

MINUTES

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, July 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 Stephanie Windham 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 Freeman**
- IV. **PRESENTATIONS/PROCLAMATIONS/RECOGNITION –**

A. Presentation from Bob Dull of the Griffin Housing Authority in reference to the Education Prosperity Zone.

Bob Dull, Griffin Housing Authority was present to inform the Board of the Educational Prosperity Zone and its effect on Spalding County. Mr. Dull noted that the Federal Funding has been hard to come across due to the economic downturn; however, the Housing Authority has still continued to operate. The Housing Authority has built a reserve of 1.3 million dollars. HUD determined that this was too much money and requested the money to be sent back. Mr. Dull indicated that this was not for debt deductions but for the money to be re-appropriated. The Housing Authority submitted an appeal stating that they have already planned to do some redevelopment with this funding. Griffin Housing Authority applied last year on two occasions for HUD's Capital Fund Education and Training Community Facilities for which Spalding County committed the option to purchase the Fairmont High School. Both attempts at funding were unsuccessful. In a de-briefing with HUD, the only thing missing from the proposal was the evidence of existing efforts or programming in the Fairmont Community. To commission of the Griffin Housing Authority has committed \$300,000 over the next two years to collaborate with the University of Georgia- Griffin Campus, Southern Crescent Technical College, the Griffin-Spalding School System and the Spalding Collaborative to bring programs and services to the Fairmont area.

Partners for a Prosperous Griffin-Spalding are partnering with the University of Georgia – Griffin Campus to apply for a \$500,000 Promise Neighborhoods planning grant from the Department of Education. The purpose of the planning grant is to develop a strategy for addressing issues in distressed communities to ensure that all children and youth in the target area have access to the continuum of solutions needed to graduate from high school ready for college and a career.

The applying entity is the Spalding Collaborative Authority for Families & Children. A 50% match is required and Mr. Dull requested the County to provide a letter of commitment.

Mr. Wilson noted that Spalding County would need a letter of commitment contingent upon the grant being approved from the Board and that we understand that a memorandum of understanding would be forthcoming. Mr. Wilson noted that staff has gotten several cost figures for asbestos for demolition of the building. Mr. Wilson also noted that this is a community wide project and the City of Griffin would also be helping.

Motion/Second by Ray/Gilreath to amend the agenda to add the request of the Griffin Housing Authority for a letter of commitment to accompany the grant application. Motion carried by all.

Motion/Second by Ray/Gardner to approve request from the Griffin Housing Authorities and partners to submit a letter of commitment contingent upon approval of the proposed grant. Spalding County also agrees to allow use of the Fairmont Community Center for the following reasons: Two nights per week GED class, After

School Program and to raze the building with asbestos on the Fairmont High School property. Motion carried by all.

Motion/Second by Ray/Gilreath to amend agenda by striking item 3, Post 2 Appointment to the Board of Appeals to fill the unexpired term of Brian Clanton. Motion carried unanimously by all.

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.

Kelly Palmatier- 450 Malier Rd. Griffin, Georgia- Mrs. Palmatier, ACCAB member was present to update the Board on carrying animals in truck beds. Mrs. Palmatier advised that this recommendation comes from Commissioner Gilreath. She further noted that there are regulations that denote the only safe way to carry an animal is on the inside of the truck. Mrs. Palmatier noted that Brent Foster, Animal Shelter Supervisor advised that enforcement of this regulation in Spalding County has been minimal. Mrs. Palmatier further noted that Sheriff Beam advised that County records do not show where this has been a problem as well as ACCAB recommends no action be taken on this matter.

VII. MINUTES –

1. Consider approval of Minutes of the following: June 18, 2012 Regular Meeting, June 28, 2012 Special Called Meeting (LOST), June 28, 2012 Special Called Meeting, June 28, 2012 Zoning Public Hearing.

Motion/Second by Gardner/Ray to approve minutes of the June 18, 2012 Regular Meeting, June 28, 2012 Special Called Meeting (LOST), June 28, 2012 Special Called Meeting, June 28, 2012 Zoning Public Hearing. Motion carried unanimously by all.

VIII. CONSENT AGENDA –

1. Consider approval, on second reading, Ordinance #2012-08, to amend the Spalding County Code of Ordinance, Park II Government and Administration, Chapter 11 Smoking Policy, Section 2-11002, General Prohibition on Smoking, and Section 2-11006, Designated Smoking Areas, to provide for changes in the County's smoking policy.

**SPALDING COUNTY, GEORGIA
CODE OF GENERAL ORDINANCES
ORDINANCE NO. 2012-08**

TO AMEND THE SPALDING COUNTY CODE OF ORDINANCES, PART II GOVERNMENT AND ADMINISTRATION, CHAPTER 11 SMOKING POLICY, SECTION 2-11002, GENERAL PROHIBITION ON SMOKING, AND SECTION 2-11006, DESIGNATED SMOKING AREAS, TO PROVIDE FOR CHANGES IN THE COUNTY'S SMOKING POLICY ON COUNTY PROPERTY AND AN EFFECTIVE DATE.

BE IT RESOLVED AND ORDAINED, by the Board of Commissioners of Spalding County, Georgia, as the governing authority of said County, as follows:

Section 1. That the Code of Spalding County, Georgia, be amended in Section 2-11002, General prohibition on smoking, be amended as follows:

By striking Section 2-11002 in its entirety and inserting in lieu thereof a new Section 2-11002 to read as follows:

“Sec. 2-11002. General prohibition on smoking.

- (1) Smoking shall be prohibited in all county controlled buildings and all county vehicles.”
- (2) Smoking shall be prohibited in all parks operated by the Spalding County Parks and Recreation Department and in the Park at Sixth.

By striking Section 2-11006 in its entirety and inserting in lieu thereof a new Section 2-11006 to read as follows:

Sec. 2-11006. Designated smoking areas.

The following areas have been approved as designated smoking areas on property belonging to Spalding County:

Outdoor areas which are at least twenty-five (25) feet from the entrance or exit of any county controlled building.” However, no smoking is allowed in any parks operated by the Spalding County Parks and Recreation Department or in the Park at Sixth.

Section 3. That the within ordinance shall be and become effective immediately upon its adoption on two presentations, as provided by Section 2-1005 of the Code of Spalding County, Georgia.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed.

2. Consider second reading of Amendment to the Official Zoning Ordinance of the following:
 - Amendment to UDO #A-12-04: Article 2. General Definitions – Section 202: amend to add definition for Flea Market.

IN RE:

Text Amendment #A-12-04

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on June 28, 2012, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia, is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 2, Section 202 “General Definitions:” to appear as Section 202.FF’’::

FF’’. Flea Market: A retail market located in commercial districts usually held outdoors where antiques, used household goods, and curios are sold.

Section 2: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 3: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

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

IX. OLD BUSINESS – NONE

X. NEW BUSINESS

1. Consider approval of rental request from Truevine Fellowship Holiness Church to utilize parking lot adjacent to the Spalding County Courthouse Annex, Parcel# 0143 34003 for a car show to be held on Saturday, October 6, 2012

Mr. Wilson noted that Truevine Fellowship Holiness Church currently uses the annex parking lot on Sundays and they are requesting use of it for a car show on October 6, 2012. Mr. Wilson stated that the event is on a Saturday and will not hinder conducting County business.

Motion/Second by Gardner/Freeman to approve rental request from Truevine Fellowship Holiness Church to utilize parking lot adjacent to the Spalding County Courthouse Annex, Parcel # 0143 34003 for a car show to be held on Saturday, October 6, 2012. Motion carried unanimously by all.

2. Consider approval of alternate architectural design review for Luke Evans’s industrial building located at the corner of O’Dell Road and Carver Road.

Mr. Jacobs noted that Appendix J: Section 4106 requires that all new commercial structures and additions be constructed with facades of brick, stone, split faced concrete masonry unit, cement plank siding, or glass for all facades which face the rights of way. Mr. Jacobs advised that Mr. Evans is proposing to add a four (4) foot high brick façade along both the front wall which is visible to O’Dell Road and the right wall which is visible to Carver Road. The brick will match the brick used on the RESA Building adjacent to this tract.

Chairman Flowers-Taylor questioned why would the County approve design if it doesn’t comply with the County standard for commercial buildings. Mr. Jacobs noted that staff is trying to find a balance to get development in Spalding County without the stipulations being so strict.

Motion/Second by Freeman/Ray to approve alternate architectural design for review for Luke Evan’s industrial building located at the corner of O’Dell Road and Carver Road. Motion carried unanimously by all.

3. Consider approval of amplification permit for Willie & Shartion Johnson for a Horse Show at 583 W. Williamson Rd. on August 12, 2012 from 3:00 p.m. until 11:00 p.m.

Motion/Second by Freeman/Ray to approve amplification permit for Willie & Shartion Johnson for a Horse Show at 583 W. Williamson Rd. on August 12, 2012 from 3:00 p.m. until 9:00 p.m. Motion carried unanimously by all.

4. Consider approval of Resolution #2012-11 regarding review and approval of minutes of executive session.

Mr. Wilson noted that pursuant to the new Open Records/Meetings law minutes of Executive Session must be taken. Minutes will be approved in open meeting but not made available to the general public. If the executive session is for Real Estate and Land Acquisition, minutes will be made available once the property has been purchased. Executive Session minutes will be distributed to at the meeting and taken up once approved to insure privacy and confidentiality. Once approved, the minutes will be placed in the Minute Book designated for Executive Session.

**RESOLUTION OF THE SPALDING COUNTY BOARD OF
COMMISSIONERS
REGARDING REVIEW AND APPROVAL OF MINUTES OF EXECUTIVE
SESSIONS**

Whereas, O.C.G.A. § 50-14-1(e)(2)(C) states that:

(1) minutes of executive sessions shall be recorded but shall not be open to the public; and

(2) such minutes shall specify each issue discussed in executive session and that if matters subject to the attorney-client privilege are discussed, then the fact that an attorney-client discussion occurred and its subject matter shall be identified, but the substance of the discussion need not be recorded and shall not be identified in the minutes; and

(3) such minutes shall be kept and preserved for inspection by an appropriate court should a dispute arise as to the propriety of any executive session; and

Whereas, minutes may be made and records kept by the Clerk of the county or a person temporarily appointed to take such minutes so long as the minutes accurately reflect the record of the meeting.

Now, Therefore, Be It Resolved that the Board of Commissioners of Spalding County hereby designates the Clerk of the county, to record minutes of an executive session of the Board of Commissioners of Spalding County.

Be It Further Resolved that, prior to the conclusion of the executive session, all members of the Board of Commissioners attending the executive session shall review the minutes recorded.

Be It Further Resolved that, following the conclusion of the executive session, and upon approval of such minutes by a majority of members in an open meeting, the minutes of the executive session recorded and approved in accord with the terms hereof and as noted on the minutes shall be transmitted to the Clerk of the Spalding County Board of Commissioners to be placed in proper form and kept in a confidential file and preserved for inspection in accordance with O.C.G.A. § 50-14-1(e)(2)(C).

This 16th day of July, 2012 by action of the Spalding County Board of Commissioners.

By:

Chairman

ATTEST: _____
County Clerk

(County Seal)

Motion/Second by Ray/Freeman to approve Resolution #2012-11 regarding review and approval of minutes of executive sessions. Motion carried unanimously by all.

5. Consider request of the Spalding County Victim Service Unit to approve request to continue VOCA (Victims of Crime Act) grant.

Motion/Second by Gardner/Freeman to approve request of Spalding County Victim Service Unit to approve request to continue VOCA (Victims of Crime Act) grant. Motion carried unanimously by all.

6. Consider approval of mediator for Local Option Sales Tax Renegotiation (L.O.S.T.)

Mr. Wilson noted that staff has had the initial LOST meeting with counsel. Mr. Wilson further noted that staff of both the City & the County would like to approve mediators before we actually need them. All mediators have been recommended by the Carl Vinson Institute of Government and are trained in LOST.

Motion/Second by Freeman/Gardner to approve the following mediators, in order, for Local Option Sales Tax Renegotiation (LOST): Betty Hudson, Ann Boling, & Raye Rawls. Motion carried unanimously by all.

7. Discussion regarding providing services for the Griffin-Spalding Development Authority.

Mr. Wilson advised that Chairman Flowers-Taylor requested this item being added to the agenda. Mr. Wilson stated that the Board has asked him to notify them when the property in the industrial park was being cut. Mr. Wilson advised that crews were in the area last week and the Development Authority requested them to cut a portion of the Lakes at Green Valley. The Development Authority has hired a company to cut the slopes which are primarily cut by hand. The flat areas are cut by inmates.

Chairman Flowers-Taylor stated that the Authority is an independent agency such as the Hospital Authority and the Airport Authority. She stated that when she rides through her district and see areas in which cutting is needed; she has an issue when we don't take care of these areas first. Mrs. Flowers-Taylor stated that the Authority should contract with someone to cut their grass.

Commissioner Gilreath questioned if the Development Authority recently ok'd a \$25,000 payoff for grass cutting. Mr. Wilson stated that they issued a contract for grass cutting but was not sure of the amount. Commissioner Gilreath agrees with the Chairman that the Development Authority should pay something for this service.

Mr. Freeman stated that the Development Authority has hired someone for this service and taxpayers expect the County to keep right of ways cut and perform other maintenance before handling issues of private entities.

Mr. Wilson stated that the County was reimbursed last year for work that included clearing some areas and fencing.

Board consensus to allow County Manager to further research establishing a work detail dedicated to land maintenance services for the Development Authority within the FY 14 budget.

XI. REPORT OF COUNTY MANAGER

- A. Spalding County Water & Sewerage Authority Meeting to be held on Wednesday, July 18, 2012 at 8:30 a.m.
- B. G-SATC Meeting to be held on July 18, 2012 at 1:30 p.m. has been cancelled. The next meeting will be September 19, 2012.
- C. Spalding County was awarded the ACCG Health Promotion & Wellness Incentive Grant in the amount of \$3500.00 to promote worksite programs designed to enhance the health of County employees and family members. A press release was issued on July 13, 2012.

- D. Spalding County animal shelter will be closed on July 19, 2012 for mandatory training required for staff to utilize inmate labor at the shelter. City Staff will be trained at the same time.
- E. As part of the approved FY 13 budget, all five recycling centers will be closed on Fridays. By closing on Fridays, approximately \$35,000 in savings will be realized.
- F. The first Big Blue Mystery Trip was a great success. 38 seniors participated paying only 5.00 per head. Seniors that attended went to Macon, GA to have lunch and then Bass Pro Shop. All are anticipating the next mystery trip.
- G. The Georgia StormReady local advisory Board has voted to approve the recognition of Spalding County on becoming a StormReady County. The advisory board will formally present the recognition to the County Commissioners at a future meeting.
- H. Kudos to the Spalding County Fire Department in helping sign citizens up for the FirstCall system during Early Voting Memorial Drive. To date we have signed up over 200 at the early voting site. Would also like to thank Brightmoor Hospice for the electronic billboard at Hwy 92 & 19/41
- I. Staff has compiled a listing for commissioners meetings for the year. This listing will be posted at the annex and distributed to all commissioners and media representatives.
- J. The first Griffin-Spalding Airport Authority meeting was held today. The following board members were appointed: Dick Morrow, Chairman / Brent Lavender, Vice Chair / Carl Pruett, Secretary/Treasurer. The meetings will be held on the 2nd Monday of each month, beginning at 6:00 p.m. at City Hall.
- K. The ACCG Legislative Leadership Conference is scheduled for October 1-2 in Athens, GA. If you wish to attend, please let Ricky know so that he can sign you up to reserve space.
- L. A recent article posted in the AJC speaks of the recent action of the Atlanta City Council to prohibit smoking in playgrounds, athletic fields, aquatic areas, tennis courts, golf courses, walking trails and playgrounds. This adoption mimics a recent decision of the Board to prohibit smoking in all parks maintained by Parks & Recreation and the Park @ Sixth.
- M. Happy early birthday to Chairman Flowers-Taylor who will celebrate her birthday on Friday July, 20th.
- N. William will be moving his daughter to Valdosta State on August 6, 2012 and will not be able to attend the County Commissioners meeting this night. Ricky & Jinna to handle meeting.

XII. REPORT OF COMMISSIONERS

Freeman- Has received a lot of complaints on closing five recycling centers on Fridays. Mr. Freeman wants staff to revisit this issue in the future. Mr. Freeman noted that he thinks closing the recycling centers only two times per week is sufficient.

Gardner- Has also received a lot of complaints on closing the recycling centers an additional day. Mr. Gardner noted that he advised those complaining of the tight budget this year and tough decisions that had to be made. Mr. Gardner also suggested working with the Red Cross to facilitate FirstCall sign-up at their blood drives.

Gilreath- Requested an update on those signing up for FirstCall. Mr. Wilson advised that to date we have had over 2200 people to sign up for FirstCall. Mr. Wilson thanked Brightmoor Hospice for allowing use of their electronic billboard for advertisement of FirstCall. Mr. Wilson noted that Brightmoor is providing this service at no cost to the County. Mr. Wilson also advised that he will speak with Wal-Mart to see if firefighters can sign up citizens outside of this establishment.

Ray- None

Flowers-Taylor- Would like to see if firefighters could sign up citizens for FirstCall when they visit the outpatient center and the emergency room of Spalding Regional Hospital. William advised he would speak with John Quinn.

XIII. CLOSED SESSION – NONE

XIV. ADJOURNMENT

Motion/Second by Freeman/Gardner to adjourn at 7:09 p.m. Motion carried unanimously by all.

Chairman

County Manager

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