

December 9, 2008

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
December 9, 2008 2:00 P.M.**

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

OTHERS

PRESENT: County Attorney Tommy Manning, County Clerk Kathy Arp, and County Manager Kevin Poe.

ABSENT: Commissioner Garry Fricks, 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 County Attorney Tommy Manning if the minutes were in order. Mr. 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 November 25, 2008. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

RESOLUTIONS:

**ADOPT RESOLUTION IN SUPPORT OF REGIONAL APPLICATION
TO BE SUBMITTED BY COOSA VALLEY REGIONAL DEVELOPMENT
CENTER (CVRDC) FOR FUNDING THROUGH THE NEIGHBORHOOD**

STABILIZATION PROGRAM (NSP):

Chairman Jennings called for a motion. Commissioner Whitefield made a MOTION to Adopt the Resolution in support of Regional Application to be submitted by the Coosa Valley Regional Development Center for funding through the Neighborhood Stabilization Program. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**FIRST READINGS:
(PUBLIC HEARINGS TO BE HELD
JANUARY 13, 2009 AT 2:00 P.M.)**

ULDC REVISIONS

- 1. ADOPT UNIFIED LAND DEVELOPMENT CODE (ULDC) FOR THE CITY OF ROME AND FLOYD COUNTY REGARDING THE ESTABLISHMENT OF ZONING DISTRICTS AND DEVELOPMENT REGULATIONS. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10 – 0]).**
- 2. ADOPT ZONING MAPS FOR THE CITY OF ROME AND FLOYD COUNTY. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10 – 0]).**
- 3. REVISE OR DELETE ARTICLE 6.6.8 REGARDING LIGHTING. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10 – 0]).**
- 4. REVISE OR DELETE ARTICLE 4.2.13 REGARDING WIND GENERATION. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10 – 0]).**
- 5. REVISE OR DELETE ARTICLE 6.6.9 REGARDING PROTECTION OF CEMETERIES. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10 – 0]).**

REZONING/SPECIAL USE PERMITS:

1. **FILE #122-2008SUP, REQUEST SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN S-R (SUBURBAN RESIDENTIAL) ZONING DISTRICT ON PROPERTY LOCATED AT 1885 CHULIO ROAD. ZONING MAP L16 – PARCEL 007. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10 – 0]).**
2. **FILE #123-2008SUP, REQUEST SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN S-R (SUBURBAN RESIDENTIAL) ZONING DISTRICT ON PROPERTY LOCATED AT 127 LINDSEY ROAD. ZONING MAP J11X – PARCEL 358. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 10 – 0]).**

CHAIRMAN’S REPORT:

1. Appointments:

a. Northwest Georgia Region I EMS Coordinating Council:

Commissioner Lumsden made a MOTION to appoint Robert Early to the Northwest Georgia Regional EMS Coordinating Council for a 2-year term expiring January 15, 2011. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
 " Mayes
 " Whitefield
 Chairman Jennings

Motion Carried

COMMISSIONER’S REPORT:

1. Administrative/Finance Committee – Commissioner Whitefield, Chairman

No Report.

2. Public Safety Committee – Commissioner Lumsden, Chairman

No Report.

3. Public Works Committee – Commissioner Mayes, Chairman

No Report.

4. Water Committee – Commissioner Fricks, Chairman

a. Consider Proposed Water Rate Adjustment:

Chairman Jennings stated they have discussed the proposed Water Rate Adjustment and a Resolution to amend the Fee Schedule Book. He asked County Manager Poe to review this. County Manager Poe stated the request and recommendation for approval is that they adjust the minimum charge for water services effective January 1, 2009. He stated we have a rate schedule for all of the meter sizes. The most common meter size for residential use is a 5/8 by 3/4 inch, and the minimum bill would be increased from \$11.36 to \$14.00 per month. He stated along with that, we are recommending, effective June 1, 2009, that there be a water rate increase. For residential use, any use over 3,000 gallons would be \$3.55 per 1,000 gallons, and for commercial or industrial use, any use be at a flat rate schedule of \$2.95 per 1,000 gallons. He stated both residential and commercial or industrial rates would go to a flat rate schedule effective June 1, 2009. He stated we are also recommending that the 5/8 by 3/4 inch meter installation costs be increased from \$1,200.00 to \$1,600.00, and that the 1" meter installation costs be increased from \$1,400.00 to \$1,800.00. The disconnect of service for non-payment charge be \$50.00. The broken meter valve and lock charge be \$100.00, and the charge for the meter being removed for non-payment would be \$150.00.

Chairman Jennings called for a motion. Commissioner Mayes made a MOTION to Adopt the Water Rate Adjustment and the Resolution to Amend the Fee Schedule Book. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

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 two items on the Clerk's Consent Agenda, which have been reviewed and are submitted for approval.

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

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

1. Tax Refunds:

- a. **Norma Mardene Jackson, 3416 Callier Springs Road, \$8.51**
- b. **Edward, Donna & Kelly Hicks, 356 Potts Road, Kingston, \$692.79**
- c. **Lloyd & Janet Farr, 2 Horseshoe Bend Road, \$354.82**

- 2. Authorize removal of tax bills from Tax Commissioner's Roll in the amount of \$6,287.42 as per memo from Tax Commissioner dated November 24, 2008.
- 3. Approve 2009 Malt Beverage License Renewals.
- 4. Approve 2009 Self-Service Fuel License Renewals.
- 5. Approve 2009 Precious Metals License Renewals.

MANAGER'S REPORT:

- 1. CONSIDER PROPOSED AMENDMENT TO JUVENILE COURT BUDGET:

County Manager Poe stated they have a request from Catherine Fricks, Juvenile Court Administrator, for additional funding for the remainder of the year to cover Indigent Defense Costs in the amount of \$15,000.00, and Court Referee fees in the amount of \$2,000.00. He stated after some discussion the recommendation is that they amend the Juvenile Court Budget to add \$15,000.00 to the Indigent Defense Costs, and \$2,000.00 to the Court Referee Fees line items.

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

YES

NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. **AUTHORIZE EXECUTION OF AGREEMENT BETWEEN SHORTER COLLEGE, INC., THE CITY OF ROME, FLOYD COUNTY, AND ROME-FLOYD COUNTY DEVELOPMENT AUTHORITY REGARDING NAIA NATIONAL FOOTBALL CHAMPIONSHIP GAME:**

County Manager Poe stated they have a Championship Agreement related to the NAIA National Championship game. He stated it is an agreement between Shorter College, the City of Rome, Floyd County, and Rome-Floyd County Development Authority. He stated this is basically just putting in writing all the commitments that each one of these partners made when the community decided that we wanted to host the NAIA Football National Championship. This agreement covers a lot of different general terms, but the key things is our financial commitment for the game to be played this year, as well as our money that goes toward economic development and to promote tourism is funneled through the Rome-Floyd County Development Authority. He recommended that the Board approve this agreement as submitted.

Commissioner Whitefield made a MOTION to Authorize Execution of Agreement between Shorter College, the City of Rome, Floyd County, and Rome-Floyd County Development Authority. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Lumsden
" Mayes

" Whitefield
Chairman Jennings

Motion Carried

4/4 VOTE REQUIRED

3. ADOPT RESOLUTION TO TRANSMIT THE 2008 – 2017
COMPREHENSIVE SOLID WASTE MANAGEMENT
PLAN TO GEORGIA DEPARTMENT OF COMMUNITY
AFFAIRS AND COOSA VALLEY REGIONAL
DEVELOPMENT CENTER:

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

YES

NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

County Manager Poe stated the State of Georgia requires all local governments to update their Comprehensive Solid Waste Management Plan every ten years. He stated they are in the process of going through that. He stated Rome, Cave Spring, and Floyd County do that as a joint plan. They are working on getting that done. He stated it has been submitted to the Solid Waste Commission for review. They do have some time lines that they state has dictated that certain things be submitted for review, and go through the process for final approval. He stated the recommendation of the Solid Waste Commission is that the County Commission Adopt a Resolution to transmit the 2008 – 2017 Comprehensive Solid Waste Management Plan to the Georgia Department of Community Affairs and Coosa Valley Regional Development Commission for review and approval.

Commissioner Lumsden made a MOTION to approve the Manager's recommendation and Adopt a Resolution to transmit the 2008 – 2017 Comprehensive Solid Waste Management Plan to the Georgia Department of Community Affairs and Coosa Valley Regional Development Commission for review and approval. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Lumsden
" Mayes

" Whitefield
Chairman Jennings

Motion Carried

ATTORNEY'S REPORT:

County Attorney Manning stated he has no business to bring before the Board. He stated to Chairman Jennings that it has been a pleasure working with him. He stated he looks forward to working with the new commissioner as well. He stated he would just like to thank him for the job he has done and his service to Floyd County. He stated it has been a privilege to work with him.

Chairman Jennings stated lady and gentlemen, it has been his honor to serve with them in this capacity as Chairman. He stated I appreciate you all, and the work that you do. He stated the public I do not think understands the amount of work that goes into this job so he appreciates their faith in him. He stated from the standpoint of the public, he appreciates the opportunity to serve in this role for ten years. It has been an honor for me to do so. He stated I will continue to do so until December 31, 2008.

Commissioner Whitefield stated he would to say the he has proven that partisan politics have no place in local government. He stated his actions, and his attitude display that. He has served this Commission, this county, and these constituents well over the last ten years. He stated he has been a great resource, but most of all he appreciates that he injects just enough comedy into this to keep them all from pulling their hair out. He stated it can be stressful, there is a lot of gravity in this job, but he has made it enjoyable for him, and has been a great mentor to him the last two years.

Commissioner Mayes stated it has been ten years. He stated they came in together. He stated he has learned from him, and he has enjoyed working with him. He is a great communicator, organizer, and facilitator. He has learned from him, and he is not through with him, but he wanted to let him know how much he appreciates him.

Commissioner Lumsden stated he would echo everything his fellow commissioners have said. He stated he has learned a great deal from him during the couple of years that they have had the opportunity to work together, and he has known him much longer than that. He appreciates all of the professional development that he has helped bring to this body and to him personally. He thanked him for the other things beyond this Board that in times passed through Leadership Rome, and various other involvements that they have been able to spend that time together. He appreciates all that he has done to help in so many different ways.

ADJOURNMENT:

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

YES

NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

JERRY JENNINGS, CHAIRMAN