

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, June 15, 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., County Attorney James R. Fortune, Jr. and Teresa Watson 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.

Motion to add to tonight's agenda as the first item of new business: 1) Consider a Resolution recommending the appointment of Judge Christopher C. Edwards to the Supreme Court of Georgia, by Commissioner Freeman, seconded by Commissioner David Phillips, carried 5-0.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. Debbie Campbell, Griffin Branch Manager of Liberty National, desires to address the Board.

Ms. Campbell was not present to address the Board.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of Financial Statements for the Eleven Months ended May 31, 2009.

Motion to approve Financial Statements for the Eleven Months ended May 31, 2009, by Commissioner Phillips, 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 are 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.

Rita Mace, 3345 Williamson Road, Williamson, Georgia

Ms. Mace read a prepared statement regarding past-due property taxes owed Spalding County, some dating as far back as 2001. She advocated strongly the collection of these taxes in arrears in lieu of any property tax increase being considered for the FY 2010 budget. Chairman Goss noted that while her information was correct, this Board cannot make the Tax Commissioners Office collect these monies, and he relayed the Tax Commissioners Office tried their best in this regard. There are some definite extenuating circumstances in this declining economy.

Betty Gebhardt, 79 Richardson Street, Griffin, Georgia

Ms. Gebhardt complained about the parking in areas on Richardson Street that are designated No Parking. She stated she could get no relief from law enforcement. Commissioner Gilreath said he wanted something done about this situation, and discussion followed among other commissioners.

Bart Miller, Jr., 3259 Williamson Road, Williamson, Georgia

Mr. Miller was against any property tax increase and cited opinions to support his posture. He took issue with the budget public hearing that was held on June 1, 2009, saying in error that it was a Board of Commissioners meeting at which the budget was considered for a vote.

Sylvia Hollums, Tax Commissioner, Spalding County

Ms. Hollums advised that of the \$4,400,000 cited as being outstanding taxes, much is for the school system and the city, as well as the county. Tax liens have been filed as was appropriate to do, but the vast number of foreclosures and bankruptcies complicate the matter. In many instances, going after the money is problematic if the property is involved in a bankruptcy, and due process is both necessary and time consuming. Late penalty is 22% the first year and 12% after that per year. They are engaging the assistance of a company to collect these taxes, and even that process is narrow and defined, i.e. regular collection agencies cannot be utilized. This company bears the upfront costs of notification, levy of property with title search expenses and even this action to help with the delinquent tax status took a two-year process. This company is bonded for \$1,000,000 and coverage for this option is expensive, as

well. The \$2,000,000 from 2008 outstanding is out of a total of \$51,000,000, and many of these are first-time offenders. During the first 15 days of June her office has collected over \$200,000 in past-due taxes. Selling on the courthouse steps for foreclosed properties is also a complex process and affords a sheriff's title; the process is not as simple as an individual selling to another individual. Ms. Hollums also addressed the issue with HTRG (Homestead Tax Relief Grant) as there is much confusion among the public. The state no longer has the money to fund this grant, and this decision is not the County's at all.

Mr. Wilson advised the Water District Fund has \$8,000,000+ in fund balance, but this is not cash. It is an enterprise fund, and most of the value is physical property and materials. Their budget did increase about 14% but included upgrades to the newly acquired Springs/Global Wastewater Treatment Plant.

Greg Cody, 51 Creekwood Drive, Griffin, Georgia

He questioned the item on tonight's agenda regarding a contract for the 800 MHz communication system, and he felt \$84,400 was a great deal of money to come out of taxpayers' pockets. He also felt this person should be a Spalding County resident and be able to service the system's needs on a 24/7 basis. Commissioner Phillips explained the process to Mr. Cody, noting that Mr. Macke would provide more than just consulting and engineering services for the system; he will also market the system switches to other entities to generate a revenue stream. Money for this consultant will be provided out of SPLOST funds and not from the general fund. Commissioner Freeman advised he had conversed with Mr. Cody who informed him that he had applied to Spalding County for this position. Mr. Cody confirmed he had applied and could perform the duties required, as well. Loudon Communications handles maintenance of the system right now. Chairman Goss stated he did not know of anyone who knew the system better than Mr. Macke, and he affirmed that Mr. Macke would not remain long-term but rather short-term and would train someone for the long term.

Bobby Peurifoy, 917 South McDonough Road, Griffin, Georgia

He noted there had indeed been declining property values across the state for the past two years. House Bill 223 has frozen assessments and HB 55 which states before you assess property you must consider foreclosures and declining property values both have affected property taxes tremendously. He, too, was disappointed with the reinstatement of the \$180,000 appropriation granted for the airport study.

Alan McCallum, 2831 Williamson Road, Williamson, Georgia

Mr. McCallum stated that this Board of Commissioners should learn to live, as individuals do, within their means when financially challenged. He did not favor a tax increase and urged commissioners to go back and review the budget again to balance without a property tax increase.

Tony Rakestraw, 1144 Sage Drive, Griffin, Georgia

Mr. Rakestraw referenced a fence issue his mother has experienced. A very poorly constructed, eight-foot fence has been erected by a neighbor to hide a school bus that is parked on her property. Community Development said the fence had to be taken down to the four-foot limitation, and Mr. Rakestraw suggested this Board ensure in the future that fences which are not in compliance not be allowed to be constructed. Mr. Rakestraw contended the County knew the fence was being constructed out of compliance and the situation after the fact is much more difficult to correct. Some discussion followed. Mr. Wilson noted this fence was actually constructed after the most recent amendments to the fence ordinance.

James Brooks, 148 Tomochichi Road, Griffin, Georgia

Mr. Brooks opposed including the \$180,000 for the airport study.

Robert Mohl, Griffin-Spalding County Airport Manager, 306 Wynterhall Drive, Griffin, Georgia

He addressed the misinformation circulating about the \$180,000 to help fund the study. He noted that a new airport would provide 5 to 7 years of employment, an increase in taxes, an investment in the future, plus the advantage of utilizing federal funding dollars for the majority of construction.

Chris Starks, 400 South Pinehill Road, Griffin, Georgia

Mr. Starks relayed that he had applied for a business license to operate a delivery service from his home. He delivers produce, in addition to running a utility locate company. When he applied, he was requested to produce his driver's license for copying into the file. One employee questioned complaints someone made against him two years before, and he disagreed, saying he never instituted his business at home a couple of years ago when he originally inquired. There will be no signs and no one coming to his premises. There are no written rules or policies which state he has to provide his driver's license in order to obtain this business license. He questioned if the County Manager could implement his own rules and set his own policy. When he showed his license in Community Development for identification, the clerk, Lisa Crapo, started to record information from it and he asked her not to do

that. He had no problem with showing his license for identification purposes but he did not feel anyone should place his personal information on file. He confirmed the information was different between the license and what he had placed on his application. Some discussion followed. Mr. Starks stated an employee came to see him the same day and inquired if he felt he was treated unfairly, but he would not divulge who or whether or not the employee came to visit during regular business hours for which he or she would have been paid.

Mr. Wilson said the County has a policy that requires a copy of a driver's license for anyone applying for a business license. This policy arose from an incident a couple of years ago or more which resulted in some litigation over mistaken identity. This issue could be placed on a future agenda.

Mr. Fortune said such a policy did not need to be an ordinance. He had directed Community Development to write down the driver's license information only if it differed from the information on the business license application, which is what they attempted to do. He noted the County Manager is charged with making policy for daily operations and not the Board.

Mr. Starks said if this is a requirement, it should be on the affidavit and not required after the fact. He would like to get his license as soon as possible. The Board directed Mr. Wilson to immediately adjust the application/affidavit to reflect a requirement for a copy of one's driver's license. Mr. Goss noted he would meet with Messrs. Wilson and Taylor tomorrow to resolve the issuance of Mr. Starks' license.

Jewel Walker-Harps, President of the local chapter of the NAACP, Griffin, Georgia

Ms. Walker-Harps thanked the County for use of the facility for last week's town hall meeting, which she surmised went well. There is still to cover the issues of Parks and Recreation and she is looking forward to the next meeting.

VIII. MINUTES

1. Consider approval of Minutes of the following: May 18, 2009 Extraordinary Session; May 28, 2009 Zoning Public Hearing; and June 1, Budget Public Hearing.

Motion to approve Minutes of the following: May 18, 2009 Extraordinary Session; May 28, 2009 Zoning Public Hearing; and June 1, Budget Public Hearing, by Commissioner Flowers-Taylor, seconded by Commissioner Phillips, carried by a vote of 5-0.

Melvin Palmer, 121 Deerwood Circle, Griffin, Georgia

Chairman Goss, in Mr. Palmer's absence due to disability, read a prepared statement opposing the proposed property tax increase. He suggested the County tighten its belt in lieu of raising taxes on the elderly, burdened and disabled people on fixed incomes.

IX. CONSENT AGENDA

1. Consider, on second reading, an Ordinance amending the FY 2009 Budget Ordinance to provide for year-end adjustments.

AN ORDINANCE AMENDING THE
FISCAL YEAR 2009 BUDGET ORDINANCE
SPALDING COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2009 Fiscal Year pursuant to the requirements of Title 36, Chapter 81 of the Official Code of Georgia, and Section 2-5003 of the Code of Spalding County; and

WHEREAS, the Official Code of Georgia, specifically Title 36, Chapter 81-3, provides that said Board might amend its annual budget ordinance so as to adapt to changing governmental needs during the fiscal year.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners that the annual budget ordinance as approved, adopted and enacted on second reading on June 26, 2008, be amended as follows:

Section I. General Fund

A. Revenues

Fund Balance	From	\$	3,939,903	to	\$	3,803,351
Hospital Authority Grant	From	\$	0	to	\$	264,000
Health Department Summer TEOYM	From	\$	0	to	\$	22,275
GMA/ACCG Capital Lease Pool	From	\$	0	to	\$	432,089

Other Revenues	From	\$	100,000	to \$	113,013
ACCG Health & Wellness Grant	From	\$	0	to \$	6,081
District 4 Health Services Grant	From	\$	0	to \$	10,000
Club Hero Grant	From	\$	0	to \$	7,000
Insurance Refunds	From	\$	0	to \$	136,686
GEMA Allocation	From	\$	0	to \$	2,880

B. Expenditures					
Sheriff Warrant Division	From	\$	552,829	to \$	605,837
Sheriff Uniform Patrol Division	From	\$	2,733,728	to \$	3,119,024
Homeland Security	From	\$	11,148	to \$	24,028
Health Department	From	\$	484,157	to \$	748,157
Community Development	From	\$	668,386	to \$	681,399
TEOYM	From	\$	82,299	to \$	89,299

Section VII. CSBG Fund

A. Revenue					
CSBG Reimbursement	From	\$	170,000	to \$	125,000

B. Expenditures					
General Appropriations	From	\$	20,000	to \$	15,000
Juvenile Probation Program	From	\$	58,777	to \$	38,777
Emergency Food & Shelter	From	\$	78,444	to \$	58,444

Section IX. Impact Fees

A. Revenue					
Fund Balance	From	\$	1,370,400	to \$	1,370,900

B. Expenditures					
General Appropriations	From	\$	105,400	to \$	105,900

Section X. Fire Fund

A. Revenue					
Fund Balance	From	\$	633,331	to \$	983,323
GMA/ACCG Capital Lease Proceeds	From	\$	0	to \$	38,294

B. Expenditures					
Fire Department	From	\$	6,744,755	to \$	7,133,041

Adding Fund 242 CDBG Sumika EIP Grant

A. Revenue					
Sumika EIP Grant	From	\$	0	to \$	500,000

B. Expenditures					
Sumika EIP Grant	From	\$	0	to \$	500,000

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2. Consider, on second reading, Ordinance #2009-07 amending the Spalding County Code of Ordinances to insert in Part IX, Public Health, as Chapter 3A: Minimum Housing Code and Enforcement.

SPALDING COUNTY, GEORGIA
PART IX, PUBLIC HEALTH
ORDINANCE NO. 2009-07

TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR AMENDMENTS TO PART IX PUBLIC HEALTH, TO INSERT CHAPTER 3A: SPALDING COUNTY MINIMUM HOUSING CODE AND ENFORCEMENT.

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, Georgia;

WHEREAS, the Board of Commissioners of Spalding County have determined that it is in the best interests of the citizens of Spalding County, Georgia for certain amendments to be made to the Spalding County Code of Ordinances;

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Spalding County Code of Ordinances is of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

WHEREAS, it is found by the Board of Commissioners of Spalding County, Georgia that there is within Spalding County, Georgia the existence and/or occupancy of buildings and structures which are unfit for human habitation or for commercial, industrial or business occupancy use and which are otherwise not in compliance with the applicable state minimum codes as adopted by Ordinance of Spalding County, Georgia;

WHEREAS, such dwellings, buildings and structures constitute a general nuisance and a hazard to the health, safety and welfare of the people of Spalding County, Georgia, such that a public necessity exists for the repair, closing and/or demolition of such dwellings, building or structures;

WHEREAS, it is found by the Board of Commissioners of Spalding County, Georgia that there are locations within Spalding County, Georgia on which the existence of a condition or use of real estate renders adjacent real estate unsafe or inimical to safe human habitation, such use being dangerous and injurious to the health, safety and welfare of the people of Spalding County, Georgia;

WHEREAS, it is found by the Board of Commissioners of Spalding County, Georgia that a public necessity exists for the repair of such conditions or the cessation of such uses which render the adjacent real estate unsafe or inimical to safe human habitation;

WHEREAS, it is found by the Board of Commissioners of Spalding County, Georgia that there exists within Spalding County, Georgia dwellings, buildings or structures which are unfit for human habitation or for commercial, industrial or business uses due to dilapidation and failure to comply with applicable codes; and which have defects which increase the hazards of fire or accidents or other calamities, which lack adequate ventilation, light or sanitary facilities; and/or where other conditions exist rendering such dwelling, building or structure unsafe or unsanitary or dangerous or detrimental to the health, safety and welfare or otherwise inimical to the welfare of the citizens; and vacant, dilapidated dwellings, buildings or structures in which drug crimes are being committed;

WHEREAS, it is the intention of the Board of Commissioners of Spalding County, Georgia to fully exercise its power to address such conditions pursuant to the authority granted to Spalding County, Georgia by O.C.G.A. §§ 41-2-7 through 41-2-17;

NOW THEREFORE, it shall be and is hereby RESOLVED by the Board of Commissioners of Spalding County, Georgia that the Spalding County, Georgia Code of Ordinances shall be and is hereby amended, as follows:

Section 1: The following provision shall be added to the Spalding County, Georgia Code of Ordinances, Part IX Public Health, to appear as "Chapter 3A: Spalding County Minimum Housing Code and Enforcement:"

CHAPTER 3A: SPALDING COUNTY MINIMUM

HOUSING CODE AND ENFORCEMENT

9-3100 **Short Title:** The provisions of this Chapter shall be referred to as the "Spalding County Minimum Housing Code."

9-3101 **Purpose:** It is recognized that existing buildings and dwellings within Spalding County which are unfit for human habitation. Other buildings and dwellings exist within Spalding County which are substandard, deteriorating and/or in danger of causing or contributing to the general decline and deterioration in appearance or property value of surrounding properties and the general neighborhood. Vacant buildings and dwellings also exist within Spalding County which, as a result of their vacancy, are subject to unauthorized entry and vandalism. Vacant buildings and dwellings are often used for criminal activity and subject to vagrant use which increases the risk of fire, safety and sanitation hazards. Such conditions are adverse to the health, safety and welfare of the general public. The purpose of this Code is to establish minimum standards for the maintenance of decent housing; to provide effective means of enforcement thereof. Further, the purpose of this Code is to establish standards and procedures for the protection of the neighborhood residents and the general public. The provisions of this Code shall be mandatory for all buildings and dwellings designed or intended for human habitation whether occupied or vacant.

9-3102 **Scope and Application:**

Every building or structure intended, in whole or in part, for human habitation publicly or privately owned shall conform to the provisions of this Chapter irrespective of the date such building or structure was constructed, altered or last repaired, unless expressly excepted in Subsection (b).

The provisions of this Chapter shall not apply to buildings owned by federal, state or local government.

Interior Violations: When a building or dwelling is vacant, violations of this Code pertinent to interior conditions shall be held in abeyance for a period not to exceed six (6) months, provided that the exterior of such building or dwelling complies with the provision of this Code and the interior has been cleaned of trash, rubbish and debris; and the building or dwelling has been made inaccessible by boarding.

Application with Other Ordinances and Construction Codes: Any alteration or change to any building or dwelling required by the enforcement of this Chapter shall be performed in compliance with all applicable construction codes enacted by Spalding County.

New Work:

No building or dwelling shall hereafter be constructed, repaired or altered except in compliance with this Chapter.

No building or dwelling shall be altered in any manner which would be in violation of the provisions of this Chapter.

Nothing in this Chapter shall prohibit raising or lowering a building or dwelling to meet a change of grade in the street on which it is located, provided that the building or dwelling is not otherwise altered.

Whenever the full implementation of this Chapter would result in an undue hardship in a specific case, the Zoning Administrator may waive any specific requirement, provided an equivalent means of achieving substantially the same degree of safety is assured. The waiver shall be in writing and shall state the equivalent means to achieve the same degree of safety.

9-3103 **Definitions:** The words used herein shall have the same meaning as found in Article 2 of the Zoning Ordinance of Spalding County, unless expressly defined herein.

9-3104 **Minimum Standards:** Every dwelling unit and its surrounding premises shall conform to the requirements of this section. Compliance with the provisions of this section shall be the responsibility of the owner.

Base Equipment:

Bathroom: Each dwelling unit shall have a bathroom containing an area of no less than thirty-five (35) square feet constructed with exterior walls which provide privacy to the occupant. The bathroom shall have an approved interior door and latch. The bathroom shall be equipped with a flush toilet, lavatory basin and bathtub or shower. All plumbing fixtures shall be maintained in good operating condition, free from leaks, defects, obstructions and other unsanitary conditions.

Kitchen: Each dwelling unit shall have a kitchen which shall contain a kitchen sink, with cabinets or shelves for storage and adequate space for stove, refrigerator and counter workspace. All plumbing fixtures shall be maintained in good operating condition, free from leaks, defects, obstructions and other unsanitary conditions.

Water Supply and Sewer: Every kitchen sink, lavatory basin, bathtub/shower, toilet or other plumbing fixture shall be supplied with both hot and cold running water, be maintained in good operating condition and be properly connected to an approved water supply and public sewer to an approved sewerage disposal system.

Water Meter and Supply: The owner shall be responsible to furnish the required water supply to any building containing or designed to contain two (2) or more dwelling units which are served off the same water meter.

Water Heating: Every dwelling shall have water heating facilities which shall be properly connected with hot water lines required for the provision of hot running water in subsection (3), above. Water heating facilities shall be capable of heating water to permit a reasonable amount of water for ordinary usage at any kitchen sink, lavatory basin, bathtub/shower at a temperature of not less than 100° Fahrenheit within a reasonable time after fully opening the outlet. Water heating facilities shall be properly installed and provided with any and all appropriate safety vents or valves

required by any Spalding County building code. Water heating facilities shall be maintained in good operating condition.

Ingress/Egress: Every dwelling shall have means of ingress and egress which comply with Standard Fire Prevention Code of the Southern Building Code Congress International (SBCCI), as amended.

Smoke Detectors: Approved smoke detectors shall be installed on each level of every dwelling unit. Each smoke detector must emit an alarm audible in all sleeping areas of every dwelling when activated.

Light, Ventilation and Heating:

Window area: Every habitable room in every dwelling shall have at least one transparent or translucent window or skylight facing directly outdoors. Window area shall be at least 8% of the floor area of the room. When the room has only a skylight in the roof, the skylight area shall be 8% of the floor area of the room.

Adequate Ventilation: Every habitable room shall have at least one window or skylight which can be opened easily or such device as will adequately ventilate the room. The total window area that can be opened shall be at least 45% of the window area required in subsection (1).

Light/Ventilation for Kitchen and Bathroom: Every kitchen and bathroom shall comply with the requirements of subsections (1) and (2), above, unless such room is mechanically ventilated or air conditioned and is equipped with adequate electrical lighting.

Electrical Service: Every habitable room and kitchen in each dwelling shall contain at least three separate floor or wall electrical outlets for convenience, as well as an outlet for general illumination. Every bathroom, kitchen, laundry room, furnace room and hallway shall have at least one supplied ceiling or wall electric light fixture. Each bathroom shall also have at least one electrical convenience outlet which may be part of a wall fixture. Each bathroom outlet shall be properly connected to an approved ground fault interrupt device. All electrical fixtures, receptacles, outlets, equipment and wiring shall be maintained in good repair and in safe operating condition, and shall be installed in accordance with the National Electric Code ("NEC"), as published by the National Fire Protection Association, as amended.

Heating facilities: Every dwelling unit shall be provided with primary heating facilities which shall be installed in compliance with the Standard Gas Code of SBCCI or NEC (as applicable), as amended and shall be capable of providing heat to each habitable room, kitchen and bathroom to a temperature of 72° Fahrenheit in the area at least three (3) feet above the floor and three (3) feet from the exterior wall when the outside temperature is 22° Fahrenheit.

Open fireplaces and portable heaters shall not be considered primary heating facilities.

Gas fired heaters shall be vented and connected to an effective chimney or gas vent equipped with a 100% safety shut-off device.

Unvented gas fired room heaters shall be equipped with an oxygen depletion sensitive shut-off system. Unvented heaters shall not be installed in bedrooms or other sleeping rooms.

All heating equipment shall be listed and installed in accordance with the listing and manufacturers instructions.

If the heat supply is subject to control of any person other than the tenant, heat shall be supplied to all occupied dwelling units from September 15 through May 1 of each calendar year in amounts necessary to provide a minimum temperature of 68° Fahrenheit.

Hall/Stairway Lighting: Hall/stairway lighting must be provided in compliance with the Standard Building Code of SBCCI, as amended.

Window Screens: Every door opening directly from a dwelling unit to the outside shall be supplied with a mesh wire screen and a self-closing device, with the exception of sliding glass doors. Every window with an opening to the outside shall be supplied with a mesh wire screen. Screens shall not be required for windows and doors which are air conditioned or mechanically ventilated.

Rodent Protection Screens: Every basement or cellar window and every other opening to a basement which might provide entry for rodents shall be supplied with a screen or other device sufficient to prevent rodent entry.

Structural Requirements:

1. Foundation: The foundation of the building or dwelling shall be capable of supporting the structure and any load which normal use may cause to be placed thereon. The foundation shall be maintained in sound condition with maintenance and repair performed in a workmanlike manner.

Exterior Walls: Exterior walls shall be substantially free of holes, breaks, splits or loose or decayed board or components, as well as any other defect which allows penetration of moisture or other weather elements to the interior portions of the walls or habitable area of the building or dwelling. Exterior walls shall be maintained in sound condition with maintenance and repair performed in a workmanlike manner.

Roofs: Roofs shall be structurally sound and tight. Roofs shall have no defects that allow penetration of moisture or other weather elements in the walls or interior portion of the building or dwelling. Roofs shall be maintained in sound condition with maintenance and repair performed in a workmanlike manner.

4. Stairs/Porches: Inside and outside stairways and porches and any appurtenances thereto shall be capable of supporting loads that normal use may cause to be placed thereon. Stairs and porches shall be maintained in sound condition with maintenance and repair performed in a workmanlike manner.

Protective Railings: Protective railings capable of supporting loads that normal use may cause to be placed thereon shall be required on any unenclosed portion of any building or dwelling more than thirty (30) inches above ground level or on any stairs containing three (3) or more risers.

Windows: All windows and their appurtenances shall be maintained in sound condition and workmanlike maintenance and repair, as follows:

Each window sash shall fit substantially tight within its frame and shall be fully supplied with tightly fitting window panes which are glass or a suitable glass substitute without cracks and/or holes.

Windows shall be sealed against the muntins with glazing compound or other suitable sealant.

Every window (other than a fixed window not designed for ventilation) shall be capable of being easily opened, held in position and secured in the closed position by window hardware.

Every exterior window frame shall be plumb and square and in such relation to adjacent wall construction so as to exclude water and substantially exclude cold air from entering the dwelling.

Interior Doors: All interior doors shall fit reasonably well within their frames and all such doors and the hinges and latches thereon shall be maintained in sound condition and workmanlike maintenance and repair.

Exterior Doors: All exterior doors shall be maintained in sound condition and shall have suitable door hinges, latches and locks capable of resisting illegal entry. Each exterior door shall be maintained in sound condition and workmanlike maintenance and repair. Each door shall be plumb and square within its frame so as to exclude water and rodents and substantially exclude cold air, moisture and insects from entering the dwelling.

Exterior Door Frames: All exterior door frames shall be maintained in sound condition and workmanlike maintenance and repair. Each door frame shall be plumb and square and in such relation to adjacent wall construction so as to exclude rain and substantially exclude cold air from entering the dwelling.

Interior Floors, Walls and Ceilings: All interior floors, walls and ceilings, along with their structural supports, shall be substantially weather tight, vermin and rodent proof and shall be maintained in sound condition. Interior floors, walls and ceilings shall be maintained in sound condition and workmanlike maintenance and repair, as follows:

plaster and dry wall finish on walls and ceilings shall be tight and free from holes or breaks;

floors shall be free of decay, holes, breaks, loose or warped members, reasonably level, safe and capable of supporting the load which normal use may cause to be placed thereon;

kitchen and bathroom interior walls shall be substantially impervious to moisture and shall be maintained in sound condition and workmanlike maintenance and repair.

Protective Treatment: All exterior wood surfaces other than cedar, cypress or redwood shall be protected from the elements and decay by paint or other protective covering or treatment. All

interior building surfaces shall be protected from damage by decay, ordinary use and corrosion. Exterior metal surfaces shall be protected from corrosion by paint or other protective covering.

Supporting Structural Members: Supporting structural members, including but not limited to sills, rafters, joists, girders, beams, headers lintels and studs shall be maintained in sound condition and workmanlike maintenance and repair. Supporting structural members shall show no evidence of decay or deterioration which would render them incapable of carrying the loads placed thereon by normal use.

D. Minimum Space Requirements:

Dwelling Unit Minimum: Every dwelling unit shall contain a minimum gross floor area of not less than one hundred fifty (150) square feet for the first occupant.

Sleeping Room Minimum: In every dwelling unit of two or more rooms, every room used for sleeping by one occupant shall contain at least seventy (70) square feet of floor space. Every room used for sleeping by more than one occupant shall contain at least fifty (50) square feet of floor space for each occupant.

Ceiling Height: Any room in which the ceiling height is less than five (5) feet shall not be considered part of the floor space.

Basements: No cellar shall be used as a habitable room. No basement shall be used as a habitable room or dwelling unit unless:

the floor and walls are impervious to leakage of underground and surface water run-off and are adequately protected against dampness;

the required minimum window area is located entirely above the grade of the ground adjoining such window area or is equipped with a window well providing adequate light and ventilation;

the basement complies with all other provisions of this Chapter.

9-3105 Hazardous Conditions/Nuisance Per Se: The existence of the following conditions in any building or dwelling shall constitute a hazardous condition and shall be deemed to be a nuisance condition per se:

Roofs, floors or supporting members, including, but not limited to, girders, sills, joists and studs showing 33% or more damage or deterioration or which are of insufficient size or strength to safely support imposed loads;

Non-supporting enclosing or outside walls or coverings which show 50% or more damage or deterioration;

Defective or improperly maintained electrical, heating, ventilation, sanitation facilities which endanger of insufficiently protect the health of the occupant;

Means of ingress and egress which are defective or unsafe, or substantially smaller than the dimensions required by law;

Vacant buildings or dwellings which are open and unsecured against forced entry;

Other conditions within or about the building or dwelling and its premises which are dilapidated, decayed, unsafe, unsanitary or that unreasonably expose the occupant(s) or general public to illness, disease or physical injury; or

Conditions within or about the building or dwelling which unreasonably expose occupant(s) to rain, moisture or cold air.

9-3106 Responsibility for Maintenance and Cleanliness: The owner and the occupant (within the parameters set forth herein) shall be responsible for the maintenance and upkeep of the interior and exterior of the building or dwelling and the surrounding premises.

Owner Responsibilities:

The owner shall be responsible for compliance with all applicable requirements set forth in this Chapter.

The owner shall be responsible for maintenance and cleanliness of any shared or public area.

The Zoning Administrator is authorized and directed to conduct and make inspections of any building or dwelling to determine whether the condition of such property complies with the minimum standards established in this Chapter. The Zoning Administrator may enter the building or dwelling property at any reasonable time to perform any duty imposed by this Chapter pursuant to a lawfully issued search warrant. The Zoning Administrator may enter property without a search warrant to perform any duty imposed by this Chapter if one of the following circumstances exist:

An emergency situation which requires that the building or dwelling be immediately inspected in order to adequately protect public health and safety or to prevent substantial physical damage to property;

The property is both vacant and unsecured;

The owner, tenant or other occupant requests or otherwise consents to the search;

A request for inspection is filed by five (5) residents of Spalding County charging or alleging that any building or dwelling is in violation of the requirements of this Chapter; or

A request is filed by a public authority.

9-3110 Notice and Report of Inspection:

Report of Inspection: A report following the inspection of any building or dwelling pursuant to this Chapter shall be prepared within thirty (30) days from the date thereof. The report shall determine whether the building or dwelling conforms to the minimum standards set forth in this Chapter. In the event the building or structure conforms, the Zoning Administrator shall issue a Notice of Compliance. In the event the building or structure does not conform, the Zoning Administrator shall issue a Notice of Non-Compliance.

Notice of Non-Compliance: a Notice of Non-Compliance issued pursuant to subsection (A) shall include the following:

An enumeration of the conditions found during the inspection which do not meet the minimum standards required by this Chapter;

A specified time, not to extend ten (10) days from the date of issuance of the notice of non-compliance in which remedial and corrective action must be commenced;

A specified time after commencement of remedial and corrective action in which such action must be completed, including, if necessary, separate dates for remedial action as to separate violations;

A statement adequate to establish the unlawfulness of the failure to comply with the provisions of this Chapter and the consequences of such failure to comply; including the consequences of the failure to abate conditions constituting a nuisance or rendering a dwelling in violation of this Chapter or otherwise unfit for human habitation.

Service of Notice of Non-Compliance: Any Notice of Non-Compliance may be accomplished by any of the following methods:

Certified Mail, return receipt requested to the owner of the building or dwelling;

Posting a copy of the Notice of Non-Compliance on the door of the building or dwelling;

Personal delivery to the owner;

Leaving a copy of the Notice of Non-Compliance with a person of majority age residing in the building or dwelling;

Certified Mail, return receipt requested on the owner's authorized agent authorized by law to receive service of process.

Transfer of Ownership:

Transfer: Within thirty (30) days after the transfer of ownership of any building or dwelling for which a current and active Notice of Non-Compliance is issued, the transferor shall notify the Zoning Administrator thereof, identifying the building or dwelling by street address and providing the name, address and telephone number of the transferee. All obligations contained in the Notice of Non-Compliance shall continue irrespective of ownership transfer.

Death or Dissolution of Owner: Within thirty (30) days after the death or dissolution of any owner of any building or dwelling for which a current and active Notice of Non-Compliance is issued, the

heirs, administrator executor or other legal representative of the owner shall notify the Zoning Administrator thereof, identifying the building or dwelling by street address, stating the fact of the owner's death or dissolution and the name, address and telephone number of any successor in interest.

Rental Prohibited: No building or dwelling unit shall be leased, rented or occupied by any person other than a tenant presently in possession thereof after a Notice of Non-Compliance has been issued and until such notice is resolved by bringing the building or dwelling into compliance with the provisions of this Chapter.

Further Violations:

The following shall constitute violations of this Chapter:

Leasing, rental or allowing occupancy of the building or dwelling unit which is not in compliance with the requirements of this Chapter to persons other than the tenant in possession at the time of issuance of the Notice of Non-Compliance;

Providing false information pertinent required by Subsection (D)(1) and (D)(2).

The Zoning Administrator shall cause written notice to be sent to any owner in violation of the provisions of this Subsection.

Action Upon Receipt of Notice of Non-Compliance: Any person upon whom a Notice of Non-Compliance has been served shall bring the conditions identified therein into compliance with the requirements of this Chapter. After completion, the person shall notify the Zoning Administrator who shall then determine whether the conditions have been repaired and the building or dwelling is compliant with the requirements of this Chapter. If the building or dwelling has been brought into compliance, the Notice of Non-Compliance shall be marked as "Repaired/Corrected" and notice thereof shall be mailed to the person to whom the Notice of Non-Compliance was directed.

9-3111 Failure to Comply with Notice of Non-Compliance:

It shall be unlawful for any person to fail to comply with any direction for the repair of any condition set forth in the Notice of Non-Compliance.

In the event any person fails to comply, the Zoning Administrator may take any of the following actions:

Extend the time for compliance on the basis of good cause shown or extenuating circumstances;

Initiate proceedings for judicial action, set forth in Section 9-3112;

Initiate In Rem proceedings pursuant to Section 9-3113.

9-3112 Judicial Proceedings:

A. Charge and Summons: If any owner, tenant or other person violates the provisions of this Chapter, the Zoning Administrator shall be authorized to issue thereto a copy of charges and summons which direct their appearance before the State Court of Spalding County at a specified time to answer such charge. Service of process of the charge and summons shall be accomplished as provided by State law, including O.C.G.A. § 41-2-12.

B. Contents of Complaint: The charge and summons initiated by the Zoning Administrator shall identify the subject real property by appropriate street address and official tax map reference; identify the interested parties, state with particularity the factual basis for the action; and contain a statement of the action sought by the Zoning Administrator to abate the alleged nuisance or condition. Such hearing shall be held not less than fifteen (15) days nor more than forty-five (45) days after the filing of the Complaint with the proper court. Any interested party shall have the right to file an answer to the complaint and to appear in person or by attorney and offer testimony at the time and place fixed for the hearing.

C. Emergency Power: Notwithstanding any other provision of this Chapter, the Zoning Administrator shall be authorized to cause the charge and summons set forth in Subsection (A) to issue instant in the event the conditions constitute a clear and present damage or hazard to person or property and take any other appropriate action necessary to correct such condition.

D. Judicial Determination; Contents of Order: If, after notice and hearing, the court determines that the dwelling or residence is unfit for human habitation or in violation of the requirements of this Chapter or constitutes an endangerment to the public health or safety as a result of unsanitary or

unsafe conditions, the Court shall state in writing findings of fact in support of such determination and shall issue and cause to be served upon the interested parties that have answered the Complaint or appeared at the hearing an Order:

If repair, alteration or improvement of the dwelling, building or structure can be made at a reasonable cost in relation to the present value of the dwelling, building or structure, requiring the owner, within the time specified in the Order, to repair, alter, or improve such dwelling, building or structure so as to bring it into full compliance with the applicable codes relevant to the cited violation and, if applicable, to secure the dwelling, building or structure so that it cannot be used in connection with the commission of drug crimes; or

If the repair, alteration or improvement of the dwelling, building or structure in order to bring it into full compliance with applicable codes relevant to the cited violations cannot be made at a reasonable cost in relation to the present value of the dwelling, building or structure, requiring the owner within the time specified in the Order to demolish and remove such dwelling, building or structure and all debris from the property.

In making its determination of the "reasonable cost in relation to the present value of the dwelling, building or structure," the Court shall not consider the value of the land on which the structure is situated; provided, however that costs of the preparation necessary to repair, alter or improve a dwelling, building or structure may be considered. Income and financial status of the owner shall not be considered. The present value of the dwelling, building or structure and the costs of repair, alteration or improvements may be established by affidavit of real estate appraisers with a Georgia appraiser classification as provided in Chapter 39A of Title 43, qualified building contractors or qualified building inspectors without actual testimony being presented. Costs of repair, alteration or improvement of the structure shall be the cost necessary to bring the structure into compliance with the applicable codes relevant to the cited violations.

E. Owner's Failure to Comply with Order: If the owner fails to comply with an Order to repair or demolish the dwelling, building or structure, the Zoning Administrator may cause such dwelling, building or structure to be repaired, altered or improved or to be vacated, closed or demolished. Such abatement action shall commence within 270 days after the expiration of the time specified in the Order for abatement by the owner. Any time during which such action is prohibited by a court Order issued pursuant to O.C.G.A. § 41-2-13 or any other equitable relief granted by a court of competent jurisdiction shall not be counted toward the 270 days in which such abatement action must commence. The Zoning Administrator or his designee shall cause to be posted on the main entrance of the dwelling, building or structure a placard with the following words:

"This building is unfit for human habitation or commercial, industrial or business use and does not comply with the applicable codes or has been ordered secured to prevent its use in connection with drug crimes or constitutes an endangerment to public health or safety as a result of unsanitary or unsafe conditions. The use or occupation of this building is prohibited and unlawful."

F. Credit for Demolition Materials: If the Zoning Administrator or his designee causes the structure to be demolished, reasonable effort shall be made to salvage reusable materials for credit against the cost of demolition. The proceeds of any moneys received from the sale of salvaged materials shall be used or applied against the cost of the demolition and removal of the structure, and proper records shall be kept showing application of sale proceeds. Any such sale of salvaged materials may be made without the necessity of public advertisement and bid. The Zoning Administrator or his designee and the governing authority are relieved of any and all liability resulting from or occasioned by the sale of any such salvaged materials, including, without limitation, defects in such salvaged materials.

G. Lien for Cost of Demolition: The amount of the cost of demolition, including all court costs, appraisal fees, administrative costs incurred by the county tax commissioner or municipal tax collector or county revenue officer, and all other costs necessarily associated with the abatement action, including restoration to grade of the real property after demolition, shall be a lien against the real property upon which such cost was incurred.

H. Attachment of Lien: The lien provided for in Subsection (G) of this section shall attach to the real property upon the filing of a certified copy of the Order requiring repair, closure or demolition in this Office of the Clerk of Superior Court of Spalding County, Georgia and shall relate back to the date of the filing of the lis pendens notice required by O.C.G.A. § 41-2-12(c). The Clerk shall record and index such certified copy of the Order in the deed records of Spalding County and shall enter the lien on the general execution docket. The lien shall be superior to all other liens on the property, except liens for taxes to which the lien shall be inferior and shall continue in force until paid.

Statement of Costs and Fees: Upon final determination of costs, fees and expenses incurred in accordance with this Section, the Zoning Administrator shall transmit to the county revenue officer a statement of the total amount due and secured by said lien, together with copies of all notices provided to interested parties. The statement of the Zoning Administrator shall be transmitted within ninety (90) days of completion of the repairs, demolition or closure. It shall be the duty of the county revenue officer to collect the amount of the lien using all methods available for collecting real property ad valorem taxes, including specifically Chapter 4 of Title 48; provided, however, that the limitation of O.C.G.A. § 48-4-78 which requires twelve (12) months of delinquency before commencing a tax foreclosure shall not apply. The Spalding County Tax Commissioner shall collect and enforce municipal liens imposed pursuant to this Section in accordance with O.C.G.A. § 48-5-359.1. The Spalding County Tax Commissioner shall remit the amount collected to Spalding County, Georgia.

J. Enforcement/Redemption of Lien: The lien authorized by this Section may be enforced pursuant to the provisions of O.C.G.A. § 41-2-9(3). The redemption amount in any enforcement proceeding authorized by this Section shall be pursuant to § 41-2-9(4).

9-3113 In Rem Proceedings:

Initiation of Proceeding: When the Zoning Administrator, during the course of conducting an inspection of any building or dwelling pursuant to Section 9-3109, determines that such building or dwelling is unfit for human habitation or other use or that such building or dwelling is hazardous or nuisance per se, a charge and notice shall issue and cause to be served upon the owner stating:

That an in rem proceeding against the property shall be initiated and reviewed by the Board of Commissioners;

That the Board of Commissioners will conduct a hearing at a date and time specified in the notice;

That the owner or any other party in interest shall be given the right to file an answer to the notice and to appear in person or otherwise to give testimony at the hearing;

That the Board of Commissioners, in conducting the hearing, shall have the right to administer oaths, examine witnesses and receive evidence;

That rules of evidence prevailing in courts of law or equity shall not be controlling in the hearing.

Maintenance of Files and Minutes of the Hearing:

The Zoning Administrator shall be responsible for maintaining a file on each property as to which an in rem proceeding is initiated.

The Clerk of the Board of Commissioners shall be responsible for taking and maintaining minutes of the hearing in each in rem proceeding.

C. In Rem Hearing and Findings: The Board of Commissioners shall conduct a hearing on each building or dwelling which is the subject of an in rem proceeding. The Board of Commissioners shall make the following determinations based on the evidence presented at the hearing:

Whether the building or dwelling is unfit for human occupancy or habitation;

The percentage of deterioration or damage to the building or dwelling, exclusive of its foundation and lot;

The cost of repairs necessary to bring the building or dwelling into compliance with the provisions of this Chapter;

The value of the building or dwelling after repairs have been made;

Whether drug or other crimes have been committed in and about any vacant building or dwelling.

D. Order on In Rem Proceeding:

If the Board of Commissioners finds that any building or dwelling is unfit for human habitation, it shall direct the Zoning Administrator to place a sign and dated placard thereon stating:

“WARNING: Spalding County has determined that this building or dwelling is unfit for human habitation and occupancy, and its condition violates the requirements of the Spalding County

Housing Code. It shall be unlawful for this building or dwelling to be occupied after thirty (30) days from the date of this notice and thereafter until such time as the building or dwelling is determined to be fit for human habitation and occupancy as determined by the Zoning Administrator. Mutilation, unauthorized removal, damage or destruction of this notice shall be an offense punishable by fine and/or imprisonment.”

If the Board of Commissioners finds that any building or dwelling can be repaired at less than 50% of its value, exclusive of foundation and lot, it shall issue an Order stating:

That the building or dwelling has been found unfit for human habitation or occupancy but that it can be repaired, improved or altered at a cost constituting a specific percent of the value thereof;

An enumeration of conditions which renders the building or dwelling unfit for human habitation or occupancy shall be stated;

An enumeration of remedial actions which must be undertaken to correct each condition;

A specified period of time in which remedial actions must be undertaken and completed;

A statement that, should the owner fail to make repairs or vacate the building or dwelling within the prescribed time, the Zoning Administrator shall cause the building or dwelling to be vacated, cleaned and closed. The cost of vacating, cleaning and closing the building or dwelling by Spalding County shall be a lien against the real property for the costs incurred.

If the Board of Commissioners finds that any building or dwelling cannot be repaired at less than 50% of its value, exclusive of foundation and lot, it shall issue an Order stating:

That the building has been found unfit for human habitation or occupancy and cannot be repaired, improved or altered at a cost less than 50% of the value thereof;

A specified period of time reasonably set directing the owner to commence and complete vacating, removing and/or demolishing the building or dwelling, in addition to cleaning and reseeded the lot;

A statement that, should the owner fail to vacate, remove or demolish the building or dwelling within the specified time, the Zoning Administrator shall cause the building or dwelling to be vacated, removed and demolished and ground cover replanted. The costs thereof shall result in a lien against the real property for the costs incurred.

Section 2: It is the intent of the Board of Commissioners of Spalding County, Georgia that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Spalding County, Georgia, and that the sections of this Ordinance be numbered to accomplish such intent.

Section 3: The within and foregoing amendments to the Spalding County, Georgia Code of Ordinances shall become effective immediately upon adoption of this Ordinance.

Section 4: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

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3. Consider, on second reading, Ordinance #2009-04 Distance Requirements for the Sale of Alcoholic Beverages pertaining to VN Districts.

SPALDING COUNTY, GEORGIA
PART VI, LICENSING AND REGULATION
ORDINANCE NO. 2009-04

AN ORDINANCE
TO AMEND THE CODE OF SPALDING COUNTY, GEORGIA, TO PROVIDE FOR
CHANGES IN DISTANCE REQUIREMENTS FOR ALCOHOLIC BEVERAGES; 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:

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 regulations pertinent thereto;

WHEREAS, the sale of alcoholic beverages for consumption on the premises shall not be conducted without a permit or license issued by the local governing authority;

WHEREAS, the decision to allow the sale of alcoholic beverages for consumption on the premises within Spalding County is vested in the police power of the Board of Commissioners of Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the authority of O.C.G.A. §3-3-1 et. seq. is empowered to provide for the licensing of the sale of alcohol beverages for consumption on the premises within the County;

WHEREAS, any and all licenses issued by the Board of Commissioners of Spalding County, Georgia for the sale of alcohol beverages for consumption on the premises will result in the collection of annual license fees and excise taxes; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia has determined that it is in the best interests of the citizens of Spalding County for certain tax revisions and amendments to be made to the Spalding County, Georgia Code of Ordinances (“the Code”);

WHEREAS, the Board of Commissioners has determined that it is desirable to allow the sale of alcoholic beverages for consumption on the premises in Village Node Districts without uses as otherwise set forth in the Code and in compliance with the requirements of O.C.G.A. § 3-3-21(b), such being 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 Spalding County, Georgia Code of Ordinances shall be and is hereby amended, as follows:

Section 1. That the Code of Spalding County, Georgia, be amended in Part VI, Licensing and Regulation, Chapter 1, by striking Code Section 6-1058.1(1) in its entirety, and

Section 2. That the Code of Spalding County, Georgia, be amended in Part VI, Licensing and Regulation, Chapter 1, by inserting the following provision to appear as Section 6-1058.1(1):

(1) No original license shall be granted hereunder to any person for the sale of alcoholic beverages for consumption on premises unless the property upon which such premises is to be located is situated:

(a) Six hundred (600) feet or more from the property line of any church, synagogue, shrine, or other place used exclusively for religious services, including the chapel of a mortuary or cemetery;

(b) Six hundred (600) feet or more from the property line of any school ground or college campus; the schools and colleges referred to herein shall include only such state, county, city, church or other schools as teach the subjects commonly taught in the common schools and colleges of this state, and shall not include private schools or colleges wherein only specialized subjects such as law, stenography, business, music, art, medicine, dentistry, vocational occupations, and other special subjects are taught.

(c) Three hundred (300) feet or more from the property line of any private residence, unless such residence is itself in a commercial district; or

(d) Two hundred (200) feet or more from the property line of any branch of any public library.

(e) The provisions of subsections (a) – (d) of this Code Section shall not apply to premises located within the Village Node zoning district.

Section 3. The within and foregoing ordinance amendment to the Spalding County, Georgia Code of Ordinances 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.

Section 4. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

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, on second reading, Amendments to the Official Zoning Map for the following:
-Application #09-01Z: Griffin-Spalding County Development Authority, Owner – Arthur K. Bolton Parkway, Rehoboth Road and Wild Plum Road – 576.62 acres, more or less – C-2 and AR-1 to PDD.

APPLICATION FOR GRIFFIN-SPALDING COUNTY DEVELOPMENT AUTHORITY
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION #09-01Z

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-2, Manufacturing, and AR-1, Agricultural and Residential;”

WHEREAS, Griffin-Spalding County Development Authority, applicant, applied for a change in zoning classification to be applied to the within described property to PDD, Planned Development District;”

WHEREAS, such application was filed with Spalding County, Georgia on March 24, 2009;

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 May 28, 2009, 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:

GSDA Large Tract

All that tract or parcel of land lying in or being in Land Lot(s) 211, 237, 238, 243 and 244 of the 2nd Land District, Spalding County, Georgia, and being more particularly described as follows:

Beginning at the intersection of the Southerly right-of-way of Arthur K. Bolton Parkway (aka Georgia State Route 16) (variable right-of-way) and the Easterly right-of-way of Rehoboth Road (variable right-of-way); thence along a curve to the left having a radius of 7789.44 feet and an arc length of 509.70 feet, being subtended by a chord of North 71°33'50" East for a distance of 509.59 feet to a point; thence South 54°16'42" East for a distance of 37.56 feet; thence along a curve to the left having a radius of 7819.44 feet and an arc length of 711.94 feet, being subtended by a chord of North 66°52'16" East for a distance of 711.73 feet to a point; thence North 64°21'49" East for a distance of 1366.36 feet; thence along a curve to the right having a radius of 3639.72 feet and an arc length of 227.37 feet, being subtended by a chord of North 66°11'02" East for a distance of 227.33 feet; thence South 22°33'42" East for a distance of 29.52 feet; thence along a curve to the right having a radius of 3609.72 and an arc length of 51.73 feet, being subtended by a chord of North 68°28'54" East for a distance of 51.72 feet to a point; thence North 21°18'58" West for a distance of 29.78 feet to a point; thence along a curve to the right having a radius of 3639.72 feet and an arc length of 762.28 feet, being subtended by a chord of North 74°45'55" East for a distance of 760.89 feet to a point; thence South 08°56'51" East for a distance of 25.07 feet to a point; thence along a curve to the right having a radius of 3614.72 feet and an arc length of 47.35 feet, being subtended by a chord of North 79°49'51" East for a distance of 47.35 feet to a point; thence North 08°28'53" West for a distance of 23.86 feet to a point; thence along a curve to the right having a radius of 3639.72 feet and an arc length of 844.71 feet, being subtended by a chord of North 88°10'01" East for a distance of 842.82 feet to a point; thence South 84°35'47" East for a distance of 208.02 feet to a point; thence South 85°32'42" East for a distance of 288.16 feet to a point; thence South 85°13'54" East for a distance of 342.54 feet to a point; thence South 85°11'43" East for a distance of 350.30 feet to a point; thence South 85°12'19" East for a distance of 1075.80 feet to a point; thence South 00°53'19" West for a distance of 969.13 feet to a point; thence North 88°40'56" West for a distance of 785.39 feet to a point; thence South 00°00'00" West for a distance of 672.27 feet to a point; thence along a curve to the left having a radius of 8040.00 feet and an arc length of 90.90 feet, being subtended by a chord of South 00°19'26" East for a distance of 90.90 feet to a point; thence North 89°05'47" West for a distance of 171.88 feet to a point; thence South 00°54'13" West for a distance of 146.99 feet to a point; thence South 47°32'35" East for a distance of 188.57 feet to a point; thence North 88°19'25" East for a distance of 42.68 feet to a point; thence along a curve to the left having a radius of 8040.00 and an arc length of 50.56 feet, being subtended by a chord of South 02°45'18" East for a distance of 50.56 feet to a point; thence South 02°56'07" East for a distance of 551.82 feet to a point; thence along a curve to the left having a radius of 8040.00 feet and an arc length of 372.95 feet, being subtended by a chord of South 04°15'51" East for a distance of 372.91 feet to a point; thence along a curve to the left having a radius of 646.71 feet and an arc length of 90.08 feet, being subtended by a chord of South 17°27'57" East for a distance of 90.01 feet to a point; thence along a curve to the left having a radius of 337.86 feet and an arc length of 143.76 feet, being subtended by a chord of South 41°42'42" East for a distance of 142.67 feet to a point; thence along a curve to the left having a radius of 484.03 and an arc length of 120.71 feet, being subtended by a chord of South 63°54'51" East for a distance of 120.40 feet to a point; thence along a curve to the left having a radius of 1526.38 feet and an arc length of 412.10 feet, being subtended by a chord of South 84°27'03" East for a distance of 410.86 feet to a point; thence South 00°46'10" West for a distance of 326.28 feet to a point; thence South 48°36'51" West for a distance of 1011.56 feet to a point; thence South 44°13'17" West for a distance of 307.72 feet to a point; thence South 42°35'22" West for a distance of 668.91 feet to a point; thence along a curve

to the left having a radius of 39199.29 feet and an arc length of 338.09 feet, being subtended by a chord of North 44°52'42" West for a distance of 338.09 feet to a point; thence North 45°07'31" West for a distance of 1614.02 feet to a point; thence along a curve to the left having a radius of 2360.50 and an arc length of 746.12 feet, being subtended by a chord of North 54°10'50" West for a distance of 743.01 feet to a point; thence North 63°14'08" West for a distance of 2554.75 feet to a point; thence along a curve to the right having a radius of 2178.19 feet and an arc length of 570.54 feet, being subtended by a chord North 55°43'58" West for a distance of 568.91 feet to a point; thence North 48°13'48" West for a distance of 45.30 feet to a point; thence South 41°46'12" West for a distance of 6.78 feet to a point; thence North 29°21'31" West for a distance of 52.80 feet to a point; thence North 49°32'21" West for a distance of 36.85 feet to a point; thence along a curve to the right having a radius of 624.07 feet and an arc of 151.29 feet, being subtended by a chord of North 42°34'22" West for a distance of 150.92 feet to a point; thence North 24°54'51" West for a distance of 92.38 feet to a point; thence along a curve to the right having a radius of 614.07 feet and an arc of 46.22 feet, being subtended by a chord of North 24°34'51" West for a distance of 46.21 feet to a point; thence North 17°17'55" West for a distance of 49.68 feet to a point; thence North 22°22'06" West for a distance of 75.19 feet to a point; thence North 20°55'58" East for a distance of 56.09 feet to a point and the Point of Beginning. Together with and subject to covenants, easements and restrictions of record.

Said property contains 419.94 acres, more or less.

GSDA Southeastern Tract

All that tract or parcel of land lying in or being in Land Lot(s) 244 and 245 of the 2nd Land District, Spalding County, Georgia, and being more particularly described as follows:

Beginning at the intersection of the Southerly right-of-way of Crouch Road and the Easterly line of Land Lot 244; thence South 48°31'59" West for a distance of 1025.18 feet to a point; thence along a curve to the left having a radius of 807.50 feet and an arc length of 457.16 feet, being subtended by a chord of South 32°18'52" West for a distance of 451.08 feet to a point; thence along a curve to the left having a radius of 982.89 feet and an arc length of 132.85 feet, being subtended by a chord of South 13°26'10" West for a distance of 132.75 feet to a point; thence South 09°33'50" West for a distance of 179.14 feet to a point; thence South 47°45'44" East for a distance of 714.25 feet to a point; thence South 46°57'49" West for a distance of 252.41 feet to a point; thence along a curve to the left having a radius of 1716.56 feet and an arc length of 467.72 feet, being subtended by a chord of South 55°22'29" East for a distance of 466.28 feet to a point; thence North 85°04'04" East for a distance of 324.31 feet to a point; thence North 00°27'41" East for a distance of 1185.00 feet to a point; thence North 00°29'52" East for a distance of 1070.36 feet to a point and the Point of Beginning. Together with and subject to covenants, easements and restrictions of record.

Said property contains 35.4390 acres, more or less.

GSDA Southern Tract

All that tract or parcel of land lying in or being in Land Lot(s) 244 and 245 of the 2nd Land District, Spalding County, Georgia, and being more particularly described as follows:

Commencing at the intersection of the southerly right-of-way of Rehoboth Road (80' R/W) and the easterly line of Land Lot 245; thence South 00°12'46" West for a distance of 273.45 feet to a point, said point being the Point of Beginning; thence North 59°26'43" West for a distance of 66.52 to a point; thence North 67°11'02" West for a distance of 54.99 feet to a point; thence North 66°05'45" West for a distance of 355.34 feet to a point; thence North 63°06'41" West for a distance of 348.52 feet to a point; thence North 65°17'55" West for a distance of 246.03 feet; thence North 63°03'12" West for a distance of 99.81 feet to a point; thence North 62°26'40" West for a distance of 252.63 feet to a point; thence North 67°34'23" West for a distance of 239.70 feet to a point; thence North 62°45'53" West for a distance of 323.86 feet to a point; thence North 06°38'17" East for a distance of 12.10 feet to a point; thence North 72°33'31" West for a distance of 652.10 feet to a point; thence North 51°46'49" West for a distance of 284.28 feet to a point; thence North 00°36'47" East for a distance of 518.48 feet to a point; thence North 00°36'47" East for a distance of 456.47 feet to a point; thence North 45°07'31" West for a distance of 1103.82 feet to a point; thence along a curve to the left having a radius of 2280.50 feet and an arc length of 179.36 feet, being subtended by a chord of North

47°22'43" West for a distance of 179.32 feet to a point; thence South 00°28'59" West for a distance of 711.49 feet to a point; thence South 00°28'30" West for a distance of 1523.38 feet to a point; thence South 00°28'01" West for a distance of 455.94 feet to a point; thence South 00°26'57" West for a distance of 998.22 feet to a point; thence North 89°42'33" East for a distance of 3002.09 feet to a point; thence North 00°12'46" East for a distance of 730.71 feet to a point and the Point of Beginning. Together with and subject to covenants, easements and restrictions of record.

Said property contains 127.4994 acres, more or less.

From "C-2, Manufacturing, and AR-1, Agricultural and Residential" to "PDD, Planned Development" District.

Section 2:

(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 June 15, 2009, 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 tract or parcel of land lying and being in Land Lot(s) 211, 237, 238, 243 and 244 of the 2nd Land District of Spalding County, Georgia, containing 576.62 acres, more or less, Arthur K. Bolton Parkway, Rehoboth Road and Wild Plum Road, zoned PDD.

(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 3: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 4: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Motion to approve Application #09-01Z: Griffin-Spalding County Development Authority, Owner by Commissioner Freeman, seconded by Commissioner Phillips, carried 5-0.

-Application #09-01AZ: LRTS Properties, LLC – Arthur K. Bolton Parkway and Rehoboth Road – 14.65 acres – AR-1 to PDD.

APPLICATION FOR LRTS PROPERTIES, LLC
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;
REZONING APPLICATION #09-01AZ

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 "AR-1, Agricultural and Residential;"

WHEREAS, LRTS Properties, LLC, applicant, applied for a change in zoning classification to be applied to the within described property to PDD, Planned Development District;”

WHEREAS, such application was filed with Spalding County, Georgia on March 24, 2009;

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 May 28, 2009, 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 in or being in Land Lot 211 of the 2nd Land District, Spalding County, Georgia, and being more particularly described as follows:

Beginning at the intersection of the Southerly right-of-way of Arthur K. Bolton Parkway (aka Georgia State Route 16) (variable right-of-way) and the Westerly right-of-way of Rehoboth Road (variable right-of-way); thence South 69°28'23" East for a distance of 193.11 feet to a point; thence South 50°24'40" East for a distance of 97.48 feet to a point; thence North 40°03'28" East for a distance of 10.06 feet to a point; thence South 48°11'59" East for a distance of 555.83 feet to a point; thence along a curve to the left having a radius of 2258.46 feet and an arc length of 121.94 feet, being subtended by a chord of South 49°44'47" East for a distance of 121.92 feet to a point; thence South 38°42'25" West for a distance of 539.35 feet to a point; thence North 80°22'48" West for a distance of 147.70 feet to a point; thence along a curve to the right having a radius of 143.00 feet and an arc length of 93.06 feet, being subtended by a chord of North 61°44'11" West for a distance of 91.43 feet to a point; thence North 43°05'35" West for a distance of 12.80 feet to a point; thence along a curve to the left having a radius of 407.00 feet and an arc length of 108.99 feet, being subtended by a chord of North 50°45'51" West for a distance of 108.66 feet to a point; thence North 58°26'08" West for a distance of 14.67 feet to a point; thence along a curve to the left having a radius of 215.00 feet and an arc length of 151.36 feet, being subtended by a chord North 78°36'12" West for a distance of 148.25 feet to a point; thence Northwesterly along a centerline of creek for a distance of 802 feet plus or minus having a reference line North 24°26'26" West for a distance of 794.18 feet to a point; thence North 82°09'01" East for a distance of 28.93 feet to a point; thence North 48°49'43" West for a distance of 44.43 feet to a point; thence North 83°41'59" East for a distance of 352.79 feet to a point and the Point of Beginning. Together with and subject to covenants, easements and restrictions of record.

Said property contains 14.65 acres, more or less.

Less and except parcel number 4 tracts A and B required right-of-way area 0.332 acres as per Deed Book 2436 Page 183.

From “AR-1, Agricultural and Residential” to “PDD, Planned Development” District.

Section 2:

(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 June 15, 2009, 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 tract or parcel of land lying and being in Land Lot 211 of the 2nd Land District of Spalding County, Georgia, containing 14.65 acres, Arthur K. Bolton Parkway and Rehoboth Road, zoned PDD.

(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 3: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 4: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Motion to approve Application #09-01AZ: LRTS Properties, LLC, by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

XI. NEW BUSINESS

1. Consider a Resolution recommending the appointment of Judge Christopher C. Edwards to the Supreme Court of Georgia.

A RESOLUTION
RECOMMENDING THE APPOINTMENT OF JUDGE CHRISTOPHER C. EDWARDS
TO THE SUPREME COURT OF GEORGIA
BY THE BOARD OF COMMISSIONERS OF SPALDING COUNTY, GEORGIA

WHEREAS, Governor Sonny Perdue's Judicial Nominating Commission is currently considering nominees to fill the vacancy left on the Supreme Court of Georgia by the retirement of the Honorable Chief Justice Leah Ward Sears; and

WHEREAS, no Justices of the Supreme Court nor any Judges the Court of Appeals currently presiding reside in any of the counties constituting the Griffin Judicial Circuit; and

WHEREAS, Chief Judge Paschal A. English, Jr. of the Superior Courts, Griffin Judicial Circuit has, along with others, nominated Judge Christopher C. Edwards of the Griffin Judicial Circuit to fill the position; and

WHEREAS, Judge Edwards has served as a Superior Court Judge for Spalding County for over ten years, during which time he has shown a profound ability to interpret, apply, and faithfully apply the laws of this State in all matters which come before the Court; and

WHEREAS, Judge Edwards has demonstrated the proper role of the judiciary under the Constitution by graciously cooperating with other branches of government to minimize the cost of efficiently administering the court while vigilantly protecting the right of citizens to have just and prompt determinations made in criminal and civil actions; and

WHEREAS, Judge Edwards is well known for speaking in public schools in Spalding County and throughout the Griffin Judicial Circuit, encouraging the students to read and stay in school, and by doing so his actions have been an asset to Spalding County as these traits are widely known to be true solutions to crime prevention; and

WHEREAS, BEFORE BEING ELECTED TO THE BENCH, Judge Edwards served as an Assistant District Attorney for the Griffin Circuit, managing the Spalding County office from 1981 to 1986, and thereafter maintained a highly regarded private civil practice in this County;

NOW, THEREFORE, BE IT, AND IT IS, HEREBY RESOLVED, that the Board of Commissioners of Spalding County, Georgia, do unanimously and ardently recommend that the

Judicial Nominating Commission and Governor Perdue to approve and appoint Judge Edwards to the Supreme Court of Georgia; and

IT IS FURTHER RESOLVED, that a copy of the within resolution shall be forwarded to the offices of Governor Sonny Perdue and the Judicial Nominating Commission.

Motion to approve the Resolution recommending the appointment of Judge Christopher C. Edwards to the Supreme Court of Georgia, by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 5-0.

2. Consider, on first reading, the FY 2010 Budget Ordinance

Motion to approve, on first reading, the FY 2010 Budget Ordinance, by Commissioner Phillips, seconded by Commissioner Freeman. Discussion followed.

Commissioner Flowers-Taylor wants no tax increase but does desire to leave airport funding in the budget, just at a reduced level of funding. She felt the County can do five furlough days a year for its employees to help offset the deficit. More discussion followed.

Motion to approve, on first reading, the FY 2010 Budget Ordinance, by Commissioner Phillips, seconded by Commissioner Freeman, were subsequently withdrawn. More discussion followed.

Motion to move this issue to the last item of New Business to allow time for research was made by Commissioners Flowers-Taylor and Freeman, and carried by a vote of 5-0.

3. Consider request of Midway United Methodist Church for outside amplification permit for a summer concert series on June 19, July 17 and August 21, 2009 from 6:00 to 8:00 p.m. each evening at the Midway UMC outdoor pavilion on High Falls Road.

Motion to approve request of Midway United Methodist Church for outside amplification permit for a summer concert series on June 19, July 17 and August 21, 2009 from 6:00 to 8:00 p.m. each evening at the Midway UMC outdoor pavilion on High Falls Road, by Commissioner Freeman, seconded by Commissioner Flowers-Taylor, carried 5-0.

4. Consider request of Mike Thurston, Eagles Way Church, for outside amplification permit for the Festival of Screams on June 20, 2009 from 12 noon to 10:30 p.m., at 100 Hudson Road.

Motion to approve request of Mike Thurston, Eagles Way Church, for outside amplification permit for the Festival of Screams on June 20, 2009 from 12 noon to 10:30 p.m., at 100 Hudson Road, by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 4-0-1 with an abstention by Chairman Goss since he works and attends Eagles Way.

5. Consider request of Kathy Harper, Tea Party Organizer, Tea Party Patriots Group, for a peaceful tea party gathering on the Courthouse steps/sidewalk to be held July 4, from 11 a.m. until 1 p.m. with speakers and outside amplification.

Motion to approve request of Kathy Harper, Tea Party Organizer, Tea Party Patriots Group, for a peaceful tea party gathering on the Courthouse steps/sidewalk to be held July 4, from 11 a.m. until 1 p.m. with speakers and outside amplification, by Commissioner Phillips, seconded by Commissioner Gilreath, carried by a vote of 5-0.

6. Consider request of Jennifer Stevenson for outside amplification permit for birthday party with DJ services to be held on Friday, July 3, 2009 from 9:00 p.m. to 1:00 a.m. at 963 Greer Road.

Motion to approve request of Jennifer Stevenson for outside amplification permit for birthday party with DJ services to be held on Friday, July 3, 2009 at 963 Greer Road, provided the event not continue past 11 p.m. and contingent on approval of neighbors who live within 100 yards of the physical address, by Commissioner Flowers-Taylor, seconded by Commissioner Freeman. Motion and second withdrawn.

Motion to table until the Zoning Public Hearing on June 25 with direction to Ms. Stevenson to provide statements of agreement by surrounding neighbors, by Commissioner Freeman, seconded by Commissioner Flowers-Taylor, carried by a vote of 4-1 with Commissioner Gilreath opposing.

7. Consider, on first reading, Ordinance #2009-05 to amend Street Use Ordinance, Part VI, Chapter 2, Section 6-2004, Route of Travel – Through Trucks to provide for No Thru Trucks for Bailey-Jester Road from Jackson Road to Arthur K. Bolton Parkway (SR 16).

Motion to approve, on first reading, Ordinance #2009-05 to amend Street Use Ordinance, Part VI, Chapter 2, Section 6-2004, Route of Travel – Through Trucks to provide for No Thru Trucks for Bailey-Jester Road from Jackson Road to Arthur K. Bolton Parkway (SR 16), by Commissioner Phillips, seconded by Commissioner Freeman, carried 5-0.

8. Consider authorizing Chairman to execute the Spalding County Community Services Development Block Grant Program (CSBG) Project Application Plan with the Georgia Department of Human Resources for FY 2010 in the amount of \$118,434.

Motion to authorize Chairman to execute the Spalding County Community Services Development Block Grant Program (CSBG) Project Application Plan with the Georgia Department of Human Resources for FY 2010 in the amount of \$118,434, by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 5-0. Copy on file.

9. Consider authorizing Chairman to execute the Spalding County Community Services Development Block Grant Program (CSBG) Project Application Plan with the Georgia Department of Human Resources requesting \$183,582 in economic stimulus funds.

Motion to authorize Chairman to execute the Spalding County Community Services Development Block Grant Program (CSBG) Project Application Plan with the Georgia Department of Human Resources requesting \$183,582 in economic stimulus funds, by Commissioner Freeman, seconded by Commissioner Flowers-Taylor, carried 5-0. Copy on file.

10. Consider Intergovernmental Agreement with Georgia Department of Corrections to provide for appropriate care and custody of State inmates, with a specified capacity of 384 daily, effective at signing and in force until June 30, 2010.

Motion to approve Intergovernmental Agreement with Georgia Department of Corrections, by Commissioner Freeman, seconded by Commissioner Phillips, carried 5-0. Copy on file.

11. Consider acceptance of a Hazard Mitigation Grant Program (HMGP) Award from GEMA and FEMA to update the Spalding County Multi-Jurisdictional Hazard Mitigation Plan and authorize Chairman to execute agreement for same.

Motion to accept a Hazard Mitigation Grant Program (HMGP) Award from GEMA and FEMA and authorize Chairman to execute agreement for same, by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0. Copy on file.

12. Consider Agreement between Henry, Butts and Spalding Counties for NRCS (Soil Conservation) Contract Employee to provide the services of a full-time employee to work within the scope and requirements as outlined to plan and implement conservation activities in said counties.

Henry County is designated as lead county and pays 60% with Spalding and Butts assuming 20% each. This is less than the previous 25% for which Spalding was obligated.

AGREEMENT BETWEEN HENRY COUNTY AND
BUTTS COUNTY AND SPALDING COUNTY
FOR NRCS (SOIL CONSERVATION) CONTRACT EMPLOYEE

THIS AGREEMENT, made and entered into this fifteenth day of June, 2009 by and between HENRY COUNTY (LEAD COUNTY) and SPALDING COUNTY (PARTICIPATING COUNTY) AND BUTTS COUNTY (PARTICIPATING COUNTY). The Lead County shall serve as the host county for administrative and employment purposes.

WHEREAS, the Lead County and the Participating Counties desire to establish a basis for an enduring working arrangement in carrying out a planned program in conserving and improving soil, water, vegetation, wildlife and related resources and administration of conservation activities.

WHEREAS, the Counties desire to cooperate in effecting a planned program of conservation work; the parties hereto have mutually agreed that this undertaking would be beneficial and enhance the soil and water conservation program and desire that this work be undertaken at the earliest possible date.

NOW THEREFORE, for and in consideration of the promises and mutual covenants herein contained, the parties hereto do agree with each other as follows:

- I. *The Lead County and the Participating Counties agree to-wit:*

- A. To provide the services of a full-time employee to plan and implement on-going conservation activities in Henry, Spalding and Butts counties.
- B. To provide the services of a full-time employee for 40 hours of work time per week in support of the duties enumerated in this agreement. The employee will meet the qualification standards for assigned duties and for operation of necessary equipment.
- C. To utilize the full-time employee within with scope and requirements of the Special Provisions included in Attachment 'A' of this agreement.
- D. To agree that the employee shall report to the administrative staff (e.g. County Manager or County Administrator) of each County annually for each year that the agreement is in affect stating the success achieved, the objectives met, and the work accomplished for the period.

II. *The Lead County and the Participating Counties also agree:*

- A. To support technical guidance and provide training to the contract employee; to furnish all working materials and equipment needed, including transportation while the contract employee is assisting NRCS. The Lead County will be responsible for all maintenance of Service equipment furnished except for damage as the result of gross negligence on the part of the County employee. Gross negligence is defined as willful misuse or destruction of Service equipment. The Lead County and the Participating Counties will make the determination of gross negligence jointly.
- B. To designate in writing, an individual to serve as liaison officer between the Lead County and the Participating Counties.
- C. To reimburse the Lead County for the Service share on a monthly or quarterly basis upon receipt of a properly completed and documented itemization of costs. Reimbursements will be made for actual expenditures of the county not to exceed the Service share.
- D. For Fiscal Year 2010 (July 1, 2009 through June 30, 2010), the Lead County and the Participating Counties agree to the following allocation of contract costs:

HENRY COUNTY (Lead County):	60%
SPALDING COUNTY (Participating County):	20%
BUTTS COUNTY (Participating County):	20%

III. *It is mutually understood and further agreed by the Lead County and the Participating Counties:*

- A. This agreement will be effective for the initial term of June 1, 2009 through June 30, 2010.
- B. This agreement shall automatically renew for successive one-year terms upon the end of initial term hereof; and will remain in effect indefinitely, subject to termination. However, this agreement may be terminated for convenience at any time by any party upon thirty (30) days notice in writing to the Counties.
- C. This agreement may be modified and/or extended by mutual consent of both parties, in writing, agreed to thirty (30) days prior to the effective date of the modification and/or extension. This agreement is not to be construed as an instrument to exchange funds for any purpose other than the retention of one (1) contract NRCS contract employee.
- D. The furnishing of services under this Agreement is contingent upon the continuing availability of appropriations by the Lead County and the Participating Counties from which payment may be made and shall not obligate the Counties upon failure of their respective governing authorities to so appropriate.
- E. The contract employee shall be administratively responsible to the Lead County and shall fall under the jurisdiction of the Lead County's standard personnel policies and procedures. However, nothing in this agreement shall be construed as to affording any property right or tenure of the contract employee to his/her position with the Lead County. The contract employee shall be considered At-Will with respect to terms of employment under this agreement.

F. Administration of this agreement will be in accordance with Generally Accepted Accounting Principles (GAAP) and other applicable requirements as may be enumerated by the Georgia Department of Audits and/or the Governmental Accounting Standards Board (GASB). Accounting/financial staffs of the participating counties shall, until the expiration of three (3) years after final payment under this agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of the cooperator of any of its subcontractors engaged in the performance of or involving any transaction related to this agreement.

G. The program or activities conducted under this agreement will be in compliance with the nondiscrimination provisions contained in Title VI and VII of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (Public Law 100- 259) and other nondiscrimination statutes, as applicable.

H. Notices to Henry County (Lead County) shall be sent to the following:

Phyllis Shrader
Interim County Manager
Henry County Board of Commissioners
140 Henry Parkway
McDonough, Georgia 30253

I. Notices to Spalding County (Participating County) shall be sent to the following:

William P. Wilson, Jr.
County Manager
Spalding County Board of Commissioners
Post Office Box 1087
Griffin, Georgia 30224

J. Notices to Butts County (Participating County) shall be sent to the following:

Van Whaler
County Administrator
Butts County Board of Commissioners
625 West Third Street
Jackson, Georgia 30233

K. Entire Agreement: This Agreement and the Attachment 'A' (Special Conditions) shall serve as the entire agreement, unless amended by all parties in writing upon proper authority. No oral communications or verbal instructions shall be deemed binding upon any party hereto.

SO MUTUALLY AGREED BY THE GOVERNING AUTHORITIES OF HENRY, SPALDING AND BUTTS COUNTIES:

ATTACHMENT A - SPECIAL PROVISIONS

The Lead County and the Participating Counties agree to incorporate the following special provisions, which are hereby attached to this agreement:

GENERAL STATEMENT OF WORK

CONTRACT NRCS EMPLOYEE; PURPOSE: To contract for services of a Henry County employee to be physically based in HENRY COUNTY, GEORGIA, who will represent HENRY COUNTY, SPALDING COUNTY, and BUTTS COUNTY in conjunction with the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS). The employee will provide services in conservation education, promotion of conservation programs and assisting customers in planning and application of USDA/NRCS programs.

CORE DUTIES TO BE PERFORMED:

The contract NRCS employee serves as:

- (1) Educator - To plan, develop and carry out practices and programs for natural resources conservation and development.
- (2) Assistant - Assist the district conservation staff in developing practical ideas and methods to achieve the field office goals and objectives.
- (3) Expeditor - Assist the district conservation staff with NRCS programs to organize successful implementation of same.
- (4) Communicator - Informs the district conservation staff of progress, problems and opportunities associated with all aspects of NRCS program management with the field office area.
- (5) Field Leader - Provides leadership in developing, updating and implementing the field office plan of work by assisting the district conservation staff in the collection of resource data; identification of problems, establishment of objectives, goals and strategies. Develops good working relationships with landowners, districts, local units of government and field office area contacts to promote and achieve field office goals and objectives. Provides administrative procedures and maintenance of records to assure that delivery of NRCS programs are carried out with out regard to race, color, national origin, religion, sex, age, disability, political beliefs, and martial or familiar status.

The aforementioned list of core duties is not necessarily exhaustive; similarly all incumbents may not perform all job functions.

Motion to approve Agreement between Henry, Butts and Spalding Counties for NRCS (Soil Conservation) Contract Employee to provide the services of a full-time employee to work within the scope and requirements as outlined to plan and implement conservation activities in said counties, by Commissioner Freeman, seconded by Commissioner Phillips, carried 5-0.

13. Conduct Public Hearing to consider the establishment of a street lighting district for Autumn Ridge Subdivision Phase III.

Motion to Open Public Hearing, by Commissioner Phillips, seconded by Commissioner Freeman, carried by a vote of 5-0.

No comment was forthcoming. Motion to Close Public Hearing, by Commissioner Freeman, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.

14. Consider request to approve street lighting district for Autumn Ridge Subdivision Phase III.

Motion to approve street lighting district for Autumn Ridge Subdivision Phase III, by Commissioner Phillips, seconded by Commissioner Flowers-Taylor, carried 5-0.

15. Consider approval of Memorandum of Understanding between City of Griffin and Spalding County for the provision of an amount not to exceed \$1200 as admittance fees to City Pool for the first sixty (60) children daily without charge in the months of June and July 2009, to assist with maintenance and operation of said pool.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is entered into between the City of Griffin, a municipal corporation, organized under the laws of the State of Georgia, hereinafter referred to as "the City," and Spalding County, a political subdivision of the State of Georgia, hereinafter referred to as "the County."

WHEREAS, the City operates a swimming pool for the use and enjoyment of the citizens of Spalding County; and

WHEREAS, the County desires to assist the City in the maintenance and operation of the pool; and

WHEREAS, the County agrees that it shall pay the sum of \$600 per month for the months of June and July 2009 to assist the City in the maintenance and operation of said pool; and

WHEREAS, the County desires that in return for its financial assistance, the City agrees that the first sixty children shall be admitted daily without charge during each day that the pool is open in the aforesaid months;

NOW THEREFORE, the parties hereto agree to abide by this Memorandum of Understanding.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 10th day of June 2009.

Motion to approve Memorandum of Understanding between City of Griffin and Spalding County for the provision of an amount not to exceed \$1200 as admittance fees to City Pool for the first sixty (60) children daily without charge in the months of June and July 2009, to assist with maintenance and operation of said pool, by Commissioner Flowers-Taylor, seconded by Commissioner Freeman, carried by a vote of 5-0.

16. Consider request from the Griffin-Spalding County Land Bank Authority for funding for FY 2009.

Mr. Wilson advised this request was for \$10,000 in order to match approval from City to provide operating funds for those non-NSP issues for which federal funds cannot be used. Personnel can be paid from the federal dollars side of funding but only for the portion of their time that is allocated to appropriate expenses. More will be budgeted for FY 2010, and again he recommends this funding come from contingency.

Motion to approve funding in the amount of \$10,000 for the Griffin-Spalding County Land Bank Authority for FY 2009, by Commissioner Phillips, seconded by Commissioner Flowers-Taylor. Motion carried by a vote of 5-0.

17. Consider board appointments for: 1) Two positions on the Spalding County Department of Family & Children Services Board (term expiring 6-30-09, currently occupied by Jim Smith who is willing to continue, and Rosa Stewart, who has moved, for an unexpired term of 6-30-2012), 2) one appointment for the term of Zachery Holmes on the Region IV EMS Advisory Council (willing to continue per our phone conversation for his term expiring 6-30-09), and 3) Region One MHDDAD Planning Board (Cynthia Reid Ward's unexpired term ending 9-29-2010, resigned September 2008).

Nomination of Theresa Buchanan, by Commissioner Flowers-Taylor, seconded by Commissioner Freeman, carried by a vote of 5-0 for the position of Jim Smith on the Spalding County DFCS Board for a new term to expire 06-30-2014.

Nomination of Michael Thurston, by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 5-0 for the unexpired term of Rosa Stewart on the Spalding County DFCS Board, set to expire 06-30-2012.

Nomination of Zach Holmes, by Commissioner Flowers-Taylor, seconded by Commissioner Phillips, carried by a vote of 5-0 for the position of Zach Holmes on the Region IV EMS Advisory Council set to expire 7-1-2011.

Motion to table indefinitely by Commissioner Freeman, seconded by Commissioner Phillips, nominations for the position of Cynthia Reid Ward on the Region One MHDDAD Planning Board, for a term set to expire 09-29-2010, carried 5-0.

18. Consider cancellation of the July 6 Board of Commissioners' meeting due to holiday schedule.

Motion to cancel the July 6 Board meeting, by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 5-0.

19. Consider contract with Stephen Macke for 800 MHz Communication System consultant services.

Commissioner Phillips stated this contract nails down the scope of service, how he (Mr. Macke) will be paid, method of mediation, termination, and contractor relationship.

Commissioner Freeman stated he was adamantly opposed to this contract. Paul Van Haute has been doing a fine job, and Mr. Cody who spoke earlier is experienced. He felt that both could do the same job capably at a lesser cost to the County. Loudon Communications can continue in their capacity, as well. He objected, as well, to Mr. Macke specifying that he would answer only to the Chairman when others answer to the County Manager or the Assistant to the County Manager. When he was Chairman, Commissioner Freeman said he advocated having someone come on board as an employee once things were in place.

Commissioner Phillips said between Paul Van Haute, William Wilson, Mr. Macke and himself, things have progressed to this level, and he felt Mr. Macke is the best person to take the system to completion and see that things run properly for the first year. There are specialized services that Mr. Macke can do for the County, as well, such as in the area of marketing, which are beyond others. Extensive discussion was held.

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is entered into this 15th day of June, 2009 (the effective date), between Spalding County, Georgia, a political subdivision of the State of Georgia (hereinafter referred to as "County") and Stephen E. Macke d/b/a Advent Ltd, located in Rockdale County, Georgia (hereinafter referred to as "Macke").

WHEREAS, Stephen Macke desires to act as an independent contractor consultant for Spalding County reporting to the Chairman of the County Commissioners or his designee as same pertains to the installation, operation and maintenance of its 800 MHz radio system; and

WHEREAS, the County desires to retain Macke for that position;

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

1. Term. The term of this Agreement shall be one year from the effective date. This Agreement shall not be automatically renewed but it shall require the mutual consent of both parties to be extended. In the event that the term of this Agreement has expired, but no renewal has been agreed upon, as long as the parties continue to perform under this Agreement, then it shall be an agreement from month to month under the same terms and conditions.

2. Compensation and Expenses. During the term of this Agreement Consultant shall be paid the sum of \$40.58 per hour for all time spent in the performance of this Agreement. Macke shall submit his time records and a description of services rendered by the 5th day of each month following the month in which the services were rendered. Macke shall also provide at the same time, itemized expenses with receipts for all expenses reasonably incurred in the performance of this Agreement. The County shall forward all itemized statements and itemized expenses to the bond paying agent for payment to Macke by direct electronic deposit to such account as Macke may direct.

The parties agree that the maximum amount payable under this contract is the sum of \$84,400.00. In no event shall this contract amount be exceeded.

3. Job description. Macke shall serve as the Advisor and Consultant to Spalding County to ensure that the 800 MHz radio system, currently being installed in Spalding County, meets all criteria and requirements as contained in the original contract with MA/Com. Said obligations on the part of Macke shall include, but not necessarily be limited to the following.

- Oversee the operational aspects of the first responder network and nonpublic safety network.
- Attend weekly conference call meetings with MA/Com
- Oversee system acceptance of the radio system
- Oversee the monthly practice emergency drills for interoperability
- Oversee the migration to the P25 Phase II project
- Work with department heads to assure their radio communications needs are being met during normal business hours
- Provide instruction assistance to end users relative to use of the equipment, create practice drills in order to know what to do with the radio during a mutual aid event to ensure interoperability after Phase II implementation.
- Assist in crafting agreements with County and City governments that Spalding County interacts with during mutual aid events.
- Develop a record keeping system in order to track the historical issues with the first responder network.
- Maintain records on costs of operating the network
- Work with the County Manager to recruit and train a network administrator to take over the majority of the day to day operations of the first responder network before the P25 Phase II mitigation is complete.
- Installation and optimization of equipment.
- Training of end user subscriber groups.
- Subscriber unit distribution.
- System testing.
- Evaluate integrator and vendor performance to determine compliance with agreement and overall project parameters.
- Evaluate the integrator's work program to ensure it conforms to the agreed upon proposal and contract, conforms to requirements, and is internally consistent and realistic.
- Review project deliverables and project output for validity, completeness, conformance to the RFP.

- Evaluate integrator and vendor performance to determine compliance with agreement and overall project parameters.

4. Mediation. In the event a controversy or dispute should arise out of this Agreement or the alleged breach thereof, the parties agree that they will mediate this matter in good faith in an attempt to resolve their differences. In the event that mediation fails, then and in such event, all parties hereto consent to the venue and jurisdiction of the Superior Court of Spalding County to resolve any disputes.

5. Confidentiality and Proprietary Information. The parties agree to abide by the County's Confidentiality and Propriety Information Agreement attached hereto as Exhibit "A".

6. Independent Contractor Relationship. All parties hereto agree that this Agreement establishes only the relationship of independent contractor between Macke and Spalding County. Nothing in this Agreement shall constitute or create a joint venture, partnership, agency or any other similar agreement between the parties. No party hereto shall have the authority to assume or create obligations on behalf of the other party and no party hereto shall take any action which shall have the effect of creating the appearance of its having such authority. All parties hereto agree that Macke is not the employee of Spalding County.

7. Termination. Either party to this Agreement shall have the right to elect to terminate this Agreement after giving the other party thirty (30) days written notice of its intent to terminate. In the event of termination, any fees earned by Macke or expenses incurred which are payable under the terms of this Agreement shall be paid upon such termination.

8. Governing law. This Agreement shall be deemed to have been made in the State of Georgia and be governed by and construed in accordance with the laws of the State of Georgia.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this fifteenth day of June 2009.

Motion to approve contract with Stephen Macke for 800 MHz Communication System consultant services, by Commissioner Phillips, seconded by Commissioner Gilreath. Motion carried by a vote of 4-1 with Commissioner Freeman opposing.

20. Chairman Goss would like to discuss suspension of enforcement of Section 404.A of the Spalding County Unified Development Ordinance pertaining to fences above allowed height.

Chairman Goss said fence issues were being raised all over the County. One such case is currently in State Court, and the litigant has requested a jury trial. Mr. Fortune advised the court could reverse the decision and opine that the ordinance was unfair. County Attorney Jim Fortune advised the County could, however, request a declaratory judgment, a ruling in advance of that case to determine the legality of the ordinance so that staff would know whether or not to continue with enforcement. Extensive discussion followed.

Commissioner Phillips made a motion to move forward with a request for declaratory judgment from Superior Court pertaining to the fence issue of Mr. Terry Willis in Orchard Hill, seconded by Commissioner Gilreath. Motion carried by a vote of 5-0.

Commissioner Phillips made a motion to request that Judge Cavanaugh hold the matter of Annette Pritchett in abeyance until such time as the Superior Court can issue a ruling on the request for declaratory judgment. Commissioner Gilreath seconded the motion which carried unanimously at 5-0.

21. Consider, on first reading, the FY 2010 Budget Ordinance

Per discussion earlier in this agenda, this item is being revisited for action.

Commissioner Flowers-Taylor made a motion to table approval on first reading of the FY 2010 Budget Ordinance until a Special Called Meeting on Wednesday, June 17, 2009 at 6 p.m. Motion was seconded by Commissioner Gilreath and carried 5-0.

XII. REPORT OF COUNTY MANAGER

- July 4 parade lineup at Food Depot. Mr. Wilson will need to know commissioners attending.
- There will be a Chamber meeting in Covington to discuss their Leadership Collaborative on Monday, June 22. Commissioner Freeman will see if his schedule permits his attendance for Chairman Goss.
- 2009 LARP has been cancelled due to GDOT financial shortfalls so the same list submits for 2010.

- Reminder: Free Movies on the Green this Friday, June 19, on the corner of Sixth and Solomon.
- Reminder: July 9 for a rescheduled Joint Meeting with City/Airport/County at 6 p.m.
- A U.S. Census representative wants to present at the next meeting, July 20.

XIII. REPORT OF COMMISSIONERS

Freeman

No comments.

Flowers-Taylor

She urged everyone to attend the Movies in the Park event this Friday. There will be free popcorn and free drinks. Children under 12 must be escorted by parents.

Phillips

He has spoken with Mr. Wilson regarding getting GDOT to cut rights-of-way on Arthur K. Bolton Parkway (SR 16), but they say they cannot due to budget constraints. Mr. Wilson had agreed to get the County to cut these areas last week, but to date they have not been done.

Gilreath

He asked that his request for a Closed Meeting be removed. He has instead requested that Mr. Fortune look into the issue he had wanted to discuss ... getting the County to agree to pay for supplemental health care policies for people covered by Medicare. This would save the County a substantial amount should those same employees opt for employee insurance instead as provided by the County currently. He also wondered about an agreement with the City on their share of the radio system cost. Mr. Wilson advised he had not prepared anything yet but will now since we have actual rental costs and utilities to better approximate their portion. Previously these figures were just educated estimates.

Goss

No comments.

XIV. CLOSED MEETING

1. Commissioner Bob Gilreath desires a Closed Meeting to discuss or deliberate 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. § 50-14-3(6).

See above declaration of desire to remove.

XIV. ADJOURNMENT

Motion to Adjourn at 9:37 p.m., by Commissioner Freeman, seconded by Commissioner Gilreath, carried by a vote of 5-0.

Chairman

County Clerk

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