

April 17, 2001

REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
April 17, 2001 **6:00 P.M.**

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

OTHERS

PRESENT: County Manager Kevin Poe, County Attorney Wade Hoyt, County Clerk Michele Fountain, and Assistant County Manager Tom Tully.

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

INVOCATION: County Attorney Wade Hoyt led the Invocation.

PLEDGE OF

ALLEGIANCE: The Pledge of Allegiance was led by Chairman Mayes.

ADOPTION OF

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

Meeting of April 10, 2001 as presented. SECOND by Commissioner Jennings.

VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

SECOND READING/PUBLIC HEARING

**FILE #03-2001SUP, DODD BLVD., TAX MAP #328,
AREA #06, PARCELS 9, 10, 11, 12, 13, 14, 15,
REQUEST SPECIAL USE PERMIT TO CONSTRUCT
DUPLEXES IN T-R (TRADITIONAL RESIDENTIAL)
ZONE.**

(PLANNING COMMISSION RECOMMENDATION:

APPROVE [VOTE – UNANIMOUS])

FIRST READING HELD APRIL 10, 2001 AT 2:00 P.M.)

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

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

Phil Helton, Planning Commission, stated this is an application for a Special Use Permit for the construction of duplexes. Presently it is in T-R (Traditional Residential) zone and he noted the use of surrounding areas. They propose to place a duplex on each lot, for a total of seven. He noted that he had received no opposition and no comments from his department review. It was noted that there are a number of duplexes and multi-family residentials in the immediate area.

MOTION was made by Commissioner Mahanay to close the Public Hearing. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

Chairman Mayes called for a Motion to approve or deny the request. MOTION was made by Commissioner Fricks for **approval** of the Special Use Permit request to construct duplexes in a T-R zone. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

**FILE #06-2001Z, U.S. HIGHWAY 27
NORTH @ OLD SUMMERVILLE ROAD,
TAX MAP #540, AREA 00, PARCELS 33,
33A; REQUEST REZONING FROM A-R
(AGRICULTURAL RESIDENTIAL) TO
L-I (LIGHT INDUSTRIAL) ZONE.
(PLANNING COMMISSION RECOMMENDATION:
APPROVE WITH EXCLUSION OF COMMERCIAL
BILLBOARDS [VOTE – 7 FOR, 2 AGAINST])
(FIRST READING HELD APRIL 10, 2001 AT 2:00 P.M.)**

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

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

Phil Helton, Planning Commission, stated that the request is to change the zone from A-R (Agricultural Residential) to L-I (Light Industrial) to build a storage warehouse. The property is located on Highway 27 North beyond the Old Armuchee High School on Sike Storey Road and is on an island between the Old Summerville Road and the new Highway 27 North. Currently the property is vacant and all services are available except public sewer. It is designated as Agricultural Residential on the future land use map and the Planning Commission requests that it be conditioned to not allow billboards on the property. Commissioner Mahanay stated that he understood that the building would be used for storage only and the only signage will be for identification purposes. Mr. Helton replied that the applicant stated that there would be a sign on the building. It was noted that the Light Industrial zoning would allow for a wide array of potential uses for the warehouse. Tom Tully, Assistant Manager stated that the present applicant will basically use this as a distribution application, with limited public traffic going in and out. It was noted that the Commissioners could approve this conditionally to prevent the current owner from changing the property use in the future. MOTION was made by Commissioner Mahanay to close the Public Hearing. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

MOTION was made by Commissioner Mahanay that the request for File #06-2001Z rezoning from A-R (Agricultural Residential) to L-I (Light Industrial) be **approved with the exclusion of billboards and with the sketch site plan as presented to the Commissioners.** SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

**FILE #07-2001Z, GARDEN LAKES BLVD.,
TAX MAP #454, AREA 06, PARCELS 001;
REQUEST REZONING FROM L-I (LIGHT
INDUSTRIAL) TO S-R (SUBURBAN
RESIDENTIAL) WITH SPECIAL USE
PERMIT FOR ATHLETIC PLAYFIELDS.
(PLANNING COMMISSION RECOMMENDATION:
DENY [VOTE – 5 FOR, 4 AGAINST])
(FIRST READING HELD APRIL 10, 2001 AT 2:00 P.M.)**

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

YES NO

Commissioner Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

Phil Helton, Planning Commission, stated that the request is to rezone from L-I to S-R and he reviewed the surrounding property uses. There was discussion regarding the location of the entrance to the facility.

SUPPORT

Bob Saylor, Rome-Floyd Parks and Recreation, stated they had addressed the entry already and the County, as of last year, was able to work the new one in for them and it has helped tremendously. The new entry comes off of the boulevard and has solved some of the questions or issues about Newland and Donley. The new fields are proposed to fill some of the need for day use. The fields are not planned to be lighted and they have cleared only a portion of the entire site. He pointed out that these are multi-purpose fields, and the fields will serve a great need with all of the youth teams in the Garden Lakes Area. They have planned some regular league soccer games which will take place there, but that will be basically weekend activity. They are trying to maintain a more than adequate buffer between the existing school property and the major neighborhood to the west of the school property and new development on the site. He noted that the site is in the industrial area and felt this was as good of a site as they could select. There will be some activity in the late evening, after school perhaps, but a lot of that will be practices. For the immediate usage area, they plan weekend activity which will work with the school schedule. He stated that they are conscious of the traffic and they are very conscious of some of the traffic issues on Newland. They see this as satisfying the need for more and better open space fields as well as being buffered by the existing immediate neighborhood to the west, actually giving them controlled access and controlled exit of those that will come into the area. They are planning to complete the development of the first two areas, but they will have adequate parking in and around the fields that will also have service support, restrooms, water, etc. at the area. He reiterated that no lights are planned for the facility, it is for immediate day use. He stated that he is sorry there were conflicting issues and comments made earlier, but this is not a tremendously large development, a total of 30 acres in the site. If it were developed to the maximum, there would be three areas, but with funds being limited, they are looking at developing the first phase parcel, which will have two fields and parking.

Commissioner Jennings stated that the access from Garden Lakes Blvd. as opposed to going through the neighborhood has been a major concern. The second issue is parking in the residential neighborhood as opposed to parking at the site. He noted that, from the map, there is more than adequate parking inside the park area. The third area of concern is the possibility of gating off the area and controlling who comes and goes from the soccer fields. Mr. Saylor stated that one of the major positive sides of having common entry and exit, is that if there are problems, they can control it.

Commissioner Fricks asked which areas of parking were they planning for the two fields being developed. Mr. Saylor indicated on the map the areas which are planned to be developed. Commissioner Jennings asked if there is a possibility of an entrance from Redmond Road. Mr. Saylor stated that is a viable option and now is the time to look into that.

OPPOSITION

Sam Spector, stated that his main concern is the traffic which will be brought to and through Garden Lakes. He stated that he would like to see a commitment from the Recreation Authority that they will completely block off the Newland Street access so that people can't park on Newland Street and walk to the recreation area. He stated that people coming from the direction of Redmond Road will have to stop at the railroad and then they will have to turn left almost immediately, against the traffic heading east on Garden Lakes Blvd. He stated that at a couple of hundred cars going to the field, imagine the backup that will be caused because of the two turns and stops. He stated that he does not feel it is appropriate for this kind of access to run through a residential community even though they will not use Newland Street. If this is approved, he would like to see it on the condition that, if anything is added but the two fields they are talking about now, they would get an alternate access. He stated that he has property on Huffaker Road which he will give them right-of-way to if it will work and they are unable to get the property on Redmond Road. He would like to see the agreement in writing of no night lights, no added facilities, other than the two being discussed, unless and until they obtain an alternate access.

Commissioner Fricks asked which access road is utilized to enter the school. Mr. Spector replied that it is one way in and one way out. Mr. Spector suggested that Newland Street be blocked to prevent vehicle and pedestrian use.

Ed Waters, 13 Donley Drive, stated that he represents a number of individuals. They all are concerned about the possible traffic. There are a number of small children who live on that street. They realize that they are saying the traffic will not come that way, but it may increase in the future. It had been suggested by a resident that a railroad crossing gate be put at the railroad rather than a stop sign. Mr. Waters asked for an explanation of the Suburban Residential zoning and if they could install lights in the future. He stated that a lot of the people in the area did not realize that this was going to be voted on, since the sign at the location was also hard to see. He also stated that there needs to be better communication between the Recreation Department and the community so they will be aware of what is taking place. Regarding parking on Newland Drive, between 5 p.m. and 7 p.m. there are cars parked on the street. He requested that it be put in writing that the 100 yard tree buffer remain. Mr. Waters asked if the swimming pool will have a lifeguard. In reference to Mr. Waters' request for an explanation of the zoning requirements, Assistant County Manager Tom Tully stated that currently the property is zoned L-I (Light Industrial) so there is a wide variety of applications that could go on that property that would create more of a disturbance to the area than the Suburban Residential zoning with a Special Use Permit for athletic ballfields. Commissioner Jennings ask for specifics regarding what could be put on the property with the current zoning. Assistant County Manager Tully replied that it could be metal fabrication, tractor dealership, or manufactured home dealership. If the property is rezoned to Suburban Residential and for any reason the property returns to the County ownership, it would still be zoned Suburban Residential and it could only be used for residences, without going through another rezoning process. It was noted that adjacent property owners are notified of the request. Mr. Waters stated that Donley Drive is not

shown on the map, but they are adjacent property owners since all property between this area and Donley Drive is County property. It was noted that the Recreation Department has a use agreement with the School Board regarding access. The School Board has priority while school is in session and after 3:30 p.m. the responsibility is the Recreation Department's. Commissioner Fricks stated that his perspective on the railroad crossing, is that there is more concern with the railroad crossing and an open gate than for people to stop on the railroad track. Mr. Waters stated that his priority would be to make an entrance to Redmond Road. Mr. Spector noted that a private enterprise would not have been able to obtain access to the property through the School Board property and therefore would not have bothered them as much because of the traffic which will be coming through. Mr. Spector noted that the property he owns on Huffaker Road does not adjoin this property and would require effort to work out as an access road.

REBUTTAL

Bob Saylor, Rome-Floyd Recreation Authority, stated that he understands the concerns of the residents. They (*the park*) have tried to be a good neighbor and they hope to be a better neighbor. They do plan to work on the enforcement issue. He stated that they are not building seven fields as they have at Alto Park or six active fields as at Etowah Park. They are not building that type of facility. This will be very limited use. Mr. Saylor stated that regarding the number of cars there, two fields and four teams would be 45-50 cars at any given time coming or going. The residents did not agree with this number. Mr. Saylor noted that the property was purchased as a result of the 1988 S.P.L.O.S.T. and the property was purchased in 1994 or 1995. They have had a site plan on the property, even when they dedicated the Anthony Center Facility, for quite some time. He stated that he is sorry if this is a surprise to anyone. He had talked with Dr. Spector about this site probably a year and a half ago and the conversation led to him looking at another entry through the Lowe's property and also the new entry developed by the County last year. There has been a good deal of time and consideration which has gone into the planning of this project. He stated that he does not feel it is an over-development and feels they can control what they are planning and will commit to give the best effort they can to be a good neighbor to the community, but also try to control the activities on this day use facility.

Commissioner Jennings asked if they would agree to not add any additional fields until an alternate access is found either through the Huffaker Road entrance or the Lowe's property. Mr. Saylor replied that the Commission approves the money for development so that would be in their area of approval. He stated that he feels they should take one step at a time. If they were developing eight fields which would be game level fields and had that many people in at any given time then, they would be opening themselves up to a major issue. He feels that they should pursue the possibility of another access. Regarding the access from Huffaker Road, it may not be a possibility due to the railroad crossing. It was noted again that nothing could be added that did not come through the Commission. Commissioner Jennings asked if they could agree that the fields would not be lighted. Mr. Saylor replied that the cost of lighting fields is

enormous and because they are building a neighborhood type facility and he would not, at this point, recommend that lighting be considered.

Commissioner Jennings mentioned that it had been noted that there was a heavy vegetative buffer between the playfield for the school and the first soccer field. He asked if a fence barrier could also be put there, along the edge of the vegetative buffer. Commissioner Fricks asked if they would be more affective in that area if they were to try to eliminate pedestrian and parking on Newland or to try to work something out with the school to put a fence on the roadside. *Comments from the audience were not audible.* Mr. Saylors noted that the area which is used for practice purposes does have a perimeter fence which comes up on the inside, in fact it comes all the way down with the exception of the side which opens to the school. He stated that they are trying to relocate some of the existing teams, and right now before the leagues get started is the worse time. After games start being played at Etowah or other parks then there won't be that much concentrated practice and that many vehicles, except for a two or three week period. They are trying to relieve some of that by building the multi-purpose fields that will shift people over into this interior. Concern was again expressed for safety at the railroad crossing. County Manager Kevin Poe stated that if the stop sign is removed, a railroad crossing with gates and signals would have to be installed. Commissioner Jennings asked what alternatives are available for parking. Mr. Saylors relied that there is plenty of parking a short distance away, behind the tennis court area. He stated that the only alternative is enforcement; they are trying get their center manager to talk to the people who are parking in the wrong area. A resident expressed concern for safety in the pool area. Mr. Saylors stated that, if and when a pool is installed, it would be a pool which is fenced and supervised and is operated like any other public pool with certified life guards, opening hours, and ten foot fencing. Mr. Waters again asked for assurances that the 100-yard buffer will remain. Mr. Saylors stated that the grading which has been done so far, is as far back as it will come. *Concerns expressed by the residents in the audience were not audible.*

MOTION was made by Commissioner Fricks to close the Public Hearing.
SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

Chairman Mayes called for a Motion. Commissioner Jennings made a MOTION to approve the zoning request from Light Industrial to Suburban Residential with a Special Use Permit for athletic fields; 1) pending the Commission and the Recreation Authority seeking alternate access to this site and; 2) with the Commission pledging that

we will not have any lighting on this site and; 3) the Commission pledging that they will maintain the 100-yard buffer and ensure that there is an adequate barrier on the school side of that field keeping people from coming into this site and; 4) pending the Commission looking at the railroad crossing issue and seeing if we can address that issue and; 5) pending the Commission seeking to require the police have a more active presence and actively ticketing, if not towing, vehicles parked on Newland. Commissioner Fricks noted that Commissioner Jennings had specified no lights, and he felt they were trying to avoid athletic field lighting and there might be some lighting needed. Commissioner Jennings then specified athletic field lighting. SECOND by Chairman Mayes. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

RECESS

Chairman Mayes called for a Motion for a recess. MOTION was made by Commissioner Jennings for a six minute recess. SECOND by Chairman Mayes. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

MOTION was made by Commissioner Mahanay to reconvene the meeting. SECOND by Chairman Mayes. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

COMMISSIONER'S REPORT

PUBLIC SAFETY COMMITTEE.

Commissioner Mahanay, Committee Chairman, announced that there will be a Joint Public Safety Committee Meeting on April 18, 2001 at 11 a.m. at the new Armuchee Fire Station. He also reminded everyone of the Household Hazardous Waste Day on Saturday, April 21 at the Coosa Valley Fairgrounds. Chairman Mayes noted that the Commissioners will be at an ACCG Conference on that day. Commissioner Mahanay stated that this is something which needs to be supported by the community.

PUBLIC WORKS

DISCUSS PROCEDURE FOR REQUESTS FROM RESIDENTS PLANNING NEIGHBORHOOD CLEAN-UP CAMPAIGNS.

Commissioner Fricks, Committee Chairman, presented the proposed procedure for requests from residents planning neighborhood clean-up campaigns. He stated that the proposal was submitted as a policy to be adopted in terms of community clean-up campaigns and stated that he made this in the form of a MOTION. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

RECREATION AUTHORITY SERVICES AGREEMENT.

Commissioner Fricks stated that the revised version of the Recreation Authority Service

Agreement had been discussed in the Caucus Session. The only revision which was actually made was that only one party was needed to terminate the agreement. He submitted the revised agreement for the Board's support and made a MOTION to enter into an agreement with the Recreation Authority. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

WATER COMMITTEE

Commissioner Jennings, Committee Chairman, announced that on May 7, from 12 p.m. to 2 p.m. at the Coosa Valley Regional Development Center's office there will be a meeting of the representatives from the 15 counties and cities in Northwest Georgia to look at the ACT water statement letter which he had been working on. He noted that these are some of the same issues as were in the Board's letter and additionally that the state should financially support the Coosa River Basin through the watershed assessments and also financially support municipalities that are improving their waste water systems.

CLERK'S REPORT

CONSENT AGENDA.

County Clerk Michele Fountain stated that there were three items on the Consent Agenda, which they were unable to discuss in Caucus. One of the items is to authorize execution, by the Chairman, of DCA grant in the amount of \$10,000 for Floyd County Local Recreation. She stated that approval of the application had been presented in the March 13, 2001 Commission Meeting and this Motion is to authorize the signature of the grant agreement. The grant is for an environmental education center expansion.

MOTION was made by Commissioner Fricks to approve the Consent Agenda as presented. SECOND by Commissioner Mahanay. Commissioner Jennings asked if it is possible to deny and withhold a Malt Beverage License until the owner cleans up their establishment. County Attorney Wade Hoyt stated that at this time there is no process by which this can be done. This would require an ordinance change. VOTING:

YES

NO

Commissioner Fricks

Commissioner Jennings

" Mahanay

Chairman Mayes

Motion Carried

1. Authorize execution of DCA grant in the amount of \$10,000 for Floyd County Local Recreation. (Deferred from April 10, 2001 meeting) (CN-0202).

2. Tax Refunds:

- a. Randall D. Payne, 123 Morgan Drive, NW, \$26.63
- b. Billy Thrasher, 212 Bells Ferry Road, \$75.64
- c. Julie Katherine Boatfield, 23 F Gurley Drive, NE, \$48.22
- d. Rebecca Ann Milner/Albert S. Blankenship & Lamar T. Blankenship,
523 East 8th Street, \$65.20
- e. Thomas Dale Camp, 75 North Drive, NE, \$20.16
- f. Carla Price & Russell E. Dyer, 1735 Wayside Road, \$35.59
- g. C.A. & E. Miller Kimbrell, 5 N. Pennington, \$34.09
- h. Mary Hixon, 318 Reservior Street, \$23.56
- i. Harlan Gene & M. Kathy Worthington, 86 Scott Drive, NE, \$7.53
- j. Fred E. & Lana J. Lambert, 305 Sam Harris Road, \$88.73
- k. Barry R. & Kay M. Huggins, P.O. Box 1074, Ringold, \$15.47
- l. Rebecca Ann Milner/Albert Blankenship, Jr. & Lamar Tally Blankenship,
523 East 8th Street, \$43.28
- m. Carolyn E. Jones, 2021 Old Summerville Road, \$26.99
- n. Larry L. & Mary Lou Howell, 1187 Old Cedartown Road, SE, Lindale, \$58.42
- o. James M. & Lorene L. Stephenson, 1 Crestridge Drive, \$5.55
- p. Doris Ann Peacock, 19 Sandy Beach Terrace, \$.78

3. Malt Beverage Licenses:

- a. Louise Jordan Leach, Rhonda's Shoppette #9, 9522 Georgia Highway 20,
Coosa (convenience store).
- b. Mary Nell Kessler, Rhonda's Shoppette #8, 2406 Gadsden Road,
Cave Spring (convenience store).

MANAGER'S REPORT

RECOMMENDATION FROM AIRPORT COMMISSION REGARDING LPA GROUP SERVICES AT A COST OF \$31,097 FOR THE T-HANGER PROJECT.

County Manager Kevin Poe stated that this item will be delayed until the next meeting to obtain additional information.

**AUTHORIZE EXECUTION OF RIGHT OF WAY
AGREEMENT FOR BERT ROAD BRIDGE
REPLACEMENT PROJECT (D.O.T. COUNTY
CONTRACT PR-114-(115) FLOYD COUNTY).**

County Manager Kevin Poe presented a Right Of Way Agreement with D.O.T. related to the replacement of the Bert Road Bridge with a box culvert. He stated that two parcels of right of way had been acquired for \$500. He noted that the D.O.T. requires the County to provide 80 feet of right of way in the area. He recommended authorization for the Chairman to execute the Right Of Way Agreement to be submitted to the D.O.T. MOTION was made by Commissioner Fricks for approval of the execution of the Right Of Way Agreement for Bert Road Bridge Replacement Project, D.O.T. County Contract PR-114-(115) Floyd County. SECOND by Commission Jennings. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

**REQUEST FROM RECYCLING CENTER
TO PURCHASE AN UPS BATTERY BACK-UP
FOR COMPUTER - \$450.**

County Manager Kevin Poe stated that a request had been received from Marta Turner and Rodger Swaim regarding the purchase of an Uninterruptible Power Supply Battery Back-Up for a computer at the Recycling Center. A new used computer is being transferred to the Recycling Center but the MIS Director advises that the new computer will need protection from the power surges at that location. The cost of the UPS will be \$450. County Manager Poe recommended approval of the UPS Battery Back-Up in order to protect the investment in the computer. Chairman Mayes called for a Motion. MOTION was made by Commissioner Jennings to approve the request for the Recycling Center to purchase the Uninterruptible Power Source Battery Back-Up at a cost of \$450. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Fricks

" Jennings
" Mahanay
Chairman Mayes

Motion Carried

**APPROVE PURCHASE OF PROPERTY
OFF HIGHWAY 27 NORTH FOR A
NEW NORTH FLOYD COUNTY
RECREATION PARK.**

County Manager Kevin Poe stated that the County had entered into an Option Agreement with ABEEP, LLC, for the purchase of 52.9 acres of property at \$10,500 and other items which were stipulated in the Option Agreement related to the construction of the entrance road and providing water service to the property and other items. The Option Agreement expires today and he recommended approval for the purchase of the property off Highway 27 North for a new North Floyd County Recreation Park per the Option Agreement previously approved by the Board of Commissioners dated and signed January 17, 2001. MOTION was made by Commissioner Fricks to approve the purchase of the property off Highway 27 North for the new North Floyd County Recreation Park per the previously approved Option Agreement. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

**APPROVE PURCHASE OF A
PROJECTOR STAND FOR
COMMISSIONERS MEETING
ROOM AT A COST OF \$300.**

County Manager Kevin Poe presented a proposal to purchase a projector stand for the projector which will allow them to present PowerPoint presentations and to project other pictures or documents. Assistant County Manager Tom Tully noted that it will match the veneer of the other podium. It was also noted that approval was previously made for the other projection and sound equipment. The only other item which has not been approved is a request from the Clerk's Office that a microphone be added for the Assistant County Manager, which will be tied into the system. It was requested that each Commissioner be provided with a laser pointer. Commissioner Fricks asked that this be installed by the next meeting. MOTION was made by Commissioner Mahanay to

approve the purchase of a projector stand for the Commissioners Meeting Room at a cost of \$300 as part and parcel of the entire audio visual installation and that it be in service by the next meeting. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

AWARD BIDS:

ANIMAL CONTROL BUILDING.

County Manager Kevin Poe stated that bids had been taken on the Animal Control Building. Two bids had been received, one from Davis Commercial, who had done the previous work, and Avante Guard Contractors. The low bid is Davis Commercial in the amount of \$28,128. The budgeted amount for the project was \$30,000 so this is within budget. The recommendation was that the bid award be to Davis Commercial for an amount of \$28,128. MOTION was made by Commissioner Jennings to accept the low bid of Davis Commercial for the roof building extension for Animal Control for \$28,128. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

Bids

Davis Commercial	\$28,128
Avante Guard Contractors	\$38,500

County Manager Kevin Poe stated that on April 12, 2001 sealed bids were received for various pieces of equipment for Public Works and the Recycling Center.

The recommendation is that the bid for each piece of equipment be awarded to the low bidder. In the memo from Nancy Lam, dated April 13, 2001, the items are detailed, the recommended vendor who is the low bidder, the bid amount as compared to the Budget. It was noted that the only item which was over budget was a Vibratory Roller by the amount of \$3,199. The other items were under bid for an approximate total of \$100,000. He recommended that the contracts be awarded per the memo from Nancy Lam, with approval of a Budget adjustment of \$3,199 for the Vibratory Roller. County Manager Poe noted that all items except for the crewcab pickup truck and the Ford 3/4 – Ton Pickup trucks are being purchased through lease-purchase.

MOTION was made by Commissioner Mahanay to approve and award the bids to the lowest bids of the following items as outlined in the April 13, 2001, letter to Kevin Poe from Nancy Lam, Purchasing Director. SECOND by Commissioner Jennings.

VOTING:

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

(2) Tandem Trucks for Public Works – Peachtree Ford - \$131,992.00

One-Ton Crewcab Pickup for Public Works – Prater Ford - \$24,330.00

(2) ¾-Ton Pickup Trucks for Public Works – Prater Ford - \$41,398.00

Skid Steer Loader for Public Works – Joe Money, Inc. – \$21,452.00

Mini-Trackhoe for Public Works – Southern Power - \$41,603.83

12,500 lb. Dump Bed Truck for Public Works – Parkway Ford - \$29,294.00

Forklift for Public Works – LiftSystems of Georgia - \$25,893.00

Tractor with Mower attachment for Public Works – Rhinehart Equipment - \$50,449.00

Vibratory Compactor Roller for Public Works – L & N Supply - \$71,399.00

**APPROVE BUDGET AMENDMENT FOR
ALLOCATION OF \$9,000 TO WINDWOOD
HOSPITAL FOR DRUG AND ALCOHOL
EDUCATION SERVICES.**

(4/5 VOTE REQUIRED)

County Manager Kevin Poe stated that he had mentioned at the previous meeting the issue of the \$9,000 to Windwood Hospital for drug and alcohol services per a request from the State Probation Division. They are out of funds for the services and were not able to find other funding. He did have documents which had been submitted of records of the number of cases that they have sent to Windwood, the recidivism rate and also time sheets of the actual number of hours spent on cases at Windwood. By action taken last year the Commission had agreed that if the conditions were met, they would pick up the tab up to \$9,000 for these services. Since action was taken last year, action will need to be taken to amend the Budget to include the amount of funds to cover that expense. County Manager Poe recommended a budget amendment for allocation of \$9,000 to Windwood Hospital for drug and alcohol education services. It was noted that these funds should take them through the FY2000-2001 State fiscal year which is through July. Depending on what is approved in their new budget, they may request funds toward the end of next year. Commissioner Jennings asked if this is for a program required by the State. County Manager Poe stated that they had tried to show the benefits of the County supporting such a program, particularly trying to lower the recidivism rate. Commissioner Jennings stated that he had a student intern this winter semester who he believes work with this program and it is not an effective program. There was concern among the Commissioners as to whether the program is worthwhile. County Manager Poe stated that the information he received from Bobby Turpin was that their funding comes from a grant through the State of Georgia and was cut from \$20,000 to \$11,000. The program consists of an assessment process, referral process and three separate eight-week educational classes. The assessments, referrals and classes are done by Ms. Marla Burns, employed through Windwood Hospital. It was noted that the judges require the completion of the program. The funds were budgeted for last year and the funds were not expended and were not rolled over. It was the consensus that this item will be deferred to the next meeting. County Manager Poe will set up a meeting with a Judge and Bobby Turpin to discuss this matter. Commissioner Jennings stated that before the next meeting, he would like to sit in on one of the session.

County Manager Kevin Poe stated that during the Budget Hearings, Judge Jerry Woods had requested to start a mediation program. He originally asked for \$5,000 and we had agreed to \$2,500 the first year to get it started. This item was not picked up by Al Leonard or Jennie Mathis when they were preparing notes during the Budget Session and did not get included in his budget when it was adopted. Judge Woods had spent money towards setting up the program and has taken it from his All Other Account, but if other cost are incurred he will be at a standstill. County Manager Poe stated that in order to get it in Judge Woods Budget, a budget amendment will have to be placed on the Agenda. This will be added to the Agenda for the next meeting.

ATTORNEY'S REPORT

**APPROVAL OF SETTLEMENT OF
CRAWFORD LAWSUIT.**

County Attorney Wade Hoyt, III stated this is a lawsuit about a lady who fell coming out of the Forum. She fell on County property and claimed that the property was improperly maintained. She filed suit against Rome News, who had rented the inside of the Forum and the County. He stated that we could probably win the case on Motions for Summary Judgment, but it will cost approximately four times the \$750. He recommended payment of \$750 towards the settlement and authorize the Chairman to sign any release and dismissal agreements. Chairman Mayes called for a Motion to settle the claim. MOTION was made by Commissioner Mahanay to settle the claim for the amount of \$750 with the Chairman to sign all documents. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Jennings

Commissioner Fricks

" Mahanay
Chairman Mayes

Motion Denied

Commissioner Fricks stated that he doesn't want to set precedence with approving this settlement.

ADJOURNMENT:

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

YES

NO

Commissioner Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS
JOHN MAYES, CHAIRMAN**