

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

**REQUEST FOR VARIANCE FROM SILVER
CREEK BAPTIST CHURCH, 1600 BOOZE
MOUNTAIN ROAD, TO ENABLE THEM TO
BUILD A NEW SANCTUARY WHICH WILL
ENCROACH ON REAR SITE SETBACK.
(Set Second Reading/Public Hearing for
June 22, 1999 at 6:00 p.m.)**

Chairman Canada called for a Motion to place on first reading the request for variance from Silver Creek Baptist Church, 1600 Booze Mountain Road, to enable them to build a new sanctuary which will encroach on rear site setback. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

SECOND READING/PUBLIC HEARING:

**ZONING REQUEST, FILE NO. 011-99Z,
VACANT LAND ON MAHOGANY STREET,
TRACT 22 OF THE CELANESE PROPERTY,
REZONE FROM T-R (TRADITIONAL
RESIDENTIAL) TO M-F (MULTI-FAMILY
RESIDENTIAL), TAX MAP #500-0-58
(First Reading held May 11, 1999 at 2:00 p.m.)**

OPEN PUBLIC HEARING:

Chairman Canada called for a Motion to Open the Public Hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

There was no one present to speak for the rezoning request or to speak on behalf of the property owner.

SPEAKERS AGAINST APPROVAL OF THE REQUEST:

Charles Bradshaw, 22 Oak Street, stated that the Mahogany Street tract is located at a four-way intersection which is dangerous. There are children who live in the area and play in the streets. A multi-family unit will increase traffic and also the property is wetlands, with a spring being located on the property. Mr. Bradshaw stated he will be contacting the State of Georgia within the next week to request declaring the property as wetlands. He stated this is an old established neighborhood and they do not want multi-family units in the area and it would bring in elements they do not want.

Willard Nelson, 33 Dogwood Street, stated he had spoken in opposition to the request at the May 11, 1999 Planning Commission Meeting. He stated there is a spring on the property which could provide needed water if it is cleaned out. He would have no objections to a house being built, but not apartments, they have a nice neighborhood, with many elderly people. Mr. Melton presented a petition with over 100

names of people opposing the request. This would also increase traffic in the area and there are many people who walk in the area.

Nettie McElwee, 22 Norwood Street, stated she drives by the property every day. She has lived in the area since 1943. She stated that there is already a problem with flooding in the area when there is a heavy rain. She stated she does not want apartments in the area.

Discussion: Chairman Hufstetler asked how the property could be used. Mrs. McElwee replied that it floods all the time and the only use she could see would be a park for the children. It would not be of use for a house since drainage from the area goes onto the property.

Nathan Self, 29 Dogwood Street, presented pictures of the property which had been taken earlier in the day. He stated that all names on the petition, which had been presented, were homeowners of the neighborhood. The neighborhood is over 70 years old, and is one of Rome's oldest historic subdivisions. There are only three or four lots left in the subdivision which have not been developed. The property is in a low lying area and drainage from the area goes on the lot. Years ago the spring provided drinking water for the neighborhood, and it is still a running spring. He noted that the property has frontage on Veterans Memorial Highway, but it is their understanding that access to Veterans Memorial is not available.

There being no others present to speak for or against the zoning request, Chairman Canada called for a Motion to close the Public Hearing. MOTION was made by Commissioner Fricks, SECOND by Commissioner Jennings. VOTING:

	Yes	NO
Commissioner Hufstetler		
" Fricks		
" Mayes		
" Jennings		

Motion Carried

Chairman Canada called for a Motion for the Zoning Request, File No. 011-99Z, vacant land on Mahogany Street, Tract 22 of the Celanese property, rezone from T-R (Traditional Residential) to M-F (Mult-Family Residential), tax map #500-0-58. MOTION was made by Commissioner Jennings to not approve the zoning change, that the current zoning is maintained, SECOND by Commissioner Mayes.

Discussion: Commissioner Jennings stated that he felt one of the issues the residents are raising is whether or not this is a wetlands. He asked if it is possible for the county to request the U. S. Corps of Engineers to assess the site. It was noted that if a building permit was sought, one of the requirements would be that an engineer determine if this is a wetlands. It was determined that the best way to provide protection for the neighborhood is through the zoning request.

VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

CHAIRMAN'S REPORT:

ACKNOWLEDGE THE "EMPLOYEE OF THE QUARTER" (FIRST QUARTER, 1999), MONNIE TOOLE, COUNTY CLERK'S OFFICE.

Chairman Canada presented a certificate to Monnie Toole, County Clerk's Office, in recognition for being selected Employee of the Quarter for the first quarter of 1999. Chairman Canada also thanked Mrs. Toole for helping him, as well as the other Commissioners, keep track of schedules and paperwork.

APPOINTMENTS.

Northwest Georgia Region I Mental Health, Mental Retardation & Substance Abuse Board post is a three year term and is currently held by David F. Guldenshuh, who is eligible for another term. The Screening Committee recommendation is that Mr. Guldenshuh be reappointed for another term, July 1, 1999 through June 30, 2002. Chairman Canada called for a Motion to accept the reappointment. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

RECOMMENDATION TO RE-BID JAIL AND PRISON PHARMACEUTICAL CONTRACTS.

Chairman Canada stated this had been discussed during the Caucus Session. There has not been a re-bid on the pharmaceutical contracts since 1997. It was felt the appropriate way would be to bid through an actual wholesale pricing (AWP). Chairman Canada called for a Motion for the recommendation to re-bid Jail and Prison Pharmaceutical contracts. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks to re-bid Jail and Prison Pharmaceutical contracts. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

**RECOMMENDATION TO DEVELOP
STANDARD OPERATING PROCEDURES
AND POLICY AND PROCEDURES
MANUAL FOR MEDICAL DEPARTMENT.**

Chairman Canada stated that currently there is no Standard Operating Procedure Manual and he strongly recommended that one be put in place. Chairman Canada called for a Motion for the development of the Standard Operating Procedures Manual. MOTION was made by Commissioner Mayes, SECOND by Commissioner Hufstetler.

Discussion: Commissioner Jennings stated that it needs to be determined who will be commissioned to prepare the manual. Chairman Canada replied it will be the responsibility of the County Medical Department (County Physician and staff).

VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

**RECOMMENDATION TO ESTABLISH
A COMMITTEE TO STUDY AND MAKE
RECOMMENDATIONS FOR QUARRY
ORDINANCE.**

Chairman Canada stated the committee would study and make recommendations for a quarry ordinance which would be put in place in the near future. The recommendation is not to establish or develop an ordinance, but to establish a committee to begin the study and make recommendations for an

ordinance. Chairman Canada called for a Motion to establish the committee. MOTION was made by Commissioner Fricks, SECOND by Commissioner Hufstetler.

Discussion: Commissioner Jennings requested they be more definitive in the committee membership. Chairman Canada stated it would include parties affected by an ordinance, which would be the aggregate mining, truck drivers/trucking, and community, as well as anyone they felt needed to be involved in the committee to make the recommendations for an ordinance. Commissioner Jennings recommended the committee be composed of a representative from the aggregate industry, a representative from the truck driver group, a representative from the Power Group in Shannon, a representative from the Georgians for Pure Water group in Vanns Valley/Cave Spring, a Commissioner, two citizens and a facilitator. He also recommended that the group begin with the ordinance submitted to the Board by the Power Group. Commissioner Mayes asked if there was other industry which needed to also be included. It was mentioned that construction be represented and also legal review. It was noted that construction would be represented in other areas already mentioned. It was also mentioned that if a lawyer is on the committee, they do not need to be connected to any of the groups. Chairman Canada stated he felt legal council needed to be included which will be representative of the Board. It was noted that the two citizens selected would have to be independent of the Power or the Pure Water group in order to give impartial input. After discussion, it was determined the committee would be made up of as follows:

- Aggregate industry representatives
- Trucking representatives
- Power Group
- Georgians for Pure Water
- 2 Citizens
- Chairman Canada will act as the facilitator

It was noted that it will possibly be July before the Committee will be meeting.

Commissioner Jennings proposed amending the Motion that would qualify the make-up of the committee as just discussed. Chairman Canada called for a Motion for the amendment. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks to accept the amendment to the Motion. VOTING:

	YES	NO
Commissioner Hufstetler		
" Fricks		
" Mayes		
" Jennings		

Motion Carried

Discussion: Commissioner Jennings stated he wanted it clear that they are suggesting that the committee begin with the quarry ordinance as presented to the Board from the Power Group. It was clarified that this will be only a suggestion to the committee.

VOTING:

	YES	NO
Commissioner Hufstetler		
" Fricks		
" Mayes		
" Jennings		

Motion Carried

COMMISSIONER'S REPORT:

ADMINISTRATIVE/FINANCE COMMITTEE

Commissioner Hufstetler, Committee Chairman requested adding an item to the Agenda which would authorize the continuance of a part-time position assigned to the Superior Court Clerk's Office for a 30-day period. Chairman Canada called for a Motion to place the item on the Agenda. MOTION was made by Commissioner Jennings, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

Chairman Canada called for a Motion on the recommendation of Commissioner Hufstetler for the continuance of the part-time position in the Clerk of Superior Court's Office for 30 days. MOTION for approval was made by Commissioner Jennings, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

Commissioner Hufstetler requested adding to the Agenda authorization for up to \$5,000 for auditing services for a time study involving county departments, beginning with the Superior Court Clerk's office. Chairman Canada called for a Motion to place on the Agenda the request from Commissioner Hufstetler. MOTION was made by Commissioner Fricks, SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

Chairman Canada called for a Motion for Commissioner Hufstetler's request for authorization for up to \$5,000 for auditing services for a time study involving county departments, beginning with the Superior Court Clerk's office. MOTION for approval was made by Commissioner Jennings, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

PUBLIC SAFETY COMMITTEE

Commissioner Mayes, Committee Chairman, stated that he had no information to report at this time. It was noted that the next meeting of the Committee will be June 9, 1999 at 2 p.m.

PUBLIC WORKS COMMITTEE

Commissioner Fricks, Committee Chairman, reported that at the Committee Meeting scheduled for June 2 there will be a public hearing regarding the bridge on Bert Road. The meeting will be held in the Shorter and Berry rooms at the Forum.

WATER COMMITTEE

Commissioner Jennings, Committee Chairman, reported he had three items on which the Board needed to vote. The first item is for approval of a contract for the water line extension on Wayside Road. The project extension meets all county guidelines and the resident has agreed to pay a surcharge on his monthly water bill to cover the cost of the extension.

Chairman Canada called for a Motion to approve the contract for water line extension on Wayside Road. MOTION was made by Commissioner Mayes, SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

Commissioner Jennings requested approval for entering into a contract with Williams, Sweitzer and Barnum for engineering professional services regarding mapping of the county water system as required by the Georgia Environmental Protection Division. Chairman Canada called for a Motion to approve entering into the contract with Williams, Sweitzer and Barnum. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

Commissioner Jennings noted that the amount of the contract would be not to exceed \$25,000 for this year.

Commissioner Jennings requested authorization for Williams, Sweitzer and Barnum to perform engineering services for water improvements in the Lakeview Subdivision in Lindale and the Armuchee Trail area off of Highway 140. The two projects are included in the 1999 Water Bond project and are the top two after the Shannon Project.

Chairman Canada called for a Motion to authorize Williams, Sweitzer and Barnum to perform engineering services for water improvements in Lakeview Subdivision and Armuchee Trail from the 1999 Water Bond project. MOTION was made by Commissioner Mayes, SECOND Commissioner Fricks. County Manager Kevin Poe clarified that Williams, Sweitzer and Barnum would actually be completing the plans and compiling bid documents for the contract.

VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

CLERK'S REPORT:

CONSENT AGENDA.

County Clerk Sue Broome advised that item 6B and item 8 would require a 4/5 vote to place them on the Agenda. Chairman Canada called for a Motion to place Consent Agenda item 6B, which is Peggy Akins, Northridge Stop N' Shop, 2355 Old Calhoun Road, Rome, Georgia for a malt beverage license and item 8, to authorize submission of application for FY 2000 funds for Indigent Defense Council for indigent defense in Floyd County on the Agenda. MOTION was made by Commissioner Jennings, SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

Chairman Canada stated the items were placed on the Consent Agenda. County Clerk Sue Broome advised that there were eight (8) items on the Consent Agenda which have been reviewed in the Caucus Session and if there are no additions or corrections they are submitted for approval. Chairman Canada called for a Motion to accept the Consent Agenda items as reported by the Clerk. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

	YES	NO
Commissioner Hufstetler		
" Fricks		
" Mayes		
" Jennings		

Motion Carried

Tax Refunds:

ERB Leasing Co., Inc., 5017 Alabama Highway, P.O. Box 128, Coosa, \$486.93
Jason J. & Caryn Blanton, 211 Longmeadow Drive, NW, \$14.77
Harry Brock & Dawn Brock, 424 Mt. Alto Road, \$103.78
Steve W. & Sandie L. Bilings, 9 Mountain Brook Ridge, \$29.40
Robert L. & Joyce E. Griffies, 98 Sunridge Drive, \$16.27
William Steven Brooks, 13 Nicklaus Drive, \$126.75

Request for Letter of Support for Housing Resource Center for a H.U.D. grant for development of an apartment complex for very-low income elderly in Rome.

Authorize execution of agreement between Ted Buckenham, contractor for VWAP (Victim Witness Assistance Program) and Floyd County - \$8.00 per hour, term May 12, 1999 through December 31, 1999.

Authorize execution of agreement between Leia Tucker, contractor for VWAP (Victim Witness Assistance Program) and Floyd County - \$8.00 per hour, term May 12, 1999 through August 31, 1999.

Authorize execution of documents for 1999 LARP, LAR28-6-2(115) for plant mix resurfacing on various county roads.

Malt Beverage License Application:

Wayne Molock, E-Z Serve, 446 Rockmart Road, SE, Silver Creek, Georgia
Peggy Akins, Northridge Stop N' Shop, 2355 Old Calhoun Road, Rome, Georgia

Self-Service Fuel License Application:

E-Z Serve Corporation, 4466 Rockmart Highway, Silver Creek, Georgia

Authorize submission of application for FY 2000 funds from Indigent Defense Council for indigent defense in Floyd County.

MANAGER'S REPORT

**REQUEST FROM DISTRICT ATTORNEY
TAMI COLSTON FOR BUDGET REVISION
BY LINE ITEM TRANSFER OF \$1,460 FROM
EQUIPMENT TO LEGAL FEES.**

County Manager Kevin Poe stated a request had been received from District Attorney Tami Colston for budget revision. She requested transferring \$1,460 from her equipment line item to her legal fees line item to cover unanticipated expenses this year. Chairman Canada called for a Motion for the request concerning the District Attorney's Office. MOTION for approval was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

**AUTHORIZE CHAIRMAN TO SIGN
RENEWAL AGREEMENT WITH
DEPARTMENT OF CORRECTIONS
FOR HOUSING STATE INMATES,
TERM OF JULY 1, 1999 TO JUNE 30, 2000.**

County Manager Poe recommended authorization of the Chairman to sign the renewal agreement with the Department of Corrections for housing state inmates at the Floyd County Prison from July 1, 1999 to June 30, 2000. The County would agree to house 220 state inmates daily and the compensation from the Department of Corrections would be \$20.00 per day per inmate. Chairman Canada called for a Motion authorizing the Chairman to sign the agreement as presented by the Manager. MOTION was made by Commissioner Mayes, SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

**UPDATE ON PRISON CONSTRUCTION
GRANT.**

County Manager Kevin Poe stated this item had been discussed during the Caucus Session and required no action by the Board.

**APPROVAL OF CONTRACT WITH
WILLMER ENGINEERING, INC FOR
BIOREMEDIATION STUDY AT
EXISTING LANDFILL.**

County Manager Kevin Poe presented a contract for approval, with Willmer Engineering, Inc. for bioremediation study at the Walker Mountain Landfill. The contract will be funded through excess monies available from an EPD grant received several years ago. The Solid Waste Commission has recommended approval of this study. Chairman Canada called for a Motion for approval of the contact with Willmer Engineering, Inc. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

UPDATE ON STATUS OF DYE TRACING STUDY.

County Manager Kevin Poe stated this item was discussed during the Caucus Session and requires no Board action.

REQUEST FROM LOUIE CANOVA FOR \$731 SALARY ADJUSTMENT FOR EXTENSION AGENT.

County Manager Kevin Poe stated a request had been received from Louie Canova for a salary adjustment to the Extension Agent's salary. Currently there is an Extension Agent position vacancy. The request is for a \$731 salary adjustment. County Manager Poe recommended a 2% adjustment to the existing \$5,269 supplement currently provided for that position. Chairman Canada called for a Motion for the salary adjustment request. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS FOR A COPS IN SCHOOLS GRANT. (CN-0155)

County Manager Kevin Poe stated during the Caucus Session a proposal was presented to consider applying for a federal grant through the COPS program to put up to four resource officers in county schools, particularly high schools and middle schools. Cost figures had been presented and the

county will be required to provide full funding beginning the fourth year. It was noted that the county school system has agreed to participate by providing 75% of the salary and benefits of the four resource officers at that time. County Manager Poe recommended authorization to himself and Chief of Police Jim Free to submit the grant application to the U. S. Department of Justice regarding this COPS program. Chairman

Canada called for a Motion to authorize the submission of the grant application. MOTION was made by Commissioner Mayes, SECOND by Commissioner Jennings.

Discussion: Commissioner Hufstetler noted that the School Board had not approved the 75% participation since they had not met since this was brought up. He asked if the approval was contingent upon their approval for participation. County Manager Poe stated that he thought the situation would be that the grant would not be accepted if the School Board does not approve the 75% participation.

VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

OTHER BUSINESS:

Chairman Canada recognized City of Rome Commissioner George Griffin and thanked him for his attendance.

ADJOURNMENT:

There being no further business to come before the Board, MOTION was made by Commissioner Jennings, SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

**FLOYD COUNTY BOARD OF COMMISSIONERS
KIM A. CANADA, CHAIRMAN**