

After Agenda

Board of Commissioners of Spalding County
Regular Meeting
Monday, April 5, 2021
6:00 PM
Room 108, Annex Building

The Spalding County Board of Commissioners held their Regular Meeting in Room 108 of the Spalding County Annex on Monday, March 1, 2021, beginning at 6:00 p.m. with Vice Chairman James R. Dutton presiding. Commissioners Gwen Flowers-Taylor, Rita Johnson and Ryan Bowlden were present for the meeting. Chairman Clay Davis participated via ZOOM. Also present were Assistant County Manager, Michelle Irizarry, County Attorney, Stephanie Windham and Kathy Gibson, Executive Secretary to record the minutes.

I. OPENING (CALL TO ORDER) by Vice Chairman James R. Dutton.

PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.

II. INVOCATION

Bishop B. James Dutton from the Griffin Ward of the Church of Jesus Christ of Latter-Day Saints delivered the invocation.

III. PLEDGE TO FLAG

Commissioner Rita Johnson, District #3, led the Pledge to the Flag.

IV. APPOINTMENTS

1. Consider appointments to the Butts, Henry, Lamar & Spalding County Joint Development Authority and the Butts - Spalding County Joint Development Authority to succeed :

- Chuck Copeland
- Robert Parker
- Tom Gardner
- David Luckie Ex-Officio and Registered Agent for a three-year term ending 12/31/2023.

Motion/Second by Johnson/Bowlden to reappoint Chuck Copeland, Robert Parker, Tom Gardner and David Luckie to the Butts, Henry, Lamar & Spalding County Joint Development Authority, and the Butts-Spalding County Joint Development Authority for a three-year term ending 12/31/2023. Motion carried unanimously by all.

V. PRESENTATIONS/PROCLAMATIONS

1. Recognition of Celeste Fuller for 34 years of service in the Tax Commissioner's Office.

Sylvia Hollums, Spalding County Tax Commissioner presented Ms. Fuller with a print of the Spalding County Courthouse and thanked her for her 34 years of service to Spalding County.

2. Marie Broder, District Attorney for the Griffin Judicial Circuit to update the Board of Commissioners on the District Attorney's Office and COVID 19.

Ms. Broder gave a presentation on the District Attorney's office that included a short history of the number of cases by year, how the office has handled the COVID crisis with being shut down and their plans to reopen the offices and start hearing cases. Ms. Broder then answered questions from the Commissioners and advised that she would make an annual presentation to the Board to keep everyone up to date on her office and the progress that is being made.

VI. PRESENTATION OF FINANCIAL STATEMENTS – None.

VII. CITIZEN COMMENT

Speakers must sign up prior to the meeting and provide their names, addresses and the topic they wish to discuss. Speakers must direct your remarks to the Board and not to individual Commissioners or to the audience. Personal disagreements with individual Commissioners or County employees are not a matter of public concern and personal attacks will not be tolerated. The Chairman has the right to limit your comments in the interest of disposing of the County's business in an efficient and respectable manner.

Speakers will be allotted three minutes to speak on their chosen topics as they 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. No speaker will be permitted to speak more than three minutes or more than once, unless the Board votes to suspend this rule.

Jewel Walker-Harps, 103 McEthel Drive, Griffin, Georgia spoke regarding the lack of progress that has been made on the current Heritage Park SPLOST project and against the proposed TSPLOST the Board would be considering this evening.

Motion/Second by Flowers-Taylor/Dutton to allow Ms. Walker-Harps to finish her thoughts. Motion carried unanimously by all.

Ms. Walker Harps stated that the projects on the 2016 SPLOST had not been completed and she doesn't feel that the County should be asking the citizens to consider another SPLOST project until those projects are complete. The Heritage Park project was a bonded project and it has yet to be completed.

Spoke regarding the need for the Board to make improvements to a private driveway off of Bethany Road:

Larry Sutton, 133 Bethany Road

Brandy Byard, 135 Bethany Road

VIII. MINUTES –

1. Consider approval of Minutes for the Spalding County Board of Commissioners Extraordinary Session on March 15, 2021 and the Spalding County Board of Commissioners Team Building Exercise and Zoning Public Hearing on March 25, 2021.

Motion/Second by Johnson/Bowlden to approve the minutes for the Spalding County Board of Commissioners Extraordinary Session on March 15, 2021 and the Spalding County Board of Commissioners Team Building Exercise and Zoning Public Hearing on March 25, 2021. Motion carried unanimously by all.

IX. CONSENT AGENDA –

1. Consider approval on second reading an ordinance to establish Planning and Regulation of Development in Spalding County.

Motion/Second by Johnson/Dutton to approve on second reading an ordinance to establish Planning and Regulation of Development in Spalding County. Motion carried unanimously by all.

X. OLD BUSINESS –

XI. NEW BUSINESS –

1. Consider approval of Employee Health Insurance Renewal with Anthem BCBS for FY 2022.

Matt Bidwell with MSI Benefits gave a presentation to the Board on the renewal options available for the FY 2022 Employee Health Insurance. He advised that even though the amount paid out by Anthem/Blue Cross and Blue Shield was less than last year, the trend for the County over the last 12 months has been erratic due to COVID and people having to quarantine. This was reflected in a few months by a lower number of claims; however, within recent months the claims have begun to increase again. He warned the Board that due to the nature of the quarantine and the affect it had on everyone this year, it may not be a good representation of claims going forward.

Mr. Bidwell advised that MSI bid the renewal out to three different companies and that Anthem/Blue Cross and Blue Shield returned the best value from the bid process. He stated that the premium for FY 2022 would remain the same and the coverage would remain the same for Spalding County as the FY 2021 premium and there would be no increase for the County or the County employees.

Motion/Second by Flowers-Taylor/Bowlden to approve the Employee Health Insurance renewal with Anthem BCBS for FY 2022. Motion carried unanimously by all.

2. Consider approval of lease with Jan's Used Furniture for the 115 East Solomon Street property.

Ms. Irizarry passed out a copy of the proposed lease for the Board to review. She advised that the initial lease is for \$800 per month with a 1% increase annually.

Commissioner Dutton asked when the previous lease was approved.

Ms. Irizarry advised that the previous lease was approved December 15, 2003.

Commissioner Flowers-Taylor stated that she knows that the County has a policy regarding buildings that are leased. When we leased the Food Depot building, the lease was based on square footage and it was so much per square foot. She looked at the Tax Assessor's records and it is described as having approximately 13,000 square feet. Nobody can really tell us how long they have been paying \$800 + 1% or what the real amount is that they are paying. So, her first question is, is the building being leased per square footage. Is it the original rate as was set in 2003 when the initial contract was signed?

Ms. Irizarry advised that the rate was \$700 in 2003 and it renewed annually with no increase.

Commissioner Flowers-Taylor then asked what the policy is on the lease of County space. Do we lease it by square footage? Whatever it is, it needs to be uniform for every business we are leasing to. If we are leasing a building to somebody for 18 years, that is 13,000 square feet and all they are paying is \$700 per month, that is a gratuity. She has a real problem with this contract. She would like for someone to give us a history behind this contract and more information. How we got to be where we are? What does it cost us in maintenance? How many times have we had to fix the ceiling? How many times have we had to fix the air conditioning? Unless someone else has some concerns, she would like for this to be tabled until staff can come back and give us specific information regarding the questions we have raised.

Ms. Windham then advised that there is no heat or air in the building and the roof is also in need of repair. Just make you aware of those issues as well.

Commissioner Flowers-Taylor stated that if those are issues, then as a landlord, we need to fix them. But we also need to charge appropriate rent. We should not be renting a building out to anybody that we wouldn't rent ourselves. That is another reason we need to take another look at this. She wants to make sure that for every building we are leasing out that the County is uniformly leasing at the same rate to everyone.

Motion/Second by Flowers-Taylor/Johnson to table the approval of a lease with Jan's Used Furniture for 115 East Solomon Street until staff can advise the policy for renting out County property. Motion carried unanimously by all.

3. Consider approval of a contract for Inmate Medical Services for the Spalding County Correctional Institution.

Ms. Irizarry stated that this is an updated contract between Spalding County and Dr. Hall that will include mal-practice insurance. The total cost for these services \$3,416.67 per month and the insurance is \$833.33 per month for a total of \$4,249.45 per month or \$50,993.40/annually. Warden Humphrey is here to discuss this contract should the Board have any questions.

Commissioner Flowers-Taylor advised the contract is just over \$50 thousand a year. That is to provide for sick calls. That means somebody shows up to see if anyone has a problem, administer medication and that is it?

Warden Humphrey stated that the CI also has to utilize Dr. Hall as authorization to admit an inmate to a hospital as well. If they have someone that needs to be admitted to the hospital, then they need a physician associated with the hospital

to do so. He provides that service. If we have an inmate that is hurt on a detail or needs stitches, they are taken to his office and he takes care of that as well.

Commissioner Flowers-Taylor then stated that it was her understanding that Dr. Hall had retired and the cost being requested for the mal-practice insurance is not for Internal Medicine, but is for Dr. Hall.

Warden Humphrey advise that is correct. Internal Medicine has been purchased by another company and prior to this Dr. Hall used his mal-practice insurance through Internal Medicine. Since the new company has purchased the practice, they will not support his mal-practice insurance, so he is having to pay for that out-of-pocket. He then stated that they are also required to have a Medical Director for the facility and Dr. Hall provides those services as well.

Motion/Second by Flowers-Taylor/Dutton to approve a contract for Inmate Medical Services for the Spalding County Correctional Institution with Dr. Robert Hall in the amount of \$4,249.45 per month beginning July 1, 2021. Motion carried unanimously by all.

4. Consider request from the Sheriff's Office to enter into a MOU with the Griffin-Spalding County Board of Education to provide School Resources Officers for Spalding County Schools.

Sheriff Dix stated that this is a renewal of the current contract that we have with the school system. We had to have it resigned because Mr. Simmons is now the School Superintendent.

Commissioner Flowers-Taylor asked when the School Resource Officer Program actually began in Griffin?

Sheriff Dix advised that the School Resource Officer Program actually started with the Griffin Police Department back in the early 90's when Chief Chapeau was here. He is the one who actually started that program, he isn't sure how long the Sheriff's Office has had SRO's.

Commissioner Flowers-Taylor stated that she has two concerns regarding this. One being that the County pays 30% of the costs for those Resource Officers for the School System and she feels that should be the Schools System's bill in total. It is not our responsibility to provide services for the education system. The School System has school nurses, part of which is paid for by the School System, the other part is paid by the Hospital Authority. She feels it is a great idea, but she has a problem when 30% of these costs are going to come from County taxpayers to go to the School System when the School System collects 60% of all the property taxes that are collected in Spalding County. She doesn't understand why they can't pay 100% of the cost to have School Resource Officers.

Sheriff Dix advised that the main reason for this sharing of costs is because the SRO's are not in the schools 365 days a year. They are not in the schools for 12 months, they are not in the schools during the summer, during this time most of them are on the road or taking phone in reports. If we have something like the COVID 19 that happened last year, those officers are actually out on the road patrolling. Anytime there is an emergency they are subject to be called in to handle calls for service. They are not just for the School System, they are here for Spalding County. He advised that all of his officers are told that first and foremost they are a Spalding County Deputy, regardless of what else you are asked to do.

Commissioner Flowers-Taylor stated that she feels it is a wonderful idea, but she also feels that it should be the School System's responsibility. They can have 12

people on the administrative staff under the Superintendent that make six figures a year, they can afford to pay to have School Resource Officers if they need them.

She thanked Sheriff Dix for advising the Board as to what these individuals were doing during COVID. However, if the School System is paying 70% of their salary, did they collect COVID funds for them for not working? Because they weren't working for the School System. The same thing happened with the School Nurses, they weren't in the building for 7 months, but the Hospital Authority continued to pay that money into them and we're not sure the School System didn't put them out on unemployment like they did everybody else. Not that it has anything to do with the SRO's, but she is simply saying she feels that we should be looking at the fact that if this is a School System issue, then we need to let the School System handle it. If they want to enter into an MOU with the Sheriff's Office that is fine, but she doesn't feel that the County taxpayers should have to "foot the bill."

Commissioner Dutton then added that Fulton County Schools have their own police department that is just for the school system. However, he doesn't feel we warrant having a police department for the school system when we only have five to six officers currently involved in this detail.

Commissioner Flowers-Taylor stated that she feels we should ask the School System to pay a larger percentage of these costs. We should be working toward this objective, because we are currently looking at a request from them for taxes being waived. We're talking about major money here, but she wants the Board to aware that it is not the responsibility of the County Commissioners to pay into the school budget for anything. It is not required by the OCGA, it is not even a side statute.

Stephanie Windham, County Attorney, stated that this also has the clause for 30 day written notice from either party to terminate. If we don't execute this contract at this time, then the School Resource Officers will not be in the schools for the remainder of the school year?

Sheriff Dix stated that the School Resources Officers are going to be in the schools, whether this contract is signed or not and he really feels if push comes to shove, he doesn't feel that he needs the Board approval for this contract because they are contracting with the Sheriff's Office. Just like with commissary, medical care and things like that, he really feels if push comes to shove, the contract is with the Sheriff.

Commissioner Flowers-Taylor stated, that is part of her point, the Sheriff is a Constitutional Officer and the Board of Commissioners shouldn't be making the decision. If Sheriff Dix wants to sign an MOU with someone that is him, but when you come to us and ask for the 30% for the School Resource Officer, it doesn't mean that we have to fund it, but she totally agrees that it should be a decision that he makes as a Constitutional Officer. The other services at the jail for the food, medical care and other services is the Sheriff's decision, she feels this also should be his decision.

Ms. Windham then advised that Sheriff Dix can enter into this contract as the Sheriff, he doesn't need the Board's permission. This is simply been something that the Board has always approved. Which is why it is coming before the Board again.

Commissioner Dutton stated that we budget at the Department level; therefore, it is their money and they should be able to spend it like they want. This is the Sheriff's money and he feels he should be able to contract and if this the contract that you want and if you want us to give it a nod of approval, then we should do

that. He doesn't know what the Board even needs to be involved, but if the Sheriff's wants us to be involved then we need to accommodate.

Sheriff Dix stated that in the past the Board's consideration of this has been a courtesy. It is a line of communication between the Board of Commissioners and the Sheriff's Office that he has tried to maintain to keep the Board aware of what is going on. He wants to keep everyone in agreement on this, that is why he has never gone out on a limb, without advising the Board with a number of things that he has done.

Ms. Windham then added that the Board has traditionally "blessed" this agreement and that is the reason it is coming before the Board this evening.

Motion/Second by Dutton/Bowlden to approve a MOU with the Griffin-Spalding County Board of Education for the Spalding County Sheriff's Office to provide School Resources Officers for Spalding County Schools. Motion carried 4-1 (Flowers-Taylor).

5. Consider declaring surplus, weapons that have been forfeited to the Spalding County Sheriff's Office via court order, and weapons that currently are property of the Spalding County Sheriff's Office that have become obsolete, or are irreparable.

Sheriff Dix stated that every year they try to clean out and get rid of firearms that have been forfeited via court order or weapons that are the property of the Sheriff's Office that have become obsolete or irreparable. We put these weapons as a lot out for bids, we have entities that come in and submit bids on them and we go with the highest bidder. It is never for money, it is always for in store credit to purchase equipment or ammunition for training. So, there is no cash that goes into any account, it is strictly a store account credit.

Commissioner Flowers-Taylor asked how much the Sheriff's Office received in store credit from this sale last year.

Sheriff Dix advised that he wasn't sure, but believes it was \$27-28,000. The first time it was done he believes they received \$50-55,000 in store credit. This is money that the Department uses to purchase equipment and ammo for training. The cost of ammunition continues to go up and this is a way the Department can off-set the costs.

Motion/Second by Flowers-Taylor/Dutton to declaring surplus, weapons that have been forfeited to the Spalding County Sheriff's Office via court order, and weapons that currently are property of the Spalding County Sheriff's Office that have become obsolete, or are irreparable to be auctioned off through a bid that the Sheriff's Office has arranged. Motion carried unanimously by all.

6. Consider approval of Change Order #3 on the Animal Shelter Construction project for installation of Guillotine Doors, track and hardware in the amount of \$18,240.31.

Ms. Irizarry advised that Mitchell Davis with the Pond & Company is here to answer any questions you may have this evening. This change order is for the guillotine doors that separate the kennels so that the doors when open will allow for the animals to go from one side to the other. She then advised that Pond did go through a change on project managers. The original two projects managers who began this process with the County move on. We now have two project managers, but she does anticipate more change orders coming forward. Specifically, regarding tops of kennels and the gates at they were supposed to be mounted inside and now there is a need to have them mounted outside for space.

Mitchell Davis, Pond & Company, advised that he is here this evening to discuss the specifics and answer any questions the Board may have regarding the guillotine door change order. The guillotine is part of what is needed to allow the animals to pass between kennels on one side and kennels on the other, so when this information and specifics regarding the doors was presented, we in turn presented it back to the contractor and this is the numbers that the contractor quoted in terms of what is needed to implement the changes. Having look at the cost proposed and comparing them with other products from other manufacturers out there, these costs were completely in line with what the industry standard is and should be.

Commissioner Dutton asked if these doors are sturdy, he wanted to make sure that they will last and not require replacement in the short term.

Mr. Davis stated that he would have to check the manufacturer's warranty, that all the products come with a level of warranty in addition to the contractor's warranty on the building itself. He can speak to that at a later date, this is a reputable manufacturer. There were three manufacturers engaged for the guillotine doors and this recommendation actually came from Spalding County Personnel.

Commissioner Dutton stated the reason for these questions are right now the construction is being paid for with SPLOST funding; however, all of the repairs and upkeep will be funded by tax dollars. So, if we can get more quality out of the SPLOST funding then it doesn't fall on the tax dollars to fix anything. Higher quality that lowers the maintenance and upkeep on the SPLOST projects would be doing the taxpayers a service.

Commissioner Johnson the asked how much over-budget this project is currently running?

Ms. Irizarry advised that to date we have had two other changes orders. The original budgeted amount was \$1.864 million, the two previous change orders were in the amount of \$41,894 which was considerably lower than anticipated and that was due to the soil problems. This is an increase of \$18,240.

Commissioner Dutton then added that the original budget was \$1.8 million and the change orders to date are still under \$100,000.

Commissioner Flowers-Taylor then asked what kind of material the guillotine doors are made of. We know we are going to be squirting water all over them, so she is concerned about rust and continuous movement of the doors.

Mr. David advised he would have to check the specifics on the metal doors. They came from a veterinary an animal shelter/animal hospital supplier. They are a reputable manufacturer of guillotine doors. They are designed and accustomed to receiving the caustics and chemicals that are used in the day-to-day operations of these types of facilities.

Commissioner Flowers-Taylor stated she would be very interested in receiving this information. The doors are something that will be operated daily and will be exposed not only to water but chemicals and other materials and we want to make sure that when they are going up and down they will not be rusting and a situation is created in the future.

Motion/Second by Flowers-Taylor/Johnson to approve the request for Change Order #3 on the Animal Shelter Construction project for installation of Guillotine Doors, track and hardware in the amount of \$18,240.31. Motion carried unanimously by all.

7. Consider recommendation from Parks & Leisure Services Advisory Commission for Phase Two opening of the Senior Center on May 3rd, 2021.

Ms. Irizarry stated that this was approved by the Parks & Leisure Services Advisory Commission and Kelly Carmichael is here to discuss this. Also, Warden Humphrey has also reviewed the plan and there will be no issues with cleaning the facility as outlined in the plan.

Kelly Carmichael, Superintendent of Leisure Services, stated that at the March Parks and Leisure Services Advisory Commission meeting they reviewed the phase plan as included in the agenda packet this evening and their recommendation is to open the Senior Center on May 3rd under a Phase Two opening. The Phase One opening was outdoor programming and home delivered meals and some drive through meals. Phase Two will be the Senior Center will be open three days a week; Monday, Wednesday, Friday and that will allow for indoor programming, outdoor programming will continue as many continue to enjoy that programming as well.

The Center will be closed on Tuesday and Thursdays for cleaning. Also, Tuesday and Thursday will be the meals days and on those days they will be delivering meals out and congregate meals clients will be able to come in for additional meals. The Café will continue to be closed as we do not currently have the protective barrier for the meal service line. The Reception Desk divider is in place. The meal service line barrier is an ongoing project and she hasn't receive an update on when that will be done.

Commissioner Flowers-Taylor then asked if Ms. Carmichael was comfortable with this opening plan?

Ms. Carmichael responded that she is comfortable with the plan as outlined to the Board. Members will be greeted by a staff member or volunteer, or a work program individual, they will be screened, temperature checked and we will be doing instructed classes first with no shared equipment and as we see that this has been successful and there have been no incidents, then we will feel comfortable in moving into Phase III.

Motion/Second by Johnson/Flowers-Taylor to approve the recommendation from Parks & Leisure Services Advisory Commission for Phase Two opening of the Senior Center on May 3rd, 2021. Motion carried unanimously by all.

8. Consider allowing Pickleball Association to collaborate with Parks & Leisure Services to develop specifications for lighting 8 additional courts and to seek financial support from GSBTA and other entities.

Ms. Carmichael advised that the Pickleball Association is working very closely with the Parks Department as to the standard for lighting at our facilities. We wanted to make sure that before the Association is given the go ahead to ask for support from GSBTA or any other doner, that the lighting proposed meets County standards for lighting and that is the reason this matter is coming before the Board this evening.

Ms. Carmichael then stated that once the project is approved, then they can go to GSBTA and other entities to try to obtain the funding.

Ms. Irizarry advised that cost is approximately \$110,000 and would be Musco Lighting.

Commissioner Flowers-Taylor advised that the numbers presented by the

Pickleball Association was significantly less than this amount.

Ms. Carmichael stated that when the Association presented that number to the Advisory Committee we knew that we had to go back to review what they were proposing and upon review immediately realized that this is not the standard of lighting that we currently have at our facilities.

Commission Dutton asked who would be paying for any lighting improvements performed under this request?

Ms. Carmichael stated it would be paid for by the Pickleball Association. This is not Spalding County raising money for additions to this facility. This would be Spalding County approving for them to go and ask for money to achieve this goal.

Ms. Carmichael advised that this Association has a history of investing back into this facility.

Commissioner Dutton then stated that the Pickleball Association has now coordinated with the Parks Department to determine the cost of this project and the Board is simply being asked to approve their going to ask for the funding to meet our standards for the Musco lighting.

Ms. Carmichael stated that is correct.

Motion/Second by Flowers-Taylor/Bowlden to approve the request from the Pickleball Association to collaborate with Parks & Leisure Services to develop specifications for lighting that meets County standards for 8 additional courts and to seek financial support from GSBTA and other entities. Motion carried unanimously by all.

9. Consider approval of Broadband Ready Community Ordinance.

Ms. Irizarry advised that the Broadband Ordinance is necessitated by DCA in order to move forward with the Broadband Ready Community application. This is one of the steps, there is an application and it also has to be included as part of the Comprehensive Plan and Mr. Galloway is checking on this.

Commission Dutton then asked if this was a planning ordinance on how we want to accomplish this, or what our goal is?

Ms. Irizarry advised this is one of the steps to become a Broadband Ready Community through the DCA.

Commissioner Flowers-Taylor asked if the ordinance was copied from someone else who already had the Ordinance?

Ms. Irizarry advised that DCA has a model ordinance and that is what was utilized, it has been reviewed and approved by our county attorneys.

Commissioner Flowers-Taylor stated that she has a concern with the single point of contact for documentation being our County Manager who is planning to retire in a little over a month and she feels that information needs to be changed. It seems crazy to get this started only to have to come back in six weeks and resubmit the Ordinance to DCA when we can fix this document on the front side.

Commissioner Dutton asked if it could say County Manager or designee?

Ms. Windham advised that it could simply say County Manager and take Mr. Wilson's name and email off the document.

Motion/Second by Flowers-Taylor/Johnson to approve the Broadband Ready Community Ordinance with the change of the single point of contact to reflect County Manager as the point of

contact. Motion carried unanimously by all.

10. Consider approval of calendar of events for proposed November 2, 2021 T-SPLOST referendum, Letter of Intent and G-17 Disclosure Statement with Raymond S. James and Engagement Letter with King & Spalding.

Commissioner Dutton stated that this was originally going to be another SPLOST; however, we have had a number of people contact us stating that the last SPLOST projects are not complete. There are a number of reasons for those projects not being complete at this point, so we have changed this from SPLOST to TSPLOST and as a TSPLOST the funds can only go toward transportation. In his discussions with the City, they are also on board with this request. There has been nothing official, it has been unofficial inquiries.

Commissioner Johnson stated this would be in November, only 8 months away, we still have to form a committee and discuss the projects. Then the committee will have to get the voters on board to make the vote. Although she does feel like we need a TSPLOST, in listening to what Ms. Walker-Harps had to say this evening, she wonders how much the SPLOST projects not being complete will have an effect on this TSPLOST?

Commissioner Dutton that currently there are three SPLOST projects that are not complete: Heritage Park, Aquatic Center and the Animal Shelter, but we are going to cut the ribbon on two of those projects this year and one should be close to completion by the time the vote comes around. He feels the concern expressed is a valid concern, we share that concern and that is why we have been hammering and harping on it so much, but he thinks by the time November rolls around we will be able to see completion even though it ran late, but the speed of government is slow.

After considerable discussion and consideration, the Board decided to go forward with preparation for a TSPLOST referendum with the understanding that if progress doesn't go forward as anticipated the TSPLOST can be delayed until the March referendum date in 2022, Letter of Intent and G-17 Disclosure Statement with Raymond S. James and Engagement Letter with King & Spalding.

Motion/Second by Davis/Flowers-Taylor to approve the calendar of events Commissioner Flower-Taylor to approve the calendar of events for a proposed November 2nd TSPLOST referendum, Letter of Intent and G-17 Disclosure Statement with Raymond S. James and Engagement Letter with King & Spalding. Motion carried 4-1 (Johnson).

XIII. REPORT OF COUNTY MANAGER

Ms. Irizarry advised that since Mr. Wilson is out that she will deliver both the County Manager and Assistant County Manager reports.

- ✓ Set a date for the Rosenwald Groundbreaking Ceremony. Suggested date is April 19th at 3:00 p.m.

The date was not good with a number of commissioners, Ms. Irizarry advised she would send out a "Doodle Poll" with a couple of dates, then everyone can pick what works best for them and we need to coordinate with staff as well.

XIV. REPORT OF ASSISTANT COUNTY MANAGER

- SPLOST collections for February 2022 were \$885,178.02 bringing the average collect over the last 59 months to \$806,909.37.
- Vaccine distribution will be Friday April 9th.
- COVID testing will be Tuesday, April 13th from 9-11 a.m. at the EMA Office.
- Tuesday, Wednesday and Thursday, DPH will be doing vaccinations for County employees and family members 16 and over that have committed to getting the vaccine.
- The lieutenant process for the Fire Department begins this month. The written test is scheduled for April 15th, the tactical assessment is April 26th and interviews are scheduled for May 3rd.

XV. REPORT OF COMMISSIONERS

Rita Johnson was happy to hear Mr. Bidwell's presentation on the Health Insurance. This is huge, once we get these numbers the budget is doable and so it is good that we are in the drivers seat this year.

She is happy to hear that the Senior Center will be moving into Phase II. She has a lot of people who ask her about this and we are slowly, but surely getting back.

She also received her COVID vaccine on Friday and she hopes that everyone takes advantage and do this which will allow us to get back to normal even sooner.

Last, but not least, the TSPLOST is very important and she hopes that we can come together and make it work. She is just concerned how the voters feel with us putting it out there. She hopes that it works out and that we are able to get the other projects done as they are anticipated to be completed at this time. She feels it is a trust factor at this time and she isn't sure where we are with that.

Ryan Bowlden stated that he has a meeting with T.J. Imberger on Wednesday to observe the demonstration on the new mastic patching machine. This is a different type of asphalt for patching potholes. In the past a cold patch process has been used which hasn't held up under use, they are hoping that this process will work. They are going to experiment with it and put it in a couple of high use spots to try it out and see how it works.

Residents from Bethany Road were here again tonight to talk about their private drive, we have to make sure it is on the next agenda. We have to discuss this, see what we can do to make things right.

Tonight, there was a meeting at Carver Road Baptist Church and the citizens off of Oak Grove Road, Lenox Circle and Dunlap Circle had a meeting. There were over 70 people in attendance for opposition of the City's annexation of that 30 acres on Williamson

Road. They all signed a petition and they will be in attendance at the City meeting on April 27th.

Gwen Flowers-Taylor wanted to congratulate Celeste Fuller, she has known her since she was a child and she is amazed that anyone can stay at a job for 34 years. She hopes that she enjoys her retirement.

She was very pleased and proud of the City of Griffin Commissioners for listening to the residents regarding the housing development and annexation that was being considered out on 362. They didn't have to because all of the people complaining were county residents. None of them pay City taxes, none of them are city residents. But, she loves the fact that the passion those people brought to the meeting was conveyed and they were able to understand that there was something bigger than just what the project was. She doesn't know what the outcome is going to be, but that was something she had never seen in the 16 years she has been on the Board. Her hat is off to them for looking at this matter from the perspective of the County residents in that area and she hopes the final decision comes out to benefit not only the City, but be a blessing to the citizens in that area.

She agrees with Commissioner Bowlden, we need to fix whatever is going on at Bethany Road. Who knew that it would take 142 pages of "stuff" to figure out that we could have fixed some of this earlier. She doesn't know if it is something that staff can do or if it needs to be placed on the next agenda, but she feels there needs to be some open discussion and there needs to be some work done before we get here in terms of talking to the residents. We did check with 911 and they advised that they have been able to respond to any emergency calls that have been placed to that area; however, whatever what she read in the 142 pages of "stuff" said that we need to fix this. We need to figure out how to fix it and we need to figure out how to fix it legally.

She then stated that she loves the Sheriff because he stood right there and told her that he didn't care what y'all do, I'm going to go ahead and do this thing and that is what you are supposed to do. Because you look out for your department and we look out for the folks on this side and when we can bring it together that is fine. She further stated that she always believes that his heart is in the right place, no matter what comes out of his mouth.

James Dutton stated that there are a number of topics he wants to touch on. Bethany Road again, there is a lot of documents there. He then asked who the current owner of that road is.

Ms. Windham stated that the road is not Bethany Road it is a private drive and the Board will have a complete legal review of this by Tuesday of next week. There is a lot of nuance to all of it.

Commissioner Dutton then stated that we can't do anything to that location until we know who owns the property. We can't just come in do something on private property.

Ms. Windham stated that in short: The developer was Ray Browning and he developed a number of lots in this location. The drive was a lot, it was never considered a road, it was a private drive always. It is called Lot 1 on the plat approved, it is also called

Kelly Drive. The owners have easements across Kelly Drive, which is a lot. If you have an easement, you don't have a public road. So, it has never been a road at all, it has always been a private drive. Mr. Browning went into foreclosure and at that point the other lots were sold off and Lot 1 was not because who would want it? It is an acre strip that leads from Bethany Road down to the last house. Of course, he stopped paying the taxes and at that time, the Land Bank's procedure was if it was not sold at the tax sale, the Land Bank would take it regardless of what it is. So, the Land Bank ended up with a number of properties that are not desirable such as this. When it was discovered that the Land Bank purchased this property, because of the tax sale, they never foreclosed the right of redemption and it was determined that the Land Bank would convey it to the owners along Kelly Drive. The owners are not necessarily the people who live there, the owners are the owners of record according to the Spalding County deed records.

Ms. Windham's instruction was that we need to talk with the owners and let them know this is what we are going to do. She has since learned that only one of the owners was actually spoken to and it was her understanding that they had all been talked to or she would have never recorded that deed until they had all been spoken to. The thing is, either the Land Bank undoes that conveyance and conveys it to Ray Browning because the Land Bank is not going to keep this property and Spalding County has never owned any interest in it at all.

Commissioner Flowers-Taylor stated that technically the Land Bank could have conveyed Kelly Drive to the County, which means we could have technically made it a road.

Ms. Windham stated that the County, more than likely would not have accepted that conveyance either, because it doesn't meet any of the criteria for a county road.

Commissioner Dutton stated that the underlying issue is not who to convey it to, but who is going to accept conveyance. You can't just give it to the landowners unless they accept it. You can't give it back to Mr. Browning.

Ms. Windham then stated that you can certainly give it back to the debtor in *fifa*. However, that is not a solution.

Commissioner Bowlden then added that none of the four residents on that road have ever been talked to about the road being a private drive.

Ms. Windham advised that she understands that, but it is still *caveat emptor*, it is buyer beware. She has looked at the deeds and from what she recalls is only one of the deeds does not reference an easement for Kelly Drive. All of the others reference that easement for Kelly Drive. So, you may not have understood what that meant, but it is a matter of public records. So, notice is implied to the world.

Commissioner Dutton then stated with that in place, it seems like the correct action would be to sue Mr. Browning to enforce your easement. Which means that since I can't get to my house because you own the easement that he has to do something. Is that not a solution?

Ms. Windham stated that she feels there would be a default judgement which is just another piece of paper that no one was able to enforce and you would still have the same problem with this drive being unmaintained. Ms. Windham stated that she has done numerous driveway maintenance agreements and private drive maintenance agreements over the last 25 years and they are bad. Often times this involves a family who shares a private drive, then one of the members of the family decides to sell the house to somebody else, then all of a sudden it becomes the burden of one person to maintain it and they may send a bill to everyone else that utilizes the private drive but collecting on it becomes the issue. The main problem is that this was allowed according to our ordinance when this plat was approved.

Commissioner Dutton then stated that he feels this is a prime example as to what he has been talking about with minimum housing standards, it is the Board's duty to protect individuals and make sure that our standards are high enough that it protects the people who live here and protects the people who want to move here. People think they are moving to a nice community with good standards, just to find out they don't even have a road to their house. That's on us and this is just one example, but we need to use this as a lesson.

He then stated that he wants to talk about the TSPLOST, it is definitely something that we need. He has said it a number of times, he is only in favor of needs at this point, but potholes are a need, road scraping is a need, sidewalks to connect communities are a need. Additionally, we are going to have to stop allowing trucks that are filled to capacity with pine trees go down our roads. Our road are good roads, but with these heavy trucks going down our rural roads, it is destroying the roadways. There is a reason why the highways have a weight limit on the trucks that travel on those road.

He stated that it was expressed tonight that we have not done anything regarding local legislation and the words voter suppression were mentioned. The voting election law that is in the news right now and the reason that Cobb County just lost the All Star Game etc. That is totally different than the local legislation that is here. The local legislation is about Spalding County and our elections office. The thing that is making national news and getting lots of folks upset is a totally different thing and he definitely wants to draw that distinction there.

He has some good news. Today he spoke with a regional staffer for Senator Ossoff, she called him and they specifically talked about Heritage Park. She is very interested and we have reached out to her and sent her the plans and costs. She is very interested in this project and she thinks the Senator is going to be very interested as well. He still has not heard back from Senator Warnock's staff, but he will continue to contact them. He feels this is something that if they can't directly fund, perhaps they could direct us to grants that are available.

He wanted everyone to know that he, Marie Broeder, the Superior Court Judges and the Juvenile Court Judges want to create an Alternative Court for the Juvenile System to give the kids the opportunity to learn. Traditionally, they have not learned their lessons through the punishments given on a juvenile level and so they will be given an opportunity to be part of a mentorship program that will give them a different tract and teach them how to make better choices in their life.

He can't wait until the only restrictions for COVID 19 are those imposed by the State. We have imposed extra restrictions by closing things down or going to being open on certain days and that removes the freedom of choice from individuals. Individuals who don't want to come for whatever reason, that is their choice, but we take that choice away from them. If was up to him, he would simply say that we need to comply with the State order and open everything up.

During comments the Board spoke about the issue on 362 and the Annexation. At the City meeting which several of us attended as individuals, the City made the comment that our object was not done according to statute because it wasn't sent via Certified Mail. The statute does specifically call for that objection being made via Certified Mail, but it calls for that in other ways. Whereas we have had an amazing relationship with the City of Griffin and the Board of Education because of Archway. Anytime there is notice and we want to communicate with them instead of sending a courier or certified mail, we can go and hand it to them and they have accepted that and they have never had a problem with it before and now all of a sudden even though our County Manager hand delivered it to them and they signed for it as they would have a Certified Letter, they are saying since it didn't come USPS Certified, it doesn't qualify. So, we're going to ignore that. He feels that would not stand up in Court as we went above and beyond Certified Mail by going and hand delivering it and making them sign for it. If the City wants to question it, he would like to hear what a Superior Court Judge has to say about it, if the City makes the wrong choice on this motion that they tabled.

The deduction reimbursement program, we raised the deductions to \$4,500, but it is only \$1,500 for employees. The County has put the money up to cover the difference and many of the County employees do not know that. He has talked with, especially at the Sheriff's Office are not aware of this. He feels we need to do a better job of letting them know.

He then thanked the Chairman for letting him sit in this evening and conduct the meeting while he is appearing virtually.

Clay Davis stated it is different sitting on this side than sitting on the other side. He wants to talk first about vaccines. Pandemic is the number 1 thing. As we see vaccines starting to be out there, we see the economy starting to change. CDC is saying it is now okay to start to fly, which is really big. There have been 7 people in the last two weeks in Spalding County who have died because of COVID. He is continuing to say please get vaccinated because as you get vaccinated, you save peoples' lives.

He wanted to remind everyone that on April 9th, will close out the County Managers application requests. For those members of the Board, we have four more since the last time he spoke with you, so you should have an idea of the total number we will have to review.

Archway is working with the Rosenwald History Center Committee to identify additional funding opportunities. They are also exploring internship opportunities to help with the operation of the center.

The first 3G Plus Meeting was held on March 30th with the new superintendent and the three entities agreed to resume meeting regularly to discuss critical matters.

Regarding Archway and the five planning committees for the Joint Strategic Plan have begun to meet. Each committee will meet five times over the course of the next three months to discuss the priority areas: Crime, Economic Development, Education, Poverty and Charity, and Housing and Blight. The City, County and School Board have representatives on each of these committees working along side a diverse group of community stakeholders to insure the plan is viable and achievable by the community.

Thanks to Rachel for handling the laptop and turning him so that he could see everyone this evening.

Commissioner Dutton stated he had just received a text and he needs to bring the matter up this evening because it is time sensitive. Our Conflict Public Defender is being told by the State that if they don't find office space that the County owns here in Spalding County that their office will be move to Atlanta and the clients will have to drive to Atlanta to meet with their attorney and their attorneys will only then come down to Griffin to go to Court. He feels this would be a great dis-service to the clients. They were just notified of this by the head of the Public Defender's Office.

XVI. CLOSED SESSION – None.

XVII. ADJOURNMENT

Motion/Second by Johnson/Bowlden to adjourn the meeting at 9:17 p.m. Motion carried unanimously by all.