



Commissioner Whitefield made a MOTION to adopt the Resolution regarding Franchise Fees. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**2. ADOPT RESOLUTION TO AMEND FEE SCHEDULE BOOK REGARDING GIS FEES:**

Commissioner Lumsden made a MOTION to Adopt the Resolution to Amend the Fee Schedule Book regarding GIS Fees. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**FIRST READINGS:  
(SECOND READINGS/PUBLIC HEARINGS  
TO BE HELD FEBRUARY 5, 2008 AT 2:00 PM)**

- 1. FILE #121-2007Z, REQUEST REZONING FROM L-I (LIGHT INDUSTRIAL) TO C-C (COMMUNITY COMMERCIAL) FOR MARKETING OF PROPERTY LOCATED AT 3 HIGHWAY 53. ZONING MAP M10-W – PARCEL 006A & 006A1. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8-1]).**
- 2. FILE #01-2008SUP, REQUEST A SPECIAL USE PERMIT FOR A MANUFACTURED HOME ON A SUBDIVISION LOT IN S-R (SUBURBAN RESIDENTIAL) ZONING DISTRICT ON PROPERTY LOCATED AT 92 THOMPSON ROAD. ZONING MAP J17W – PARCEL 258. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10-0]).**

3. **FILE #02-2008Z, REQUEST REZONING FORM S-R (SUBURBAN RESIDENTIAL) TO H-I (HEAVY INDUSTRIAL), WITH A SPECIAL USE PERMIT, FOR SURFACE MINING ON PROPERTY LOCATED AT 4607 FOSTERS MILL ROAD, SW. ZONING MAP D18 – PARCELS 011, 013, 014. (PLANNING COMMISSION RECOMMENDATION: DENY [VOTE: 9-1]).**
4. **FILE #01-2008MOV, REQUEST VARIANCE FROM §2-15-6(c) OF THE FLOYD COUNTY CODE TO ALLOW SURFACE MINING ON A SITE LESS THAN 200 ACRES IN SIZE; §2-15-6(d) TO ALLOW SETBACKS OF 200 FEET FROM ADJACENT LANDOWNERS AND 100 FEET SETBACK FROM STATE ROUTE 100, FOSTERS MILL ROAD, AND TO ALLOW SHIELDING TO CONSIST OF NATURAL VEGETATION WITH NO EARTHEN BERMS, AND §2-15-6(e) TO ELIMINATE FENCING REQUIREMENT ON PROPERTY LOCATED AT 4607 FOSTERS MILL ROAD, SW. ZONING MAP D18 – PARCEL 011, 013, 014. (S-R SUBURBAN RESIDENTIAL).**

#### **ULDC REVISIONS**

1. **REVISE OR DELETE ARTICLE 6 CONCERNING BUFFERS. (PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION [VOTE: 10-0]).**
2. **REVISE OF DELETE ARTICLE 4 AND TABLES 3.1 AND 3.2 CONCERNING PERSONAL CARE HOMES. (PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION [VOTE: 10-0]).**
3. **REVISE OR DELETE ARTICLE 1, 2, 3, 4, 5, 6, 7 AND 8 CONCERNING THE NAME OF THE “BOARD OF APPEALS AND ADJUSTMENTS.” (PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION [VOTE: 10-0]).**

Chairman Jennings stated the Second Readings/Public Hearings will be held Tuesday, February 5, 2008 at 2:00 p.m.

#### **SECOND READINGS/PUBLIC HEARINGS: (FIRST READINGS HELD JANUARY 08, 2008)**

1. **ORDINANCE TO AMEND FLOYD COUNTY CODE RELATED TO CITIZENSHIP REQUIREMENTS FOR MALT BEVERAGE AND WINE LICENSE APPLICATIONS: (2008-002A)**

Chairman Jennings called for a motion. Commissioner Mayes made a MOTION to open the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

Chairman Jennings asked if there is anyone to speak in favor or opposition of this Amendment to the Floyd County Code. Seeing none, he stated they are amending the code to broaden the requirements for a Malt Beverage and Wine License to include a variety of citizenship, as well as visitor status, to apply for these licenses.

Chairman Jennings called for a motion. Commissioner Lumsden made a MOTION to close the Public Hearing. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

Chairman Jennings called for a motion. Commissioner Lumsden made a MOTION to Adopt the Amendment to the Floyd County Code related to the Citizenship Requirements for Malt Beverage and Wine License Applications. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**PUBLIC HEARING:**

**1. ADOPT RESOLUTION FOR FIVE-YEAR SHORT TERM WORK PROGRAM UPDATE: 2008-2012 (REVISED DECEMBER 2007):**

Chairman Jennings called for a motion. Commissioner Mayes made a MOTION to open the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

Chairman Jennings asked if there is anyone to speak in favor or opposition of this Resolution for the 5-year Short Term Work Program, which is a part of the Comprehensive Plan that is required to be presented to the Department of Community Affairs. Seeing none, Commissioner Lumsden made a MOTION to close the Public Hearing. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

Chairman Jennings called for a motion. Commissioner Whitefield made a MOTION to adopt the Resolution for the 5-year Short Term Work Program Update. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Lumsden

" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**2. PUBLIC HEARING TO RECEIVE COMMENTS ON THE FY2008 BUDGET ADOPTION:**

Chairman Jennings called for a motion. Commissioner Mayes made a MOTION to open the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

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

Motion Carried

Chairman Jennings asked if there is anyone to speak in favor or opposition of the Floyd County Fiscal Year 2008 Budget Adoption. He stated they are finishing the fine edges of the budget. The plan is to recess this meeting and to formally adopt the Budget on Monday, January 28, 2008 at noon. County Manager Poe stated they have another Budget Hearing schedule for January 25, 2008 at 10:00 a.m. He stated a copy of the Budget is on file in the Clerk's Office. The Finance Director or the County Manager would be more than happy to share any information with any concerned citizens about the FY2008 Budget.

Commissioner Lumsden made a MOTION to close the Public Hearing. 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. Rome-Floyd Land Bank Authority.**

Commissioner Mayes made a MOTION to appoint Tom Saltino to the Rome-Floyd Land Bank Authority for a 4-year term expiring December 31, 2011. 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**

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**

**4/5 Vote Required to add Item #6**

Commissioner Lumsden made a MOTION to add item #6 to the Clerk's Consent Agenda. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

Commissioner Mayes made a MOTION to approve the Clerk's Consent Agenda. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**1. Tax Refunds:**

- a. Bedowe LLC, P.O. Box 1635, \$60.18
- b. Marvin, Nellie Balance & Richard Forsyth, 1937 Bailey Road, Aragon, \$7.04
- c. Marvin, Nellie Balance & Richard Forsyth, 1937 Bailey Road, Aragon, \$38.78
- d. Daniel Gail & Rebecca Louise Miller, P.O. Box 687, Armuchee, \$2,909.83
- e. James Lindsey Mims, 101 Pineway Drive, \$2.13
- f. Barbara Creamer, 299 South AIA, Apt. 9, Melbourne, FL, \$387.93
- g. George A. Bolden, 5 Castlewood Drive, \$22.54
- h. Wilhelm P. Smith, P.O. Box 2186, Blue Ridge, \$350.91

- i. Loretta Cook, 4629 Adairsville Road, Adairsville, \$121.01
- j. Lewis R. Copeland, 443 Rustic Ridge Road, \$55.48
- k. Susanne Copeland & Lewis R. Copeland, 443 Rustic Ridge Road, \$62.07
- l. Jerry E. Dempsey & Bill Dempsey, 241 Dempsey Road, \$1,336.09
- m. Styles Horace Chandler, 3264 Alabama Road, \$53.87
- n. Catelot LLC, 202 Pine Valley Road, \$132.34
- o. Catelot LLC, 202 Pine Valley Road, \$126.24
- p. Catherine A. Jetton, 2009 Village Blvd., \$56.24
- q. Dempsey Brothers Realty Co., 241 Dempsey Dairy Road, \$36.78
- r. Clyde R. Davis Builders, Inc., 652 Chulio Road, \$13.51
- s. Gregory & Dana Culberson, 113 Drexel Drive, \$29.24
- t. Nathan Green, 24 West Valley Drive, \$8.56
- u. Nina Delong, 700 Highland Avenue, \$.79
- v. Robert Philip & Patricia Carter, 110 Mimosa Drive, \$45.67
- w. Joe E. Harris, 1371 Old Dalton Road, \$523.13
- x. William A. Dupree III & Matthew Sirmans, P.O. Box 31, \$1,693.75
- y. James T. Fordham, P.O. Box 1105, Dalton, \$99.89
- z. Barry Carr, 92 Joy Drive SW, Cave Spring, \$556.64
- aa. Harold Dean Cowart, 221 Highway 140, Armuchee, \$128.33
- bb. Cathy M. Grant, 65 Grants Gulch Road, 93.12
- cc. Bradley & Emily Leann Fowler, 423 Bailey Road, \$675.70
- dd. Paul Allen Edwards, 126 Woods Road, \$57.55
- ee. Timothy R. Corley, 21 Old Billy Pyle Road, \$226.52

- 2. Application for Precious Metals Dealer License, John C. Richards, Sr., Privacy Pawn, 2562 Shorter Avenue, Rome.**
- 3. Application for Alcoholic Beverage License, Greg Phillips/RPNLLC Piggly Wiggly 451, 3880 Martha Berry Highway, Rome. (Grocery Store) (Beer & Wine)**
- 4. Authorize execution of Agreement between Floyd County and Triple L Club, Inc.**
- 5. Approve GEMA Grant from the Department of Homeland Security Fiscal Year 2007 Homeland Security Grant Program Citizen Corps Program in the amount of \$13,750.00.**
- 6. Set Qualifying Fees for Election Year 2008.**

**MANAGER'S REPORT:**

- 1. APPROVE FY2009-2013 5-YEAR AIRPORT CAPITAL IMPROVEMENT PROGRAM:**

County Manager Poe recommended approval of the FY2009-2013 5-year Capital Improvement Program as submitted by Mike Matthews, Airport Manager.

Commissioner Lumsden made a MOTION to accept the Manager's recommendation to approve the FY2009-2013 5-year Airport Capital Improvement Program. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**2. CONSIDER PROPOSAL FROM AIRPORT COMMISSION TO REVISE LEASE POLICY:**

County Manager Poe stated they have a recommendation from the Airport Commission to revise their Lease Policy. Chairman Jennings stated they are adding to the existing Lease Policy, the option for the lessee to extend their lease depending upon the amount of investment and the type of jobs that are generated at the Airport.

Commissioner Fricks made a MOTION to Revise the Lease Policy as submitted. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**3. CONSIDER REQUEST FROM PARKS & RECREATION AUTHORITY TO ALLOCATE \$10,000 FROM THE RFPRA CAPITAL FUND FOR IMPROVEMENTS TO ALTO PARK:**

County Manager Poe stated the improvements would be for the construction of a press box, and repairs to the mobile home at Alto Park. He recommended approval of the request from the Parks & Recreation Authority.

Commissioner Whitefield made a MOTION to approve the request to allocate \$10,000 from the Rome-Floyd County Parks & Recreation Authority Capital Fund for improvements to Alto Park. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**4. APPROVE PROPOSAL FROM GEORGIA POWER REGARDING RELOCATION/UPGRADING ELECTRICAL EQUIPMENT FOR FORUM PARKING DECK PROJECT: (2006 SPLOST)**

County Manager Poe stated they have a proposal to relocate and upgrade electrical equipment and services in the area where the new Forum Parking Deck and Town Greene are to be constructed. He stated the total cost to provide all that work from Georgia Power is \$161,902.44. He recommended approval of the allocation of these funds to Georgia Power so they can proceed with the work as required.

Commissioner Mayes made a MOTION to approve the Proposal from Georgia Power regarding Relocation/Upgrading Electrical Equipment for the new Forum Parking Deck Project. County Attorney Manning reminded the Commission that a portion of the upgrade would be completed on property owned by Battey Downtown LLC. and the Agreement regarding this transaction had not yet been executed. Assistant County Manager Blaine Williams stated that the county may be able to allow Georgia Power to move forward with the engineering phase. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**5. DISCUSS RENEWAL OF THE ROME-FLOYD COUNTY JAIL AGREEMENT:**

County Manager Poe stated they are referring this item to Joint Services Committee to negotiate the details of a new Jail Agreement, or the extension of the existing Jail Agreement, with the City of Rome. He stated a representative will come back after that meeting with a recommendation regarding approval of that document.

**6. DISCUSS PURCHASE OF PROPERTY ADJACENT TO LOCK AND DAM PARK:**

Defer until January 28, 2008.

**7. DISCUSS AGREEMENT BETWEEN FLOYD COUNTY, CITY OF ROME, ROME-FLOYD COUNTY DEVELOPMENT AUTHORITY, AND BATTEY DOWNTOWN, LLC:**

County Manager Poe presented the current Amended version of the Agreement which makes several changes from the previous Agreement approved between Floyd County, the City of Rome, the Rome-Floyd County Development Authority, and Battey Downtown LLC. The changes to The Forum Parking Deck Project Agreement include bringing the driveway easement and extending it southward toward First Street to where it ties into the 10 x 20' transformer easement that is going to be provided adjacent to the right-of-way. He stated in the previous Agreement there is a gap between the Georgia Power easement and the driveway easement. This does away with the gap and extends the driveway easement all the way to the Georgia Power easement. He recommended approval of the revised document as presented.

Commissioner Lumsden made a MOTION to approve the revised Agreement between Floyd County, City of Rome, Rome-Floyd County Development Authority, and Battey Downtown, LLC. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**8. ADOPT FY2008 BUDGET AND AUTHORIZE EXECUTION OF BUDGET RESOLUTION:**

County Manager Poe stated Adoption of the Budget will be brought up when they reconvene their meeting on January 28, 2008 at noon.

**ATTORNEY'S REPORT:**

No Report.

**RECESS:**

There being no further business to come before the Board, Chairman Jennings called for a motion to recess the meeting until January 28, 2008 at 12:00 p.m. Commissioner Whitefield made a MOTION to recess the meeting until Monday, January 28, 2008 at 12 noon. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Mayes  
" Whitefield  
Chairman Jennings

Motion Carried

**RECONVENE MEETING OF JANUARY 22, 2008**  
**January 28, 2008 12:00 P.M.**

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

**OTHERS**

**PRESENT:** County Attorney Tommy Manning, County Clerk Kathy Arp, County Manager Kevin Poe, and Assistant County Manager Blaine Williams.

**ABSENT:** Commissioner John Mayes.

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

**ADOPT FY 2008 BUDGET AND AUTHORIZE  
EXECUTION OF BUDGET RESOLUTION:**

Commissioner Whitefield made a MOTION to accept the FY2008 Budget and Authorize Execution of the Budget Resolution as presented. SECOND by Commissioner Fricks.

Commissioner Whitefield thanked department heads for doing their due diligence in keeping their departments within budget. Chairman Jennings stated he echoes Commissioner Whitefield's comments. He stated department heads have worked hard to make this happen, and he thinks this is a good budget. He stated it maintains the millage rate, does some things as far as moving them forward capital-improvement wise, and yet maintains the line as far as spending. VOTING:

YES NO

Commissioner Fricks  
" Lumsden

" Whitefield  
Chairman Jennings

Motion Carried

**SET QUALIFYING FEES FOR ELECTION YEAR 2008:**

County Clerk Arp stated Qualifying Fees were approved on January 22, 2008, but due to an oversight, the qualifying fees for the Clerk of Superior Court were not included. Chairman Jennings stated this is the full listing.

Commissioner Fricks made a MOTION to Set the Qualifying Fees for Election Year 2008 as presented. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" Whitefield  
Chairman Jennings

Motion Carried

**DISCUSS PURCHASE OF PROPERTY ADJACENT TO  
LOCK AND DAM PARK:**

County Manager Poe stated the purchase price of the property is \$30,470.00. He stated the recommendation is to purchase the property for \$30,470.00, then spend up to \$15,000.00 to do the cleanup, surveying, and possible fencing of that property. Funding for the project is to come out of the Recreation Authority Capital Projects Fund balance.

Commissioner Lumsden made a MOTION to purchase the property in the amount of \$30,470.00, and provide up to \$15,000.00 for cleanup, surveying, and fencing. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Fricks  
" Lumsden  
" 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

" Whitefield

Chairman Jennings

Motion Carried

**FLOYD COUNTY BOARD OF  
COMMISSIONERS**

**JERRY JENNINGS, CHAIRMAN**