

REGULAR MONTHLY MEETING

The Spalding County Board of Commissioners held their Regular Monthly Meeting in Room 108 in the Courthouse Annex, Monday, April 6, 2009, beginning at 6:00 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Eddie L. Freeman, Bob Gilreath and David Phillips present. Absent was Commissioner Gwen Flowers-Taylor. 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 – Teresa A. Watson

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

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Spalding County Fire Chief Chipper Gardner and Assistant Fire Chief Kenny West will recognize the most recent rookie graduates of the SCFD training program: Douglas D. House, Charles R. (Rocky) White, Tavario L. Berry, Joshua S. Cowart, Jalani A. Daniel, Jimmy D. Gregory, Adam G. Marat, David A. Pelchat and Shaae G. Philips.
2. Consider Proclamation declaring the week of April 12, 2009 as *National Public Safety Telecommunicators Week*.

Motion/second to approve Proclamation declaring the week of April 12, 2009 as National Public Safety Telecommunicators Week, by Commissioners Phillips/Freeman, carried by a vote of 4-0.

Proclamation

WHEREAS: Thousands of dedicated Telecommunicators daily serve the citizens of the United States by answering their telephone calls for police, fire and emergency medical services and by dispatching the appropriate assistance as quickly as possible; and

WHEREAS: The critical functions performed by professional Telecommunicators also include those related to forestry and conservation operations, highway safety and maintenance activities, and many operations performed by federal, state and local government agencies; and

WHEREAS: Professional Telecommunicators work to improve the emergency response capabilities of these communications systems through their leadership and participation in training programs and other activities provided by the Associated Public-Safety Communications Officers, Inc.; and

WHEREAS: The Associated Public-Safety Communications Officers, Inc., an organization of 10,000 plus people engaged in the design, installation and operation of emergency response communications, has set aside the second week in April to recognize these professional telecommunicators.

NOW, THEREFORE BE IT

RESOLVED that the Board of Commissioners of Spalding County do hereby proclaim the week of April 12, 2009, as **National Public Safety Telecommunicators Week** in Spalding County, Georgia, and urge all citizens to join them in honoring and recognizing our area's Telecommunicators and the vital contributions they make to the safety and well being of our citizenry.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the County to be affixed this, the sixth day of April, in the year of our Lord, two thousand and nine.

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Chairman Goss read the proclamation and presented same to 911 Center Director Trudy McDevitt, CAD Director Barbara Leonard, and Lead Telecommunicator Sherry White.

3. Present "*Bain Proctor Award for Volunteerism.*"

Chairman Goss read the press release and presented the *Bain Proctor Award for Volunteerism* to the 2009 recipients, James and Sally Johnston.

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.

Betty Gebhardt, 79 Richardson Street, Griffin, Georgia
Ms. Gebhardt complained about the No Parking designations being violated on Richardson Street.

Mary Ann Ruth, Woodmont Drive, Griffin, Georgia
She wanted an update on the senior center. She said the seniors voted on the SPLOST for a new senior center and they did not want an old facility in its stead.

VIII. MINUTES

1. Consider approval of Minutes of the following: March 16, 2009 Extraordinary Session (no Zoning Public Hearing for March).

Motion/second to approve Minutes of the March 16, 2009 Extraordinary Session, by Commissioners Phillips/Freeman, carried by a vote of 4-0.

IX. CONSENT AGENDA – N/A

X. OLD BUSINESS – N/A

XI. NEW BUSINESS

1. Consider approval of request to hold National Day of Prayer program themed "Prayer, America's Hope" for Spalding County on May 7, 2009 at Noon on the Courthouse steps.

Motion/second to approve the request to hold National Day of Prayer program themed "Prayer, America's Hope" for Spalding County on May 7, 2009 at Noon on the Courthouse steps, by Commissioners Phillips/Freeman, carried by a vote of 4-0.

2. Consider request of Diana Locum to hold a "Tea Party" to express disapproval with government spending on Courthouse steps on April 14, 2009 between 5:00 and 7:00 p.m. with no outside amplification.

Motion/second to approve request of Diana Locum to hold a "Tea Party" to express disapproval with government spending on Courthouse steps on April 14, 2009 between 5:00 and 7:00 p.m., amended to include outside amplification, by Commissioners Phillips/Freeman, carried by a vote of 4-0.

3. Consider request of Church on Fire for an outside amplification permit for Saturday, June 6, from Noon until 3:00 p.m. at a site located at the corner of Sago Drive and Bleachery Street off North 9th Street for a community outreach celebration.

Motion/second to approve request of Church on Fire for an outside amplification permit for Saturday, June 6, from Noon until 3:00 p.m. at a site located at the corner of Sago Drive and Bleachery Street off North 9th Street for a community outreach celebration, by Commissioners Phillips/Freeman, carried by a vote of 4-0.

4. Consider Resolution to Adopt ACCG 401(a) Defined Contribution Program and authorize Chairman to execute associated Plan documents.

Mr. Wilson explained this process would move the 401(a) from the Nationwide platform to GEBCorp platform, and it amends and restates that plan document. This will offer a new investment option, target date funds, in the 401(a) and 457 plans. This will provide for better monitoring of fund performance and better ability to adjust funds in portfolios.

RESOLUTION TO ADOPT

ACCG 401(a) DEFINED CONTRIBUTION PROGRAM

WHEREAS, Spalding County (the "County") has previously established a Defined Contribution Plan (the "Plan") pursuant to section 401(a) of the Internal Revenue Code of 1986, as amended (the "Code") that has been available to all eligible County employees since October, 1998; and

WHEREAS, certain income tax benefits are available to those eligible individuals who participate in the Plan in order to supplement future retirement income; and

WHEREAS, the County desires to adopt the ACCG 401(a) Defined Contribution Program, and amend and restate the Plan document into the ACCG 401(a) Defined Contribution Plan document; and

WHEREAS, by adopting the ACCG 401(a) Defined Contribution Program, the County will delegate certain administrative responsibilities to ACCG or its designee to administer the Plan.

NOW THEREFORE, THE COUNTY HEREBY RESOLVES AS FOLLOWS:

RESOLVED, that the County governing body, at a meeting held on the 6th day of April 2009, hereby adopts the ACCG 401(a) Defined Contribution Program and shall amend, restate and replace the County's current Plan for the benefit and participation of all eligible employees of the County effective May 1, 2009.

FURTHER RESOLVED, the County hereby designates ACCG (or its designee) to administer the Plan.

FURTHER RESOLVED, that Edward D. Goss, Commission Chairman is hereby authorized by the County to execute the Plan document, Administrative Services Agreement, Trust Agreement and any other documents necessary to implement the Plan, and to take all further actions necessary to carry out the intent and purposes of the foregoing resolutions. It is the intent of the County governing body that the provisions of the amended and restated Plan be substantially similar to the provisions of the current Plan particularly as they relate to determining employee eligibility, vesting schedules, County contributions and any other provisions that may relate to the amount and timing of employee benefits under the Plan.

IT IS HEREBY FURTHER ORDERED that a true copy of these resolutions be recorded in the County's records as of this date.

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Motion/second to approve Resolution to Adopt ACCG 401(a) Defined Contribution Program and authorize Chairman to execute associated Plan documents, by Commissioners Freeman/Phillips, carried by a vote of 4-0.

5. Consider Resolution for the 2009 LCI Tri-County Crossroads Supplemental Study Grant for preparation of zoning overlay district regulations.

Resolution
*Cash Match Commitment for the 2009 Livable Centers Initiative
Supplemental Study Grant*

WHEREAS the Spalding County Board of Commissioners, in conjunction with the Atlanta Regional Commission, has completed the Tri-County Crossing Livable Centers Initiative that includes a 5-year implementation program, a major aspect of which is the adoption of an overlay zoning district that will implement the desired design and land use component of said plan; and

WHEREAS the Board of Commissioners desires to improve the development potential of the area included within the study area, by engaging a planning consulting firm to draft the necessary zoning overlay district regulations; and

WHEREAS the Board of Commissioners is aware that the Atlanta Regional Commission offers a further grant to purchase the services of such a planning consulting firm.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners further agree that, should said grant be awarded, Spalding County shall commit to provide fifty percent (50%) of

the total project cost, not to exceed Seventeen Thousand Five Hundred Dollars (\$17,500), including drafting the regulations of said zoning overlay district.

This the 6th day of April 2009.

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Motion/second to approve Resolution for the 2009 LCI Tri-County Crossroads Supplemental Study Grant for preparation of zoning overlay district regulations, by Commissioners Phillips/Freeman, carried by a vote of 4-0.

6. Consider the recommendation of Spalding County Animal Care & Control Advisory Board to increase the amount of the Spalding County Spay/Neuter Discount Voucher from the current \$10 coupon to an amount "up to \$50 off" for spay/neuter services.

Kelly Palmatier addressed the Board and voiced the concerns of the Animal Care & Control Advisory Board to increase the value of this voucher program, which has been very successful but not well used.

Motion/second to approve the recommendation of Spalding County Animal Care & Control Advisory Board to increase the amount of the Spalding County Spay/Neuter Discount Voucher from the current \$10 coupon to an amount "up to \$50 off" for spay/neuter services, by Commissioners Phillips/Freeman, carried by a vote of 4-0.

7. Consider Resolution authorizing submittal to the Georgia Department of Human Resources of a revised project application plan for use of carryover funds from FY 08 CSBG allocations.

Mr. Wilson noted this was a carryover from the 2008 CDBG, the majority of which will go toward a prescription assistance plan, with some funds applied to the Meals on Wheels program, as well. This money will be utilized over the next three months and was approved by the CDBG Advisory Board.

Motion/second to approve Resolution authorizing submittal to the Georgia Department of Human Resources of a revised project application plan for use of carryover funds from FY 08 CSBG allocations, by Commissioners Freeman/Phillips, carried by a vote of 4-0. Contract on file.

8. Consider approval of annual service agreement with McIntosh Trail RDC for 5311 transportation for the 2010 contract year.

Mr. Wilson advised this contract provides for the four 5311 public transportation buses for Spalding County. They currently log 2600 trips per month, and the vans are greatly used by the senior citizen and disabled populations. One of the vans can be replaced at an increased schedule and at no cost to the County through stimulus funding, which amounts to about \$50,000 in savings.

Motion/second to approve annual service agreement with McIntosh Trail RDC for 5311 transportation for the 2010 contract year, by Commissioners Freeman/Phillips, carried 4-0. Contract on file.

9. Consider recommendation of Parks and Recreation Advisory Commission to alter the openings/closings of City Park, Fairmont and Ambucs Park gyms as a result of proposed budget reductions in FY 2010, to be effective May 1, 2009.

Mr. Wilson noted there were representatives from this Commission present tonight if the Board should have questions. These recommendations take into consideration actual usage of the park gyms which have proven to be little during these identified times. Louis Greene, Director of Parks and Recreation, noted closing during these specified times will save money on utility bills and personnel costs. All three gyms will be manned by part-time personnel. No one will be laid off as a result.

Motion/second to table until April 20, 2009 the recommendation of Parks and Recreation Advisory Commission to alter the openings/closings of City Park, Fairmont and Ambucs Park gyms as a result of proposed budget reductions in FY 2010, to be effective May 1, 2009, by Commissioners Phillips/Freeman, carried by a vote of 4-0.

10. Consider declaring surplus various County vehicles to offer for sealed bid, excluding Spalding County employees/families.

Vehicle	VIN #	Tag	Department
1992 Ford F350 Pickup	2FTJW35H6NCA36682	47593	Construction/Maintenance
1994 Ford F350 Pickup	1FTHF25HXRNB36955	47594	Construction/Maintenance
1989 Ford F250 Pickup	2FTJW35H9KCA09181	47592	Construction/Maintenance
2000 Ford Taurus	1FAFP5320YA147723	127238	Magistrate
1992 Ford Taurus	1FACP5040NA284522	47522	Tax Assessors

Motion/second to declare surplus various County vehicles to offer for sealed bid, excluding Spalding County employees/families, by Commissioners Freeman/Phillips, carried 4-0.

11. Consider approval of the contractual documents resulting from Sprint/NexTel rebanding issues, to include a Statement of Work, summary pricing and Functional Testing Procedures for the radio system agreement.

Mr. Van Haute referenced the documents sent to commissioners prior to this meeting via email, noting there had been no changes since previous discussions. These revisions will not result in any additional cost to the county.

Motion/second to approve the contractual documents resulting from Sprint/NexTel rebanding issues, to include a Statement of Work, summary pricing and Functional Testing Procedures for the radio system agreement, by Commissioners Phillips/Freeman, carried by a vote of 4-0. Contract on file.

12. Consider approval of the Verizon Agreement for entry into the water tank site for the 800 MHz radio system.

Mr. Van Haute noted this agreement was still being reviewed by Verizon after the most recent changes made by County Attorney Jim Fortune. It should be ready for adoption by the next Board of Commissioners meeting.

Motion/second to table approval of the Verizon Agreement for entry into the water tank site for the 800 MHz radio system approval of the Verizon Agreement for entry into the water tank site for the 800 MHz radio system until April 20, 2009, by Commissioners Phillips/Freeman, carried 4-0.

13. District 3 Commissioner Bob Gilreath desires to appoint Mr. Chase Todd to the Animal Care & Control Advisory Board to fill the unexpired term of Ms. Tanya Moore.

14. Consider approval of official statement for Georgia Department of Transportation confirming desired location for intermodal transfer station (commuter rail station) for the proposed rapid rail line.

Commissioner Freeman stated he attended a meeting recently and concurred this platform was the preferred location for the commuter rail platform, but he noted that he still would like to see a secondary platform at the UGA Griffin Campus. Much discussion followed.

Motion/second to table, for further study, approval of an official statement for Georgia Department of Transportation confirming desired location for intermodal transfer station (commuter rail station) for the proposed rapid rail line, by Commissioners Gilreath/Goss, carried by a vote of 2-2 with Commissioners Phillips and Freeman voting in opposition.

XII. REPORT OF COUNTY MANAGER

- The recent Blood Drive had 93 signed in with 65 units successfully donated.
- The County was able to secure transit stimulus funds and with the money will only need to replace one of the two anticipated buses/vans in FY 2011 since the previous identification by Robert Hiatt to obtain funding for one 5311 public transportation bus in advance of the scheduled replacement at no cost to the County has now occurred.
- Johnson Road relocation for the Village at Heron Bay needs some clarification. Minerva will pay for the relocation of Johnson Road and wants to have the County on the 404 Wetlands Permit to facilitate the process. The relocated road will cross the stream and will require a

permit. Minerva will construct the road and bridge to county specifications at no cost to Spalding County and pay all fees for the 404 wetlands permit. The Board concurred.

- Per the discussion tonight, and with the creation of the Land Bank Authority, the County applied jointly with the City for the Neighborhood Stabilization Grant Program. The City and County have been jointly awarded \$1,475,702. This money will help the Land Bank Authority become established and provide over \$1.2 million for acquisition of property in identified areas, mostly along the Hill Street and Experiment Street corridors. Stipulations are in place and we need to identify the City as lead agent in order to receive funds. Money will be funneled through the City as fiduciary to Land Bank Authority, and the Board concurred.

XIII. REPORT OF COMMISSIONERS

Freeman – Mr. Freeman elaborated on commuter rail and raised concern that the \$87 million set-aside for commuter rail may be lost if we cannot collaborate successfully with the City in a timely fashion for approval of a station location for GDOT.

Phillips – He, too, hoped to find mutual agreement with the City on the commuter rail station. Mr. Wilson was directed to relay that the Board did not like the lack of communication prior to the City’s identifying this location. Mr. Freeman said the County was included after they voiced concern over the lack of communication in the first efforts, so they have made a genuine endeavor to include the County after having it brought to their attention.

Gilreath – He was pleased last week to visit Tifton for training in economic development, and he thanked everyone for their support. He questioned if the stimulus also provides money for broadband and Mr. Wilson advised the county had looked at the feasibility of applying for this grant, but the City turned down a grant in this area 18 months ago because of restrictive strings attached. Commissioner Gilreath noted industry closings in the area have reduced morale to a great degree, and he felt this Board should invite the head of each industry for a collective get-together once in awhile to improve morale, i.e. perhaps a County-sponsored cookout.

Goss – Chairman Goss talked about some type of minimum commercial standards to go with the minimum housing standards being developed. Mr. Wilson reported he would contact Zoning Attorney Newton Galloway for a status report on development of these standards.

XIV. CLOSED MEETING

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

Motion/second to Adjourn to Closed Meeting to discuss acquisition of real estate at 7:12 p.m., by Commissioners Freeman/Phillips, carried by a vote of 4-0.

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 April 6, 2009.

2.
During such meeting, the Board voted to go into closed session.

3.
The executive session was called to order at 7:12 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 6th day of April 2009 . Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 6th day of April 2009
Notary Public – Teresa A. Watson

Edward Goss, Jr.
Bob Gilreath
Eddie L. Freeman
David Phillips

My commission expires: March 1, 2011

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Commissioner Gilreath exited Closed Meeting at 7:48 p.m.

Motion/second to Adjourn Closed Meeting and Reconvene to Open Meeting at 7:51 p.m., by Commissioners Freeman/Phillips, carried by a vote of 3-0.

XIV. ADJOURNMENT

Motion/second to adjourn at 7:52 p.m., by Commissioners Freeman/Phillips, carried 3-0.

County Clerk

Chairman

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