

MINUTES

The Spalding County Board of Commissioners held their Regular Meeting in Room 108 in the Courthouse Annex, Monday, March 2, 2015, beginning at 6:00 p.m. with Chairman Rita Johnson presiding. Commissioners Bart Miller, Raymond Ray and Donald F. Hawbaker were present. Also present were County Manager William P. Wilson Jr., Assistant County Manager, Eric Mosley, County Attorney, Jim Fortune, Administrative Services Director, Jinna Garrison, Superintendent of Parks, T.J. Imberger, Superintendent of Recreation, Kelly Leger and Kathy Gibson, Executive Secretary to record the minutes. Commissioner Gwen Flowers-Taylor joined the meeting at 6:05 p.m.

I. **OPENING (CALL TO ORDER)** by Chairman Rita Johnson.

II. **INVOCATION** led by Commissioner Donald Hawbaker.

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

IV. **PRESENTATIONS AND PROCLAMATIONS**

V. **PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of financial statements for the seven months ended January 31, 2015.

Jinna Garrison, Administrative Services Director, was present to answer any question the Board may have with regard to the financial statements.

Motion/Second by Miller/Ray to approve the financial statements for the seven month period ending January 31, 2015. Motion carried 4-0 (Commissioner Flowers-Taylor had not joined the meeting when the vote was taken.)

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.

William Wilson, County Manager, advised that no one has signed up to speak.

VII. **MINUTES**

1. Consider approval of the Minutes for the February 2, 2015 Regular Meeting of the Spalding County Board of Commissioners.

Motion/Second by Miller/Ray to approve the Minutes for the February 2, 2015 Regular Meeting of the Spalding County Board of Commissioners. Vote carried unanimously by all.

VIII. **CONSENT AGENDA** - None

IX. **OLD BUSINESS**

1. Lift from the table a request to cancel the April 20, 2015 Spalding County Board of Commissioners meeting.

Motion/Second by Ray/Hawbaker to lift from the table a

request to cancel the April 20, 2015 Spalding County Board of Commissioners Extraordinary Session. Vote carried unanimously by all.

2. Consider cancellation of the April 20, 2015 Board of Commissioners meeting.

Commissioner Hawbaker stated that the reason for the request is that all five of the Commissioners, the County Manager and the Assistant County Manager will be attending the ACCG Annual Conference.

Commissioner Flowers-Taylor expressed her concern that the Board has a lot of things that we are trying to get on our work session schedule. This will alter the Board's plan for having work sessions on meeting dates. Commissioner Flowers-Taylor then requested that the Board consider having a work session on March 30th, at 9:00 a.m. to discuss FY 2016 Budget priorities so that the Work Session schedule will stay on track.

Consensus of the Board is to set up a work session for Monday, March 30, 2015 at 9:00 a.m. to discuss FY 2016 Budget priorities.

Motion/Second by Ray/Flowers-Taylor to cancel the April 20, 2015 Board of Commissioners Extraordinary Session. Motion carried unanimously by all.

3. Lift from the table recommendation from the Spalding County Parks & Recreation Advisory Commission to transfer the Youth Football Program to the South Atlanta Youth Association.

Motion/Second by Flowers-Taylor/Ray to lift from the table a recommendation from the Spalding County Parks and Recreation Advisory Commission to transfer the Youth Football Program to the South Atlanta Youth Association. Vote carried unanimously by all.

4. Consider recommendation of the Parks & Recreation Advisory Commission to transfer the youth football program to the South Atlanta Youth Association.

Kelly Leger, stated that at a recent meeting with the South Atlanta Youth association and they had not been able to come to terms regarding budget figures. Mr. Driver stated that he would like to present an additional proposal for budget figures and that was received on February 26th and the Board has a copy of that proposal.

Ms. Leger feels the Board will make the best decision for the community and the Parks & Recreation Department will do whatever we can do to support the football program.

The Parks & Recreation Department's recommendation is that if you award youth football to the South Atlanta Youth Association that it be turned over to them in total just like it would for any other Association. Ms. Leger stated that the Parks & Recreation Department is prepared to continue youth football program as it has been done in the past.

Chairperson Johnson asked Ms. Leger to explain some of the discrepancies in the budget presented by the SAYA group.

Ms. Leger stated that in the proposal submitted, this group is budgeting with 300 tackle players at \$100 registration per player representing an income of \$30,000. Ms. Leger stated that her concern is what if there aren't 300 tackle players, what if there are the typical number of 200-220 tackle players? What is that going to do to their revenue stream and what is that going to do to their expenditure line items? Ms. Leger stated that she then went through the budget line item by line item and adjusted where she knew the number would have an effect. Ms. Leger stated that she could see a \$6,000 shortfall for the program based on 200 tackle players and 60 flag players.

Ms. Leger added that this group is a 501C3 organization, so they will be able to go out and fund raise. They have been able to fund raise since July of last year, so they have an opportunity here, if they are awarded the program, to raise the additional funds needed if they have less than 300 players. Ms. Leger also stated that SAYA's ability to fund raise has been limited due to the fact that they are not running the program.

Commissioner Johnson and Commissioner Miller asked SAYA to advise how much they had been able to raise in support of the football program since July of 2014.

Donald Driver, President of the South Atlanta Youth Association, advised that during the course of last year they sponsored the Life of a Teenager event and raised \$2,300, there were several other events and sponsorships we received for a total of \$3,400 was raised last year. Total expenditures for the year were \$3,100 leaving a balance of \$300. The expenditures included application for the 501C3 designation.

Commissioner Flowers-Taylor expressed her support for turning the program over to the SAYA group. She stated that she believes the group would do a good job for the program and she feels that they will all work hard.

Commissioner Johnson expressed her concerns for the success of the program if SAYA were to take it over. She further stated that the members of the Board were elected to make these decisions and that the gap in the budget is significant and is of concern.

Commissioner Ray stated that at this point in time, he does not feel that SAYA is ready to take over this program. He also stated that he has no doubt the Association will work hard for the program; however, if the Board turns the program over to SAYA and they fail, it will be the Board failing the children of our community.

Commissioner Hawbaker stated that he agrees with everything that Commissioner Ray has expressed. He further stated that he is very skeptical of the program as presented. He agrees that if the proposal was taken to a credible lender, that no one would make a loan based on the budget presented. He is also concerned over reports of disagreement with knowledgeable staff, the professionals that have ran the program for years and the Association.

Commissioner Flowers-Taylor stated that should a problem arise with the Association, the problem would be handled by Parks & Rec the same

way as it is with any other Association, this would not be a reflection on the Board of Commissioners and she feels that SAYA should be given the opportunity to run the program this year.

Motion/Second by Ray/Hawbaker to disapprove the recommendation of the Parks & Recreation Advisory Commission to transfer the youth football program to the South Atlanta Youth Association. Motion carried 3-2 (GFT/Miller).

Mr. Wilson stated that the effect of the vote is that Spalding County Parks & Recreation will provide the football program for the upcoming season.

X. NEW BUSINESS

1. Conduct public hearing to consider the establishment of street light district for Sun City Peachtree – Pod 29B.

Motion/Second by Flowers-Taylor/Hawbaker to open a public hearing to consider the establishment of a street light district for Sun City Peachtree – Pod 29B. Vote carried unanimously by all.

Chairperson Johnson called for comments from the public – there was no comments made.

Motion/Second by Flowers-Taylor/Ray to close the public hearing for establishing a street light district for Sun City Peachtree – Pod 29B. Vote carried unanimously by all.

2. Consider approval of street light district for Sun City Peachtree - Pod 29B.

Motion/Second by Flowers-Taylor/Miller to approve the street light district for Sun City Peachtree – Pod 29B. Vote carried unanimously by all.

3. Conduct public hearing to consider the establishment of street light district for Sun City Peachtree – Pod 31C.

Motion/Second by Flowers-Taylor/Miller to open a public hearing to consider the establishment of a street light district for Sun City Peachtree – Pod 31C. Vote carried unanimously by all.

Chairperson Johnson called for comments from the public – there was no comments made.

Motion/Second by Flowers-Taylor/Ray to close the public hearing to consider establishment of a street light district for Sun City Peachtree – Pod 31C. Vote carried unanimously by all.

4. Consider approval of street light district for Sun City Peachtree - Pod 31C.

Motion/Second by Flowers-Taylor/Hawbaker to approve the

street light district for Sun City Peachtree – Pod 31C. Vote carried unanimously by all.

5. Consider approval of Resolution to adopt 2014 Amended and Restated DB Pension Plan as required by IRS.

Mr. Wilson advised that this came to us through ACCG and GEBCORP who administers our Defined Benefit plan, every five years we have to adopt the Resolution. ACCG and GEBCORP will bundle all of the plans together and send them to the IRS for a ruling. Mr. Wilson stated that the Resolution simply states that we are going to adopt what the GEBCORP Board of Directors dictates which has to be restated every five years.

RESOLUTION TO ADOPT 2014 AMENDED AND RESTATED PLAN

WHEREAS, the Association County Commissioners of Georgia (ACCG) sponsors a defined benefit retirement plan program for its members;

WHEREAS, the Spalding County Board of Commissioners (the "County") previously adopted the Association County Commissioners of Georgia Defined Benefit Plan for Spalding County Employees (the "Plan") through an Adoption Agreement and subsequent amendments thereto;

WHEREAS, the Internal Revenue Service requires qualified retirement plans to be restated at least once every five (5) years;

WHEREAS, the ACCG Board of Managers has approved an amended, restated and updated Model Plan document (the "2014 Model Plan") to reflect changes in federal and state law and regulations, which can be adopted by its members and filed with the Internal Revenue Service for a determination letter between February 1, 2015 and January 31, 2016;

WHEREAS, the County desires to adopt the amended and restated "2014 Model Plan" document through a new Adoption Agreement.

NOW THEREFORE, at a meeting held on the 2nd day of March, 2015, the County Board of Commissioners hereby resolves as follows:

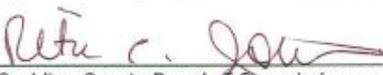
RESOLVED that the Spalding County Board of Commissioners approves the adoption of the amended and restated 2014 Model Plan document through a new Adoption Agreement, which maintains the Plan's current benefit structure.

FURTHER RESOLVED that Commission Chair is hereby authorized, empowered, and directed to take all further actions and to execute all documents and IRS forms necessary to implement these resolutions, including a limited power of attorney to allow ACCG outside counsel to file the Plan with the Internal Revenue Service for a determination letter.

FURTHER RESOLVED that any resolution in conflict with this resolution is hereby repealed.

This 2nd day of March, 2015.

SPALDING COUNTY, GEORGIA BOARD OF COMMISSIONERS

By: 
Chair, Spalding County Board of Commissioners
Rita Johnson

Attest: 
By: _____
County Clerk, William P. Wilson, Jr.

Motion/Second by Ray/Hawbaker to approve a Resolution to adopt the 2014 Amended Restated DB Pension Plan as required by the IRS. Motion carried unanimously by all.

6. Consider approval of contract between the Board of Commissioners of Spalding County and the Southern Crescent Technical College Foundation, Inc. regarding the use and expenditure of 2008 SPLOST funds.

Jim Fortune, County Attorney, advised that this contract will cover the funding of acquisition of real property and improvements to the property currently known as Ellis Crossing.

Motion/Second by Ray/Hawbaker to approve a contract between the Board of Commissioners of Spalding County and the Southern Crescent Technical College Foundation, Inc. regarding the use and expenditure of 2008 SPLOST funds. Motion carried unanimously by all.

7. Consider approval on first reading an ordinance establishing a speed limit of 25 miles per hour for Tri County Road.

Mr. Wilson advised that Sheriff Beam was contacted regarding the speed that vehicles travel on this road and he had his staff evaluate the situation and has requested that due to the condition of the dirt road, it is recommended that the speed limit be reduced from 35 MPH to 25 MPH. This is the first reading on the Ordinance, second reading would be March 16, 2015 and the road would be posted on March 17th.

Mr. Wilson stated that Tri-County Road is in Commissioner Miller's district in the western part of the county, the road extends from SR 16 to Handtown Road. It is a narrow dirt road. Currently, the ordinance states that the speed limit for all dirt roads is 35 MPH unless otherwise designated and approved by the Board of Commissioners.

Motion/Second by Ray/Miller to approve on first reading an ordinance establishing a speed limit of 25 miles per hour for Tri County Road. Motion carried 4-1 (Flowers-Taylor).

8. Consider authorizing staff to move forward with establishing a fiber optic network backbone with the City of Griffin.

Mr. Wilson advised that the City of Griffin is planning to move ahead with the fiber optic backbone to the 911 Center and we are wanting to work with them and get pricing for connection, to establish a county fiber backbone as well. If the Board supports this then we will build the numbers into our FY2016 budget and bring it to the Board.

Motion/Second by Ray/Miller to authorize staff to move forward with establishing a fiber optic network backbone with the City of Griffin for Spalding County. Vote carried unanimously by all.

9. Consider approval of FY 2016 Budget Calendar.

Mr. Wilson handed out a revised 2016 Budget Calendar that reflected the changes requested earlier in the meeting.

The Board reviewed the calendar and made additional changes to the Budget Calendar.

Motion/Second by Ray/Flowers-Taylor to approve the revised FY2016 Budget Calendar as discussed. Motion carried unanimously by all.

10. Commissioner Flowers-Taylor would like to discuss possible annexation along North Hill Street.

Commissioner Flowers-Taylor stated that when the subject was broached at the work session this morning it was pointed out that we need to establish just what portion of this road we would like for the City to annex. Commissioner Flowers-Taylor stated she would like for them to annex from the City Limits on the west side of the street up to East McIntosh.

Mr. Wilson advised that there are maps included in Novus Agenda for reference. There are two maps to assist everyone in locating where the current City Limits are located on this street. Mr. Wilson also advised that he had included an attachment that outlined the different methods that could be utilized by government for annexation of property.

Commissioner Flowers-Taylor stated that on the east side of Hill Street there might be opposition to being annexed into the City. However, on the west side of the street, we have health and safety issues involving drive by shootings and rampant drug trade from Northside Drive up to Lakewood.

Commissioner Flowers-Taylor is suggesting that we look at the area on the back side of 9th Street either up to McIntosh on the west and use a line of demarcation on Hill Street and then come back up to the City Limits on that east side.

Mr. Wilson advised that at the Zoning Public Hearing on Thursday night, Commissioner Miller stated that he did not believe we made the vote on the moratorium on home occupation requests for a shooting or gun range. After going back and reviewing the recordings several times, Commissioner Miller is correct, we had a motion and a second to approve the moratorium, but we failed to take a vote on the matter. So in order to correct this, we need to amend the agenda to add the moratorium for the acceptance of applications for home occupations for shooting ranges for six months and we need to vote on it at this time.

11. Commissioner Ray has requested that the agenda be amended to add a new item and that is a 180 day Moratorium on acceptance of applications for home occupation request for a shooting or gun range as discussed at the Zoning Public Hearing on Thursday, February 26, 2015.

Motion/Second by Ray/Flowers-Taylor to amend the agenda to include a moratorium on acceptance of an application for home occupation requests for a shooting or gun range as discussed at the Zoning Public hearing on Thursday, February 26. Motion carried unanimously by all.

Motion/Second by Flowers-Taylor/Miller to place a 180 day moratorium on acceptance of an application for a home occupation license for shooting or gun range beginning today, March 2, 2015. Motion carried unanimously by all.

XI. REPORT OF COUNTY MANAGER

Applications are now being accepted for the Bain Proctor Award.

- Since we are having a start up again with all of the movies in Spalding County, Mr. Wilson advised that he had asked Chad Jacobs to work on a Media Ordinance and we would like to present to the Board at a

future workshop.

- Mr. Wilson asked that rather than having the Chairperson for Vice Chairman come in to sign the small contracts for these production companies, would the Board give the County Manager authority to sign site rental contracts, once counsel has read and approved the language.

Consensus of the Board is to allow the County Manager to sign the rental contract with movie and production companies, once counsel has read and approved the language.

- At the March 16th Work Session after the Discussion on Gangs Mr. Wilson would like for MSI to come and give a presentation on the health insurance renewal at approximately 11:00 a.m. The Sheriff's Department will be giving a presentation on gangs in Spalding County and we are also going to ask the Griffin Police Chief and we will extend an invitation to the City commissioners as well.
- Eric Mosley, the new Assistant County Manager, has been here a week and is doing a great job.

XII. REPORT OF COMMISSIONERS

Commissioner Hawbaker – stated that he is continuing to closely follow HB170 which is changing every day. Late this afternoon it went back to the transportation committee at the Georgia House of Representatives. ACCG sent out a summary and the most relevant change effecting Spalding County is that all future SPLOST must have a transportation component that is equal to the three year average amount collected on motor fuel, there will not be an option to levy a SPLOST without a transportation component.

LOST tax will no longer be collected on motor fuel beginning July 1, 2016. LOST will be raised from 1 to 1.25% and no local governmental action will be required. The revision seems to have help the school system and city.

Commissioner Hawbaker advised that last Tuesday, February 24th, he was invited by Bill Taylor of WKEU radio to a meeting where he and several others met with General Curt A. Rauhut who is the Senior Vice President and COO for the Georgia Military College. General Rauhut talked about the Georgia Military College. Fayetteville will be their next campus to open in the Fall of 2015 and they anticipate starting with 250-275 students per semester. Griffin is next in the cue for them to do a market survey to determine if Griffin would support this type of college. Location in Griffin would allow the Military College to draw from Spalding, Butts, Upson, Pike, Lamar, Henry and maybe even Clayton County.

City Commissioner, Ryan McLemore was also at the meeting and he proposed the idea of using the renovated Old City Hall for this College. General Rauhut love the idea, they have another campus in Dublin where they are currently using a seven story building that had been vacant for 45 years.

Commissioner Flowers-Taylor wanted to thank the Board of Commissioners and the County Manager for working hard in getting items accomplished in the last few weeks since the retreat. She stated that she feels that we have gotten more accomplished in the last few weeks than we gotten done in the last six months and she wanted to extend her appreciation to everyone involved.

Commissioner Flowers-Taylor commended the members of the Board for making a really hard decision, even though she did not agree with the position, she was proud of the outcome. She reminded everyone that in the upcoming weeks there are more hard decision to be made if we are going to achieve the goals we have set out to accomplish.

Commissioner Flowers-Taylor stated that she would like to see the Park & Rec staff take some of the ideas from Elite toward making students accountable by showing that they attended school during the week in order to play. She stated that she thought that the idea of using banners was a great idea if you can go to industry and ask for sponsorships to offset the costs of the program. She stated that she would also like for Parks & Rec to apply for scholarships such as the Arthur Blank scholarship to help offset the costs associated with this program.

Commissioner Ray asked if we have introduced Eric Mosley to the City Government.

Mr. Wilson stated that no he had not introduced Eric to the City Commissioners; but he had introduced him to the City Staff.

Commissioner Miller, stated that he had the same feeling as the other commissioners regarding the football program. He stated that his concern is that we are going to have to come up with funds in order to give employees raises and cut insurance deductibles. This was simply an avenue to cut expenses. Commissioner Miller stated that he would not vote for any type of tax increase.

Commissioner Johnson stated the decision regarding South Atlanta Youth was a tough decision, but she feels the right decision was made for this year.

XIII. CLOSED SESSION

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

Motion/Second by Ray/Miller to enter into Executive Session to discuss the future acquisition of real state as provided by O.C.G.A § 50-14-3(4) at 7:40 p.m. Motion carried unanimously by all.

Motion/Second by Flowers-Taylor/Hawbaker to come out of Executive Session at 8:17 p.m. Motion carried unanimously by all.

Motion/Second by Ray/Flowers-Taylor to purchase the property discussed in Executive Session at the appraised value of \$800,000.00 with 2008 SPLOST funding for the use and benefit of Southern Crescent Technical College. Motion carried unanimously by all.

XIV. ADJOURNMENT

Motion/Second by Flowers-Taylor/Hawbaker to adjourn at 8:19 a.m. Motion carried unanimously by all.

/s/ _____
Rita Johnson, Chairperson

/s/ _____
William P. Wilson, Jr., County Clerk