

Commissioner Lumsden presented a Proclamation to Ms. Beth Dabbs, Victim Witness Program Director, and Leigh Patterson, District Attorney recognizing the week of April 22 – 28 as National Crime Victims Rights Week.

(Proclamation/Resolution Book, Page 99)

PARKINSON DISEASE AWARENESS MONTH:

Commissioner Mayes presented James Trussel of the Northwest Georgia Association, with a Proclamation recognizing April 2007 as Parkinson Disease Awareness Month in honor of those stricken or affected by Parkinson Disease.

(Proclamation/Resolution Book, Page 100)

NATIONAL DONATE LIFE MONTH:

Commissioner Whitefield presented Carol Foster with a Proclamation recognizing April as Donate Life Month. Ms. Foster accepted the Proclamation and thanked the Board for recognizing all of the donors from Floyd County.

(Proclamation/Resolution Book, Page 101)

NATIONAL TELECOMMUNICATOR'S WEEK:

Commissioner Fricks presented Patricia Smith with a Proclamation recognizing April 8 – 14 as National Telecommunicator's Week in Floyd County to honor the men and women whose diligence and professionalism keep our county and citizens safe. Ms. Smith thanked the Board for their support.

(Proclamation/Resolution Book, Page 102)

FIRST READINGS: (SECOND READINGS/PUBLIC HEARINGS TO BE HELD MAY 8, 2007 AT 2:00 PM)

- 1. FILE #02-2007Z, REQUEST REZONING FROM D-R (DUPLEX RESIDENTIAL) TO M-R (MULTI-FAMILY) TO CONSTRUCT MULTI-FAMILY DWELLINGS ON PROPERTY LOCATED AT 122 WILSHIRE ROAD. ZONING MAP K13Z – PARCEL 396. (PLANNING COMMISSION RECOMMENDATION: TABLE [VOTE: 7 – 2]).**
- 2. FILE #42-2007Z, REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO L-I (LIGHT INDUSTRIAL) FOR CONTINUED EXISTING USE OF PAINT AND BODY SHOP ON PROPERTY LOCATED AT 3114 ROCKMART ROAD. ZONING MAP J15Z – PARCEL 076. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH THE CONDITION THAT THERE NOT BE AN ENTRANCE ON NANCY STREET [VOTE: 8 – 0]).**
- 3. FILE #44-2007Z, REQUEST REZONING FROM S-R**

**(SUBURBAN RESIDENTIAL) TO L-I (LIGHT INDUSTRIAL)
FOR CONTINUED EXISTING USE OF ROOFING CONTRACTOR
BUILDING ON PROPERTY LOCATED AT 3010 ROCKMART ROAD.
ZONING MAP J15Z – PARCELS 074, 075. (PLANNING COMMISSION
RECOMMENDATION: APPROVE WITH THE CONDITION
THAT THERE NOT BE AN ENTRANCE ON NANCY STREET
[VOTE: 8 – 0]).**

- 4. FILE #48-2007SUP, REQUEST SPECIAL USE PERMIT TO
ALLOW MANUFACTURED HOME ON INDIVIDUAL LOT
IN A SUBDIVISION IN THE S-R (SUBURBAN RESIDENTIAL)
ZONING DISTRICT ON PROPERTY LOCATED ON 31 MIAMI
DRIVE. ZONING MAP L16 – PARCEL 188. (PLANNING
COMMISSION RECOMMENDATION: APPROVE
[VOTE: 8 – 0]).**
- 5. FILE #49-2007Z, REQUEST REZONING FROM N-O-C
(NEIGHBORHOOD OFFICE COMMERCIAL) TO C-C
(COMMUNITY COMMERCIAL) FOR COMMERCIAL MEAT
MARKET USE ON PROPERTY LOCATED AT 1409 KINGSTON
HIGHWAY AND 4 WILSHIRE ROAD. ZONING MAP K13Z –
PARCELS 081, 546. (PLANNING COMMISSION RECOMMENDATION:
APPROVE PARCEL 081, DENY PARCEL 546 [VOTE: 8 – 0]).**

Chairman Jennings stated Public Hearings would be held on Tuesday, May 8, 2007 at 2:00 P.M. for these items on First Reading.

**SECOND READINGS/PUBLIC HEARINGS:
(FIRST READINGS HELD MARCH 27, 2007)**

- 1. PROPOSED AMENDMENT TO THE FLOYD COUNTY
CODE TO INCLUDE ESTABLISHMENT OF AN ALCOHOL
CONTROL COMMISSION:**

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

	YES	NO
Commissioner Fricks		
" Lumsden		
" Mayes		
" Whitefield		
Chairman Jennings		

Motion Carried

Chairman Jennings asked if there is anyone here wishing to speak in support or opposition of this Proposed Amendment to the Floyd County Code to include Establishment of an Alcohol Control Commission. Seeing none, Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Whitefield. VOTING:

	YES	NO
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Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked County Manager Poe to give a brief summary of what they are establishing. County Manager Poe stated the introduction to the Ordinance reads the ACC will be established to conduct due process hearings upon probable cause to consider the suspension and revocation of licenses to dispense alcohol in Floyd County and to advise the Commission as to the same. He stated it is to act as an Advisory Board to the Commission on any and all issues related to alcohol sales within Floyd County. Chairman Jennings stated this basically gets them with an Alcohol Control Commission that is similar in nature to the Rome City Commissions. County Manager Poe stated one difference is that the County ACC will just be there to act as an Advisory Board related to penalties to businesses that violate the code. He stated it will not be used as a mechanism to issue licenses but just to recommend penalties to those businesses that violate the county code.

Commissioner Fricks made a MOTION to Amend the Floyd County Code to Establish the Alcohol Control Commission. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

CHAIRMAN'S REPORT:

1. Discuss Upcoming Appointments.

Chairman Jennings stated they discussed in Caucus the upcoming appointments and they will have a spreadsheet in their next meeting to give them an overview of upcoming appointments for the rest of this year.

4/5 Vote Required

2. Discuss Hospital Authority Appointment Process.

Commissioner Mayes made a MOTION to add this item to the agenda by a 4/5 vote. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden

" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings stated in Caucus they met with Jerry Norman, Chairman of the Floyd County Hospital Authority, Tim Mahanay, a member of the Hospital Authority, and Kurt Stuenkel, President of Floyd Medical Center. He stated he believes they have forged an agreement on the selection process for members to the Floyd County Hospital Authority.

Chairman Jennings called for a motion. Commissioner Fricks made a MOTION that the County Adopt a Resolution supporting a change in local legislation for a method of appointing members to the Hospital Authority provided that change sets forth that one of the seven Hospital Authority members be a member of the Floyd County Commission selected by the Floyd County Board of Commissioners from its own membership and that the other six members shall be appointed after the Hospital Authority submits a nominee, which shall be approved by the Board of Commissioners and then sent to the Grand Jury for selection. SECOND by Commissioner Whitefield.

Discussion: County Manager Poe stated he received a call from Kurt Stuenkel following up and he has not been able to get answers as to what the process is at this point with the General Assembly. Mr. Poe stated that Mr. Stuenkel mentioned the need for a Resolution. Mr. Poe stated if they can work it through the process this legislative session that would be good, and if not, they are on the record for supporting the change. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee – Commissioner Whitefield, Chairman

No Report.

2. Public Safety Committee – Commissioner Lumsden, Chairman

No Report.

3. Public Works Committee – Commissioner Fricks, Chairman

No Report.

4. Water Committee – Commissioner Mayes, Chairman

No Report.

5. Judicial Services Committee – Commissioner Jennings, Chairman

a. Juvenile Center Proposals.

Chairman Jennings stated as a point of information he has requested that the County Manager pull together a committee to look at the potential of developing and building a Juvenile Center that would include not only their Juvenile Court, but also other juvenile services in a comprehensive center. He stated their charge is to first identify those persons who might serve on this committee and then to begin at the point of the proposal that has actually been made in the last two SPLOST, although it not be limited to that proposal and to help them to develop a concept and a plan for a Juvenile Center.

b. Courthouse Space Needs Study.

Chairman Jennings stated this deals with the Juvenile Center, but in a broader perspective. He made a MOTION to charge the County Manager with creating a request for proposals for a consultant who can help them with a Courthouse Space Needs Study utilizing the existing the Space Needs Study that was done 5 years ago as a starting point to help them look at the total space needs not only today but in the future. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

6. Special Committee Reports

- a. SPLOST Committee (Lumsden)**
- b. Work Release Committee (Lumsden, Mayes)**
- c. Fire Overview Committee (Lumsden, Whitefield)**
- d. Joint Services Committee (Jennings, Whitefield)**
- e. Joint Development Oversight Committee (Mayes, Whitefield)**

No Special Committee Reports.

CLERK'S REPORT:

Consent Agenda

Deputy Clerk Jaime Foster stated there is one item on the Clerk's Consent Agenda, which has been reviewed and is submitted for approval. Commissioner Fricks made a MOTION to approve the Clerk's Consent Agenda as presented. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

1. Tax Refunds:

- a. John & Paula Newman, 111 Oakwood Road, \$505.07
- b. Frank J. Romano, P.O. Box 407, Cave Spring, \$696.98
- c. John & Penny Martischnig, 76 Dogwood Drive, \$61.46
- d. John Martischnig, 76 Dogwood Drive, \$47.17
- e. Clinton Poole, 1586 New Rosedale Road, Armuchee, \$287.67
- f. Nancy Powell, 600 Morgan Dairy Road, Cave Spring, \$490.61
- g. Dongye Hou, P.O. Box 3044, \$39.18
- h. Hubert & Mary Smith, 2619 Garden Lakes Blvd., \$161.78
- i. Battley Downtown, LLC, 414 E. 1st Avenue, \$1,445.49
- j. Kenyon T. Smith, 2555 Shorter Avenue, \$.17
- k. Kenyon T. Smith, 2555 Shorter Avenue, \$.96
- l. Kenyon T. Smith, 2555 Shorter Avenue, \$17.40
- m. Robert & Rana Pyle, 271 River Lane, \$37.98
- n. Jasper & Pamela Merrell, 106 N. Hillcrest Drive, Lindale, \$31.62
- o. Banister L. Harbin Jr., 11 Ridgewood Road, \$24.44
- p. Maple St. Holdings, 30 S. Ivy Ridge, \$22.49
- q. Maple St. Holdings, 30 S. Ivy Ridge, \$24.09
- r. Maple St. Holdings, 30 S. Ivy Ridge, \$258.35
- s. Maple St. Holdings, 30 S. Ivy Ridge, \$17.63
- t. Maple St. Holdings, 30 S. Ivy Ridge, \$228.92
- u. Teresa J. Justice, 134 Miller Mtn. Road, Lindale, \$61.16
- v. Jason & Marty Marrs, 11 River Place Drive, \$165.36
- w. Charles Lear, 72 Ridgeview Drive, Silver Creek, \$11.74
- x. Raymon S. Salmon Jr., 3025 Calhoun Road, 32.28
- y. Larry & Diane Hix, P.O. Box 2182, \$45.72
- z. Gail Jacobs, 453 Fred Kelly Rd., \$171.19
- aa. Gail Jacobs, 453 Fred Kelly Rd., \$256.76
- bb. Nathan T. Davis, 869 Little Texas Valley Rd., \$64.11
- cc. William J. Marion, 700 Doyle Road, Cedartown, \$508.21
- dd. Mary J. Grissom, 4570 Trimrose Rd., Kennesaw, \$87.49
- ee. Stephen G. House, 102 Donahoo Rd., Silver Creek, \$87.53
- ff. Charles W. Duke Sr., c/o Shannon Mathews, 36 Laurel Drive, Rockmart, \$214.91
- gg. Anita & Howard Lowden, 8 Angeo Rd., \$464.98
- hh. Anita & Howard Lowden, 8 Angeo Rd., \$316.84
- ii. Anita Lowden, 8 Angeo Rd., \$458.71
- jj. Anita Lowden, 8 Angeo Rd., \$406.72
- kk. Barbara Gunn, P.O. Box 202, Cave Spring, \$54.94
- ll. George & Edna Kemp, 4975 Rainbow Dr., Rainbow City, Alabama, \$4.15

- mm. Charlie P. Mims, 318 Brookwood Avenue, \$94.02
- nn. Sarah Hardin, 103 Whitehead Street, \$31.38
- oo. Tami M. & Ashley B. Farmer, P.O. Box 3441, \$36.32
- pp. Malcolm & Patsy Douglas, 3 Oak Hill Lane, \$16.62
- qq. Larry Russell & Elisa Hembree, 322 Walnut Hills Crossing, Canton, \$20.84
- rr. Pamela Powers, 42 Juntington Drive, \$343.40
- ss. Charlie Dempsey, 3261 Rome Rd. S.W., Plainville, \$21.66
- tt. Bobby Couch, 7603 New Calhoun Highway, Adairsville, \$60.07
- uu. Carol Kirby, 2663 N. Broad Street Ext. N.E., \$2.07
- vv. Villa Hixer & David Sulzbacher, 10 Jefferson Drive, \$8.72
- ww. Richard A. Koren, 510 Reeceburg Road, Silver Creek, \$9.17
- xx. Thomas & Nita Hardin, 46 Highlander Trail S.W., \$375.38
- yy. Horseleg Estates Civic Associates, Inc., c/o George Reynolds, 19 Crestwood Drive, \$2.75
- zz. Stanley D. Hightower, 3024 B. Maple Rd., Lindale, \$41.20
- aaa. Christopher & Angela Ingram, 324 Canard Rd., \$44.46
- bbb. Christopher & Angela Ingram, 324 Canard Rd., \$37.89
- ccc. Ellen & Wyatt Kemp, 25 Orchard Spring Dr., \$16.41
- ddd. Dixie Sampson Griffin, P.O. Box 2903, \$56.06
- eee. Jim & Ray Tate Sr., P.O. Box 521, Cave Spring, \$432.45
- fff. Jim & Ray Tate Sr., P.O. Box 521, Cave Spring, \$8.37
- ggg. Jim & Ray Tate Sr., P.O. Box 521, Cave Spring, \$312.35
- hhh. Jim & Ray Tate Sr., P.O. Box 521, Cave Spring, \$28.51
- iii. Jim & Ray Tate Sr., P.O. Box 521, Cave Spring, \$973.07

MANAGER’S REPORT:

1. DISCUSS PROPOSED INTERLOCAL COOPERATION AGREEMENT ESTABLISHING THE ROME-FLOYD COUNTY LAND BANK AUTHORITY:

County Manager Poe stated they have a Proposed Interlocal Cooperation Agreement Establishing the Rome-Floyd County Land Bank Authority. He stated this would be as allowed by state law and the city and county both would have to cooperatively agree to establish this authority. He stated they have reviewed several options in Caucus regarding the language to be included in the Land Bank Authority compared to what was sent to them by the City of Rome. He stated his understanding is that the consensus seems to be that they will go with option #3, pass that and forward it on to the City of Rome for consideration. He stated there was one item that was struck from the agreement. County Attorney Manning stated on page 10 there was one deletion where it said the city shall not acquire property for any commercial venture other than housing and that is being deleted.

Commissioner Whitefield made a MOTION to approve Option #3 with that one change. SECOND by Commissioner Lumsden. VOTING:

YES	NO
Commissioner Fricks	
" Lumsden	
" Mayes	
" Whitefield	
Chairman Jennings	

Motion Carried

2. APPROVE SETTLEMENT AND RELEASE AGREEMENT BETWEEN FLOYD COUNTY AND SOUTHCOMM:

County Manager Poe stated before them they have a Settlement and Release Agreement between Floyd County and SouthComm. He stated SouthComm was a vendor that teamed up with IPC to do the installation of maintenance of the new E911 equipment. He stated due to performance related issues, they have worked out an agreement with them to sever their relationship. He stated this agreement details that so he would recommend that they approve the document as submitted.

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

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

3. DISCUSS CREATING A NEW SYSTEM SUPPORT ADMINISTRATOR POSITION FOR E911:

County Manager Poe stated they have a request to establish an E911 System Support Administrator Position. He stated they have a memo from Pat Smith, E911 Director, along with a job description. He recommended that they approve establishment of this position and they would send the job description off to their consultant who scores their job descriptions and put it in the appropriate pay grade classification.

Commissioner Lumsden made a MOTION to accept the Manager's recommendation. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

4/5 VOTE REQUIRED

4. FLOYD AGAINST DRUGS (FAD) PROGRAM BUDGET AND MEMORANDUM OF UNDERSTANDING:

County Manager Poe requested that an item be added to the agenda, which would deal with a proposed budget for the new Floyd Against Drugs (FAD) Program including a Memorandum of Understanding between Floyd County and FAD.

Commissioner Mayes made a MOTION to add the item to the agenda. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

County Manager Poe stated he presented them with a proposed budget to establish a Floyd Against Drugs (FAD) Program. He stated the first budget anticipates the program starting July 1 through the remainder of the year. He stated for this year the budget would be \$33,250 and the office would be set up in the Law Enforcement Center. He stated the county would provide financial management, human resource management and direct supervision, along with hiring the position. He stated the one change to the budget that he submitted to them was that the city and the county would split the revenue and contribution into the program evenly with each jurisdiction committing \$14,125 to the program for the remainder of this year. He stated private donations and grants of \$5,000 would make up the cost to run the program and that is estimated to be \$33,250 for FY2007. He stated along with that he went ahead and projected what a 2008 Budget would be for an entire year and in that, that includes the city and county again equally sharing the cost of operating this program. He stated secondly, he submitted to them a Memorandum of Understanding that details what the county's obligations are, as well as Floyd Against Drugs. He stated basically, FAD is going out and getting Memorandum of Understandings with all the different agencies that they are dealing with including the City of Rome. He stated the City of Rome is approving their obligation also to the program. He stated this will help them in their effort to try to get some grant funding for this program and of course, if they are successful in getting an adequate grant it could be that the city and county's contribution could be reduced significantly. He stated he presents these two documents to them for their approval and with approval of this, he will go ahead and formally amend their budget to add a Floyd Against Drugs (FAD) fund and establish that program.

Commissioner Whitefield made a MOTION to accept the Memorandum of Understanding and budget for Floyd Against Drugs (FAD). SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

ATTORNEY'S REPORT:

No Report.

OTHER BUSINESS:

Chairman Jennings recognized the Leadership Rome Participants present for the meeting.

ADJOURNMENT:

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

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

JERRY JENNINGS, CHAIRMAN