

September 11, 2007

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
FLOYD COUNTY SENIOR ADULT RECREATION CENTER
September 11, 2007 2:00 P.M.**

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

OTHERS

PRESENT: County Attorney Tommy Manning, Deputy Clerk Jaime Foster, County Manager Kevin Poe, and Assistant County Manager Blaine Williams.

ABSENT: County Clerk Kathy Arp.

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

Chairman Jennings stated September 11th is a significant date in all of our lives, and probably everyone in this room can remember where they were and what they were doing around 8:30 or 8:45 that morning in 2001. He stated he thinks we all viewed with shock, horror and disbelief at what happened that morning. He stated at some point he felt a calling to something, whatever he could, to respond to what happened on that morning and ended up in the middle of October in New York City. He stated he was at a Red Cross respite center about a block away from ground zero. He worked the midnight to 8:00 a.m. shift in this respite center. It was an around the clock operation. He is a mental health volunteer with the Red Cross. He stated he worked in this shelter talking with policemen, firemen, public works persons, and ministers from some of the churches around there. He stated they always knew when a body was recovered, when they saw the ministers in the center. Their roll was to talk with folks, to let them know that people throughout the United States were concerned and supportive. Their roll was to sift through the materials that were sent to those responders from schools, churches and organizations throughout the country and provide that kind of support. He stated he knows his stereotype of the people in New York City is that they were a kind of cold and uncaring sort of people, but everywhere he went when he had on his Red Cross badge he got nothing but appreciation for the support that was given as a country to the people there in New York City, and certainly Washington, D.C. He wanted to honor that experience when he came back here to Rome and Floyd County. He really appreciated the public works and public safety persons that were working the site there in New York City, and so in conjunction with some persons, like Tracy Hardy, Floyd County Human Resources, and Rita Odom from the City of Rome, they established the Rome-Floyd Crisis Response Team. He stated they have trained about fifty policemen, firemen, public works persons, and other persons who have an interest in providing stress management services for people dealing with critical incidents. He is reminded that it is important for everyone when those circumstances happen to try to figure out something that they can do to take a helpless and

hopeless feeling and change it into something that is positive for themselves and their community. He stated this date is pretty significant to him, and sometimes a little emotional, as he thinks back on that experience. He thinks the end result is that we as a country need to support our public safety personnel and need to have new resolve as they move forward from this terrible event.

INVOCATION: Commissioner Whitefield led the Invocation.

PLEDGE OF

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

PUBLIC PARTICIPATION:

Tammy Bryant, Rome-Floyd Parks and Recreation Program Coordinator, gave a brief description and overview of programs and services available through the Senior Adult Recreation Center.

Mary Hardin-Thorton, Keep Rome-Floyd Beautiful Director, gave an overview of the Keep Rome-Floyd Beautiful program, and presented a schedule of upcoming events in the Garden Lakes area as part of the Neighborhood Focus program.

Estelle Reeves, 3287 Kingston Highway, stated they had a program at the center about gangs. The police came and talked with them about gang activity. She stated that she is concerned about gang activity, and they need to sign a petition to try and move them out of the county.

**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 Lumsden made a MOTION to adopt the minutes of the Regular Meeting of August 28, 2007. SECOND by Commissioner Whitefield. VOTING:

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

Motion Carried

PROCLAMATIONS:

EIGHTIETH ANNIVERSARY OF OPEN DOOR HOME:

Chairman Jennings presented Brooks McCommons with a Proclamation celebrating the Eightieth Anniversary of the Open Door Home.

(Proclamation/Resolution Book, Page 106)

CONSTITUTION WEEK:

Commissioner Lumsden presented Ansley Saville, Daughters of the American Revolution, with a Proclamation recognizing September 17 – 23, 2007 as Constitution Week.

(Proclamation/Resolution Book, Page 107)

FOCUS ON FLOYD

Chairman Jennings stated Focus on Floyd is a new section that they anticipate having as a regular feature of the Board of Commissioners meeting, on the second Tuesday of every month. He stated it focuses on county employees, and the missions and goals for various departments.

JUDICIAL SERVICES COMMITTEE PRESENTATION:

Martha Jacobs, Chief Assistant District Attorney, stated she has the privilege to represent a committee that has been working very hard since March of this year. She recognized Davlon Ezzell, Receiver's Office and Jury Management; Eileen Wilson, Clerk of Superior Court; Catherine Fricks, Juvenile Court Administrator; Phil Hart, Superior Court Administrator; Jerry Ely, Courthouse Security and Sheriff Tim Burkhalter, members of the committee that are with her today. She stated there a number of offices that are located within the courthouse. Not all are represented here today, and she would also like to mention Magistrate Court, Victim Witness, and Probate Court. She stated they developed a mission statement for their group and that is *"To fairly and efficiently administer justice in a safe and secure environment for the public and employees."* The Committee has been working on ways to improve technology, security, and parking at the Courthouse. She gave as an example, they are exploring the possibility of integrating the computer systems/programs used by the various departments, in order to reduce duplication of the entry of information into separate systems. She stated the committee is also involved in developing a long-range plan for space needs at the courthouse, as well as parking needs.

Commissioner Fricks left the meeting at this time.

FIRST READINGS (SECOND READINGS/PUBLIC HEARINGS)

TO BE HELD SEPTEMBER 25, 2007 AT 6:00 P.M.)

- 1. FILE #78-2007SUP, REQUEST SPECIAL USE PERMIT TO CONSTRUCT SINGLE-FAMILY ATTACHED DWELLINGS IN S-R (SUBURBAN RESIDENTIAL) ZONING DISTRICT ON PROPERTY LOCATED ON OLD SUMMERVILLE ROAD. ZONING MAP J10Y – PART OF PARCEL 121, TRACT “A”. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH CONDITION OF A 10-FOOT BUFFER. [VOTE: 8 – 0]).**
- 2. FILE #91-2007Z, REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO M-R (MULTI-FAMILY RESIDENTIAL) TO CONSTRUCT DUPLEX DWELLINGS ON PROPERTY LOCATED ON TODD STREET. ZONING MAP M10Y – PARCELS 128, 129. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8 – 0]).**
- 3. FILE #95-2007SUP, REQUEST SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN S-R (SUBURBAN RESIDENTIAL) ZONING ON PROPERTY LOCATED AT 209 BURR DRIVE. ZONING MAP J11X – PARCEL 040. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8 – 0]).**
- 4. FILE #96-2007Z, REQUEST REZONING FROM H-TR (HIGH DENSITY TRADITIONAL RESIDENTIAL) TO S-R (SUBURBAN RESIDENTIAL) WITH SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT ON PROPERTY LOCATED AT 110 CHAMBERS MILL ROAD. ZONING MAP J17W – PARCEL 005. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 7 – 1]).**
- 5. FILE #97-2007Z, REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO D-R (DUPLEX RESIDENTIAL) TO CONSTRUCT DUPLEX DWELLINGS ON PROPERTY LOCATED AT 156, 158 160, 162, SHROPSHIRE ROAD. ZONING MAP H14W – PARCEL 018. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH CONDITIONS OF RECORDING A PLAT WITH TWO PARCELS ONLY AND WITH ONE DUPLEX PER TRACT AND THE FRONT SETBACK SHOULD BE 45 FEET. [VOTE: 7 – 1]).**
- 6. FILE #98-2007Z, REQUEST REZONING FROM A-R (AGRICULTURE RESIDENTIAL) TO C-C (COMMUNITY COMMERCIAL) TO CONSTRUCT CONVENIENCE STORE ON PROPERTY LOCATED AT FIRE TOWER ROAD AND EAST HERMITAGE ROAD. ZONING MAP N11 – PART OF PARCEL 196A. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8 – 0]).**

- 7. FILE #910-2007SUP, REQUEST SPECIAL USE PERMIT FOR INDOOR MINI-WAREHOUSES IN THE C-C (COMMUNITY COMMERCIAL) ZONING DISTRICT ON PROPERTY LOCATED AT 3347 -3365 MARTHA BERRY HIGHWAY. ZONING MAP J11Y – PARCEL 243. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8 – 0]).**

ULDC REVISIONS

- 1. REVISE OR DELETE ARTICLE 3.5.1, TABLE 3-3, CONSIDERING LOT DIMENSIONS IN THE CBC (CENTRAL BUSINESS COMMERCIAL) AND UMU (URBAN MIXED USE) ZONING DISTRICTS. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 6 – 0]).**
- 2. REVISE OR DELETE ARTICLE 3.5.1, TABLE 3-5, CONSIDERING BUILDING HEIGHT. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 6 – 0]).**

Chairman Jennings stated the Second Readings/Public Hearings will be held Tuesday, September 25, 2007 at 6:00 p.m.

SECOND READINGS/PUBLIC HEARINGS

ULDC REVISIONS:
(PUBLIC HEARINGS HELD AUGUST 28, 2007)

- 1. REVISE OR DELETE ARTICLE 2.2.3 b (6) (e) CONCERNING POSTPONING OF REQUEST FOR ZONING MAP REVISIONS. (PLANNING COMMISSION RECOMMENDATION: APPROVE THE REVISION WITH THE CHANGE TO THE EXISTING LANGUAGE THAT "...ZONING CHANGE BEING DEFERRED FOR A PERIOD OF TIME AS STIPULATED BY THE VOTING MEMBERS OF THE PLANNING COMMISSION." [VOTE: 7-0]):**

Commissioner Mayes made a MOTION to approve the revision to read, "A motion to postpone that receives an affirmative vote from a majority of the voting members present will result in action on the zoning change being deferred for a period of time as specified by the members of the Planning Commission. However, where the governing body has initiated a zoning change, the planning commission shall act on the zoning change by the date specified by the governing body. At the discretion of the chair, a postponed zoning change request may be considered at a specially called meeting." SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes

" Whitefield
Chairman Jennings

Motion Carried

**2. REVISE OR DELETE ARTICLE 2.10.2 b (4) (e) CONCERNING
POSTPONING OF REQUEST FOR ZONING TEXT AMENDMENTS.
(PLANNING COMMISSION RECOMMENDATION: APPROVE THE
REVISION WITH THE CHANGE TO THE EXISTING LANGUAGE
THAT "...ZONING CHANGE BEING DEFERRED FOR A PERIOD OF
TIME AS STIPULATED BY THE VOTING MEMBERS OF THE
PLANNING COMMISSION." [VOTE: 7-0]):**

Commissioner Lumsden made a MOTION to approve the revision
approve the revision to read, "A motion to postpone that receives an affirmative vote
from a majority of the voting members present will result in action on the text
amendment being deferred for a period of time as specified by the members of the
Planning Commission. However, where the governing body has initiated a text
amendment, the planning commission shall act on the text amendment by the date
specified by the governing body. At the discretion of the chair, a postponed text
amendment request may be considered at a specially called meeting." SECOND by
Commissioner Whitefield. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

CHAIRMAN'S REPORT:

1. Appointments:

a. Animal Control and Welfare Board.

Commissioner Whitefield made a MOTION to reappoint Terry Williamson
and Ann Turner to serve 3-year terms, expiring September 30, 2010. SECOND
by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield

Chairman Jennings

Motion Carried

b. Board of Adjustments and Appeals.

Commissioner Whitefield made a MOTION to appoint Terry Jones to fill the position currently held by Larry Maxey, and reappoint Will Byington, currently filling the unexpired term of Graham Dixon, to serve 4-year terms, expiring September 30, 2011. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

c. Development Authority of Floyd County.

Commissioner Whitefield made a MOTION to appoint Josh Tullis to fill the position currently held by Scott Greer, and Brian Dulaney to fill the position currently held by Lynn Whatley to serve 4-year terms, expiring June 30, 2011. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

2. Appoint Voting Delegate for 2007 ACCG Fall Policy Conference.

Commissioner Mayes made a MOTION to appoint Commissioner Lumsden as Voting Delegate for 2007 ACCG Fall Policy Conference. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner 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

No Report.

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)

There were no Special Committee Reports.

CLERK'S REPORT:

Consent Agenda

No Report.

MANAGER'S REPORT:

1. AWARD OF BID FOR TANDEM DUMP TRUCK FOR PUBLIC WORKS DEPARTMENT:

County Manager Poe stated they recently received sealed bids for the purchase of a Tandem Dump Truck for the Public Works Department. He stated three bids were received, and the low bidder was Peach State Ford, in the amount of \$96,123.00. He recommended awarding the bid to Peach State Ford. He stated even though the bid was over the budgeted amount, they will be lease purchasing that piece of equipment and the amount of money set aside for lease purchases will still be within what they budgeted for that.

Commissioner Whitefield made a MOTION to approve the County Manager's recommendation for purchase of a Tandem Dump Truck from Peach State Ford. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. AWARD OF BID FOR WATER DEPARTMENT SERVICE TRUCK:

County Manager Poe stated they recently received sealed bids for the purchase of a Water Department Service Truck with a utility body. He stated four bids were received, and the low bid was from Parkway Ford, in the amount of \$83,379.00. He stated that was within the budgeted amount, and recommended awarding the bid to Parkway Ford.

Commissioner Lumsden made a MOTION to approve the Manager's recommendation for the purchase of a Water Department Service Truck with a utility body from Parkway Ford. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

3. DISCUSS POSSIBLE REZONING OF BERRYHILL LANDFILL:

County Manager Poe stated during the Caucus they had some discussion about the Surface Mining Ordinance and the property around the Berryhill Landfill that is being looked to be mined. He stated he thinks out of that discussion there was a recommendation to come forward that they go ahead and apply for rezoning of the Berryhill Landfill.

Commissioner Mayes made a MOTION to authorize the county to move forward to initiate the process of rezoning Berryhill Landfill from light industrial to heavy industrial. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

ATTORNEY'S REPORT:

1. DISCUSS SURFACE MINING ORDINANCE:

County Attorney Manning stated they discussed in Caucus the present Surface Mining Ordinance. He understands that his instructions are to bring to the Commission a draft of a change in that ordinance that would allow for a variance procedure. He stated he will prepare a draft, for Commissioners review, prior to the next meeting.

ADJOURNMENT:

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