

February 27, 2007

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
February 27, 2007 6:00 P.M.**

PRESENT: Chairman Jerry Jennings, Commissioners Eddie Lumsden, John Mayes, and Chad Whitefield.

OTHERS

PRESENT: County Attorney Tommy Manning, Deputy Clerk Jaime Foster, County Manager Kevin Poe.

ABSENT: Commissioner Garry Fricks, and County Clerk Kathy Arp.

CALL TO ORDER: Chairman Jennings called the meeting to order.

INVOCATION: Commissioner Whitefield led the Invocation.

PLEDGE OF

ALLEGIANCE: The Pledge of Allegiance was led by Commissioner Mayes.

PUBLIC PARTICIPATION:

Ms. Serpentfoot, 1513 N. Broad Street, stated that two or three months ago, she told the Board that she intended to sue the county if they go along with the city in redeveloping the West Third Street, which would destroy the most historic spot in Floyd County where Cherokee Chief John Ross, Principal Chief of the Cherokees had his home. She stated she does not want to see that destroyed, and about building the garden in the middle of the parking lot. She stated that is the last thing they need in the middle of the parking lot is a garden. There should be some other place they could put it. She still intends to sue the county if they proceed with this. She stated the only problem is when she will get around to suing them because she has a ministry and she has a lot of plans.

She stated the young lady that is with her tonight, their other guest, is from St. Petersburg, Russia.

Anna Vann, 1513 N. Broad Street, spoke of concerns of immigration under her own personal circumstances.

Joseph B. Gesing, 312 Ridgedale Drive, Silver Creek, stated he goes out to the prison once a week to conduct a communion service for the Catholic inmates. He stated in the course of conversation they have talked about the food that is served there. He stated their meal is two bologna sandwiches during the week and then on the weekend they do not have that. He stated it seems a little unjust in a way that these are not hardcore prisoners. These are prisoners that have made mistakes, and they give their labor for the good of the county. He stated one of them services the county cars and does body work on them. He stated one of them does work for the Parks and Recreation program with the electrical maintenance. Some others come down and clean the office buildings. He stated it seems to him that in fairness, they should have adequate food, not luxuries of any sorts, but if they let the contract for service to some organization, he would ask that they look at the menu of what kind of food they would serve.

ADOPTION OF

MINUTES:

Chairman Jennings 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 February 13, 2007. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

PROCLAMATIONS:

**RECOGNIZE ESTHER VAUGHN AND JOHN WARE
FOR YEARS OF SERVICE ON BOARD OF ELECTIONS
& REGISTRATION:**

Chairman Jennings stated the Board would like to recognize Esther Vaughn and John Ware for their years of service on the Board of Elections & Registration. He stated these two individuals represent 34 years of service to Floyd County on the Elections & Registration Board. He stated they deserve thanks for their service to the Floyd County community for the fine work that they have done with this Board. He stated he does not know that the Board has given them enough applause, assistance, and help for their service over the years. The Board presented Ms. Vaughn for her 19 years of service, and Mr. Ware for his 15 years of service, with a plaque in appreciation of their years of service to this particular board.

Ms. Vaughn stated she would certainly like to say thank you to the Board, to fellow Board members for the years she had with them, to Ms. Evon Billups, Elections Supervisor, and the Elections staff. She joined the Board at the inception when the legislature passed legislation for a Board of Elections. She stated they have come a long way. Going back to the time when she first came on the Board, they were here doing the paper ballots, as some of them might recall, and they knew each night when they had an election they would be there until two, three, maybe four o'clock in the morning. They have watched the process evolve into what they have today and what is to come. The Floyd County Board of Elections was one of the initial pilot sights for touch screen voting and they have watched this from the very beginning. She thanked the Board of Commissioners again for allowing her to have this opportunity.

Mr. Ware stated he too expresses his appreciation for this recognition. He stated it has been his pleasure to serve the citizens of Floyd County for these 15 years. As Ms. Vaughn said they have come along way and they have a great deal to be proud of for their Elections & Registration procedures here in the county. He stated he would like to thank the Board for their continued support of Elections & Registration functions and the office.

RESOLUTIONS:

- 1. RESOLUTION TO PROVIDE FOR THE ISSUANCE OF THE GO BONDS AND TAX LEVY, AND AUTHORIZE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT, PRELIMINARY OFFICIAL STATEMENT,**

**CONTINUING DISCLOSURE STATEMENT, 15C212
CERTIFICATE, AND FOR OTHER PURPOSES
(2006 SPLOST BONDS):**

Chairman Jennings stated Jamie Wilson is here as the county representative on the bond market to share with them what happened this morning.

Mr. Wilson stated they have before them a Resolution that will authorize the issuance of the General Obligation Bonds that were authorized by the voters last fall related to the SPLOST. He stated these bonds are being issued to basically advance fund the SPLOST projects so that the construction can get started sooner and the projects can get completed on a more timely basis. He stated they have been working with the Floyd County staff and the County Attorney for the last 6-8 weeks and all of this has come to a culmination today when they sold the bonds into the market. He stated the interest rates that they got were, he thinks, very favorable. There was approximately \$20 million of bonds sold. He stated in fact, the par amount is \$19,490,000. That is slightly under what was authorized. He stated the reason for that is there is an appetite today by investors for premium bonds meaning that they wanted to pay higher than par for the bonds so the average dollar price was about 102%, which generates a bit of a premium therefore they reduced the par amount of the issue to \$19,490,000. The proceeds available to the county will be the same. He stated the interest rates ranged from 4% - 5% but the reoffering yields were 3.66%, 3.68%, and 3.69%. There is not a whole lot of difference in interest rates today between short-term rates and three and four year paper so the true interest cost to the loan to the county was 3.87%. He stated that is consistent with what they had thought the rates would be back several months ago. Interesting antidote today was a good day for the bond market but as many of them may have seen, it was not a good day for the stock market. He stated the stock market was off about 415 points, but the U.S. Treasury Market interest rates are at 451, the lowest they have been in a while, so he guesses their timing was pretty good. He stated they will not take credit for that but anytime they get lucky, they will accept it.

He stated he would like to bring one thing to their attention. In the course of this process, they applied to Moody's Investor Service, which is one of the primary two bond rating houses. He stated they assigned a Aa3 rating to Floyd County's debt. He has a copy of their report card that he would like to share with them. He stated it basically comments on why they have identified the rating as Aa3. The middle of the first paragraph it says simply the Aa3 rating reflects the large stable economy that Floyd County serves as a regional center, a solid financial position characterized by healthy reserves and low indebtedness. He stated that kind of sums it up and then at the very bottom of the page under Strong Financial Position, it says Moody's expects that the county will maintain favorable financial performance, as ample General Fund reserves and conservative budgeting practices provide a significant operating flexibility. He stated he thinks that is a tribute to the way they have governed the county and the staff that has managed the county and that is reflected in the interest rates that they got today. He stated the closing is scheduled for March 14, 2007 at which point the monies would be available to be shared by the county and the various cities pursuant to the Intergovernmental Agreement. Chairman Jennings thanked Mr. Wilson on behalf of Floyd County.

Chairman Jennings called for a motion. Commissioner Whitefield made a MOTION to adopt the Resolution before them to among other things provide for the Issuance of the GO Bonds and Tax Levy and Authorize the Execution and delivery of the Bond Purchase Agreement. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Lumsden
" Mayes

" Whitefield
Chairman Jennings

Motion Carried

**SECOND READINGS/PUBLIC HEARINGS:
(FIRST READINGS HELD FEBRUARY 13, 2007)**

- 1. FILE #22-2007Z, REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO C-C (COMMUNITY COMMERCIAL) TO CONTINUE COMMERCIAL USE ON PROPERTY LOCATED AT 2564 SHORTER AVENUE. ZONING MAP G13W – PARCEL 546. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9 – 0]:**

Commissioner Lumsden made a MOTION to open the Public Hearing. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of the zoning request. Ms. Hiller stated to the north of the subject property there are other properties that are zoned S-R (Suburban Residential). To the east and west is a commercial corridor along Shorter Avenue that is zoned C-C (Community Commercial). To the south, L-I (Light Industrial) and C-C (Community Commercial) zoning. She stated this property has been developed with a commercial business for some time but at the time of adoption of the ULDC, it was zoned for S-R (Suburban Residential). The property is occupied with a business type building. To the south across Shorter Avenue is the L-I property. To the east is a mix of commercial and to the west more of a mix of commercial. She stated there is some residential, but it is generally zoned for commercial uses. She stated as she mentioned this has been used commercially for some time. It is already developed and the proposed use would use that existing development. She stated any future development on this property would require that it be developed in conformance with the ULDC; however, it does appear to have at least some buffering to the north between it and the residential property, which is a good thing. She stated this is an area where services and utilities are all available. The staff recommended approval because of the long-standing use and the uses on either side and to the south. She stated the Planning Commissioner also unanimously recommends that they approve this request.

John Ivestor, 2004 Dean Street, stated he represents Larry Martin. He stated he is the broker of Martin Real Estate Company. They built a new facility for the customer, Bill Gore, in front of Lowe's for his tractor and trailer sales and they increased the size of his building to about 12,000 square feet. He stated when he was on the phone with some customers, he looked at the property, the use that they had. For some reason he went to the zoning map and saw that this property, which had been used for appliance sales by Floyd Outlaw for 35 years, somehow the zoning map painted everything brown for suburban

residential. He stated he wished they could do these things administratively because he could not believe when he called Ms. Hiller's office and asked Phil Helton to check this before he had to come up and file for a rezoning request on this property, that it was not a mistake. He stated he pointed out that the property is surrounded by commercial and it could not possibly have been zoned suburban residential, Mr. Helton confirmed that it was in fact suburban residential. He stated at that point they decided to get started and that is the reason he is here to speak on behalf of having it rezoned back to community commercial for what it had been used for the last 35-40 years.

Commissioner Lumsden made a MOTION to close the Public Hearing. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Mayes made a MOTION to approve the rezoning request. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

- 2. FILE #26-2007Z, REQUEST REZONING FROM H-C (HEAVY COMMERCIAL) TO H-TR (HIGH DENSITY TRADITIONAL RESIDENTIAL) TO CONTINUE SINGLE-FAMILY USE ON PROPERTY LOCATED AT 420 AND 420½ STRAWBERRY LANE. ZONING MAP J16Y – PARCEL 235. (PLANNING COMMISSION RECOMMENDATION: APPROVE AND REQUEST THE ENTIRE BLOCK BE REZONED. [VOTE: 10 – 0]:**

Commissioner Mayes made a MOTION to open the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of the zoning request. Ms. Hiller stated to the west of the subject property is part of a subdivision and these lots are actually part of that residential subdivision as well. She stated they back up to some lots that were platted a little bit differently and probably not initially a subdivision that fronts on White Avenue. She stated not all of the lots along Strawberry Lane and White Avenue are developed but the ones that are, are developed residentially. The property actually has a second dwelling on it and it is surrounded by subdivision and residential properties. She stated one of the things that is notable about this area is between Strawberry Lane and White Avenue is Booze Creek. These properties are all within the flood plain, many of them are within the flood way. She stated in fact, if some of these houses went away they probably could not come back, but in the mean time when people try to buy and sell these properties they are having a difficult time with that so the applicant is requesting that it be rezoned. She stated the Planning Commission is recommending that they rezone that. The Planning Commission would further suggest that perhaps this block of H-C zoning, which does not appear to make any sense and may in fact be an error, that they consider going through the process of rezoning it. She stated they could just contact those folks and let them know that they may have this issue down the road to see if they are amendable to having their property rezoned as such. In a way it is a moot point, it is almost impossible to develop in a flood way, but at least they would have the proper zoning for their residential use. Chairman Jennings asked Ms. Hiller so she is saying while the Planning Commission recommended that the entire block be rezoned that cannot be done without the residents doing so, so all they can deal with is this particular property tonight. She stated the only application they have before them is on the subject property. That is the only one that was advertised.

Ed Spears, 3 Nicholas Drive, stated they are just requesting to get it rezoned to residential, which it is being used as now. He stated he is assuming that the mill bought and owned that land and it just never was rezoned. They are trying to sell the property and it makes it complicated to get it refinanced or financed if it is zoned commercial.

Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

	YES	NO
Commissioner Lumsden		
" Mayes		
" Whitefield		
Chairman Jennings		

Motion Carried

Commissioner Whitefield made a MOTION to accept the zoning request from H-C (Heavy Commercial) to H-TR (High Density Traditional Residential) per Planning Commission recommendation. SECOND by Commissioner Mayes. VOTING:

	YES	NO
Commissioner Lumsden		
" Mayes		
" Whitefield		
Chairman Jennings		

Motion Carried

3. **FILE #27-2007Z, REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO L-I (LIGHT INDUSTRIAL) FOR TRUCK REPAIR AND MOTOR FREIGHT TRUCK TERMINAL USE ON PROPERTY LOCATED AT 5045 CALHOUN ROAD, HIGHWAY 53 NORTH. ZONING MAP L11W – PARCEL 100. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH THE CONDITIONS OF OBTAINING A SPECIAL EXCEPTION FROM THE ZONING BOARD OF APPEALS, AND ON PROHIBITING CONSTRUCTION AND/OR OPERATION OF A PAINT BOOTH ON THE PROPERTY. [VOTE: 10 – 0]:**

Commissioner Lumsden made a MOTION to open the Public Hearing. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of the zoning request. Ms. Hiller stated the subject property is surrounded by S-R (Suburban Residential), much of which is undeveloped and some of which is used agriculturally. To the southeast across the highway, there is some industrial zoning. She stated this property had building permits and permits from DOT for a curb cut back in 1991 to build an auto repair business on it and that business was there for some time. It went away, the building stood empty for some time and again, it was rezoned according to what was around it and what it appeared to be rather than what the intended use of the owner had been. In order to reinstate that as a commercial or industrial use they do need to go through the rezoning process. She stated because they want to do repair and they are adjacent S-R (Suburban Residential), they also had to get a variance from the Zoning Board that would allow them to be there. Both the Planning Commission's recommendation and the approval of the Zoning Board for that variance were conditioned on not doing any painting of vehicles but simply doing repair. The applicant indicated that he was amenable to that and his intent was to have a trucking drop site where they would do some maintenance and minor servicing, but they would not really venture into the realm of major repair or painting of any trucks. She stated they did get comments back from the water and sewer saying that there is no sewer here and water is on the other side of the highway from here. She stated there is a well on this property, however, it has been developed in the past with a well and a septic tank. The Floyd County Health Department indicated that they would have some concerns about the use of that septic tank particularly if they get into the area of activities on this property that requires an oil and water separator. She stated the applicant is aware of all that and the applicant feels that he can comply with all that. He is willing to work with those folks and try to make this happen. She stated the other thing that she should point out is that there is an existing building on this property and it is closer to the property line than the L-I (Light Industrial) zoning would allow however, it is an existing building that the applicant is can use. The site plan that he has submitted shows that they may expand the building but they would be expanding it away from that property line, not toward it. To the east and west is mostly just undeveloped land. She stated the site plan that he submitted he shows that in the future he

may expand the building and double the size, but he would be doing that away from the existing building and away from the property line where it is close. She stated he would have some parking. There is a well already existing on the property there. This comes to the Board with a recommendation from the staff and from the Planning Commission that approval be conditioned upon getting that variance, which they have done and also that they would not construct or operate a paint booth on this site since they are adjacent residential.

Lamar Fox, 3175 Calhoun Road, stated they just wanted to rezone the property to use it for a truck maintenance shop and a terminal, and maybe get a permit to increase the size of the building. He stated they would never put a paint booth on it. They do not have any plans for that.

Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Lumsden made a MOTION to approve the request from S-R (Suburban Residential) to L-I (Light Industrial) with the condition recommended by the Planning Commission that there be a prohibition against the construction and operation of a paint booth. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

ULDC REVISIONS

Chairman Jennings stated they are going to defer the ULDC Revisions pending the Attorney's review. County Attorney Manning stated they can do the Public Hearing, they will have that done on the time frame that they are supposed to, and they can just take no action so they can vote on it next time.

- 1. REVISE OR DELETE ARTICLE 3.3.2 b(2); ARTICLE 3.4 TABLE 3-1; 4.1.12 b(6)(e) AND b(2)(b); 4.1.12 d(1) AND d(4); AND 4.1.12 f(3) REGARDING MANUFACTURED HOMES OUTSIDE OF MANUFACTURED HOME PARKS. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10 – 0]):**

Commissioner Mayes made a MOTION to open the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked if there is anyone who wishes to speak in support or opposition of this revision of the ULDC. Seeing none, Commissioner Mayes made a MOTION to close the Public Hearing. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings stated he would just like to say, and asked Ms. Hiller to listen to make sure he says this right, what this change does is it requires a Special Use Permit in the county for a manufactured home to be placed within an existing subdivision of stick built homes. Ms Hiller stated that is correct and at the same time it would leave the provisions in that the city has always had that they would require a Special Use Permit in both A-R and S-R zoning districts. Chairman Jennings stated the change really defines what a subdivision is so they are clear on that. The board took no further action with respect to this item.

2. **REVISE ARTICLE 3.3.2 b, c, d, AND e; ARTICLE 3.4 TABLE 3-1; AND ARTICLE 4.1.28 CONCERNING ATTACHED SINGLE-FAMILY DWELLINGS. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10 – 0]:**

Commissioner Lumsden made a MOTION to open the Public Hearing. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked Ms. Hiller to give a brief description of this revision. Ms. Hiller stated they have already made a change in the past that allowed attached single-family as opposed to a duplex in the D-R zoning district and the city requested a further revision that would provide another alternative that would provide another alternative to actually rezoning

to D-R. She stated what they are proposing with this is that they could do attached single-family as a specific use by Special Use Permit in the S-R, H-TR, and L-TR zoning districts.

Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

The board took no further action with respect to this item.

ROAD CLOSINGS

1. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING THE CLOSURE OF THAT CERTAIN PORTION OF THE OLD WILBANKS ROAD SITUATED BETWEEN THE NEW WILBANKS ROAD AND THE EAST ROME BYPASS:

Commissioner Lumsden made a MOTION to open the Public Hearing. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

John Ivestor, 2004 Dean Street, stated Larry Martin's request to close the old Wilbanks Road is because it is significantly below the old State Farm building that they bought and they bought both sides of the road all the way up to a small portion that is left over that he believes belongs to the Wilbanks family. He stated they requested a closing because they own both sides of the road, and all of the property that faces Highway 411. He stated basically the property on both sides of the road are hills and Larry wants to fill that portion of what used to be Wilbanks Road. He stated it was actually closed when they built the by-pass. The by-pass was built several years ago and it just created a dead road that went nowhere. He stated it is now overgrown and what they would like to do is fill it to be able to use it for a potential building in the future. When the newer by-pass gets closed, they understand that they are going to bring the road over the top of Highway 411 in the new road configuration and they would be able then to get a curb cut into their property. He stated by filling that in they would bring it closer to the level with the State Farm building and have places to put more offices or something in the future. They do not have the definitive plan yet but the first part is to get the road closed.

Melinda Wilbanks Duke, 60 Pioneer Way, stated she is in approval of this but they would like the small portion that Mr. Ivestor was talking about that would be left. She stated they own the land on both sides of that portion and would like for it to be closed and deeded back to them. She stated their father actually gave it to the county to build the road in there and they are just asking for that portion back. She stated they have received a letter from another county attorney, Andy Garner, stating if it were closed, it would be deeded back to them.

Commissioner Lumsden made a MOTION to close the Public Hearing. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Lumsden made a MOTION to close the portion of Wilbanks Road shown on the plat attached to the ordinance. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING THE CLOSURE OF SUMMERSTONE DRIVE:

Commissioner Mayes made a MOTION to open the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked if there is anyone who wished to speak in support or opposition of the closure of Summerstone Drive. Seeing none, he asked County Manager Poe to give an explanation. County Manager Poe stated they have a request from Tom Hackett who originally developed this subdivision and put the road in according to an approved

subdivision plan and it is currently under county maintenance. He stated it is a short cul-de-sac off Old Summerville Road. The intentions is for Mr. Hackett to convert this to a gated community and have the street a private street that they would be responsible for maintaining. He stated they have reviewed that and have no problem closing the road as a county public road and turning it over to Mr. Hackett as a private street for him to maintain. In the ordinance, they have covered the situation with maintenance of the water line. He stated they have a water line that goes throughout the length of the cul-de-sac. It would allow them to go in there and continue to maintain the water lines and read the water meters with the property owner responsible for any repairs needed to improvements as a result of the maintenance or work..

Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Mayes made a MOTION to approve the closing of Summerstone Drive. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

CHAIRMAN'S REPORT:

1. Appointments:

- a. Zoning Board of Appeals, 4-year term, expires September 30, 2007 (to fill slot vacated by resignation of Graham Dixon).**

Defer.

- b. Rome-Floyd 20/20 Committee.**

Commissioner Whitefield made a MOTION to appoint Spencer Brewer, Terry Jones, Terri Mayes, and Dr. Lynn Plunkett to the Rome-Floyd 20/20 Committee. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden

" Mayes
" Whitefield
Chairman Jennings

Motion Carried

c. Hospital Authority.

Commissioner Whitefield made a MOTION to nominate John Mayes, Eddie Lumsden and Garry Fricks for consideration by the Grand Jury as a member of the Hospital Authority to fill the hold over term of Chuck Hufstetler who resigned and the term is scheduled to expire December 31, 2008. SECOND by Chairman Jennings. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. Appoint Study Committee to review needs for Court Systems.

Chairman Jennings stated he is appointing the two commissioners to serve on a study committee to review the needs of the court system specifically related to the juvenile court. He stated he and Commissioner Whitefield will serve on that committee and they have asked County Manager Poe to help them come up with the other committee members. He stated certainly Judge Pape will be on that committee, Barbara Earle who is the director of the Commission on Children and Youth, and then other persons in the community who may have an interest in a comprehensive facility not just for juvenile justice, but juvenile needs in the community. He stated they will be following up and determining who will be members of that committee. They then will begin the process of thinking through the development of such a facility.

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee – Commissioner Whitefield, Chairman

a. Recommendations to reclassify the following positions:

- 1) Animal Control Secretary (paygrade 6 to paygrade 7)
- 2) Water Department Storekeeper (paygrade 8) to Warehouse Coordinator (paygrade 11).
- 3) Water Maintenance Worker II (paygrade 7) to Water Crew Leader (paygrade 9)
- 4) Water Department Administrative Assistant (paygrade 11) to Utilities Billing Manager (paygrade 14).

Commissioner Whitefield stated they have a recommendation to reclassify some positions. He stated the positions are Animal Control Secretary (paygrade 6 to paygrade

7), Water Department Storekeeper (paygrade 8) to Warehouse Coordinator (paygrade11), Water Maintenance Worker II (paygrade 7) to Water Crew Leader (paygrade 9), and Water Department Administrative Assistant (paygrade 11) to Utilities Billing Manager (paygrade 14). He stated this has gone through the process that the county uses to validate the paygrade changes to these individuals.

Commissioner Whitefield made a MOTION to accept the paygrade reclassifications. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. Public Safety Committee – Commissioner Lumsden, Chairman

Commissioner Lumsden stated annual reports from all of the different departments that make-up Public Safety were submitted. He stated everything was acceptable and in good order. That was their first meeting and they are scheduled to meet again next week.

3. Public Works Committee – Commissioner Fricks, Chairman

No Report.

4. Water Committee – Commissioner Mayes, Chairman

a. Approve Water Fund Budget

Commissioner Mayes made a MOTION to approve the Water Fund Budget. SECOND by Commissioner Whitefield.

Discussion: County Manager Poe stated he would like to note that just one change is being made to what was presented to them as they discussed in Caucus. He stated they are changing the total Operating Revenue Budget to \$6.5 million from roughly \$6.2 million. He stated all of the expenditure items continued to stay the same as presented. Commissioner Mayes stated his MOTION recognizes that change. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

b. Discuss recommendation for Water Rate Increase.

Commissioner Mayes stated Mr. Poe and Mr. Hulseby have recommended that they have no rate increase on water.

c. Discuss Fulton Road Well Project.

Commissioner Mayes made a MOTION to approve continuing the Fulton Road Well project and allow Graves Service Company to drill a new well at this site. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

5. Special Committee Reports

- a. SPLOST Committee**
- b. Work Release Committee**
- c. Fire Overview Committee**
- d. Joint Services Committee**

No Special Committee Reports.

CLERK'S REPORT:

Consent Agenda

Deputy Clerk Jaime Foster stated there are two 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 Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

1. Tax Refunds:

- a. Wal-Mart Stores, Inc., 702 SW 8th Street, Bentonville, AR 72716, \$52.29

- b. Dee Baxter Bates & Nancy Ann Bates Currie, 22 Locust Street, \$18.63
- c. Diane Beeching, 900 Martha Berry Blvd., \$89.33
- d. Mike Britton, 106 Margo Trail SE, \$75.99
- e. Ronald B. Montgomery, 3 Foliage Way NE, \$129.40
- f. Michael Britton, 106 Margo Trail, \$10.62
- g. Michael Britton, 106 Margo Trail, \$37.18
- h. Damon York, 112 Echota Circle, \$28.91
- i. Damon York, 112 Echota Circle, \$28.11
- j. Damon York, 112 Echota Circle, \$28.11
- k. Martha Clemones, 239 Rogers Drive, \$71.69
- l. Martha Clemones, 239 Rogers Drive, \$104.59
- m. Lisha Cronan, 111 County Road 372, Centre, AL, 35960, \$122.88

2. Approve GEMA Grant from the Department of Homeland Security Fiscal Year 2006 Homeland Security Grant Program Citizen Corps Program in the amount of \$20,000.

MANAGER’S REPORT:

1. AWARD BID FOR 3 PARK SHELTERS FOR RECREATION AUTHORITY (2006 SPLOST):

County Manager Kevin Poe stated they have a recommendation to purchase three park shelters for the Recreation Authority. He stated they are looking to purchase park shelters for the North Rome Swim Center, Shannon Park and Wolfe Park. These are part of the 2006 SPLOST projects. He stated sealed bids were received and the recommendation is to award the bid to the low bidder, which is Leisure Lines for all three park shelters.

Commissioner Lumsden made a MOTION to award the bid for the three park shelters pursuant to the county manger’s recommendation. SECOND by Commissioner Mayes. VOTING:

YES	NO
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Commissioner Lumsden	
" Mayes	
" Whitefield	
Chairman Jennings	

Motion Carried

2. AWARD ENGINEERING CONTRACT FOR ARMUCHEE CONNECTOR PROJECT (2006 SPLOST):

County Manager Poe stated they recently received proposals for engineering services for what they are calling the Armuchee Connector Project, which is a 2006 SPLOST project. He stated they received four proposals. They narrowed it down to three firms and interviewed those three firms. He stated the recommendation is that they issue a contract to Wilbur Smith Associates. They will put together a contract and come back to the Board with a formal contract, but based on their proposal and subsequent information provided to them, they anticipate the cost of engineering services to be roughly \$500,00.00. He stated the recommendation is that they hire Wilbur Smith Associates to be the engineers for the Armuchee Connector Project.

Commissioner Lumsden made a MOTION to award the engineering contract for the Armuchee Connector Project to Wilbur Smith Associates. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

3. AWARD BID FOR PRISON FOOD SERVICE:

County Manager Poe stated they received proposals for Prison food service. He stated these were proposals. They were not actually sealed bids so they were able to interview the company, evaluate, look at references and things like that. He stated they received two proposals, one from ABL Management and one from Valley Services. The Warden and Deputy Warden reviewed the proposals, as well as the Purchasing Director. He stated the recommendation is that they accept the proposal from ABL Management at the cost of \$1.165 per meal. The daily calorie count has been increased from 3200 to 3500 calories per day. He stated they are increasing the calorie intake. That was part of the problems they had, as well as other problems, with the existing food service vendor. He thinks this is a positive change, they will monitor the service and if it is not adequate, they will evaluate. He stated if they have to they will go back to doing themselves, but they think it is beneficial to the whole operation to keep it privatized.

Commissioner Mayes made a MOTION to award the Prison Food Service Contract to ABL Management. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

4. AWARD BID FOR WATER DEPARTMENT CHEMICALS:

County Manager Poe stated they recently took sealed bids for the annual purchase of chemicals for the Water Treatment Plant Operation. He stated they received bids from four different suppliers and the recommendation is that they go with the low bid from Harcos Chemicals.

Commissioner Lumsden made a MOTION to accept the Manager's recommendation in awarding the Water Department chemicals bid to Harcos Chemicals. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

ATTORNEY'S REPORT:

No report.

OTHER BUSINESS:

Chairman Jennings welcomed and recognized Jason Lewis and Margaret Mitchem, the Leadership Rome Participants that were present.

ADJOURNMENT:

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

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

JERRY JENNINGS, CHAIRMAN