

**FIRST READING
(SECOND READING/PUBLIC HEARING TO
BE HELD NOVEMBER 26, 2002 AT 6:00 P.M.)**

**REVISE OR DELETE ARTICLE 3.4 (TABLE 3.2)
REGARDING THE LOCATION OF ADULT
ENTERTAINMENT USES.
(PLANNING COMMISSION RECOMMENDATION:
REVISE [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.
(PLANNING COMMISSION RECOMMENDATION:
LEAVE AS IS [VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 6.6.3A
REGARDING THE REQUIREMENT FOR
CONSTRUCTION OF SIDEWALKS IN THE
CITY AND IN UNINCORPORATED AREAS
OF FLOYD COUNTY.
(PLANNING COMMISSION RECOMMENDATION:
REVISE [VOTE – 8-1])**

**REVISE OR DELETE ARTICLE 3.4 (TABLE 3.2)
REGARDING THE LOCATION OF AUTO SALES
LOTS.
(PLANNING COMMISSION RECOMMENDATION:
REVISE TABLE TO ALLOW AUTO SALES, USED,
WITH NO RETAIL AUTO SERVICE, REPAIR OR
BODY WORK IN THE C-C ZONING DISTRICT
AS A USE BY RIGHT WITH LIMITATIONS
[VOTE – 7-2])**

**REVISE OR DELETE ARTICLE 4.1.2B(3) REGARDING
THE LIMITATION ON LOCATING AUTO REPAIR
BUSINESSES ADJACENT TO RESIDENTIAL PROPERTY.
(PLANNING COMMISSION RECOMMENDATION:
TABLED [VOTE – 8-1])**

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

**(PLANNING COMMISSION RECOMMENDATION:
REVISE TO READ: AN APPLICATION FOR A
REZONING OR A SPECIAL USE PERMIT APPROVAL,
RELATED TO ANY USE OTHER THAN A SINGLE-
FAMILY RESIDENCE, SHALL BE ACCOMPANIED
BY A SKETCH PLAN IF ANY NEW CONSTRUCTION
IS PROPOSED, OR ALTERATION OF THE SITE
IS REQUIRED UNDER THE SITE DEVELOPMENT
DESIGN STANDARDS OF THIS DEVELOPMENT
CODE (ARTICLE 6). A PLAT DRAWING MAY BE
SUBMITTED IN LIEU OF A SKETCH PLAN, IF THE
PURPOSE OF THE REZONING REQUEST IS TO
MARKET THE PROPERTY [VOTE – 8-1]).**

**REVISE OR DELETE ARTICLE 3, TABLE 3.4
CONCERNING LOT WIDTHS AND SETBACK
REQUIREMENTS FOR RESIDENTIAL USES
ALONG MAJOR STREETS.**

**(PLANNING COMMISSION RECOMMENDATION:
REVISE TO: “MAJOR ARTERIALS AND HIGHWAYS”,
WITH A FOOTNOTE INDICATING THAT THE USE
IS NOT PERMITTED UNLESS THE APPLICANT
CAN SHOW PROOF THAT A DRIVEWAY CUT OR
ACCESS WILL BE ALLOWED. THEN, THE COLUMN
SHOULD PROVIDE FRONT YARD SETBACKS EQUAL
TO THE SETBACK ALONG OTHER STREETS, EXCEPT
IN THE CASE OF S-R, WHERE THE FRONT YARD
SETBACK SHOULD REMAIN 40 FEET. IN TABLE 3.3,
THE “N/A” SHOULD BE REMOVED FROM THE M-R
DISTRICT AND REPLACED WITH “300”. FOOTNOTE 8
SHOULD BE REVISED AS NECESSARY [VOTE – UNANIMOUS])**

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

**(PLANNING COMMISSION RECOMMENDATION:
REVISE TO READ: WHERE REQUIRED, CURB
AND GUTTER SHALL BE PROVIDED AS SPECIFIED
IN THE DESIGN STANDARDS FOR STREETS. NO
VARIANCE OF THE REQUIREMENT TO PROVIDE
CURB AND GUTTER SHALL BE AVAILABLE UNLESS
SPECIFIC APPROVAL IS GIVEN BY THE PUBLIC
WORKS DIRECTOR OF THE GOVERNING BODY.
[VOTE – UNANIMOUS])**

ADD ARTICLE 1.4.3(A)2(D) CONCERNING NON-

**CONFORMING USES.
(PLANNING COMMISSION RECOMMENDATION:
LEAVE AS IS [VOTE – 6-3])**

**REVISE OR DELETE ARTICLE 3.4 (TABLE 3.1)
REGARDING THE LOCATION OF CONCENTRATED
ANIMAL FEEDING OPERATION.
(PLANNING COMMISSION RECOMMENDATION:
LEAVE AS IS [VOTE – 8-1])**

**REVISE OR DELETE ARTICLE 8 REGARDING THE
DEFINITION OF “CONCENTRATED ANIMAL
FEEDING OPERATION”.
(PLANNING COMMISSION RECOMMENDATION:
REVISE ARTICLE 8 REGARDING THE DEFINITION
OF “CONCENTRATED ANIMAL FEEDING OPERATION”
TO: CONCENTRATED ANIMAL FEEDING OPERATION
(CAFO); A LOT OR FACILITY, TOGETHER WITH AN
ASSOCIATED TREATMENT WORKS, WHERE ANIMALS
HAVE BEEN, ARE OR WILL BE STABLED OR CONFINED
FOR A TOTAL OF 45 DAYS OR MORE IN A 12 MONTH
PERIOD; AND WHERE CROPS, VEGETATION, FORAGE
GROWTH, OR POST-HARVEST RESIDUES ARE NOT
SUSTAINED OVER ANY PORTION OF THE CONFINEMENT
AREA; AND WHERE 1000 ANIMAL UNITS (AS DEFINED
ELSEWHERE IN THIS ARTICLE) OR MORE ARE
CONFINED, AS CURRENTLY DEFINED BY THE STATE
OF GEORGIA, RULES AND REGULATIONS FOR
WATER QUALITY CONTROL (CHAPTER 3.9.2).
[VOTE – UNANIMOUS])**

**REVISE OR DELETE ARTICLE 4.2.1B REGARDING
THE SETBACK REQUIREMENT FOR ACCESSORY
BUILDING.
(PLANNING COMMISSION RECOMMENDATION:
REVISE TO READ: “...EXCEPT THAT IN SINGLE-
FAMILY AND DUPLEX RESIDENTIAL DISTRICTS
(H-TR, L-TR, NOC, S-R AND D-R)... [VOTE – UNANIMOUS])**

SECOND READING/PUBLIC HEARING

PUBLIC HEARING AND VOTE

**FILE #35-2002Z, NEW FREEMAN FERRY ROAD,
TAX MAP 114, AREA 00, PARCEL 004. REQUESTS
REZONING FROM S-R (SUBURBAN RESIDENTIAL)**

**TO A-R (AGRICULTURAL RESIDENTIAL) TO
CONTINUE AGRICULTURAL AND RESIDENTIAL
USE.**

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

Ms. Sue Hiller, Planning Commission, stated that, to refresh everybody's memory, this came before the Planning Commission in May. The request was from the owners to rezone the property from S-R (Suburban Residential) to A-R (Agricultural Residential). The Planning Commission in April, the meeting before this one, approved the final plat for a subdivision located immediately adjacent to this property on the west and south side. The subdivision is zoned as S-R and was approved in April. When this request came to Planning Commission, Staff recommendation was to approve the rezoning back to A-R, since it is important to preserve land which was still in agricultural use, with the condition that any animal feeding operation would require a Special Use Permit. The reason for that is that animal feeding operations aren't always good neighbors. There are some things that can be offensive about them. The Planning Commission felt that condition was honorarius and they recommended approval of the rezoning with no conditions applying. Shortly after that, it occurred to the staff and the County Attorney as well, that there may have been a problem with notice procedures. The zoning mapping are based on old tax maps and on those maps, Parcel 4 is the entire parcel. In the meantime, that parcel has been split into different parcels. Parcel 4 is very small on the current County Tax Maps. Assistant County Manager Sammy Rich noted Parcel 4 on the map. Prior to this time, the entire parcel was Parcel 4. They go by the zoning maps and they continue to call it Parcel 4. However, the problem is that what they were calling Parcel 4, based on their maps, was not the same as what the county was calling Parcel 4. Therefore, they did not notify as many people as they should have the first time around. They have renoticed and in the meantime went back to the county tax records and pulled all of the surrounding property owners, they have hand delivered notices of this in the to any lot in the Ferry Crossing Subdivision where there are houses.

Commissioner Jennings asked if Parcel 4, according to the County, is all of the area in green on the map presented. Ms. Hiller, replied that according to the County and City Zoning Maps, Parcel 4 is all of that. According to the City and County Tax Maps, Parcel 4 is the small lot in the corner. Commissioner Jennings asked if the request is for the entire area? Ms. Hiller

replied that yes, with the exclusion of the subdivision. Assistant County Manager Rich noted the area on the map of the subdivision and the Ingram property. Ms. Hiller stated that for some reason it was applied for by the Ingram Family and included only the property owned by the Ingram family. They would not be able to apply for rezoning for property that they did not own at that time. Chairman Fricks asked how many adjoining property owners there were. Ms. Hiller stated that they notified four property owners the first time and all adjoining property owners were notified as well as the lots in the subdivision where there are houses. Commissioner Hufstetler asked how many lots were in the area. It was noted that there are 54 lots in the subdivision and an additional 25 around the outside.

SUPPORT

Robert Ingram, 1345 New Freeman Ferry Road, stated that he owns the parcel to the far right side of New Freeman Ferry. He stated that there are a lot of houses on the big lots, especially on the top left side, most of the houses are on the Canard Road side. They came to the Planning Commission and did exactly what they were asked to do, they hid nothing, they were upfront. This has been a farm in this family for 62 years and they feel that they should be able to continue the agricultural use. They should be able to use it in a way which will be economically feasible. He stated they obey all environmental laws. There are fifty something lots there, but only three or four houses that have been sold. This was farmland prior to this and hopefully it will be farmland after this. Chairman Fricks asked Mr. Ingram what property he owns. Mr. Ingram noted his property on the map. He also noted the property owned by his brothers, who were unable to attend the meeting. He stated that it is Agricultural Residential across the road. He stated that they were not notified when the zoning took place. Chairman Fricks asked Ms. Hiller if it is customary to make one zoning change when there are several different owners on different pieces of property. Ms. Hiller replied, yes, if they are contiguous and if they all sign the application.

Quincy Ingram, 1345 New Freeman Ferry Road, stated that the land being discussed belongs to her father and two uncles. There seems to be a lot of confusion concerning this and several technicalities which exist. At the time they began the application, the entire land was Parcel 4 on the Tax Map. To her knowledge and her research last week, it was broken up into separate parcels at the time the deeds were signed for the separate owners. Before that it was an entire parcel because it was in her grandparent's name. It was their entire farm. Upon their death, it was divided up into four separate parcels because there are four children. Her aunt sold her parcel to the developer, so that is the reason for the four separate parcels. When she began the process, the first thing she said was, "this is one parcel, but there are separate owners and they are looking at zoning a particular part of the part of the parcel and not the parcel which is becoming a subdivision." She asked how they would go about the process. She was told by several people, a couple of people in the Zoning Office and a couple of people in the Map Room, because she had gone to get the maps to start this process, what they needed was to exclude the subdivision and the acreage already zoned A-R. This has been the problem and confusion with this. She presented a new Tax Map and stated they were talking about Parcels 9, 7 and 13, not Parcel 4 because it now consists of one acre,

so they are talking about three separate parcels. At the time Parcel 4 was what legally was correct and what they had to go through to have this zoned correctly. She had been told at the time that it had to be Parcel 4 because that is the way it is on the Tax Map. They had presented the Planning Office with a list of approximately 30 people who are adjacent landowners; she does not know what happened to the list and how it went from 30 to 4 people. When the list was presented at the Planning Office, they were told the list would be checked to make sure no property owners were missed. She stated they were having to be there because of a technicality. She stated that her aunt was included on the list of property owners notified and she is not an adjacent landowner. Also listed her two uncles and the subdivision, Ferry Crossing Development. She stated that this is their farm and they want to continue with the current use. As far as she knows no landowner who was not notified the first time opposes this. Ferry Crossing Development was notified the first time, and as she understands it, no appeal was filed during the 30 days for appeal of the decision. With the technicality, she stated that she does not understand how they can have opposition here who were notified the first time, if they are rehearing this to hear the opposition from people who were not notified the first time. Regarding the homeowners in the subdivision, it is her understanding, there were no homeowners in the subdivision at the time of the application.

Commissioner Jennings asked if she is saying that they are interested in continuing the farming or grazing operation that currently exists. Ms. Ingram replied that they want to continue to operate and have the right to expand if they deem it necessary. This is currently a negligible part of their income, but for that to change they want to be able to expand without having to repeat this process. She stated that she did not know exactly what the expansion needs would be, but they feel that this has been a farm for 62 years and in zoning it Suburban Residential, the Commission was taking the value of the property from them, it restricted their use as a farm and their income. They feel that zoning it as agricultural would preserve that right. Commissioner Jennings asked if they had any intention to increase the animal operations on this property. Ms. Ingram replied that they have mentioned expanding operations.

Chairman Fricks stated that he understands the perception that they want to continue their cattle operations as they are currently, and chicken houses had been addressed in the past. He understands that a few days following the zoning decision, a sign had been put up stating there were intentions of putting up a chicken house. Ms. Ingram replied that signs were erected but she did not think that was done within a few days. Chairman Fricks stated that it could have possibly been two weeks. Ms. Ingram stated that she thought it was six to eight weeks later. Chairman Fricks stated that the fact is that she had given them the perception of something and then it changed in a quick time. Ms. Ingram replied, "no", and she feels there has been a great deal of confusion and she would like for it to be cleared up. She does not feel that she misled anyone or gave any misconceptions as to what was going on. They feel that they want to continue their use and have the right to expand on the use if they deem it necessary. Chairman Fricks asked if they do and did have intentions of putting up chicken houses. Ms. Ingram replied that they may; they have not signed a contract; they have not done anything that

would legally bind them to expand their operations. Chairman Fricks asked if they had put a sign up saying they were going to. Ms. Ingram replied, “yes”.

Commissioner Hufstetler stated that the property had been subdivided and then a relative sold her share, and he asked when this happened. Ms. Ingram replied that she thought the property was sold in February. Ms. Hiller was asked about the zoning for Parcel 4. Ms. Hiller replied that all that was identified in the zoning code was S-R and it was land across the road which was left as A-R. Ms. Ingram stated that is their property also. Ms. Ingram stated that was part of their original argument. They owned the property across the road and above the road in 1998. They feel that it was zoned incorrectly in 1998 because the portion of their land across the road was Agricultural Residential while they zoned the portion above as Suburban Residential when it was the same use and same property owner.

OPPOSITION

Frank Jones, 339 Broad Street, Attorney representing the developers stated that Mr. Hackett and Mr. Gresham are the owners of the Freeman Ferry Development. They actually purchased the property which is now subdivided into 54 different lots in June, 2001. There are currently 11 houses that are already either sold to new property owners or that are under contract. When they purchased the property, they relied on the surrounding property being zoned S-R to develop the property. Obviously they spent quite a bit of money going through the Planning Commission and Subdivision Regulations in order to develop the property. He first addressed the technical issue that has been addressed concerning the advertisement or notice to the public. He thinks that County Attorney Wade Hoyt will advise them and it may be somewhat different than what they had heard already. The purpose of the advertisement was to give notice to the public, and that is all of the surrounding property owners. He presented a copy of the tax map which indicates, at the time the notice was published in the paper, the actual advertisement referred to the Parcel 4 according to the tax map, which was the small one-acre tract. He thinks that is why they are back today. He offered to address the technical issue further, he would be glad to, but they felt they would rely on County Attorney Hoyt for advice.

Mr. Jones stated that, with regard to the property, after Mr. Hackett and Mr. Gresham developed the property, which began early this year, and after the Ingrams came back and after the Second Reading which was May 28, 2002, there were some problems that developed in the area. He stated that he would first like to call attention to the minutes of the May 28, 2002 Second Reading. There is one portion where Ms. Quincy Ingram is speaking and she says they are asking for the rezoning to continue land uses that are currently being used there. Later on in the body of her presentation, it states Ms. Ingram asked, “Since they have 240 acres, how would it impose on anyone if they had a feed lot. It is not as if they are trying to put anything that imposes on people.” Mr. Jones presented a picture of a sign that was placed on the property that these people are attempting to develop. It says “Future site of Ingram Poultry Farm.” He stated that this will give them an idea perhaps of the intent of what Ms. Ingram or perhaps others wish to

use the property for. They would say that someone has not been candid with the Board or perhaps a little disingenuous in the presentation that this is substantially and significantly detrimental to the development of the property owned by Freeman Ferry Developers. He stated that he can't imagine if there is any other reason for putting a sign up such as that, except to damage an adjoining property owner. Which in fact, if an A-R zoning were permitted and these people were allowed to put this type of operation up, would substantially damage. They are asking that the Board of Commissioners consider the request and after doing so, to deny the request to rezone and to leave it zoned as S-R. He also pointed out that the property which Ms. Ingram spoke about, which is to the south, next to the river, and the reason for leaving it as A-R, was because it is flood plain and it can't be developed as S-R. There is a reason for that. He thanked the Board for their time and offered to answer any questions.

Commissioner Mahanay asked if, when it was Parcel 4, it was originally agricultural. It was noted that at one point it was and was changed at the time the ULDC was adopted and the maps which went with it were adopted. Commissioner Jennings stated that basically what was done was that they were identifying areas in the county that were potential for suburban residential growth, and that is exactly what has happened with this piece of property.

REBUTTAL

Ms. Quincy Ingram, stated that she resented the fact that it was stated that she had misled anyone in any form or fashion. She does not feel that she has misled anyone or tried to misrepresent herself. If the Commission look at the minutes of the meeting, they had stated several times that they would expand were it deemed necessary. As she said, at this moment, they have not signed a contract, they are not under any obligations to expand their current use. At the time the signs were erected, they were informed by some members of the community, who were looking to buy property in Ferry Crossing Development, Inc., that they were told by some owners of the property that there would be no farm use around their house. So while they were looking at property, they were questioning things. At the time her father and uncle were building a fence. People who were looking at property spoke with her father and her uncle at the time. She thinks that they were not happy that a fence was being built so close to the subdivision. Her father and uncle told them that there were cattle on the property and the fence was for the cattle. They were not happy at the time. *Some comments by Ms. Ingram were not audible.* It is her opinion that several people in the community have been misled about the property and the adjacent property in that. And, they were not happy when her father informed them that was a farm. Possibly there are a lot of people being deliberately/not so deliberately misled because of *(remainder of sentence not audible)*. She stated that as far as she is concerned, every county employee that she has talked with, the *(remainder of sentence not audible)*. If that is true, then, Ferry Crossing Development has no right to appeal this meeting, their 30-day appeal passed. They were informed at the time. If they had a problem with this land being rezoned, they should have been here at that time. It was public notice and they were notified. No other adjacent property owners are here.

Commissioner Jennings, asked Ms. Ingram, “If you receive a right to develop a poultry operation on your property, even if you have to get a Special Use Permit, the sign is right next to the house. Would you consider that you have a subdivision very close to the property when you develop the poultry operation?” Ms. Ingram stated that they would take that into consideration, and as they had previously stated, there are restrictions and there are setbacks in property lines. *(Comment by member of the audience was not audible.)* Chairman Fricks stated that the only way that can actually be controlled; to a point you can take the integrity or the word of the people here, or you could put a Special Use Permit requirement on this particular piece of property. It doesn’t mean that they can’t have one in the future, but it does mean that you can require it to be site specific on that piece of property. Commissioner Jennings asked Assistant County Manager Rich what the setbacks are. Assistant County Manager Rich stated that it is his understanding that it is 200’ from a property line on parcels 10 acres or greater, so a minimum of 200’ space from the property. *(Comments from the audience were not audible.)* Commissioner Mayes stated that even with mini-warehouses they request a certain number of feet of vegetation buffer. In this case you just have a 200’ setback, which would mean no buffer. With a Special Use Permit, it may be necessary in this case to provide some buffer.

Commissioner Jennings asked Ms. Hiller if a Suburban Residential area that has cattle on it can maintain those cattle under a Suburban Residential designation. Ms. Hiller replied, “yes.” Commissioner Jennings stated that it is really no different than an Agricultural Residential, except animal feeding operations are currently permitted. He noted that we do have a moratorium on this at this time. *Comments by Ms. Ingram, from the audience, were not audible.* Commissioner Jennings responded to Ms. Ingram’s comments, that they would be grandfathered in because that is a historic use. Ms. Hiller stated that it does require a Special Use Permit unless that use already exists, in which case it continues as if it were not a non-conforming use. Commissioner Jennings asked how much expansion they could have for the number of head of cattle. Ms. Hiller replied that they could increase their herd as long as it remained on the same parcels of land. *Comments by Ms. Ingram, from the audience, were not audible.* Ms. Hiller responding to Ms. Ingram’s comments, stated that “if a use was lawfully established, but which by reasons of adoption now requires a Special Use, shall not be considered a non-conforming use under the provisions of this ordinance and therefore is not subject to the prohibitions under enlargement or alteration of existing use.” So in this case, they could build a barn, add more cattle, and could continue to use their agricultural operations with livestock and pasture use. Commissioner Jennings asked if they could rebuild a barn if one burned down. Ms. Hiller replied that it does not specifically say that they could, in that case they may have to get a Special Use Permit to rebuild that barn. *Comments by Ms. Ingram, from the audience, were not audible.*

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, in light of the discussion about the building being destroyed for some reason would require a Special Use Permit, to **approve** this change from Suburban Residential to Agricultural Residential **with the condition that Animal Feeding Operations, including poultry operations, would require a Special Use Permit**. SECOND by Chairman Fricks. Chairman Fricks asked if there was any discussion.

Commissioner Hufstetler stated that he has a lot of questions both ways on this. He stated he is wondering why it wasn't Agricultural to begin with. We would like to think it was because of wise planning, but when we have seen the other cases around the County, there is no rhyme or reason to it. It truly wasn't the fault of the landowner that this happened. They are correct that there was no new opposition present today, though he does not know if that is a legal issue or not. On the other hand he thinks the signs put up, at the least weren't neighborly. Looking at the time line, the Hackett subdivision was approved in February and this rezoning was applied for in April. In some ways, that seems a little unfair to the owners of the subdivision if they thought they were moving in with a Suburban Residential property next to them. He has a lot of issues in his mind and is not sure he can support a change at this time from it.

Chairman Fricks stated that this has been a dilemma for him because he is usually the one who stands out strongly for property rights of the original user. This one falls into a unique category for him. Actually he was a strong advocate of the change and the original property owners rights, but then when he realized this one falls into a situation where the property exchanged hands. It was, what he considers, wrongly identified. It gave someone a false sense of security that their property rights were protected. Generally if that subdivision had been developed while it was zoned agricultural, he would be fighting for every right you had to do anything on your property in that realm that you can possibly think of. But, under the circumstances, there was a property exchange while somebody felt like they were buying protected property, he then shifts his allegiance to trying to protect their rights as property owners and give them some of the protection that they thought that they were given under the County at that time. That is his reason for standing on his Second of that Motion.

Commissioner Hufstetler asked if there was new information he was looking at or was he just looking at it differently. Chairman Fricks replied that he is looking at it differently now. Chairman Fricks stated that also, he honestly did not feel the property owners would go out the next week and put a chicken house up. When he saw the signs go up, it changed him, maybe this was not intentional, but he felt he wanted to stand up

and fight for the rights to continue the cattle operation, and he was frustrated the day he heard the signs had gone up because he felt as if he had been had. He also stated that he read back over the minutes four or five times to make sure that his memory did not deceive him there. As he read over the minutes he had the same feeling.

Commissioner Hufstetler stated that he has some legal issues, but he is not ready to change at this point, and he does not know what everyone else's opinion is at this time.

VOTING:

YES

NO

Commissioner Hufstetler

Commissioner Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

Mr. Robert Ingram asked for a clarification of the zoning. Commissioner Jennings replied that the change is from Suburban Residential to Agricultural Residential with the condition that any animal feeding operations, including poultry operations, would require a Special Use Permit. *Other comments from the audience were not audible.* Chairman Fricks stated they do have the opportunity to come back and ask for a Special Use Permit on that, but they will have to be site specific, where it is located on the property.

CHAIRMAN'S REPORT

APPOINTMENTS.

Chairman Fricks stated that this had not been discussed during Caucus due to lack of time. A profile sheet had been submitted by Pat Hatley regarding a position on the Personnel Board. He noted that her resume is very strong in that area. The profile sheet was not in the Board packet, but a copy of the resume was presented for review by the Commissioners. County Manager Poe stated that he had reviewed the Profile Sheet and the person has a lot of experience in Personnel.

Regarding the Northwest Georgia Regional Mental Health/Mental Retardation Board it was decided that this appointment will be deferred until the next meeting. It was noted that a recommendation had not been received from that Board. County Attorney Wade Hoyt stated that he had received a call from Sue Ann Davidson's husband indicating that, for whatever reason, she had been attending all of those Board Meetings up to now. He got the impression from Mr. Davidson that the Mental Health Board had recommended her, because they had asked that she attend the Board Meeting even though

she had not been appointed. Commissioner Hufstetler noted that this Board had merged with a Board from Dalton and there is concern about keeping equal control on this end.

Chairman Fricks made a MOTION to appoint **Pat Hatley** to the **Personnel Board**. SECOND by Commissioner Mahanay. VOTING:

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

Motion Carried

The appointment to the Board of Tax Assessors was deferred until the next meeting.

COMMISSIONER'S REPORT

ADMINISTRATIVE/FINANCE COMMITTEE

APPROVE REVISIONS TO FY2002 BUDGET.

It was noted that all Commissioners had previously received the Budget Revisions. Commissioner Hufstetler, Committee Chairman, stated that the majority of the revisions were due to the new accounting format. The Pension has been reallocated out and the Capital Projects are being put into our Capital Budget. There are several areas where there are some changes. The Inmate Medical is considerably increased and there are some real issues which will have to be addressed. The Indigent Defense and Juvenile Court have increased again. He stated that no one is questioning people when they go to Juvenile Court as to whether they are indigent or not. He also stated that Floyd Medical found that when they ask the questions, there is a lot of money to be saved. It was his understanding, when this was discussed previously, they were at least going to ask the questions. The third area is the revenue at Probate Court is down and he does not see that the cases are down. It has also dropped for several years in a row. Commissioner Mayes stated that he had reviewed the Budget Revisions and there are a number of items which he would like to discuss, but time does not permit today. Commissioner Mayes also mentioned that the areas he questioned are not areas which can be changed, but do need to be addressed for the future. County Manager Poe noted that Capital Projects were added after the Budget was approved at the first of the year, such as North Floyd Recreation Park and starting work at the Courthouse. It was noted that the Capital Projects Fund includes all equipment being purchased over \$5,000 plus all other Capital Improvement Projects such as North Floyd Park. MOTION was made

by Commissioner Hufstetler to approve the revisions to the 2002 Budget. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

RECOMMENDATION TO ACCEPT BID FROM CROWLEY IDENTITY SOLUTIONS, INC., FOR EMPLOYEE ID SYSTEM, AND APPROVE PURCHASE OF STAND-ALONE COMPUTER FOR THE SYSTEM.

Commissioner Hufstetler stated that in the past there has been discussion about the Employee ID System and they have since bid it out. The Data Card System from Navitech Corporation, is the recommended system. It is currently being used at the City of Rome Police Department, Floyd Medical Center, Berry College and Floyd College. County Manager Kevin Poe recommended approving the bid as submitted and if there are other items such as supplies, they can be purchased from Supplies and bought out of next year's budget. MOTION was made by Commissioner Hufstetler to accept the bid from Crowley Identity Solutions for the Employee ID System and the purchase of the stand alone computer for the system. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

Bids

International Equipment Company	\$7,290.
*Crowley Identity Solutions, Inc.	\$7,145
(Quoted as GSA Price)	
Navitech Corporation	\$5,743
Badging Solutions	\$6,195

Chairman Fricks asked the time frame for implementation. County Manager Poe replied that it could possibly be set up by the first of the year. It seems to be a simple system once the hardware and software is put together. Hopefully a schedule can be implemented quickly to enter employee information.

PUBLIC SAFETY COMMITTEE

CHANGE TOWING ORDINANCE.

Commissioner Mahanay, Committee Chairman, stated that a recommendation had been received from Chief Jim Free on the Towing Ordinance. County Attorney Wade Hoyt stated that in the ordinance that exists at this time there is a particular paragraph which is giving the Police some problems whereby if a vehicle is stopped for whatever reason, the Police Officers are required by the current ordinance to tow the vehicle in irregardless, no flexibility. Chief Free indicates that many times if someone is stopped for DUI, for example, that person's wife, or friend or son is in the car and could easily drive the car home. County Attorney Hoyt had prepared the Ordinance that will resolve the problem and gives the Police some discretion in making the decision about who can drive the vehicle home. It was noted that this is considered a **First Reading**.

WATER COMMITTEE

Commissioner Jennings, Committee Chairman, stated that there are numerous billboards around town from a variety of political candidates. He and Steve Hulsey had approached Lamar Advertising with a great idea, that Lamar Advertising donates billboard space and they cover up some of the advertisements. With the help of Lamar Advertising, they have designed a Water Conservation Billboard. He presented copies of the proposed billboards. Each billboard will have suggestions for water conservation. With the approval of the Commissioners, they feel they can cover up the political ads with something of community service. Commissioner Mahanay suggested that they might want to pick a sign to correspond with the appropriate time of year, such as lawn watering would be during the summer. It was noted that these will be vinyl signs and can be removed and placed at another location whenever a sign is rented and is needed by Lamar Advertising. It was the consensus of the Board to move forward with this project. Commissioner Jennings stated that one of the things the Water Department is facing is to have a plan in place for water conservation. If the decision is made to go forward with the water reservoir, then they will be required to show that a water conservation plan is in place. They plan to put water conservation tips on the water bills. Funds from next year's budget will potentially be used for materials where the Meter Readers can go into the schools and present programs about water conservation. The attempt is to have a comprehensive program of water conservation in the community. This will help in the long run regarding permitting.

SPECIAL COMMITTEE REPORTS

PRISON CONSTRUCTION (MAYES/MAHANAY).

Commissioner Mahanay stated that the only holdup on the Prison is water and beds. County Manager Poe stated that the water will be ready the first part of next week, the beds are coming in this week. He had been there this morning and they are still on schedule to transfer inmates Thanksgiving week.

Commissioner Mahanay noted that on the Budget Revision for the Prison, it was favorable at \$145,694.

BASEBALL STADIUM (FRICKS/HUFSTETLER).

HISTORY OF BASEBALL DISPLAY COMMITTEE

Chairman Fricks stated that it was the consensus to proceed with contract negotiations with Doug Hamil Advertising. MOTION was made by Commissioner Mahanay. SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

NEW HEALTH DEPARTMENT FACILITY (JENNINGS/MAHANAY).

County Manager Kevin Poe stated that he had met with Carter & Associates and they are looking to receive a proposal from them to work with the County on the Health Department facility and get the project moving forward from a design standpoint. Carter & Associates will break it into phases and the first phase will be pre-construction, which will be schematic, doing RFQ for an architect, and coming up with the final schematic of a plan. This information will also be needed at the first of the year when we apply for a Community Development Block Grant.

EXISTING PRISON USE (MAHANAY/HUFSTETLER).

No report.

DOWNTOWN PARKING DECK (JENNINGS).

Commissioner Jennings reviewed what had agreed to be done. On November 18, 2002 at 1 p.m. there will be a meeting with City and County Managers, Ronnie Wallace

representing the City and Commissioner Jennings representing the County, Parkwood Management Group and our Bond Agent from Merchant Capital. The purpose of the meeting will be to review the Parking Deck Plans which they should receive today. Secondly, to review the lease between Floyd County and Atlanta Gas Light and the lease that has been presented to Parkwood Management over the payment of the parking deck and space in the parking deck. Assuming that all the documents that are presented to us are in order, then they would be prepared to come to the City and County Commissions and seek approval to move forward with the project. It had been agreed that if the documents are not complete, we will hold a special Called Meeting at 6 p.m. on November 18 to discuss the potential of terminating the relationship with Parkwood Management and moving forward on this project, potentially building the parking deck and seeking another group to develop the hotel.

LOST NEGOTIATIONS COMMITTEE (FRICKS/JENNINGS).

DISCUSS LOST AGREEMENT BETWEEN FLOYD COUNTY, CITY OF ROME AND CAVE SPRING. (DEFERRED FROM OCTOBER 22, 2002 MEETING)

Commissioner Jennings stated that the Board had received a copy of the proposed agreement between the City, County and Cave Spring. No action had been taken at the last meeting. Commissioner Jennings stated that he is prepared to make a Motion. Commissioner Hufstetler noted that since the last meeting they have received the ACCG ruling stating that they do not think the side agreements would be legal on this issue. Commissioner Jennings replied, the side agreements as far as presenting them to the State is concerned. County Attorney Wade Hoyt had not seen the opinion. County Manager Poe stated that he thought it had more to do with the certificate, if you have any deviations or you want to state that it will change at certain times in the future. Whatever is submitted, will be for ten years unless all parties come together and agree otherwise. County Manager Poe stated that some areas are going to phase things in over the years. After discussion, Chairman Fricks stated that this was presented for acceptance or not and they would be glad to take it back and try to negotiate a rate for the remaining eight years. The ACCG opinion will be faxed to County Attorney Hoyt for review. Chairman Fricks stated that in the meantime they can approach them to see what the opinion is and may possibly be meeting with them next Monday and it can be brought up at that time. It was the consensus that no action will be taken at this meeting.

CLERK'S REPORT

CONSENT AGENDA.

County Clerk Michele Fountain stated that there were three items on the Consent Agenda which were submitted for approval. MOTION was made by Commissioner Hufstetler for approval of the Consent Agenda. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

1. Tax Refunds:

- a. Glenda Smith, 15 Charleton Street, \$85.85
- b. Robert W. Worley, 5045 Rosewood Court, Cumming, \$2.08
- c. Raymond A. Young, 203 Pine Valley Road, \$432.86
- d. Lucy Warren Hamilton, P.O. Box 131, \$35.68
- e. Hugh L. Montgomery, Jr., 76 Cunningham Road, SW, \$74.35
- f. Stacy McCarthy, 3938 Old Dalton Road, \$228.12
- g. Carl H. Biron, 179 Berryhill Road, \$56.59
- h. Ruth E. Harrison, 176 Belmont Drive, \$101.04
- i. Eugene & Vivian Beard, 204 Dodd Street, \$15.28
- j. Davis Brooks, 674 New Rosedale Road, \$164.53
- k. Billy & Glenda Morgan, 39 The Trail, \$26.89
- l. Tim & Tiffany Foreman, 2968 Beachwood Drive, Lithonia, \$61.87
- m. Wayne & Cheryl Hughes, 3358 Old Dalton Road, \$120.30
- n. Jeannie & Jack B. Roberts, Jr., 230 Kerce Road, \$19.57
- o. James & Kara Williams, III, 22 Mitchell Circle, \$36.91
- p. Robert J. Allen, Sr., 781 Morrison Campground Road, \$343.40
- q. Joanne B. Davis, 5348 Big Texas Valley, \$308.69
- r. Alane Sharpe Evans, 7 Timberlane Terrace, \$85.97
- s. Thomas Dale Camp, 75 North Drive, NE, \$21.44
- t. William C. Moss, 12 Horseshoe Bend SW, \$18.47
- u. Donna Burnes Seely, 2 Terry Lane, \$5.06
- v. David Sweitzer, 619 Kingfisher Circle, \$51.57
- w. Harris & Frances Bagley, 100 Parkway Drive, \$63.26
- x. Tim & Tiffany Foreman, 2964 Beachwood Drive, \$502.18
- y. Casey's Hauling & Grading, 425 Duke Road, \$193.64
- z. Rufus & Jean Brock, 333 Rustic Ridge Road, \$39.62
- aa. Peter W. Hjort, Jr., 5 Ridge Creek Court, SW, \$95.68
- bb. Thomas G. Lambert, 457 Wayside Road, \$36.69
- cc. Alan B. Wingard, 27 Westwood Circle, SW, \$45.01

Authorize execution of Subordination Agreement between Jeffrey Scott and Tracy C. Baker and Floyd County.

3. Enter into minutes Department of Transportation contract #PR 8517-4(115), Riverside Parkway Extension.

MANAGER'S REPORT

**DISCUSS PURCHASE OF PROPERTY
ADJACENT TO MIDWAY PARK FROM
CHARLES BAILEY.
(DEFERRED FROM OCTOBER 8 AND 22, 2002 MEETINGS)**

**DISCUSS OPTION TO PURCHASE PROPERTY
NORTH OF MIDWAY PARK.**

County Manager Kevin Poe stated that this relates to the property acquisition in Midway Park from Charles Bailey. The property under contract is 18 acres at \$10,000 an acre. They are looking at using the property for expanding the park, for a Fire Station site and possibly a remote collection site.

Regarding item two, they are looking at additional property in the area and are looking to make Midway Park the community park instead of the property off of Spur 101. At some point in time they could dispose of the property on Spur 101. There is an additional 12 acres north of that property that is available. This is property that could be developed and used to expand the park and for the other purposes. He stated that if they can put the two pieces of property together they will have an adequate acreage where they could build a community park similar to what they are doing in other parts of the county.

Commissioner Mayes asked if all of the property will be \$10,000 an acre. County Manager Poe stated that he will negotiate with the owner, but the owner has agreed to no more than \$10,000 per acre, and he would start the negotiations lower.

Item one will be authorization to purchase the property. They have an Option to Purchase Agreement which expires next week and they need to go ahead and act on it. It will be \$180,000, with part to be purchased out of 1996 SPLOST funds because it will be the location of the new Wax area Fire Station.

The property owner for the second parcel has 50 acres and had carved out 12 acres. He feels confident that they can work out a purchase for this property. County Manager Poe recommended purchase of the property they already have an option on and that he be authorized to negotiate an option on the other property at no more than \$10,000 per acre. MOTION was made by Commissioner Jennings. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

**RECOMMENDATION OF BID AWARD
FOR AIRPORT SECURITY PROJECT
TO LOW BIDDER, WHITE ELECTRIC, INC.,
IN THE AMOUNT OF \$117,214.75.**

County Manager Kevin Poe presented a recommendation to award the bid for Airport Security Project to the low and sole bidder, White Electric, Inc., in the amount of \$117, 214.75. This project is being done with State funds and is a security project, particularly lighting systems. Commissioner Mahanay asked if there would be any anticipated maintenance costs. County Manager Poe stated that they are dealing with lighting so occasionally you have to replace the lights, and the other is access controls, which might consist of some mechanized gates and card reader systems. He noted that security is definitely a high issue for all Airports and State funds are being allocated to help. MOTION was made by Commissioner Mayes to approve the Manager's recommendation. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

**AUTHORIZE EXECUTION OF PROGRAM
MANAGEMENT AGREEMENT FOR
BASEBALL STADIUM, WITH CARTER &
ASSOCIATES SERVICES, L.L.C.**

County Manager Kevin Poe presented the final contract between Floyd County and Carter & Associates for Project Management of the Baseball Stadium. They have been working under a Letter of Agreement. Basically, nothing changes from when they first decided the Scope of Services, it just puts it in complete legal form. It has been reviewed by him and County Attorney Wade Hoyt and they recommend that execution be authorized of this Program Management Agreement. MOTION was made by Chairman Fricks to authorize the execution of the Program Management Agreement for the Baseball Stadium with Carter & Associates Services, L.L.C. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

**AWARD BID FOR JAIL FIRE ALARM
SYSTEM/SMOKE DETECTORS INSPECTION.**

County Manager Kevin Poe stated that sealed bids had been taken for Fire Alarm System/Smoke Detectors Inspection at the Jail. This has to be done periodically and six bids were received, with the low bid from Twelve & Associates in the amount of \$5,000. He recommended accepting the low bid. MOTION was made by Commissioner Mahanay to award the bid for the Jail Fire Alarm System/Smoke Detectors Inspection to Twelve & Associates in the amount of \$5,000. SECOND by Commissioner Mayes.
VOTING:

YES NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

Bids

Canna Communications	\$ 5,724
Suntech Systems, Inc.	No Bid
Simplex Grinnell	\$ 5,849
Twelve & Associates	\$ 5,000
Alarm System, Inc.	\$11,472
Parker Systems	\$ 8,950
Syscon, Inc. of GA	\$ 8,950
Mitec Net	No Bid

**RECOMMENDATION FROM AIRPORT
COMMISSION FOR LEASED LAND TO
EARL TILLMAN.**

County Manager Kevin Poe presented a recommendation from the Airport Commission related to leased land to Mr. Earl Tillman. A memo from Mike Mathews

relating to this issue was a part of the Board Packet. County Manager Poe stated that they have been trying to work on a lease that would be beneficial to the tenant and Floyd County. Assistant County Sammy Rich stated that Mr. Tillman wants to build a 4,800 square foot hangar. The Airport Commission had been approached about the terms of the lease and have finally settled on a 20 year term, an initial five years with three five year renewal periods. County Attorney Hoyt had reviewed the lease. MOTION was made by Commissioner Hufstetler to accept the recommendation from the Airport Commission for the lease to Earl Tillman. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

**CONSIDER REQUEST FROM BOB FARRAR
ON BEHALF OF HIS CLIENT, BARBARA
CLAYTON, TO HAVE PROPERTY LOCATED
ADJACENT TO 1344 OLD DALTON ROAD
DEEDED FROM FLOYD COUNTY TO
MS. CLAYTON.**

County Manager Kevin Poe stated that a letter had been received from Bob Farrar regarding property Ms. Barbara Clayton thought she owned and a dispute she has with the adjacent property owner. At one point, and it wasn't based on any kind of regulations used at the time, when they subdivided the property, a minor subdivision of the property, she was convinced by the Planning Commissioner at that time to dedicate additional right of way similar to what they were asking major subdivisions to do at that time. The current policy does not require this for minor subdivisions, it really did not require it at that time. In order to try to clear up this land dispute, he recommended deeding the 15' strip of property in front of Ms. Clayton's property at 1344 Old Dalton Road back to her. It was also noted that she had never been paid for the property, and if it was not strictly within our policy, we were definitely going overboard in requiring the additional right of way at that time. MOTION was made by Commissioner Mayes. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

**DISCUSS REQUEST FROM BILL MCWHORTER
TO PURCHASE ADDITIONAL GIS EQUIPMENT
(HP9000 UPGRADE - \$8,630; MAP SERVER - \$4,920).**

County Manager Kevin Poe stated that there is a need to upgrade the main frame computer in the Historic Courthouse, the HP9000, which both the Tax Assessor and Tax Commissioner use as well as the map server. There are two reasons the upgrade is needed, as information is added to it, now we are downloading more information through GIS, also more work is being done, but a lot is based on the fact that we are downloading more and more GIS information. We do have GIS money left over. Everything that had been allocated to the Planning Commission will not be spent. It is recommended that GIS funds are used to upgrade these two pieces of computer hardware so that they can continue to adequately operate their systems in the Tax Assessor's Office. MOTION was made by Commissioner Mahanay to approve the request from Bill McWhorter to purchase additional GIS equipment, HP9000 Upgrade and Map Server for a total of \$13,500. SECOND by Commissioner Jennings. Commissioner Mahanay amended his Motion to \$13, 550. VOTING:

YES

NO

Commissioner Hufstetler
" Jennings
" Mahanay
" Mayes
Chairman Fricks

Motion Carried

**AUTHORIZE CHAIRMAN TO SIGN
DOCUMENTS RELATED TO AMENDING
ACCG 457 DEFERRED COMPENSATION
PLAN.**

County Manager Kevin Poe stated that, due to legislation that Congress passed, there is a need to amend the 457 Deferred Compensation Plan that we have with ACCG and GEBCORP. There are a list of things which need to be done and a lot are bookkeeping issues, but there are changes made based on the legislation. We need to authorize the right person to sign any other documents that might come before the Board. They need to designate the Chairman as the person to sign all documents, so no matter who the Chairman is, he is authorized to sign them. There are a couple of other letters they have to send. If someone wants to use some of their Deferred Compensation money for an unforeseeable emergency, instead of having the staff and Commissioners trying to make that determination, we would allow GEBCORP, as a third party, to get that information and make that determination if it meets their legal requirements to withdraw

some of that money. He recommended authorizing the Chairman to sign all of the related documents to amend our Deferred Compensation Plan and the two letters we need to send related to designating the Chairman as the authorized person to execute the documents and allowing them to handle any emergency approvals. MOTION was made by Commissioner Mayes for approval of the Manager's recommendation. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

**APPROVE SALARY ADJUSTMENT FOR
COOPERATIVE EXTENSION PROGRAM
ASSISTANT POSITION.**

County Manager Kevin Poe stated that this had gotten complicated with the University of Georgia and Cooperative Extension. What they were hoping that we would do, instead of increasing the hours, is to increase her pay for those hours and they will try to get the University of Georgia to provide extra money to actually possibly pay for another Program Assistant at \$8.25 an hour. Commissioner Hufstetler stated that when Sylvia Johnson was at the Administrative & Finance Meeting she stated that due to not having a County Extension Agent, they needed more hours. County Manager Poe stated that she is hoping she can get those through Cooperative Extension Service. From our standpoint, what she is hoping to do is that we go ahead and hire this person and pay her 11 hours a week at \$8.25 an hour and then they are looking at using University of Georgia funds to add to that to provide more program assistance since they are short of staff. Commissioner Hufstetler asked if she wants more hours or a pay raise. County Manager Poe stated that currently they are supplementing her hours at \$2.34 an hour and they are wanting to allocate all of her eleven hours to us, paying \$8.25 and then the University of Georgia would take the other money that they have and put it toward another Program Assistant position. Instead of us just providing a supplement, she is hoping to get another employee out of it and it will not cost us more money it is just the way they are allocating the funds to the State paid employee and the County paid employee. Currently the County is paying \$2.34 for 19 hours and they will be paying \$8.25 for 11 hours. Cooperative Extension will try to take their money and hire someone part-time. County Manager Poe noted that they have restrictions and once someone works a certain number of hours, they have to start paying benefits and other considerations. They would like to have more Program Assistants, because the State will not fund the replacement of Louie Canova, who retired. In the letter where she refers to the meeting with Commissioner Hufstetler she is referring to the Administrative &

Finance Committee meeting. They are proposing to increase the supplement being paid to the County Extension Agent and that will be addressed at budget time. County Manager Poe stated that he has talked with Sylvia Johnson and her supervisor. It will not cost any more money, it is just how we allocate the funds to the positions and how much the County will pay and how much the State of Georgia will pay for the other position. Commissioner Jennings asked for clarification that eventually they will come for more salary supplements. County Manager Poe stated that for Sylvia Johnson and, if they fill the other Extension Agent position, they are going to ask for an adjustment to the supplement to their State pay. They will ask for that at budget time. They have done surveys with other counties. She is short of staff and is trying to get in a position where she can hire an additional Program Assistant through the mechanisms that the University of Georgia has in place and to get some help. County Manager Poe restated that it will not cost any more money and she will work 11 hours at \$8.25 an hour, which is the amount the County is obligated for. Commissioner Jennings stated that it is related to the possibility of getting more University of Georgia money to support the other position. MOTION was made by Commissioner Hufstetler to approve the salary adjustment for the Cooperative Extension Program Assistant position for 11 hours at \$8.25 per hour. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Jennings

" Mahanay

" Mayes

Chairman Fricks

Motion Carried

**APPROVE DEED CONVEYING FLOYD
COUNTY RIGHT OF WAY ADJACENT
TO VETERANS' MEMORIAL HIGHWAY
TO DONALD, KEVIN AND ROBERT EVANS
IN EXCHANGE FOR 6 ACRE PARCEL OF
PROPERTY FOR OVERFLOW PARKING.**

County Manager Kevin Poe presented for approval the transfer of the right of way the County has adjacent to Veterans Memorial Highway to Donald, Kevin and Robert Evans. This is a 60' strip of property that runs adjacent to Veterans Memorial that was set aside for access to adjacent properties. We will be deeding that property over to them in exchange for a donation of property for the overflow parking on the east side of the property. In return for an approximate 6-acre parcel of property that will be developed for overflow parking. This will basically be a land swap. MOTION was made by Chairman Fricks to approve the deed conveying Floyd County right of way adjacent to Veterans Memorial Highway to Donald, Kevin and Robert Evans. SECOND by Commissioner Mayes. 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 Mayes, SECOND by Commissioner Jennings, 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