

**(PLANNING COMMISSION RECOMMENDATION:
APPROVE [VOTE – UNANIMOUS])
(FIRST READING HELD JUNE 11, 2002 AT 2:00 P.M.)**

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

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

Sue Hiller, Planning Commission, stated that the staff and the Planning Commission recommends approval. This is an area of predominately single-family residences, with a few manufactured homes surrounding it and a couple of duplexes in the area. The proposed structure is an additional dwelling which would be on the vacant lot.

There being no one present wishing to speak for or against the matter, MOTION was made by Commissioner Hufstetler to close the Public Hearing. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

MOTION was made by Commissioner Mayes for **approval**. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

FILE #40-2002Z, BELLS FERRY ROAD
@ BY-PASS, TAX MAP 216, PARCEL 069.
REQUESTS REZONING FROM M-R
(MULTI-RESIDENTIAL) TO H-TR (HIGH
DENSITY-TRADITIONAL RESIDENTIAL)
TO BUILD SITE BUILT HOMES.
(PLANNING COMMISSION RECOMMENDATION:
APPROVE [VOTE 9 – 1])
(FIRST READING HELD JUNE 11, 2002 AT 2:00 P.M.)

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

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

Sue Hiller, Planning Commission, stated that the property is located near the By-Pass. She noted that Bells Ferry Road passes under the By-Pass. The surrounding property is developed mainly with single-family residential homes, but there is multi-family residential so there is potential for apartments, duplexes, and triplexes. The request is made so the property can be developed as single-family residential. It is approximately 16.4 acres and would support approximately 230 multi-family residential dwelling. Units under the H-TR zoning, it can only have 142, and she thinks they are proposing approximately 70–75. There was concern at the Planning Commission about drainage and she stated drainage is addressed when a building permit is applied for. Staff recommended approval based on the much higher density that could be zoned there at this time.

Rebecca Skelton, 10 Burton Road, spoke regarding concerns on the easement, and the importance to the community and the branch. Many years ago the Burton property and the Wright property joined and it was over 300 acres and the Burton-Wright branch goes under the Burton Road, the Old Calhoun Road and proceeds to Bells Ferry Road. In time past part of the land was pasture land and it had creeks. When the Wrights sold the property, the creek was still open, but at that time the water would come down and flood Bells Ferry Road. The Shanks purchased the property and filled in and made a channel around it and installed a drain pipe down through the easement. She presented information on who has owned the property. She stated that at the trestle on Bells Ferry Road, the name changes to Berwin Creek and it goes behind the Ford's lake, behind Rome High School, behind the Baptist Center, behind the Duck Pond and goes into the Oostanaula River. She stated that there are nine active springs and ten property owners. Chairman Fricks suggested that Mrs. Skelton talk with Ms. Hiller since this will be addressed when a subdivision plan is submitted. Pictures were presented showing the flood condition in the area. Chairman Fricks stated that there are regulations in place to address these issues and unfortunately they cannot be addressed at this time on an individual basis. The issues will be addressed by the Planning Commission. Commissioner Jennings asked Mrs. Skelton to share here documents and pictures with Ms. Hiller.

MOTION was made by Commissioner Mayes to close the Public Hearing.
 SECOND by Commissioner Hufstetler. VOTING:

	YES	NO
Commissioner Hufstetler		
" Jennings		
" Mahanay		
" Mayes		
Chairman Fricks		

Motion Carried

MOTION was made by Commissioner Jennings to **approve** the request of a zoning change from Multi-Residential to High Density-Traditional Residential, recognizing the water related issues that exist in the area and strongly recommending that the Planning Commission take a close look at this issue. SECOND by Commissioner Hufstetler. VOTING:

	YES	NO
Commissioner Hufstetler		
" Jennings		
" Mahanay		
" Mayes		
Chairman Fricks		

Motion Carried

FILE #43-2002Z, KEOWN ROAD @
**KINGSTON HIGHWAY, TAX MAP 304,
AREA 09, PARCEL 26. REQUEST
REZONING FROM S-R (SUBURBAN
RESIDENTIAL) TO M-R (MULTI-
RESIDENTIAL) FOR CONSTRUCTION
OF GATED COMMUNITY CONDOMINIUMS.
(PLANNING COMMISSION RECOMMENDATION:
DENY [VOTE 8 – 1])
(FIRST READING HELD JUNE 11, 2002 AT 2:00 P.M.)**

MOTION was made by Commissioner Jennings to open the Public Hearing.
SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

Sue Hiller, Planning Commission, stated that the property is a corner lot and is an irregular shape. It is across the Kingston Highway from a Cowboy's station, a hair care business and a restaurant. There are single-family residential on the other side. She stated that she felt it would be unusual to see this parcel developed with single-family residences since it is on the Kingston Highway and across the street from commercial development. Along highways they are seeing commercial developments. Planners generally say that multi-family residential is a good buffer to single-family residential and other more intense uses. She feels that is the key in this situation. This probably will be developed eventually and multi-family residential is probably a better buffer for the community than many other uses typically found along highways. For that reason the staff recommended approval. She thinks that the issue that was raised is there would be a lot of traffic and thinks that is probably the reason the Planning Commission recommended that this be denied.

SUPPORT

Frank Jones, attorney, stated that this is an application made by Tom Hackett and James Gresham, III as property owners for the rezoning of approximately 4.5 acres at the corner of Kingston Highway and Keown Road. He felt the explanation and description of the property was adequate, but he emphasized that this is at the intersection

of Kingston Highway and Keown Road and across the street are commercial uses, one being a BP or Cowboys' service station/convenience store, hair salon and the Homestead Restaurant. Normally along highways such as this, he thinks commercial development is not unusual. In fact, the history of this property was that it was actually marketed as a commercial tract before the Uniform Land Development Code zoned it single-family residential. As was pointed out by the staff of the Planning Commission, quite often multi-residential or multi-family residential creates and operates as a good buffer between commercial uses and single-family residential uses. In this particular area the zoning code permits 14 units per acre, that would create for the 4.5 acre tract approximately 62 units. However, in order to address one of the concerns of the property owners about density when it came before the Board previously for apartments, they have proposed a plan which would reduce the density to 50 rather than the allowed 62 units. One of the other issues addressed was, some of the homeowners were concerned there would be rental occupants rather than homeowners who might take pride in the property. That has been addressed by the proposal that condominiums be built there and these will be owner/occupied rather than people who would rent. There would also be a homeowners association to make sure the area was taken care of in a proper manner. One of the appraisers who they have had look at the property, has given them an opinion that the fair market value of the property, as zoned, is approximately \$30,000. If it is rezoned to M-R, he estimates the fair market value of the property would be \$60,000-\$70,000, and that was the basis on which this property was purchased. They thought that it would not be difficult to have it rezoned because it is located on a major highway. Rather than going commercial, it would make sense to create a buffer by use of a M-R zone. The appraiser has said that is the highest and best use of the property, multi-family or multi-residential. The failure to rezone a property, and the application of the present zoning would actually constitute a violation of U.S. and State of Georgia constitutions because it would result in the taking of private property without just and adequate compensation being paid to the present owners. The present zoning of S-R has no relation to the public health, safety, morality or general welfare of the public. As he previously stated, the property owners have attempted to address some of the issues and problems some of the owners of adjoining property were concerned with. One of the issues mentioned previously, would have been the water runoff. That is an issue which is appropriately addressed in the engineering, but the owners already have plans for a sedimentation pond and there has to be assurance in the engineering studies that the runoff will not be increased. One of the other areas was grading and it would cause erosion. There is a plan and a code section that requires certain work to be done, which is the Soil and Sedimentation Erosion Control Act. This is located on a highway that the Department of Transportation has actually developed into a four-lane divided highway and there would be appropriate traffic studies done at that time. They believe that the issues have been addressed and that the buffer to be created is actually going to be a benefit rather than having someone eventually perhaps come before this Board, or a Board of the future, and ask for a commercial zoning of the property, which would, at this time they believe, be detrimental to the homeowners. Under the law, as he interprets it, he believes that a commercial use would be permissible. However, the owners are attempting to do something that would fit in with the community and he thinks that the

staff would recommend that this would be the best use for it. He asked that it be approved and offered to answer any questions.

Commissioner Jennings asked if zoning was in place when the property was purchased. Mr. Jones replied that it was. It was noted that it was marketed as a commercial use, but was zoned as Suburban Residential when it was purchased. Mr. Jones stated that Mr. Hackett and another individual paid more than the fair market value. They felt there would not be any difficulty in having it rezoned since across the street is the convenience store, BP station, Homestead Restaurant and other commercial establishments. Commissioner Jennings asked what is on the other three sides. Mr. Jones replied that it is obvious that residential property is behind it, eventually along the highway he thinks it could be developed as commercial.

OPPOSITION

Jean Graham, 101 Keown Road, stated that her property connects to Mr. Hackett's property. The units that Mr. Hackett plans to build is on the hill behind her house and the road leading to these units will be beside her house, approximately 50 feet. This will completely envelop her and her property. It will destroy the privacy and tranquility that she has had for 34 years. It will certainly destroy her property values. It will bring in excessive noise, excessive lighting and excessive traffic with approximately 100 additional cars traveling in and out at all hours. She does not feel comfortable with 100 plus strangers living all around her. She already has a serious wash off of water from this hill and with the clearance of undergrowth, it will seriously erode her property even more and increase the flooding problems her neighbors across the road already have. This is a single residential area and will not accommodate the proposed 50 units without causing serious problems for their homes and their safety. They again plead with the Board to understand the serious consequences to their community if this proposal is granted.

William Harris, 100 Keown Road, stated that he has lived at this location for almost 44 years. His property is directly across the road from the property requested to be rezoned. He is opposed to rezoning the property. Rezoning this to multi-family will change the character of and destroy the integrity of their neighborhood. It would lower their property values. There are no multi-family dwellings near them. Condos are not compatible to their neighborhood. They would increase noise and congestion and he would look at condos everytime he looks out his front door. Mr. Hackett's proposed entrance and exit to these units is approximately 100 to 150 feet away from his bedroom. There are approximately 80 parking places there. It will also increase the bad traffic situation there. He is also concerned about runoff. With all the development across the Kingston Road, all of the water is going behind his house. The four-lane highway has also increased their water problems and it has gotten much worse in the last five years. He asked that the request for rezoning be denied.

Craig Allee, 109 Keown Road, stated that he has lived on Keown Road for 30 years and he plans on dying on Keown Road. He has raised three sons there and one has

recently bought a house near his. There are four families of second and third generations in the Keown Road area. This is because of the quality of life there, which is unique in the county. Regarding traffic problems, they feel that it will create a potential death trap. He requested that they deny the request.

Tom Moss, 107 Keown Road, stated that he grew up on the Keown Road and is one of those who moved away and then came back. He and his wife purchased a home there 14 years ago to raise their family. Floyd County has adopted zoning practices to protect the integrity of neighborhoods such as theirs. These zonings differentiated between single residential and multi-residential neighborhoods, because they are so different in nature. The property under consideration is physically a part of a single residential neighborhood. It is surrounded by single residential neighborhoods. There are absolutely no multi residential developments around or near this property. Mr. Hackett proposes to cramp 50 condominiums onto this small single residential section of property and sell them, then move on. He and his associates stand to gain at their expense. Their quality of living is at stake. The integrity of their neighborhood, which is now protected by S-R zoning will be destroyed. This neighborhood is their home. They all made a conscientious effort to seek and purchase a home in small quiet neighborhood. Mr. Hackett is asking the Board tonight to make a decision that will affect them forever. The records show that in the past the Board has protected other S-R neighborhoods such as theirs. They ask that they be given the same fair and legal treatment in protecting the integrity of their neighborhood. They ask them to do the right thing in denying this rezoning.

Alan Brown, 133 Keown Road, stated that if these 50 condos are dropped into the middle of their residential neighborhood it will increase the number of houses on their street from 33 to 83. It will also dump an additional 75 to 125 cars on Keown Road in order to access Kingston Highway. The zoning congestion, noise and runoff will devastate the property values and quality of life for all 33 households on Keown Road. This property was S-R when Mr. Hackett bought it and if that is not what he wanted to use it for, he should not have bought it. His Dad called his parents home in Eastern North Carolina the old home place, a phrase he always liked. It brought memories of home, heart, family, and parents. A place where you have a firm attachment, a place to go back to. He thinks that is the way each family on Keown Road feels. That is why they are here tonight, this is a place with permanent attachments and roots. He wants their old home place on the Keown Road to be fondly remembered, not congested and overrun with condos. This Commission on November 20, 2000, considered a request from Mr. Hackett to build 32 townhouses on this same property. He stated that Commissioner Jennings made the statement that Keown Road is clearly single family residential and the integrity of the neighborhood needed to be maintained. Commissioner Mahanay seconded the motion after it was made to deny the M-R zoning. Then each one of the Commissioners voted to deny M-R zoning on this same piece of property. He asked them to uphold the ULDC zoning they adopted August 14, 2001. He asked them to cast the same votes as November 20, 2000 to deny M-R zoning in their S-R neighborhood. He asked the residents from Keown, Wilshire, Sherwood Forest, Ford

Drive and Sequoia to stand. He asked that the Board once again protect their neighborhood and deny the zoning request.

REBUTTAL

Frank Jones, stated that most of the issues seem to be regarding greenspace, erosion, flooding, water and are issues that are primarily addressed in a later phase. He understands the concern of the individuals. He thinks everyone would like the property next to them to remain wooded, but development is a foregone conclusion. It is how things are going to be developed, and that is why you have the zoning ordinance, to make sure the development is compatible. He thinks the report of the staff of the Planning Commission is best. There are commercial uses across the street, however, they took that into consideration. It is not unusual to see that type of development along the highway. They felt that the multi-family or multi-residential usually operates as a very good buffer. And, in fact, that has been planned in the project. Some of the objections were privacy. There is a fence planned all the way around the property as well as plantings in the space between the building, parking and adjoining property lines. He asked that they follow the staff and approve what he feels is appropriate in this case.

Commissioner Mahanay stated that he feels that the concern of water needs to be responded to and addressed now. Another issue which has not been touched on and he feels needs to be discussed is the possibility or usage of buffers through landscaping. He feels there is more detail needed on his part to make a decision. Mr. Jones responded that a retention pond is planned and the requirements under the storm plan will insure that the retention pond is adequate and will not let additional water flow or increased water flow take place, other than is in existence at this time. As far as the buffer area, obviously if the developers had to spend several thousands of dollars before property was rezoned, that would put a damper on any request for rezoning, because the plan itself cannot be completed until all engineering studies are completed. However, in this plan, there are plans for plantings and a fence entirely around the property.

Chairman Fricks asked the total acreage on the tract and the maximum number of units for the property. *Ms. Hiller's response was not audible.*

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

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

Commissioner Jennings stated that he felt Mr. Jones said it well, but the issue of compatible development is an important issue and they are charged with dealing with the health and safety of our community. In light of those factors he made a MOTION to deny the request. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

**FILE #08-2002SUP, HUFFAKER ROAD,
TAX 756, PARCELS 6, 7, 7A, 8, 9,
9A, 9B, 10, 10A, 11A AND 12. REQUEST
SPECIAL USE PERMIT FOR A COAL
COMBUSTION PRODUCT MONOFILL
(LANDFILL) IN A HEAVY INDUSTRIAL
DISTRICT.**

**(PLANNING COMMISSION RECOMMENDATION:
APPROVE WITH THE CONDITIONS THAT
GEORGIA POWER GETS PERMITS FROM THE
ENVIRONMENTAL PROTECTION DEPARTMENT
(EPD) AND THAT THE SPECIAL USE PERMIT
STAY IN EFFECT AS LONG AS GEORGIA
POWER STAYS IN COMPLIANCE WITH THE
EPD PERMITS [VOTE 6-3]
(FIRST READING HELD JUNE 11, 2002 AT 2:00 P.M.)**

MOTION was made by Commissioner Mayes to open the Public Hearing.
SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

Sue Hiller, Planning Commission, stated the site is zoned Heavy Industrial, which is probably the most intense district in Floyd County. It allows many uses, but some uses require a Special Use Permit, they are not permitted by right. This revision gives the Board the chance to review the process and make sure it is appropriate for location and surrounding land uses. She stated that the staff does not have the expertise to monitor this and they typically defer to the Environmental Protection Division for the State of Georgia for that. That is the reason for the condition for approval.

SUPPORT

Tim Banks, 28 Timberwood Drive, Silver Creek, stated that as an overview, at Plant Hammond, which has been in operation for 50 years. By the end of June, 2006, they will run out of storage space for their ash. They are trying to find an area which is appropriate to store this ash. They found a site on the Huffaker Road, which is the abandon Boral Brick Mining area, which is a very appropriate site for what they want to do. Again, as they go through this process, it would be required to fill all responsibilities associated with the work with EPD. They had talked about the appropriateness of the area, the geology of the area, the transportation issues and the EPD issues. He stated that Dr. Schrader will give a brief overview of the geology and Mike Wilder will discuss some of the EPD issues. Regarding the transportation issue, they do understand there are issues there. The road from Highway 20 to the site clearly will have to be developed. He stated, short of making this project totally uneconomical, they are committed to working with the county to provide county access to the site.

Dr. Schrader stated that he would go over the important aspects of what they are discussing. There are three aspects when making this decision, the suitability of the site, the quality of the material and its potential threat or lack there of and the affect on groundwater and groundwater in the general vicinity. A map was presented showing geology and groundwater sources of Floyd and Polk County and noted the site area. He compared the area to other areas in regards to groundwater. He stated there is a minimum of 1,500 feet of impermeable rock between the actual deposit of ash and the closest aquifer¹. The landfill will be designed according Environmental Protection Agency standards and also will be overseen by the State of Georgia, so you have double protection. The only wells in the area are six wells uphill from the site. If there were any contamination from the site, which there won't be, it would be flowing away from those wells. He also reviewed some of the test the ashes are subjected to and the results of the tests. From the standpoint of any unbiased observer, there is no potential chemical issue there. He stated that he is unrelated to Georgia Power, he is just interested in the ultimate decision.

Richard Fountain, stated that he has property adjacent to the site and had questions. *His questions or the responses were not audible.*

Mike Wilder, Georgia Power Company Environmental Affairs, stated that he is responsible for water and land permit issues. He stated that they have several landfills around the state and they are operated within full compliance with the EPD requirements,

and they will do that with this one also. They are committed to making sure that their environmental efforts meet or exceed all requirements. They will make sure that they also address the local issues. Everything will be done to make sure that the human health and environment are fully protected.

Commissioner Mayes asked what is usually done with the landfills after the end of the life of the landfill. Mr. Wilder replied that it is covered over with grass and they will be responsible for monitoring the groundwater for a period of 20 to 30 years. After that, they do not have any plans at this point.

Commissioner Hufstetler stated that he felt the Board is satisfied with the questions about the material itself, about the geology in the area and all that is left is transportation. If approved by the majority, it should be contingent upon a transportation plan being in affect. It was noted that what EPD will need is a letter from the county stating it is in compliance with county ordinances.

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

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

MOTION was made by Commissioner Hufstetler to **approve** the request for a Special Use Permit for mining and quarrying along **with the Planning Commission's recommendations that the approval be with the condition that Georgia Power obtains a permit from Environmental Protection Division and that the permit stay in effect as long as Georgia Power stays in compliance with the EPD permit and the Special Use Permit be contingent upon a transportation plan being approved by the County Commission.** SECOND by Commissioner Jennings. County Manager Kevin Poe noted that the Agenda stated "mining and quarrying" and it needs to be specific as to what was applied for through the Planning Commission "to construct and operate a coal combustion product monofill in a Heavy Industrial District". Commissioner Hufstetler amended his Motion as recommended by the County Manager. Commission Jennings agreed to the amendment. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay
" Mayes
Chairman Fricks

Motion Carried

Commissioner Mayes left the meeting at this time.

CHAIRMAN'S REPORT

ISSUE A 90-DAY MORATORIUM FOR ISSUING PERMITS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS. (4/5 VOTE REQUIRED)

MOTION was made by Commissioner Hufstetler to place the item on the Agenda. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
Chairman Fricks

Motion Carried

MOTION was made by Commissioner Jennings to place a 90-day moratorium on the permitting of any concentrated animal feeding operations under any category of land use in Floyd County, with the intent that they request the Planning Commission to initiate a process where all concentrated animal feeding operations be required to get a Special Use Permit. SECOND by Commissioner Mahanay. Commissioner Mahanay asked Sue Hiller if she had an opinion on the Motion. Ms. Hiller had no comment. Commissioner Jennings asked if she could initiate the process through the Planning Commission to make that a regular part of the ULDC. Ms. Hiller gave an affirmative reply, but her comments were not audible. Chairman Fricks asked if a Special Use Permit is required if there is an existing use established. Ms. Hiller replied that they could continue use and expand on that property, but not on additional property.

Frank Jones asked if this was being put on the Agenda as a Public Hearing or a matter they can ask questions about. Chairman Fricks stated that it was not put on as a Public Hearing because it is not an advertised process, but it had been added by 4/5 vote. Commissioner Jennings stated that the attorney had advised them that the moratorium can be put in place while the Planning Commission prepares a formal change. Chairman Fricks stated that they would welcome any comments. Mr. Jones stated that the only

question he has is the prior rezoning or changing of zoning on property that adjoins property of his client. As he understood it, based upon the information he has seen and heard, only a small portion of a tax map was actually rezoned or that is what the public notice was, it was not the entire tract. His question relates to the corrective action that is being taken at this time. He understands the purpose of it, but his question is this Board going to go back and readdress the rezoning of what was previously done by request of the people who appeared earlier, since the applicant thought both tracts were approved and it was only one tract. Commissioner Hufstetler stated that what is being proposed is that even in an A-R designation any concentrated feed lot would require a Special Use Permit, no matter what the zoning. It was noted that the zoning notice on the property being discussed was for Parcel 4, and was approved for that parcel only. Mr. Jones asked if the board would revisit that zoning in order to clarify that, in order that the public, including his client will have appropriate notice. County Attorney Wade Hoyt stated that if Mr. Jones is correct, and he assumes he is, he has not seen the notice. If he is correct about the notice then they will have to revisit it. *Comments by Ms. Hiller were not audible.* Mr. Jones stated that he would be glad to discuss this with Ms. Hiller and Mr. Hoyt. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

Chairman Fricks

Motion Carried

APPOINTMENTS.

County Clerk Michele Fountain read the appointments to be made. MOTION was made by Commissioner Hufstetler to appoint **Jeff Davis** to the **Board of Family and Children Services** and that **Jim Mahaffey** be reappointed the **Three Rivers Community Service Board**. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

Chairman Fricks

Motion Carried

DISCUSS PARKING DECK PROJECTS.

Chairman Fricks stated that this had been discussed during Caucus and Commissioner Jennings had been appointed as our representative to a joint committee with the City of Rome in order to observe and check progress on the Parking Deck Project.

COMMISSIONER'S REPORT

ADMINISTRATIVE/FINANCE COMMITTEE.

APPROVE RECOMMENDATION TO ACCEPT BID FROM AT&T FOR COUNTY PAY PHONE SERVICES.

Commissioner Hufstetler, Committee Chairman, made a MOTION to approve the recommendation to accept the bid from AT&T for county payphone services. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

Chairman Fricks

Motion Carried

PUBLIC SAFETY COMMITTEE.

Commissioner Mahanay, Committee Chairman, read a letter the Board had received from Chief Jim Free, Floyd County Police, thanking the Board for providing the Police Department with the tools and equipment needed to service the citizens of Rome and Floyd County. The next Public Safety Committee Meeting will be on July 10, 2002.

WATER COMMITTEE.

REQUEST FOR BEEPER PAY INCREASE FOR ON-CALL PERSONS. (DEFERRED FROM JUNE 11, 2002 MEETING)

No action taken.

PURCHASE OF PROPERTY AT 1 AND 1A SHORTER INDUSTRIAL BLVD. FOR WATER PUMP STATION. (4/5 VOTE REQUIRED)

Commissioner Jennings, Committee Chairman, made a MOTION to place the purchase of a piece of property on Shorter Industrial Blvd., addresses 1 and 1A Shorter Industrial Blvd. on the Agenda. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
Chairman Fricks

Motion Carried

MOTION was made by Commissioner Jennings to purchase the land at 1 and 1A Shorter Industrial Blvd., subject to a good and sufficient title for the sum of \$110,000. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
Chairman Fricks

Motion Carried

CLERK'S REPORT

CONSENT AGENDA.

County Clerk Michele Fountain stated there were two items on the Consent Agenda, one of which requires a 4/5 vote, which she submitted for approval. MOTION was made by Chairman Fricks to place Item 2 on the Agenda. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
Chairman Fricks

Motion Carried

MOTION was made by Commissioner Hufstetler to approve the Consent Agenda. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

1. Tax Refunds:

- a. Angela K. Sparks, 48 Ramblewood Drive, SE, Silver Creek, \$20.98
- b. Special Effects Accessories, Inc, 2 Downing Street, SE, \$12.11
- c. International Business Machines, 150 Kettletown Road, P.O. Box 4006, South Bury, CT, \$.68
- d. L.D. & Donna E. Irvin, P.O. Box 106, Cave Spring, \$60.25
- e. Dan & Misty Carlton, 21 Graben Drive, NW, \$7.86
- f. Shane Cowan, 36 Mountain Chase Road, \$57.78
- g. Inland-Rome Inc./Mill Linerboard, P.O. Drawer N, Diboll, TX, \$66,980.78
- h. Christopher & Tammy Payne, 4759 Blacks Bluff Road, \$35.48
- i. Walter L. Tharp Jr., 141 Simpson Drive, NW, \$167.11
- j. Steven & Elizabeth Pruett, 6 Ridgewood Drive, \$18.83
- k. William F. & Ruby Brown, 7125 Blacks Bluff Road, Cave Spring, \$162.79
- l. Judy Newberry Hester, 3155 Old Dalton Road, \$187.16
- m. John M. & Mary F. Looney, 9 McCrary Drive, \$27.52
- n. Ralph V. Chambers, 18 Robinson Avenue, \$21.95
- o. MS Rome Inc./DBA Morning Star, Maitland, FL, \$18.21
- p. James E. Green, 3543 Alabama Highway, SW, \$12.15
- q. James C. Collins, Sr., 20 Muscadine Lane, \$155.49
- r. Thomas E. Brown, 6 Cedar Lane, \$26.51
- s. Doris J. Luallen, 88 Tremont Drive, \$6.69
- t. Andrew M. Moore, 1351 Culpepper Road, NE, \$15.28
- u. BFI Waste Systems of N. America, P.O. Box 42165, Houston, TX, \$575.22
- v. La Scala Italian Restaurant/Barv, Inc., 413 Broad Street, \$113.65
- w. Coosa Valley Laser, SE, P.O. Box 1444, \$77.01
- x. Trevea McLemore, P.O. Box 547, Cave Spring \$18.22
- y. George W. & Edna Faye Kemp, 129 Joy Drive, Cave Spring, \$162.40
- z. James M. Torrey/Cummings Family, 8110 Witty Road, Summerfield, NC, \$847.93

aa. William D. & Renee D. Montgomery, P.O. Box 141, Cave Spring,
\$24.65

2. Authorize execution of FY2003 Agreement of Transportation of Elderly
between Coosa Valley Regional Development and Floyd County.
(4/5 vote required)

MANAGER'S REPORT

PROPOSAL REGARDING MARKETING AT THE FORUM. (DEFERRED FROM MAY 28, 2002 AND JUNE 11, 2002 MEETINGS)

No action taken.

DISCUSS REQUEST FROM JIMMY JACKS REGARDING PAYMENT OF UNUSED SICK LEAVE. (DEFERRED FROM MAY 28, 2002 AND JUNE 11, 2002 MEETINGS)

No action taken.

MOTION was made by Commissioner Hufstetler to approve Items 3 through 7 of the Manager's Report. SECOND by Commissioner Jennings. County Manager Kevin Poe noted that on Item 6, the recommendation is to approve Jordan, Jones and Goulding at a price not to exceed \$28,584 and the cost will be shared 50/50 with the City of Rome.
VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
Chairman Fricks

Motion Carried

AWARD BID FOR TRAFFIC PAINT AND SIGN MATERIAL/ANNUAL PRICE AGREEMENT FOR PUBLIC WORKS.

APPROVE LETTER OF INTENT BETWEEN

**H+M COMPANY AND FLOYD COUNTY FOR
DESIGN AND CONSTRUCTION OF THE
FLOYD COUNTY BASEBALL STADIUM.**

**AWARD BID FOR WATER SYSTEM
RENOVATION TO SERVE GREEN ACRES
SUBDIVISION TO SWEETGRASS, INC.,
IN THE AMOUNT OF \$242,658.63.**

**DISCUSS HIRING ENGINEERING
CONSULTANT TO DEVELOP ROAD
IMPROVEMENT PROGRAM FOR
SPLOST PROJECTS.**

**APPROVE RECYCLING AND WASTE
REDUCTION GRANT AND AUTHORIZE
CHAIRMAN TO SIGN ANY RELATED
DOCUMENTS - \$72,000 (GEFA #2002-RWR-11).**

**AWARD CONTRACT TO GEO-HYDRO FOR
CONSTRUCTION MATERIALS TESTING
ON THE BASEBALL STADIUM PROJECT.
(4/5 VOTE REQUIRED)**

MOTION was made by Commissioner Jennings to add this item to the Agenda.
SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
Chairman Fricks

Motion Carried

MOTION was made by Commissioner Hufstetler to accept the Manager's
recommendation and award to Geo-Hydro the contract for Construction Materials Testing
at the Baseball Stadium Project in an amount of \$30,000. SECOND by Commissioner
Mahanay. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay

Chairman Fricks

Motion Carried

ADJOURNMENT:

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

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

Chairman Fricks

Motion Carried

COMMISSIONERS

FLOYD COUNTY BOARD OF

GARRY E. FRICKS, CHAIRMAN