

## **EXTRAORDINARY SESSION**

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, February 16, 2009, beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Gwen Flowers-Taylor, Eddie L. Freeman, Bob Gilreath and David Phillips present. Also present were County Manager William P. Wilson, Jr., Assistant to the County Manager Paul Van Haute, County Attorney James R. Fortune, Jr. and Yvonne M. Langford to record minutes.

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

**II. INVOCATION – Commissioner Gwen Flowers-Taylor**

**III. PLEDGE TO FLAG – Led by County Manager William P. Wilson, Jr.**

**IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION – N/A**

**V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of Financial Statements for the Seven Months ended January 31, 2009.

*Motion/second by Commissioners Flowers-Taylor and Freeman to approve the Financial Statements for the Seven Months ended January 31, 2009 carried 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 the meeting.

Annie Stansell, 267 North Walkers Mill Road, Griffin, Georgia

Ms. Stansell requested an update on the Senior Center, which was the final of three projects on the 2005 SPLOS referendum. She reminded them that seniors helped pass the SPLOST in 2005, and those same seniors are anxious to see results that pertain to them. She asked that the Board of Commissioners keep the seniors informed on this issue. Chairman Goss replied that, while it might not be readily apparent, the County has been fervently working on several options concerning this

project. Mr. Wilson noted the Board would consider on tonight's agenda moving forward with a CDBG grant which will hopefully provide the \$500,000 to match the \$600,000 in the 2005 SPLOST for this Senior Center, for a total of \$1.1 million in available funds toward the purchase/renovation of a Senior Center. The final money for this project, for the period ending December 31, 2008, will actually be collected at the end of February 2009. This should provide a more accurate picture of available funding.

Alice Stewart, 332 North Second Street, Griffin, Georgia

Ms. Stewart reiterated that Senior Citizen badly needed an adequate bus for transportation.

Barbara Edison, 502 Birdie Road, Griffin, Georgia

As President of the Travel Club at the Senior Center, their 82 members like to attend functions but the current van will only transport 14, so that issue is an ongoing problem. To rent a bus that will accommodate the club's membership is very expensive. Seniors are, indeed, getting anxious for a new center and a bus for transportation.

Bonnie Parker, 3222 Arthur K. Bolton Parkway, Griffin, Georgia

She spoke regarding the procedures in place for a variance for manufactured homes in Spalding County. She felt the homeowners' who reside in manufactured homes are discriminated against in the County. Ms. Parker stated they have to meet the same building codes as anyone else; yet, they have to ask permission, pay \$200 and then be at the mercy of the County for granting of their variance request. Owners of a stick-built home only have to get a building permit, which she felt was not fair. She questioned why she needed permission to build onto her home. Chairman Goss said he had conversed with Ms. Parker, and he agreed that this practice is discriminatory against her as a manufactured homeowner. He also did not understand why she was requested to provide 15-20 copies of her plat for the process.

Michael Kendall, 130 North Hill Street, Griffin, Georgia

He has spoken with Commissioners Goss, Flowers-Taylor and Freeman regarding his concern over the agreement that has been developed with the youth associations through Parks and Recreation. Some of the changes are Draconian and to impose these new changes on all associations seems to be overkill when, in fact, there were problems only with a select few. For instance, the Basketball Association in its 15 years has never been a tax-exempt organization and to become so is quite a bit of work for what are almost always volunteers. The Basketball Association does not solicit money for operations; the vast majority of funds are from registration fees and concession items. All associations should not be required to provide tax-exempt status. Additionally, anyone signing a financial document or check for the Association is recommended to be bonded, but no mention is made of the amount required for the bond. Bonds are also relatively expensive to execute. If the problem that is trying to be addressed is that of money being diverted or used inappropriately, then perhaps the resolution would be to approach the people who handle the money rather than those who sign the checks. Mr. Kendall stated while he signs the checks for his association, the money will have previously been handled by as many as eight or nine people. To go after the check signer who may not even see the money won't solve that problem. He felt the level of specificity in the association agreement was unnecessary, and he suggested they revisit this issue at a later date. If some are stealing money from the association, they should be prosecuted to the fullest extent of the law. Some discussion followed. Commissioner Flowers-Taylor advised that Mr. Kendall should speak with the Parks and Recreation Advisory Commission regarding specifics of the agreement document as recommended changes should come from them.

Sinclair Hollberg, 3335 Jackson Road, Griffin, Georgia

He thanked the Board for his reappointment to the Griffin-Spalding County Development Authority. His purpose tonight, though, was to express support for the establishment an ethics commission in the County to provide oversight for standards of conduct and potential conflicts of interest as they pertain to boards, commissions and authorities which engage in the execution of the people's business. He would like to see this commission provide policies and procedures standards to guide these agencies to ensure transparency and involvement by the public. He encouraged passage of a resolution by which the Board would adopt the provisions of Title 21, 36 and 45 of the Georgia State Code to apply to operation of the County government including its elected officials, employees, boards, commissions, authorities, their staff and appointees.

Larry Shell, 125 North Stewart Lane, Griffin, Georgia

Mr. Shell was concerned for the trash that is prevalent in the Runaway Lakes Subdivision area, as well as substandard and dilapidated housing which serves to devalue surrounding properties. The piles of garbage have led to rodents and infestations of snakes and other varmints. He was certain some of the additions were not properly permitted, and one gentleman living behind him has neither

electricity nor water service. Some residents are trying to upgrade the area and he requested assistance to improve or at least provide some direction for help.

Lamarcus Dodson, 341 Main Street, Griffin, Georgia

The sewer bill for his home in the Highland Mills area is higher than his water bill, and he is trying to lower the sewerage bill. The water meter is operating correctly, and there appear to be no leaks inside the home. For four years, he has struggled with this issue and he is frustrated. It was explained to Mr. Dodson that Highland Mills has its own sewer plant, although water is provided through the City of Griffin. Chairman Goss requested that Mr. Dodson bring some bills to the office and Mr. Wilson would review them.

Joan Lamenski, 132 North Stewart Lane, Runaway Lakes, Griffin, Georgia

She expressed gratitude for the neighbor, Mr. Shell, who was trying to help with some of the ongoing problems in the neighborhood. Code Enforcement has been trying to help with enforcing existing violations. Some of the homes have issues that are not being addressed due to certain codes being adjusted or changed which were hampering the Building Department from proceeding in specific areas. She stated if the Building Department could assist Code Enforcement in some of these areas, perhaps more clean-up in the area could occur. She has provided a list of addresses needing attention to Officer Michael Heath.

Bobby Peurifoy, 917 South McDonough Road, Griffin, Georgia

Mr. Peurifoy voiced his concern about the resolution considered at the previous meeting regarding an acreage requirement for the conservation ad valorem assessment program. He wondered if there would be a wholesale change in how conservation versus farm use is considered. The Office of Tax Assessors recommended a change in the acreage requirement to 20 acres. He urged that the Board hold public hearings to allow for citizen input before making such a change. Many, including him, don't have 20 acres but rather 10 or less but they are still working farms. He still has farm interests in his property. He wondered if the Board has had success in increasing the homestead exemption discussed at the last meeting for residents 62 and older or disabled. Chairman Goss said this has been forwarded to the City of Griffin and the School Board for comment. We are awaiting their responses and will proceed after that. He asked for, and received, an update on the Homeowners Tax Relief Grant (HTRG). Chairman Goss said the issue has not been totally resolved for this year, but everyone felt it would certainly not be funded next year.

Commissioner Flowers-Taylor felt the County needed to provide more information to seniors on the Senior Center and the bus in an effort to promote good relations and keep them informed. She reminded all in attendance that SPLOST was comprised of sales tax collections and right now most people are consciously not spending as much of their income as they might have in the past. Consequently, less money is being collected and while you realize the seniors need their bus, they may have to wait on collections to catch up.

## VIII. MINUTES

1. Consider approval of Minutes of the following: February 2, 2009 Regular Monthly Meeting.

*Motion/second by Commissioners Phillips and Flowers-Taylor to approve the Minutes of the February 2, 2009 Regular Monthly Meeting carried by a unanimous 5-0 vote.*

## IX. CONSENT AGENDA

1. Consider on second reading Ordinance #2009-01 to amend Part VII, Motor Vehicles and Traffic, Section 7-1004 to provide for No Parking Zones on either side of Hudson Industrial Drive in its entirety from its intersection with Hudson Road to its dead end.

SPALDING COUNTY, GEORGIA  
NO PARKING ZONE  
ORDINANCE NO. 2009-01

### 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 (45) to read as follows:

“(45) *Hudson Industrial Drive.* Upon any portion of the roadway or public right-of-way on either side of Hudson Industrial Drive in its entirety from its intersection with Hudson Road to its dead end.”

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

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

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*Motion/second to approve Consent Agenda by Commissioners Phillips and Freeman carried 5-0.*

**X. OLD BUSINESS – N/A**

**XI. NEW BUSINESS**

1. Consider request of UGA Griffin Campus to revisit additional 2005 SPLOST funding for landscape and hardscape options at \$250,000, previously eliminated to meet the project cost of \$10 million for the building.

Dr. Gerald Arkin, Associate Provost at the Griffin Campus of UGA, thanked the Board for including construction of the Student Learning Center in the 2005 SPLOST referendum. The Center is coming along nicely, and the funds that were allocated after the fact for the cupola and chimneys have been utilized with the chimneys being erected already and the cupola targeted to be in place within the next month. This request is for the initial hardscape that was included in the original request but trimmed due to budget overruns when it was apparent the \$10,000,000 allocated in SPLOST would not be enough. When the cupola and chimneys were funded, commissioners suggested the hardscape be revisited after collections were completed in order to see how much money was available. The design, although altered to fit the amount funded, still will accommodate 800 to 1000 students and should be complete in May 2009. This last request for \$250,000 is to complete the building’s hardscape, landscape and irrigation system, as well as sidewalks and pavers. He was amenable to tabling the issue tonight and instead waiting until final numbers are in for SPLOST collections at the end of the month. The building exceeds expectations; it is a welcome and much-needed addition to the Griffin Campus.

Dale Hess, Superintendent of Physical Plant for the Griffin Campus, and Kenneth Moore of Manley Spangler and Smith, architects for the project, were available for questions. Mr. Moore distinguished between landscape and hardscape for commissioners. General discussion followed.

*Motion/second by Commissioners Freeman and Flowers-Taylor to table this request until the next Board of Commissioners meeting failed by a vote of 2-3 with Commissioners Goss, Gilreath and Phillips voting in opposition.*

*Motion/second by Commissioners Gilreath and Phillips to deny the request of UGA Griffin Campus to provide additional 2005 SPLOST funding for landscape and hardscape options at \$250,000, previously eliminated to meet the project cost of \$10 million for the building carried by a vote of 3-2 with Commissioners Freeman and Flowers-Taylor voting in opposition.*

2. Commissioner Eddie Freeman from District 4 desires to designate as Animal Restraint Districts: 1) The area encompassing both sides of Jim Goodson Road from Fayetteville Highway (Hwy 92) in its entirety to Vaughn School Road, and 2) The area encompassing both sides of West Ellis Road from its intersection with Parker Road to its intersection with Newnan Road (Hwy 16 W).

Portions of these roads, noted Commissioner Freeman, already are designated as Animal Restraint Districts, and this action will enhance on the defined area. *Motion/second by Commissioners Freeman and Flowers-Taylor to approve designation of the following as Animal Restraint Districts with an effective date of April 1, 2009 and citations being issued as*

*of July 1, 2009: 1) The area encompassing both sides of Jim Goodson Road from Fayetteville Highway (Hwy 92) in its entirety to Vaughn School Road, and 2) The area encompassing both sides of West Ellis Road from its intersection with Parker Road to its intersection with Newnan Rd. (Hwy 16 W). Motion carried 5-0.*

Commissioners noted that citations shall not be issued until appropriate signage is in place.

3. Commissioner David Phillips from District 2 desires to designate as an Animal Restraint District: The area encompassing both sides of all roads contained in Runaway Lakes Subdivision located off Rehoboth Road.

*Motion/second by Commissioners Phillips and Freeman to approve designation as an Animal Restraint District: The area encompassing both sides of all roads contained in Runaway Lakes Subdivision located off Rehoboth Road with appropriate signage carried 5-0.*

4. Consider, on first reading, Ordinance #2009-02 Traffic Regulations to Amend Part VII, Chapter 1, Section 7-1001 Relating to Speed Limits of Thirty Miles Per Hour in Certain Urban or Residence Districts, and Section 7-1002 – For Reduction of Speed Limits on Various County Roads.

*Motion/second by Commissioners Phillips and Gilreath to approve, on first reading, Ordinance #2009-02 Traffic Regulations to Amend Part VII, Chapter 1, Section 7-1001 Relating to Speed Limits of Thirty Miles Per Hour in Certain Urban or Residence Districts, and Section 7-1002 – For Reduction of Speed Limits on Various County Roads carried 5-0.*

5. Consider Resolution of Intent to Consider the Abandonment of Eastmont Alley, Huckaby Circle Street, Harper Street, and an Unused Portion of Parrish Street, in Land Lot 207 of the 2<sup>nd</sup> Land District.

Mr. Wilson advised these were streets that were platted but never constructed or even cut. They are all owned by one property owner who has requested they be abandoned to facilitate selling the property as one parcel.

RESOLUTION OF INTENT TO CONSIDER THE ABANDONMENT OF  
EASTMONT ALLEY, HUCKABY CIRCLE STREET, HARPER STREET,  
AND AN UNUSED PORTION OF PARRISH STREET

WHEREAS, subsection 32-7-2(b)(1) of the Official Code of Georgia Annotated provides the procedure for abandonment of a section of the county road system when, for any reason, it has ceased to be used by the public to the extent that no substantial public purpose is served by it; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia has been requested to determine whether Eastmont Alley, Huckaby Circle Street, and Harper Street, located in Land Lot 207 of the 2<sup>nd</sup> Land District of originally Monroe County, as well as an unused portion of Parrish Street located in Land Lot 207 of the 2<sup>nd</sup> Land District of originally Monroe County to its eastern boundary with Land Lot 178, now Spalding County, and more properly described as the abandoned portions shown on the attached plat or sketch, has ceased for any reason to be used by the public to the extent that no substantial public purpose is served by it; and

WHEREAS, a plat or sketch of said roads, which is hereto attached, has been tendered to this Board for its use in making such determination; and

WHEREAS, the Board of Commissioners of Spalding County deems it prudent and in the best interest of the County to investigate this request and to make a determination as to whether or not such roads should be abandoned;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County that a copy of the within resolution, and a copy of such plat or sketch, be posted at the Spalding County Courthouse and at the Spalding County Courthouse Annex, and further that a copy of this resolution and said plat or sketch be transmitted to the Postmaster of Griffin, Georgia for his review with the local mail carrier, and a copy hereof be transmitted to the Superintendent of Schools for his review with the person in charge of bus transportation for the students of the local school system, so that this Board may have any response from the public or from the local postmaster or from the Superintendent of the Griffin-Spalding County School System on or before March 2, 2009 that would aid and assist this Board in making, or declining to make, such determination; and

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

This the 16<sup>th</sup> day of February 2009.

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***Motion/second by Commissioners Phillips and Freeman to approve Resolution of Intent to Consider the Abandonment of Eastmont Alley, Huckaby Circle Street, Harper Street, and an Unused Portion of Parrish Street, in Land Lot 207 of the 2<sup>nd</sup> Land District carried by a vote of 4-1 with Commissioner Gilreath voting in opposition.***

6. Consider amendment to the Contract for Inmate Medical Services from Dr. Mark Crump for the Spalding County Correctional Institute.

Mr. Wilson said Dr. Crump has inquired via letter a review of his contract, specifically with regard to an annual cost of living increase tied to that of County employees, which was contained in previous contracts but was not included in the most recent one with Dr. Crump. Mr. Wilson informed Dr. Crump that employees had not gotten a salary increase last year and one was not anticipated this year. Dr. Crump also questioned if he could participate in the County's retirement plan; as a contract provider and not an employee, he cannot participate in the retirement plan but can elect to contribute to the deferred compensation plan where the contract provider or employee can put their own money but no County money is contributed to match. This is a draft that encompasses these two issues. Dr. Crump has been the physician for the Correctional Institution for many years.

Commissioner Flowers-Taylor felt the commissioners should be made aware of these annual contracts that renew each year unless changes are required. A yearly review might have pointed out the widening disparity of his contract amount with no cost of living increases included. She would like to see associated numbers instead of just a general contract before approving such a document. Mr. Wilson advised the contract began January 9, 2002 and renews annually on December 31 unless one or both parties provide written notice. Commissioner Gilreath felt Dr. Crump should adhere to the terms of his contract until December 31 and then the Board can review the contract at that time. The new draft by County Attorney Fortune simply changed the compensation but not the termination date of the contract. Mr. Wilson will ensure that commissioners are advised as the dollar amount of the contract.

***Motion/second by Commissioners Phillips and Gilreath to table until the next meeting this amendment to the Contract for Inmate Medical Services from Dr. Mark Crump for the Spalding County Correctional Institute carried 4-1 with Commissioner Freeman voting in opposition.***

7. Conduct Public Hearing to consider the establishment of a street lighting district for Williamson Woods Subdivision.

***Motion/second by Commissioners Phillips and Goss to open the public hearing carried 5-0.***

There were no comments.

***Motion/second by Commissioners Freeman and Flowers-Taylor to close public hearing carried 5-0.***

8. Consider request to approve street lighting district for Williamson Woods Subdivision.

***Motion/second by Commissioners Freeman and Phillips to approve the street lighting district for Williamson Woods Subdivision carried 5-0.***

9. Consider additional request of MPF3, Inc., a film production company, for the use of the current Spalding County Courthouse at 132 East Solomon Street for filming of a motion picture on Saturday, February 28, 2009 in and around the Law Library.

Mr. Wilson said this was in addition to their previous request. Judge Esary has approved their use of the facility in and around the Law Library, and they are amenable to the same rental rate and insurance.

***Motion/second by Commissioners Phillips and Freeman to approve the additional request of MPF3, Inc., a film production company, for the use of the current Spalding County Courthouse at 132 East Solomon Street for filming of a motion picture on Saturday, February 28, 2009 in and around the Law Library carried 5-0.***

10. Consider approval of the FY 2010 Budget Calendar.

*Motion/second by Commissioners Phillips and Freeman to approve the FY 2010 Budget Calendar carried by a vote of 5-0.*

11. Consider approval of FY 2009 Community Development Block Grant (CDBG) Application through Allen-Smith Consulting, grant administrators.

Mr. Wilson noted that part of the computations for cost of a new or renovated senior center included a CDBG grant in the amount of \$500,000 to assist with funding. This application for same is due by April 2009 and will be completed by Allen-Smith Consulting. *Motion/second by Commissioners Phillips and Freeman to approve an FY 2009 Community Development Block Grant (CDBG) Application through Allen-Smith Consulting, grant administrators carried by a vote of 5-0.*

12. Discuss and identify a course of action regarding rebanding efforts of the 800 MHz Communications System.

Assistant to the County Manager Paul Van Haute presented three available options available to the County regarding rebanding efforts. Mr. Macke recommends proceeding with the old frequencies and then rebanding four months or so after they are in place, contingent upon the digital television switchover not being delayed any further. This recommendation would adhere to the original contract, go forward and deal with reprogramming the six tower amplifiers and the 1,000 radios and control devices at a later date. The options include: 1) install at the old frequencies on the radio system and reband at a later date, 2) install with the new frequencies on the radio system, turn on the system and after the digital television switchover assess and deal with the audio quality testing and acceptance, and 3) to install with the new frequencies on the radio system and deal with the interference issues. Some television stations are going off the air tomorrow, the original date for digital switchover, in their own self-interests. Some discussion followed. Commissioner Phillips felt the government would probably delay the digital transition yet again, causing further delays to Spalding County; therefore, he agreed with Mr. Macke's recommendation.

*Motion/second by Commissioners Phillips and Freeman to install at the old, original frequencies on the radio system and reband at a later date carried by a unanimous 5-0 vote.*

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

- Nominations are still being accepted for the 2009 Bain Proctor Award for Volunteerism until March 16, 2009. Nominations should be submitted to Parks and Recreation.
- There will be a City/County sponsored E-Waste Recycling Event February 23-27, 2009 from 9 a.m. to 5 p.m. each day at the Kiwanis Fairgrounds. This is for all electronic devices.
- Mr. Wilson spoke with Louis Greene regarding the National Senior Games and requested he return with the amount of money raised for the event. The Board of Commissioners will review at that time. Mr. Fortune did issue an opinion that payment from the hotel/motel tax would not constitute an approved expenditure of these funds.
- Regarding refreshments at meetings, Mr. Wilson has notified Parks and Recreation that their Parks and Rec Advisory Commission would no longer be able to avail themselves of refreshments provided by any County agency in an effort to cut costs. Therefore, Mr. Wilson advised he felt the County should also not provide cookies or other refreshment for the Board of Commissioners for its future meetings. These are little things, but they add up to substantial amounts over time.
- Commissioner Freeman has been appointed to the Upper Flint Council in the Comprehensive Statewide Water Management Plan, approved by the General Assembly in 2008. This plan created ten water planning regions: Altamaha, Coastal Georgia, Coosa-North Georgia, Lower Flint, Middle Chattahoochee, Middle Ocmulgee, Savannah-Upper Ogeechee, Suwannee-Satilla, Upper Flint, Upper Oconee, each of which consists of 25 members. Commissioner Freeman has also been appointed to the ACCG Board of Managers.
- Last week Commissioners Freeman and Flowers-Taylor attended the 2009 ACCG Legislative Conference in Atlanta.

- Placed in your boxes tomorrow will be a proposed agenda for our Commissioners' Retreat next Monday, February 23, 2009 from 9 a.m. to 4 p.m. at Big Shanty. The facilitator will be Jacques Booker from UGA's Carl Vinson Institute of Government.
- Ms. Kira Harris-Braggs, Program Manager of Griffin Main Street, would like to be advised of an appointment to the Main Street Advisory Board. They are having an orientation for new board members on February 18, and Spalding County has yet to make an appointment. Commissioner Flowers-Taylor suggested they appoint someone from the Development Authority for this vacancy. Chairman Goss stated he would appoint a member to that board tomorrow, February 17.
- Mr. Wilson asked to confirm with the Board the policy regarding take-home County vehicles as discussed by Commissioner Gilreath at the last Board of Commissioners meeting. Effective today, Mr. Wilson sent out notices to departments that the use of take-home vehicles would be restricted to certain individuals. Affected personnel will be parking those vehicles at the nearest fire station to their home as they come into the County. If they are called back to work and the employee will be using his or her own personal vehicle to respond, they will be reimbursed according to personnel policy at the IRS rate. They will record their hours on timesheets as offset or overtime as appropriate. The Board confirmed they did not want to continue the practice of allowing these vehicles to be taken home by employees except for the Fire Chief, Assistant Fire Chief, Fire Marshal, Coroner and the Sheriff's Department entire fleet. Chairman Goss confirmed that is correct.

### **XIII. REPORT OF COMMISSIONERS**

#### **Freeman:**

Commissioner Freeman noted the Water Council would benefit the County and City. The appointment to the ACCG Board of Managers will also be beneficial for Spalding County. As for speed limit signs, he would appreciate seeing them installed on Bethany and Rawls Roads.

#### **Flowers-Taylor:**

She thanked the seniors who were in attendance at tonight's meeting. She is disappointed with the outcome of the vote regarding funds for UGA for she has seen the unsightly view through the new building which would be rectified in the hardscape effort. Commissioner Flowers-Taylor took exception to the County discontinuing the practice of providing refreshments (sandwiches, chips, cookies, etc.) for Parks and Recreation Advisory Commission and the Board of Commissioners. She wants to see figures as to how much is actually spent on these items, but she does realize refreshments are not provided to any other boards, commissions or authorities.

She still would like to receive some answers to the questions raised about the appointment process to the Griffin-Spalding County Development Authority in light of sole funding from the County. When the retreat is held, she would like to discuss formation of a County Ethics Commission. She also wanted to get from Mr. Wilson some preliminary budget figures and recommended cuts.

#### **Phillips:**

Commissioner Phillips thanked the Board for voting in the affirmative on designating Runaway Lakes as an Animal Restraint District. This area is working very hard toward cleaning up the subdivision and this will help in that effort. He hated to turn down UGA's request for additional funding, but he was afraid the 800 MHz radio system would end up eating away at any and all available monies. It is growing into a dragon that will not die.

#### **Gilreath:**

Commissioner Gilreath thanked Dr. Jesse Bradley, Superintendent of Schools, who will be retiring May 31, 2009. The new superintendent will be installed on June 1, 2009 he thought. Next, he had a copy of an email sent via interoffice correspondence referring to a citizen as "my favorite fan," and he felt the writer could be more diplomatic. He has been exploring in several South Georgia counties the issue of homestead valuation freeze exemption. The Constitution of Georgia allows counties to enact local homestead exemptions known as the homestead value freeze exemption. A number have implemented an exemption that will freeze the valuation of property at the base year valuation for as long as the homeowner resides on their property. Even as property values continue to rise, the homeowners' taxes will be based on the base year valuation. This may be for County taxes, school taxes, and/or municipal taxes. In some counties, age and income restrictions may apply and the law may allow for the base year valuation to be increased by a certain set percentage each year. Exemptions granted by an act shall not apply to, or affect, state ad valorem taxes, county or independent school district ad valorem taxes for educational purposes, or municipal ad valorem taxes for municipal purposes. The exemption granted would be in addition to, and not in lieu of, any other homestead exemption applicable to county and ad valorem taxes for county purposes. He

requested that the County Manager and County Attorney research this further in an attempt to save our dearly beloved people of Spalding County some money.

He asked if the County purchased the voting machines used here. Mr. Wilson responded the County did not buy them, but rather the State distributed them to the County, and the County must pay to maintain them. Commissioner Gilreath noted the City will be soon having a municipal election, and he asked if the County paid to handle such elections for the City. Mr. Wilson advised when there is only a municipal election, the City pays for that election. Commissioner Gilreath suggested the City use their own building to hold such election rather than that of the County. In the November 2007 general municipal election, the County charged the City \$79 for newspaper notice of machine testing; \$2995 for pollworkers' salaries; \$1032.43 for paper ballot printing costs; \$5.25 postage to mail returns to Atlanta for a total of \$4112.05. He did not see that the County charged for the rental space in the Courthouse Annex. Mr. Wilson advised the County had never charged the City, primarily because most of the time it coincides with a general election. Commissioner Gilreath stated if the County cannot charge for all items relating to solely municipal elections, then perhaps the City should hold their own municipal elections. Mr. Wilson responded he would investigate the matter.

While he has been known to shoot from the hip, even though he tries to be correct, Commissioner Gilreath read a prepared statement regarding this Board's efforts to save taxpayers money in these hard financial times. They are looking in all areas for savings, and he urged everyone to participate. He stated he will provide equal, honest and quality representation to his constituents. He is honored to serve with the other commissioners who have no political agendas when it comes to County business and with the other elected officials of the County. Once the budgetary process is complete, constitutional officers are entitled to do what they wish, how they wish, with their budgeted monies. The actions by the previous Board to interfere with the Sheriff and how he chooses to spend money in an approved budget for a contract provider of his choice led to a suit being filed which questioned the authority of the Sheriff to enter into this contract. The Sheriff was upheld by the Georgia Supreme Court and an appeal of that ruling was subsequently upheld, as well. This wasted much taxpayer money and was ill-advised by the County legal representative and/or the County Manager. This problem should have been resolved without the litigation that resulted in a cost to taxpayers of over \$54,000.

**Goss:**

Chairman Goss stated Commissioner Gilreath emailed to him an ethics policy from another county, and he felt it was rather comprehensive.

Chairman Goss agreed with Commissioner Gilreath's comments. He noted the email mentioned by Mr. Gilreath has been discussed already with Mr. Wilson and Mr. Chuck Taylor. These fence issues have become very complex and the problem can be directly attributed to Community Development. Now the County is rewriting the entire portions of the Ordinance dealing with fencing issues.

Mr. Wilson advised there are two portions of the zoning ordinance that conflict each other, and this rewrite is an attempt to correct that situation. One section lists fences as an accessory use, and the other has to do with setbacks. This was brought to our attention; Attorneys Galloway and Fortune were consulted; and the Ordinance has been redrafted and brought before the Planning Commission in January. It will come before the Board of Commissioners in February and should clear up any misinterpretation in the future.

Chairman Goss said he was sick and tired of writing up complaints only to have them sit around and get delayed. Commissioner Flowers-Taylor felt this was not the proper venue to discuss this issue tonight.

**XIV. CLOSED SESSION**

1. County Manager requests a Closed Meeting to discuss acquisition of real estate.

***Motion/second to Enter Closed Meeting at 8:17 p.m. by Commissioners Phillips and Freeman carried 5-0.***

**CLOSED MEETING AFFIDAVIT**

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

STATE OF GEORGIA  
COUNTY OF SPALDING

**AFFIDAVIT OF CHAIRMAN**

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

- 1.

The Spalding County Board of Commissioners met in a duly advertised meeting February 16, 2009.

2.

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

3.

The executive session was called to order at 8:17 p.m.

4.

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

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

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

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

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

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

This the 16<sup>th</sup> day of February 2009. Spalding County Board of Commissioners

Sworn to and subscribed  
Before me this 16<sup>th</sup> day of February 2009  
Notary Public – Teresa A. Watson

Edward Goss, Jr.  
Bob Gilreath  
Eddie L. Freeman  
Gwen Flowers-Taylor  
David Phillips

My commission expires:  
March 1, 2011

***Motion/second to Adjourn Closed Meeting and reconvene to Open Meeting at 8:58 p.m. by Commissioners Freeman and Phillips carried 5-0.***

**XIV. ADJOURNMENT**

***Motion/second to Adjourn at 9:00 p.m. by Commissioners Freeman/Phillips carried 5-0.***

\_\_\_\_\_  
Chairman  
.....

\_\_\_\_\_  
County Clerk  
.....