

June 12, 2001

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
June 12, 2001 2:00 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 Michele Fountain, 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 Mahanay.

ADOPTION OF

MINUTES: Commissioner Fricks made a MOTION to adopt the minutes of the Regular Meeting of May 22, 2001 as presented. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

FIRST READING

**AMEND FLOYD COUNTY CODE,
SECTION 2-9-70 (HOTEL/MOTEL
EXCISE TAX) RELATING TO
DEFINITION OF PERMANENT
RESIDENT.
(SECOND READING/PUBLIC HEARING
TO BE HELD JUNE 26, 2001 AT 6:00 P.M.)**

**AMEND FLOYD COUNTY CODE,
ARTICLE II ENTITLED SELF-SERVICE
FUEL DISPENSING PUMPS, SECTIONS
2-10-20, 2-10-22, 2-10-23 AND 2-10-24.
(SECOND READING/PUBLIC HEARING
TO BE HELD JUNE 26, 2001 AT 6:00 P.M.)**

FILE #04-2001SUP, CHATEAU DRIVE,
TAX MAP #262, AREA #00, PARCEL(S)
#5C, AND #12, REQUEST A SPECIAL USE
PERMIT IN A SUBURBAN RESIDENTIAL
ZONING DISTRICT TO CONSTRUCT
DUPLEXES AT TOTAL OF 40 UNITS
IN PHASES.

(DEFERRED FROM MAY PLANNING
COMMISSION MEETING)

(PLANNING COMMISSION RECOMMENDATION:

DENY [VOTE – 3 FOR, 6 AGAINST])

(SECOND READING/PUBLIC HEARING TO
BE HELD JUNE 26, 2001 AT 6:00 P.M.)

FILE #11-2001Z, CORNER OF TODD
STREET AND BAKER ROAD, SHANNON,
TAX MAP #42B, AREA 3, PARCEL 2, LOTS 23,
24, 25, 26, 27, 28, 29, 30, 31 AND 32; REQUEST
REZONING FROM S-R (SUBURBAN RESIDENTIAL)
TO C-C (COMMUNITY COMMERCIAL).

(PLANNING COMMISSION RECOMMENDATION:

APPROVE [VOTE – 9 FOR, 1 AGAINST])

(SECOND READING/PUBLIC HEARING TO BE
HELD JUNE 26, 2001 AT 6:00 P.M.)

FILE #13-2001Z, HIGHWAY 411 EAST,
TAX MAP #106, AREA 00, PARCEL 019,
REQUEST REZONING FROM S-R (SUBURBAN
RESIDENTIAL) TO A-R (AGRICULTURAL
RESIDENTIAL).

(PLANNING COMMISSION RECOMMENDATION:

DENY [VOTE – 5 FOR, 4 AGAINST])

(SECOND READING/PUBLIC HEARING TO BE
HELD JUNE 26, 2001 AT 6:00 P.M.)

Chairman Mayes called for a Motion to place these items on First Reading. MOTION
was made by Commissioner Hufstetler. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

SECOND READING/PUBLIC HEARING

VARIANCE

FILE #011-01V, 2355 OLD CALHOUN
ROAD, VIOLATION OF MINIMUM

SETBACK FOR SIGN.

Assistant County Manager Tom Tully presented information regarding this request. The setback under the present ULDC is 10 feet from the road for a principal free standing sign. The applicant is requesting to change the brand from Citgo to Conoco. The sign would not change otherwise, just change the face of the sign. He presented a site layout. The sign is presently three feet off the right of way so a seven foot setback is requested. MOTION was made by Commissioner Hufstetler to open the Public Hearing. SECOND by Chairman Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

Chairman Mayes stated that the Public Hearing is now open. There being no one present wishing to speak for or against this request, MOTION was made by Commissioner Mahanay to close the Public Hearing. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

MOTION was made by Commissioner Hufstetler to **approve** the seven foot variance. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

CHAIRMAN'S REPORT

APPOINTMENTS.

MOTION was made by Commissioner Jennings to appoint Bonnie Moore to a two-year term on the Three Rivers Community Service Board. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Chairman Mayes

Motion Carried

DISCUSS HEALTH DEPARTMENT BUILDING.

No action taken.

COMMISSIONER'S REPORT

ADMINISTRATIVE/FINANCE COMMITTEE

Commissioner Hufstetler, Committee Chairman, stated that the next meeting of the committee will be at 2 o'clock on June 18, 2001.

PUBLIC SAFETY COMMITTEE

AUTHORIZE ENTERING INTO A CONTRACT WITH BELL SOUTH INTERACT FOR THE CAD SYSTEM. (DEFERRED FROM MAY 22, 2001 MEETING)

Commissioner Mahanay, Committee Chairman requested authorization to enter into a contact with BellSouth InterAct for the CAD system. This item had been deferred from the previous meeting with the possibility of additional funding, which had been negotiated. MOTION was made by Commissioner Mahanay to authorize entering into a four-year lease/purchase contract with BellSouth InterAct for the CAD system which will tie into the 911 system. SECOND by Commissioner Hufstetler. Commissioner Hufstetler noted that with this system, they can identify the locations of all emergency vehicles and can

also identify the location of cellular calls. Commissioner Mahanay noted that this is an enhancement to the system we currently have and is in the best interest of all the citizens in the county. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

PUBLIC WORKS COMMITTEE

DISCUSS DEPARTMENT OF TRANSPORTATION/COUNTY CONTRACT FOR WORK ON MORTON BEND ROAD.

Commissioner Fricks, Committee Chairman, reported on a proposal for a request for a contract from the State for improvements to Morton Bend Road. The amount of the contract is anticipated to be \$65,000. He stated that fortunately with this contract, one of the stipulations is that they do not have to meet all State standards for the road in order to accept this contract. They will be able to bring this road up to County standards and still utilize the state contract. They also anticipate requesting funds and assistance with the drainage on this road. Chairman Mayes thanked Commissioner Fricks for all the work he had done on this project. Commissioner Fricks stated they will try to work with some of the property owners to provide right of way in order to move forward with the project. It was noted that a Motion is not required since this is not an official document; this is authorizing the request that the contract be prepared. Official actions will be taken when the contracts are submitted by the Department of Transportation.

WATER COMMITTEE

Commissioner Jennings, Committee Chairman, stated that often times they receive comments regarding county services. He then read a letter from Charles Bridges thanking us for recent construction in the Hermitage Road area where the water system was upgraded.

CLERK'S REPORT

CONSENT AGENDA

County Clerk Michele Fountain stated there are two items on the Consent Agenda which she submitted for approval if there were no additions or deletions. MOTION was made by Commissioner Hufstetler to approve the Consent Agenda. SECOND by Commissioner Mahanay.
VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

1. Tax Refunds:

- a. Iva M. & Giles M. Chapman, 509 East 9th Street, \$64.55
- b. Frank & Kathleen Oyler, 112 Windwood Way, NW, \$9.42
- c. George L. & Rebecca S. Chang, 598 East 4010 South,, Salt Lake City, UT, \$9.67
- d. Daniel Lee Drake, 255 Potts Road, NE, Kingston, \$84.86
- e. J. Noel Cannon, 1502 Livingston Road, \$6.41
- f. Perry R. & Linda Marie Carnes, 3249 Wax Road,, Aragon, \$123.31
- g. Marjorie Lowery Cornwell, 100 Sheridan Drive, \$3.87
- h. Gregory & Shirley Richardson, 37 Donley Drive, NW, \$5.80
- i. Bonnie Frances Pollard, 15 Locust Street, NE, \$123.97
- j. Jeff Brown, 704 River Avenue, \$.19
- k. Jason M. Diprima/Lisa Charmaine Carroll, P.O. Box 404,, Shannon, \$361.04
- l. Lloyd M. & Rhonda E. Farmer, 315 Woodbine Avenue, \$12.19
- m. Lillian Pearl Selman Winkle, 220 Coosawatte Avenue, \$.62
- n. G. Wayne & Carolyn M. Toles, 1120 Horseleg Creek Road, SW, \$47.24
- o. Cary L. Frazier, 28 Westwood Circle, SW, \$10.08
- p. Albert Sidney Blankenship, Jr., 523 East 8th Street, \$8.59
- q. Peter A. & Rita K. Lawler, 11 Vassar Drive, \$35.32
- r. Sammy J. & Kathy W. Smith, 888 Turners Bend Road, \$10.12
- s. Komal, Inc./DBA College Inn, 2973 Cedartown Highway, \$2,000.92
- t. Horace Morgan, 59 Surrey Trail, \$26.59
- u. Odessa & Sarah V. Buffington, 28 Harvey Street, NE, \$90.02
- v. H. W. Bell, 24 Westwood Circle, \$34.14
- w. Jerry Dempsey/Dempsey Brothers Realty, 241 Dempsey Dairy Road, NE, \$24.12
- x. Nizar Abdel-Latif, 30 Mango Road, NE, \$48.74
- y. Thomas Scott Casey, 479 Compton Road,, Silver Creek \$17.23
- z. John S. Allmond, P.O. Box 3208, \$116.84
- aa. Jacque L. & Max D. Proctor, Jr., 28 Mountain Creek Drive, \$37.85
- bb. Holly A. Lloyd, 590 Canard Road, SE, \$189.56
- cc. Hugh B. & Mable B. Durden, 11 Turner Chapel Road, \$29.62
- dd. Lynda Joyce Lumpkin, 2601 Maple Road, \$12.27
- ee. Thomas & Martha Barlow, 37 Boulder Drive, \$1,495.32

2. Malt Beverage License Application, Scott O. Cospers, Scott's Last Stop, 2382 Gadsden Road, Cave Spring (convenience store).

MANAGER'S REPORT

**APPROVE CONTRACT FOR GIS
SERVICES WITH GEOGRAPHIC
TECHNOLOGIES GROUP, INC.
(DEFERRED FROM MAY 22, 2001 MEETING)**

County Manager Kevin Poe presented for approval a contract with Geographic Technologies Group, Inc., in the amount of \$28,500 to provide GIS services. He recommended authorizing the Chairman to execute the contract. MOTION was made by Commissioner Jennings to approve the contract for GIS services with Geographic Technologies Group, Inc., in the amount of \$28,500, and as he understands it, there is a City of Rome contribution of \$5,000 towards this. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

**AUTHORIZE CHAIRMAN TO SIGN
CAPACITY AGREEMENT WITH
DEPARTMENT OF CORRECTIONS
FOR HOUSING STATE INMATES,
TERM OF JULY 1, 2001 TO JUNE 30, 2002.**

County Manager Kevin Poe stated that each year the County enters into an agreement with the Department of Corrections regarding the housing of State inmates at the Floyd County Prison. He recommended authorizing the Chairman to sign the Capacity Agreement with the Department of Corrections for Housing State Inmates for a term of July 1, 2001 to June 30, 2002 to house 220 State inmates. MOTION was made by Commissioner Hufstetler to authorize the Chairman to sign this document. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

**AUTHORIZE EXECUTION OF
DRINKING WATER SERVICE
CONTRACT WITH GEORGIA
DEPARTMENT OF NATURAL
RESOURCES, EPD, IN THE
AMOUNT OF \$9,000 FOR
WATER TESTING.**

County Manager Kevin Poe presented a contract with the Department of Natural Resources, EPD, related to requirements for copper and lead testing on our drinking water supply. This is to be in compliance with our Drinking Water Permit. He recommended authorizing execution of the Drinking Water Service Contract with the Georgia Department of Natural Resources, EPD, in the amount of \$9,000 for water testing. He noted that this will be over a three year period of time. MOTION was made by Commissioner Jennings to authorize the execution of the Drinking Water Service Contract with the Georgia Department of Natural Resources, EPD, in the amount of \$9,000, for water testing over a three year period. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

**AUTHORIZE CHANGE ORDERS #1
AND #2 FOR PINSON'S GENERAL
CONTRACTORS ON THE PRISON
PROJECT.**

County Manager Kevin Poe presented Change Orders #1 and #2 dealing with the Floyd County Prison construction project for review by the Board. Change Order #1 is in the amount of \$3,734 to pay for undercut dirt on a roadbed in the amount of 344.3 cubic yards. Change Order #2 is a reduction in the amount of \$3,103 to delete the cost of requiring building permits for the project. He requested authorizing both of these change orders. MOTION was made by Chairman Mayes to authorize Change Orders #1 and #2 for the Pinson's General Contractors on the Prison project. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

**PRESENTATION BY ASSISTANT
COUNTY MANAGER TOM TULLY
REGARDING WATERLINE
EXTENSION INTO NORTHWEST
GEORGIA INDUSTRIAL PARK.**

Assistant County Manager Tom Tully stated that, as discussed in Caucus, development plans and infrastructure improvements had been completed for the Northwest Georgia Regional Industrial Park. Bids had been received and the Gordon County/Floyd County Joint Development Authority is requesting participation in the water extension portion of the project from the Floyd County Water Department. This would be with the understanding that if the ten year payback formula that the Water Department uses is not met, any shortfall will be made up by the Joint Development Authority. The amount of the participation will not exceed \$61,275. MOTION was made by Commissioner Jennings for approval of participation by the Floyd County Water Department in the water extension portion of the Northwest Georgia Regional Industrial Park project, at an amount not to exceed \$61,275. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

**AWARD BID FOR ANIMAL
TRANSPORT UNIT FOR ANIMAL
CONTROL. (4/5 VOTE REQUIRED)**

County Manager Kevin Poe stated that this item requires a 4/5 vote to be placed on the Agenda. MOTION was made by Chairman Mayes to place this item on the Agenda. SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

County Manager Kevin Poe stated that on May 29, 2001, sealed bids had been opened and read in public for the purchase of one Animal Transport Unit for Animal Control. Three bids had been received with the low bid being from Deerskin Manufacturing in the amount of \$9, 713.80 and he recommended awarding the bid to the low bidder, Deerskin Manufacturing. MOTION was made by Commissioner Mahanay to accept the bid from Deerskin Manufacturing for \$9,713.80 for the Animal Transport Unit for Animal Control. SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

(Bids)

Swab Wagon Company, Inc.	\$ 9,995.00
Animal Care Equipment & Service	\$10,204.00 (less 2%)
Deerskin Manufacturing	\$ 9,713.80

**AUTHORIZE PURCHASE OF AN
INFEED CONVEYOR FOR THE
NEW BALER AT THE RECYCLING**

CENTER. (4/5 VOTE REQUIRED)

MOTION was made by Commissioner Hufstetler to place the Infeed Conveyor on the Agenda. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

County Manager Kevin Poe stated that a few months ago bids had been taken on pieces of equipment to possibly be installed at the Recycling Center. At that time only the purchase of a Baler was authorized. Included with the recent bids was a bid for an Infeed Conveyor to be attached to the Baler. At the time it was not ordered since they were trying to determine the best location for the Baler and if there would be a need for an Infeed Conveyor. It has now been determined that they need to purchase the Infeed Conveyor for the Baler from the same company which manufactures the baling equipment. The cost they had submitted was \$20,029.17 from Norcon Systems. He recommended approval for the purchase of the Infeed Conveyor from Norcon Systems in the amount of \$20,029.17. MOTION was made by Commissioner Hufstetler to accept the Manager's recommendation for the Infeed Conveyor. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay
Chairman Mayes

Motion Carried

ADJOURNMENT:

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

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay

Motion Carried

COMMISSIONERS

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