

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

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

SPEAKERS *FOR* APPROVAL OF THE REQUEST:

Randy Davis, owner, stated the property is adjacent to his office and warehouse, which was also zoned incorrectly. His office and warehouse have been at this location since the early 1970's. Mr. Davis presented a plat of the property noting that the property is a narrow site and is not suitable for a residence since it is not large enough for a septic system and sewer is not available. Also a power line goes through the property. He stated the property is only good for his proposed use, mini-warehouses. There are other storage units across the road and other businesses adjacent to the property. The commissioners reviewed

with Mr. Davis, the location, as well as discussed what additional lighting would be added for the mini-warehouses.

SPEAKERS *AGAINST* APPROVAL OF THE REQUEST:

David Johnson, 18 Devonshire Drive, Rome, Georgia, presented letters and petitions to the Clerk. He stated that he and 64 other homeowners and property owners had either written a letter or signed a petition requesting the Commissioners not approve the rezoning request. Mr. Johnson stated they live in the immediate area of the property. He stated that adjacent land use and zoning is suburban residential and there are homes surrounding the property. He stated they felt rezoning the land to Light Industrial will allow undesirable businesses and activities to come into a predominately suburban residential area and would affect property values in a negative way. He noted soil erosion is taking place due to Mr. Davis' company removing dirt from the hillside. Commissioner Hufstetler stated that a possible alternative would be to issue a Special Use Permit rather than rezoning in order for Mr. Davis to build the mini-warehouses, but would not change the zoning to Light Industrial. Chairman Canada asked Mr. Johnson if this would be agreeable. Mr. Johnson stated that he is not the only property owner, and the others may oppose the alternative. Mr. Johnson stated the property is currently an eyesore to residents and that he did not know if mini-warehouses would be an improvement, he would rather see it grow over with natural wildlife. He stated he feels the zoning does not need to be changed, but he would have to go back to the other property owners to see how they felt about a Special Use Permit. County Attorney Hoyt stated that after

reviewing the information, a Special Use Permit would not be a possibility for mini-warehouses on this property.

Chairman Canada then gave Mr. Davis the opportunity answer any of the issues brought up by residents opposing the request.

REBUTTAL

Randy Davis stated that regarding property values, they have developed all of Twickenham and still own approximately 40 lots in Twickenham. They also have a new development adjacent to Twickenham with approximately 30 vacant developed lots for sale as upper/high scale residential properties. They also own almost 300 acres adjacent to the property. He assured the residents that anything they do on the property would not hurt the property values. He also stated that regarding the current erosion, the developed property would not have the erosion problem. Currently there are people who use it as a dump site since it is vacant. The property would be fenced and look much nicer than it currently does. He stated the renters would be mainly people from the surrounding areas and therefore would not increase traffic greatly. Mr. Davis noted that a few people had contacted him regarding his plans for the property and he would have been glad to talk to the others who signed the petition had they contacted him. He stated that he felt this was not only the highest and best use, but the only use of the property.

Commissioner Jennings noted that many current residents had signed the petition and possibly they are saying they would not use the warehouses. Mr. Davis stated he would build a limited number of warehouses and he felt this would generate tax revenue and would not be an eye-sore for people going into the subdivision. This is the only entrance to the subdivision and he reiterated that he would not build anything which would be a detriment.

There being no others present to speak for or against the matter, the Chairman called for a Motion to close the Public Hearing. MOTION was made by Commissioner Hufstetler, Second by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve, not approve or no recommendation on the request for rezoning 652 Chulio Road, SE , from S-R (Suburban Residential) to L-I (Light Industrial), File #018-99Z, Tax Map 226, Area 143, Parcel 22C. MOTION was made for approval by Commissioner Hufstetler. Chairman Canada called for a Second to the Motion for approval. Chairman Canada stated that there being a failure for a

Second, the Motion for approval dies. Chairman Canada called for another Motion. MOTION was made by Commissioner Jennings to not approve. SECOND by Commissioner Mayes.

Discussion: Commissioner Hufstetler stated that he would prefer a Special Use Permit be allowed, but this is another flaw in the zoning. He felt there were other businesses in the area and felt the owner did not have the option of using the property for residential use and the owner's business is adjoining the property. Commissioner Mayes stated he agreed with Commissioner Hufstetler on some of the points, but asked County Attorney Wade Hoyt if there were restrictions, which could be approved with the request. County Attorney Hoyt stated the Commissioners are in the process of changing the existing ordinance and another change could be considered. Mini-warehouses possibly could be added to the list for Special Use Permits. Commissioner Jennings recommended that Assistant County Manager Tom Tully present this issue to the Land Use Study Committee.

VOTING:

YES

NO

Commissioner Hufstetler
Commissioner Fricks
" Mayes
" Jennings

Motion Carried

**REQUEST FOR REZONING FOR
CALLIER SPRINGS ROAD AT DODD
BLVD., FROM T-R (TRADITIONAL
RESIDENTIAL) TO M-R (MULTI-
FAMILY RESIDENTIAL), FILE #021-99Z,
TAX MAP 328, AREA 06, PARCEL 016, 017.
(First Reading held July 13, 1999)**

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

SPEAKER FOR APPROVAL OF THE REQUEST:

Gene Shaw, 2692 Callier Springs Road, Rome, Georgia, petitioner for the request, stated he currently owns a quadruple unit adjacent to the property, the Callier Springs County Club adjoins the property on the other side and across from the property are more apartments. He stated that when he purchased the property there were no restrictions on it, and he plans to build a unit like the one on the adjoining property.

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

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion for the request for rezoning for Callier Springs Road at Dodd Blvd., from T-R (Traditional Residential) to M-R (Multi-Family Residential). MOTION for approval was made by Commissioner Mayes, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**REQUEST FOR SPECIAL USE PERMIT
FOR PROPERTY ON SUPERIOR DRIVE
IN FLOYD COUNTY INDUSTRIAL PARK,
PHASE 1, IN A L-I (LIGHT INDUSTRIAL)
ZONING DISTRICT, FILE #08-99SU,
TAX MAP 574, PARCEL 40 (THIS PARCEL
HAS BEEN DIVIDED FROM PARCEL 001).
(First Reading held July 13, 1999)**

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

SPEAKER *FOR* APPROVAL OF THE REQUEST:

A representative of Clean Air America, Inc. stated they currently operate a facility in the Industrial Park and have purchased a tract of land to expand and relocate their operation. They produce air filtration systems for industrial use in automotive applications. They are classified as a manufacturer and therefore require light or heavy industrial zoning.

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

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion for the request for a Special Use Permit on the property on Superior Drive in Floyd County Industrial Park. MOTION for approval was made by Commissioner Hufstetler, SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**AMEND SECTION 2-5-26 OF THE
FLOYD COUNTY CODE, ANIMAL
CONTROL ORDINANCE.
(First Reading held July 13, 1999)**

OPEN PUBLIC HEARING:

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

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

There being no one present to speak for or against the amendment of Section 2-5-26 of the Floyd County Code, Animal Control Ordinance, the Chairman called for a Motion to close the Public Hearing. MOTION was made by Commissioner Mayes, SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve amendment of Section 2-5-26 of the Floyd County Code, Animal Control Ordinance. MOTION was made by Commissioner Hufstetler to approve amending the ordinance and delete Section 2-5-26(b), SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

CHAIRMAN'S REPORT:

APPOINTMENTS.

Chairman Canada stated there were no appointments to be made at this meeting. He requested assistance from the media with informing the public there are positions available on the Forum Advisory Committee, Animal Control Welfare Board, Solid Waste Task Force and Quarry Ordinance Study Committee.

UPDATE ON H.B. 489 PROPOSAL.

Chairman Canada stated there will be a meeting on Thursday, July 29, 1999 at 4:00 p.m. at the Forum, with City of Rome and City of Cave Spring officials regarding the proposal the county has made in response to the proposals presented by the City of Rome and the City of Cave Spring. The public is invited to the meeting.

PLANNING MEETING FOR SEPTEMBER 27, 1999 PRIOR TO THE ACCG FALL POLICY CONFERENCE.

Chairman Canada stated this had also been discussed during the Caucus Session. A planning meeting for the Commissioner has been scheduled for Monday, September 27, 1999, before the ACCG Fall Policy Conference begins that evening. Commissioner Jennings recommended that a facilitator from ACCG be asked to help with the strategic planning for the Commission. Chairman Canada stated that the County Manager is working on this and, if costs are incurred, it will be presented at a later date for Board approval.

COMMISSIONER'S REPORT:

ADMINISTRATIVE/FINANCE COMMITTEE REPORT

Commissioner Hufstetler, Committee Chairman, reported that the next meeting will be July 29, 1999 at 10:00 a.m.

PUBLIC SAFETY COMMITTEE REPORT

Commissioner Mayes, Committee Chairman, reported that their next meeting will be August 11, 1999 at 2:00 p.m.

PUBLIC WORKS COMMITTEE REPORT

Commissioner Fricks, Committee Chairman, stated they are waiting on information to be received regarding right-of-way acquisitions for Bert Road project.

Commissioner Fricks stated he had recommendations for revisions to the Unified Land Development Code. He recommended changing the wording in the following areas:

“Shall not be enlarged or altered in a way that increases its non-conformity” will be removed from Sections 1.4.3(a) 2(e) and 1.4.3(b) 2(b).

The purpose of this is to basically eliminate the Special Use Permitting process by allowing the grandfathering in of existing uses of the areas that are zoned. Property owners will be able to have continuing use of existing property.

Commissioner Fricks proposed that these revisions be submitted to the Planning Commission for Public Hearing. Chairman Canada called for a Motion for Commissioner Fricks’ recommendation concerning the Zoning Ordinance amendment to the Unified Land Development Code particularly article 1.4.3(a)2(e) and 1.4.3(b)2(b). MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks.

Discussion: Commissioner Jennings stated that, as discussed during the Caucus Session, he is opposed to the Motion. He noted that action had already been taken on this particular issue in a recent rezoning request, they voted to protect the property rights of adjacent property owners. He stated there is in place a mechanism for property owners who desire to have their property rezoned or have a Special Use Permit to present their request to the Board. These requests are taken on property by property basis, which protects the property owner as well as the adjacent property owners. By removing the restriction or expanding on existing uses will be a carte blanche for anyone to make changes which may not be in the best interest of the community. He stated he does not see a need to refer this to the Planning Commission and it be brought back to the Board for a revote when a vote had already been taken. He did ask that the Implementation Study Committee address the issue of concentrated animal feeding operations since this is central to this particular issue, regarding revision of the Code.

Commissioner Hufstetler stated this is not completely being done on a case by case basis, that many people were identified and zoned in a suburban residential area and given use to expand their present use. Others, in particular farming, in certain corridors were not given this right. He stated he felt this was not treating everyone equally. He did agree that the animal use in a concentrated area does need to be studied further by the Implementation Study Committee. Assistant County Manager Tom Tully stated that the agricultural community, who is represented on the Implementation Study Committee, will be able to present a variety of information on this issue.

Commissioner Fricks stated that regarding them having already voted on the issue, and he felt this is different from the zoning changes, which have been voted on. He stated this is an alteration of the provision providing the process for Special Use Permitting. This is a change of process, not a zoning change. Commissioner Jennings stated he agreed it is not the exact issue,

but the issue had been addressed and voted on. Commissioner Fricks stated they are looking at equal protection for both the property owners and the farming industry. They are also looking at the same control mechanisms for industrial and other areas that haven't been identified properly.

VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
Commissioner Jennings

Motion Carried

WATER COMMITTEE REPORT

Commissioner Jennings, Committee Chairman, stated they have identified, as a result of the dye tracing study, a potential water source in Vann's Valley and the Committee had asked that Bob Moss, Engineer, assess the volume and quality of the water. The Dye Tracing Study is also moving forward. The dye has been injected and they are studying locations throughout Vann's Valley and to Cave Spring. Staff from the Water Department had attended a public hearing on the proposed southwest by-pass, and have identified some water lines which will be displaced by the by-pass. He noted that the Department of Transportation will pay for only a portion of the waterline relocation.

CLERK'S REPORT:

CONSENT AGENDA.

Sue Broome, County Clerk stated there were five items on the Consent Agenda, which had been discussed during the Caucus Session and were submitted for approval. Chairman Canada called for a Motion to accept the Consent Agenda items as presented by the Clerk. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks.

VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

1. Request from Tax Commissioner's Office to release list of personal property accounts from digest.

Request from Tax Commissioner's Office to release list of intangible bills from digest.

3. Malt Beverage Application:
 - a. Stephanie Prater, Walker Mountain Store, 2342 Cedartown Highway, Rome, Georgia
1. Tax Refunds:
 - a. Sandi Ford, 9 Atwood Drive, \$172.23
 - b. Wada Metal of America Corp., 27 Superior Blvd., \$17,620.39
 - c. William S. Brooks, 1 Graben Drive, \$3.26
 - d. William Donald Gollahon, 80 McFry Lane, \$443.52
1. Authorize execution of agreement endorsing Coosa Valley Regional Development Center as Administrative Entity for Area Agency on Aging for Northwest Georgia.

MANAGER'S REPORT

**REQUEST FROM PUBLIC WORKS
TO TRANSFER FUNDS FROM LINE
ITEM SECURITY FENCE TO REPAIR
AND MAINTENANCE IN RECYCLE
CENTER BUDGET.**

Assistant County Manager Tom Tully stated Public Works had requested a transfer of funds from their equipment line item for security fencing to repair and maintenance in the amount of \$20,000. He noted they have had some rather large repair bills this year. Chairman Canada called for a Motion for approval of the request from Public Works for transfer of funds. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

AWARD BIDS:

AWARD BID ON FUEL STATION CANOPY FOR JAIL.

Assistant County Manager Tom Tully stated that three bids had been received, the low bid being from United Pump & Controls in the amount of \$6,990. Recommendation from the Public Works Director and the Manager's Office is that the award be approved. Chairman Canada called for a Motion to award the bid on the Fuel Station Canopy for the Jail to United Pump and Controls. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Hufstetler
 " Fricks
 " Mayes
 " Jennings

Motion Carried

BID RESULTS

8,140.00	Shady Vent Aluminum Pro	\$
	Estes Equipment Company	
N/B	Cash Industries	
N/B	United Pump & Controls	\$
6,990.00	C. S. Britton, Inc.	
\$15,909.00		

AWARD OF BID FOR AWNING ADDITION AT PUBLIC WORKS.

Assistant County Manager Tom Tully stated that bids had been requested from five vendors, but only one had responded, for an awning addition (materials only) at Public Works. The one bid was in the amount of \$6,917.02 from Coosa Steel, which was submitted for approval. Chairman Canada called for a Motion to accept the bid of Coosa Steel for the awning addition. MOTION was made by Commissioner Mayes, SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Hufstetler
 " Fricks
 " Mayes
 " Jennings

Motion Carried

BID RESULTS

Coosa Steel	\$ 6,917.02
BESCO Steel	N/B
Georgia Steel Supply	N/B
Gainesville Iron Works	N/B
Carolina Steel Corp.	N/B

**AWARD BID ON PAPER PRODUCTS
AND JANITORIAL SUPPLIES.**

Assistant County Manager Tom Tully stated they had made a list of supplies used throughout the County in an effort to get the best price with the award of this bid. The prices will be good through the end of the year and the list of each vendor and the award price will be scanned into the minutes. Chairman Canada called for a Motion to accept for approval the award of bids on paper products and janitorial supplies. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

**AUTHORIZE EXECUTION OF DEED
BETWEEN FLOYD COUNTY AND
CITY OF ROME FOR PROPERTY
ON WILSHIRE ROAD.**

Assistant County Manager Tom Tully presented a request to authorize execution of a deed between Floyd County and the City of Rome for property on Wilshire Road in connection with the Fire Station relocation to that property. Chairman Canada called for a Motion for the authorization of the execution of the deed between Floyd County and the City of Rome for property on Wilshire Road. MOTION was made by Commissioner Fricks, SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks

" Mayes
" Jennings

Motion Carried

**REQUEST FOR LINE ITEM TRANSFER
FROM ANIMAL CONTROL FOR MOBILE
PLATFORMS TO IMPROVE SANITARY
CONDITIONS IN QUARANTINE ROOM.**

Assistant County Manager Tom Tully presented for approval the request for line item transfer from the vet fees line item in Animal Control to their equipment line item for mobile platforms to improve sanitary conditions in the Quarantine Room of the Animal Control facility. The amount of the transfer would be \$2,650. Chairman Canada called for a Motion for approval of the line item transfer for Animal Control for mobile platforms. MOTION was made by Commissioner Mayes, SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

**AUTHORIZE AIRPORT MANAGER
RE-CLASSIFICATION.**

Assistant County Manager Tom Tully stated this had been discussed during the Caucus Session. The position would be at a paygrade 26 and he requested approval. Chairman Canada called for a Motion to authorize the Airport Manager re-classification to paygrade 26. MOTION was made by Commissioner Jennings, SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

**APPROVE LAND LEASE AGREEMENT
BETWEEN FLOYD COUNTY AND ROME
TOOL AND DIE.**

Chairman Canada called for a Motion to defer this item until the August 10, 1999 meeting. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Mayes.

VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

OTHER BUSINESS:

Chairman Canada recognized City Commissioner Bill Fricks and his wife who were in attendance.

Commissioner Jennings stated that in the meeting with Governor Barnes regarding the Floyd County Prison, a two page worksheet had been requested regarding problems with the Prison and recommended changes, as well as costs. He asked if the document was being processed and requested that the issued needs be addressed as quickly as possible. It was noted that the document will be completed by the end of the week. Commissioner Jennings stated that he felt there was a good chance funding will be available for the prison and requested that Warden Anne Brinkley begin the process of looking at staffing for the larger facility. He asked the status of research on medical services for the Jail and Prison. Assistant Manager Tom Tully stated that he, the Sheriff, Warden, and Chief Deputy visited a facility of one of the prospective vendors. They are currently working to schedule the others. They have not received proposals from Floyd Medical for operating the clinic, which is a large part of the healthcare picture. It was noted that some of the delays on visitation were due to scheduling conflicts.

Commissioner Jennings stated that at the recent Department of Transportation hearing for the Southwest Rome by-pass several historic sites were identified to the extent that they moved the routing of the road. He stated that he felt the Environmental Protection Division needs to be asked what affect these historic sites would have on the location of a quarry within that area. He expressed his concern that Florida Rock nor Martin Marietta had been before the Planning Commission to request a change in zoning since any quarry has to be sited within a heavy industrial site by a Special Use Permit.

Commissioner Jennings stated that at the previous meeting they had discussed the sale of surplus property. He stated he had raised the question of an endowment. He asked the County Attorney if the proceeds from the sale of surplus property, as well as surplus equipment, could be used to create a fund where the Commission could return the funds to the community for a worthy cause. He noted that last year a request had been received from the Rome Area History Museum and Chieftains Museum for funds for special projects. He asked if, under

special circumstances, the Commission could create a special fund and invite agencies in the community who have a one time special need, to apply for funding. County Attorney Wade Hoyt stated that he feels that is not possible, but he will review the law and give an opinion at a later date. Chairman Canada stated that by putting the funds back into the General Fund, then it can be given back to the community in the form of a possible millage rate decrease.

Regarding Commissioner Jennings comment that since the quarries have not requested a Special Use Permit they are not planning to locate in Floyd County, Commissioner Hufstetler stated he felt they had not made the request since they do not feel it is not required. County Attorney Wade Hoyt stated he had been told by their attorneys that they do not have to request the permit.

ADJOURNMENT:

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

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

COMMISSIONERS

FLOYD COUNTY BOARD OF

KIM A. CANADA, CHAIRMAN