

## **EXTRAORDINARY SESSION**

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, December 20, 2010, beginning at 6:05 p.m. with Commissioner Eddie Goss presiding and Commissioners David Phillips, Bob Gilreath, Gwen Flowers-Taylor and Eddie Freeman present. Also present were Interim County Manager Tim Whalen, Interim Assistant County Manager Virginia Beams, Attorney Jim Fortune and Executive Secretary Glinda Robertson.

- I. OPENING (CALL TO ORDER) – Chairman Edward Goss, Jr.**
- II. INVOCATION – Led by Gwen Flowers-Taylor**
- III. PLEDGE TO FLAG – Jim Fortune**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**
- V. PRESENTATION OF FINANCIAL STATEMENTS – None**
- VI. CITIZENS COMMENT**
- VII. PUBLIC COMMENT**

Speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted 5 minutes to speak on topics pertinent to the Board's jurisdiction. No speakers will be allowed to re-address 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.

### **Bill Taylor – Dauset Dr., Griffin**

Mr. Taylor attended the Youth Challenge graduation this past Saturday. There were 211 cadets transported from Ft. Stewart by Spalding County buses and it is very much appreciated. The Spalding County cadets graduated at the top of their class.

### **Sinclair Hollberg – 3335 Jackson Rd., Griffin**

Mr. Hollberg expressed his appreciation to the commissioners for their service. He has been concerned about tactics being used to discredit people on the board and the personal attacks on them. He mentioned the unresolved crime against Commissioner Phillips. He believes the recall effort on one commissioner is unnecessary. He would like to encourage the new board going forward and to be more aggressive in honing all the players that could affect economic development here in the community.

### **Sheriff Dee Stewart – 839 Manley Rd., Griffin**

Sheriff Stewart asked that the item considering approval for alcohol sales on Sunday be tabled until an investigation of an incident at Country Rock can be completed. There was a shooting in the parking lot a few nights ago.

### **Justin Wynn – 127 Central Lake Circle, Manager of Country Rock**

Mr. Wynn addressed the comments made by Sheriff Stewart. He stated that Country Rock pays a deputy to work security at the club. This past Friday night the deputy could not be there. Someone took a gun and shot into the air out in the parking lot. That person was detained by Country Rock security until the Sheriff's Department could arrive. The person was locked up and the club pressed charges. This is the first time this has happened. This took place outside the club and the club management did what they could to get the situation under control quickly. He stated it is a night club and things are going to happen, however they do their best to make sure they don't happen.

### **Victoria McDaniel – Northside Bar & Grill**

Ms. McDaniel is with Northside Bar & Grill. She asked they not be punished when the board considers the alcohol sales on Sunday item because of what happened at Country Rock.

## **VIII. MINUTES**

1. Consider approval of Minutes of the following: Regular Meeting of December 6, 2010; Special Called Meeting of December 13, 2010; and Zoning Meeting of December 13, 2010.

*Motion/second to approve by Commissioners Flowers-Taylor/Phillips and carried by all.*

**IX. CONSENT AGENDA – None**

**X. OLD BUSINESS**

1. Consider second reading of Amendment to the Official Zoning Ordinance of the following: - **Amendment to UDO #A-10-08:** Article 4. General Procedures – Section 408:A – amend building permit requirements.

IN RE:

**Text Amendment A-10-08**

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

**RESOLUTION AMENDING  
THE ZONING ORDINANCE 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; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on December 13, 2010, 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; and

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 shall be and is hereby amended as follows:

Section 1:

Delete Section 408.A. entirely and replace with the following:

**Section 408: Building Permit Required.**

- A. The developer or other person wishing to do any of the following must first apply to the Building Official for a Building Permit:

1. Excavation or filling of a lot for the construction of a building.
2. Erection, movement or demolition of a building, greater than 120 square feet gross floor area.
3. Enlargement or other work on an existing building where it is determined by the Building Official that inspection of the work is necessary. The Building Official shall maintain a list of work that requires a permit within his office.
4. Installation of a Manufactured Home or Industrialized Building.

**Section 408' Exemption from permit fee.**

- A. In the event of destruction of a building or structure through an act of God, no permit fee shall be required if application for a permit to demolish, replace or repair said building or structure is made within 12 months after the destruction occurs.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

***Motion/second to approve by Commissioners Phillips/Flowers-Taylor and carried by a vote of 4-1. Commissioner Freeman opposed.***

**XI. NEW BUSINESS**

1. Consider approval of second reading of resolution to amend Section 6-1057 of the Spalding County Code of Ordinances involving Sunday alcohol sales.

Per the Sheriff's request, Commissioner Phillips asked to table this item.

***Motion/second to table by Commissioners Phillips/Gilreath and carried by a vote of 3-2. Commissioners Freeman and Flowers-Taylor opposed tabling this item.***

2. Consider request from the Griffin-Spalding County Hospital Authority to approve grants for the Griffin-Spalding Health Department for 2011.

Ms. Flowers-Taylor stated she has concerns with this request. The board has been funding this for several years. She asked why is the Health Department not concerned with the fact that the budgeting for dental care is so uneven. There is a request for \$150,000 for dental care of children but most of the children have Medicaid. If someone has Medicaid they can go to the dentist anywhere. Ms. Taylor would like to know what the Health Department's take is on this. Do they not think it is relevant for adults to receive dental care?

The board would like to have someone from the Griffin-Spalding Health Department to come and address the board on this issue.

***Motion/second to table by Commissioners Flowers-Taylor/Phillips and carried by a vote of 5-0.***

3. Consider request from ACCG to appoint a County Legislative Coordinator.

Mr. Freeman stated that ACCG feels like each county should have a county legislative coordinator. They should be actively engaged in the legislative process. This person would be a lobbyist for the county and would be privy to the legislators.

Ms. Taylor stated this is a good thing however she does not believe she would be a good fit for this. Mr. Freeman stated his plate is already full. It was suggested by Commissioner Gilreath to wait until the first meeting of next year to make this appointment.

*Motion/second to table by Commissioners Phillips/Flowers-Taylor and carried by a vote of 5-0.*

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

Mr. Whalen reported that, at the request of Commissioner Freeman, a letter was received from the Pike County Board of Commissioners giving their permission for Spalding County to erect stop signs at the intersection of County Line Road and South Sixth Street Extension.

This prompted a discussion between Commissioner Gilreath and Commissioner Freeman. Mr. Gilreath stated he thought the DOT said a four way stop at this location is not a good idea. He asked why the board is looking at this again. Mr. Gilreath is opposed to putting a stop sign on County Line Road at this location.

## **XIII. REPORT OF COMMISSIONERS**

### **Eddie Freeman**

Mr. Freeman had a chimney fire at his home over the weekend. He stated the Spalding County firemen were very professional and he was appreciative of their efforts. He further stated we need to start looking at more positive things the fire department has done over the years instead of the nitpicking that showed up in the report done by an outside group.

### **Gwen Flowers-Taylor**

Ms. Taylor stated she agreed with some of the things Mr. Hollberg stated earlier. She stated the county was successful in getting the SPLOST passed that helped to build UGA and to get the Industrial Development Authority the money they need to get the Lakes at Green Valley started. She further stated the county needs to stay on them to make sure they bring and deliver what they said they were. Ms. Taylor commented that UGA has the same 75 students they had seven years ago.

Bill Taylor with WKEU stated this is not true. His son has already graduated from there.

Ms. Taylor stated that the numbers UGA promised the board the program would be increased, has not happened. She believes the board should be more proactive in asking them what their recruiting processes are. She further commented it is the board's responsibility to put pressure on them to fill those classrooms up that the county spent over \$10 million dollars to build. She said the same thing goes for the Development Authority.

Ms. Taylor thanked Mr. Whalen for taking on a monumental job this year as the Interim County Manager. She also thanked Virginia Beams, Chairman Goss and Commissioner Phillips for their service. She stated she very much respects Commissioner Goss and his opinion. He has been a mentor to her. She further stated he has great family values and he believes that everyone counts. She also wished everyone a Merry Christmas.

### **David Phillips**

Mr. Phillips echoed Mr. Freeman's remarks about the fire department. He stated he has received many thanks from people for his job as a commissioner. He thanked them for their well wishes.

**Bob Gilreath**

Mr. Gilreath asked how things were coming with the RFP for maintenance and repair work. Mr. Fortune advised him the bid is still open and up to this point they are expecting three bids. Mr. Gilreath thanked Commissioner Phillips and Goss for their past years of service and encouraged them to continue serving the county by being on advisory boards. He applauded their hard work.

**Eddie Goss**

Mr. Goss thanked everyone for their comments and especially thanked Ms. Taylor for her comments. He said it has been a good ride. He thanked everyone on staff for their efforts.

**XIV. CLOSED SESSION – Personnel**

*Motion/second to go into closed session at 7:04 p.m. by Commissioners Flowers-Taylor/Gilreath and carried by a vote of 5-0.*

**CLOSED MEETING AFFIDAVIT**

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

STATE OF GEORGIA  
COUNTY OF SPALDING

**AFFIDAVIT OF CHAIRMAN**

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

1.

The Spalding County Board of Commissioners met in a duly advertised meeting on December 20, 2010.

2.

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

3.

The executive session was called to order at 7:04 p.m.

4.

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

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

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

**No** Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

**Yes** Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

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

This the 20th day of December 2010.

Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 20th day of December 2010.

Bob Gilreath

Eddie Goss

Glinda P. Robertson

Notary Public

Gwen Flowers-Taylor

Eddie Freeman

My commission expires:

David Phillips

Feb 23, 2014

*Motion/second to come out of closed session at 7:25 by Commissioners Flowers-Taylor/Phillips and carried by a vote of 5-0.*

*Motion/second by Commissioners Flowers-Taylor/Freeman to accept Mr. Whalen's request not to accept the position of County Manager; for Mr. Whalen to continue being the Interim County Manager at a salary of \$110,000 effective January 1, 2011; and for Mr. Whalen to return to his previous job as Tax Assessor when a new County Manager is hired. This motion was carried by all.*

**XV. ADJOURNMENT**

*Motion/second to adjourn at 7:28 p.m. by Commissioners Freeman/Phillips and carried by all.*

\_\_\_\_\_  
Chairman

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