

" Jennings
" Bennett
Vice Chairman Hufstetler

Motion Carried

PROCLAMATIONS

EMERGENCY MEDICAL SERVICES WEEK, MAY 18 – 24, 2003.

Commissioner Mayes presented the proclamation to Philip Tucker, Fred Hughes and David Hortman from Redmond Regional and James Hovers, Stanley Payne and Tony Cooper from Floyd Medical. Vice Chairman Hufstetler thanked the representatives from Redmond Regional and Floyd Medical.

RESOLUTIONS

AUTHORIZE SUBMISSION OF JOINT APPLICATION WITH THE CITY OF ROME FOR GEFA RECYCLING AND SOLID WASTE GRANT.

Vice Chairman Hufstetler stated there was one resolution to authorize submission of a Joint Application with the City of Rome for a Recycling and Solid Waste Grant that is provided by the State of Georgia. County Manager Kevin Poe stated that basically this resolution would authorize that an application be made with the Georgia Environmental Facilities Authority seeking funding up to \$83,800 and that we would also agree to match funds in the amount of \$5,700. He recommended approval of passage of this resolution. MOTION was made by Commissioner Mayes for approval as recommended by the County Manager. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes
" Jennings
" Bennett
Vice Chairman Hufstetler

Motion Carried

FIRST READING (SECOND READING/PUBLIC HEARING TO BE HELD MAY 27, 2003 AT 6:00 P.M.)

Vice Chairman Hufstetler explained the process regarding First Readings, and read the items to be placed on First Reading.

FILE #19-2003Z, FLOYD COUNTY BOARD OF COMMISSIONER REQUEST ZONING MAP 506B BE ADOPTED AS ZONED. LOCATION: GLENN DRIVE, BEARD DRIVE AND GLENVIEW DRIVE AT OLD DALTON ROAD AND U.S. 27 NORTH (ZONING MAP 506B-01 & 02-ALL PARCELS). (PLANNING COMMISSION RECOMMENDATION: APPROVAL [VOTE – UNANIMOUS])

FILE #27-2003Z, REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO M-R (MULTI-RESIDENTIAL) TO BUILD FIVE (5) QUAD UNITS ON PROPERTY LOCATED AT MARTHA BERRY HIGHWAY AT LINDSEY DRIVE, (ZONING MAP 506C-02-005-006). (PLANNING COMMISSION RECOMMENDATION: WITHDRAWAL WITH PREJUDICE [VOTE – UNANIMOUS])

FILE #28-2003Z, REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO C-C (COMMUNITY COMERCIAL) FOR MARKETING PURPOSES ON PROPERTY LOCATED AT WAX ROAD AT ROCKMART HIGHWAY (ZONING MAP 230-023). (PLANNING COMMISSION RECOMMENDATION: APPROVAL [VOTE – UNANIMOUS])

SECOND READING/PUBLIC HEARING

VOTE ONLY

ROAD CLOSINGS:

**EAST BOUNDARY STREET AND RIDGEWAY DRIVE.
(DEFERRED FROM APRIL 22, 2003 MEETING)**

Vice Chairman Hufstetler referred the road closing issue to the County Attorney. County Attorney Tom Manning stated that a copy of the proposed Ordinances regarding the closing of East Ridgeway Drive and East Boundary Street was before each Commissioner. He noted that there are two separate ordinances. As had been discussed during the Caucus Session, the County has checked its records and cannot find where either of these streets was ever officially opened or accepted by the County as a County road. Therefore, the recommendation is that to the extent the County has an obligation to

maintain these roads, which they do not believe they do, that they would declare the roads abandoned and execute following the approval of these Ordinances quit-claim deeds. If the ordinances are adopted, the County would execute a quit-claim deed, which would essentially say “whatever rights we have in this property, we are conveying those to Mr. Davis,” and we are contending that we don’t have any rights. He stated that if the Board sees fit, he would recommend that they approve these two separate Ordinances. With regard to Ridgeway Drive, as a part of the Motion, the recommendation is that the motion to adopt the Ordinance be made contingent upon C. Randy Davis agreeing to convey any easement to Mr. Haney that would guarantee Mr. Haney would have access to his property. He recommended that the Ridgeway Drive Ordinance be conditioned upon such an easement.

Vice Chairman Hufstetler called for a Motion on **Ridgeway Drive**. MOTION was made by Commissioner Mayes to adopt the ordinance before the Commission conditioned upon, as recommended by the County Attorney, an easement being granted by C. Randy Davis to Mr. Haney both to and from his property. SECOND by Commissioner Bennett. VOTING:

YES NO

Commissioner Mayes
" Jennings
" Bennett
Vice Chairman Hufstetler

Motion Carried

Vice Chairman Hufstetler called for a Motion on **East Boundary Street**. MOTION was made by Vice Chairman Hufstetler to adopt the ordinance drafted by the County Attorney. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Mayes
" Jennings
" Bennett
Vice Chairman Hufstetler

Motion Carried

MAYS BRIDGE ROAD.
(DEFERRED FROM APRIL 22, 2003 MEETING)

No action taken.

CHAIRMAN’S REPORT

APPOINTMENTS.

There were no appointments to be made.

WATER COMMITTEE.

Commissioner Jennings, Committee Chairman, stated that in the Commissioners Packet was a copy of a study they had initiated from Brown Caldwell Consultants on a 50-year Water Plan for Rome and Floyd County. The Water Plan tries to project what the population growth in our community will be and then project what our water needs will be. He asked how we are going to get the amount of water that we need to support both residential and business and industrial growth. There have been several reports in our local newspaper over this particular issue, dealing with agricultural permits that exist in Rome and Floyd County. Those permits are to the tune of 54.7 million gallons a day that is unavailable for municipal county and city use for our public water supply. That issue is one that has been raised in the Georgia Legislature this year. No bill officially passed the Legislature, but certainly there is need to address public water supply and how agricultural uses have an impact on that public water supply. He invited the Commissioners to review the 50-year study as they try to move forward and ensure that these students and persons in Rome and Floyd County in the future will have adequate water resources.

SPECIAL COMMITTEE REPORTS

Vice Chairman Hufstetler explained that different Commissioners work on different projects and gave a brief explanation of each of the Committees and what is currently happening with these projects. There was not action taken on the Special Committees.

CLERK'S REPORT

CONSENT AGENDA.

Vice Chairman Hufstetler stated that Item #3 will require a 4/4 vote to be placed on the Agenda. He explained that these are issues where people are asking for licenses and items which are routine, there is really not any discussion that needs to take place on them so they are put under the Consent Agenda, which means they are approved all together. Vice Chairman Hufstetler called for a Motion to place Item 3 on the Agenda. MOTION as made by Commissioner Mayes to place Item #3 on the Agenda. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes

"

Jennings

" Bennett
Vice Chairman Hufstetler

Motion Carried

Vice Chairman Hufstetler called for a Motion to approve the Consent Agenda.
MOTION was made by Commissioner Bennett to approve the Consent Agenda.
SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Mayes
" Jennings
" Bennett
Vice Chairman Hufstetler

Motion Carried

1. Tax Refunds:

- a. T. W. Crumbley, 100 Sunrise Drive, \$7.25
- b. Donna S. Chambers, 411 East 10th Street, \$5.70
- c. Glenda W. & Alvin A. Couey, Sr., 4819 Blacks Bluff Road, SW, \$14.41
- d. Mrs. H. W. Bell, 24 Westwood Circle, \$2.04
- e. D. J. Bell & Mrs. H. Bell, 24 Westwood Circle, \$.09
- f. Shonna Creamer, 412 Cedar Avenue, \$16.42
- g. Walter Gene Cranford, 211 Coosawattee Avenue, \$.16
- h. Brazelton-Wallis Printing Co., P.O. Box 1554, \$619.33
- i. Ronald E. & Phyllis T. Dasher, 165 Chulio Road, \$13.08
- j. Larry Alford, 15 Commerce Court, \$7.54
- k. Myra G. & Gordon L. Barnard, 129 Acadia Drive, \$1.85
- l. Shrimp Board of Road, Inc., P.O. Box 6146, \$1,583.22
- m. Windle Bishop, 138 Price Road, NE, \$452.60
- n. Larry Alford, 15 Commerce Court, \$14.42
- o. Trinie Davis & Jarrett Shaddy, 1903 Turner McCall Blvd., \$76.59
- p. Larry Martin, 2004 Dean Street, \$116.85
- q. Kenton E. & Theresa A. Buchanan, 56 Lull Road, NE, \$14.12
- r. C. D. Brookshire, 1 Sylvan Street, \$19.23
- s. Jerry L. Blalock, 1917 Old Cedartown Road, \$219.44
- t. Larry & Martha Broome, 110 Lee Street, NW, \$78.44
- u. George & Elizabeth Awsumb, 122 Westmore Road, \$6.63
- v. SBA Leasing, Inc./Mt. Alto, 1 Town Center Road #3., Boca Raton, FL \$161.40
- w. Mirtica Berry, 3. Hillcroft Drive, \$15.87
- x. Ernest E. Bishop, 206 Coker Drive, \$44.93
- y. Carolyn Brackett, P.O. Box 826, \$190.70

2. License Applications:
 - a. Malt Beverage License – Rose Adams/Conoco Fuel Center, 5646 Alabama Highway – Convenience Store.
 - b. Malt Beverage License – Kishor Patel/Petro U.S.A., Inc. #1, 3173 Martha Berry Highway – Convenience Store.
3. Request from Tax Commissioner to relieve taxes in the principal amount of \$4,753.82 for 1995-2001 taxes on property of Rome Star Associates which was sold to Floyd County at the August, 2001 tax sale.

MANAGER’S REPORT

REQUEST TO APPROVE ASSIGNMENT OF ASPHALT PURCHASE CONTRACT FROM CASH CONSTRUCTION COMPANY TO C.W. MATTHEWS CONTRACTING COMPANY.

County Manager Kevin Poe stated that recently Cash Construction Company recently sold their Asphalt Plant to C. W. Matthews Contracting Company. They have requested that the County approve the assignment of the Asphalt Purchase Contract that they have with Floyd County to C. W. Matthews. He stated that basically what the County will do is, instead of purchasing the asphalt from Cash Construction, it would be purchased from the new owners of the Asphalt Plant, C. W. Matthews. A document which they had provided to the County that gives them that authorization. This document had been distributed by the County Attorney during Caucus. Commissioner Jennings stated that the problematic section is Item #4 under Terms and Conditions which releases Cash Construction Company of any liability, either prior to or after the execution of this contract. County Manager Poe recommended approval of the Consent to Assignment of Contract that was presented with the striking of Item #4 under Terms and Conditions. By doing this, this would assign the Asphalt Purchase Contract to C. W. Matthews. MOTION was made by Commissioner Jennings. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Mayes
 " Jennings
 " Bennett
 Vice Chairman Hufstetler

Motion Carried

REQUEST FROM BELL SOUTH FOR EASEMENT ON BARRON ROAD.

County Manager Kevin Poe stated that documents were part of the Agenda Packet for an Option

for Acquisition of Easement and also one from Bell South entitled Easement Including Generators and Fuel Supply Systems. He stated that they are actually asking for a 20' x 30' easement within the Barron Road right of way to install some additional infrastructure for their phone system. He recommended approval of the documents as submitted. MOTION was made by Commissioner Bennett for approval of the Easement. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Vice Chairman Hufstetler

Motion Carried

**RECOMMENDATION FROM THE
FLOYD-ROME URBAN TRANSPORTATION
COMMITTEE TO APPROVE THE
METROPOLITAN PLANNING ORGANIZATION
MEMORANDUM OF UNDERSTANDING FOR
THE FLOYD/ROME URBAN TRANSPORTATION
STUDY.**

County Manager Kevin Poe stated that the Floyd-Rome Urban Study Committee had recommended that

they expand the Metropolitan Planning Organization to include the City of Cave Spring and all of the unincorporated area of Floyd County. In order to officially do this, there is a Memorandum of Understanding that had been placed on the Agenda before the Commission. He recommended accepting the recommendation from the Study Committee and approve the Memorandum of Understanding as submitted. MOTION was made by Commissioner Mayes. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Vice Chairman Hufstetler

Motion Carried

RECOMMENDATION FROM ROME/FLOYD

SOLID WASTE COMMISSION TO ENTER INTO CONTRACT WITH GOLDER ASSOCIATES FOR GROUNDWATER MONITORING SERVICES.

County Manager Kevin Poe stated that the Solid Waste Commission had accepted a proposal from Golder Associates to continue to do groundwater monitoring services at both the Berryhill Landfill and Walker Mountain Landfills. The proposal was in the Agenda Package and the total cost to perform these services through the year will be \$177,282. He recommended accepting the recommendation from the Solid Waste Commission to enter into a contract with Golder Associates for Groundwater Monitoring Services. MOTION was made by Commissioner Bennett. SECOND by Commissioner Jennings. VOTING:

	YES	NO
Commissioner Mayes		
" Jennings		
" Bennett		
Vice Chairman Hufstetler		

Motion Carried

Vice Chairman Hufstetler stated that the equipment items requests, Items 5, 7 and 8 will be voted on together.

REQUEST FROM SHERIFF'S DEPARTMENT TO PURCHASE DRAIN CLEANING MACHINE FOR \$2,160.32.

County Manager Kevin Poe stated that a request had been received from the Sheriff's Department through a Memo from Mark Duncan to himself and the Sheriff's Staff, requesting a Drain Cleaning Machine be purchased in the amount of \$2,160.32, to help with some problems they are having at the Jail. They think it will save money in the long run from having to hire private contractors to take care of these problems. Bids had been received

AWARD BID FOR PURCHASE OF NEW FORKLIFT.

County Manager Kevin Poe stated that there was a memo in the Agenda Packet from Nancy Lam recommending that North Georgia Lift Trucks Company be awarded the contract for the purchase of a new Forklift in the amount of \$26,750.

AWARD BID FOR PURCHASE OF NEW ASPHALT DISTRIBUTOR.

County Manager Kevin Poe stated there was a memo in the Agenda Packet from Nancy Lam, Purchasing Director, recommending the bid for the Asphalt Distributor be awarded to Tractor and Equipment Company for an Etnyre Distributor in the amount of \$94,000.

County Manager Poe recommended approval of these three requests. MOTION was made by Commissioner Mayes to approve the Manager's recommendations. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Vice Chairman Hufstetler

Motion Carried

DISCUSS CREATION OF BOMB SQUAD.

Vice Chairman Hufstetler stated that they are in the process of creating a Bomb Squad and noted that the equipment had been on display today. He stated that the Finance Director/Comptroller Al Leonard has worked on setting up how the financing will be done and it will be presented at the Administrative/Finance Committee Meeting on Monday. This should be ready for formal action at the next Board Meeting. Vice Chairman Hufstetler asked if there was any discussion on this item. Commissioner Jennings stated that we are talking about establishing a formal budgeting process and also the organization of the Bomb Squad and who is participating in the oversight of this unit. Vice Chairman Hufstetler stated that under Administrative/Finance, they will be setting up the budget guidelines and also under the Public Safety Committee.

ATTORNEY'S REPORT

County Attorney Tom Manning presented a proposed ordinance regarding the closure of East Troutman Road. As was discussed in Caucus, the Commission took action on closing this road at the last meeting, but it did not specifically adopt this Ordinance and as a matter of tying up all loose ends, he recommended that this be added to the Agenda and that this Ordinance be taken up by the Commission. Vice Chairman Hufstetler called for a Motion to place this on the Agenda and also explained the procedures. He stated that if something is not on the agenda, it can't pass by three votes, it first has to have four votes to place it on the Agenda. MOTION was made by Commissioner Bennett to place the Ordinance on the Agenda. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes
" Jennings
" Bennett
Vice Chairman Hufstetler

Motion Carried

Vice Chairman Hufstetler called for a Motion. MOTION was made by Commissioner Bennett to adopt the Ordinance to close East Troutman Road. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes
" Jennings
" Bennett
Vice Chairman Hufstetler

Motion Carried

Vice Chairman Hufstetler offered to answer questions from the audience or listen to their comments. It was asked if in the next couple of years they will be getting a new school. Vice Chairman Hufstetler stated that was a good question. He stated that they are the County Commission, but there is actually a School Board that collects the taxes, calls for what would be called a Penny Sales Tax Vote on an Educational SPLOST and that is also a five member board, but it is separate Board. We have no responsibility with the school system, the Administration reports to that School Board, not to the Commissioners. They are the ones who would address those issues. The County Commission is responsible for the County roads, the Police, water, and safety issues. It is his understanding that on next SPLOST that is coming forward, not that he a member of the Board, but he does know a little about it, that is one of the things they will be presenting to the voters in their next SPLOST election.

It was mentioned that certain roads in the area have potholes and asked if they were to contact the Commissioners or do they make complaints. Commissioner Hufstetler stated, "Sure, that goes with the territory." He stated that Commissioner Bennett and County Manager Kevin Poe deal with those issues more than he does. County Manager Poe stated that the best way is to call directly to the Public Works Department (and he gave the number). If you have a pothole that needs to be repaired or a road that needs to be repaired you can call the Public Works Department directly and give them a work order. There is a computer system that tracks all complaints that come in and they strive to take care of them in a timely fashion. He stated that there is about 800 miles of road which is maintained in Floyd County.

(*Question not audible*) Commissioner Hufstetler stated that he could not hear the question. County Manager Poe stated she was asking about the amount of wrecks on Turner Bend Road. County Manager Poe stated that the one thing about that whole proposal, if Mays Bridge Road is closed, they have plans to rebuild Turner Bend Road and make it a safer road, and put a new railroad crossing. They will also be putting a traffic signal at the intersection of Turner Bend Road and Highway 20 in front of Coosa High School. The Board's stance is that before they even consider closing Mays Bridge Road, Turner Bend Road will have to be rebuilt and improved so it would not as dangerous a road as it is now. Commissioner Jennings stated that the safety issue on Mays Bridge Road is a secondary issue. While it is important, the primary issue is over the air quality. If you have ever been down wind of Inland Paper Plant, you know that air quality is an issue there. What they are proposing to do is to improve the boilers there and improve the air quality of the emissions from the plant. There is Mays Bridge Road, which goes right through the middle of the property on the Plant. The EPD says that the measurement of air quality takes place at the closest public or private land other than Inland's land, which then would have their air quality modeling at Mays Bridge Road, which is right adjacent to the Plant. If we turn over that road to the Plant, the air quality modeling will then take place at the property line, which is significantly farther away from the stacks at the Plant. The issue, from Inland's standpoint, is that they would like us (*the County*) to close that road so that they can better meet air quality standards at the property line as opposed to that road which goes right through the center of the Plant. It really is an air quality issue that is the primary issue that is driving the closing of that road. The safety issue is a factor, but it is not a primary factor.

Vice Chairman Hufstetler expressed appreciation for allowing them to be guests at Pepperell High School and stated they are proud to have the meeting there. He also wished the students good luck on their exams the following week.

ADJOURNMENT:

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

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Vice Chairman Hufstetler

Motion Carried

COMMISSIONERS

FLOYD COUNTY BOARD OF

GARRY E. FRICKS, CHAIRMAN

