

November 13, 2007

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS**

November 13, 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, County Clerk Kathy Arp, County Manager Kevin Poe, and Assistant County Manager Blaine Williams.

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

**INVOCATION:** County Manager Poe led the Invocation.

**PLEDGE OF**

**ALLEGIANCE:** The Pledge of Allegiance was led by Commissioner Fricks.

**PUBLIC PARTICIPATION:**

**Ms. Serpentfoot, 324 Forsyth Street,** stated she will not repeat what she said last week to the Rome City Commission about how their transportation has gone backwards since the 1930's and 40's. She stated David Doss, who is on the State Board of Transportation, is bragging about how he got them state money and local taxpayer money to build a walking bridge. She stated now he wants them to finance him a building and that bridge. She will not repeat that about how they need something more than just a way of walking. She stated she was in near tears not able to go to a family reunion because they do not have greyhounds or trains. People that do not have a good car are just messed up because they have to walk. She stated there is no reason why they should be so proud of building a walking bridge there. She stated back in 1838 they had a ferry there. She stated like they have Ridge Ferry Park they should have Ross Ferry Park. She stated Ross was a Chieftain and there would have been no trail of tears if the Cherokee Chief Ross had not been driven from his home there on land lot 244 where Mr. Doss wants to redevelop. She wants them to put a transportation hub there. It was always a transportation hub there where the three rivers come together. She stated Chief Ross could see who was coming from every direction of those three rivers, especially if they stood on top of Myrtle Hill. She stated it should be a transportation hub again, where we can get railroads and passenger trains back in here. She stated she is going to stay to what she did not tell the Rome City Commission. She stated for people in the unincorporated area of the county they do not have any bus service at all. If people do not have a good car, and will not pay high prices for gas, they are out of luck and are walking. She stated especially out in the southwest, they do not have a southwest by-pass. All of the city, county and other money is being spent in downtown Rome, and to finance business people like Mr. Doss who are already rich. She stated they need to spend that money financing public transportation. People in

the county do not have the southwest by-pass, they do not have any bus service in the unincorporated area of the county, and the City of Rome does not have any transportation for the poor that need a bus. She stated after 6 p.m., weekends, and holidays there is no transportation at all. She stated they have worse transportation now than when she hopped on a train in the 1930's, and she rode Greyhound buses in the 1950's. She stated they are ruining lives. She stated there would be no Trail of Tears if John Ross had not been driven out from the Ross home that was in Rome, not just in Rossville. She stated it is still a Trail of Tears because people in the city and the county are still walking and crying because they have no transportation. She stated in the paper Commissioner Jennings said they need some more revenue, and they need to talk to the police, sheriff and judges about this. People's lives are being ruined now. She pointed to a newspaper and stated here is one lady that had five convictions, sixteen years, because she is DUI. She has lost her license. She stated she is forced to drive. If they have no public transportation, no buses, they are forced to drive. She stated they are putting people in jail for DUI's, no licenses; they are forcing them to drive to raise money. She stated she thinks some of them talked to Judge Salmon to get her run out of the county back in 1995, and offered to suspend her 5-year sentence to objecting to their prayers, if she would leave the county. She stated they cannot use their public office for private gain like Mr. Doss has done. They also cannot use their public office to raise money illegally.

#### **CERTIFICATION AWARDS TO FLOYD COUNTY POLICE DEPARTMENT:**

Chief Mike Jones, Suwanee Police Department, stated he is here on behalf of the Georgia Chief's Association. He stated as the second Vice-president of the association they attempt to reach out to the communities where they sponsor the Georgia Certification program, because they think it is very important that the community knows what kind of agency they have, and what they are doing to present themselves in a professional way. Chief Jones presented a Certificate of Appreciation to Captain Greg Dobbins for his work in assisting with the certification process. Chief Jones presented the State of Georgia Law Enforcement Certification plaque, stating Floyd County Police Department has fully demonstrated its commitment to law enforcement excellence by meeting all applicable standards as established in the State of Georgia Law Enforcement Certification Program, to Chief Bill Shiflett.

**Howard Lowden, 8 Angeo Road**, stated he is here to discuss the Armuchee Connector. He stated his only preface is to say that he is not in favor of the present route. He stated he thinks he concurs with about ninety percent of the people that something has to be done coming out of that area. He stated the question is where. He stated he has heard these things listening to the radio or reading it in the paper, how this is supposed to be Moses of all roads that is going to save Armuchee under the present condition and how Armuchee is going to die and go off the map if they do not build this road. He stated their preference is to say there were three out of five precincts that voted against the SPLOST. He stated usually if things get that emotional, and they all know that when they get an emotional subject it brings everyone out of the woodwork, that it would have been a slam-dunk. He stated five out of five would have voted for it in that area. He stated also, when

the SPLOST was on the ballot he was under the impression that they were going have three different alternatives evaluated, and he has only seen one. He stated when he was at the Glenwood meeting, he asked the gentleman at that time if he had looked at the other routes, and he said no because he was not told to. He would like to see the comments on the other routes. He stated he wants to remind them that this very Commission had their own consultant a couple of years ago that did come out and say that they best route was coming into the high school. Most people agreed, even before the SPLOST came about, that it should be further north and should go straight across. He stated he even spoke with some of the SPLOST committee, and they even said they had trepidations about this. They agree with the current route being discussed, but it is the best route, and yet they are going ahead and building it anyway. He stated he knows everything goes back to money and budgets, but he hopes they consider looking at the other possible conditions. He stated he was also told that the DOT wants to six lane the road between the mall and the intersection at the by-pass. He stated if they six lane this road, and they put in this other road, he does not understand why they need both of them. It goes back to money. He stated everything he has heard right now, the DOT has no money, and it is always that way. He stated somehow they come up with the money from some place. He recommends waiting and not voting on this until they get some more information and some more facts about these alternate routes.

**Nancy Griffin, 496 Cooper Drive**, stated she echoes the sentiments of Mr. Lowden. She stated she is here to ask about the Armuchee Connector. She stated what they thought they were voting for on SPLOST, and what was outlined in the few presentations before the SPLOST, was a route from Highway 27 over to Highway 53 that would go north. Then they voted, SPLOST would fund it, and since then now there is the design to have it go partially over and come in at Braves Stadium. She stated she wants to urge the commission to allow more time to consider this design and think about the fact that \$12 million is budgeted out of SPLOST. She asked why not commit all of that to completing the whole arc over from Highway 27 to Highway 53 rather than take it down with a two-lane road through basically wetlands and come out a quarter of a mile from Martha Berry Highway and Veterans Memorial. She stated it makes more sense. She stated they were supposed to have three routes to look at and they have not had that. She stated they have only had one public comment period. She thinks they need more time for public comment and review. She stated the community needs to be able to see the environmental report, and historical resources report, to be able to give them feedback. She stated this is strictly a locally funded road that went on SPLOST. She stated there is danger, as they have seen with other roads like Riverside Parkway, of putting something on the SPLOST ballot, voting for it, and then looking at the design. She stated she thinks the Commission should consider, in future SPLOST funding and road projects, having a policy that the environmental report and the location and design will have already been worked out before they ever put it on a ballot so they can see what they are voting for. She stated they have just voted on general language that there would be a road north of Mount Berry Square Mall and Armuchee Bridge to connect Highway 27 to Highway 53. Language such as that is what they thought they were voting on. She stated this is to urge the Commission to delay approving, voting, or going ahead with this design and open it up to more public comment, review and discussion among themselves for all of the different alternatives.

## **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 October 23, 2007 and Joint County/City Meeting of October 29, 2007. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

## **PROCLAMATIONS:**

Commissioner Whitefield presented Peter Psenicka with a Proclamation recognizing November 2007 as National Hospice Month.

(Proclamation/Resolution Book, Page 110)

## **FOCUS ON FLOYD:**

## **PUBLIC SAFETY PRESENTATION:**

Scotty Hancock, Emergency Management and Animal Control Director presented an overview of the goals and objectives for the Public Safety Committee. Other members of the committee are: Tom Caldwell, Floyd County Sheriff Department Chief Deputy; Pat Smith, E911 Director; Anne Brinkley, Floyd County Prison Warden; Bill Shiflett, Floyd County Police Department Chief; Kevin Grueber, FAD Director; and David Reeps, Floyd County Police Department/Metro Task Force. The mission statement for the committee is *“To improve the quality of life in our community through increasing public safety awareness, enhancing the protection of life and property, improving the hiring process, as well as improving emergency communication.”*

## **RESOLUTIONS:**

### **1. RESOLUTION TO TRANSMIT THE COMMUNITY AGENDA PORTION OF THE 20-YEAR COMPREHENSIVE PLAN UPDATE FOR THE CITY OF CAVE SPRING, THE CITY OF ROME AND FLOYD COUNTY, GEORGIA TO THE COOSA VALLEY REGIONAL DEVELOPMENT CENTER AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS:**

Commissioner Whitefield made a MOTION to adopt and authorize execution of the Resolution and submit the Resolution for review. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

### **2. RESOLUTION IN SUPPORT OF PRESCRIBED FIRE:**

County Manager Kevin Poe stated this is a Resolution that supports the use of prescribed burning. He stated the Georgia Forestry Commission and the Georgia Department of Natural Resources feel like there are multiple ecological and economical benefits to the public to continue to use what they called prescribed fire, which is also becoming known as prescribed burning.

Commissioner Mayes made a MOTION to adopt the Resolution. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**3. RESOLUTION AMENDING INTERGOVERNMENTAL AGREEMENT  
RELATED TO 2006 SPLOST:**

County Attorney Manning stated this Resolution allows the county to advance monies to Cave Spring for them to complete a project under the SPLOST sooner than they would be able to otherwise. He stated it is very similar to an agreement that the county passed at the last meeting except with the addition, if there are not sufficient funds from the SPLOST to allow Cave Spring to pay back this advancement, then Cave Spring would agree to pay to the county any monies advanced from its general fund.

Commissioner Fricks made a MOTION to adopt the Resolution to Amend the Intergovernmental Agreement related to the 2006 SPLOST. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**4. RESOLUTIONS REGARDING CVTC AIRPORT TRANSACTION  
AND LEASE FROM COUNTY TO CVTC:**

County Attorney Manning stated this is a Resolution authorizing the Chairman of the County Commission to execute three documents. He stated one is a Ground Lease between Floyd County and the Rome-Floyd County Development Authority that would lease the property where the building is going to be constructed for ultimate rent by Coosa Valley Technical College. The second document is a Project Lease Agreement between the Rome-Floyd Development Authority, where the Development Authority is leasing this property with improvements to this new classroom building that will be constructed back to the county. He stated the third document is a Rental Agreement between the County and Coosa Valley Technical College that sets forth the terms under which Coosa Valley Technical College will lease this building for use as a classroom and an avionics program at the Airport.

Commissioner Mayes made a MOTION to adopt the Resolution as explained by the County Attorney. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

FIRST READINGS:

(SECOND READINGS/PUBLIC HEARINGS

TO BE HELD NOVEMBER 27, 2007 AT 6:00 P.M.)

- 1. FILE #911-2007SUP, REQUEST A SPECIAL USE PERMIT TO ALLOW SHALE MINING IN THE H-I (HEAVY INDUSTRIAL) ZONING DISTRICT ON PROPERTY LOCATED AT 2046 HUFFAKER ROAD. ZONING MAP F12 – PART OF PARCEL 008. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH CONDITIONS. 1) SETBACK/BUFFER AREAS AND UN-MINED AREAS SHALL BE MAINTAINED AS NATURAL VEGETATION WITH NATURAL TOPOGRAPHY AND CONTOURS; 2) INTERNAL ROADS, DRIVES AND VEHICLE PARKING AREAS SHALL BE SPRINKLED WITH WATER AND/OR TREATED WITH DUST SUPPRESSANT AS NEEDED TO ENSURE THAT FUGITIVE DUST DOES NOT ADVERSELY IMPACT RESIDENTIAL PROPERTY ADJACENT TO THE SUBJECT PROPERTY. NO VISIBLE AMOUNT OF DUST SHALL ESCAPE PAST THE NATURAL BUFFER; 3) MINIMUM OF 50' BUFFERS WITH NATURAL CONTOURS AND VEGETATION SHALL BE MAINTAINED ON BOTH SIDES OF ANY STREAMS ON OR**

ADJACENT TO THE PROPERTY; 4) MINING ACTIVITIES SHALL BE CARRIED OUT ONLY DURING THE HOURS FROM 7:00 A.M. TO 7:00 P.M., MONDAY THROUGH SATURDAY; 5) ALL TRUCKS AND EQUIPMENT SHALL BE PROPERTY FITTED WITH MUFFLERS TO MINIMIZE NOISE POLLUTION; 6) SECURITY LIGHTING ON THE PROPERTY SHALL BE LOCATED AND DIRECTED TO ENSURE THAT SPILL-OVER LIGHT DOES NOT ADVERSELY IMPACT RESIDENTIAL PROPERTY ADJACENT TO THE

SUBJECT PROPERTY; 7) SANITARY FACILITIES FOR THE USE OF WORKERS SHALL BE INSTALLED AND APPROVED BY THE FLOYD COUNTY HEALTH DEPARTMENT; 8) VEHICLES SHALL ACCESS THE PROPERTY FROM HUFFAKER ROAD ONLY; 9) ALL FEDERAL, STATE AND LOCAL PERMITS AND INSPECTIONS, INCLUDING, BUT NOT LIMITED TO, STORMWATER MANAGEMENT, EROSION AND SEDIMENT CONTROL, AND SECTION 404 (ARMY CORPS OF ENGINEERS)

SHALL BE OBTAINED, AND MAINTAINED IN GOOD STANDING, AND EVIDENCE SUPPORTING COMPLIANCE SHALL BE PRESENTED TO THE BUILDING OFFICIAL OR HIS DESIGNEE AS REQUESTED (NOTE: ENGINEERED PLANS AND DRAWINGS WILL BE PREPARED AS REQUIRED); 10) COMPLIANCE WITH ARTICLE 6 OF THE ULDC CONCERNING STORMWATER MANAGEMENT SHALL BE ON A BASIN SPECIFIC BASIS; 11) APPLICANT SHALL COORDINATE WITH FLOYD COUNTY PUBLIC WORKS DEPARTMENT TO DETERMINE WHETHER ACCEL/DECEL LANES WOULD BE REQUIRED ON HUFFAKER ROAD. [VOTE: 10-0]).

2. FILE #01-2007MOV, REQUEST FOR A VARIANCE FROM §2-15-6(C)(4) OF THE FLOYD COUNTY CODE RELATED TO A PLAN FOR STORMWATER AND RUNOFF MANAGEMENT, PURSUANT TO THE PROVISIONS OF §6.15

OF THE ULDC, AND THE REQUIREMENTS OF THIS SECTION OF THE FLOYD COUNTY SURFACE MINING ORDINANCE; §2-15-6(C)(5) A BUFFER

PLAN PURSUANT TO §6.16 OF THE ULDC AND THE REQUIREMENTS OF THIS SECTION OF THE FLOYD COUNTY SURFACE MINING ORDINANCE;

§2-15-6(D) WHERE THE LOT OF RECORD ON WHICH MINING IS CONDUCTED

ABUTS A ZONING DISTRICT OTHER THAN H-I...A ONE-THOUSAND (1,000)

FOOT NATURAL BUFFER SHALL BE PROVIDED; §2-15-6(E) THE REMOVAL

AREA SHALL BE COMPLETELY ENCLOSED WITH A FENCE NOT LESS THAN



**SIX (6) FEET IN HEIGHT; §2-15-6(I) REMOVAL IS NOT PERMITTED WITHIN**

**ONE-HUNDRED (100) FEET OF ANY LAKE OR POND UNDER FIVE (5) ACRES,**

**UNLESS ENTIRELY CONTAINED IN THE MINING TRACT, IN WHICH CASE**

**REMOVAL IS NOT PERMITTED WITHIN FIFTY (50) FEET, ON PROPERTY**

**LOCATED AT 2046 HUFFAKER ROAD. ZONING MAP F12 – PARCEL 008. (H-I HEAVY INDUSTRIAL).**

**(PUBLIC HEARING TO BE HELD  
DECEMBER 11, 2007 AT 2:00 P.M.)**

**1. RESOLUTION IMPOSING A 911 CHARGE ON VOICE OVER INTERNET  
PROTOCOL (VOIP) CONNECTIONS.**

**SECOND READINGS/PUBLIC HEARINGS  
(FIRST READINGS HELD OCTOBER 23, 2007)**

**1. AMENDMENT TO FLOYD COUNTY CODE §2-3-39 RELATED TO  
GENERAL POWERS OF AIRPORT COMMISSION. (2007-008A):**

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

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

Chairman Jennings asked if there is anyone to speak in favor or against this  
Amendment to the Floyd County Code. Seeing none, Commissioner Mayes made a  
MOTION to close the Public Hearing. SECOND by Commissioner Whitefield.  
VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield

Chairman Jennings

Motion Carried

Commissioner Lumsden made a MOTION to approve the Amendment to the Floyd County Code §2-3-39 before them, related to General Powers of Airport Commission as submitted. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**ULDC REVISIONS:**

**1. REVISE OR DELETE ARTICLE 4.2.3 CONCERNING RESIDENTIAL BUSINESSES. (PLANNING COMMISSION RECOMMENDATION: NOT TO ADOPT. [VOTE: 10-0]):**

Chairman Jennings stated the Public Hearing was held on October 23, 2007. He stated subsequently the Board sent it back to the Planning Commission with the recommendation that a special use permit be added to the ULDC within the existing zoning district.

Commissioner Whitefield made a MOTION to deny the proposed revision or not adopt, revise, or delete Article 4.2.3. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**CHAIRMAN'S REPORT:**

**1. Appointments to Boards, Committees, Commissions.**

**a. Board of Tax Assessors.**

Commissioner Lumsden stated the recommendation is to reappoint George Peach. Commissioner Whitefield made a MOTION to reappoint George Peach to the Board of Tax Assessors for a 3-year term expiring December 31, 2010. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**2. Appointments to Highway 411 and Airport Overlay Task Force.**

**a. Airport Overlay Task Force.**

Commissioner Lumsden stated the recommendation is to appoint the following: David Ashbaugh, Airport Commission Member, Jimmy Green, Airport Land Owner, and Ronnie Kilgo, Rome-Floyd Planning Commission Member, to serve on the Airport Overlay Task Force.

Commissioner Mayes made a MOTION to appoint these three members to the Airport Overlay Task Force as recommended. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**b. Highway 411 Overlay Task Force.**

Commissioner Lumsden stated the recommendation is to appoint the following: Ronnie Kilgo, Rome-Floyd Planning Commission Member, Doug Braden, County Land Owner, and John Gaines, Sign Industry Representative.

Commissioner Mayes made a MOTION to approve the appointments as recommended. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**3. Discuss Northwest Georgia Regional Water Resource Partnership/Water Authority.**

Chairman Jennings stated he will be participating in a meeting on December 13, 2007, in regards to a plan to create a Water Authority in Northwest Georgia. He stated he will report back to the Board the results of the discussion and what the plan will be to move forward in that regard.

**4. Discuss December meeting schedule.**

Chairman Jennings stated the Board is scheduled to meet on December 11, 2007, and the practice that they have had in the past is to cancel the second meeting in December. He stated that would be December 25, 2007. If they have any special business that needs attention prior to the end of the year, that would be handled in a special called meeting. Chairman Jennings called for a motion to officially cancel the December 25, 2007 meeting.

Commissioner Lumsden made a MOTION to cancel the December 25, 2007 meeting. SECOND by Commissioner Whitefield. 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**

**a. Present Proposal to Amend Road Acceptance Policy.**

Commissioner Fricks stated the Amended Road Acceptance Policy will be presented for action at the next meeting.

**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

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

YES

NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**1. Tax Refunds:**

- a. Jeffrey Shawn Williams, 11 Scenic Trace Drive NW, \$54.61
  - b. Michael & Bonita Hall, 726 Gribble Road, Aragon, \$374.01
  - c. Mary Poindexter, 483 Canard Road SE, \$331.20
- 2. Request from Tax Commissioner for release of 2006 bills of less than \$1.00, totaling \$22.72, and real property bills of less than \$5.00 totaling \$76.20 from tax digest.**
- 3. Request from Tax Commissioner for release of accounts for mineral rights that have not made a return or paid taxes for five or more years totaling \$2,532.58 from tax digest.**

**MANAGER'S REPORT:**

**1. DISCUSS AMENDING CONTRACT WITH CHARLES GAUTHREAUX ARCHITECTS REGARDING WORK RELEASE CENTER PROJECT. (2006 SPLOST) (DEFERRED OCTOBER 23, 2007):**

County Manager Poe stated they have before them a contract addenda that alters the contract between Charles Gauthreaux Architects and Floyd County Board of Commissioners related to architectural services for the new Work Release Center. He stated basically it stipulates the cost to redesign and rebid the Work Release Center would be fixed at \$60,000.00 and the cost to reissue the documents and drawings for the Public Works facility will be \$9,000.00. He recommended that the addenda be accepted as presented.

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

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**2. AWARD CONTRACT FOR INMATE PHONE SERVICE  
AT JAIL AND PRISON:**

County Manager Poe stated requests for proposals were accepted for inmate phone services at the jail and prison earlier in the year. He stated those have been thoroughly reviewed by a committee, and the recommendation is to award the contract to GTL, which is the current provider.

Commissioner Lumsden made a MOTION to accept the recommendation to accept GTL for inmate phone service at the jail and prison. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**3. AWARD BID FOR JAIL STORAGE METAL BUILDING:**

County Manager Poe stated sealed bids were accepted for the purchase of a metal building for a jail storage facility. He stated the low bid was submitted by D.N. Harrison & Sons in the amount of \$29,591.00. He recommended accepting the low bid from D.N. Harrison & Sons.

Commissioner Whitefield made a MOTION to accept the bid from D.N. Harrison & Sons in the amount of \$29,591.00, for the jail storage building. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**4. DISCUSS AMENDING CONTRACT WITH POPE/PARTNERS ARCHITECTS, INC., TO ADD DESIGN OF A 10-COURT TENNIS COMPLEX TO THEIR EXISTING CONTRACT TO PLAN AND DESIGN A RECREATION CENTER FOR NORTH FLOYD PARK (2006 SPLOST):**

County Manager Poe stated they have before them a letter from Brent Pope with Pope/Partners Architects, Inc., to add the design and construction documents for a 10-court tennis complex to the North Floyd Park Recreation Center contract. He stated the fee to do this additional work is will be \$38,000.00. He recommended they amend the existing contract to add the design and construction documents for the 10-court tennis complex.

Commissioner Mayes made a MOTION to approve the contract amendment as presented. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**5. DISCUSS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR 2008:**

Defer.

**6. DISCUSS ARMUCHEE CONNECTOR PROJECT (2006 SPLOST):**

County Manager Poe stated on November 6, 2007 he sent each of them a memo regarding the informational meeting that was held on the Armuchee Connector project detailing the number of people that showed up, comments that were received, and some additional staff comments. He stated the recommendation at this point in time would be to move forward with the project and keep it on schedule.

Chairman Jennings stated he has five comments that he would like to make in regards to what they have heard today, and also what they have read from the comments in the public meetings. He stated first of all, on the SPLOST, the project was to connect to Veterans Memorial Highway and the blue line that was presented to them earlier was in the overall plan. He stated it was clear that was the long-term part of the project. He does not think they are misleading anyone as far as what was in the SPLOST. County Manager Poe stated there is money to construct the connector road,



which was going to connect Highway 27 to Veterans Memorial Highway. He stated then the additional money was to do some preliminary engineering and possibly right-of-way acquisition to plan for what was shown as the blue line on the plans for future Northwest by-pass project. Chairman Jennings stated the second comment that was made to them was in regards to the route. He stated to him there is an important reason for having an alternative route to the Armuchee area. He stated one from the standpoint of the volume of the traffic, and two from an emergency management perspective. If something happens and there is a wreck at that intersection, an ambulance or a fire truck just cannot get through that intersection. He stated in his mind when they were discussing this as a SPLOST project, there was a very good reason for constructing this road. He stated thirdly, that they, as a county, have not short-circuited the environmental studies that must be done. He stated they have been done, and they are just waiting on the Corps of Engineers to approve those studies.

County Manager Poe stated specifically there are a couple of wetland areas that are going to have to be dealt with. He stated they will have to deal with the Corps of Engineers, they will have to go through their process, and whatever their process is they will have to deal with that. He stated they will have to get a permit from the Corps to also build the bridge. Part of that requires an archeological and historical study. He stated the flood work is being completed, and that did not show any significant findings, but they do have to complete the final study. He stated nothing came of that to show them that they needed to deviate much from the original plan. Of course, the plan is to go in a straight line, from A to B, because that is the cheapest way to put in a road.

Chairman Jennings stated his fourth point related to public input, is that when the SPLOST committee was exploring potential projects, that project was open to public scrutiny and public meetings. He stated he remembers some conceptual drawings with the possible routes during the SPLOST hearings, and there were a number of articles in the local newspaper in regards to the SPLOST projects. He stated he thinks they went the extra mile to conduct the public hearing at Glenwood School. He stated one could have argued they have already provided plenty of opportunity for public input prior to the SPLOST election. He stated he thinks they felt like they wanted to go a step further, especially as they got a more complete plan for the project. In his mind there is not a compelling reason to continue that public input period. He stated his fifth point is they do have a long-range plan. That long-range plan would connect that road all the way over to Highway 53, however, as County Manager Poe had mentioned, the cost of that is far beyond the \$12.5 million in the SPLOST. He does see a reason to divert that money, which was not part of the SPLOST proposal to begin with, toward the construction of that overall connector. He stated his thought is they have done their due diligence, that have involved the public input, they are not deceiving anyone, and he thinks they are ready to authorize moving forward with this project.

Commissioner Fricks stated they did ask the public to come out and give their opinions. He stated they have come out to give them their time and to give those opinions, and asked have they as a Board really had time to weigh those opinions.

Chairman Jennings stated he does not have any problem with waiting until the next meeting if the Board needs some additional time to review this. Commissioner Mayes asked if that will significantly delay anything. County Manager Poe stated two weeks will not be anything significant. Commissioner Mayes stated that will give him time to read through his report a little better. Commissioner Fricks stated he agrees that it is a needy project. He does not think they debate the validity of the project, he thinks the SPLOST tells them whether or not the project will support it. He stated he was in on the process when they listened to the proposals, and he remembers one of the last questions he had was about the alternative routing. He stated he had never seen any himself. County Manager Poe stated the alternative routing was pretty much looking where they were hitting Highway 27. He stated they evaluated and he has the numbers from the evaluation. He stated for clarification sake they chose the southern alternative, which from a financial standpoint was the more economical route. Commissioner Fricks stated that is one of the biggest cautions he has right now, because he wants to be able to complete the project within the budgets allotted.

Chairman Jennings stated he thinks they are in agreement to hold off on this. He stated he does think there is any problem with waiting a couple of weeks, and if anyone else is out there who would like to make comment on this they are happy to hear as they did today. He stated they will defer it and put it on the agenda for the next meeting.

#### ATTORNEY'S REPORT:

**1. AUTHORIZE EXECUTION OF RESOLUTION APPROVING  
THE ISSUANCE OF POLLUTION CONTROL REVENUE  
OBLIGATIONS BY DEVELOPMENT AUTHORITY OF FLOYD  
COUNTY FOR THE BENEFIT OF GEORGIA POWER COMPANY:**

County Attorney Manning stated they have before them a Resolution of the Board of Commissioners approving the issuance of Pollution Control Revenue Obligation Bonds by the Development Authority of Floyd County for the benefit of Georgia Power. He stated that such approval does not constitute an endorsement by the county to a perspective purchaser of the bonds, nor does it constitute an indebtedness, or obligation of the state or county. He stated the bonds will be payable solely from the revenues derived from Georgia Power and pledged to the project.

Commissioner Lumsden made a MOTION to authorize the execution of this Resolution Approving the Issuance of Pollution Control Revenue Obligations by the Developmental Authority of Floyd County for the benefit of Georgia Power Company. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks  
" Lumsden

" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

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 Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**FLOYD COUNTY BOARD OF  
COMMISSIONERS**

**JERRY JENNINGS, CHAIRMAN**