

## **EXTRAORDINARY SESSION**

The Extraordinary Session was held by the Spalding County Board of Commissioners in Room 108 in the Courthouse Annex, Monday, January 22, 2007 beginning at 6:00 o'clock p.m. Commission Chairman Eddie Freeman presided, and Commissioners Gwen Flowers-Taylor, Edward Goss, Jr., Johnie McDaniel, and David Phillips were present. Also present were County Manager William P. Wilson, Jr., Assistant to the County Manager Paul Van Haute, Community Development Director Chuck Taylor, Stephanie Windham from the law firm Beck, Owen and Murray, representing County Attorney James R. Fortune, Jr. and Executive Secretary Teresa Watson.

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

**II. INVOCATION – Pastor Mike Freeman**

**III. PLEDGE TO FLAG – Led by Commissioner Edward Goss, Jr.**

**IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Recognize Chairman Freeman for his service as Chairman for the calendar year 2006.

Vice Chairman Johnie McDaniel presented Chairman Freeman with a plaque and the thanks of the County for his service as Chairman for the calendar year 2006.

2. Miller Edwards with Mauldin & Jenkins will present the FY 2006 Comprehensive Annual Financial Report (CAFR) for Spalding County.

Mr. Miller Edwards elaborated on details of the FY 2006 Comprehensive Annual Financial Report (CAFR) and noted that Spalding County has received, for five consecutive years, the Certificate for Excellence in Financial Reporting. Mr. Edwards stated this was a clean, or unqualified, audit. He first reviewed, page by page, the Financial Report and then the Annual Audit Agenda for the period

ending June 30, 2006, answering questions throughout the process. Variances were all positive in both revenues and expenditures that were budgeted for FY 2006. Noted in the Audit Agenda were some management recommendations, such as accountability for funds collected for elected officials, which were briefly described by Mr. Edwards. It might be noted that the fund balance could possibly be increased as the anticipated growth in the County is experienced within the next few years. Overall, the audit proclaimed that Spalding County was in a healthy financial position.

3. Bonnie Pfrogner would like to address the Board on behalf of the Griffin-Spalding County Hospital Authority to discuss the goals and mission of the Hospital Authority.

Ms. Pfrogner detailed the mission, the makeup and guidelines for operation of the Griffin-Spalding County Hospital Authority. A renegotiation with Tenet in 1995 provided for greater income to the corpus for distribution, which will likely quit growing by 2011. Investments are handled by the United Bank Trust Department. The Authority only uses the income from the corpus, or invested funds, for grants approved by the Authority members, and distributions are based on investments from the 1986 sale and the renegotiated sale in 1995. They have tried to prudently invest and award grants to ensure longevity to the trust that benefits the many worthwhile organizations in the community. Authority members, their secretary and their attorney were also present tonight. A list of members and committees were contained in the packet the Authority provided, along with a copy of the grant application, the mission statement, and a partial list of recipients over the past few years. They are committed to establishing and addressing root causes of the problems, i.e. public education and public awareness of efforts and actual health care, all to provide for the health and well being of the community at large. Ms. Pfrogner said the Authority appreciated the interest of the Board and thanked them for their support. She welcomed all commissioners to meetings on the fourth Mondays, held at the Chamber of Commerce board room in the Welcome Center and offered to answer any questions.

Chairman Freeman asked about funding cuts to the Hope Health Clinic, and Ms. Pfrogner said they couldn't always fund every application at the entire amounts requested because of the fiscal limitation of the entire grant pool. To fund at 100% in one cycle doesn't ensure that an applicant will always get funding at the same level. The Hope Health Clinic received a full 25% of all distributions for this funding cycle.

## **V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of Financial Statements for the six months ending December 31, 2006.

Ms. Garrison offered to answer questions. *A move to approve was made by Commissioner Phillips, seconded by Commissioner McDaniel, and motion carried by a vote of 5-0.*

## **VI. CITIZENS COMMENTS – N/A**

## **VII. PUBLIC COMMENT**

Kelly Palmatier, 450 Malier Road, Griffin, Georgia

Ms. Palmatier recalled that the Board discussed a way to get a balanced committee to address animal control issues at their previous meeting. She had given the matter a great deal of thought and provided a questionnaire she had developed that may be a viable tool for appointing such members. She reviewed the survey and its scoring system and provided copies to commissioners. She suggested having printed copies of this application placed at the Animal Shelter and an option to complete the survey on-line, as well. The company she and her husband own, Griffin Web Design, has offered to make completion of the survey online an interactive process at no additional cost above their current charges for web design services to the County.

Kathy Noble, 876 Musgrove Road, Griffin, Georgia

She presented a copy of the statement she planned to read so that Board members could follow her comments. Ms. Noble questioned the benefit to Spalding County to not follow the APCO standard identified in the SPLOST referendum and confirmed by GEMA's Dan Brown and the Federal Department of Homeland Security. She referenced legally binding documents signed by the Board which were not being adhered to in this process and for which case law has been cited. She did not favor the suggestion of Commissioner Phillips to eliminate the APCO (P25) requirement, and she documented the convoluted process already experienced by County residents during this effort. APCO compatibility was what was specified and what was necessary in order to receive the \$500,000 Homeland Security grant. Ms. Noble questioned the objectivity of the consultant hired for the process and noted that his proposal to the County did not follow the RFP that was issued, yet he received the contract. She inquired as to why Spalding County would hire a consultant to write an RFP when he clearly didn't follow the consultant RFP in his own bid. In conclusion, with Commissioners Goss and

Phillips setting the stage to look again at M/A-Com's Open Sky system, Ms. Noble worried about Spalding County being limited to interoperability with one county.

Commissioner Phillips said he and Chairman Freeman went to Covington to check out the Open Sky system being installed there and compared it to the Motorola system that is parallel to the new system. The APCO 2 system is also being loosened. Homeland Security has already stated they would not take any grants away from organizations moving toward interoperability. For about \$8,000, the County could purchase a component about the size of a composition book and plug it into a server (off the shelf at Office Max) and contact any county they so desired. All that must be done, from just a talk screen, is to ... the vocal clarity was similar to any land line telephone. To go with this type system will save millions of dollars and, seeing as how the rest of the world is buying this technology (including Canada, South America, Latin America, Europe and Asia and even in Georgia), we would be able to interface not only with digital but analog systems, as well. Spalding County could, as long as it wanted to keep adding these \$8,000 shelves that hold about ten slots each, they can communicate to the entire state of Georgia if they want to spend that money.

Ms. Noble said this was not the information relayed to her by GEMA.

Commissioner Phillips said he didn't wish to downrod GEMA, but Mr. Brown was a desk jockey and not an emergency management person. He was not a technician, and this was just a fact of life. As far as the list from M/A-Com that was sent out which Ms. Noble says touted Mr. Macke, the name of Mr. Macke as a possible consultant was just the first one on a list that contained the names of four other people (Mr. Nick Tusa and Mr. Bob Sutphen). None were given special treatment of any kind. He has received an email from Steve Macke's supervisor who feels Mr. Macke has been maligned here, and he stated the terms under which he left Motorola which was as part of a retirement buy-out with many other people. He has also recommended Motorola in other instances as a consultant. So these comments are slanderous, and anyone making these statements, and he allowed that he was not directing this comment directly at Ms. Noble, they had best examine their own conscience and checking accounts. The fact is that this process should proceed, and mistakes have been made along the way by many people, but we are not on the cutting edge of technology in this area any more. It is going to other systems. He wanted to be sure that if someone in Spalding County keyed a mic, the radio would work and he saw that future today in Newton County. Eventually the idea is that if we have responders who travel abroad in times of disaster, these radios will work with the ones in those places. Eventually, the ultimate ideal is that worldwide we will have a standard that can work for everyone. He could not see fighting over something that is this important.

Ms. Noble reminded him of case law concerning this, and Commissioner Phillips said case law should be damned. Ms. Noble stated it was the money provided by her and other citizens that had to pay for litigation in such instances. Commissioner Phillips asked if he committed to buy horse and buggies and, in the meantime, cars came out, would he be obligated to buy horses and buggies. Some responded yes, and he inquired if he should be morally obligated to do it and, if not, could he live with himself. He concluded he lived with himself nicely now.

Rick Shivers, 1648 Birdie Road, Griffin, Georgia

Mr. Shivers said he was tired of discussions about this radio system and he noted that after all this mass confusion, another SPLOST referendum won't pass his muster.

Steven Noble, 876 Musgrove Road, Griffin, Georgia

Whether the Board should choose to uphold the law and the wishes of the citizens of Spalding County by maintaining the requirement for APCO P25 standard or to impose an inferior emergency radio system on the community, it is really a mere symptom of a much larger problem. Compared to other counties who have radio systems that would be interoperable with an APCO 25 system, this reveals a disturbing trend. These counties represent 61% of the state's population and all of the ten largest cities in Georgia. Well over half of these counties have institutions of higher learning. These counties are among our state's most successful communities economically, socially and culturally. In short, he saw progress and prosperity. Once again, the Board of Commissioners has an opportunity to move our community forward by joining with these areas to make Spalding County a better, safety place to live. Yet again the Board chooses to engage in activities that retard our progress, hamper our quality of life, jeopardize the safety of our citizens and make our county a laughingstock. He asked when the commissioners were going to start serving the best interest of Spalding County citizens instead of the desires of the special interest groups that prop them up and keep them in power. The people of Spalding County, he concluded, deserve better.

Commissioner Phillips told Mr. Noble the answer would be in about an hour.

Walter Cliff Futral, 4953 Jackson Road, Griffin, Georgia

When he saw the article in Saturday's paper regarding comments and questions raised by Ms. Noble, he felt it might be time for him to speak out. However, the Board doesn't need positive reinforcement as

they are their own people, and he commended them for the responsible way they have looked at this issue. Commissioner Phillips is quite knowledgeable about 800 MHz. When the SPLOST was formulated, the need was very real and urgent so the Board at that time got a description based on information at the time. He did not believe they should be held to a narrow standard in a technology that is ever-changing, and he felt most citizens would interpret that to mean they entrusted the Board to go out and get the best system available. Mr. Futral said they had done their research, convened the study committee and hired a capable consultant from Georgia Tech who knows all about these systems. He did not feel the commissioners had any bias either for or against any one vendor and he was certain they were fairly weighing the pros and cons. He was sure the community would back their decision, and his neighbors particularly thanked Mr. Goss for representing their community so positively.

## VIII. MINUTES

1. Consider approval of the minutes of the January 8, 2007 Regular Monthly Meeting.

*Commissioner McDaniel moved to approve the minutes of the January 8, 2007 minutes, seconded by Commissioner Phillips and motion carried by a vote of 5-0.*

## IX. CONSENT AGENDA

### X. OLD BUSINESS

1. Lift from the table consideration of second reading of Amendment to the Official Zoning Map of the following:

-Application #06-05Z: Alan R. Mobley, Owner, Minter Road, 39.96 acres, AR-1 to R-2, tabled from January 8, 2007 meeting.

*Commissioners Phillips moved to lift Application #06-05Z: Alan R. Mobley, Owner, Minter Road, 39.96 acres, AR-1 to R-2, tabled from January 8, 2007 meeting from the table. Commissioner McDaniel seconded the motion which carried by a vote of 4-1 with Commissioner Flowers-Taylor opposing.*

APPLICATION ALAN R. MOBLEY  
FOR REZONING CERTAIN PROPERTY  
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION 06-05Z

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

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled "AR-1, Agricultural and Residential;"

WHEREAS, Alan R. Mobley, applicant, applied for a change in zoning classification to be applied to the within described property to R-2, Single Family Residential;"

WHEREAS, such application was filed with Spalding County, Georgia on September 7, 2006;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on December 21, 2006, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

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

All that tract or parcel of land lying and being in Land Lot 42 of the 3<sup>rd</sup> Land District of originally Henry, now Spalding County, Georgia, containing 39.96 acres, and being more particularly described as follows:

Beginning at the intersection of the southerly right-of-way of Minter Road (60' R/W) with the line dividing Land Lot(s) 42 and 55 of the 3<sup>rd</sup> Land District said point being the TRUE POINT OF BEGINNING; thence leaving said right-of-way of Minter Road and running North 00 degrees 16 minutes 23 seconds East a distance of 951.730 feet to a point; running thence South 16 degrees 07 minutes 39 seconds West a distance of 43.510 feet to a point; running thence South 38 degrees 50 minutes 58 seconds West a distance of 46.850 feet to a point; running thence North 63 degrees 12 minutes 45 seconds East a distance of 55.210 feet to a point; running thence North 75 degrees 18 minutes 05 seconds East a distance of 55.010 feet to a point; running thence North 79 degrees 07 minutes 16 seconds East a distance of 145.550 feet to a point; running thence North 79 degrees 52 minutes 09 seconds East a distance of 160.890 feet to a point; running thence North 80 degrees 01 minutes 29 seconds East a distance of 134.380 feet to a point; running thence South 86 degrees 18 minutes 18 seconds East a distance of 172.030 feet to a point; running thence North 88 degrees 39 minutes 05 seconds East a distance of 150.780 feet to a point; running thence North 88 degrees 36 minutes 31 seconds East a distance of 148.870 feet to a point; running thence North 86 degrees 35 minutes 46 seconds East a distance of 120.030 feet to a point; running thence North 87 degrees 36 minutes 14 seconds West a distance of 132.990 feet to a point; running thence South 88 degrees 35 minutes 33 seconds West a distance of 119.470 feet to a point; running thence South 88 degrees 22 minutes 59 seconds East a distance of 126.691 feet to a point; running thence North 00 degrees 20 minutes 31 seconds West a distance of 432.470 feet to a point; running thence North 00 degrees 20 minutes 14 seconds West a distance of 705.280 feet to a point on the southerly right-of-way of Minter Road (60' R/W); running thence along said southerly right-of-way of Minter Road North 89 degrees 44 minutes 12 seconds East a distance of 1558.920 feet to the TRUE POINT OF BEGINNING.

From "AR-1, Agricultural and Residential" to "R-2, Single Family Residential" District.

Section 2:

(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 January 22, 2007, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County: All that tract or parcel of land lying and being in Land Lot 42 of the 3<sup>rd</sup> Land District of originally Henry, now Spalding County, Georgia, containing 39.96 acres, on Minter Road, zoned R-2.

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

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

*Commissioner Phillips moved to approve Application #06-05Z: Alan R. Mobley, Owner, Minter Road, 39.96 acres, AR-1 to R-2, tabled from January 8, 2007 meeting, seconded by Commissioner McDaniel. Motion carried 3-2 with Commissioners Goss and Flowers-Taylor voting in opposition.*

- Lift from the table consideration of appointments to various Boards, Authorities and Commissioner for terms which expire 12-31-06 or previous, tabled from January 8, 2007 meeting:

*Commissioners McDaniel moved motion to lift from the table consideration of appointments, seconded by Commissioner Phillips, and motion carried 5-0.*

		New Member Appointment per By-Laws Change for: McIntosh Trail RDC Board of Directors  <i>This appointment, tabled on 1-8-07, should have been made by the County, not the City as was done on 1-9-07, in the Board's estimation. On motion and second by Commissioners Flowers-Taylor and Phillips respectively, Commissioner Flowers-Taylor asked that the County Attorney provide greater clarification. While they had no objection to the person appointed, she did not consider the City's appointment valid. This process should be better defined. Motion carried by a vote of 5-0.</i>	Third Elected Official
McClairan	Virginia	McIntosh Trail Community Service Board (Resigned 7-1-06)  <i>Motion to appoint Dennis Gregory Scott by Commissioner Phillips, second by Commissioner Flowers-Taylor carried 5-0.</i>	6-30-07 Balance of 3-year term
Jacobs	Reginald	Spalding Co. Collaborative Auth. for Families & Children, Inc.  <i>Motion to appoint Franklin Castile by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried 5-0.</i>	12-31-06 2-year/At-Large
Reeves	Merrilea	West Central Georgia Regional MDHHD Board (Res. 8-11-06)  <i>No nominations were received so, tabled again on motion and second by Commissioners Flowers-Taylor and Phillips, and motion carried by a 5-0 vote.</i>	6-30-08 Balance of 3-year term

## XI. NEW BUSINESS

- Consider blanket request of Jay Averett, Meadowlark Gardens, for outside amplification for all weekends (Fridays/Saturdays/Sundays) in 2007 for special occasion events.

*Motion to approve was made by Commissioner Phillips for the balance of 2007, seconded by Commissioner Flowers-Taylor. Motion carried by a vote of 5-0.*

- Consider approval of selection of LPA group for the Griffin-Spalding County Airport relocation study and authorize execution of agreement for professional services.

This issue has been postponed indefinitely due to a change in scope of service required by FAA.

3. Consider request from Griffin-Spalding County Board of Education for use of space at 881 Memorial Drive for the Spalding High School Robotics Team.

*Commissioner Phillips moved to approve the request and asked for photos of the process for the Spalding County website. Commissioner McDaniel seconded and motion carried by a 5-0 vote.*

4. Consider request of Spalding County Parks and Recreation to execute addendum to Memorandum of Agreement to expand hours of operation for the School Break Program.

Mr. Wilson said this just expands the hours of operation as detailed and no additional money is required.

*Motion to approve the request to adjust hours of operation was made by Commissioner McDaniel, seconded by Commissioner Phillips. Motion carried by a vote of 5-0.*

5. Consider request from Athletic Hall of Fame Board of Directors regarding utilization of Memorial Drive Plaza as an outside venue for an event to benefit the Griffin-Spalding County Hall of Fame.

Mr. Wilson said Sonny Foster approached him with this request. Vendors in the complex have no problem with the event in the parking lot and he recommended approval of the request.

*Motion to approve the request for utilization of the Memorial Drive Plaza by the Athletic Hall of Fame was made by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor. Motion carried by a vote of 5-0.*

6. Commissioner Phillips would like to discuss rezoning the property at 441 Bucksnot Road from AR-1 to C1-C.

Commissioner Phillips said this property was grandfathered but the new purchaser would like to make considerable changes and provide for expansion, thus eliminating the grandfather status. The purchaser has made considerable concessions and he would like to accommodate the request.

*Motion to direct staff to file application to rezone property from AR-1 to C1-C was made by Commissioner Phillips with the provision the owner is authorized to go ahead and begin operations during this rezoning process. Commissioner Flowers-Taylor seconded for discussion. Chuck Taylor showed a map and detailed the proximity to the Pineridge Recycling Center (landfill). Motion carried by a vote of 5-0.*

## **XII. REPORT OF COUNTY MANAGER**

- A scheduled Village Node workshop for Jackson Road, will be February 15, at 7 pm at the Union Baptist Church on McDonough Road.
- Youth Challenge will be in town this weekend to view the surplus vehicles.
- He reminded of the Comprehensive Transportation Plan second public meeting on January 23, 2007, from 6:30 to 8:00 here in the meeting room.
- Wednesday, January 24, 2007, from 9-11 am will be the 800 MHz presentation from Motorola and M/A-Com will deliver its presentation from 1-3 pm.
- Parks & Recreation Master Plan Meetings have gone well in Orchard Hill and Sunny Side. The Spalding County meeting will be on January 29, 2007 at 7 p.m. in the meeting room.
- Justice Leah Sears Ward will be at Kennedy Road Middle School on January 31, 2007 at 9:45 a.m. An invitation has been placed in commissioners' boxes to hear her speak.
- The Spalding Collaborative poverty simulation will be conducted on February 26, 10 am to 1:30 pm at the Stuckey Building, on the UGA Griffin Campus. The County has been invited to select ten key people to undergo this simulation, and interested parties should let Mr. Wilson know. Remaining slots will be offered then to department heads.
- Mr. Wilson has been working with Gordon Maner at UGA for Board of Commissioners retreat dates. He has obtained available facility dates and possibly will be approaching commissioners with dates later this week.
- Minerva Properties has been granted a request that Johnson Road be closed with construction of an additional bridge for the relocated portion. Minerva will fund the design, engineering and construction completely for this project to construct a timber bridge which is more aesthetically pleasing than the concrete variety. Mr. Wilson will place information in commissioners' boxes.
- Louis Greene met with Chuck Taylor on Fairmont Park property plans and has a potential mock-up. Mr. Wilson will draft a letter to the City to ask for their participation.

- Animal Restraint District maps are in the commissioners' office and several have been approved. This will be an item for consideration at the February 5, 2007 meeting. Mr. Van Haute will work on district-by-district implementation over the next few months.

### **XIII. REPORT OF COMMISSIONERS**

#### **Goss**

No comments.

#### **Flowers-Taylor**

No comments.

#### **Phillips**

Commissioner Phillips made a motion to issue an addendum to the two 800 MHz vendors as follows: "Vendors to propose any other proven public safety 800 MHz trunked digital and voice data system solution that will meet the County's current and future requirements and that may offer Spalding County a lower maintenance cost over the life of the system of 15 to 20 years."

Mr. Wilson said if Commissioner Phillips wanted to consider this for a vote tonight, he would need to make a motion to amend the agenda to add this as an item for consideration.

Commissioner Phillips then moved to amend the agenda to add consideration of the following request: "Vendors to propose any other proven public safety 800 MHz trunked digital and voice data system solution that will meet the County's current and future requirements and that may offer Spalding County a lower maintenance cost over the life of the system of 15 to 20 years."

The motion was seconded by Flowers-Taylor for discussion since she did not know what it was. Motion carried by a vote of 5-0.

Commissioner Phillips said he wanted to issue an addendum to the 800 MHz process to request that the two final vendors, Motorola and M/A-Com, be allowed propose an offer for any system as stated above, such as the Open Sky and TETRA technologies. After his trip to Newton County today, he has seen the future and it is amazing. Commissioner Phillips maintained that many are stuck on old APCO systems and Homeland has said that APCO was desirable, but desirable and mandatory are two different words. The trip to Newton County today was impressive for he and Chairman Freeman, and the system has a vocal quality equal to that of a land line telephone. They can talk to nine different counties around them. Their 911 center was vastly superior to Spalding County's, comparing them to a doctor's waiting room versus a M.A.S.H. unit during a heavy attack. There really was no comparison, and Newton County's ran as smooth as silk because the equipment is quite simply functional and can be enhanced, or built onto, in the future. It is also not proprietary. If one board goes out, they just go to Office Max and replace it with another.

Commissioner Flowers-Taylor stated she had no problem with trying to get the best and most cost effective system for Spalding County, but she was not sure where we need to be in this process. If this technology was available initially, why didn't the vendors offer it in the first place.

Commissioner Phillips said we did not ask for it. This same system has been purchased by Las Vegas, Denver, State of New York, State of Pennsylvania, State of New Jersey, and it is not junk. This is the future. The only reason he could determine why Motorola does not use its similar system here is because it doesn't generate as great a profit as its old system. He did not know that for sure, but from what he has seen there is no comparison.

Commissioner Flowers-Taylor continued she was not sure what can of worms this action would open.

Commissioner McDaniel worried about legal implications of such an action. There was enough legal precedent that requires the County to give the citizens what they voted for in the SPLOST referendum. Before he would take any action, he would like to ensure this was not at odds with anything legally. He could not respond to Commissioner Phillips' question of his openness to the possibility since this was the first he had heard about the matter. He hasn't been to see any demonstrations.

Chairman Freeman agreed that the Newton County system appeared to be a good one, and they are well satisfied. They are in the process of getting all the new equipment installed. He was not saying it was any better than Motorola, but it certainly appeared to be more compact than their Motorola system.

Commissioner Phillips added the new system was more user friendly and maintenance friendly, besides being less expensive to operate and maintain. It is also easier to upgrade and it is the only solution for a county like Spalding, in his opinion.

At the risk of invoking what some consider a four-letter word, and even though she was fairly sick of the process already, Commissioner Flowers-Taylor stated she was concerned the 800 MHz study committee members who had been entrusted with this procedure would consider this a slap in the face if they try to circumvent them and bring this forward. It would be more fair to get more information.

Commissioner Phillips said the two engineers on the study committee (three if you count Mr. Macke) tried and were shot down.

Commissioner Flowers-Taylor said she would prefer to have more of a presentation on something that will be this large a change in direction for the process.

Commissioner Phillips said after the proposals are received from the two vendors on Wednesday, he proposed giving them this request and see how they react.

Chairman Freeman said he favored waiting until proposals are finalized and submitted, then doing the proper research on this option.

Commissioner Flowers-Taylor said the RFP the County issued is what the vendors are responding to and not for other systems. Commissioner Phillips said that is why he is making this request. Commissioner Flowers-Taylor replied that would be an entire change in the RFP.

Mr. Wilson advised if the Board desired to do this, he felt they must open up the process again to the original five vendors and basically start over. Three of the original five opted out because the County was requiring P25, and he felt that two of those offer a comparable system to Open Sky technology. He recommended suspending the current RFP and issuing a new RFP with this being a qualification.

Chairman Freeman said he didn't think they need to do that at this point in time, and Commissioner Phillips said he refused to do that. Commissioner Phillips said this Newton County system had components that were, in fact, Motorola.

Chairman Freeman said this addendum could be forwarded to the vendors on Wednesday to see where they stand. It may be something they already have in mind.

Commissioner Phillips said he felt if this was done, the system could be up on line and have a new, state-of-the-art radio system as early as October and November of 2007.

Commissioner McDaniel said state-of-the-art is much like catching a butterfly ... it moves all the time.

Commissioner Phillips said that was how the County was hit with the 2003 APCO Motorola literature that found its way into the SPLOST literature.

Commissioner McDaniel said to keep adjusting this process for new technology that comes about every day only delays this process, moving it further down the road. Sooner or later, he felt folks would be arriving with torches and pitchforks.

Commissioner Flowers-Taylor advised she would like to have input from the personnel who would be the end users of the system, i.e. law enforcement both City and County, emergency personnel, fire department, etc. She felt to change the process at this point would discriminate against the vendors who had to withdraw based on the APCO RFP requirement. She was all for doing it, but recommended they do it in proper order. If that takes more time, then so be it.

Commissioner Phillips said the Sheriff and Police Chief in Covington and the 911 Director were all hard core Motorola fans until this technology came along, and this is what swayed their opinion.

Commissioner McDaniel said while he appreciated that, he would rather have the opinion of the Spalding County Sheriff and Griffin Police Chief, as well as respective fire departments and emergency personnel than Newton County's.

Chairman Freeman stated they could obtain all that at the meeting on January 24, 2007. They can have information prepared for the vendors to look at during that meeting.

Mr. Wilson asked if they wanted to issue this as an addendum to the RFP.

Attorney Stephanie Windham advised the process would have to be started over. Such an addendum as his would require that the RFP would have to be reissued.

Commissioner Phillips said since these standards came out after the bidding process was begun, he felt Spalding County was in a whole new ball game now.

Chairman Freeman said the two vendors left certainly knew what Open Sky and TETRA technologies were, and they might even throw in some freebies.

Mr. Wilson reminded them that three other vendors would not have the opportunity to offer their own similar technologies to Open Sky. They bowed out of the bidding process based on the County's P25 requirement. His opinion was that we need to be fair to these other vendors with such a major change. If, in fact, the Board desires to request this change, he recommended they start the process over. This is a huge change from the original document that was issued.

Commissioner Phillips said he did not want to reconvene another 17-member panel. He would rather give all five original vendors this addendum and give them a 30-day window to show the County what they have.

Commissioner Goss asked if they started over could they start over with a new committee, perhaps with only about 5 or 6 members. That would almost be worth the effort.

Mr. Wilson said that would be up to the Board of Commissioners.

Commissioner Phillips said he would make a motion to start over with a new committee at this point. Commissioner Goss said they could not do that yet, but he would like more information as he was not aware of Commissioner Phillips' findings. He did not want to start this process over.

Commissioner Phillips said the truth of the matter was that he had been snake-oil sold for so long that everyone was burned to a crisp. He did not blame them, realizing they have had to have everything translated from engineer to English and then into some form a regular human could comprehend. He sympathized but had made his peace with the issue.

Chairman Freeman said he wanted to request the attorney do more research on this item.

Commissioner Phillips asked how much they could get away with.

Mr. Wilson said he would confer with the County Attorney on this matter.

Commissioner Flowers-Taylor noted she was not trying to go to jail with anyone else. She was worried about doing something illegal.

Chairman Freeman said he didn't think they would go to jail, but he didn't want to run from the issue either. He wanted to make sure they were getting the best system for their money.

Commissioner Phillips stated he didn't want to be sold yard sale goods at Neiman Marcus' prices, either.

Commissioner Flowers-Taylor said if they wanted to do this, there was a right way to do it and if the process has to be restarted in order to be fair, so be it. If she were one of the vendors who had to opt out earlier, she would be very upset and probably try to sue to get her opportunity at the \$10 million that she might have been denied. Spalding County has enough problems already without this.

Commissioner Phillips noted they were under no obligation to take anyone's bid at all.

Commissioner Flowers-Taylor said she knew that, but that was not the same as changing the bid requirements to reinstate whatever requirement made the vendors initially ineligible.

Commissioner Phillips said he had no problem with that as long as the vendors could conform to the County's timeline.

Commissioners Phillips said he would withdraw his motion to issue the addendum with instruction to the County Attorney to explore the matter further. Chairman Freeman concurred.

**McDaniel**

Second Baptist Church will have Governor Sonny Perdue as guest speaker at its Wild Game Banquet on February 19, 2007 and he invited all to attend. Tickets are available at the church.

**Freeman**

He thanked everyone for participating in the meeting tonight and wanted to see the County move on with the 800 MHz radio system. He felt that would happen at the next meeting of the 800 MHz Communications Study Committee.

**XIV. ADJOURNMENT**

*Motion and second to adjourn by Commissioners Phillips and McDaniel respectively at 7:45 p.m. carried by a vote of 5-0.*

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County Clerk

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Chairman

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