

## REGULAR MONTHLY MEETING

The Spalding County Board of Commissioners held their Regular Monthly Meeting in Room 108 in the Courthouse Annex, Monday, March 2, 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 Executive Secretary Teresa Watson.

- I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.**
- II. INVOCATION - Commissioner Flowers-Taylor**
- III. PLEDGE TO FLAG – Led by County Attorney James R. Fortune, Jr.**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION – N/A**
- V. PRESENTATION OF FINANCIAL STATEMENTS – N/A**
- 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.

James Holland, 114 Hammerhawk Road, Griffin, Georgia

Mr. Holland was concerned over issues with the Spalding County Youth Softball Field at Volunteer Park, which he understood was going to be sold by the City of Griffin. Spalding County currently leases the land for the softball field from the City. Louis Greene conveyed he was not sure where the games would be held, and this is the only field currently designated for girls' play. Mr. Holland was losing girls already to Hampton and feared he would lose more. Chairman Goss said the County would find another solution should the City desire to sell, and he felt any transaction would be quite some time in the future anyway.

Michael James 590 Minter Road, Griffin, Georgia

Mr. James desired to know the status of paving for Minter Road. Chairman Goss advised County Manager Wilson would let him know tomorrow where Minter Road fell in the prioritization. The road has a serious problem with citizens dumping trash, animal carcasses, and general refuse.

Betty Gebhardt, 79 Richardson Street, Griffin, Georgia

Ms. Gebhardt complained about parking on Richardson Street and about nuisance language from surrounding residents. This past week those parking on the road actually blocked her driveway. This creates a dangerous situation for her.

Virginia Ballard, 1522 Louise Anderson Drive, Griffin, Georgia

Ms. Ballard stated her concern was for the burn tower at Carver Road Fire Headquarters, which is only 90 feet from the back of her home. The smoke creates a hazardous situation for her and other residents with varying degrees of respiratory sensitivities and disease. Even the animals in the area get sick from the smoke. No one told them truthfully when they purchased their properties that this was a burn tower. They were informed by the developer/realtors that the tower was used to teach firefighters jumping techniques. She lives in Phase III of the development and the developer is now in bankruptcy, so he is unconcerned. The burning right now is ongoing four to five times per week. Commissioner Phillips asked if there was some substance that could be used in training instead of actually burning which would be less detrimental.

## VIII. MINUTES

1. Consider approval of Minutes of the following: February 16, 2009 Extraordinary Session and February 26, 2009 Zoning Public Hearing.

*Motion to approve Minutes of the following: February 16, 2009 Extraordinary Session and February 26, 2009 Zoning Public Hearing by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0.*

## IX. CONSENT AGENDA

1. Consider, on second reading, Ordinance #2009-02 Traffic Regulation – 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.

SPALDING COUNTY, GEORGIA  
TRAFFIC REGULATION ORDINANCE  
ORDINANCE NO. 2009-02

TO AMEND THE MOTOR VEHICLES AND TRAFFIC CODE OF SPALDING COUNTY, GEORGIA, 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 – TO PROVIDE FOR REDUCTION OF SPEED LIMITS ON VARIOUS COUNTY ROADS, AND AN EFFECTIVE DATE.

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

Section 1. That the Code of Spalding County, Georgia, be amended in Part VII, Chapter 1, Section 7-1001, relating to speed limits of thirty miles per hour in certain urban or residence districts, by deleting sub-sections as follows:

Road Name	From	To
“Robin Lane”	Bobolink Drive	Woodmont Drive
“Main Street”	East McIntosh Road	North to Dead End
“Lakeview Street” (Highland Mill)	East McIntosh Road	North to Dead End
“Spring Street”	Lakeview Street	Front Street
“Highland Street”	Main Street	Front Street

Section 2. That the Code of Spalding County, Georgia, be amended in Part VII, Chapter 1, Section 7-1002, relating to speed limits on specific County Roads, by adding sub-sections as follows:

Road Name	From	To	Length (Miles)	Speed Limit
“Loumae Road”	Dead End	Zebulon Road	.5	25
“Jewel Drive”	Dead End	Loumae Road	.3	25
“Corley Court”	Dead End	Jewel Drive	.1	25
“Freeman Circle”	Dead End	Loumae Road	.2	25
“Thomas Street”	Loumae Road	Zebulon Road	.3	25
“Kline Circle”	Dead End	Zebulon Road	.2	25
“Earl Circle”	Dead End	Zebulon Road	.1	25
“McEthel Drive”	Dead End	Zebulon Road	.2	25
“Ola Circle”	Dead End	McEthel Drive	.1	25
“Brice Street”	Ethridge Mill Road	Karen Court	.3	25
“Karen Court”	Brice Street	Laura Ashley Lane	.1	25
“Tony Trail”	Dead End	Laura Ashley Lane	.1	25
“Laura-Ashley Lane”			.1	25
“Paul Circle”	Brice Street	Dead End	.1	25
“Robin Lane”	Woodmont Drive	Bobolink Drive	.1	25
“McKinley Drive”	Dead End	Ethridge Mill Road	.7	25
“Ison Woods Court”	Dead End	Rosedale Drive	.2	25
“Park Street”	Highland Street	Dead End	.2	25
“Lakeview Street”	East McIntosh Road	Spring Street	.3	25
“Spring Street”	Dead End	Front Street	.2	25
“Front Street”	Spring Street	Dead End	.1	25
“Highland Street”	Lakeview Street	Front Street	.2	25
“Camp Street”	North Lee Street	East McIntosh Road	.1	25
“North Morgan Drive”	Dead End	Patterson Road	.5	25
“Church Street”	West Vineyard Road	Manley Drive	.1	25
“Manley Drive”	Georgia Highway 3	Church St.	.2	25
(W of Ga. Hwy. 3)				
“Manley Drive”	Old Atlanta Road	Georgia Hwy 3	.2	25
(E of Ga. Hwy. 3)				
“Edwards Street”	Wilson Street	Hamilton Boulevard	.2	25
“Wilson Street”	Parrish Street	Searcy Avenue	.1	25
“Parrish Street”	Wilson Street	Searcy Avenue	.2	25

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

<u>Road Name</u>	<u>From</u>	<u>To</u>	<u>Length (Miles)</u>	<u>Speed Limit</u>
"Jackson Street"	South Lee Street	North Lee Street	.2	25 (from 35)
"Stephens Street"	North Ninth Street	Dead End	.2	25 (from 35)

(Also correct spelling from "Stevens" to "Stephens" Street)

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

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

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

**X. OLD BUSINESS**

1. Consider lifting from the table: Amendment to the contract for Inmate Medical Services from Dr. Mark Crump for the Spalding County Correctional Institute.

*Motion to lift from the table by Commissioner Freeman, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.*

County Attorney James R. Fortune, Jr. stated this was an appropriate topic for Open Meeting and not for Closed Meeting. Clearly Dr. Crump is a contract provider and not an employee; however, he has been provided with insurance benefits and has been paid out of payroll for many years to date. The amendment only provides for an increase should employees receive a cost of living raise. The Correctional Institution is satisfied with the services with Dr. Crump in his twenty-year tenure.

**AMENDMENT TO CONTRACT FOR INMATE MEDICAL SERVICES  
FOR SPALDING COUNTY CORRECTIONAL INSTITUTE**

This Amendment to the Contract is entered into this 3<sup>rd</sup> day of March 2009, by and between Spalding County, a political subdivision of the State of Georgia (hereinafter referred to as "Spalding County"), and Dr. Mark Crump, (hereinafter sometimes referred to as "Inmate Physician").

For and in consideration of the mutual benefits flowing to the parties hereto, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

WHEREAS, the parties on January 9, 2002, entered into a contract for Inmate Physician to provide medical attention to inmates in the Spalding County Correctional Institute; and

WHEREAS, there has been no increase in the compensation for the "Inmate Physician"; and

WHEREAS, the parties have reviewed the contract and believe that an increase in pay is warranted;

NOW, THEREFORE, it is hereby agreed as follows:

The Contract dated January 9, 2002, is hereby amended by amending paragraph 4 of the contract, headed as "COST OF SERVICES" by adding to the existing paragraph 4 the following language:

It is agreed between the parties that the compensation paid to Inmate Physician will increase by the same percentage as any cost of living increases approved for county employees by the Board of Commissioners, beginning with the FY 2010 budget, which begins July 1, 2009.

All other terms and conditions in said contract remain in full force and effect.

IT IS SO AGREED, on the date first above written.

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*Motion to approve Amendment to the contract for Inmate Medical Services from Dr. Mark Crump for the Spalding County Correctional Institute as presented by Commissioner*

*Freeman, seconded by Commissioner Phillips, carried by a vote of 4-1 with Commissioner Gilreath opposing.*

**XI. NEW BUSINESS**

1. Conduct Public Hearing to receive comment relative to Resolution to Abandon Eastmont Alley, Huckaby Circle Street, Harper Street and an Unused Portion of Parrish Street.

*Motion to enter public hearing by Commissioner Freeman, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.*

There was no public comment forthcoming.

*Motion to close public hearing by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0.*

2. Consider approval of Resolution to Abandon Eastmont Alley, Huckaby Circle Street, Harper Street and an Unused Portion of Parrish Street.

The Resolution of Intent was passed at the previous meeting, and under consideration tonight is the actual Resolution to Abandon these roads which were never cut and do not actually exist, stated Mr. Wilson.

**RESOLUTION TO ABANDON  
EASTMONT ALLEY, HUCKABY CIRCLE STREET, HARPER STREET, AND  
AN UNUSED PORTION OF PARRISH STREET**

WHEREAS, landowners contiguous to Eastmont Alley, Huckaby Circle Street, and Harper Street in their entirety and an Unused Portion of Parrish Street to its eastern boundary with Land Lot 178, all of which are located in Land Lot 207 of the 2<sup>nd</sup> Land District of originally Monroe County, have ceased to be used by the public to the extent that no substantial public purpose is served by said roads and have requested the Board of Commissioners of Spalding County as the governing authority of said county, to abandon said portion of road as a part of the county road system; and

WHEREAS, on February 16, 2009, the Board of Commissioners adopted a resolution of intent to consider the abandonment of Eastmont Alley, Huckaby Circle Street, and Harper Street in their entirety and an Unused Portion of Parrish Street; and

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

WHEREAS, no objections to such abandonment have been received;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED by the Board of Commissioners of Spalding County that Eastmont Alley, Huckaby Circle Street, and Harper Street in their entirety and an Unused Portion of Parrish Street to its eastern boundary with Land Lot 178, all located in Land Lot 207 of the 2<sup>nd</sup> Land District of originally Monroe County now Spalding County, and more properly described and 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; accordingly said road is hereby considered, ordered and declared abandoned, and it is further ordered that said Eastmont Alley, Huckaby Circle Street, and Harper Street in their entirety and an Unused Portion of Parrish Street shall hereafter cease to be a part of the county road system and

IT IS FURTHER RESOLVED that a copy of the within resolution shall be transmitted to the Georgia Department of Transportation and to the Spalding County Board of Tax Assessors, so as to record the deletion of said portion of Eastmont Alley, Huckaby Circle Street, and Harper Street in their entirety and an Unused Portion of Parrish Street as parts of the Spalding County road system; and

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

This the 2<sup>nd</sup> day of March 2009.

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***Motion to approve Resolution to Abandon Eastmont Alley, Huckaby Circle Street, Harper Street and an Unused Portion of Parrish Street by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 4-1 with Commissioner Gilreath opposing.***

3. Consider, on first reading, Ordinance #2009-03 Traffic Regulation – To Amend Part VII, Chapter 1, Section 7-1002 – For Reduction of Speed Limits on Various County Roads (Bethany, Rawls and West Williamson).

***Motion to approve, on first reading, Ordinance #2009-03 Traffic Regulation – To Amend Part VII, Chapter 1, Section 7-1002 – For Reduction of Speed Limits on Various County Roads (Bethany, Rawls and West Williamson) by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 5-0.***

4. Consider request from Spalding Collaborative for office space at Victims Service Unit location in Memorial Drive Plaza.

The Sheriff has endorsed this measure, and the County Attorney feels it is an appropriate use of County facilities, advised County Manager Wilson.

***Motion to approve request from Spalding Collaborative for office space at Victims Service Unit location in Memorial Drive Plaza by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0.***

5. Consider approval of new 2009 Alcoholic Beverage License – Consumption on Premises – Beer, Wine and Liquor – for Myung Hyuk Yim Park, Owner & President of Park & Yim Corporation, d/b/a Country Rock Bar & Grill, 2700 N. Expressway, Griffin, Georgia.

Mr. Wilson advised the business has met all criteria, and Staff recommends approval.

***Motion to approve approval of new 2009 Alcoholic Beverage License – Consumption on Premises – Beer, Wine and Liquor – for Myung Hyuk Yim Park, Owner & President of Park & Yim Corporation, d/b/a Country Rock Bar & Grill, 2700 N. Expressway, Griffin, Georgia by Commissioner Freeman, seconded by Commissioner Phillips, carried 5-0.***

6. Consider request of Richie's Tires & Accessories for outside amplification permit for the following dates: March 28, May 16, July 4, September 19 and November 28, 2009 from 10:30 a.m. to 7:30 p.m. each day for sales events with live entertainment and food vendors at 4289 Highway 19/41.

***Motion to approve request of Richie's Tires & Accessories for outside amplification permit for the following dates: March 28, May 16, July 4, September 19 and November 28, 2009 from 10:30 a.m. to 7:30 p.m. each day for sales events with live entertainment and food vendors at 4289 Highway 19/41 by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 3-2 with Commissioners Gilreath and Goss voting in opposition.***

7. Discussion and identification of course of action after presentation by MA/COM, GTRI, Advent Ltd., Sprint, and NexTel relative to 800 MHz Radio System rebanding efforts.

Assistant to the County Manager Paul Van Haute said this discussion was relative to an action taken by the Board of Commissioners two weeks ago which authorized installation at the old, original frequencies on the radio system with rebanding to the new frequencies to be accomplished at a later date. Representatives from MA/COM, GTRI, Advent and Sprint/NexTel were here to address the issue.

Consultant Steve Macke said the digital television transmission delay by the government forced this decision on rebanding. The new option worked out by all representatives actually suggests that the Board authorize installation with both the old, original frequencies, as well as the new frequencies. This will allow for more efficient handling of the units which will require minimal handling to delete the old frequencies when they are no longer effective, and the new ones will be there. This will be a win-win situation for not only the vendors but for the County, as well.

***Motion to amend the last decision on this issue, made at the February 16, 2009 meeting, and instead authorize proceeding with installing not only the old, original frequencies, but the***

*new frequencies as well, by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0.*

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

- The excellent performance of County agencies over the past weekend with storm damage deserved much praise, and Mr. Wilson encouraged commissioners to thank them. Some employees not involved in storm damage repairs/assessment elected to come in early, as well, even though the County was officially closed in the morning, electing to open at Noon.
- A reminder that Bain Proctor Award for Volunteerism applications are due by 3-16-08. The 2009 recipient will be announced in April 2009.
- Representative from Census 2010 approached Mr. Wilson for office space for testing possible applicants for the census-taker positions. They desire to use space in the Memorial Drive facility from March 30-April 3 as a testing center. They will hire 150,000 people for these positions overall. General consensus of the Board was to allow facility space for this purpose.
- Terry Tardy has notified all appropriate personnel that maintenance on the electrical/computer systems in the Courthouse will take place this Saturday from 1 to 3 and power will be interrupted for that time period.
- Mr. Wilson will send a memo on alternatives for a systems administrator for the 800 MHz. radio system. He has received responses from two perhaps three of those approached.

## **XIII. REPORT OF COMMISSIONERS**

### **Freeman:**

He echoed Mr. Wilson's thanks to agencies and employees who responded to the storms this weekend.

### **Flowers-Taylor:**

No comments.

### **Phillips:**

He ran across filming crews for the Lifetime Network production of "*A Wronged Man*," and Mitch Harbeson made some valued comments about filming sites around the County. These type ventures provide much money and notoriety to the area.

### **Gilreath:**

No comments.

### **Goss:**

Chairman Goss conveyed his thanks to all agencies and employees, as well.

## **XIV. CLOSED SESSION**

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

*Motion to enter Closed Meeting at 7:06 p.m. by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 5-0.*

### CLOSED MEETING AFFIDAVIT

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

STATE OF GEORGIA  
COUNTY OF SPALDING

### AFFIDAVIT OF CHAIRMAN

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

1.

Spalding County Board of Commissioners met in a duly advertised meeting March 2, 2009.

2.

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

3.

The executive session was called to order at 7:06 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 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 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 2<sup>nd</sup> day of March 2009 . Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 2<sup>nd</sup> day of March 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

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Commissioner Gilreath exited during Closed Meeting.

***Motion to adjourn Closed Meeting and reconvene to Open Meeting at 7:39 p.m. by Commissioner Freeman, seconded by Commissioner Flowers-Taylor, carried 4-0.***

- Mr. Wilson advised he had been approached by an organization, Commercial Assets Group, interested in the sale of Memorial Drive Plaza as a long-term lease arrangement with public/private partnership. More details will be provided later.

**XV.ADJOURNMENT**

***Motion to adjourn at 7:44 p.m. by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 4-0.***

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

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Chairman

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