

Chairman Jennings called for a motion. Commissioner Lumsden made a MOTION to adopt the Resolution Regarding the ARC Grant for the North Terminal Expansion Project at Richard B. Russell Regional Airport and authorize execution by Chairman. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

**PUBLIC HEARINGS:
(FIRST READINGS HELD
SEPTEMBER 9, 2008 AT 2:00 P.M.)**

Chairman Jennings reviewed the procedures for Public Hearings.

- 1. FILE #83-2008Z, REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO C-C (COMMUNITY COMMERCIAL) FOR COMMERCIAL USE OF PROPERTY LOCATED AT 2606 CALHOUN HIGHWAY. ZONING MAP L12Y - PARCEL 212, 213, 214, 215 AND PART OF PARCEL 211. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH THE CONDITION THAT ANY NEW DEVELOPMENT, OR FUTURE DEVELOPMENT COMPLY WITH THE SETBACK, BUFFER, AND LANDSCAPING REQUIREMENTS OF THE ULDC, AND THAT LIGHTING BE DESIGNED AND LOCATED SO IT DOES NOT TRESPASS ON ADJACENT RESIDENTIAL PROPERTY: [VOTE: 8-0]).**

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 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 northern end of the subject property is currently zoned C-C (Community Commercial). She stated the zoning line actually splits a lot, and then there are four lots further south. To the north, there are some industrial and commercial uses. She stated to the east is the sign of the roller skating rink. She stated the building is partially in C-C zoning and partially not. She stated the parking lot is in S-R zoning. She stated there are three additional lots that are completely undeveloped at this time. The application indicates that they are requesting rezoning for marketing purposes. She stated the applicant indicated at the second Planning Commission meeting held on this subject property that it will continue to be used as a skating rink, and the applicant is trying to sell it that way. She stated there are residential properties to the north, south, and east. There is some vegetation that exists at the back of the building that forms something of a buffer, but basically, this would be used as it is, somewhat non-conforming, and any future development would have to conform with all of those requirements of the code. She stated rezoning this property would result in sort of a commercial and industrial node at the crossroad of Dellinger Road and Calhoun Road, and it would accommodate an existing use that has been there for many years. The recommendation of approval is unanimous to include the conditions concerning compliance with setback, buffer, and landscape requirements, and that lighting be designed and located so that it does not trespass onto any of the adjacent residential properties.

Chairman Jennings asked if there is anyone wishing to speak in favor or opposition of this zoning change.

Support: Windle Bishop, 241 Ford Mountain Road, Kingston, stated he is the present owner of this property. He stated they were not aware that it was not all zoned until they got ready to sell it. The people that are buying it are going to keep it as a skating rink, and there will be no new development there. He would ask the Board to please rezone this so they can sell it.

Chairman Jennings asked if there is anyone else wishing to speak in favor or opposition. Seeing none, Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Whitefield made a MOTION to approve the rezoning request from S-R (Suburban Residential) to C-C (Community Commercial) with the condition that any new development, or future development, comply with the setback,

buffer, and landscaping requirements of the ULDC, and that lighting be designed and located so it does not trespass on adjacent residential property. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. FILE #93-2008SUP, REQUEST SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN THE S-R (SUBURBAN RESIDENTIAL) DISTRICT ON PROPERTY LOCATED AT 149 ADAMS CIRCLE. ZONING MAP J16Z – PARCEL 047. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8-0]).

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 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 a lot zoned S-R (Suburban Residential) in a subdivision known as Noles Place. Therefore, it does require a Special Use Permit for placement of a manufactured home. She stated the surrounding properties to the north, east, and west are zoned S-R (Suburban Residential), and developed with a mix of site-built and single-family dwellings. She stated to the south there is property zoned H-I (Heavy Industrial) that is developed with a junk yard. She stated there are other manufactured homes in this area. She stated the question was raised at the Planning Commission meeting about whether they could get water service to this house, because Floyd County Water Department said that there was already a meter issued for 149 Adams Circle. She stated the Planning Commission thought that the building on this property was a site-built dwelling; however, it is a storage building. She stated in the past there have been manufactured homes on the property, but there has not been one there for about three years. She stated the water

tap is still there, so they do have a water meter, and they have their septic tank permit in line.

Chairman Jennings asked if there is anyone wishing to speak in favor or opposition of this zoning change.

Support: Judy Mantooh, 149 Adams Circle, stated she and her husband just want to put this manufactured home on their property so we can get back home. She stated they have been living in an apartment for the last three years. She stated all of their utilities are there, and they just ask the Board would to approve the request.

Chairman Jennings asked if there is anyone else wishing to speak in favor or opposition. Seeing none, Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Mayes made a MOTION to approve the Special Use Permit. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

3. FILE #95-2008SUP, REQUEST SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN THE S-R (SUBURBAN RESIDENTIAL) DISTRICT ON PROPERTY LOCATED AT 4 BELL VIEW DRIVE. ZONING MAP K13X – PARCEL 288. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8-0]).

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 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 within a subdivision called Bell View. Therefore, it does require a Special Use Permit for placement of a manufactured home. She stated the surrounding zoning is S-R (Suburban Residential), although there is some other zoning a little bit further out. She stated the aerial photograph shows that this property has a single-family site-built dwelling and a manufactured home. However, the manufactured home shown in the photo is not there now. She stated the Special Use Permit is to bring in a new manufactured home. She stated in this rural area there is very, very low-density development, and it is mostly site-built dwellings within this subdivision. There is a manufactured home on adjacent property, but there is none within the subdivision. She stated the test is usually compatibility, but she thinks it is important to take into account that in this particular subdivision there is not much development at all, and this particular applicant owns a pretty big block of the lots of that are in this subdivision. This comes to the Board with a unanimous recommendation from the Planning Commission that they approve.

Support: Harvey Gene Shaw Sr., 4 Bell View Drive, stated his mother, Louise Shaw, and he are requesting permission to just replace a mobile home that was already on the lot. He stated the lot has been used for a mobile home for the last thirty years. It is an existing mobile home lot. He stated it is his mother's property, and she has given permission for her grandson to move his mobile home there. He stated if there are any questions, he will be glad to answer them.

Chairman Jennings asked if there is anyone else wishing to speak in favor or opposition. Seeing none, Commissioner Lumsden made a MOTION to close the Public Hearing. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Whitefield made a MOTION to approve the Special Use Permit. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

4. FILE #96-2008Z, REQUEST REZONING FROM L-I (LIGHT INDUSTRIAL) TO S-R (SUBURBAN RESIDENTIAL) FOR EXISTING SINGLE-FAMILY DWELLING ON PROPERTY LOCATED AT 125 HUFFAKER ROAD. ZONING MAP H13X – PARCEL 186. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8-0]).

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 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 zoned L-I (Light Industrial) developed with a single-family dwelling. She stated it is surrounded by L-I properties that are mostly developed with industrial uses. She stated across Huffaker Road, there is a duplex subdivision to the south, and there is a piece of land zoned M-R (Multi-Family Residential) that was never developed for apartments. She stated in general, the area is industrial. She stated she thinks when they have a situation like this it is easy to say that rezoning this back to residential property cannot have any impact on the surrounding properties. She pointed out that it is an existing use, so in terms of additional impact that is probably true. She stated for the L-I properties that are adjacent, any further development on their property will have to have buffers, because this will then become a residence that is zoned for residential uses.

Support: Robert Wood, 125 Huffaker Road, stated he would just appreciate a yes vote.

Chairman Jennings asked if there is anyone else wishing to speak in favor or opposition. Seeing none, Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Lumsden made a MOTION to approve the rezoning request from L-I to S-R. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

5. ORDINANCE TO AMEND FLOYD COUNTY CODE SECTION 2-9 RELATED TO PURCHASING: (2008-005A)

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

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

County Manager Poe stated the requested amendment would increase the dollar amount of purchases requiring sealed bids. He stated the threshold is currently \$10,000.00, and this amendment would up that amount to \$20,000.00. The amendment would also increase the authority of the purchasing agent to make purchase of goods from \$1,500.00 to \$2,000.00.

Chairman Jennings asked if there is anyone wishing to speak in favor or opposition of this requested amendment. Seeing none, Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Whitefield made a MOTION to approve the Ordinance to Amend the Floyd County Code related to Purchasing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

CHAIRMAN'S REPORT:

No Report.

COMMISSIONER'S REPORT:

- 1. Administrative/Finance Committee – Commissioner Whitefield, Chairman**
 - a. Consider Request to Create Three (3) New Floating Positions.**

Commissioner Whitefield stated the purpose of these three new floating positions would be to allow departments that have positions that are budgeted, but due to extended illness or workman's compensation issues those positions are filled and do not have a worker in place, to plug people in to fill those positions on a temporary basis. He stated it would not supersede the 60-day period that we have now on new hires, but would allow us some freedom in dealing with some of those situations. County Manager Poe stated the employee also has to be in a no-pay status. He stated it is not costing us any more money, because even though we are adding these positions they are going to be filled with people who are on a no-pay status.

Commissioner Whitefield made a MOTION to approve the request to create three (3) new floating positions as outlined. SECOND by Commissioner Mayes.
VOTING:

YES

NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. Public Safety Committee – Commissioner Lumsden, Chairman

No Report.

3. Public Works Committee – Commissioner Mayes, Chairman

No Report.

4. Water Committee – Commissioner Fricks, 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)**
- f. Transportation Committee (Whitefield)**
- g. Special Public Safety Committee (Jennings, Lumsden)**

No Special Committee Reports.

CLERK'S REPORT:

Consent Agenda

County Clerk Kathy Arp stated there are five items on the Clerk's Consent Agenda. She requested that items 2, 3, 4, and 5 be amended to state Authorize the Execution of the Contract between each listed contractor.

Chairman Jennings called for a motion to approve the Clerk's Consent Agenda. Commissioner Mayes made a MOTION to approve the Clerk's Consent Agenda with noted changes. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

1. Tax Refunds:

- a. Jerry Wayne Massey, Jr., 2516 Maple Road, \$186.68
- b. Rome Urology Association PC, 1013 North 5th Avenue NE, Suite 1, \$285.84
- c. Tony Yarbrough, P.O. Box 255, Coosa, \$2,086.08
- d. Debra Gail Gaylor, 370 Donahoo Road, Silver Creek, \$17.80
- e. Margaret & Von Lambert, 909 Highland Avenue, \$99.56

2. **Authorize Execution of Contract between Floyd County and Davidson Southern for North Floyd Park Project. (2006 SPLOST)**
3. **Authorize Execution of Contract between Floyd County and Randy Earley Construction for Shannon Park Project. (2006 SPLOST)**
4. **Authorize Execution of Contract between Floyd County and Buck Cooper, Inc. for Right-of-Way Acquisition Services for Huffaker Road Project. (2006 SPLOST)**
5. **Authorize Execution of Contract between Floyd County and L. David & Associates for Right-of-Way Acquisition Services for Highway 411 Project. (2006 SPLOST)**

MANAGER'S REPORT:

1. **APPROVE CHANGE ORDER WITH JEFF BENNETT CONSTRUCTION FOR CVTC AVIATION BUILDING**

PROJECT AT RICHARD B. RUSSELL REGIONAL AIRPORT:

County Manager Poe stated a Change Order has been received from Jeff Bennett Construction for the Coosa Valley Tech Aviation Building Project at the Richard B. Russell Regional Airport. He stated the amount of the Change Order totals \$7,665.00. He stated the overall project is under budget, but the particular GMP (Guaranteed Maximum Price) we have with Bennett Construction needs to be increased by \$7,665.00. He stated this basically closes out the contract with Bennett Construction.

Commissioner Whitefield made a MOTION to approve the Change Order in the amount of \$7,665.00, with Bennett Construction. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. AWARD OF BID FOR PARKING CONTROL EQUIPMENT FOR FORUM PARKING DECK PROJECT:

County Manager Poe stated we recently received bids for the acquisition of parking equipment for the new Forum parking deck. He stated city and county staff were involved in reviewing the bids, since this is a joint project. He stated the recommendation from the committee that reviewed the proposals is to award the contract to ITR of Georgia, Incorporated. The total amount of the contract would be \$222,435.00 and includes both the acquisition of the parking deck equipment and the pre-purchase of a yearly maintenance contract for years two and three.

Commissioner Mayes made a MOTION to accept the recommendation to award the bid to ITR of Georgia, Inc. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**3. AWARD OF BID FOR NEW WORK RELEASE
CENTER CONSTRUCTION: (2006 SPLOST)**

County Manager Poe stated bids were received for the Work Release Center project. He stated we received several very competitive bids. The low bid was from Pinson's Construction Company, which is a company based here in Rome, in the amount of \$1,786,000.00. He recommended award of bid to Pinson's in that amount. He stated they are working with the architect and the contractor in coming up with some cost reductions on the project, so he anticipates coming back to the Board in the future with some deductive change orders. He stated they would hopefully be cutting about \$100,000.00 out of the project without significantly impacting the overall quality of the project.

Commissioner Lumsden made a MOTION to approve the award of bid to Pinson's Construction Company in the amount of \$1,786,000.00, and authorize execution of contract documents pending attorney review. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

4/4 VOTE REQUIRED

**1. APPROVE AMENDING THE JUVENILE
COURT BUDGET:**

Commissioner Whitefield made a MOTION to add this item to the agenda by 4/4 Vote. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

County Manager Poe stated Judge Tim Pape had attended the Caucus session and presented a request for additional funding in the Juvenile Court budget for

Indigent Defense, and Interpreter Fees. He recommended revising the Juvenile Court budget to add \$25,000.00 to the Indigent Defense line item, and add \$3,000.00 to the Interpreter Fee line item.

Commissioner Lumsden made a MOTION to approve and amendment to the Juvenile Court budget as outlined by County Manager Poe. SECOND by Chairman Jennings. VOTING:

YES

NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

OTHER BUSINESS:

Chairman Jennings welcomed students from Berry College, Scout Troop 163, and the Junior Service League, who attended the meeting.

ATTORNEY'S REPORT:

No Report.

ADJOURNMENT:

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

YES

NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

JERRY JENNINGS, CHAIRMAN