

July 8, 2008

REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
July 8, 2008 **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: Commissioner Mayes led the Invocation.

PLEDGE OF

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

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 June 24, 2008. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

PROCLAMATIONS:

**LIVINGSTON UNITED METHODIST CHURCH “CELEBRATION DAY”
AND FLOYD COUNTY “OLD COURTHOUSE CELEBRATION DAY”**

175TH ANNIVERSARIES:

Chairman Jennings presented a Proclamation to Phyllis Edson, Pastor, Livingston United Methodist Church recognizing August 17, 2008 as Livingston United Methodist Church "Celebration Day" and December 21, 2008 as Floyd County "Old Courthouse Celebration Day" in honor of the 175th Anniversaries.

**PUBLIC HEARINGS:
(FIRST READINGS HELD ON
JUNE 24, 2008)**

- 1. FILE #63-2008SUP, REQUEST REZONING FROM H-TR (HIGH-DENSITY TRADITIONAL RESIDENTIAL) TO S-R (SUBURBAN RESIDENTIAL), WITH A SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN THE S-R (SUBURBAN RESIDENTIAL) DISTRICT ON PROPERTY LOCATED AT 201 ALEXANDER AVENUE. ZONING MAP J16X – PARCELS 220, 221, 222. (PLANNING COMMISSION RECOMMENDATION: NO RECOMMENDATION. [VOTE: 4-4 ON MOTION TO APPROVE]):**

Chairman Jennings called for a motion to open the Public Hearing. Commissioner Lumsden 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 Ms. Sue Hiller, Planning Department Director, to give a brief overview of the request. Ms. Hiller stated the subject property is surrounded by H-TR (High-density Traditional Residential). She stated it is within a subdivision known as North Lindale Subdivision. Therefore it requires both S-R (Suburban Residential) and a special-use permit to place a manufactured home on the property. She stated the surrounding properties are developed with site-built homes. There is a site-built home on the property, and also a manufactured home on the property that was installed and occupied under a medical hardship. She stated a medical hardship allows a manufactured home to be placed on a property for the care of a dependent or a family member. The medical hardship requires a doctor's certification as to the need for it, and it also requires the applicant to sign a form stating they understand that when the medical hardship is over the manufactured home will go away and it will not be used as a rental unit. She stated to the east and west are site-built homes. This property does

not actually front on a road, although there is a right-of-way that goes back to the property, with a driveway in it. She stated generally, the standards for approval of a manufactured home in a subdivision is compatibility with adjacent properties, and whether the manufactured home is compatible with the existing development pattern that has already been established. She stated in this case it is a residential neighborhood; however, the predominate development pattern is exclusively site-built single-family dwellings with no manufactured homes. That becomes an important issue because that is how they determine whether a manufactured home can go into a subdivision. She stated approving the first one means if any others are asked to be placed there, that mix of uses there has been established. She stated the motion by the Planning Commission was to approve, but it received a tie vote, which according to the ULDC, is a no recommendation vote.

She stated this comes to the Board with one comment from John Boyd, Floyd County Water Department, stating the property must adjoin a Floyd County maintained road for water service. Chairman Jennings asked Ms. Hiller if she is saying that it does not adjoin a Floyd County maintained road. Ms. Hiller stated it adjoins a right-of-way for a public road, but the road is not built. Chairman Jennings stated so it would not qualify for water service. Ms. Hiller stated she thinks in this case it already has water service. She stated she thinks what Mr. Boyd is pointing out is that any new water service in a situation like this probably would not be granted. County Manager Poe stated they would not set a meter on the back part of a property just for that particular use. He stated the meters would have to be added on to the right-of-way. Chairman Jennings asked so it is a single water line that splits and goes to both the manufactured home and the site-built home. Ms. Hiller stated the applicant is here and he can answer that question.

Support: Christopher Mark Wood, 111 Alexander Avenue, Lindale, stated his property actually adjoins 201 Alexander Avenue. He stated he will address the water issue. He stated it has its own water meter. He stated Alexander Avenue runs perpendicular to the property. The water meter is at the road and it runs across the property to the actual mobile home. He stated when it went before the Board the first time, he had purchased this property from the gentleman that lived next door to him, and there was a mobile home already on the property. He stated it had been put there in 1984, and he still occupied it, so it had been there for twenty-two years. The main reason he purchased the property was the doctors had said that his parents were getting in very ill shape medically, and they needed someone in close proximity to take care of them. When the property was offered to be sold, he talked to the man and came to an agreement. He stated his primary purpose at the time was to remodel the mobile home that was there and bring it up to standards enough for them to move in and be comfortable. Once he bought the property and started working on it, there were just more things wrong with the unit than it was worth putting money into to make it livable again, in his opinion, for his parents. He stated he was not going to put them in something that he would not live in himself, so he sold that one and began to look to put another unit back in its place. He stated he did not go into the neighborhood putting in a mobile home. It was already there. Most of the neighbors knew it had been there

for many years. Because he had to put a new one in, he had to secure financing. He stated when he went to the zoning department to get the permits to put the unit in he was informed that he was not allowed to have a manufactured mobile home there because of the way it was zoned, H-TR. He stated after talking to Ms. Hiller about the situation, that she is the one who gave him the medical hardship permit, and said that he could put the mobile home there to take care of his mother and father as long as they were alive. At the same time, he asked Ms. Hiller about rezoning the property, because he had planned initially on putting the property on a mortgage with a fixed rate to make it easier to manage financially. He stated taking care of an ailing parent, or parents, can get very expensive so he was trying to ease the financial burden on himself, and help his mother at the same time. He needs the property rezoned to be able to get a mortgage. He stated he is here to ask one of two things. He stated one is if it can be rezoned to an S-R (Suburban Residential) property so he can do this. He stated renting it is not in his mind, because he is more concerned about taking care of his parents. He stated for instance, if the mortgage is seven years, it is paid for, and something were to happen to her, he does not mind moving it after that. He stated this just makes it an easier way to take care of the money situation. He stated the other alternative is if there is an exception to that rule, since the mobile home was there already, that the Board could vote to leave it under those rules. He stated all he did was pull the old unit out and put in a nicer unit. If that could be done, he would have no problem leaving the zoning the way it is, and not even request an S-R change. He stated that is where he stands and those are the only two options that he has that he knows of, and that is what he is presenting to them.

Chairman Jennings asked is there a single water meter at the road for both the site-built home and the manufactured home. Mr. Wood stated the manufactured home has its own meter. He stated it is a completely separate property with its own power meter, water meter, and septic tank. It was totally set up by the person who owned it prior to him as an individual home. Chairman Jennings asked if there is a common driveway with an easement for three of the homes off the road there that is written into the deed for all three properties. Mr. Wood stated that is correct. He stated it all had easements written into the papers and everything is all on file.

Chairman Jennings asked if there is anyone who wishes to speak in opposition of this zoning change. 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

Commissioner Whitefield made a MOTION to deny the request based on the precedent of a spot zone.

Discussion: Commissioner Whitefield stated while he understands Mr. Wood's situation, he hopes that Mr. Wood understands that by rezoning that property that they would create a spot zoning in that area that could potentially set precedent in the future. He stated he fully believes that the applicant's intentions are the best, to take care of his parents, and he does not believe that he is trying to work the system for an additional rental property. However, it is the commissioner's job to make sure that they make good planning decisions for the future. Chairman Jennings asked if they deny this request, what are the applicant's options, because the mobile home is already on the property. He stated the only issue is could the applicant get a loan on the property, because the mobile home could stay through the medical hardship. He asked Ms. Hiller is that correct. Ms. Hiller stated that is correct. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

Further discussion: Chairman Jennings stated the request for rezoning is denied. He stated they agree with Commissioner Whitefield's assessment, but it appears with the medical hardship that the mobile home could stay on the property.

2. FILE #68-2008SUP, REQUEST SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN THE S-R (SUBURBAN RESIDENTIAL) DISTRICT ON PROPERTY LOCATED AT 1282B RADIO SPRINGS ROAD. ZONING MAP G14Y – PARCEL 017. (PLANNING COMMISSION RECOMMENDATION: DENY [VOTE: 4-5 ON MOTION TO APPROVE]):

Chairman Jennings called for a motion to open the Public Hearing. 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 Ms. Sue Hiller, Planning Department Director, to give a brief overview of the request. Ms. Hiller stated the subject property is located within Knowles Place Subdivision. Therefore, a Special Use Permit is required to place a manufactured home on the property. She stated the surrounding properties are zoned S-R (Suburban Residential) and are developed with manufactured homes and site-built homes. The subject property was formerly developed with a manufactured home. All services are available. There is no sewer. Radio Springs Road is classified as a collector street and Casey Street is an unopened local street. The subject lot is approximately 7 acres in area.

Support: Carlene Weddington, 78 Huffaker Road, stated she owns the property. She stated there are two tanks there for two manufactured homes, and it has water hook-up. She stated all they want to do is to be able to pull one manufactured home out and replace it with a better one. She stated Bill Swinford is the guy who wants to be able to put his home there. She stated it is a privately owned home. It is not her home.

Bill Swinford, P.O. Box 3223, stated they took the old mobile home out and put another one in. He stated he was going to lease the property. He stated he fixed it up. The one that was there they could not repair it, but he is just going to lease the lot from him and live in the mobile home. He stated the water is hooked up there, the septic is there, it has been inspected, and it is fine. He stated he does not understand the zoning laws and all that, but everything is there except getting the power hooked up and they will not do that unless he gets permission from the Board to live there. He stated he does not know why anybody would be against it, because he made an agreement to keep the place cleaned up, and there are mobile homes on both sides and one behind it. There are about four manufactured homes around his. He stated he would like to get it rezoned so he can get moved in.

Oppose: Barry Casey, 1300 Radio Springs Rd, stated he is an adjacent property owner on Casey Drive. He stated he cut this property in and developed it on the main right-of-way in 1986. He stated he did have a mobile home on that property for about three or four years, and turned around and developed it. He stated he built a \$180,000 log home that sits on that property on Radio Springs Road. He stated his opposition is he would like to see these mobile homes gone, and there are multiple reasons why. He stated one is resale of his property is not going to go up as long as he is surrounded by these mobile homes. He stated he understands if they were on a short-term deal, and they are trying to build a house. But it is no longer a position to where they are trying to put a house in. He stated they are trying to make a mobile home park out of this. He stated the man that lives in the other house has been trying to work on it

constantly. There is a doublewide up there and it is falling in it around it. He stated he is concerned that when there were three and four people living in there the sewage would run over down the driveway into the ditch.

Rebuttal: Ms. Weddington stated Mr. Casey said that he had lived in a manufactured home for three or four years before he built his home. She stated they have had that property for fourteen years. She stated her son lived there nine years and the only time he had problems with sewage was when it clogged up inside.

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

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Lumsden made a MOTION to deny the request for the Special Use permit. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

ULDC REVISIONS:

1. REVISE OR DELETE ARTICLE 6.15.11 REGARDING NPDES COMPLIANCE. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0]):

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

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked if there is anyone who wishes to speak for or against this revision regarding NPDES Compliance. Seeing none, Commissioner Whitefield made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

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

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. REVISE OR DELETE ARTICLE 6.17.3 REGARDING LANDSCAPING PLAN. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0]):

Chairman Jennings called for a motion to open the Public Hearing. Commissioner Whitefield 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 who wishes to speak for or against this revision. Seeing none, Commissioner Whitefield made a MOTION to close the Public Hearing. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Whitefield made a MOTION to approve the revision as presented. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

3. REVISE OR DELETE ARTICLE 6.17.2a REGARDING LANDSCAPING ISLANDS IN PARKING LOTS. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0]):

Chairman Jennings called for a motion to open the Public Hearing. Commissioner Whitefield 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 who wishes to speak for or against this revision. Seeing none, Commissioner Whitefield made a MOTION to close the Public Hearing. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Whitefield made a MOTION to approve the revision as presented. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

4. REVISE OR DELETE ARTICLE 6.17.2c REGARDING LANDSCAPING ISLANDS IN PARKING LOTS. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0]):

Chairman Jennings called for a motion to open the Public Hearing. Commissioner Whitefield 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 who wishes to speak for or against this revision. 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

Commissioner Whitefield made a MOTION to approve the revision as presented. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**5. REVISE OR DELETE ARTICLE 6.6.1 AND 6.4.2 CONCERNING
DEDICATION OF ADDITIONAL ROW ALONG EXISTING STREETS.
AND RENUMBER (PLANNING COMMISSION RECOMMENDATION:
APPROVE [VOTE: 9-0]:**

Chairman Jennings called for a motion to open the Public Hearing. Commissioner Whitefield 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 who wishes to speak for or against this revision. 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 Whitefield made a MOTION to approve the revision as presented. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

6. REVISE OR DELETE ARTICLE 6.9.3 REGARDING INTER-PARCEL ACCESS EASEMENTS. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0]):

Chairman Jennings called for a motion to open the Public Hearing. Commissioner Whitefield 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 who wishes to speak for or against this revision. Seeing none, Commissioner Lumsden 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 Whitefield made a MOTION to approve the revision as presented. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**7. PUBLIC HEARING TO RECEIVE COMMENTS RELATED TO
A JOINT GRANT APPLICATION FOR THE FY2008 JUSTICE
ASSISTANCE GRANT (JAG) PROGRAM AND AUTHORIZE
EXECUTION OF INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF ROME AND FLOYD COUNTY FOR
THE FY2008 JAG PROGRAM:**

Chairman Jennings called for a motion to open the Public Hearing. Commissioner Whitefield 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 who wishes to speak for or against this revision. Seeing none, Commissioner Lumsden made a MOTION to close the Public Hearing. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

County Manager Poe stated through this Intergovernmental Agreement they will be sharing a total funding of \$12,557.00 with the City of Rome. He stated the city of Rome will receive \$6,888.00, and the county will receive \$5,669.00.

Commissioner Whitefield made a MOTION to approve the application for the FY2008 JAG Program and authorize the chairman to sign the Intergovernmental Agreement. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

CHAIRMAN'S REPORT:

1. Appointments:

a. Animal Control & Welfare Board

Commissioner Lumsden made a MOTION to reappoint Christina Bucher, Post 5; Susan Cooley, Post 2; and Jean Simpson, Post 3 to serve on the Animal Control & Welfare Board for 3-year terms expiring September 30, 2011. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

b. Forum Advisory Committee

Commissioner Lumsden made a MOTION to reappoint Mary McGuffey and Warren Jones to serve on the Forum Advisory Committee for 3-year terms expiring August 31, 2011. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. Nominations for Governor's Appointments for County Commissioners to serve on Public Defender Local Panel.

Chairman Jennings stated they have been asked to provide nominations for the Governor's Appointments for County Commissioners to serve on Public Defender Local Panel.

Commissioner Whitefield made a MOTION to approve the nominations of Commissioners Eddie Lumsden and Garry Fricks for the Public Defender Local Panel. SECOND by Chairman Jennings. 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

County Manager Poe stated a presentation has been made to the Public Safety Committee regarding a proposed Public Safety pay plan. He stated the proposal was approved by the committee, and they are now taking that forward to the different departments for review and feedback, with a possibility of a recommendation coming before the full Board of Commissioners at the July 22, 2008 commission meeting.

3. Public Works Committee – Commissioner Mayes, Chairman

No Report.

4. Water Committee – Commissioner Fricks, Chairman

Commissioner Fricks stated he would like to review the new water restrictions. He stated Rome and Floyd County are now under a Level IVb drought response effective on June 25, 2008. He stated under Level IVb Floyd County water customers are allowed to water outdoors on the odd/even basis two days per week between midnight and 10 a.m. He stated odd addresses may water on Thursdays and Sundays, and even addresses may water on Wednesdays and Saturdays. He stated this information is posted on the Floyd County website, along with additional information for specific cases.

5. Judicial Services Committee – Commissioner Jennings, Chairman

No Report.

6. Special Committee Reports

a. SPLOST Committee (Lumsden)

No Report.

b. Work Release Committee (Lumsden, Mayes)

No Report.

c. Fire Overview Committee (Lumsden, Whitefield)

No Report.

d. Joint Services Committee (Jennings, Whitefield)

1) Nominations for Coosa – North Georgia Regional Water Planning Council.

Commissioner Whitefield made a MOTION to nominate John Boyd, Utilities Supervisor Floyd County Water Department; Leigh Ross, Director of Water and Sewer, City of Rome; John Bennett, Rome City Manager; Mayor Rob Ware, City of Cave Spring; Chairman Jerry Jennings, Floyd County Board of Commissioners; and Joe Cook, Executive Director Coosa River Basin Initiative. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

e. Joint Development Oversight Committee (Mayes, Whitefield)

No Report.

f. Transportation Committee (Whitefield)

No Report.

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 Whitefield 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. Vicki Graben, 3 Oakview Drive, \$324.90
- b. Edward Earl Davenport, P.O. Box 676, Silver Creek, \$9.83

2. Authorize Quit Claim Deed between Floyd County and Lillie Viola Thacker, Executrix under the Will of Leon Thacker, for a portion of Walnut Street.

3. Authorize Quit Claim Deed between Floyd County and Janice Kay Williams, as Executrix of the Estate of Jack C. Wright, for a portion of Walnut Street.

MANAGER'S REPORT:

1. AUTHORIZE EXECUTION OF WORK AUTHORIZATION NO. 13A FROM LPA GROUP FOR PROFESSIONAL SERVICES RELATED TO REPLACING ELECTRICAL VAULT AT RICHARD B. RUSSELL AIRPORT:

County Manager Poe recommended authorization for the Chairman to execute Work Authorization No. 13A from LPA Group for Professional Services related to replacing the electrical vault at Richard B. Russell Airport.

Commissioner Lumsden made a MOTION to authorize the Chairman to execute Work Authorization No. 13A from LPA Group as presented. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

2. AUTHORIZE AMENDMENT TO THE FLOYD COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

County Manager Poe recommended authorization for the Chairman to sign the Amendment to the Floyd County Multi-Jurisdictional Hazard Mitigation Plan to include goals for Mitigation Strategy for Thunderstorm Winds and Winter Storms.

Commissioner Lumsden made a MOTION to approve the Amendment to the Multi-Jurisdictional Hazard Mitigation Plan as presented. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

3. AUTHORIZE AMENDMENT TO AGREEMENT WITH ALLIED WASTE INDUSTRIES:

County Manager Poe stated the proposed Amendment to the Agreement with Allied Waste would extend the current contract for hauling through December 31, 2009. He stated this eighteen-month extension will reflect a 3% increase in price. He recommended authorizing the Chairman to execute the Amendment to the Agreement with Allied Waste Industries.

Commissioner Whitefield made a MOTION to authorize the Chairman to execute the Amendment to the Agreement with Allied Waste Industries as presented. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

4/5 VOTE REQUIRED TO ADD ITEM # 4, #5 and #6

County Manager Poe requested that items #4, #5 and #6 under the Manager's Report be added to the agenda.

Commissioner Whitefield made a MOTION to add items #4, #5 and #6 under the Manager's Report to the agenda. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**4. AWARD OF BID FOR ALARM AND SECURITY SYSTEMS
FOR ROME-FLOYD PARKS & RECREATION AUTHORITY:**

County Manager Poe stated the Rome-Floyd County Parks & Recreation Authority accepted bids for installation of alarm and security systems at various county parks. Bids were e-mailed to nine vendors. He stated one bid was received from, CommTech Communications, LLC. in the amount of \$39,990.00, which was within the \$40,000.00 budget that was allocated. The Rome-Floyd County Parks & Recreation Authority recommended the County Commission accept the bid from Commtech Communications, LLC. to purchase and install alarms and security systems for certain county parks.

Commissioner Mayes made a MOTION to accept the recommendation from the Rome-Floyd Parks & Recreation Authority to award the bid for Alarm & Security Systems to CommTech Communications in the amount of \$39,900.00. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**5. AUTHORIZE EXECUTION OF APPLICATION FOR
USDA ASSISTANCE IN ADMINISTERING APPALACHIAN
REGIONAL COMMISSION (ARC) GRANT FOR NORTH
TERMINAL EXPANSION PROJECT AT RICHARD B. RUSSELL
REGIONAL AIRPORT:**

County Manager Poe stated they have an application for USDA Assistance in Administering the Appalachian Regional Commission (ARC) Grant for North Terminal Expansion project at Richard B. Russell Airport. He recommended authorizing the Chairman to execute this application.

Commissioner Lumsden made a MOTION to authorize the Chairman to execute the application. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

6. AUTHORIZE RESOLUTION AND SUBMITTAL OF GEORGIA HERITAGE PROGRAM GRANT APPLICATION FOR EXTERIOR REPAIR TO THE FLOYD COUNTY ADMINISTRATION BUILDING:

County Manager Poe stated a Resolution has been prepared related to submittal of a Georgia Heritage Program Grant application for exterior repairs to the Floyd County Administration building. He recommended authorizing the Chairman to sign this Resolution.

Commissioner Whitefield made a MOTION to authorize the Resolution for submittal of a Georgia Heritage Program Grant application. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

ATTORNEY'S REPORT:

4/5 VOTE REQUIRED

1. CONSIDER VOTE TO ENTER INTO CLOSED SESSION TO DISCUSS PENDING LITIGATION:

County Attorney Manning recommended that the Commission consider adding to the agenda a vote to go into Closed Session for the purpose of discussing Pending Litigation involving the county.

Commissioner Whitefield made a MOTION to approve the Attorney's recommendation to add the item to the agenda. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

Commissioner Mayes made a MOTION to enter into Closed Session to Discuss Pending Litigation. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

The Board entered into Executive Session at 3:05 p.m. The meeting reconvened at 3:40 p.m. No Action was taken during the Closed Session.

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