

## REGULAR SESSION

The Spalding County Board of Commissioners held their Regular Session in Room 108 in the Courthouse Annex, Monday, June 6, 2011, beginning at 6:00 p.m. with Commissioner Eddie Freeman presiding. Commissioners Raymond Ray, Bob Gilreath, Gwen Flowers- Taylor, and Chipper Gardner were in attendance. Also present were County Manager William P. Wilson Jr., Deputy County Manager Virginia Beams, Attorney Jim Fortune and Executive Secretary Ricky L. Clark Jr.

### I. OPENING (CALL TO ORDER) – Chairman Eddie Freeman

### II. INVOCATION – Led by Commissioner Chipper Gardner

### III. PLEDGE TO FLAG – Led by William P. Wilson, Jr- County Manager

### IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION

- a. Recognition of Boy Scout Troop 77, sponsored by the Veterans of Foreign wars, Troop Master Mike Pryor

Boy Scott Troop 77 was introduced by Scout Master Mike Pryor. Present members were, Robert Cannon, James Calloway, Braxton Pryor, and Assistant Scout Master Stewart Cannon. Chairman Freeman presented them with a Spalding County Mr. Gardner stated that most of the troop volunteered the entire time the Vietnam wall was here.

- b. Presentation from sponsors of the Pavilion at the Park at Sixth

Ms. Kira Harris-Braggs, Mr. William “Bill” Edwards, along with family members and sponsors were all present for the presentation.

### V. PRESENTATION OF FINANCIAL STATEMENTS –

- a. Consider approval of Financial Statements for ten months ended April 30, 2011  
*Motion/Second by Ray/Flowers-Taylor to approve and carried by a vote of 5-0.*

### VI. CITIZENS COMMENTS

### VII. PUBLIC COMMENT

Speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted 5 minutes to speak on topics pertinent to the Board’s jurisdiction. No speaker will be allowed to readdress the Board without express consent from a Board member. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

#### **Dick Morrow- 263 Westchester Drive- Griffin, Georgia**

Mr. Morrow wanted to thank the County & the Edwards Family for everything that has been done on the Park at Sixth.. Mr. Morrow also wanted to thank the County for all of the hard work on the Vietnam Wall. He stated that the wall had over 10,000 visitors and he heard nothing but nice things.

### VIII. MINUTES -

1. Consider approval of Minutes of the following: April 7, 2011, Joint City/County Meeting; April 16, 2011, Commissioners Retreat; May 16, 2011, Extraordinary Session.

*Motion/Second by Ray/Gardner to approve and carried by a vote of 5-0.*

### IX. CONSENT AGENDA -

1. Consider approval on second reading on ordinance amending the FY 2011 Budget to provide for end of year adjustments.

## AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET ORDINANCE

### FOR SPALDING COUNTY, GEORGIA

**WHEREAS**, the Board of Commissioners of Spalding County have duly adopted an annual budget ordinance for the 2011 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 24, 2010 be amended as follows:

**Section 1. General Fund**

A. Revenues

Fund Balance	From	\$	668,087	to	\$	92,253		
Real Property	From	\$	21,364,076	to	\$	20,384,498		
Motor Vehicle CY	From	\$	0	to	\$	1,700,000		
Performance Partnership Grant	From	\$	0	to	\$	17,525		
ARC Reimbursement	From	\$	0	to	\$	73,914		
Hospital Authority Grant	From	\$	0	to	\$	244,139		
Health Dept-School Break	From	\$	0	to	\$	15,400		
Health Dept-Summer TEOYM	From	\$	0	to	\$	23,775		
Griffin Main Street	From	\$	0	to	\$	52,500		
Judicial Operation Fees	From	\$	0	to	\$	20,000		
Contributions & Donations	From	\$	0	to	\$	67,934		
Insurance Refund	From	\$	0	to	\$	60,851		
ACCG/GMA Capital Lease Proceeds	From	\$	135,755	to	\$	236,530		

B. Expenditures

General Appropriations	From	\$	2,517,285	to	\$	2,569,785		
Sheriff Administration	From	\$	1,093,567	to	\$	1,145,157		
Sheriff Uniform Patrol	From	\$	2,898,806	to	\$	2,903,375		
Sheriff Special Operations	From	\$	936,648	to	\$	941,542		
800 MHz	From	\$	0	to	\$	245,501		
Animal Control	From	\$	315,666	to	\$	356,712		
Public Works	From	\$	3,237,150	to	\$	3,166,335		
Homeland Security	From	\$	29,905	to	\$	42,430		
Health	From	\$	394,486	to	\$	638,625		
Parks	From	\$	1,652,683	to	\$	1,762,135		

**Section 7. CSBG Fund**

A. Revenues

ARRA Reimbursement	From	\$	0	to	\$	63,694		
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B. Expenditures

Utility Assistance-ARRA	From	\$	0	to	\$	21,947		
Food Vouchers-ARRA	From	\$	0	to	\$	21,605		
Employment Assistance-ARRA	From	\$	0	to	\$	20,142		

**Section 10. Fire District Fund**

A. Revenues

Fund Balance	From	\$	100,829	to	\$	29,061		
Real Property CY	From	\$	3,936,305	to	\$	3,656,305		
Motor Vehicle CY	From	\$	0	to	\$	280,000		
Insurance Refund	From	\$	0	to	\$	71,768		



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 2011 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 \_\_\_\_\_ day of \_\_\_\_\_, 2011

CITY OF GRIFFIN

SPALDING COUNTY

\_\_\_\_\_  
KENNY SMITH  
City Manager

\_\_\_\_\_  
WILLIAM P. WILSON, JR.  
County Manager

*Motion/Second by Flowers-Taylor/Gilreath to approve and carried by a vote of 5-0.*

6. Consider approval of the Airport Advisory Board request to reinstate \$98,319.00 to airport's FY 2011 Budget.

Robert Mohl, Manager, Spalding County Airport, and Carl Pruitt were both present and requested that the Board reconsider refunding the airport. Mr. Mohl noted that on last year the airports budget was cut. He requested that if the County has any discretionary funds available in this year's budget, for possible reinstatement to the airport. Mr. Mohl stated that the current airport does operate at a financial deficit yearly. He also stated that he has submitted a book analyzing the accounting history of the airport yearly.

Mr. Gilreath noted that it would be a violation of House Bill 489 if we approved reinstatement of funding for the airport. Mr. Gilreath mentioned that no current statements or financial accountability have been presented to the Board from the Airport. Mr. Gilreath also stated that for many years the airport has failed on money management.

Mrs. Flowers wanted to know why the city could not fund the development authority but they could fund the Airport under HB 489. She also wanted Mr. Mohl to in fact lower the operating costs for the airport. Mrs. Flowers stated that if the Airport has maintained financially up until now there is not reasoning for the county to fund them now.

*Motion/Second by Flowers-Taylor/Gilreath to deny. After discussion motion was withdrawn and a Motion/Second by Flowers-Taylor/Gilreath to table item until the next agenda and carried by a vote of 5-0.*

7. Consider approval of 90-day extension of the Dispatch Communication Services agreement with Tenet Health Systems Spalding, Inc.

*Motion/Second by Gardner/Flowers-Taylor to approve and carried by a vote of 5-0.*

8. Consider approval of redistribution of monies received from the 5% add-on fees in State and Superior Court.

Vanessa Motley, Director of Promise Place, stated that the majority of clients do not come from Spalding County. She also stated that Promise Place works with other entities other than the Sheriffs Department. Ms. Motley stated that the District Attorneys office does not issue Protective Orders because of conflicts. Ms. Motley noted that because she is the

designated domestic violence unit in this area, she has to maintain a database of the clients served. Ms. Motley stated that there is a Memorandum of Understanding in place with the Sheriffs Dept, DFACS, and other Agencies.

Mrs. Flowers-Taylor stated that Promise Place is not a county agency. Mrs. Flowers-Taylor encouraged Ms. Motley work out some form of contract with Victim Services. Mrs. Flowers-Taylor stated that a lot of the duties that Promise Place currently.

Mrs. Flowers-Taylor also stated that the services currently rendered by Promise Place are similar to the services of Victim Services.

Mr. Freeman had concerns about the other sources of referrals for Promise Place. Ms. Motley stated that a lot of referrals come from word of mouth and the crisis hotline. Mr. Freeman stated that Promise Place should be funded out of the State money not County monies.

Ms. Beams stated that the State mandated that it was upon decision of the board of how the funds would be distributed.

Mr. Wilson stated should someone else get certified from the state, they can in turn ask the board for redistributing of fees. Mr. Wilson noted that the Board has chosen to keep it within governmental entities. Mr. Wilson recommended that the Board have the four entities meet to establish some form of agreement. If there is no agreement reached, then at this time reconsider the percentage.

Commissioner Gardner wanted the four entities to detail exactly what each is doing. He noted that the duties of each entity should be presented to the Board.

***Motion/Second by Flowers-Taylor/Gardner to table item until the next agenda and carried by a vote of 5-0***

9. Consider approval of request from Sun City Peachtree Lifestyle Committee for a golf cart parade permit.

***Motion/Second by Gardner/Ray to approve and carried by a vote of 5-0.***

10. Set a date for Public Hearing to establish street lighting district for Sun City Peachtree- Pod 28A.

***Motion/Second by Flowers-Taylor/Ray to set date of June 20 for Public Hearing and carried by a vote of 5-0.***

11. Set a date for Public Hearing to establish street lighting district for Sun City Peachtree-Spring Forest Parkway Phase 1- remaining 8 lights.

***Motion/Second by Flowers-Taylor/Gardner to set date of June 20 for Public Hearing and carried by a vote of 5-0.***

12. Consider approval of Makin' Tracks Travel Club's request to use the motor coach for a 3 day trip to Pigeon Forge, TN leaving on July 19, 2011 and returning on July 21, 2011.

***Motion/Second by Flowers-Taylor/Gardner to approve and carried by a vote of 5-0.***

13. Consider approval of Makin' Tracks Travel Club's request to use the motor coach for a day trip to Anniston, Alabama on June 16, 2011.

***Motion/Second by Ray/Gardner to approve and carried by a vote of 5-0.***

14. Consider approval of HDR 2011 Engineering Services proposal from HDR Engineering Inc. for groundwater monitoring and financial assurance calculations and reporting from the Yamacraw Road landfill.

***Motion/Second by Flowers-Taylor/Gardner to approve and carried by a vote of 5-0.***

15. Consider approval of proposal from S&ME, Inc for environmental services to be performed at the Yamacraw Road landfill to provide for installation of AGL pipeline through the landfill. AGL to reimburse County for all expenses incurred.

***Motion/Second by Gardner/Ray to approve and carried by a vote of 5-0.***

16. Consider cancelling July 4, 2011 regular scheduled meeting due to observance of July 4<sup>th</sup> holiday.

*Motion/Second by Ray/Gardner to approve and carried by a vote of 5-0.*

**XII. REPORT OF COUNTY MANAGER**

Mr. Wilson made a recommendation from staff to enter into closed session to discuss pending litigation. Mr. Wilson also advised the board that since the recent storms, the county has issued 167 building permits. Mr. Wilson reminded the board that there is a Joint City/County meeting tomorrow at 6:00 regarding acquisition of property for the airport.

**XIII. REPORT OF COMMISSIONERS**

**Flowers-Taylor-** None

**Gardner-** Mr. Gardner thanked all of the citizens, volunteers, and surrounding communities for the work they put forth toward the Vietnam wall.

**Ray-** Mr. Ray also commended the government and other business organizations for the job they did at the Vietnam Wall. Mr. Ray noted that he attended a meeting of the Alcohol and Drug Council. The council is working to get different counties involved. Mr. Ray would like to see an ordinance that would require the retailers of alcohol to take a mandatory training course that would make them more aware of applicable laws.

**Freeman-** Mr. Freeman thanked Mr. Ray for attending the meeting for the Alcohol and Drug council. Mr. Freeman echoed that he would like to commend all county employees, volunteers, and others for the work put forth into the tornado cleanup effort. He also suggested the commissioners look at establishing a county wide animal restraint district. He has received numerous concerns about the issue from citizens. Mr. Freeman noted that the board should take a look into this issue again.

**XIV. CLOSED SESSION**

*Motion/Second by Ray/Gardner to amend agenda and add an Executive Session to discuss pending litigation and carried by a vote of 5-0.*

*Motion/Second by Ray/Gardner to enter into Executive Session at 7:39 and carried by a vote of 5-0.*

*Motion/Second by Gardner/Gilreath to close Executive Session at 7:45 and carried by a vote of 5-0.*

*Motion/Second by Gardner/Gilreath to reconvene to Open Session at 7:46 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 June 06, 2011.

2.

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

3.

The executive session was called to order at 7:39 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:

**Yes** 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);

**No** Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

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

This the 6th day of June 2011.

Spalding County Board of Commissioners

Sworn to and subscribed

Before me this 6th day of June 2011.

Chipper Gardner

Raymond Ray

Ricky L. Clark, Jr.

Notary Public

Eddie Freeman

Bob Gilreath

My commission expires:

Gwen Flowers-Taylor

Jan 5, 2014

**XV. ADJOURNMENT**

*Motion/Second to adjourn by Gilreath/Ray at 7:46.*