

EXTRAORDINARY SESSION

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, April 16, 2012, beginning at 6:00 p.m. with Commissioner Gwen Flowers-Taylor presiding. Commissioners Bob Gilreath, Raymond Ray, Samuel Gardner and Eddie Freeman were present. Also present were County Manager William P. Wilson Jr., Attorney Jim Fortune and Ex Officio, County Clerk, Ricky L. Clark Jr. to record the minutes.

I. OPENING (CALL TO ORDER) – Chairman, Gwen Flowers-Taylor

II. INVOCATION – led by Commissioner Gardner

III. PLEDGE TO FLAG – led by Commissioner Ray

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION –

1. Announce 2012 recipient of “The Bain Proctor Award for Volunteerism.”

Commissioner Ray read the press release and Chairman Flowers-Taylor presented the ***Bain Proctor Award for Volunteerism*** to the 2012 recipient, Kay Perdue.

V. PRESENTATIONS OF FINANCIAL STATEMENTS - NONE

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.

Steven Harless- 201 Hickory Circle-Griffin, Georgia- Mr. Harless advised that alluded to several discrepancies that he had with the Noise Abatement & Control Ordinance. Mr. Harless further indicated that he was not in agreement with the County imposing application fees for permits for outside amplification. Mr. Harless noted that the City gives the same application at no charge. Additionally, Mr. Harless stated that he thinks 9:00 p.m. is too early and 11:00 p.m. would be more reasonable. Mr. Harless requested the Board to look deeper into the ordinance as there is a lot of work that needs to be done.

VII. MINUTES –

Consider approval of Minutes of the following: April 2, 2012 Regular Meeting

Motion/Second by Ray/Freeman to approve of Minutes of the April 2, 2012 Regular Meeting. Motion carried by a vote of 5-0.

VIII. CONSENT AGENDA

1. Consider approval on second reading Ordinance #2012-04(a), 2012-04(b), 2012-04(c) to amend Chapter 1, Business and Occupations, Article A. titled Sale of Malt Beverages and Wine by adding a new section to be denominated as Section 6-1003; to amend Chapter 1, Retail Liquor Sales, Article B. Sale of Malt Beverages and Wine by adding a new section to be denominated as Section 6-1049; to amend Chapter 1, Business and Occupations, Article C, Sale of Alcoholic Beverages for Consumption on Premises by adding a new section to be denominated as Section 6-1075; to amend Section 1004, titles Retail Dealer Qualifications by adding a new subparagraph 7; to amend Section 6-1039, titles Issuance of License by adding a new paragraph denominated as Section 1039; to amend Section 6-1055 by adding a subparagraph (C) to section 6-1055 requiring applicants to comply with the provisions of Section 6-1055.

Ordinance 2012-04(a)

RESOLUTION TO ADOPT AN ORDINANCE TO AMEND CHAPTER 1, BUSINESS AND OCCUPATIONS, ARTICLE A. SALE OF MALT BEVERAGES AND WINE.

SAID ARTICLE A IS HEREBY AMENDED BY ADDING A NEW SECTION TO BE DENOMINATED AS SECTION 6-1013 ENTITLED RESPONSIBLE ALCOHOL SALES & SERVICES, TO READ AS FOLLOWS:

PART I

Sec. 6-1013.

- (A) Effective October 1, 2012, any application seeking to obtain an alcoholic beverage license, under this article as a result of starting a new business, change of ownership or change of licensee must provide proof of attendance and completion of a responsible alcohol sales and service (RASS) workshop that has been approved by the Spalding County Board of Commissioners prior to the issuance of any such license. Licensees holding a valid Spalding County alcoholic beverage license as of the effective date of this amendment shall have six (6) months from the date of this amendment within which to come into compliance with these requirements.

If the license is issued in the name of a corporation, limited liability company or partnership, proof of attendance by an owner, member or partner will satisfy the requirements of this section. However, such owner, member or partner must maintain his/her status with the licensed entity in order for the certificate to remain valid for purposes of satisfying this section. If such owner, member or partner no longer has an ownership interest in the licensed entity, such change constitutes a change of ownership and a new license must be obtained.
- (B) All alcoholic beverage licensees and one manager of each establishment under this Chapter shall be required to attend and complete an approved responsible alcohol sales and service (RASS) workshop every two (2) years. Proof of attendance at, and completion of, an approved RASS workshop within the previous two (2) years must be attached to any renewal application. No alcoholic beverage license will be renewed or issued unless this requirement has been satisfied.

(C) Attendance by the licensee at the responsible alcohol sales and service workshop as set forth above shall be at the licensee's expense.

(D) If, at the time an alcohol beverage license application or renewal is considered by the Board of Commissioners of Spalding County, the licensee has not provided evidence to the Community Development Department that the licensee has satisfied the requirements of subsections (a) and (b) requiring successful completion of an approved responsible alcohol sales and service workshop, the application or renewal shall be denied.

(E)The Board of Commissioners of Spalding County shall not approve any RASS workshop that does not meet the following minimum requirements:

(i)Each workshop must include a discussion of legal issues associated with the sale of alcoholic beverages; types of liability; sign posting requirements; restrictions on sales; age of employees; prohibited sales; legal rights and obligations of licensees; criminal, civil and administrative consequences to the owner, licensee and seller; local laws and regulations; policy drafting and implementation; documented best practices for employee training and components of such; and best practices for monitoring and supervision.

(ii)The class size shall not exceed 30 attendees; attendees must be required to provide legal identification sufficient to confirm that certificates are issued only in the name of those in attendance; attendees who do not attend the full substantive portions of the workshop must not be provided a certificate; the portion of the workshop addressing legal issues must be presented by an attorney licensed in the State of Georgia; only instructional materials approved by the Spalding County Board of Commissioners may be used; class time (not including breaks) must be at least 2 hours and the workshop must be delivered by live presentation.

(F)The Community Development Department of Spalding County shall not have authority to waive the workshop or training provisions set forth in this code section.

PART II

- (A) Effective October 1, 2012, within sixty (60) days of the issuance of any new license, or prior to any license renewal, the licensee must provide proof that all employees and managers involved in the sale or service of alcoholic beverages have, within the previous two (2) year(s) satisfactorily completed a comprehensive alcohol compliance training course approved by the Spalding County Board of Commissioners. Employees and managers must complete such training within sixty (60) days of commencing work or being hired (whichever is shorter) and again every two (2) years thereafter. Documentation of each employee's and manager's date of hire and proof of training must be attached to all renewal applications and maintained on the premises posted in a prominent location and available for public inspection at all times during which the location is open for business and engaged in alcohol sales. Employees and managers who directly serve alcoholic beverages to patrons for on-premises consumption shall be required to keep on their person while at work documentation verifying that they have completed their annual RASS training as required under this article. All employees and managers subject to this subsection must attend an approved training course at least once every two (2) years. Such training shall be at the expense of the licensee, the licensed establishment or the employee.
- (B) If, at the time an alcoholic beverage license renewal is being considered, or at any other time more than sixty (60) days after the license has been issued, the licensee has not provided evidence to the Community Development Authority of Spalding County that the employees and management of the licensed establishment have complied with the training requirements as set forth in subsection (a), the license may be suspended or revoked.
- (C) The Community Development Department of Spalding County shall not have authority to waive the workshop or training provisions set forth in this section any renewal application. No alcoholic beverage license will be renewed or issued unless this requirement has been satisfied.
- (D) Licensees and or managers shall operate an "in-house" training program for their employees using the same material that the licensees and managers used when taking the mandated RASS workshop. Each employee, upon satisfactory completion of the training program, shall confirm in writing that they have had the training, that they have understood the contents therein and shall be issued a certificate of completion.
- (E) All employees who have received the required RASS training shall be listed on a roster which shall be maintained upon the premises at all times.

2. Consider approval on second reading Ordinance #2012-05 to add a new section to be designated 11-1003 of Chapter 1, titles Offenses, in the Spalding County Code of Ordinances.

Ordinance #2012-04(b)

RESOLUTION TO ADOPT AN ORDINANCE TO AMEND CHAPTER 1, RETAIL LIQUOR SALES, ARTICLE B.

SAID ARTICLE B IS HEREBY AMENDED BY ADDING A NEW SECTION TO BE DENOMINATED AS SECTION 6-1049 ENTITLED RESPONSIBLE ALCOHOL SALES & SERVICES, TO READ AS FOLLOWS:

PART I

Sec. 6-1049.

Every applicant for a retail package store license shall comply with the provisions of Section 6-1049 of this Article.

(A) Effective October 1, 2012, any application seeking to obtain an alcoholic beverage license, under this article as a result of starting a new business, change of ownership or change of licensee must provide proof of attendance and completion of a responsible alcohol sales and service (RASS) workshop that has been approved by the Spalding County Board of Commissioners prior to the issuance of any such license. Licensees holding a valid Spalding County alcoholic beverage license as of the effective date of this amendment shall have six (6) months from the date of this amendment within which to come into compliance with these requirements.

If the license is issued in the name of a corporation, limited liability company or partnership, proof of attendance by an owner, member or partner will satisfy the requirements of this section. However, such owner, member or partner must maintain his/her status with the licensed entity in order for the certificate to remain valid for purposes of satisfying this section. If such owner, member or partner no longer has an ownership interest in the licensed entity, such change constitutes a change of ownership and a new license must be obtained.

- (B) All alcoholic beverage licensees and one manager of each establishment under this Chapter shall be required to attend and complete an approved responsible alcohol sales and service (RASS) workshop every two (2) years. Proof of attendance at, and completion of, an approved RASS workshop within the previous two (2) years must be attached to any renewal application. No alcoholic beverage license will be renewed or issued unless this requirement has been satisfied.
- (C) Attendance by the licensee at the responsible alcohol sales and service workshop as set forth above shall be at the licensee's expense.
- (D) If, at the time an alcohol beverage license application or renewal is considered by the Board of Commissioners of Spalding County, the licensee has not provided evidence to the Community Development Department that the licensee has satisfied the requirements of subsections (a) and (b) requiring successful completion of an approved responsible alcohol sales and service workshop, the application or renewal shall be denied.
- (E) The Board of Commissioners of Spalding County shall not approve any RASS workshop that does not meet the following minimum requirements:
 - (i) Each workshop must include a discussion of legal issues associated with the sale of alcoholic beverages; types of liability; sign posting requirements; restrictions on sales; age of employees; prohibited sales; legal rights and obligations of licensees; criminal, civil and administrative consequences to the owner, licensee and seller; local laws and regulations; policy drafting and implementation; documented best practices for employee training and components of such; and best practices for monitoring and supervision.
 - (ii) The class size shall not exceed 30 attendees; attendees must be required to provide legal identification sufficient to confirm that certificates are issued only in the name of those in attendance; attendees who do not attend the full

substantive portions of the workshop must not be provided a certificate; the portion of the workshop addressing legal issues must be presented by an attorney licensed in the State of Georgia; only instructional materials approved by the Spalding County Board of Commissioners may be used; class time (not including breaks) must be at least 2 hours and the workshop must be delivered by live presentation.

- (F) The Community Development Department of Spalding County shall not have authority to waive the workshop or training provisions set forth in this code section.

PART II

- (A) Effective October 1, 2012, within sixty (60) days of the issuance of any new license, or prior to any license renewal, the licensee must provide proof that all employees and managers involved in the sale or service of alcoholic beverages have, within the previous two (2) year(s) satisfactorily completed a comprehensive alcohol compliance training course approved by the Spalding County Board of Commissioners. Employees and managers must complete such training within sixty (60) days of commencing work or being hired (whichever is shorter) and again every two (2) years thereafter. Documentation of each employee's and manager's date of hire and proof of training must be attached to all renewal applications and maintained on the premises posted in a prominent location and available for public inspection at all times during which the location is open for business and engaged in alcohol sales. Employees and managers who directly serve alcoholic beverages to patrons for on-premises consumption shall be required to keep on their person while at work documentation verifying that they have completed their annual RASS training as required under this article. All employees and managers subject to this subsection must attend an approved training course at least once every two (2) years. Such training shall be at the expense of the licensee, the licensed establishment or the employee.
- (B) If, at the time an alcoholic beverage license renewal is being considered, or at any other time more than sixty (60) days after the license has been issued, the licensee has not provided evidence to the Community Development Authority of Spalding County that the employees and management of the licensed establishment have complied with the training requirements as set forth in subsection (a), the license may be suspended or revoked.
- (C) The Community Development Department of Spalding County shall not have authority to waive the workshop or training provisions set forth in this section any renewal application. No alcoholic beverage license will be renewed or issued unless this requirement has been satisfied.
- (D) Licensees and or managers shall operate an "in-house" training program for their employees using the same material that the licensees and managers used when taking the mandated RASS workshop. Each employee, upon satisfactory completion of the training program, shall confirm in writing that they have had the training, that they have understood the contents therein and shall be issued a certificate of completion.
- (E) All employees who have received the required RASS training shall be listed on a roster which shall be maintained upon the premises at all times.

Ordinance #2012-04(c)

RESOLUTION TO ADOPT AN ORDINANCE TO AMEND CHAPTER 1, BUSINESS AND OCCUPATIONS, ARTICLE C, SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PREMISES

PART I

SAID ARTICLE IS HEREBY AMENDED BY ADDING A NEW SECTION TO BE DENOMINATED AS SECTION 6-1075, ENTITLED RESPONSIBLE ALCOHOL SALES & SERVICE TO READ AS FOLLOWS:

Sec. 6-1075.

Effective October 1, 2012, any application seeking to obtain an alcoholic beverage license, due to starting a new business, change of ownership or change of licensee must provide proof of attendance and completion of a responsible alcohol sales and service (RASS) workshop that has been approved by the Spalding County Board of Commissioners prior to the issuance of any such license. Licensees holding a valid Spalding County alcoholic beverage license as of the effective date of this amendment shall have six (6) months from the date of this amendment within which to come into compliance with these requirements.

If the license is issued in the name of a corporation, limited liability company or partnership, proof of attendance by an owner, member or partner will satisfy the requirements of this section. However, such owner, member or partner must maintain his/her status with the licensed entity in order for the certificate to remain valid for purposes of satisfying this section. If such owner, member or partner no longer has an ownership interest in the licensed entity, such change constitutes a change of ownership and a new license must be obtained.

- (B) All alcoholic beverage licensees and one manager of each establishment under this Chapter shall be required to attend and complete an approved responsible alcohol sales and service (RASS) workshop every two (2) years. Proof of attendance at, and completion of, an approved RASS workshop within the previous two (2) years must be attached to any renewal application. No alcoholic beverage license will be renewed or issued unless this requirement has been satisfied.
- (C) Attendance by the licensee at the responsible alcohol sales and service workshop as set forth above shall be at the licensee's expense.
- (D) If, at the time an alcohol beverage license application or renewal is considered by the Board of Commissioners of Spalding County, the licensee has not provided evidence to the Community Development Department that the licensee has satisfied the requirements of subsections (a) and (b) requiring successful completion of an approved responsible alcohol sales and service workshop, the application or renewal shall be denied.
- (E) The Board of Commissioners of Spalding County shall not approve any RASS workshop that does not meet the following minimum requirements:
 - (i) Each workshop must include a discussion of legal issues associated with the sale of alcoholic beverages; types of liability; sign posting requirements; restrictions on sales; age of employees; prohibited sales; legal rights and obligations of licensees; criminal, civil and administrative consequences to the owner, licensee and seller; local laws and regulations; policy drafting and implementation; documented best practices for employee training and components of such; and best practices for monitoring and supervision.
 - (ii) The class size shall not exceed 30 attendees; attendees must be required to provide legal identification sufficient to confirm that certificates are issued only in the name of those in attendance; attendees who do not attend the full substantive portions of the workshop must not be provided a certificate; the portion of the workshop addressing legal issues must be presented by an attorney licensed in the State of Georgia; only instructional materials approved by the Spalding County Board of Commissioners may be used; class time (not including breaks) must be at least 2 hours and the workshop must be delivered by live presentation.
- (F) The Community Development Department of Spalding County shall not have authority to waive the workshop or training provisions set forth in this code section.

PART II

- (A) Effective October 1, 2012, within sixty (60) days of the issuance of any new license, or prior to any license renewal, the licensee must provide proof that all employees and managers involved in the sale or service of alcoholic beverages have, within the previous two (2) year(s) satisfactorily

completed a comprehensive alcohol compliance training course approved by the Spalding County Board of Commissioners. Licensees and managers must complete such training within sixty (60) of commencing work or being hired (whichever is shorter) and again every two (2) years thereafter. Documentation of each employee's and manager's date of hire and proof of training must be attached to all renewal applications and maintained on the premises posted in a prominent location and available for public inspection at all times during which the location is open for business and engaged in alcohol sales. Employees and managers who directly serve alcoholic beverages to patrons for on-premises consumption shall be required to keep on their person while at work documentation verifying that they have completed their annual RASS training as required under this article. All licensees and managers subject to this subsection must attend an approved training course at least once every two (2) years. Such training shall be at the expense of the licensee, the licensed establishment or the employee.

- (B) If, at the time an alcoholic beverage license renewal is being considered, or at any other time more than sixty (60) days after the license has been issued, the licensee has not provided evidence to the Community Development Authority of Spalding County that the employees and management of the licensed establishment have complied with the training requirements as set forth in subsection (a), the license may be suspended or revoked.
- (C) The Community Development Department of Spalding County shall not have authority to waive the workshop or training provisions set forth in this section any renewal application. No alcoholic beverage license will be renewed or issued unless this requirement has been satisfied.
- (D) Licensees and or managers shall operate an "in-house" training program for their employees using the same material that the licensees and managers used when taking the mandated RASS workshop. Each employee, upon satisfactory completion of the training program, shall confirm in writing that they have had the training that they have understood the contents therein and shall be issued a certificate of completion.
- (E) All employees who have received the required RASS training shall be listed on a roster which shall be maintained upon the premises at all times.

Motion/Second by Ray/Gardner to approve Consent Agenda. Motion carried by all.

IX. OLD BUSINESS

1. Consider approval on first reading Ordinance #2012-06 to amend Chapter 4 Sec. 11-4001 thru 11-4006, entitled Noise Abatement and Control, in the Spalding County Code of Ordinances and permit application form.

Mr. Wilson stated that the permit application form has been approved by Community Development. Mr. Fortune noted that these ordinance changes derive from the March 29th Work Session.

Mr. Wilson stated that Commissioner Freeman has received numerous complaints regarding the recent Cowboy and Cowgirl Rodeo held at 583 W. Williamson Rd. Mr. Wilson further stated that this ordinance would not address issues such as the rodeo. Mr. Fortune agreed that this ordinance would not prevent them from having a rodeo. Mr. Freeman advised that there were numerous noise complaints received.

Chairman Flowers-Taylor stated that if sound would be prevalent after 10:00 p.m. if there is no street traffic. Chairman Flowers-Taylor further stated that the Board should not approve complaints until 2:00 a.m. Chairman Flowers-Taylor also provided several different examples of how the ordinance could be controversial. The first example she used was regarding the sound from the football stadium for games. Chairman Flowers-Taylor requested the application permit indicating that the applicant has advised neighbors of the proposed event.

Commissioner Freeman advised that he would like the application permit to have approval from the Sheriff's Department so that they can enforce nuisances. Mr.

Fortune advised that the ordinance does not allow someone to create a public nuisance. If the deputies receive a complaint, they have the authority to advise them to turn the music down. Mr. Fortune referenced § 11-4001 which states that, "it shall be unlawful for any person to willfully make, continue or cause to be made or continued loud noise which disturbs the peace or quiet of any neighborhood which causes discomfort or annoyance." Chairman Flowers-Taylor stated that this section makes the deputies use their own subjectivity as to what is too loud. Mr. Fortune advised that this ordinance simply gives us the mechanisms to work with.

Chairman Flowers-Taylor requested the application permit form be amended to state that only requests over five hours will be submitted to the Board of Commissioners. Mr. Fortune requested the application to read that the County must receive 30 days advance notice. Mr. Fortune further commented that as Spalding County becomes more populated, there will be more issues such as people that didn't have neighbors will now have them. Chairman Flowers-Taylor stated that at some point the Board should address specifics such as rodeos. Mrs. Flowers-Taylor advised that there has been an overwhelming amount of complaints about past rodeos held on Maloy Road and Rover-Zetella. Commissioner Gardner requested rodeos being restricted to certain zoning areas. Mr. Gardner advised that these are special events due to time, traffic, etc. and they should be placed in non-residential areas.

Chairman Flowers-Taylor requested reducing the fees in half. Commissioner Freeman agreed. Commissioner Gilreath questioned why the Board should change the fee the County Manager has asked for. Chairman Flowers-Taylor stated that the Board respects the County Manager but he is not elected. Mrs. Flowers-Taylor further stated that it's enough for us to have people come and get application. She stated that she understands that there is time spent but since this is a new concept, we should be lenient on the fees. Commissioner Gilreath stated that he can't vote for the item since we are changing the fee schedule the County Manager recommended.

Motion/Second by Freeman/Gardner to approve on first reading Ordinance #2012-06 to amend Chapter 4 Sec. 11-4001 thru 11-4006, entitled Noise Abatement and Control, in the Spalding County Code of Ordinances and permit application form with the following changes: for permit requests under 5 hours, a \$25.00 fee will be assessed as in lieu of the \$50.00 fee; for permit requests over 5 hours, a \$50.00 fee will be assessed in lieu of the \$100.00 fee. Permit Application will read that only applicable permits shall be brought before the Board.

2. Consider appointment to the Land Bank Authority to fill the unexpired term of Dr. Aaron Roquemore. Term set to expire December 31, 2012.

Motion/Second by Gardner/Gilreath to appoint Shirley Gardner to the Land Bank Authority to fill the unexpired term of Dr. Aaron Roquemore. Term set to expire December 31, 2012. Motion carried by all.

X. NEW BUSINESS

1. Consider approval of "after-hours" permit as requested by Lorenzo Lyons for an outdoor party to be held June 23, 2012 at 4297 Highway 19/41. Event to be held from 9:00 p.m. until 2:00 a.m.

James Parks- 866 Second Street, Griffin, Georgia- Mr. Parks stated that this is an inside event but the doors on the building may be open should it get hot inside. Mr. Parks affirmed that he will respect the noise ordinance and keep the noise at a minimum. Mr. Parks further advised that to date no complaints have been received from neighbors.

After questioning from Commissioner Freeman, Mr. Parks advised that the building is located past the race track, behind the trolley.

After questioning from Commissioner Gilreath, Mr. Parks stated that they are expecting about 100 people. Mr. Parks further noted that the building is about 40 x 80 and the Fire Marshall has inspected the building and advised maximum occupancy.

Commissioner Gardner advised Mr. Parks that if the WristBreakers wish to make this an annual event, it's better to notify neighbors of the event ahead of time so that there will be no complaints.

Motion/Second by Ray/Gilreath to approve "after-hours" permit as requested by Lorenzo Lyons for an outdoor party to be held June 23, 2012 at 4297 Highway 19/41 from 9:00 p.m. until 2:00 a.m. with the stipulation that applicant must notify neighbors. Motion carried by all.

2. Conduct public hearing to consider the establishment of a street light district for Sun City Peachtree- Pod 37B.

Motion/Second by Gardner/Freeman to conduct public hearing to consider the establishment of a street light district for Sun City Peachtree- Pod 37B. Motion carried by all.

No persons present to speak.

Motion/Second by Gardner/Gilreath to adjourn public hearing. Motion carried by all.

3. Consider approval of street light districts for Sun City Peachtree – Pod 37B.

Motion/Second by Ray/Gardner to approve street light districts for Sun City Peachtree- Pod 37B. Motion carried by all.

4. Consider approval on first reading Ordinance #2012-07 to amend Part VII, Chapter 1, Section 7-1002, relating to speed limits on specific County Roads, by striking Jordan Hill Roads-Dobbins Mill Road- A Point North- 2 miles- 35 miles per hour by adding in lieu thereof one subsection as follows: Jordan Hill Rd from Dobbins Mill Road to Teamon Road zoned 45 miles per hour and Jordan Hill Road from Teamon Road to the Henry County Line zoned 30 miles per hour.

Mr. Wilson advised that in the 90's the Board adopted speed limit ordinances. Mr. Wilson advised that this ordinance will put the speed limit back to what DOT recommends. Once passed, the Sheriff's Department will be able to run radar from Dobbins Mill Road north to Sun City.

Motion/Second by Gardner/Freeman to approve on first reading Ordinance #2012-07 to amend Part VII, Chapter 1, Section 7-002, relating to speed limits on specific County Roads, by striking Jordan Hill Roads-Dobbins Mill Road- A Point North- 2 miles – 35 miles per hour by adding in lieu thereof one subsection as follows: Jordan Hill Rd. from Dobbins Mill Road to Teamon Road zoned 45 miles per hour and Jordan Hill Road from Teamon Road to the Henry County Line zoned 30 miles per hour. Motion carried by all.

5. Consider approval of service agreement with Three Rivers Regional Commission (TRRC) and Spalding County for the 5311 public transportation program for Fiscal Year 2013.

Mr. Wilson advised the Board that this agreement references the bus baring the Spalding County wording on the side. This is a multi-county transportation service. 5311 is the federal number. Mr. Wilson further advised that the County contracts with McIntosh Trail to oversee the project. Three Rivers is requesting the County appropriate \$5,785.

Motion/Second by Freeman/Ray to approved service agreement with Three Rivers Regional Commission (TRRC) and Spalding County for the 5311 public transportation program for Fiscal Year 2013.

6. Consider approval of request to modify the 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Award to provide for purchase of protective body armor for the Uniform Patrol Division of the Sheriff's Department.

Mr. Wilson stated that the original request was for a part time juvenile officer. In lieu of filling the position of part time juvenile officer, the Sheriff's Department is in need of body armor. Representatives from JAG notified the County that in order to use the funds, the request must simply be modified. Mr. Wilson advised that should you receive grant monies to fund a position; that position must be kept five years after the grant runs out.

Sheriff Wendell Beam advised that the remaining portion of the grant is \$17,000. The Sheriff's Department would come within \$20 dollars of spending all funding.

Motion/Second by Ray/Gilreath to approve request to modify the 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Award to provide for purchase of protective body armor for the Uniform Patrol Division on the Sheriff's Department. Motion carried by all.

7. Consider approval of 2012 Edward Byrne Memorial Justice Assistance Grant to provide for the purchase of stab proof vests and other safety equipment for the Sheriff's Department.

Mr. Wilson advised that this is a new grant request and would be used to purchase equipment for detention officers. The total amount of this grant is \$10,000.

Motion/Second by Gardner/Freeman to approve 2012 Edward Byrne Memorial Justice Assistance Grant to provide for the purchase of stab proof vests and other safety equipment for the Sheriff's Department. Motion carried by all.

8. Discuss Transportation Planner Position funding for FY 2013.

Mr. Wilson noted that for several years Anthony Dukes has been joint transportation planner for both the City of Griffin and Spalding County. This arrangement was originally setup with McIntosh Trail which is now Three Rivers Regional Commission. Mr. Wilson noted that Mr. Freeman, Doug Hollberg, Kenny Smith and himself met with Lanier Boatwright to discuss the possibility of making Mr. Dukes a part of the City and County staff. Mr. Wilson advised that due to budget restraints, the County nor City could continue to afford paying for this position through Three Rivers. Mr. Wilson noted that the fee is roughly \$65,400 for both the City and the County. Mr. Wilson stated that he has spoken with Mr. Dukes and Mr. Freeman and both believe this position can be better utilized in-house.

Mr. Wilson advised that the transportation planner would be housed at the City and would be available to just like his currently is. Mr. Wilson noted that this would be an extreme cost-savings measure; approximately 30%. Mr. Freeman added that Mr. Dukes would also have an office at the County to maintain his records.

After questioning from Commissioner Gilreath, Mr. Wilson advised the Mr. Duke would fall up under the immediate supervision of the Community Development Director but with joint supervision from the City as well.

Chairman Flowers-Taylor noted that Mr. Dukes has done a lot to align transportation for the City & the County. She stated that he makes sure that there are no conflicts and tries to unify programs that the City & County have. Mr. Freeman added that Mr. Dukes also has good representation at ARC. Over the years he has built up a positive image with influential people that the County deals with.

Consensus of the Board to provide notification to Three Rivers Regional Commission of Spalding County's intent not to renew contract.

9. Discuss possibility of imposing a rental fee for installation of utility poles on County properties.

Mr. Fortune advised that Commissioner Gilreath requested information on the feasibility of implementing a fee to put up power poles. Mr. Fortune further stated that this fee must be a recoupment fee and has to feasibly represent costs incurred by the County. Mr. Fortune mentioned a case where Bellsouth sued Cobb County and lost. Cobb County hired a consultant to do necessary research as to what it actually cost and fees were not revenue producing; however, it will help you to recover or to recoup fees during the permitting process. Mr. Fortune advised that we would need to contract a consultant to get fees they would charge to perform a study.

Commissioner Ray stated that the permit fee shall only apply to state highway system and to those local roads and streets which are part of the federal-aid system. Mr. Fortune noted that he believes that this fee could be applied to County roads as well.

After questioning from Chairman Flowers-Taylor, Mr. Wilson advised that we have more underground cable requests than actual pole request. Mr. Wilson advised that there is a utility standard in which was adopted several years ago. Mr. Wilson added that currently, a permit must be obtained for utility requests.

Consensus of the Board for staff to research cost associated with imposing a rental fee and provide recommendation to the Board.

10. Consider approval of Dispatch Communication Services Agreement with Tenet Health System Spalding, Inc. for dispatch and radio maintenance.

Mr. Wilson stated that the County is operating on our fifth or sixth extension for the current contract. Paul Beamon, Emergency Medical Services for Tenet was present. MR. Wilson noted that there has been a contract for dispatch with the owner/operator of EMS since the County sold it to AMI in the late 80's. When staff presented the proposed contract to John Quinn, CEO Spalding Regional, in October, he transmitted a letter of why he felt that Tenet should not be charged and that Tenet should also not be charge for the new 800Mhz radio system. Mr. Wilson noted that essentially it boils down to the meeting scheduled for tomorrow with Tenet, William Wilson and litigation. Over the past year 10.1% of the calls are EMS. Spalding County had more calls that the City. Mr. Wilson noted that the County is proposing a five year contract. Mr. Wilson further noted that he found documentation where the Board of Commissioners in 2008 sent a letter to the City of Griffin, Spalding Regional Hospital of what the provision of estimated costs for the 800Mhz system were. Mr. Wilson noted that we will pursue both the City & County of the approve 2008 contracts.

Commissioner Gilreath questioned if the County was obligated to contract with Tenet for handeling their calls. Mr. Fortune advised that there is no contract, Mr. Quinn has stated that they now wish to have a formal contract. Mr. Fortune stated that there could be a rollover where the callers would be connected to the hospital ambulance service, should we wish to cancel their 911 access. Mr. Wilson added that Spalding County is fortunate being that other counties have to pay for ambulatory services. Mr. Wilson further noted that because of the sales agreement and the way it is structured, it carries over to the next purchaser. Mr. Wilson noted that Tenet also believes that their radios should be provided at no charge to them.

Commissioner Freeman recommended tabling this item until after the meeting on tomorrow.

Commissioner Ray stated that when the hospital was sold, this should have been addressed at that time. Mr. Ray agrees that this is a debatable item. Mr. Ray noted that we have to provide services to our citizens.

Motion/Second by Gardner/Ray to approve Dispatch Communication Services Agreement with Tenet Health System Spalding, Inc. for dispatch and radio maintenance. Motion carried by all.

11. Review Budget Calendar for possible changes due to scheduling conflicts.

Mr. Wilson advised that he and Chairman Flowers-Taylor both have conflicts with the dates approved for the budget calendar. Mr. Wilson stated that his daughter has graduation and Chairman Flowers-Taylor will be out of the country.

Consensus of the Board to amend the budget calendar to conduct the budget hearing on May 16, 2012 at 9:00 a.m.

XI. REPORT OF COUNTY MANAGER

- A. In remembrance to the April 28th tornado there will be a ceremony held at the L.B. Norton Fire Station on April 20th from 6:00 p.m. until 8:00 p.m.
- B. On April 10th around 10:30 p.m. and again on April 11th at 2:15 a.m. several residents who were signed up for the FirstCall system were notified of red flag warnings & frost advisory notifications. FirstCall has since corrected the problem. A press release was issued on April 11th advising residents of what had happened.
- C. Reminder: County Wide Animal Restraint goes into effect on Monday, April 23, 2012. We will reissue the press release tomorrow just as a reminder.

- D. Animal Control extension hours 2nd & 4th Thursdays for the next three months.
- E. Staff recently went through a web-seminar on mycounty.tv. This service allows individual counties to showcase different services it provides. The service is paid for through sponsors from surrounding businesses. Several Counties are already using the service (Henry, Bibb, Clayton, etc.) The company is based out of Rochester, New York and provides all video feeds and photos needed for the project. Video could be linked to the Spalding County Website.

XII. REPORT OF COMMISSIONERS

Freeman- None

Gardner- None

Gilreath- Commissioner Gilreath requested the status of the HVAC Maintenance Contract. Mr. Wilson advised that he would get with Jinna Garrison in the morning. Mr. Gilreath also stated that the DFCS Building (Solomon East) is in bad shape and needs painting. Lastly, Mr. Gilreath questioned if deputies performing off duty security, utilized County equipment, vehicles & gas. Mr. Wilson advised that he would defer his question to the Sheriff.

Ray- Commissioner Ray commended Public Works on their work at the intersection of Spalding High School and Wilson Road.

Flowers-Taylor- Chairman Flowers-Taylor advised that she would not be able to make the April 28th remembrance event on Friday. Mr. Freeman stated that he would be there to represent the Commission.

XIII. CLOSED SESSION – NONE

XIV. ADJOURNMENT

Motion/Second by Gilreath/Gardner to adjourn at 7:51 p.m. Motion carried by all.

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