

**EXTRAORDINARY SESSION  
MINUTES**

The Spalding County Board of Commissioners held their Regular Meeting in Room 108 in the Courthouse Annex, Monday, March 18, 2013, beginning at 6:00 p.m. with Chairman 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. Chairman Gwen Flowers-Taylor was not present.

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

**II. INVOCATION –Chris Holdorf, Senior Pastor, Oak Hill Baptist Church**

**III. PLEDGE TO FLAG - led by Commissioner Ray**

*Motion/Second by Gardner/Ray to amend the agenda by adding the Presentation of the Annual Fire Report by Chief West. Motion carried unanimously by all.*

**IV. PRESENTATIONS/PROCLAMATIONS**

1. Presentation of Annual Fire Report by Chief West.

*Chief West presented statistics and reports of the 2012 year from the Fire Department. Chief West noted that in spite of all adversities, the Fire Department remained true to its mission and goals as they serviced the County. Mr. Wilson highlighted several aspects of the Annual Report such as incidents, which totaled 1,739. Of the 1,739 incidents responded to by the Fire Department, 600 were from Shift A, 586 were from Shift B, 547 were from Shift C.*

*Chairman Flowers-Taylor commended the Fire Department noted that she is proud of the fact that the Fire Department has held strong due to all adversities.*

*Vice-Chairman Gardner prompted all to render a standing ovation to the Fire Department.*

**V. PRESENTATIONS OF FINANCIAL STATEMENTS**

1. Consider approval of financial statements for the eight month period ended February 28, 2013.

Commissioner Gardner questioned Jinna Garrison, Administrative Services Director if revenues were increasing. Ms. Garrison replied yes and also advised that we have received another large payment of taxes from the Tax Commissioner.

*Motion/Second by Ray/Miller to approve Financial Statements for the eight month period ended February 28, 2013. 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.

**VII. MINUTES –**

1. Consider approval of Minutes of the following: March 4, 2013 Regular Meeting; March 4, 2013 Executive Session.

***Motion/Second by Ray/Gardner to approve Minutes of the following: March 4, 2013 Regular Meeting; March 4, 2013 Executive Session. Motion carried unanimously by all.***

**VIII. CONSENT AGENDA –**

1. Consider approval, on second 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.

**RESOLUTION TO AMEND PART XII, MOTOR VEHICLES AND TRAFFIC, OF THE SPALDING COUNTY CODE OF ORDINANCES AS FOLLOWS**

*BE IT RESOLVED that Part XII shall be amended by adding a Chapter 4 entitled “Solicitation Permits for Charitable Organizations.”*

AN ORDINANCE OF THE COUNTY COMMISSIONERS OF SPALDING COUNTY FOR THE PURPOSE OF ADOPTING A SOLICIATION ORDINANCE; PROVIDING FOR PERMITS FOR PEDESTRIAN SOLICITATION; CONTROLLING LOCATION REQUIRMENTS FOR SOLICITORS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND OTHER PURPOSES

WHEREAS, under O.C.G.A § 40-6-97.1 and 40-6-97.1, and under the general powers vested by law, Spalding County has the authority to regulate solicitation on roadsides and elsewhere in the County; and

WHEREAS, unlicensed solicitation by unregistered solicitors is a health and safety hazard to the solicitors, drivers and other pedestrians, and also exposes the citizens of Spalding County to fraudulent solicitors, and harms legitimate charities; and

WHEREAS, Spalding County currently does not regulate pedestrian solicitation under the Code of Ordinances of Spalding County.

WHEREAS, the commissioners deem it to be in the best interest of the citizens of the County that the Solicitation Ordinance be enacted in accordance with the law;

NOW THEREFORE, BE IT ORDAINED, and IT HEREBY IS ORDAINED, pursuant to Georgia law and the powers vested in the Board of Commissioners, that the following Spalding County Solicitation Ordinance be added to Part VII as Chapter 4:

**Chapter 4. Solicitation Permits for Charitable Organizations**

1. **PURPOSE**

The purpose of this Ordinance is to protect, maintain, and enhance the pubic health, safety, and the general welfare by regulating road-side solicitation and other charitable events where contributions are sought. Solicitors are put at risk by entering the roadway, and they also put drivers and other pedestrians at risk. The citizens of Spalding County are subject both to unregulated solicitation by sometimes questionable organizations, as well as the hazardous situations in which these events occur. It is the purpose of this Ordinance to regulate solicitation on streets, highways, and other public areas of the County, as well as to protect public health, safety, and welfare.

2. **DEFINITIONS**

A. **Definitions.** The following words as used in this Ordinance shall have the following meanings:

1. Applicant: the charitable organization seeking the permit.
2. Charitable Organizations: those organizations that are qualified under Section 501(c) of the Internal Revenue Code of 1986, as amended; Georgia registered non-profit corporations; churches; and public and private schools. Charitable organizations must also be registered with the Secretary of State under O.C.G.A. § 43-17-5 or be exempt from such registration under O.C.G.A. § 43-17-9.

3. Organizer: the person responsible for organizing the solicitation event and whose name shall be on the application.
4. Permit: a permit issued pursuant to this Ordinance.
5. Sheriff: Sheriff of Spalding County or his or her agent.
6. Solicitor: any person over 18 years old who engages in the act of solicitation.
7. Solicitation or Charitable Solicitation: the act of asking for employment, business, or contributions on a public road, street, highway, right-of-way, sidewalk, or other public property from the occupant of any vehicle or any pedestrian. Solicitation does not include the sale of items on State roadways. Solicitation does include the sale of items by a charitable organization on County roadways.

### 3. RESTRICTIONS

- A. Solicitation Restricted. Pursuant to O.C.G.A. § 40-6-97(b), Spalding County prohibits any person from standing or entering on a highway or public street of the County for the purposes of soliciting employment, business, or contributions from the occupant of any vehicle or any pedestrian without a permit, under the terms of this Ordinance. It shall be a violation of this Ordinance to engage in solicitation without a permit, or otherwise not in accordance with the terms of this Ordinance and the permit.
- B. Permit Required. No charitable organization is allowed to engage in solicitation on any public street or highway in the County without first obtaining a permit. All permits shall be obtained from the Sheriff. Persons, businesses, and organizations that are not charitable organizations as defined in this Ordinance are not eligible to receive a permit for solicitation.

### 4. PERMIT REQUIREMENTS

- A. Permit Application. All requests for a permit must be provided to the Sheriff at least five (15) business days, but no more than (60) calendar days, prior to the date of the requested activity. The Sheriff, for good cause shown, shall have the authority to consider any application under this section that is filed before the date such solicitation event is proposed to be conducted, provided the Sheriff shall have adequate time to conduct the investigation. An application and permit shall be the required for each solicitation event.
- B. Required Information. All applications for permits must include at a minimum the following information, and shall be signed by the Organizer(s):
  1. Name and address of the charitable organization, including headquarters address and address of the Spalding County office, or the address of the closest branch office if there is no Spalding County office.
  2. Type of organization and certification, if required below. The organization must be one of the following types to apply for a permit:
    - a. Organization qualified under Section 501(c) of the Internal Revenue Code of 1986, including certification from the IRS;
    - b. Non-profit corporation registered in Georgia, including certification from the Secretary of State in accordance with OCGA 43-17-8-1 (2012);
    - c. Church; or
    - d. Public or private school.
  3. Name(s) of Organizer(s), and address, height, weight, age, sex, race, and social security number of each organizer for the purposes of a background check;
  4. Photocopy of the driver's license or other official photo identification of each Organizer;
  5. Proposed solicitation activity, and the purpose for the activity;
  6. Specific location(s) for solicitation activity, including the specific intersection, and the number of solicitors at each such location;
  7. Dates and times of solicitation activity, and the proposed duration of the solicitation;
  8. Names of all participants proposed to be solicitors;
  9. If the solicitation event is to be held on behalf of any person or organization other than the applicant, a communication in written form from that person or organization authorizing the applicant to apply for the permit;

10. The application shall contain a statement that the submission of the application shall be considered to be consent by the organizer(s), the charitable organization, and the officers of the organization for a background check to be run by the Sheriff at his discretion on any person named on the application, and a statement that all information contained thereon is true and correct; and
  11. Any additional information that the Sheriff may find reasonably necessary for a fair determination as to whether the proposed solicitation event will endanger public health, safety, or welfare.
- C. Organizer. A minimum of one organizer is required for each solicitation event. No more than five persons shall be designated as organizers. The organizer(s) is/are required to be present at all times. There shall be one organizer for each location where solicitation is occurring. All solicitation events shall be conducted under the supervision of a person or persons making application for same (the organizer) and shall be conducted in a peaceable and orderly manner in compliance with the laws and ordinances applicable thereto.
- D. Permit Onsite. The signed permit is to be kept on-site in the possession of an organizer at all times that solicitation is underway. If multiple locations are involved, a permit copy shall be kept at each location by each organizer. Permits shall be displayed at the request of any citizen or law enforcement personnel.
- E. Fees. An application shall be accompanied by an application fee of \$50.00 to cover the cost of investigation. These fees may be raised periodically by the Board of Commissioners.

5. INVESTIGATION AND ISSUANCE

- A. Investigation. The Sheriff shall review the application for completeness and compliance with the terms of this Ordinance. The Sheriff shall determine if the charitable organization is registered with the Secretary of State, or is exempt under O.C.G.A. § 43-17-9. The Sheriff shall determine whether there are any records of complaints against the applicant or organizers in the records of the Sheriff's Department or the GCIC/NCIC crime database system. The Sheriff may, at his discretion, conduct a background check of the organizers or corporate officers, or any other person named on the application. The Sheriff may, at his discretion, make any other inquiries that he deems necessary for the investigation of the applicant of the organizers.
- B. Decision. The Sheriff may grant, deny, or grant a restricted permit. The Sheriff shall issue such a permit as provided in this Ordinance from a consideration of the application and from such information as may otherwise be obtained, unless he finds that any or all of the following apply:
1. The conduct of the solicitation event will substantially interrupt the safe and orderly movement of traffic;
  2. The conduct of the solicitation event will substantially interrupt the safe and orderly movement of fire fighting equipment en route to a fire, or other emergency services;
  3. The applicant or any organizers or participants have any criminal complaints pending against them, or have a criminal record involving crimes of theft, fraud, or other moral turpitude;
  4. The applicant is not a qualifying charitable organization or is otherwise not a legitimate organization;
  5. The Sheriff has reasons to believe the solicitation event is a fraud or sham;
  6. If a charitable organization required to be registered with the Secretary of State under O.C.G.A. § 43-17-5, and it is not so registered;
  7. The conduct of the solicitation event is contrary to the public's health, safety, or general welfare; or
  8. The application was not complete, or the application or permit requested is not fully in compliance with the requirements of this Ordinance.

The Sheriff shall indicate on the application review form all of the reasons for rejection of the application.

- C. Restrictions. The Sheriff shall indicate on the permit the permitted activities, locations, and times of the solicitation event. The Sheriff may approve a smaller or shorter solicitation event than requested, may reduce the number of solicitors, may approve a different location, or may generally make any other adjustments

that he believes necessary to the application to serve the public health, safety, and welfare.

- D. Non-Content Based Review. The content of the message of any applicant, their beliefs, the identification of the participants, or any other matter which does not directly impact the public health, safety, and welfare, shall not be relevant to the determination of whether to grant or deny a permit.

6. SOLICITATION REGULATIONS

- A. Prohibited Times. No solicitation shall be allowed during the following times:
1. Between the hours of 7:00 a.m. and 9:00 a.m. Monday through Friday, excluding holidays;
  2. Between the hours of 6:00 p.m. and 7 p.m. Monday through Friday, excluding holidays;
  3. At any other time after sunset or before sunrise.
- B. Locations. The Sheriff, at his discretion, may designate intersections where solicitation shall be prohibited. The Sheriff shall maintain a list of prohibited intersections. When all vehicles are stopped at an intersection, solicitors may approach cars to receive donations if the occupants of the vehicle have indicated that they seek to make a donation. No more than one organization may solicit at the same intersection at the same time. No more than one participant may solicit per 2 lane road at the same intersection at the same time. A solicitation event may occur at more than one location or intersection on the same day.
- C. Duration. A permit is valid for the length of time specified in the application, unless such duration is shortened by the Sheriff under subsection 5.C. of this Ordinance. A separate permit shall be required for each additional solicitation event. The number of permits issued during a calendar year shall be limited to two per qualified charitable organization.
- D. Age of Solicitors. All solicitors must be over the age of 18.
- E. Conduct. Each participant of an authorized solicitation shall wear a safety reflective vest and identification tag, or other material visible to the vehicular occupants solicited that accurately identifies the charitable organization soliciting. The applicant shall post adequate notices (notices shall be a minimum size of 24" [long] x 18" {high}, with black four (4) inch lettering on white background identifying the charitable organization solicitation donation) at least 500 feet in front of the solicitation in a safe manner and location previously approved by the sheriff or his designee.

Example of Notice



7. VIOLATIONS AND ENFORCEMENT

- A. Any person who shall do anything prohibited by this chapter as it now exists or as it may hereafter be amended, or who shall fail to do anything required by this chapter as it now exists or as it may hereafter be amended, is hereby declared to be in violation of this article and the regulations or county ordinances herein set forth.

- B. Each and every day that any such violation exists shall be deemed a separate offense.
- C. Any such violation of this chapter, upon conviction thereof, as prescribed by the law of Georgia, shall be punishable by a fine or imprisonment, or both, not to exceed the maximum fine or the maximum imprisonment, or both, as prescribed by the pertinent laws of Georgia and as more particularly set out in section 1-1007 of this Code, which such section is incorporated herein and made a part hereof by reference.
- D. The imposition of any such fine or imprisonment, or both, for any violation shall not excuse the violation or permit it to continue; and all such violators shall be required to correct or remedy such violations or defects within the time as prescribed by the court having jurisdiction of such matter, and in the absence of any such completion time being fixed by the court, within a reasonable time after such violations occur.
- E. The application of any fine, imprisonment or other penalty shall not be construed to prevent the enforced removal of prohibited conditions or to postpone any action required.
- F. The remedies herein set out for the purpose of enforcing the provisions of this chapter shall not be deemed to be exclusive, but shall be cumulative of all other remedies, civil or criminal, provided by the laws of Georgia, or by the ordinances of Spalding County. (Ord. No. 90-4, § 1, 4-17-90).
- G. The permit shall be immediately revoked upon any violation of this Ordinance. The Sheriff shall also have the discretion to revoke the permit upon a charge of violation being made, or upon awareness of illegal or unauthorized activity, if revocation is required in the best interests of public health, safety, and welfare.
- H. Any person, organization, business, or entity found guilty of violating this Ordinance may not be issued a permit for a two-year period running from the date of the violation. Upon the second offense, the person, organization, business, or entity found guilty of violating this Ordinance shall be banned from further solicitation in Spalding County.

8. SEVERABILITY

If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Ordinance be declared invalid or unconstitutional by a Court of competent jurisdiction, or if any provision of any part of this Ordinance as applied to any particular situation or set of circumstances be declared invalid, or unconstitutional, such invalidity shall not be construed to affect the remaining portion of this Ordinance not so held to be invalid. It is hereby declared to the intent of the Commissioner to provide for separable and devisable parts and he does hereby readopt any and all parts hereof as may not be held invalid for any reason.

9. REPEALER

This Ordinance repeals any prior ordinance or resolution in conflict herewith, except to the extent that said ordinance or resolution is more restrictive than this Ordinance, in which case that ordinance or resolution shall control.

SO ADOPTED this 18<sup>th</sup> of March, 2013.

SPALDING COUNTY BOARD OF COMMISSIONERS

***Motion/Second by Ray/Gardner to approve, on second 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 carried unanimously by all.***

**IX. OLD BUSINESS –**

1. Consider Post One (1) Appointment to the Parks & Recreation Advisory Commission to fill the suspended term of Robyn Davis.

***Chairman Flowers-Taylor appointed Larry Fears to the Parks & Recreation Advisory Commission to fill the suspended term of Robyn Davis.***

2. Consider lift from table and approval on first reading, Ordinance 2013-03 to amend the Spalding County Code of Ordinances, Part II Government & Administration, Chapter 11 Smoking Policy, by striking said section in its entirety and inserting in lieu thereof, a new Chapter 11 entitled Smoking & Tobacco Use Policy.

Mr. Wilson advised that after the Board Meeting on March 4, 2013, staff has amended the proposed Smoking & Tobacco Use Policy by striking any language that prohibited tobacco use in County buildings. The policy now only prohibits tobacco use in parks operated by Spalding County, noted Mr. Wilson. All county buildings will still remain smoke free.

Chairman Flowers-Taylor questioned if people could smoke in our Parks. Mr. Wilson stated that smoking is also prohibited in our Parks.

Commissioner Ray stated that after speaking with several public safety employees he feels it would be unfair to prohibit smoking in vehicles due to the number of hours employees are in them. Additionally, Mr. Ray noted that fireman work 24 hour shifts and he feels that we should not prohibit them from utilization of tobacco. Commissioner Ray stated that when he assessed the need and effect on employees, he realized that this language should be amended to allow smoking in the vehicle if other passengers smoked. If none of the passengers smoked, then smoking would not be allowed.

Mr. Wilson stated that the original smoking ordinance banned smoking in county vehicles and that policy is still in place. Mr. Wilson advised that staff proposed this ordinance because we thought that this would qualify for the Health Department Smoking & Tobacco Use initiative. In the interim, staff has received information that should we ban tobacco products from our Parks, we would still qualify.

Chairman Flowers-Taylor stated that the driver isn't always in the vehicles by themselves. Sometimes there are transports taken place. Mrs. Flowers-Taylor noted that if the county is going to promote healthy employees, it is essential for us to ban smoking and tobacco.

***Motion/Second by Gardner/Ray to lift from the table. Motion carried unanimously by all.***

***Motion/Second by Ray/Gardner to approve, on first reading, Ordinance 2013-03 to amend the Spalding County Code of Ordinances, Part II Government & Administration, Chapter II Smoking Policy, by striking said section in its entirety and inserting in lieu thereof, a new Chapter 11 entitled Smoking & Tobacco Use Policy and to denote that smoking shall be allowed in the vehicle if the passenger smokes. If the passenger does not smoke, smoking shall not be permissible. Motion carried by a vote of 4-1 with Chairman Flowers-Taylor opposing.***

## **X. NEW BUSINESS -**

1. Consider proposals for renewal of Employee Health Insurance, Dental Insurance and Long Term Disability insurance as presented by Matt Bidwell of MSI Benefits.

Matt Bidwell, MSI Broker presented the Commission with information on the current proposals for Health Insurance, Dental Insurance & Long Term Disability. Within his presentation, Matt noted that the net annual cost for insurance was 3.8 million. Initially, Blue Cross submitted a renewal which would take the premium to over 6 million dollars, a 26.83% increase. Matt noted that our claims have been running at 81%. Cigna initially wanted a 6y% increase and Blue Cross came in about 6% lower. Claims had currently started trending upwards before the county selected Blue Cross. Mr. Bidwell explained that he went back to Blue Cross and because of the paid loss ratio, he would have expected them to come in around 15%. A plan was proposed to Blue Cross on design benefits so that it would be no

change in to the County. Renewal Option 1- Changes include deduction (hospitalization and surgery from \$1000 to \$1500). Currently once the deductible is met, the current plan pays 100%. Matt recommended change it to 90% paid by the County, once the deductible is met and the employee would pick up the remaining 10%.

Chairman Flowers-Taylor stated that if someone had an ER visit, they would have to pay more than the additional \$60 to \$80 dollars with this current plan. Matt explained that he had conversation with other companies and they don't like "first-time" groups.

Mr. Bidwell explained that the county had incurred paid claims of just under \$230,000 for dental. The premium, which is \$235,000 was paid in for this Fiscal Year. Last year, Blue Cross cut the dental by \$20,000 to successfully win the bid.

Mr. Bidwell explained that the long term disability policy covers 60% of the employee salary up to a maximum of \$6000 per month, until that employee is able to work again or until they reach social security range. County had 150% paid loss ratio.

Mr. Bidwell explained that the County's Employee Assistance Program (EAP) has historically been with Crosby Mitchell. With this current proposal, Blue Cross Blue Shield has the same program with even more providers. Mr. Wilson noted that should the Board chose the Blue Cross Blue Shield EAP, the county would receive training for department heads. Additionally, Mr. Wilson noted that the EAP proposed by Blue Cross Blue Shield would have better reporting mechanisms. Mr. Wilson advised that employees are allowed six visits at no cost to them.

Commissioner Johnson stated that she noticed an increase for long term disability. She questioned what percentage of employee were drawing disability. Mr. Wilson to provide this information.

Chairman Flowers-Taylor stated that she does not think it should be the county's obligation to provide long term disability. She noted that the county is already paying 4% into pension. Mr. Bidwell noted that some counties do offer long term disability on a voluntary program.

Commissioner Ray questioned the oldest employee in Spalding County. Bill Gay, Human Resources Director noted that our oldest employee range is around 80. The average age is about 43.

Commissioner Johnson agreed with Chairman Flowers-Taylor stating that there should be accountability on the employee.

Commissioner Ray questioned if law enforcement officers could be broken out because of their situations. Mr. Bidwell noted that it would not be a good practice to break out law enforcement officers because of the risk.

Mr. Wilson recommended leaving long term disability and increasing the charge the county charges to \$10 per month.

Chairman Flowers-Taylor noted that she does not feel comfortable with approving the insurance renewal because of limited information provided by staff. She requested that in the future staff have information sooner and distribute to commissioners. Furthermore, Chairman Flowers-Taylor noted that residents are not going to be responsible for having increased costs.

***Motion/Second by Gardner/Ray to approve Blue Cross Blue Shield as the County's insurance provider for FY 2014, Cigna as the Long Term Disability Provider & Blue Cross Blue Shield as the Employee Assistance Program provider. Motion carried by a vote of 3-2 with Commissioners Flowers-Taylor & Johnson opposing.***

2. Consider approval of amplification permit for New Salem Baptist Church for an outdoor revival to be held at 76 New Salem Road from April 10, 2013 through April 17, 2013.

Mr. Wilson advised the Commission that New Salem Baptist Church is requesting to have a seven (7) day tent revival in their parking lot located at 76 New Salem Road. The revival is scheduled to begin on April 10, 2013 and run each day from 6:30 p.m. until 8:30 p.m. Furthermore, Mr. Wilson advised that all paperwork & fees have been completed.

***Motion/Second by Gardner/Miller to approve amplification permit for New Salem Baptist Church for an outdoor revival to be held at 76***

***New Salem Road from April 10, 2013 through April 17, 2013. Motion carried unanimously by all.***

3. Consider approval of Memorandum of Understanding establishing the Upson County Multi-Jurisdictional Narcotics Task Force.

Mr. Wilson noted that this multi-jurisdictional task force includes the City of Barnesville, Upson County, Lamar County, Meriwether County & Spalding County. This team will be available to assist all included jurisdictions and will share in any forfeiture collected as well. The team was created by local officials wanting to curb drug us issues and trafficking in the Griffin Judicial Circuit. Mr. Wilson explained that Spalding County will detach one (1) of their narcotics officers to this unit. For the detachment of this officer, Spalding County will be allotted \$14,000 per year for reimbursement of personnel costs & overtime.

Chairman Flowers-Taylor asked what happened to the original task force. Sheriff Beam noted that the original Griffin-Spalding Narcotics Task force was dissolved by an investigation.

***Motion/Second by Ray/Johnson to approve Memorandum of Understanding establishing the Upson County Multi-Jurisdictional Narcotics Task Force. Motion carried unanimously by all.***

4. Consider approval of change order #2, for a reduction of \$14,121.83 to the Spalding County Senior Center Project.

Mr. Wilson noted that this final change order, a deduct of \$14,121.83 includes credits for Natural gas charges paid by the owner, CATV conduit, Exercise room mirrors and historical plaque deductions and a utility relocation allowance deduction. The total contract price after these deductions is \$3,213,809.29.

***Motion/Second by Gardner/Johnson to approve change order #2, for a reduction \$14,121.83 to the Spalding County Senior Center Project. Motion carried unanimously by all.***

5. Consider approval of Memorandum of Understanding between the City of Griffin and Spalding County for the provision of an amount not to exceed \$600 as admittance fees to City Pool for the first sixty (60) children daily without charge in the months of June and July 2013, to assist with maintenance and operation of said pool.

Mr. Wilson noted that this MOU has been approved for the past four years to offset maintenance.

Commissioner Johnson questioned how the number 60 came about. Chairman Flowers-Taylor noted that a state law came up that said you had to have special equipment for the pool. The City stated that they could not afford to keep the pool open. In lieu of closing the pool, this \$600 was set aside for maintenance, subsequently, it would also allow a certain amount of children to enter the pool each day.

***Motion/Second Johnson/Gardner to approve Memorandum of Understanding between the City of Griffin and Spalding County for the provision of an amount not to exceed \$600 as admittance fees to City Pool for the first sixty (60) children daily without charge in the months of June and July 2013, to assist with maintenance and operation of said pool. Motion carried unanimously by all.***

6. Consider approval of a five year intergovernmental agreement with the City of Griffin for the distribution of the final 1/3 of the Title Ad Valorem Tax (TAVT).

Mr. Wilson noted that after a meeting with the TAVT committee, it was agreed upon that there would be a 50/50 split. This is for the final 1/3 of any excess TAVT. Both groups do not feel that this would amount to a large lump sum of money. City Attorney, Drew Whalen recommended a five year agreement to analyze trends.

***Motion/Second by Gardner/Ray to approve of a five year intergovernmental agreement with the City of Griffin for the distribution of the final 1/3 of the Title Ad Valorem Tax (TAVT). Motion carried unanimously by all.***

## **XI. REPORT OF COUNTY MANAGER**

- A. Spalding County Government will be having its very own Relay for Life Team. The team name is Spalding County Stars & Stripes for a Cure. So far we have over fifty

members of our staff on the team. Ricky Clark and Wendy Law will be spearheading the efforts on behalf of Spalding County. As a fundraiser, Staff is proposing that Wednesday be utilized as “Casual for a Cause” day. We are asking that all of the commissioners join our team as well.

- B. The Griffin-Spalding Area Transportation Committee will meet on Wednesday, March 20<sup>th</sup> at 1:30 p.m.
- C. All county offices will be closed on March 29<sup>th</sup> in observance to Good Friday.
- D. Commissioners Johnson, Gardner & Miller will be attending the ACCG Mobile Classroom this weekend. This will be the final class needed for Commissioner Gardner to finish commissioner’s certification.
- E. The Commissioners Zoning Meeting will be held on March 28<sup>th</sup>.
- F. Confirm a date for a work session with the City of Griffin Commissioners and Board of Education for a presentation from the Housing Authority on their future plans for Public Housing in Spalding County. **Board Consensus to host work session on April 9<sup>th</sup> @ 10:00 a.m.**
- G. A Commissioner volunteer is needed to present the Allan B. Imes JROTC Medal at the Griffin High Award Program on May 9, 2013 at 6:30 p.m. The program will be held in the Commons Area at Griffin High School. **Board Consensus for Commissioner Ray to present award.**
- H. Coffee service sponsorship at new Senior Center brochure finalized.
- I. Mr. Wilson discussed resizing the Board of Zoning Appeals to mirror the size of the Planning Commission.
- J. ACCG seeking nominations for 2013 Board of Managers. **Board Consensus for staff to nominate Commissioner Ray for 2013 Board of Managers.**
- K. Set a date for the Grand Opening of the Senior Center. **Board Consensus to host Grand Opening on April 8<sup>th</sup> from 10:00 a.m. until 12:00 p.m.**
- L. Press Release to notify all of findings in Fire Department investigation will be released sometimes this week.

## **XII. REPORT OF COMMISSIONERS**

**Miller-** Commended the Fire Department for all their hard work. Additionally, Commissioner Miller thanked Ricky Clark for being a tremendous help with teaching him how to use the I-Pad.

**Gardner-** None

**Johnson-** None

**Ray-** In reference to the mass email sent to all commissioners from a resident, the Sheriff’s Department is handling this complaint.

**Flowers-Taylor-** Noted that she has been through the budget process several times but it’s hard on staff when commissioners do not present their recommendations ahead of time. Chairman Flowers-Taylor prompted Mr. Wilson to research additional handicap parking spaces at the Courthouse.

## **XIII. CLOSED SESSION**

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

***Motion/Second by Gardner/Miller to enter Executive Session at 8:12 p.m.  
Motion carried unanimously by all.***

***Motion/Second by Johnson/Miller to adjourn Executive Session at 8:27  
p.m. Motion carried unanimously by all.***

**XIV. ADJOURNMENT**

***Motion/Second by Ray/Gardner to adjourn at 8:28 p.m. Motion carried  
unanimously by all.***