

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, April 7, 2008 beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Gwen Flowers-Taylor, Eddie Freeman, Johnie McDaniel and David Phillips present. Also present were County Manager William P. Wilson, Jr., County Attorney James R. Fortune, Jr., Human Resources Director William D. Gay, Assistant to the County Manager Paul Van Haute, and Executive Secretary Teresa Watson.

I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.

II. INVOCATION – Reverend Andy Campbell

III. PLEDGE TO FLAG – Led by Paul Van Haute

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Presentation of check for \$13,940 to the Board of Commissioners by Vicki Hyatt of the City of Griffin for the designation of Griffin-Spalding County as an Entrepreneur Friendly Community.
2. Commendations to be presented to Spalding County employees Todd Howard and Brian Wingate for courageous conduct.
3. Announce recipient of 2008 of The Bain Proctor Award for Volunteerism – Juanita Morris.
4. Consider Proclamation declaring April 6-12, 2008 as National County Government Week.

Proclamation

Declaring April 6-12, 2008 as National County Government Week

WHEREAS, The nation's 3,066 counties provide a variety of essential public services to communities serving 300 million Americans; and

WHEREAS, Counties take seriously their responsibility to protect and enhance the health, welfare and safety of citizens in sensible, cost-effective ways; and

WHEREAS, Many county government initiatives involve the protection of valuable and vulnerable environmental resources in communities, with many county government services directly touching the lives of children and families; and

WHEREAS, The National Association of Counties is the only national organization that represents county governments in the United States, provides essential services to the nation's counties, advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research, and provides value-added services to save counties and taxpayers money; and

WHEREAS, The National Association of Counties first celebrated National County Government Week in 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the needs of the community; and

WHEREAS, In recognition of the leadership, innovation and valuable service provided by the nation's counties, especially in the protection and welfare of children;

NOW THEREFORE, Be it 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 on this date, reflecting that I have hereunto set my hand and caused the seal of Spalding County, Georgia to be affixed, declaring this week of the sixth through the twelfth of April, in the year of our Lord two thousand and eight as National County Government Week in Spalding County, Georgia.

Motion to approve Proclamation declaring April 6-12, 2008 as National County Government Week by Commissioner McDaniel, seconded by Commissioner Freeman, carried 5-0.

5. Grice & Associates to present Spalding County Comprehensive Transportation Plan (CTP) update.
Anthony Dukes, Urban Transportation Planner, stated this presentation was the culmination of 18 months and the collaboration of a myriad of agencies and individuals. John J. Funny, Project Director with Grice & Associates presented an overview of the process, detailing the process and the methodology, as well as the next steps and final expectations. He briefly highlighted the elements that will be provided in greater detail at the Comprehensive Transportation Plan (CTP) Open Public

Meeting that will be held on April 8, 2008 here in the Meeting Room. The CTP will recommend a set of long-range strategies and programs to sustain a balanced transportation network where people, goods and services can travel throughout the county in a safe, reliable, effective and efficient manner. An important component of the CTP will be evaluation of land use and environmental considerations in the development of transportation strategies. The study will examine the impact of changing land use patterns on the environment, on the lifestyle of area residents, and on intra-regional travel, and the result of the plan will be a package of transportation and land use strategies and information to be used by the County during subsequent updates of its Comprehensive Plan and the Regional Transportation Plan. The CTP will incorporate the relational elements of the county to regional mobility and alternative transportation choices to address the issues of county growth, air quality and traffic congestion. Citizens have played a vital role in this planning process, working tirelessly with agencies and consultants to ensure a plan that will provide for a multi-modal, seamless system that is accessible to all citizens, supports appropriate land uses, promotes efficient use of infrastructure investments and transportation choices, and improves quality of life.

Recommended and programmed transportation projects included:

- Capacity Improvements (roadway widening, new roadways, roadway extensions)
- Operational/Safety Improvements (grade separation, intersection and signage improvements, traffic calming devices, signal timing, and roadway improvements)
- System Preservation (paving, bridge upgrades)
- Bike/Pedestrian (multi-use trails, sidewalks, safe routes to schools)
- Transit (commuter rail and bus transit)

The CTP program of 178 projects total an estimated \$598 million, with \$239 being for short-term, \$231 for mid-term and \$128 being for long-term projects. Potential funding sources include several areas, i.e. federal sources (interstate maintenance (IM), national highway system (NHS), surface transportation program (STP), Highway Safety Improvement Program (HSIP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), and Highway Bridge Replacement/Repair Program (HBRRP), Intelligent Transportation Systems (ITS) integration, National Scenic Byways Program, Safe Routes to School Program and others. Potential state sources include Fast Forward Bond Program and others. Local funds include general funds, impact fees, community improvement district, tax allocation district, and special purpose local option sales tax (SPLOST), among others.

V. PRESENTATION OF FINANCIAL STATEMENTS – N/A

VI. CITIZENS COMMENTS – N/A

VII. PUBLIC COMMENT

Speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted 5 minutes to speak on topics pertinent to the Board's jurisdiction. No speaker will be allowed to readdress the Board without express consent from a Board member. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

David Floyd, 35 North McDonough Road

Mr. Floyd stated he again wished to voice his opposition to the potential designation of SR 155 for truck traffic down McDonough Road. He was concerned that enough emphasis had not been given to alternative methods of rerouting truck traffic beyond this proposal. Perhaps Henry County could route truck traffic across SR 20 to U.S. 19/41 into Griffin or down I-75 and across Georgia 16. He did not feel the issue had received enough study and encouraged the commissioners to take some time to more fully explore the matter.

Kenny Smith, City Manager, City of Griffin, 100 South Hill Street, Griffin, Georgia

Vehicles traveling into downtown and making turns onto North Hill Street cause numerous difficulties for the city on several levels. The downtown historic district is a four-lane roadway divided by a wide median. Lanes are not wide enough to accommodate the wider 18-wheeler vehicle, particularly with current parking configurations. Many are parking on the sidewalks to avoid the big trucks, further damaging curbs and causing safety hazards to pedestrians. The turns are damaging storm drains, curbs, sidewalks and the mast-arm posts which have been severely impaired at some turns. It appears that every time the community conducts a traffic study, one of the first recommendations is to remove truck traffic from Hill Street, from the 2006 LCI study by ARC to the current CTP, and the logical solution is to remove truck traffic from Broadway and Hill by designating McDonough Road as SR 155 for truck travel. This has been identified in several studies as not only an operational problem, but an obstacle to development and redevelopment efforts in the downtown area. County Manager William Wilson wrote a letter requesting GDOT support and funding of Highway 155 redesignation in September 2006, and he quoted from that request. On behalf of the city, downtown merchants, residents and visitors, Mr. Smith urged support of these recommendations from past studies, the Griffin-Spalding Area Transportation Committee (G-SATC), and various consultants, he asked the board to please execute this notice of intent.

Michelle Cannon, 106 Surrey Lane, Griffin, Georgia

As a business owner at 353 O'Dell Road involved with truck repair, and as an involved, concerned citizen, she serves on G-SATC. She urged that commissioners look objectively at data and make a decision. There are problems already that will be compounded further with no action. She realized this is a difficult decision and no one wants a truck route in their backyards. She further realized and trusted that this Board is intelligent and informed, and she implored commissioners to act, either positively or negatively, so as not to delay the matter any further and trap any of the entities with no way out. She suggested the County take what they paid good money for the consultants to tell us and use it to plan with foresight. Traffic congestion will only worsen, and trucks and transportation will not change. She concluded that she has confidence in their ability, and she urged them to do what is right and make the best choice for Griffin and Spalding County.

Larry Stewart, North McDonough Road, Griffin, Georgia

Mr. Stewart felt trucks coming from Henry County could stay on I-75 and make the 7-mile journey to exit onto Arthur K. Bolton Parkway directly for their route to downtown. There is a residential area and trucks don't fit into the mix.

Kay Penn, 665 Jenkinsburg Road, Locust Grove, Georgia

Ms. Penn concurred that the Board needed to act with certainty, and further suggested they do so while considering the people who elected them to represent their interests. Her 85-year-old mother lives on Jackson Road and traffic on that truck route is most horrible. She, too, felt there are other solutions.

Ray Golden, 230 North McDonough Road, Griffin, Georgia

Mr. Golden stated his opposition to the redesignation.

Robin Nance, 611 South Hill Street, Griffin, Georgia

As Chair of the Griffin Downtown Development Authority, Mr. Nance referenced the LCI and the efforts of Griffin to overcome a decaying downtown situation. There is an identified problem with truck traffic downtown on several levels and he hoped the Board would effectively address those issues.

Walter Cliff Futral, 4953 Jackson Road, Griffin, Georgia

Mr. Futral stated that McDonough Road is an important part of Ringgold Community, and to reroute truck traffic would not be considered just a slight disruption when one has spent an entire life there. Commissioners should value these long-term residents. Twice in one year he has experienced trucks running through his front yard, only 25 feet from his house on one occasion. To put trucks on McDonough Road will put those same residents in the same danger he encounters now on Jackson Road. Insurance premiums will go up; accidents will increase accordingly, as well. School bus safety should be a major consideration as it will be adversely affected by the truck traffic. Mr. Smith and City Commissioners want truck traffic out of downtown Griffin on SR 155 while the State just spent millions of dollars widening Jackson Road. But to put that traffic down McDonough Road is not the best method; alternatives are available and should be explored. He thanked Commissioner Phillips for standing against this proposal and urged denial.

Bobby Peurifoy, 117 South McDonough Road, Griffin, Georgia

North McDonough Road is a residential area with 150 residents who have invested their lives in these homes and property. These homes are just as important as those on College Drive, Maple Drive or other areas. Trucks will still frequent downtown for industry and retail businesses; he felt sure there would still be destination truck traffic downtown. However, it will devastate 3.3 miles of county thoroughfare and disrupt the lives of countless residents. He, too, urged the Board to decide but not to devastate.

Renee Futral, 4953 Jackson Road, Griffin, Georgia

Ms. Futral noted that citizens are looking to the five commissioners to work on their behalf and listen to their pleas for swift action. She asked that the Board decide with kindness, understanding and compassion; these residents need the Board's protection. The cost to do otherwise would be too high. She concluded that any commission without compassion for private citizens is a failed government.

Darlene Hightower, 49 Dutchman Road, Griffin, Georgia

Ms. Hightower wanted to address the issue of signs on ball fields' fencing. The Softball Association wants to be able to place solid signs and not mesh in order to raise funds for softball.

Mark Rowland, 726 North McDonough Road, Griffin, Georgia

Traffic congestion is already problematic on McDonough Road and trucks would make the situation worse. He felt this would destroy 75% of the homes on that road; he urged commissioner to not disgrace these residents by letting this happen. He fought in his military career and is still having to fight for rights. He would have stayed in Bibb County if he had known these problems would arise.

Lynette Alt, 685 North McDonough Road, Griffin, Georgia

Her family has had a transportation company for over 34 years in McDonough. She and her family moved here recently without knowing there would be the issue of a truck route on McDonough Road. She had their corporate safety director evaluate the road for truck traffic, and he stated he would not send any trucks down that road. She suggested Highway 20 to U.S. 19/41 from McDonough or perhaps I-75 to Georgia 16. He has noticed that not as many trucks are even coming down Hwy. 155 in recent months. Regardless of the cost, she doesn't feel the investment would be warranted to revamp McDonough Road for truck traffic. They have already had five cars run through their fence since moving, and trucks would be worse. She is concerned for her 16-year-old son who is a new driver. To add truck traffic to the already dangerous situation on this road would indeed be devastating.

Gerry Christopher, 472 North McDonough Road, Griffin, Georgia

She and her husband moved from Henry County for a more relaxed atmosphere and they enjoy the character of their area which will change drastically if truck traffic is allowed. Being only 91 feet off the road, a widening to allow for truck traffic would take most of their front yard and put them right on the roadway. She urged the Board to consider carefully the issue.

Ivan Alt, 685 North McDonough Road, Griffin, Georgia

As a native of Hungary, he admired the democratic process and watched with interest how they would handle this issue. He urged commissioners to review the matter at hand carefully.

Nancy Burkes Cook, 3951 Jackson Road, Griffin, Georgia

Her roots go back to the early 1800s in the Ringgold Community. She grew up here and remembered simpler times. She also has a love for the City and feels this is not the best route for consideration. Ms. Cook urged the Board to please explore other alternatives.

Gregory Roach, 333 Chehaw Road, Griffin, Georgia

The proposed redesignation won't stop the damage caused by trucks in the downtown area since it won't prohibit travel inside the downtown area from those who have delivery destinations. Trucks coming in on Highway 155/Jackson Road will be coming into the city anyway.

VIII. MINUTES

1. Consider approval of Minutes of the March 17, 2008 Extraordinary Session and the March 27, 2008 Zoning Public Hearing.

The Minutes of the March 17, 2008 Extraordinary Session were approved on motion and second by Commissioners McDaniel and Flowers-Taylor by a 5-0 vote. The Minutes of the March 27, 2008 Zoning Public Hearing were approved on motion and second by Commissioners McDaniel and Flowers-Taylor by a 3-0-2 vote with Commissioners Freeman and Phillips abstaining since they were not present at the meeting.

VIII. CONSENT AGENDA

1. Consider, on second reading, Ordinance #2008-03 to amend the Spalding County Code of Ordinances to provide for allocation of the hotel/motel tax.
2. Consider, on second reading, Ordinance #2008-04 to amend the Spalding County Code of Ordinances to provide for general prohibition on smoking and on designated smoking areas.
3. Consider, on second reading, Ordinance #2008-02 to amend the Spalding County Code of Ordinances to provide for a reduction in speed limits on Vineyard Ridge Drive and Vineyard Ridge Lane.
4. Consider, on second reading, Ordinance #2008-05 to amend the Spalding County Code of Ordinances to provide for No Parking only on the western side of Richardson Road from its intersection at Dobbins Mill Road for a distance of approximately 1093 feet.

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

X. OLD BUSINESS

1. Consider lifting from the table: Consider request of Georgia Department of Transportation for executed Notice of Intent and Local State Route Acceptance Resolution for Proposed State Highway System Revisions in the City of Griffin and Spalding County relating to State Route 155 (CSSTP-0008-00(682), PD #0008682, Notice of Intent #3483).

Motion and second to lift from the table by Commissioners Freeman and McDaniel carried by a vote of 5-0.

Commissioner Flowers-Taylor stated she asked initially for tabling of this issue to allow for a greater period of time for study and interaction with residents. She was devastated at the amount of property that must be taken in such instances by GDOT, and she does not see the necessity of destroying North McDonough Road. Commissioner Flowers-Taylor felt the City had not done due

diligence to determine alternative routes, and she agrees trucks will continue to come into the downtown area. She further stated the true congestion problem downtown is cars and not trucks.

Commissioner Phillips echoed her sentiments and said he had no use for the concept and will, in fact, vote against it.

Commissioner McDaniel acknowledged this was an emotionally charged issue. Others have stated there are alternatives, but none have been voiced. The residents on North McDonough did, in fact, elect their commissioner but so did the business owners downtown. This will be an issue where there does not exist the possibility that no one will get hurt. He would like to hear what some of these alternatives are and the estimated cost of these alternatives. The proposed bypass will be pretty close to his own yard, so he was sympathetic to their plight, but he agreed that to do nothing is not an option. If they could find a venue with open space that no one owns for the truck route, perhaps that would be a good solution to the problem.

Commissioner Flowers-Taylor said perhaps a traffic light at Broad and Hill Streets or letting trucks go through to 9th Street have been mentioned, so there are other options. She has officially suggested these more than once at transportation meetings.

Commissioner Freeman said since he has been on the Board of Commissioners, he has attended ARC as the representative from Spalding County with Mr. Anthony Dukes. They solicit monies for Spalding County for such improvements, and this would constitute an improvement on this road. He hears from residents that we don't want to look like Henry County, and that takes some foresight since we don't have Henry County's money or resources. He urged residents to look at the big picture.

Commissioner Phillips said this would be very dangerous situation with the opening of Rehoboth Road School in the near future for school buses and he wanted to exercise on the side of caution.

Commissioner Flowers-Taylor said this decision is not a reflection on the CTP process. These are different projects, and this is but one part of a project that will be phased.

Chairman Goss said the issue was initially tabled in December 2007 indefinitely because all Board members wanted more information and suggested alternative routes. He has spoken with Mayor Hollberg and had thought there was more time, but evidently G-SATC wanted a quicker decision.

Commissioner Phillips moved to deny the request of the Georgia Department of Transportation for executed Notice of Intent and Local State route Acceptance Resolution for Proposed State Highway System Revisions in the City of Griffin and Spalding County relating to State Route 155, seconded by Commissioner Flowers-Taylor. Motion to deny carried 3-2 with Commissioners Freeman and McDaniel opposing.

XI. NEW BUSINESS

1. Consider recommendation of Swerdlin Benefits Company for employee health insurance program.

Bill Gay introduced representative Dell Kubler from the employee benefits consultants, Swerdlin Benefits Company, who said a strong team of nine members from the County did due diligence and put a great deal of effort into the process. He detailed the process whereby they sent the RFP out into the marketplace and 23-24 entities bid on the benefits. The intake process saw constant communication with Mr. Gay and from there they closed the formal bid process. They began evaluating the responders consistently with a complex formulation of selection criteria. The criteria was then weighted and used to drive a point system. Finalists were then interviewed and private sessions arranged in order to arrive at a recommendation. Fundamental issues were explored and specific pharmaceuticals identified to ensure as little disruption in service as possible. His recommendation was a change to Humana, primarily because of a comprehensive wellness program, a strong network and an eagerness to provide service in the capacities desired.

Some discussion followed about the benefits of using a broker. Mr. Kubler advised the short answer is a broker is not necessary but highly recommended because the single issue of health care collectively is very complex, not just with regard to delivery but also the financing of health care. Six major health care programs bid and it required in-depth analyses on several levels to find a good fit. He felt there was great value to having a broker. MSI Benefits, the firm recommended to act as broker, would be the County's advocate rather than the insurance carrier's, and they have technological advances that will be very advantageous. Mr. Kubler answered Commissioner Freeman that the broker's fee is an ongoing commission of 2% of the premium. The County is currently paying a fee through ACCG with Blue Cross/Blue Shield for the brokerage service. While his pay will be substantial, his level of service will be, as well. He will provide risk management, health and wellness and many other fields of expertise, and his ongoing relationship with the insurance carrier will be extremely beneficial. General liability and other insurances work in this manner, as well, i.e. Millennium Insurance works with other carriers to provide liability insurance coverage for the County. As consultant, Mr. Kubler made the recommendation that the County select Humana but also work with the independent broker of MSI Benefits who has fiduciary responsibility and a vested interest in administering the programs on which the County is

spending a great deal of money. There is great value in these programs at a great cost, and the goal of the County should be to maximize these plans as much as possible.

Mr. Kubler said everyone involved in the process had tried to ensure that the transition would be seamless with as little disruption as possible. The transition will be seamless as far as coverage, but there may be some adjustment in terms of physicians but those issues can be resolved.

Commissioner Flowers-Taylor understood the broker concept and felt it was vital to have someone going to bat for us. The value for this service will outweigh the cost. We will be saving money because of the reduction in premiums even with the cost of a broker. She complimented the consultant on an excellent job of handling the process and looking out for the interests of Spalding County employees. She liked the open access aspect which would negate the current requirement of going through a gatekeeper for referrals. She was very happy with the selections.

Commissioner McDaniel said from his experience with looking for an insurance carrier in his business, a broker is very helpful. Mr. Kubler stated the rates being paid today were driven by experiences in the County. All bids came in aggressively although not as much as Humana. The County's costs are driven by demographics (average employee age of 43 leads to an expectation of increased health care costs, for instance). The wellness initiative is very critical to this issue.

The pharmacy plan is very similar to the current program and better in some instances. Matt Bidwell of MSI Benefits was introduced as the recommended broker. He added that with prescription drugs, he had already suggested a review of the top 25 prescribed drugs to eliminate any disruption. That research proved beneficial as they identified there would be no disruption in providing these pharmaceuticals. A professional broker could have mitigated the increase already that has been passed along by BC/BS. The broker's responsibility is to advocate for the County. He assured commissioners that the formulary is excellent, and copays and deductibles were discussed. Mr. Bidwell will exhibit transparency in his fees and scope of service, an added bonus.

Motion and second to approve Humana as employee health care insurance provider and MSI Services as broker, by Commissioners Flowers-Taylor and McDaniel, carried 5-0.

2. Consider approval of conceptual and architectural design plan for the use of Carver Road property for a future Senior Citizen Center and Parks and Recreation Headquarters facility and authorize execution of Agreement with Manley Spangler Smith Architects for same.

Phase I will consist of the Senior Center and Parks and Recreation headquarters.

Commissioner McDaniel moved to approve the conceptual and architectural design plan for the use of Carver Road property for a future Senior Citizen Center and Parks and Recreation Headquarters facility and authorize execution of Agreement with Manley Spangler Smith Architects for same, seconded by Commissioner Phillips. Motion carried 5-0.

3. Consider approval of a new Alcohol License for 2008 – Retail Sale – Beer and Wine – for the following: Karim H. Ali, d/b/a Geraro Grocery store, which is a new business located at 1245 North Hill Street (new business license issued for this store on March 4, 2008).

Mr. Wilson advised all criteria have been met.

Motion and second by Commissioners Phillips and Freeman to approve a new Alcohol License for 2008 – Retail Sale – Beer and Wine – for the following: Karim H. Ali, d/b/a Geraro Grocery store, which is a new business located at 1245 North Hill Street (new business license issued for this store on March 4, 2008) was defeated by a vote of 2-3 with opposition by Chairman Goss and Commissioners McDaniel and Flowers-Taylor.

4. Consider approval of agreement with Tom Davidson and Sons, Inc. for utility relocation (water main) at the intersection of Pine Hill Road and SR 362.

Mr. Wilson advised Commissioner Flowers-Taylor this bid was \$43,000 lower than the next bid.

Motion and second by Commissioners McDaniel and Freeman to approve the agreement with Tom Davidson and Sons, Inc. for utility relocation (water main) at the intersection of Pine Hill Road and SR 362 in the amount of \$139,631.88 carried by a vote of 5-0.

5. Consider approval of annual Section 5311 Public Transportation Service Agreement with McIntosh Trail RDC for this Georgia Department of transportation public transportation program.

Motion and second to approve annual appropriation for Section 5311 Public Transportation Agreement in the amount of \$11,242 by Commissioners McDaniel and Freeman carried 5-0.

6. Consider request of Griffin-Spalding chamber of Commerce for \$5000 from the hotel/motel tax for the Bicycle Ride Across Georgia tourism event on June 8, 2008 to help offset expenses incurred.

Mr. Wilson advised the request meets the criteria for funding from the hotel/motel tax account.

Motion and second by Commissioners Flowers-Taylor and McDaniel to approve the request of the Griffin-Spalding Chamber of Commerce for \$5000 from the hotel/motel tax for the Bicycle Ride Across Georgia tourism event on June 8, 2008 carried by a vote of 5-0.

7. Consider amendment to Health Services Agreement between the Spalding County Correctional Institution (CI) and CorrectHealth Spalding, LLC to provide for additional medical staffing at CI.

HEALTH SERVICES AGREEMENT

THIS HEALTH SERVICES AGREEMENT between Spalding COUNTY, a political subdivision of the State of Georgia (hereinafter referred to as "COUNTY"), and CorrectHealth Spalding, LLC (hereinafter referred to as "COMPANY"), is entered into as of the 7th day of April 2008.

WITNESSETH:

WHEREAS, COUNTY is charged by law with the responsibility for obtaining and providing reasonably necessary medical care for Prisoners of the Spalding County Correctional Institute, 295 Justice Boulevard, Griffin, Georgia 30224 (hereinafter called "CI") and,

WHEREAS, COUNTY desires to provide for health care to Prisoners in accordance with applicable law; and,

WHEREAS, COUNTY which provides funding as approved by the Board of Commissioners for the CI, desires to enter into this Agreement with COMPANY to promote this objective; and,

WHEREAS, COMPANY is in the business of providing correctional healthcare services under contract and desires to provide such services for the COUNTY under the express terms and conditions thereof.

NOW THEREFORE, in consideration of the mutual covenants and promises hereinafter made, the parties hereto agree as follows:

ARTICLE I: HEALTH CARE SERVICES

1.1 **General Engagement.** COUNTY hereby contracts with COMPANY to provide for healthcare staffing, as needed, at the CI. COMPANY agrees to provide such services.

ARTICLE II: PERSONNEL

2.1 **Staffing.** COMPANY shall provide medical and support personnel, as needed, to the CI.

2.2 **Licensure, Certification and Registration of Personnel.** All personnel provided or made available by COMPANY to render services hereunder shall be licensed, certified or registered in their respective areas of expertise as required by applicable Georgia law.

2.3 **COUNTY's Satisfaction with Health Care Personnel.** If the Warden or Deputy Warden becomes dissatisfied with any health care personnel provided by COMPANY hereunder, or by any independent contractor, subcontractor or assignee, COMPANY, in recognition of the sensitive nature of correctional services, shall, following receipt of written notice from the Warden or Deputy Warden of the grounds for such dissatisfaction and in consideration of the reasons therefore, exercise its best efforts to resolve the problem. If the problem is not resolved satisfactorily to the Warden or Deputy Warden, COMPANY shall remove or shall cause any independent contractor, subcontractor, or assignee to remove the individual about whom the Sheriff has expressed dissatisfaction. Should removal of an individual become necessary, COMPANY will be allowed reasonable time, prior to removal, to find an acceptable replacement, without penalty or any prejudice to the interests of COMPANY.

2.4 **Discrimination.** During the performance of this Agreement, COMPANY, its employees, agents, subcontractors, and assignees agree as follows:

.(a) None will discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin, except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor.

.(b) In all solicitations or advertisements for employees, each will state that it is an equal opportunity employer.

.(c) Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of the section,

ARTICLE III: REPORTS AND RECORDS

3.1 **Medical Records.** COMPANY shall cause and maintain complete and accurate medical records for each Prisoner who has received health care services by COMPANY's personnel. Each medical record will be maintained in accordance with applicable laws and the COUNTY's policies and procedures. Medical records shall be kept confidential. Subject to applicable law regarding confidentiality of such records, COMPANY shall comply with Georgia law and COUNTY's policy with regard to access by Prisoners and CI staff to medical records. No information contained in the medical records shall be released by COMPANY except as provided by COUNTY's policy, by a court order, or otherwise in accordance with the applicable law. However, COUNTY shall provide COMPANY with reasonable ongoing access to all medical records even after the termination of this Agreement for the purposes of

defending and /or investigating litigation.

3.2 Prisoner Information. Subject to the applicable Georgia law, in order to assist COMPANY in providing the best possible health care services to Inmates, COUNTY will provide COMPANY with information pertaining to Inmates that COMPANY and COUNTY mutually identify as reasonable and necessary for COMPANY to adequately perform its obligations hereunder.

ARTICLE IV: SECURITY

4.1 General. COMPANY and the COUNTY understand that adequate security services are essential and necessary for the safety of the agents, employees, and subcontractors of COMPANY as well as for the security of Prisoners and COUNTY staff, consistent with the correctional setting. The COUNTY will take all reasonable steps to provide sufficient security to enable COMPANY to safely and adequately provide the health care services described in this Agreement. It is expressly understood by the COUNTY and COMPANY that the provision of security and safety for the COMPANY personnel is a continuing precondition of COMPANY's obligation to provide its services in a routine, timely, and proper fashion.

ARTICLE V: TERM AND TERMINATION OF AGREEMENT

5.1 Term. This Agreement shall commence on **April 1, 2008**. The initial term of this Agreement shall end on **May 31, 2009**. This Agreement is renewable under like terms, subject to negotiation of the service component and agreed-upon compensation adjustments, unless either party delivers written notice of non-renewal to the other party at least ninety (90) days prior to the expiration of the then-existing term.

5.2 Termination. This Agreement may be terminated as otherwise provided in this Agreement or as follows:

- (a) Termination by Agreement. In the event that each of the parties mutually agrees in writing, this Agreement may be terminated on the terms and date stipulated therein.
- (b) Termination by Cancellation. This Agreement may be canceled without cause by either party upon ninety (90) days' prior written notice in accordance with this Agreement.

ARTICLE VI: COMPENSATION

6.1 Base Compensation. COUNTY will pay COMPANY on the following hourly basis:

Personnel	Hourly Rate
Registered Nurse	\$37.44
Licensed Practical Nurse	\$25.20
Paramedic	\$21.60
Technician (EMT / MA / CNA)	\$17.28

COMPANY shall invoice COUNTY on the tenth (10th) day of the month following the month of services. COUNTY shall pay COMPANY within fifteen (15) days of the invoice.

6.2 Compensation Escalator. The compensation rates paid to COMPANY for any succeeding twelve (12) month period (after the first twelve months of the Agreement) shall be increased by the percentage increase of the Consumer Price Index (CPI), Medical Care Component (MCC) for the southern region of the United States. This CPI adjustment shall be reflected in the billing for any contract renewal period.

ARTICLE VII: LIABILITY AND RISK MANAGEMENT

7.1 Insurance. At all times during this Agreement, COMPANY shall maintain professional liability insurance covering COMPANY for its work at CI, its employees in the minimum amount of at least one million dollars (\$1,000,000) per occurrence and three million dollars (\$3,000,000) in the aggregate. In the event that coverage changes, COMPANY will notify COUNTY in writing. COMPANY will also notify COUNTY, in writing, of any reduction in policy amounts or cancellation of insurance coverage if the new limits fall below the limits agreed to with the COUNTY. COMPANY shall make available upon request a Certificate of Insurance evidencing the above policy levels and shall name COUNTY as an additional insured.

7.2 COMPANY shall indemnify, defend and hold COUNTY harmless from and against any claims against COUNTY based on COMPANY's performance of its obligations hereunder; provided, however, that COMPANY will not be responsible for any claim arising out of COUNTY's or its employee or agent preventing an Prisoner from receiving medical care ordered by COMPANY or its agent in promptly presenting as ill or injured Prisoner to COMPANY for treatment.

ARTICLE XIII: MISCELLANEOUS

8.1 Independent Contractor Status. The parties acknowledge that COMPANY is an independent contractor engaged to provide medical care to Inmates at the CI under the direction of COMPANY management. Nothing in this Agreement is intended nor shall be construed to create an agency relationship, an employer - employee relationship, or a joint venture relationship between the parties.

8.2 Notice. Unless otherwise provided herein, all notices or other communications required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered personally in hand or sent by certified mail, return receipt requested, postage prepaid, and addressed to the appropriate party at the following address or to the other person at any other address as may be designated in writing by the parties:

COUNTY: Spalding County Board of Commissioners Attn: County Manager
P. O. Box 1087
Griffin, GA 30224

COMPANY: CorrectHealth Spalding, LLC
ATTN: Carlo A. Musso, M.D.
9020 Peridot Parkway
Stockbridge, GA 30281

Notices shall be effective upon receipt regardless of the form used.

8.3 Entire Agreement. This Agreement constitutes the entire agreement of the parties and is intended as a complete and exclusive statement of the promises, representations, negotiations, discussions and agreements that have been made in connection with the subject matter hereof. No modifications or amendment to this Agreement shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto. All prior negotiations, agreements and understandings with respect to the subject matter of this Agreement are superseded hereby.

8.4 Amendment. This Agreement may be amended or revised only in writing and signed by all parties.

8.5 Waiver of Breach. The waiver by either party of a breach or violation of any provision of this Agreement shall not operate as, or be construed to be, a waiver of any subsequent breach of the same or other provision hereof.

8.6 Other Contracts and Third-Party Beneficiaries. The parties acknowledge that COMPANY is neither bound by nor aware of any other existing contracts to which COUNTY is a party and which relate to the providing of medical care to Prisoners at the CI. The parties agree that they have not entered into this Agreement for the benefit of any third person or persons, and it is their express intention that the Agreement is intended to be for their respective benefit only and not for the benefit of others who might otherwise be deemed to constitute third-party beneficiaries hereof.

8.7 Severability. In the event any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement which shall remain in full force and effect and enforceable in accordance with its terms.

8.8 Cooperation. On and after the date of this Agreement, each party shall, at the request of the other, make, execute and deliver or obtain and deliver all instruments and documents and shall do or cause to be done all such other things which either party may reasonable require to effectuate the provisions and intentions of this Agreement.

8.9 Time of Essence. Time is and shall be of the essence of this Agreement.

8.10 Authority. The parties signing this Agreement hereby state that they have the authority to bind the entity on whose behalf they are signing.

8.11 Binding Effect. This Agreement shall be binding upon the parties hereto, their heirs, administrators, executors, successors and assigns.

8.12 Cumulative Powers. Except as expressly limited by the terms of this Agreement, all rights, power and privileges conferred hereunder shall be cumulative and not restrictive of those provided at law or in equity.

END OF AGREEMENT

SIGNATURES CONTAINED ON NEXT PAGE

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, by and through their duly authorized officers, the day, month and year given below.

SPALDING COUNTY ("COUNTY")

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Motion and second by Commissioners Flowers-Taylor and Freeman to approve the amendment to Health Services Agreement between the Spalding County CI and CorrectHealth Spalding, LLC

to provide for additional medical staffing with the condition that paragraph section 7.2 regarding indemnity under Article VII, Liability and Risk Management be deleted, carried 5-0.

8. Consider approval of Master Services Agreement with Paragon Consulting Group, Inc. to provide for professional engineering and consulting services.

Mr. Wilson advised this is a continuation of the agreement with Paragon to provide services on an as-needed basis. This firm is used by Community Development, Administration and other departments for engineering issues. *Motion and second by Commissioners McDaniel and Freeman to approve the Master Services Agreement with Paragon Consulting Group, Inc. to provide engineering and consulting services carried 5-0.*

9. Consider recommendation of Parks & Recreation Advisory Commission to amend previous ruling to allow youth associations to play travel ball throughout the season instead of only after the regular season has completed, limiting to ten (10) tournaments with all other requirements remaining.

Commissioner Phillips moved to approve the recommendation of Parks & Recreation Advisory Commission to amend previous ruling to allow youth associations to play travel ball throughout the season instead of only after the regular season has completed, limiting to ten (10) tournaments with all other requirements remaining, seconded by Commissioner McDaniel. Motion carried 5-0.

10. Consider recommendations of the Parks & Recreation Advisory commission to allow use of park facilities for the following: a) Citywide Community Development Initiative/City Police Department for use of City Park gym, grounds, and audio for June 7, 2008 for Heritage Festival; b) Christian Ministries hospital for a mobile concession at Dundee Park for the softball season; and c) Spalding High School Athletic Department for the 6th Annual Diamond Classic for 12 softball teams on August 15-16, 2008 at Volunteer Park.

Motion and second by Commissioners McDaniel and Phillips to approve recommendations of the Parks & Recreation Advisory commission to allow use of park facilities for the following: a) Citywide Community Development Initiative/City Police Department for use of City Park gym, grounds, and audio for June 7, 2008 for Heritage Festival; b) Christian Ministries hospital for a mobile concession at Dundee Park for the softball season; and c) Spalding High School Athletic Department for the 6th Annual Diamond Classic for 12 softball teams on August 15-16, 2008 at Volunteer Park carried by a unanimous 5-0 vote.

11. Provide clarification to rule relative to placing signs composed of mesh at all ball fields that was implemented at the January 22, 2002 Board of Commissioners meeting in response to recommendation from Parks & Recreation Advisory Commission.

Louis Greene, Parks and Recreation Director, advised this rule was adopted in 2002 and at that point in time the only places where signs were placed was baseball fields; that is the reason the rule states baseball fields rather than ball fields. Soccer never sold such signs and neither has basketball. Softball only recently began selling the signs as a means of raising funds. Mr. Greene suggested that commissioners stay with the mesh requirement but clarify this applies to all ball field and provide for an effective date of August 1, 2008. This will allow softball to complete the season with the signs they have already purchased. This will ensure that signage is consistent throughout our parks and with many surrounding ball parks. A standardized look for all signs makes enforcement easier and the mesh provides for wind to flow through rather than catching the wind and pulling on fencing. Commissioner Flowers-Taylor felt it was not necessary to mandate the style of banner they could place on the fencing.

Motion and second to clarify the previous ruling by stating that the rule does, in fact, pertain to all ball fields with an effective date of August 1, 2008 by Commissioners Phillips and McDaniel carried by a vote of 4-1 with Commissioners Flowers-Taylor opposing.

12. Consider approval and certification of Action Ministries, Inc. to Georgia Department of Community Affairs for Transitional Housing: Leasing, Operational, and Supportive Services for homeless families in Spalding County.

Motion to deny certification of Action Ministries, Inc. to Georgia Department of Community Affairs for Transitional Housing: Leasing, Operational, and Supportive Services for homeless families in Spalding County by Commissioners Phillips and Flowers-Taylor carried 5-0.

13. Consider board appointments for the following: a) McIntosh Trail CSB for the unexpired term of Dennis Scott set to expire 06-30-11; b) Keep Griffin-Spalding Beautiful to replace Marvin Tackett whose term expired 12-31-07 for a term to expire 12-31-09; c) Spalding County Water & Sewerage Facilities Authority for the unexpired term of Haskell Sears-Ward set to expire 12-31-13; and d) Region One MHDDAD Planning Board to replace Paul Van Haute whose term is set to expire 6-30-08 for a new term set to expire 6-30-11.

Motion and second to table the McIntosh Trail CSB appointment to fill the unexpired term of Dennis Scott by Commissioners Flowers-Taylor and McDaniel carried by a 5-0 vote.

Motion and second to appoint Tim Crane to the Keep Griffin-Spalding Beautiful Committee for a term to expire 12-31-09 by Commissioners Flowers-Taylor and Phillips carried 5-0.

For the Spalding County Water & Sewerage Facilities Authority appointment for the unexpired term of Haskell Sears-Ward set to expire 12-31-13, Marcia Collins was nominated by Commissioner Freeman and Johnny Goodrum was submitted by Commissioner Flowers-Taylor. Johnny Goodrum was appointed by a vote of 3-2 with Commissioners Freeman and McDaniel opposing.

Motion and second to reappoint Paul Van Haute for a new term to the Region One MHDDAD Planning Board set to expire 6-30-11 by Commissioner Flowers-Taylor and Chairman Goss carried by a vote of 5-0.

14. Consider approval of Resolution of Support for the McIntosh Trail Scenic Byway with full endorsement of the Designation Application for same by the McIntosh Trail Historic Preservation Society.

Commissioner Freeman said he as a strong proponent of the McIntosh Trail Scenic Byway. Joe Harrell and Nancy Burkes Cook presented notes in support of this endorsement to the Board. This is a heritage project for Ringgold Community to link Indian Springs to Whitesburg. Chief William McIntosh was murdered in Whitesburg for allowing a takeover of the area by whites. The areas of Whitesburg and Indian Springs are being revitalized, and there is a need to fill in all the area between the two cities. This is a wonderful vehicle with which to accomplish this task. So much history has been lost and we need to act now to preserve.

**RESOLUTION
of Support for the McIntosh Trail Scenic Byway**

WHEREAS, the Spalding County Board of Commissioners has identified a route which contains significant scenic, natural, historic, cultural, archaeological and recreational qualities; and

WHEREAS, the Spalding County Board of Commissioners is seeking to gain “Georgia Scenic Byway” designation for the route from the Georgia Department of Transportation; and

WHEREAS, the Spalding County Board of Commissioners has been advised on details of the Georgia Scenic Byways Program, this proposed byway, and the benefits of designation; and

WHEREAS, designation of this route will support the objectives of this body to protect, promote, enhance, and interpret the outstanding intrinsic qualities of Spalding County, Georgia; and

WHEREAS, the Georgia Scenic Byways Program is a tool to promote positive public relations, encourage tourism and advance responsible development, bringing positive economic benefits and opportunities to this community.

NOW THEREFORE BE IT RESOLVED, that the Spalding County Board of Commissioners, having met and considered the matter in open session on April 7, 2008, hereby fully endorses the Designation Application for the proposed McIntosh Trail Scenic Byway.

FURTHER, the Spalding County Board of Commissioners, in its endorsement of this application, acknowledges with appreciation the efforts of the McIntosh Trail Historic Preservation Society, Inc., in undertaking this project and will support the completion of the designation process.

Approved this, the seventh day of April in the year of our Lord two thousand and eight.

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Motion and second by Commissioners McDaniel and Freeman to approve the Resolution of Support for the McIntosh Trail Scenic Byway with full endorsement of the Designation Application for same by the McIntosh Trail Historic Preservation Society carried 4-0 with Commissioner Flowers-Taylor absent from the room.

15. Consider resolutions for Section 5307 FTA Urbanized Area Formula Funds for Atlanta Regional Commission (ARC) and for section 5340 FTA Urbanized Area Apportionment for ARC.

**RESOLUTION
By the Atlanta Regional Commission
For Allocating and Programming of
FTA Urbanized Area Formula Funds (Section 5307)**

WHEREAS, the Atlanta Regional Commission is the designated Metropolitan Planning Organization (MPO) for transportation planning within the Atlanta Metropolitan Area Boundary; and

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority (MARTA) is the designated recipient of Federal Transit Administration's urbanized area formula funds; and

WHEREAS, the Commission is required to prepare and endorse a Transportation Improvement Program (TIP) which includes transit projects to be funded with Federal Section 5307 formula grants; and

WHEREAS, the Federal Transit Administration (FTA) pursuant to FTA C9030.1C and subsequent revisions, Chapter IV, Section 8 (Subarea Allocation) gives responsibility to local officials, operating through the MPO, and the designated recipient to determine a fair and rational policy for the allocation and programming of Section 5307 funds; and

WHEREAS, a Transit Operators Subcommittee (TOS) of the Transportation Coordinating Committee (TCC) was formed in 1998 to discuss, evaluate and coordinate regional transit issues for presentation to the TCC and incorporation into the regional transportation planning process; and

WHEREAS, the TOS did develop and propose a revised Atlanta Regional Policy for Allocation and Programming of FTA Section 5307 Urbanized Area Formula Funds.

NOW, THEREFORE BE IT RESOLVED that the Atlanta Regional Commission finds the attached policy entitled, "Atlanta Region Policy for Allocation and Programming of FTA Section 5307 Urbanized Area Formula Funds" to be fair and rational and in support of the Regional Transportation Plan (RTP) objectives to operate the existing transit systems to the maximum extent feasible and to expand and provide coordinated and integrated transit service throughout the Atlanta Region; and

BE IT FURTHER RESOLVED that the resolution adopted April 28, 1999, titled "Resolution by the Atlanta Regional Commission Adopting a Policy for Allocation and Programming of FTA Urbanized Area Formula Funds (Section 5307)" is repealed, and the Commission adopts the attached policy for allocation and programming of Section 5307 funds beginning in Federal Fiscal Year 2003; and

BE IT FURTHER RESOLVED that the attached policy is hereby included and used in development of the Regional Transportation Plan and transportation Improvement Program.

**Atlanta Region Policy
For the Allocation and Programming of
FTA Section 5307 Urbanized Area Formula Funds**

STATEMENT OF FACT

The Metropolitan Atlanta rapid Transit Authority (MARTA), as the Designated Recipient, in partnership with the Atlanta Regional Commission (ARC), administers the Federal Transit Administration (FTA) Urbanized Area Formula (Section 5307) funds allocated to the Atlanta Urbanized Area. All Section 5307 formula funds must be sub-allocated to eligible recipients according to FTA guidelines and in accordance with the Atlanta regional planning process and the development of the Transportation Improvement Program (TIP). During the fiscal year, eligible projects consistent with the Regional Transportation Plan (RTP) and within the limits of local allocations will be considered as additions to the TIP through the regional transportation planning process.

The following policy has been developed "fairly and rationally through a process agreeable to the Designated Recipient" in accordance with FTA Circular 9030.1C Chapter IV, 8. SUBAREA ALLOCATION.

STATEMENT OF POLICY

One-half of one percent (0.5%) of the amount of the total annual allocation of Section 5307 funds for the Atlanta Urbanized Area (UZA) shall be reserved for regional transit planning projects. As the federally designated Metropolitan Planning Organization (MPO) for the Atlanta region, ARC will assume the responsibility for the coordination and/or implementation of these projects in accordance with FTA guidelines.

The remaining 99.5% of the annual allocation of Section 5307 funds shall be sub-allocated to MARTA, and other transit operators and counties within the Atlanta UZA. The sub-allocation for the Atlanta UZA is determined by applying the FTA's national apportionment formula as defined by TEA-21. This formula takes into account Population, Population Density, Revenue Vehicle Miles, Fixed Guideway Route Miles and the Ratio of Passenger Miles multiplied Passenger Miles to Operating Costs. The sub-allocation will employ the most recent U.S. Census population estimates for the Urbanized Area and the FTA approved National Transit Database (NTD) service measures which were used to determine the national apportionments. With the exception of Fulton and DeKalb counties, the portion of the refunds that is allocated on the basis of population/population density will accrue to county governments. The portion of

the funds allocated on the basis of population/population density for Fulton and DeKalb counties will be allocated directly to MARTA. The portion of the funds that is allocated on the basis of service measures will accrue to the entity which reports those measures to the NTD.

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RESOLUTION
By the Atlanta Regional Commission for Allocating and Programming of
FTA Section 5340 Urbanized Area Apportionment

WHEREAS, the Atlanta Regional Commission is the designated Metropolitan Planning Organization (MPO) for transportation planning within the Atlanta Metropolitan Area Boundary; and

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority (MARTA) is the designated recipient of Federal Transit Administration's urbanized area formula funds; and

WHEREAS, the Commission is required to prepare and endorse a Transportation Improvement Program (TIP) which includes transit projects to be funded with Federal Section 5340 formula grants; and

WHEREAS, the Federal Transit Administration (FTA) pursuant to FTA C9030.1C and subsequent revisions, Chapter IV, Section 8 (Subarea Allocation) gives responsibility to local officials, operating through the MPO, and the designated recipient to determine a fair and rational policy for the allocation and programming of urbanized area formula funds; and

WHEREAS, a Transit Operators Subcommittee (TOS) of the Transportation Coordinating Committee (TCC) was formed in 1998 to discuss, evaluate and coordinate regional transit issues for presentation to the TCC and incorporation into the regional transportation planning process; and

WHEREAS, the TOS developed and proposed a process for the Allocation and Programming of FTA Section 5340 Funds, as shown in Exhibit 1 and in January 2006, ARC endorsed creation of a Transit Planning Board.

NOW, THEREFORE BE IT RESOLVED that the Atlanta Regional Commission agrees that 25% of the regional apportionment of section 5340 funds for fiscal years 2008 and 2009 will be set aside for use by the Transit Planning Board (TPB); and

BE IT FURTHER RESOLVED that before the Transit Planning Board is allocated these funds in each fiscal year, it will produce a budget for review by the Atlanta Regional Commission, the Metropolitan Atlanta Rapid Transit Authority, and the Georgia Regional Transportation Authority; and

BE IT FURTHER RESOLVED that first priority for use of any residual funds from the Transit Planning Board's 25% apportionment of 5340 funds for the relevant fiscal year will be regional service coordination projects, identified by consensus of the Service Coordination Committee of the Transit Planning Board (or its successor) and subject to agreement by the Transit Operators Subcommittee; and

BE IT FURTHER RESOLVED that in the event no consensus can be reached on regional service coordination projects to be implemented using the aforementioned residual funds, said funds shall be reapportioned to eligible recipients in accordance with the population based aspect of the Section 5307 formula based allocation methodology adopted by the Atlanta Regional Commission on January 22, 2003, as shown in Exhibit 1; and

BE IT FURTHER RESOLVED that the remaining 75% of the regional apportionment of Section 5340 funds in fiscal years 2008 and 2009 will be distributed to eligible recipients in accordance with the population based aspect of the Section 5307 formula based allocation methodology adopted by the Atlanta Regional Commission on January 22, 2003, as shown in Exhibit 1; and

BE IT FURTHER RESOLVED that the Transit Operators Subcommittee will reevaluate the methodology for the distribution of Section 5340 before it is necessary to allocate and program fiscal year 2010 monies.

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Motion and second to approve resolutions for Section 5307 FTA Urbanized Area Formula Funds for Atlanta Regional Commission (ARC) and for section 5340 FTA Urbanized Area

Apportionment for ARC by Commissioners Freeman and McDaniel carried by a vote of 4-0 with Commissioner Flowers-Taylor absent from the room.

16. Consider request of Laura Longworth to film a documentary, *The People v. Leo Frank*, at the old Spalding County Jail (currently Cooperative Extension Service office) for 4-5 days in May 2008.

Motion and second by Commissioners Phillips and Freeman to approve the request of Laura Longworth to film a documentary, The People v. Leo Frank, at the old Spalding County Jail (currently Cooperative Extension Service office) for 4-5 days in May 2008 by a vote of 4-0 with Commissioner Flowers-Taylor absent from the room.

17. Consider, on first reading, Ordinance #2008-06 traffic Regulation, to amend Part VII, Chapter 1, by adding section 7-1012, to provide for speed limits in subdivisions.

Motion and second to approve on first reading, Ordinance #2008-06 traffic Regulation, to amend Part VII, chapter 1, by adding section 7-1012, to provide for speed limits in subdivisions by Commissioners McDaniel and Freeman carried by a vote of 5-0.

18. Set date and time for a meeting with Spalding County municipalities to discuss 2008 SPLOST funds.

After some discussion, the Board of Commissioners elected to set a date and time of April 24 at 4 p.m. to schedule a meeting with cities regarding the 2008 SPLOST.

19. Commissioner Freeman would like to discuss signalization of the Old Atlanta/East McIntosh Road intersection.

Motion and second to postpone the discussion indefinitely until further study can be completed by Commissioners Freeman and Phillips carried by a vote of 5-0.

20. Commissioner Gwen Flowers-Taylor would like to discuss alcoholic beverage license requirements.

Commissioner Flowers-Taylor advised she was concerned about the differentiation between requirements for distilled spirits, liquor, and that for beer and wine with regard to proximity of a church. Mr. Fortune stated he could draft amendments to put the requirements back the way they were previously which was more consistent, but exclude existing instances of compliance. He will present the amendment at a later date.

XII. REPORT OF COUNTY MANAGER

- The meeting with Parks and Recreation Advisory Commission will take place on Tuesday, May 6 at 6 p.m. at Wyomia Tyus Olympic Park.
- The joint City/County blood drive recently had 64 presenting with 51 units donated.
- The MVR driver standards have been in use since April 1, 2008.
- Copies of an email from City Manager Kenny Smith regarding leases for City Park have been distributed to commissioners, and Louis Greene is developing figures to compare costs.

XIII. REPORT OF COMMISSIONERS

Freeman

One issue that needs to be discussed at the May 6 meeting with the Parks and Recreation Advisory Commission is the scope of duties that are delegated and how that may need to be adjusted.

Flowers-Taylor

She commended commissioners for accepting the health insurance recommendations that will guarantee adequate, affordable and available health care to county employees.

Phillips

He, too, felt that a broker could have saved the County much money previously and was pleased the Board agreed with this recommendation. He also felt the decision to deny Mr. Ali his alcohol license was ill-advised and he wished the Board would reconsider.

McDaniel

He noted that in the Georgia Trend Economic Yearbook Edition, a slow but steady growth in Spalding County has been documented with a median income increase of about \$5000. Additionally, he also felt the Board had been duped again in approving a zoning commercial use with outside storage because now the most recent approval is, in fact, a car lot. Mr. Wilson stated he will send Code Enforcement to ensure they are abiding by the law, to the letter.

Goss

He thanked staff and consultants for their hard work on the insurance issues. Both recommendations, he felt, were good.

XIV. ADJOURNMENT

Motion and second to adjourn at 10:35 p.m. by Commissioners McDaniel and Phillips carried 5-0.

Chairman

County Clerk

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