

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Regular Session in Room 108 in the Courthouse Annex, Monday, November 7, 2011, beginning at 6:00 p.m. with Commissioner Eddie Freeman presiding. Commissioners Bob Gilreath and Gwen Flowers- Taylor were present. Also present were County Manager William P. Wilson Jr., Deputy County Manager Virginia Beams, Attorney Jim Fortune and Executive Secretary Ricky L. Clark Jr. Commissioners Ray & Gardner were not present.

- I. OPENING (CALL TO ORDER) – Chairman, Eddie Freeman**
- II. INVOCATION – Led by Commissioner Gwen Flowers-Taylor**
- III. PLEDGE TO FLAG – Led by County Manager William P. Wilson, Jr.**
- IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION**

- 1. Consider approval of Proclamation declaring the month of November as National Hospice & Palliative Care Month.

NATIONAL HOSPICE/PALLIATIVE CARE MONTH – NOVEMBER 2011

Seasons of Caring; the Caring of Hospice and Palliative Care

Office of the Board of Commissioners
Spalding County Georgia

PROCLAMATION

WHEREAS, home care and hospice services provide for an individual's health and social needs across the continuum of life—compassionate care which serves expectant mothers, infants, children, adults, the disabled and elderly, and also provides love, comfort and support at the end of life; and

WHEREAS, according to the Association for Home & Hospice Care of North Carolina, home care and hospice agencies provided health and social needs to approximately 400,000 North Carolina citizens last year in their homes; and

WHEREAS, home care and hospice services enable North Carolina's citizens to receive quality health and social services in their own home, surrounded by family and friends; and

WHEREAS, home care and hospice services strengthen the family bond and support families as they care for their loved ones at home, lessening caregiver burnout and unnecessary placement in more costly institutional settings; and

WHEREAS, home care and hospice services build upon a strong tradition of care and compassion, striving to keep families together while preserving an individual's independence and dignity in the setting of their choice...home;

NOW, THEREFORE, be it resolved that the Board of Commissioners by virtue of the authority vested in the Board and Spalding County, do hereby proclaim November 2011 as National Hospice/Palliative Care Month and encourage citizens to increase their understanding and awareness of care at the end of life and to observe this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of November, in the year of our Lord two thousand eleven and caused this seal to be affixed.

Eddie Freeman, Chairman

William P. Wilson, Jr. County Manager

Motion/Second by Commissioner Flowers-Taylor/Gibreath to approve Proclamation declaring the month of November as National Hospice & Palliative Care Month. Motion carried by all.

2. Presentation of the District 4 Parks & Recreation Awards- Louis Greene, Director Spalding County Parks & Recreation.

Louis Greene and Jo Ellis presented District 4 Parks & Recreation Awards to the Board.

3. Representatives from the Griffin-Spalding Development Authority are present to give an update.

Mr. Copeland thanked Spalding County Commission and Chairman Eddie Freeman, for attending meetings and contributing to the growth of the Authority. Mr. Copeland also thanked the Board for keeping the Development Authority in the FY 2012 budget. Mr. Copeland advised that over the course of the last eighteen (18) months the Development Authority has been involved with thirty-four potential projects and four of these projects have announced to develop in Spalding County. Mr. Copeland further noted that fourteen of these projects are not active because some failed to exist and the sixteen remaining projects are still pending. Mr. Copeland advised that the Development Authority would have brought a revenue stream of 2.4 billion dollars and 7,500 jobs to Spalding County if all thirty-four (34) companies would have relocated here. Mr. Copeland also stated that the Development Authority assisted Griffin RESA in relocating their facility to Carver Road. This move is responsible for the addition of six (6) new jobs. Mr. Copeland noted that the largest of these developments was the Caterpillar expansion. This expansion is responsible for a 120 million dollar capital investment and 206 jobs. Lastly, Mr. Copeland noted that HK Logistics, a 160 square-foot warehouse, has located within the Development Authority. HK Logistics is a 70 million dollar project. Mr. Copeland noted that five local industries are also considering expansion and that the Development Authority is continuing to work UGA-Griffin to implement a Food Technology Center on their campus.

PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of the Financial Statements for the period ended August 31, 2011.

Motion/Second by Flowers-Taylor/Gibreath to approve Financial Statements for the period ended August 31, 2011. Motion carried by all.

V. CITIZEN COMMENT

Speakers must sign up prior to the meeting and provide their names, addresses and topic in which they will speak on. Speakers must direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Board of the Commissioners. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

Betty Gebhardt- 79 Richardson Street, Griffin, GA-

Ms. Gebhardt stated that she was taking a leave of absence because of the death of her brother. Ms. Gebhardt complained about children playing outside her property. Ms. Gebhardt expressed her concern with the safety of the kids in the road.

VI. MINUTES –

- a. Consider approval of Minutes of the following: October 17, 2011, Extraordinary Session; October 24, 2011, Land Bank Authority Workshop; October 24, 2011 ACCAB Workshop.

Motion/Second by Flowers-Taylor/Gilreath to approve minutes. Motion carried by all.

VII. CONSENT AGENDA

- a. Consider approval on second reading of an ordinance regulating dealers of Precious Metals and Gems.

**PROPOSED SPALDING COUNTY ORDINANCE REGULATING DEALERS OF
PRECIOUS METALS AND GEMS**

SEC. 6-7001

Section I. Definitions

As used in this chapter the term:

- (1) Dealer in precious metals or gems means:

(A) Any person engaged in the business of purchasing precious metals or gems or goods made from precious metals or gems from persons or sources other than manufacturers' representatives, or other dealers in precious metals or gems; or

(B) A person engaged in any other business if, in conjunction with such business, precious metals or gems or goods made from persons or sources other than manufacturers, manufacturers' representatives, or other dealers in precious metals or gems where such purchase is for resale in its original form or as changed by remounting, melting, re-forming, remolding, or recasting or for resale as scrap or in bulk.

- (2) Gems means any precious or semiprecious stone which is cut and polished.

(3) Numismatic coins means coins whose value as collectors' items exceeds the value of the content of the precious metals in the coins.

(4) Person means an individual, partnership, corporation, joint venture, trust, association, or any other legal entity however organized.

(5) Precious metals means gold, silver, or platinum or any alloy containing gold, silver, or platinum.

SEC. 6-7002

Section II. Purpose/Legislative Intent

It is hereby declared to be within the public welfare for this county to impede the sale of stolen property by requiring dealers of precious gems and dealers of metals, (hereinafter referred to as "Dealers") within the county to post electronically and in a timely fashion the information obtained from pledges and sellers in a format available to and usable by law enforcement agencies.

SEC. 6-7003

Section II. Records and Information to be Recorded Upon Receipt of Property

Every dealer within the county shall secure from every person from whom he receives any precious metals and gems, (hereinafter referred to as "metals and gems") whether by purchase or through pledge, trade, pawn or exchange, the following:

- (a) Government-issued photo identification card, such as a driver's license, military identification card, state identification card, or passport;

- (b) The name, address, telephone number, race, sex, height, weight, date of birth, and a social security or driver's license number;
- (c) A digital photograph clearly showing a frontal view of the subject's face (digital images shall be labeled with the date and time of the transaction and stored in such a manner that they are safe from corruption);
- (d) The fingerprint of the right hand index finger, unless such finger is missing, in which event the print of the next finger available on the right hand shall be obtained with a notation of the exact finger printed;
- (e) Written description of property or item received, including serial number or other identifying marks, if available, and digital photograph of property or item, labeled with date and time of transaction.

The dealer shall maintain the above information, digital photographs, and fingerprint for a period of three years and make the same available to law enforcement personnel upon request.

SEC. 6-7004

Section IV. Required Format of Report to Police

Every dealer located within the county shall make a computer-generated daily report, in such format as prescribed by the Sheriff of Spalding County, of all transactions that occurred during the 24 hour period, ending at 9:00 p.m. on the date of the report. A report shall be made for each day the dealer transacts business. Daily reports shall be filed electronically by posting to a law enforcement website designated by the Sheriff of this county. Where temporary technological problems prevent posting the daily report electronically, a printed, typed, or legibly handwritten report shall be delivered to the Sheriff's Department in lieu thereof.

SEC. 6-7005

Section VI. Violations and Penalties

Any person who willfully and intentionally fails to obtain the information and maintain the records, digital photographs, and fingerprints, or to file the daily reports required by this chapter shall, be guilty of an offense and punished by a fine not to exceed \$1,000.00, incarceration not to exceed six months, or both.

SEC. 6-7006

Section VII. Enforcement and penalties.

(a) Any person who shall do anything prohibited by this chapter as it now exists or as it may hereafter be amended, or who shall fail to do anything required by this chapter as it now exists or as it may hereafter be amended, is hereby declared to be in violation of this article and the regulations or county ordinances herein set forth.

(b) Each and every day that any such violation exists shall be deemed in a separate offense.

(c) Any such violation of this chapter, upon conviction thereof, as prescribed by the law of Georgia, shall be punishable by a fine or imprisonment, or both, not to exceed the maximum fine or the maximum imprisonment, or both, as prescribed by the pertinent laws of Georgia and as more particularly set out in Section 1-1007 of this Code, which such section is incorporated herein and made a part hereof by reference.

(d) The imposition of any such fine or imprisonment, or both, for any violation shall not excuse the violation or permit it to continue; and all such violators shall be required to correct or remedy such violations or defects within the time as prescribed by the court having jurisdiction of such matter and in the absence of any such completion time being fixed by the court, within a reasonable time after such violations occur.

(e) The application of any fine, imprisonment or other penalty shall not be construed to prevent the enforced removal of prohibited conditions or to postpone any action required.

(f) The remedies herein set out for the purpose of enforcing the provisions of this chapter shall not be deemed to be exclusive, but shall be cumulative of all other remedies, civil or criminal, provided by the laws of Georgia, or by the ordinances of Spalding County.

- b. Consider approval on second reading of an ordinance to Impose 9-1-1 Charge on Prepaid Wireless Services.

**IMPOSING A 9-1-1 CHARGE ON
PREPAID WIRELESS SERVICE**

WHEREAS, Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, as amended by Act No. 187, Georgia Laws 2011, authorizes counties and cities that operate a 9-1-1 public safety answering point to impose a 9-1-1 charge on prepaid wireless service at the retail point of sale; and,

WHEREAS, pursuant to Code Section 46-5-134.2 of the Official Code of Georgia Annotated such charges may be imposed at the rate of 75 cents per retail transaction; and

WHEREAS, revenues received by a county or municipality from such charges must be deposited in the emergency telephone assistance fund maintained by the county or municipality; and

WHEREAS, imposition of the charge on prepaid wireless service is contingent upon the enactment of an ordinance or resolution of the county or municipality; and

WHEREAS, Spalding County operates a 9-1-1 Public safety answering point.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Spalding County does hereby ordain as follows:

Section 1. 9-1-1 Charge on Prepaid Wireless Transactions

In accordance with O.C.G.A. § 46-5-134.2, there is hereby imposed a prepaid wireless 9-1-1 charge as defined by O.C.G.A. § 46-5-134.2(a)(4) upon every prepaid wireless retail transaction occurring within the jurisdiction of the public service answering point in the amount of 75 cents.

Section 2. Collection of 9-1-1 Charge on Prepaid Wireless Transactions

Prepaid wireless 9-1-1 charges collected by sellers shall be remitted to the Commissioner of the Department of Revenue at the times and in the manner provided by Chapter 8 of Title 48 of the Official Code of Georgia Annotated with respect to the sales and use tax imposed on prepaid wireless calling service.

Section 3. Administrative Provisions

The Clerk of the County is hereby directed to file with the State Revenue Commissioner a certified copy of this ordinance and amendments thereto, in accordance with O.C.G.A. § 46-5-134.2(j)(1), within ten (10) days of enactment of this ordinance.

Section 4. Depositing of Funds; Use of Funds

In accordance with O.C.G.A. § 46-5-134.2(j)(5), funds received by this county from charges imposed by this ordinance shall be deposited in the Emergency Telephone System Fund maintained by this county pursuant to O.C.G.A. § 46-5-134 and kept separate from general revenue of the jurisdiction; all such funds shall be used exclusively for the purposes authorized by O.C.G.A. § 46-5-134 (e).

Section 5. Repealer

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. Effective Date

The ordinance shall become effective January 1, 2012.

Be IT ORDAINED this _____ day of _____, 2011, by the Board of Commissioners of Spalding County, Georgia.

Chairperson Eddie Freeman

Motion/Second by Flowers-Taylor/Gilreath to approve Consent Agenda. Motion carried by all.

VIII. OLD BUSINESS-NONE

IX. NEW BUSINESS

1. Consider approval of Resolution authorizing transmittal to Three Rivers Regional Commission of the 2011 Capital Improvements Element (CIE) and Short Term Work Program (STWP) and incorporation of these changes into the Spalding County 2025 Comprehensive Plan.

Motion/Second by Flowers-Taylor/Gilreath to approve resolution authorizing transmittal to Three Rivers Regional Commission of the 2011 Capital Improvements Element (CIE) and Short Term Work Program (STWP) and incorporation of these changes into the Spalding County 2025 Comprehensive Plan. Motion carried by all.

2. Consider approval of final plat of Sun City Peachtree Subdivision- Pod 31 A located off Jordan Hill Road- 42 lots.

Motion/Second by Flowers-Taylor/Gilreath to approve final plat of Sun City Peachtree Subdivision-Pod 31 A located off Jordan Hill Road- 42 lots. Motion carried by all.

3. Consider acceptance of Right-of-Way Deed for Bentgrass Court and Tee Box Drive (Sun City Peachtree Subdivision- Pod 31A)

Motion/Second by Flowers-Taylor/Gilreath to approve acceptance of Right-of-Way Deed for Bentgrass Court and Tee Box Drive (Sun City Peachtree Subdivision-Pod 31A). Motion carried by all.

4. Consider approval of new 2011 Alcohol Beverage License- Retail package (Beer & Wine) for Pratik D. Raval d/b/a Best Value II located at 390 Airport Road.

Motion/Second by Flowers-Taylor/Gilreath to approve new 2011 Alcohol Beverage License- Retail package (Beer & Wine) for Pratik D. Raval d/b/a Best Value II located at 390 Airport Road. Motion carried by all.

5. Consider approval of new 2012 Alcohol Beverage License- Retail package (Beer & Wine) for Suryakant M. Patel – Rujave, LLC d/b/a Petro South located at 1639 North Hill Street.

Motion/Second by Flowers-Taylor/Gilreath to approve new 2012 Alcohol Beverage License-Retail Package (Beer & Wine) for Suryakant M. Patel-Rujave, LLC d/b/a Petro South located at 1639 North Hill Street. Motion carried by all.

6. Consider approval of Resolution consenting to the inclusion of certain Spalding County ad valorem and the computation of the Tax Allocation Increment for the City of Griffin Tax Allocation District (TAD) #2 West Griffin Village.

SPALDING COUNTY BOARD OF COMMISSIONERS

A RESOLUTION CONSENTING TO THE INCLUSION OF CERTAIN SPALDING COUNTY AD VALOREM TAXES IN THE COMPUTATION OF THE TAX ALLOCATION INCREMENT FOR THE CITY OF GRIFFIN TAX ALLOCATION DISTRICT NUMBER TWO – WEST GRIFFIN VILLAGE; AND FOR OTHER PURPOSES.

WHEREAS, the Griffin Board of Commissioners (the “City”), by Resolution adopted on December 8, 2009, (the “City Resolution”), adopted the City of Griffin Redevelopment Plan (the Redevelopment Plan) and established Tax Allocation District Number Two – West Griffin Village within the incorporated portion of Griffin, Spalding County, Georgia (the “County”) in

the area of the City (the "Redevelopment area") as shown in the City Resolution, a copy of which is attached here to as Exhibit "A"; and

WHEREAS, the City Resolution provides that the West Griffin Village TAD was created pursuant to the City's redevelopment powers as authorized by the Redevelopment Powers law, O.C.G.A. 66-44-1, et. Seq., and become effective on December 31, 2009; and

WHEREAS, copies of the City Resolution and the Redevelopment Plan for the TAD have been furnished to the Board of Commissioners of Spalding County; and

WHEREAS, the City made certain finding in the Redevelopment Plan with respect to the Redevelopment Area, including the following:

- a) the redevelopment has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without approval of the Redevelopment Plan;
- b) the improvement of the Redevelopment Area is likely to enhance the value of a substantial portion of the real property in the district; and

WHEREAS, the city Resolution provides that the city intends to authorize the issuance of tax allocation bonds and other obligations as may be necessary to implement provisions of the Redevelopment plan; and

WHEREAS, the Redevelopment Powers Law provides that county ad valorem property taxes derived from a municipal tax allocation district may be included in the computation of tax allocation increments of the tax allocation district if the governing body of the county consents to such inclusion by resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Spalding County, Georgia, and it is hereby resolved by the authority of the same as follows:

Section 1. The Board of Commissioner of Spalding County, as permitted by the Redevelopment Power Law, does hereby consent to inclusion of Spalding County ad valorem taxes on real property within the City of Griffin Tax Allocation District Number Two – West Griffin Village, in the computation of the tax allocation increment for the TAD effective as of December 31, 2009.

Section 2. The consent set forth in Section One is given subject to the City and County entering into an Intergovernmental Agreement.

Section 3. All acts and doing of officers, members, officials, agents and employees of the County in conformance with the purpose and intent of the Resolution and in furtherance of the execution, delivery and performance of the Intergovernmental Agreement are hereby approved and confirmed.

Section 4. This Resolution shall be effective immediately upon adoption. All resolution and parts of resolutions in conflict with this resolution as hereby rescinded to the extent of such conflict.

Read and adopted this 7th day of November 2011

SIGNED TRUE AND CORRECT:

ATTEST

By _____

Chairman

Motion/Second by Flowers-Taylor/Gilbreath to approve resolution consenting to the inclusion of certain Spalding County ad valorem and the

computation of the Tax Allocation Increment for the City of Griffin Tax Allocation District (TAD) #2 West Griffin Village. Motion carried by all.

7. Consider approval of an ordinance to amend licensing and regulations Section 6-1006(2) to provide for package sales of malt beverages and wine on Sundays.

County Attorney Fortune explained that the procedure is that the Board must pass an ordinance in which if passed the item will be placed on the Super Tuesday ballot.

Commissioner Flowers-Taylor stated that she didn't think it was fair for retailers to be able to sale and not restaurants.

Motion/Second by Flowers-Taylor/Gilreath to approve ordinance to amend licensing and regulations Section 6-1006(2) to provide for package sales of malt beverages and wine on Sundays. Motion carried by all.

8. Consider approval of an ordinance to amend licensing and regulations Section 6-1031 to provide for package sales by retailers of liquor on Sundays.

Motion/Second by Flowers-Taylor/Gilreath to approve ordinance to amend licensing and regulations Section 6-1031 to provide for package sales by retailers of liquor on Sundays. Motion carried by all.

9. Consider approval of contract agreement between Park and Recreation and Southern Crescent Technical College.

Motion/Second by Flowers-Taylor/Gilreath to table item for an indefinite period. Motion carried by all.

10. Consider approval of annual contracts for programs and services under the FY 2012 Community Services Block Grant (CSBG).

Motion/Second by Flowers-Taylor/Gilreath to approve annual contracts for programs and services under the FY 2012 Community Services Block Grant (CSBG). Motion carried by all.

11. Consider appointment of Chad Jacobs to the Griffin-Spalding Area Transportation Committee to fill the unexpired term of Chuck Taylor set to expire December 31, 2011.

Motion/Second by Flowers-Taylor/Gilreath to appoint Chad Jacobs to the Griffin-Spalding Area Transportation Committee to fill the unexpired term of Chuck Taylor set to expire December 31, 2011. Motion carried by all.

12. Consider approval of the 2012 Holiday Schedule.

Mr. Wilson advised that historically the County has allowed 11 holidays. One of the holidays is a personal/floating holiday. Mr. Wilson requested approval of the four paid holidays from January through June. Mr. Wilson noted that staff will review the holidays in the upcoming budget.

Motion/Second by Flowers-Taylor/Freeman to approve the 2012 Holiday Schedule from January- June 30th excluding the inclusion of a personal holiday. Motion carried by all.

13. Consider rescheduling of the January 2, 2012 Regular Meeting to January 9, 2012 due to the observance of the New Year's Holiday.

Motion/Second by Flowers-Taylor/Gilreath to approve rescheduling of the January 2, 2012 Regular Meeting to January 9, 2012 due to the observance of the New Year's Holiday. Motion carried by all.

14. Consider rescheduling of the January 16, 2012 Extraordinary Session to January 23, 2012 due to observance of the MLK Holiday.

Motion/Second by Flowers-Taylor/Gilreath to approve rescheduling of the January 16, 2012 Extraordinary Session to January 23, 2012 due to observance of the MLK Holiday. Motion carried by all.

XI. REPORT OF COUNTY MANAGER

- A. EOC Tour – 8:30 a.m.- One Griffin Center
- B. Raymond T. Ray, Sr. visitation from 6-8 p.m. at Haisten McCullough on Tuesday November 8, 2011.
- C. Commissioner Gardner grandson was taken to Egleston for high fever levels.
- D. Hope Health Clinic Open House Thursday Nov 10th 5-7 pm.
- E. CDBG Workshop will be held on Thursday, November 10th beginning at 11:00 am. followed by a public hearing at 12:00 pm.
- F. SFC Jeremy Faulkner recipient of the Bronze Star, ceremony will be held on this Thursday November 10th beginning at 2:30 pm. at the National Guard Armory.
- G. ACCG District IV Meeting to be held at the Coweta County Fairgrounds on November 17th beginning at 10:00 am.
- H. Disaster Preparedness Event to be held at the L.B. Norton Fire Station on November 17th from 6-8 pm.
- I. Airport Road Festival of Lights will be on November 22nd beginning at 6:00 pm.
- J. Christmas Parade will be on December 4th at 2:00 pm. All commissioners participating are asked to lineup in the Food Depot parking lot.
- K. REVAL Workshop scheduled for November 18th at 9:00 am.
- L. Intersection Improvements Williamson Road/Rover Zetella/Moreland Rd. \$832K Split 50/50
- M. GSATC Meeting Nov. 16th @ 1:30
- N. Ann Sylvester Memorial Food Drive began on November 1st and ends on December 1st. Boxes are located at the back of the meeting room.
- O. Cannon Dedication November 17th 11:00 am. @ Camp Stephens
- P. SPLOST / LOST Update – Sales Tax up 6%
- Q. Ricky emailed out to all Commissioners all appointments that would expire this year. Letters will be mailed out this week.

XII. REPORT OF COMMISSIONERS

Flowers-Taylor

Commissioner Flowers-Taylor questioned if employees had now completed HRA & Biometric Screenings. Mr. Wilson advised that two of the eight employees have now completed the HRA & Biometric Screenings.

Gilreath

Commissioner Gilreath questioned the balance in the Hotel/Motel Tax Fund. Mr. Gilreath also commented that he would like to see the cuts to the training and travel budget revisited. Mr. Gilreath stated that at least one commissioner should be able to travel to the training and conferences as needed. Mr. Gilreath also questioned the Animal Care & Living Conditions Ordinance. Mr. Wilson advised that once the proposal is complete, it will be on the Agenda. Lastly, Mr. Gilreath would like to see the BOC address the Conservation use minimum acreage requirements.

Freeman

None

XIII. CLOSED SESSION –NONE

XIV. ADJOURNMENT

Motion/Second by Flowers-Taylor/Gilreath to adjourn at 7:35 pm. Motion carried by all.

Chairman

County Manager

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