

August 26, 2003

Called Meeting

**CALLED MEETING
 FLOYD COUNTY BOARD OF COMMISSIONERS
 August 26, 2003 12:00 NOON**

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

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 Hufstetler led the Invocation.

**PUBLIC HEARING REGARDING
 MILLAGE RATE.**

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

YES NO

Commissioner Hufstetler
" Jennings
" Bennett
Chairman Fricks

Motion Carried

Chairman Fricks asked if anyone would like to address the Commission on setting the Millage Rate. Commissioner Bennett stated that it had been mentioned at the Retreat and he had discussed this with County Manager Poe. He asked if any effort or attempt had been made to try and mitigate this somewhat by reviewing the Budget or does that take place at some later date. Are they still able to mitigate this somewhat by saving money in our operations without having to do this Millage Rate increase. He stated that he knew that it was a net zero without a doubt, but it is still an increase. Chairman Fricks stated that almost yearly they try to mitigate it at the Budget setting times. He stated that he did not know if there was any further mechanism that could be done. Commissioner Bennett stated that in other words, if we set this Millage Rate, we are going to go ahead a collect this tax is what will happen. And then it will either go into surplus or there will be less surplus if this is not enough. He asked if that is what happens, it kind of falls out in

our surplus. *(Comments from the audience not audible.)* Commissioner Bennett stated that this is protecting some more of our Fund Balance without ... *(Comments from audience not audible.)*

MOTION was made by Commissioner Bennett to close the Public Hearing.
SECOND by Commissioner Hufstetler. VOTING:

	YES	NO
Commissioner Hufstetler		
" Jennings		
" Bennett		
Chairman Fricks		

Motion Carried

ADJOURNMENT:

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

	YES	NO
Commissioner Hufstetler		
" Jennings		
" Bennett		
Chairman Fricks		

Motion Carried

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

Regular Meeting

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
August 26, 2003 6:00 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 Jennings.

ADOPTION OF MINUTES: Chairman Fricks asked County Attorney Tom Manning if the minutes were in order. County Attorney Manning replied that they were in order. Commissioner Hufstetler made a MOTION to adopt the minutes of the Regular Meeting of August 12, 2003 and Called Meetings of August 15, 2003, August 19, 2003 and August 22, 2003 as presented. SECOND by Commissioner Bennett. VOTING:

YES NO

Commissioner Hufstetler
" Mayes
" Jennings
" Bennett
Chairman Fricks

Motion Carried

PROCLAMATIONS

SEPTEMBER 8 AS LITERACY DAY AND SEPTEMBER AS LITERACY MONTH.

Proclamation will be presented at another location at a later date.

PUBLIC HEARING

MILLAGE RATE.

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

YES NO

Commissioner Hufstetler

" Mayes
" Jennings
" Bennett
Chairman Fricks

Motion Carried

Chairman Fricks asked if there was anyone that would like to address the proposed Millage Rate. There being no one present wishing to speak, MOTION was made by Commissioner Hufstetler to close the Public Hearing. SECOND by Commissioner Bennett. VOTING:

YES NO

Commissioner Hufstetler
" Mayes
" Jennings
" Bennett
Chairman Fricks

Motion Carried

RESOLUTIONS

SET MILLAGE RATE FOR 2003.

Chairman Fricks stated that copies of the Resolution had been distributed during Caucus and he called for a Motion. MOTION was made by Commissioner Hufstetler to approve the Resolution setting the Millage Rates for 2003. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Hufstetler
" Mayes
" Jennings
" Bennett
Chairman Fricks

Motion Carried

SECOND READING/PUBLIC HEARING
(FIRST READING HELD AUGUST 12, 2003
AT 2:00 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])**

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

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

Chairman Fricks stated that the Public Hearing was open and asked Ms. Hiller to present her presentation.

Sue Hiller, Rome/Floyd Planning Commission, noted the property on the map. There is commercial zoning to the north along Shorter Avenue and there are commercial uses, there are shops along there, there is a movie theatre to the west, and she thought a music store to the north, to the south and to the east are residential properties. It is zoned S-R;, however, these tend to be multi-family type units as can be seen, there are fours, twos, sixes and threes, so it is residential, not necessarily single-family residential. A drawing was shown showing the fence on the property. The proposal is for using this for parking to go with the shops that are to the north of this along Shorter Avenue. Pictures were shown showing the surrounding area and the property. The pictures showed that looking east, it is pretty much vacant land right now. It has been various things in the past and most recently camper camps were there. Ms. Hiller stated that the recommendation was to approve with a vote of 7 to 1 and she offered to answer any questions.

Commissioner Jennings asked if the parking would adhere to percentage of the property that would be trees or grass. Ms. Hiller replied that if they redevelop it, they do have to meet the parts of the ULDC that require buffers and so on between residential uses and commercial uses.

Chairman Fricks asked if there was anyone present who wanted to speak in support or opposition.

SUPPORT

John Ivester, Martin Real Estate Company, representing Larry Martin, stated that he had spoken to the Planning Commission about this. He stated that basically the way that this happened originally, all of this being in the County, they had the lot behind it with a mobile home sales lot and the one beside it was also a mobile home sales lot. When the mobile home sales lot went away, after they bought the property they got the mobile homes out of there. Once those were gone, GZI came driving up and did not see anything on the property so they decided to zone it S-R. It got painted tan on the beautiful maps that were painted from GZI. He stated that he tried to get this administratively done after they went through all of the maps, and that did not work because it was attached to some of the multi-family residential. Instead of single-family residential, everything on the back of it is either duplexes or apartments. Their situation is, in Larry's (*Martin*) words, that the reason they bought it in the first place is that their shopping center is devoid of parking and if they ever sold it, they probably would not get an occupancy permit because they only have 22 parks for 20,000 square feet. That is why they bought it originally, to add to the parking spots for their tenants. He stated that he does not believe it qualifies for S-R because he does not believe anybody will ever build a house in the back of a shopping center. He stated that those are his comments and thanked the Commission.

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

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

Commissioner Jennings made a MOTION to **approve** the rezoning from Suburban Residential to Community Commercial. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

Chairman Fricks asked if on the next two items, did they read these two items, since they will be denied without prejudice. Did they need to go through these items? What did they need to do on these items? Assistant County Manager Rich stated that he would say open the Public Hearing as normal and vote as a normal procedure. County Manager Kevin Poe stated that when it comes to the vote, you would deny without prejudice.

**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])**

Chairman Fricks called for a Motion to open the Public Hearing. MOTION was made by Commissioner Jennings to open the Public Hearing. 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 of this issue. There being no one present wishing to speak, MOTION was made by Commissioner Jennings to close the Public Hearing. SECOND by Commissioner Bennett. VOTING:

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

Motion Carried

Commissioner Jennings made a MOTION to **deny without prejudice** this request. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**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])**

MOTION was made by Commissioner Mayes to open the Public Hearing. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

Chairman Fricks stated that the Public Hearing was open and asked if there was anyone present wishing to speak in support or opposition. There being no one present wishing to speak, he called for a Motion. MOTION was made by Commissioner Bennett 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. Commissioner Bennett made a MOTION to **deny without prejudice** this request. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

COMMISSIONER'S REPORT

ADMINISTRATIVE/FINANCE COMMITTEE.

Commissioner Hufstetler, Committee Chairman, stated that they had met on the Insurance Proposals and they are scheduling some meetings, but he was not sure that the meetings had been scheduled. County Manager Kevin Poe stated that they had been scheduled. Commissioner Hufstetler stated that they should be finished with their interviews by mid-September. The other item, the Audit, will be covered in the Manager's area.

WATER COMMITTEE.

Commissioner Jennings, Committee Chairman, stated that their report is under the County Manager's recommendation.

SPECIAL COMMITTEE REPORTS

NEW HEALTH DEPARTMENT FACILITY.

Commissioner Jennings reported that that they are meeting tomorrow at 11:30 a.m. and he thought the plan was to have the options that are available to them, as far as the Design Build and Program Manager, and have that available in the next meeting.

EXISTING PRISON USE.

Chairman Fricks stated that he wished that they would try to hold a meeting sometime. Commissioner Hufstetler stated that they do need to work on this. Chairman Fricks stated that he was a little concerned that is falling through the cracks and we might try to schedule a meeting sometime in the next couple of weeks or month on that.

CONSOLIDATED TASK FORCE.

Commissioner Hufstetler stated that one thing to report is that they are operating more on a Sub-Committee level and Chairman Fricks is on the government side of the Sub-Committee and he is on the education side. The City government has people on each board, and the Board of Educations of the City and County. He noted that they will be in two different committees most of the time, he thought. The Education Committee has elected its members for the overall committee, the 30. The voting members of that Committee will be selected by those groups, the representative from the City and from the County. At their next meeting, it is the intention that the meeting will be next Tuesday at 4 o'clock. They will select the voting members to join the Committee from that.

Chairman Fricks stated that from the governmental side he feels that they had a productive meeting. They are trying to bring everybody up to date at this point in time, to answer any questions to try to help them understand the operation of the City and County governments at this point in time. They have appointed the group of 15, who is meeting at this time. They have not yet, but have the intentions of, appointed the five that will go on their regular committee at the next meeting. County Manager Kevin Poe stated that they are supposed to meet again, they are going to try to meet about every Monday it appears. Since next Monday is Labor Day, they will try to set up a meeting for September 2 at 4 p.m. and have someone from Griffin-Spaulding or Athens-Clark come talk with them. Then at the September 8th meeting, they will have Terry Hayes with the Carl Vinson Institute of Government, hopefully will be there to help them start working on the Charter, then they will go from there. Commissioner Bennett commented that he thinks they have some people who were making some good comments at that meeting, as if they are tuned in to what their responsibilities will be and he thinks they have a real good group of volunteers that will participate in this. Chairman Fricks stated that he is impressed every day that they go into those meetings that a diverse group in terms of age and all races are represented. He thinks it is a good make-up and everybody is eager to learn and understand and are genuinely conscious about what is going to happen to the future of their community. He stated that he thinks that is the kind of people that they wanted on that Committee, and they are very lucky.

CLERK'S REPORT

CONSENT AGENDA.

Clerk Michele Fountain stated that there were four items on the Consent Agenda for approval. MOTION was made by Commissioner Hufstetler 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. Kenyon T. Smith, Jr., P.O. Box 2425, \$5.15
 - b. James E. Braden, 633 Berwin Road, NE, \$52.88
 - c. Fred W. Sweitzer, Jr., 25 Ridge Drive, \$35.88
 - d. John C. & Nancy Doehm, 38 Alabama Street, \$281.46

2. License Applications:
 - a. Dawn T. Henderson, Le Belle Jardin, 4399 Old Summerville Road – Precious Metals License.
 - b. Salim S. Sundrani, Texaco Food Mart, 1994 Kingston Road – Malt Beverage License – Convenience Store.
 - c. Jaydish Patel, A-1 Food and Beverage , 2031 Burnett Ferry Road – Malt Beverage License – Convenience Store.
 - d. Roger Tate, Doing Time, LLC, d/b/a Coyote's Stop & Shop, 7748 Alabama Road – Self-Service Fuel License.

3. Request from Tax Commissioner to release taxes from the digest for property purchased by Floyd County at the August 5, 2003 Tax Sale.

4. Enter into Minutes Health Services Agreement between Floyd County and Georgia Correctional Health, LLC.

MANAGER'S REPORT

DISCUSS SPLOST SCHEDULE.

County Manager Kevin Poe distributed an updated SPLOST Schedule. At the Board Retreat they had talked about 2003 SPLOST Projects and they had gone over the proposed schedule. Based on some of the comments made, they had made some adjustments. Particularly the adjustments at the bottom. They had moved up the Recreation Projects where they will all be completed by September, 2004, most of them

being done concurrently from February, 2004 to September, 2004. He stated that he did speak with Bob Saylor about the proposed schedule and he did not see any problems with doing all of these projects during that time frame. County Manager Poe stated that they are already working on the Health Department and they will proceed with that. Chairman Fricks asked where they actually receive the first check on collections. County Manager Poe replied that on September 4th, they will receive a \$9.5 million proceeds, so that will allow them to proceed from that point. Chairman Fricks noted that it is a two month delay on the other collection. As far as a SPLOST check, the first one will be in December. County Manager Poe stated that when he put all of this together and looked at the estimated draw down schedule for some of these projects and they compared them to their anticipated cash flow, it all works out doing these projects. He stated that the biggest dollars will be the first two projects. On the Old Dalton Road Sewer, he is proposing basically, and he had gone over this with John Bennett and he is in concurrence, that the \$3 million that they give for Old Dalton Road will be split into 12 equal payments over 2004 and they would most likely start that work in the middle of 2004, but they would make payments through that year and then the following year in 12 equal payments they would pay the \$8 million plus to the City for their Waste Water Treatment Plant Project. That project would go on to 2006 or 2007, but that works into our cash flow as they bring in sales tax receipts. Cave Spring has already taken bids on their project and they will be ready to go beginning in the December. That is when they anticipate their first construction and we will basically reimburse them as they make their construction draws. Commissioner Hufstetler stated that their bid came in a little bit under. He asked what legally, is there a ... County Manager Poe stated that his thought was that they (*the County*) would reimburse them (*Cave Spring*) and if the reimbursement doesn't equal \$900,000, we just reimburse them for cost incurred. He did not think it was intended to be a windfall. They might be able to turn around and add something else to the project. Chairman Fricks stated that in an earlier proposal, they had a lesser amount and adjusted up to make sure they covered their bid. Commissioner Bennett stated it was a good bit less than what was put in SPLOST, but because of some revisions, they estimated more and we increased it and so conversely he would hope that there is some savings for the possibility of some overruns in the other projects. He thinks that the way that works anyway is basically it falls back into the fund to help overruns in other places. County Manager Poe stated that they would not be doing it on an equal installment, it will be on a reimbursement basis. As compared to what the City is doing, the City should spend a lot more than what actually we are giving them. As he mentioned the Health Department is ongoing. On the Fourth Avenue Courthouse we will be taking some action tonight that, as you toured the building today, we have some work ongoing. They are looking to start doing some engineering on some of the road projects and then once the engineering is completed and they get the right of way acquisition, they are looking to do the resurfacing projects at the tail end during that second summer of the sales tax. The North Floyd Park is ongoing and are hoping to complete the work that is contemplated through the SPLOST by September, 2004 and he has already mentioned other park projects. He stated that he did not think there was any official action that needs to take place, but if everybody is in concurrence, generally with this schedule, that is how they will be proceeding. Chairman Fricks asked if they are complete in North Floyd on the

grading. County Manager Poe replied, "Yes, and the next phase is the water and sewer." He stated that they are 90% complete with the entrance road.

**DISCUSS PURCHASE OF GREENSPACE
ADJACENT TO CHIEFTAINS MUSEUM.**

County Manager Kevin Poe stated there had been discussion during the Caucus Session regarding this and he stated that he would hand this over to the Commissioners and asked if someone had a Motion related to this matter. Commissioner Bennett made a MOTION to purchase Greenspace property on the north side of Chieftains, as shown on the plat they had, with the revision that the plat be revised for the legal description or whatever so that the property we purchase has 170 feet of frontage along Riverside Parkway starting at the northern part of the property running south towards Chieftains and that at no point would that piece of property, giving access to the back side of the property, be less than 170 feet, that they purchase 14 acres plus or minus for the sum of \$200,000, that that would be what we would offer to pay for that property. SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Hufstetler
" Mayes
" Jennings
" Bennett
Chairman Fricks

Motion Carried

**AWARD BID FOR SEWER AND WATER
WORK AT NORTH FLOYD PARK.**

County Manager Poe stated that bids were taken for sewer and water work at North Floyd Park moving on to the next phase of that project. He asked that they look in the Agenda Packet to see the two bids. The low bid was from Carver and Carver Plumbing in the amount of \$96,500. County Manager Poe recommended awarding the project to the low bidder, Carver and Carver. MOTION was made by Commissioner Jennings to approve the County Manager's recommendation. SECOND by Hufstetler. VOTING:

YES NO

Commissioner Hufstetler
" Mayes
" Jennings
" Bennett
Chairman Fricks

Motion Carried

**DISCUSS PROPOSAL RECEIVED
FROM PLANNING WORKS
REGARDING PLANNING WORKSHOPS.**

County Manager Kevin Poe stated that he will defer this item to Commissioner Jennings, Assistant County Manager Rich or Ms. Hiller, since they have been working on this proposal. Assistant County Manager Rich stated that this goes back to some discussions, particularly Commissioner Jennings and Ms. Hiller had talked about this with the notion of doing a community oriented workshop about Smart Growth. And bringing in some experts and to tell us what is going on around the country, more particularly looking at what we are doing here. Also talk about some of the challenges we are facing, what we are doing and get some advice on what should we be doing. He stated that a lot of times we get caught up in things. Typically we deal with the ULDC and we are caught in that and sometimes maybe we don't see the big picture in looking at long term planning issues and future land use issues. He stated that he thinks this kind of workshop would really help facilitate getting us thinking more on those lines. So, that being the case, he and Ms. Hiller met with Michael Lauer, he is a Principal Planner with Planning Works, LLC, from Leawood, Kansas. He stated he is a top notch planner, very well thought of in the planning community. He works in conjunction with Dr. Bob Freilich. Dr. Freilich is in a separate firm and in the proposal under the Manager's Report, he did not know if they had had a chance to look at that, but what Mr. Lauer outlined was two different options for Community Workshops. One of those being that Mr. Lauer would facilitate and the second alternative would be that he would bring Dr. Freilich in and they would have two speakers, basically. The alternative, the second, being more expensive, but really in his opinion, and they did this in Carroll County so that is how he is familiar with this group, bringing in the knowledge of someone like Dr. Freilich, what he brings to the table. He is really one of the foremost experts in land use. He basically wrote the book on Smart Growth. He helps define the forefront of Smart Growth; how do we get there; what is sprawl; how do we defeat sprawl; and what is smart planning. That is the bottom line. He (*Dr. Freilich*) does a great job of helping communities get on the right track. What we have is really two proposals and in discussion with Ms. Hiller, the City has not been approached yet, but what they envision is that this may be a joint project where we split the cost. He stated that they are talking roughly \$2,000 or so each, for each government. He stated that is it in a nutshell and offered for Ms. Hiller to add anything.

Commissioner Jennings stated that he thought our thinking is that a number of us and a number of people in our community have been to conferences related to the issue of growth and smart growth and we hear, kind of on a broad scale, here are the issues, but what we want are these experts to come to our community, take a look at our code, take a look at our community and tailor this to Rome and Floyd County as opposed to across the United States. He stated that as they look towards their growth at this point they don't have the dramatic growth that a lot of counties in the surrounding Atlanta area have, but

the potential is there for us. What he thinks this does for them is give them some foresight as far as what do we need to do to prepare for that kind of growth. He agreed with Assistant County Manager Rich that the second option that brings both of the experts here and helps us look at ourselves and make some good decisions as far as our future. He recommended that they go with the second option and partner with the City of Rome to split the cost.

Commissioner Jennings asked Ms. Hiller if she had any comments. Ms. Hiller stated that she agreed with what was said. She thinks that when they talk about smart growth and quality growth, it should like a very good thing, but they are a probably a lot less certain of how do you do that. How do you make that happen in the community? What these people will do. In their discussions with them, they were very interested in what we have done, what the code looks like now, what they the think interest among contractors and developers will be. She stated that she thought having them come in and tailor this a little bit to what they are doing is very beneficial.

Commissioner Jennings stated that this is not simply for governmental officials, this is for contractors, developers, interested community persons from a variety of different areas. Basically there are two components to the workshop, but one of those is an inclusive view from the community and invitation to the community to participate with us. Commissioner Jennings asked if there was any discussion from the Commissioners. Commissioner Jennings stated that he would make a MOTION that they move forward with partnering with the City of Rome to put on... what is the official title of the options. Assistant County Manager Rich stated that they have basically two alternatives, both being two half day workshops and basically they can take a day and do a workshop with morning and afternoon sessions. Commissioner Jennings stated that he would like to propose the one where they have both of the experts come join them and for the County to pay \$2,000 and the City to pay \$2,000. He asked Assistant County Manager Rich if that was the correct amount. Assistant County Manager Rich stated that it is roughly \$1,950, if they conduct two on the same day and we have options as to how they want to schedule these, \$2,700 for the community workshop and an additional \$1,200 and they have a plus expenses, which he is not sure what total expense are. Commissioner Jennings stated that this Motion will be for Alternative 2 and will be for \$3,900 that we would split with the City of Rome for the costs. Commissioner Hufstetler mentioned that with plus expenses, it may not cover it. Commissioner Hufstetler asked if they could just agree in principle. Assistant County Manager Rich stated that at this point agree in principle and maybe have Ms. Hiller present this to the City Commission and get some joint support and we could move forward in negotiations with this group and he is sure that they are flexible. Commissioner Jennings stated that, if it would help, he would be glad to go with Ms. Hiller to the City Commission and speak to this issue. Commissioner Jennings stated Alternative 2 and proposing splitting the cost with the City of Rome. Commissioner Hufstetler asked if a Motion was need at this time since they were agreeing in principle and let Ms. Hiller present it to the City and maybe find out what the expenses are. Assistant County Manager Rich stated that he thought that they could come back with a final cost and present that at a later date.

**DISCUSS FLOYD MEDICAL
CENTER BOND ISSUE.**

County Manager Kevin Poe stated that they had some discussion about the proposal for Floyd Medical Center, regarding the County backing their next Bond Issue and he thought there might be a Motion. Commissioner Hufstetler stated that he had a Motion to make, but asked if everybody understands what the agreement will be and was further discussion necessary. County Attorney Tom Manning stated that there were two letters and he wanted to make sure that everybody was reading the most recent letter from Floyd Medical Center regarding the terms.

Chairman Fricks stated that he will highlight... He stated that the first thing is about Indigent Care, reduction of, we are guaranteeing the rate of \$200,000 for the next three calendar years, a reduction of \$200,000 for Indigent Care. Commissioner Bennett noted that they are currently paying \$400,000 if they are going to go down \$200,000 per year. Chairman Fricks stated that after that point, they are proposing that they do an annual review where we discuss with them... He stated that some of the verbal discussion that they had had were that they would review each others financial status at that time to find out if the hospital is having an extremely good year or if Floyd County is having a difficult year in revenues, we may negotiate the rate on that basis. And also review those processes on an annual basis after these three calendar years. Secondly, it was the reduction in Jail Medical expenses. Currently we are paying a 10% discount rate on our in-hospital medical care. It will increase the discount rate to 45%, we will be paying 55% of the rate. Thirdly, was the representation on the Board. We will have one representation that will continue on through the duration of the Bond on the Management Board and for the next five years we will have a second that will be appointed at the choice of the Hospital Board. He stated that he thought that most of the conditions that they requested are being met or considered. Commissioner Hufstetler stated that they do agree to maintain that, in their letter, for the life of the Series 2003 bonds. He stated that one question was could the by-laws change later on and they are committing in their letter not to change their by-laws as long as those bonds are outstanding. Commissioner Jennings stated that he will abstain from voting. He has conducted training workshops for, actually both, of our hospitals, the Harbin Clinic and numerous medical practices in town so he will abstain from voting on this issue.

Commissioner Hufstetler made a MOTION that the County agree to guarantee the \$40 million Bond Issue currently planned by the Hospital Authority of Floyd County and Floyd Health Care Management, Inc. subject to the County Attorney's review and revision of any documents and in accordance with the terms set forth in the August 26, 2003 letter from Mr. Kurt Stuenkel to Chairman Fricks, except that on page 2 of Mr. Stuenkel's letter under the heading "Indigent Care Funding" under paragraph #2, the Commission will only agree to give good faith consideration to returning the annual funding to a minimum \$400,000 level in 2005, if the County's financial condition should improve by that time, but taking into consideration Floyd Medical Center's financial condition at that time as well. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Hufstetler
" Mayes
" Bennett
Chairman Fricks

Motion Carried

Commissioner Jennings abstained from voting on this item for the reason he mentioned above.

**ACCEPT 2002 AUDIT REPORT
FROM COUNTY AUDITORS.**

County Manager Kevin Poe stated that during the Caucus Session, representatives from Read, Martin & Slickman, the County auditors came and made an audit report. They presented the FY 2002 Comprehensive Annual Financial Report. For the record, he recommended accepting their 2002 Audit Report as submitted. MOTION was made by Commissioner Bennett. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler
" Mayes
" Jennings
" Bennett
Chairman Fricks

Motion Carried

**AWARD BID FOR HVAC WORK
AT 4TH AVENUE COURTHOUSE.**

County Manager Kevin Poe stated that earlier in the year bids had been taken for Mechanical System Renovations to the 4th Avenue Courthouse, which we are calling the Floyd County Administration Building now, and had received two bids, one from Ware Mechanical and one from Cherokee Mechanical. The bids were a part of the Agenda Package. Once they found out that this was an approved SPLOST Project they are going to move on with it. This gave them a pretty good idea of what they are bidding it with whether they knew it was going to be a SPLOST project or not. Ware Mechanical did contact them and said that their bid price was still good but we felt it was a little high and wanted to negotiate with them to see if we could get it reduced down some. After it was bid, they had gotten with the consultant who came up with specifications and talked about some ways that we could modify the specifications to try to get the price lower. As the law allows us to do, they can negotiate with the low bidder. He noted Addendum #3

was from Chris Mullinax of Mullinax Solutions who was a consultant on this project. Mr. Mullinax worked with Ware Mechanical to make some modifications to the specifications. These are all things that both Chris Mullinax and John Mays reviewed and are in concurrence that are proper deductions that they think will still get the type of heating and air system that would be necessary to operate in that facility properly and basically have gotten the price down to \$765,725. County Manager Poe recommended awarding the bid to Ware Mechanical, a Floyd County contractor, in the amount of \$765,725. He mentioned that the largest expense they will have in that whole project, will be on heating and air. Commissioner Jennings made a MOTION to accept the modified Ware Mechanical bid for HVAC in the 4th Avenue Courthouse. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

County Manager Poe noted that this project, they will be doing other work as they get going, will probably be a five or six months process to go through the whole building. Commissioner Mayes stated that the contract mentions the County supplying the fire stopping material and asked why it would be handled like that. County Manager Poe replied that is because we can do it a lot cheaper and it is basically to get this foam. Like all of the openings that you have if you cut an opening through a wall, you are supposed to put fire rated material back in and it would be easier and cheaper for our guys to just go through there and do that instead of paying them to do it. It is something we are capable of doing.

**APPROVE CHANGE IN STREET
LIGHT ASSESSMENT RATE.**

County Manager Kevin Poe stated that he had a recommendation related to modifying or changing the Street Light Assessment Rate. As you know, those people in the County who have street lights, that are in Street Light Districts, pay based on front footage, they pay a rate per foot. The rate for 2002 was 39¢ per foot. He stated that Al Leonard, Comptroller, figured out what the rate needs to be set for 2003, it will come out on the tax bills going out. The recommendation is that the rate be set at 36¢ per foot. He stated that basically all they are trying to do is raise enough money to pay the Georgia Power bill. Mr. Leonard has figured that 36¢ per foot would raise enough revenue to do that. He stated that the recommendation is to set the Street Light Assessment rate for 2003 at 36¢ per foot. Commissioner Hufstetler asked what that added up to over a year's time. County Manager Poe replied that this year the budget is \$235,000. He stated that

looking at the numbers, it looks like they are looking to raise roughly \$259,000 to pay for street lighting. Commissioner Bennett made a MOTION to approve the Manager's recommendation. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

**AWARD THE GRANT FUNDS
FOR COMMUNITY FUNDS.
(4/5 VOTE REQUIRED)**

Chairman Fricks asked if everyone had read the letter they had. County Manager Poe stated that the recommendation would be that the History Museum and Chieftains would be awarded the same amount as last year and that the Harbor House would receive \$8,000 plus consideration for additional surplus created during this year from the Victim Witness 5% Add-On Fines. MOTION was made by Commissioner Mayes to add this item to the Agenda. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

Chairman Fricks called for a Motion. Commissioner Mayes made a MOTION to accept the Manager's recommendation. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Mayes

" Jennings

" Bennett

Chairman Fricks

Motion Carried

County Manager Kevin Poe stated that they had set a meeting with GE, EPA and EPD, City and County Commissions for the evening of September 8, a Monday, at 7 p.m. at the Forum. He stated that they do have representatives from GE, EPA and EPD confirmed that they will be there. This will be an open door meeting.

County Manager Poe mentioned that Jim Layton, Director of Coosa Valley Regional Development Center passed away this week and the funeral services will be on Thursday at 11 a.m.. Commissioner Jennings stated that the service will be at the North Broad Baptist Church and visiting hours at Jennings Funeral Home on Wednesday night from 6 p.m. to 9 p.m. He stated that Mr. Layton was Director of the Coosa Valley RDC for 14 years, worked with C. D. Rampley, a legendary person, and then took over 14 years ago and has run a very, very successful, effective organization here in Northwest Georgia. Certainly Floyd County has benefited from the work of the RDC and Mr. Layton will be missed.

ADJOURNMENT:

There being no further business to come before the Board, MOTION was made by Commissioner Hufstetler, SECOND by Commissioner Bennett, 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