

Cartersville. There might even have been some other large industrial situations that they missed 20 – 25 years ago. He stated the last time they had an altering event, he thinks was probably 25 years ago. He stated he thinks what they are talking about here today in the West Third Project is one of those events, and he urges them to give it all the consideration they can. He thanked the Board for their hard work. He stated he knows that they are all working hard. They have all put a lot of time into it, a lot of thought, and they certainly appreciate it.

Serpentfoot, 324 Forsyth Street NE, stated she may have made a mistake the last time she talked the Board. She said they had a terrible sound system, they needed it looked like a Rome sound system. She stated that was a bad mistake. She stated right before she came to the microphone, somebody adjusted it; they had to turn it up to extreme to even hear her at all. She stated she wonders if this is working now. She stated she hopes it is working if not she is going to sue somebody. She stated she should start her time now, she wants to be sure that she is heard. She stated three out of the five of them (*Commissioners*) are supposed to represent the citizens in the unincorporated area of this county. She stated they have not always done that. She stated in the stadium out there, that did not carry the unincorporated area of the county. Nevertheless the citizens of this county paid for it. She stated that is because three out of the five of them did not do their duty. She stated they are supposed to represent, three of them at least, the citizens of the unincorporated area of this county. She stated Rome talks big numbers. She stated they talked about how much benefit it is going to be to have The Forum. She stated it has lost money. She stated they talked about how much benefit the stadium is. It has lost money. She stated even if there was some money there, it is not benefiting other citizens of this county. She stated West Rome does not even have a bypass. She stated if Rome is going to be the county seat of Floyd County, it needs to consider the other people in this county. She stated they need some benefits to. She stated she has given them a law case from the 1800's and what it says in the case of Shorter and Wright vs. Nagle, it says the court says that it would be strange if they resorted to the feudal system justly characterize where privileges and the massing of wealth in the feudal lords at the expense of the public. She stated if they are going to tear down West Third Street and rebuild it out there somewhere else, they are benefiting the public from that. She stated the only people that are benefiting from that are these developers, these private developers. She stated they will be taking public property for private gain and that is a fraud. She stated it is just like the feudal system a few privileged people they have already re-zoned this area. She stated she does not want them to develop anything else in that area. They need to tear down everything there since John Ross' property was stolen from him. She stated if Floyd Hospital is going to expand let it expand the other way. She stated Rome, if it has a soul, it's in that land lot 244. She stated they need to apologize for stealing this. She stated she knows that Commissioner Jennings votes, and she wants him to change and vote with these other two that have opposed West Third. She stated she knows that he decides his decisions on whether or not he is comfortable with it, but remember there are some people in this county that does not have his ease and comfort. She stated remember them and represent them and vote against this privileged few that benefits a few at the expense of many.

George Anderson, 211 Saddle Mountain Road, stated regarding the Memorandum of Understanding, to him there is not much understood at this point. He stated he is still concerned about the pedestrian bridge and a lot of other questions. He stated he believes it is an oxymoron at this point. He stated the editorial that came out on the 11th dealing with Floyd County Commission is a travesty. It is totally vicious and uncalled for on elected officials that have been concerned for the public's good. He stated he wanted to say here today that he is upset with the paper for that. He stated there are several things here. One is the public officials will demean themselves, lower themselves to serve the public. He stated he stood before another commission a long time ago, and he talked about this oath of office and how it said to lower thyself to serve the people. He stated what they have now unfortunately is the oath of office that he showed a former Floyd County Commission that is involving the city. He stated they have demeaned themselves, lowered themselves, but it is to serve special interest, not the people, and he is upset about that. He stated the facts show that Rome City Commissioner Katie Dempsey has been unethical and has conflicts of interest left and right. He stated she does not know which way to vote. He stated five times she has voted for the West Third Street development. Twice she has abstained. He stated they have got to be one way or the other. He stated Mayor Wallace requested State Senator Smith to introduce legislation allowing the City of Rome to hold a local referendum as required under the redevelopment powers law. However, the vote is not taken until June 6 when Commissioner Dempsey makes the motion and votes for it. He stated Mayor Wallace said in his letter to the state senator that a vote will be taken on Monday, March 21st. He stated votes have not been taken on time. Everything has not come out about this on time, and they are running out of time. He stated to do it close to the end of this year, this deal should not go through. He stated the ULDC of Floyd County and the City of Rome states under 2.10.1 initiation, a governing body or the Planning Commission may initiate a proposed change to the text of the Rome-Floyd County Development Code by a majority vote of those voting. However, the City of Rome never voted and the Planning Commission only after Assistant City Commissioner Dixon and Sue Hiller initiated the discussion and vote with the subject matter never placed on the agenda. He stated the City Commission did not take an official vote to initiate the new zoning category as required by the Uniform Land Development Code that Rome and Floyd County, both governments, adhere to. He stated the Planning Commission is to follow the code as also the Rome and Floyd County Commissions. However, the city orchestrated a vote that questions the legality of the process. He stated the Rome City Commission will not vote on the new category of rezoning until its December 19 meeting. Isn't that putting the cart before the horse. He stated TADS represent a financial gamble in the part of local governments. He stated a classic problem with economic development subsidies is that local governments do not bargain shrewdly with their private sector counterparts. He stated worse case scenario is locality issues. A large amount of debt for benefits that never materialize and is implicitly or explicitly held liable for the debt by the bond rating agencies. In effect the taxpayers are left holding the bag. He stated to the Floyd County Commission he stands here before them today, four years later, to say as he did in a previous meeting, he was wrong back in 2001 dealing with the Rome Braves, he admits it. However, the City of Rome is flat wrong on the West Third Street re-development and the people need for this elected body to show their integrity this day by voting against

special interest and voting their conscience, and their diligence, and their loyalty to the people. He stated to quote Chairman Hufstetler's words, be cautious with taxpayer money and protect it. This part he did not say but the first part he did, but protect it from unscrupulous elected officials. Mr. Anderson thanked the Board for allowing him to speak today.

Chairman Hufstetler thanked everyone for their comments.

**ADOPTION OF
MINUTES:**

Chairman Hufstetler asked if the minutes were in order. County Attorney Tommy Manning stated the minutes had been reviewed and were in order. Commissioner Mayes made a MOTION to adopt the minutes of the Regular Meeting of November 22, 2005 as presented. SECOND by Commissioner Bennett. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings
" Bennett
Chairman Hufstetler

Motion Carried

**FIRST READINGS
(PUBLIC HEARINGS TO BE HELD
JANUARY 10, 2006 AT 2:00 P.M.) :**

- 1. FILE #93-2005Z, REQUESTS REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO D-R (DUPLEX RESIDENTIAL) TO CONSTRUCT DUPLEXES ON PROPERTY LOCATED ON EDEN VALLEY ROAD. ZONING MAP I16W – PARCEL 135. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8 – 0]).**

ULDC Revision:

- 1. REVISE ARTICLE 2.11.3(e) CONCERNING DECISION OF THE ZONING BOARD OF APPEALS AND ADJUSTMENTS. (PLANNING COMMISSION RECOMMENDATION: TABLED. [VOTE: 7 – 0]).**

Chairman Hufstetler stated Public Hearings will be held on these items on January 10, 2006 at 2:00 P.M.

CHAIRMAN'S REPORT:

- 1. Appointments to New Building Inspection/Planning Commission Oversight Committee.**
- 2. Appointments to Boards, Committees, Commissions and Authorities**
 - a. Airport Commission, Post 1 (4-year term expired 06/30/05) currently held by Wayne Vick.
Recommendation: reappoint current member (4-year term expires 06/30/09)**
 - b. Animal Control & Welfare Board (3-year term expired 09/30/05) currently vacant due to resignation of Keith Holloway, Charles Earnest.
Recommendation: Tammy Gilbert and Lynn Green (3-year term expires 09/30/08)**
 - c. Board of Appeals & Adjustments (3-year term expired 09/30/04) currently held by Larry Maxey, Robert Noble, Maxine Fincher, Ben Harrison.
Recommendation: reappoint current members (3-year term expires 09/30/07)**
 - d. Development Authority of Floyd County (4-year term expired 04/01/05) currently held by Sam Freeman; (4-year term expired 12/08/05) currently held by Johnny Johnson.
Recommendation: reappoint current members (4-year terms expiring 04/01/09 & 12/08/09)**
 - e. Floyd/Gordon County Development Authority (3-year term expired 10/21/05) currently held by Sammy Rich.
Recommendation: reappoint current member (3-year term expiring 10/21/08)**
 - f. Floyd County Board of Health (6-year term expires 12/31/05) currently held by Dr. Edwin Johnston, Jr.
Recommendation: reappoint current member (6-year term expires 12/31/11)**
 - g. Northwest Georgia EMS Council (2-year term expires 12/31/05) currently held by Phillip Tucker.
Recommendation: reappoint current member (2-year term expires 12/31/07)**

Chairman Hufstetler recommended Commissioners Tom Bennett and John Mayes be appointed to the Building Inspection/Planning Commission Oversight Committee. He stated recommendations are listed for Appointments to various Boards, Committees, Commissions and Authorities. Commissioner Bennett made a MOTION to approve the recommendations for appointments to the various committees. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings
" Bennett
Chairman Hufstetler

Motion Carried

3. Discuss recommendation to request Planning Commission to revise ULDC to add UMU (Urban-Mixed Use) and CBC (Central-Business Commercial) zoning districts to the unincorporated area of Floyd County.

Chairman Hufstetler stated item #3 is a recommendation to request the Planning Commission to revise the ULDC to add the UMU and CBC zoning districts to the unincorporated area of Floyd County. Commissioner Bennett made a MOTION to accept the recommendation. SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings
" Bennett
Chairman Hufstetler

Motion Carried

COMMISSIONER'S REPORT:

1. ADMINISTRATIVE/FINANCE COMMITTEE – COMMISSIONER FRICKS, CHAIRMAN

No Report.

2. PUBLIC SAFETY COMMITTEE – COMMISSIONER MAYES, CHAIRMAN

a. Discuss Floyd Against Drugs Coalition.

No Report.

3. PUBLIC WORKS COMMITTEE – COMMISSIONER BENNETT, CHAIRMAN

a. Recommendation to accept the following roads on county maintenance:

- 1) **Elliott Drive Extension**
- 2) **West Tara Lane**
- 3) **East Tara Lane**
- 4) **Highlander Trail**
- 5) **Bryan Springs Road**

Commissioner Bennett made a MOTION to accept these roads on county maintenance as recommended. SECOND by Commissioner Mayes. VOTING:

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

Motion Carried

4. WATER COMMITTEE – COMMISSIONER JENNINGS, CHAIRMAN

No Report.

5. SPECIAL COMMITTEE REPORTS

a. Consolidation Task Force (Fricks/Hufstetler)

No report.

b. Parking Committee (Fricks/Bennett)

No report.

c. SPLOST Committee

- a. Appointments to Committee.

Deferred.

d. Alternative Sentencing Committee (Jennings/Fricks/Mayes)

No Report.

e. West Third Street Committee (Fricks)

a. Discuss West Third Street proposals.

Commissioner Fricks stated they had a pretty thorough discussion in Caucus and he hopes he explained the potentials of possibilities. He stated they hoped they had all the questions that anybody might have and just see if there is a consensus on a desired position to take and how to move forward.

Commissioner Jennings stated he has publicly stated his support for this project. It has been alluded to here today about persons living in the unincorporated part of Floyd County which he does live in and represent. He stated he feels like this project is in the best interest of the entire Floyd County and surrounding communities for that matter. He thinks it has the potential of bringing in additional business interests in the community. It has the potential of bringing in a medical cancer center. It has the potential of bringing in not only office but retail kind of space. He stated he thinks that this project, certainly not without some controversy, is good for this community. He stated he does not question at all the intentions and the integrity of city commissioners and persons working on this project. He stated he thinks they have the best interest of this community at heart, and he thinks that the developers have the best interest of this community at heart. He stated the original proposal that the three of them voted in support of, they have now a counter proposal from the city that discusses and suggests a 24.5% split of the excess revenue that would come back to the county. He stated in his mind that is a fair proposal. He does not know that they have the votes here today to approve that proposal but he would be prepared, and he is at this point not going to offer a motion but he would be prepared to offer that motion. He stated he would strongly urge the Board if, whatever that compromised position would be, it may be moving from 24.5% to 45% split of the excess but he would strongly support a county finding and a commissioners finding something that they as commissioners can live with. He stated it is somewhere between 100% and the 24.5% which he is restating that he could live with.

Commissioner Mayes stated he is in agreement, that most of them are in agreement to support this project and want to see it happen. He stated he does not think there is enough votes up here to accept what the city has proposed, and the city does not seem to accept what the county has proposed so it seems like they need to sit down even in a special session and hammer this out to come to some kind of conclusion so they can get through this and move on.

Commissioner Fricks stated that he will say time frame is a very key factor here he thinks. He stated he does not want to press this on the Commission to make a decision. He is trying to bring as much information as he can and as quick as he can, but a lot of times it takes a while to get it to everyone. He stated what

about a consideration of this, he thinks everybody or he does not know if everybody but at least he thinks the majority is here, wanting to move this thing forward and try to get to a compromised position. He stated what if he proposed, if they will, allow him or someone or a representative to sit down and try to develop that compromised position along with the city. He stated they have a scheduled budget hearing on Friday, and he thinks that will be the opportunity that they will already be gathering if they have the opportunity to gather and they just go ahead and set that as a called meeting. He stated what he can promise them is he will bring the best proposal that he can bring them and he thinks at that time they can all be prepared to take action one way or the other. He asked if that is suitable to everybody. Commissioner Mayes stated it is suitable. Commissioner Fricks stated he will be glad to do it himself, or if they would rather have another representation from someone besides himself to negotiate, he will be glad to that as well.

Commissioner Jennings stated he is comfortable with Commissioner Fricks continuing and working hard to find that ground that they can support. Chairman Hufstetler stated it sounds like there is a consensus to move forward to do that. Chairman Hufstetler stated they will schedule a Called Meeting for 9:30 A.M. on Friday, December 16, 2005.

f. Fire Overview Committee (Fricks/Mayes)

- a. FY2006 Budget recommendation

Defer.

- b. Discuss Relocation of Fire Station #3

Defer.

CLERK'S REPORT

CONSENT AGENDA:

County Clerk Kathy Arp stated there are seven items on the Clerk's Consent Agenda which have been reviewed and are submitted for approval. Commissioner Mayes made a MOTION to approve the Clerk's Consent Agenda as presented. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings
" Bennett

Chairman Hufstetler

Motion Carried

1. **Tax Refunds.**
 - a. Robert Ozment & Frances Floyd., 3918 Alabama Highway, \$ 223.33.
 - b. Relaxation Station Inc., 210 E 2nd Avenue, \$ 97.80.
 - c. William E. Dehart, 1483 New Rosedale Road, NE, Armuchee, \$ 322.15.
 - d. Wachovia National Bank, 201 S College Street, \$ 110.99.
 - e. Vinayak Corporation, 1614 N Broad Street, \$ 8.12.
 - f. Walker's Garden Center, 2520 Shorter Avenue, \$ 424.81.
2. **Malt Beverage Application, Samshu Merchant/Diamond Jubilee Enterprises, Inc./Handy Store, 17 Halstead-Smith Road, Rome (Convenience Store – Ownership Change).**
3. **Approve 2006 Malt Beverage License Renewals.**
4. **Approve 2006 Self-Service Fuel License Renewals.**
5. **Approve 2006 Precious Metals License Renewals.**
6. **Approve Quit-Claim Deed between Floyd County and Labraun M. Purdy and Rhonda B. Purdy. (Tax Sale redemption).**
7. **Approve Quit-Claim Deed between Floyd County and Lenora Day. (Tax Sale redemption).**

MANAGER'S REPORT:

1. **DISCUSS MEMORANDUM OF UNDERSTANDING BETWEEN DOWNTOWN DEVELOPMENT AUTHORITY FOR THE CITY OF ROME, AND FLOYD COUNTY FOR MANAGEMENT OF PARKING DECKS. (DEFERRED NOVEMBER 8 AND NOVEMBER 22, 2005):**

Defer.

2. **DISCUSS HIRING CARL VINSON INSTITUTE OF GOVERNMENT TO CONDUCT EMPLOYEE SATISFACTION SURVEY:**

County Manager Poe recommended hiring Carl Vinson Institute of Government to assist the County in developing an employee satisfaction survey, to implement the survey, and prepare a report with the findings from the survey.

Commissioner Fricks asked is there a budget. County Manager Poe stated a per diem of \$975 per day.

Chairman Hufstetler called for a motion. Commissioner Fricks made a MOTION to enter into a contract with Carl Vinson Institute to initiate the employee satisfaction survey. SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings
" Bennett
Chairman Hufstetler

Motion Carried

3. ACCG 457 DEFERRED COMPENSATION PLAN AMENDMENT:

County Manager Poe recommended adoption of the Deferred Compensation Plan Amendment through ACCG. He stated it is similar to what they did with the Pension Plan. The amendments to the plan ensure that the county's plan is in compliance with the Internal Revenue Service. He stated there is no significant change to the Plan that directly affects Floyd County, it is system-wide amendments.

Commissioner Bennett made a MOTION to approve the Manager's recommendation. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings
" Bennett
Chairman Hufstetler

Motion Carried

4. CONSIDER REQUEST FROM BOMB SQUAD TO PURCHASE LAPTOP COMPUTER, DESKTOP COMPUTER, LCD PROJECTOR AND PRINTER. (TOTAL COST APPROXIMATELY \$4,600.)

County Manager Kevin Poe stated item #4 is a request that they received from the Bomb Squad to purchase a couple of computers and an LCD projector and

printer. He stated the desktop computer and printer would be to put at the new headquarters that they have established for the Bomb Squad and S.W.A.T. Team. They renovated the old fire station on Shorter Industrial Boulevard. He stated the laptop computer and the LCD projector is part of their obligation from the grants that they have received to help fund and to equip the Bomb Squad. He stated this would help them put programs together and go out into the community, do public education, go to the surrounding counties that they serve and industries within the county that they serve and that will give a presentation to them of what the Bomb Squad is all about. He stated they did give them a \$10,000 budget under the Police Department for this year. He stated they have only spent about \$1,000 of that and they are asking that they allow them to spend \$4,600 of that \$9,000 remaining to purchase this equipment. Commissioner Fricks stated so this would not be an increase in their budget. County Manager Poe stated basically they are amending the equipment budget. They have the money. They do not have to add money to the budget, but since it is equipment they have to amend the equipment budget to allow them approval to purchase it.

Commissioner Bennett made a MOTION to approve the Bomb Squad Equipment Budget to allow the purchase of the laptop computer, desktop computer, LCD projector and printer for an approximate cost of \$4,600. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Mayes
" Jennings
" Bennett
Chairman Hufstetler

Motion Carried

ATTORNEY'S REPORT:

No Report.

ADJOURNMENT:

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

YES NO

Commissioner Fricks
" Mayes
" Jennings

" Bennett
Chairman Hufstetler

Motion Carried

COMMISSIONERS

FLOYD COUNTY BOARD OF

**CHUCK HUFSTETLER,
CHAIRMAN**