

August 12, 2003

**REGULAR MEETING**  
**FLOYD COUNTY BOARD OF COMMISSIONERS**  
**August 12, 2003** **2:00 P.M.**

**PRESENT:** Chairman Garry Fricks, Commissioners Tom Bennett, Chuck Hufstetler, Jerry Jennings, and John Mayes.

## OTHERS

**PRESENT:** County Manager Kevin Poe, County Attorney Tom Manning, Clerk Michele Fountain, and Assistant County Manager Sammy Rich.

**CALL TO ORDER:** Chairman Fricks called the meeting to order.

**INVOCATION:** Commissioner Mayes led the Invocation.

## PLEDGE OF

**ALLEGIANCE:** The Pledge of Allegiance was led by Commissioner Hufstetler.

## PRESENTATIONS

**RECOGNIZE EMPLOYEE OF THE  
QUARTER FOR SECOND QUARTER,  
2003 – DENNIS ALEXANDER,  
WATER DEPARTMENT.**

Commissioner Jennings presented a certificate to Dennis Alexander of the Water Department. He stated that Mr. Alexander was being recognized as Employee of the Quarter for his high rate of professionalism, exemplary job performance, and conscientious service exhibited to the public. Commissioner Jennings stated that Mr. Alexander is one of the Floyd County employees that he could not point to one thing that he did that was exemplary, but he could point to everything that he did that was exemplary and shows integrity in working for the Water Department, he shows initiative and is a good all around employee and he is appreciated for all he does for Floyd County.

## PUBLIC PARTICIPATION

**ONA BLANKENSHIP.**

Ms. Ona Blankenship stated that she was glad that the Board is here. She stated that Shannon does exist. They also appreciate the fact that they have made it almost through a summer without having a couple of days with no water. The reworking of the water system has been very much appreciated. She stated that the only other thing that she would like to say is that now that they have the water fixed, how about looking at

their roads. Not necessarily the ones in the Village, but the ones in the community. She stated that she would not go into specifics because she knew that they had already been hit with some of them. They would like for them to look at the roads. She stated that she has another situation which she thinks is being taken care of, if not, she will be coming to the Board.

## **JACK DICKEY.**

Mr. Jack Dickey stated that on behalf of the people of this community, and also he would say on the behalf of Commissioner Mayes because he is from this community too, they want to welcome the Commission into their community. He stated that they hope that they (*the Commission*) find their visit here somewhat rewarding, if nothing else, come on over and have some watermelon. They have them chilled down and home grown. They just came out of the patch yesterday so they ought to be fresh. He stated that he had invited them to come across the mountain to 1217 Bells Ferry Road for that. He also stated that anyone else was invited, they have plenty of watermelons and if they run out, they will go to the patch and get some more. Other than that, he stated that he would like to mention a couple of things of significance in this community. They think that this is the part of the county that has some recognition that maybe no other place in this nation has. One of the things is right out there at the flagpole in front of Galey & Lord Mills there is a monument that was dedicated by then President of the Mill, in 1946, Mr. W. K. Morrison. Only months after the ending of World War II, there was a monument put up there for 12 of the 408 employees of the Mill that served in World War II. The Optimist Club, which meets there in that building (*Scout Hut*), recognized this exactly 50 years to the day, from 1946 to 1996, when they held a recognition again and had some of the same people that participated in the first one there also. Ever since then, they have been trying to find another monument that was put up before then for World War II casualties and thus far have not found one. So, they are proclaiming this to be the oldest one in the nation, right here in Floyd County. And they will hold that position until someone can prove otherwise and will gladly render that to them then. He stated that they thought this was of special significance in that next Memorial Day the one at the Nation's Capitol will be dedicated and our Nation is just now getting around to honoring World War II and this little community did it only months after the war ended. There was a wooden plaque because they could not get bronze at that time, right after the war, and they made a wooden plaque, painted it up and made it look like bronze. It was discovered in the attic of the Mill within the last year or so and they did not even know about it. So they have found one older than this one out here, the bronze one. That is one of the things. Another thing that they are proud of in this community is this meeting place. This is the closest to a Community Center that they have in this community and somewhat of a museum, if you will look around and see. There is one certain individual, Mr. Roy Powell, that is mainly responsible for all of the things you see on the wall. There are things that go back to the first cabin that was built. Mr. Powell was with the Scouts when they built the first one which was on Mill property back over on the mountain. He stated that the Mill at one time had about 500 acres out there so they let the boys build the cabin back up on the mountain. He stated that this is a cabin, it is not a hut, they prefer that it is called a cabin, which it is. The first log cabin was built on the

Mountain and it was burned down a couple of years after it was built and Mr. Morrison, the same one who had the monument put up, was very supportive of the Boy Scouts, in fact got the Troup started. In fact, Mr. Shag Williams, who has been dead for just a few years now, was the first Scout Master and he and the boys built the Scout Cabin and Mr. Morrison said to put it closer in there so that it would be watched, so it was built here, which was next to the old Baseball Stadium. He stated that it was about the third year, when he was on the Commission, in February that it caught fire. Kevin Poe had called him and told him that he might want to go over there and see about it. It had a big hole burned out in the roof and he thought at first it could be fixed and he got to punching around in the logs, it was a log cabin, and the logs were just rotten as they could be. It was not worth fixing so this property was given to the County. He did not remember the exact date, but the Mill gave it to the County and there is a covenant in the deed that says that it has to be maintained for the use of Boy Scouts, Girl Scouts, educational and community activities of this community. He stated that he understands that if it is not maintained like that it will automatically go back to the Mill, if they want it. They had a mandate to really get this built for two things, they were in charge of County property, to maintain it, plus there was the covenant in the deed. He stated that he literally was almost put in jail for building this back. He asked that they take good care of "his" cabin, that is what Dick McCullough had told him when went into the war (*Desert Storm*), "I want you to take care of my County." He stated that he is saying "his" cabin because he feels that he had a lot to do with it, in fact built the light fixtures here, it was several years before the other lights were put up. These were more for decoration. He asked that they look around a little and would see the old baseball players and some of the events that have taken place. He noted that over the kitchen window is a picture of the original dedication at the flagpole in 1946, which he had mentioned earlier. This little history, they may not have known and he wanted to mention it to them. He suggested that they wind the meeting up as quick as possible so they can go over and have watermelon. He again thanked them for coming out into the communities and meeting with them and he hoped they could share a little hospitality with them. He knows that people have problems and they want to get their driveways paved and things like that. He mentioned that he knew that they had never had a request like that. He stated that he had enjoyed talking to them and he looked forward to seeing them later and stated that the Commissioners had a map to his house, but he gave instructions for anyone else needing them.

Chairman Fricks thanked the ones speaking during Public Participation.

## **ADOPTION OF**

**MINUTES:** Chairman Fricks asked County Attorney Tom Manning if the minutes were in order. County Attorney Manning replied that there were a couple of changes and apologized for not having them made before the meeting. He stated that on page 3 under File #41-2003Z, if they could add "Chairman Fricks called for a Motion to Open the Public Hearing." Also on page 10 in the middle of the page, "Chairman Fricks called a Motion and the Motion was made by Commissioner Bennett to approve rezoning the Midway Park area from S-R to T-D with the conditions set forth by the Planning Commission." The last change is on page 15 at the top of the page "Commissioner

Bennett made a MOTION,” it should be “to approve the Planning Commission’s recommendation, SECOND by Commissioner Hufstetler.” County Attorney Manning stated that with those small changes, the minutes are in order. Commissioner Mayes made a MOTION to adopt the minutes of the Regular Meeting of July 22, 2003 and Called Meeting of August 4, 2003 per the attorney’s corrections. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

## PROCLAMATIONS

### **GEORGIA BUSINESS RETENTION AND EXPANSION PROCESS – GREATER ROME CHAMBER OF COMMERCE.**

Commissioner Hufstetler presented the Proclamation to Terry Corbett and Antoinette Brahm, representatives from the Greater Rome Chamber of Commerce. He thanked them for their part with the Chamber and working hard on business retention. He stated that they wanted to have this proclamation to show them that they (*the Commission*) pledge their full support to them (*the Chamber*). He asked if they wanted to introduce themselves and talk about their industry.

**Antoinette Brahm**, stated that as a member of the business community and representing industry there today she thanked the Commission. She stated that they really appreciate the attitude of the community that they live in to help promote business. She stated that she thinks they have seen some great success with the way everyone has worked together and she hopes that will continue for the prosperity of the community. On behalf of the business community and industry, she thanked the Commission.

**Terri Corbett**, thanked the Floyd County Commission for their leadership and their cooperation in the efforts that have been done to promote economic development for our community.

Chairman Fricks stated that they will be shifting some Agenda items in order to accommodate the attorneys. He stated that items 9 and 10 on the Manager’s Report will be moved to this time and then they will go back to the regular Agenda schedule.

County Manager Kevin Poe noted that Scott Smith has another meeting to attend. He stated that County Attorney Smith has been working on legal matters for these two items. One of the matters deals with the water line easement which the County is trying to obtain adjacent to Highway 27 that would service the area across from Armuchee High School where they are building North Floyd Park. In the previous Caucus Session they had discussed a Parking Agreement with the Evans for some property adjacent to the Baseball Stadium. Those are two items he requested going ahead and discussing while County Attorney Smith is there.

**APPROVE EASEMENT WITH  
ABEEP, LLC FOR CONSTRUCTION  
OF WATER AND SEWER LINE.**

County Manager Poe distributed information and stated that as they looked at the project to service North Floyd Park, and as they know the County has had a land deal with a company called ABEEP, LLC. They have two out parcels at the entrance road into North Floyd Park and what they (*the County*) are trying to work out, because of the restrictions within the right of way on U. S. 27, they need an easement to run a water line up to the Service Road that would then turn into the park and they need to obviously service the new park with water. There is also development of a church behind one of those out parcels that will be occurring, the Church of Northside. When the property was purchased, they had an agreement to service water to the two out parcels. In trying to work out the actual easement, there are some conditions that Bob Wiggins, on behalf of ABEEP, LLC, had wanted to discuss. County Manager Poe stated that he could go through those real quickly. On Item 1, they are not sure if they will be able to tap the sewer line directly in front of their property on Highway 27, they might have to go to the back of the property. If they look at the map which is attached to his letter, he shows a 20' Sanitary Sewer Easement. They are looking for a 40' construction easement for while they are putting in the sewer line, but the permanent 20' Sanitary Sewer Easement will run between the proposed Soccer Fields and some of the Greenspace that they bought out at that property. It will be off the Greenspace, but on our property. This would allow him at his expense, we would just be giving him an easement, to tap the sewer line that will be coming down from the Park to Highway 27. Again, he might not take advantage of that, he might find it is easier to go straight out to Highway 27. But, if he had to go out and tap into the main coming out of the Park, they would give them an easement to do so. Again, that would be at his expense.

County Manager Kevin Poe stated, he owns another 750' of property that is on the north side of the service road into the park. This is undeveloped at this time and in Condition #2 he is asking if the County would agree to extend the proposed water line at such time that that property develops. In the overall scheme of things, they were looking at running a new line up Highway 27 anyway. Now they have a line which is actually under the north bound travel lane of Highway 27 and for maintenance reasons and due to restrictions that the DOT is putting on the County as far as tapping into the main under the road, they need to run another line parallel with the right of way. They were planning on running that line in the future anyway and he is asking the County to go ahead and do that. The additional cost to run another 750' is about \$18,000. They think that it is not going to get any cheaper to do that, so go ahead and do that now since the County will be running a water line up to North Floyd Park anyway.

County Manager Kevin Poe stated that on item #3, basically we agree that we will run the water line adjacent to the drainage pipes that were installed across the creek to get into North Floyd Park. He stated that is what item #3 deals with.

He stated that Item #4 is a little detail that they understand that they are going to fill in the property where the water line easement is and, in fact, that will work to their advantage, the line won't be so deep in the ground if they go ahead and fill it up, the line won't be buried under four or five feet of fill material.

He stated that on Item #5 they wanted to make sure that as the County goes through there and installs their water line and that they clean up after the installation. We in turn would expect the same thing from ABEEP. If they go down the easement that we grant them after they install the sewer line, that they put that property back into the condition that it was before they started. So, if the Commission doesn't have any concerns with these conditions, he would like to get authorization for County Attorney Scott Smith to complete the legal documents that would allow them to complete this deal and send it on to ABEEP, LLC for their consideration. County Manager Poe asked if there were any questions. He stated to further clarify what they are doing in that area, they had talked about doing some improvements in the Hennon Drive area, which is just south of Northwood Subdivision. This is a fairly densely developed area that is on 2" water lines and what they will do is as the County does that project, also include the project to extend this 12" water line up to North Floyd Park and then beyond the ABEEP property, add that to the project also. The original estimated cost to do the Hennon Drive Project was about \$175,000 and they anticipate adding this work to run this line parallel with Highway 27, to service North Floyd Park and the development to the north would add about another \$75,000 to the project. Those costs will come from the existing Renewal and Extension Fund.

Commissioner Jennings asked County Manager Poe where the water line is under the north bound lane. Where does it begin and end? County Manager Poe replied that it starts up at Old Dalton Road and goes to where the Old Summerville Road crosses from the west side of Highway 27 to the east side. He stated that he thought that when the northern leg of Highway 27 was improved, they went ahead and decided to do the right thing and get the water line out from under the road. Back in the late 70's or early 80's when they four laned that section of Highway 27, the County chose not to do it at that time. County Manager Poe asked if there were any questions for the attorney or if he had anything to add. Commissioner Jennings made a MOTION to authorize the County Manager to move forward on this Easement Agreement and other agreements relative to water lines in the North Floyd Park area. He further stated water and sewer easements and lines. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**APPROVE AGREEMENT WITH  
DONALD AND KEVIN EVANS  
REGARDING PROPOSED  
OVERFLOW PARKING LOT  
ADJACENT TO BASEBALL  
STADIUM.**

County Manager Kevin Poe referred to the agreement which was a part of their packets. He stated that the agreement would be between Floyd County, Donald Evans and Kevin Evans. He stated that basically what the Parking Agreement would do is that the Evans would donate the 4.915 acre tract that is on the east side of the stadium. He asked that they picture the Stadium, then the wet area, some people call it the moat, wetlands or whatever you want to call it and then property that is adjacent to the river, across from that. He stated that they talked about that is to be our long term overflow parking for the Stadium. Basically what this document would do is the Evans would agree to donate that property to us, deed it over to us, but that we would in turn grant them a non-exclusive right for the purpose of overflow parking for the benefit of some out-parcels they have on the eastern end of that property. That non-exclusive right, Number 1, would not go into effect until such time that the Evans developed their property. Say it is five years from now, we will have total use of that five acres of property for overflow parking with no restrictions if they don't develop those out-parcels. At such time as they develop those out-parcels, in the very southeastern most corner of that property, the Evans would have a right to use that for overflow parking. If they sell some of those out-parcels and some type of establishment comes in to meet ULDC guidelines under parking, we would allow them up to 1.1 acres to utilize for parking purposes. At the time that they do that, depending on use, it might be very limited use that they needed that 1.1 acres, but they would have a right to use that and we would somehow designate that 1.1 acres to their use. They would be able to use the entrance road, in and out of the parking area. It will actually come off of what they call Shortstop Way. It will be a little spur road coming off of Braves Boulevard. They would be able to use that to access that 1.1 acres of property. One of our concerns is that they are looking to keep it in natural grass or some kind of other surface that would lend itself to not be such impervious type material. The plans are not to go in and asphalt the whole area and when they go to develop that 1.1 acres, they would have to do it with the concurrence of the County in regard to what kind of surface they want to put down on that ground. But, they understand that our goal is that the majority of that property we want to try to keep in as a natural state as possible. He asked County Attorney Smith if he had overlooked anything. County Attorney Smith stated that he would just add one thing. He thinks that, even though the chances may be slim, but the way the document is drafted now, in essence, the County Commission should look at it this way: At the time that development occurs on those properties, you may not have use of that 1.1 acres and what they were looking at from what you have now. The thought that if you take the 1.1 acres, you still have the same area at least, on paper, acreage wise that you are using for overflow parking right now, maybe a little bit more. County Manager Poe stated that in the original agreement with the Evans, basically they were responsible for providing us

with the same amount of overflow parking as we have on the west side now. They were obligated to provide that to us on the east side. In this scenario we actually get a little additional property, he thought about an acre more. Chairman Fricks asked if it was not 3.1 acres. County Manager Poe stated that it was a little over three acres, this is 4.9 acres so either way you look at it, even if they use that 1.1 acres totally for their purpose, the County still ends up with more property than we currently have where the existing overflow parking is. County Attorney Tom Manning stated that if there was a ballgame and a business use at the same time, they would trump us on the 1.1 acres, but not on the other part. County Attorney Smith, stated that was correct, they would not have any rights to the other part, it is only the 1.1 acres. So if you have business that establishes on those two out parcels that the Evans now own, that is a 24-7. No telling what the permitted uses might be out there, but that could be the case. He thought the way it needs to be looked at is as if you may not have use of that 1.1 acres, a portion of the entire tract. He stated that may not turn out, the use may be a limited use, but that is something to consider anyway. County Manager Poe stated that it could be that it develops and is only used during the daytime, such as an office building or something, if that is a permitted use and they just need it from 8 to 5 and then every evening, there will be total access for the ballgames. It could be that case also. County Attorney Smith stated that is probably more than likely than not, but we can't guarantee that. More than likely it would be for them to use in the daytime and for all of the night time ballgames we would have the use of it, but that is not a guarantee. He stated that the other acreage, other than the 1.1 we would have use at all times. County Manager Poe stated that in total with the acreage we are getting, it does comply with the original Parking Agreement that we had with Evans.

Chairman Fricks asked if there were any other questions. There were no questions, so he called for a Motion. Commissioner Hufstetler asked if they were needing a Motion to authorize the Chairman to sign this. County Manager Poe stated that there are a few details, they are getting a new plat for the property drawn up to make sure that we have all of the tract numbers labeled right. He stated that pending completion by the attorneys, they are looking for authorization for the Chairman to execute the document. Commissioner Hufstetler made a MOTION to authorize the Chairman to sign this Parking Easement Agreement pending review and clarification by the attorneys on the tract information. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

County Manager Poe thanked them for letting them go out of order, but stated County Attorney Smith has another meeting to attend.



**FIRST READING  
(SECOND READING/PUBLIC HEARING TO  
BE HELD AUGUST 26, 2003 AT 6:00 P.M.)**

**FILE #48-2003Z, REQUEST REZONING  
FROM S-R (SUBURBAN RESIDENTIAL)  
TO C-C (COMMUNITY COMMERCIAL)  
TO ADD TO SHOPPING CENTER PARKING  
AREA ON PROPERTY LOCATED AT  
BLANKENSHIP PLACE OFF SHORTER  
AVENUE (ZONING MAP 464-07-025).  
(PLANNING COMMISSION RECOMMENDATION:  
APPROVE [VOTE 7-1])**

**FILE #49-2003Z, REQUEST REZONING FROM  
M-R (MULTI-FAMILY RESIDENTIAL TO  
C-C (COMMUNITY COMMERCIAL) TO  
BUILD A SHOPPING CENTER ON PROPERTY  
LOCATED AT BELLS FERRY ROAD (ZONING  
MAP 216-00-68).  
(PLANNING COMMISSION RECOMMENDATION:  
DENY WITHOUT PREJUDICE [VOTE – UNANIMOUS])**

**FILE #51-2003Z, REQUEST REZONING FROM  
S-R (SUBURBAN RESIDENTIAL TO M-R  
(MULTI-FAMILY RESIDENTIAL) TO  
CONSTRUCT DUPLEXES OR APARTMENTS  
ON PROPERTY LOCATED AT 838 HUFFAKER  
ROAD (ZONING MAP 664-00-030).  
(PLANNING COMMISSION RECOMMENDATION:  
DENY WITHOUT PREJUDICE [VOTE – UNANIMOUS])**

Chairman Fricks stated that these items are on First Reading.

Chairman Fricks stated that since there are a number of people who have been tied up for a long time. County Manager Poe stated that this is item #12 on the Manager's Report.

**APPROVE PURCHASE AND EXECUTION  
OF PURCHASE AND SALES AGREEMENT  
FOR GREENSPACE PROPERTY ON  
RIVERSIDE PARKWAY, BETWEEN  
CHIEFTAINS MUSEUM AND FUDDRUCKERS  
RESTAURANT.  
(4/5 VOTE REQUIRED)**

Chairman Fricks called for a Motion to add this item to the Agenda.  
Commissioner Hufstetler made a MOTION to place this item on the Agenda. SECOND  
by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

Commissioner Hufstetler stated that from his point of view there is a lot more information that he needs before he is willing to take any action and he does not know how much further discussion needs to be done on this today. Chairman Fricks stated that if that is the case, why don't they look at what we are looking for and kind of give them the information and he mentioned notes written by Commissioner Jennings. Commissioner Hufstetler stated that we need to have the other appraisal, we are supposed to have two appraisals when we act on something. He stated that they need to have all documents pertaining to the transaction from every party and need to know what all agreements they will be a part of. There are a lot of different parties to this action and they need all of that. Commissioner Jennings proposed that they have a Called Meeting on Friday and at that Called Meeting they would like to have a completed local appraisal, a total cost breakdown including land cost and other associated costs with this purchase. He further stated that they would like to have an accurate map that clearly delineates what would be County Greenspace property and what would be Chieftains property and that they would have a review of the agreement that is being made with the Chieftains Museum on this lease/purchase part of the deal. And, that, if they had this documentation on Friday, he would propose noon Friday. Commissioner Hufstetler stated that he would also like to have a copy of the option on the land. Commissioner Jennings stated that number five is the ... Commissioner Hufstetler stated that he thought it would be a lot better if they had it Thursday afternoon so that they do not spend an hour or two in the meeting trying to read through all of this and will be able to do their homework ahead of time. Commissioner Jennings agreed. Commissioner Jennings stated that these five things, the fifth being the documentation of the option on the property, that we would have that on Thursday by 3 p.m. Commissioner Hufstetler agreed that that was fair. Commissioner Jennings stated that they would hold a Called Meeting Friday at noon to take action or at least to discuss taking action. Commissioner Hufstetler asked if 1:30 p.m. or so on Friday was possible. Commissioner Jennings stated that he has a flight out of Atlanta at 5:15 p.m. and would probably not make it to that. Chairman Fricks asked about early Friday. Commissioner Jennings suggested 8 a.m. Friday morning, which was agreeable with all Commissioners. Commissioner Bennett stated that he would like to make another suggestions on this. He stated that, not as a formal document, but they

might give some consideration as to the allocations of funds, not excluding the \$200,000 that must come from here. There may be some more consideration on the Commissioners part to try and make this more, even though they don't have the appraisal, it may answer the question. They could do their own information, they might contact the people in California to see how much further they may be able to go on the lease/purchase amount. They are now getting a breakdown of the spread of the funds. There may be other considerations to consider in that they will be property holder, maybe to extend the terms of the lease/purchase deal or something, trying to make this more compatible as far as valuation. *(Some comments from the audience were not audible.)* Commissioner Bennett stated that they *(person speaking from audience)* are working that deal between Chieftains now. That has nothing to do with us, but it may be something that we might consider in that some of the questioning that has come as to the real value of what this low land is worth per acre. *(Audience comments not audible.)* Commissioner Bennett replied that he will not be here, but he would tell them up front that may have some bearing on trying to put a transaction together. He stated that he is just guessing that there might be some more information that might be available even though that is not a part of these requirements. He mentioned that they might be prepared to have a little more room to negotiate. *(Audience comments not audible.)* Commissioner Bennett stated that he was not talking about the purchase price, he is talking about the contributions of the two parties here, one being the trust which is financing the Chieftains, maybe by extending the terms between you and Chieftains or something. He stated that if the landowner is locked in and says he is not moving, then you can't...that number is there, all you can do is play with the other two numbers either in time or amount possibly to achieve an agreement. Commissioner Bennett stated that is the only thing he could say if they are saying that they have to contact two groups in California or Oregon or Washington or someplace, that might be an appropriate thing to do to try and make that contact prior to the meeting on Friday. *(Audience comments not audible.)* Commissioner Bennett replied that he understands, and stated that they are not aware of that, he just offered that, but if that is the case, then that is the case. *(Audience comments not audible.)* Commissioner Bennett stated that it would have been nice to have been trying to negotiate this in July or June.

Chairman Fricks stated, regarding the short term on the second appraisal, that he did not know if it would be better to clarify or it would be simplified or complicated, but they are talking about two different pieces of property and offers. Basically this tract will become two pieces of property. The main area that they *(the Commission)* are concerned with is the appraisal on the area they are purchasing. Chairman Fricks asked if there was any benefit or better understanding they would receive if they get a direct appraisal on the portion of property that they are talking about purchasing, instead of doing the whole thing at \$600,000. Right now that is worth what is appraised. *(Audience comments not audible.)* Chairman Fricks replied that it is where they are getting an appraisal of property they are not purchasing. *(Audience comments not audible.)* Chairman Fricks replied that they are trying to justify their purchase with public money, backed up by an appraisal, but don't want to cloud the issue by doing the appraisal on two pieces of property, just appraise the portion they are purchasing. *(Audience comments not audible.)* Chairman Fricks replied that when he looks back at the appraisals, he is talking

about comparables. When you erase the old scheme of things, we are purchasing this tract of land for \$200,000 and none of the comparables fit when compared to what is being purchased. We are, when you segregate the transactions we are talking about making. (*Audience comments not audible.*) Chairman Fricks stated that he is trying to justify our purchase and expenditure on the tract of land that we are purchasing, and saying should they do that, would it simplify the process of the appraisal, will it get us a more true appraisal value on what we are purchasing. (*Audience comments not audible.*) Chairman Fricks stated that they are looking at purchasing that land and he things they are clouding the issue by the total purchase that is another entities transaction. On our transaction, we are clouding our issue by bringing the other tract into it. When it comes down to it, we are spending \$200,000 on that tract and they do not really care what anybody pays for the other, that is up to them, but are we justified in our expenditure on that tract. (*Audience comments not audible.*) Commissioner Bennett replied that the whole deal is, not to interfere, but you are not going to purchase the other tract without us having purchased the portion we are going to purchase. So, it is as a whole without a doubt, but if in fact, for us to get a value for the flood plain land, we need to know what that would go for as a separate tract, even though it is not available as a separate tract, that if in fact, it went as a separate tract and not being tied to the other part which we have not interest in, then that would more likely give you two appraisals of that land as it lies, not as a part of the entire transaction. Commissioner Bennett stated that he understands that the man is not going to sell one without the other, but if you had a separate appraisal maybe the upper land would appraise for \$120,000 an acre and the lowland land would only appraise for \$6,000 an acre. (*Audience comments not audible.*) Commissioner Bennett replied that right now you are looking to putting \$400,000 in the bid if we put in \$200,000. (*Audience comments not audible.*) Commissioner Bennett replied that he thinks they understand that it is all or nothing. Dave Kuechenmeister from TPL stated to Chairman Fricks that what he is saying, that sort of appraisal would make perfect sense if this were a business decision or investment decision strictly for financial reasons, but if he were personally making this as an investment in the future, that is the thing he would want to look at. But they are looking at an investment in public land that is not going to pay off in dollars if they were going to sell the land later. So, it is accomplished on paper, it is a separate tract of land and it has to be looked at as a whole, that is what he is arguing. But he can ask for it if it is their desire to ask Paul Camp look at it as a separate property. Commissioner Hufstetler stated that he would like to have them both, if he will look at it as separate too. He stated that he does understand what is being said. Chairman Fricks stated that when he looks at it, he looks at what they are purchasing and he tries to erase the cloudiness of the total tract. He stated that he guesses that his responsibility, when he signs the papers that we will purchase this land, is making sure that what they purchase, and he does not think that their signatures will be anywhere on the total agreement, but mainly for the purchase of that tract of land that they talked about. Eric Lindberg stated that will be a separate transaction, you are purchasing that land from... Chairman Fricks stated that he is just trying to uncloud the issue, when he looks at comparables, he looked at the appraisal, he looked at comparables and he saw areas where Eddie Rents and the purchased tracts over there. There are a lot of comparables to what was on the upper land that had been mentioned, but there is not a single comparable that he can see to what they are actually purchasing. He stated that he

guesses somewhere in between there is the value of the land they are talking about purchasing and they are trying to do is justify the value of the purchase. Chairman Fricks stated that he understands there are intangibles and he just wants to make sure they are doing their due diligence and make sure that they spend the taxpayers money properly and feel good when he signs the papers.

It was asked if the appraisal will be ready by next week. Mr. Kuechenmeister replied that "he said he could have it early next week and he will see if he can push him and get it done for Thursday afternoon." Chairman Fricks asked if there was anyway it could be done quickly, he would think that even if they get paperwork, and some evaluations, it doesn't have to be a full appraisal. *(Audience comments were not audible.)* Commissioner Bennett stated that he is an accepted appraiser, but did not know if he is MAI or not. County Manager Poe stated that he *(the appraiser)* goes to court on cases. *(Audience comments were not audible.)* Chairman Fricks stated that at that point in time if they go ahead and schedule the meeting, everybody takes that into consideration. Hopefully, they will have that information, unfortunately they will have to make the basis of the decision to what it applies to at that point in time. *(Audience comments not audible.)* Commissioner Jennings stated that he predicts that they will have the appraisal, it will get done. Commissioner Bennett stated that it is not hard to find comparables. *(Audience comments not audible.)* Chairman Fricks stated that if it can't be done, then there is no use in doing it. Commissioner Bennett stated that is why he was asking about it going to California for. In the event the other comes in low, there would be wiggle room, and the amount that you would lease/purchase too. He stated that does not have to go into the mix except for you to just be aware of that in case something does come up, it is just a contingency. *(Audience comments not audible.)* Commissioner Bennett stated that the reverse could also be true, you could put it on the undevelopable low ground and then the allocation comes to the top ground, what is it really worth, if you are stuck with a growth price. You might transfer the access down to the property adjacent to Chieftains' road and the property adjacent to Fuddruckers. *(Audience comments not audible.)* Commissioner Bennett stated that basically, to consider that property separately, they do need the 60 feet, so you have to make an assumption and you know it is not fair and you transfer it down adjacent to Chieftains because all it is, if they own it all, which they will then, it doesn't matter where it is, 100% of the property is available and Chieftains is all in control.

Chairman Fricks thanked them for coming and answering the questions. *(Audience comments not audible.)* County Attorney Tom Manning asked if one of the things they are wanting by Thursday at 3 p.m. is an answer to whether the option can be extended. He thought they were going to make an inquiry on that. The response, from Mr. Keikomeister was that an inquiry is already in the process and will be known by then too. County Manager Poe asked if it was known, if they spend \$60,000 on Greenspace at the Health Department and, say, we were to do \$200,000 on this, what the balance is in the ... Response was that the balance in the account right now is approximately \$407,000, so with the \$60,000 for the Health Department, \$200,000 for this and they would end up with about \$147,000. Chairman Fricks asked if they were future commitments for dollars that they do not know if they will exist. *(Response and*

*comments from the audience were not audible.*) Commissioner Bennett stated that the earlier they can receive it the more comfortable they will feel. The information will be given to County Manager Poe by 3 o'clock Thursday.

## PUBLIC HEARING AND VOTE

### ADOPT RESOLUTION AUTHORIZING PLANNING DEPARTMENT TO SUBMIT **2004 – 2008 SHORT TERM WORK PROGRAM TO DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW.**

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

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

Chairman Fricks stated that the Public Hearing was open and asked if anyone wanted to speak in support or opposition. (*Comments made by Ms. Sue Hiller were not audible.*)

There being no one present wishing to speak, MOTION was made by Commissioner Hufstetler to close the Public Hearing. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

Chairman Fricks called for a Motion on this item. Commissioner Mayes made a MOTION to approve the Resolution authorizing the Planning Commission Department to

submit the 2004 – 2008 Short Term Work Program. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

## COMMISSIONER'S REPORT

### ADMINISTRATIVE/FINANCE COMMITTEE.

Commissioner Hufstetler, Committee Chairman, stated that he had nothing further to add other than what was discussed in Caucus.

There were not other Committee Reports.

## CLERK'S REPORT

### CONSENT AGENDA.

Clerk Michele Fountain stated that there were two items on the Consent Agenda, which she submitted for approval. Commissioner Hufstetler made a MOTION to approve the Consent Agenda. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

#### 1. Tax Refunds:

- a. James A & Gail M. Sherman, 18 Mountain Creek Drive, \$27.49
- b. Mark Wall, 38 Devonshire Drive, SE, \$1.93
- c. Billy N. Tuck, Jr., 445 County Road 778, Centre, AL, \$70.52

- d. Kenneth L. & Barbara Singleton, Sr., 120 Keown Road, SE, \$96.29
- e. William A. Cromer, 205 E. 11th Street, \$154.19
- f. Daniel & Julian Tibbets, 204 Charlton Road, \$27.25
- g. Robert & Rana Pyle, 271 River Lane, \$632.40
- h. Linda T. Sturdivant, 507 East 11th Street, \$9.96
- i. E. B. Youngblood, 1176 County Road 140, Gaylesville, AL, \$42.77
- j. Bryce Wood, 1813 Maple Avenue, \$116.26
- k. James Paul Welchel, 109 Blanche Avenue, \$.05
- l. Robert J. Smith, 137 Acadis Drive, \$45.42
- m. Kenneth A. Hancock, 104 Cherokee Street, SW, \$14.12
- n. James & William Roberts, 603 Turner McCall Blvd., \$11.63
- o. CVS Corporation, One CVS Drive, Woonsocket, RI, \$324.00
- p. M. Rufus Snowden, 507 East 11th Street, \$9.96
- q. Robert & Linda Thacker, 17 Bent Oak Trail, \$80.48
- r. James & Debbi West/Forrest & Sherri Hooper, 202 Rolling Pines Drive, \$41.39
- s. James W. Whitaker, 6 John Ross Drive, \$26.09
- t. James F. Tumblin, III, 390 Addington Drive, \$180.75
- u. Habitat for Humanity, P.O. Box 127, \$166.97
- v. Nellie V. Tew, 9 Fallowdrive, NW, \$44.07
- w. Charles & Clotee Johnson, 410 Branham Avenue, \$55.69
- x. Dan Roberson, P.O. Box 67,, Lindale \$100.71
- y. Vent-Rite, Inc., 1417 Summerville Road, \$124.05
- z. Eddie & Kiki Sublett, 107 Porter Street, \$35.26
- aa. Jackson D. Morgan, 436 Broad Street, \$28.09
- bb. Williams, Sweitzer & Barnum, 2232 Redmond Circle, \$284.00
- cc. Lester P. Trapp, 200 McGhee Bend Road, \$95.11
- dd. Nevin Patton, III, 64 Sayle Lane,, Richmond Hill, GA \$10.11
- ee. Mary Lucile Stephenson/Moss, 12 Horseshoe Bend, SW, \$.00
- ff. Marla Jo Settle, 20 Covered Springs, \$3.22
- gg. Greystone Apartments, LTD, P.O. Box 1273, \$936.52
- hh. Oscar Scales & M. C. Sales, 1303 Avenue B, \$114.51
- ii. Raymond & Ramie Swim, 603 Kingfisher Circle, \$2.15
- jj. Era Kirby & Homer C. Thomas, 5 West Main Street, \$42.39
- kk. Syble Raines, 273 Woods Road, \$307.88
- ll. Felipe & Jose Reyes, 112 Cherry Street, \$44.09
- mm. E. B. Youngblood, 1776 County Road 140, Gaylesville, AL, \$7.58
- nn. Everett Wesley Whitehead, II, 515 Turner Chapel Road, \$24.54
- oo. Steve & Tammy Penney, 6110 Black's Bluff Road, \$41.34
- pp. Kelly & Teresa McKinney, 426 New Rosedale Raod, \$56.29
- qq. Dr. Ingrid Stergus, 316 Mount Alto Road, SW, \$42.09
- rr. Felton & Mamie Pollard, 36 Black's Bluff Road, \$17.87
- ss. Helen Williams, 103 Sagewood Drive, \$17.29
- tt. Joe & Martha Touchstone, 849 Turner Road, NE, \$24.32



- uu. Charles Keown, 316 Broad Street, \$52.59
- vv. Dan Sweitzer, 9 Shorter Circle, \$113.17
- ww. Ava K. Rogers, 283 Black's Bluff Road, \$108.36
- xx. Dimples Hammonds, 107 Blanche Avenue, \$12.53
- yy. Dr. Lucius Smith, 717 Collinswood Road, \$826.97
- zz. Michael & Connie Williams, 5 Richland Court, \$38.08
- aaa. Gregory Lee Slater, P.O. Box 2656, \$15.93
- bbb. Robert A. Rund, 3908 Shore Acres Blvd., St. Petersburg, FL, \$52.88
- ccc. Charles D. Keown/Norris Allen, P.O. Box 1862, \$24.29
- ddd. Mary & Kimberly Tunnell, 38 Surrey Trail, SE, \$61.37
- eee. Wilbur, James & Williams Noles, 3352 Old Alabama Road, SW, \$89.17
- fff. Ray J. Tate, Sr./Ray J. Tate, Jr., P.O. Box 521, Cave Spring, \$609.23

2. Accept following on County Maintenance:

- a. Nan-Lee Drive, NW in Nan-Lee Subdivision, off Beech Creek Drive, Frank Ozment, Nan Lon, Inc. is Developer.
- b. Birchfield Subdivision, Unit One and Two, acceptance of roads and Detention Pond, Tom Hackett, Birchfield, Inc. is Developer.
- c. North River Farms Subdivision, acceptance of roads, Tony Cantrell, North River Farm, LLC is Developer.

## MANAGER'S REPORT

Chairman Fricks stated that Items #9, #10 and #12 had already been voted on and asked if they wanted to vote on all of the remaining items on the Manager's Report at one time. County Manager Poe stated that all of the bids could be done together. Commissioner Hufstetler suggested taking Item #1 through Item #6 together.

## **REQUEST FROM SHERIFF'S DEPARTMENT FOR INCREASE IN A BUDGET LINE ITEM FROM \$1,100 TO \$1,130 TO COVER INCREASE IN COST FOR A RED MAN TRAINING GEAR WEAPONS DEFENSE SUIT.**

County Manager Kevin Poe stated that the Sheriff's Department is asking for an additional \$30 to cover a piece of equipment that was approved at the first of the year, a Red Man Training Gear Weapons Defense Suit. He stated that was approved in the budget at a cost of \$1,100. When they went to purchase it the cost was at \$1,130 and they requested that they be allowed to exceed

the budgeted amount. He stated that they saved more than \$30 on other equipment expenses so they are not looking at any additional money to the budget, just allow them to go over the budgeted amount. Commissioner Hufstetler asked Major Jerry Ely what type of suit this is. *(Major Ely reply was not audible.)*

**AUTHORIZE CHAIRMAN TO SIGN  
CONTRACT WITH BILL O'DELL TO  
PROVIDE INDIGENT DEFENSE  
(\$3,250 PER MONTH).**

County Manager Kevin Poe stated that this item is to authorize the Chairman to sign a contract with Bill O'Dell as an Indigent Defense Attorney in the Superior Court. He stated that this is a typical contract that they have for all Indigent Defense Attorneys.

**AWARD BIDS:**

**ONE (1) LONG BED 4X4 HALF TON  
PICKUP FOR WATER DEPARTMENT.**

**ONE (1) CARGO VAN FOR FACILITIES  
MANAGEMENT.**

**ONE (1) CREWCAB TRUCK WITH  
DUMP FOR ROADS (PUBLIC WORKS).**

**THREE (3) 15 PASSENGER VANS  
FOR THE PRISON.**

**PORTABLE AND MOBILE RADIOS  
FOR VARIOUS DEPARTMENTS.**

**JANITORIAL AND PAPER PRODUCTS.**

County Manager Kevin Poe stated that there were recommendations in the Agenda Package for the purchase of the various equipment listed in Item #3 and he recommended accepting the recommendations as submitted by the Purchasing Agent who oversaw the bids on all of these. He stated that we received competitive bids on all of them and they are requesting low bid. Chairman Fricks asked if they were all low bids. County Manager Poe replied, "Yes." Commissioner Bennett asked if they were all in budget. County Manager Poe replied that they are all within budget. Commissioner Mayes asked how the system is working out where they order the janitorial products and you take low bids on just particular products instead of the low bidding company. You go with possibly 12 different suppliers. County Manager Poe stated that is what they ended up with in this, he thought there were seven different suppliers. Commissioner Mayes asked if it is working out logically as far as dealing with companies that you might be only ordering three or four items and are they sending the item on time. County Manager Poe stated that he has not heard of any complaints, it is more the Purchasing

Department being organized to make sure the different vendors... He stated that Nancy Lam is the one who set this up originally and she sent it back out in this form so he is assuming she is not having any issues with it since she is sticking with it. They are going through there and getting the low bid for each item which over the whole package saves a considerable amount of money. He also noted that there is a little bit more headache in placing orders. Commissioner Mayes commented, "Thank goodness for computers." County Manager Poe stated that helps her to be organized.

**AUTHORIZE EXECUTION OF 2004  
AGREEMENT FOR TRANSPORTATION  
OF THE ELDERLY WITH COOSA  
VALLEY REGIONAL DEVELOPMENT  
CENTER.**

County Manager Kevin Poe stated that this is basically an annual agreement that we have been entering into with Coosa Valley RDC. He stated that one good thing about this is that it is at a less or price than in the past. Not only have we been maintaining their vans, but we were also providing a driver for one of those vans, paying salary and benefits. In the new contract, we no longer have to provide a driver, so there will be some savings there.

**APPROVE COOPERATIVE AGREEMENT  
BETWEEN FLOYD AND POLK COUNTIES  
AND NATIONAL RESOURCES CONSERVATION  
SERVICES, UNITED STATES DEPARTMENT  
OF AGRICULTURE.**

County Manager Kevin Poe stated that this is an agreement between Floyd and Polk Counties related to helping to fund a staff person for the Natural Resources Conservation Service with the United States Department of Agriculture. He stated that the agreement is the same as last year and they are not asking for any increase in pay. He stated that basically this person handles Conservation Programs in actually a three-county district, Polk, Floyd and Chattooga. He stated that one day they probably need to go and talk with Jim Parker and see if he is willing to put a little bit of money into it since they service Chattooga County also.

**APPROVE EASEMENT WITH GEORGIA  
POWER FOR USE OF PROPERTY OWNED  
BY FLOYD COUNTY.**

County Manager Kevin Poe stated that this is basically an easement that Georgia Power is requesting. He stated that we have an old abandoned railroad right of way that runs through the Lindale area that was deeded over to the County. We are not using it for any purpose, but this just allows them to make some upgrades to their electrical transmission lines and gives them an easement to do that. He stated that he hopes that they remember how well we helped them out in this when we go to do other road projects and they have to relocate their utilities. He stated that we are not asking for any money so maybe they will treat us as well when we go to them.

Commissioner Bennett made a MOTION to accept the Manager's recommendation on Items 1 through 6 of the Manager's Report. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**RECLASSIFY THE FOLLOWING  
POSITIONS:**

**POSITION #456-039 FROM EQUIPMENT  
OPERATOR I TO EQUIPMENT  
OPERATOR II.**

**POSITION #456-079 FROM EQUIPMENT  
OPERATOR I TO EQUIPMENT  
OPERATOR II.**

**POSITION #456-018 FROM EQUIPMENT  
OPERATOR I TO EQUIPMENT  
OPERATOR II.**

**POSITION #456-055 FROM EQUIPMENT  
OPERATOR I TO EQUIPMENT  
OPERATOR II.**

**POSITION #457-118 FROM ASPHALT  
LAB TECH TO DETAIL OFFICER.**

**ADD PART-TIME CONSTABLE POSITION.**

County Manager Kevin Poe stated that on Item #7, basically Items "a" through "f" (*on the Agenda*) were things that came out of their Board Retreat related to upgrading Equipment Operator I positions Item "e" is downgrading that position to Detail Officer and "f" would again be adding a Part-Time Constable Position for security purposes in Magistrate Court.

**DISCUSS ADDING FLOATING JAIL  
OFFICER POSITIONS.**

County Manager Kevin Poe stated that the Sheriff had requested two additional Jail Officer Positions to handle responsibilities related to the Infirmary and Medical Services. He thinks that in order to be able to transport inmates to the Infirmary and assist the Medical Department and provide the medical services to the Jail inmates, he has asked for two additional employees. One thing that he had discussed with the Sheriff and he and Chairman Fricks had talked about this as well as it had been discussed some at the Board Retreat, is maybe a compromise, to add some floating positions within the department. He stated that they have a lot of turnover and have several vacancies now and they have some positions tied up with people who are on Workers Comp situations and some times those can drag on and that person stays in that position, some of them come back to work, most of them don't, but it ties up that allocated position. His thinking is that they could add some additional positions and really not have to add to the budget, they would just put those in as floating positions, they have always have vacancies or turnovers and we fully fund all of our positions. What this would do is let them go ahead and hire somebody and send them through training, which lasts several months, get them ready and by the time they are usually ready to work back into the workforce there is usually some kind of turnover and there would be an open slot which they could be placed in. This would allow them a bigger pool to work from to try to stay more fully staffed. He stated, just to make sure that they know what the Sheriff's position is, he likes the idea of trying to cover the Workers Comp positions. He has talked with him (*the Sheriff*) since he had talked with Chairman Fricks, he is still asking for the two employees in Medical and he just wanted to relay that, but he did like the idea of being able to have couple of floating positions. He noted that they will only be utilized when they need to, when they have situations come up. Hopefully if they get full staff they are positions that they just don't fill. This would be something that the Human Resources Department would have to come to him for him to sign off on. They would not make them full time employees, it would just be able to put people in Workers Comp situations in those slots so they could turn around and start the process to hire fulltime employees in the other allocated positions. Commissioner Mayes asked when they make a Motion, the Motion has to state that these positions are totally at yours and HR's discretion. County Manager Poe stated that he thought they would have to be approved by the County Manager, it just can't be something between the Department Head and Human Resources because he wants to make sure that they are utilizing the positions correctly, but you would approve the two additional Floating Positions within the Jail staff. County Manager Poe stated that he is saying that they do not add any money to the budget because he thought that the fact that they fully fund all of the positions will take care of that. He stated that he thought that just one day the Jail has been fully staffed, yet they fully fund all of those positions, so with the amount of turnover he thought that would cover the money they need. Commissioner Bennett stated that they were funded budget wise, but are not necessarily paid. County Manager Poe replied, "Right." He stated that they could allocate these two positions without adding any money to the salaries budget.

Chairman Fricks called for a Motion. MOTION was made by Commissioner Jennings to accept the County Manager's recommendation to reclassify positions "a through e" (*on the Agenda*) and add a Part Time Constable in Magistrate Court and two Floating Jail Officer Positions in the Jail Department with no increase in the budget for the Jail Officer positions and filling of those positions would have to be approved by the County Manager. SECOND by Commissioner Mayes. Commissioner Hufstetler stated that he agreed with some but not all of this so he would vote "No" at this point. VOTING:

YES

NO

Commissioner Hufstetler

Commissioner Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**DISCUSS ACCEPTANCE OF  
RECYCLING AND WASTE  
REDUCTION GRANT.**

County Manager Kevin Poe stated that they had received a grant in the amount of \$50,000 from Georgia Environmental Facilities Authority that could be used to help fund the purchase of another recycling truck. He stated that he wanted to go ahead and bring this up because number one, he wanted them to know that we were one of just a handful of communities that actually got awarded grant funds. The State is cutting back on all of their funding and they have done so in their Recycling and Solid Waste Reduction area. We had asked for \$85,000 or \$90,000. The good thing is we were awarded a grant, just a handful of communities got a grant, but it was at a reduced amount of \$50,000. He stated that looking at the finances related to starting another collection route, basically they could collect another 1,000 tons of material and a conservative rate that we are selling those materials at right now, on an annualized basis could make about \$67,000. Chairman Fricks asked if that was considering the handling costs. County Manager Poe stated, "No." Chairman Fricks stated that the handling costs now are pretty substantial. County Manager Poe stated that just looking at the revenue they would generate from selling the materials, he thought it was conservative \$67,000, the cost to operate the truck would be around \$53,000 which includes depreciation over a five year period of time for an extra \$30,000, we would have to pitch in for the truck because it would cost about \$80,000. The drivers cost, gas, oil and maintenance, if you look at it from that standpoint, the revenue from that route would cover the cost of running the route. If you take the whole operation and divided the amount of tons that we process by the whole operation, not only would this lose money, the whole center would lose money. Anything that is looked at as far as adding to the Recycling Center is not necessarily makes it a break-even situation. Commissioner Jennings stated that they are not at capacity there. County Manager Poe stated that the question is that if you add 1,000 more tons of material and what additional costs would it take to process that. And, right now they are saying that it shouldn't cost us anymore than what we are doing now. It is not going to require any additional equipment being placed at the facility. As you know, they are looking at how that facility is operated. Georgia Tech has come in and done their study and are supposed to be reporting back to them at the next Solid Waste Commission Meeting. He stated that the thing is, if they are not in support of adding the additional collection route, what they would do is go back and try to get an amendment to

the grant and try and allow us to use that money for other purposes. They do not want to turn the money back in but would try to find alternate ways to use it such as promotions type things or marketing materials. Commissioner Jennings stated that they have been discussing this particular route for several years. County Manager Poe stated that they do have enough businesses that they feel like from day one he can run a full route. If you ask these businesses why do they not recycle. They would recycle if we were coming by door to door picking up their materials, particularly with businesses. We would have to go ahead and agree to accept the grant and we would have to hire a driver to run the route which is basically what it boils down to. Chairman Fricks stated that this is adding a new position and purchasing a truck with the grant. This will be \$50,000 of the truck purchase, a total of \$80,000. Commissioner Hufstetler stated that the budget will not increase, in fact it should decrease. County Manager Poe replied, "Correct." Commissioner Jennings made a MOTION to accept the Recycling and Waste Reduction Grant for the purchase of the recycling truck and that we add the position of Truck Driver to the Recycling Center. SECOND by Commissioner Mayes.

Commissioner Jennings stated that if somebody is giving us these numbers, then we need to hold them accountable to it, if they can't produce these numbers then we have a serious problem. County Manager Poe stated that the net should come out with the markets the way they are, it could be next year it cost us zero dollars to process the materials because we break even. Some years it has cost us equivalent to \$78 a ton. This year it might be \$48 a ton, it fluctuates depending on what the market prices are. We could decide to do this and then the bottom fall out of the market and you bring in \$40,000. He stated that the number he took, he did not take Marta's numbers, he cut them down some. It is not the lowest they have ever gotten, and it is not the highest. Commissioner Hufstetler asked the difference in Marta's numbers. County Manager Poe stated that he thought were another \$11,000 or \$12,000 more a year. Commissioner Hufstetler asked why we did not use here numbers if she has confidence in her numbers. Commissioner Bennett asked if they were talking about numbers to use to revise the budget with. Commissioner Hufstetler stated that Marta's numbers were higher than the numbers presented by County Manager Poe. County Manager Poe stated that she had a little over 1,000 tons and he used a lot more conservative numbers when he looked at what they are selling that material for. Commissioner Hufstetler asked if she is saying that she can reduce her budget \$24,000 by adding this position. County Manager Poe replied to bring in more revenue than what it cost to run the route. Commissioner Jennings stated that will not show initially because it will take some time to make up the \$30,000 additional cost of the truck. County Manager Poe stated that they could deal with that separately. He stated that it will probably be towards the end of the year before... She should be able to start with a clean slate the first of the year. It will probably take the rest of the year to get the person and buy the equipment, he did not know how long it takes to order one of those trucks. Commissioner Hufstetler stated that by November or December they should get a pretty good indication. Chairman Fricks stated that for a number of years they have been justifying the expansion by additional revenues, so if they feel good about it, basically it is a positive gain for us for \$24,000. County Manager Poe stated that if you look at their budget this year, we are doing a lot better than the last two years and a lot of it is because the market higher. If you go back

four years, we about broke even; we are in between what was done four years ago and three years ago. It is a lot better situation, but he thinks they still have a long way to go to improve what they are doing out there. But, again a lot of all this deals with what the market is doing. You can be very efficient and the market drop out on you and you don't do as good or you could actually be less efficient and the market is better and your bottom line looks better. Commissioner Hufstetler asked if she was basing it on the average tonnage price over the last five years. County Manager Poe stated that her numbers were not top end, but he felt uncomfortable using anything, he wanted to be more in the middle instead of on the high side. Commissioner Hufstetler asked if her tonnage was different or the price. County Manager Poe stated that she had a little over a thousand, 1,020, and he rounded it off at a thousand. Commissioner Hufstetler stated that, as he had said, he thinks that they do this but hold her accountable to make this happen, if she is going to take that investment. County Manager Poe stated that he is relying on her that she says that she has another full route. He stated that he had gone back and looked at the report and the report seems to think that there is a potential for a second route too. It will be up to her that she said she can run another full route and get 1,000 tons a year, obviously that helps her overall situation with filling the landfill also. Chairman Fricks stated we will hold her accountable for this expenditure of returning in revenue.

VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**AUTHORIZE 2003 SPLOST FUND,  
2003 SPLOST BUDGET AND 2003  
BASEBALL MAINTENANCE FUND  
AND BUDGET.**

County Manager Kevin Poe stated that there was information in the packets for the proposed budgets for the 2003 SPLOST. Because they are starting to spend some money and will be bringing in some revenue towards the end of the year, they wanted to go ahead and establish a budget so they can set up their additional line items. He stated that this is just a projection based on looking at the rough schedule he put together for them at the Retreat. That they would start spending some money towards the end of the year in Cave Spring on the Sewer Plant, continue to do work at North Floyd Park and on the New Health Department Facility and on the Fourth Avenue Courthouse. He stated that all of these are just to make sure that they cover any costs they might have. Then



they will have sales tax collections coming in at the end of the year. He stated the other budget set up, because they had expenditures out of it this year, particularly paying for insurance for the Stadium. They went ahead and set up the Stadium Maintenance Account and also got the first year's revenues from the Braves commitments which involve Season Ticket Sales, Naming Rights and their annual contribution. The other revenue that can come in is our share of rental revenue for events outside of the baseball games. On the expenditures, they spent \$14,400 on insurance and they plugged in a couple of numbers for Repair and Maintenance and All Other. He stated that he does not see them really spending that this year, but they went ahead and made sure they had a number in there in case something came up and they would not have to come back and revise the budget. County Manager Poe stated that for a number of years they should have an excess of revenues over expenditures before they will have to start dipping into the Maintenance Fund. He stated that the biggest thing is that they did make that payment for insurance. Chairman Fricks asked if the only true expenditure that they have is the insurance. County Manager Poe replied, "Right." He stated that they know that was \$14,400 and if he had to guess, that is all they will spend this year, but they just plugged in some numbers. Commissioner Hufstetler asked if he needed a Motion to authorize these budgets and funds. County Manager Poe replied, "Correct." Commissioner Hufstetler made a MOTION to accept the County Manager's recommendations and authorize the 2003 SPLOST Fund, 2003 SPLOST Budget and 2003 Baseball Maintenance Fund and Budget. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

County Manager Poe reminded them that Public Hearings are scheduled for August 19<sup>th</sup> at noon and August 26<sup>th</sup> at noon related to setting the Millage Rate and the Millage Rate will be set at the evening meeting of August 26<sup>th</sup>. He asked that they put these on their calendars.

#### **ADJOURNMENT:**

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

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**FLOYD COUNTY BOARD OF COMMISSIONERS**  
**GARRY E. FRICKS, CHAIRMAN**