

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Regular Session in Room 108 in the Courthouse Annex, Monday, August 15, 2011, beginning at 6:00 p.m. with Commissioner Eddie Freeman presiding. Commissioners Raymond Ray, Bob Gilreath, and Gwen Flowers-Taylor were present. Also present were County Manager William P. Wilson Jr., Attorney Jim Fortune and Executive Secretary Ricky L. Clark Jr. Absent for the meeting were Commissioner Gardner and Deputy County Manager Virginia Beams.

- I. **OPENING (CALL TO ORDER) – Chairman, Eddie Freeman**
- II. **INVOCATION – Commissioner Flowers-Taylor**
- III. **PLEDGE TO FLAG – Commissioner Ray**
- IV. **PRESENTATIONS/PROCLAMATIONS/RECOGNITION**
 1. **Presentation by the City of Griffin Redevelopment Services Director Frederick Gardiner regarding the Community Redevelopment Tax Incentive.**

Frederick Gardiner made a presentation along with Sylvia Hollums, Tax Commissioner who was also present. Mr. Gardiner noted that adoption of the Community Redevelopment Tax would require property owners to keep their property in proper standing.

Tax Commissioner Sylvia Hollums was present to provide the dollar amounts collected by City using the Community Redevelopment Taxes. Mrs. Hollums noted a total of \$1958.61 has been collected by the City. She further noted that a lot of the blighted property is owned by non-county residents. In 2010 twenty-four (24) properties were taxed under this incentive program and eighteen (18) of them are still unpaid.

Commissioner Flowers-Taylor questioned if all the homes that fell under the special tax were foreclosed.

Frederick Gardiner noted that not all of these properties were foreclosures. Most of the properties were either abandoned homes or in the transitional stage. He noted that anytime new power is requested the property is assessed. Mr. Gardiner noted that his staff has performed a quantitative analysis of each property to explain to citizens why their property was on the list.

Commissioner Ray noted that Code Enforcement and Community Development should look at this tax incentive and see if it could come under the International Property Maintenance Code in which is currently being reviewed.

Commissioner Gilreath questioned when the property is taken to court who is the property transferred to? Mr. Gardiner advised that the property is never condemned.

- V. **PRESENTATION OF FINANCIAL STATEMENTS – N/A**
- VI. **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.

Christi Dorton- 1945 N Walkers Mill Rd- Ms. Dorton stated that a lot of people in Spalding County owe Property taxes. Property in Spalding County is being assessed higher than it should be. She further noted that nothing was being done about owed taxes. Ms. Dorton also questioned tax sales in Spalding County.

Tax Commissioner Sylvia Hollums noted that Spalding County has in fact had regular tax sales. She noted that for the month of August no tax sale was conducted. For the months of September, October, November and December tax sales have been scheduled.

MINUTES –

a. Consider approval of Minutes of the following: August 1, 2011, Regular Meeting;

Motion/Second by Ray/Flowers-Taylor to approve minutes of the August 1, 2011 Regular Meeting. Motion carried by a vote of 4-0.

Motion/Second by Flowers-Taylor/Gilreath to amend the agenda to add closed session. Motion carried by a vote of 4-0.

VII. CONSENT AGENDA

1. Consider approval on second reading the proposed Pawn Shop Ordinance.

Motion/Second by Ray/Flowers-Taylor to approve second reading on the proposed Pawn Shop Ordinance. Motion carried by a vote of 4-0.

PROPOSED SPALDING COUNTY PAWN SHOP ORDINANCE
SEC. 6-6001

Section I. Definitions

As used in this chapter the term:

Pawn shop means any business wherein a substantial aspect thereof involves the taking or receipt, by means of pledge, pawn, consignment, trade, or exchange, of any goods, wares, merchandise, or any kind of personal property whatsoever, as security for the repayment of money lent thereon.

Pawn shop operator refers to any individuals who own, manage, or work at a pawn shop.

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

SEC. 6-6002

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 pawn shop operators 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. 6-6003

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

Every person engaged as a pawn shop operator with the county shall secure from every person from whom he receives any used or previously owned tangible personal property, 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 operator or 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. 6-6004

Section IV. Required Format of Report to Police

Every operator or 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 operator or 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. 6-6005

Section V. Obligations of Pawn Shop Operator Once Redemptive Period Has Lapsed

Upon the expiration of the redemptive period agreed upon by the pawn shop operator and the person whose collateral is pawned, the operator shall note this occurrence in his computer-generated daily report required under Section IV of this ordinance. Furthermore, the pawn shop operator must draft a new ticket for such an item, a record of which must be kept by him for a period of three years.

SEC. 6-6006

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. 6-5005

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.

VIII. OLD BUSINESS

1. Consider lifting from table approval of the addition of two lights in Emerald Forest Subdivision street light district.

Motion/Second by Flowers-Taylor/Gibreath to lift from the table the addition of two lights in Emerald Forest Subdivision street light district. Motion carried by a vote of 4-0.

Mr. Wilson noted that the HOA has held meetings with the homeowners and the majority of the homeowners still are in favor of the addition of the two lights. He noted that homeowners have expressed concern of the safety of the subdivision.

2. Consider approval of the addition of two lights in Emerald Forest Subdivision street light district.

Motion/Second by Flowers-Taylor/Ray to approve the addition of two lights in Emerald Forest Subdivision street light district. Motion carried by vote of 4-0.

IX. NEW BUSINESS

1. Consider declaring surplus and authorize for sealed bid on vehicles and equipment from various departments.

Mr. Wilson noted that Staff has been in contact with the City about govdeals.com which has been a very successful resource for them. Mr. Wilson explained that a picture of the item would be placed on govdeals.com and people all over the world could bid. A minimum bid will be set by staff on the item. The County would not have to pay govdeals.com for any item that does not sell.

Motion/Second by Flowers-Taylor/Ray to declare surplus and authorize for sealed bid on vehicles and equipment from various departments and authorize County Manager to utilize govdeals.com for bidding. Motion carried by a vote of 4-0.

2. Consider approval of new 2011 Alcohol Beverage License- Retail package for Asfi Minor d/b/a Rana's Sun City located at 2995 North Expressway.

Motion/Second by Flowers-Taylor/Gibreath to consider approval of new 2011 Alcohol Beverage License-Retail package for Asfi Minor d/b/a Rana's Sun City located at 2995 North Expressway. Motion carried by vote of 4-0.

3. Consider approval of agreement with Carl Vinson Institute of Government for review and update of Spalding County's compensation / pay plan and Personnel Policies.

Mr. Wilson noted that at the Retreat the Commissioners requested an update on pay structure. He noted that with this review a Personnel Policies update would also be completed.

Commissioner Gilreath questioned what would be the comparison for the study. Mr. Wilson advised that the comparison is done not only with Counties similar in size and population but also the areas in which we derive our work force. Mr. Wilson noted that we compete with metro counties but it will never be possible to establish salaries at 100% of the metro market. He stated that they will also take in account Spalding County's General Budget as well.

Commissioner Flowers questioned what would be the specific areas of the personnel policy reviewed. Mr. Wilson advised that there are portions in the policy that need updating to match recent court rulings and changes in employment law.

Commissioner Ray would like to see ACCG recommend improvements on salaries. He would like to see an implemented phase plan. Mr. Wilson noted that it would have to be a multi-year phase plan because of the costs associated with implementing salary changes.

Motion/Second by Flowers-Taylor/Gilreath to approve the agreement with Carl Vinson Institute of Government for review and update of Spalding County's compensation/ pay plan and Personnel policies. Motion carried by a vote of 4-0.

4. Discuss composition of Parks & Recreation Advisory Board.

Wilson noted that there has been discussion amongst board members to reduce the size of the Parks & Recreation advisory board. If the Board was reduced it would bring it in conformity with other Post-Appointed Board. There has also been expressed concern about the length of time it takes to get a quorum present at Park & Recreations Advisory Board meetings.

Commissioner Flowers-Taylor noted that comments relative to this situation should have first come through the Parks & Recreation Advisory Board. She advised that the Chairman of the Advisory Board was concerned that at 6:00 pm, there was not a quorum at several meetings. She stated that the Advisory Board has had no discussion about possibly changing the time or date of the meetings. She mentioned that each board has bylaws. In the bylaws of the Parks & Recreation Advisory Board it states that if a member misses three meetings without a medical excuse you must tender your resignation. The Advisory Board is important because they are the people contacted with issues relating to Parks & Recreation. She noted that the Advisory Board is not aware that this issue is on the Commissioners Agenda.

Chairman Freeman noted that this item was only for relative discussion not an actual vote. He noted that with the current size of the Advisory Board all appointments are doubled.

Commissioner Ray stated that it was brought to his attention about the absenteeism on the Board. He wanted to make sure that Spalding County had people on the Board that would facilitate the needs of the people. He noted that at current if the Bylaws were followed five (5) members would have been removed from the board.

Dan McClain, Chairman Parks & Recreation Advisory Board- Noted that three (3) months ago a vote by the Advisory Board was brought forward to reduce the size. He noted that the voted was not successful in reducing the size. He has been a member on the Board for 6-7 years and the Board has always met the second Thursday of each month at 6 pm. He further noted that there is a lot of business that goes on with the Advisory Board. He felt if the Board was reduced there would be a better chance of getting a quorum at the meetings. He advised that the Board has accomplished a lot. The only reason the issue was brought up was to conduct business in a professional manner. He stated it was not fair to other Board members who would make it on time to have to wait on the other members to form a quorum.

Commissioner Gilreath questioned if the Advisory Commission has taking a poll of the time of the meetings.

Mr. McClain stated that he has not taken a meeting time poll with the Board. He noted that the meeting has always been at 6:00 pm. He stated that the majority of present Board Members are retired.

Flowers-Taylor stated that the Parks & Recreation Advisory Board should address the issue collectively and at that time bring it back to the Board of Commissioners for action.

Motion/Second Ray/Freeman to table discussion on composition of the Parks & Recreation Advisory Board until the followings questions could be answered:

- 1. Would it better to have quorum?***
- 2. What would be the best date & time for a meeting?***
- 3. Allow the Advisory Board to revote on the issue at hand.***

No action taken due to a vote of 2-2 with Commissioners Flowers-Taylor and Gilreath opposing.

Motion/Second by Flowers-Taylor/ to send request back to the Parks & Recreation Advisory Board to come up with a plan on how they can better facilitate having attendance at their meetings and how they can better adhere to the bylaws set forth by the Commission.

No action taken due to a vote of 2-2 with Chairman Freeman and Commissioner Ray opposing.

Item carried to next agenda.

5. Consider authorizing Name the Senior Center Contest.

Mr. Wilson noted that a current Board Commissioner requested to implement a "Name the Senior Center" game. Mr. Wilson noted the following requirements for entry into the contest: 1. No names of individuals

2. You must be a resident of Spalding County

Mr. Wilson further noted that the Parks & Recreation Advisory Board will review the top five (5) nominations. The contest winner will be recognized at the Ground Breaking Ceremonies scheduled for July 1, 2012.

Commissioner Flowers-Taylor stated that entries should be accepted via online submission. She noted that she doesn't oppose the Senior Center being named after a prominent individual in the community. She further noted that the submission of an individual name should be accompanied by a written reason for the entry.

Commissioner Gilreath stated that most of the towns he is familiar with have implemented never naming a building after a living person. The individual of which name is submitted should in fact be a deceased individual.

Mr. Wilson noted that in the past there has been opposing comments about naming building after individuals.

Commissioner Ray echoed Commissioner Gilreath about setting the parameter of the contest to include only deceased individuals.

Collectively the Board agreed to allow only deceased individuals names to be submitted.

Motion/Second by Ray/Flowers-Taylor to allow the Parks & Recreation Advisory Board to administer the contest. Advisory Board will forward top five (5) entries to Board of Commissioners for final decision on name.

6. Consider authorizing submittal of application for firefighters assistance grant.

Mr. Wilson noted that with this grant a possible five (5) percent match of the grant would be implemented in the Fiscal Year 2013 budget. He further stated that the County match would come out Fire District Funds.

Motion/Second by Ray/Flowers-Taylor to authorize submittal of application for firefighters assistance grant.

7. Consider approval of Resolution authorizing Spalding County Board of Commissioners to contract with the Georgia Department of Human Services to provide Community Service Block Grant (CSBG) within Spalding County for the period beginning October 1, 2011 through September 30, 2012 and submittal of revised application for same.

Mr. Wilson advised the Board that this is the third time in which the CSBG monies have been cut. After the cut the final allocated amount is \$120,384.00.

Motion/Second by Flowers-Taylor/Ray to approve resolution authorizing Spalding County Board of Commissioners to contract with the Georgia Department of Human Services to provide Community Service Block Grant (CSBG) within Spalding County for the period beginning October 1, 2011 through September 30, 2012 and submittal of revised application for same. Motion carried by a vote of 4-0.

X. REPORT OF COUNTY MANAGER

- Ethics Nominations-Gwen Flowers-Taylor needs to submit one additional name. Gilreath needs to submit three.
- Business After Hours is at the Lewis Mills House on August 16, 2011.
- The Final BioMetric Screening will be held on August 18, 2011.
- MDA Boot Drive Begins Thursday August 18, 2011 at Walmart, Huckaby's & Kangaroo.
- Rookie Graduation will be held on August 19, 2011 at the LB Norton Station.
- Ice Cream Social- August 22, 2011 (Griffin Gator, AAU Basketball Teams)
- Zoning Public Hearing is rescheduled to August 30, 2011.
- C.E.R.T Update – Community Emergency Response Team. Will be sending personnel to get training.
- A.C.C.A.B will finalize Animal Living Conditions Ordinance and have final recommendations for the September 19th Commissioners Meeting.
- Trail Grant- Regina Abbot, GA Dept. of Natural Resources & Griffin Housing Authority collectively have been working on the Trail Grant. Grant is a total of \$120,000.00, 20% match would be funded by Housing Authority. Grant would connect Fairmont property to Learning Center.
- Reapportionment- Both County Commissioners and Board of Education have submitted redistricting plans to State for introduction to local legislation.
- Consideration of Airport Authority to manage/finance new Airport.

<u>Advocate of Authority</u>	<u>Disagree with Authority</u>
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|------------|-------------------|
| 1. Freeman | 1. Flowers-Taylor |
| 2. Ray | 2. Gilreath |

XI. REPORT OF COMMISSIONERS

Flowers-Taylor

Enjoyed the public interviews for the Fire Chief. Park & Recreation Advisory Board has asked that the Board of Commissioners show up for the Ice Cream Social to be held on August 22nd. Commissioner Flowers-Taylor also questioned the pay raises for Probate Court. Mr. Wilson advised he will submit to the Board a report detailing the cost of the proposed raises which were not budgeted for consideration on the 9/19 Agenda.

Gilreath

Appreciated the amount of citizens present at the public interviews for the Fire Chief candidates. Commissioner Gilreath was pleased with the responses from the candidates when questioned. He stated that either candidate would do a great job. Commissioner Gilreath questioned the contract with Johnson Controls. Noted that he will not run for this commission seat again. His intention is to run for another position in the county. Has enjoyed working with the Board and will enjoy working with Mr. Wilson.

Ray

Reminded the Board that Griffin/Spalding County Schools are back open and to be on the watch out for kids. Commissioner Ray requested attendance records for all Post-Appointed boards. He also commended Mr. Wilson for organizing all discussion relative to the New Senior Center.

Freeman

Chairman Freeman also appreciated the turnout for the Fire Chief public interviews. He noted that all commissioners were in attendance.

XII. CLOSED SESSION

Motion/Second by Flowers-Taylor/Ray enter Closed Session to discuss potential litigation at 7:40 pm. Motion carried by a vote of 4-0.

Motion/Second by Gilreath/Freeman to adjourn Closed Session from discussion of potential litigation at 7:45 pm. Motion carried by a vote of 3-0. Commissioner Ray was outside meeting room.

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 19, 2011.

2.

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

3.

The executive session was called to order at : 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 15th day of August 2011.

Spalding County Board of Commissioners

Sworn to and subscribed
Before me this 15th day of August 2011.

Chipper Gardner

Raymond Ray

Ricky L. Clark, Jr.
Notary Public

Eddie Freeman

Bob Gilreath

My commission expires:

Gwen Flowers-Taylor

Jan 5, 2014

XIII. ADJOURNMENT

Motion/Second by Flowers-Taylor/Gilreath to adjourn Extraordinary Session at 7:46 pm. Motion carried by a vote of 3-0. Commissioner Ray was outside meeting room.

Chairman

County Manager