

REGULAR MONTHLY MEETING

The Regular Monthly Meeting of the Spalding County Board of Commissioners was held in Room 108 in the Courthouse Annex, Monday, November 5, 2007 beginning at 6:00 o'clock p.m. Commission Chairman Eddie Freeman presided, and Commissioners Edward Goss, Jr., Johnie McDaniel, Gwen Flowers-Taylor and David Phillips were present. Also present were County Manager William P. Wilson, Jr., from the County Attorney firm of Beck, Owen and Murray was Stephanie Windham, and Executive Secretary Teresa Watson.

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

II. INVOCATION - Pastor R. G. Floyd

III. PLEDGE TO FLAG – Led by Commissioner Phillips

Motion to amend agenda to add as first item of new business: Consider declaring surplus various, non-operational vehicles from the Sheriff's Department and authorizing sealed bids for the disposition of these unused vehicles by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Dr. Gerald F. Arkin, Assistant Dean and Assistant Provost, UGA Griffin Campus, would like to make a presentation to the Board of Commissioners.

Dr. Arkin thanked the Board for their support and bold leadership that benefited the UGA Griffin Campus and the new Student Learning Center in particular. He appreciated their vision and determination in getting the SPLOST passed and presented the Board with a groundbreaking shovel to commemorate the event.

2. Consider Proclamation declaring November 18-24, 2007 as Farm-City Week with a presentation to Barbara Kreider, President of the Spalding County Farm Bureau.

Proclamation **"FARM-CITY WEEK"**

WHEREAS, American farmers and ranchers literally help feed the world by producing a bounty of agricultural products. To do this, they rely on essential partnerships with urban and suburban communities to supply, sell and deliver finished products across the country and around the world. Rural and urban communities working together have made the most of our nation's rich agricultural resources as they contribute to the health and well being of our state and our country and to the strength of our economy; and

WHEREAS, During National Farm-City Week, we recognize the importance of the cooperative network. Agriculture employs more than 24 million workers including farmers and ranchers, shippers and processors, marketers, retailers, truck drivers, inspectors, and others who annually contribute more than \$1.3 trillion to our gross domestic product. In Georgia, agriculture contributes more than \$57 billion annually to the state's \$350 billion economic output; and,

WHEREAS, The agricultural industry provides us with food, clothing and shelter as well as fuel for our energy needs. As we welcome new opportunities for trade, the hard work and successful cooperation between farmers and City workers will continue to play a vital role in our state and nation's future; and

WHEREAS, Farm-City collaborations help maintain and improve our food and fiber supply and contribute to a better quality of life for countless citizens. We commend the many Americans whose hard work and ingenuity reflect the true spirit of America and help to ensure a prosperous future for all; and

WHEREAS, This week as we gather with family and friends around the Thanksgiving table, it is fitting that we count among our blessings the vital Farm-City partnerships that have done so much to improve the quality of our lives.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Spalding County do hereby proclaim November 16 – 22, 2007 as "**Farm-City Week**". We call upon citizens in rural and urban areas to acknowledge and celebrate the achievements of all those who, working together, produce and supply our community and nation with abundant agricultural products.

This 5th day of November 2007.

Motion to approve Proclamation declaring November 18-24, 2007 as Farm-City Week with a presentation to Barbara Kreider, President of the Spalding County Farm Bureau by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

V. PRESENTATION OF FINANCIAL STATEMENTS – N/A

VI. CITIZENS COMMENTS – None

VII. PUBLIC COMMENT

Jackie Walker, 1152 Cherokee Court, Griffin, Georgia

Ms. Walker inquired how she could get a license for a personal care home in light of the moratorium that is currently in effect. Chuck Taylor advised that staff must follow the moratorium through its period, February 29, 2008, unless the Board releases the moratorium prior to its expiration. She stated she wrote her original contract on June 20 and realized the moratorium was in place until October 31, 2007. She came back into the licensing office right after October 31 only to be informed that the moratorium had been extended until February 29, 2008, which poses an extreme hardship since her business is at a standstill until licensing can be completed. Commissioner Flowers-Taylor explained the purpose of the moratorium and the rationale behind the Board's request to initiate the moratorium. Commissioner Flowers-Taylor advised she or staff would contact Zoning Attorney Newton Galloway to ask if he could proceed quickly and diligently for an early completion of the ordinance. Mr. Taylor said currently the process was merely in the outline stage, and he could not advise of an anticipated completion date or provide any particulars. Ms. Walker stated she was soliciting for only four residents for her personal

care home and not the allowed six. Mr. Taylor encouraged people interested in the ordinance to contact his Community Development office for ongoing updates. Without implying wrongdoing by any certain party, the County was simply trying to avoid a proliferation of substandard personal care homes in light of their increased interest.

VIII. MINUTES

1. Consider approval of the minutes of the October 15, 2007 Extraordinary Session and the October 25, 2007 Zoning Public Hearing of the Board of Commissioners.

Motion to approve the minutes of the October 15, 2007 Extraordinary Session and the October 25, 2007 Zoning Public Hearing of the Board of Commissioners by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

IX. CONSENT AGENDA

1. Consider approval, on second reading, Ordinance amending the FY 2008 Budget Ordinance to provide for: A) Reappropriation for Parks and Recreation site improvements at Wyomia Tyus Olympic Park, and B) Reappropriation for Health & Wellness Grant funds.

AN ORDINANCE AMENDING THE FISCAL YEAR 2008 BUDGET ORDINANCE FOR SPALDING COUNTY, GEORGIA

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

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

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on June 28, 2007 be amended as follows:

Section I. General Fund

A. Revenues

Fund Balance	From	\$	3,034,424	to	\$	3,087,249
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B. Expenditures

General Appropriations	From	\$	2,936,425	to	\$	2,940,250
Parks	From	\$	2,055,228	to	\$	2,104,228

Approved on first reading this 15th day of October, 2007.

Approved, adopted and enacted on second reading this 5th of November, 2007.

2. Consider approval, on second reading, Ordinance #2007-21 to amend Part VII, Motor Vehicles and Traffic, Section 7-1004 to provide for No Parking on both sides of Hudson Road from its intersection with Wilson Road to its dead end.

SPALDING COUNTY, GEORGIA NO PARKING ZONE ORDINANCE NO. 2007-21

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:

“(31) *Hudson Road.* Upon any portion of both sides of the roadway or public right-of-way of Hudson Road from its intersection with Wilson Road to its dead end.”

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.

Approved on first reading this fifteenth day of October 2007.

Approved on second reading this fifth day of November 2007.

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

X. OLD BUSINESS

1. Consider approval, on second reading, of Amendment to the Official Zoning Map of the following:
-Application #07-13Z: Jesse R. Champion, Jr. Estates, Owner – 102 Moreland Road – 3.87 acres – C-1 and R-1 to C-1B, Conditional.

APPLICATION FOR JESSE R. CHAMPION, JR. ESTATE
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION 07-13Z

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

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

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

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “C-1, Highway Commercial and R-1, Single Family Residential Low Density;”

WHEREAS, Jesse R. Champion, Jr. Estate, Eugene W. Dabbs IV, Administrator, applicant, applied for a change in zoning classification to be applied to the within described property to C-1B, Heavy Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on August 17, 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 October 25, 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 119 the 2nd Land District, originally Monroe, now Spalding County, Georgia containing 3.87 acres of land as shown on a plat entitled property survey for Neil B. Chancey, prepared by G. Tim Conkle, dated September 9, 2006 and may be more particularly described as follows:

BEGINNING at a point marked by an iron stake found on the Northwest right-of-way of Moreland Road (100' right-of-way) at the intersection of the common Land Lot line of Land Lots 119 and 106, and running thence N 03°02'35" E a distance of 653.89' along said common Land Lot line to a point marked by an iron stake found; thence departing said Land Lot line S 88°40'24" E a distance of 157.71' to a point marked by an iron stake found; thence S 34°05'00" E a distance of 437.28' to a point marked by an iron stake found on the Northwest right-of-way of Moreland Road; thence Southwesterly along the Northwest right-of-way of Moreland Road and following the curvature thereof, an arc distance of 523.56', said arc (to the right) subtended by a chord bearing S 56°43'00" W a distance of 523.26' (Radius = 4464.60") to the POINT OF BEGINNING.

From "C-1, Highway Commercial and R-1, Single Family Residential Low Density" to "C-1B, Heavy 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. Landscaping shall be installed along Moreland Road to help buffer the property. Buffer shall be 15' deep from property line to property and consist of a mixture of evergreen and deciduous trees.
- b. Maximum width of curb cut shall be 24' feet and an acceleration/deceleration lane shall be incorporated.
- c. Site lighting to be designed so as to not glare in adjacent residential areas or onto public streets.
- d. Any areas that are not graveled or concrete shall be stabilized with permanent vegetation.

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 November 5, 2007, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County: All that lot, tract or parcel of land lying and being in Land Lot 119 of the 2nd Land District, originally Monroe, now Spalding County, Georgia, containing 3.87 acres, 102 Moreland Road, zoned C-1B, 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, Amendment to the Official Zoning Map of the following: Application #07-13Z: Jesse R. Champion, Jr. Estates, Owner – 102 Moreland Road – 3.87 acres – C-1 and R-1 to C-1B, Conditional by Commissioner Flowers-Taylor, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-1 with Commissioner McDaniel opposing.

Commissioner Flowers-Taylor inquired if the County could provide enforcement tools for the heavy truck traffic from the Moreland Road/Carver Road area not having destinations on those roads but rather using it for cut-through traffic. Moreland from Highway 362 to the Bypass is the problem area.

2. Lift from the table: Consider Resolution to Abandon an Unused Portion of Cheatham Road.

Motion to lift from the table Resolution to Abandon an Unused Portion of Cheatham Road by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

RESOLUTION TO ABANDON AN UNUSED PORTION OF CHEATHAM ROAD

WHEREAS, landowners contiguous to Cheatham Road contend that a portion of Cheatham Road has ceased to be used by the public to the extent that no substantial public purpose is served by said road and have requested the Board of Commissioners of Spalding County as the governing authority of said county, to abandon said portion of road as a part of the county road system; and

WHEREAS, on September 24, 2007, the Board of Commissioners adopted a resolution of intent to consider the abandonment of a portion of Cheatham Road; and

WHEREAS, a copy of such resolution along with a copy of said plat and sketch was sent to each of the contiguous property owners and to the local Postmaster for review with the rural mail carrier and to the Superintendent of the Griffin-Spalding County School System for review with the person in charge of the bus transportation for students in the local school system, and in addition thereto copies of such resolution were posted at the Spalding County Courthouse and at the Spalding County Courthouse Annex; and

WHEREAS, no objections to such abandonment have been received;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County that the unused portion of Cheatham Road lying and being in the Land Lots 4 and 29 of the Third District of original Henry, now Spalding County, and more properly described as the abandoned portion of Cheatham Road on a plat survey for Carole Cromartie and found in Plat Book 7, Page 386, has ceased for any reason to be used by the public to the extent that no substantial public purpose is served by it; accordingly said road is hereby considered, ordered and declared abandoned, and it is further ordered that said portion of Cheatham Road shall hereafter cease to be a part of the county road system and

IT IS FURTHER RESOLVED that a copy of the within resolution shall be transmitted to the Georgia Department of Transportation and to the Spalding County Board of Tax Assessors, so as to record the deletion of said portion of Cheatham Road as a part of the Spalding County road system; and

IT IS FURTHER RESOLVED that the within resolution shall become effective immediately and that all acts or resolutions, or parts thereof, in conflict herewith be, and the same are hereby repealed.

This the 5th day of November 2007.

Motion to approve the Resolution to Abandon an Unused Portion of Cheatham Road by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

XI. NEW BUSINESS

1. Consider declaring surplus various, non-operational vehicles from the Sheriff's Department and authorizing sealed bids for the disposition of these unused vehicles.

Motion to approve declaring surplus 21 various, non-operational vehicles from the Sheriff's Department and authorizing sealed bids (excluding County employees) for the disposition of these unused vehicles by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

2. Consider approval of revised final plat for Kingston Estates, located off S. Sixth Street Extension.

Mr. Chuck Taylor said the change was proposed as a means for gaining access to Lot 18 with a purchased strip along Runnymede Road. He recommended approval with condition that Board of Appeals approves a variance for the lot to access from Runnymede Road. The amount of greenspace in the development will be slightly reduced as a result, but will still be more than adequate for the requirement.

Motion to approve revised final plat for Kingston Estates, located off South Sixth Street Extension by Commissioner Phillips with the condition that the Board of Appeals must grant a variance for Lot 18 to access from Runnymede Road by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

3. Consider request from E. Andre Douglas, Crescendo Land, LLC, for extension of top coating of asphalt and maintenance Letters of Credit for Parliament Place Subdivision (Highway 155).

Mr. Andre Douglas, 6958 Main Street, Lithonia, Georgia

This subdivision off Highway 155 with very large homes hasn't completed the top coating of asphalt because of the low occupancy rate to date. That situation appears to be improving with the widening of Highway 155 nearing completion. Mr. Douglas wanted an extension because he doesn't want to apply the top coating on these 30 lots and then have the top coating damaged with the development of additional homes. His letter of credit expires December 2007, and staff does acknowledge there are some benefits to the County in not having the topcoat completed at this time. However, Mr. Taylor noted the cost of asphalt is going up and he was concerned that the County not be hampered financially should they have to execute the top coating application. Mr. Douglas said he was agreeable to the 150% stipulation of the performance bond. The road has the GAB and binder there now and is in good condition; it just doesn't have the top coating. The erosion problem encountered previously has been successfully resolved.

Motion to approve the request from E. Andre Douglas, Crescendo Land, LLC, for extension of top coating of asphalt and maintenance Letters of Credit for Parliament Place Subdivision (Highway 155) provided a new bond with current pricing is obtained with a 150% replacement required for a period of two years by Commissioner Flowers-Taylor, seconded by Commissioner Phillips, carried by a vote of 5-0.

4. Consider Parks and Recreation Advisory Commission recommendation to place a plaque in memory of Brandon Sealy at the skate park and to grant permission for the skate park association to hold a fundraiser at the skate park to offset the family's expenses.

Kelly Leger of Spalding County Parks and Recreation stated there were plans to incorporate into the fundraiser aspect of this motion a strong recommendation that safety, particularly helmets, be emphasized.

Motion to approve Parks and Recreation Advisory Commission recommendation to place a plaque in memory of Brandon Sealy at the skate park and to grant permission for the skate park association to hold a fundraiser at the skate park to offset the family's expenses by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

5. Consider request of Griffin-Spalding Airport Advisory Board to approve implementing the Airport Site Selection Study – Phase II to include several critical components to continue with the site selection methodology.

Brett Lavender, Chairman of the Griffin-Spalding County Airport Advisory Commission, who was present with Robert Mohl, Airport Manager, and other board members, advised the Advisory Commission's recommendations to previous Boards have included safety issues, capital improvements, expansion and/or relocation efforts, etc. The most recent study's final presentation of Phase I, and the Advisory Commission now unanimously recommend that Phase 2 of the site selection study be implemented that would include continued public involvement, detailed site evaluations, analysis of industrial requirements, feasibility analysis, comparative cost estimates and a funding plan. Additionally, the Advisory Board recommends that the feasibility analysis assess the viability of building a replacement airport, existing airport closure, tenant relocation, existing airport expansion and maintaining the existing airport in its present configuration. These assessments will provide important information needed to make the critical decision of whether to go forward. The current airport encompasses about 500 acres with a 3700 ± foot runway. Mr. Mohl noted all proposed sites could accommodate a much longer runway, i.e. 6500 feet.

Commissioner Phillips said he favored pursuing a regional airport and perhaps having the facility be in a neighboring county rather than Spalding. He didn't want to displace many of the homeowners in his district where most of the sites were located, as they moved there initially for the slow-growth,

rural quality of the area. Bear Creek was in Hampton only ten minutes from Spalding County, and the Thomaston Airport, which was a little further away, found that the airport did them little good in the industrial arena. The heavy hand of eminent domain should be used very carefully. His constituents do not want the airport in their area and are terrified of the accompanying problems that might come with such a facility. Commissioner Flowers-Taylor asked about the criteria that resulted in having all the proposed sites in the eastern portion of the county. Commissioners Flowers-Taylor and McDaniel said there was still much work to do in the next phase and it might be that some sites would be eliminated after review of the environmental issues. Until all data is completed, there was no certainty as to where the final site recommendation would be located.

Mr. Lavender said they wanted to make a recommendation that would provide all the tools necessary for the Board to make a decision, which was one reason for utilizing expert consultants.

Motion to approve request of Griffin-Spalding Airport Advisory Board to approve implementing the Airport Site Selection Study – Phase II to continue with the site selection methodology to include continued public involvement, detailed site evaluations, analysis of industrial requirements, feasibility analysis, comparative cost estimates and a funding plan by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor.

Commissioner Goss said he felt a couple of the sites would not be appropriate, and it was noted if that should prove to be the case, it would be identified in this next phase scope of work.

Motion carried by a vote of 4-1 with Commissioner Phillips opposing.

Chairman Freeman thanked the Advisory Board for all their hard work and dedication.

6. Consider Parks and Recreation Advisory Commission recommendation to accept the final Spalding County Parks and Recreation Comprehensive Master Plan from jB+a, project consultants.

Motion to approve Parks and Recreation Advisory Commission recommendation to accept the final Spalding County Parks and Recreation Comprehensive Master Plan from jB+a, consultants on the project by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-0-1 with Commissioner Phillips abstaining since he was not in attendance for the final presentation.

7. Consider approval of a new Alcohol License for 2007 – Retail Sale – Beer and Wine – for the following: Sharmeen Farista, president of Fans Enterprises, Inc., d/b/a Petro Food Mart & Deli (a convenience store selling gasoline) located at 1639 N. Hill Street. New owner of existing business.

Motion to approve a new Alcohol License for 2007 – Retail Sale – Beer and Wine – for the following: Sharmeen Farista, president of Fans Enterprises, Inc., d/b/a Petro Food Mart & Deli (a convenience store selling gasoline) located at 1639 N. Hill Street. New owner of existing business by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-1 with Commissioner McDaniel opposing.

8. Consider approval of 2008 renewal of Alcoholic Beverage License – Wholesale Distributor for: J & L Ventures, d/b/a Jackson Beverages, LLC, 915 South Pine Hill Road – Beer Only.

Motion to approve 2008 renewal of Alcoholic Beverage License – Wholesale Distributor for: J & L Ventures, d/b/a Jackson Beverages, LLC, 915 South Pine Hill Road – Beer Only by Commissioner Phillips, seconded by Commissioner Goss, carried by a vote of 4-1 with Commissioner McDaniel opposing.

9. Consider approval of 2008 renewal of Alcoholic Beverage License – Retail Package Stores – for:

- Prakash I. Patel d/b/a 19/41 Package Store, 2004 N. Expressway – Beer, Wine & Liquor

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

- Raymond J. Beaugrand d/b/a Fanzo's Bottle Shop, 3933 N. Expressway – Beer, Wine & Liquor

Motion to table until December 3, 2007 by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

- Sotetra Kong d/b/a The Liquor Gate, 1740 Zebulon Road – Beer, Wine & Liquor

Motion and second to approve by Commissioners Phillips and Flowers-Taylor carried by a vote of 4-1 with Commissioner McDaniel opposing.

- Ashaya H. Patel d/b/a Carver Package Store, 1557D Williamson Road – Beer, Wine & Liquor

Motion and second to approve by Commissioners Phillips and Flowers-Taylor carried by a vote of 4-1 with Commissioner McDaniel opposing.

- Diand Suk Choi d/b/a Sam's Package Store, 1301 N. Hill Street – Beer and Wine
 - Diand Suk Choi d/b/a Young's Liquor Store, 1301 N. Hill Street – Liquor
 Motion and second by Commissioners Phillips and Freeman to approve were withdrawn. ***Motion to table both Sam's Package Store and Young's Liquor Store (following) until the December 3, 2007 Board of Commissioners meeting by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried 5-0.***
10. Consider approval of 2008 renewal of Alcoholic Beverage License – Consumption on Premises:
- Jimmy R. Allen d/b/a Big Jim's Wing Shack, 1557 Williamson Road – Beer and Wine
Motion and second to approve by Commissioners Phillips and Flowers-Taylor carried by a vote of 4-1 with Commissioner McDaniel opposing.
 - Robert M. Atchison d/b/a Griffin Moose Lodge #1503, 1435 Zebulon Rd. – Beer, Wine & Liquor
Motion and second to approve by Commissioners Phillips and Goss carried by a vote of 4-1 with Commissioner McDaniel opposing.
 - Joe Lee Mathis d/b/a JJ's Restaurant & Lounge, 2043 Highway 16 West – Beer & Liquor
Motion and second to approve by Commissioners Phillips and Flowers-Taylor carried by a vote of 4-1 with Commissioner McDaniel opposing.
 - Curves, LLC d/b/a Curves Bar & Grill, 2700 N. Expressway – Beer, Wine & Liquor
 No violations have occurred for serving minors, and they have adhered to the new adult entertainment ordinance since its adoption. Commissioner Goss asked and Ms. Windham advised it was important to keep the two issues separate. One should not be a factor in licensing for the sale of alcohol for consumption on premises. ***However, she advised it might be a good idea to get an opinion from litigation counsel and on motion and second from Commissioners Phillips and Goss to table until December 3, the motion carried 5-0.***
 - R. Todd Gullede d/b/a Hangar 19 Steak & Seafood, 1742 Zebulon Road – Beer, Wine & Liquor
Motion and second to approve by Commissioners Phillips and Flowers-Taylor carried by a vote of 4-1 with Commissioner McDaniel opposing.
11. Consider Resolution supporting the Employment Incentive Program (EIP) Application and the GSDA's OneGeorgia Authority EDGE Application for the rail spur project for Sumika Polymer Compounds America, Inc. in the Hudson Industrial Park.

SPALDING COUNTY RESOLUTION
Supporting the
Employment Incentive Program (EIP) Application and the
GSDA's OneGeorgia Authority EDGE Application

WHEREAS, the Georgia Department of Community Affairs has established the Community Development Block Grant, Employment Incentive Program (EIP) grants to assist cities and counties with improvements to economic development, public facilities and housing in Georgia, and

WHEREAS, there exists in Spalding County the need to improve employment opportunities and to promote the health, welfare, safety, and economic security of its citizens by providing them with diverse opportunities and by assisting new businesses to locate in Spalding County.

NOW THEREFORE, BE IT RESOLVED by the Spalding County Board of Commissioners to submit an application for EIP funds to the Georgia Department of Community Affairs in the amount of \$500,000.00 for the construction of a public rail spur from the Norfolk Southern line to the Sumika Polymer Compounds America, Inc. site that is located on Lots #11 & #12 on Hudson Industrial Drive in Hudson Industrial Park in Griffin, Georgia.

BE IT FURTHER RESOLVED, that the Spalding County Commissioners support the Griffin-Spalding Development Authority's efforts to obtain OneGeorgia Authority EDGE funds to assist in the funding for the site acquisition and rail spur costs.

BE IT FURTHER RESOLVED that the Chairman is authorized and directed to act as the official representative of the County to execute the EIP grant forms, to act in connection with the EIP application and to be responsible for compliance with the applicable state and federal requirements of the EIP program and to provide such additional information as may be required.

BE IT FURTHER RESOLVED that the County hereby adopts the "Citizen Participation Plan of the Georgia Department of Community Affairs" to insure public involvement in the EIP process.

BE IT FURTHER RESOLVED that a true and dedicated commitment has been made by the County to the project for its successful completion.

BE IT RESOLVED this 5th day of November 2007.

Motion to approve Resolution supporting the Employment Incentive Program (EIP) Application and the GSDA's OneGeorgia Authority EDGE Application for the rail spur project for Sumika Polymer Compounds America, Inc. in the Hudson Industrial Park by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

12. Consider approval of Resolution adopting the Short Term Work Program (STWP) and Capital Improvement Element (CIE) Updates.

RESOLUTION

**SPALDING COUNTY
STATE OF GEORGIA**

WHEREAS, with the passage of the Georgia Planning Act of 1989, all of Georgia's 159 counties and 529 cities were designated "Qualified Local Governments." Each of these local governments must maintain that status in order to remain eligible for a range of state and federal assistance programs; AND,

WHEREAS, this act requires local governments such as Spalding County, that adopt impact fees as a means of providing capital facilities funding, to update the Capital Improvements Element (CIE) and Short Term Work Program (STWP) Elements of the Comprehensive Plan; AND

WHEREAS, Spalding County 2025 Comprehensive Plan has held the required number of public hearings and has otherwise complied with the requirements of said Georgia Comprehensive Planning Act of 1989;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of Spalding County herewith adopt the 2007 Capital Improvements Element (CIE) and Short Term Work Program (STWP) and incorporate these changes into the Spalding County 2025 Comprehensive Plan on this, the fifth day of November 2007.

Motion to approve Resolution adopting the Short Term Work Program (STWP) and Capital Improvement Element (CIE) Updates by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

13. Set a date for a Public Hearing to establish street lighting district for Autumn Ridge Phase V off Futral Road.

Motion to set a date of December 3, 2007 for a Public Hearing to establish street lighting district for Autumn Ridge Phase V off Futral Road by Commissioner Flowers-Taylor, seconded by Commissioner McDaniel, carried by a vote of 5-0.

14. Consider, on first reading, Ordinance #2007-25 to amend Part VI Licensing and Regulation, Chapter 1. Businesses and Occupations, Article A. Sale of Malt Beverages and Wine, Section 6-1012. Revocation of License.

Motion to approve, on first reading, Ordinance #2007-25 to amend Part VI Licensing and Regulation, Chapter 1. Businesses and Occupations, Article A. Sale of Malt Beverages and Wine, Section 6-1012. Revocation of License by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

15. Consider on first reading, Ordinance #2007-24 to amend Part VI Licensing and Regulation, Chapter 1. Businesses and Occupations, Article B. Retail Liquor Package Stores, Section 6-1048. Revocation of License.

Motion to approve, on first reading, Ordinance #2007-24 to amend Part VI Licensing and Regulation, Chapter 1. Businesses and Occupations, Article B. Retail Liquor Package Stores, Section 6-1048. Revocation of License by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

16. Consider, on first reading, Ordinance #2007-23 to amend Part VI Licensing and Regulation, Chapter 1. Businesses and Occupations, Article C. Sales of Alcoholic Beverages for Consumption on Premises, Section 6-1073. Revocation of License.

Motion to approve, on first reading, Ordinance #2007-23 to amend Part VI Licensing and Regulation, Chapter 1. Businesses and Occupations, Article C. Sales of Alcoholic Beverages for Consumption on Premises, Section 6-1073. Revocation of License by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

17. Consider agency contracts for Fire Protection Services to the cities of Orchard Hill and Sunny Side for 2007-2008.

AGENCY CONTRACT FOR FIRE PROTECTION SERVICES

STATE OF Georgia
COUNTY OF Spalding

THIS AGREEMENT made and entered into on this the first day of October 2007, by and between the City of Orchard Hill, hereinafter sometimes referred to as the "Municipality", a municipal corporation of the State of Georgia, and the "COUNTY OF SPALDING", hereinafter sometimes referred to as the "County", a political subdivision of the State of Georgia,

WITNESSETH:

THAT WHEREAS, the Municipality now deems it in the best interest of the City of Orchard Hill and its citizens for the Municipality to furnish fire protection services in the exercises of a governmental function of the Municipality, and has requested the County to aid and assist it in furnishing such fire protection services within the corporate limits of the Municipality; and

WHEREAS, the County has now established a Fire Protection District comprising all of the unincorporated area of Spalding County and is presently furnishing fire protection services for such Fire Protection District and is willing to serve as an agent of the Municipality in providing the equipment, personnel and supplies for furnishing such fire protection services within the corporate limits of the Municipality for the consideration hereinafter set out; and

WHEREAS, the County deems it in the best interest of both parties hereto to enter into the within agency contract;

NOW, THEREFORE, for and in consideration of the premises and the respective benefits to be derived by each party hereto and in consideration of the covenants and agreements hereinafter set forth and payments of money by the Municipality to the County, as hereinafter set out, it is hereby mutually understood and agreed by and between the parties hereto, as follows:

-1-

Beginning at 12:00 o'clock Noon on October 1, 2007, the County shall serve as an agent of the Municipality in providing fire protection services within the fire district of the Municipality, being within the corporate limits of the Municipality, for a term of twelve (12) months ending at 12:00 o'clock Noon on October 1, 2008, which such fire protection services furnished hereunder shall be comparable to the fire protection services that the County is now furnishing its aforesaid Fire Protection District, being the unincorporated area of Spalding County, and all such services furnished hereunder shall be done and furnished by the County as the agent of the Municipality, who shall be the principal furnishing such fire protection services to the people and property, residing and located, within the corporate limits of the Municipality in the Municipality's exercises of a governmental function, and not a ministerial function, and at no time shall the County be acting hereunder in the capacity or role of an independent contractor.

-2-

During the term of the within contract the Municipality shall pay the County the sum of One Thousand Five Hundred Sixty-Seven Dollars and eighteen cents (\$1,567.18) per month for providing such fire protection services, which sum shall be due and payable by the Municipality to the County on the 10th day of each calendar month, beginning October 10, 2007, and continuing in monthly succession thereafter on the 10th day of each successive month with the last such payment being due and payable on September 10, 2008, or until this contract is sooner terminated as hereinafter provided.

-3-

Time is of the essence of this contract and each of its provisions.

-4-

Notwithstanding anything herein contained to the contrary the within agreement may be terminated by either party hereto on the first day of any calendar month during the aforesaid twelve month term by giving notice in writing of such termination to the other party hereto at least thirty days in

advance of the designated date of such termination, and thereafter this contract shall be terminated and neither party hereto shall be obligated to furnish fire protection services to the other party hereto, and no further monthly payments shall become due and payable thereafter by the Municipality.

-5-

Any notice contemplated or required by this contract shall be deemed effectively given when mailed by United States registered or certified mail, with the required postage prepaid, and addressed as follows:

If to the Municipality, address to:

City of Orchard Hill
P. O. Box 448
Orchard Hill, Georgia 30266

If to the County, address to:

County of Spalding
P. O. Box 1087
Griffin, Georgia 30224-1087

The parties hereto have respectively caused the within agreement to be duly executed in duplicate originals by and through their authorized officers and under their respective hands and seals on the day and year first above written.

AGENCY CONTRACT FOR FIRE PROTECTION SERVICES

STATE OF Georgia
COUNTY OF Spalding

THIS AGREEMENT made and entered into on this the first day of October, 2007 by and between the City of Sunny Side, hereafter sometimes referred to as the "Municipality", a municipal corporation of the State of Georgia, and the "COUNTY OF Spalding", hereinafter sometimes referred to as the "County". a political subdivision of the State of Georgia,

WITNESSETH:

THAT WHEREAS, the Municipality now deems it in the best interest of the City of Sunny Side and its citizens for the Municipality to furnish fire protection services in the exercises of a governmental function of the Municipality, and has requested the County to aid and assist it in furnishing such fire protection services within the corporate limits of the Municipality; and

WHEREAS, the County has now established a Fire Protection District comprising all of the unincorporated area of Spalding County and is presently furnishing fire protection services for such Fire Protection District and is willing to serve as an agent of the Municipality in providing the equipment, personnel and supplies for furnishing such fire protection services within the corporate limits of the Municipality for the consideration hereinafter set out; and

WHEREAS, the County deems it in the best interest of both parties hereto to enter into the within agency contract;

NOW, THEREFORE, for and in consideration of the premises and the respective benefits to be derived by each party hereto and in consideration of the covenants and agreements hereinafter set forth and payments of money by the Municipality to the County, as hereinafter set out, it is hereby mutually understood and agreed by and between the parties hereto, as follows:

-1-

Beginning at 12:00 o'clock Noon on October 1, 2007 the County shall serve as an agent of the Municipality in providing fire protection services within the fire district of the Municipality, being within the corporate limits of the Municipality, for a term of twelve (12) months ending at 12:00 o'clock Noon on October 1, 2008 which such fire protection services furnished hereunder shall be comparable to the fire protection services that the County is now furnishing its aforesaid Fire Protection District, being the unincorporated area of Spalding County, and all such services furnished hereunder shall be done and furnished by the County as the agent of the Municipality, who shall be the principal furnishing such fire protection services to the people and property,

residing and located, within the corporate limits of the Municipality in the Municipality's exercises of a governmental function, and not a ministerial function, and at no time shall the County be acting hereunder in the capacity or role of an independent contractor.

-2-

During the term of the within contract the Municipality shall pay the County the sum of One Thousand Two Hundred Seven Dollars and fifty-three cents (\$1,207.53) per month for providing such fire protection services, which sum shall be due and payable by the Municipality to the County on the 10th day of each calendar month, beginning October 10, 2007, and continuing in monthly succession thereafter on the 10th day of each successive month with the last such payment being due and payable on September 10, 2008, or until this contract is sooner terminated as hereinafter provided.

-3-

Time is of the essence of this contract and each of its provisions.

-4-

Notwithstanding anything herein contained to the contrary the within agreement may be terminated by either party hereto on the first day of any calendar month during the aforesaid twelve month term by giving notice in writing of such termination to the other party hereto at least thirty days in advance of the designated date of such termination, and thereafter this contract shall be terminated and neither party hereto shall be obligated to furnish fire protection services to the other party hereto, and no further monthly payments shall become due and payable thereafter by the Municipality.

-5-

Any notice contemplated or required by this contract shall be deemed effectively given when mailed by United States registered or certified mail, with the required postage prepaid, and addressed as follows:

If to the Municipality, address to:

City of Sunny Side
P. O. Box 100
Sunny Side, Georgia 30284

If to the County, address to:

County of Spalding
P. O. Box 1087
Griffin, Georgia 30224-1087

The parties hereto have respectively caused the within agreement to be duly executed in duplicate originals by and through their authorized officers and under their respective hands and seals on the day and year first above written.

Motion to approve agency contracts for Fire Protection Services to the cities of Orchard Hill and Sunny Side for 2007-2008 by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

18. Consider Moratorium on the receipt, acceptance, consideration and approval of any application seeking extensions of previously approved Performance Bonds for Subdivision Improvements within Spalding County, Georgia.

Motion to approve Moratorium on the receipt, acceptance, consideration and approval of any application seeking extensions of previously approved Performance Bonds for Subdivision Improvements within Spalding County, Georgia by Commissioner Phillips, seconded by Commissioner McDaniel.

Some discussion followed on what the Board envisioned for future extension periods, long-term bonding requirements, percentage of development requirements for bond completion, etc. Commissioners could not see implementing a moratorium without a remedial element to correct the deficiencies noted in this process. Staff was directed to develop such a plan for further review by the

Board as soon as possible. *Commissioners Phillips and McDaniel withdrew their motion and second to allow for further study.*

Motion to deny Moratorium on the receipt, acceptance, consideration and approval of any application seeking extensions of previously approved Performance Bonds for Subdivision Improvements within Spalding County, Georgia was made by Commissioner Goss, seconded by Commissioner Flowers-Taylor, and carried 5-0.

19. Consider Joint Resolution, with the City of Griffin Board of Commissioners and the Griffin-Spalding Board of Education, opposing Georgia House Resolution 900 – the *GREAT Plan*.

JOINT RESOLUTION OF THE
BOARD OF COMMISSIONERS OF SPALDING COUNTY, GEORGIA
with the
City of Griffin Board of Commissioners and the Griffin-Spalding Board of Education
Opposing Georgia House Resolution 900 - the GREAT Plan

WHEREAS, the citizens of Spalding County, along with the City of Griffin and the Griffin-Spalding County School System have duly elected local government officials representing their interests with respect to local revenues and services; and

WHEREAS, Speaker Glenn Richardson of the Georgia House of Representatives has proposed House Resolution 900 referred to as the GREAT Plan, which stands for *Georgia's Repeal of Every Ad Valorem Tax*; and

WHEREAS, HR 900 as currently proposed by the Speaker of the House will abolish local property tax and provide for the collection and control of local revenues by the State of Georgia; and

WHEREAS, eliminating the current system of ad valorem taxation for local government maintenance and operations and would necessitate the replacement of this system with an expansion of the sales tax base to include most goods and services that are not currently taxed, and

WHEREAS, if approved, the plan would remove local revenue and funding decisions from the hands of local citizens and local elected officials and would provide for the revenues from the sales tax on currently un-taxable goods and services to be distributed by state politicians through a formula which has yet to be determined and which could change annually; and

WHEREAS, if approved the plan would result in a tax increase on low and middle income families; and

WHEREAS, if approved, the plan would place a tax and expenditure limitation on the cities, county and school board, limiting expenditure increases to a CPI and population increase, regardless of community needs or citizen desires; and

WHEREAS, if approved, the plan would force local elected officials to petition for additional funds from members of the General Assembly, most of whom do not represent citizens of Spalding County, in the event of an emergency or other need the cost of which exceeds the state's allowable growth in expenditures; and

WHEREAS, if approved, the plan would financially punish cities, counties and school systems in which there was commercial growth by limiting expenditures in a way that does not account for economic growth, thus making it cost-prohibitive to provide services to support the commercial growth, creating a disincentive for local governments to attract economic development and jobs; and

WHEREAS, if approved, the plan's virtual elimination of property taxes will further hinder economic development and job growth by negatively impacting local government bond ratings, which currently attract investors and businesses to the state and allow local governments to borrow money at low costs; and

WHEREAS, if approved, such a scheme would negatively impact the cities', county's and school district's ability to provide safe and adequate water and sewer, roads, school facilities, school buses, jails, courts, police and fire services and other services important to a high quality of life; and

WHEREAS, if approved, the plan would unfairly and unjustly subsidize other communities in the state through the redistribution of sales tax dollars generated in Griffin and Spalding County as a result of critical investments made by the governing entities of Spalding County on behalf of the citizens of Spalding County; and

NOW THEREFORE BE IT RESOLVED by the members of the governing bodies of the City of Griffin, Spalding County and the Griffin – Spalding County Board of Education that House Resolution 900, referred to as the GREAT Plan is bad for the citizens of Georgia and the state as a whole because local decisions should be made locally by local elected officials.

BE IT FURTHER RESOLVED that the plan will be particularly unfair and injurious to the citizens of Spalding County because the plan, if approved, will result in a state-imposed state and federal tax increase without offering any benefits in return to our citizens.

BE IT FURTHER RESOLVED that the plan will create economic development disincentives that will stunt job growth in Spalding County and throughout the state.

BE IT FURTHER RESOLVED that the governing bodies of the Spalding County Board of Commissioners, the City of Griffin Board of Commissioners and the Griffin-Spalding Board of Education hereby voice their opposition to the GREAT Plan and urge legislators to show their support for the citizens and businesses of Spalding County and the rest of this State by ensuring that the GREAT Plan fails to pass.

SO DONE, this the fifth day of November 2007.

Motion to approve Joint Resolution, with the City of Griffin Board of Commissioners and the Griffin-Spalding Board of Education, opposing Georgia House Resolution 900 – the GREAT Plan by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.

XII. REPORT OF COUNTY MANAGER

- Flu shots will be available on November 13, from 8 to Noon as part of the County's Health and Wellness Plan. There will also be a program on November 8, 12, 15 and 19 for tobacco cessation.
- November 26 at 6:30 p.m. will be the Airport Road tree lighting festival.
- November 11 at Veterans Park there will be a Veterans Day presentation. Parking passes are available.
- Farm-City Week Luncheon will be held at the Stuckey Auditorium on the UGA Griffin Campus on Wednesday, November 21 at Noon.
- County offices will be closed November 22 and 23 in observance of Thanksgiving.
- There was a fabulous Fourth District GRPA Awards Banquet recently which saw Spalding County win several awards. Several commissioners attended.
- Christmas Parade will be on Sunday afternoon, December 2, 2007 and candy will be provided with golf carts. Parks and Recreation Advisory Board Members participated last year and will again if possible.
- There is an ongoing problem with the lift station at the jail, and the County had to rebuild pumps and cutters. The plan was to provide for doing away with the lift station when the new CI was built and the Muffin Monster was put in at the CI. This system needs to be abandoned, and the County contracted with Davidson Brothers in an emergency contract for sewerage relief.
- David Vitek from Sun City wants to brief the Board of Commissioners on December 3 to update the status of Sun City Peachtree's buildout.
- There has been a request from the Georgia State Patrol for the County to purchase radar systems for them. Some were provided about 10-12 years ago in this manner.
- Fishing and trash at Blalock Fire Station is becoming problematic with many parking at the station and littering over the County's property. DNR will adopt and enforce no fishing there if the Board chooses to do so. The general consensus was to work toward a cleanup effort but not to prohibit fishing.
- 2008 SPLOST development is ongoing and Mr. Wilson has been conversing with A.G. Edwards and King & Spalding. September 16, 2008 is the latest possible date, so an election target date of July 15, 2008 is recommended, contingent on passage/failure of HR 900. He will work with cities on intergovernmental agreements so SPLOST collections can span six years instead of four, probably consisting mainly of transportation projects.

- County Managers and Finance Directors as requested by ACCG will meet here tomorrow, November 6, on HR 900, the Great Plan from 10 – 2. Concurrently, Chairman Freeman will be meeting with Clayton County Chair Eldrin Bell and the Georgia Chamber of Commerce here tomorrow, as well, on HR 900.

XIII. REPORT OF COMMISSIONERS

Goss:

He wondered if the courts were not getting probationers to work at recycling centers but it was determined this was still a practice. Commissioners Goss and Flowers-Taylor talked today about HR 900, and he wants to get more information than what he has available presently. He talked with one representative and some things may be worthy and salvageable in the plan. Commissioner McDaniel said things in the resolution kept changing and it was a moving target. As far as SPLOST, Commissioner Goss wants to get an estimate of what it would cost to pave every dirt road in Spalding County as a starting point. He also proposed the County give employees a floating holiday to use at any time during year for personal use.

Flowers-Taylor:

No comments.

Phillips:

He conceded there needs to be some property tax relief but felt the reval will certainly help. HR 900 will render most governmental bodies powerless.

McDaniel:

Commissioner McDaniel commented that at the last zoning public hearing he disagreed with everyone about the application on Moreland Road. Truck traffic is not just a problem on Moreland and Carver but exists in all of Spalding County. As Commissioner Goss put it, all that Code Enforcement does is write warnings. Trucks will take the most direct route regardless of the rules, evidently the prominently displayed ones. Perhaps some teeth in enforcement will help to deter this practice. Trucks along Moreland and Carver Roads are not just going to a destination on those roads but rather are using it as a cut-through from other areas to the bypass. Mr. Wilson said it was practice to issue a warning initially but the County could, in fact, cite them on the first offense for No Thru Trucks violations. The practice of issuing an initial warning could remain in force for other type violations. Chairman Freeman said Bethany Road truck traffic contributed to a big problem, as well, and Code Enforcement did not ticket. Mr. Wilson said he would implement the new practice tomorrow morning.

Freeman:

A recent ACCG Meeting had representatives discussing HR 900. All were opposed as it presently stands. Eldrin Bell and the Georgia Chamber of Commerce will be here tomorrow, as well, to discuss HR 900 at 11 a.m.

He asked about the status of the parking lot across from the Courthouse (formerly Hill’s Tire Store), noting it has been the subject of much conversation. Mr. Wilson said the County ceased working on the parking lot when a downtown development project showed interest but that did not work out. Chairman Freeman said he wanted to see some action on the welcome signs he proposed at gateways to the County. GDOT specifies the County cannot use concrete and Mr. Wilson said they are trying to come to terms with regard to materials. Chairman Freeman said he wanted a response by the end of month.

XIV. CLOSED MEETING

1. County Attorney requests a Closed Meeting to discuss potential litigation, as provided by O.C.G.A. § 50-14-2(1), and acquisition of real estate, as provided by O.C.G.A. § 50-14-3(4).

Motion to adjourn to Closed Meeting at 8:23 p.m. by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.

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 November 5, 2007.

2.

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

3.

The executive session was called to order at 8:23 p.m.

4.

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

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

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

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

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

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

This the 5th day of November 2007 .

Spalding County Board of Commissioners

Sworn to and subscribed

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

Before me this 5th day of November 2007 .

David Phillips (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 McDaniel (L.S.)

Motion to adjourn Closed Meeting and reconvene to Open Meeting at 9:15 p.m. by Commissioner Flowers-Taylor, seconded by Commissioner Goss, carried by a vote of 5-0.

XV. ADJOURNMENT

Motion to Adjourn at 9:16 p.m. by Commissioner Flowers-Taylor, seconded by Commissioner Goss, carried by a vote of 5-0.

Chairman
.....

Secretary
.....