

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, March 17, 2008 beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Eddie Freeman, Johnie McDaniel and David Phillips present. Arriving late was Commissioner Gwen Flowers-Taylor. Also present were County Manager William P. Wilson, Jr., County Attorney James R. Fortune, Jr., Administrative Services Director Jinna L. Garrison, Assistant to the County Manager Paul Van Haute, and Executive Secretary Teresa Watson.

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

II. INVOCATION - Reverend Andy Campbell

III. PLEDGE TO FLAG – Led by County Manager William Wilson, Jr.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Eight Months Ending February 29, 2008.

Motion to approve Financial Statements for the Eight Months Ending February 29, 2008 by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 4-0 with Commissioner Flowers-Taylor absent for the vote.

VI. CITIZENS COMMENTS

Mr. Jerry Ellis would like to address the Board of Commissioners regarding the requirement of installing three fire hydrants in Ellis Farms Subdivision (Minor) located off Rehoboth Church Road and Barnesville Road – 5 lots – as approved on March 3, 2008 agenda.

Mr. Ellis did not feel he should have to pay for the fire hydrants but rather that fire hydrants should be the responsibility of the County to install. He understood it was code, but much of the County is not up to code. Mr. Wilson answered Commissioner Phillips that Mr. Ellis is being required to install the fire hydrants since his development qualifies as a minor subdivision (5 or more). His is the third or fourth development to be required to install fire hydrants since this requirement was implemented.

Commissioner Flowers-Taylor arrived to the meeting.

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 meeting.

John Rainwater, 444 Brook Lane, Griffin, Georgia

Mr. Rainwater spoke on behalf of the Board of Directors of the Chamber of Commerce. They were presented last week a conceptual design of the proposed Green Valley Industrial Park by the Development Authority. He felt the presentation addressed many of the same concerns shared by the Chamber. He provided a Resolution of Support for this concept passed by the Chamber for incorporation into the minutes of this Board of Commissioners proceeding.

Torre Daniell, 203 Autumn Ridge Drive, Griffin, Georgia

Mr. Daniell stated he was asked to speak to the Board regarding Little League with good news. Registrations are complete with about 500 signed up to play Little League and drafts have been held. Paperwork has been transferred from SCYB to Little League and, as of late this afternoon, a check for about \$23,000 was delivered to Parks and Recreation. He thanked the Board of Commissioners and felt this season could be a resounding success. Some assistance may still be required but he concluded that Spalding County could have a baseball season of which everyone can be proud.

David Hunnicutt, 463 Martin Dairy Road, Milner, Georgia

As President of the Softball Association, Mr. Hunnicutt attended a recent Parks and Recreation meeting regarding tournament play and heard Commissioners' decision to agree with the Advisory Commissions and prohibit travel ball until after regular play is complete. This has cost his softball association fundraising opportunities and he requested a lifting of the ban stating that all tournament play must be withheld until after regular seasons are finished. This issue could be revisited in 2009. Scholarships could not be provided since there was no initial operating capital due to this fundraising shortfall.

Commissioner Freeman stated the Board was becoming too involved already in Parks and Recreation decisions, and he was not in favor of this coming to commissioners for action. This was the first time that Commissioners Flowers-Taylor and Freeman have heard of this issue. Mr. Wilson said since nothing had been received from Parks and Recreation, all discussion was simply hypothesizing at this point.

Darlene Hightower, 449 Dutchman Road, Griffin, Georgia

As Vice President of the Girls Softball Association, Ms. Hightower said she was present to convey their support for tournaments, as well. They could have raised an additional \$7,000 had they been allowed to have tournaments to date, as well as tournament overflow from other counties for which Steve Harrison approached Louis Greene, Parks and Recreation Director, unsuccessfully. Mr. Greene stated the County had spent about \$6000 for bases although he had told them there was no money in the budget for field preparation (dust). As for signs, they tried a compromise with Mr. Bailey, their Advisory Commission liaison, but negotiations bogged down in the mesh color requirement. These signs, similar to the one she displayed, would provide an additional source of revenue which would be very beneficial. They put up the signs but Mr. Greene confiscated them and they had to return to Parks and Recreation to get their signs. Some commissioners felt they had approved the use of these previously and they requested research into the disposition of the matter.

Chuck Copeland, 136 Four Oaks Drive, Griffin, Georgia

Mr. Copeland and a number of other members of the Griffin-Spalding Development Authority were present to support in concept the development of the property known as Big Shanty. Their project on a successful 2008 SPLOST would make the Green Valley Industrial Park a reality, and they further need it to occur in 2008 rather than later due to time constraint issues. Commissioner Freeman concurred with Mr. Copeland's assessment and supported the project.

Walter Cliff Futral, 4953 Jackson Road, Griffin, Georgia

Mr. Futral spoke to the proposed Development Authority project and supported it for development. This project needs to happen and needs to happen in a timely fashion. He felt this was a singular, timely opportunity to support this vision.

VIII. MINUTES

1. Consider approving March 3, 2008 Board of Commissioners Regular Monthly Meeting minutes.

Motion to approve March 3, 2008 Board of Commissioners Regular Monthly Meeting minutes by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0.

IX. CONSENT AGENDA

X. OLD BUSINESS

1. Consider, on second reading, Ordinance #2008-01 Animal Control, to Amend Part XII, Chapter 1, Section 12-1016 – Fee Schedule and Miscellaneous Regulations, Item (b)(2)a. to provide for increase in adoption fee.

**SPALDING COUNTY, GEORGIA
CODE OF GENERAL ORDINANCES
ANIMAL CONTROL
ORDINANCE NO. 2008-01**

TO AMEND THE ANIMAL CONTROL CODE OF SPALDING COUNTY, GEORGIA, SO AS TO PROVIDE FOR AN INCREASE IN ADOPTION FEE 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 XII, Chapter 1, Section 12-1016, relating to Fee schedule and miscellaneous regulations, as follows:

Item (b) Fees: (2) For adoptions by persons other than the owner, possessor or custodian: a. The phrase "There shall be a twenty-dollar fee to adopt any animal" shall be struck in its entirety and inserted in lieu shall be: "There shall be a thirty dollar (\$30.00) fee to adopt any animal."

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.

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

Motion to approve, on second reading, Ordinance #2008-01 Animal Control, to Amend Part XII, Chapter 1, Section 12-1016 – Fee Schedule and Miscellaneous Regulations, Item (b)(2)a. to provide for increase in adoption fee by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

2. Consider, on second reading, Amendments to the Official Zoning Ordinance of the following:

- Amendment to UDO #A-08-01: Quarterly adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

IN RE: Text Amendment #A-08-01

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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment 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; and

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: A new paragraph shall be added to Section 2302(E) of “Official Zoning Map Spalding County, Georgia (Official Map)” of the Zoning Ordinance of Spalding County as follows:

A new Official Map was adopted on March 17, 2008, which will replace the previous Official Map.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Motion to approve, on second reading, Amendment to UDO #A-08-01: Quarterly adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County on second reading by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

- Amendment to UDO #A-08-02: Article 17B. AAR Active Adult Residential – amend development review and approval process for subdivision approval.

IN RE: Text Amendment #A-08-02

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; and

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 interest of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment 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 provisions shall be deleted from the Zoning Ordinance of Spalding County, Article 17B, "AAR Active Adult Residential," Sections 1704B(A) (3) (a) and 1704B(A) (3) (b).

Section 2: The following provision shall be amended to the Zoning Ordinance of Spalding County, Article 17B, "AAR Active Adult Residential," to appear as Section 1704B(A) (3):

Section 1704B: Development Review and Approval Process.

Site development regulations, specifications and procedures governing the platting of an AAR District development and plat approval procedures shall be in accordance with the Spalding County Unified Development Ordinance, Subdivision Ordinance, Appendix A.

Section 3: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective on April 1, 2008.

Section 4: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Motion to approve on second reading Amendment to UDO #A-08-02: Article 17B. AAR Active Adult Residential – amend development review and approval process for subdivision approval by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

- Amendment to UDO #A-08-03: Article 5. AR-1 Agricultural and Residential – Section 503:A(8) and Article 11. R-5 Single Family Residential – Section 1103:A(8) – amend permitted uses to allow Class A Manufactured Home by right when replacing an existing manufactured home.

IN RE: Text Amendment #A-08-03

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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment 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; and

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 added to the Zoning Ordinance of Spalding County, Article 5, "AR-1, Agricultural Residential:" to appear as Section 503(A)8:

Class A manufactured home with a heated floor area of at least 1,500 square feet which replaces a manufactured home located on the same tract that was used as a dwelling until within 180 days prior to the date on which a permit for the new manufactured home is requested. Evidence that a manufactured home was located on the same tract shall be satisfied by the presence of a manufactured home thereon on the date on which a permit for a new manufactured home is requested or evidence of payment for the removal or demolition of the old manufactured home within 180 days prior to the date on which a permit for a new manufactured home is requested. Evidence that the old manufactured home was used as a residence shall be satisfied by presentation of utility bills and corresponding payments for active utility service provided to the old manufactured home within 180 days prior to the date on which the new manufactured home permit is requested.

Section 2: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 11, "R-5, Single Family Residential:" Section 1103(A)8:

Class A manufactured home with a heated floor area of at least 1,500 square feet which replaces a manufactured home located on the same tract that was used as a dwelling until within 180 days prior to the date on which a permit for the new manufactured home is requested. Evidence that a manufactured home was located on the same tract shall be satisfied by the presence of a manufactured home thereon on the date on which a permit for a new manufactured home is requested or evidence of payment for the removal or demolition of the old manufactured home within 180 days prior to the date on which a permit for a new manufactured home is requested. Evidence that the old manufactured home was used as a residence shall be satisfied by presentation of utility bills and corresponding payments for active utility service provided to the old

manufactured home within 180 days prior to the date on which the new manufactured home permit is requested.

Section 3: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 4: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 5: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 6: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Motion to approve on second reading Amendment to UDO #A-08-03: Article 5. AR-1 Agricultural and Residential – Section 503:A(8) and Article 11. R-5 Single Family Residential – Section 1103:A(8) – amend permitted uses to allow Class A Manufactured Home by right when replacing an existing manufactured home by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

3. Consider, on second reading, Amendment to the Official Zoning Map of the following:
 - Application #07-19Z: Steve Morris, Owner – 2625 North Expressway – 1.52 acres – C-1 to C-1B, Conditional.

APPLICATION FOR STEVE MORRIS FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION #07-19Z

RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “C-1, Highway Commercial;”

WHEREAS, Steve Morris, applicant, applied for a change in zoning classification to be applied to the within described property to C-1B, Heavy Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on November 29, 2007;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on 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 and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that lot, tract or parcel of land situate, lying and being in Land Lot 103 of the Third Land District, originally Henry, now Spalding County, Georgia containing 1.52 acres as shown on a plat of survey entitled "Survey made for: Ann Everett" prepared by Joe Rowan Land Surveying, dated September 7, 2001, which said plat is incorporated herein and made a part of this legal description. Said tract may be more particularly described from said plat as follows:

BEGINNING at an iron stake on the west margin of Highway 19 & 41, which iron stake lies in a northerly direction along said west margin of Highway 19 & 41, a distance of 483.42 feet from its intersection with the south boundary line of Land Lot 103; thence from said Point of Beginning, South 89°59'37" West, a distance of 133.9 feet to an iron stake; thence North 0°12' East a distance of 483.13 feet to an iron stake; thence North 88°35'32" East, a distance of 139.22 feet to an iron stake located on the west margin of Highway 19 & 41; thence South 0°49'13" West, a distance of 486.58 feet to an iron stake, said iron stake marking the Point of Beginning.

From "C-1, Highway Commercial" to "C-1B, Heavy Commercial" District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. Site lighting to be designed so as to not glare in adjacent residential areas or onto public streets
- b. Any areas that are not graveled or concrete shall be stabilized with permanent vegetation.
- c. Any construction debris exposed or buried shall be removed from the site and properly disposed.
- d. That the outside storage be limited to vehicles for sale.

Section 3:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On March 17, 2008, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County: All that lot, tract or parcel of land situate, lying and being in Land Lot 103 of the Third Land District of Spalding County, Georgia, containing 1.52 acres, 2625 N. Expressway, zoned C-1B, Conditional.

(b) The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment of the Official Zoning Map of Spalding County, Georgia.

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Motion to approve on second reading Application #07-19Z: Steve Morris, Owner – 2625 North Expressway – 1.52 acres – C-1 to C-1B, Conditional by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

- Application #07-20Z: Shirley Crowley Knight and Richard W. Knight, Owner – 132 Airport Road - .598 acre – R-1 to O&I, Conditional.

APPLICATION FOR SHIRLEY CROWLEY KNIGHT AND RICHARD W. KNIGHT FOR
REZONING CERTAIN PROPERTY LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION #07-20Z

RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “R-1, Single Family Residential Low Density;”

WHEREAS, Shirley Crowley Knight and Richard W. Knight, applicant, applied for a change in zoning classification to be applied to the within described property to O & I, Office and Institutional;”

WHEREAS, such application was filed with Spalding County, Georgia on December 26, 2007;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on 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 and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that lot, tract or parcel of land lying and being in Land Lot 140 of the 2nd Land District, originally Monroe, now Spalding County, Georgia, containing 0.598 acre of land and being designated as Lot 1 and a portion of Lot 2 in the W. C. Kendrick Subdivision on a plat of survey entitled property survey for Richard W. Knight and Shirley Knight dated December 14, 2007, prepared by Bernhard, Harper and Associates, Inc. and may be more particularly described as follows:

BEGINNING at a ½” RBF on the south right-of-way of Airport Road, said ½” RBF being located easterly a distance of 347.61’ from the intersection of the south right-of-way of Airport Road and the east right-of-way of Woodlawn Avenue, from said Point of Beginning proceed along the south right-of-way of Airport Road North 88°43’44” East a distance of 138.69’ to a concrete monument found; thence leaving said right-of-way proceed South 02°18’42” East a distance of 187.16’ to a concrete monument

found; thence proceed South 88°01'09" West a distance of 59.73' to a ½" RBF; thence proceed South 87°47'03" West a distance of 78.36' to a ½" RBF; thence proceed North 02°29'12" West a distance of 189.20' to a ½" RBF located on the south right-of-way of Airport Road and Point of Beginning.

From "R-1, Single Family Residential Low Density" to "O & I, Office and Institutional" District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. A variance will be necessary for relief for the principal structure from 100 foot front setback in O & I.
- b. The garage shall be eliminated or a variance approved to comply with the side and rear setback requirements.
- c. The site will limit all lighting so any neighboring residential properties or rights of way will not be affected from glare.

Section 3:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On March 17, 2008, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County: All that lot, tract or parcel of land situate, lying and being in Land Lot 140 of the 2nd Land District of Spalding County, Georgia, containing 0.598 acre, 132 Airport Road, zoned O & I, Conditional.

(b) The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment of the Official Zoning Map of Spalding County, Georgia.

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Motion to approve on second reading Application #07-20Z: Shirley Crowley Knight and Richard W. Knight, Owner – 132 Airport Road - .598 acre – R-1 to O&I, Conditional by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

XI. NEW BUSINESS

1. Consider change order to revise, from the original contract, in-building coverages for the 49 mandatory buildings in the 800 MHz Communications System, with presentations by Steve Macke, Communications Consultant, and David Gerhard, M/A-Com Project Manager.

Mr. Macke stated Mr. Gerhard could not be present due to problems with transportation. Some issues, he noted, were changed after the contract was signed. Post contract award, several planned sites were changed at the direction of Spalding County. Each of the sites was determined to be standalone in case of emergencies, and problems arose in this area with the Wachovia Building. When this site was moved to Williamson Road, there were also issues with this alternative tower site. Some of the items that impact coverage are signal strength, measured in decibels, and path loss calculations, as in the poser of the transmitter either fixed or mobile/portable, receiver sensitivity and selectivity, antenna radiation patterns, etc. Signal strength is lost when the signal is asked to penetrate buildings but they must maintain an acceptable standard. Mobile coverage has not changed from the 95% requirement countywide that was stated at contract award. Mobile coverage across the County provides for unchanged talkback numbers. In-building coverage at the 49 identified critical buildings have changed to reflect that 10 of the previously classified 20 dB loss will now be a 12 dB loss. Of the 2 previously classified 12 dB loss buildings they will now be 20 dB loss buildings. Bidirectional amplifiers may have to be used in some instances to guarantee in-building coverage but this can

certainly be done. Mr. Macke identified the affected buildings and noted that since M/A-Com worked with very conservative numbers, there should not be adverse impact on in-building coverages. This three-site system had ended up becoming a five-site system but will constitute an infrastructure that will serve this area for many years to come.

Mr. Macke responded to Kathy Noble who asked about the acceptance test procedures that each grid in the process was individually tested and each grid measured and recorded. If any grid fails, additional work must be done to ensure its success by whatever means are necessary. He believes 3.0 can be achieved. From a contractual standpoint, requirements are very concrete, although Mr. Macke noted he was not present to speak for the vendor. Having said that, he was sure the legalities would be adhered to in the process. While the SPLOST required 95% mobile coverage, the map he provided showed the entire County would be covered.

Mr. Macke responded to Robert McIntyre that a 12 dB loss was indeed substantial, but still would allow them to maintain their contractual coverage requirement. The network architecture and design work in this project will exceed all expectations and provide a quality system. He assured attendees that their desire was to not have any loss of life for first responders due to problems. In-building coverage is absolutely essential for this and for continuity of government during crisis situations. Backup energy sources ensure there cannot be a single point of failure.

Motion to approve amendments to revise, from the original contract, in-building coverages for the 49 mandatory buildings in the 800 MHz Communications System in this specific change order by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0.

2. Consider Board Appointments as follows:

- McIntosh Trail CSB to fill term of Joy Kelley set to expire on March 30, 2008, and
- Spalding Collaborative to fill unexpired term of Frank (David) Castile for term to expire December 31, 2008.

Motion to reappoint Ms. Kelley McIntosh Trail CSB to fill term of Joy Kelley set to expire on March 30, 2008 by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

Motion to appoint Jewel Walker Harps to the Spalding Collaborative to fill the unexpired term of Frank (David) Castile for term to expire December 31, 2008, by Commissioner Flowers-Taylor, seconded by Commissioner Phillips, carried by a vote of 5-0.

3. Consider approval for final plat of Sun City Peachtree – Pod 33, located off Jordan Hill Road – 15 lots. Mr. Wilson noted all was well with the inspection process and he recommended approval.

Motion to approve, since all was in order and inspected final plat of Sun City Peachtree – Pod 33, located off Jordan Hill Road – 15 lots, by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

4. Consider acceptance of Right-of-Way for Tallulah Drive (Sun City Peachtree – Pod 33).

Motion to approve, since all was in order and inspected, acceptance of Right-of-Way for Tallulah Drive (Sun City Peachtree – Pod 33) by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

5. Consider approval of final plat for Sun City Peachtree – Pod 1B, located off Jordan Hill Road – 69 lots. Mr. Wilson noted all was well with the inspection process and he recommended approval.

Motion to approve, since all was in order and inspected, final plat for Sun City Peachtree – Pod 1B, located off Jordan Hill Road – 69 lots by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

6. Consider acceptance of Right-of-Way deed for Begonia Court (Sun City Peachtree Subdivision – Pod 1B).

Motion to approve, since all was in order and inspected, acceptance of Right-of-Way deed for Begonia Court (Sun City Peachtree Subdivision – Pod 1B) by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

7. Consider declaring surplus various operational and non-operational vehicles and equipment from the Public Works Department and authorizing sealed bids (excluding County employees) for the disposition of same.

Motion to approve declaring surplus various operational and non-operational vehicles and equipment from the Public Works Department and authorizing sealed bids (excluding County

employees) for the disposition of same by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

8. Consider recommendation of Major Wendell Beam of the Sheriff's Department to reduce speed limit on Vineyard Ridge Drive and Vineyard Ridge Lane.

Motion to approve recommendation of Major Wendell Beam of the Sheriff's Department to reduce speed limit on Vineyard Ridge Drive and Vineyard Ridge Lane, Ordinance #2008-02 Traffic Regulation, to amend and provide for reduction of speed limits, by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

9. Consider, on first reading, Ordinance #2008-03 to amend the Spalding County Code of Ordinances, Part VI Licensing and Regulation, Chapter 1, Businesses and Occupations, Article G. Excise Tax on Hotels, Section 6-1175, Proceeds of the tax, to provide for allocation of the hotel/motel tax.

Mr. Fortune noted this was a legal correction to adhere to the OCGA section properly. He responded that 3% is the rate for this hotel/motel tax.

Motion to approve, on first reading, Ordinance #2008-03 to amend the Spalding County Code of Ordinances, Part VI Licensing and Regulation, Chapter 1, Businesses and Occupations, Article G. Excise Tax on Hotels, Section 6-1175, Proceeds of the tax, to provide for allocation of the hotel/motel tax by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

10. Consider approval of contract with Atlanta Regional Commission (ARC) for Tri-County Crossing Livable Centers Initiatives (LCI).

Mr. Wilson advised that former Chairman Freeman has worked diligently over the past two years to get an LCI grant, and this project for the tri-county area has been awarded a grant. Spalding County is very proud and Mr. Wilson thanked Mr. Freeman for this \$100,000 award.

Motion to approve contract with Atlanta Regional Commission (ARC) for Tri-County Crossing Livable Centers Initiatives (LCI) by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

11. Consider approval of agreement with HDR for groundwater monitoring program at the Yamacraw Road Landfill. Mr. Wilson explained this closed landfill site must continue to be monitored for the next eight years at least, and that the price for this budgeted monitoring has held steady for the past three years.

Motion to approve agreement with HDR for groundwater monitoring program at the Yamacraw Road Landfill by Commissioner McDaniel, seconded by Commissioner Phillips, carried 5-0.

12. Consider progression of conceptual and architectural design work for the proposed Senior Citizen Center and Parks and Recreation Headquarters.

Mr. Wilson advised this was the number one priority at the Board of Commissioners Retreat this year on March 1, 2008, and Commissioner McDaniel asked to place it on the agenda for direction on how to proceed. This discussion was limited to the Parks and Recreation offices and the Senior Center and not for the fitness and wellness center.

Commissioner Flowers-Taylor asked where money was going to come from since the cost is much more than anticipated when the 2005 SPLOST was passed.

Mr. Wilson said the total cost for the standalone project was \$4.2 million. They would realize \$600,000 from the 2005 SPLOST and \$500,000 from the CDBG grant for a total of \$1.1 million. Several people have approached the County about the current facility for seniors and the Parks and Rec headquarters, as well, and these could be sold for proceeds from \$1 to \$2 million. At the retreat commissioners talked about a lease-purchase arrangement for the roughly \$1.5 to \$2 million portion of expense not covered by the revenue vehicles already mentioned. Also some have suggested an item on a future SPLOST for funding, but Mr. Wilson noted you could not put it on a lease-purchase arrangement and call for a future SPLOST to pay off the lease purchase. The CDBG application will now have to wait until 2009 but we could not be ready by the April 1 deadline. The current SPLOST would be complete and, provided it passes, the County would be into a new SPLOST collection.

Commissioner Flowers-Taylor asked about square footage since she wasn't present for the previous presentation by the architect. Mr. Wilson advised he could place it on the next agenda and have a special meeting arranged for Commissioner Flowers-Taylor to review the plans. He detailed shared economies but the majority of space (over 2/3) was dedicated to seniors. The County's greatest concern was doing what it said initially in the 2005 SPLOST, but several of the options thought to be

available at that time have since proved unfeasible. This would also place Parks and Recreation headquarters in a better location for improved service and economy.

Motion to table progression of conceptual and architectural design work for the proposed Senior Citizen Center and Parks and Recreation Headquarters until April 7, 2008 Board of Commissioners meeting by Commissioner Flowers-Taylor, seconded by Commissioner Freeman, carried by a vote of 5-0.

13. Consider, on first reading, Ordinance #2008-04 to Spalding County Code of Ordinances, Part II Government and Administration, Chapter 11 Smoking Policy, Section 2-11002, General prohibition on smoking, and Section 2-11006, Designated smoking areas, to provide for changes in the County's smoking policy on county property.

Motion to approve, on first reading, Ordinance #2008-04 to Spalding County Code of Ordinances, Part II Government and Administration, Chapter 11 Smoking Policy, Section 2-11002, General prohibition on smoking, and Section 2-11006, Designated smoking areas, to provide for changes in the County's smoking policy on county property with the stipulation that distance from entrances to be declared smokefree be adjusted to 25 feet by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.

14. Consider, on first reading, Ordinance #2008-05 to amend Part VII, Motor Vehicles and Traffic, Section 7-1004, to provide for No Parking zones on Richardson Road.

Motion to approve, on first reading, Ordinance #2008-05 to amend Part VII, Motor Vehicles and Traffic, Section 7-1004, to provide for No Parking zones on Richardson Road by Commissioner Flowers-Taylor, seconded by Commissioner Phillips, carried by a vote of 5-0.

15. Discuss possibility of funding for Promise Place, for assistance provided to shelter Spalding County families, administered through the Sheriff's Department's Victim Services Unit.

Mr. Wilson said Commissioner Flowers-Taylor brought this request for funding before the Board, but Mr. Fortune's opinion was that the Board cannot fund directly as it would be a violation of the gratuity clause. They could, however, possibly contract with Promise Place to provide this service and pay for it accordingly. Over 400 shelter nights were provided last year to Spalding County families who were experiencing the effects of crime. Commissioners agreed that Victim Services Unit and April Crane are doing a yeoman's job getting their programs implemented, and they are doing much with little. While they do not have grant writer, Commissioner Freeman said they can contact the Criminal Justice Coordinating Council for assistance. Chairman Goss directed her to see someone who can help with grant writing and noted that she's been overwhelmed particularly in the last six months with increased crime. This option provides for greater security than placing in hotel rooms, in addition to realizing a cost savings. Commissioner McDaniel advised they might get assistance from the Spalding Collaborative in grant writing. It was noted they are anticipating funding this for FY 2009 since nothing can obviously be done in FY 2008. Commissioner Freeman said they can continue to look for help through CJCC, and he will contact the director there again. Commissioner McDaniel appreciates the service they provide and he would like to see the request come from Ms. Crane for her department.

After much discussion, Commissioner McDaniel stated the Board appreciated the service that Promise Place provides and recognizes the diligent efforts of Ms. April Crane and her staff at the Victims Service Unit, but would like to see the request come directly from Ms. Crane's department.

16. Establish a date for a proposed 2008 SPLOST Referendum.

After extensive discussion, a motion to establish as the date for a proposed 2008 SPLOST Referendum: September 16, 2008 by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 4-1 with Commissioner Freeman opposed.

XII. REPORT OF COUNTY MANAGER

- Dress Down Day is March 24, 2008 for American Red Cross and today is the last day to buy T-shirts.
- Joint City-County Blood Drive will be March 27, 2008 at the Welcome Center from 8 am to 1 pm.
- A hiring freeze and prohibition of overtime authorized have been done countywide, and Mr. Wilson has requested that departments cut 10% off the current budget as their FY 2009 request. Good cooperation has been received from the departments contacted so far. Budgets are due Friday.
- G-SATC meeting will be Wednesday, March 19, 2008 at 1:30 p.m.
- The Transportation Planning Board (TPB) Concept 3 meeting will be held on March 26 at 1:00 p.m. at the Welcome Center.
- On April 3, Partners for Prosperous Griffin-Spalding County will meet at the Griffin Auditorium 7 to 8 pm on that Thursday.

- Copies of SPLOST collections currently were passed out to commissioners.
- The UGA Griffin Campus website has a site for real time progress on the student learning center to see the webcam that shows steel and concrete going up for the building.
- Mr. Wilson recognized members from G-S Leadership in attendance tonight. Spalding County has eight individuals participating in this year's class.

XIII. REPORT OF COMMISSIONERS

Freeman

As for TPB, he'll be in Charlotte observing their transit system for ideas for financing along with 35 others. He wanted to say he is satisfied with a September SPLOST although he favored November.

Flowers-Taylor

No comments.

Phillips

He was not in favor of a SPLOST referendum at all until something tangible could be shown on this last one, but he did feel this was the best course of action.

McDaniel

At the last 2-3 meetings people have been complaining about youth sports, and they all have their own agendas. Sometimes they are close to being right and sometimes not. The tendency is to get caught up. If problems exist with Parks and Recreation and the Parks and Recreation Advisory Commission, they might need to schedule a workshop with commissioners. Perhaps a clearing up of issues could lessen this contentious time. Much has been said that will be remembered long after the smoke has cleared, and the County really needs to put this behind us and move forward to promote successful year for Little League. Some may have gotten caught in a pinch but that was a very unintentional result.

Goss

Commissioner Goss stated he will get with Mr. Wilson and try to establish joint meeting with Mr. Greene and the Advisory Commission. Commissioner Freeman said he will talk to his representatives, as well.

XIV. ADJOURNMENT

Motion/second to Adjourn at 8:04 p.m. by Commissioners McDaniel and Phillips carried by a 5-0 vote.

Chairman

County Clerk

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