

After Agenda

Board of Commissioners of Spalding County
Regular Meeting
Monday, December 6, 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, December 6, 2021, at 6:00 p.m. with Chairman Clay Davis presiding. Commissioners Rita Johnson, James Dutton (via ZOOM), Ryan Bowlden and Gwen Flowers-Taylor were present for the meeting. Also present were County Manager, Dr. Steve Ledbetter, County Attorney, Stephanie Windham, Community Development Director, Debbie Bell, Citizen Engagement Specialists, DeAndre Smith and Amy Storey, and County Clerk, Kathy Gibson to record the minutes. Newton Galloway, County Zoning Attorney joined the meeting at 6:38 p.m.

I. OPENING (CALL TO ORDER) by Chairman Clay Davis.

PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.

II. INVOCATION

Commissioner Gwen Flowers-Taylor, District #1, delivered the invocation.

III. PLEDGE TO FLAG

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

IV. PRESENTATIONS/PROCLAMATIONS

1. Consider presentation of the 2021 Georgia County Excellence Award for Spalding County's "Healthy Living Community Garden" in recognition of innovation in County Government.

Dr. Ledbetter advised that at the ACCG Conference in Savannah in November, Spalding County received the 2021 Georgia County Excellence Award for their "Healthy Living Community Garden" in recognition of innovation in County Government. Spalding County was one of only four communities across the State to receive this recognition. Thank you to the Spalding County and UGA teams, Kelly Carmichael, all of Leisure Services and to UGA for their hard work in bringing this recognition to the County.

2. Presentation of 25-Year Service Award to Richardo McCreary, Communications Manager for Spalding County E-911 Operations.

Dr. Ledbetter presented Ricardo McCreary with his 25-Year Service Award and thanked him for his service to Spalding County.

V. PRESENTATION OF FINANCIAL STATEMENTS

1. Consider approval of financial statements for the four months ended October

31, 2021.

Jinna Garrison, Administrative Services Director, stated she would be happy to answer any questions the Board may have regarding the Financial Statements.

Commissioner Flowers-Taylor then asked if there was any action needed to hold the County over until property taxes begin to come in?

Ms. Garrison advised that the County should be fine.

Motion/Second by Flowers-Taylor/Johnson to approve the financial statements for the four months ended October 31, 2021. Motion carried unanimously by all.

VI. 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.

Summer Clackum, [REDACTED], asked the Board to consider using ARPA funding for local organizations like Manna from Above, Inc. to assist them in their efforts to help low income families who have been impacted by COVID 19.

VII. MINUTES -

Consider approval of Minutes for the Spalding County Board of Commissioners Regular Meeting and Executive Session on October 4, 2021, the Spalding County Board of Commissioners Special Called Meeting on October 6, 2021, the Spalding County Board of Commissioners Extraordinary Session and Executive Session on October 18, 2021, the Spalding County Board of Commissioners Work Session and Zoning Public Hearing on October 28, 2021, The Spalding County Board of Commissioners Regular Meeting on November 1, 2021 and the Spalding County Board of Commissioners Special Called Meeting on November 3, 2021.

Motion/Second by Johnson/Flowers-Taylor to approve the Minutes for the Spalding County Board of Commissioners Regular Meeting and Executive Session on October 4, 2021, the Spalding County Board of Commissioners Special Called Meeting on October 6, 2021, the Spalding County Board of Commissioners Extraordinary Session and Executive Session on October 18, 2021, the Spalding County Board of Commissioners Work Session and Zoning Public Hearing on October 28, 2021, The Spalding County Board of Commissioners Regular

Meeting on November 1, 2021 and the Spalding County Board of Commissioners Special Called Meeting on November 3, 2021. Motion carried unanimously by all.

VIII. OLD BUSINESS -

1. Lift from the table and consider approval of budget amendment for FY 2021 encumbrances.

Motion/Second by Flowers-Taylor/Johnson to lift from the table and consider approval of a budget amendment for FY2021 encumbrances. Motion carried unanimously by all.

Commissioner Flowers-Taylor stated there were some items on the amendment that needed to be corrected.

Ms. Garrison advised that the numbers have been corrected and are on the attachment. It was on the Ordinance and the numbers have been corrected.

Motion/Second by Flowers-Taylor/Bowlden to approve the budget amendment for FY2021 encumbrances. Motion carried unanimously by all.

2. Lift from the table and consider request from the Spalding County Parks and Leisure Services Commission and the Project Steering Committee to establish the name for the History Museum and Park and adopt the vision and mission statement as recommended.

Motion/Second by Dutton/Flowers-Taylor to lift from the table and consider a request from the Spalding County Parks and Leisure Services Commission and the Project Steering Committee to establish the name for the History Museum and Park and adopt the vision and mission statement as recommended. Motion carried unanimously by all.

Kelly Carmichael, Supervisor of Leisure Services advised that she is available to answer any questions the Board may have. She stated that the Project Steering Committee was appointed by the Board earlier this year and that the names for both the History Museum and the Park were submitted and have been approved by the Ad Hoc Committee and the Parks and Leisure Services Advisory Commission.

Commissioner Flowers-Taylor then asked if this would follow the Naming Policy the County has established?

Stephanie Windham, County Attorney, advised that the Steering Committee can serve as the Ad Hoc Committee.

Motion/Second by Dutton/Flowers-Taylor to appoint the Project Steering Committee as the Ad Hoc Committee for the naming of the History Museum and Park. Motion carried unanimously by all.

Motion/Second by Bowlden/Dutton to approve the recommendation of the Ad Hoc Committee in establishing a name of “Our Legacy: The Griffin-Spalding African American History Museum” for the museum and the name of “Fairmont Vocational Heritage Park” for the park. Motion carried unanimously by all.

Commissioner Johnson then asked about approval of the Mission Statement and Vision for the History Museum and Park.

Ms. Windham advised that she doesn't believe that the Board needs to approve the Mission Statement or the Vision for the Museum and Park.

3. Lift from the table and consider request from the Spalding County Fire Department to begin the process of ordering a new fire engine.

Motion/Second by Johnson/Flowers-Taylor to lift from the table and consider a request from the Spalding County Fire Department to begin the process of ordering a new fire engine. Motion carried unanimously by all.

Dr. Ledbetter advised that Chief Byrd is currently working an active fire and not able to be at the meeting this evening.

Commissioner Flowers-Taylor then reminded the Board that the Fire Department had covered the information at the last meeting and the Board had ask that they go back and provide additional information.

Dr. Ledbetter then advised that the Fire Department at the request of the Board had gone back and provided the numbers for the purchase of two fire trucks instead of one. The quote for the two fire trucks in today's market is \$1,470,307 which is a the significant increase in the cost of these vehicles due to the increase in materials. There is money in the Fire District Fund to fund the two vehicles.

The current wait time for delivery of a vehicle is 18-24 months and that is if we start this process tomorrow. If we wait until January to submit the order we can expect a 20% increase in price because the cost steel is expected to increase after the first of the year. Staff's recommendation is that we go ahead and place the order for two vehicles, with anticipated delivery date in 18-24 months. We have the money available through the Fire District Fund.

One the caveat to this is in order for us to get in line to make the order tomorrow for an 18 month to 2 year delivery each vehicle will require a \$250,000 deposit to place the order. They are that backed up in manufacturing. Staff is asking that the Board approve the purchase of two pieces of equipment based on the age of the vehicles currently in the fleet and that the \$500,000 required to place the order be approved out of the Fire District Fund.

Commissioner Flowers-Taylor then asked the balance in the Fire District Fund and if it would support this expenditure for the deposit.

Dr. Ledbetter then stated that the current balance in the Fire District Fund is \$4.5 million.

Commissioner Flowers-Taylor then asked what would happen to the vehicles that these two units will be replacing?

Dr. Ledbetter advised that it is his understand that the oldest unit currently in the fleet will be surplus, and the other unit will be moved to another station to be used as a back-up.

Motion/Second by Flowers-Taylor/Dutton to consider the request from the Spalding County Fire Department to begin the process of ordering two new fire trucks as recommended by the Fire Chief and that the deposit of \$500,000 be taken from the Fire District Fund. Motion carried unanimously by all.

IX. NEW BUSINESS -

1. Consider approval of the 2022 Board of Commissioners Meeting Schedule.

Dr. Ledbetter stated that this is the list of Commissioner meetings for 2022 and reflects the first and third Mondays of each month.

Motion/Second by Flowers-Taylor/Johnson to approve the 2022 Board of Commissioners Meeting Schedule. Motion carried unanimously by all.

2. Consider approval of the 2022 Notice of Zoning Public Hearing dates for the Spalding County Board of Commissioners.

Dr. Ledbetter advised that this is the meeting schedule for the Zoning Public Hearings scheduled for the 4th Thursday of each month. It also moves the meeting in November and December 2021 to prevent interfering with the holidays.

Motion/Second by Johnson/Flowers-Taylor to approve the 2022 Notice of Zoning Public Hearing dates for the Spalding County Board of Commissioners. Motion carried unanimously by all.

3. Consider request from the Griffin-Spalding County Hospital Authority to allocate funding to the following projects for 2022:

- Spalding County Board of Health (Flu Shots) \$22,000.00
- Spalding County Senior Nutrition Program (Meals on Wheels) \$55,500.00

Motion/Second by Flowers-Taylor/Johnson to approve the request from the Griffin-Spalding County Hospital Authority to allocate funding to the following projects for 2022 for the Flu Shots and Meals on Wheels as presented. Motion carried unanimously by all.

4. Consider the approval of the following alcohol license renewal for Consumption on Premises of Beer, Wine and Liquor:

- Victoria McDaniel for Hole N the Wall Lounge located at 1647 North Hill Street, Griffin, GA 30223. No Violations.

Motion/Second by Flowers-Taylor/Bowlden to approve an alcohol license renewal for Consumption on Premises of Beer, Wine and Liquor for Victoria McDaniel for Hole N The Wall Lounge located at 1647 North Hill Street. Motion carried unanimously by all.

5. Consider approval of 2022 Alcohol License Renewal for Retail Sale of Beer and Wine-New Applicant for:

- Amber R. White for Racetrac #182 located at 4200 N Expressway, Hampton, GA 30228. No Violations
- Amber R. White for Racetrac #2495 located at 1638 US Hwy 41, Griffin, GA 30224. No Violations

Motion/Second by Dutton/Bowlden to approve the 2022 Alcohol License Renewal for Retail Sale of Beer and Wine for Amber R. White for Racetrac #182 located at 4200 N Expressway, Hampton, GA and Racetrack #2495 located at 1638 US Hwy 41, Griffin, GA. Motion carried unanimously by all.

6. Consider the approval of the following alcohol license renewal for the Retail Sale of Beer and wine:

- Tushar Patel for Exxon Food Mart located at 2295 N Expressway, Griffin, GA 30223. No Violations.

Motion/Second by Flowers-Taylor/Dutton to approve an alcohol license renewal for Retail Sale of Beer and Wine for Tushar Patel for Exxon Food Mart located at 2295 N Expressway, Griffin, GA. Motion carried unanimously by all.

7. Consider appointment of a 2022 ACCG Legislative Coordinator to represent Spalding County.

Chairman Davis asked that he be appointed as the 2022 ACCG Legislative Coordinator for Spalding County.

Motion/Second by Flowers-Taylor/Dutton to appoint Chairman Clay Davis as the 2022 ACCG Legislative Coordinator for Spalding County. Motion carried unanimously by all.

8. Consider request from ACCG to adopt a resolution in support of reforming Georgia's Annexation Dispute Resolution Law.

Motion/Second by Flowers-Taylor/Dutton to approve the request from ACCG to adopt a resolution in support of reforming Georgia's Annexation Dispute Resolution Law. Motion carried unanimously by all.

9. Consider approval of a resolution to complete Special Condition #1 for Spalding County's 2021 CDBG project.

Dr. Ledbetter advised that this the Language Access Plan that requires the County to have a process in place for those who do not have English as a first language. This is a condition under the CDBG to make sure that we are adequately providing for those who are not fluent in English.

Motion/Second by Johnson/Dutton to approve a resolution to complete Special Condition #1 regarding a Language Access Plan for Spalding County's 2021 CDBG project. Motion carried unanimously by all.

10. Consider request from the Spalding County Correctional Institute to amend their contract for Medical Services with Dr. Robert Hall.

Motion/Second by Dutton/Bowlden to approve a request from the Spalding County Correctional Institute to amend their contract for Medical Services with Dr. Robert Hall.

Warden Humphrey from the CI was present to answer any questions the Board may have regarding this request.

Commissioner Johnson stated that this is a short-term arrangement, correct?

Warden Humphrey stated that this is a short-term remedy until we can bid the contract out and we will hopefully have that in place July 1, 2022.

Motion carried unanimously by all.

11. Consider recommendation by Parks and Leisure Advisory Commission to allow food trucks in parks per approved application and agreement.

Ms. Carmichael advised that the Board had approved food trucks on a trial basis in parks. It went extremely well, they had approximately four trucks that were in attendance and they served approximately 3-400 citizens. It created a fun atmosphere and it brought people to the parks. They all had the proper permitting, staff reviewed everything. It went extremely well and the public absolutely loved it. There were many positive reviews. This request was presented to the Park and Leisure Services Advisory Commission and they are recommending that we establish this as something that we offer.

The permits for this will be handled through Leisure Services and they will be scheduling these trucks. One of the things that they will be mindful of is when the sports programs are going on and their concession stands are open, we will not be scheduling food trucks during those times.

Motion/Second by Flowers-Taylor/Johnson to approve the recommendation of the Parks and Leisure Advisory Commission to allow food trucks in parks per approved application and agreement.

Commissioner Flowers-Taylor then asked if the permit the Food Trucks have from the Health Department is good for the whole County or just for the City of Griffin?

Ms. Carmichael stated that the County does not issue Food Truck Permits.

Commissioner Flowers-Taylor stated that is part of her concern. There are people who are operating food trucks in Spalding County, and at one point the Board felt it was not a good idea for the County, but obviously things have changed. So, she would hope that we would go back and review our ordinance to have a bigger picture of what it is that Spalding County allows. We need to make sure that what we are doing is also along the lines of what the City is doing to accommodate food trucks.

Chairman Davis then asked that Dr. Ledbetter check the Ordinances for both the City and the County regarding Food Truck businesses and report back to the Board of Commissioners.

Motion carried unanimously by all.

12. Discuss the arson at Fairmont Playground on Friday, November 5, 2021.

Ms. Carmichael advised that the arson occurred between 7:00 and 7:30 p.m. on November 5th, it was dark as the time had already changed. Three very young juveniles were alone in the park. They used toilet tissue to ignite a slide in the new playground area and it completely destroyed the slide to the cost of \$11,501.42. It has gone to the next level through law enforcement, she can't share too much because juveniles are involved.

Dr. Ledbetter stated that staff is asking how to replace this equipment? Where would the Board like for staff to fund the replacement from? The challenge is through the insurance there is a \$10,000 deductible, so it wouldn't be right to claim this because it would take almost the entire amount to meet the deductible. The money is available, but it is a significant hit to the budget for this damage and unfortunately there was more damage today that will be brought to the Board at a later time. The incident occurred late this afternoon, there is more damage in that area and we need to address it. Staff is asking for direction from the Board.

Commissioner Flowers-Taylor then stated that she doesn't agree with anybody destroying public property. She read the report and she has a problem with someone from the Fire Department saying that the children should not be prosecuted, even in Juvenile Court. She feels that this gives people the wrong message when we don't hold children accountable for the things that they do. She's not saying they need to be incarcerated, but someone needs to be monitoring the children. There may be a possibility that someone could intervene with a child, before they go into the prison system.

Commissioner Flowers-Taylor then stated that she doesn't feel that all of the children in the area should be punished for the actions of a few and if there was money that could be found to purchase a landfill, then money can be found to replace this playground equipment.

Commissioner Flowers-Taylor then stated that she feels we need to ask the City of Griffin to be more mindful in patrolling the area. She doesn't feel at this time there is a necessity for us to hire security for that area, because it doesn't happen when we're there. Commissioner Flowers-Taylor then suggested that the money come out of the General Fund. We need to look at what we can do as a County for better security and get with the City of Griffin in terms of patrolling.

Commissioner Dutton stated that he agrees with Commissioner Flowers-Taylor this is something that we need to replace. A few kids making poor decisions should not affect the other children who utilize the facilities. He also agrees that if we continue to send the message that nothing happens to these kids, this type of behavior is going to continue.

Ms. Carmichael added that she wants to make sure that the Board doesn't have the impression that this incident has been allowed to slide. Staff has taken all of the steps that they take when something like this occurs in the parks. They have

also reached out to Judge Ott and that system. We have every entity we know in place and this is why the matter has escalated. Also, when we have these incidents and we know who the children are, staff meets with the parents and we meet with the children in an office. We serve these children and we engage these children and in many instances we will go out into the park if they have vandalized an area, then they are responsible for keeping up and taking care of that area, whether it is picking up trash or whatever to grow accustomed to taking care of the resources that they have in their neighborhoods.

Commissioner Bowlden stated that this goes along the line of what we talked about several months ago regarding establishing community centers and we haven't really done anything about it yet. We've got to do something. He advised that he is currently working with Judge Ott and they have established a mentoring group called "I'm a Character," and they refer children to the group who have got in trouble and we take them to different locations and expose them to trades where they are exposed to how to perform certain functions within the community.

Motion/Second by Flowers-Taylor/Dutton to replace the playground equipment destroyed at Fairmont and that the funding come out of the General Fund. Motion carried unanimously by all.

13. Consider request from Paragon Consulting Group, Inc. to approve their recommendation on modernizing the elevator system in the Spalding County Courthouse.

Motion/Second by Flowers-Taylor/Dutton to approve the request from Paragon Consulting Group, Inc. to approve their recommendation on modernizing the elevator system in the Spalding County Courthouse.

Brian Upson, Paragon Consulting Group, advised that the Board ask that he go out and bid this project. We receive proposals from two companies, one of which has been used by the County for a number of years. Paragon was asked to put a bid package together, that was done and we received two bids for the project.

Dr. Ledbetter advised that the low bid for the project was from TK Elevator in the amount of \$387,899.

Mr. Upson advised that the County is required to do a portion of the work, staff will be constructing a couple of walls in the mechanical room and they will have to put a mini-split air conditioning system in the room to condition the space. Mr. Tardy estimated that to be around \$7,000 to be added to this quote. Staff is asking that \$10,000 be added to the base bid as a contingency and it would be better to add \$20,000 for the contingency which would make the total \$407,899.

Commissioner Johnson then asked how soon they could start on the project?

Mr. Upson advised that they could start within the next few weeks. There is a lot of initial work that can be prepped before the equipment arrives. When we sign a contract, the bid amount will be locked in for the job.

Motion carried unanimously by all.

14. Consider request from Norfolk Southern Railroad to close 5 railroad crossings in Spalding County and the City of Griffin.

Dr. Ledbetter stated there has been lots of conversation regarding this.

Commissioner Flowers-Taylor expressed her concern that residents in the areas of these crossings are not aware that this is going to be done. She feels that we should be letting them know that this is coming down the road.

Commissioner Johnson then asked how we would be communicating this with the citizens in the County that would be involved.

Dr. Ledbetter stated that one of the things we will be doing in conjunction with the railroad is posting signs at each one of these locations that cross their property. It is their property and they can close it without any consideration for anyone at anytime. One of the things they are affording us the opportunity to do is they are using some financial incentives to assist us in developing areas for cross walks or for sidewalks. DeAndre and Amy will need to make sure that we inundate Social Media with what is going on. But, this is a decision, it is not our property and the railroad is telling us that they are ready to make a move. All the work that is going on down in Savannah is making a significant difference for the State of Georgia. He feels this is a great opportunity for us to put some sidewalks in and install some crosswalks in a way that will help our community.

Chairman Davis then stated that the railroad can close these crossings and we don't have anything to say about it and right now they are asking us and telling us what they plan to do and offering us some money to be able to improve those areas. If we delay in a response, they can say "thank you", but we are closing them anyway. His recommendation is that we go ahead and get this done.

Commissioner Flowers-Taylor then asked if the School System has been consulted to make sure there is no problem with their routing.

Dr. Ledbetter stated that we have done a lot of research in the area and the Public Works Department has done a fabulous job. They have done traffic counts at the locations to make sure to make sure that we know what kind of traffic is utilizing these crossings. We have had conversations with both the City and the School Board. We have done our due diligence and we are bringing it before you to ensure that we are able to get some sidewalks and crossings in place.

Scott Sullivan, Supervisor of Roads, advised that EMS, the Fire Department and the School System has already approved these crossings to be closed.

Motion/Second by Flowers-Taylor/Johnson to approve the request from Norfolk Southern Railroad to close 5 railroad crossings in Spalding County as recommended by Public Works. Motion carried unanimously by all.

15. Discuss TSPLOST next steps:

- Issuance of Bonds for the 1st year of TSPLOST to be able to start resurfacing of roads within the first year.
- Material costs now vs. material cost quoted prior to cost increases and any adjustments that may be required due to the increase in costs.
- Thank you to Kirby Sisk and David Johnson for their hard work in getting the TSPLOST passed.

Dr. Ledbetter then advised that pricing of materials have led to the delay of some road projects and will require that we rethink the timing on future projects. According to asphalt industry experts the industry does not see a reduction in asphalt pricing in the future. Because of this, staff is working to refine the countywide projects when TSPLOST funding becomes available in 2022.

For example, milling roads rose 59% over the last year, patching rose 53% over the last year and these increases resulted in less money to pave as seen over the last two years. 2020 LMIG funds cost us \$100,695 to resurface roads. In 2021 the resurfacing was \$175,000 to resurface roads for a 75% increase in costs.

Further analysis revealed that in September 2021 construction officials called on the White House Administration for immediate removal of tariffs on key construction materials and urged Congress and Administration to take steps to repair every level of our supply chain. In review of all the increased prices for paving, staff completed their analysis with the following conclusions:

- There is a need to review, evaluate and prioritize the list of roads to be paved with a focus on updating Paces for current and projected traffic count and proposed land use considerations as the County updates our Comprehensive Plan during the next year.
- Align our schedule and costs estimates with our TSPLOST funds to maximize the number of paving projects.
- Consideration should include collaborating with the City of Griffin to coordinate the bidding of shared projects to reduce mobilization costs and to achieve greater economy of scale in our paving efforts.
- Bonding the first two years of anticipated revenue. The earliest we would be able to bid the contracts would be July of 2022.

Staff's conclusion is that Current Cost Estimates to pave the previously identified roads is roughly \$ 38.5 million using December 2021 numbers. This is a \$7.2 million increase to last year's estimates. This is our opportunity to maximize and manage the paving projects closer, while maximizing the number of roads that we are paving or resurfacing in our planning process. The sooner we can do this the better. We should be using a sooner rather than later approach.

Chairman Davis stated that what this narrows down to is that the materials are costing significantly more to do what we plan to do with this funding. The original intent was to bond the first year of TSPLOST and get the roads started on immediately instead of waiting for a pay-as-you-go to be able to do this. The cost to bond is not significant in the bigger picture. The recommendation from the County Manager and the staff is that we bond 2 years instead of 1 year because of the increase in materials that we feel is going to continue.

Commissioner Johnson stated that if we are looking at costs, we really don't have a choice and she feels it is wise to follow the suggestion of staff if we are looking at costs.

Commissioner Flowers-Taylor stated that she wants to know how much it is going to cost for us to bond 2 years of funding. She's not sure we are ready to do this. She feels this is a change from the original intent which was we were going

to pave \$10 million in roads each year and it goes as far as it can go. She feels we need to take some time before we decide how much we want to bond, to look at this and see what our game plan is going forward. Not to say we're not going to do it, but we need to look at this and if there is an infrastructure bill that deals with roads, everybody is going to want to get their road paved.

Chairman Davis stated that he is not looking for a vote, he is just wanting to start a conversation. Are we going to bond one year or are we going to talk about bonding the first and second year because it makes more financial sense?

Commissioner Flowers-Taylor then asked what it would cost to bond the funds for the first two years?

Dr. Ledbetter stated that he is looking for permission from the Board to go out and get that information. We have to go back and talk with the Bonding Attorneys to make sure that we get all of these figures for you, so that we aren't speaking out of school. He wants permission from the Board to go and negotiate for bonding for one year and for two years and bring that information back to the board.

Dr. Ledbetter then asked if we are set with the roads as they were presented to the community. And if we are, then we need to make sure that we manage against all of the roads that are in place, or does the Board want us to go back and revalidate the Paces scores and realign those roads?

Commissioner Flowers-Taylor stated she has always wanted to explore the possibility of cross-county transportation and mentioned a small portion of Pine Hill Road that is unpaved, should it be paved could provide a cross-county road that would start at Jordan Hill Road and go all the way out to Hwy 19. These discussions took place during the Comprehensive Plan years ago and she would like to explore this possibility because it is less than a mile that would need to be paved and it would provide a cross-county road for our citizens. For that reason, she would like to go back and look at the list.

Chairman Davis then stated that there was a set number of roads that were presented in the TSPLOST for paving and it was agreed that we would spend \$10 million a year and that would go as far as it would go toward the roads slated for that year. If we are not able to pave the roads designated for that year, the roads that did not get paved that year will move to the top of the list for year 2.

Chairman Davis then stated for those who have been around for a while you are aware of what happened with the SPLOST, we stated we would do certain projects and it got blown out of proportion and before we knew it a \$4 million project was turning into close to a \$9 million project.

Chairman Davis then stated he wanted to publicly thank Kirby Sisk and David Johnson who headed up the TSPLOST Committee. It was a 55% for/45% against vote. We had tried to get a TSPLOST passed before and failed. There were two other times we couldn't get it out of committee to be able to do it. We were able to get this passed this time which is a move forward in the big picture of trying to upgrade/raise the bar for Spalding County.

In the last two years, we have had zero dollars in our budget for road repair, so we are going to fix that. This year we have a line item in the budget for road repair and we will continue to increase that line item so that at the end of the

TSPLOST we will have money to repair roads as we go along and overcome the zero funding for the last 10 years.

Consensus of the Board is to allow the County Manager to get quotes on the cost for bonding the TSPLOST projects for one year and for two years to present back to the Board.

16. Receive an update from Code Enforcement cases pending and cases closed.

Dr. Ledbetter stated that Ms. Bell is providing to you right now a report that we requested a meeting on last Thursday, but unfortunately, we did not get the information until just now. Dr. Ledbetter further stated that multiple conversations have been held regarding Code Enforcement and their ability to provide the numbers on where we are and the engagement from Charles Abbott and Associates. Our representative this evening is our Code Enforcement Officer. We do not have even his supervisor available for discussion this evening.

Stephen "Scott" Clair, Code Enforcement Office for Spalding County with Charles Abbott and Associates, advised that he has been doing Code Enforcement for Spalding County since Charles Abbott has taken over that function. The numbers have consistently been coming, they took over a number of old cases when they came on board. Some of the worst ones are included in the packets that the Board is reviewing. Due to it being an open forum, they were not included in anything that would be shown up on the screen in case someone's home is in what you have. Since CAA took over there have been approximately 411 cases that have been opened and there are 300 as of the end of November that have been brought into compliance. Some of the biggest issues he has come across here is right of entry.

A lot of the properties in Spalding County that are code issues are 5, 7, 29 acres and as he is not a commissioned officer he is limited by right of entry. He can't just go hiking around someone's property looking for a violation that the neighbor complained about. So, if he can't see it from their property or the street there is nothing that he can do. Another problem, because of the right of entry is getting proper service on some of the violations, because he is trespassing if they have their gate closed and it says "No trespassing."

Another issue that the County will face whether you are doing code enforcement with Charles Abbott, or whether you decide to bring it in-house. You will not be happy unless you have a minimum of 5 officers. It is physically impossible to get the results that the Board wants with two people. You could work 20 hours a day and you would not be able to get the results you are wanting.

Commissioner Flowers-Taylor stated that she has said on the record that we need a minimum of 5 code enforcement officers all the time. She then stated that she just isn't happy with the way this has worked out. Some of it has to do with COVID and people getting sick, but when you ride by a property and they have cleaned it up a little bit, she's not good with that. She expects for it to be cleaned and she just isn't happy with the service we have been getting.

Commission Johnson stated that six months to a year ago, there was an opportunity for us to actually hire more code enforcement officers and for whatever reason that did not happen.

Chairman Davis state that he is not satisfied at all and he advised that the County

Manager has got to do something. Whether that is to eliminate this company and pick another company. You've got to come up with a better solution than what we've got right now to be able to do something. We been working with this contractor for a year. We're charged \$15,600 for their service and it's not getting us where we want it to be. He asked the County Manager to figure out something and come back to the Board with a plan on whether it is more people, a different company or something. We have given it a whole year and this isn't where we want to be at the end of the year.

17. Consider on first reading an ordinance to establish a Marshall's Office for Spalding County.

Ms. Windham stated that a possible solution to the problem being discussed is we have drafted a resolution which would amend the Code of Ordinances to add a County Marshal. Our existing ordinance in Section 7.64 concerning marshals is not applicable to our needs as of today. This goes back to the enabling legislation that created our small claims court and it gives the judge of small claims court the power to appoint one or more marshals for the court, which would be under the direction of the judge of the small claims court. What we would like for you to consider is creating a County Marshal's Office that would be under the management of the County Manager.

The County would need to set up everything, the rules and what they would be able to issue citations for. The Marshals would all be post certified which is a huge problem that we are having now because we don't have the post certification. Judge Rita Cavanaugh and Ms. Windham have discussed this and there is a lot of money that Spalding County is not receiving anymore because we don't have a person or persons who are able to go out there and determine who should be cited.

The Georgia Code requires that for the creation of a County Marshal's Office it does have to be voted on by the electors in Spalding County. Ms. Windham then stated that she has drafted a proposed ordinance and also a call for the election. She would really like for the Board to table this tonight so that they will have the opportunity to review it and ask any questions they may have. She would ask that each Board member check out the code section O.C.G.A. 36-8-1 and she can provide the Board with copies of the proposed legislation as well. If we address it again in January, it can be on a ballot in May.

Motion/Second by Flowers-Taylor/Dutton to table the first reading on an ordinance to establish a Marshal's Office for Spalding County. Motion carried unanimously by all.

18. **Application 21-09Z:** Consider a request to rezone from R1 to PRRRD for the purposes of developing use as an overflow parking lot.

Chairman Davis then asked that everyone who has signed up to speak on this issue this evening, please stick to their 3 minute limit to allow everyone the opportunity to speak.

Spoke in Support of this Application:

Ed Culpepper, [REDACTED]
Pat Lynch, [REDACTED]
Bob McDonald, [REDACTED]

Pierre Zambalca, [REDACTED]
Cody Matson, [REDACTED]
Jack Tinley, III, [REDACTED]
Jean Bostick, [REDACTED]
Brian Twidley, [REDACTED]
Roy McLane, [REDACTED]
Ed Dalton, [REDACTED]
Jim Newland, [REDACTED]
Dave Dalton, [REDACTED]

Spoke Against the Approval of the Application:

Corey Klinker, [REDACTED]
Bob Lamoine, [REDACTED]
Charles Buckley, [REDACTED]

Dan Murphy, [REDACTED]
Robert Sims, [REDACTED]
Erik Swanson, [REDACTED]
Susan Sims, [REDACTED]
Joey Cabin, [REDACTED]
Dianna Berg, [REDACTED]
Moe Passannante, [REDACTED]
Judy Goldman, [REDACTED]

Joy Passannante, [REDACTED] (Ms. Passannante asked that her remarks be included as part of the minutes; however, she went over the three minute limit and did not complete her remarks. Additionally, she did not furnish a copy of her remarks to staff, so their inclusion could not be made part of the minutes.)

Signed up to speak:

Charles Penney, [REDACTED], Paragon Consulting advise that he is here this evening to answer any questions the Board may have regarding this project.

Ms. Bell advised that the request is to rezone 25 acres on the southside of Baptist Camp Road to accommodate parking. This would be an adjunct use to Cherokee Rose, it is not for the parcel that handles the Cherokee Rose facility so it is not subject to the conservation easement. The parking area would take approximately 20% of the 25 acres. Approximately 5 acres is scheduled to be used and the remaining acreage would remain in an undisturbed state. They will be required to provide a Land Disturbance Plan and get a Land Disturbance Permit.

The parking area was the subject of a variance request that was presented to the Board of Appeals on November 20th, the request was to allow for a gravel parking lot instead of a paved asphalt parking lot due to the fact that it would only be used a few times a year. Staff recommendation was approval of the request and it was approved by the Board of Appeals contingent upon this rezoning request.

After conversations with Mr. Galloway, staff did recommend that instead of the initial request for the property to be zoned AR-1 and require a Special Exception for a parking lot, that it would be a more efficient to rezone the property to a PRRRD zoning. It is allowed that we can recommend a different zoning, and the

Board can even recommend a different zoning district at a meeting. The advertisements are a notification that there has been a request to change the zoning district.

Staff has recommended conditional approval of this request. There have been some changes from the original staff report because the Special Exception request was withdrawn. The project does not need a Special Exception if it falls under the PRRRD zoning, but it would have to come back before the Board to may any change at all to the site plan.

One of the major changes to the conditions was that the Planning Commission recommended and approved that it be used for only two events annually.

Ms. Bell then presented the following conditions:

Staff recommends conditional approval of the rezoning application to PRRRD zoning subject to the following conditions:

- Approval of the proposed site plans upon the approval of the accompanying variance application 21-09Z with a note that this request was approved by the Board of Appeals on November 23rd, 2021. That condition was in the original set of conditions, so she just left it in place.
- The use is limited to the overflow parking area as shown on the conceptual site plan and is limited to 2 events during the calendar year with no event to exceed 7 days in duration.
- It should be the owner's responsibility to provide traffic control, signage and paid off-duty deputies for events and for days preceding and following for attendees who may be arriving early or leaving late.
- Traffic control shall be preferenced to normal vehicular traffic on Baptist Camp Road and work to minimize disruptions to normal vehicular traffic.
- Emergency Vehicle access routes shall be maintained at all times.
- Camping is not allowed.
- If temporary lighting is provided for events, it shall be cut-off type lighting allowing no more than 10% of the light produced to be reflective above the horizontal form of the fixture.
- No parking shall be allowed on the right-of-way of Baptist Camp Road.
- The driveway shall remain secure and gated except during scheduled events.
- No event shall violate the litter ordinance.
- Any future development shall be brought before the Planning Commission and Board of Commissioners as a modification of this request.
- The development shall be consistent with the conceptual site plan submitted with the original application.
- The developer shall obtain a Land Disturbance Permit in accordance with Spalding County Requirements prior to any land disturbing activity.
- There shall be a 50' undisturbed buffer along the east and west property lines

of the parcel and a 100' undisturbed buffer along Baptist Camp Road, with the exception of the driveway, as shown in the conceptual site plan.

- There shall be a 50' undisturbed buffer from all delineated wetlands and flood zones for any future expansion.

Mr. Galloway stated they recommended the change to PRRRD:

- ✓ They felt this zoning designation was more honest and more direct since the land use relates directly to the operation of Cherokee Rose though it is not part of the specific tract known as Cherokee Rose.
- ✓ The other reason for the PRRRD was to prevent having a zoning for an event center on the location where the only event identified is parking. Which staff felt was a bad precedent to set given the proliferation of the requests we have had related to event centers.
- ✓ He did not represent the County when the PRRRD zoning was approved years ago. PRRRD was drafted for Mr. Lawhorn by McIntosh Trail and it was approved in 1991-1992. It was not present in the 1962 ordinance, but it was added to the 1987 Ordinance and as a result, Cherokee Rose has had a mixed history of financial success, but it has generally been identified as a sporting clays facility ever since it was first implemented.
- ✓ So, to propose this property be zoned to the same zoning as Cherokee Rose, staff felt was more direct, more honest about what the use would be and would cause less trouble down the road and somebody wanted to use the property for an event center, over which we did not have any control at that time.

Motion/Second by Bowlden/Dutton to approve Application 21-09Z to rezone from R1 to PRRRD for the purposes of developing use as an overflow parking lot for no more than six (6) events in a year with the conditions stated for this application.

Commissioner Flowers-Taylor then stated that she has a concern regarding accusations that Cherokee Rose was doing a lot of land disturbance prior to the current owners taking the area over and no body was monitoring. All of this rings back to Full Blown Firearms because we didn't do our homework on the front end. She doesn't want the Board to approve this and not be able to verify that some of these things that are being alleged in the Clerk of Court's Office is not true.

She feels like the job of Planning and Development Director is to take the Zoning Requests that come to us and look at them based on our Ordinance. She never felt like it was the job of the Director to help any applicant figure out what they could do, without the Board having some input in it. So, she has a problem with that. The other thing is, if it is supposed to be PRRRD, which is Recreation, Residential/Event. There is none of that going on over there at Cherokee Rose except for the clay events. So, if you have 25 acres on the other side of the street and you just need to do a parking lot, do a parking lot for 5 acres. Why couldn't we figure out how to do a parking lot for 5 acres, maybe you couldn't call it an event center, but you could call it something else.

Her other concern, is when you leave the other 20 acres there and you make it PRRRD, what's to stop them from making a range on that side of the street. The entire area has developed since 1989 when this started. When this started in 1989 there was nothing out there. The people who did live close to the location

complained about having pieces of clay in their yards and on their property. She wants us to have economic development, but we need to look at the situation we are in right now. She wants to know why we can't grant the parking area without making it PRRRD? She doesn't like the fact that because it made it easier for the application, that's not what you're here for, to make it easy. Your job is to look at what the rules are, what the ordinances are and base the request as staff on what was presented to you.

Mr. Galloway stated that staff's job is to follow the code.

Commissioner Flowers-Taylor stated that is what she said, you are to follow the code, not change things to make it work for the code. Maybe this happens and sometimes when it gets to us it's not all clear, but what she can tell you is that after sitting here for the last six years, using tax payers' money to fuss about Full Blown Firearms and the shooting that went on out there, it is worth it to her for us to take a minute and step back and make sure that we have crossed all of the "t's" and dotted all of our "i's" so that we don't have to sit up and pay taxpayer money because we made a bad judgement.

She's not saying they don't need a parking space, she simply feels it should not be zoned PRRRD, because PRRRD has not been successful across the street. We don't really know what is on Cherokee Rose at this time and she don't know anything about the owners. She is happy that they are here, but she was also happy when the guy came to ask permission for Full Blown Firearms and stated that if she saw him today that she probably wouldn't know him, but if she did, she would probably shoot him. She is just saying that if y'all are okay with making that decision she is fine, but she has been here longer than most of those on this Board and she has had the opportunity to see that if you don't get all of the information, and sometimes the information doesn't work out like we want it, but you should still go and get all of the information, before you make a final decision.

Mr. Galloway added that the Board is not bound by the application's request for a particular zoning district. Nor are they bound by the recommendation that it move to PRRRD, their obligation is to impose a statutorily constitutional zoning classification on the property. They have the discretion to do so and currently the County does not have a zoning classification that just allows parking.

Commissioner Johnson then asked if rezoning this to PRRRD is compliant and it looks like it is.

Mr. Galloway stated that the Board has the discretion to apply any zoning classification that they deem to be protective of the owner's constitutional rights and that complies with rezoning in the code.

Commissioner Johnson stated that she is all for economic development and she is excited that the Gator Cup is coming to Spalding County. However, she is concerned when she hears Sun City residents who have been there a long time have seen a shift and it is having an adverse effect on their quality of life. We have been here before. She just wants to make sure that there is no other alternative. Can we do this without doing the rezoning?

Mr. Galloway stated that right now the property is R1 which is a residential class, R-1 does not include a parking lot as an accessory or special exception use, which

is subject to verification. The requirement for parking is usually tied to Commercial Development or multi-family more dense residential developments. Again, his view was being honest in direct in this parcel being tied to Cherokee Rose and you are protected by the conditions being imposed tying it to the site plan.

Ms. Bell then advise that she had toured the property on which Cherokee Rose is located and she was able to look at the various courses on the area and the work that has been done was only repairs to wash outs and the clearing of areas that had gotten overgrown.

Commissioner Flowers-Taylor stated she is just hesitant to make these types of decisions due to past experiences in this area. She would feel better if we did all of our homework and made sure that we don't have any conflict of interests on how this was done and we didn't miss any procedures and that we are making sure that what we are asking them to do is completely locked up and sealed so that another firing range doesn't develop on that 25 acres.

Commissioner Bowlden then asked that Chairman Davis call for the question.

Motion carried 3-2 (Flowers-Taylor/Johnson).

19. **Application 21-10Z:** Consider a request to rezone from AR-1 and R2 to R2 with the intent to apply for a special exception for a subdivision.

Mr. Galloway stated that he would ask that the Board hold this application for 30 days.

Motion/Second by Johnson/Bowlden to table Application 21-10Z for 30 days as requested by the Zoning Attorney. Motion carried unanimously by all.

X. REPORT OF COUNTY MANAGER

- SPLOST Collections for October were \$1,016,976. Total collections for this SPLOST since inception are \$56,095,127.50. The estimate collections for this same period were anticipated to be \$46,900,000 reflecting a 19.6% above estimated collections for the 67 months since the SPLOST began.
- Spalding County Sheriff's Office will be hosting their Santa Care event this Thursday.
- The Spalding County Senior Center will be hosting their Maker's Market Fine Arts Fair on Friday, December 10th from 10 a.m. to 2 p.m.
- Breakfast with Santa will be held at the Fairmont Community Center this Saturday, December 11th, from 10:00 a.m. until 2:00 p.m.
- The Christmas Essay Awards will be presented on Saturday, December 11th, at noon at the Fairmont Community Center.
- The Spalding County Tag Department will be down from 7:00 p.m. on December 30th through 5:00 p.m. on January 3rd to update software. The offices will be down statewide for the software update. Everything will open back up on January 4th.
- Spalding County will host breakfast and a dinner desert bar on Friday, December 17th, for our employees. It will be at the County Extension Office.
- Griffin-Spalding will be hosting a Hometown Connection on Monday, December 13th beginning at 4:00 p.m. at Historic City Hall. Our local delegates: Senator Marty Harbin, Representative David Knight and Representative Karen Mathiak

- along with GMA and ACCG representatives will be in attendance.
- Public Works reports that the four roads that were resurfaced this year with LMIG monies are ready for stripping. This work will be completed within the next few weeks. If you have not driven down Melissa Circle, Morgan Road, Liberty Hill Road or Baptist Camp Road in the last week, he can attest that these roads ride much smoother. Great job to the commissioners for keeping road paving in the forefront of our project work.
 - Kudos to Mike Windham for working to bring Blaylock Fire Station online with high-speed internet. Our initial project of providing a wireless system from the 911 Center to connect to fire stations was a success. Fire Department personnel are now able to complete reports and file necessary paperwork using the high-speed internet system.
 - Covid testing is available through the Department of Public Health and all three variants of the vaccine are available as boosters through the Department of Health by appointment on Thursday and Friday every week.

XI. REPORT OF ASSISTANT COUNTY MANAGER

XII. REPORT OF COMMISSIONERS

Rita Johnson –

- ✓ The Spalding Brite was an awesome event, it was well attended and everyone had a good time.
- ✓ She thanked Kirby Sisk and David Johnson for their hard work in getting the TSPLOST passed.
- ✓ She also stated that she feels the ones responsible for damage to County Property needs to be held accountable and she is glad to hear that Parks and Recreation has a program in place to hold the juveniles accountable for their actions. However, something needs to be done to try to prevent these types of vandalism from happening.

Ryan Bowlden

- ✓ The Board needs to continue to explore the establishment of Community Centers, we have to come up with something to keep the youth occupied so they don't have so much idle time.
- ✓ Just wanted to let everyone know that the hot patches that were done out on Hollonville Road are beginning to deteriorate. He doesn't know what a good fix would be, we were hoping it would be the hot patches.

Gwen Flowers-Taylor

- ✓ Encouraged staff to have a list of items to be bid out next year. She feels that we are having successful results in bidding out items that we have traditionally just gone with the current vendor.
- ✓ We need to look at some way to give vaccine incentives to the community. In other communities, this has been quite successful and she would like for staff to look at what could be done to incentivize people in Spalding County to get the vaccine.

- ✓ She asked that staff establish a Food Truck Ordinance and permitting process that will apply to all food trucks operating in the County.
- ✓ She is looking forward to receiving the information on establishing a Marshal's Office in Spalding County.

James Dutton

- ✓ Thanked everyone who came out this evening to express their thoughts and concerns.
- ✓ Advised that there are a number of non-profit organizations in Spalding County and if there is a way that we can support them through ARPA funding, we need to explore those avenues.
- ✓ Invited everyone to attend the Christmas Parade on December 18th and asked that if there is a civic organization, church or business in Spalding County who would like to enter a float in the parade, there are still spaces available.

Clay Davis

- ✓ Archways created a joint strategic plan and we are working with our partners in addressing issues within Spalding County.
- ✓ He asked the Board to start thinking about how they want the County Manager to run the County and what responsibilities we want the County Manager to have.
- ✓ He then stated that he has an end of the year statement, and he would like to have incorporated into the minutes.

2021 has been a significant year of growth and transition for Spalding County. We're emerging from some of the biggest challenges and constraints of Covid, business is back up and running, and SPLOST goals are being realized. We've also said "hail and farewell" to county leadership, welcoming new faces and saluting those who have retired after years of dedicated service.

We're particularly pleased to report achievements that are making Spalding County a better place, a community where individuals and families can live, work, play, and thrive:

- We passed the TSPLOST in November and are working hard to improve transportation through the repair and resurfacing of roads.
- We're making it easier to report issues with the new InSpalding App that launched in the spring.
- We're preparing to offer affordable, real high-speed Internet access to underserved areas through a new partnership with Waverly Hall-based fiber optic Internet service provider WayCom.

- Our "Raise the Bar" initiative and code enforcement efforts have been effective in cleaning up troublesome areas, making a noticeable difference in our community's appearance.
- Businesses are growing, specifically over at The Lakes at Green Valley:
 - o Rinnai - a leader in the tankless water heater industry that has a new 400,000-square-foot manufacturing facility under construction in The Lakes at Green Valley. Completion is expected in 2022 with the creation of 300 jobs.
 - o Mitsui Kinzoku Die-Casting Technology America, Inc. is completing its new manufacturing facility in The Lakes. The 60,000-square-foot facility is expected to be complete in 2022. MKDA is an automotive parts manufacturer and will be specifically focused on electric vehicles at their new facility along with the creation of 30 new jobs.
 - o 2022 should also see the start of another new facility in The Lakes, leaving only two remaining sites.
- The \$60 million-dollar expansion of the Griffin+Spalding County Municipal Airport is well underway.
- Our Spalding County Office of Homeland Security, along with the Spalding County Health Department and other community partners, have been working together to promote and provide Covid vaccines to every resident who wants one in the safest and most convenient ways possible.
- Construction and restoration have begun on Our Legacy: The Griffin-Spalding African American History Museum. Groundbreaking took place in May on this much-anticipated center that will present the inspiring historical and cultural experiences of Griffin-Spalding's African American community.
- Our new animal shelter is opening in 2022.
- The Spalding County Pickleball Complex at Tyus Park continues to be a favored location for large pickleball tournaments in the southeast. It hosted the Atlanta Metro Open this fall, a major tournament with Total Business Sales estimated at \$1,219,019.
- We opened Quarry' s Edge, a new mountain biking facility featuring almost four miles of trails, and it's attracting riders from all over our region.
- Our Sheriffs Office launched their new website to improve communication with the community and are launching a new app at the end of this year.

And this is just the tip of the iceberg. There are so many moving parts and people in our county working hard to bring other long-awaited projects to fruition, including the Aquatic Center.

No doubt about it, Spalding County is growing and improving. We're continuing to raise the bar and we have set the stage for an exciting future rich with potential.

XIII. CLOSED SESSION

Consider request to enter into an Executive Session for consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1); and discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4).

Motion/Second by Johnson/Bowlden to enter into Executive Session for consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1); and, for discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4) at 9:33 p.m. Motion carried unanimously by all.

Motion/Second by Johnson/Flowers-Taylor to close the Executive Session at 10:47 p.m. Motion carried unanimously by all.

The ZOOM call with Commissioner Dutton dropped during the Executive Session and we were unable to re-establish a connection, so only four members of the Board were available to vote on the following items.

Motion/Second by Flowers-Taylor/Johnson to approve the settlement as discussed in Executive Session with the City of Sunny Side and the forklift graveyard. Motion carried unanimously by all.

Motion/Second by Flowers-Taylor/Johnson to instruct counsel to enter into the settlement for the Opioid Litigation. Motion carried unanimously by all.

Motion/Second by Flowers-Taylor/Bowlden to give the Georgia Department of Family and Children Services a 90-day notice to vacate the property at 410 E. Solomon Street. Motion carried unanimously by all.

XIV. ADJOURNMENT

Motion/Second by Johnson/Flowers-Taylor adjourn the meeting at 10:49 p.m. Motion carried unanimously by all.