

" Mahanay
" Mayes
Chairman Fricks

Motion Carried

**RECOGNITION OF FLOYD COUNTY
RETIREES.**

Chairman Fricks stated that it is a privilege to recognize these people as retirees. The following were presented with plaques and the individuals who had been with the County 20 years or more were presented with a Proclamation:

Leslie Rutland, Tax Assessor's Office – 24 years
Jimmy Jacks, Sheriff's Department – 30 years (not in attendance)
William Davis, Floyd County Prison – 5 years (not in attendance)
Martha Bonner, Magistrate Court – 15 years
William Rickman, Public Works/Roads – 18 years
Betty Wright, Probate Court – 19 years
Myra Hunt, Probate Court – 30 years
Martha Ragland, Water Department – 30 years (not in attendance)
Lonnie Barker, Public Works/Asphalt – 13 years (not in attendance)
Nancy Davis, Tax Commissioner's Office – 14 years (not in attendance)
Malcolm Talley, Public Works – 18 years
Cecil Garrett, Sr., Public Works/Roads – 10 years
Rexford B. Weech, Floyd County Prison – 16 years
Charles Evans, Public Works/Roads – 41 years

**ACKNOWLEDGE CERTIFICATE OF
RECOGNITION FROM GOVERNMENTAL
ACCOUNTING STANDARDS BOARD FOR
EARLY IMPLEMENTATION OF GASB 34.**

Commissioner Hufstetler presented a Certificate of Recognition from the Government Accounting Standards Board for early implementation of GASB 34 to Al Leonard, Finance Department Comptroller. He stated that GASB 34 is a new federal requirement that will make government audits more similar to a business. It is a big change in process and Floyd County completed theirs a year early. He noted that the Finance Department has done a lot of work on this and Floyd County is the first in the state of Georgia to complete the implementation. Mr. Leonard thanked the Board of Commissioners for their authorization to go forward one year early, which was a fairly substantial financial commitment and he appreciated their support and the support of the financial staff and all the departments in Floyd County for their help in making this come about a year earlier than required.

SECOND READING/PUBLIC HEARING

**FILE #78-2002Z, TODD STREET, ZONING
MAP 42B, AREA 03, PARCELS 6 AND 6A.
REQUESTS REZONING FROM S-R
(SUBURBAN RESIDENTIAL) TO D-R
(DUPLEX RESIDENTIAL) FOR
CONSTRUCTION OF DUPLEXES.
(PLANNING COMMISSION RECOMMENDATION:
APPROVAL [VOTE – UNANIMOUS])
(FIRST READING HELD OCTOBER 8, 2002
AT 2:00 P.M.)**

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

YES NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

Ms. Sue Hiller, Planning Commission, presented information showing the property and surrounding property uses. The Shannon Medical Center is to the west. To the east is S-R (Residential) Zoning and a couple of houses. Across the street, to the north, is commercial zoning and various commercial uses. The property is large enough to be developed under the current ULDC with approximately five duplexes (five structures) which is ten units. She stated that it is showing one structure as a triplex and this is not allowed in D-R so it will have to be redesigned. The drawing essentially shows what they have in mind.

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. VOTING:

YES NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

MOTION was made by Commissioner Hufstetler to **approve** the rezoning request from S-R to D-R for the construction of duplexes. SECOND by Commissioner Mayes.
VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

**DEFERRED UNTIL AFTER OCTOBER 24,
2002 PLANNING COMMISSION MEETING.**

**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])
(DEFERRED FROM AUGUST 27, SEPTEMBER 10,
SEPTEMBER 24 AND OCTOBER 8, 2002 MEETINGS)**

**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])
(DEFERRED FROM AUGUST 27, SEPTEMBER 10,
SEPTEMBER 24 AND OCTOBER 8, 2002 MEETINGS)**

**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])**

**(DEFERRED FROM AUGUST 27, 2002, SEPTEMBER 10,
SEPTEMBER 24 AND OCTOBER 8, 2002 MEETINGS)**

REVISE OR DELETE ARTICLE 6.6.4C
**REGARDING THE REQUIREMENT FOR
CONSTRUCTION OF CURB AND GUTTER.
(TASK FORCE RECOMMENDATION:
NO RECOMMENDATION)
(PLANNING COMMISSION RECOMMENDATION:
TABLE [VOTE – UNANIMOUS])
(DEFERRED FROM AUGUST 27, SEPTEMBER 10,
SEPTEMBER 24 AND OCTOBER 8, 2002 MEETINGS)**

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])
(DEFERRED FROM AUGUST 27, SEPTEMBER 10,
SEPTEMBER 24 AND OCTOBER 8, 2002 MEETINGS)**

COMMISSIONER'S REPORT

PUBLIC SAFETY COMMITTEE.

CHANGE TOWING ORDINANCE.

No action taken.

Commissioner Mahanay, Committee Chairman, noted that on Friday, November 1, 2002 at 10:00 a.m. there will be a ribbon cutting ceremony, open house and walk through of the new Prison. He encouraged everyone to attend.

PUBLIC WORKS COMMITTEE

**RECOMMENDATION TO PLACE DANIEL
ROAD ON FUTURE RESURFACING LIST,
LENGTH OF .300 MILE, AT AN ESTIMATED
COST OF \$7,353.84.**

Commissioner Mayes, Committee Chairman, presented a recommendation to place Daniel Road on the Future Resurfacing List, length of .300 mile and an estimated

cost of \$7,353.84. MOTION was made by Commissioner Mayes. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

WATER COMMITTEE

Commissioner Jennings, Committee Chairman, stated that on November 19, 2002 the Northwest Georgia Regional Water Resources Partnership is sponsoring a forum, at the Forum, on water resources in Northwest Georgia and the challenges that are faced. This will be from 9:00 a.m. to 4:00 p.m. He invited the Commissioners, Staff and Public to this activity.

SPECIAL COMMITTEE REPORTS

PRISON CONSTRUCTION (MAYES/MAHANAY).

Commissioner Mayes stated there will be a Ribbon Cutting at the Prison on Friday, November 1, 2002 at 10:00 a.m.

BASEBALL STADIUM (FRICKS/HUFSTETLER).

HISTORY OF BASEBALL DISPLAY COMMITTEE.

No action taken.

NEW HEALTH DEPARTMENT FACILITY (JENNINGS/MAHANAY).

No action taken.

EXISTING PRISON USE (MAHANAY/HUFSTETLER).

No action taken.

DOWNTOWN PARKING DECK (JENNINGS).

DISCUSS AGL LAND LEASE AGREEMENT.

MOTION was made by Commissioner Jennings to authorize payment to AGL Resources in the amount of \$38,000 to cover past attorneys fees and up to \$25,000 for additional legal work to be done on that lease, and also include authorization for the Chairman to sign termination of the current leasing agreement and for the Chairman to sign any new lease that comes from this negotiation. SECOND by Commissioner Mayes. Chairman Fricks noted that this is a 99-year lease for \$1 per year. It was also noted that the legal fees will be split with the City of Rome, since both Rome and Floyd County are participating in this project. The \$25,000 additional will be the maximum legal fees and it is not anticipated that they will be that much. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

LOST NEGOTIATING COMMITTEE (FRICKS/JENNINGS).

DISCUSS LOST AGREEMENT BETWEEN FLOYD COUNTY, CITY OF ROME AND CAVE SPRING.

Chairman Fricks stated that the LOST Agreement had been submitted to the Commissioners for review and action will be taken at the next Board Meeting.

CLERK'S REPORT

CONSENT AGENDA.

County Clerk Michele Fountain stated that there was one item on the Consent Agenda, which was submitted for approval. MOTION for approval was made by Commissioner Hufstetler. SECOND by Commission Mahanay. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes

Chairman Fricks

Motion Carried

1. Tax Refunds:
 - a. Vachal Zachry, 17 Blacks Bluff Road, \$11.99
 - b. Thomas Chad Dabbs & Elizabeth Henderson, 75 Windmill Drive, \$28.52
 - c. William Steven Brooks, 12 Nicklaus Drive, \$147.57
 - d. Mary Mize, % Mary Warner, 318 Bells Ferry Road, \$77.36
 - e. Douglas Milner, 123 Westmore Road, \$24.61
 - f. Melvin Watters, P.O. Box 305, Plainville, \$27.16
 - g. Michael & Clarissa Harris, 25 Oakmont Drive, SW, \$171.50
 - h. William E. Johnson, 217 East 10th Street, \$1,002.29
 - i. Addie Jim Rollins, 102 Dodd Street, \$2.80
 - j. Eva Sue & Jackie Shores, 300 Flora Avenue, \$76.94
 - k. Charles & Brenda Layman, 304 Redmond Road, \$25.92
 - l. NRS Properties, 652 Chulio Road, \$38.63
 - m. Jean F. Bray, 7029 Blacks Bluff Road, \$433.09
 - n. David & Margaret Roland, 7 Robin Street, \$61.17
 - o. Michael M. Clark, 4007 Pintail Circle, Rocky Face, \$1,039.33
 - p. Phillip & Connie Hart, 631 Morris Road, \$19.80
 - q. Gene Fowler, 1578 Pleasant Valley Road, \$17.46
 - r. Susan Daniel, 101 A Charlton Street, \$56.58
 - s. H. G. Doster Company, 117 Saddle Mountain Road, \$2.40
 - t. Thayer Anne Manis, 1120 Ward Mountain Road, NE, \$395.97
 - u. Robert L. Moss, 12 Horseshoe Bend, \$51.71
 - v. Mark W. Manis, 1120 Ward Mountain Road, \$640.27
 - w. Marc H. Wall, 38 Devonshire Drive, \$44.87
 - x. James William Plunkett, P.O. Box 336, Shannon, \$41.63
 - y. Warren A. Mathis, 1 Cypress Street, \$128.93
 - z. Cheryl Willoughby, P.O. Box 703, Silver Creek, \$87.13
 - aa. Charles Bailey, 47 Whippoorwill Lane, \$24.09
 - bb. Elaine Graczyk, 307 Timothy Avenue, \$2.88
 - cc. Villa S. Hizer, 10 Jefferson Drive, \$1.93
 - dd. Cleo Pierce Harris/Cleo Williams, 64 Harris Road, \$10.34
 - ee. Carol Trapp, 925 Wren Court, NE, \$150.04
 - ff. Cleo Pierce Harris/Cleo Williams, 64 Harris Road, NE, \$1,170.91
 - gg. Bannister L. Harbin, Jr., 11 Ridgewood Road, SW, \$70.94
 - hh. Anita Berry Lowden, 45 Windsor Road, SW, \$242.99
 - ii. Habitat for Humanity, P.O. Box 127, \$36.52
 - jj. Marianne & James Jordan, 2703 Fosters Bend Road, \$166.97
 - kk. Cindy Shepherd, 4 Flora Avenue, SW, \$15.52
 - ll. William & Martha Fricks, 104 Vinnings Drive, \$14.43
 - mm. Larry Barkley/Susan & Elizabeth Mull, 401 Broad Street, \$115.62

- nn. Johnny & Pearlie B. Higgins, 45 Vann Road, NE, \$124.28
- oo. Donald Jerome Bell, P.O. Box 5384, \$98.07
- pp. Emory P. & Nel Hayes, 126 Rollingwod Circle, \$52.01
- qq. Jackson D. Morgan, 436 Broad Street, \$86.73
- rr. Larry D. Bryant, 3 Dougherty Street, \$39.47
- ss. Charles & Brenda Layman, 304 Redmond Road, \$68.05
- tt. Brian & Dawn Hampton, 507 Charlton Road, \$17.82
- uu. Albert E. Berry, P.O. Box 5383, \$44.71
- vv. Joe P. Henderson, 3002 Maple Road, \$515.51
- ww. Jean Brown Johnson, 9 Gregory Drive, SW, \$60.62

MANAGER'S REPORT

**DISCUSS PURCHASE ADJACENT TO
MIDWAY PARK, FROM CHARLES
BAILEY.
(DEFERRED FROM SEPTEMBER 24 AND
OCTOBER 8, 2002 MEETINGS)**

No action taken.

**DISCUSS GMP CONTRACT WITH H+M FOR
CONSTRUCTION OF BASEBALL STADIUM.**

No action taken.

DISCUSS PURCHASE OF GIS EQUIPMENT.

County Manager Kevin Poe recommended approval of the purchase of a Plotter and a Computer Monitor for the Tax Assessor's Office for the Mapper. This is associated with the GIS Program and there is money available in the budget to spend on implementation of the GIS System. The cost for the Plotter will be approximately \$6,550 and the cost of the Computer Monitor will be \$510.

**APPROVE REQUEST FROM TAX COMMISSIONER
FOR THE COMMISSION TO RELIEVE THE
TAX DIGEST OF THE BALANCE DUE ON TAXES
FOR THE PROPERTY RECENTLY PURCHASED
ON SHORTER INDUSTRIAL BOULEVARD FOR
A PUMP STATION.**

County Manager Kevin Poe presented a request from the Tax Commissioner to relieve the Tax Digest of the balance due on taxes for the property recently purchased on Shorter Industrial Boulevard for a Pump Station.

RECOMMENDATION TO INCREASE PAY FOR

SCHOOL CROSSING GUARDS.

County Manager Kevin Poe presented a recommendation to increase the pay for School Crossing Guards to \$10 per hour.

MOTION was made by Commissioner Hufstetler to accept the Manager's recommendation for items three through five. SECOND by Commissioner Jennings. VOTING:

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

Motion Carried

**BID AWARD FOR INITIAL SITE DEVELOPMENT FOR NORTH FLOYD PARK.
(4/5 VOTE REQUIRED)**

County Manager Kevin Poe requested that this item be added to the Agenda. MOTION was made by Commissioner Hufstetler to place the item on the Agenda. SECOND by Commissioner Mayes. VOTING:

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

Motion Carried

County Manager Poe stated that sealed bids were recently accept for the initial site development for North Floyd Park, which includes clearing, grubbing, grading, storm water retention, site drainage, initial road development, soil stabilization with the low bid being from J & D Grading, Adairsville, in the amount of \$455,363.63. He recommended awarding the bid to J & D Grading. MOTION was made by Commissioner Hufstetler to award the bid to J & D Grading in the amount of \$455,363.63. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

ATTORNEY’S REPORT

**SETTLEMENT AUTHORITY CONCERNING
THE JERRY SCOTT CASE.
(4/5 VOTE REQUIRED)**

County Attorney Wade Hoyt requested this item be placed on the Agenda by 4/5 vote. MOTION was made by Commissioner Hufstetler to place the item on the Agenda. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

County Attorney Hoyt stated that there is a pending case, the Estate of Jerry Scott versus Dr. Marc Wall. He stated they are in negotiations now concerning the settlement of that case. The major player in that settlement is MAG Mutual Insurance Company, they would be paying the lion’s share of any settlement, but they are negotiating. Should the County have to pay anything toward the settlement, he needs the authority from the Board to pay up to \$25,000 for the County’s portion of the settlement, should that become necessary. MOTION was made by Commissioner Mayes to accept the attorney’s recommendation. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

ADJOURNMENT:

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

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

COMMISSIONERS

FLOYD COUNTY BOARD OF

GARRY E. FRICKS, CHAIRMAN