something in Public Safety and Fire, but some of the other positions we need to hold off on, he is concerned that we are going to be in dire need of money by the fiscal year end. He expressed his concern over reduction in funds, especially with the possibility of losing the taxes on the hospital and other things that may reduce income to the General Fund.

Chairperson Rita Johnson wanted to thank everyone for their prayers and well wishes on the passing of her dad. She wanted to thank the Board for stepping in and handling the trip to Carrollton. She was sorry that she couldn't make the trip, but she is looking forward to the next one.

XIII. **CLOSED SESSION** – None.

XIV. ADJOURNMENT

*Motion/Second by Ray/Miller to adjourn the meeting at 7:45 p.m.
Motion carried unanimously by all.*

/s/ _____ /s/ _____
Rita C. Johnson, Chairperson William P. Wilson, Jr., Clerk