



## **PETITION TO PROHIBIT SMOKING IN BINGO HALLS.**

Ms. Donna Nichols stated that there are still signs on the roads which state that “We want to keep Georgia Peachy Clean”, and that is along the lines she is referring to. It may seem to trivial to the Board, but as she came into the Courthouse and up the steps, she noticed the “No Smoking” sign. She was proud to see that sign. She stated she had a petition from a good many Bingo players. She likes to play Bingo and there are a lot of others in the Floyd County area who like to also. There are four Bingo Halls in Floyd County, the VFW on Highway 27; the Elks Club on Dean Street, American Legion on Shorter and American Legion on North Avenue. She thinks that the VFW is the only one outside of the City limits. These are all great organizations, they do great things, they help veterans and help needy people in the area. She presented the petition to the Clerk, and stated it is a list of names of people that are tired of the smoking in the Bingo Halls. They would like to be able to go and have recreation without being messed up by the smoke. When they talked to the owners, they just would not deal with them. They say that people would not come if they do not have smoking in the Bingo Halls. It is their privilege to have smoking or not. They do have some areas of the room, which is “No Smoking” in all of them, but all the smoke is intermingled. You are still breathing poisonous smoke. She read from the Rome City Code, “Numerous scientific studies have found that tobacco smoke is a major contributor of indoor air pollution, reliable scientific studies including studies by the Surgeon General of the United States and studies commissioned and assessed by the U. S. Environmental Protection Agency have shown that breathing side stream or second hand smoke is a significant health hazard to non-smokers, which includes children, older person, individuals with cardiovascular disease and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease.” She asked if smoking was not allowed here because of the facts. In the Rome newspaper not long ago, she noticed an article that said that most people who are well educated, who have a college or even master’s degree, the majority used to smoke, but because they are educated to the fact of the terrible hazards of cigarette smoking, they have quit smoking. It also says in the Rome City Code that it is under their police powers to do something about this. The thing is that the people who run the establishments are not cooperative. She stated that she had presented another petition about ten years ago and nothing was ever done. Ms. Nichols stated that we live in a great community and we should be able to work and play in a clean environment. She presented a picture of Cave Spring water and stated that people come from all around to get Cave Spring water and wouldn’t it be nice if everybody could come here to this community and they could play Bingo if they wanted, or the people who live here, without having to breathe this terrible cigarette smoke. People of all ages go to Bingo, but she thinks the majority are elderly people and they certainly do not need any more problems with their health. She stated that the Bingo players are smoking mad, they would like the smoke out of the Bingo Halls. She thanked the Commissioners for their time. Chairman Fricks thanked her for presenting her concerns and stated they will review it. Commissioner Hufstetler asked Ms. Nichols if three of the four Bingo Halls are in the City limits. Ms. Nichols replied, “yes”. He stated that would really be in the jurisdiction of the city. She note that one is in the county. He also asked if she had said that there was an area for smoking and non-smoking. She replied, “yes, but it is not adequate many times for the number of people who want to sit there, plus the studies she has read by the Environmental Protection Agency that anytime you have smoke in the same ventilation system, you are still being poisoned

by it.” She stated that Dalton, Georgia, has an American Legion, which she visited recently, and they do not allow smoking. This did not seem to hurt their business at all. She stated that she wished the Board would consider it.

**CLIFFORD ROBERTS, 511 MYRTLE STREET,  
REGARDING REPLACEMENT OF SUIT, WHICH  
WAS NOT RETURNED WHEN HE WAS ARRESTED  
IN SEPTEMBER, 2001.**

Mr. Roberts was not in attendance.

**ADOPTION OF**

**MINUTES:** Commissioner Mayes made a MOTION to adopt the minutes of the Regular Meeting of July 23, 2002 as presented. SECOND by Commissioner Hufstetler.

Meeting of July 23, 2002 as presented. SECOND by Commissioner Hufstetler.

VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

FIRST READING

**(SECOND READING/PUBLIC HEARING  
TO BE HELD AUGUST 27, 2002 AT 6:00 P.M.)**

**FILE #61-2002Z, 95, 101, 81 AND 81A BAKER  
STREET, SHANNON, ZONING MAP 42B-02-4A,  
4B, 4C, AND 4D. REQUESTS REZONING FROM  
S-R (SUBURBAN RESIDENTIAL) TO M-R  
(MULTI-FAMILY RESIDENTIAL) FOR  
CONSTRUCTION OF MULTI-FAMILY  
RESIDENTIAL UNITS.**

**(PLANNING COMMISSION RECOMMENDATION:  
TABLED UNTIL APPLICANT SUBMITS SITE PLAN  
[VOTE – 8-1])**

**FILE #63-2002Z, HIGHWAY 27 SOUTH, ZONING  
MAP 594-00-008. REQUESTS REZONING FROM  
A-R (AGRICULTURAL RESIDENTIAL) TO C-C**

**(COMMUNITY COMMERCIAL) TO MARKET PROPERTY FOR COMMERCIAL USE.  
(PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE – 8-1])**

**FILE #66-2002Z, CORNER OF BELLS FERRY ROAD AND HIGHWAY 53, ZONING MAP 216-00-54 AND 129. REQUESTS REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO C-C (COMMUNITY COMMERCIAL) TO MARKET PROPERTY FOR COMMERCIAL USE.  
(PLANNING COMMISSION RECOMMENDATION: APPROVE [ VOTE – 8-1])**

**FILE #67-2002Z, 4023 ALABAMA HIGHWAY, ZONING MAP 750-00-027. REQUESTS REZONING FROM C-C (COMMUNITY COMMERCIAL) TO S-R (SUBURBAN RESIDENTIAL) FOR RESIDENTIAL USE.  
(PLANNING COMMISSION RECOMMENDATION: APPROVE [ VOTE – UNANIMOUS])**

**FILE #50-2002Z, SIKE STOREY ROAD AT HIGHWAY 27 NORTH, TAX MAP 644-00-015, 015A, 013, 108, AND 020. REQUESTS REZONING FROM L-I (LIGHT INDUSTRIAL) A-R (AGRICULTURAL RESIDENTIAL) AND C-C (COMMUNITY COMMERCIAL) TO H-I (HEAVY INDUSTRIAL TO ACCOMMODATE THE EXISTING USE (LUMBER YARD).  
(PLANNING COMMISSION RECOMMENDATION: APPROVE [ VOTE UNANIMOUS])**

**REVISE OR DELETE ARTICLE 3.4 (TABLE 3-1 AND 3-2) CONCERNING THE REQUIREMENTS FOR COMMUNITY RECREATIONAL FACILITIES IN ALL DISTRICTS.  
(TASK FORCE RECOMMENDATION: APPROVE)  
(PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 3.4 (TABLES 3.1, 3.2, 3.3 AND 3.4), ARTICLE 3.3.2C AND 3.3.2D REGARDING THE LOCATION OF DUPLEXES BY SPECIAL USE PERMIT.  
(TASK FORCE RECOMMENDATION: NO RECOMMENDATION)**

**(PLANNING COMMISSION RECOMMENDATION:  
APPROVE REVISION [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 3.4 (TABLE 3.2)  
REGARDING THE LOCATION OF ADULT  
ENTERTAINMENT USES.**

**(TASK FORCE RECOMMENDATION: APPROVE)  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVE REVISION [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 6.4.1, 6.4.2B(1),  
6.4.2B(2), 6.4.2B(3) AND 6.4.2B(4) CONCERNING  
DEDICATION OF RIGHT-OF-WAY BY DEVELOPERS  
FOR DEVELOPMENT AND SUBDIVISIONS.**

**(TASK FORCE RECOMMENDATION:  
ARTICLE 6.4.1 –APPROVE; ARTICLE 6.4.2B(1) –  
APPROVE; ARTICLE 6.4.2B(2) – APPROVE;  
ARTICLE 6.4.2B(3) – APPROVE;  
ARTICLE 6.4.2B(4) – APPROVE)  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVE REVISION [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 6.4.2D REGARDING  
THE REQUIREMENT FOR CONSTRUCTION OF  
SIDEWALKS IN THE CITY AND IN UNINCORPORATED  
AREAS OF FLOYD COUNTY.**

**(TASK FORCE RECOMMENDATION: APPROVE)  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVE REVISION [VOTE – 7-2])**

**REVISE OR DELETE ARTICLE 6.6.3A REGARDING  
THE REQUIREMENT FOR CONSTRUCTION OF  
SIDEWALKS IN THE CITY AND IN UNINCORPORATED  
AREAS OF FLOYD COUNTY.**

**(TASK FORCE RECOMMENDATION: NO REVISION)  
(PLANNING COMMISSION RECOMMENDATION:  
NO CHANGE [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 6.6.4C REGARDING  
THE REQUIREMENTS FOR CONSTRUCTION OF  
CURB AND GUTTER.**

**(TASK FORCE RECOMMENDATION: NO RECOMMENDATION)  
(PLANNING COMMISSION RECOMMENDATION:  
TABLE [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 1.4.1D, ARTICLE 6.4.5A,**

**AND ARTICLE 6.5.5C REGARDING THE REQUIREMENT FOR ALL LOTS TO FRONT ON A DEVELOPED AND PUBLICLY MAINTAINED STREET.**

**(TASK FORCE RECOMMENDATION: APPROVE)  
(PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 6.4.2F REGARDING THE REQUIREMENT FOR PUBLIC WATER SERVICE AND FIRE HYDRANTS TO BE PROVIDED TO EVERY LOT IN A SUBDIVISION.**

**(TASK FORCE RECOMMENDATION: APPROVE)  
(PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 2.2.2 REGARDING THE REQUIREMENT FOR A SKETCH PLAN TO ACCOMPANY AN APPLICATION FOR REZONING OR SPECIAL USE PERMIT.**

**(TASK FORCE RECOMMENDATION: APPROVE)  
(PLANNING COMMISSION RECOMMENDATION: TABLE [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 3.4 (TABLE 3.1) REGARDING THE LOCATION OF CONCENTRATED ANIMAL FEEDING OPERATIONS.**

**(TASK FORCE RECOMMENDATION: APPROVE)  
(PLANNING COMMISSION RECOMMENDATION: TABLE [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 8 REGARDING THE DEFINITION OF “CONCENTRATED ANIMAL FEEDING OPERATION”.**

**(TASK FORCE RECOMMENDATION: NONE AVAILABLE)  
(PLANNING COMMISSION RECOMMENDATION: TABLE [VOTE – UNANIMOUS])**

Chairman Fricks stated that these items are placed on First Reading.

**SECOND READING/PUBLIC HEARING  
(FIRST READING HELD JULY 23, 2002 AT 2:00 P.M.)**

**FILE #38-2002Z, ALABAMA HIGHWAY,  
TAX MAP 750, AREA 00, PARCEL 70.  
REQUESTS REZONING FROM S-R  
(SUBURBAN RESIDENTIA) TO D-R**

**(DUPLEX RESIDENTIAL) FOR  
CONSTRUCTION OF DUPLEXES.  
(PLANNING COMMISSION RECOMMENDATION:  
DENY [VOTE – UNANIMOUS])**

Assistant County Manager Sammy Rich read the Planning Commission recommendation in the absence of the Planning Director. If the neighborhood is predominately single-family residential, duplexes can be compatible with single-family residential, if they are properly designed. Duplexes can also provide a suitable buffer between single-family residential uses and more intense uses such as schools, major streets and commercial development. However, it is difficult to determine whether the proposed development would be compatible because the application did not include a site plan or an elevation of the proposed duplexes. Furthermore, the ULDC contains language that precludes duplex developments adjacent to an access via a major street. Therefore the proposed development may require appeal of that section of the ULDC.

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

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

Motion Carried

There being no one present wishing to speak in support or opposition of this request, MOTION was made by Commissioner Hufstetler to close the Public Hearing.  
SECOND by Commissioner Mahanay.

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

Motion Carried

MOTION was made by Commissioner Jennings to **deny** this request. SECOND  
by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

**FILE #42-2002Z, CEDAR VILLAGE, CONN  
LAKE ROAD, TAX MAP 388A, AREA 02,  
PARCEL 001. REQUESTS REZONING FROM  
S-R (SUBURBAN RESIDENTIAL) TO D-R  
(DUPLEX RESIDENTIAL) FOR CONSTRUCTION  
OF A DUPLEX.  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVAL [VOTE – 6-2])**

Assistant County Manager Sammy Rich stated that although the surrounding property contains two duplexes, the neighborhood is predominately single-family residential. Development of the subject lot with a duplex could be followed by development of additional duplexes as there are vacant lots across Conn Lake Road from the subject property. Duplexes can be compatible with single-family in the correct area, they serve as great buffers. However, in this case it was hard to determine since no site plan was submitted which will really give the elevation. Commissioner Hufstetler asked the location of the other duplexes. Assistant County Manager Rich noted on the map, the location of the other duplexes.

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

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

There being no one present wishing to speak in support or opposition of the request, MOTION was made by Commissioner Jennings to close the Public Hearing.  
SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

No action was taken and it was requested that more information be presented at the next meeting and that corrections be made to the map of the area, showing the uses of surrounding property.

**FILE #47-2002Z, BUTTERMILK ROAD, CAVE  
SPRING, TAX MAP 828, AREA 00, PARCEL  
011E. REQUESTS REZONING FROM S-R  
(SUBURBAN RESIDENTIAL) TO A-R  
(AGRICULTURAL RESIDENTIAL) TO  
ACCOMMODATE THE EXISTING USE.  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVE [VOTE – UNANIMOUS])**

Assistant County Manager Sammy Rich stated that this application comes with the recommendation of approval subject to one condition, and that being that if the property is used for concentrated feeding or confinement of livestock, that would only be allowed with a Special Use Permit. It was noted by Commissioner Jennings that is a moot point with the moratorium and also the potential of them having a policy. Chairman Fricks stated that they should make this conditional if that is the consensus.

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

The owner of the property was in attendance and offered to answer any questions. Commissioner Hufstetler asked the existing use of the property. *The owner's comment were not audible.* It was noted that S-R prohibits livestock.

MOTION was made by Commissioner Mayes 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 Jennings to **approve** the change from Suburban Residential to Agricultural Residential **with the caveat that any concentrated feeding operations would require a Special Use Permit** on this property. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

**FILE #50-2002Z, SIKE STOREY ROAD AT  
HIGHWAY 27 NORTH, TAX MAP 644-00-015,  
015A, 013, 018, AND 020. REQUESTS REZONING  
FROM L-I (LIGHT INDUSTRIAL) TO H-I  
(HEAVY INDUSTRIAL) TO ACCOMMODATE  
THE EXISTING USE.  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVAL [VOTE – UNANIMOUS])**

Assistant County Manager Sammy Rich stated that the subject lots have been in use for many years as a timber and lumber business. Currently under the L-I (Light Industrial) it is non-conforming and in this case the Heavy Industrial is appropriate to the current use. Any expansion of the business is subject to the requirements of the ULDC in terms of buffering, setback, landscaping, etc.

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

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

## SUPPORT

**Hal Storey, 17 Saddlebrook Drive**, stated that they are actually dealing with portions of the parcels today and they will be back in two weeks. They are dealing only with the L-I and noted the locations on the map.

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 rezoning request from L-I (Light Industrial) to H-I (Heavy Industrial) to accommodate the existing use.  
SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

**FILE #51-2002Z, KINGSTON HIGHWAY AT  
VETERAN'S MEMORIAL HIGHWAY, TAX MAP**

**116-0-101. REQUESTS REZONING FROM O-I (OFFICE-INSTITUTIONAL) TO S-R (SUBURBAN RESIDENTIAL) FOR AN EXISTING SINGLE-FAMILY DWELLING. (PLANNING COMMISSION RECOMMENDATION: APPROVAL [VOTE – UNANIMOUS])**

Assistant County Manager Sammy Rich stated this is classified as corrected zoning. The subject property is not visible from the highway and it is currently adjacent to the church. It is most likely that the O-I zoning was based on it being next door to the church when the ULDC was adopted and is not really based on existing use. The Staff and Planning Commission recommended approval.

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

**SUPPORT**

**Don Snyder, 8 Monroe Drive, Armuchee**, stated that he is speaking on behalf of his daughter who lives at this property. He stated that this was residential before the church was built. Chairman Fricks apologized for the inconvenience of having to go through this process.

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

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

Motion Carried

MOTION was made by Commissioner Hufstetler to **approve** this corrective rezoning from O-I (Office Institutional) to S-R (Suburban Residential) for an existing single-family dwelling. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

**FILE #53-2002Z, 4773 AND 4779 CEDARTOWN ROAD, SE, TAX MAP 582-00-021 AND 022B. REQUESTS REZONING FROM A-R (AGRICULTURAL RESIDENTIAL) TO D-R (DUPLEX RESIDENTIAL) TO ACCOMMODATE ONE EXISTING DUPLEX AND PERMIT CONSTRUCTION OF ONE ADDITIONAL DUPLEX. (PLANNING COMMISSION RECOMMENDATION: APPROVAL [VOTE – UNANIMOUS])**

Assistant County Manager Sammy Rich stated that the applicant had obtained permission from the Board of Adjustments to place one duplex on this lot which fronts on a major arterial. Evidence had also been provided that the Georgia Department of Transportation will allow access. Based on the site plan provided, Staff recommends approval of the request, which would increase the diversity of housing types in the area.

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

**SUPPORT**

**Kathy Hunt, 4773 Cedartown Road**, owner of the property, stated that she lives in the duplex and she would like to have it rezoned so that if anything happened to her home she could rebuild and she would also like to put a second duplex there.

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 rezoning request from A-R (Agricultural Residential) to D-R (Duplex Residential) to accommodate one existing duplex and permit construction of one additional duplex. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

**FILE #58-2002Z, BOOGER HOLLOW ROAD, TAX  
MAP 597-00-022G. REQUESTS REZONING FROM  
L-I (LIGHT INDUSTRIAL) TO A-R (AGRICULTURAL  
RESIDENTIAL) TO ACCOMMODATE THE EXISTING  
USE.**

**(PLANNING COMMISSION RECOMMENDATION:**

**APPROVAL [VOTE – UNANIMOUS])**

Assistant County Manager Sammy Rich, stated that because the request represents a change for a potentially less intense use and reflects the surrounding uses, Staff recommends approval of the request. Staff did note the subject lot is five acres only and any confinement of concentrated feeding operation would require a minimum of ten acres. This request has the approval of the Staff and Planning Commission.

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

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

There being no one present wishing to speak in support or opposition of the request, MOTION was made by Commissioner Mahanay 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 Mayes to **approve** the request. SECOND  
by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

**FILE #59-2002Z, BUTTERMILK ROAD, TAX MAP  
828-0-27. REQUESTS REZONING FROM S-R  
(SUBURBAN RESIDENTIAL) TO A-R (AGRICULTURAL  
RESIDENTIAL) TO ACCOMMODATE THE EXISTING USE.  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVAL [VOTE – UNANIMOUS])**

Assistant County Manager Sammy Rich stated that Staff recommends approval of the request. He noted that the lots are five-acre size and the confinement and an animal feeding operation would require more than ten acres.

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

YES NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

### SUPPORT

**Gary Willis**, stated that he is the owner and would answer any questions from the Board. Commissioner Hufstetler asked the current use of the property. Mr. Willis stated that he lives there, and has a garden. He has just retired and he plans to put a couple of yearlings on it in the near future. Chairman Fricks thanked Mr. Willis for attended and apologized for his inconvenience.

MOTION was made by Commissioner Mahanay 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 Hufstetler to **approve** the rezoning request. SECOND by Jennings. VOTING:

YES NO

Commissioner Hufstetler  
" Jennings

" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

**FILE #56-2002Z, KINGSTON ROAD, TAX MAP  
116-00-10A. REQUESTS REZONING FROM  
H-C (HEAVY COMMERCIAL) TO S-R (SUBURBAN  
RESIDENTIAL) TO ACCOMMODATE THE  
EXISTING USE.  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVAL [VOTE – UNANIMOUS])**

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

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

Assistant County Manager Sammy Rich stated the proposed rezoning would accommodate one existing dwelling and construction of one additional dwelling. A plat for subdivision into two lots accompanied the request and comes with a recommendation for approval from both Staff and the Planning Commission.

Commissioner Mayes asked if this is the property that had been rezoned for John Singleton approximately three years ago, and he had planned to build mini-warehouses on the property. It was noted that the property had recently sold at auction.

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 Jennings to **approve** this request for zoning change from Heavy Commercial to Suburban Residential. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

**FILE #57-2002Z, STATE HIGHWAY 101 AT PLEASANT VALLEY, TAX MAP 236-00-009J. REQUESTS REZONING FROM A-R (AGRICULTURAL RESIDENTIAL) TO H-C (HEAVY COMMERCIAL) FOR CONSTRUCTION OF MINI-WAREHOUSES. (PLANNING COMMISSION RECOMMENDATION: DENY [VOTE – UNANIMOUS])**

Assistant County Manager Sammy Rich stated that in spite of the location of the subject property on a major arterial, the predominant pattern in the area is rural. The subject lot is surrounded on all sides and diagonally by property that is zoned A-R or O-I and developed with residences, churches and a cemetery in close proximity. It is the recommendation of the Staff and Planning Commission to deny the request.

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

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

There being no one present to speak in support or opposition of the request, MOTION to close the Public Hearing was made by Commissioner Mayes. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

MOTION was made by Commissioner Mahanay to **deny**. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

#### CHAIRMAN'S REPORT

#### APPOINTMENTS.

MOTION was made by Commissioner Jennings to reappoint **Graham Dixon** to a second term on the **Rome/Floyd County Planning Commission**. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

#### COMMISSIONER'S REPORT

**ADMINISTRATIVE/FINANCE COMMITTEE.**

Commissioner Hufstetler, Committee Chairman, stated they will be meeting on Monday, August 19, 2002 for their regular monthly meeting.

**PUBLIC SAFETY COMMITTEE.**

Commissioner Mahanay, Committee Chairman, stated that the Public Safety Committee will meet on August 14, 2002 at 2 p.m.

**PUBLIC WORKS COMMITTEE.**

ENTER INTO THE MINUTES, DEPARTMENT  
OF TRANSPORTATION CONTRACT  
[TSAP1(247)], SR 1 @ ARMUCHEE RECREATION  
PARK.

MOTION was made by Commissioner Mayes to enter this contract into the minutes. SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

**WATER COMMITTEE**

Commissioner Jennings, Committee Chairman, stated that the next Water Committee Meeting will be on Wednesday, August 28, 2002 at 2 p.m. in the Floyd County Administrative Offices. Commissioner Jennings presented the recalculation by the state on the reservoir. The state recommendation for the reservoir, instead of being 2.7 billion gallons is now 2.9 billion gallons. He stated that he is confident we will be permitted.

**SPECIAL COMMITTEE REPORTS:**

**PRISON CONSTRUCTION (MAYES/MAHANAY)**

**BASEBALL STADIUM (FRICKS/HUFSTETLER)**

**NEW HEALTH DEPARTMENT FACILITY (JENNINGS/MAHANAY)**

**EXISTING PRISON USE (MAHANAY/HUFSTETLER)**

**DOWNTOWN PARKING DECK (JENNINGS)**

**LOST (FRICKS/JENNINGS)**

Chairman Fricks stated that the Special Committee reports had been made during Caucus.

**CLERK'S REPORT**

**CONSENT AGENDA.**

County Clerk Michele Fountain stated there were four items on the Agenda which she submitted for approval, with Item #4 requiring a 4/5 vote. MOTION was made by Commissioner Mayes to add the fourth item on the Agenda. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

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

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

1. Tax Refunds:

a. Constance B. Hyde Smith, % Helen D. Smith, 7 Sunset Way, NE,  
\$63.37

b. Donald L. Hicks or Kathleen H. Ashley, 56 Shorthorn Road,  
Lindale, \$217.76

- c. Lloyd H. Griffin, III, % Izaak Anthony 422 East 8th Street, \$19.58
- d. Kenneth W. Horsley, 3 Elliott Circle, \$21.43
- e. Danny Cadle, % Jimmy Moon, 224 S. Avery Road, \$185.89
- f. Nancy Ann Dempsy/Roger Dale Edwards, 261 Henson Road, Cave Spring, \$613.36
- g. Alvin B. & Dorothy B. Turner, 106 Hycliff Road, SW, \$415.12
- h. Thomas & Pamela Blankenship, 32 Lakeview Drive, SE, \$4.24
- i. Norman Von & Margaret Lambert, 909 Highland Avenue, \$3.50
- j. Julious E. Cordle, 6129 Big Texas Valley Road, SW, \$49.43
- k. Henry & Sara S. Savage, 38 Westwood Circle, \$5.41
- l. Mrs. H. D. Ray, 3114 Huffacker Road, \$697.03
- m. John P. Dempsey, 5 Bells Ferry Road, NE, \$10.44
- n. Derek W. Roberts, 21 Simpson Drive, \$6.41
- o. First Sierra Financial, Inc., 600 Travis St/Texas Commerce Tower, 70th FL, Houston, TX, \$2.34
- p. Fred E. & Mary Harmon, 27 Charleston Drive, \$22.84
- q. Keith & Betty Finley, 1110 Collinwood Road, \$169.96
- r. Cassandra P. & Bobby R. Fuller, P.O. Box 578, Coosa, \$23.87
- s. Kristy S. Brumbelow/Sadie Gribble Est., 45 Ballinger Road, Aragon, \$25.99

2. Request from developer to place Southern Grace Place, NE and Shady Oaks Court, NE and Habersham Court, NW, in Southern Grace Estates on County Maintenance.

3. Authorize Chairman to sign Tax Digest List of Errors and List of Defaulters relieved.

4. Precious Metals License Application – Cynthia A. Huggins, Bijou Bella, 807 Preacher Smith Road, Silver Creek.

MANAGER’S REPORT

SURPLUS PROPERTY ON HARMONY ROAD  
**(DEFERRED FROM July 9, 2002)**

County Manager Kevin Poe recommended rejecting bids recently taken on the sale of surplus property on Harmony Road, and that the Board authorize the property to be re-advertised for sale. MOTION was made by Commissioner Mahanay that they reject the bids for surplus property on Harmony Road. SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler  
 " Jennings  
 " Mahanay

" Mayes  
Chairman Fricks

Motion Carried

**APPROVE WORK PLAN AGREEMENT  
FOR SCRAP TIRE CLEAN-UP PROGRAM.**

County Manager Kevin Poe presented a proposed Work Plan for Scrap Tire Clean-up Program through the State of Georgia EPD. This is just a formality of preparing a Work Plan Agreement that will be documented as they proceed with these grant funds for cleaning up scrap tire piles in Floyd County. He recommended approval of the Work Plan as submitted. MOTION was made by Commissioner Jennings to approve the Work Plan Agreement for the Scrap Tire Clean-up Program. SECOND by Commissioner Hufstetler.

Commissioner Hufstetler asked what would happen if more tires were put in these locations. They are put there illegally now and the State is paying to clean them up and if it is a possibility that it would be used to dump more tires there. County Manager Poe stated that is a possibility, but they hope that with better enforcement, these same conditions would not recur. People at any time can do illegal dumping, but hopefully by the fact that we are checking on the manifest from all of the different companies as to how they dispose the tires and doing enforcement, that we will keep a large problem from recurring in the future. Commissioner Hufstetler asked what will be the procedure if we find more tires on these locations after we clean them up. County Manager Poe replied that in the future we will always try enforcement first, but he would hope there is money available from the State for clean-up. Chairman Fricks stated that one thing in place now is the Environmental Enforcement Officer that polices this type thing. It was noted that they do have the ability to levy fines and also have better ordinances. Our ordinances will be reviewed to see if even more regulations can be put in place that not only help enforce it, but also help offset the cost of enforcement. Chairman Fricks asked if there would be any benefit in notifying the property owner that this is being done and future incidents would result in fines. County Manager Poe replied, yes, but he does not know all of the background on one particular property on Calhoun Avenue, but for some reason they have not been able to get it cleaned up through legal action. It was also noted that it is in the City limits and it has been recognized by the State of Georgia as an abandoned tire pile and they are providing funds to clean it up. Commissioner Mahanay asked where the location of the approved disposal facility. It was noted that the facilities are outside of the county. Commissioner Hufstetler expressed his concern that this does not recur if taxpayer money is being used to clean it up. Commissioner Hufstetler asked for comments from the County Attorney as to what happens in the future on this. County Attorney Wade Hoyt stated that if it cannot be cleaned up, they may have to make an ordinance change. The only other option else is to try to clean it up and try to police it, if that does not work, try for more money from the state. If it is a city location, they cannot force the city to clean it up. County Manager Poe stated that he thought that getting it cleaned up and starting all over again may help. Commissioner Hufstetler asked who is paying for the advertisements for the bids and labor to collect the tires. County Manager

Poe replied that the county is because the Scrap Tire Program is a countywide program at this point in time. County Attorney Hoyt stated that if the Scrap Tire Program is countywide and the County is responsible, they should be able to pre-empt the City, pass an ordinance and do it themselves, if that is what they want to do in the future. He also mentioned that they may want to wait and see how this works. County Manager Poe stated that one thing that has changed in this general area, as far as he is aware, they still are operating a tire dealership and possibly recap tires. But now, they are required to submit a copy of their manifest to Jerry Sexton on a periodic basis, where they have to verify that the tires are properly disposed of. In the past that has not been required. Commissioner Hufstetler expressed concern that the County is paying the advertising and labor cost for this. This is someone who has broken the law. Why should everyone else pay for cleaning it up? If the state is paying for all, then it would not be our issue, but we are also putting money into the clean-up. It was mentioned that this is not covered in the Work Plan Agreement. County Manager Poe stated that the State will cover the actual clean-up cost. The grant amount is \$20,000 and the project was bid out and we will be reimbursed the cost. Inmate labor will be used to load the tires, but cost will be for transportation for the tires to be taken to the disposal area. Commissioner Hufstetler asked for comments from County Manager Poe. He replied that, as he understands it, it has come to a point where nothing is being done. Possibly they could take whatever enforcement action and whoever owns it may not have the means to dispose of it anyway so the problem is not resolved. This is one way to get it cleaned up, but we could discuss other ways to keep it from happening again. The owner claims that he does not have the means to have it cleaned up. County Attorney Hoyt mentioned that the City should be contacted and notified of our feelings that if the county cleans it up, we will be the policing force. County Attorney Hoyt stated that the Board is just approving the Work Plan Agreement and they can instruct County Manager Poe or himself to contact the City to see if they are amenable to that. Commissioner Hufstetler stated that he is concerned about precedent and what happens on recurrences. County Manager Poe stated that even if the Board approves the Work Plan, it does not mean that they will have to go through with it. He also noted that the money received from the state will be on a reimbursement basis, only on what is cleaned up.

VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

**RECOMMENDATION FROM AIRPORT COMMISSION  
FOR USE OF THE BIG HANGAR BY THE TWIN**

**TAIL TIGER FOUNDATION.**

County Manager Kevin Poe presented a recommendation from the Airport Commission regarding the use of the big hangar by the Twin Tail Tiger Foundation. Commissioner Jennings noted that their discussion had been that this would be deferred until they can review the lease.

**ACCEPT TEA-21 GRANT FOR RICHARD B. RUSSELL REGIONAL AIRPORT.**

County Manager Kevin Poe stated that FAA has awarded a grant to Richard B. Russell Regional Airport to take care of some safety and security improvement projects. It has been recommended that they accept the award from FAA for the TEA-21 Grant. He mentioned that this requires 10% local funding, but the Georgia Department of Transportation will provide 5% if it is available.

MOTION was made by Commissioner Hufstetler to accept the T-21 Grant for Richard B. Russell Regional Airport. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

**DISCUSS STADIUM LEASE AND USE AGREEMENT BETWEEN ATLANTA BRAVES AND FLOYD COUNTY.**

No action taken.

**AMEND BUDGET TO PURCHASE ICE MACHINE FOR GRAND JURY ROOM.**

County Manager Kevin Poe stated that in order to address an issue regarding providing services to the Grand Jury Room, there is a proposal that an ice machine be purchased at a cost of \$1,380 from Ice Makers, Inc. This would require an amendment to the Budget to allow for the purchase of the ice machine. MOTION was made by Commissioner Mahanay for approval. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Hufstetler  
" Jennings  
" Mahanay

" Mayes  
Chairman Fricks

Motion Carried

**APPROVE BID AWARD FOR CONSTRUCTION  
OF NEW OPEN DOOR HOME.**

County Manager Kevin Poe stated that bids were accepted for the construction of the new Open Door Home. This is a CDBG Project through Floyd County. The low bidder was C. D. Dangler, Inc. and County Manager Poe recommended accepting the low bid and noted that Floyd County has no financial participation in the actual construction. The construction is being funded through the Block Grant and private funds that the Open Door Home has available to them. It was noted that this is being constructed behind the Fire Station on John Davenport Drive. MOTION was made by Commissioner Mahanay to approve the low bid, with no financial participation by the county. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler  
" Jennings  
" Mahanay  
" Mayes  
Chairman Fricks

Motion Carried

**DISCUSS AWARDING BID FOR ASBESTOS  
CONSULTING SERVICES FOR FOURTH  
AVENUE COURTHOUSE RENOVATION  
PROJECT.**

County Manager Kevin Poe stated that Request for Proposals had been taken for Asbestos Consulting Services for the Fourth Avenue Courthouse Renovation Project. Five proposals had been received and after reviewing the proposals it is recommended to award the bid to what they feel is the best proposal at the lowest price from Life Environmental Services. There are three phases to the project, asbestos survey in the proposal at a cost not to exceed \$4,500; specification and preparation at a cost not to exceed \$3,500; monitoring and reporting during the abatement process at a cost not to exceed \$5,000; and the samples will be evaluated at a average cost of \$22.50 per sample. He recommended acceptance of the proposal from Life Environmental Services with those conditions. MOTION was made by Chairman Fricks to accept the bid proposal for asbestos consulting services at the Fourth Avenue Courthouse Renovation Project. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

**DISCUSS GENERAL AVENUE/ADDINGTON  
DRIVE SEWER LINE EXTENSION.**

County Manager Kevin Poe presented a letter from the City of Rome regarding a sewer extension in the General Avenue/Addington Drive area. The City has requested that the County contribute toward the project the amount of \$12,000. It was noted that in the Agenda Packet there was a breakdown for the cost and proposed revenue through Tap Fees, three years of revenue, state grant, and proposed County and City contribution. Commissioner Hufstetler stated that he has a concern when there are thousands of homes which do not have sewers that the County would single out people and pay for theirs. Commissioner Mayes noted that it is close to the city limits. Chairman Fricks stated that this a concern and a situation where they would like to help out, but their number one concern is setting precedent. Can they be fair across the board to everybody that qualifies under this situation, not having that service? He stated that they probably could not. It could possibly involve some large projects. Commissioner Mahanay stated that the strongest proponent on this would be the health and sanitation factor, but he is also concerned about precedent. Chairman Fricks asked County Manager Poe if he had any recommendations. County Manager Poe replied that, whether they participate or not, he thinks the City will eventually do the project. This is an unusual circumstance in the fact that you have septic tank system and the Health Department can confirm that it is a public health issue, maybe more serious than other areas that don't have sewer. The way the City broke the project down is not fair to the County. We do not do anything on a three-year payback. Chairman Fricks asked if a letter could be written recommending that they figure it on a ten-year payback, that because of the extenuating circumstances on health issues, we would be willing to participate if they re-evaluate on the ten-year payback, and what the amount leftover from that point would be. Commissioner Jennings mentioned that they could further say that that is our practice in water projects and it is County policy that we implement a ten-year payback period. County Manager Poe stated that he thought that the City will do this project in-house, and that we would pick-up our share based on continual payback. Commissioner Hufstetler mentioned that this should be on actual cost. He also noted that there are other problems with septic systems and it probably needs to be addressed, but he does not feel that this is a unique situation. Commissioner Jennings stated that there is a legitimate concern for people and we want to facilitate that in any way that we can get that done. He asked if it is possible, since the work will be in-house, to have a County crew participating in the work. County Manager Poe stated that is an option, but they have other things they need to be working on. Chairman Fricks stated that he feels the first step is to have the City re-evaluate on a ten-year payback and it could be revisited at that time. That is the criteria, which is set by the County. Commissioner Hufstetler stated that with the interest

rates received, a ten-year payback can be a positive cash flow. Commissioner Hufstetler stated that this is a big problem which needs to be looked at and it may need to be a part of the infrastructure part of the SPLOST. He agrees this should be a ten-year payback, but does not want us to get into arbitrarily picking an area when there are other areas that have these same needs. It was the consensus that a letter will be drafted to the City requesting that they re-evaluate this and look at it under a ten-year payback which is our current policy on water expansion.

**AUTHORIZE CHAIRMAN TO SIGN  
DOCUMENTS PERTAINING TO  
INTERGOVERNMENTAL AGREEMENTS  
REGARDING ELECTRONIC VOTING SYSTEM.  
(4/5 VOTE REQUIRED)**

County Manager Kevin Poe presented an Intergovernmental Agreement between Floyd County and the Secretary of State regarding our electronic voting equipment. He recommended that the Chairman be authorized to sign the documents. Commissioner Hufstetler asked what our cost for maintaining the equipment will be and if a fixed cost has been set. It was noted that there is a one-year warranty. County Manager Poe stated that maintenance is provided in the Agreement: "Under the contract, the county may extend the warranty plan prior to expiration of the plan. The cost of the extended warranty plan shall be the sole responsibility of the county." Commissioner Hufstetler noted that there is a one-year warranty and asked the cost that will be the responsibility of the county. There was no answer available to this question. County Manager Poe said that it states that there has to be people available for standby maintenance when the voting is occurring to make sure there are no problems. This will have to be done at our cost, but a price plan has been worked out statewide. Commissioner Mayes asked where the equipment will be stored since there are specific storage requirements. County Manager Poe stated that they are already stored and the requirements have been met. They are stored in the Fourth Avenue Courthouse, and if we ever want to move them based on the Agreement, we will have to notify the State. Commissioner Hufstetler asked that, from a point of knowledge, they know what the cost of the maintenance will be before it is approved. (see vote below next item)

**APPROVE A CHANGE ORDER WITH SHERMAN  
CONCRETE PIPE IN THE AMOUNT OF \$5,724  
TO PURCHASE LARGER PIPE FOR THE STORM  
DRAINAGE SYSTEM UNDER THE NEW ROADWAY  
AT THE BASEBALL STADIUM.  
(4/5 VOTE REQUIRED)**

MOTION was made by Chairman Fricks that these two items be placed on the Agenda.  
SECOND by Commissioner Mahanay.

YES

NO

Commissioner Jennings  
" Mahanay

" Mayes  
Chairman Fricks

Motion Carried

Commissioner Hufstetler was out of the room at the time of the vote.

Chairman Fricks called for a Motion for the approval of the Change Order with Sherman Concrete Pipe in the amount of \$5,724. SECOND by Commissioner Mahanay.

VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

Commissioner Hufstetler stated that Evon Billups was searching for documents to see if they can wait to vote on the Agreement regarding the Electronic Voting System and also she was looking for information regarding the maintenance cost, which she thinks is \$95 per machine, which would be approximately \$20,000 per year. Ms. Billups does not know if this is an official figure or a ballpark figure. Commissioner Hufstetler stated it would be nice if we received something stating what the cost will be. Ms. Billups presented documents to Commissioner Hufstetler which state the maintenance cost will be \$95 per year per machine. MOTION was made by Commissioner Mayes for approval. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

There were people present who expressed concerns regarding the General Avenue/Addington Drive Sewer Line Extension. Most comments were not audible, but they did state that by the time a letter goes to John Bennett, it will be three more years before the Board does anything about it. Chairman Fricks stated that they would also have verbal discussions and try to press it along as much as possible to get a commitment

from them. It will not only be just a letter. He also stated that the matter will be discussed at the next Joint Services Meeting.

**ADJOURNMENT:**

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

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

**COMMISSIONERS**

**FLOYD COUNTY BOARD OF**

**GARRY E. FRICKS, CHAIRMAN**