

citizens who work with the Hospitality House and other agencies who help women and children who are in these crisis situations.

FIRST READING:

**AMENDMENT TO THE UNIFIED LAND
USE DEVELOPMENT CODE, SECTION 1.4.3.
(NONCONFORMING DEVELOPMENT).
SET SECOND READING/PUBLIC HEARING
FOR OCTOBER 26, 1999, AT 6:00 P.M.**

Chairman Canada called for a Motion to place the proposed Amendment on First Reading. MOTION was made by Commissioner Fricks, SECOND by Commissioner Mayes.

Discussion: Commissioner Jennings stated that he has asked the Manager and Assistant Manager to seek clarification from GZI Attorney's to give an idea of the effect of this change, further stating that to his knowledge the report is not available at this point. Commissioner Jennings stated that it is his feeling that before any action can be taken on this change that as much information as possible as to the effect, i.e. are we talking about effects on agricultural property, or are we talking about effects of other properties within the city and the county.

Assistant County Manager Tom Tully stated that the information has been requested, more than once, and that he will be in a meeting with Frank Jenkins prior to the Second Reading and will address the questions with him and have an answer prior to the Second Reading date.

Commissioner Jennings also stated that as this is the Unified Land Use Code, that the City would ultimately have to pass on any changes made to the Code, and asked City Commissioner Ronnie Wallace to convey to the City Commission to look at the proposed amendment and give their feedback in that regard.

County Manager Kevin Poe stated that it is a Unified Land Development Code, however, there will be some situations where the Code will be somewhat different for the city and the county, based on the situation. Mr. Poe stated that the city would either have to choose to make this specifically for the county or go along with it for the city itself.

Commissioner Jennings continued stating that the Planning Commission voted unanimously to reject this proposed change, adding that he understands from earlier discussion that perhaps there was confusion on the Planning Commissioners part as to the intent of the change and that it should be clarified with the Planning Commission.

Chairman Canada stated that this is only a First Reading and during the Second Reading/Public Hearing is when we can discuss what their vote was. Commissioner Jennings stated that he would like to have the additional information.

VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

NOTE: Commissioner Hufstetler was absent at this point.

ZONING REQUESTS:

Chairman Canada asked the County Attorney to confirm that for the 19 Zoning Requests on First Reading, that he was allowed to read the zoning request and utilize the file number, since they all pertain to the same type property, same public hearing, same second reading dates, they could be read as one and ask for a motion.

County Attorney Wade Hoyt stated that this was allowable as long as the file number was indicated on each request.

Chairman Canada called for a Motion to place on First Reading the following items for zoning request, and set Second Reading/Public Hearing for October 26, 1999 at 6:00 p.m.

File #026-99Z, File #027-99Z, File #028-99Z, File #029-99Z, File #030-99Z, File #032-99Z, File #033- 99Z, File #034-99Z, File #035-99Z, File #036-99Z, File #037-99Z, File #038-99Z,

File #039-99Z, File #040-99Z, File #041-99Z, File #042-99Z, File #043-99Z, File #009-99SPU and File #010-99SPU.

MOTION was made by Commissioner Mayes, SECOND by Commissioner Fricks.

Discussion: Commissioner Jennings stated that in reference to File #028-99Z, Floyd County Industrial Park, it has been requested that the Chairman write a letter to the Development Authority to meet with the residents of the Trail Subdivision to discuss with them the proposed changes and hear the concerns of those residents. Commissioner Jennings also noted that the petitioner in this case is the Development Authority as far as making a change in the zoning for that area.

VOTING:

YES NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

**VARIANCE REQUEST FOR PROPERTY
LOCATED AT 174 CHATILION ROAD.
(SET SECOND READING/PUBLIC HEARING
FOR NOVEMBER 9, 1999 AT 2:00 P.M.)**

Chairman Canada called for a Motion to place the item on First Reading and Set Second Reading/Public Hearing for November 9, 1999 at 2:00 p.m. MOTION was made by Commissioner Fricks, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

CHAIRMAN'S REPORT:

UPDATE ON H.B. 489:

Chairman Canada gave a brief update, stating that H.B. 489 has been approved through an agreement with the City of Rome and the City of Cave Spring. Chairman Canada stated that at this time the process for submitting the documentation to DCA is being completed, and will be sent to them for approval.

County Manager Kevin Poe advised that documents will be presented at the next meeting for approval and signatures.

APPOINTMENTS:

Chairman Canada requested that the Board approve a waiver for the residency requirement for an Aggregate Industry Appointee to the **Local Quarry Ordinance Study Committee**. Chairman Canada called for a Motion to waive the residency requirement. MOTION was made by Commissioner Mayes, SECOND by Commissioner Fricks.

Discussion: Commissioner Jennings stated that it bothered him that the aggregate industry is circumventing the attempt of commissions involving local citizens and he is against making this change. Commissioner Jennings stated that this individual is someone who is paid by the mining industry, and does not live in the community and this is the problem we have with some of the things that are going on in our community with Martin-Marietta in the Ward Mountain area, and urged that the Commissioners vote against the change.

Chairman Canada stated that the Board circumvented the committee process in the interim by allowing each representative to choose their representative, the feeling being that those entities would best know who suited them in their best representation. Chairman Canada stated that he did not put out any initiative, at any time, that the representative could be paid or not be paid, that this is irrelevant in setting up this committee, that it is his interest to have equal representation based on the agreements made concerning the committee. Chairman Canada stated that the individual groups have made their recommendations for members and it is his feeling that the aggregate industry should be given the grace to allow their recommendation for members that suit their needs; as well as the groups opposed to the quarry and they have had every opportunity to request the same, the aggregate industry chose to do that.

Commissioner Jennings stated that the issue is whether someone outside of Floyd County is going to decide what we are going to do inside Floyd County, whether it be the EPD, a mining company, that it seems the interest of Floyd County citizens should be at heart, and who better knows those interests than people who live within Floyd County.

Chairman Canada stated that there are 13 members of the committee and of those 12 are residents of Floyd County and there is a majority of Floyd County residents.

VOTING:

YES

NO

Commissioner Fricks

Commissioner Jennings

" Mayes

" Canada

Motion Carried

**APPOINT A SCHOOL BOARD MEMBER TO
THE LOCAL QUARRY ORDINANCE COMMITTEE:**

Chairman Canada stated that since there are quarry activities within a school district he feels there should be an ex-officio member representing the school board to keep them apprised of what is happening in their district. Chairman Canada called for a Motion to appoint a member selected by the school board to serve as an ex-officio member. MOTION was made by Commissioner Jennings, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

APPOINTMENTS:

Chairman Canada called for a Motion for recommendation of the following appointments:

Local Quarry Ordinance Study Committee – Aggregate Industry – Richard Fountain;

Area Residents – Dave Patterson and Jodie Rowell

Forum Advisory Committee (3-year staggered terms) – Warren Jones, Diana Shadday, Ray Miles and Laura Heaven.

Discussion: Commissioner Jennings pointed out that Laura Heaven is the Chairperson of the Krannert Center Activities Board at Berry College, and is a senior at the college. Commissioner Jennings stated that he thought there should

be someone who represents the college student community, although he doesn't know if it is appropriate to have her as a regular member of the committee because she will be graduating in April, and someone else in that position would take over next year.

Chairman Canada stated that regardless of her time, based on her profile sheet she would be a benefit to the committee.

Commissioner Fricks asked if the term lengths have been identified. County Manager Kevin Poe stated that certain posts are for certain times and that appointees should be appointed to the certain post, adding the posts have not been designated at this time. It was suggested that this post may be rotated between Berry, Shorter and Floyd College.

Solid Waste Task Force Committee - William T. Davin

Chairman Canada called for a MOTION to accept the recommendations as outlined. MOTION was made by Commissioner Mayes, SECOND by Commissioner Fricks.

Discussion: Commissioner Jennings stated he is concerned about the recommendations being "lumped" into one group and he is concerned about the one particular appointment and may be compelled to vote against this, adding that he is not necessarily voting against all of the persons.

Chairman Canada suggested that Commissioner Jennings make his point known publicly and then vote in pretense on the solid job these people will do. Commissioner Jennings stated that he is just explaining his "no" vote.

VOTING:

YES

NO

Commissioner Fricks

Commissioner Jennings

" Mayes

" Canada

Motion Carried

COMMISSIONER'S REPORT:

ADMINISTRATIVE/FINANCE COMMITTEE:

Chairman Canada stated that Commissioner Hufstetler, Committee Chairman, had to leave the meeting due to an emergency, however he told Chairman Canada before he left that there is nothing to report from the Committee. The next Committee meeting will be held on October 18, 1999 at 2:00 p.m.

WATER COMMITTEE:

**AWARD BID FOR WATER TANK
REPAIR AND MAINTENANCE:**

Commissioner Jennings reported that RFP's were sent out for the maintenance and repairs of the Lindale and Walker Mountain water tanks, and two bids were received. Commissioner Jennings stated that the bid from Utility Service Co., Inc., in the amount of \$189,046 will be spread out over a ten-year period.

Commissioner Jennings made a MOTION that the bid submitted by Utility Service Co., Inc. be accepted, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings

Motion Carried

Bid Results

Utility Service Co., Inc.	\$189,056
Southern Corrosion	\$249,481

WATER SYSTEM IMPROVEMENTS:

**AUTHORIZE AGREEMENT BETWEEN
WILLIAMS, SWEITZER & BARNUM AND
FLOYD COUNTY FOR DESIGN OF WATER
SYSTEM IMPROVEMENTS IN NORTHWOOD
ESTATES AND HERMITAGE AREA:**

Commissioner Jennings stated that the Armuchee Trail and Lakeview Subdivision projects have already begun and it is recommended that engineering begin in the Northwood Estates and Hermitage Area. Commissioner Jennings stated that as money is available Ridgewood Estates and Lake Park Subdivision are on the proposed list for improvements and will be taken up at a later date.

Commissioner Jennings made a MOTION that Williams, Sweitzer and Barnum be authorized to design the water system improvements for the Northwood Estates and Hermitage Area, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

CLERK'S REPORT

CONSENT AGENDA:

County Clerk Sue Broome advised there are three items on the Consent Agenda which have been reviewed and are submitted for approval. Chairman Canada called for a Motion to accept the Consent Agenda as submitted. MOTION was made by Commissioner Fricks, SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

Request from developer Rob Smith to accept **Beechcreek Block "K"** on county maintenance (**Drexel Drive NW, North Heathrow Drive NW, and South Heathrow Drive NW**).

Tax Refunds:

Allen Wayne & Nancy Davis, 660 Wax Road SE, \$305.31

Michael Whorton, 629 Trove Drive NW, \$418.39

Jean Poindexter/dba Second Time Boutique, 2112 Kingston Road, \$93.49

Authorize execution of grant award and special conditions for \$16,500 for Purchase of Services for Juvenile Offenders Program under the Juvenile Accountability Incentive Block Grant.

MANAGER'S REPORT

AUTHORIZE EXECUTION OF COUNTY CONTRACT WITH DOT FOR RESURFACING 14.44 MILES OF COUNTY ROADS. PROJECT NO. PR-125-1(115)

County Manager Kevin Poe advised that a contract is anticipated from the DOT for resurfacing 14.44 miles consisting of Arcadia Dr., Addington Dr., Althea Dr., Beech Creek Dr., Bollen Dr., Cedar Lane, Drexel Dr., Drummond Dr., East Dr., Eden Dr., Edwards St., Garrett Rd., General Ave., Green Valley Rd., Horseleg Creek Rd., Julia Dr., Lakemont Dr., Logan Ct., Longwood Ct., Mathis Rd., Norcross Way, Old School Rd., Orr St., Pine Hill Dr., Prater Rd., Ridgefield Dr., Robinson Ave., Sycamore Rd., The Trail, Wedgewood Dr., West Dr., Woodview Ct., and recommended that the Chairman and Clerk be authorized to execute the contract upon receipt.

Chairman Canada called for a Motion to accept the recommendation of the Manager. MOTION was made by Commissioner Fricks, SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

**AWARD BIDS FOR PORTABLE SOUND SYSTEM
ROME/FLOYD FIRE DEPARTMENT:**

County Manager Kevin Poe advised that sealed bids were received for a grant received regarding their Fire Prevention Program and Fire Department Clowns. Mr. Poe advised that one bid was received late and based on the purchasing procedures that bid was not opened. Mr. Poe recommended that the bid be awarded to Sounds Great, Inc., stating the funds will be paid through the grant received from the State.

Chairman Canada called for a Motion to accept the bid as recommended by the Manager in the amount of \$7,600.00. MOTION was made by Commissioner Mayes, SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

Bid Results

	Sounds Great, Inc.,	\$7,600.00
	Southwind Sound	N/B
opened	Stephens Music Co.	Bid received on 9/13/99 – not

**REQUEST FROM SHERIFF RICKMAN
FOR COMPUTER UPGRADES AT JAIL
(Deferred from 9/21/99 meeting):**

County Manager Kevin Poe advised that Sheriff Rickman has requested computer upgrades at the jail, and recommended that \$8,112.00 be spent to upgrade computers, and that the project be awarded to Paragon Total Solutions, Inc., which is the current computer system vendor for the jail.

Chairman Canada called for a Motion for computer upgrades at the jail in the amount of \$8,112.00. MOTION was made by Commissioner Jennings, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

**REQUEST A SECTION OF WET OAK DRIVE
BE TAKEN ON COUNTY MAINTENANCE
(Deferred from 9/21/99 meeting):**

County Manager Kevin Poe advised that the north end and south end of Wet Oak Drive are currently on county maintenance and the section in question is 500' long, and there is a 50' right-of-way of 50' existing. Mr. Poe stated that a 24" pipe will be required to handle the drainage in the area when the road is built up and the pipe has been purchased for the project. Mr. Poe recommended that the county take the remaining 500' of Wet Oak Drive on county maintenance.

Chairman Canada called for a Motion to accept the recommendation of the Manager. MOTION was made by Commissioner Fricks, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings

Motion Carried

**DECLARE PROPERTY SURPLUS
AND AUTHORIZE SALE:**

County Manager Kevin Poe advised that the county would be holding a surplus auction on October 23, 1999, at the Public Works Camp, with the start time to be announced later. Mr. Poe stated that the items will be disposed of through public auction. Chairman Canada called for a Motion to authorize the public auction on October 23, 1999.

MOTION was made by Commissioner Mayes, SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings

Motion Carried

**REVISE JUVENILE COURT
LEGAL FEE LINE ITEM:**

County Manager Kevin Poe advised that a request has been submitted to revise the Juvenile Court Legal Fee Line Item to \$116,667 to cover the cost of indigent attorney fees.

Chairman Canada called for a Motion to accept the line item increase as outlined by the Manager. MOTION was made by Commissioner Jennings, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

**UPGRADE POSITION IN ANIMAL
CONTROL DEPARTMENT
(POSITION NO. 32-001):**

County Manager Kevin Poe advised that a request has been made to upgrade a position in Animal Control to Animal Control Officer/Detail Officer. Mr. Poe stated that it has been requested that one officer be immediately upgraded and the other Animal Control officer be upgraded at the first of the year 2000. Mr. Poe stated the position will be increased from paygrade 9 to paygrade 11.

Chairman Canada called for a Motion to upgrade the position as described by the Manager. MOTION was made by Commissioner Jennings, SECOND by Commissioner Mayes.

Discussion: Commissioner Fricks stated that he feels the upgrade should be made subject to the budget and justified in 2000.

Chairman Canada called for a Motion to revise the MOTION to approve one position upgrade and subject to the budget, the upgrade of the second position after the first of the year.

MOTION was made by Commissioner Mayes, SECOND by Commissioner Fricks to accept the revised MOTION. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Jennings

Motion Carried

**AUTHORIZE EXECUTION OF A
PIT OPTION WITH BRUCE ALBEA CONTRACTING INC.**

County Manager Kevin Poe recommended authorization of a Pit Option between Floyd County and Bruce Albea Contracting, Inc., for the use of airport property as a borrow pit. Mr. Poe stated that this is the contractor working on the Stonebridge Drive connector from Hwy. 27 to Old Summerville Road and this will assist the county in doing improvements at the airport to an area where grading is needed.

Chairman Canada called for a Motion to accept the Option as outlined by the Manager. MOTION was made by Commissioner Fricks, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings

Motion Carried

ADJOURNMENT:

There being no further business to come before the Board, MOTION was made by Commissioner, Mayes, SECOND by Commissioner Fricks, that the meeting be adjourned. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings

Motion Carried

COMMISSIONERS

FLOYD COUNTY BOARD OF

KIM A. CANADA, CHAIRMAN