

REGULAR MONTHLY MEETING

The Regular Monthly Meeting of the Spalding County Board of Commissioners was held in Room 108 in the Courthouse Annex, Monday, September 10, 2007 beginning at 6:00 o'clock p.m. Commission Chairman Eddie Freeman presided, and Commissioners Edward Goss, Jr., Johnie McDaniel, Gwen Flowers-Taylor were present. David Phillips was absent. 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 Eddie Goss

III. PLEDGE TO FLAG - Commissioner Gwen Flowers-Taylor

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Introduction of Interim Warden for the Correctional Institute, Jimmy Sikes.
2. Consider Proclamation declaring September 17-23, 2007 as Constitution Week.

Proclamation

Declaring Constitution Week

WHEREAS, We the People, in order to form a more perfect Union, did ordain and establish a Constitution for the United States of America to secure the blessings of liberty for ourselves and our posterity; and

WHEREAS, It is important that all citizens fully understand the provisions, principles, and meaning of the Constitution so they can support, preserve, and defend it against encroachment; and

WHEREAS, We must always remember those who risked and sacrificed their lives to protect our freedoms and honor those who stand ready to take action every day to defend our nation, both here and abroad; and

WHEREAS, The two hundred twentieth commemoration of the adoption of the U.S. Constitution on September 17, 1787 provides an historic opportunity for all Americans to learn about and to reflect upon the rights and privileges of citizenship and its responsibilities; and

WHEREAS, Public Law 915 guarantees issuance of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week to commemorate framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, The people of Spalding County, Georgia do enjoy the blessings of liberty, the guarantees of the Bill of Rights, equal protection of the law under the Constitution, and the freedoms derived from it;

NOW THEREFORE, We, the Board of Commissioners of Spalding County, join our state and nation in hereby proclaiming the week of September 17 through 23 as Constitution Week, and we invite every citizen and institution to join in the national commemoration.

IN WITNESS THEREOF, BE IT NOW RESOLVED THAT We, the Board of Commissioners of Spalding County do hereby declare that a copy of this proclamation be spread upon the minutes of the proceedings of this Board, reflecting that I have hereunto set my hand in these free United States and caused the seal of Spalding County, Georgia to be affixed declaring the week of the seventeenth day of September in the year of our Lord two thousand and seven as **Constitution Week**.

This, the 10th day of September 2007.

Motion to approve Proclamation declaring September 17-23, 2007 as Constitution Week by Commissioner Johnny McDaniel, Seconded by Commissioner Flowers-Taylor, carried 4-0.

V. PRESENTATION OF FINANCIAL STATEMENTS – N/A

VI. CITIZENS COMMENTS – N/A

VII. PUBLIC COMMENT

Robert Presley, 20 Richardson Street, Griffin GA

Mr. Presley has lived on Richardson Street for 30 years. He has a large family gathering only a few times a year and there is a need to park on the street. He presented a petition from residents on the street who would like the matter reconsidered. He urged commissioners to leave Richardson Street the way it is because there is already no parking on one side of the street.

Chris Boyer, 350 Lakeview Drive, Brooks GA

Mr. Boyer spoke in reference to the rodeo being stage near his home. He is willing to live with the noise ordinance from 9:00 am to 9:00 pm, but last night they went to 9:45 pm. He called the Sheriff's Department for relief.

VIII. MINUTES

1. Consider approval of the minutes of the August 20, 2007 Extraordinary Session, the August 23, 2007 Special Called Meeting, the August 23, 2007 Zoning Public Hearing and the August 28, 2007 Special Called Meeting.

Motion to approve the minutes of the August 20, 2007 Extraordinary Session, and the August 28, 2007 Special Called Meeting by Commissioner Johnie McDaniel, seconded by Commissioner Gwen Flowers Taylor, carried by a vote of 4-0.

Motion to approve the minutes of the August 23, 2007 Special Called Meeting, the August 23, 2007 Zoning Public Hearing by Commissioner McDaniel, seconded by Commissioner Goss carried by a vote of 3-0-1 with Commissioner Flowers-Taylor abstaining.

IX. CONSENT AGENDA

1. Consider approval, on second reading, Ordinance #2007-16 to provide for modifications to Subparagraph (d), Section 2-8008, Chapter 8, Part II Government and Administration dealing with membership of the Parks and Recreation Advisory Commission.

SPALDING COUNTY, GEORGIA
ORDINANCE NO. 2007-16

AN ORDINANCE TO AMEND SUB PARAGRAPH (d)
OF SECTION 2-8008, PARKS AND RECREATION COMMISSION.
SPALDING COUNTY CODE OF ORDINANCES

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Section 1. Sub paragraph (d) of section 2-8008 is HEREBY AMENDED by striking same in its entirety and inserting in lieu thereof a new subparagraph (d) to read as follows:

“(d) *Membership*: The commission shall be representative of the community and shall consist of 11 (eleven) members who shall be residents of the county and who shall serve without compensation. No member of the commission shall be an elected officer of any youth association that has a contract with the Spalding County Parks and Recreation Department.

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.

2. Consider approval, on second reading, Ordinance #2007-15 to provide for No Parking on both sides of Malier Road between Georgia Highway 3 and Old Atlanta Road.\

SPALDING COUNTY, GEORGIA
NO PARKING ZONE
ORDINANCE NO. 2007-15
AN ORDINANCE

TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR NO PARKING ZONES ON CERTAIN COUNTY ROADS; 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 VII, Chapter 1, Section 7-1004, relating to no parking zones on streets by inserting new paragraph (42), said new paragraph to read as follows:

“(42) Malier Road. *Upon any portion of the roadway or public right-of-way of Malier Road from Georgia Highway 3 to Old Atlanta Road.*”

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.

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3. Consider approval, on second reading, Ordinance #2007-09 to provide for reduction of speed limits on Spring Valley Road, Clifford Circle and Watts Circle.

SPALDING COUNTY, GEORGIA
TRAFFIC REGULATION ORDINANCE
ORDINANCE NO. 2007-09

TO AMEND THE MOTOR VEHICLES AND TRAFFIC CODE OF SPALDING COUNTY, GEORGIA, SO AS TO PROVIDE FOR REDUCED SPEED LIMIT ON SPRING VALLEY ROAD, CLIFFORD CIRCLE AND WATTS CIRCLE, AND AN EFFECTIVE DATE.

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

Section 1. That the Code of Spalding County, Georgia, be amended in Part VII, Chapter 1, Section 7-1002, relating to speed limits on specific County Roads, by adding one sub-section as follows:

“Spring Valley Road”	From North McDonough Road to its Dead End .15 mile zoned 25 miles per hour.
“Clifford Circle”	From Spring Valley Road to its Dead End .1 mile zoned 25 miles per hour.
“Watts Circle”	From Spring Valley Road to its Dead End .1 mile zoned 25 miles per hour.

Section 3. That the within ordinance shall be and become effective immediately upon its adoption on two presentations, as provided by Section 2-1005 of the Code of Spalding County, Georgia, and upon erection of speed limit signs as designated herein.

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

Motion to approve Consent Agenda by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-0.

X. OLD BUSINESS

1. Consider approval, on second reading, of Amendment to the Official Zoning Map of the following:
-Application #07-11Z: Jackie H. Perkins, Owner – Williamson Road – 1.130 acres, R-4 to C-1, Conditional.
-Application #07-11AZ: Jackie H. Perkins, Owner – Williamson Road – 2.685 acres, R-4 to C-1, Conditional.

APPLICATION FOR JACKIE H. PERKINS
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 07-11Z

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

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled "R-4, Single Family Residential;"

WHEREAS, Jackie H. Perkins, applicant, applied for a change in zoning classification to be applied to the within described property to C-1, Highway Commercial;"

WHEREAS, such application was filed with Spalding County, Georgia on June 22, 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 August 23, 2007, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

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

All that lot, tract or parcel of land lying and being in Land Lot 53 of the 2nd Land District, originally Monroe, now Spalding County, Georgia, containing 1.130 acres of land may be more particularly described as follows:

BEGINNING at a point located on the northwest right-of-way of Georgia Ste Route No. 362 said point being located southwesterly 909.07 feet along said right-of-way from the intersection of the northwest right-of-way of Georgia State Route No. 362 and the southerly right-of-way of the Norfolk Southern Railroad from said point of beginning proceed South 53 degrees 34 minutes 29 seconds West a distance of 199.89 feet to a point; thence proceed North 34 degrees 32 minutes 00 seconds West a distance of 268.67 feet to a point located on the southerly right-of-way or Norfolk Southern Railroad; thence proceed in a curve to the right along said railroad an arc distance of 203.06 feet said curve having a radius of 3176.58 feet being subtended by a bearing of North 66 degrees 25 minutes 03 seconds East and a chord distance of 203.03 feet to a point; thence proceed South 36 degrees 15 minutes 06 seconds East to a point located on the northwest right-of-way of Georgia State Route No. 362 and POINT OF BEGINNING.

From "R-4, Single Family Residential" to "C-1, Highway Commercial" District.

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

- a. All site lighting shall be directed so as not go glare.
- b. Architectural criteria shall include brick, stone, hardy plank or combination thereof.

Section 3:

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

On September 10, 2007, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County: All that lot, tract or parcel of land lying and being in Land Lot 53 of the 2nd Land District of Spalding County, Georgia, containing 1.130 acres, Williamson Road, zoned C-1, Conditional.

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

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

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

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

APPLICATION FOR JACKIE H. PERKINS
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 07-11AZ

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

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled "R-4, Single Family Residential;"

WHEREAS, Jackie H. Perkins, applicant, applied for a change in zoning classification to be applied to the within described property to C-1, Highway Commercial;"

WHEREAS, such application was filed with Spalding County, Georgia on June 22, 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 August 23, 2007, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

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

All that lot, tract or parcel of land lying and being in Land Lots 53 and 76 of the 2nd Land District, originally Monroe, now Spalding County, Georgia containing 2.685 acres of land and maybe more particularly described as follows:

BEGINNING at the intersection of northwest right-of-way of Georgia State Route No. 362 and the southerly right-of-way of Norfolk Southern Railroad proceed South 53 degrees 27 minutes 57 seconds West along said right-of-way of Georgia State Route No. 362 a distance of 648.00 feet to a point; thence proceed South 53 degrees 34 minutes 29 seconds West along said right-of-way a distance of 261.07 feet to a point; thence proceed North 36 degrees 15 minutes 06 seconds West to a point located on the southerly right-of-way of Norfolk Southern Railroad; thence proceed in a curve to the right along said railroad right-of-way an arc distance of 311.05 feet said curve having a radius of 3176.58 feet and being subtended by a bearing of North 71 degrees 03 minutes 15 seconds East a chord distance of 310.93 feet to a point; thence proceed North 01 degrees 25 minutes 00 seconds West along said right-of-way a distance of 82.99 feet to a point; thence proceed North 72 degrees 48 minutes 40 seconds East along said right-of-way a distance of 597.58 feet to a point at the intersection of the northwest right-of-way of Georgia State Route No. 362 and the southerly right-of-way of Norfolk Southern Railroad and POINT OF BEGINNING.

From "R-4, Single Family Residential" to "C-1, Highway Commercial" District.

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

- a. All site lighting shall be directed so as not go glare.
- b. Architectural criteria shall include brick, stone, hardy plank or combination thereof.

Section 3:

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

On September 10, 2007, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County: All that lot, tract or parcel of land lying and being in Land Lot 53 and 76 of the 2nd Land District of Spalding County, Georgia, containing 2.685 acres, Williamson Road, zoned C-1, Conditional.

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

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

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

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

Motion to approve, on second reading, of Amendment to the Official Zoning Map for Application #07-11Z: Jackie H. Perkins, Owner – Williamson Road – 1.130 acres, R-4 to C-1, Conditional and Application #07-11AZ: Jackie H. Perkins, Owner – Williamson Road – 2.685 acres, R-4 to C-1, Conditional by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried 4-0.

2. Consider, on second reading, Ordinance #2007-19 to amend Part VII, Motor Vehicles and Traffic, Section 7-1004, to provide for No Parking on both sides of Richardson Road in its entirety between Kilgore Road and Dobbins Mill Road.

Commissioner Flowers-Taylor stated in the three years she has served on the Board of Commissioners she has heard from Ms. Gephardt numerous times. Yet the people on the street never came forward to defend and state their opposition to her viewpoint until now.

SPALDING COUNTY, GEORGIA
NO PARKING ZONE
ORDINANCE NO. 2007-19

AN ORDINANCE

TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR NO PARKING ZONES ON CERTAIN COUNTY ROADS; 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 VII, Chapter 1, Section 7-1004, relating to no parking zones on streets by deleting paragraph (30), and inserting said new paragraph (30) to read as follows:

“(30) Richardson Road. *Upon any portion of both sides of the roadway or public right-of-way of Richardson Road from Kilgore Road to Dobbins Mill Road in its entirety.*”

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, on second reading, Ordinance #2007-19 to amend Part VII, Motor Vehicles and Traffic, Section 7-1004, to provide for No Parking on both sides of Richardson Road in its entirety between Kilgore Road and Dobbins Mill Road by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-0.

XI. NEW BUSINESS

1. Consider an Ordinance amending the FY 2008 Budget Ordinance to provide for end of year encumbrances.

Motion to approve, on first reading, an Ordinance amending the FY 2008 Budget Ordinance to provide for end of year encumbrances by Commissioner Johnny McDaniel, seconded by Commissioner Flowers Taylor, carried by a vote of 4-0.

2. Consider request for blanket outside amplification permit for Los Garanones rodeo events at 139 Rover-Zetella Road.

Mr. Garcia was not present. Chairman Freeman said he had already received numerous complaints about activities at this location.

Motion to approve by Commissioner Flowers-Taylor was seconded by Commissioner McDaniel for discussion.

Discussion followed regarding whether or not these activities constituted a business or a formal organization. The two or three times a month stated on their request to allow outside amplification does not allow for a set schedule that would alert neighbors to activities. The owners not present really need to provide greater information and should be present to answer questions. There was some confusion as to whether or not this request is for the same location as activities at the Riveree Arena. Code Enforcement Officer Green visited the area today and confirmed there are, in fact, three locations where these type activities are occurring, and he will monitor the events.

Commissioners Flowers-Taylor and McDaniel withdrew their motion and second to approve.

Motion to table until September 24, 2007 for additional information by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 4-0.

3. Consider approval of Alcohol License for 2007 – Retail Sales – Beer & Wine for the following: Ramniklal Retail, LLC, d/b/a Sunoco Foodmart (a convenience store selling gasoline) at 2295 Highway 41 North, Griffin, GA. Prashantkumar Patel is the new owner of this existing business previously operated as Hot Spot #1401.

Motion to approve Alcohol License for 2007 – Retail Sales – Beer & Wine for the following: Ramniklal Retail, LLC, d/b/a Sunoco Foodmart (a convenience store selling gasoline) at 2295 Highway 41 North, Griffin, GA. Prashantkumar Patel is the new owner of this existing business previously operated as Hot Spot #1401 by Commissioner Flowers-Taylor, seconded by Commissioner Goss, carried by a vote of 3-1 with Commissioner McDaniel opposing.

4. Consider approval of Alcohol License for 2007 – Retail Package Store – Liquor, Beer & Wine for the following: Kong Enterprise, Inc., d/b/a The Liquor Gate, 1740 Zebulon Road, Griffin, GA. Sotetra Kong is the new owner of this existing business.

Motion to approve Alcohol License for 2007 – Retail Package Store – Liquor, Beer & Wine for the following: Kong Enterprise, Inc., d/b/a The Liquor Gate, 1740 Zebulon Road, Griffin, GA. Sotetra Kong is the new owner of this existing business by Commissioner Flowers Taylor, seconded by Commissioner Goss, carried 3-1 with Commissioner McDaniel opposing.

5. Consider issuing a letter stating no objection for a one-day alcohol license to The Humane Society of Griffin-Spalding County for a fundraiser to be held at The Pavilion on November 3, 2007 from 11:00 a.m. to 2:00 p.m.

Motion to approve issuance of a letter stating no objection for a one-day alcohol license to The Humane Society of Griffin-Spalding County for a fundraiser to be held at The Pavilion on November 3, 2007 from 11:00 a.m. to 2:00 p.m. by Commissioner Flowers-Taylor, seconded by Commissioner Goss, carried by a vote of 3-1 with Commissioner McDaniel opposing.

6. Consider request of Spalding County Sheriff's Department Victim Service Unit for a National Day of Remembrance for Murder Victims program on the Courthouse steps and landing on September 25, 2007 from 8:00 to 10:00 a.m.

Motion to approve request of Spalding County Sheriff's Department Victim Service Unit for a National Day of Remembrance for Murder Victims program on the Courthouse steps and landing on September 25, 2007 from 8:00 to 10:00 a.m. by Commissioner McDaniel, seconded by Commissioner Flowers Taylor, carried by a vote of 4-0.

7. Conduct Public Hearing on Resolution Imposing a 9-1-1 Charge on Voice Over Internet Protocol (VoIP) Connections within Spalding County, Georgia.

No comments were forthcoming from the public.

Motion to close public hearing by Commissioner McDaniel, seconded by Commissioner Goss, and motion carried by a vote of 4-0.

Mr. Wilson advised the legislature made changes allowing for collection of the charge for this growing segment of 911 service calls from telephone providers utilizing the Internet for service. This Public Hearing today precedes the resolution that will be considered at a later meeting.

8. Consider proposals for Property Tax Revaluation.

Mr. Wilson said a revaluation hasn't been completely done. Bids ranged from \$872,000 from AVTACS, Inc., the recommended low bidder, to a high of \$1.6 million with the cost to be spread over two years. In the third year the County will see digest values go into effect (2008-2009). The County asked both the City and the School Board to assist with the cost of the revaluation and both chose not to participate.

There was some confusion over HB 900, the bill proposed by Speaker Richardson, for tax revamping in the state. Mr. Griggers of AVTACS has issued an opinion and most feel the bill will not pass. If it does pass, however, it would have to be ratified by voters next year, as well. This will place the County one year into the contract with Mr. Griggers, but it is a two-year program in order to get all 30,000 parcels evaluated. If the resolution should pass, no ad valorem process will be in place, but rather the statewide sales tax collected will be distributed back to counties and schools.

Commissioner Goss anticipated much debate on this issue. The amount collected and returned will be based on 2006 figures and will only increase due to the County's population growth. Much talk is being heard about this totally different concept. The House seems to favor the resolution, and the Senate appears to oppose it. Chairmen Freeman stated the Governor is against the concept and will possibly veto the bill if passed.

Commissioner Flowers-Taylor stated plans for Spalding County shouldn't hinge on possible state plans, and she favors proceeding. The County can deal with the issue if, in fact, it passes.

If approved, a formal contract will be executed within the next two weeks and the process will begin in October. The County can make stipulations to the contract as Mr. Griggers mentions in his email.

Bobby Peurifoy, 917 South McDonough Road, Griffin, Georgia

Mr. Peurifoy stated \$400,000 is an outrageous amount to pay for this process. He was in favor of HB 900 and felt the current system is arcane. Special interests are against passage of the bill. Mr. Peurifoy said 20,000 tourists will help pay revenue, too.

Commissioner Goss agrees the devil is in the details and some reform is needed, but perhaps this is too radical. Taxes on drugs, food and other things would be taxed in the new HB 900 that are not currently taxed. Commissioner Goss conceded the revaluation will require a great deal of money. Much commercial property, though, is currently undervalued and this mechanism should rectify that shortfall. It will benefit the average homeowner as a result, as well.

Mr. Wilson advised the City and Board of Education declined primarily because they felt it was the County's responsibility.

Motion to approve bid from AVTACS for property tax revaluation for an amount not to exceed \$872,000 by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-0.

9. Consider approval of Subcontract between Council on Alcohol and Drugs and Spalding County Parks and Recreation Department for "Club Hero" After School Program as recommended by the Parks and Recreation Advisory Commission.

Motion to approve Subcontract between Council on Alcohol and Drugs and Spalding County Parks and Recreation Department for "Club Hero" After School Program as recommended by the Parks and Recreation Advisory Commission by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-0.

10. Consider request of Georgia Department of Transportation to execute right-of-way warranty deed for Airport Road Widening Project for turn lane on South Hill Street onto Airport Road.

Mr. Wilson advised the City and County jointly own this airport property. The parcel needed is in front of the runway containing .096 acres. The City and County both will have to execute right-of-way deeds and get approval from the FAA, as well. The project involves no utility relocation.

Motion to approve request of Georgia Department of Transportation to execute right-of-way warranty deed for Airport Road Widening Project for turn lane on South Hill Street onto Airport Road by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried 4-0.

11. Consider approval of Agreement between Owner and Architect for the architectural design and engineering for the L.B. Norton Fire Station on Vaughn School Road.

Mr. Wilson advised that Spalding County Fire Chief Chipper Gardner was present tonight. The County has been working on this fire station design for about seven years. This represents a different design and is modeled after Brooks Station. Manley, Spangler and Smith are the architectural and design firm, and 68% will be paid for out of impact fees. The County purchased the land many years ago, and he recommended approval to get design work on this station started. Then construction could begin possibly next year. Previous boards worked with Manley, Spangler and Smith several years ago and the project has just been reactivated. This is a 7% contract, so with this project amounting to just over \$1,000,000, this contract amounts to roughly \$70,000. The firm of Manley, Spangler and Smith originally worked on it 4-5 years ago and did preliminary site work and design work, but the project was put on hold due to funding issues.

Chairman Freeman said this project was in his district and was the first project on his agenda when he came on board.

Mr. Wilson stated the County historically has not bid out architectural or professional services.

Motion to approve approval of Agreement between Owner (Spalding County) and Architect (Manley, Spangler and Smith) for the architectural design and engineering for the L.B. Norton Fire Station on Vaughn School Road by Commissioner McDaniel, seconded by Commissioner Goss, carried by a vote of 4-0.

12. Consider canceling the October 1 Board of Commissioners meeting due to conflict with the ACCG Fall Policy Conference.

Motion to cancel October 1, 2007 Board of Commissioners meeting by Commissioner McDaniel, seconded by Commissioner Goss, carried by a vote of 4-0.

13. Consider appointment to the Region One MHDDAD Planning Board to fill the term of Richard Faulkner, whose term expires September 29, 2007, for a new term to expire September 29, 2010.

Motion to appoint Cynthia Reid Ward for the vacant term to succeed Richard (Don) Faulkner for a new term to expire September 29, 2010, on the MHDDAD Planning Board by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 4-0.

XII. REPORT OF COUNTY MANAGER

- Reminder of Blood Drive September 11, 2007 at Memorial Drive Plaza (Old Rent-A-Center) from 8:00 a.m. to 1:00 p.m. for County employees.
- The County will again be a United Way Pacesetter and the kickoff will be held on September 15, 2007 at 8 a.m. at Belk in the North Griffin Square shopping center.
- The Festival of Lights at Airport Road Park will be held November 26, at 6:30 p.m.
- On Thursday, September 13, there will be a visiting Chinese delegation desiring to meet with local tax officials. There will be a luncheon here in the Meeting Room of the Courthouse Annex at 11:45 a.m. for any commissioner who would like to attend.
- The County has been diligently working with BB&T on the capability to accept VISA and MasterCard for payment of fees in the community development department. BB&T should have this in place by the end of September or the first of October. It has worked well in Public Works and helped with bad debt due to returned checks. This will only be for impact fees, water taps, building permits, business licenses, etc. in Community Development. The Tax Commissioner already accepts credit card payments.

III. REPORT OF COMMISSIONERS

Goss:

Commissioner Goss has had issues with personnel ordinances. Today he held a good conversation with Human Resources Director Bill Gay regarding personnel and accident review committee functions. He stated he wants permission from the Board to explore solutions to problem issues with Mr. Gay. His ultimate goal is to make this process more employee friendly.

Flowers-Taylor:

Commissioner Flowers-Taylor wanted to thank the Board for their indulgence in trying to establish a minimal housing ordinance. A newspaper article yesterday resulted in four calls, so people are interested. Several stopped to say they are pleased the County is trying to tackle this issue. Secondly, she wanted to thank the Board for training at ACCG (Association County Commissioners of Georgia) recently. She learned that no matter how much she feels she wants to help folks on her own level and in her own corner of the world, she must look outside the shutters to see what everyone else is seeing and not operate in a fishbowl. This opportunity will help make her a better commissioner.

McDaniel:

This past Friday a group called Together for Griffin saw an estimated 300-400 people working and praying for the betterment of Griffin and Spalding County. Another event is scheduled in January and hopefully will have as good a cross-section as this event evidenced. Attendees had the same mindset to think higher and encourage one another. The reception to this event was warm and he hoped for another good event to follow.

Freeman:

Pertaining to building permits issued in Community Development, he stated a building permit should include any cost for a temporary building (trailer) permit and not assess such permit separately. Current they charge also for a building permit for the temporary trailer. Mr. Wilson will inquire.

XIV. CLOSED MEETING

- Chairman Freeman requests a Closed Meeting to discuss personnel matters as provided in O.C.G.A. § 50-14-3(6).

Motion to Adjourn to Closed Meeting at 7:15 p.m. after a five minute recess was made by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, and carried 4-0.

CLOSED MEETING AFFIDAVIT

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

STATE OF GEORGIA
COUNTY OF SPALDING

AFFIDAVIT OF CHAIRMAN

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

1.

The Spalding County Board of Commissioners met in a duly advertised meeting on September 10, 2007.

2.

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

3.

The executive session was called to order at 7:20 p.m.

4.

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

No Consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

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

No Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

Yes Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee ;

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

This the 10th day of September 2007 . Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 10th day of September 2007

Eddie L. Freeman, Chairman (L.S.)

Gwen Flowers-Taylor (L.S.)

Notary Public – Teresa A. Watson (L.S.)

Edward Goss, Jr. (L.S.)

My commission expires: March 1, 2011

Johnie A. McDaniel (L.S.)

Motion to Adjourn Closed Meeting and Reconvene to Open Meeting at 8:08 p.m. by Commissioner McDaniel, seconded by Commissioner Goss, carried by a vote of 4-0.

XV. ADJOURNMENT

Motion to Adjourn at 8:11 p.m. by Commissioner McDaniel, seconded by Commissioner Goss, carried by a vote of 4-0.

County Clerk

Chairman