

**October 24, 2000**

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS  
October 24, 2000                      6:00 P.M.**

**PRESENT:**                Chairman John Mayes, Commissioners Chuck Hufstetler, Garry Fricks, Jerry Jennings, and Tim Mahanay.

**OTHERS**

**PRESENT:**                County Manager Kevin Poe, County Attorney Wade Hoyt, County Clerk Sue Broome, and Assistant County Manager Tom Tully.

**CALL TO ORDER:** Chairman Mayes called the meeting to order.

**INVOCATION:**        Commissioner Hufstetler led the Invocation.

**PLEDGE OF**

**ALLEGIANCE:**        The Pledge of Allegiance was led by Commissioner Jennings.

**PUBLIC PARTICIPATION:**

Chairman Mayes welcomed Buddy Childers, who spoke on the cell tower to be considered on Kingston Road. He stated that this is a decision regarding placement of cell towers that will affect us for the rest of our lives. He cautioned the Commissioners to take their time in deciding locations for cell towers in our community. If one is allowed close to a highway or street, it will be setting precedence for others. He stated that when these applications are received they need to look at what will be in the best interest of the community and make a decision, which will be good for the county. Regarding environmental and appearance they could be set further back in our community. He stated that once the decision is made we have to live with it and he hopes it will be studied carefully before a final decision is made.

**ADOPTION OF**

**MINUTES:**                Commissioner Hufstetler made a MOTION to adopt the minutes of the Regular

Meeting of October 3, 2000 as presented. SECOND by Commissioner Fricks.

VOTING:

YES

NO

Commissioner Hufstetler

"        Fricks

"        Jennings

"        Mahanay

Motion Carried

## PROCLAMATIONS

### RETIRED EDUCATORS DAY.

Commissioner Jennings stated that Wally Barnard was his son and daughter's second grade teacher at West End Elementary. She did a great job and he appreciates all that she has done for the children. Commissioner Jennings read the proclamation proclaiming *Sunday, November 12, 2000* as *Retired Educators Day*.

### DOMESTIC VIOLENCE AWARENESS MONTH.

Commissioner Mahanay presented a proclamation proclaiming the *Month of October* as *Domestic Violence Awareness Month*.

## RESOLUTIONS

### ADOPT A RESOLUTION AMENDING THE FEE SCHEDULE BOOK TO INCREASE WRECKER SERVICE FEES.

County Manager Kevin Poe presented a resolution amending the Fee Schedule Book to increase Wrecker Service Fees. The amendment would be for the current rate of \$45.00 for wrecker service from 6 a.m. to 6 p.m. be increased to \$55.00 and that the current fee of \$50.00 for wrecker service from 6 p.m. to 6 a.m. be increased to \$65.00. Chairman Mayes called for a Motion. MOTION was made by Commissioner Mahanay to approve the amendment to the Fee Schedule Book increasing the rates for wrecker service, SECOND by Commissioner Jennings. VOTING

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

## FIRST READING

**FILE #17-2000SUP, 100 BAGWELL ROAD,  
REQUEST A SPECIAL USE PERMIT IN AN  
A-R (AGRICULTURAL RESIDENTIAL) TO  
CONSTRUCT A COMMUNICATIONS TOWER,  
TAX MAP #726, AREA #0, PARCEL(S) PORTION  
OF #002.**

Chairman Mayes stated that the request had been withdrawn.

**FILE #31-2000Z, EASTSIDE OF OLD  
DALTON ROAD AND NORTH PAINTER  
ROAD, REQUEST REZONING FROM S-R  
(SUBURBAN RESIDENTIAL) TO N-O-C  
(NEIGHBORHOOD OFFICE COMMERCIAL)  
SPECIFIC USE NOT GIVEN, TAX MAP #506,  
AREA #0, PARCEL(S) PORTION OF #27,  
AND TAX MAP #508, AREA #00, PARCEL(S)  
PORTION OF #01 TOTALING +20 ACRES.  
(PLANNING COMMISSION RECOMMENDATION:  
DENY [VOTE - UNANIMOUS])**

Chairman Mayes stated that the request had been withdrawn.

**FILE #032-2000Z, EASTSIDE OF OLD  
DALTON ROAD AND NORTH PAINTER  
ROAD, REQUEST REZONING FROM S-R  
(SUBURBAN RESIDENTIAL) TO M-R  
(MULTI-FAMILY RESIDENTIAL) FOR  
USE AS A MULTI-FAMILY RESIDENTIAL  
DEVELOPMENT, TAX MAP #506, AREA #00,  
PARCEL(S) PORTION OF #27 AND TAX MAP  
508, AREA #00, PARCEL(S) PORTION OF #1  
TOTALING +37 ACRES.  
(PLANNING COMMISSION RECOMMENDATION:  
DENY [VOTE – UNANIMOUS])**

Chairman Mayes stated that the request had been withdrawn.

## **SECOND READING/PUBLIC HEARING**

### **VOTE ONLY**

**FILE #010-2000SUP, 3128 HIGHWAY 411,  
REQUEST A SPECIAL USE PERMIT IN A  
C-C (COMMUNITY COMMERCIAL) ZONING  
DISTRICT TO BUILD A COMMUNICATION  
TOWER, TAX MAP #572, AREA #0, PARCEL(S) #017.  
(PLANNING COMMISSION RECOMMENDATION:  
DENY [VOTE – 5 AGAINST, 3 FOR])  
(FIRST READING HELD JULY 11, 2000 AT 2:00 P.M.)  
(SECOND READING/PUBLIC HEARING HELD JULY 25, 2000  
AT 6:00 P.M. [NO ACTION])**

**(SECOND READING/PUBLIC HEARING HELD AUGUST 8,  
2000 AT 2:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD AUGUST 22,  
2000 AT 6:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD  
SEPTEMBER 12, 2000 AT 2:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD  
SEPTEMBER 26, 2000 AT 6:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD  
OCTOBER 3, 2000 AT 2:00 P.M. [NO ACTION])**

No action was taken.

**FILE #012-2000SUP, 3420 KINGSTON HIGHWAY,  
REQUEST A SPECIAL USE PERMIT IN A S-R  
(SUBURBAN RESIDENTIAL) ZONING DISTRICT  
TO BUILD A COMMUNICATION TOWER. TAX  
MAP #54, AREA #0, PARCEL(S) #57.**  
**(PLANNING COMMISSION RECOMMENDATION:  
DENY [VOTE – UNANIMOUS])**  
**(FIRST READING HELD AUGUST 8, 2000 AT 2:00 P.M.)**  
**(SECOND READING/PUBLIC HEARING HELD  
SEPTEMBER 26, 2000 AT 6:00 P.M.)**  
**(SECOND READING/PUBLIC HEARING HELD  
OCTOBER 3, 2000 AT 2:00 P.M.)**

No action was taken.

**FILE #019-99SUP, MALLARD POINT ROAD,  
REQUEST A SPECIAL USE PERMIT, TO  
CONSTRUCT A COMMUNICATION TOWER  
IN A S-R (SUBURBAN RESIDENTIAL) ZONING  
DISTRICT, TAX MAP #570, PARCEL 34.**  
**(PLANNING COMMISSION RECOMMENDATION:  
DENY [VOTE – 4 AGAINST, 4 FOR])**  
**(FIRST READING HELD FEBRUARY 22, 2000 AT 6:00 P.M.)**  
**(SECOND READING/PUBLIC HEARING HELD MARCH 14, 2000  
AT 2:00 P.M. [WILL TAKE UP AT NEXT MEETING])**  
**(SECOND READING/PUBLIC HEARING HELD MARCH 28, 2000  
AT 6:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD APRIL 11, 2000  
AT 2:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD APRIL 25, 2000  
AT 6:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD MAY 9, 2000  
AT 2:00 P.M. [NO ACTION])**

**(SECOND READING/PUBLIC HEARING HELD MAY 23, 2000  
AT 6:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD JUNE 13, 2000  
AT 2:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD JUNE 27, 2000  
AT 6:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD JULY 11, 2000  
AT 2:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD JULY 25, 2000  
AT 6:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD AUGUST 8, 2000  
AT 2:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD AUGUST 22, 2000  
AT 6:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD SEPTEMBER 12,  
2000 AT 2:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD SEPTEMBER 26,  
2000 AT 6:00 P.M. [NO ACTION])**  
**(SECOND READING/PUBLIC HEARING HELD OCTOBER 3,  
2000 AT 2:00 P.M. [NO ACTION])**

No action was taken.

#### **COMMISSIONERS'S REPORT**

#### **ADMINISTRATIVE/FINANCE COMMITTEE:**

#### **REQUEST FROM JUVENILE COURT FOR BUDGET REVISIONS**

Commissioner Hufstetler, Committee Chairman, presented a request from Juvenile Court for the following budget revisions:

1. \$7,783.85 for the CASA Program, which are pass-through grant funds.  
\$3,208.00 for Purchase of Services Grant, which are also pass-through grant funds.
3. \$17,000.00 increase for the Indigent Defense account and \$20,000.00 for Salaries.

Commissioner Hufstetler requested that these budget revisions be approved and made a MOTION  
for approval, SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks  
" Jennings  
" Mahanay

Motion Carried

**AUTHORIZE APPROVAL OF PROPOSAL  
FROM UNIVERSITY OF GEORGIA  
INSTITUTE OF GOVERNMENT FOR  
CONSULTING ON GASB34 IN THE  
AMOUNT OF \$5,200.**

Commissioner Hufstetler stated that they have two years to put this in place, but this will essentially mean that the government accounting will be done as a business would do, classify assets and depreciate them. Comptroller Al Leonard had stated in the Caucus Session that this will require two sets of books for a while. Commissioner Hufstetler stated that he felt it will make the accounting more meaningful, but they will need help, so he is requesting and making a MOTION that they approve \$5,200 for the University of Georgia Institute of Government to perform this consulting work. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks  
" Jennings  
" Mahanay

Motion Carried

**AUTHORIZE APPROVAL OF  
REVISED BUDGET.**

Commissioner Hufstetler stated that this was reviewed in the Caucus Session and they had looked at areas of increasing revenue. Some of these would be Sheriff's Fees and Boarding Inmates, Local Option Sales Tax and Interest Earned. The budget originally was for \$400,000 for Interest Earned and he stated that they will realize at least \$700,000. There have been some cost increases, with the jail full there were additional costs, gas and oil, group insurance, and previously mentioned items for Juvenile Court. The revised budget will allow the departments to continue and will increase the fund balance. Commissioner Hufstetler made a MOTION that the Revised Budget be approved. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks  
" Jennings  
" Mahanay

Motion Carried

## **COUNTY EMPLOYEES SALARIES.**

Commissioner Hufstetler stated that as discussed in Caucus, as part of the study mentioned by Commissioner Mahanay about a month ago regarding working on employee salaries, they all agreed they wanted to go ahead and implement a cost-of-living increase of 3.71% effective immediately. As an example, a starting police officer would increase the pay to \$24,000 which will equal the increase just implemented by the City of Rome. This will be for all employees in every department. He stated that there are other parts of the study down the road. Commissioner Hufstetler made a MOTION that a cost-of-living increase of 3.71% be implemented, effective immediately. It was clarified by Commissioner Mahanay that this will be effective with the next payroll. SECOND by Commissioner Mahanay.

Commissioner Hufstetler noted that this is one of several increases this year, so the average increase this year will be between 8 and 9% for employees, some with their merit increase could make higher. Commissioner Fricks stated that they feel the employees have done their duty this year. When they look at the revised budget and the two departments which were over budget, were justifiable and every other budget had been under budget. They have performed well and added more to the Fund Reserve. Commissioner Jennings noted that the employees had increases in insurance and the Commissioners are aware of the reduction in take-home pay and that the cost of living has increased. He stated that he felt this is a timely increase.

VOTING:

YES

NO

Commissioner Hufstetler

" Fricks  
" Jennings  
" Mahanay

Motion Carried

Commissioner Hufstetler stated that there is a Homestead Exemption which will be on the ballot, which had been worked on earlier this year. As long as it passes in the General Election, the homestead exemption will increase by \$7,500 on the appraised value of the house.

## **PUBLIC SAFETY COMMITTEE**

Commissioner Mahanay, Committee Chairman stated that the next meeting of the Committee will be on November 8, 2000 at 2:00 p.m.

## **PUBLIC WORKS COMMITTEE**

Commissioner Fricks, Committee Chairman stated that the next meeting of the Committee will be on November 1, 2000 at 9:00 a.m.

Commissioner Fricks stated that regarding recreation, they are looking at a 45-acre tract of land adjacent to the Armuchee High School for a park in Armuchee. It will be paired up with Greenspace Preservation funds and they are working on negotiations for the property. Chairman Mayes stated that he looks forward to working this out in the near future. Commissioner Fricks stated that this is a good time since we are ending with a good year for the budget. Commissioner Jennings noted that this is the first step, that the park will be in-process for a number of years, but it says that we are serious about a park in Armuchee. Commissioner Fricks stated that the plan they are looking at is a 25-year plan, which should fill the needs of the area for 25-years. If this is not done through a S.P.L.O.S.T., then it will be done through phases, with the first phase to be to secure a buildable tract of land. The projected facilities were reviewed by Commissioner Fricks. Commissioner Hufstetler noted that there are other possibilities for land, but this is the most promising at this time.

## **WATER COMMITTEE**

Commissioner Jennings, Committee Chairman stated that the next meeting of the Water Committee will be October 25, 2000 at 2:00 p.m.

## **CLERK'S REPORT**

## **CONSENT AGENDA.**

County Clerk Sue Broome stated that there are five items on the Consent Agenda under the Clerk's Report and they are in order and presented to the Board for consideration. Commissioner Hufstetler made a MOTION to accept the Consent Agenda, SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

"

Fricks

"

Jennings

"

Mahanay



Motion Carried

1. Malt Beverage application:
  - a. Carlos Naranjo, El Zarape 2, 2965 Martha Berry Highway (Consume on Premises)
2. Self-Service Fuel Application:
  - a. Vinod Patel, North Ridge Stop N Shop, 2355 Calhoun Road
3. Tax Refunds:
  - a. Southern Bell, 22<sup>nd</sup> Floor, 1155 Peachtree Street, NE, Atlanta, \$28,263.87
  - b. Andrea Covington/DBA Kwik Kuts Beauty Salon, 905 North 5<sup>th</sup> Avenue, \$17.34
  - c. Georgia Transmission Corp., % Oglethorpe Power Corp., 2100 East Exchange Place, P.O. Box 1349, Tucker, \$20,797.93
  - d. Norfolk Southern Combined, 110 Franklin Road, Roanoke, VA, \$21,017.92
  - e. Oglethorpe Power Corp., 2100 East Exchange Place, P.O. Box 1349, Tucker, \$392,853.06
  - f. Henry E. & Bonnie C. Strickland, 30 Ireland Way, \$227.72
  - g. Patricia L. Drought, 4 Blackhawk Circle, \$5.44
  - h. Colonial Pipeline, 945 East Paces Ferry Road, P.O. Box 18855, Atlanta, \$9,075.36
  - i. Matthew S. Campbell, 59A Beard Drive, NE, \$41.72
  - j. Georgia Power Company, BIN 10120, 241 Ralph McGill Blvd., NE, Atlanta, \$327,210.71
  - k. Plantation Pipeline Company, P.O. Box 18616, Atlanta, \$324.73
4. Request from Tom Hackett to accept Laurchris Drive in Woodland Subdivision and the detention pond for Summer Stone Drive on county maintenance.
5. Accept Highpoint Subdivision, Phase 3, Rustic Ridge Road, NE on county maintenance.

MANAGER'S REPORT

**AUTHORIZE EXECUTION OF  
INTERGOVERNMENTAL LEASE  
AGREEMENT BETWEEN FLOYD  
COUNTY AND CITY OF ROME  
FOR A MULTI-STORY PARKING**

## **DECK IN DOWNTOWN ROME.**

County Manager Kevin Poe presented a request for authorization of an Intergovernmental Lease Agreement between Floyd County and the City of Rome relating to the proposed parking deck project beside the hotel adjacent to the Forum. This will put in legal form the agreement that Floyd County and the City of Rome have in regards to cost sharing on the project and any other legal matters associated with the project. He recommended authorization for the Chairman to execute the document. MOTION was made by Commissioner Hufstetler that the Chairman be authorized to execute the document, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

## **REQUEST FOR TRANSFER OF FUNDS:**

County Manager presented four requests for transfer of funds or approval of amendments to Equipment Line Items from four different departments.

**REQUEST FROM JUDGE SALMON'S  
COURT REPORT TO TRANSFER \$400.00  
FROM SEMINARS AND CONFERENCES  
LINE ITEM TO EQUIPMENT LINE ITEM  
FOR THE PURCHASE OF A TAPE STORAGE  
CABINET.**

**REQUEST FROM JUDGE WALTHER'S  
COURT REPORTER TO TRANSFER \$725  
FROM SEMINARS AND CONFERENCES  
LINE ITEM TO EQUIPMENT LINE ITEM  
FOR THE PURCHASE OF TWO TAPE  
STORAGE CABINETS.**

**REQUEST FROM ELECTIONS AND  
REGISTRATIONS TO TRANSFER \$580  
FROM SEMINARS AND CONFERENCES  
LINE ITEM TO EQUIPMENT LINE ITEM  
FOR THE PURCHASE OF EQUIPMENT  
WHICH IS NEEDED IN THE DEPARTMENT.**

**REQUEST FROM SHERIFF'S DEPARTMENT**

**TO PURCHASE TWO VACUUM CLEANERS  
AT A COST OF \$439 EACH FROM EQUIPMENT  
LINE ITEM.**

County Manager Kevin Poe recommended approval of each of these requests for amendments to their budget. MOTION was made by Commissioner Jennings to accept the requests for transfer of funds

from Judge Salmon's Court Reporter, Judge Walther's Court Reporter, the Elections and Registration's Office and the Sheriff's Department. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**AUTHORIZE CHAIRMAN TO EXECUTE  
AGREEMENT BETWEEN COOSA RIVER  
SOIL AND WATER CONSERVATION  
DISTRICT, CITY OF ROME AND FLOYD  
COUNTY FOR APPROVAL OF THE CITY  
OF ROME TO CONDUCT REVIEWS AND  
APPROVALS OF EROSION AND SEDIMENT  
CONTROL PLANS WITHIN ROME AND  
FLOYD COUNTY.**

County Manager Kevin Poe presented a Memorandum of Agreement between Coosa River Soil and Water Conservation District in the County of Floyd, Georgia and the City of Rome, Floyd County, Georgia. This is an agreement relating to the monitoring and approval of soil and erosion control plans in Floyd County. The responsibility will be allowed to stay primarily with the Building and Inspection Department and basically eliminates one step in the review process. We feel that we have adequate resources in the Building Inspection Department for this. This is a six-month or 180 day agreement, trial test to see if it will work. There are other counties in Georgia which have entered into similar type agreements and it has worked in those counties. He recommended approval for the Chairman to execute the Memorandum of Agreement. MOTION was made by Commissioner Fricks to authorize the Chairman to execute the agreement between the Coosa River Soil and Water Conservation District, City of Rome and Floyd County for the approval of the City of Rome to conduct reviews and approvals of erosion and sediment control plans within Rome and Floyd County. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**RECOMMENDATION FROM THE  
AIRPORT COMMISSION TO CHANGE  
CONSULTANTS AND ENGINEERING  
FIRMS.**

County Manager Kevin Poe presented a recommendation from the Floyd County Airport Commission that a change be made in the consultant of record at the Airport. The recommendation from the Airport Commission is that the consultant of record be assigned to the LPA Group. County Manager Poe recommended acceptance of the Airport Commission's recommendation. MOTION was made by Commissioner Hufstetler to accept the recommendation to change to the LPA Group for consulting and engineering. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**AUTHORIZE EXECUTION OF DOCUMENTS  
RELATED TO PROJECT NO. SCHPR-8520-(115)  
JOHNSON ELEMENTARY SCHOOL.**

County Manager Kevin Poe stated this item relates to a county contract to provide funding for paving of parking areas and driveways at the new Johnson Elementary School. This document is a County Right-of-Way Agreement with the Department of Transportation. He recommended authorization for the Chairman and Clerk to execute the documents and any other documents received relating to this project. MOTION was made by Commissioner Jennings to authorize the Chairman and the Clerk to execute the documents related to the Johnson Elementary School paving project. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks  
" Jennings  
" Mahanay

Motion Carried

**AUTHORIZE EXECUTION OF  
AGREEMENT WITH ATLANTA  
COCA-COLA BOTTLING COMPANY  
FOR ADVERTISING AND BEVERAGE  
RIGHTS AT THE FORUM.**

County Manager Kevin Poe presented agreements relating to advertising and beverage rights at the Forum. This will be between Floyd County and the Atlanta Coca-Cola Bottling Company related to beverage rights and the installation of certain equipment at the Forum Civic Center Complex. He recommended authorization for the Chairman to execute these agreements. MOTION was made by Commissioner Hufstetler to authorize the Chairman to execute the agreements between Atlanta Coca-Cola Bottling and the Forum for advertising and beverage rights. SECOND by Commissioner Jennings.

YES

NO

Commissioner Hufstetler

" Fricks  
" Jennings  
" Mahanay

Motion Carried

**ACCEPTANCE OF FY2000 LOCAL LAW  
ENFORCEMENT BLOCK GRANT - \$73,436.  
(CN-0200)**

County Manager Kevin Poe stated that a grant award from the Local Law Enforcement Block

Grant program for FY2000 in the amount of \$73,436 had been received. He noted that the cash match from Floyd County will be \$8,160 and he recommended approval to accept the grant award.

MOTION was made by Commissioner Mahanay to place on the Agenda the acceptance of the FY2000 Local Law Enforcement Block Grant of \$73,436. SECOND by Commissioner Hufstetler.

VOTING:

YES

NO

Commissioner Hufstetler

" Fricks  
" Jennings  
" Mahanay

Motion Carried

Chairman Mayes stated that the item is now on the Agenda and called for a Motion. MOTION was made by Commissioner Mahanay to accept the FY2000 Local Law Enforcement Block Grant in the amount of \$73,436 and that it be used for a 911 CAD. County Manager Poe stated that this could be one of the requests, but there is a process which it still has to go through. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks  
" Jennings  
" Mahanay

Motion Carried

#### **OTHER BUSINESS:**

County Manager Kevin Poe stated that regarding pigeons, that he is available for questions. He stated they did not go into this blindly, a lot of research had been done and they had received information through the internet and various sources. He stated that there is a problem with damage to public property and also a health hazard. They had researched different ways to eliminate the problem. Their intention never was to kill any pigeons, the method they installed was to relocate or repel them from their roosting place on the steeple of the courthouse. They had obtained advice from experts and felt that in the long term this would be the best way to handle the problem. The cost to bait the steeple was \$500 and \$100 per month to keep it ongoing. It is an approved method by the Department of Natural Resources, it is not illegal and it is not a product which can be bought over the counter. The Department of Agriculture does approve it to be used by licensed professionals and we did hire a licensed professional to install the bait. Our intent was not to poison or kill the pigeons. He apologized if he had offended anyone by the action he took, he had good intentions. He stated that he can provide documents where they sought and received advice. Chairman Mayes stated that he was not questioning County Manager Poe, he felt that he acted responsibly. County Manager Poe stated that obviously there is still a problem. Chairman Mayes asked if there were suggestion for other methods. County Manager Poe stated that there were other methods available. They had looked at starting from scratch, clean everything up and bait it. It was a cost of approximately \$15,000 for someone to clean it up, so that we can start from scratch again. He again apologized if anyone felt he was doing something inhumane to any animals, this was not his intent. Chairman Mayes thanked County Manager Poe for clearing this up and shedding light on it.

## ATTORNEY'S REPORT:

County Attorney Wade Hoyt stated that he had an item which requires a 4/5 vote to be placed on the Agenda. It is a request to authorize the Chairman to execute the **Professional Services Agreement** with **R. W. Beck, Inc.**, an engineering firm in Orlando, Florida. They are highly recommended through the Georgia Municipal Association in reference to engineering services for cell towers and the placement of cell towers. Their rate is \$145 per hour and the maximum hours on this contract will be 32 hours. This will be basically a maximum of \$5,000. They hope that it will not reach that amount, and that he will not have to come and testify before the Commission. He requested that there be a Motion to place this on the Agenda. MOTION was made by Commissioner Mahanay for authorization to execute the Professional Services Agreement with the R. W. Beck, Inc. engineering firm be placed on the Agenda. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

Chairman Mayes stated the item is now on the Agenda. County Attorney Wade Hoyt requested that there be a Motion authorizing the Chairman and the Clerk to sign the Professional Services Agreement between Floyd County and R. W. Beck, Inc. MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

County Attorney Wade Hoyt stated that the packet will be sent tomorrow morning and they are supposed to have it ready for review before the November 14, 2000 meeting.

Commissioner Jennings mentioned several upcoming meetings. On Thursday, October 26, 2000, at 7 p.m. there will be a public meeting in Cave Spring at the First Baptist Church regarding quarry issues. There will be representatives from the Building Inspector's Office, Fire Marshall's Office and the State Department of Transportation at the meeting.

There will be a public meeting on Monday, November 6, 2000, at 6 p.m. regarding an application for an asphalt plant on that quarry site. The State E.P.D. is holding a public hearing on the asphalt plant prior to giving them a permit. This meeting will also be held at the First Baptist Church in Cave Spring.

On November 9, 2000, at 7 p.m. Florida Rock will present to the citizens of the valley their plans for the quarry. There is the possibility that tours of the quarry site will be available. The meeting will be held in Cave Spring.

Commissioner Fricks asked if the pure water group had been meeting regularly. He had received a communication recently that the Commissioners did not care because they had not attended a past meeting. He stated that he had not received notification of the meeting. Commissioner Jennings stated there was an Annual Meeting in September, in August there was another meeting. He stated that he will see that their names are on the mailing list.

**ADJOURNMENT:**

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

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**COMMISSIONERS**

**FLOYD COUNTY BOARD OF**

**JOHN MAYES, CHAIRMAN**