

REGULAR MONTHLY MEETING

The Regular Monthly Meeting of the Spalding County Board of Commissioners was held in Room 108 in the Courthouse Annex, Monday, March 3, 2008 beginning at 6:00 o'clock p.m. Commission Chairman Edward Goss, Jr. presided, and Commissioners Eddie L. Freeman, Johnie McDaniel, Gwen Flowers-Taylor and David Phillips 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., Community Development Director Chuck Taylor, and Executive Secretary Teresa Watson.

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

II. INVOCATION – Led by Commissioner Johnie McDaniel

III. PLEDGE TO FLAG – Led by County Attorney James R. Fortune, Jr.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Griffin-Spalding Development Authority to make a presentation regarding a future SPLOST.

Mr. Chuck Copeland, Mr. David Luckie and Mr. Brian Upson made the presentation and were supported by a number of Development Authority members in attendance. Mr. Copeland, current Chairman of the Development Authority, presented an overview of the authority's efforts and the economic impact of the authority's clients on Griffin and Spalding County. He detailed then extreme need for available land with which they can attract new industry. The fact that since the failed 2003 SPLOST, and in spite of the Development Authority's lack of any real developed property to market, the Authority facilitated \$86.7 million in new capital investment, including the location of 10 new industrial clients and over 800 new jobs. This is made even more phenomenal by the short supply of suitable land. The loss of the most recent industrial possibility was due primarily to the lack of suitable land and infrastructure.

Mr. David Luckie, Executive Director of the Griffin-Spalding Development Authority, passed handouts to commissioners, and he highlighted a map which detailed the property known locally as "Big Shanty." They are putting together a land use plan for this tract and want to develop it as an economic development park. He detailed the individual tracts and their proposed uses; the total of 570 acres could be a big boon to attracting new industry to the area. The design takes into account utility easements on the property and the 11 lakes which will be used aesthetically and as retention/detention pond areas. They will plan to upgrade a portion of Crouch Road, leaving approximately 40 acres as greenspace now that could be developed in the future. This design is AKB overlay compliant, so there will be a frontage road entering on Wild Plum Road. The house known as Big Shanty would be made into a nature center with nature/walking/biking trails and public road access. The contract is somewhat time sensitive since they structured the deal thinking a September SPLOST would occur. If it goes beyond that into 2009, there won't be a contract, and

the landowners have another option already so the Development Authority probably cannot get past that point. The \$25,000,000 being requested on this SPLOST provides for the purchase of land, sewer capacity, sewer and water lines installation, paving, engineering and site grading of some parcels (along front, parkway and some of the lakes). They plan to develop further as land sales occur. He thanked the Board and requested favorable consideration.

Mr. Luckie answered Commissioner Phillips that the progression of industrial park sites in close proximity was one thing learned from the failed 2003 and 2004 SPLOSTs. Residents wanted to see industrial property remain where it was, so contiguous properties are considered for development. The Development Authority has been interested for quite some time in this property and on a recent approach got an executed agreement. Several smaller tracts are made available routinely but not many large tracts such as this come available.

Commissioner Flowers-Taylor advised that at the retreat the Board committed to call for SPLOST in March 2009. Mr. Luckie said he was not aware of this protracted time. With Mr. Luckie facing the fact that other offers were made to these property owners, he considered it fortunate they could develop this plan.

2. Recognize three additional 2007 Graduates of Spalding County Rookie Firefighters Training School: Christopher N. (Nathan) Blanks, Henry DeMarcus (D) Sims, and Renee A. McIver.

Present to recognize the rookies were: Spalding County Fire Chief Chipper Gardner, Assistant Fire Chief Kenny West, and Captain Smith. All were congratulated.

3. Recognize S.C. Fire Dept. Captain Jamie Clark for his distinction as "Firefighter of the Year."

Spalding County Fire Chief Chipper Gardner and Assistant Fire Chief Kenny West recognized the efforts of Captain Clark, an employee of 23 years. He is a leader and a most excellent employee who well deserves this honor.

Chief Gardner warned of inclement weather expected tomorrow.

V. PRESENTATION OF FINANCIAL STATEMENTS – N/A

VI. CITIZENS COMMENTS – N/A

VII. PUBLIC COMMENT

Speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted 5 minutes to speak on topics pertinent to the Board's jurisdiction. No speaker will be allowed to readdress the Board without express consent from a Board member. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

Bonnie Harris, 443 School Road, Griffin, Georgia

Ms. Harris addressed the hardship caused by No Parking on Richardson Road (grandparents live at 60 Richardson Road). On holiday events and special occasions, some feel the situation is very unfair. Neighbors are accommodating but they hate to keep asking to park in their driveways and yards. They have never abused the parking privileges. Residents have provided the Board of Commissioners with two petitions with signatures of all residents except the original complainant who was successful in getting this road designated no parking. It is a very wide street and a turnaround block. Commissioner Phillips commented he thought the Board might be open to reconsidering after further research.

Kathy Noble, 876 Musgrove Road, Griffin, Georgia

Ms. Noble apologized for the distribution of erroneous information on the 800 MHz system and commended the Board and all employees for professional manner in which this was handled. She does not underestimate the difficulty of all of our jobs and was sorry for the chaos.

Phil Becker, 720 Wilson Road, Griffin, Georgia

He asked the Board for clarity on the use of ball fields and felt they were entitled as taxpayers to use the fields as well as Little League. He questioned why both leagues, USSSA and Little League, cannot share fields. He further questioned why the commissioners disbanded this Spalding County Youth Baseball (SCYB) board, and he surmised there might be hidden agendas. He thanked Commissioners Flowers-Taylor and Freeman for their open minds and insisted that his was a rec ball association.

Commissioner Freeman said the Board of Commissioners did vote to sanction Little League but wondered why the County could not have two leagues, as well.

T.J. McDaniel, 171 Davidson Circle, Griffin, Georgia

USSSA has refunded only 25 players who wanted to play Little League and gained another 20 for a net loss of only 5. He also wondered just why Little League was sanctioned and whether or not the County could, in fact, have two associations, thereby letting the parents registering their children make the ultimate decision.

Scott Sailors, 196 Oxford Road, Griffin, Georgia

As President of SCYB, he feels they were wrongfully depicted as not willing to work on reconciliatory proposals. He urged commissioners to read their three proposals which were not received well for consideration. Mr. Sailors echoed Mr. T.J. McDaniel's comments and noted that, as of today, over 400

signed up for USSSA and Little League has only slightly over 100 signed up, so parents seem to have spoken on the issue. He, too, wondered why Spalding County can't accommodate two leagues with parks assigned to each. Will Doss as mediator recently was trying to resolve the issues but stated they were too far apart, according to members of the new Little League board. He reiterated that SCYB wants to encompass all children and not just select league. Little League doesn't fit with the current system in place, nor does it accommodate tournament play with different sized fields, and Little League only recognizes Little League teams for tournament play. He noted that he had talked with Commissioner Phillips about 10-12 hours and confirmed to Commissioner Freeman that he had never talked to Mr. Freeman outside this meeting tonight. The SCYB Bylaws state that the decision with whom to affiliate is left up to the discretion of SCYB, so he questioned why the Board of Commissioners had to become involved and mandate a choice.

Commissioner Flowers-Taylor said it worked its way to the Board of Commissioners because two groups of adults couldn't agree on things for children. Her pet peeves with this and both basketball and soccer were because they exclude children who cannot pay to play, so it is not for everyone. They do have select teams who draft the same kids over and over, perpetuating a system that is not fair. This practice no longer teaches good values to children and children who just want to play are lost in the process.

Mr. Sailors advised he was trying to better baseball in Spalding County so that it doesn't lag behind as it does in everything else. He noted that SCYB couldn't change their philosophy in mid-stream after preparing for three months. To switch to Little League would mean too much of a change in direction.

Chairman Goss advised Little League is what will be played this year.

Torre Daniell, 203 Autumn Ridge Drive, Griffin, Georgia

This is the first Board of Commissioners meeting he has attended, but he noted he should have been here before. He was elected to the Little League Board by voting members, and their Bylaws have statutes and processes in place to elect boards, make decisions and function as a group. They have gone to great lengths to follow these mandates. With regard to the referenced proposals brought to the negotiation table by SCYB, those proposals were simply untenable. There are valid reasons why two leagues won't be viable. The contract signed by SCYB agreed that the Board of Commissioners had a vested interest in equipment, yet the request to inventory said equipment has been denied by SCYB. The County currently has quite a bit of equipment; however, Little League as a Board has none. Additionally, parents trying to get refunds have been unable to get in touch with anyone at SCYB, so realistically, the quoted number of 25 refunds is probably a false statistic. Youth associations have not held every practice and/or every game on fields owned by the County, so there are other opportunities for use of fields. He has played in Orchard Hill and behind Orrs Elementary School, as well. Practices must sometimes be held in other places simply due to numbers. In conclusion, in recent years the number of children playing has declined, so Little League was asked to step up and try to remedy that situation. He thanked the Board and urged them to let us play ball in this County.

Shannon Bell, 1356 Patterson Road, Griffin, Georgia

He wanted to clarify a misconception about Little League taking money away from the County. They do take a slight percentage for administrative, but everything else goes to County programs. This stalemate was not a struggle between Little League, USSSA and SCYB. It was, in his opinion, a struggle between the Parks and Rec Advisory Commission and SCYB and should have been negotiated out before it proceeded to this point. Ten fields total cannot accommodate the play and practice of two leagues. SCYB has lost more than the 5 net they cited, and he has spoken to many parents, as has Mr. Torre Daniell, who are confused and some who would like refunds but cannot reach SCYB. There are, in fact, entire teams coming over. Little League doesn't know exactly how many are signed up yet since they only began signing up players five days ago. The Board of Commissioners has mandated that baseball could not, as with other organizations too, play tournament ball until the regular season is over. Much misinformation has been provided and has been very divisive.

Commissioner Freeman stated he wanted to know how many have signed up for each league when signups are complete.

Dale Marella, 690 East College Street, Griffin, Georgia

As President of SCYB three years ago, he and the Vice-President went to a clinic in Peachtree City held by Little League. No one else attended. It was there he became enlightened about the administrative direction of Little League which is played in 38 counties and 50 states. District 4 administrative person, Linda North, is in her 23rd year. She is conscientious and he has never called her and had her not respond. She has helped on every occasion as requested and appeared whenever they needed her. There is a reason that Little League has 9 board members with only three being coaches. They want diversity among board members and not just coaches. He stepped down due to his traveling schedule, but at his last coaches/managers meeting, he introduced Linda North and Little League and gave out brochures for all to consider. He went to about 15 good coaches who were good community servants in different associations and stressed the need for greater structure. Little League is dedicated and considerate of all for a balanced and level playing field. This embracing of Little League began three years ago with that trip to Peachtree City and, to him, represents good direction.

Anthony Annis, 625 Parham Road, Griffin, Georgia

Mr. Annis, who coaches for SCYB, felt the Board of Commissioners should have made clear that conformity to Little League was mandatory and provided enough time to plan effectively. Little League is good but is not always a great fit. The entire process could have been handled better.

Don Conner, 2807 Steele Road, Griffin, Georgia

When he signed his son up for SCYB, he was never told about the possibility they would have to play Little League. His wife got a disturbing phone call from SCYB and they won't play USSSA regardless.

Tim Trice, 45 Chappell Hill Road, Griffin, Georgia

When his son signed up with SCYB, he was not told about Little League as well. There are 13 kids on his team, and none of the parents knew what was going on. So, he went to the Little League meeting at Tyus Park on Saturday and his team wants to switch. All the parents were in favor except for one, and he has tried to get in touch with SCYB since Friday but no one will return phone calls. He will go down and request a refund, saying he just wants to see the children be able to play. He responded that he has tried to contact Joni at the office at AMBUCS and at her cell number but she was not answering.

Tina Trice, 45 Chappell Hill Road, Griffin, Georgia

Not only did the parents not know of the issue with Little League, but they didn't know that SCYB would not be able to have fields prepped for games.

Bill Johnson, 1960 Bonnie Ridge Drive, Griffin, Georgia

Mr. Johnson sponsors a team each year and has two children playing SCYB for the past two years. Beyond that, he is a resident, taxpayer and registered voter. He has coached and played in two other counties and seen good things and bad things with SCYB, but he noted they have matured over the past couple of years. The practice of protections on teams leads to a cohesiveness and dependent relationship where the children playing together don't want to be disbanded. This is proving to be very disruptive for them. When the County moved to Little League last year, they lost a good many people. He questioned why the Board would make people join an association of which they don't want to be a part. A true recreation team is what he endorses and what he has currently. He doesn't like a powerful organization like the Board of Commissioners dictating the association he must affiliate with and felt it violated the First Amendment right of people to peacefully assemble. He urged commissioners to let parents choose which organize they want to place children in without interference, comparing this mandate to directing which religion people must practice. His team has practiced already and they want to stay with SCYB. There is room for two leagues and enough fields for two leagues; if not, perhaps there need to be more fields as the same number of players will be vying for the field space, whether for two leagues or one.

Commissioner McDaniel noted the driving force behind the vote to stay with Little League one more year was the immediate drought conditions which could not accommodate the modifications necessary to fields for USSSA. It was, he noted, a logistical decision.

Chairman Goss reiterated that Parks and Recreation will have one recognized league – Little League.

Dan Smith, 123 Canaan Court, Williamson, Georgia

Mr. Smith supported the Parks and Rec Advisory Board and almost all commissioners. The majority of parents here do support them, as well. The County should support its decision even in the aftermath of the confusion, and he was asking the Board to stand up and allow children to play, most of whom don't even know what they league they are playing. He urged the County to notify all parents of the situation properly and not allow this other league to, in essence, keep players hostage. He concluded by requesting that the Board support the Parks and Rec Advisory Board and stand behind their previous vote.

Code Enforcement Officer Michael Heath escorted Mr. Bill Johnson from the meeting room at the request of the Chairman.

Cristal Sailors, 196 Oxford Road, Griffin, Georgia

Ms. Sailors said it was obvious commissioners misunderstood some facts being presented. Two leagues with one president just won't work and further would not be allowed by Linda North of Little League. Scott Sailors did not ask for this job but rather was asked to be president. People don't educate themselves to any situation until it becomes necessary for whatever reason, and that has proven to be true in this instance. Issues can be revisited, and she urged the Board to do so. She agreed there would be the same number of children playing regardless of the number of associations involved.

William Scott, 304 S. Pinehill Road, Griffin, Georgia

Mr. Scott has two grandsons playing travel ball. He went to vote on the new board and got voted in as president. He agreed that people signed up their children to play ball with no clue as to what league they are playing for and could care less even if they did. His grandsons are not playing in Spalding County, but issues like this need to get resolved to ensure the viability of the system here. Little League has not signed up as many due to a later start with signups. He urged the Board to come out and get this settled so everyone can play ball.

Chairman Goss stated several citizens had asked him to clarify the facts. This year's recreation ball will be Little League and is the only organization that Parks and Recreation and the Board of Commissioners will recognize. With all this turmoil, and the tight schedule between the start of the two seasons, background checks that must be completed before opening day are lacking.

Louis Greene, Parks and Recreation Director, confirmed that no background checks from SCYB have been received, and Parks and Recreation has notified SCYB of same so they could be aware and comply. His department only found out last week that SCYB had moved up their opening day which complicates scheduling further for background checks. Ten things are required by this contract, and none have been submitted to date and according to their online calendar their opening day is March 8, Saturday, at Tyus Park. Little League opening day will be April 7, 2008. The contract termination 30-day period expires March 11, 2008. The association president usually informs who doesn't company and they hold that game back until these background checks or other criteria is satisfied. The good will of the president gets this done usually. Parks and Recreation has never had a situation where the County was so at odds with a youth association. Parks and Recreation will check on fields to make sure compliance happens but those visits are unannounced. When USSSA takes the field or Little League, they need to ensure they have background checks. Mr. Greene stated that Parks and Rec can be there on opening to check if the Board so desires.

Cristal Sailors confirmed March 8 was original opening date but they moved it to March 15 because of the Atlanta Motor Speedway race. If the website still showed March 8 as opening day on the calendar, that was in error. They have not followed up with background checks since the contract was terminated. Opening day, confirmed Scott Sailors, is March 15.

Commissioner Flowers-Taylor stated she was heartbroken over the way this issue has developed and been handled. She voted for Little League because she was told the fields could not be modified which would be problematic in the severe drought conditions. It was, she agreed, stupid to let matters progress to this point. The Board can revisit their decisions; they have done it before and can do again if they so desire. She urged everyone involved to think of the children and felt that some had, in fact, antagonized the situation. She called for the Board to readdress the issue, stating she doesn't operate with the phrase "no way" in her vocabulary.

Commissioner Freeman advocated accommodating two leagues and agreed with Commissioner Flowers-Taylor they could revisit the matter.

Commissioner McDaniel said it also breaks his heart to hear it's all about the kids when it clearly doesn't appear to be so. There is something bigger going on, and adults have so complicated the situation that it became necessary for the Board of Commissioners to get involved. If this game is truly about teaching life lessons, what have we taught the children in this process? The lesson has been that if you don't get your way, you pitch a fit and antagonize all involved until everyone see things your way. The County should be able to accommodate baseball with one league. Nothing is forever, and he requested that SCYB just give Little League one more year, rather than acting as if it's all about getting your child on the team you want. This issue has gotten way bigger than a child's game.

Commissioner Freeman mentioned the February 9 Atlanta Journal-Constitution article which highlighted that many teams are changing from Little League. Dissatisfaction with Little League appears to be more widespread than just in Spalding County.

Commissioner Phillips thought it sad, as well, noting that he learned many great life lessons from his youth baseball coach, Lamar Jones, even though most of his play experience was on losing teams.

Cindy Mangham, 102 Coach Drive, Griffin, Georgia

Ms. Mangham stated she was on the new Little League Board yet has no child playing. Her grandchild may play but came off because of the way the league was being run previously. She has listened tonight and heard from parents who want control, feeling it was not about the kids at all. She sits on this board to help get things back they way they need to be. They have extended tryouts to March 15, 2008 and have offered to take players even if they cannot get a refund from USSSA if they have a receipt to prove they paid. She would ensure every child would be able to play who wanted to under the league the Board of Commissioners has so designated. She urged commissioners to adhere to what they voted for, realizing it is for this one year only. The proposal she saw on Friday evening was sugarcoated toward SCYB's desire for USSA and was ineffective. She will be the first to honestly tell commissioners when something might not be going right on the new Board and even step off the Board if necessary, but she felt they had the best interest of all the children of Spalding County at heart.

Mr. Daniell said the current Little League Board does not have a dog in this fight, but he was concerned over hearing the Board of Commissioners might reconsider their deliberate vote. At the time of the Board of Commissioners' vote, SCYB decided to plow ahead and do whatever they wanted regardless of the Board's decision, so they did and the contract was consequently terminated. SCYB consciously chose not to play ball, either with Little League or the Board of Commissioners. The fact is that since there is a Little League in place and children are signed up to play, he hoped commissioners would teach that bullying does not work. He urged the Board to teach them this is a government based on the rule of law and that when Spalding County, as an employer, gives direction that is not followed, you don't get to go ahead and do things your way. Don't teach children, he asked, that it doesn't matter what you do as long as you get your way. In conclusion, Mr. Daniell said he was glad his son was not in attendance tonight to hear the majority of this discussion, and he requested that the Board simply do what the same thing they urge children in baseball to do -- play by the rules.

VIII. MINUTES

1. Consider approval of: Feb. 18 Extraordinary Session and Feb. 28, 2008 Zoning Public Hearing.

Motion to approve the February 18, 2008 Extraordinary Session by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 3-0-2 with Commissioners Flowers-Taylor and Phillips abstaining since they were absent from the meeting..

Motion to approve February 28, 2008 Zoning Public Hearing By Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 4-0-1 with an abstention by Commissioner Flowers-Taylor who was not present for the meeting.

IX. CONSENT AGENDA – N/A

X. OLD BUSINESS

1. Consider 3-year term to Butts, Henry, Lamar & Spalding County Development Authority – Exp. 12-31-2010 – For term of Don King that expired 12-31-2007.

Motion to Appoint Chuck Copeland, Chairman of the Griffin-Spalding Development Authority Board of Directors, to this appointment by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

XI. NEW BUSINESS

1. Consider approval of final plat of Ellis Farms Subdivision (Minor) located off Rehoboth Church Road and Barnesville Road – 5 lots.

Motion to approve final plat of Ellis Farms Subdivision (Minor) located off Rehoboth Church Road and Barnesville Road – 5 lots , amended to include the stipulation that all fire hydrants shall be in place before issuance of any building permits, by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

2. Consider recommendation of Spalding County Animal Care and Control Advisory Board to increase the adoption fees at the Animal Shelter by \$10.00 in an effort to partially fund spay/ neuter programs in the County. (First reading of Ordinance #2008-01)

Kelly Palmatier, 450 Malier Road, Griffin, Georgia

Ms. Palmatier spoke to the overpopulation problem that exists in Spalding County. Many strays are rescued by rescue groups with the remainder put to sleep. According to research, every dollar invested in spay/neuter programs will save taxpayers about \$18 on future costs of caring for those animals and their offspring had they remained unaltered. She realized budgets are important so the Animal Care and Control Advisory Board recommended an across-the-board increase of \$10 to all adoption fees to help offset the cost of spay/neuter programs. No new administration processes would be required since the system would track along with the voucher rabies program already in place. Basically this would equate to a \$10 discount on spaying or neutering an animal. Rescue groups granted an adoption fee waiver don't pay fees anyway. For rescuers who are out of state and pay the cost of transporting, this increase is probably not a factor. The Advisory Board feels this is a win-win-win situation. Presently the cost is \$20 to adopt and a rabies voucher for animals older than three months represents another \$15. The voucher is then taken to a veterinarian who obtains reimbursement. Animals at the shelter do not receive medical care (shots, etc.) but rather the County considers this the responsibility of the person adopting. This practice will probably generate some additional funding from out-of-state rescue groups that won't use vet facilities here.

Mr. Wilson noted this will require first and second readings, so second reading on March 17, 2008 will be scheduled. All vets will accept the vouchers, as they do for the rabies program. Vouchers will work hopefully with the mobile units that provide spay/neutering services, as well.

Motion to approve the increase of \$10 to adoption fees as recommended by Commissioner Flowers-Taylor, seconded by Commissioner Freeman, carried by a vote of 5-0.

3. Consider request of Nadine Graham, Coordinator, National Day of Prayer Spalding County, to observe the National Day of Prayer on May 1, 2008 on the Courthouse steps with the theme, "Prayer, America's Strength and Shield."

Motion to approve request of Nadine Graham, Coordinator, National Day of Prayer Spalding County, to observe the National Day of Prayer on May 1, 2008 on the Courthouse steps with the theme, "Prayer, America's Strength and Shield" by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

4. Consider, on first reading, Ordinance #2007-22 to Amend Part VII, Motor Vehicles and Traffic, to add Section 7-1012 to provide for Authorization for Motorized Carts.

Mr. Wilson advised this ordinance only applies to AAR zoning and to electric carts in only those designated areas. Presently Sun City Peachtree is the only location in this zoning classification.

Motion to approve , on first reading, Ordinance #2007-22 to Amend Part VII, Motor Vehicles and Traffic, to add Section 7-1012 to provide for Authorization for Motorized Carts by Commissioner Freeman, seconded by Commissioner McDaniel, carried by a vote of 5-0.

XII. REPORT OF COUNTY MANAGER

-The Board of Commissioners Retreat accomplishments on Saturday did not mention that Commissioner Flowers-Taylor received her CCAP Certification from ACCG this past year, and Mr. Wilson wanted to make special mention of that tonight.

-Spalding County has been asked to participate in Red Cross dress down day – the County and City are encouraged to help in this fundraising effort. The Red Cross has depleted all its funding for fire catastrophes and other emergencies, and this should help replenish those funds.

-A Phase I environmental study for the old Fairmont school property, which will total about \$2500, needs to be implemented as this area is slated for consideration as part of the County's park system.

-Little League Board officers were elected this past week, and the meeting went very smoothly.

-Changes to the County's smoking ordinance are needed in light of recent legislation. These changes will be presented in the near future, and there is some interest in making all County property, including all parks, smokefree.

-Delinquent business licenses are down 20% from last year.

-There were 57 building permits issued in the County last month, with 47 of those permits being for Sun City alone, valued at \$10.88 million.

XIII. REPORT OF COMMISSIONERS

Freeman – no comments.

Flowers-Taylor – no comments.

Phillips – no comments.

McDaniel – The Board recently approved the BMX bicycle track near the county line with the stipulation it was for non-motorized vehicles only. Constituents have begun a model racing track there with model cars powered by a special fuel blend and electric. Restrictions prohibited motors because of the noise level but the electric cars, about 18" long, won't be as noisy as fuel powered cars. He asked for the Board to ask Planning and Zoning to draw up an amendment, and commissioners concurred.

Motion to amend the agenda to consider, on second reading, Amendment to UDO #A-08-04: Article 5. AR-1 Agricultural and Residential District, Article 6. AR-2 Rural Reserve District, Article 7. R-1 Single-Family Residential Low Density District, Article 7A. R-1A Single Family Residential, Article 8. R-2 Single Family Residential District, Article 8A. R-2A Single Family and Two-Family Residential District, Article 10. R-4 Single Family Residential District, Article 11. R-5 Single Family Residential District, Article 11A. R-6 Planned Residential Community District, and Article 13. C-1A Neighborhood Commercial – amend Personal Care Homes as special exception use; Article 12. C-1 Highway Commercial, Article 14. C-1B Heavy Commercial and Article 19. O-1 Office and Institutional District – amend Personal Care Homes as principal use by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a unanimous 5-0 vote.

IN RE: Text Amendment #A-08-04

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

RESOLUTION AMENDING THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on February 28, 2008 pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be deleted from the Zoning Ordinance of Spalding County: Section 503(B)(20).

Section 2: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 5: Agricultural and Residential District (AR-1) to appear as Section 503(B)(20):

Section 503: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exceptions** in AR-1 districts:

20. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:

- a. minimum lot size 3 acres;
- b. minimum house size:
 - i. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
1500 square feet
 - iii. for no more than six residents:
2000 square feet
 - iv. for no more than eight residents:
2500 square feet.
- c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126, et. seq.;
- d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
- e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 3: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 6: Rural Reserve District (AR-2) to appear as Section 603(B)(14):

Section 603: Permitted Uses:

B. The following **Principal Uses** are permitted as **Special Exceptions** in AR-2 districts:

14. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:

- a. minimum lot size 5 acres;
- b. minimum house size:
 - i. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
1750 square feet
 - iii. for no more than six residents:
2000 square feet

- iv. for no more than eight residents:
2500 square feet.
- c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. 126, et. seq.;
- d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
- e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 4: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 7: Single-Family Residential Low Density District (R-1) to appear as Section 703(B)(5):

Section 703: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exceptions** in R-1 districts:
 - 5. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:
 - a. minimum lot size: as required by Section 704(B);
 - b. minimum house size:
 - i. “Resident” includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
2000 square feet
 - iii. for no more than six residents:
2000 square feet
 - iv. for no more than eight residents:
2500 square feet.
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 5: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 7A: Single-Family Residential District (R-1A) to appear as Section 703A(B)(5):

Section 703A: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exceptions** in R-1A districts:
 - 5. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:
 - a. Minimum lot size: as required by Section 704A(B);
 - b. Minimum house size:
 - i. “Resident” includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
2500 square feet
 - iii. for no more than six residents:
2500 square feet
 - iv. for no more than eight residents:
2500 square feet
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 6: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 8: Single-Family Residential District (R-2) to appear as Section 803(B)(5):

Section 803: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exceptions** in R-2 districts:

5. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:
 - a. minimum lot size: as required by Section 804A(B);
 - b. minimum house size:
 - i. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
1750 square feet
 - iii. for no more than six residents:
2000 square feet
 - iv. for no more than eight residents:
2500 square feet.
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 7: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 8A: Single-Family and Two-Family Residential District (R-2A) to appear as Section 803A(B)(4):

Section 803A: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exceptions** in R-2A districts:

4. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:
 - a. minimum lot size: as required by Section 804A(B);
 - b. minimum house size:
 - i. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
1500 square feet
 - iii. for no more than six residents:
2000 square feet
 - iv. for no more than eight residents:
2500 square feet.
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 8: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 10: Single-Family District (R-4) to appear as Section 1003(B)(5):

Section 1003: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exceptions** in R-4 districts:

5. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:
 - a. minimum lot size: as required by Section 1004A(B);
 - b. minimum house size:
 - i. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
1500 square feet
 - iii. for no more than six residents:
2000 square feet
 - iv. for no more than eight residents:
2500 square feet.
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. 126, et. seq.;

- d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
- e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 9: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 11: Single-Family District (R-5) to appear as Section 1103(B)(4):

Section 1103: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exceptions** in R-5 districts:
 - 4. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:
 - a. minimum lot size: as required by Section 1104A(B);
 - b. minimum house size:
 - i. “Resident” includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
 - 1500 square feet
 - iii. for no more than six residents:
 - 2000 square feet
 - iv. for no more than eight residents:
 - 2500 square feet.
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 10: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 11A: Planned Residential Community District (R-6) to appear as Section 1103A(B)(5):

Section 1103A: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exceptions** in R-6 districts:
 - 5. Group Personal Care-Home as defined in Section 202(BBB)(2) or Congregate Personal Care-Home as defined in Section 202(BBB)(3) that meets the following criteria:
 - a. minimum lot size: 3 acres
 - b. must be located on a street or road that is designated as a collector or thoroughfare;
 - c. compliance with the requirements of the Americans with Disabilities Act, 2 U.S.C. § 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 11. The following provision shall be added to the Zoning Ordinance of Spalding County, Article 11A: Planned Residential Community District (R-6) to appear as Section 1103A(B)(6):

Section 1103A: Permitted Uses.

- B. The following **Principal Uses** are permitted as **Special Exceptions** in R-6 districts:
 - 6. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:
 - a. minimum lot size: As required by Section 1106A(H);
 - b. minimum house size:
 - i. “Resident” includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
 - 1500 square feet
 - iii. for no more than six residents:
 - 2000 square feet
 - iv. for no more than eight residents:
 - 2500 square feet.

- c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. 126, et. seq.;
- d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
- e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 12: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 12: Highway Commercial: Section 1203(A)(17).

Section 13: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 12: Highway Commercial District (C-1) to appear as Section 1203(A)(17):

Section 1203: Permitted Uses.

A. The following **Principal Uses** are permitted in C-1 districts:

- 17. Group Personal Care-Home as defined in Section 202(BBB)(2) or Congregate Personal Care-Home as defined in Section 202(BBB)(3) that meets the following criteria:
 - a. minimum lot size: 3 acres
 - b. must be located on a street or road that is designated as a collector or thoroughfare;
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 14: The following provision shall be deleted from the Zoning Ordinance of Spalding County, Article 13: Neighborhood Commercial: Section 1303(B)(4).

Section 15: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 13: Neighborhood Commercial (C-1A) to appear as Section 1303(B)(4):

Section 1303: Permitted Uses.

B. The following **Principal Uses** are permitted as **Special Exceptions** in C-1A districts:

- 4. Group Personal Care-Home as defined in Section 202(BBB)(2) or Congregate Personal Care-Home as defined in Section 202(BBB)(3) that meets the following criteria:
 - a. minimum lot size: 3 acres
 - b. must be located on a street or road that is designated as a collector or thoroughfare;
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 16: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 13: Neighborhood Commercial (C-1A) to appear as Section 1303(B)(4):

Section 1303: Permitted Uses.

- 4'. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:
 - a. minimum lot size: 3 acres
 - b. minimum house size:
 - i. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents: 1500 square feet
 - iii. for no more than six residents: 2000 square feet
 - iv. for no more than eight residents: 2500 square feet.
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126, et. seq.;

- d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
- e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 17. The following provision shall be added to the Zoning Ordinance of Spalding County, Article 14: Heavy Commercial District (C-1B) to appear as Section 1403(A)(80):

Section 1403: Permitted Uses.

A. The following **Principal Uses** are permitted in C-1B districts:

- 80. Group Personal Care-Home as defined in Section 202(BBB)(2) or Congregate Personal Care-Home as defined in Section 202(BBB)(3) that meets the following criteria:
 - a. minimum lot size: 3 acres
 - b. must be located on a street or road that is designated as a collector or thoroughfare;
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 18: The following provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 19: Office and Institutional District: Section 1903(A)(6-8).

Section 19: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 19: Office and Institutional District (O-I) to appear as Section 1903(A)(6):

Section 1903: Permitted Uses.

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

- 6. Family Personal Care-Home as defined in Section 202(BBB)(1) that meets the following criteria:
 - a. minimum lot size: as required by Section 1904(B);
 - b. minimum house size:
 - i. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
 - ii. for no more than four residents:
1500 square feet
 - iii. for no more than six residents:
2000 square feet
 - iv. for no more than eight residents:
2500 square feet.
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 20. The following provision shall be added to the Zoning Ordinance of Spalding County, Article 19: Office and Institutional District (O-I) to appear as Section 1903(A)(7):

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

- 7. Group Personal Care-Home as defined in Section 202(BBB)(2) or Congregate Personal Care-Home as defined in Section 202(BBB)(3) that meets the following criteria:
 - a. minimum lot size: as required by Section 1904(B);
 - b. must be located on a street or road that is designated as a collector or thoroughfare;
 - c. compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126, et. seq.;
 - d. compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a personal care home;
 - e. Certificate of inspection and approval by the Fire Marshall and Building Inspector.

Section 21. The following provision shall be added to the Zoning Ordinance of Spalding County, Article 19: Office and Institutional District (O-I) to appear as Section 1903(A)(8):

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

- 8. Reserved.

Section 22: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 23: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

Motion to approve on second reading Amendment to UDO #A-08-04: Article 5. AR-1 Agricultural and Residential District, Article 6. AR-2 Rural Reserve District, Article 7. R-1 Single-Family Residential Low Density District, Article 7A. R-1A Single Family Residential, Article 8. R-2 Single Family Residential District, Article 8A. R-2A Single Family and Two-Family Residential District, Article 10. R-4 Single Family Residential District, Article 11. R-5 Single Family Residential District, Article 11A. R-6 Planned Residential Community District, and Article 13. C-1A Neighborhood Commercial – amend Personal Care Homes as special exception use; Article 12. C-1 Highway Commercial, Article 14. C-1B Heavy Commercial and Article 19. O-I Office and Institutional District – amend Personal Care Homes as principal use by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a unanimous vote of 5-0.

Commissioner Flowers-Taylor – She stated she had received a letter from a shelter called Promise Place. In the hospital emergency room, she comes in contact with victims of crime routinely and there are typically no resources for help. This letter cited that 407 sheltered nights were provided to residents of Spalding County last year. They request \$5000 for assistance in running the shelter, and she wanted Mr. Wilson to research if this was feasible.

Mr. Wilson advised as there was some confusion over a date for the SPLOST referendum being considered, he will ask for a final date at the March 17 Board of Commissioners meeting.

XIV. ADJOURNMENT

Motion and second to Adjourn at 8:54 p.m. by Commissioners McDaniel and Phillips carried 5-0.

Chairman

County Clerk

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