

REGULAR MONTHLY MEETING

The Regular Monthly Meeting was held by the Spalding County Board of Commissioners in Room 108 in the Courthouse Annex, Monday, August 6, 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. and Executive Secretary Teresa Watson.

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

II. INVOCATION - Commissioner Johnie McDaniel

III. PLEDGE TO FLAG – Led by Commissioner Edward Goss

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Recognize Boy Scout Troop 77, sponsored by the Veterans of Foreign Wars Post 5448, Griffin, Georgia, present to fulfill Merit Badge requirements.

Chairman Freeman presented Spalding County pins and a copy of the meeting agenda to the members of Boy Scout Troop 77 who were in attendance. Pictures were taken and the scouts were welcomed.

2. Presentation of the Health and Wellness Grant from William Gay, Director of Human Resources.

Human Resources Director Bill Gay presented a grant received from ACCG and Local Government Risk Management in the amount of \$2,500. Last year the County had a health and wellness fair in which 93 employees participated. There are plans for a weight reduction program and a smoking cessation program this year, hopefully. Commissioner Flowers-Taylor appreciated the effort but wanted to have in place some mechanism for monitoring attendees and their progress from year to year, as well as a long-term plan in mind. Mr. Gay said this type monitoring was not in place yet.

3. Consider Proclamation declaring the month of August 2007 as MDA Spalding County Firefighter Appreciation Month.

Motion to approve Proclamation declaring the month of August 2007 as MDA Spalding County Firefighter Appreciation Month by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

Proclamation

WHEREAS Dedicated and selfless firefighters in Spalding County provide vital and lifesaving services to the citizens of their community; and

WHEREAS At a moment's notice, these men and women courageously and undauntedly lend their lives subduing fires and rescuing those found in raging infernos, as well as delivering citizens from the clutches of emergencies in otherwise deadly situations; and

WHEREAS These Georgia and Spalding County firefighters' sense of duty and responsibility compels their heroic efforts to continue away from the fire apparatus, as evidenced by the hundreds of hours these dedicated people amass in annual boot drives to collect donations for the Muscular Dystrophy Association (MDA); and

WHEREAS For over half a century, firefighters have worked tirelessly for and with MDA to eradicate the muscular dystrophy's, Lou Gehrig's disease, myasthenia gravis, and other neuromuscular diseases, striving to make a difference in the lives of those affected by such neuromuscular diseases; and

WHEREAS Many of Georgia's and Spalding County's most deserving citizens have benefited from MDA and funds raised by firefighters, and it is demonstrated that these public servants are providing invaluable services to our community in all tasks they perform; now

THEREFORE We, the Spalding County Board of Commissioners, do hereby declare that a copy of this proclamation be spread upon the minutes of the proceedings of this Board, and that on this, the sixth day of August, in the year of our Lord, two thousand and seven, we do hereby proclaim the month of August 2007 as

MDA Spalding County Firefighter Appreciation Month

FURTHER We call upon and encourage all Spalding County citizens to recognize and support, on behalf of MDA, the efforts of these firefighters who continue to provide help and hope until all neuromuscular diseases are defeated.

IN WITNESS I have hereunto set my hand and caused the Seal to be affixed on this sixth day of **WHEREOF** August, 2007.

Chairman Freeman read and presented the Proclamation to Kenny West, Spalding County Assistant Fire Chief, who heads up the MDA program locally.

V. PRESENTATION OF FINANCIAL STATEMENTS – N/A

VI. CITIZENS COMMENTS – None

VII. PUBLIC COMMENT

Chipper Gardner, Spalding County Fire Chief, reminded everyone of the golf tournament on September 13, 2007 for the Christmas for Kids program. This benefits the children of this community.

VIII. MINUTES

1. Consider approval of the minutes of the July 16, 2007 Special Called Meeting, the July 16, 2007 Extraordinary Session; the July 26, 2007 Public Hearing and the July 26, 2007 Special Called Meeting for setting of the Tax Levy; and the July 26, 2007 Zoning Public Hearing.

Motion to approve minutes of the July 16, 2007 Special Called Meeting, the July 16, 2007 Extraordinary Session; the July 26, 2007 Public Hearing and the July 26, 2007 Special Called Meeting for setting of the Tax Levy by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

Motion to approve minutes of the July 26, 2007 Zoning Public Hearing by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-0-1 with Commissioner Phillips abstaining since he was absent at that meeting.

IX. CONSENT AGENDA

1. Consider on second reading Ordinance to amend Part VI, Licensing and Regulation, Chapter 1, Article D, General Business and Occupation Tax, Sections 6-1089 and 6-1109 of the Spalding County Code of Ordinances to provide for modified business application fees and penalty fees.

SPALDING COUNTY, GEORGIA
GENERAL BUSINESS AND OCCUPATION TAX MODIFICATION
ORDINANCE NO. 2007-13

AN ORDINANCE
TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR MODIFIED BUSINESS APPLICATION FEES AND PENALTY FEES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT RESOLVED AND ORDAINED by the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, as follows:

Section 1. That the Code of Ordinances of Spalding County, Georgia, be amended in Part VI, Licensing and Regulation, Chapter 1, Article D, General Business and Occupation Tax, Sections 6-1089 and 6-1109 as follows:

-1-

By striking in Sec. 6-1089 the term “twenty dollars (\$20.00)” wherever it appears and inserting in lieu thereof “fifty dollars (\$50.00)”.

-2-

By amending Sec. 6-1109 of the Spalding County Code of Ordinances by striking in its entirety the clause “and shall pay a penalty of ten (10) percent of the tax or fee due” and inserting in lieu thereof, “and shall pay a penalty of fifty dollars (\$50.00)”.

Section 2. The within ordinance shall be and become effective immediately upon its adoption by the affirmative vote of a majority of the members of the Board of Commissioners of Spalding County, Georgia present at two meetings, as provided in Section 2-1005 of the Code of Spalding County, Georgia.

Section 3. All other ordinances, or parts of ordinances, in conflict herewith are hereby repealed. All other portions of the Spalding County Code of Ordinances shall remain in full force and effect.

2. Consider approval on second reading Ordinance to amend Part IV, Public Works, Chapter 1, Street Improvements and Assessments, Section 4-1028, to provide for changes to specifications for driveways, driveway standard.

**SPALDING COUNTY, GEORGIA
AMENDMENTS TO SPECIFICATIONS FOR DRIVEWAYS
ORDINANCE NO. 2007-11**

AN ORDINANCE

TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, PART IV, PUBLIC WORKS, CHAPTER 1, STREET IMPROVEMENTS AND ASSESSMENTS, SECTION 4-1028, TO PROVIDE FOR CHANGES TO SPECIFICATIONS TO DRIVEWAYS, DRIVEWAY STANDARD; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

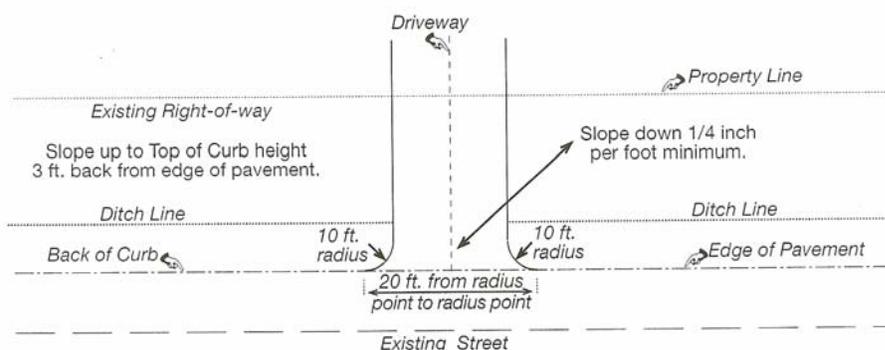
BE IT RESOLVED AND ORDAINED by the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, as follows:

Section 1. That the Code of Spalding County, Georgia, be amended in Part IV, Chapter 1, Section 4-1028, relating to driveway specifications per the following:

The drawing labeled “Spalding County Driveway Standard” and accompanying verbiage on page 4-11 of the Code of Spalding County, Georgia shall be deleted in its entirety and replaced with the drawing and verbiage shown below.

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SPALDING COUNTY DRIVEWAY STANDARD



TYPICAL DRIVEWAY / STREET INTERSECTION

Concrete driveway: 4” concrete.

Crusher run driveway: 6” crusher run.

Asphalt driveway: 6” crusher run, prime coat, 2” E mix topping.

From radius point to radius point must be 20 feet wide minimum. Concrete must be 3000 D.O.T. mix.

Notice must be given to Spalding County Public Works Department (770-467-4774) 24 hours prior to installing driveway pipe *before covering with dirt*. Contact Community Development at 770-467-4220 before pouring concrete on county right-of-way. Please give 24 hours notice.

There shall be no charge for the first inspection. If, for any reason, the proposed driveway does not meet Spalding County Standards, or the landowner does not comply with the ordinance and the Public Works Director/designee has to return, the property owner shall first pay a reinspection fee of \$50.00 prior to any subsequent inspection.

Revised 5/22/07"

Section 2. The within ordinance shall be and become effective immediately upon its adoption by the affirmative vote of a majority of the members of the Board of Commissioners of Spalding County, Georgia present at two meetings, as provided in Section 2-1005 of the Code of Spalding County, Georgia; and, upon the erection of signs as required herein by the public works forces of Spalding County, Georgia.

Section 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

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

X. OLD BUSINESS

1. Consider on second reading Amendments to the Official Zoning Map of the following:

- Application #07-04Z: Mark Moody, C. Mark McCullough, David T. Feltman, Timothy R. Dender, C. Lance Taylor, William Scott Bowen and Jeff D. Moyer, Owners, 2460 South Walkers Mill Road, 2.55 acres, AR-1 to R-2.

APPLICATION FOR MARK MOODY, C. MARK
MCCULLOUGH, DAVID T. FELTMAN, TIMOTHY
R. DENDER, C. LANCE TAYLOR, WILLIAM SCOTT
BOWEN AND JEFF D. MOYER
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 07-04Z

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, Mark Moody, C. Mark McCullough, David T. Feltman, Timothy R. Dender, C. Lance Taylor, William Scott Bowen and Jeff D. Moyer, applicants, applied for a change in zoning classification to be applied to the within described property to R-4, Single Family Residential;"

WHEREAS, such application was filed with Spalding County, Georgia on February 16, 2007;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on July 26, 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 tract or parcel of land lying and being in Land Lot 248 of the 2nd Land District, originally Monroe County, now Spalding County and being more fully described as follows:

Beginning at an iron pin at the intersection of the south land lot line of Land Lot 248 and the northwest right-of-way of South Walkers Mill Road; thence North 37 degrees 14 minutes 00 seconds East for a distance of 257.75 feet to a point; thence North 00 degrees 30 minutes 00 seconds East for a distance of 275.54 feet to a point; thence South 58 degrees 21 minutes 00 seconds West for a distance of 500.87 feet to a point; thence South 58 degrees 19 minutes 03 seconds East for a distance of 364.97 feet back to the point of beginning. Together with and subject to covenants, easements, and restrictions of records said property contains 2.55 acres more or less.

From “AR-1, Agricultural and Residential” to “R-2, Single Family” 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 August 6, 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 248 of the 2nd Land District of Spalding County, Georgia, containing 2.55 acres, more or less, 2460 South Walkers Mill 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.

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- Application #07-09Z: Griffin-Spalding County Development Authority, Owner, 407 Hudson Industrial Drive, 28.24 acres more or less, C-1C to C-2.
APPLICATION FOR GRIFFIN-SPALDING COUNTY
DEVELOPMENT AUTHORITY
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 07-09Z

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

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

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

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

WHEREAS, Griffin-Spalding County Development Authority, applicant, applied for a change in zoning classification to be applied to the within described property to C-2, Manufacturing;"

WHEREAS, such application was filed with Spalding County, Georgia on June 5, 2007;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on July 26, 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 tract or parcel of land lying in or being in Land Lot 212 of the 2nd Land District of Spalding County, Georgia, and more particularly described as follows:

Commencing at the southwest corner of Land Lot 212; thence N 89°44'40" E along the southerly line of Land Lot 212 a distance of 172.29 feet to a point; thence N 89°46'23" E along the southerly line of Land Lot 212 a distance of 343.90 feet to a point; thence N 26°47'46" E a distance of 95.38 feet to a point; thence S 85°39'01" E a distance of 443.78 feet to a point and the Point of Beginning; thence N 04°20'59" E a distance of 275.22 feet to a point; thence N 32°01'35" E a distance of 163.68 feet to a point; thence N 04°49'31" E a distance of 34.03 feet to a point on the right-of-way of proposed extension of Hudson Industrial Drive; thence following said right-of-way along a curve to the left having a radius of 75.00 feet and an arc length of 246.96 feet, being subtended by a chord of N 22°15'27" W a distance of 149.57 feet to a point; thence along said right-of-way along a curve to the right having a radius of 95.00 feet and an arc length of 85.00 feet, being subtended by a chord of N 86°24'15" W a distance of 82.19 feet to a point; thence along said right-of-way N 61°27'55" W a distance of 37.35 feet to a point; thence along said right-of-way along a curve to the right having a radius of 1488.00 feet and an arch length of 346.02 feet, being subtended by a chord of N 54°48'13" W a distance of 345.24 feet to a point; thence along said right-of-way N 48°08'30" W a distance of 106.87 feet to a point; thence along said right-of-way along a curve to the right having a radius of 300.00 feet and an arc length of 144.86 feet, being subtended by a chord of N 37°13'19" W a distance of 143.45 feet to a point; thence leaving said right-of-way N 59°20'49" E a distance of 971.34 feet to a point; thence S 68°47'42" E a distance of 554.43 feet to a point on the right-of-way of Central of Georgia Railroad (apparent 100 feet right-of-way); thence along said railroad right-of-way S 08°04'55" W a distance of 341.84 feet to a point; thence along said railroad right-of-way S 08°58'37" W a distance of 992.31 feet to a point; thence leaving said railroad right-of-way S 88°56'45" W a distance of 497.34 feet to a point; thence N 07°53'44" E a distance of 29.10 feet to a point; thence N 85°39'01" W a distance of 147.33 feet to a point and the Point of Beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 28.24 acres, more or less.

From "C-1C, Manufacturing-Light" to "C-2, Manufacturing" 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 August 6, 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 in or being in Land Lot 212 of the 2nd Land District of Spalding County, Georgia, containing 28.24 acres, more or less, 407 Hudson Industrial Drive, zoned C-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.

- - Application #07-10Z: Various Property Owners, Bourbon Street, C-2 to R-5.

APPLICATION FOR VARIOUS PROPERTY OWNERS
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 07-10Z

RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

AND
THE OFFICIAL ZONING MAP OF SPALDING COUNTY, GEORGIA

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled "C-2, Manufacturing;"

WHEREAS, Various Property Owners, applicant, applied for a change in zoning classification to be applied to the within described property to R-5, Single Family Residential;"

WHEREAS, such application was filed with Spalding County, Georgia on June 5, 2007;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on July 26, 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 tract or parcel of land situate, lying and being in Land Lot 159 of the Third Land District, originally of Henry County, now Spalding County, Georgia and more particularly consisting of the following:

Beginning with Parcel 1 thru 3, Parcel 6, Parcel 8, Parcels 11 thru 20, Parcel 23 and 24, Parcels 26 thru 28, and Parcels 33 thru and ending with Parcel 50 located on Bourbon Street.

From "C-2, Manufacturing" to "R-5, 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 August 6, 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 situate, lying and being in Land Lot 159 of the Third Land District of Spalding County, Georgia, containing Parcels 1 thru 3, Parcel 6, Parcel 8, Parcels 11 thru 20, Parcel 23 and 24, Parcels 26 thru 28 and Parcels 33 thru 50, Bourbon Street, zoned R-5.

(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.

Motion to approve Application #07-04Z, #07-09Z, and #07-10Z by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

2. Discuss provision of medical services at the Spalding County Detention Center.

Dr. Hall was to have been present at this meeting to discuss the proposal that he has on the table but was not in attendance. Commissioner Flowers-Taylor asked for an update on this medical contract situation. Mr. Fortune said a letter was received earlier today from the Sheriff and his attorney which could certainly be construed as potential litigation. He suggested they amend the agenda to add a Closed Session for discussion of the topic further.

Motion to amend agenda to add a Closed Session for discussion of potential litigation by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

XI. NEW BUSINESS

1. Consider approval of final plat of Kingston Estates Subdivision.

Mr. Wilson noted all agencies and departments have signed off on the project. Mr. Taylor noted the one outstanding issue is actual grassing of the subdivision. The County is allowing an extension on bonding for grassing. They must have 100% grass coverage by the end of the performance period.

Motion to approve final plat of Kingston Estates Subdivision by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

2. Consider acceptance of Right-of Way Deed for Farmington Road and Rock Mill Court (Kingston Estates Subdivision).

Mr. Wilson noted that all requirements have been met.

Motion to accept Right-of Way Deed for Farmington Road and Rock Mill Court (Kingston Estates Subdivision) by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

3. Consider approval of final plat of Sun City Peachtree Subdivision as follows:

- Pods 1A, Pod 2, Pod 3, Pod 6 and Del Webb Boulevard & Sun City Parkway, located off Jordan Hill Road.

Mr. Wilson said all requirements have been met. The sewer treatment plant is not operational now but it has clean water running through it which they are using for landscape watering. They are allowed a 30-day watering program as an establishment period, and tap into the public water system with metering for the entrance and grassing.

Motion to approve final plat of Sun City Peachtree Subdivision for Pod 1A, Pod 2, Pod 3, Pod 6 and Del Webb Boulevard & Sun City Parkway, located off Jordan Hill Road by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried 5-0.

4. Consider acceptance of Right-of-Way Deed for Sun City Peachtree Subdivision as follows:

- Begonia Court and Violet Drive (Pod 1A); Starflower Drive, Dahlia Drive, Alluim Court and Violet Drive (Pod 2); Spider Lily Court and Magic Lily Drive (Pod 3); Jasper Court, Daisy Drive, Creek Side Court and Sun City Parkway (Pod 6); and Del Webb Boulevard and Sun City Parkway.

Motion to approve Right-of-Way Deeds for Sun City Peachtree Subdivision for Begonia Court and Violet Drive (Pod 1A); Starflower Drive, Dahlia Drive, Alluim Court and Violet Drive (Pod 2); Spider Lily Court and Magic Lily Drive (Pod 3); Jasper Court, Daisy Drive, Creek Side Court and Sun City Parkway (Pod 6); and Del Webb Boulevard and Sun City Parkway by Commissioner McDaniel, seconded by Commissioner Phillips, carried 5-0.

5. Consider approval of submission of application for a JAG Program grant in the amount of \$18,000 for crime prevention efforts from the Department of Justice, requiring no matching monies.

Mr. Wilson said representative April Crane from the Sheriff's Department was present to address this and the next two agenda items, as well. This program is funded from the VOCA Grant and the 5% add-on fines, so none of these items is a request for funding from the Board. This grant requires no match but it is a performance grant with standards as detailed. She is the only person currently working in the program and is on call 24/7. She works in the office Monday through Friday from 8 to 5 and is on call at other times.

Ms. Crane said the grant was for \$18,192 and includes no matching funds. She explained the Victims Assistance Program was funded through VOCA grant monies and the 5% add-on fines account.

Motion to approve submission of application for a JAG Program grant in the amount of \$18,192 for crime prevention efforts from the Department of Justice, requiring no matching monies by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

6. Consider expanding the 30-hour per week position of Victim Advocate to 40 hours per week, full time with benefits, funded through VOCA grant and the Five Percent (5%) Add-On Fines Account.

Ms. Crane advised the current 30-hour part-time position is paid by VOCA and an additional 10 hours can be accomplished through the 5% add-on fines account. This person will be full-time, Monday through Friday, 8 to 5, and provide assistance with on-call status after adequate training is completed. The VOCA grant is separate from the JAG Program grant discussed in the agenda item immediately preceding. The slot for a 30-hour part-time person was included in the FY 2008 budget, and this request is to upgrade it to a 40-hour position with these additional funds. Ms. Crane said her goal was to have a full-time person in the office, allowing her to be in the field more as a first responder. She only began her position in July and has not hired this second person as yet.

Mr. Wilson noted the previous director left the position around March or April and the Victims Advocate left at the same time. Both positions remained open until the new budget year when Ms. Crane was appointed. Now she is asking for the remaining position that is funded in the budget to be upgraded from 30 to 40 hours.

Commissioner Flowers-Taylor was concerned about ensuring that funding would be available to cover the position. There are sufficient monies in the account (\$85,000) to fund the position and the benefits (35%) at least for a year. This money is also used to provide assistance to victims. The VOCA grant pays all of April Crane's salary and 30 hours of the additional person currently. The person previously in her position had two part-time persons who worked 30-hour weeks each.

Ms. Crane said the program previously focused primarily on family violence, but her goal was to enlarge that scope to include other violent crimes for which there are innocent victims. Consequently, she is taking on the responsibility of a first responder. Many times she is unable to meet with victims in the office if she has to be in the field, so the second position is sorely needed. Since July she has responded to two homicides, aggravated battery, child molestation, the family of a drowned baby just a couple of days ago, and assisted with obtaining protective orders.

Mr. Wilson said they would work with the Sheriff's Office and request monthly reimbursement information should approval be given. The average monthly 5% add-on fines amount totals about \$5,000. Funding should be adequate provided the 5% add-on fines account proceeds as its current historical level. State Court and the District Attorney's Office also share in this money, responded Ms. Crane to Chairman Freeman.

Chairman Freeman said this should pose no problem as long as it can be picked up by the grant, but he wanted to reiterate Spalding County would not pick up expenses for the position in any event. If something should happen to the grant that adversely affects funding, the position will revert back to the part-time position already included in the budget.

Motion to approve expanding the 30-hour per week position of Victim Advocate to 40 hours per week, full time with benefits, funded through VOCA grant and the Five Percent (5%) Add-On Fines Account, provided there is no cost to Spalding County should the VOCA and 5% Add-On Fines Account not prove to be adequate, by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

7. Consider approval of Memorandum of Understanding with Pamela Howard as Consultant for the Victims Service Unit of the Spalding County Sheriff's Department for evaluation, design and re-launch activities.

Ms. Crane advised Ms. Pamela Howard, the consultant, would set protocol and procedures which were not in the program previously. She would also develop manuals and brochures for the program. This consultant position is being funded by VOCA and the 5% add-on fines, as well.

Chairman Freeman asked if the Victim Assistance Program could not get this same level of service free of charge from the Criminal Justice Coordinating Council. Ms Crane advised there are lapsed monies in the old grant that would be available for this. The new grant is due by August 24, and the monies have to be allocated to something or they will be lost. Ms. Crane said she had spoken with her auditor who relayed they did not provide any such information. She has contacted over 63 families since July 26, and the addition of this consultant will free her from the labor intensive area of program setup and allow her to be in the field more. She ensured the grandparents of the baby who drowned were put up in a hotel for two nights using the 5% funds when they arrived from Texas. Victim compensation also offers reimbursement for funeral expenses that are not paid for by their insurances.

Coroner Foster said he was aware of this practice only in the case of a homicide or violent crime. The baby would not qualify for that funding.

Commissioner Flowers-Taylor felt this was exorbitant for two months' service.

Chairman Freeman urged her to follow his suggestion first and contact the director there at the CJCC, not an auditor. He was certain they provided consultations at no charge when requested. The Attorney General's office has a victim advocate resource officer that might provide help as well, said Commissioner Flowers-Taylor.

Ms. Crane noted that Ms. Howard's resume shows she brings credentials that are exceptional and can develop the protocol and program materials more efficiently and faster than she could complete while trying to be in the field as a first responder. She noted again that she was not asking for any money from the Spalding County Board of Commissioners for any of these proposals tonight other than the 5% add-on fines account and the VOCA grant, which is matched through the 5%, also. No monies would come from the general fund. None of the grant money from March through June 2007 was used, so she was proposing using these lapsed monies from the old grant to use for this consultant, particularly since they will lose the money if they do not use it.

Commissioner McDaniel asked if Ms. Crane would be okay with the Board putting this off for a couple of weeks to allow for greater follow-through with the State.

Motion to table until August 20, 2007 consideration of the Memorandum of Understanding with Pamela Howard as Consultant for the Victims Service Unit of the Spalding County Sheriff's Department for evaluation, design and re-launch activities by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

8. Consider request from King's Way Family Church for rental of facilities at Memorial Drive Plaza.

Mr. Wilson advised that Rev. Clay Padgett of King's Way Family Church wants to rent the American Mills storefront at 835 Memorial Drive, and one-half of the former Rent-A-Center (divided into two 2600 square foot facilities for these storefronts), for a total of 9100 square feet, and they propose paying \$3200 for this lease. An earlier memo to commissioners had detailed the proposal.

Rev. Clay Padgett, 735 Clay Street, Griffin, Georgia

Rev. Padgett said he wanted to take possession on the following Tuesday because of how closing was scheduled on their current property. He perceived this as a long-term move because the church would eventually like to purchase the complex property from the County. He envisions extensive renovation and hopes to remain there a long time, as well as help the County get out of the rental business. Rev. Padgett hoped that, for these reasons, the Board will allow the proposed lower rent. King's Way Family Church will also provide community workshops as well, i.e. computer and consumer classes.

Rev. Padgett said he had offered to do a 3-year lease with six months' rental down as a good faith effort. They will construct the dividing wall that will be needed in the Rent-A-Center storefront. The

County will repair a roof leak and the HVAC unit replacement since it was stolen, but the County should not have to invest any renovation monies. It was noted the building is in the City of Griffin and will have to have permits and inspections from the City. Rev. Padgett said Officer Clinkscales has stated the facility would not have to be fire rated because of the exit positions. They will build the wall with 2x6's instead of the metal studs with more soundproofing and sturdiness than would be required by code. Sound absorption is very important given the nature of their use.

Motion to approve request from King's Way Family Church for rental of facilities at Memorial Drive Plaza in the amount of \$3200 per month, for a three-year lease with six months' up-front rental payment as a good faith effort by Commissioner Phillips, seconded by Commissioner Goss, carried by a vote of 5-0. Rental space shall consist of the Old Food Depot at 917 Memorial Drive and a portion of the old Rent-A-Center location at 819-825 Memorial Drive.

9. Consider issuing a letter stating no objection for a one-day alcohol license to Robert Townsend and Buckmasters for a banquet to be held at Math Field on August 16, 2007.

Motion to approve issuing a letter stating no objection for a one-day alcohol license to Robert Townsend and Buckmasters for a banquet to be held at Math Field on August 16, 2007 by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-1 with Commissioner McDaniel opposing.

10. Conduct Public Hearing to consider establishment of a street lighting district for Kingston Estates Subdivision off South Sixth Street Extension and County Line Road.

There were no speakers for this public hearing.

11. Consider establishment of a street lighting district for Kingston Estates Subdivision off South Sixth Street Extension and County Line Road.

Motion to approve establishment of a street lighting district for Kingston Estates Subdivision off South Sixth Street Extension and County Line Road by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

12. Conduct Public Hearing to consider establishment of a street lighting district for Holliday Pass, Phase I, Subdivision off Tomochichi Road.

There were no speakers for this public hearing.

13. Consider establishment of a street lighting district for Holliday Pass, Phase I, Subdivision off Tomochichi Road

Motion to approve establishment of a street lighting district for Holliday Pass, Phase I, Subdivision off Tomochichi Road by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 4-1 with Commissioner Goss opposing

14. Consider approval for payment of invoices for GTRI for services of Steve Macke, 800 MHz Communications System Consultant.

Mr. Wilson advised that, when approached with Mr. Macke's second contract, the County was incorrectly informed that all invoices had been received and processed on the first contract. Roughly \$14,300 still needs to be paid. Mr. Macke is actually a consultant for GTRI and not an employee, and his invoices require a 60-day turnaround, so the account was not current when the second contract was executed.

Motion to approve payment of invoices for GTRI for services of Steve Macke, 800 MHz Communications System Consultant by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

15. Consider Post 3 appointment by Commissioner McDaniel to the Spalding County Board of Appeals for the unexpired term of Keith Dryden to expire December 31, 2008.

Commissioner McDaniel appointed Michelle Cannon to fill this Post 3 appointment to the Spalding County Board of Appeals for the unexpired term of Keith Dryden to expire December 31, 2008.

16. Consider Ordinance prohibiting fishing at Wyomia Tyus Olympic Park except for special events.

Mr. Wilson advised several have been caught fishing in violation of park rules, but there is no County Ordinance in place so the person who was attempting to seine for over 100 lbs. of fish could not be prosecuted. This would rectify that problem and any such person could then be cited. Seining is

illegal according to State law. In exchange for the arrangement with DNR for restocking the lake at no charge, the County has to agree to no fishing except for senior's and kids' fishing tournaments.

Motion to approve on first reading Ordinance #2007-14 prohibiting fishing at Wyomia Tyus Olympic Park except for special events by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

17. Consider request of Flint River Council Boy Scouts of America for permission to place flashing directional signs for Cherokee Rose Sporting Resort fundraising tournament on September 26, 2007.

Mr. Wilson advised this is an annual request from the Board to allow C.W. Matthews to place flashing directional signs to Cherokee Rose temporarily for their fundraiser.

Motion to approve request of Flint River Council Boy Scouts of America for permission to place flashing directional signs for Cherokee Rose Sporting Resort fundraising tournament on September 26, 2007 by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 4-1 with Commissioner Goss opposing.

A motion to add as Item 20 a discussion regarding the practice of some Parks and Recreation Advisory Commission members serving as heads of various sporting associations by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

18. Set a date for a Public Hearing to establish street lighting districts for Sun City Peachtree Subdivision for Pods 1A, 2, 3, 6, Del Webb Boulevard and Sun City Parkway.

Motion to approve a date for a Public Hearing to establish street lighting districts for Sun City Peachtree Subdivision for Pods 1A, 2, 3, 6, Del Webb Boulevard and Sun City Parkway for August 20, 2007 by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried unanimously at 5-0.

19. Consider rescheduling the September meetings due to observance of the Labor Day holiday.

Motion to approve moving the Board of Commissioners meetings for September 2007 to September 10 and September 24, instead of the regular first Monday, September 3, and third Monday, September 17, to accommodate observance of the Labor Day Holiday by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

20. Discussion of Parks and Recreation Advisory Board.

Commissioner McDaniel said some discussion has arisen because of this practice, citing conflict of interest. It is problematic for some who would like to avoid semblance of impropriety. It simply is problematic to have people who are decision-makers on the Parks and Recreation Advisory Commission who have vested interests in the youth associations over which the Advisory Commission has some jurisdiction. Some discussion followed. The Parks and Recreation Advisory Commission is concerned about this issue and doesn't want any appearance of irregularity; they are actively trying to make things better.

The Board requested that County Attorney Fortune develop a resolution for the August 20, 2007 meeting which would address this issue.

XII. REPORT OF COUNTY MANAGER

- A Press Release regarding the Sheriff's Department receiving defensive driver training simulation from ACCG and LGRMS in October 2007 has been issued. This program will get all drivers trained and is the result of a program requested by Human Resources Director Bill Gay.
- Mr. Wilson would like to set up a Special Called Meeting on August 27 to discuss pension issues for just a couple of items. General consensus was for 10 a.m. This issue affects only two people and will be very specific.
- Mr. Wilson has identified dates for a potential SPLOST continuation vote. He will place this list of available dates in commissioners' boxes for comment.
- A tenant at Memorial Drive Plaza is severely in arrears and the County Attorney has sent a notice of intent to exercise a cancellation of the lease by August 2007, as provided for in the lease agreement, if no response is forthcoming.

- On May 7, 2007 the Board approved an extension for developers because of the drought which expires August 8, 2007. There do still exist drought conditions and after some discussion the Board elected to extend the bonding period for another 60 days which will take it through October 8.
- He reminded of the Retreat on Monday, August 13, at the Welcome Center, 9 to 4.
- Regarding pending litigation, Mr. Fortune said Charlie Cox, the attorney from Macon helping with litigation brought about by the situation at Curves, is setting up a meeting with the City on August 14 for evidentiary hearings. Facts might be introduced that would affect the Ordinance. He suggested the County pool resources and have City and County Commissioners meet together in one session. This makes more sense and everyone hears the same thing at the same time. Information presented will assist in establishing adult entertainment ordinances. Commissioners voiced a preference for evening, perhaps after the City's 6 p.m. meeting that day.

XIII. REPORT OF COMMISSIONERS

Goss

Commissioner Goss sought to clarify with other commissioners that, back in 2006 at the retreat, they discussed hiring another Code Enforcement officer specifically to work more on Saturday and Sunday than late hours through the week. The Board concurred. He referenced their schedule and stated that most calls needing them are on weekends and not during the week. Code Enforcement Officers are in the field with cell phones and they can be dispatched from the Sheriff's Office, as well. Commissioner Goss stated he wanted cell phone numbers for the officers.

Chairman Freeman agreed the scheduling for Code Enforcement doesn't make sense the way it is set up.

Commissioner Flowers-Taylor agreed that what the Board requested is not what is happening. Their initial goal has not been met. She would like to see an extended shift split up between the two people without having them in the office at the same time.

Chairman Freeman said it should be simple to figure out a schedule and he suggested they talk to the Sheriff's Office for advice on how they schedule officers.

Flowers-Taylor

Commissioner Flowers-Taylor stated she was begging for help with Spalding Heights. She has received multiple complaints about the mountains of garbage and refuse there. Owners are not paying to have trash picked up and rats are running out of the garbage all over the complex. Mr. Wilson and Mr. Van Haute advised the garbage was picked up this afternoon after much work with the owners. Code Enforcement worked on the issue a great deal today and the small dumpsters were picked up about 1:45 p.m. with the large dumpster picked up after that. She was frustrated that people have to live in filth like this and wanted to proceed with the substandard housing ordinance they have been discussing posthaste. Multiple owners, with the complex changing hands twice this year, have hampered getting a positive response. This complex is a money pit with no improvements made by either owner. The new owner, scheduled to purchase next week and perform an estimated \$3,000,000 in renovations, wants to meet with Commissions Flowers-Taylor.

Commissioner Flowers-Taylor advised she's called HUD and other departments. The Health Department hasn't returned calls regarding the rodents, and the stench is awful as you can imagine with the trash not being picked up by the private hauler for two months. Children play around all this filth and people have to live in it daily. She was issuing a call for help if anyone had suggestions for improvement. She urged completion of the Ordinance quickly so some prosecution of violators could occur.

Phillips

No comments but in lieu of his time, he requested that Mr. Peurifoy be allowed to speak.

Bobby Peurifoy, 917 South McDonough Road, Griffin, Georgia

Mr. Peurifoy stated he was late arriving and thanked the Board for indulging his comments. On March 19, 2007 this Board of Commissioners considered tax relief for seniors but nothing formal has been done. Some discussion followed, and Commission Goss stated he intends to bring the issue back up and Chairman Freeman said he will support the issue, as well. One

legislator was not in favor last time, and Mr. Yates said all legislators must agree for it to go through. Mr. Peurifoy presented legislation from John Douglas for his constituents in Newton County which advocated a common sense approach to this issue. He asked that the Board please consider this matter. Newton County voters are being given the opportunity to consider the issue and he would like to see this for seniors here.

Commissioner McDaniel said the Board had to ensure there is some plan in place to replace that lost revenue, however justified the Board may be in giving it to seniors. With an established strategy, everyone can buy into the practice rather than proceeding haphazardly without a definite plan for replacing the income that would be lost.

Chairman Freeman said many seniors have asked about going before School Board since they seem to be providing the most resistance to the idea.

Mr. Peurifoy said School Board has \$80 million budget that will continue to go up. Commissioner Goss agreed, noting that seniors could not keep paying these increased taxes.

Commissioner Flowers-Taylor believes relief is needed for those over 65, but at the previous meeting the room filled with folks who were adamant that no support would be there. If the Douglas proposal is successful, then she would be for considering it. A common sense cap of \$25,000 is included and, of course, they must set limits of acreage and income.

McDaniel

No comments.

Freeman

No comments.

XIV. CLOSED MEETING

Motion to Adjourn to Closed Meeting at 7:47 p.m. by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

Motion to Adjourn Closed Meeting and Reconvene to Open Meeting at 8:19 a.m. by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

XV. ADJOURNMENT

Motion to Adjourn at 8:20 p.m. by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

County Clerk

Chairman

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