

REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
May 22, 2018 6:00 P.M.

PRESENT: Commissioners Rhonda Wallace, Scotty Hancock, Wright Bagby,
Allison Watters, Larry Maxey.

OTHERS

PRESENT: County Manager Jamie McCord, Assistant Manager Gary Burkhalter,
County Clerk Erin Elrod, County Attorney Wade Hoyt III

CALL TO

ORDER: Chair Wallace called the meeting to order.

INVOCATION: Commissioner Watters led the Invocation.

PLEDGE OF

ALLEGIANCE: Commissioner Watters led the Pledge of Allegiance.

Chair Wallace called for a 4/5 vote to add the National EMS Week proclamation to the agenda. Commissioner Maxey made a MOTION to approve. SECOND by Commissioner Bagby.
VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Chair Wallace

Motion Carried

APPROVAL OF AGENDA:

Chair Wallace called for a motion. MOTION made by Commissioner Watters to approve the May 22, 2018 Agenda. SECOND by Vice-Chair Hancock. VOTING:

(05/08/18 - Regular Meeting)

YES

NO

Commissioner Bagby
" Watters
" Maxey
Vice-Chair Hancock
Chair Wallace

Motion Carried

ADOPTION OF MINUTES:

Chair Wallace asked County Attorney Wade Hoyt if the minutes were in order. County Attorney Hoyt stated the minutes have been reviewed and are in order. MOTION made by Commissioner Maxey to adopt the minutes of the Caucus, Regular Meeting, and Executive Session of May 08, 2018. SECOND by Commissioner Watters. VOTING:

YES

NO

Commissioner Bagby
" Watters
" Maxey
Vice-Chair Hancock
Chair Wallace

Motion Carried

PROCLAMATIONS:

1. National Cancer Survivors Day

Commissioner Maxey presented the National Cancer Survivors Day Proclamation to Scharla Battle of Cancer Navigators.

Ms. Battle thanked the board for presenting the proclamation and supporting National Cancer Survivors Day.

(05/08/18 - Regular Meeting)

2. National Public Works Week

Vice-Chair Hancock presented the National Public Works Week to Michael Skeen, Floyd County Public Works Director.

Mr. Skeen introduced a few of his newer employees, and spoke a few words on the behind the scene operations that Public Works perform.

3. National EMS Week

Commissioner Bagby presented the National EMS Week Proclamation to EMS personnel.

**SECOND READING/PUBLIC HEARINGS:
(FIRST READING HELD ON MAY 08, 2018 AT 6PM)**

1. APPROVE FILE #Z18-04-01 REQUESTING REZONING FROM SUBURBAN RESIDENTIAL (S-R) TO AGRICULTURAL RESIDENTIAL (A-R) AT 2140 BURNETT FERRY ROAD, ROME, GEORGIA, FLOYD COUNTY TAX PARCEL F14Z033. THE PLANNING COMMISSION RECOMMENDED DENYING THE REQUEST BY A 6-2 MAJORITY.

Mr. Artagus Newell, Rome-Floyd County Planning Director, stated the property at 2140 Burnett Ferry Road is approximately 17.8 acres. The future land use for the parcel is Suburban Residential (S-R), however property across the street is dedicated as Agricultural Residential (A-R). Properties in the immediate area have horses and other livestock. Due to the topography of the subject property it is unlikely a commercial poultry house or other operation could occur on the site. The recommendation from staff is approval with the condition that the scale and scope of any agricultural operations be similar in scale to what is existing in the neighborhood and be in line of a hobby farm and not a working farm.

Chair Wallace opened the public hearing and reviewed the rules. Those in favor will have ten (10) minutes to speak and those in opposition will have ten (10) minutes to speak. She asked if there was anyone there to speak in favor or opposition.

(05/08/18 - Regular Meeting)

OPPOSITION: Christina Ford, 2172 Burnett Ferry Road, Rome, Georgia, stated she lived directly next door to the property. She stated she does not want cows next to her house because of the devalue of her home, the smell, and pestilence that it invites.

OPPOSITION: Ozella Graves, 2145 Burnett Ferry Road, Rome, Georgia, stated her concern is that the property is directly in front of her property. If the property is rezoned what will happen to the people who have sunk their life savings into purchasing a nice home in the area. She stated she wants to protect her assets for the future. She thanked the commission

OPPOSITION: Brandon Webb, 2096 Burnett Ferry Road, Rome, Georgia, stated he was the property to the north and they did not want property values going down. He stated they were concerned about predators showing up because of livestock and what else will come from it.

OPPOSITION: Dell Ford, 2172 Burnett Road, Rome, Georgia, stated that her property joined up with the property in question. She stated her problem is if the current owner sells the rezoned property that the new owner can come in and do what they want to with the property.

OPPOSITION: Gary Graves, 2171 Burnett Ferry Road, Rome, Georgia, stated there was a whole lot of reasons why they do not want it rezoned, mainly because of the future of the property.

Chair Wallace closed the public hearing and asked if there was any discussion.

Commissioner Watters stated she had one question to ask Mr. Newell, she asked if he had said that the property across was across the road from property zoned Agricultural Residential, she was under the impression that it was all Suburban Residential all the way around.

Mr. Newell stated that was correct he misspoken at the Planning Commission, the future land map shows the property as Agricultural Residential but is currently zoned as Suburban Residential.

Commissioner Watters wanted to clarify if a mobile home could be placed on both Suburban Residential and Agricultural Residential.

(05/08/18 - Regular Meeting)

Mr. Newell stated yes, it gets a little complicated with the question. A manufactured home is an allowable use in both areas. The two caveats in zoning and construction are in Suburban Residential with the property being located in a named subdivision a Special Use Permit would be required prior to the manufacture home being placed and permitted. If there is a private deed restriction, that restricts a certain type of use or land use then that would also come into play. He added that the County and City cannot enforce this because it is not part of the Unified Land Development Code, but it can be privately enforced.

Chair Wallace called for a Motion. MOTION made by Commissioner Bagby to approve the denial of file #Z18-04-01 requesting rezoning from Suburban Residential (S-R) to Agricultural Residential (A-R) at 2140 Burnett Ferry Road, Rome, Georgia, Floyd County Tax Parcel F14Z033. SECOND by Vice-Chair Hancock. VOTING:

	YES	NO
Commissioner Bagby		
" Watters		
Vice-Chair Hancock		" Maxey
Chair Wallace		

Motion Carried, request denied.

- 2. APPROVE FILE #Z18-05-02 REQUETING REZONING FROM SUBURBAN RESIDENTIAL (S-R) TO MULTIFAMILY RESIDENTIAL (M-R) AT 0 OLD SUMMERVILLE ROAD, ROME, GEORGIA, FLOYD COUNTY TAX PARCEL J10Y121B. THE PLANNING COMMISSION RECOMMENDED APPROVING THE REQUEST BY AN 8-0 MAJORITY.**

Mr. Newell stated the property is located within the Suburban Residential (S-R) future land use designation, however, in close proximity the future land use designation is High Density Residential (H-D-R). the adjacent area also includes single family detached homes, Armuchee High school, and duplex development along Old Summerville Road.

(05/08/18 - Regular Meeting)

Chair Wallace opened the public hearing, she asked if there was anyone there to speak I favor of the request.

FAVOR: Walt Buzzby, 333 West 9th street, Rome, Georgia, stated they were attempting to develop the property by adding rental properties. He stated that he would be maintaining the property. They have a site plan but they have not come up with the actual plans for the buildings yet, but once they get zoning they would proceed.

Chair Wallace asked if there was anyone else there to speak in favor of the request, or opposition, seeing none she closed the public hearing and asked if there was any discussion.

Chair Wallace called for a Motion. MOTION made by Commissioner Maxey to approve file #Z18-05-02 requesting rezoning from Suburban Residential (S-R) to Multifamily Residential (M-R) at 0 Summerville Road, Rome, Georgia, Floyd County Tax Parcel J10Y121B. SECOND by Commissioner Watters. VOTING:

	YES	NO
Commissioner Bagby		
" Watters		
" Maxey		
Vice-Chair Hancock		
Chair Wallace		

Motion Carried

- 3. APPROVE FILE #Z18-05-03 REQUESTING REZONING FROM SUBURBAN RESIDENTIAL (S-R) TO COMMUNITY COMMERCIAL (C-C) AT 0 ROCKMART HIGHWAY, SILVER CREEK, GEORGIA, FLOYD COUNTY TAX PARCEL K17190. THE PLANNING COMMISSION RECOMMENDED APPROVING THE REQUEST BY AN 8-0 MAJORITY.**

Mr. Newell stated the subject property was located within the Suburban Residential (S-R) future land use designation. He stated there is a small commercial strip center adjacent to the property, and there is no definitive use stated for the property, however, the Community Commercial (C-C) designation would most likely include a use or uses that would cater to adjacent properties.

(05/08/18 - Regular Meeting)

Chair Wallace opened the public hearing and asked if there was anyone there to speak in favor of the request.

FAVOR: Tammy Law, 325 Ravenwood drive, Rome, Georgia, stated the property belonged to her father for forty (40) plus years and was advised by a realtor to rezone the property to commercial to make it more marketable because of what surrounds it, and to increase the value.

Chair Wallace asked if there was anyone else to speak in favor of the request

FAVOR: Heather Cobia, 29 Arrowhead Drive, Rome, Georgia, stated that she was represented Ms. Law as her realtor, she stated their primary focus was to get the property rezoned to increase the marketability of the property.

Chair Wallace asked if there was anyone there to speak in opposition, seeing none she closed the public hearing and asked if there was any discussion.

Chair Wallace called for a Motion. MOTION made by Commissioner Bagby to approve file Z18-05-03 requesting from Suburban Residential (S-R) to Community Commercial (C-C) at 0 Rockmart Highway, Silver Creek, Georgia, Floyd Tax Parcel K17190. SECOND by Commissioner Watters. VOTING:

YES

NO

Commissioner Bagby	
"	Watters
"	Maxey
Vice-Chair	Hancock
Chair	Wallace

Motion Carried

(05/08/18 - Regular Meeting)

- 4. APPROVE FILE #Z18-05-04 REQUESTING REZONING FROM LIGHT INDUSTRIAL (L-I) TO AGRICULTURAL RESIDENTIAL (A-R) AND REQUEST FOR A SPECIAL USE PERMIT AT 6605 ROCKMART HIGHWAY, SILVER CREEK, GEORGIA. THE PLANNING COMMISSION RECOMMENDED APPROVING THE REQUEST BY AN 8-0 MAJORITY.**

Mr. Newell stated the subject property is located in the Agricultural Residential (A-R) designation of the future land use map. The property is slated to be a special event facility for weddings, etcetera. It is anticipated that the majority of the events would take place on the weekends. There will be no significant impact on roads, or traffic, and said events would be limited to weddings and other social events, not to include: concerts, rodeos, or other heavily intensive uses.

Chair Wallace opened the public hearing and asked if there was anyone there to speak in favor of the request.

FAVOR: Chad Williams, 6605 Rockmart Highway, Rome, Georgia, stated that he is the owner of the property and he purchased what he thought to be one of the most beautiful properties in the county. For whatever the reason the previous owner had changed the property to Light Industrial (L-I) which does not seem to conform with any of the adjacent properties. The property already has all the utilities and event buildings; they have no interest in hosting anything that would be noisy or afterhours.

Chair Wallace asked if there was anyone else to speak in favor of the request. She asked if there was anyone there to speak in opposition.

OPPOSITION: Chrissy Arrington, 157 Pond Mill Court, Rome, Georgia, stated that her property was right below the subject property. She stated she did not know if she was against or for the request, she just had some questions that she is concerned about. She asked if there would be any kind of restrictions on the noise level and type of music that is played because of small children in the area.

OPPOSITION: Shannon Collins, 8 Pond Mill Court, Rome, Georgia, stated he had similar concerns with the noise and times that events can be carried on. Another concern is the lack of internet in the area, the residents have to rely on broadband and if there is another 150-200 people pulling off the tower it could be catastrophic for someone who works from home and relies on the internet.

(05/08/18 - Regular Meeting)

Chair Wallace asked if there was anyone else to speak in opposition, seeing none she closed the public hearing and asked if there was any discussion.

Chair Wallace asked if County Manager McCord could address the noise level and times.

County Manager McCord stated code 2-11-7 clearly states any general noise, which is out of the order of the community and can cause a disturbance to the peace. It addresses the volume, intensity, nature, origin, proximity to residential facilities, density, time of day, and duration of noise. He stated that it would be handled by county police. They generally give them one warning to turn in down and the next time they turn it off. Time of day could be restricted, that is something the board could do to be a condition if they choose to approve it. He stated that the request came in back in 2014 and it was going to be used as a concert venue, due to various reasons it was not appropriate at that time. The other issue, about broadband, is something that is out of the county's hands.

Vice-Chair Hancock asked county Manager McCord to explain Light Industry (L-I) and if the property does not get rezoned to Agricultural Residential (A-R) what are some of the businesses and things that can move in on the property.

County Manager McCord stated it is for industry that is not necessarily manufacturing, but is right below Heavy Industrial (H-I). A livestock pavilion would be allowed with restrictions, light assembly manufacturing. A couple examples would be: cable television operation, landscape architect, even adult entertainment, so there is a lot of issues in the Light Industrial (L-I) zone that do not fit the area. It is more agricultural and residential. It is currently spot zoned that is inappropriate.

Vice-chair Hancock asked about the code violations, if this is approved, what could be a stipulation.

County Manager McCord stated in 2014 there were multiple code issues such as no building permits for the facilities, health department inspections for the bathrooms. It may be in place at this time but he would want to make sure that if they approved the request, that all code issues are brought into compliance with their Chief Building Inspector.

(05/08/18 - Regular Meeting)

Vice-Chair asked if they are to put a noise curfew for 11:00pm and it is violated continuously what would be the result of that.

County Manager McCord stated it would be a police department issue and they would handle it through the local code. He added that the drive way would not have to be changed to conform to GDOT.

Chair Wallace made a MOTION to approve file #Z18-05-04 requesting rezoning from Light Industrial (L-I) to Agricultural Residential (A-R) and request for a Special Use Permit at 6605 Rockmart Highway, Silver Creek, Georgia, with a time restriction of 11:00pm and all code issues to be current. SECOND by Commissioner Maxey.

VOTING:

	YES	NO
Commissioner Bagby		
" Watters		
" Maxey		
Vice-Chair Hancock		
Chair Wallace		

Motion Carried

(05/08/18 - Regular Meeting)

CHAIR'S REPORT

1. Airport Commission- Post 4.

Chair Wallace made a MOTION to appoint Kevin Evans to fill the unexpired term on the Airport Commission, with a term set to expire on June 30, 2020. SECOND by Commissioner Watters. VOTING:

	YES	NO
Commissioner Bagby		
" Watters		
" Maxey		
Vice-Chair Hancock		
Chair Wallace		

Motion Carried

COMMISSIONER'S REPORT

1. Everett Springs Water Project Meeting

Commissioner Maxey stated they had a good turnout and they were able to check out the progress of the tank.

County Manager added they went by the tank site and it is fifty plus percent (+50%) complete on the project. It is still scheduled to be complete in the fall. Also the pump station is also about fifty percent (50%) complete. Basically the structure is done, the interior, all the electrical and connection points, but the connection of the line has not been completed. He stated it was a really good project and they are right at 300 connections. It still has about six (6) more months before they are completed.

MANAGER'S REPORT:

No Report

(05/08/18 - Regular Meeting)

ATTORNEY’S REPORT:

No Report

CONSENT AGENDA:

Chair Wallace asked County Clerk Elrod if the Consent Agenda has been reviewed and is in order.

County Clerk Elrod stated it has been reviewed and is in order.

Chair Wallace called for a Motion. MOTION made by Commissioner Maxey to approve and authorize execution of items submitted under the Consent Agenda as presented.

SECOND by Commissioner Bagby. VOTING:

	YES	NO
Commissioner Bagby		
" Watters		
" Maxey		
Vice-Chair Hancock		
Chair Wallace		

Motion Carried

- 1. Approve removal of \$28,460.22 in delinquent bills from the Tax Commissioner’s Roll. These accounts are uncollectable.**
- 2. Approve Surplus of vehicles from multiple departments.**
- 3. Accept grant from the Georgia Environmental Protection Division to host a scrap tire amnesty day on June 23, 2018 at State Mutual Stadium.**
- 4. Approve modification documents with the Georgia Environmental Finance Authority (GEFA) regarding the Drinking Water State Revolving Fund loan.**

(05/08/18 - Regular Meeting)

NEW BUSINESS:

- 1. APPROVE PURCHASE OF A 2011 SILVER DODGE RAM 1500 FROM HERITAGE NISSAN IN THE AMOUNT OF \$17,000.00 FOR THE FLOYD COUNTY SHERIFF'S OFFICE.**

County Manager McCord stated this would be purchased with Inmate Benefit Fund funds, this is the Sheriff's request as a replacement vehicle to replace a current vehicle within in their fleet.

Chair Wallace made a MOTION to approve the purchase of a 2011 silver Dodge Ram 1500 from Heritage Nissan in the amount of \$17,000.00 for the Floyd County Sheriff's Office. SECOND by Commissioner Watters. VOTING:

	YES	NO
Commissioner		Bagby
" Watters		
" Maxey		
Vice-Chair Hancock		
Chair Wallace		

Motion Carried

- 2. APPROVE AGREEMENT WITH AUTOMAX FOR RENTAL SERVICES AT THE AIRPORT.**

County Manager McCord stated Automax has provided a very competitive and was the only one that responded to the current bid. They will be keeping three (3) vehicles available at all times, and additional vehicles as needed by the county. He recommended approval

Chair Wallace called for a Motion. MOTION made by Commissioner Watters to approve an agreement with Automax for rental services at the airport. SECOND by Commissioner Bagby VOTING:

(05/08/18 - Regular Meeting)

YES

NO

Commissioner Bagby
" Watters
" Maxey
Vice-Chair Hancock
Chair Wallace

Motion Carried

3. APPROVE EVENT AGREEMENT FOR SEPTEMBER 14-16, 2018 AT RUSSELL REGIONAL AIRPORT FROM THE NORTHWEST GEORGIA HOT AIR BALLOON FESTIVAL.

County Manager McCord stated this was something that Mr. Mathews has procured along with their tourist office and he believed it would be a great event to host at the airport. The airport will be open during the event and hopefully it will be a good tourism and community attraction. He recommended approval

Chair Wallace called for a Motion. MOTION made by Commissioner Watters to approve the event agreement for September 14-16, 2018 at Russell Regional Airport for the Northwest Georgia Hot Air Balloon Festival. SECOND by Vice-Chair Hancock.

VOTING:

Commissioner Bagby
" Watters
" Maxey
Vice-Chair Hancock
Chair Wallace

Motion Carried

(05/08/18 - Regular Meeting)

- 4. APPROVE PURCHASE OF TWO (2) 2018 FORD POLICE INTERCEPTOR SUVS (WHITE) IN THE TOTAL AMOUNT OF \$53,964.00 FROM WADE FORD AND ONE (1) 2018 FORD POLICE PURSUIT INTERCEPTOR SUV (BLACK) IN THE AMOUNT OF \$27,040.00 FROM WADE FORD FOR THE SHERIFF'S OFFICE. THE TOTAL BUDGETED FROM THE 2013 SPLOST FUND WAS \$86,790.00. THE TOTAL PURCHASES WILL COME IN AT \$81,004.00.**

County Manager McCord stated these are for the Sheriff's office and were approved in this year's capital budget and funded through SPLOST. He recommended approval.

Chair Wallace called for a Motion. MOTION made by vice-Chair Hancock to approve the purchase of two (2) 2018 Ford Police Interceptor SUVs in the total amount of \$53,964.00 from Wade Ford and one (1) 2018 Ford Police Pursuit Interceptor SUV (black) in the amount of \$27,040.00 from Wade Ford for the Sheriff's Office. The total budgeted from the 2013 SPLOST fund was \$86,790.00. The total purchases will come in at \$81,004.00. SECOND by Commissioner Watters. VOTING:

Commissioner	Bagby
"	Watters
"	Maxey
Vice-Chair	Hancock
Chair	Wallace

Motion Carried

OTHER BUSINESS:

Chair Wallace stated that the board went into executive session to discuss possible litigation.

(05/08/18 - Regular Meeting)

ADJOURNMENT:

There being no further business to come before the Board, a MOTION was made by Commissioner Maxey. SECOND by Vice-Chair Hancock that the meeting be adjourned.

VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Chair Wallace

Motion Carried

ATTEST:

ERIN ELROD, FLOYD COUNTY CLERK

(05/08/18 - Regular Meeting)

**FLOYD COUNTY BOARD OF COMMISSIONERS
CAUCUS**

May 22, 2018 4:30 PM

Present: Commissioners Wright Bagby, Larry Maxey, Rhonda Wallace, Scotty Hancock, Allison Watters and, Assistant County Manager Gary Burkhalter, County Clerk Erin Elrod, and County Attorney Wade Hoyt III.

Others Present: Artagus Newell, Brice Wood, Kayla Schaaf, Diane Wagner, Mark Wallace, Sean Lowe, Susie Gass, Bruce Ivey.

Commission and staff reviewed and discussed items on the agenda for the meeting of May 22, 2018.

ATTEST:

ERIN ELROD, FLOYD COUNTY CLERK