

Chairman Canada called for a Motion to approve H.B. 489 Agreement including all supporting documents contained in the Agreement Manual between the City of Cave Spring, the City of Rome and Floyd County, which is set out in and established in a Service Delivery Strategy Manual which shall be attached to this Motion and approval.

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

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada expressed his appreciation for all the hard work that went into the document to the County Commissioners, the City of Rome and the City of Cave Spring.

MOTION TO SUSPEND MEETING:

Chairman Canada called for a Motion to suspend the Floyd County Board of Commissioners meeting temporarily for the Special Called Meeting for the City of Rome and the City of Cave Spring.

MOTION was made by Commissioner Fricks, SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

**RECONVENE MEETING
OF THE FLOYD COUNTY
BOARD OF COMMISSIONERS:**

Chairman Canada called for a Motion to reconvene the Regular Meeting of the Floyd County Board of Commissioners. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

PUBLIC PARTICIPATION:

Rosha Booker, 111 East 11th Street, Rome, stated that she is speaking as a patient of the County Clinic and expressed her concern over rumors that she has heard that the clinic is supposed to be closing. Ms. Booker concluded by stating that, as a patient, we do need the county clinic and information should be given to the public so we will know what is going on, asking, "What's happening with the county clinic? Are we going to have a county clinic? What's going to happen to people like me?"

Chairman Canada stated that normally questions were not answered during Public Participation, however he felt an answer was deserving and stated that Ms. Booker has been completely misinformed. Chairman Canada stated that the Floyd County Government has no intention of doing away with the county indigent clinic, that Floyd Medical Center has been approached with the possibility of taking over the indigent clinic to provide a better service adding that medical care nor a physician would be denied. Chairman Canada stated that the concern was not doing away with the indigent clinic unless there was a sure server, which would have been FMC providing service through the Family Practice program which would have continued providing the indigent clinic medical services at a minimum level equal to the current service and hopefully at a higher level because of the services that would have been made available under FMC. Chairman Canada stated that negotiations are ongoing, but no decision has been made, and any decision made will not be made to do away with the clinic and not have the services for anybody in Floyd County. Chairman Canada apologized for the worry caused by the rumors and thanked Ms. Booker for bringing this to the Board.

Commissioner Jennings stated that it is his understanding that right now the service has a pretty long waiting list and it takes quite a long time for patients to get an appointment which is a concern and he wants to improve the quality of the service, the level of the service, and the amount of service, that is available to citizens in Floyd County. Commissioner Jennings reiterated that the Board has no intention of doing away with the clinic.

Ms. Booker thanked the Board and stated that she could inform the public that we are going to be taken care of.

ADOPTION OF

MINUTES:

Commissioner Mayes made a MOTION to adopt the minutes of the

Regular

Meeting of October 12, 1999 as presented. SECOND by Commissioner Jennings.

VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

FIRST READING:

VARIANCE REQUEST FOR PROPERTY

**LOCATED AT 5516 ALABAMA HIGHWAY,
THOMAS RUSSELL, CEDAR BLUFF OIL CO
(SET SECOND READING/PUBLIC HEARING**

FOR NOVEMBER 9, 1999):

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. Commissioner Hufstetler made a MOTION to place the item on First Reading, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

SECOND READING/PUBLIC HEARING:

Chairman Canada explained the rules for the Public Hearing stating that he would read the zoning request and each side would be given 10 minutes (10 minutes to the side making the request and 10 minutes to the side opposing the request). Chairman Canada stated that a show of hands would be made of the people attending supporting the request and a show of hands opposing and the time would be divided by giving each person as much time as possible to speak within the 10 minute limit concerning the issue. Chairman Canada stated that after the opposing side has had an opportunity to speak the requesting side has an opportunity to rebuttal the concerns brought up by the opposition.

**AMENDMENT TO THE UNIFIED LAND USE
DEVELOPMENT CODE, SECTION 1.4.3.,
(NONCONFORMING DEVELOPMENT)
(FIRST READING 10/12/99):**

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

Chairman Canada opened the floor for those wishing to speak concerning the item.

Odell Justice, P. O. Box 549, Silver Creek, Georgia, stated he has a farm and a vested business and has been historically using the land prior to the zoning ordinance as a farm. Mr. Justice stated he has a sizable investment in his property with 164 acres, and he has to have the right to operate his business, unrestricted just like any businessman, and he should have a right to expand his business without a lot of government bureaucracy of denying that right. Mr. Justice stated that when there is little or no gain to the public health, safety, morals and general welfare to deny the existing use of the property when it could be a hardship is an unconstitutional use of the zoning law. Mr. Justice stated that the zoning ordinance is currently not uniformly enforced, that farms have not been correctly zoned on the existing zoning maps and the classifications that do not tie in, preexisting uses along with the other aspects of the general welfare of the public, is going to be held as unconstitutional.

John Johnston, 9 River Street, Cave Spring, Georgia, stated he feels farmers, like everybody else, are over regulated. If the Board decides they want to do something that is proactive and assumes the county officers will have enough intellect and diligence to review things then you do not establish an ordinance and then put in a rider that says the ordinance will, in certain circumstances, be disallowed, the purpose of beginning a development plan is to review and if you insert a rider that eliminates that you should move this on to a group that wants to tackle it and be proactive. Mr. Johnston stated that you need to assume that the governing body will give credit to continuance of usage, but to also make sure the reason you have a development code is protected, and that is to protect the ambiance and environment of the county.

Mark Manis, 1120 Ward Mountain Road, Rome, Georgia, stated he thinks it will be impossible to please all of the people all of the time, and he feels there is a lot of support for what has been done. Mr. Manis recommended leaving everything in place and taking care of the people who have legitimate grievances.

There being no one else to speak concerning this item, Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion regarding the Amendment to the Unified Land Use Development Code, Section 1.4.3. (nonconforming development). MOTION was made by Commissioner Jennings to **deny** the Amendment. MOTION died for lack of SECOND.

MOTION was made by Commissioner Fricks to **approve** the Amendment, SECOND by Commissioner Hufstetler.

Discussion: Commissioner Jennings asked Martha Little to present the Planning Commissions review of the issue. Ms. Little identified herself as the Director of the Rome/Floyd County Planning Commission. Ms. Little stated the Planning Commission recommended denial of the Amendment. Commissioner Jennings asked Ms. Little if the Planning Commission was aware of the ramifications of the change and Ms. Little stated that as far as she could tell they were, that they had discussed it at two meetings. Ms. Little stated the vote was unanimous to deny.

Commissioner Fricks stated that the rewording was derived from what the original intent of the document by the author of the original, and the Amendment is to reword so that the interpretation is more defined, rather than being able to somewhat change the interpretation with the reading as it read before. Ms. Little stated the Amendment was recommended by Bill Ross who wrote the Unified Land Development Code. Commissioner Fricks stated that we are following with the original intent of the ULDC, according to Mr. Ross.

Commissioner Fricks stated that because there had been different interpretations of the Amendment, they had gone back to the author to find out what the original intent was and followed with what the intent was in defining, rather than leaving the interpretation up to whoever was reading the document or that best suited their purpose. Commissioner Jennings stated that in his mind the local community is in the best place to interpret a document for that community, and apparently that is what happened. Commissioner Jennings asked the County Attorney if the change would affect agricultural property and allow nonconforming uses to expand. County Attorney Wade Hoyt asked if this was with reference only to agricultural property or any property? Commissioner Jennings asked if this would allow agricultural property that was nonconforming for those uses to expand. Mr. Hoyt stated that he understood this was the purpose of it. Commissioner Jennings asked in addition to agricultural property this applies to any property in the community in any zoning district that is nonconforming use, that it would allow those to expand without seeking a special use permit. Ms. Little stated that this takes the particular category out of the nonconforming use definition, therefore, they would not be nonconforming uses. Ms. Little stated that any use that was preexisting prior to the adoption of the code, and now requires a special use in that particular zoning district would be allowed to expand and would not be considered a nonconforming use, but would be considered a compatible use, so it does nothing to nonconforming uses.

Chairman Canada asked Mr. Hoyt for his opinion, based on the fact that because of the existing, or grandfathering of property, special use permit requirements could not be disallowed on existing property. Mr. Hoyt stated that this is his opinion on almost every case. Chairman Canada stated that this would eliminate the need for possible

litigation of denying or accepting the special use permit. Mr. Hoyt stated that this would not put the commissioners in the position of granting every special use permit.

Commissioner Hufstetler stated there were legitimate concerns and based on his understanding this does not allow someone to change from a farm to a manufacturing operation just because they had the land ahead of time, and he feels it is not being selectively letting people in it is saying the people who are already in place have a right to continue with the use they have used in the past. Commissioner Hufstetler stated that he feels this is going back to the intent of the original document and it is something that is reasonable and can be enforced.

Commissioner Jennings stated that he feels the word expand needs to be placed because that is the issue, not continuing the use, because that is grandfathered in, it is the question of whether the community has any say in terms of the expansion of the use and the affect of the expansion on neighbors and the community welfare as a whole.

Chairman Canada called for a VOTE to accept the Amendment:

YES	NO
Commissioner Hufstetler	
" Fricks	
" Mayes	
	Commissioner Jennings

Motion Carried

Amendment:

Section 1.4.3.a.(3)(d)

A use that was lawfully established prior to the adoption, revision or amendment of the Ordinance, but which, by reason of such adoption, revision or amendment now requires approval as a Special Use in the zoning district where the use is located, shall not be considered a nonconforming use under the provisions of this ordinance, and therefore is not subject to the prohibitions against enlargement or alteration of an existing use.

**ZONING REQUEST, FILE #026-99Z,
474 GENTRY ROAD, REQUEST REZONING
FROM S-R (SUBURBAN RESIDENTIAL) TO
A-R (AGRICULTURAL RESIDENTIAL)
TAX MAP 050, PARCEL 002.
(First Reading 10/12/99):**

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

Chairman Canada asked if there was anyone present to speak regarding the issue.

Support

Burt Jones, 474 Gentry Road, stated he is requesting that his property be rezoned to agricultural from residential, because it was zoned in error by GZI, that it has been a poultry operation for 20 years and he would like to get it back to agricultural.

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

YES NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Mayes to **approve** the request. SECOND by Commissioner Hufstetler.

Discussion: Commissioner Jennings stated that based on the action just taken on the special use permit, he believes the operation can expand either way whether it is zoned suburban-residential or agricultural. Tom Tully, Assistant County Manager, stated

that it has been brought to his attention that in issues where the property owner seeks financing to expand their agricultural operation, frequently the financial institution will ask how the property is zoned, and they may be more hesitant to arrange financing if the property is not zoned for agricultural.

VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

**ZONING REQUEST, FILE #027-99Z,
CALHOUN ROAD AT WARD MOUNTAIN ROAD,
REQUEST REZONING FROM S-R (SUBURBAN
RESIDENTIAL) TO A-R (AGRICULATURAL RESIDENTIAL)
TAX MAP, 126, PARCELS 04A, 59,60.
(First Reading 10/12/99):**

Chairman Canada called for a Motion to open the public hearing regarding this issue. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada asked if there was anyone present to speak for or against the request.

Support

Thad Rush, 3853 Calhoun Road, spoke in favor of the request and asked that a correction be made to the zoning stated that this property has been a farming operation since 1835 and there are two residences on the property, one that he lives in and a man who works for him on the farm lives in the other. Mr. Rush stated that he has been in a covenant with the county since 1992 and explained that it is a law passed by the legislature, that if you commit yourself to an agricultural operation for a 10 year period then your property taxes will be based on a state-set level and not actual value of the property. Mr. Rush stated there is a penalty that if any time in the 10 year period the covenant for agricultural use is violated the property owner will be faced with a penalty, plus all back taxes at the former value. Mr. Rush requested that the board approve the request for rezoning.

Odell Justice, stated his entire support for Mr. Rush stating that he has a rightful business and has the right to farm, and the historical use of the property has been agricultural and to do otherwise is not respecting his occupation and there is little gain to the public health, safety, morals or general welfare to classify it otherwise, and it is his understanding that the zoning maps should indicate and identify the current existing usage of the land, and that was never done.

There being no one present to speak in opposition of the request, Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Mayes to approve the request, SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

**ZONING REQUEST, FILE #028-99Z,
FLOYD COUNTY INDUSTRIAL PARK
OFF HIGHWAY 27, REQUEST REZONING
FROM L-I (LIGHT INDUSTRIAL), TO H-I
(HEAVY INDUSTRIAL). TAX MAP 574,
PARCELS 1,16,17,22,24. (First Reading 10/12/99):**

Chairman Canada called for a Motion to open the public hearing for this issue. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

Support

Bill Boling, Floyd County Industrial Park, attorney for the Development Authority of Floyd County, presented documents to be filed in support of the request. Mr. Boling stated that Mr. Sam Freeman who will be the other speaker for the rezoning request, has stated that he will make his remarks in one minute and Mr. Boling could have the additional time, giving Mr. Boling 9 minutes to speak.

Mr. Boling requested a correction to the zoning of the Industrial Park. Mr. Boling presented statistics regarding the Industrial Park stating that the purpose of the Development Authority and the purpose of the Park is to create jobs and opportunities for everyone that lives in Floyd County and expand the tax base and by doing so hopefully to reduce the tax burdens on all the individuals who pay the taxes. Mr. Boling pointed out that until the zoning plan went into effect, the Park had always been open to any type of industry that might be recruited by the community. Mr. Boling stated that he had referred to the process as a proposed correction of the zoning ordinance and explained that he referred to this as a correction because when the zoning plan was submitted for public comment and review many public officials met with Mr. Ross and the other planners and pointed out to them that the park was shown as light industrial on the map when in fact it should be heavy industrial, if current use was going to be continued. The officials were assured that the correction would be made, but for some reason the error was not corrected. Mr. Boling stated that they are not seeking to change the zoning that they are seeking to have a technical correction of a mistake that should not have occurred. Mr. Boling stated that throughout the 17 years that the Industrial Park has been in operation all of the bodies involved have managed the Park in a way that enhances the value of the property that surrounds the Industrial Park, and this track record should not be ignored. Mr. Boling stated that the request that the Park be zoned Heavy Industrial is to bring us back to where we were before the error was made in the zoning. In closing, Mr. Boling requested that the Commission support the request to correct the zoning.

Sam Freeman, 18 North Pheasant Run, Rome, stated he serves as Chairman of the Rome/Floyd County Development Authority and Chairman of the Greater Rome Chamber of Commerce. Mr. Freeman stated we are in a global competition for industry and jobs in the community and without the Industrial Park being zoned Heavy Industrial this community is in a serious disadvantage and asked that the Park be zoned Heavy Industrial so that we will not be put at a competitive disadvantage.

Commissioner Jennings asked Mr. Freeman if there were other Industrial Parks in the community which are zoned heavy industrial. Mr. Freeman stated the Floyd/Gordon County Joint Industrial Park on Highway 53 and the back part of the Berry Corporate Center is also zoned heavy industrial.

Oppose

Bob Farrar, 607 Broad Street, attorney representing property owners adjacent to the Industrial Park, presented a petition signed by 36 adjoining land owners opposing the rezoning request. Mr. Farrar referred to a sketch which was compiled from the Floyd County tax maps showing the Industrial Park which is currently zoned light industrial and

the adjoining subdivision known as The Trail and noted the proximity of the subdivision to the Industrial Park. Mr. Farrar pointed out that the Planning Commission recommended by a vote of 6 to 2 that the rezoning request be denied. Mr. Farrar stated that without zoning the property owners faced the same risks that anybody in the county had that a heavy industry might want to locate close to their property and there would be no way to oppose that since there was no zoning, and they were comfortable with the zoning classification of light industry because that is what the Park had basically consisted of during the time they had been there. Mr. Farrar stated that if the Park had originally been zoned as heavy industry, or if it was a mistake, his clients would have objected then, just as they have today. Mr. Farrar stated that if the usage goes to heavy industrial it will have a detrimental affect on the adjoining properties.

Mr. Farrar stated the concerns are that property values will be devastated, noise pollution, obnoxious odors, negative effect on the environment, and the disruption in the quality of life that attracted the people to the scenic area of the county. Mr. Farrar stated that the change in zoning would adversely affect the property owners. Mr. Farrar asked the commissioners to think about the message they would be sending to all the citizens, if the zoning request is approved, that is you are more interested in getting new industry here than you are in protecting your own citizens and their properties.

Stephanie Hammond, 21 The Trail, stated that she and her husband have lived here for about 1½ years and expressed how pleased she is with the peace and tranquility of their property. Ms. Hamlin stated that light industry protects their lifestyle and property values, and she is concerned about resale value of their property if heavy industry moves into the Park.

Gladys Heath, 252 Eden Circle, stated that her family has owned property adjoining the Industrial Park for 50 years and her concern is the pollution (air, water, noise and odor). Ms. Heath said the pollution would certainly diminish the quality of life in the neighborhood. Ms. Heath stated they have a wonderful country atmosphere at this time and feel that it would be very unfortunate to have it destroyed by air, noise and odor pollution from heavy industry.

Nancy Applegate, 35 The Trail, stated that she moved in this year, when the area was zoned light industrial. Ms. Applegate believes that the heavy industrial label is an advertisement and is undesirable to the residents and may make the Industrial Park more desirable to those kind of heavy industries which they oppose; by their very nature heavy industries carry risks, environmental, various pollution, etc; the growth spurt in Floyd County and this area in particular is just about to happen, and the industrial park might not have been too desirable to heavy industrial in the past but thinks it may be in the future in a way that will be unacceptable to the residents, there is no guarantee that the Industrial Park will continue to seek light industrial clients; environmental damage tends to happen slowly and over time, even though not intentional it could happen; and if rezoning is allowed residents will have no place to go.

Rebuttal

Bill Boling responded that it is not true that the heavy industrial will impact property values, for 17 years the property at the Industrial Park has been completely unzoned and the residences alongside the property has doubled in that time, so it is not anticipated that there would be that sort of impact.

Discussion: Chairman Canada asked all speakers (Bill Boling, Bob Farrar, Stephanie Hammond, Gladys Heath & Nancy Applegate) to come up to the podium to answer questions. Chairman Canada asked how many more businesses could be put in the Park, if it remains zoned light industry, that would not affect the wetlands and buffer zones? Mr. Boling replied there are negotiations underway for a substantial project which is on the north end of the park that is not in The Trail or Floyd College area, and with that area taken out there could be 10 to 12 more industries come into the Park.

Chairman Canada asked Mr. Farrar if the Park increases by 10 to 12 more industries and it remains light industry do they feel it would have an impact on property values, based on the comment made that as industry increases property values decrease.

Chairman Canada asked several questions to the residents relating to their knowledge of the Industrial Park when they moved there, how they felt future property values would be affected, etc. Discussion followed relating to these issues.

Mr. Boling explained the steps taken when trying to attract industry to the area, and stated that he did not feel if it is zoned heavy industry or “wide-open” zoning, which includes heavy industry, it is going to affect how the Park is marketed or the type of industry that the Development Authority and the Chamber is likely to attract.

Commissioner Jennings asked the County Attorney if it would be possible to maintain this as light industrial and the Planning Commission could come to the Board if they had a heavy industrial prospect and the Board could “spot zone” within the area. Mr. Hoyt stated that a Special Use Permit could be requested. Commissioner Jennings asked if Special Use Permits had to go through the Planning Commission and then come to the Board. Martha Little, replied that requests have to go through the process of rezoning.

Chairman Canada stated that he felt the request had been amply discussed, and expressed his appreciation for the patience of both sides and the audience.

There being no further discussion, Chairman Canada called for a Motion to Close the Public Hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Hufstetler to **approve** the request, SECOND by Commissioner Mayes.

Discussion: Commissioner Hufstetler stated that if this neighborhood had been here and new industry was moving in he would think it is not acceptable, but he also does not feel like it is acceptable for him to take an Industrial Park which has had quite a bit put into it and has recruited both light and heavy industry for 17 years and suddenly say forget your investment and you can no longer recruit, and this is the reason he feels it should be approved.

Commissioner Fricks stated that hopefully the covenants will be utilized to continue the responsible growth of the Park in both consideration of existing industry there as well as the neighbors surrounding.

Commissioner Jennings stated that on the other hand 90% of the cases a Special Use Permit will be required to locate in the Park, and industries will have to come through the process and asked why not just keep it light industrial and allow the natural planning and zoning process to take precedence.

Commissioner Hufstetler stated if you have a Park zoned for both light and heavy industry then you will have a chance of getting the heavy industry in and a Special Use Permit may be required for a particular industry, and that protection is in place, but industry has not been "turned off" from coming here before they have been given the opportunity by saying we are not zoned heavy industry.

VOTING:

YES

NO

Commissioner Hufstetler

Commissioner

Jennings

" Fricks

" Mayes

Motion Carried

**ZONING REQUEST, FILE #029-99Z,
PERRY FARM ROAD IN CAVE SPRING,
REQUEST REZONING FROM S-R
(SUBURBAN RESIDENTIAL) TO A-R
(AGRICULTURAL RESIDENTIAL)
TAX MAP 822, 824, 826, PARCELS 054, 5.16, 001
(First Reading 10/12/99):**

Chairman Canada called for a Motion to open the public hearing. MOTION was made by Commissioner Fricks, SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada opened the floor for those wishing to speak concerning the item.

Support

Ms. Louise Ellenburg Jackson, 532 Perry Farm Road, Cave Spring, stated that Perry Farm Road dead ends at her farm and the property has always been agriculture and her family has farmed it for 49 years and that is why she is requesting it be zoned agriculture.

There being no one else to speak concerning the item, Chairman Canada 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

There being no discussion regarding the request, Chairman Canada called for a Motion to approve or deny the request. MOTION was made by Commissioner Hufstetler to **approve** the request, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ZONING REQUEST, FILE #030-99Z,
FREEZER LOCKER ROAD IN CAVE SPRING,
REQUEST REZONING FROM S-R (SUBURBAN
RESIDENTIAL) TO A-R (AGRICULTURAL
RESIDENTIAL). TAX MPA 824, PARCEL 5A.
(First Reading 10/12/99):**

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 being no one present to speak for or against the request, Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Hufstetler to **approve** the request, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ZONING REQUEST, FILE #032-99Z,
OLD CEDARTOWN ROAD IN CAVE SPRING,**

**REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO A-R (AGRICULTURAL RESIDENTIAL). TAX MAP 822, PARCEL 29E.
(First Reading 10/12/99):**

Chairman Canada called for a Motion to open 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 asked if there was any present to speak for or against the request.

Support

Ms. Louise Jackson, stated that this property joins the property she owns and is part of the same farming operation.

There being no one else present to speak for or against the request, Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request. MOTION was made by Commissioner Mayes to **approve** the request, SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ZONING REQUEST, FILE #033-99Z, PROPERTY
LOCATED ON HIGHWAY 27, NORTH 400 YARDS
SOUTH OF ARMUCHEE CREEK, REQUEST REZONING
FROM S-R (SUBURBAN RESIDENTIAL) TO C-C
(COMMUNITY COMMERCIAL). TAX MAP 516, PARCEL 001.
(First Reading 10/12/99):**

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

Chairman Canada asked if there was anyone present to speak for or against the request. The applicant, Mr. Thomas Bennett, waived his right to speak since there was no one present to speak against the request.

Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Mayes, SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Hufstetler to approve the request, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

**ZONING REQUEST, FILE #034-99Z,
732 NEW FREEMAN FERRY ROAD,
REQUEST REZONING FROM S-R
(SUBURBAN RESIDENTIAL) TO A-R
(AGRICULATURAL RESIDENTIAL).
TAX MAP 112, PARCEL 007.
(First Reading, October 12, 1999):**

Chairman Canada called for a Motion to open the public hearing regarding this request. MOTION was made by Commissioner Fricks, SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Mayes
" Jennings

Motion Carried

Chairman Canada asked if there was anyone present to speak for or against the request. There being no on to speak for or against the request Chairman Canada 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 to approve or deny the request. MOTION was made by Commissioner Hufstetler to approve the request, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ZONING REQUEST, FILE #035-99Z,
697 BUTTERMILK ROAD, REQUEST
REZONING FROM S-R (SUBURBAN
RESIDENTIAL) TO A-R (AGRICULTURAL
RESIDENTIAL). TAX MAP 828, PARCEL 017.
(First Reading 10/12/99):**

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

Chairman Canada asked if there was anyone present to speak for or against the request. There being no one to speak for or against the request, Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Fricks, SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Hufstetler to **approve** the request, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ZONING REQUEST, FILE #036-99Z,
HIGHWAY 140 AND HIGHWAY 53,**

**BEHIND FLORIDA TILE, REQUEST
REZONING FROM S-R (SUBURBAN
RESIDENTIAL) TO L-I (LIGHT INDUSTRIAL)
TAX MAP 034, PARCEL 17.
(First Reading 10/12/99):**

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

Chairman Canada asked if there was anyone present to speak for or against the request for rezoning. There being no one present to speak for or against the request, Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Hufstetler to approve the request for rezoning, SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ZONING REQUEST, FILE #037-99Z
811 BUTTERMILK ROAD, REQUEST
REZONING FROM S-R (SUBURBAN
RESIDENTIAL) TO A-R (AGRICULTURAL
RESIDENTIAL). TAX MAP 828, PARCELS 23, 18.
(First Reading 10/12/99):**

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

Chairman Canada asked if there was anyone present to speak for or against the request. There being no one to speak for or against the request, Chairman Canada called

for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Hufstetler to **approve** the request, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ZONING REQUEST, FILE #038-99Z,
47 MCBURNETT ROAD IN
SILVER CREEK, REQUEST REZONING
FROM S-R (SUBURBAN RESIDENTIAL)
TO L-I (LIGHT INDUSTRIAL). TAX MAP
228. PARCEL 97. (First Reading 10/12/99):**

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

Chairman Canada asked if there was anyone present to speak for or against the request. There being no one present to speak for or against the request, Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks.

Discussion: Commissioner Jennings asked Martha Little to explain the Planning Commissions recommendation to approve with condition of mini warehouses only and can it be done. County Attorney Wade Hoyt stated that the Planning Commission has determined that it can be done, however, he has not researched the issue, and asked Ms. Little if she was comfortable with the fact that if it is zoned light industrial we are not “stuck” with the total light industrial package. Ms. Little stated that the Planning Commission has researched and found they can do conditional zoning upon a particular use, buffers, etc., as long as it is related to the rezoning itself. Discussion was had regarding setback distances for mini warehouses and lighting and it was stated that the property owner agrees with the restrictions.

There being no further discussion, Chairman Canada called for a vote to close the public hearing.

VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Hufstetler to **approve** the request with the condition of mini warehouses only, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ZONING REQUEST, FILE #039-99Z,
INTERSECTION OF IRWIN COKER ROAD
AND HIGHWAY 140, REQUEST REZONING
FROM S-R (SUBURBAN RESIDENTIAL) TO
C-C (COMMUNITY COMMERCIAL). TAX MAP
34, PARCEL 60. (First Reading 10/12/99):**

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

Chairman Canada asked if there was anyone present to speak for or against the request for rezoning. There being no one present to speak for or against, Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Hufstetler to **approve** the request, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ZONING REQUEST, FILE #040-99Z,
PROPERTY LOCATED BETWEEN THE**

**CREEK AND WILKERSON ROAD AND
BETWEEN MT. ALTO AND WILLIAMSON
ROAD, REQUEST REZONING FROM S-R
(SUBURBAN RESIDENTIAL) TO C-C
(COMMUNITY COMMERCIAL) WITH A
SPECIAL USE PERMIT. TAX MAP 430,
PARCEL 19. (First Reading 10/12/99):**

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

Chairman Canada asked if there was anyone present to speak for or against the request.

Oppose

Larry Madden, 815 Oakland Avenue, Rome, stated that his property runs down to Horseleg Creek, the watershed, and the application by the property owner is to put a campground across the creek and he is landlocked. Mr. Madden stated there is no access opportunities by land, other than coming through a residential neighborhood. Mr. Madden stated he is in heavy opposition to the request.

There being no one else to speak for or against the request, Chairman Canada 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 accept or deny the request for rezoning. MOTION was made by Commissioner Jennings to deny the request, SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

**ZONING REQUEST, FILE #041-99Z,
4 DIXIE PARK ROAD, NE, REQUEST
REZONING FROM S-R (SUBURBAN
RESIDENTIAL) TO L-I (LIGHT INDUSTRIAL)
TAX MAP 512, PARCEL 079. (First Reading 10/12/99):**

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

Chairman Canada asked if there was any one present to speak for or against the request for rezoning. Mr. Ronnie Sharp, applicant, waived his right to speak since there was no one present to speak against the request.

Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request for rezoning. MOTION was made by Commissioner Mayes to **approve** the request, SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

**ZONING REQUEST, FILE #042-99Z,
MORTON BEND ROAD, REQUEST
REZONING FROM A-R (AGRICULTURAL
RESIDENTIAL) TO H-I (HEAVY INDUSTRIAL)
WITH A SPECIAL USE PERMIT. TAX MAP
870, 872, 902. PARCELS 008, 007, 003.
(First Reading 10/12/99):**

Chairman Canada stated that the request for rezoning has been withdrawn as of October 25, 1999.

**ZONING REQUEST, FILE #043-99Z,
BUTTERMILK ROAD AT JACKSON CHAPEL
ROAD, REQUEST REZONING FROM S-R
(SUBURBAN RESIDENTIAL) TO A-R
(AGRIULTURAL RESIDENTIAL). TAX MAP
826, 828, PARCELS 16C, 16R, 09.5C.
(First Reading 10/12/99):**

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

Chairman Canada asked if there was any one present to speak for or against the request. There being no one present to speak for or against, Chairman Canada 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 or deny the request for rezoning. MOTION was made by Commissioner Hufstetler to **approve** the request, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**SPECIAL USE PERMIT REQUEST
FILE #009-99SPU, PROPERTY LOCATED
ON MT. ALTO ROAD, REQUEST A SPECIAL
USE PERMIT IN A S-R (SUBURBAN RESIDENTIAL)
ZONING DISTRICT. TAX MAP 618, PARCEL 18C.
(First Reading 10/12/99):**

Support

Charles Patterson, 5 Burnett Circle, Rome, stated that he was requesting a Special Use Permit on property that he owns on Mt. Alto to allow the opportunity to lease a portion of his property for tower space. Mr. Patterson described the property boundaries and stated that the property is adjacent to an area on Mt. Alto that has contained towers for years. Mr. Patterson stated that he feels the construction of a tower on his property would be consistent with the existing use and appearance of adjacent property.

Oppose

Lloyd Griffin, 956 Mt. Alto Road, stated he lives at the property directly adjacent to the property in question. Mr. Griffin stated that he opposes the request for several reasons, (1) reduction in property values to properties that are close to the towers; (2) possibility of waves produced by towers are detrimental to health even though it has not been proven; (3) towers draw lightning; (4) security – people like to party at the towers; (5) there is virtually no place on Mt. Alto that is not suitable for a tower and if a

special use permit is granted anybody who has a vacant lot next door could have a tower. Mr. Griffin urged denial of the request.

Judy Ousley, 797 Mt. Alto Road, stated that she and her husband live directly opposite the property in question. Ms. Ousley stated she is concerned with security, proliferation and lightning and urged denial of the request.

Charles Shaw, 145 Brow Road, urged the Commissioners to deny the request, stating that when he moved to Mt. Alto there was one small tower across from him and over the years there have been several others installed. Mr. Shaw stated we do not need more and more towers to make the neighborhood which is now zoned residential a cellular mountain, cellular towers are not good neighbors.

Cindy Shumpert, 1363 Mt. Alto Road, expressed environmental concerns regarding towers, stating that towers kill birds especially during migrating season and presented statistics. Ms. Shumpert requested denial of the request.

Rebuttal

Charles Patterson, stated that Mr. Griffin knew there was a tower approximately 600' from his house when he built there, and feels a call to 911 would solve the problem of people going around the gates, because they are trespassing.

Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the special use permit request. MOTION was made by Commissioner Mayes to **deny**, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

SPECIAL USE PERMIT REQUEST

**FILE #101-99SPU, 4266 ALABAMA HIGHWAY,
REQUEST A SPECIAL USE PERMIT IN A
S-R (SUBURBAN RESIDENTIAL) ZONING DISTRICT.
TAX MAP 750, PARCEL 20F. (First Reading 10/12/99):**

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

Chairman Canada asked if there was anyone present to speak for or against the request. There being no one present to speak, Chairman Canada called for a Motion to close the public hearing. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Chairman Canada called for a Motion to approve or deny the request. MOTION was made by Commissioner Hufstetler to **approve** the request, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

MOTION TO RECESS MEETING:

Chairman Canada called for a Motion to recess the meeting until 9:40 p.m. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

RECONVENE MEETING:

Chairman Canada called for a Motion to reconvene the meeting from recess. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

**ACKNOWLEDGE LETTER OF SUPPORT
FROM FLOYD COUNTY BOARD OF EDUCATION
IN SUPPORT OF ORDINANCE TO CONTROL THE
OPERATION OF QUARRIES IN FLOYD COUNTY:**

Chairman Canada acknowledged a letter of support from Floyd County Board of Education supporting an ordinance to control the operation of quarries in Floyd County. Chairman Canada stated that the Board of Education has been notified that the Commissioners had voted to place an ex-officio member from the school board on the Quarry Study Committee and that we are currently awaiting their recommendation for a school board member.

APPOINTMENTS:

FORUM ADVISORY COMMITTEE:

Chairman Canada stated there is a recommendation to appoint Carol Willis, Post 7, and called for a Motion to accept the recommendation. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes
" Jennings

Motion Carried

Discussion: Commissioner Hufstetler asked if this completes the county appointments. Chairman Canada stated that this does complete the county appointments. County Manager Kevin Poe advised that he would send a letter to John Bennett, City Manager, to make sure they are working on getting all of these appointments made.

COMMISSIONER'S REPORT

ADMINISTRATIVE/FINANCE COMMITTEE:

Commissioner Hufstetler, Committee Chairman, reported there was nothing from the committee that could not wait.

PUBLIC SAFETY COMMITTEE:

Commissioner Mayes, Committee Chairman, reported there was nothing from the committee.

PUBLIC WORKS COMMITTEE:

Commissioner Fricks, Committee Chairman reminded everyone of the public hearing to be held on November 3, 1999 at 9:00 a.m.

WATER COMMITTEE:

Commissioner Jennings, Committee Chairman stated the Water Quality Report has gone out to the citizens, and commended the water department for their work on the project, stating they did a good job. Commissioner Jennings stated the report certifies to the citizens that we do have a safe water supply and the water supply is being monitored on a regular basis.

**CLERK'S REPORT
CONSENT AGENDA:**

County Clerk, Sue Broome, advised there are five items on the Consent Agenda which are in order and presented for approval. Chairman Canada called for a Motion to approve the Consent Agenda as presented. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

Tax Refunds:

Henry Crider, Jr. 223 Woodbine Ave., \$10.72
National Linen Service, P. O. Box 7158, Atlanta, \$34.02
Thomas & Eleanor Hamby, P. O. Box 74, Silver Creek, \$278.55
West Side Village Shopping Center, P. O. Box 431, \$146.34

Malt Beverage Applications:

Patricia L. Jacobson/A-1 Food & Beverage, 203 Burnett Ferry Rd., (Convenience)
Sue Wethington/Cowboy's Food Mart, 991 Cedartown Hwy., (Convenience)

Authorize execution of Agreement between Floyd County Victim Witness Assistance Program, Floyd County Juvenile Court, Floyd County Board of Commissioners and Edward C. Buckenham for Independent Contractor Services as the Child Victim Advocate Assistant for the Child Victim Advocacy Program, \$8.00 hourly rate.

Enter into Minutes letter authorizing the call of the Industrial Park Refunding and Improvement Bonds, Series 1993.

Authorize Easement Agreement between Floyd County and BellSouth Telecommunications for property located in Land Lot 69, District 22, Section 3.

MANAGER'S REPORT:

**AUTHORIZE EXECUTION OF AMENDMENT
TO WORKING AGREEMENT BETWEEN FLOYD
COUNTY AND NATURAL RESOURCES CONSERVATION
SERVICE, OCTOBER 1, 1999 THROUGH SEPTEMBER 30, 2000:**

County Manager Kevin Poe requested that this item be deferred until the next meeting (November 9, 1999) stating that he thought it was important for Pam Traylor to

come before the Board and explain what the program does and what the \$10,300.00 goes to. Mr. Poe stated there are some issues about the use of their personnel, that some of the things they do is look at soil and erosion control plans and we had requested that the conservation service allow it to be done in house, and the request was denied. Mr. Poe stated that even if the position was not funded they are required to review the plans, and not too many counties are still funding this position and he feels the commissioners should hear the other things the personnel does beyond looking at soil and erosion control plans and determine if they want to continue funding the position.

**AUTHORIZE TRANSFER OF FUNDS
FROM MILEAGE REIMBUREMENT ACCOUNT
(100466-51600) TO EQUIPMENT ACCOUNT
(100466-52000) IN THE COOPERATIVE EXTENSION
SERVICE BUDGET:**

County Manager Kevin Poe advised that Louie Canova, Cooperative Extension Service, has requested the transfer of funds in order to cover the purchase of an ice machine. Mr. Poe stated that he had budgeted \$1,200 for an ice machine and the best cost he has been able to find is a cost of \$1,498.49. Mr. Poe stated that the county facilities management department would install the machine and recommended approval of the request to revise the Cooperative Extension budget as requested to cover the cost of an ice machine.

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

YES

NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

**PROPOSAL FROM NATURE
CONSERVANCY OF GEORGIA:**

County Manager Kevin Poe stated there is no urgency in making a decision on this matter and due to the lateness of the hour this could be deferred to another meeting.

AWARD BID ON AIRPORT FUEL CONTRACT:

County Manager Kevin Poe advised that proposals had been received for suppliers of aviation fuel. Mr. Poe stated three proposals were received and a spreadsheet was prepared analyzing the proposals, which included various information from the proposals. Mr. Poe stated the recommendation of the Airport Commission is that the contract be awarded to BP Oil.

Chairman Canada called for a Motion to accept the recommendation as presented. MOTION was made by Commissioner Mayes, SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Mayes
" Jennings

Motion Carried

ATTORNEY'S REPORT

**APPROVE 172 INC., AIRPORT
HANGAR LEASE:**

County Attorney Wade Hoyt requested approval of an assignment of the Hangar Lease Agreement by the Arasmith's to 172 Inc., dated May 5, 1999 and authorize the Chairman to sign any documents relating to the assignment.

Chairman Canada called for a Motion to approve the recommendation by the Attorney. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

OTHER BUSINESS:

QUARRY ORDINANCE COMMITTEE:

Chairman Canada stated that the Quarry Ordinance Committee meeting dates have been set up to begin November 1st and will occur every Monday in November (1st, 8th, 15th, 22nd and 29th) at 6:00 p.m. in Room 1B of the Forum. Chairman Canada stated that this may not be all the meetings needed, they are just scheduled through the month of November and we will see where we are at that point.

ADJOURNMENT:

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

YES

NO

Commissioner Hufstetler

" Fricks

" Mayes

" Jennings

Motion Carried

COMMISSIONERS

FLOYD COUNTY BOARD OF

KIM A. CANADA, CHAIRMAN