

MINUTES

The Spalding County Board of Commissioners held their Regular Meeting in Room 108 in the Courthouse Annex, Monday, February 4, 2013, beginning at 6:00 p.m. with Commissioner Gwen Flowers-Taylor presiding. Commissioners Raymond Ray, Rita Johnson Samuel Gardner and Bart Miller were present. Also present were County Manager William P. Wilson Jr., Attorney Jim Fortune and County Clerk, Ex-Officio Ricky L. Clark Jr. to record the minutes.

- I. OPENING (CALL TO ORDER) – Chairman, Gwen Flowers-Taylor
- II. INVOCATION – Gene Luke, Senior Pastor, North Griffin Holiness Church
- III. PLEDGE TO FLAG – led by Commissioner Bart Miller

Motion/Second by Ray/Gardner to amend the agenda by adding as Number one (1) under “New Business,” Consider alternate architectural design review for New Salem Baptist Church located at 776 Vaughn School Road & to add under “Minutes,” approval of the February 1st & 2nd Retreat Minutes. Motion carried by all.

IV. PRESENTATIONS/PROCLAMATIONS/RECOGNITION-

- 1. Consider Proclamation “nunc pro tunc” in celebration of Mrs. Bessie Pyron, Centenarian.

BY THE CITY OF GRIFFIN AND THE COUNTY OF SPALDING

In Celebration of Mrs. Bessie Pyron, Centenarian

WHEREAS, Mrs. Bessie Pyron was born on January 22, 1913, the third child of Mr. and Mrs. James (Annie) Barkley. Mrs. Pyron is the last surviving sibling of 10 children, which included two sisters and seven brothers. She joined Pleasant Grove Methodist Church at age 9 and worked in the church as a Financial Secretary, choir

member, and communion steward. She was also a member of the lodge and United Methodist Women; and

WHEREAS, In 1940, Mrs. Pyron married her husband, Mr. Daniel Webster Pyron. The couple was blessed with six children: Elinor, Gwendolyn, Barbara, Michael, James, and Annie. During her marriage, Mrs. Pyron was primarily a stay at home mother, raising her six children while helping her husband on their family farm, occasionally working outside the home; and

WHEREAS, When the membership at Pleasant Grove declined, the church merged with Heck Chapel and Mt. Zion. The new church was called Faith United Methodist Church. Even though Mrs. Pyron was not eager to leave her childhood church, she has enjoyed her tenure of faith; and

WHEREAS, Mrs. Pyron has sixteen grandchildren, twenty-eight great-grandchildren, and two great-great-grandchildren; and

WHEREAS, Mrs. Bessie Pyron has been a blessing to all she has come in contact with over the past 100 years and is joined by friends and family today to celebrate this exciting milestone in her life, her 100th birthday on January 27, 2013.

THEREFORE: We, the Board of Commissioners of the City of Griffin and the Spalding County Board of Commissioners do hereby join in the recognition and celebration of Mrs. Bessie Pyron's 100th birthday.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of Spalding County to be affixed this twenty-seventh day of January, two thousand and thirteen.

Joanne W. Todd, Chairperson
City of Griffin Commission

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of Spalding County to be affixed this twenty-seventh day of January, two thousand and thirteen.

Gwen Flowers-Taylor, Chairman
Spalding County Commission

Motion/Second by Gardner/Ray to approve Proclamation "nunc pro tunc" in celebration of Mrs. Bessie Pyron, Centenarian. Motion carried by all.

V. PRESENTATIONS OF FINANCIAL STATEMENTS –

Consider approval of Financial Statements for Six Month Period ended December 31, 2012.

Motion/Second by Ray/Miller to approve Financial Statements for the Six Month Period ended December 31, 2012. Motion carried 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.

VII. MINUTES –

Consider approval of Minutes of the following: January 7, 2013 Regular Meeting, January 24, 2013 Zoning Public Hearing, February 1st & 2nd Retreat Minutes.

Motion/Second by Gardner/Miller to approve minutes of the following: January 7, 2013 Regular Meeting, January 24, 2013 Zoning Public Hearing, February 1st & 2nd Retreat Minutes. Motion carried by all.

VIII. CONSENT AGENDA

Consider approval, on second reading, **Application #12-05Z:** Olin D. Hunter, Sr., Owner- Robin Chandler, Agent- 1722 US Highway 41 South (2.80 acres located in Land Lot 120 of the 2nd Land District- requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

APPLICATION FOR OLIN D HUNTER, SR.
FOR REZONING CERTAIN PROPERTY
LOCATED WITHIN SPALDING COUNTY, GEORGIA;

REZONING APPLICATION #12-05Z

RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA
AND
THE OFFICIAL ZONING MAP 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;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, under the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia the within described property is currently classified under the zoning classification entitled “C-1, Highway Commercial;”

WHEREAS, Olin D. Hunter, Sr., applicant, applied for a change in zoning classification to be applied to the within described property to C-1B, Heavy Commercial;”

WHEREAS, such application was filed with Spalding County, Georgia on November 6, 2012;

WHEREAS, such application was reviewed by the Spalding County Planning Commission, and a hearing on the application was conducted by the Board of Commissioners of Spalding County, Georgia on January 24, 2013, 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;

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 and the Official Zoning Map of Spalding County, Georgia shall be and are hereby amended as follows:

Section 1: The Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia designating the boundaries of the several types or classes of zoning districts shall be, and is hereby amended so as to change the zoning classification applicable to the following described property:

All that 2.80 acre tract or parcel of land lying in Land Lot 120 of the 2nd Land District, originally Monroe County, now Spalding County and being more fully described as follows:

Commencing at the southeast margin of GA Hwy. No. 3 – U.S. Hwy. No. 19, thence along the south boundary of GA State Rt. No. 7 – U.S. Hwy. 41 S57°49'13" East a distance of 201.38' to a point; thence continuing along the southerly right-of-way of GA State Rt. No. 7 – U.S. Hwy. 41 S57°45'07" East a distance of 104.54' to a point; thence continuing along said right-of-way S32°11'19" East a distance of 189.48' to an iron stake this being the point of beginning; thence S32°11'19" East a distance of 303.71' to an iron stake; thence S58°01'00" West a distance of 400.12' to an iron stake; thence N33°16'12" West a distance of 89.32' to an iron stake; thence N32°12'47" West a distance of 214.41' to an iron stake, thence N58°01'00" East a distance of 55.71' to an iron stake; thence N58°01'00" East a distance of 346.71' to an iron stake and the Point of Beginning.

From "C-1, Highway Commercial" to "C-1B, Heavy Commercial" District.

Section 2: Pursuant to the authority granted to it by virtue of the Zoning Ordinance of Spalding County, Georgia, Section 414 (L) and upon a determination by the Board of Commissioners of Spalding County, Georgia that application of certain conditions on the amendment benefit the public and promote the best interests of the general welfare of the people, the following conditions shall be imposed upon the amendment to the Zoning Ordinance of Spalding County, Georgia and the Official Zoning Map of Spalding County, Georgia, as follows:

- a. The site shall only be used as a mini-warehouse facility.
- b. All facades of all structures facing the public rights-of-way shall be constructed with brick or hardi-board.
- c. Development plans shall include official statement from Georgia Department of Transportation regarding the necessity or lack thereof for an acceleration/deceleration lane.
- d. All site lighting shall be designed so as not to glare onto neighboring properties or rights-of-ways.
- e. All onsite parking will be concealed by vegetation.

Section 3:

(a) Pursuant to the requirements of the Zoning Ordinance of Spalding County, Georgia, section 2302 (B), the Official Zoning Map of Spalding County, Georgia shall be amended to reflect the change made hereby to read as follows:

On February 4, 2013, by official action of the Board of Commissioners of Spalding County, Georgia, the following change was made in the Official Zoning Map, Spalding County: All that tract or parcel of land lying in Land Lot 120 of the 2nd Land District of Spalding County, Georgia, containing 2.80 acres, 1722 US Highway 41 South, zoned C-1B, Conditional.

(b) The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment of the Official Zoning Map of Spalding County, Georgia.

(c) The Zoning Administrator is authorized and directed to enter such notice of the amendment of the Official Zoning Map of Spalding County, GA thereon.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.

Motion/Second by Ray/Gardner to approve, on second reading, Application #12-05Z: Olin D. Hunter, Sr., Owner- Robin Chandler, Agent- 1722 US Highway 41 South (2.80 acres located in Land Lot 120 of the 2nd Land District- requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial. Motion carried by all.

IX. OLD BUSINESS

Consider appointment to the Griffin-Spalding Library Board of Trustees to fill the expired term of Juanita Morris, said term expired December 31, 2012.

Motion/Second by Gardner/Ray to appoint John Groth to the Griffin-Spalding Library Board of Trustees for a term to expire December 31, 2017. Motion carried by all.

X. NEW BUSINESS

1. Consider alternate architectural design review for New Salem Baptist Church located at 776 Vaughn School Road.

Community Development Director Chad Jacobs, noted that per UDO, temporary buildings shall not be allowed within public view and all new structures and additions shall be constructed with facades of brick, stone, split faced concrete masonry unit, cement plank siding, or glass for all facades which face rights of way. Additionally, Mr. Jacobs advised that due to a fire that completely destroyed their facility, New Salem Baptist Church is proposing to lease five (5) temporary classroom trailers and 1 temporary office trailer to use as temporary worship facilities at 776 Vaughn School Road until a permanent structure is built.

Chairman Flowers-Taylor questioned if the architectural design review meets environmental health regulations. Mr. Jacobs stated that they will be compliant with state health guidelines.

Commissioner Johnson questioned if there were any safety hazards. Mr. Jacobs advised that he ran the specifications for each facility by the Building Official and Fire Marshall and they both have provided information to New Salem relative to safety concerns.

Motion/Second by Gardner/Ray to conditionally approve alternate architectural design review for New Salem Baptist Church located at 776 Vaughn School Road with the following stipulation:

- a) ***Trailers shall only be allowed for a period not to exceed 36 months or the issuance of a Certificate of Occupancy on a new permanent structure, whichever comes first.***

Motion carried by all.

2. Consider approval of new 2013 Alcohol License- Wholesale Distribution of Beer and Wine for Chad Floyd d/b/a Georgia Craft Distributing, LLC located at 1608 Old Atlanta Road.

Motion/Second by Gardner/Miller to approve new 2013 Alcohol License- Wholesale Distribution of Beer and Wine for Chad Floyd d/b/a Georgia Craft Distributing, LLC located at 1608 Old Atlanta Road. Motion carried by all.

3. Consider approval of new 2013 Alcohol License- Retail Sale of Beer and Wine for Zubeida Zake d/b/a Highfalls Country store located at 2662 Highfalls Road.

Motion/Second by Ray/Johnson to approve 2013 Alcohol License-Retail Sale of Beer and Wine for Zubeida Zake d/b/a Highfalls Country Store located at 2662 Highfalls Road. Motion carried by all.

4. Consider approval of new 2013 Alcohol License- Retail Sale of Beer and Wine for 7-11-18 Gas and Food Mart, Inc d/b/a Shell located at 3200 Highfalls Road.

Motion/Second by Johnson/Miller to approve new 2013 Alcohol License- Retail Sale of Beer and Wine for 7-11-18 Gas and Food Mart, Inc d/b/a Shell located at 3200 Highfalls Road. Motion carried by a vote of 4-0-1 with Commissioner Ray abstaining.

5. Consider request of the Griffin-Spalding Chamber of commerce for a letter stating that Spalding County has no objection to the State granting a one-day alcohol license for the 4th Annual Business at the Tee fundraising Golf Tournament to be held on Monday, April 8, 2013.

Mr. Wilson advised that since Spalding County does not issue one day permits, a letter must be issued stating that Spalding County has no objection with this event.

Motion/Second by Ray/Gardner to approve request of the Griffin-Spalding Chamber of Commerce for a letter stating that Spalding County has no objection to the State granting a one-day alcohol license for the 4th Annual Business at the Tee fundraising Golf Tournament to be held on Monday, April 8, 2013.

6. Consider approval of revised contract to provide classroom instruction to inmates at the Correctional Institute as required by the Georgia Department of Corrections.

Mr. Wilson advised that this contract clarifies the relationship with Sherrie Gooder and how she will get paid. Sherrie Gooder teaches state mandated courses to our Correctional Institution inmates.

Chairman Flowers-Taylor asked who hires Mrs. Gooder and is the service bid out. Mr. Wilson advised that Mrs. Gooder is an independent contractor and the services have not been bid out.

Additionally, Chairman Flowers-Taylor requested the amount of the contract. Mr. Wilson to provide this information after the meeting.

Motion/Second by Ray/Gardner to approve revised contract to provide classroom instruction to inmates at the Correctional Institute as required by the Georgia Department of Corrections. Motion carried by all.

7. Consider approval, in cooperation with the City of Griffin Commissioners, to request the FAA designate the following tracts of airport property, as depicted on the attached map, as non-essential for aviation use:
 - a) Parcel #1 14 +/- acres commonly known as Airport Road Park
 - b) Parcel #2 16 +/- acres commonly known as Kiwanis Fairgrounds
 - c) Parcel #3 8.5 +/- acres commonly known as Bike Trail
 - d) Parcel #4 50 +/- acres commonly known as Grass Strip Area

Robert Mohl, Airport Director & Dick Morrow, Chairman Airport Authority advised that this is the first of several steps that the Airport Authority is taking to make better business for the current airport. Mr. Morrow noted that the goal of the Authority is to be subsidy free one day. Furthermore, Mr. Morrow added that when property ownership is transferred, revenue would inevitably go to the Airport Authority. All of the leases for the existing property would also be transferred to the Airport Authority.

Motion/Second by Ray/Johnson to approve, in cooperation with the City of Griffin Commissioners, to request that FAA designate the aforementioned properties as non-essential for aviation use. Motion carried by a vote of 4-1 with Commissioner Miller opposing.

8. Consider approval to Minimum Housing Code with respect to In Rem Service.

Motion/Second by Ray/Gardner to table approval to Minimum Housing Code with respect to In Rem Service. Motion carried by all.

9. Consider authorizing Chairman to execute a data sharing contract with the Federal Emergency Management Agency to assist in the Upper Ocmulgee Watershed Study.

Chad Jacobs, Community Development Director noted that FEMA is currently studying and possibly revising all flood plain FIRM panels for the Upper Ocmulgee Watershed. Almost the entire eastern portion of Spalding County east of State Highway 19/41 is located within said watershed. Mr. Jacobs noted that this contract is purely a data sharing agreement to assist in the study and has no financial obligations.

Commissioner Gardner questioned if this would affect flood insurance. Mr. Jacobs answered that he did not have an answer at this time.

Motion/Second by Gardner/Ray to authorize the Chairman to execute a data sharing contract with the Federal Emergency Management Agency to assist in the Upper Ocmulgee Watershed Study. Motion carried by all.

10. Consider request of the Griffin-Spalding Transportation Planner to enter into a subgrant agreement with the Atlanta Regional Commission to undertake a Federal Transit Administration (FTA) funded Griffin-Spalding Transit Feasibility Study.

Anthony Dukes, Urban Transportation Planner advised that Spalding County requested that the Atlanta Regional Commission (ARC) assist in the study effort by acting as the pass through agency for the FTA funds ("Recipient"). Due to FTA requirements and local staffing constraints, ARC will oversee and administer all contracts according to FTA guidelines. Mr. Dukes noted that \$120,000 of the FTA funds allocated to Spalding County have been requested for the purpose of conducting the above mentioned study in collaboration with the City of Griffin. Through an intergovernmental agreement between the city and county, both have agreed to provide \$15,000 each toward the required 20% match of \$30,000.

Motion/Second by Gardner/Ray to approve request of the Griffin-Spalding Transportation Planner to enter into a subgrant agreement with the Atlanta Regional Commission to undertake a Federal Transit Administration (FTA) funded Griffin-Spalding Transit Feasibility Study. Motion carried by all.

11. Consider request of the Griffin-Spalding Transportation Planner to enter into an intergovernmental agreement with the City of Griffin to provide the required 20% local match for a Federal Transit Administration (FTA) funded Griffin-Spalding Transit Feasibility Study.

Mr. Dukes stated that both the City & County have discussed and agreed it to be within their mutual best interest to jointly provide the necessary matching funds to conduct a Federal Transit Administration (FTA) Transit Feasibility Study and Implementation Plan. The intent of the study is to determine the potential for an urban transit system and to identify several alternative systems. The resulting transit study and implementation plan will recommend a preferred alternative for the Griffin-Spalding community. Mr. Dukes added that the plan will have all of the elements necessary to startup operation of the service as detailed in the scope of work.

Motion/Second by Ray/Johnson to approve request the Griffin-Spalding Transportation Planner to enter into an intergovernmental agreement with the City of Griffin to provide the required 20% local match for a Federal Transit Administration (FTA) funded Griffin-Spalding Transit Feasibility Study. Motion carried by all.

12. Consider approval, on first reading, Ordinance 2013-01, to amend the Code of Spalding County, Part VII Motor Vehicles and Traffic by adding a Chapter IV entitled Solicitation for Charitable Organizations.

Motion/Second by Ray/Gardner to table, Ordinance 2013-01, amending the Code of Spalding County, Part VII Motor Vehicles and Traffic by adding a Chapter IV entitled Solicitation for Charitable Organizations. Motion carried by all.

XI. REPORT OF COUNTY MANAGER

- A. Board of Commissioners and Staff have began utilizing the paperless agenda software to minimize on paper usage. Commended Commissioners for taking the initiative to utilize iPads at this meeting.
- B. Reminder-The Board of Commissioners & the Budget Review Committee will have a Work Session on Monday, February 11, 2013 in Meeting Room 108 of the Spalding County Annex. Meeting will begin at 9:30 a.m.

- C. As per the discussion at the retreat, Staff will finalize the rental policy for the new Senior Center and distribute at the Work Session on Monday.
- D. Bain Proctor Volunteer of the Year Nominations will be accepted until the end of the month.
- E. There will be a Weather Spotter Class held on Friday, February 22, 2013 in Meeting Room 108. Class will begin promptly at 10:00 a.m.
- F. William has placed an informational video issued by ACCG in regards to Property Taxes in Commissioners boxes and a youtube link will be posted on the website.

XII. REPORT OF COMMISSIONERS

Miller- None

Gardner- Kudos to Staff & Commissioners for a great strategic planning retreat. Commissioner Gardner noted how “enjoyable” this retreat was. Additionally, he commended the staff of Public Works for keeping County roads in good condition.

Johnson- Noted that she enjoyed her first retreat. Commended Staff & Commission for planning of this informative event. Additionally, Commissioner Johnson stated that she is looking forward to an awesome year.

Ray- Prompted all citizenry to contact their local representatives to support HB 173, which would allow entities to request up to 15% of the total dollar amount raised by SPLOST for repairs of any previous approved SPLOST projects. Additionally, Commissioner Ray praised Chief West and EMA for all the severe weather information received as of late. He noted that this week is “Severe Weather Awareness Week.”

Flowers-Taylor- Noted that after attending the Capitol Connection Conference today she realized that our County is not in as bad of a condition as others in the State of Georgia. Chairman Flowers-Taylor noted that she is elated to know that we planned and- spent money for future development. She also noted that she does not anticipate a tax increase this year but knows that the County will have to make drastic cuts. Additionally, Chairman Flowers-Taylor stated how proud she was of the senior center. Furthermore, Chairman Flowers-Taylor advised that the Karate Office next to the Park @ Sixth has interest in selling their alley way property.

XIII. CLOSED SESSION

The County Manager requests an Executive Session to discuss the future acquisition of real estate as defined by O.C.G.A. § 50-14-3(4)

The County Manager requests an Executive Session for the purpose of discussing 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. 50-143-3(b)(2).

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 February 4, 2013.
2.
During such meeting, the Board voted to go into closed session.

