

## EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, August 18, 2008 beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Eddie Freeman, Gwen Flowers-Taylor, Johnie McDaniel and David Phillips present. Also present were County Manager William P. Wilson, Jr., County Attorney James R. Fortune, Jr., Administrative Services Director Jinna L. Garrison and Executive Secretary Teresa Watson.

- I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.**
- II. INVOCATION – Ms. Teresa Watson**
- III. PLEDGE TO FLAG – Led by James R. Fortune, Jr.**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

1. Consider Proclamation declaring the week of September 17-23, 2008 as Constitution Week.

*Motion to approve Proclamation declaring the week of September 17-23, 2008 as Constitution Week by Commissioner McDaniel, seconded by Commissioner Freeman, carried 5-0.*

### Proclamation Declaring Constitution Week

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

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

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

**WHEREAS,** The two hundred twenty-first commemoration of the drafting of the Constitution of the United States of America by the Constitutional Convention on September 17, 1787 provides an historic opportunity for all Americans to learn about and to reflect upon the rights and privileges of citizenship and its responsibilities; and

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

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

**NOW THEREFORE,** We, the Board of Commissioners of Spalding County, join our state and nation in hereby proclaiming the week of September 17 through 23 as Constitution Week, and we invite every citizen and institution to join in the national commemoration, reaffirming the ideals of the framers of the Constitution by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties and remembering that lost rights may never be regained.

**IN WITNESS THEREOF,** be it now resolved that we, the Spalding County Board of Commissioners do hereby declare that a copy of this proclamation be spread upon the minutes of the proceedings of this Board, reflecting that I have hereunto set my hand and caused the seal of Spalding County, Georgia to be affixed declaring the week of the September seventeenth through twenty-third, in the year of our Lord two thousand and eight, as **Constitution Week. This, the eighteenth day of August 2008.**

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2. Recognize with a letter of commendation the efforts of Davis Callaway, of Boy Scout Troop 77, for his work on setting up Ernie's Trail, the newly-created nature trail and interpretive education area at Wyomia Tyus Olympic Park.

### **Commendation**

Spalding County is proud to recognize the efforts of Davis Callaway, a fourteen-year-old Scout with Boy Scout Troop 77. Sponsored by VFW Post #5448, Davis took on a great challenge recently in an effort to earn his Eagle Badge.

On July 10, 2008 Spalding County Parks and Recreation dedicated the newly-created Ernie's Trail, a nature trail and natural interpretive education area at Wyomia Tyus Olympic Park off Cowan Road. This trail, with its natural beauty and areas teeming with both flora and fauna, has proven to be invaluable as a peaceful respite where one can enjoy the beauty of the surroundings and a classroom setting where our youth can learn of, and develop an appreciation for, our natural environment.

The success of Ernie's Trail is due to a collective effort on the part of many people, and one of those largely responsible for the creativity and innovation of the trail is Davis Callaway. Along the trail there are many learning stations and classroom settings that utilize signage that educates and demonstrates each particular site's treasures. Davis directed the creation of the many frames along the way, and did all the research and narratives that are included in the sign sites. Some examples of his handiwork at the trail stations include: bluebird houses, wildlife planting, water quality, and primitive forms of erosion control.

The Spalding County Board of Commissioners and Parks and Recreation are pleased to offer this official commendation to Davis Callaway, along with our sincere appreciation for his excellent work on Ernie's Trail. The Boy Scouts of America instills a sense of pride, preparedness and professionalism in our youth, and Davis is a fine example of the many ways that Scouting serves to grow and mature our youth. Davis Callaway epitomizes that process of attaining knowledge, developing life skills and forming lifelong attitudes with a maturity that belies his young years, and Spalding County is the proud recipient of his hard work on this community project. We appreciate Davis and the passion he demonstrated while working on Ernie's Trail and yes it did, in fact, earn him his Eagle Badge.

Presented this, the eighteenth day of August 2008.

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 Chairman Goss read and presented the letter of commendation to Davis Callaway.

### **V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of Financial Statements for the One Month Ended July 31, 2008.

*Motion to approve financial statements for the period ended July 31, 2008, by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.*

### **VI. CITIZENS COMMENTS – No Requests.**

### **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 meeting.

Jewel Walker Harps, 103 McEthel Drive, Griffin, Georgia

As President of the Griffin Chapter of the NAACP, she read a prepared statement with a special request to have the Board reconsider the application of Ms. Martha Cheeves for a personal care home which was denied at the June Zoning Public Hearing. Should the Board not desire to revisit the issue, Ms. Harps advised they would pursue the matter further through legal avenues, if necessary.

### **VIII. MINUTES**

1. Consider approving the following Minutes: July 21, 2008 Special Called Meeting; July 21, 2008 Extraordinary Session; July 24, 2008 Special Called Meeting; July 24, 2008 Zoning Public Hearing; and the July 29, 2008 Special Called Meeting.

*Motion/second to approve the July 21, 2008 Special Called Meeting and the July 21, 2008 Extraordinary Session, by Commissioners Phillips and Flowers-Taylor, carried 5-0.*

*Motion/second to approve the July 24, Special Called Meeting, the July 24, 2008 Zoning Public Hearing and the July 29, 2008 Special Called Meeting by Commissioners McDaniel and Freeman carried by a vote of 4-0-1 with Commissioner Flowers-Taylor abstaining as she was absent.*

**IX. CONSENT AGENDA**

1. Consider, on second reading, Ordinance #2008-10 to Amend Part VII, Motor Vehicles and Traffic, Section 7-1004 to provide for No Parking Zones on either side of Barrow Road from Arthur K. Bolton Parkway to Rehoboth Road.

SPALDING COUNTY, GEORGIA  
NO PARKING ZONE  
ORDINANCE NO. 2008-10

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 adding new paragraph (44) to read as follows:

*“(44) Barrow Road. Upon any portion of the roadway or public right-of-way of Barrow Road from Arthur K. Bolton Parkway to Rehoboth Road.”*

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

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

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

**X. OLD BUSINESS**

1. Consider second reading of Amendment to the Official Zoning Map of the following:  
-Application #08-06Z: Griffin Motor Company Enterprises, Owner – 3418 North Expressway – 1 acre = C-1 to C-1B, Conditional.

APPLICATION FOR GRIFFIN MOTOR COMPANY ENTERPRISES  
FOR REZONING CERTAIN PROPERTY  
LOCATED WITHIN SPALDING COUNTY, GEORGIA;  
REZONING APPLICATION #08-06Z

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;”

WHEREAS, Griffin Motor Company Enterprises, 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 April 22, 2008;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on July 24, 2008, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

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

All that tract or parcel of land lying and being in Land Lot 105 of the 3<sup>rd</sup> Land District, Spalding County, Georgia and being more particularly described as follows:

Commencing at a point along the northeast right-of-way of US Route No. 19/41, said point being the TRUE POINT OF BEGINNING. From said TRUE POINT OF BEGINNING, run along said right-of-way North 20 degrees 35 minutes 01 seconds West, a distance of 112.32 feet to a point; thence leaving said right-of-way run South 89 degrees 46 minutes 06 seconds East, a distance of 436.97 feet to a point; thence run South 00 degrees 52 minutes West, a distance of 105.00 feet to a point; thence North 89 degrees 46 minutes 06 seconds West, a distance of 395.89 feet, back to the TRUE POINT OF BEGINNING.

Said tract containing 1.00 acre more or less.

From “C-1, Highway Commercial” 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. A front yard setback variance shall be applied for and approved.
- b. Combine the two one-acre tracts into one two-acre tract.
- c. A planted vegetative buffer shall be provided along the rear property line..

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 August 18, 2008, 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 certain tract or parcel of land lying and being in Land Lot 105 of the 3<sup>rd</sup> Land District, Spalding County, Georgia, containing 1 acre, 3418 North Expressway, 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.

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-Application #08-06AZ: Griffin Motor Company Enterprises, Owner – 3420 North Expressway – 1 acre – C-1 to C-1B, Conditional.

APPLICATION FOR GRIFFIN MOTOR COMPANY ENTERPRISES  
FOR REZONING CERTAIN PROPERTY  
LOCATED WITHIN SPALDING COUNTY, GEORGIA;  
REZONING APPLICATION #08-06AZ

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;”

WHEREAS, Griffin Motor Company Enterprises, 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 May 7, 2008;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on July 24, 2008, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

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

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

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

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

All that tract or parcel of land lying and being in Land Lot 105 of the 3<sup>rd</sup> Land District, Spalding County, Georgia and being more particularly described as follows:

Commencing at a point along the northeast right-of-way of US Route No. 19/41, said point being the TRUE POINT OF BEGINNING. From said TRUE POINT OF BEGINNING, run along said right-of-way North 20 degrees 35 minutes 01 seconds West, a distance of 102.34 feet to a point; thence leaving said right-of-way run South 89 degrees 46 minutes 06 seconds East, a distance of 474.4 feet to a point; thence run South 00 degrees 52 minutes West, a distance of 95.67 feet to a point; thence North 89 degrees 46 minutes 06 seconds West, a distance of 439.67 feet, back to the TRUE POINT OF BEGINNING.

Said tract containing 1.00 acre more or less.

From "C-1, Highway Commercial" 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. A front yard setback variance shall be applied for and approved.
- b. Combine the two one-acre tracts into one two-acre tract.
- c. A planted vegetative buffer shall be provided along the rear property line..

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 August 18, 2008, 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 certain tract or parcel of land lying and being in Land Lot 105 of the 3<sup>rd</sup> Land District, Spalding County, Georgia, containing 1 acre, 3420 North Expressway, 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.

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*Motion/second to approve, on second reading, Applications #08-06Z and #08-06ZA by Commissioners Phillips and Freeman, carried by a vote of 5-0.*

**XI. NEW BUSINESS**

1. Consider approval of request of Zanina Berry for outside amplification permit for backyard wedding reception at 201 Hammerhawk Road, Griffin, Georgia on Saturday, September 27, 2008 from 6 to 11 p.m.

*Motion to approve request of Zanina Berry for outside amplification permit for backyard wedding reception at 201 Hammerhawk Road, Griffin, on Saturday, September 27, 2008 from 6 to 11 p.m. by Commissioner Flowers-Taylor, seconded by Commissioner Phillips, carried 5-0.*

2. 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 2008 Capital Improvements Element (CIE) and Short Term Work Program (STWP) and incorporate these changes into the Spalding County 2025 Comprehensive Plan on this, the eighteenth day of August, 2008.

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

3. Consider Moratorium on receipt, acceptance, consideration and approval of any request to change the Future Land Use Map to or from the Village Node (VN) classification and the receipt, acceptance, consideration and approval of any application seeking a business license, zoning action or building permit application seeking a rezoning to the Village Node (VN) Zoning District within Spalding County to commence August 19, 2008 and terminate December 31, 2008.

Mr. Chuck Taylor, Community Development Director, advised the Village Node Moratorium had expired and this allows for extension of the moratorium. This Moratorium includes two exceptions: Rover-Zetella Village Node (identified as property #1) and Sun City Village Node (identified as property #2). Mr. Taylor provided an overview of the village node process to date for the County.

RESOLUTION TO REENACT A MORATORIUM ON THE  
RECEIPT, ACCEPTANCE, CONSIDERATION AND APPROVAL  
OF ANY REQUEST TO CHANGE THE FUTURE LAND USE MAP TO OR FROM  
THE VILLAGE NODE (VN) CLASSIFICATION  
AND THE RECEIPT, ACCEPTANCE, CONSIDERATION AND APPROVAL  
OF ANY APPLICATION SEEKING REZONING TO THE  
VILLAGE NODE (VN) ZONING DISTRICT  
WITHIN 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, Spalding County desires to increase the standards of amenities and construction for developments proposed to be located in the Village Node (VN) Zoning District within Spalding County;

WHEREAS, Spalding County desires to implement more detailed and appropriate planning procedures and criteria which will govern the location and placement of residential

developments and/or commercial development in the Village Node (VN) Zoning District within Spalding County in conjunction with its comprehensive plan;

WHEREAS, Spalding County desires to briefly control and restrict residential development and commercial development in the Village Node (VN) Zoning District until such time as it may consider, implement and adopt Zoning Ordinance text amendments required to carry out its goals, stated above;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that a moratorium restricting certain development pertinent to the Village Node (VN) Zoning District shall be enacted, as follows:

Section 1: Enactment of a Moratorium on Changes to Future Land Use Map: The Board of Commissioners of Spalding County, Georgia hereby enacts and directs any and all applicable personnel and agencies of Spalding County, Georgia to enforce a moratorium on receipt, acceptance, consideration and approval of any application seeking to change the designation of any real property either into or from "Village Node" as shown on the Future Land Use Map (FLUM).

Section 2: Enactment of a Moratorium on Rezoning Applications: The Board of Commissioners of Spalding County, Georgia hereby enacts and directs any and all applicable personnel and agencies of Spalding County, Georgia to enforce a moratorium on the receipt, acceptance, consideration and approval of any Rezoning Application and real property to be rezoned to Article 17A. "Village Node District", Zoning Ordinance Section 1701A, et. seq. pursuant to Section 414 of the Zoning Ordinance of Spalding County.

Section 3: Impact on Other Development Ordinances. The provisions of this resolution shall not restrict or prohibit any other development of any real property except that specifically stated herein.

Section 4: Effective Date and Duration. The provisions of this Resolution and the effects of the moratorium set forth herein shall commence on Tuesday, August 19, 2008 at 12:00 a.m. or upon its passage and adoption, whichever shall later occur and shall terminate on Wednesday, December 31, 2008 at 11:59 p.m., unless extended by the Board of Commissioners of Spalding County, Georgia.

Section 5: Exemptions and Exceptions: The Board of Commissioners finds that the terms and conditions of this moratorium create a substantial hardship on the owners of certain real property, with the result that this moratorium shall not apply to the following described properties and proposed development thereon:

Property 1:

Property owned by Nancy J. McCallum, Quitclaim Deed recorded at Book 2770, Page 23, Clerk of Superior Court of Spalding County, Georgia, as follows:

All that tract and parcel of land lying and being in land lot 43 of the 2<sup>nd</sup> land district of Spalding County (originally Monroe County), Georgia, and more particularly described as follows:

Commencing at the existing intersection of the Easterly R/W of Rover-Zetella Rd., and the Northerly R/W of Williamson Road, this point being THE POINT OF BEGINNING (P.O.B.).

FROM THE POINT OF BEGINNING:

Thence N 38 degrees 59'49"W a distance of 8.48' to a point;  
Thence N 39 degrees 46'25"W a distance of 81.19' to a point;  
Thence N 52 degrees 32'35"W a distance of 56.37' to a point;  
Thence N 00 degrees 01'06"W a distance of 223.39' to a point;  
Thence N 54 degrees 24'34"E a distance of 242.91' to a point;  
Thence S 35 degrees 35'26"E a distance of 325.06' to a point;  
Thence S 54 degrees 24'26"W a distance of 282.05' to a point;  
Thence S 54 degrees 25'07"W a distance of 67.95' to THE POINT OF BEGINNING  
Containing 2.46 acres.

Property 2:

All that tract or parcel of land lying and being in Land Lot 168 of the 3<sup>rd</sup> Land District of Spalding County, Georgia, and being more particularly described as follows:

COMMENCING at a point where the right-of-ways intersect on the West side of Jordan Hill Road, and the South side of Baptist Camp Road, the same being the

Northeast corner of the herein described parcel and the POINT OF BEGINNING;  
 thence South 00°30'00" West a distance of 350 feet to an iron pin;  
 Thence South 00°20'32" West a distance of 350 feet to an iron pin;  
 Thence South 00°34'49" West a distance of 201.25 feet to a one inch open top pipe;  
 Thence South 00°11'14" West a distance of 417.10 feet to an iron pin;  
 Thence South 00°16'01" East a distance of 415.94 feet to an iron pin;  
 Thence South 00°20'36" East a distance of 84.39 feet to a point for corner;  
 Thence North 89°49'06" West a distance of 208.36 feet to a point for corner;  
 Thence South 00°10'54" West a distance of 210.00 feet to a No. 4 rebar found for corner;  
 Thence South 89°49'06" East a distance of 210.28 feet to bent No. 4 rebar found for corner;  
 Thence South 00°38'27" West a distance of 154.41 feet to a 1 inch open top pipe found for corner;  
 Thence South 00°15'11" East a distance of 695.98 feet to an iron pin;  
 Thence North 89°19'37" West a distance of 420.81 feet to an iron pin;  
 Thence North 89°14'13" West a distance of 858.73 feet to an iron pin;  
 Thence North 89°35'49" West a distance of 1130.43 feet to an iron pin;  
 Thence North 00°12'17" East a distance of 2479.11 feet to a point for corner;  
 Thence North 00°16'20" East a distance of 348.08 feet to an iron pin;  
 Thence South 89°47'42" East a distance of 124.98 along the South right-of-way of Baptist Camp Road, to an iron pin;  
 Thence South 89°42'46" East a distance of 171.79 along the South right-of-way of Baptist Camp Road, to an iron pin;  
 Thence South 01°01'40" West a distance of 347.92 to an iron pin;  
 Thence South 89°38'58" East a distance of 377.45 to an iron pin;  
 Thence North 01°05'23" East a distance of 348.51 to an iron pin;  
 Thence South 88°54'37" East a distance of 250.0 along the South right-of-way of Baptist Camp Road, to an iron pin;  
 Thence South 88°42'29" East a distance of 125.12 along the South right-of-way of Baptist Camp Road, to an iron pin;  
 Thence South 88°55'56" East a distance of 124.81 along the South right-of-way of Baptist Camp Road, to an iron pin;  
 Thence South 89°49'52" East a distance of 124.00 along the South right-of-way of Baptist Camp Road, to an iron pin;  
 Thence South 00°39'49" West a distance of 350.0 to an iron pin;  
 Thence South 89°49'57" East a distance of 498.18 to an iron pin;  
 Thence North 00°35'40" East a distance of 350.00 to an iron stake on Baptist Camp Road;  
 Thence North 89°51'52" East a distance of 124.00 to an iron stake;  
 Thence North 89°51'52" East a distance of 125.00 to an iron stake;  
 Thence North 89°49'57" East a distance of 124.50 to an iron pin;  
 Thence North 89°49'52" East a distance of 249.00 to an iron pin, marking the point of beginning;

Said tract contains 149.54 acres +/-.

Section 6: The within and foregoing amendments to the Spalding County, Georgia Code of Ordinances shall become effective immediately upon adoption of this Ordinance.

Section 7: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

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***Motion/second to approve Moratorium on receipt, acceptance, consideration and approval of any request to change the Future Land Use Map to or from the Village Node (VN) classification and the receipt, acceptance, consideration and approval of any application seeking a business license, zoning action or building permit application seeking a rezoning to the Village Node (VN) Zoning District within Spalding County to commence August 19, 2008 and terminate December 31, 2008 by Commissioners Phillips and Freeman, carried 5-0.***

4. Consider Moratorium on receipt, acceptance, consideration and approval of any application seeking a business license, zoning action or building permit to operate a rodeo or similar spectator event within Spalding County.

Chuck Taylor was directed to contact Zoning Attorney Newton Galloway and explore the possibility of a limited moratorium so that, individually, certain type events could be authorized while the moratorium is in place.

***Motion to table Moratorium on receipt, acceptance, consideration and approval of any application seeking a business license, zoning action or building permit to operate a rodeo or similar spectator event within Spalding County until the Zoning Public Hearing on August 28, 2008 by Commissioner Flowers-Taylor, seconded by Commissioner Freeman, carried 5-0.***

5. Consider request of Griffin-Spalding Development Authority to approve bonds for Cooper Standard Building.

Mr. David Luckie, Executive Director of the Griffin-Spalding Development Authority, asked for the support of the Board of Commissioners on the issuance of bonds for the former Cooper Standard Building. The new tenant will be Norcom who has been at a secondary location in the industrial park for several years. The last piece of their operation will be moved to this building formerly occupied by Cooper Standard. They will utilize both of their facilities. The \$4,000,000 in bonds will be in the name of the Development Authority, and there will be no liability for City, County or taxpayers. Norcom has created over 100 jobs already at this location with an additional 15-20 jobs coming, and they are a great corporate citizen. There will be a graduated tax abatement in years one through five: 100, 80, 60, 40 and 20 percent. They are purchasing the building from Cooper Standard.

***Motion to approve the issuance of bonds for the Cooper Standard Building for a new purchaser through the Griffin-Spalding Development Authority by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0.***

6. Consider alternate architectural design review for industrial building at Boyd's Crossing.

Mr. Taylor stated this architectural design is required under the ordinance for commercial and institutional buildings: materials that face public rights-of-way must have masonry components. This proposed exterior, however, is a combination of stucco and exposed metal. Elevations were provided to commissioners and Mr. John Stover is present to explain in greater detail what is being proposed.

Mr. Stover presented a conceptual site plan for this plant that will locate near Caterpillar. Portions of this operation are currently outside Spalding County and they would like to locate in closer proximity. A proposed 60 jobs for this project now could prove to develop into 120 jobs in the future. This 60,000 square foot building now could be 120,000 square feet later. Brick, stucco or split-face block to the façade is proving to be financially problematic, and they want to vary from ordinance requirements in much the same manner as Sumika is doing for Hudson. There will be planned 8' of masonry from the ground, then baked metal to the roof line. The office area would have split-face stone and stucco for accents. Spalding County's ordinance requires split-face block, brick, stone or hardy plank. The west elevation is on Green Valley; the north elevation is Boyds Crossing. Overall height of the building is 22' for the office and 28' on the low end of the manufacturing facility. While this is not in Green Valley Industrial Park proper, it is adjacent and technically completes a boundary for the park. Unless one was aware of boundary lines, the parcel looks to be part of the industrial park proper where these façade architectural design requirements have been adhered to successfully by other tenants. The company does not have to locate in Spalding County but the area could certainly use the facility and jobs; however, the County does not want to alienate other industries who have complied with ordinance requirements. It was noted that as long as the metal panels were approved and of good quality, it might be as aesthetically pleasing and acceptable. Mr. Luckie has seen first-hand the buildings that Mr. Stover had provided pictures of, and he felt they would be acceptable. The issue is whether or not the County will allow bare metal facing public rights-of-way. Vegetation can assist in creating an aesthetically pleasing exterior.

***Motion to approve alternate architectural design review for industrial building at Boyd's Crossing as presented, by Commissioner Phillips, seconded by Commissioner Freeman, carried 5-0.***

7. Consider, on first reading, Ordinance #2008-11 to Amend Part VI, Licensing and Regulation, Chapter 1: Article A, Section 6-1003.1; Article B, Section 6-1025; and Article C, Section 6-1058.1 to provide for changes to alcohol licensing distance requirements.

*Motion/second to approve, on first reading, Ordinance #2008-11 to Amend Part VI, Licensing and Regulation, Chapter 1: Article A, Section 6-1003.1; Article B, Section 6-1025; and Article C, Section 6-1058.1 to provide for changes to alcohol licensing distance requirements by Commissioners Phillips and Freeman, carried 5-0.*

8. Consider Post appointment for District 2 to the Spalding County Board of Zoning Appeals to fill the unexpired term of Shawn Cain set to expire December 31, 2010.

*Action to appoint Brian Clanton by Commissioner Phillips for District 2 to the Spalding County Board of Zoning Appeals to fill the unexpired term of Shawn Cain set to expire December 31, 2010.*

9. Consider Annual Rental Agreement #7236 for 141 West Solomon Street with the State Properties Commission for the Judicial Branch Georgia Public Defender Standards Council space in the Old Post Office Building.

*Motion to approve Annual Rental Agreement #7236 for 141 West Solomon Street with the State Properties Commission for the Judicial Branch Georgia Public Defender Standards Council space in the Old Post Office Building by Commissioner Flowers-Taylor, seconded by Commissioner Freeman, carried by a vote of 5-0. Contract on file.*

10. Consider Intergovernmental Agreement with the City of Griffin for part-time Watershed Program Assistant for fiscal year salary not to exceed \$17,483.

This expenditure was included in the FY 2009 budget, noted Mr. Wilson. This position will undertake a public education effort. The City will assume the salary; the County will provide for FICA and a car allowance. The successful candidate will teach water wise programs in the school system. This is, he advised, a good joint venture.

#### AGREEMENT

This Agreement is entered into between SPALDING COUNTY, a political subdivision of the State of Georgia, hereinafter referred to as the "County", and the CITY OF GRIFFIN, a municipal corporation under the laws of the State of Georgia, hereinafter referred to as the "City";

WHEREAS, the City and the County acknowledge the need to increase its citizens awareness of the necessity of protecting and maintaining watersheds; and

WHEREAS, the University of Georgia Cooperative Extension is actively engaged in providing significant watershed education; and

WHEREAS, the parties hereto agree that an additional part-time assistant is needed to increase the education and awareness of the watershed program;

NOW, THEREFORE, it is agreed between the parties hereto as follows:

-1-

The County shall hire a watershed program assistant who shall be paid at the rate of \$15.8933 per hour for a maximum of 19 hours per week. The fiscal year salary shall not exceed the sum of \$17,483.00. Since the assistant will be part-time there will be no benefits paid to said employee with the exception of a monthly vehicle allowance which the County shall pay to said assistant in the amount of \$150.00 per month, not to exceed \$1800.00 per fiscal year.

-2-

The assistant shall have a minimum four year degree in the field of agriculture, forestry, social work, education (or related) with a minimum of one to two years experience as a program assistant or with experience with 4-H programs in some capacity or any equivalent combination of education, training and experience which provides the requisite knowledge, skills and abilities for this position.

-3-

The duties, requirements and obligations of the assistant are more particularly set out in the correspondence from Wade Hutcheson, dated July 8, 2008, and attached hereto as Exhibit "A".

-4-

The County agrees that it shall make all contributions and payments on behalf of the assistant as may be required by State and Federal law.

The City agrees that it shall reimburse the County for any salary paid to the assistant upon receipt from the County of the amount actually paid in the preceding month. The City shall promptly pay over to the County said sum, but in no event shall the City be obligated to pay over to the County more than \$17,483.00 per fiscal year.

The term of this agreement shall run from the date the assistant is hired through and including June 30, 2009.

The actual hiring and supervision of the assistant shall be the responsibility of the Extension Coordinator, Wade Hutcheson, who shall provide space for the assistant along with such materials and resources as may be required for him to perform his duties.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals.

COUNTY OF SPALDING  
CITY OF GRIFFIN

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*Motion to approve Intergovernmental Agreement with the City of Griffin for part-time Watershed Program Assistant for fiscal year 2009 salary by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 4-1 with Commissioner Goss opposing.*

- 11. Consider recommendation of Parks and Recreation Advisory Commission for the use of Dundee Lake for a United Way fundraiser.

*What Floats Your Boat* cardboard boat race will kick off this year's United Way campaign. Since the County is one of 12 pacesetter entities involved, and Dundee Lake would provide an ideal location, Mr. Wilson explained he would like to offer the site for the kickoff.

*Motion to approve recommendation of Parks and Recreation Advisory Commission for the use of Dundee Lake for a United Way fundraiser by Commissioner Phillips, seconded by Commissioner McDaniel, carried by a vote of 5-0.*

- 12. Consider declaring surplus a 1993 Ford Crown Victoria from Parks and Recreation Department and a 1982 International Bus located at Blalock Station Fire Department.

*Motion to declare the above-noted vehicles surplus and allow for sealed bids according to established policy by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.*

- 13. Consider approval of the 2009 LARP request.

A total of 125 roads are to be submitted for this local assistance resurfacing program. It provides for well over 250 miles and is due before the end of August.

*Motion to approve 2009 LARP request as presented by Commissioner McDaniel, seconded by Commissioner Phillips, carried by a vote of 5-0.*

- 14. Consider establishing 2008 SPLOST Steering Committee.

This issue was discussed at length and Chairman Goss asked for commissioner recommendations. Commissioners are to submit any recommended persons to the County Manager by 4 p.m. Thursday to allow time for notification. After much discussion, it was determined the desired number for the committee should be 15.

- 15. Discuss proposed joint City/County/Board of Education meetings to be held on the fifth Mondays of qualifying months.

*Dates for the proposed meetings for months in which there are five Mondays are 9-29-08, 12-29-08, 3-30-09, 6-29-09, 8-31-09 and 11-30-09 at 7:00 p.m. The entities would like to meet and discuss common issues. The Chair of each board, the City Manager, County Manager, and the school superintendent will meet to prepare agendas and will keep meetings concise. Commissioners agreed by general consensus.*

16. Consider dates for a workshop on Ordinance amendments pertaining to Personal Care Homes and Child Care Institutions.

*The general consensus was to hold the workshop on 9-15-08 at 9:30 a.m. The group can break for lunch if necessary but Chairman Goss desires to complete in one day.*

17. Consider setting Special Called Meeting immediately following the Zoning Public Hearing on August 28, 2008 to approve second reading amendments to the County Zoning Ordinance.

*Special Called Meeting will convene five minutes after Zoning Public Hearing is adjourned on August 28, 2008.*

18. Commissioner Flowers-Taylor would like to discuss the current hiring freeze in Spalding County.

The County Manager implemented this hiring freeze in March 2008 and it will continue most likely through this fiscal year unless situations change. It was noted in budget review there would be no hiring, but this doesn't apply to public safety (911, Fire Department, CI) and technically does not apply to elected officials since they are not under the County Manager's authority. Commissioner Flowers-Taylor said a couple of employees have approached her thinking the Board approved the hiring freeze. Public safety notwithstanding, how have Parks and Recreation hired for their Office Assistant position and the Board of Elections to replace their vacant Voter Registration Coordinator if, in fact, there is a hiring freeze. She is concerned that these practices look to be picking and choosing rather than having everyone adhere uniformly to the hiring freeze. She wanted to note that the Board of Commissioners did not vote for a hiring freeze. This was a County Manager decision. With regard to not replacing personnel who leave during the freeze unless they are deemed essential -- if such personnel are not essential so that they need to be replaced, Commissioner Flowers-Taylor wondered why the County employed them to begin with. She is concerned that she sees no consistency in enforcing the hiring freeze.

## **XII. REPORT OF COUNTY MANAGER**

- Next Thursday, at a 5:45 p.m. Special Called Meeting, there will be a call for SPLOST.
- 18 bidders on L.B. Norton Fire Station construction have responded and a successful bidder will be brought before the Board soon.
- Rookie firefighter graduation will be Friday 4 p.m. at Fire Headquarters on Carver Road.
- The Land Bank Authority meeting will be Thursday, 8-21-08, at the Stuckey Auditorium, UGA Griffin Campus, at 6 p.m.
- WTOP fishing – The first event was good and Parks and Recreation wants to do another fishing opportunity on 9-23-08 from 6 to 8:30 p.m. to draw out additional fish. Twelve employees chosen would be allowed to bring one guest each. Names submitted by departments will be the drawing pool.
- Casey Cagle will be at UGA Turfgrass Field Day on Wednesday, 8-20-08. Commissioners are invited.
- The County is issuing LARP bids which has not been done for two years. Mr. Wilson advised he has waited for prices to come down, and this appears to be a good time to bid. There are four separate contracts in October for award.
- HTRG (homeowners tax relief grants) in Spalding County to taxpayers means \$1,400,000 in relief. Sylvia Hollums has no choice but to proceed as if HTRG will be credited, but should the state not fund in March or April 2009, Spalding County will be forced to bill taxpayers at \$285 each in the County and \$332 in the City. Commissioner Flowers-Taylor feels the County should alert taxpayers that this possible additional billing may be implemented. Mr. Wilson advised a press release will be issued and something may be placed in tax bills.
- Mr. Wilson wished the Griffin Daily News' Matt Quinn a happy 24<sup>th</sup> birthday.

## **XIII. REPORT OF COMMISSIONERS**

**Freeman** – He felt it would be a good idea to do a proclamation honoring the contributions to the community by Harold Rahn at Norcom.

**Flowers-Taylor** – She was enrolled last week in commissioner training, and she wanted all to know it was very effective and empowering. Training has helped her greatly over the past four years and makes for a better person, as well as better commissioner. This is well-spent taxpayer money that has opened up new avenues of partnering with surrounding counties, and perhaps there are opportunities for collaboration with Pike, Lamar, Butts for regional partnering efforts.

**Phillips** – He, too, has suggested meeting with other counties on projects in the past. Bucksport residents are very concerned about the upcoming Zoning Public Hearing, and he noted he had firsthand experience with a relative’s car that was covered by refuse after traveling down Bailey Jester Road near the landfill.

**McDaniel** – He talked about the workshop on personal care homes and the email from the Community Development Director, Chuck Taylor, that illuminated problems, noting that 15 of the 21 personal care homes licensed by state do not have a business license in the County. Most will require a special exception, as well. Also, some seniors have voiced disbelief over realization of the planned new senior center. Perhaps it would be a good idea to put up signs for their future home so that it will be a visible evidence of the County’s efforts. When the architects’ rendering is complete, Mr. Wilson advised the County will put it on such a sign. The relocated Parks & Recreation offices are nice and folks working in the Memorial Drive Plaza complex appear to be pleased.

**Goss** – He has received a call from a Bailey Jester Road vehicle as well. Pandemic flu (avian flu) and District 4 Health Services, along with Homeland Security, have met and are planning in preparation for such a disaster. Federal agencies and Homeland Security feel there is a good possibility for widespread disaster. There will be a chain of command and hard decisions must be made in such an event. The County needs a plan of succession. Commissioners Flowers-Taylor and Goss would like to meet with Chuck Taylor and William Wilson to discuss Reverend Watson and his requested building permit for Life Tabernacle on North 9<sup>th</sup> Street. Mr. Wilson agreed and offered to immediately develop a time line in advance of the meeting.

**XIV. ADJOURNMENT**

*Motion to Adjourn at 8:38 p.m. by Commissioner McDaniel, seconded by Commissioner Freeman, carried by a vote of 5-0.*

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Chairman

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County Clerk

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