

## REGULAR MONTHLY MEETING

The Regular Monthly Meeting was held by the Spalding County Board of Commissioners in Room 108 in the Courthouse Annex, Monday, March 5, 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, County Attorney James R. Fortune, Jr., Administrative Services Director Jinna L. Garrison, Human Resources Director William D. Gay, and Executive Secretary Teresa Watson.

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

### II. INVOCATION - Reverend Randy Valimont

### III. PLEDGE TO FLAG – Led by Boy Scouts, Troops 1, 2 and 8

### IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Recognize Boy Scouts from Troops 1, 2 and 8, in attendance fulfilling merit badge obligations for Citizens in Community Service.

Chairman Freeman recognized Boy Scouts from Troops 1, 2 and 8, in attendance fulfilling merit badge obligations for Citizens in Community Service. They completed an 8-hour class for same on February 24, and another 8 hours of personal community service each, as well. Representing Troop 1 was Mike Shellnutt, representing Troop 2 was Steve Trawick, and Vance Wilson represented Troop 8. Spalding County congratulated these Scouts and Leaders, and the Chairman presented to each a Spalding County pin. A picture was taken with Chairman Freeman.

### V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Seven Months Ended January 31, 2007.

*Commissioner McDaniel moved to approve the Financial Statements for the Seven Months Ended January 31, 2007, seconded by Commissioner Flowers-Taylor and motion carried 5-0.*

### VI. CITIZENS COMMENTS

Kelly Palmatier, 250 Malier Road, Griffin, Georgia

Ms. Palmatier advised that she realized the spay/neuter policy is not likely to pass, but there has been much documentation for the program, and she urged continued consideration. In December the Board felt an advisory committee should be appointed, but no action has been taken.

Commissioner Goss noted that during the first month of each year, the board appointment process occupies much of commissioners' time, as did the designation of Animal Restraint Districts, but he assured Ms. Palmatier the Board did plan to move forward with the advisory commission.

### VII. PUBLIC COMMENT – N/A

### VIII. MINUTES

1. Consider approval of the minutes of the February 5, 2007 Regular Monthly Meeting and the February 22, 2007 Zoning Public Hearing.

*Commissioner Phillips moved to approve the minutes of the February 5, 2007 Regular Monthly Meeting and the February 22, 2007 Zoning Public Hearing, seconded by Commissioner McDaniel, and the motion carried unanimously at 5-0.*

### IX. CONSENT AGENDA

1. Consider approval, on second reading, of Amendment to Resolution Relative to the Organization of, and the Procedures for the Disposition of, Business During the Meetings of the Spalding County Board of Commissioners.

RESOLUTION TO AMEND  
A RESOLUTION RELATIVE TO THE ORGANIZATION OF,  
AND THE PROCEDURES FOR THE DISPOSITION OF,  
BUSINESS DURING THE MEETINGS OF THE  
SPALDING COUNTY BOARD OF COMMISSIONERS

Article 1, Section 1-14-05. Public Hearings, shall have the following language added following the first paragraph:

Prior to the recognition of any citizen for comments related to the public hearing agenda, the chairman shall read the following statement.

“At this time, I will recognize those citizens who have signed up to address the Board. Once your name is called, come to the podium, state your name and address for the record and make your comments. All speakers who are recognized will be allotted five minutes. No speaker will be permitted to speak more than five minutes or more than once, unless the Board votes to suspend the rules.

We look forward to your comments and in no way mean to diminish anyone’s right to speak freely, to advise us about an issue relevant to the zoning public hearing, to let us know how you feel about a matter that is under consideration, or to request that we address some problem you have with a zoning issue.

Please direct your remarks to the Board and not to individual Commissioners or to the audience. Personal disagreements with individual Commissioners or County employees are not a matter of public concern and personal attacks will not be tolerated. Consequently, the Chairman has the right to limit your comments in the interest of disposing of the County’s business in an efficient and respectable manner.”

Considered on first reading February 5, 2007.  
Considered on second reading March 5, 2007.

- 
2. Consider approval, on second reading, of Amendment to the Official Zoning Ordinance the following: - Amendment to UDO #A-07-01: Article 3. Establishment of Districts – Section 301:A (18, 19 & 23) – add VN Village Node, AAR, Active Adult Residential, and A-0, Airport Overlay District.

IN RE: Text Amendment #A-07-01  
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 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 22, 2007, 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 is in conformance with 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: Existing Section 301(A) of the Zoning Ordinance shall be deleted in its entirety.

Section 2: A new Section 301(A) of the Zoning Ordinance of Spalding County shall be enacted as follows:

**Section 301. Districts Established.**

A. **Districts:** For the purposes of this Ordinance, Spalding County is divided into districts for the purpose of establishing zoning regulations as follows:

1. AR-1 Agricultural and Residential
2. AR-2 Rural Reserve (#A-99-15, 01-03-00)
3. R-1 Single-Family Residential
4. R-1A Single-Family Residential
5. R-2 Single-Family Residential (#A-01-22, 02/04/02)
6. R-2A Single-Family and Two-Family Residential (#A-01-22, 02/04/02)
7. R-3 Multiple-Family Residential
8. R-4 Single-Family Residential
9. R-5 Single-Family Residential
10. R-6 Planned Residential Community (#A-01-22, 02/04/02)
11. C-1 Highway Commercial
12. C-1A Neighborhood Commercial
13. C-1B Heavy Commercial
14. C-1C Manufacturing Light
15. C-2 Manufacturing
16. C-3 Used Vehicle Parts Dealers, Automobile and Truck Repair Facilities, Junkyards, and Used Vehicle Processing Facilities
17. PDD Planned Development District (#A-01-22, 02/04/02)
18. VN Village Node
19. AAR Active Adult Residential
20. PRRRD Planned Residential and Recreational Resort Development
21. O & I Office and Institutional District (#A-01-22, 02/04/02)
22. AKB Arthur K. Bolton Parkway Overlay Zone
23. A-O Airport Overlay District

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.

-----  
*Commissioner McDaniel moved to approve Consent Agenda as presented, seconded by Commissioner Flowers-Taylor, and motion carried unanimously at 5-0.*

**X. OLD BUSINESS**

1. Consider approval, on second reading, Amendment to the Official Zoning Map the following: Application #06-12Z: Aslam S. Bana and Shelina A. Hussain, Owners – 4265 Newnan Road – 3.05 acres – R-2 to C-1, Conditional.

APPLICATION ASLAM S. BANA AND SHELINEA A. HUSSAIN  
FOR REZONING CERTAIN PROPERTY  
LOCATED WITHIN SPALDING COUNTY, GEORGIA;  
REZONING APPLICATION 06-13Z

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-2, Single Family Residential;"

WHEREAS, Aslam S. Bana and Shelina A. Hussain, applicant, applied for a change in zoning classification to be applied to the within described property to C-1, Highway Commercial;"

WHEREAS, such application was filed with Spalding County, Georgia on December 22, 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 February 22, 2007, 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(s) 29 and 30 of the 1<sup>st</sup> Land District of originally Monroe, now Spalding County, Georgia, and being more particularly shown as 3.05 acres:

To find the True Point of Beginning, start at the North East intersection of Vaughn Road (80' R/W) and Georgia Highway 16 (50' R/W). From said point of beginning, proceed North 19 degrees 48 minutes 50 seconds West, 405.70' to a point; thence proceed North 88 degrees 28 minutes 12 seconds East, 340.78' to a point; thence proceed South 20 degrees, 38 minutes, 12 seconds East, 410.67' to an iron pin found; thence proceed South 88 degrees 56 minutes 11 seconds West, 347.94' to a point and the True Point of Beginning.

From "R-2, Single Family Residential" to "C-1, Highway 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. The only curb cut allowed for the proposed development will be on Vaughn Road, and no curb cuts shall be established on SR 16.
- b. The architecture of the building and canopy must match and possess a thematic scheme.
- c. The site lighting will be limited so as not to glare into adjacent residential parcels or into public streets.
- d. Approval is conditioned on the intersection improvements and no construction started until that intersection improvement is completed.
- e. All screening shall be vegetative.

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 5, 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 lot, tract or parcel of land situate, lying and being in Land Lot(s) 29 and 30 of the 1<sup>st</sup> Land District, originally Monroe, now Spalding County, Georgia, containing 3.05 acre, 4265 Newnan Road, zoned C-1, 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.

-----  
*Commissioner McDaniel moved to approve on second reading Amendment to the Official Zoning Map the following: Application #06-12Z: Aslam S. Bana and Shelina A. Hussain, Owners – 4265 Newnan Road – 3.05 acres – R-2 to C-1, Conditional, seconded by Commissioner Flowers-Taylor. Discussion followed. Motion carried by a vote of 5-0.*

2. Consider Board Appointment to the Joint Development Authority – Butts, Henry, Lamar and Spalding Counties.

*Commissioner McDaniel moved to appoint Alton Knight, recently reelected as Chair of the Griffin-Spalding County Development Authority to this Joint Development Authority, seconded by Chairman Freeman. Motion carried by a vote of 4-1 with Commissioner Flowers-Taylor opposing.*

3. Lift from the Table declaring surplus and authorizing sealed bids for various vehicles and equipment and transferring vehicles to Youth Challenge Academy and Meriwether County.

*Motion to lift by Commissioner McDaniel, seconded by Commissioner Phillips, carried 5-0.*

Mr. Wilson detailed the nature of the initial tabling of this issue and the developments that have occurred since that time. He recommended declaring all vehicles surplus and authorizing sealed bids for disposition, with the condition that County employees not be allowed to bid.

*Commissioner McDaniel moved to transfer the vehicles identified by County Manager to Youth Challenge and to Meriwether County, amending his motion to include that the remaining vehicles and equipment shall be offered for sealed bid. Commissioner Phillips seconded the motion and amendment. Motion carried by a unanimous vote of 5-0.*

## XI. NEW BUSINESS

1. Consider approval of final plat for Crestwick Subdivision, Phase III located off County Line Road.

Mr. Wilson reported all criteria had been satisfactorily met for final plat and road acceptance.

*Commissioner McDaniel moved to approve final plat for Crestwick Subdivision, Phase III located off County Line Road, seconded by Commissioner Flowers-Taylor. Motion carried 5-0.*

2. Consider acceptance of Right-of-Way Deed for Birchwood Drive and Silverleaf Circle, located in Crestwick Subdivision, Phase III located off County Line Road.

*Commissioner McDaniel moved to accept the Right-of-Way Deed for Birchwood Drive and Silverleaf Circle, located in Crestwick Subdivision, Phase III located off County Line Road, seconded by Commissioner Phillips. Mr. Wilson will order dangerous intersection signs should they be warranted. Motion carried by a vote of 5-0.*

3. Consider request from Minerva Properties to install a traffic signal at the Jordan Hill Road/Baptist Camp Road intersection.

*Commissioner McDaniel moved to approve the request of Minerva to install a traffic signal at Jordan Hill Road/Baptist Camp Road intersection, seconded by Commissioner Flowers-Taylor. Mr. Wilson recommended that the Board consider implementing a 3-way stop at this intersection in the interim to help acclimate residents to stopping at that location. The timetable of Minerva is to install the traffic signal before opening, but this 3-way stop will help with establishing traffic patterns. Motion carried by a vote of 5-0.*

4. Consider request of New Birth Baptist Church and Outreach Mission for use of 843-845 Memorial Drive for one day, March 11, 2007.

*Per Mr. Wilson's recommendation to allow this good tenant the use of adjoining space at a prorated \$54 rate for one day, Commissioner McDaniel moved to approve the request of New Birth Baptist Church and Outreach Mission for use of 843-845 Memorial Drive for one day, March 11, 2007, seconded by Commissioner Phillips. Motion carried unanimously at 5-0. Commissioner Phillips personally offered a donation to help offset some of this expense for the tenant, as well, which will be applied by the Accounting Department.*

5. Consider Agreement for Professional Services between City of Griffin/Spalding County and the LPA Group, Inc. for a site selection study for a potential general aviation replacement airport in Spalding County.

Frederick Gardiner from the City of Griffin stated they have already approved proceeding with this contract by a unanimous 7-0 vote. This agreement is in regard to the Phase I scope of work which looks at the detail of work and should identify potential sites. To identify potential sites, they felt, was necessary prior to incurring a costly environmental study, which will follow in Phase II if acceptable sites are identified and the County moves forward with the project. The FAA said the cost of this study will most likely be reimbursed at a 95% rate if adequate sites are identified. This is a joint venture with the City, the County and the Development Authority which shows a good faith, unified effort. This agreement is for the City and County and, should the Development Authority decide to join as a third party, that would only reduce the cost even further. Chairman Freeman felt the Development Authority would choose to participate. The FAA has stated there is a gap in service areas between Atlanta and Macon which could be filled by identification of such a site in Spalding County. This is not being done solely as an expansion project, but rather with an eye toward new sites.

Commissioner Flowers-Taylor did not feel that the economic impact of a new airport would be as large as others have indicated. She felt the County supported the airport to a great degree without as much input as the City in the past, and she would like to see this situation improve with the County being included on a larger scale. Mr. Gardiner advised the recommending committee had made presentations to the City, the County and the Development Authority to alleviate this concern. The FAA states that the proposed airport being considered in Lamar and Butts Counties is not ahead of Spalding County in the process. Commissioner Phillips asked if it might not make sense to combine with Lamar and Butts in an effort for a regional airport. Discussion followed.

Commissioner McDaniel said an advantage to locating the airport in Spalding County would be to reap the benefit of ad valorem taxes for planes hangared in this County rather than an adjacent one. If a new site is deemed suitable, the current airport will have to be closed down. Any sale of that airport property would have to be reinvested in the new airport site, according to FAA regulations, advised Mr. Gardiner.

Commissioner Goss reported the County currently gives the City about \$150,000 toward the airport budget. Yet, no financial statements are provided to the County, and the County's representative to the Airport Advisory Board does not even get a vote. The County provides taxpayer money and are still kept rather in the dark. If the Development Authority contributes, that is simply more taxpayer money since the Development Authority is funded by the County, so the County will then be putting in more money proportionately than the City. Mr. Gardiner said if the new Airport is located in the County, the ad valorem tax collected will go to the County and not to the City, so that would help offset this perceived inequity. Commissioner Goss questioned if this site, as Mr. Hollberg has stated, will require 700 to 1000 acres. Mr. Gardiner responded more is involved in identifying a site than just size, but rather the FAA required criteria such as topography, geography, and a great many

other factors will come into consideration as much as simply size of the tract. A cost-benefit analysis will point out the costs, as well as the potential revenues and benefits involved.

While the County is currently utilizing the services of three different consultants (Stephen Macke, jB+A, and Grice and Associates) for about \$350,000, the scope of work and the specialized services provided by those entities truly require these consultants' expertise. Current staff can provide neither the time nor the expertise required to adequately perform these services. If this consultant cannot identify such a site in Spalding County, they can remain with the existing facility. The City's representative to the Airport Advisory Board also does not have a vote but rather, like the County's representative, serves in an ex-officio capacity so that each can liaison back to their respective boards. Some discussion followed on the process of having an authority to handle this project and the general consensus was that a consultant was definitely needed, as well.

Mr. Gardiner said a 5,500 foot runway is being considered initially, with enough room for expansion to a 7,000 foot runway that could be contemplated for the future. There will be residual effects to surrounding counties, no matter where the successful site is located, but advalorem taxes go to the County in which the aircraft are housed as a base. The industrial areas to the north of Spalding County would love to be able to land their planes here. Phase II will anticipate overall costs, should the study indicate a potential site. He referenced the recent Georgia Trend article regarding the \$34,000,000 Cherokee County airport which is anticipating a 5000 foot runway and the massive benefits associated with that project.

Chairman Freeman noted this issue had been on the horizon for several years already, and he believed this could possibly be a golden opportunity. And should there be a determination that no suitable site is available, we need to know that fact, also.

Commissioner Goss asked if the motion to approve could be conditioned upon the City starts ensuring the County is keep abreast of finances. Mr. Fortune said that would be difficult. Mr. Wilson said he would be glad to request that the City provide current and past year budget reports and go over them with Commissioners.

***Commissioner McDaniel moved to approve the Agreement for Professional Services between City of Griffin/Spalding County and the LPA Group, Inc. as presented for a site selection study for a potential general aviation replacement airport in Spalding County, seconded by Commissioner Flowers-Taylor. Motion carried by a vote of 4-1 with Commissioner Phillips opposing.***

6. Consider Ordinance to Amend the FY 2007 Budget Ordinance to provide for mid-year budget adjustments.

***Commissioner McDaniel moved to approve the Ordinance to Amend the FY 2007 Budget Ordinance to provide for mid-year budget adjustments, seconded by Commissioner Flowers-Taylor. Motion carried by a vote of 5-0.***

7. Consider recommendations for revisions to the Spalding County Pauper Burial Procedures/Policy.

Paul Van Haute has been working with Coroner Sonny Foster to establish a more stringent policy regarding pauper burials. The recommendations before the Commissioners reflect their findings. Much discussion followed. Coroner Foster spoke and answered questions. He advised this procedure needed to be properly policed as the number of pauper burial requests have greatly increased over the past few months. He agreed that the policies simply needed refining.

Commissioner Flowers-Taylor asked about verification of the applicant for a pauper burial in addition to verification of need for the deceased. Some discussion followed about cremation instead of burial procedures. Next of kin, however, has to grant permission for cremation, advised Coroner Foster.

***On advice from counsel, Commissioner Phillips moved to table the issue until the March 19, 2007 meeting, seconded by Commissioner Flowers-Taylor, to allow for greater study of the recommendations and of state law concerning same. Motion to table carried by a vote of 5-0.***

8. Consider approval of Parking Space Lease Agreement with City of Griffin for parking deck at 100 South Hill Street.

Historically, County employees have rented spaces in the parking deck area of the Wachovia Building and paid for same through payroll deductions. This is simply a legal continuation of that practice. Mr. Fortune advises he would like to strike the paragraph regarding indemnification since that would constitute a gratuity.

The new parking lot being planned across the street will have 28 spaces for public parking and not employee assigned parking. Commissioner Flowers-Taylor has a real concern about even using County resources, such as payroll deduction with reimbursement to the City, to pay for employee parking spaces in the parking deck when they have the County parking lot behind the Courthouse Annex. She also wondered about the wisdom of trying to have a Health and Wellness Fair when the County, obviously with this proposal, doesn't encourage employees to walk from any distance. More discussion followed.

Mr. Wilson said this long-standing practice simply accommodated many in the Courthouse who had to bring in equipment, supplies, etc. in the course of their work and needed the convenience of a closer, covered area in which to park. Previous boards have experienced no problem with this accommodation to County employees and elected officials, as well.

*Commissioner Phillips moved to approve the Parking Space Lease Agreement with City of Griffin for parking deck at 100 South Hill Street, seconded by Commissioner McDaniel and motion carried by a vote of 3-2 with Commissioners Flowers-Taylor and Goss opposing.*

9. Consider Resolution to Amend Resolution Relative to the Organization of, and the Procedures for the Disposition of, Business During the Meetings of the Spalding County Board of Commissioners.

*Commissioner Phillips moved to approve the Resolution to Amend Resolution Relative to the Organization of, and the Procedures for the Disposition of, Business During the Meetings of the Spalding County Board of Commissioners, seconded by Commissioner Phillips. Motion carried by a unanimous vote of 5-0.*

10. Consider authorizing submission of Health and Wellness Grant Application.

*Commissioner McDaniel moved to authorize submission of the Health and Wellness Grant Application, and Commissioner Phillips seconded. Motion carried by a vote of 4-1 with Commissioner Flowers-Taylor opposing.*

11. Consider approval of the FY 2008 Budget Calendar.

*Commissioner McDaniel moved to approve the FY 2008 Budget Calendar as presented, seconded by Chairman Freeman. Motion carried by a vote of 5-0.*

12. Set a date for a Public Hearing to establish a streetlight district for Teamon Village Subdivision off Teamon Road.

*Commissioner McDaniel moved to set the date for a Public Hearing to establish a streetlight district for Teamon Village Subdivision off Teamon Road as March 19, 2007, seconded by Chairman Freeman. Motion carried by a vote of 5-0.*

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

- Bain Proctor Award applications will continue to be accepted through March 15, 2007.
- The Board of Commissioners Retreat is this Saturday, March 10, 2007, at The Rock Ranch, LLC. Participants should arrive no later than 8:30 a.m.
- The Board of Education SPLOST referendum for continuation of the E-SPLOST will be March 20, 2007 with early voting the week of March 12, 2007 in the Courthouse Annex Meeting Room.
- The Spalding County Health Fair will be held March 12 at the City Park Gym from 8:30 to 12:30.
- A Spalding County Blood Drive will be held March 29 at the old Rent-A-Center location in Memorial Drive Plaza from 8 am to 1 pm.
- Notices regarding the newly revised Animal Restraint Districts will be going out shortly to districts.
- A design workshop for CTP with Grice & Associates was desired and, after much discussion, a date and time of Monday, March 19, at 11:30 a.m. was decided upon by the Board.

## **XIII. REPORT OF COMMISSIONERS**

### **Goss:**

During his last campaign he encountered a great many comments regarding seniors 65 and older still paying school tax. Many phone calls have been received as a result of the proposed Board of Education SPLOST. He said he and Chairman Freeman have discussed what it would take to stop the school tax on residents 65 and older. He has called both Messrs. Yates and Knight and they explained that if people want to exempt seniors 65 and older from this tax, the first thing that must happen is that a majority of the Board of Commissioners will need to sign a resolution requesting that the legislators

proceed with this proposal. He responded to the legislators that he would present it to the Board and if a majority wants to proceed, they would do so. He warned commissioners that after serving on the 800 MHz Committee, Commissioner Goss felt he could take the type criticism that will most definitely come with supporting such a request as this tax exemption. People will definitely criticize. He stated he would be willing to sign to go to Mr. Yates and Mr. Knight for them to look at it. They said they would look at the figures and, if feasible, they would do it. He asked Chairman Freeman if he had looked at the numbers from the Tax Commissioner yet.

Chairman Freeman said the last time an inquiry was made of the Tax Commissioner this past year, she estimated the figure would indeed be near \$1 million. Mr. Wilson said that figure probably had not changed much. Commissioner McDaniel said he would have to see a viable plan to replace the near \$1 million in revenue that would probably be lost through such a measure. He could not justify simply pulling the rug out from under the school system. Commissioner Goss said Mr. Yates and Mr. Knight stated they would look into it and into the financial burden to the school system. Mr. Fortune said this bill would have to be introduced when there is sufficient time remaining in the legislative session. There must be six legislative days left in session to accomplish the task so they would need to hit the ground running with the issue when they reconvene session to get it done this year. Commissioner Goss said the local legislators assured him they would be willing to do what must be done to introduce the resolution. Some seniors have conveyed to him they can better support the continued SPLOST if they can be given relief from the school tax on their tax bills. Chairman Freeman said a number had talked with him about it, as well, and would support the School SPLOST if they could get relief from school taxes, and he reminded everyone that senior citizens do vote. Commissioner Goss said he has had to explain the school tax repeatedly to his constituents. One lady with whom Commissioner Goss has spoken gets \$720 Social Security and she is paying school tax on her great, great grandchildren. She does receive some reductions on the County tax but the more he thinks about seniors paying school tax, the more ridiculous it sounded to him. He was currently paying on his grandchildren, and he personally paid more than \$675 of his total tax bill of about \$1050 toward school tax. The county's portion of his tax bill was only about \$375. Chairman Freeman agreed the school tax comprised better than half of his tax bill with no children in school and only one ever in the school system. The school system has a 20 mil cap (except in specially approved circumstances by the legislature for a limited time), and they are at 19.+ mils already in the school tax.

**Flowers-Taylor:**

She inquired about the letter to the City of Griffin for the Fairmont properties that was requested previously. Mr. Wilson advised that Mr. Greene has not returned with the revision to the plat because of the meeting date for Parks and Recreation Advisory Committee which will be this Thursday.

Commissioner Flowers-Taylor supported the comments of Ms. Palmatier regarding the citizen advisory committee for review of the animal control ordinance. She felt Mr. Wilson or Mr. Van Haute was supposed to return with a plan for implementation, and she wanted to receive that as soon as possible.

She was unsure if the process would be legal or not, but she would like to get information on Closed Meeting issues in advance in order to be prepared for discussion. It was noted that information on the issues to be discussed at tonight's Closed Meeting was provided in advance in commissioners' packets.

When the budget process was ongoing last year, they discussed the fact that Spalding County was one of a very few employers who have a paid dental plan. She wondered about getting some type of co-op plan whereby employees participate in their dental coverage.

There are a couple of residents present at tonight's meeting from Spalding Heights where water service was turned off recently when the property owners did not pay the bill. There is evidently some problem with the landlord paying the utility bill on a regular basis. She wondered about the substandard housing issue she had mentioned some months ago. She has called HUD, the Health Department, and others, who all advise that they can do nothing to police the issue since Spalding County has no minimum standards for decent housing. She wondered if this could be discussed at the upcoming Retreat, which she would rather not see be held in March. She felt that commissioners lost the time in the months of January through March that could have been productive toward collective goals that aren't stated until the Retreat in March, and she would like to see it planned for January in the future. Even in years when new commissioners were coming on board, they could take advantage of the retreat to learn and educate. March, in her opinion, is too far into the calendar year for the retreat to be effective.

Other commissioners agreed there needed to be more stringent regulations for housing and apartment complexes. The County, said Commissioner Flowers-Taylor, should be held to an acceptable level of regulation for housing standards. Ms. Hooker, who has been a resident at Spalding Heights for some time, confirmed the constant problems with maintenance, response times, utility payments so that water service is not interrupted, etc. Commissioner Flowers-Taylor said she had been in contact with the Planning Department, Health Department, and others to try to ensure the problem remains in the forefront until substandard housing regulations can be implemented.

Commissioner McDaniel said he could understand that the Health Department could not enforce screens on windows, etc. but they should be able to deal with mold and mildew since these are health issues.

Rats are bad in the complex, as well, which definitely is a health issue. Commissioner Flowers-Taylor said she would be willing to work with others on getting this issue to the forefront, as did Commissioner Goss. Much of the problem is due simply due to the massive government bureaucracies involved and large conglomerate landlords who are unresponsive. Commissioners Goss and Flowers-Taylor will coordinate with Mr. Van Haute on these matters.

**Phillips:**

Commissioner Phillips gave kudos to the court process during his time on jury duty last week. He would like to determine exactly who is buried in the pauper cemetery on Carver Road.

**McDaniel:**

Commissioner McDaniel said he spoke to a Boy Scout troop this past Saturday. This group was large and was extremely well behaved. They asked good questions and if other commissioners have this type opportunity, he urged them to do so.

When he read the article about the dog attack in the newspaper this past week, he noticed that no charges were filed against the owner. Mr. Wilson will get a copy of the incident report to Commissioner McDaniel. This issue speaks to exactly why animal restraint is essential. This was a sad incident. Commissioner Goss asked if the County could outlaw specific breeds. Mr. Fortune responded they could not. If a dog injures someone, and the owners could have provided advance notice, they could be held liable civilly for damages. Animal owners could be prosecuted criminally under a presumption of assault and battery if a dangerous history can be documented. Mr. Fortune and Mr. Wilson advised, in response to Chairman Freeman's question, that Animal Control can actually make the cases, but so can the Sheriff's Department or Code Enforcement.

**Freeman:**

Chairman Freeman said he had forgotten what he wanted to say as the Board had been talking so long. He spoke to the seniors at New Salem Church recently and he wanted to report they were well behaved, as well, and the food was good. They were concerned about the L.B. Norton Fire Station coming on line.

**XIV. CLOSED MEETING**

1. County Attorney desires a Closed Meeting to discuss potential and pending litigation and acquisition of real estate.

*Motion to Adjourn to Closed Session at 8:17 by Commissioner McDaniel, seconded by Commissioner Goss, carried by a unanimous 5-0 vote, to be convened after a 5-minute break.*

**CLOSED MEETING AFFIDAVIT**

*[A copy of the affidavit must be filed with the minutes of the meeting]*

STATE OF GEORGIA  
COUNTY OF SPALDING

**AFFIDAVIT OF CHAIRMAN**

Members of the Spalding County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1.  
The Spalding County Board of Commissioners met in a duly advertised meeting on March 5, 2007.

2.  
During such meeting, the Board voted to go into closed session.

3.  
The executive session was called to order at 8:17 p.m.

4.  
The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Yes Consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

No Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and \_\_\_\_\_(insert the citation to the legal authority making the tax matter confidential);

Yes Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

No Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

No Other (describe the exemption to the open meetings law): \_\_\_\_\_ as provided in \_\_\_\_\_ (insert the citation to the legal authority exempting the topic).

This the 5<sup>th</sup> day of March 2007 Spalding County Board of Commissioners

Sworn to and subscribed	Eddie L. Freeman, Chairman	(L.S.)
Before me this <u>5<sup>th</sup></u> day of <u>March 2007</u>	David Phillips	(L.S.)
	Gwen Flowers-Taylor	(L.S.)
Notary Public – Teresa A. Watson (L.S.)	Edward Goss, Jr.	(L.S.)
My commission expires: <u>March 1, 2011</u>	Johnie A. McDaniel	(L.S.)

-----  
*Motion to Adjourn Closed Meeting and Reconvene to Open Meeting at 8:46 p.m. by Commissioner Goss, seconded by Commissioner McDaniel, carried by a 5-0 vote.*

#### **XV. ADJOURNMENT**

*Motion to Adjourn at 8:47 p.m. by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.*

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman