



**FILE #17-2003Z, REQUESTS REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO D-R (DUPLEX RESIDENTIAL) TO BUILD DUPLEXES ON OLD SUMMERVILLE ROAD. (ZONING MAP 506C-06-023) (PLANNING COMMISSION RECOMMENDATION: ACCEPT SITE PLAN AND APPROVE REQUEST [VOTE – UNANIMOUS])**

**FILE #20-2003Z, REQUESTS REZONING FROM O-I (OFFICE INSTITUTIONAL) TO S-R (SUBURBAN RESIDENTIAL) FOR CONSTRUCTION OF A SINGLE FAMILY DWELLING ON PROPERTY LOCATED ON HORSELEG CREEK ROAD BETWEEN CREEKSIDE AND SHORTER COLLEGE. (ZONING MAP 412-11-PART OF 001 AND 562-00-19) (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE – UNANIMOUS])**

**CHAIRMAN’S REPORT**

**REQUEST FROM ACTION MINISTRIES FOR A LETTER OF SUPPORT FOR DCA GRANT.**

County Manager Kevin Poe stated that the letter was a part of the Agenda Packet and this has been done in the past for this same program. The letter was to support their application for Homeless Funding to match a HUD grant that they were applying for. County Manager Poe stated that a Motion is needed to authorize the Chairman to sign the Letter of Support. MOTION was made by Commissioner Jennings. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Fricks

Motion Carried

**COMMISSIONER’S REPORT**

## **PUBLIC WORKS COMMITTEE**

Commissioner Bennett, Committee Chairman, stated they had received several calls for ditches and drains to be cleaned and he reported that the Public Works Department has been responding well.

## **WATER COMMITTEE**

Commissioner Jennings, Committee Chairman, noted that there is plenty of water in Floyd County.

## **SPECIAL COMMITTEE REPORTS**

### **BASEBALL STADIUM**

Chairman Fricks had reported on this during Caucus. He stated that they are substantially close to their schedule, and there may be some completion which will need to be done after the 15<sup>th</sup> date. They have coordinated everything with the Braves about turnover time, and should not have any problem with the April 11<sup>th</sup> date. A tentative date for the Open House is April 6. That will be the first time the public will have the opportunity to view the entire stadium. They will try to provide as much access to all areas in the stadium as possible.

### **NEW HEALTH DEPARTMENT FACILITY**

### **EXISTING PRISON USE**

### **DOWNTOWN PARKING DECK**

### **SPLOST COMMITTEE**

### **CONSOLIDATION TASK FORCE**

There were no reports on the on the above five Special Committees.

### **CLERK'S REPORT**

### **CONSENT AGENDA**

County Clerk Michele Fountain stated that there were two items on the Consent Agenda which were submitted for approval. MOTION was made by Commissioner Mayes to approve the Clerk's Consent Agenda. SECOND by Commissioner Jennings. Commissioner Jennings asked what "consume on premises" means. County Clerk Fountain stated that it is a license to consume malt beverages on the premises. County Manager Poe stated that it is a bar instead of a convenience store. It was noted that they are looking at possible changes to the Ordinance to clarify some items in this area.

County Attorney Tom Manning stated that currently you cannot have a package license unless it is in a detached building from where consumption on premises are sold.

VOTING:

YES

NO

Commissioner Mayes

"

Jennings

Chairman Fricks

Commissioner Bennett recused himself from voting since he is on the Tax

Refund List.

Motion Carried

1. Tax Refunds:

- a. Daniel S. McLaughlin, P.O. Box 3284, \$.49
- b. Barry Davis, P.O. Box 210, Shannon, \$27.21
- c. Joseph W. Deboard, 5664 Rockmart Highway, \$32.12
- d. Peach State Labs, P.O. Box 5424, \$91.43
- e. Jiang Xue Qiang, DBA China Lin II, 146 Hicks Drive, \$650.59
- f. Thomas E. Franks & Sterling Morrison, 2877 Cedartown Highway, SE, \$321.11
- g. Kevin E. Whitton, 65 Wild Flower Road, \$3.24
- h. Alexander International, Inc., 713 Shorter Avenue, \$22.95
- i. Banc of America, P.O. Box 105578, Atlanta \$22.92
- j. Hubert E. Clark, 45 Lakeview Drive, \$37.44
- k. The Krystal Company Rme-3, % Marvin Poer, 4 Executive Park E, Ste 100, Atlanta \$2.92
- l. Flora A. Parker & Edward Parker, 2425 Maple Road, SE, \$172.27
- m. Liberty National Life Insurance Company, P.O. Box 2612, Birmingham, AL \$29.33
- n. Robert Lanier, 36 Blackjack Mtn, Circle, SW, Cartersville \$46.23
- o. Todd Lambert, 204 George Road, Cave Spring \$136.30
- p. Jerry E. Plemons, 2091 Burnett Ferry Road, SW, \$45.58
- q. Thomas F. Payne, Sr., 12 Fox Chase, \$61.40
- r. Kathleen L. Abney, 577 Trove Drive, \$11.24
- s. Allstate Insurance Company, 3 Resource Square, 10815 David Taylor Drive, Charlotte, NC, \$4.46
- t. Adams Project Management, P.O. Box 6149, \$391.75
- u. Max D. Shaw, 1794 Burnett Ferry Road, \$5.25
- v. Gary Mullinax, P.O. Box 27, Lindale \$5.27
- w. Marie B. Smollar, 8 The Trail, Lindale \$321.12
- x. Buren L. Burns, 390 Warren Road, \$103.46
- y. Zartic, Inc., 438 Lavender Drive, \$128.00
- z. Mark H. Wall, 38 Devonshire Drive, \$10.84

- aa. Jim Walters, Inc., P.O. Box 31601, Tampa, FL, \$56.78
- bb. Redmond Family Care Center, P.O. Box 1502, Nashville, TN, \$309.13
- cc. Stephen C. Dodd, 705 Cedar Avenue, \$27.26
- dd. Bright-Meyers, P.O. Box 530292, Birmingham, AL, \$873.96
- ee. RCTC Enterprises, Inc., 7 Laurchris Drive, \$2.52
- ff. Goldsmith Shoppe, Inc., 2770 Martha Berry Highway, \$50.52
- gg. Columbia Redmond Regional, P.O. Box 1504, Nashville, TN, \$442.71
- hh. Ezekiel McDaniel, 22 Washington Drive, \$6.38
- ii. Terry Caldwell, P.O. Box 131, Cave Spring, \$68.74
- jj. MOB: Redmond Regional Med, P.O. Box 1504, Nashville, TN, \$151.10
- kk. Joel T. Aker, 291 W. Troutman Road, \$224.18
- ll. Republic Leasing Company, P.O. Box 527, Columbia, SC, \$21.00
- mm. William Byington, 13 Mitchell Circle, \$28.20
- nn. Mark G. Weaver, 103 Oakwood Road, \$2.88
- oo. Diebold Credit Corp., 3000 Galleria Tower, Ste 1600, Birmingham, AL, \$18.14
- pp. Thomas C. Bennett, P.O. Box 1471, \$147.81
- qq. Toby S. Morgan, MD, 107 John Maddox Drive, \$5.28
- rr. Kim T. Buffington, 5750A Big Texas Valley Road, NW, \$297.99
- ss. MOB: Redmond Regional Med, P.O. Box 1502, Nashville, TN, \$484.03

2. License Applications:

- a. Malt Beverage License – Janice Owens, Food Lion, 3365 Martha Berry Blvd., Rome (convenience store).
- b. Malt Beverage License – Melvin L. Tate, State line, 9455 Alabama Highway, NW, Rome (consume on premises).
- c. Precious Metals License – Lisa Cain, Grandmaw’s Attic & Pawn, 3830B Alabama Highway, Coosa.

**MANAGER’S REPORT**

**PURCHASE OF PROPERTY ADJACENT TO AIRPORT.  
(DEFERRED FROM FEBRUARY 25, 2003 MEETING)**

This item was deferred.

**TURNER BEND ROAD PROJECT**

**(DEFERRED FROM FEBRUARY 25, 2003 MEETING)**

County Manager Kevin Poe stated that from the discussion during Caucus, the consensus was to move forward with advertising for a Public Hearing on the potential closing of Mayes Bridge Road.

**ALLOCATE PUBLIC WORKS  
POSITION #456-098 FROM  
LANDFILL MANAGER TO  
DETAIL OFFICER.**

County Manager Kevin Poe stated they are requesting that the Commission approve the allocation of Public Works Position #456-098 from Landfill Manager to Detail Officer. MOTION was made Commissioner Mayes to approve the Manager's recommendation. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**AGREEMENT TO PROVIDE  
INMATE WORK DETAIL TO  
NORTHWEST GEORGIA  
REGIONAL HOSPITAL.**

County Manager Kevin Poe presented a contract between Floyd County and Northwest Georgia Regional Hospital to provide an Inmate Work Detail. He stated that basically the hospital is agreeing to pay the cost of the officer that will be provided, and includes pay and benefits. They are also responsible to provide transportation to and from the work site and to provide them any tools and supplies that they will need to do the job. This is a one year contract and he recommended approval of the agreement with final review by the County Attorney. MOTION was made by Commissioner Bennett. County

Attorney Manning asked if this was subject to attorney review. Commissioner Bennett agreed. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**AWARD A CONTRACT FOR  
CONSTRUCTION OF THE NEW  
FIRE STATION ON BURNETT  
FERRY ROAD.  
(4/5 VOTE REQUIRED)**

**ENTER INTO A CONTRACT WITH  
GREG LOVELL WORKING UNDER  
THE SUPERVISION OF DR. JOHN  
BARANCHOK.  
(4/5 VOTE REQUIRED)**

County Manager Kevin Poe stated that the second item was for mental health services at the Floyd County Jail.

Chairman Fricks called for a Motion to add these two items to the Agenda. MOTION was made by Commissioner Bennett. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

County Manager Kevin Poe stated that on the first items, bids were taken by the City of Rome for the construction of a fire station on Burnett Ferry Road. This is one of the fire station relocations from the 1996 SPLOST Projects. He presented that bid tabulations and stated that the low bidder was Garner Brothers Company. He recommended awarding the contract to Garner Brothers Company in the amount of \$450,339. MOTION was made by Commissioner Bennett. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

County Manager Kevin Poe recommended approval of a contract with Greg Lovell for Mental Health Services at the Floyd County Jail. MOTION was made by Commissioner Mayes to approve the Manager's recommendation. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

County Manager Kevin Poe stated that there will be follow-up SPLOST Meeting. He had received a revised proposal from Bob Saylor which works within the guidelines that they were given.

County Manager Poe stated that he is still working on the transportation portion and gathering information. Chairman Fricks asked if, at this time, should they call the Citizens SPLOST Committee and present to them the proposal and let them ask questions. He stated that when the Committee was first started, they wanted to be a part of advocating for the SPLOST. County Manager Poe stated that, based on the last meeting, procedurally, they will have to have a meeting with the City of Rome and Cave Spring. He stated that a letter had been drafted and it had been discussed that this would be done at Caucus before the next meeting. The one question he had is, "If they get have all the City, County and Cave Spring Commissioners there, would there be enough room?" Commissioner Jennings stated that it needs to be in another location. Commissioner Bennett suggested that as a matter of courtesy, they are the ones who prepared the report. He thinks that officially, the County can act on its own, but as a matter of courtesy, invite them to come and at least hear what the recommendations are and why. He stated that he had already heard from a couple of people and he thought there was a misconception from reading the paper as to what the County was doing. He thought the word was out that they were cutting projects from the list and that was not the case. Commissioner Bennett stated that a lot of time had been spent on compiling the list and he would like for them to know the discussions. Chairman Fricks stated that he thought it would be beneficial that we needed to explain our process. Commissioner Jennings stated that they were basically shortening the timeframe for the initial SPLOST, but certainly they were planning to follow that up with some projects that have a defined nature which they did not have right now. Commissioner Bennett stated that he thought it would be beneficial. County Manager Poe asked if this would be done separately or with the City of Rome and Cave Spring. Chairman Fricks stated that he would like to see it be separate, they needed to address that Committee, one on one, rather than just confuse the matter. Commissioner Bennett asked about inviting the Committee, and once

the County had the discussion with them, since they are the ones who prepared the list, then meet with them and the City. Commissioner Jennings noted that the Committee is made up largely of persons with a variety of other jobs and it may be that they want to meet at 5:30 p.m. as opposed to Caucus. Commissioner Jennings suggested contacting David Harvey and letting him set the time.

County Manager Poe asked if they still wanted to do the official notice to Rome and Cave Spring. Chairman Fricks replied, "yes." Chairman Fricks stated that this needed to be done urgently. It was mentioned that it should be during the next week. Chairman Fricks stated that the priority would be to iron out the questions marks that the County has, to where they have complete plans and all the details of the plans in place. Then as quickly after that point, meet with the SPLOST Committee at that time, then follow up with the notification meeting. Commissioner Jennings stated that County Manager Poe needed to do the notification of the meeting now that the County would meet at Caucus on the 25<sup>th</sup>. County Manager Poe asked if they were talking about them having another work session, then they would meet with the Committee and then meet with the City of Rome and Cave Spring on the 25<sup>th</sup>. Chairman Fricks stated that the City of Rome and Cave Spring meeting was set up for the next Caucus Meeting. He mentioned that they might could combine the other two, by coming in the early afternoon and ironing out the details, from 3 p.m. to 5 p.m., and then have the Committee come in at 5 p.m. and have the presentation. County Manager Poe asked about Monday afternoon, March 17<sup>th</sup>. Chairman Fricks asked if all the information on transportation would be available at that time. County Manager Poe stated that he would do his best to have the information. Monday, March 17, 2003 at 3 p.m. was agreeable with the Commissioners, then they would meet with the SPLOST Committee at 5 p.m.

## OTHER BUSINESS

Commissioner Jennings stated that during Caucus there had been discussion about the Bomb Squad. He stated that it appeared as if Sheriff Rickman has done considerable work in pulling together material and having several of his deputies trained in techniques of disarming a bomb. It also appeared as if for \$21,621 we could get this Squad up and running. MOTION was made by Commissioner Jennings to place **Discussion of the Bomb Squad** on the Agenda. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

County Manager Kevin Poe stated that, from a funding standpoint, it had come to his attention that they have two defunct Jail Store accounts, from when the County handled the Jail

Store. There had been an issue with the employee handling this so the accounts were frozen. This has been frozen for several years and the money has never been cleared out. He stated that it is two separate accounts and amounts to approximately \$28,000. The money could be gotten from there without going into or adding money to the Police or Sheriff's budget. The funds could be allocated for that purpose if the Board chose to do that. He stated that he thinks it would be nice if they could set up a separate account for this so that, as funds are solicited from other communities which are going to participate, they would go back in that account. That would be the way the Bomb Squad would be financed. We could start it with the Jail Account money and then get it replenished as different people contribute to the cause. Chairman Fricks noted that this would cover training and equipment requested. He asked if they should approach the other cities for support or if they should request that the City of Rome approach the others. Commissioners Jennings and Bennett felt that was the way it should be (the City approaches the other cities). Commissioner Bennett stated that before money is allocated, even though the money is available, that does not mean that we should spend it. He stated that he thought we should approach the other communities about their contributions, their willingness to contribute. He also stated that establishing that as a separate department is a minimum that will have to be done, because as presented to them, there will be outside funds coming from private entities and we certainly need to account for it and establish a separate fund. If these places contribute, we could allocate this funds as a working capital to get started, but not necessarily do all of this until we make a decision on whether or not we are going to do it and how the other places would participate. And do that as quickly as the Commission feels it can be done. It was noted that these funds could be "seed money". Commissioner Bennett stated that, as he understands it, even though he does not understand all that was said, there is a bank account now that exists that has money in it has been contributed by outside forces. If the county is going to participate in any manner, it seems to him that those funds should be turned over to the County as what may have occurred with the two funds which were mentioned. All of a sudden the County discovered them and they impounded them and shut it down, he does not want that to happen on the Bomb Squad. If the County is going to be associated with it, they need to be able to account for it.

MOTION was made by Commissioner Jennings to authorize the County Manager to meet with the City Manager, City Police Chief, County Police Chief, the Sheriff and the GBI (since they have experience with Bomb Squads) and also Emergency Management Director, and set up an organizational meeting to discuss the organization of the Northwest Georgia/Rome/Floyd County Bomb Squad. Number one is an organizational meeting made up of these people. Second, in that organizational meeting, there be a discussion of means of enabling the ten additional counties that are in this district and all of the cities therein to contribute to the funding of the Bomb Squad and to establish an amount that could be contributed to that. Thirdly, the establishment of a Bomb Squad Account and provide the \$28,000 from the Jail Store Account as "seed money" to that account to be used for purchasing the equipment, doing the training and the general operation of the Bomb Squad. Commissioner Bennett asked if it could be clarified that in discussions with the GBI and FBI, determine that it is not needed, we are not voting to do this, we are just showing where the money would come from to get the "seed money" to start with participation of the people, if in fact we don't decide to do it, the money stays where it is. The Motion of Commissioner Jennings was SECOND by

Commissioner Mayes, who also concurred with Commissioner Bennett's comments.  
VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**ADJOURNMENT:**

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

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**COMMISSIONERS**

**FLOYD COUNTY BOARD OF**

**GARRY E. FRICKS, CHAIRMAN**