

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, September 20, 2010, beginning at 6:00 p.m. with Commissioner Eddie Goss presiding and Commissioners Eddie Freeman, Gwen Flowers-Taylor, David Phillips and Bob Gilreath present. Also present were Interim County Manager Tim Whalen, Interim Assistant County Manager Virginia Martin, Attorney Jim Fortune and Executive Secretary Glinda Robertson.

I. OPENING (CALL TO ORDER) – Chairman Eddie Goss

II. INVOCATION – Led by Rev. Clay Padgett, Pastor of Crown Center Church

III. PLEDGE TO FLAG – Tim Whalen

Motion/second by Commissioners Flowers-Taylor/Phillips to amend the agenda to add acquisition of real estate to the closed session and to move number 16 under “new business” to #3 under “old business”.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

1. There was a presentation of the Work Ready Program by Mr. Robert Parker with Express Employment Professionals in Griffin, Georgia. Mr. Parker is the Chairman of the Griffin-Spalding Chamber of Commerce’s Work Ready committee.

According to Mr. Parker, this program is an initiative from the Governor’s Office of Workforce Development for communities to become certified with core skills needed to attract industry to the state. Several other local communities (Pike and Upson) have become certified. In order to be certified a worker must pass tests in applied mathematics, reading for information and locating information. This service is currently free and the tests are given two days a week at Southern Crescent. The tests are given on Mondays and Wednesdays at designated times. You need to call ahead to make a reservation. It’s a three hour test if a person takes all three sections at once. Mr. Parker would like to increase enrollment among government workers.

This program will also conduct job profiling. It involves having an expert from the college come to your site and assess certain jobs, such as high turnover jobs. They would talk to employees and assess the job. From that they would determine what level someone needs to score on the work ready test.

This program has been proven to reduce turnover and can assist the county with becoming work ready certified which will help the Development Authority attract more industries. The unemployed as well as current employees may take the test.

This program also includes gap training. You can score bronze, silver or gold on the test. If you score a bronze and would like to improve on your score you can receive gap training to improve your level of score. You have to be a Spalding County resident to participate in this program.

2. There will be a presentation from Jon Richardson with East Side Petroleum, Inc. regarding potential gasoline sales.

Mr. Richardson was not present for this item.

V. PRESENTATION OF FINANCIAL STATEMENTS –

1. Consider approval of financial statements for the one month ending July 31, 2010.

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

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 speaker 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.

Lucian Tatum – 2237A Honeybee Creek Dr. – Has lived at this location since 1976. Mr. Tatum does not want T-Mobile to build a cell tower at the intersection of Maddox Rd. and Maple Dr. This is going to be approximately a 140' tall cell tower in the middle of a pasture. Mr. Tatum stated this is in the flight path of the airport runway. He stated that T-Mobile has indicated they will not put a beacon light on the tower. The health affects of this are still being debated according to Mr. Tatum. There are concerns over what affect electromagnetic fields have on young children. He believes it will impact property values in the area. Mr. Tatum is asking the commissioners to stop the progress of this cell tower.

Coleman Tatum – Mr. Tatum is also against the cell tower. He shared with the commissioners issues that can come up with a cell tower. He stated that scientific studies have shown that cell towers can cause headaches, tremors, dizziness, memory lapse and increased risk of cancer. Studies have also shown they decrease property values. This has been confirmed by real estate professionals and appraisers. He further stated that cell towers attract criminals and vandals. They have also been known to topple in high winds. He stated this information can be looked up at www.nocelltowersinourneighborhood.com.

Kay Landum – 782 Maddox Rd. - Ms. Landum also spoke out against the cell tower. She stated this tower would be in her front yard. She stated she is in the flight pattern and cannot imagine the FAA would approve this. She does not want to have the danger of planes running into the cell tower. She asked the board to please consider not approving this.

Mr. Phillips requested the board check with the FAA. Chuck Taylor from Community Development confirmed his department has received the application for the cell tower. It will go to the Board of Appeals in October for their recommendations. He stated the FAA will have to approve this location.

VIII. MINUTES

1. Consider approval of Minutes of the following: Extraordinary Session of August 16, 2010; Zoning Public Hearing of August 26, 2010; and the Special Called Meeting of August 30, 2010.

Motion/second to approve minutes by Commissioners Phillips/Freeman and carried by a vote of 5-0.

IX. CONSENT AGENDA

X. OLD BUSINESS

1. Consider second reading of Amendment to the Official Zoning Map of the following: - **Application # 10-01Z:** Clinton Joseph McIntyre and Angela Renee McIntyre, Owners – 365 Wilson Road – 0.38 acre – AR-1 to C-1, Conditional; and - **Application #10-01AZ:** Vonnie Jordan, Owner – 375 Wilson Road – 0.43 acre – AR-1 to C-1, Conditional.

Motion/second to approve by Commissioners Phillips/Freeman and carried by a vote of 5-0.

2. Consider second reading of Amendment to the Official Zoning Ordinance of the following: - **Amendment to UDO #A-10-05:** Appendix D. Soil Erosion & Sedimentation Control ordinance – adoption of new ordinance based on the State model code; and –**Amendment to UDO #A-10-06:** Article 20. S-1 Sensitive Land/Flood Ordinance – adoption of new ordinance based on the State model code and deletion of Appendix F.

Motion/second to approve by Commissioners Phillips/Freeman and carried by a vote of 5-0.

3. Consider approval of request to declare Spalding County property at 238 Leach Rd. as surplus. This is the old Zetella Courthouse.

Motion/second to lift from the table by Commissioners Freeman/Flowers-Taylor and carried by all.

Ms. Flowers-Taylor questioned if this had been checked out as being an historical property. Tim Whalen stated nothing was found to indicate the building is considered to be historical.

Motion/second by Commissioners Phillips/Freeman to approve declaring as surplus and carried by a vote of 5-0.

XI. NEW BUSINESS

1. Consider approval of a new 2010 Alcoholic Beverage License for Retail Sales of Beer & Wine for Afroz Shakoor, d/b/a Sunoco Food Mart located at 2295 North Expressway. This business has changed ownership; therefore requiring a new alcohol/business license.

Motion/second to approve by Commissioners Phillips/Freeman and carried by a vote of 5-0.

2. Consider approval of a new 2010 Alcoholic Beverage License for Retail Sales of Beer & Wine for Samina Kabana, FPK, Inc., d/b/a Super Foods located at 2529 Old Atlanta Road. This business has changed ownership; therefore requiring a new alcohol/business license.

Motion/second to approve by Commissioners Phillips/Freeman and carried by a vote of 5-0.

3. Consider setting a date for a Public Hearing to establish street lighting districts for Sun City Peachtree – Pod 30 and Del Webb Blvd. Phase 3.

Commissioners set a date of October 4th for a public hearing at Regular Meeting of Board of Commissioners.

4. Consider approval of final plat of Sun City Peachtree Subdivision – Pod 30 located off Jordan Hill Road – 58 lots.

Motion/second to approve by Commissioners Phillips/Freeman and carried by a vote of 5-0.

5. Consider acceptance of Right-of-Way Deed for Buttercup Drive and Peach Blossom Court (Sun City Peachtree Subdivision – Pod 30).

Motion/second to approve by Commissioners Phillips/Freeman and carried by a vote of 5-0.

6. Consider writing a letter of permission to the State of Georgia asking them to grant the Humane Society of Griffin Spalding County a one-day license for a fundraising event to be held on November 6, 2010. Ms. Debbie Yelvington is present to address.

Ms. Yelvington was present to address. Mr. Phillips thanked Ms. Yelvington for what she has done on behalf of animals and the Humane Society. This event will be held at the Pavilion on Aerodrome Rd. in Griffin.

Motion/second to approve by Commissioners Phillips/Freeman and carried by a vote of 5-0.

7. Consider two appointments to the EMS Council – Region IV to finish out the terms of Zack Holmes and Chipper Gardner. Nominees are: Tim Daniel, Kathleen Evans, Tyrone Coggins and Kenny West.

Motion/second by Commissioners Flowers-Taylor/Freeman for Kenny West to replace Chipper Gardner and carried by a vote of 4-1. Mr. Gilreath voted against.

Motion/second by Commissioners Flowers-Taylor/Freeman to replace Zack Holmes with Tim Daniel and carried by a vote of 3-2. Mr. Gilreath and Mr. Phillips opposed.

8. Consider changing or cancelling November and December Zoning meetings as they fall on November 25th which is Thanksgiving Day and December 23rd.

Motion/second to cancel both dates by Commissioners Phillips/Freeman and carried by a vote of 5-0. Mr. Goss stated if needed the Board will reschedule a meeting.

9. Consider approval of an out-of-state trip using motor coach for seniors to travel to Louisiana for Mardi Gras on March 6th through March 10th, 2011.

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

10. Consider removing the mandatory helmet usage at skate park and change back to original signage that would suggest wearing a helmet but failure to do so would be at their own risk.

Ms. Flowers-Taylor stated that originally she was for mandating the kids be safe. She stated that enforcing the helmet law has resulted in four times as many criminal charges on the kids for not skating with a helmet. She would like to see the parents take some responsibility and for the kids to take responsibility for themselves. Ms. Taylor further stated that changing the sign will relieve the county from the current level of liability. It will keep the county from having to have someone monitor the skate park. The Parks and Recreation Advisory Board voted unanimously to ask for this recommendation to change the sign.

Mr. Gilreath stated the county needs to change how the rule is enforced. He believes the kids should not be arrested but they should be made to wear helmets. He reminded everyone one child has already died at the skate park while not wearing a helmet. He stated he will not be a part of another one being killed from lack of wearing a helmet. He is not for changing the rules and regulation. He's for changing how it is handled if they are caught without a helmet.

Mr. Gilreath wanted to know where this request came from. Ms. Taylor stated there have been some talks with the police department. The kids are mad at them because the police tell them they can't skate without a helmet. The kids end up getting smart with the police. The police then write a ticket and take the kids to the police station. Then the parents have to come and get them. The kids have a record and have to go to court. Money has to be paid out. It's difficult for the police to enforce and is creating a huge trail of paperwork. Ms. Taylor stated that at the end of the day the goal was not to have the kids get criminal charges.

Mr. Fortune stated from a liability standpoint if there is a rule that you have to wear a helmet and it is not enforced the county is actually opening themselves up for more liability than if there is no such rule. Negligence comes in where you don't enforce your own rules.

Ms. Taylor stated they had checked with other skate parks in the state and they do not have helmet rules. They have signs stating skaters should use the park at their own risk.

Motion/second to approve by Commissioners Phillips/Freeman and carried by a vote of 4-1. Mr. Gilreath opposed.

11. Discuss most recent inspection report from Georgia Department of Agriculture on Spalding County Animal Shelter.

Tim Whalen stated that on August 3rd the shelter was issued a quarantine notice for having a parvo outbreak. The shelter was closed for two weeks and reopened on the 23rd. The maintenance crew from Spalding County repainted the shelter. On September 8th, an inspection was made by the Department of Agriculture and it was found the paint was peeling again in some of the runs and in the high traffic areas.

Mr. Freeman stated it was discussed at a previous meeting that they would sandblast the shelter so this problem would not come up again. Mr. Whalen stated the cost of sandblasting was found to be too high. Ms. Taylor stated that was for a contractor's cost. She further stated the county should have looked at using their staff.

Mr. Whalen stated a local person has been contacted, Mr. Wayne McKimmy, to do the job as a turnkey project at a cost of \$24,687.00. He would use commercial grade paint and provide a 20 year guarantee. For Mr. McKimmy to do the job with the county's inmate labor the bid drops \$5,500.00.

The state inspector has said that over the years so much urine, waste and chemicals have soaked into the concrete that it's almost impossible to paint over. Ms. Taylor believes the county has enough people and talent that the job can be done in house. She has a real concern about this fix being done the way it was and then people adopting dogs and possibly exposing their other pets to parvo.

Mr. Gilreath stated that most of the time puppies bring in parvo. He believes there should be a certain section for new puppies until they have been checked. He further stated that \$25,000 for this job is ludicrous and not necessary. He commented he will not vote for this.

Mr. Freeman stated that he believes the taxpayers would be more satisfied with something that's going to benefit them if they are at the animal shelter adopting dogs. He believes it should be sandblasted as was discussed at a previous meeting. He believes the county should get someone that is qualified and the work will be under warranty.

Mr. Phillips agreed with Ms. Taylor. He believes the county should rent a sandblaster and have county employees do the work.

Mr. Gilreath stated he was at the animal shelter last week and he did not like the way they were placing puppies next to adult dogs in the next cage. He believes there are a lot of changes that need to be made and it should be done immediately.

Mr. Whalen stated that it's not so much the parvo the Department of Agriculture is looking at. It's the raw flooring. The Department of Agriculture is saying that every part of the animal shelter has to be covered in a paint, metal or tile substance, something that is not porous.

It was recommended there be a meeting with Animal Control, Terry Tardy and Public Works to see if this work can be done in house.

12. Consider approving a senior center that would be stand-alone or a senior center that is a multi-use facility with other amenities.

Motion/second to approve a stand alone center by Commissioners Phillips/Flowers-Taylor and carried by a vote of 5-0.

13. Consider on first reading an ordinance amending Part II, Chapter 3, Article A of the Spalding County Code of Ordinances to provide for the appointment of a deputy county manager.

Virginia Martin stated that at the request of a couple of board members she put together an ordinance to provide for a Deputy County Manager. She stated there are two changes that need to be made to the ordinance. One is paragraph C, the last sentence, the phrase "at a closed meeting" would be a violation of the open meeting laws. That

phrase needs to be removed. Secondly, in paragraph E, the second line, the word “Deputy” needs to be placed in front of County Manager.

She explained there are three different job descriptions. Currently what the county has is a County Manager and an Assistant to the County Manager. There are also job descriptions that the county has on file for an Assistant County Manager and a Deputy County Manager. With each one of these the level of responsibility for that position increases. The Deputy County Manager is really a co-county manager reporting to the County Manager.

Mr. Gilreath stated he has been checking to see what other counties with comparable populations have been doing. He further stated it may be that Spalding County does not need an Assistant County Manager or Deputy County Manager.

Mr. Freeman stated he did not want to change to a Deputy County Manager. He believes its fine like it is. Mr. Gilreath asked what the advantage of changing the job to a Deputy County Manager is. Ms. Taylor stated she was one of the commissioners that asked Ms. Martin to look into this. The reason she asked for this was because on several occasions in the past when there was someone else in the position, there were problems with that person no wanting to assist the commissioners when the county manager was out. He stated he did not work for the commissioners, he worked for the County Manager. Ms. Taylor believes there should be someone at the helm to get things done in the absence of the County Manager.

Ms. Taylor stated that when she calls the County Manager’s office and asks for certain information, she wants it in her box the next day or an e-mail or phone call telling her why she can’t have it or when she is going to get it. She stated that has not been happening. She believes if there is a Deputy Manager it would free up the County Manager to focus on the Board of Commissioners.

Mr. Gilreath asked if they were working around to come up with a pay increase for this job. Mr. Phillips replied they are not. Mr. Freeman stated he believes this is a conflict by Ms. Martin wanting to be the Deputy County Manager and she drew up the ordinance. Ms. Martin stated she drew up the ordinance at the request of two of the board members. Mr. Goss was the second board member that requested Ms. Martin draw up the ordinance.

Ms. Taylor told Mr. Freeman she believed it was very rude of him to make an acquisition to Ms. Martin in the way that he just did. She stated that Mr. Freeman just accused Ms. Martin of plotting and planning to make her own job. Mr. Freeman stated he did not do it to be rude. He stated he did it to learn the facts and he does not believe Ms. Taylor should have asked Ms. Martin to draw up this ordinance.

Ms. Martin stated she has no assumptions that if the board approves the ordinance they will turn around and appoint her as Deputy County Manager. She assumes the terms of her contract will continue in that she will be the Interim Assistant to the Interim County Manager until such time as the Board names a permanent County Manager. She further stated when the time comes the county will have to advertise for the position and go through interviews and decide as a Board who to hire. She has no assumptions it will be her job just because she drafted the ordinance at the request of two Board members. Mr. Freeman stated in his opinion the county attorney should have been asked to do this.

Mr. Gilreath stated his problem is that two commissioners asked this be drawn up without bringing it before the Board to see if that’s what the Board wanted. Mr. Goss stated they did not have to bring it to the Board first. Ms. Taylor stated this was discussed several meetings ago at a meeting.

Mr. Freeman asked for a copy of the old job description.

Motion/second to approve first reading with changes by Commissioners Phillips/Flowers-Taylor and carried by a vote of 3-2. Mr. Freeman and Mr. Gilreath opposed.

14. Consider approving proposal from S&ME for request to install additional methane gas monitoring wells at the Yamacraw Road Landfill.

Tim Whalen stated there are continued problems at Yamacraw Road. Methane is still being found on the Luca property which adjoins the old landfill. There is a need to install another three monitoring wells at a total cost of \$11,400.00. This includes the wells, field services and meeting with property owner.

Ms. Taylor asked why some of the methane gas is not being used for something else like other counties are doing such as a power source. Mr. Phillips stated he did not think you could get a substantial amount from any one particular place. He further stated this was just a bad place to put a landfill. Mr. Whalen stated he believes there are currently six wells on the property.

Mr. Fortune stated this is a federal requirement. He further stated there has never been a methane gas explosion at a landfill as it naturally vents. However, you have to follow federal regulations.

Motion/second to approve by Commissioners Phillips/Freeman and carried by a vote of 5-0.

15. Discussion of options for addressing issues such as high grass and trash surrounding private property.

Ms. Taylor stated when she rode around with a constituent through East Griffin and the mill village they found about 22 houses that had various junk in the yards and very tall grass. She further stated this is an eyesore and a danger. She would like to be able to have the owners clean up the yards and cut the grass. She was told by Chuck Taylor from Community Development that the county's substandard housing ordinance does not cover grass cutting and cleaning the yard. He believes the county needs a nuisance ordinance that would cover that.

Mr. Fortune stated the county can continue to cite the owner no matter where they live and they can be prosecuted in Magistrate Court. He would like to see the judge make it so expensive to not clean it up that the owners would be forced to clean the property. Mr. Fortune stated the problem is that a lot of these properties have been abandoned. Mr. Fortune commented it has been discussed that the county would condemn the property and burn it.

Mr. Goss stated we do have a nuisance ordinance and we just need to start enforce these ordinances. Mr. Fortune commented if you put a lien on some of the properties they're not worth what the taxes are. You can't sell them or refinance them. You will never collect that money and the grass will continue to grow.

Mr. Fortune stated there is a provision where you can forgive the taxes through the Land Bank Authority. The county asked the school system to go along with this. The school system stated they would look at it on an individual basis.

Ms. Taylor stated if the county doesn't do anything it will stay the way it is. According to Ms. Taylor the county did not budget any money this year for demolition of houses. Her comment was "if we keep doing the same thing we're doing, we're going to keep getting the same thing we're getting." She would like to not create a new ordinance but begin to enforce the one the county has. She stated the county has to start citing home owners for these issues.

Mr. Fortune stated you could identify who owns the property, advise them of the condition and give the owners 30 days to correct the issue. If the property is owned by a bank, they should be cited and told the county will start to levy some of their property and/or accounts.

Mr. Freeman stated he has quite a few of these properties in his district, a couple of which he has written up. There is a grass cutting issue and a demolition issue. He says

the county has to start somewhere. Mr. Fortune stated there is an Unsafe Building Abatement Act which has the procedure you have to follow to get to the act of demolition.

Mr. Fortune stated technically you can place a lien on the property. The problem is the county will never collect the money because the person will just abandon the property. Money will have to be budgeted for the demolition.

Ms. Taylor asked if it would be possible to amend the budget for FY11 to allocate monies for a certain number of houses to be demolished. Mr. Freeman suggested using in-house employees for this demolition. Mr. Taylor stated those departments only have a certain amount of money in their budgets and these demolitions were not included in their budgets. Ms. Taylor stated she has been told it would take between \$7,000 and \$9,000 to demolish each property.

Ms. Taylor asked the board what they would think of earmarking monies out of commissioner contingency fund to make the monies available if the time comes they can demolish maybe four houses this year.

Mr. Freeman asked that this issue be discussed with Jake Garner from Public Works to see what his budget looks like, see what he can do and found out how much it would cost to demolish these homes.

Mr. Fortune also stated that every community in the State of Georgia is facing the same problem. If the state legislature could see fit to pass a general law which would streamline the ability to take over abandoned property, then you are no longer in trouble with the problem on condemnation and the illegal taking of property. The county needs to ask the state for assistance with these procedural things.

The county has tools in place for these issues. They will look for a way to utilize those tools to solve these issues.

XII. REPORT OF COUNTY MANAGER

- Mr. Whalen asked the commissioners to please send in a list of roads for potential repaving by the DOT as requested on September 2nd. Only Ms. Taylor has responded so far.
- On August 24th a letter was received from the City of Griffin stating that the city commissioners have determined it is in their best interest to delay plans for negotiating strategies for transferring parks services to the county and absorbing the county's solid waste services.
- For the July report on SPLOST, \$701,984 was collected as opposed to July of 09 when \$678,000 was collected, projecting YTD the county will take in approximately \$8.6 million dollars as opposed to \$7.5 million last year.
- Spalding County Parks and Recreation Department will be named "Agency of the Year" in a meeting at Jekyll Island the week of November 5th.

XIII. REPORT OF COMMISSIONERS

Freeman

- Mr. Freeman recently attended an ACCG Board of Managers meeting in Young Harris, GA. He has information coming to the board on the topic of Inmate Medical Savings Program through ACCG. This is regarding catastrophic injuries or illnesses of inmates. This does not cost the county anything to sign up for this. There are currently 85 counties that are participating. This could be a tremendous savings to the county.

Flowers-Taylor

- Ms. Flowers-Taylor apologized to Mr. Freeman for raising her voice to him earlier in the meeting.

- She would like to see the issue of the Fairmont property completed. She has spoken with Zack Holmes who sits on the school board to try and get some of the information.
- She has concerns over the practice of throwing out candy from moving vehicles at the parade. There is a city ordinance that prohibits this. She would like to see prizes offered for the best floats and possibly have bands that are judged. She would like to see the parades be more about the theme of the parade and less about candy.
- There have been employees smoking on the veranda of the courthouse. Smoking is banned on all county property.
- There is an ACCG Legislative Session for commissioners coming up on October 5th in Atlanta. One of the classes will be on SPLOST/LOST Negotiations. She believes all of the commissioners should consider going.
- There needs to be some dialog with the City of Griffin and the Spalding County Water Authority regarding industrial water rates. The City is saying they do not want to deal with this request until the county follows through on their responsibility to annex property at the Green Valley Industrial Park. Kenny Smith, the City Manager sent forms to Ms. Taylor that says that these industries clearly say that they will be annexing to the City of Griffin if and when the Griffin Spalding County Development Authority requests it. David Luckie with the Development Authority informed Ms. Taylor that when both the county and the city ask him to do the annexation, the Development Authority will go to the industry. She believes the county is being locked out on potential prospects coming into the county because we can't provide water service to them at a discounted rate.

Phillips

- Mr. Phillips suggested the Water Authority go to other counties to purchase the water if the city is not willing to work with them.
- Mr. Phillips would like to see Old Macon Road paved. He asked Matt Quinn from the Griffin Daily News to please get the word out to his constituents to have them contact Mr. Phillips regarding what roads they would like to see repaved.
- The Federal Government has announced there have been severe difficulties making the transition to APCO II standards.

Gilreath

- Mr. Gilreath shares some of the same concerns as Ms. Taylor with the parade. He would like to see the Christmas parade held at night.
- He acknowledged and thanked Raymond Ray for attending the meeting.
- He has spoken with a representative from the Salvation Army (Jack Butler) who will be at the next meeting. The Salvation Army is experiencing very hard financial times and may have to shut some of their operations down if they do not get some assistance.
- He would like to see the commissioners have a workshop before the meetings so they will be more informed of the items on the agenda. He would also like to have a land conservation workshop.
- He would like to see the Ethics Code on the next agenda.

Goss

- Mr. Goss shares some of the concerns of candy at the parades. He stated it's the only time some of the kids get candy however he is afraid someone is going to get hurt.

Motion/second by Commissioners Flowers-Taylor/Freeman to go into closed session at 8:25 p.m. and carried by all.

XIV. CLOSED SESSION – Real Estate Acquisition and Personnel

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 September 20, 2010.

2.

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

3.

The executive session was called to order at 8:25 p.m.

4.

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

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

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

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

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 September 2010. Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 20th day of September 2010.

Bob Gilreath

Eddie Goss

Glinda P. Robertson

Notary Public

Gwen Flowers-Taylor

Eddie Freeman

My commission expires:

David Phillips

Feb 23, 2014

XV. ADJOURNMENT

Motion/second to come out of closed session by Commissioners Phillips/Flowers-Taylor at 10:00 p.m. and carried by all.

Motion/second to adjourn at 10:00 p.m. by Commissioners Phillips/Flowers-Taylor and carried by all.

Chairman

Interim County Clerk

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