

EXTRAORDINARY SESSION

The Extraordinary Session was held by the Spalding County Board of Commissioners in Room 108 in the Courthouse Annex, Monday, March 19, 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, Administrative Services Director Jinna L. Garrison, Community Development Director Chuck Taylor, County Attorney James R. Fortune, Jr. and Executive Secretary Teresa Watson.

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

II. INVOCATION - Reverend Mike Freeman

III. PLEDGE TO FLAG – Led by Commissioner Goss

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Cheryl Marshall of the American Red Cross will update the Board on local Red Cross efforts. Ms. Marshall detailed programs of the American Red Cross that emphasized the organization is about the business of so much more than just blood drives. The local arm is the Georgia Piedmont Chapter of the American Red Cross. The group responds to local families in emergency situations for food, shelter and clothing. They are available on a daily basis in an office on Meriwether Street but will be moving to a location in Thomaston in the near future. They are in desperate need of financial support, as well as blood donations.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Eight Months ended February 28, 2007.

Motion to approve by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a unanimous vote of 5-0.

VI. CITIZENS COMMENTS

VII. PUBLIC COMMENT

Chairman Freeman read the rules of order for speaking under Public Comment.

Speaking in favor of tabling Item #13 under New Business for further deliberation and collaboration with other directly involved parties were:

Raymond Ray, Jr., 1000 Springer Drive, Griffin, Georgia

Jim Smith, 203 Sheraton Drive, Griffin, Georgia

Jesse Bradley, 1125 Placid Road, Griffin, Georgia

John Rainwater, 444 Brook Lane, Griffin, Georgia

They requested the Board assist the community by exploring common sense tax relief that is carefully studied and has received educated deliberation. This is a complex issue and a decision that is not well thought out with all ramifications explored can hurt school children in Spalding County for years to come. They urged the Board to delay any vote tonight in favor of exhaustive study.

Speaking for favorable consideration of Item #13 under New Business was:

Bobby Peurifoy, 917 South McDonough Road, Griffin, Georgia

Mr. Peurifoy felt the senior citizens of the County are being taxed to death and creates many sad situations where seniors on fixed incomes must choose between paying taxes and having food or medicine.

Betty Gephardt, 79 Richardson Road, Griffin, Georgia

Ms. Gephardt complained about parking in the no parking zones along Richardson Road by residents and visitors, which is an ongoing problem with area residents.

VIII. MINUTES

1. Consider approval of the minutes of the March 5, 2007 Regular Monthly Meeting.

Motion to approve by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a unanimous vote of 5-0.

IX. CONSENT AGENDA

1. Consider on second reading the Ordinance to Amend the FY 2007 Budget Ordinance to provide for mid-year budget adjustments.

**AN ORDINANCE AMENDING THE
FISCAL YEAR 2007 BUDGET ORDINANCE
FOR
SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2006 Fiscal Year pursuant to the requirements of Title 36, Chapter 81 of the Official Code of Georgia, and Section 2-5003 of the Code of Spalding County; and

WHEREAS, the Official Code of Georgia, specifically Title 36, Chapter 81-3, provides that said Board might amend its annual budget ordinance so as to adapt to changing governmental needs during the fiscal year.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on June 22, 2006, be amended as follows:

Section 1: General Fund

A. Revenues

Fund Balance	From	\$	2,810,700	to	\$	3,413,200
Contributions and Donations	From	\$	500	to	\$	1,169
Intergovernmental Revenue	From	\$	2,066,491	to	\$	2,373,006
Charges for Services	From	\$	5,043,877	to	\$	5,243,877
Other Financing Sources	From	\$	32,500	to	\$	91,800

B. Expenditures

Animal Control	From	\$	337,416	to	\$	338,085
Homeland Security	From	\$	13,559	to	\$	16,439
Special Operations	From	\$	875,167	to	\$	886,417
Parks	From	\$	2,028,663	to	\$	2,138,663
Correctional Institution	From	\$	6,003,335	to	\$	6,262,635
Public Works	From	\$	3,765,632	to	\$	4,015,632
General Appropriations	From	\$	3,027,951	to	\$	3,541,451
The Enrichment of Young Minds	From	\$	21,000	to	\$	42,385

Adding Section 19: Capital Projects Grant Fund

A. Revenues

Fund Balance	From	\$	0	to	\$	59,300
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B. Expenditures

Other Financing Uses	From	\$	0	to	\$	59,300
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Approved on first reading this 5th day of March, 2007.

Approved, adopted and enacted on second reading this 19th day of March, 2007

2. Consider on second reading 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.

**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**

WHEREAS, well-organized meetings allow a Board of Commissioners to reach decisions in a fair and efficient manner, and,

WHEREAS, parliamentary procedure is the framework for organizing and conducting meetings; and,

WHEREAS, a parliamentary procedure provides the rules by which a Board debates an issue and then comes to a decision.

NOW, THEREFORE, BE IT RESOLVED that all meetings of the Board of Commissioners of Spalding County shall be conducted in accordance with the provisions of this Resolution relative to organization of its meetings and procedures for the disposition of its business during those meetings.

ARTICLE 1. MEETINGS ORGANIZATION

Section 1-01. Open Meetings. All meetings of the Board of Commissioners shall be held in accordance with the provisions of Open and Public Meetings Law, 50-14-1 et seq. of the Official Code of Georgia Annotated (O.C.G.A.).

Section 1-02. Public Access to Meetings. The public shall at all times be afforded access to all meetings other than closed meetings.

Section 1-03. Quorum. A quorum must be present for conducting meetings of the Board. A quorum is a majority of all of members of the Board then in office. It is the duty of the Chairman to enforce this rule. Any Commissioner may raise a point of order directed to the Chairman if he believes that a quorum is not present. If, during the course of a meeting, a Commissioner leaves and a quorum no longer exists, the meeting cannot continue. If a quorum is not attained within thirty minutes, the meeting will be rescheduled by the Chairman with approval of Commissioners present.

Section 1-04. Voting Majority. Motions may be made for any item on the agenda, except those items which are raised during the "Report of Commissioners" Section of the agenda. Passage of a motion shall require the affirmative vote of a majority of Commissioners present and voting at a meeting at which a quorum is present. Unless otherwise specified in these procedures, a majority shall mean more than 1/2 of the Commissioners present. Where a 2/3-majority vote is specified, a majority vote shall mean at least 2/3 of the Commissioners present.

Section 1-05. Abstentions. A Commissioner shall vote on all motions unless he has a conflict of interest which would prevent him from making a decision in a fair and legal manner. If a conflict of interest does exist, the Commissioner shall explain for the record his decision to abstain on any vote.

Section 1-06. Chairman. The Board shall select a Chairman from the Board members at the beginning of each calendar year. The Chairman of the Board of Commissioners is responsible for the orderly conduct of the meeting. In order to fulfill this duty, the Chairman must enforce the rules of procedure that are adopted by the Board of Commissioners. The Chairman shall be impartial and conduct the meetings in a fair manner; however, nothing in these rules shall be construed to prevent the Chairman from making or seconding a motion, or from participating in any debate.

Section 1-07. Vice-Chairman. The Board shall select a Vice-Chairman from the Board members at the beginning of each calendar year. The Vice-Chairman shall fulfill the duties of the Chairman if the Chairman is not in attendance.

If the Chairman and the Vice-Chairman are absent and a quorum is present, the remaining Commissioners shall select a Commissioner to serve as temporary Chairman of the meeting until either the Chairman or Vice-Chairman is present at the meeting.

Section 1-08. Agenda. The County Manager, with the advice of the Chairman and the Commissioners, shall prepare an agenda of subjects to be acted on for each meeting. The agenda shall be made available to the Commissioners at least one business day before every Board meeting.

Any requests to be placed on the Agenda for any regular meeting, including supporting documentation, must be received by the County Manager on or before 12:00 noon on the Tuesday that precedes the regular meeting.

The order of the agenda may be changed during a meeting by a majority vote of the Board. A new subject that requires urgent attention may be added to the agenda during a meeting by a 2/3-majority vote of the Board.

Section 1-09. After Agenda. Subjects acted on and a list of those members present shall be made available to the public for inspection within two business days of the adjournment of any meeting.

Section 1-10. Consent Agenda. A consent agenda may be prepared by the County Manager for the Board to unanimously adopt motions on routine items. Any items of business that are expected to receive unanimous approval and where no debate is expected will be placed on a consent agenda.

At the appropriate time of the meeting, the Chairman shall read all of the items on the consent agenda. If a Commissioner objects to an item being on the consent agenda, the Chairman shall move that particular item to the "Old Business Section" or the "New Business Section" of the agenda, whichever is applicable.

The Chairman will ask for a motion and a second to approve the consent agenda, which shall only be approved by a unanimous vote.

Section 1-11. Minutes. The Clerk to the Board shall promptly record the minutes for each Board meeting. The minutes serve as the official written record of the Board meeting and shall be open for public inspection once approved as official by the Board but in no case later than immediately following the next regular meeting of the Board. The minutes shall specify the names of Commissioners present at the meeting, a description of each motion or other proposal made at the meeting, the Commissioner who proposed each motion, the Commissioner who seconded each motion, and a record of all votes. In the case of a roll-call vote, the name of each Commissioner voting for or against a proposal shall be recorded. It shall be presumed that a Commissioner has voted in the affirmative unless the minutes show otherwise. More detailed information may be included in the minutes at the request of the Board.

The Board must approve the minutes before they can be considered as an official record of the Board. A copy of the minutes from the previous meeting shall be distributed to the Commissioners at least one business day before the following meeting. The minutes of the previous meeting shall be corrected and approved by the Board at the beginning of each meeting. A majority vote is required for approval. Conflicts about the content of the minutes shall be decided by majority vote. Upon being approved, the minutes shall be signed by the Chairman and attested to by the Clerk of the Board of Commissioners.

Section 1-12. Order of Business. All regular Board meetings should follow an established order of business. The order is as follows:

- I. Opening (Call to Order)
- II. Invocation
- III. Pledge to Flag
- IV. Presentations, Proclamations and Recognitions
- V. Presentation of Financial Statements
- VI. Citizen Comments
- VII. Public Comments
- VIII. Minutes
- IX. Consent Agenda
- X. Old Business
- XI. New Business
- XII. Report of County
- XIII. Report of Commissioners
- XIV. Closed Meeting
- XV. Adjournment

Section 1-13. Decorum. All Commissioners should conduct themselves in a professional and courteous manner. All remarks should be directed to the Chairman rather than to individual Commissioners, staff or citizens in attendance. Personal remarks are inappropriate.

A Commissioner should not speak at a meeting until he has been recognized by the Chairman. All comments made by a Commissioner shall address the motion or item that is being discussed.

The Chairman shall enforce these rules of decorum. If a Commissioner believes that a rule has been broken, he can raise a point of order. A second is not required. The Chairman can rule on the question or he can allow the Board to debate the issue and decide the issue by majority vote.

Section 1-14. Public Participation. Public participation in meetings of the Board of Commissioners shall be permitted in accordance with the provisions of this section.

1-14-01. Citizen Comments. The sixth agenda item of the meeting shall be reserved for comments from citizens who have asked to be placed on the agenda. All members of the public who wish to address the Board under the citizen comments section must submit their name and the topic of their comments to the County Manager on or before 12:00 Noon on the Tuesday which precedes the

regular meeting. These individuals will be allotted five minutes to make their comments, and their comments must be limited to their chosen topics and relate to matters pertinent to the jurisdiction of the Board of Commissioners. These limits may be waived by a 2-3-majority vote of the Commissioners present.

1-14-02. Public Comments. The seventh agenda item shall be reserved for comments from citizens who did not ask to be placed on the agenda. These individuals will be allotted five minutes to make their comments relative to matters pertinent to the jurisdiction of the Board of Commissioners.

Prior to the recognition of any citizen for comments related to the citizen comment or public comment section of the agenda, the Chairman shall read the following statement.

“Welcome and thank you for taking the time to attend our meeting. At this time, I will recognize those citizens who have asked to be placed on the agenda and subsequently any member of the public who desires to address the Board. After those citizens who have been placed on the agenda have completed their comments, I will open the floor to comments from the audience, beginning on my right. If you wish to address the Board, please raise your hand to be recognized, come to the podium, and state your name and address for the record. 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 of community interest, to let us know how you feel about a matter that is under consideration, or to request that we address some problem that you have experienced with a department or agency under our control. However, we do ask that you make your comments as brief as possible and confine your comments to matters pertinent to our jurisdiction.

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.”

1-14-03. Public Participation on Agenda Items.

(1) Anyone, including the applicant or his agent, desiring to speak for or against any agenda item must sign up to speak.

(2) Each speaker will be given five minutes to speak on the agenda item being presented. Once having had his opportunity to speak, no speaker will be allowed to readdress any application without the consent of a member of the Board.

(3) Anyone wishing to speak at any Board meeting must be recognized by the Chairman before addressing the Board.

1-14-04. Decorum. Members of the public shall not make inappropriate or offensive comments at a Board meeting and are expected to comply with the rules of decorum that are established for Commissioners. Individuals who violate any rules of the Board may be ruled out of order by the Chairman or on a point of order made by a Commissioner. A majority vote of the Board will rule on the point of order. An individual who violates the rules of decorum may be removed from the meeting at the direction of the Chairman.

1-14-05. Public Hearings. The Board may schedule public hearings on the fourth Thursday of the month for the purpose of soliciting public comment on any subject of interest to the Board. The time and place for any and all public hearings will be determined by the Board in accordance with the Open and Public Meetings Law, codified at O.C.G.A. 50-14-1 et seq.

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."

Section 1-15. Parliamentarian. The County Attorney shall serve as the parliamentarian for the Board meetings.

Section 1-16. Amendments to Rules. Any amendments to the rules of order must be submitted by a Commissioner in writing to the County Manager on or before 12:00 Noon on the Tuesday which precedes the meeting of the Board. The proposed amendment shall be included in the agenda for that meeting and distributed to all Board members. All amendments require a 2/3-majority vote of the Board to be adopted.

Section 1-17. Regular Meetings. Regular meetings of the Board of Commissioners shall be held at 6:00 p.m. on the first and third Mondays of each month. All regular meetings shall be held in Room 108 of the Spalding County Courthouse Annex. A notice containing the foregoing information shall be posted and maintained in a conspicuous place available to the general public at the regular meeting place of the Board.

Section 1-18. Special Meetings and Rescheduled Regular Meetings. A regular meeting may be canceled, rescheduled or moved to a new location within the county by the Chairman for any reason. Other special meetings may be scheduled by the Chairman or at the request of two Commissioners. Whenever a rescheduled regular meeting or any other special meeting is to be held at a time or place other than the regularly scheduled time or place, written notice of the change shall be posted for at least 24 hours at the place of the regular meetings. In addition, written or oral notice shall be given by the Clerk at least 24 hours in advance of the meeting to the Griffin Daily News and to each member of the county governing authority.

Section 1-19. Emergency Meetings. When emergency circumstances occur, the Board may hold a meeting with less than 24 hours' notice to the public. When such meetings are to be held, the Clerk shall provide notice to the Griffin Daily News and to each member of the county governing authority as soon as possible. The notice shall include the subjects expected to be considered at the meeting. In addition, the minutes shall reflect the reason for the emergency meeting and the nature of the notice given to the media.

Section 1-20. Closed Sessions. Closed meetings of the Board may be held for the purpose of conducting business excepted from public access requirements as authorized by 50-14-1 et seq. of the Official Code of Georgia Annotated. Where a meeting of the Board is devoted in part to matters within the authorized exceptions to public access requirements, any portion of the meeting not subject to any such exceptions shall be open to the public. No closed meeting shall be held except pursuant to a majority affirmative vote of the Board of Commissioners taken in a public meeting.

The minutes of the open meeting shall reflect the names of the Commissioners present, those voting for the closed meeting and the specific reasons for the closed meeting. Minutes of the closed meetings are maintained by the Clerk in a confidential file and are only available for public inspection as may be required by 50-14-1 et seq. and their rules.

Minutes or portions of minutes, of any closed meeting held to discuss the future acquisition of real estate shall be prepared in the same manner as for open meetings except the disclosure of such minutes, or portions thereof, as would identify the real estate to be acquired shall be delayed until such time as the acquisition of the real estate has been completed, terminated, or abandoned as court proceedings with respect thereto initiated.

Section 1-21. Suspending the Rules of Order. Rules of order may be suspended. A motion to suspend the rules requires a second, is debatable and requires a 2/3-majority vote of the Board. Rules governing quorum (Section 1-03), voting methods and requirements (Section 1-04 and Section 1-05), the notification to Commissioners of meetings (Section 1-17 and Section 1-19) and rules necessary for compliance with state law cannot be suspended.

Section 1-22. Committees. The Chairman, with the concurrence of the Board, may create committees of members of the Board to study any issue before the Board. Any such committees may make recommendations to the Board of Commissioners but no committee shall be empowered to make any final decision on any matter before it for consideration. In addition to Board members,

committees may include other county officials, staff or citizens at large. Whenever a committee is created, its duties, any limitation on the scope of its duties, and the times, places and periods of time for which the committee may operate shall be determined by the Chairman with the concurrence of the Board. The Chairman shall serve as an ex-officio member of all committees.

Section 1-23. Visual and Sound Recordings. Visual, sound, and visual and sound recordings shall be permitted for all public meetings.

Section 1-24. Reference to Robert's Rules of Order. To the extent not provided for in, and not conflicting with the spirit of, these rules, the Chairman shall refer to Robert's Rules of Order to resolve procedural questions.

Considered on first reading this the 5th day of March 2007.
Adopted on this the 19th day of March 2007.

Motion to approve Consent Agenda by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

X. OLD BUSINESS

1. Lift from the table consideration of revisions to the Spalding County Pauper Burial Procedures/Policy.

Motion to lift from the table by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

Mr. Fortune said he had researched the law and arrived at these recommendations which will give options. The County will try to move toward cremation but felt they must also leave the possibility of burying in the City's Pauper Cemetery. Mr. Wilson will explore whether or not there really is, as story has it, an inmate buried in the County's Pauper Cemetery on Carver Road.

Motion to approve as presented by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-1 with Commissioner Flowers-Taylor opposing.

XI. NEW BUSINESS

1. Conduct Public Hearing to consider establishment of a street lighting district for Teamon Village Subdivision off Teamon Road.

Chairman Freeman opened the Public Hearing, and no public comment was forthcoming.

Motion to close Public Hearing by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

2. Consider establishment of a street lighting district for Teamon Village Subdivision off Teamon Road.

Motion to approve a street lighting district for Teamon Village Subdivision off Teamon Road, by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

3. Consider request from Teamon Crossing Development, LLC to extend bond for landscaping and playground installation.

Frank Potts, developer, spoke to the Board and detailed his request for extension of the performance bonds. The delay was due to a superintendent who was let go in January and they missed the deadline. He thought they had done a two-year bond when, in fact, it was one year. The 59 lots were built out at the rate of 6 per month, so street trees were held out until sidewalks were completed. Timing was the main reason for the delay, and 2/3 of the lots are now sold. A request for six months, he felt, would be in line and homeowners can water and care for the trees on right of way.

Chuck Taylor addressed the Board. The request for extension of the bonds was not within the normal realm of problems encountered with previous subdivisions. In this case, the original bond was requested because it was in the middle of the summer and the developer needed additional time to plant the trees when planting was optimal (with the least amount of care to survive). The playground equipment similarly was requested to delay to minimize a potential for vandalism, etc. as people moved in. Trees planted in the next period of time will require a higher level of care to ensure survival with heat and dry weather.

Mr. Wilson said the contractor's estimate on January 13, 2006 was \$20,000 for playground equipment and another proposal of 12-25-05 was from other providers. If the Board chooses to extend the bond, he suggested the extension be equal to 150% of the original amount. He wasn't sure if providers would honor these older prices. A 200% extension of the original amount would also be possible if the Board so chose. Discussion followed.

Mr. Taylor said substantial completion is needed prior to street acceptance. This is a way to enforce and ensure amenities are part of the zoning requirement. The County's substantial completion clause says complete with all of the amenities in place. The only bond ordinance specifically allowed is performance bond/maintenance bond which is two years after acceptance of streets. This is not meant for substantial improvements once streets are accepted.

Mr. Potts said he had never had this issue before. His bond company will only take what was there up to 120% increase. This will adequately cover costs, and checking of prices reveals this is probably adequate. To call this bond will put all his bonds in other counties in jeopardy. He'll fix it and the timeliness of planting is addressed year round by his landscaping company. He felt trees could survive weather conditions that are not optimal over the situation that existed before with constant construction. This is his first hurdle with County. He tried to meet all County regulations many of which he had not heard of before building here. His banker, Art Hammond, and Representative John Yates advocated his position, as well, he stated.

Mr. Taylor said this is the first instance of a bond extension for this period of time and for all of the improvements still to be done, rather than just a small portion still needing attention. The best way, he felt, is to find an amicable solution that will allow the development to complete and make the Board happy, as well. Mr. Taylor suggested substantiation of costs, and separating the planting period from the bond expiration period so that some time can elapse between when trees are planted to expiration of the bond to ensure survivability.

Mr. Potts said this playground is fancier than some and is commercial grade. The company was out of Jacksonville and required more time than he originally thought would be required. More lead time is required for delivery and installation of the equipment. Bond extension in these cases is fairly common.

More discussion followed. Commissioner McDaniel recommended if the County so anticipates, these improvements can be required to be installed by the time streets are accepted. Amenities will have to be installed prior to final plat acceptance if the Board desires in the future.

Commissioner Goss said he wanted to see something in the ground and playground equipment at least partially installed within 45 days.

Commissioner Phillips moved to extend the performance bond for six months, amended to include the condition that installation of playground and plantings shall be completed in 45 days, seconded by Commissioner McDaniel. Motion carried by a vote of 5-0.

4. Consider approval of a new Alcohol License for 2007 – Retail Sale – Beer and Wine – for the following: 362 Enterprises, Inc., d/b/a 362 Express (a convenience store selling gasoline) located at 1600 Williamson Road. Mr. Akber A. Jiwani is owner of this new business.

Mr. Wilson said all criteria had been met on this application.

Motion to approve a new Alcohol License for 2007 – Retail Sale – Beer and Wine – for the following: 362 Enterprises, Inc., d/b/a 362 Express (a convenience store selling gasoline) located at 1600 Williamson Road by Commissioner Phillips, seconded by Commissioner Goss, carried by a vote of 4-1 with Commissioner McDaniel opposing.

5. Consider authorizing purchase of motorized fire apparatus for the Fire Department.

Bids were solicited from 7 vendors with two bids received. The recommended bidder is E-One. One pumper will be purchased with impact fees.

Motion to approve E-One as the successful bidder for a total amount of \$2,389,791.50 was made by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor. Motion carried 5-0.

5. Consider Communications System Agreement with M/A-Com, Inc. for 800 MHz communications system.

Consultant Steve Macke thanked the Board and presented an overview of the process. Mr. Wray Hall advises that the rebanding issue would be resolved to allow the timeframe to within six months. An additional 200' tower site will add about \$330,000. A civil engineer would have to inspect the courthouse and some facility improvements will need to be made. The project will begin with equipment coming in within six months. They can do the licensing modification with relative ease.

The actual cost is \$9246340.63 from M/A-Com. Change orders can be submitted through an established process. M/A-Com will have project managers and engineers for easy accessibility. Change orders must be warranted and needed and will require collaboration.

Commissioner Goss asked if the County can sign the agreement with M/A-Com and work out change orders later. Mr. Macke said that happens in 80% of projects. The M/A-Com representative, James Potter, introduced Fred Gallart, Russ Prindle, Marc Athearn and expressed it would be a pleasure to work with Spalding County.

The ruggedized laptops will be additional expenses and perhaps a couple of more items will add to the bottom line, noted Mr. Wilson.

Motion to approve Communications System Agreement with M/A-Com, Inc. for 800 MHz communications system was made by y Commissioner Goss for \$9,246,340.63, subject to change order, seconded by Commissioner Phillips. Motion carried by a vote of 5-0.

6. Consider approving and authorizing Chairman to execute annual Agreement with McIntosh Trail Regional Development Center for Transportation Planner.

The City has already approved this agreement for the Planner position which is a shared expense project on a 50/50 basis with the County.

Motion to approve annual Agreement with McIntosh Trail Regional Development Center for Transportation Planner by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

7. Consider recommendation of Parks and Recreation Advisory Commission for the addition of a canoe/kayak rental facility to the Dundee Lake Park Master Plan to be constructed and operated by Pulte Homes.

Pulte Homes approached the County to say they would pay to construct and maintain a canoe/kayak rental facility on Dundee Lake with the specific location to be worked out. They will work with the master plan consultant, jB+A, for an actual location and particulars. This independent contractor will operate and lessen the County's liability even though Spalding County owns the property. Pulte will have most exposure and will have connectivity with their property through their trail system. Pulte's property joins that of Dundee Lake on the north and east side.

Motion to approve recommendation of Parks and Recreation Advisory Commission for the addition of a canoe/kayak rental facility to the Dundee Lake Park Master Plan to be constructed and operated by Pulte Homes by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 4-1 with Commissioner Goss opposing.

8. Consider request for Winging Cat Rescue for a monthly low-cost spay and neuter cat clinic and free spay voucher program for female cats to be held at the Spalding County Animal Shelter at no cost to the County.

Motion to approve request for Winging Cat Rescue for a monthly low-cost spay and neuter cat clinic and free spay voucher program for female cats to be held at the Spalding County Animal Shelter at no cost to the County by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

9. Consider declaring surplus and authorizing sealed bids for the disposition of unused vehicles and equipment.

Motion to approve declaring surplus and authorizing sealed bids for the disposition of unused vehicles and equipment by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

11. Consider, on first reading, Ordinance to Amend Part VII, Motor Vehicles and Traffic, Section 7-1004, to provide for No Parking on both sides of Emanuel Way in its entirety, as recommended by the Spalding County Sheriff's Department.

Motion to approve, on first reading, Ordinance to Amend Part VII, Motor Vehicles and Traffic, Section 7-1004, to provide for No Parking on both sides of Emanuel Way in its entirety, as recommended by the Spalding County Sheriff's Department by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

12. Consider approval of request to City of Griffin for land adjacent to the old Fairmont Vocational School property.

Motion to approve letter of request to City of Griffin for land adjacent to the old Fairmont Vocational School property by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

13. Consider requesting local legislative delegation to introduce local legislation for the following:

-Exemption from Spalding County School Tax for primary residences of residents 65 years or older.

Motion to table consideration of Exemption from Spalding County School Tax for primary residences of residents 65 years or older for indefinite period for further study and deliberation was made by Commissioner McDaniel, seconded by Commissioner Phillips, amended to add contingent on meeting with all directly involved parties within the next 30 days, carried 5-0.

-Repeal income limitations on Homestead Exemption of School and County Taxes as provided for in earlier legislation.

Representative David Knight echoed previous comments about more careful study of the school tax exemption for residences of seniors over 65. He was in favor of tax exemptions or decreases but urged due diligence in proper analysis to see what the effect of any proposed legislation would be for such a measure. He continued that what was needed was to do a true cut and not merely a tax shift, which is what this measure would be. He applauded the intent but needed more careful study to make sure it would be good for Spalding County and its school system. Mr. Wilson and Dr. Bradley will explore a meeting time for all involved to have a discourse on the subject.

Ms. Hollums provided a brief history. The Kyle Cobb legislation has been in effect since 1987 for citizens 62 and older or 100% disabled. A total growth household income of less than \$12,500 for all involved, qualifies for full exemption from county and school taxes. Over 700 people currently qualify. In 1994 they passed a set exemption: L5 and L6. L5 applies if the net income according to Georgia law (not a simple process) is less than \$10,000 after we exclude \$50,784 in Social Security and retirement. This is classified as the maximum allowed. Then one should take the itemized and personal deductions and whatever is left, if under \$10,000, qualifies for exemptions of \$10,000 in value on county and school portions. This year some have qualified and one must come in and apply in person in order to receive. Changes in status should be provided but visits are not made to identify any perceived changes. Implementation of a new state exemption was voted in November 2006. If 65, regardless of income, you are exempted from the state portion of taxes up to a dwelling and ten acres. She relayed it was hard to get people to understand the income limitations and the process is complex. The County Board of Commissioners decided on the county portion you could have more income and still get the \$10,000 in value on county and school portions. Ms. Hollums said that \$40,000 was the ceiling on this for the county portion only and not for school tax. A recent deadline caused a influx of people applying. Impact is difficult to determine. Perhaps another 450 could qualify for another \$78,000. The Board could consider this option along with the property tax exemption, and she suggested that a tabling could allow it to be considered with the previous option.

Motion to table indefinitely consideration of repealing income limitations on Homestead Exemption of School and County Taxes as provided for in earlier legislation to consider in conjunction with previous item was made by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

XII. REPORT OF COUNTY MANAGER

- CTP (Comprehensive Transportation Plan) Community Workshop will be held April 14 at 10 am at The Welcome Center.
- The week of April 9 will be National Telecommunicators Week and a luncheon on April 12 will honor Spalding County Telecommunicators.
- Plant the Future wants to work with County to help plant trees in Spalding County.
- Blood drive will be the morning of March 29 at the old Rent-A-Center location in Memorial Drive Plaza.
- On April 2, the local radio show *Marching to the Truth* will highlight the CTP process.
- Wade Hutcheson requests the Board consider sending a letter of support for not moving the U.S. Department of Agriculture office to Lamar County. Copy will be placed in commissioners' boxes.

XIII. REPORT OF COMMISSIONERS

Goss

Wisso Road has some huge bumps that need attention, as does North McDonough Road. Also, the High Falls Road situation with the new subdivision across from A & B needs a site visit.

Flowers-Taylor

No comment.

Phillips

He felt it was important to start as soon as possible the minimal housing standard, and he was privileged to be in Ringgold recently when Sheriff Stewart briefed residents on the neighborhood watch program which was impressive.

McDaniel

No comment.

Freeman

No comment.

XIV. ADJOURNMENT

Motion to adjourn at 8:39 p.m. by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

County Clerk

Chairman

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