

MINUTES

The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 in the Courthouse Annex, Monday, August 6, 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 Administrative Services Director Jinna Garrison, Attorney Stephanie Windham and Ex Officio, County Clerk, Ricky L. Clark Jr. to record the minutes.

County Manager William Wilson was not present.

- 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 –**
 - A. Consider Proclamation recognizing the Southside Riders Association.**

Motion/Second by Gardner/Ray to approve Proclamation recognizing the Southside Riders Association. Motion carried unanimously by all.
- V. PRESENTATIONS OF FINANCIAL STATEMENTS –**
 - A. Consider approval of Financial Statements for the twelve month period ended June 30, 2012.**

Motion/Second by Gardner/Freeman to approve Financial Statements for the twelve month period ended June 30, 2012. Motion carried unanimously by all.
- VI. CITIZEN COMMENT - NONE**

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.
Superintendent

VII. MINUTES –

1. Consider approval of Minutes of the following: July 16, 2012 Extraordinary Session, July 26, 2012 Zoning Public Hearing.

Motion/Second by Ray/Freeman to approve Minutes of the July 16, 2012 Extraordinary Session, July 26, 2012 Zoning Public Hearing. Motion carried unanimously by all.

VIII. CONSENT AGENDA – NONE

IX. OLD BUSINESS – NONE

X. NEW BUSINESS

1. Consider Post 2 appointment to the Planning & Zoning Board to fill the unexpired term of Brian Clanton. Term set to expire December 31, 2014.

Commissioner Ray appointed Lt. Curtis Keys.

2. Consider appointment to the Region One MHDDAD Planning Board to fill the unexpired term of Kim Griffin. Term set to expire December 31, 2013.

Motion/Second by Gardner/Freeman to appoint Marilyn C. Roberts to the Region One MHDDAD Planning Board to fill the unexpired term of Kim Griffin. Term set to expire December 31, 2013. Motion carried unanimously by all.

3. Consider approval of 2012 Engagement Letter with Mauldin & Jenkins Certified Public Accountants, LLC for preparation of the FY 2012 Audit.

Jinna Garrison, Administrative Services Director stated that Mauldin & Jenkins is a regional firm that has been performing the Spalding County annual audit for the last couple of years. Ms. Garrison noted that Mauldin & Jenkins keeps her informed of new GASB pronouncements and also provides free training four times a year for governmental clients. Ms. Garrison stated that by using Mauldin & Jenkins she saves approximately \$1,000 on training.

Commissioner Gilreath questioned if an RFP has ever been completed for Professional Audit Services. Ms. Garrison advised that a lot of firms that performed governmental audits are getting out the business. Ms. Garrison also advised the Board that she would bid out audit services next Fiscal Year; however, whenever new firms perform governmental audits, it takes them extra time to figure out processes and procedures for that individual county.

Chairman Flowers-Taylor questioned does Mauldin & Jenkins provides training for all financial employees. Chairman Flowers-Taylor also questioned has any other employees within the Finance Department received any form of training. Ms. Garrison explained that former Gail Adams did not need the training and that the training offered by Mauldin & Jenkins was very timely. Ms. Garrison noted that she attended training last year with Mauldin & Jenkins for two new GASB pronouncements and also concession management. Chairman Flowers-Taylor advised that she would like to see other employees allowed the opportunity to take advantage of training.

Motion/Second by Gardner/Ray to approve 2012 Engagement Letter with Mauldin & Jenkins Certified Public Accountants, LLC for preparation of the FY 2012 Audit. Motion carried unanimously by all.

4. Consider request from Spalding County Fire Department for approval of construction of a confined space and rappelling tower training facility to be located at the Carver Road station.

Battalion Chief Wayne Jones stated that the Spalding County Fire Department has been working for several years to obtain a local training facility for confined space and rappelling tower training. Mr. Jones stated that firefighters will be able to utilize this training facility which included a three story rope rappelling tower and a 75 to 85 foot confined space area during rookie schools and for the Georgia Search and Rescue (GSAR) training. Mr. Jones also noted that the Fire Department would

like to become a host site for mandated classes for the State. The employees would benefit from the tower in all aspects regarding firefighting skills and would also be able to obtain training locally; therefore decreasing the training expenses for the Fire Department. No funding would be required of Spalding County and Mr. Jones explained that the following resources would be donated: Pressure treated lumber for the forty-foot tower, telephone poles to attach tower flowers, all connectors to attach lumber, labor and piping. All resources will be donated by various local businesses such as Brent Scarbrough, Blake's Building Supply, Robert Paige, Bankston Lumber and Kyle Woodall.

Chairman Flowers-Taylor questioned if the County paid for firefighters training. Mr. Jones explained that there is no charge for firefighter classes.

Motion/Second by Gardner/Freeman to approve request from Spalding County Fire Department for construction of a confined space and rappelling tower training facility to be located at the Carver Road station. Chairman to execute letter of commitment for all items donated. Motion carried unanimously by all.

5. Fire Chief Kenny West to brief the Board on the Community Emergency Response Team (CERT) program and the CERT Administrative Council.

Chief West was present to inform the Board on the progress of the Community Emergency Response Team. Chief West advised that within a couple of months, all final decisions will be made on CERT team and revisions to the application for membership.

6. Consider approval of annual Memorandum of Agreement #7138 with the State Properties Commission for use of 819 Memorial Drive by the Department of Veteran Services.

Jinna Garrison explained that currently the County rents space at Memorial Drive to the Department of Veteran Affairs so that we can provide service to our veterans. Space rents for \$100.00 per month totaling \$1200.00 a year.

Motion/Second by Freeman/Gilreath to approve annual Memorandum of Agreement #7138 with the State Properties Commission for use of 819 Memorial Drive by the Department of Veteran Services. Motion carried unanimously by all.

7. Consider approval of letter of request to Atlanta Regional Commission for utilization of Section 5307 FTA Urbanized Area Formula Funds for the Spalding Transit Feasibility Study and Implementation Plan.

Anthony Dukes, Transportation Planner explained that as sub-recipient of Federal Transit Administration 5307 Urban Transit Funding, Spalding County must contract with a direct FTA registered recipient such as ARC to administer the funds due to stringent federal reporting requirements that requires appropriate organizational capacity. Anthony further explained a transit system proposed for utilization of these funds. In order to implement the transit system, a study must first be completed. The County is requesting \$120,000 of the FTA funds allocated to Spalding County for the purpose of conducting a study and is prepared in collaboration with the City of Griffin, to provide the required 20% match of \$30,000.00

Commissioner Gilreath questioned if the transit system would require patrons to pay. Mr. Dukes stated that there would be a fare cost to cover operation. Anthony further stated that if the County uses \$120,000 there would still be \$880,000 on the books and only 50% can be used for operating.

Commissioner Freeman questioned if 2008 SPLOST funds could be utilized. Anthony advised that SPLOST funds could be utilized.

Motion/Second by Freeman/Gilreath to approve submittal of letter of request to Atlanta Regional Commission for utilization of Section 5307 FTA Urbanized Area Formula Funds for the Spalding Transit Feasibility Study and Implementation Plan. Motion carried unanimously by all.

8. Consider approval, on first reading, Ordinance #2012-09, to amend the Spalding County Code of Ordinances, Part VI, Chapter 2, Section 6-2004, Item (E),

Subsection (25), No Thru Truck Designation, to include both North Pine Hill Road and South Pine Hill Road.

Ricky L. Clark, Jr., Ex-Officio, County Clerk, explained that this ordinance amendment simply adds both North and South Pine Hill Road as a no thru truck designation. Ricky further explained that the original ordinance was adopted in 1993.

Commissioner Gilreath questioned if the truck size was defined in the ordinance. Stephanie Windham stated that the ordinance defines a truck as one that has six or more wheels.

Motion/Second by Freeman/Ray to approve, on first reading, Ordinance #2012-09. Motion carried unanimously by all.

9. Consider declaring surplus and authorize transfer to the City of Molena Police Department one vehicle from the Spalding County Sheriff's Department.

Jinna Garrison explained that the City of Molena Police Department has requested to have a surplus vehicle transferred from the Sheriff's Department. The vehicle, a 2007 Crown Victoria, VIN #2FAFP71W17X143378, has been approved by the Sheriff for transfer for a nominal fee of \$1.00.

Motion/Second by Ray/Freeman to declare surplus and authorize transfer to the City of Molena Police Department one vehicle from the Spalding County Sheriff's Department. A nominal fee will be charged for this purpose. Motion carried unanimously.

10. Consider approval of Certificate of distribution with the City of Griffin for LOST proceeds to commence January 1, 2013.

Commissioner Ray stated that staffs from both the City of Griffin and Spalding County have met several times to discuss possible LOST breakdowns. Several different issues were approached and after much discussion, recommendation was decided at 59.5 % County & 40.5 % City. Mr. Ray further noted that this distribution would be without any transfer of the pool, City Park and any functions outside government to the other entity. In order to save money on mediators and arbitrators or the possibility of going before a judge and losing everything, Mr. Ray explained that this was the best decision. The judge will hear evidence from both sides and make the final arrangement. Mr. Ray noted that LOST distributions would begin on January 1, 2013.

Commissioner Gilreath stated that a couple of meetings ago, Mr. Wilson stated that the County could obtain 70% distribution. Mr. Gilreath noted that he doesn't understand how the County went from 70% to 59.5%. Mr. Ray explained that 70% was from the reports the consultant prepared.

Chairman Flowers-Taylor stated that she doesn't see why the County paid a consultant and then not utilize their recommendation. Mrs. Flowers-Taylor stated that the negotiations and staff reports led the Board to believe that we were going to get more than the 60% LOST Distribution we currently have. Mrs. Flowers-Taylor also stated that she does not think the City of Griffin will go along with the distribution schedule either. Lastly, Mrs. Flowers-Taylor stated that Mr. Wilson had advised that there were issues with the County taking over City Park within the SDS; "if there is an opportunity for this to happen, why not take an advantage of it now", noted Chairman Flowers-Taylor.

Commissioner Ray stated that to date the County has spent over \$11,000 on the study. In order to obtain a mediator, the County must pay \$4200 on the first day then \$2100 every day after that. Commissioner Ray noted that this fee does not include expenses. Commissioner Ray stated that both City and County representatives felt that it was better to give up a half percent than to continue to go through mediation with an extreme high cost. Commissioner Ray noted that if mediation is needed, the hearing will be held on August 15, 2012.

Motion by Gilreath to table approval of Certificate of Distribution with the City of Griffin for LOST Proceeds to commence January 1, 2013. Motion died due to lack of second.

Motion/Second by Ray/Freeman to approve Certificate of Distribution with the City of Griffin receiving 40.5% for LOST Proceeds and the County receiving 59.5% to commence January 1,

2013. Motion carried by a vote of 3-2 with Commissioners Flowers-Taylor and Gilreath opposing.

11. Discuss travel and training budget for Commissioners.

Chairman Flowers-Taylor stated that both District Three & District Four will receive new commissioners effective January 1, 2013. With new commissioners coming on Board, Chairman Flowers-Taylor stated that they must attend mandated training. Further, Chairman Flowers-Taylor explained that if the funds are depleted prior to December, the new commissioners would not have the opportunity to attend their mandated training. Chairman Flowers-Taylor questioned Mr. Gilreath if he would be attended any training; his response was no. Chairman Flowers-Taylor also questioned Mr. Freeman if he would be attending any training; he responded that he will be attending the ACCG Legislative Leadership Conference and the Board of Managers meeting held in December.

Commissioner Raymond Ray stated that the county should facilitate training funds for the benefit of taxpayers. Mr. Ray does not think we should facilitate ACCG training for exiting commissioners; however, the Legislative Leadership Conference is essential with the legislative cycle for 2013. Commissioner Ray advised that he would like to limit funds for training for outgoing commissioners.

Board consensus for staff to develop a policy limiting travel/training funds of exiting Commissioners. Administrative Services Director Jinna Garrison to bring forth at next meeting for approval.

XI. REPORT OF COUNTY MANAGER

- A. ACCAB (Animal Care & Control Board) will meet on August 13, 2012 at 5:15 p.m.
- B. Zoning Public Hearing to be held on August 23, 2012 at 6:00 p.m.
- C. The Spalding County Sheriff Department will be having a Dedication of a Memorial Monument for Spalding County officers killed in the line of duty. The event is scheduled for Saturday, August 11, 2012 commencing at 9:00 a.m. in the Sheriff's Department parking lot. The monument was donated by Conner Westbury Funeral Home.
- D. The Griffin-Spalding County Land Bank Authority meeting has been canceled for August 9th. Staff will inform of the new date.
- E. 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.
- F. Kudos to Wade Hutcheson, Spalding County Extension Agent & Coordinator for receiving the Distinguished Service Award from the National Association of County Agriculture Agents during the 2012 Annual Meeting in Charleston, South Carolina. Mr. Hutcheson was recognized for his work to address and support agricultural and natural resource issues along with youth development opportunities in Spalding County. A press release will be issued this week.
- G. Since we have tightened the enforcement of illegal burning, the Spalding County Fire Department has issued 6 citations for illegal burning. These individuals will appear before Magistrate Court on August 8th.
- H. Many employees recently received a letter from Cigna about a Health Insurance Premium Rebate. The County is in the process of reviewing what this new law requires the County to do in order to distribute the rebate to eligible participants. Spalding County has received the rebate check from Cigna. Eligible participants as of July 30, 2012 will receive the rebate on a future pay check.
- I. As part of the cost cutting measures approved in the FY 2013 Budget, a policy of mandatory direct deposit for all employees was instituted. This policy is for all "new hires" effective July 1, 2012 and have scheduled

implementation for all current employees effective September 1, 2012. To date, only a few employees have not complied. Thanks to all.

- J. Mr. Fortune and Mr. Wilson had a conference call with ITC Group out of Orlando, Florida the firm that performed the study for Cobb County for Right of Way permitting. Pursuant to that conference call, the County cannot charge for what is currently on the ROW, but we can develop a permitting process for future utilities on the ROW and charge for that according to our costs. The estimated cost of the study is \$9,500.

XII. REPORT OF COMMISSIONERS

Freeman- NONE

Gardner- Kudos to Wade Hutcheson, County Extension Agent and Cherry Hovatter of 4-H for all the numerous awards they continue to receive.

Gilreath- Requested the Board to have a meeting with the County Manager regarding duties and expectations of the Board.

Ray- Thanked the Fire Department for working on obtaining a facility for confined space and rappelling training. Mr. Ray advised that he attended a briefing with the Spalding County Republican Party regarding the EMA ordinance. At this meeting he spoke about the history of the ordinance as well as each item to dispel rumors. Lastly, Commissioner Ray advised all that school begins on August 13th and urged everyone to take extreme caution to children getting on the bus.

Flowers-Taylor- Thanked Anthony Dukes, Transportation Planner for all his work on urbanizing transportation. Mrs. Flowers-Taylor advised that she thinks staff should look at possibly extending the hours of Animal Control on Saturdays.

XIII. CLOSED SESSION

- 1. The County Attorney requests and Executive Session to discuss pending litigation.

Motion/Second by Freeman/Gardner to enter Executive Session at 7:35 p.m. Motion carried unanimously by all.

Motion/Second by Gardner/Gilreath to adjourn Executive Session at 7:45 p.m. Motion carried unanimously by all.

Motion/Second by Ray/Freeman to authorize County Attorney to enter into settlement agreement in reference to Case No. 11V1312 in Superior Court of Spalding County. Motion carried unanimously by all.

XIV. ADJOURNMENT

Motion/Second by Freeman/Ray to adjourn at 7:48 p.m. Motion carried by unanimously by all.

Chairman

County Manager

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