

Mike Rhinehart presented a review of the class project, which was Investing for Our Future. Mike stated they will be working toward ways to better ensure that all employees are familiar with the various retirement benefits the county has to offer.

Jim Bradshaw presented the Commissioners with a class picture, as a token of their appreciation for this opportunity to participate in the program.

Chairman Mayes stated the Board appreciates the effort the participants put into this program. He said we think it is a great endeavor, and appreciate you taking the time to try to make things better for all employees.

ADOPTION OF MINUTES:

Chairman Mayes asked County Attorney Tommy Manning if the minutes were in order. Mr. Manning stated the minutes had been reviewed and were in order. Commissioner Whitefield made a MOTION to adopt the minutes of the Regular Meeting of March 24, 2009. SECOND by Commissioner Bagwell. VOTING:

YES NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

PROCLAMATIONS:

DONATE LIFE MONTH:

Chairman Mayes presented Angie Lawler, representing Life Link of Georgia, with a Proclamation celebrating April 2009 as Donate Life Month.

Ms. Lawler thanked the Board for acknowledging April as Donate Life Month. She said she is an organ transplant recipient. She stated that in September 2006 she received her liver transplant at Piedmont Hospital in Atlanta. Since that time, she has become a mentor to other people dealing with liver disease and the terrifying notion of needing a transplant to survive. She stated she is involved with Life Link of Georgia in an effort to help others understand the tremendous need for organ and tissue donation. Life Link is a non-profit organization whose mission is to promote public and professional awareness and education regarding organ donation. She stated they also provide facts about organ and tissue donation and transplantation, and strive to eliminate common misconceptions and fears that surround donation. In the state of Georgia, a drivers' license can be used to designate our desire to be an organ donor. She stated in an effort to assure every person who wants to become a donor can have the opportunity to make their wishes known, Life Link has established a National Registry, which is located at

www.donatelifegeorgia.org. More than ever Life Link believes that education is key. She stated she is personally thankful to the Board of Commissioners for understanding the importance of bringing awareness to this issue and for helping Life Link of Georgia recognize the month of April as Donate Life Month.

(Proclamation/Resolution Book, Page 145)

NATIONAL YOUTH SAFETY MONTH:

Commissioner Whitefield presented Coach Allen Gossett and members of Coosa High School's Teen Safety Awareness Team with a Proclamation celebrating May 2009 as National Youth Safety Month.

Jasmine Vickers accepted the Proclamation on behalf of the Team. She thanked the Board for the recognition, on behalf of Coosa High School and the Teen Safety Awareness Team.

(Proclamation/Resolution Book, Page 146)

NATIONAL PUBLIC SAFETY COMMUNICATIONS WEEK:

Commissioner Lumsden presented E911 Director Pat Smith and Dispatcher Toni Mann with a Proclamation recognizing April 12-18, 2009 as National Public Safety Communications Week.

(Proclamation/Resolution Book, Page 147)

NATIONAL CRIME VICTIMS' RIGHTS WEEK:

Commissioner Bagwell presented District Attorney Leigh Patterson and Victim Witness Program Director Beth Dabbs with a Proclamation recognizing April 26-May 2, 2009 as National Crime Victims' Rights Week.

Beth Dabbs stated on behalf of the Victim Witness Office, she would like to thank the Board for their support and for dedicating this week as National Crime Victims' Rights Week. She stated this is the 25th Anniversary of celebrating the Victims of Crime Act.

Leigh Patterson stated she would also like to thank the Board. She stated this is a program that is very vital to the District Attorney's Office, because when you are a victim of crime - you did not ask to be put there. You did not ask for that terrible thing to happen. She stated because of people like her Victim Witness Director Beth Dabbs, and the other employees in that office, they help the victim through the system. They explain to them what is going to happen, and they send out notices when the offender is going to

be in court. She stated it makes a big difference because it takes away a lot of the fear of the unknown. She stated we have received a grant that funds part of the Victim Witness Program for over 20 years. She stated through that grant we receive about \$33,000.00 every year from the federal government that helps pay for our child victim advocate that deals with children that are victims of crime. She thanked the Board for their recognition.

(Proclamation/Resolution Book, Page 148)

**NATIONAL POLICE WEEK AND
PEACE OFFICERS' MEMORIAL DAY:**

Commissioner Lumsden presented Major Elaine Snow, Rome Police Department and Officer Jerome Poole, Floyd County Police Department with a Proclamation recognizing May 10-16, 2009 as National Police Week and May 8, 2009 as Peace Officers' Memorial Day.

(Proclamation/Resolution Book, Page 149)

RESOLUTIONS:

**RESOLUTION TO ADOPT AMENDED AND
RESTATED DEFINED BENEFIT PLAN:**

Defer.

**FIRST READINGS:
(PUBLIC HEARINGS TO BE HELD
APRIL 30, 2009 AT 6:00 P.M.)**

ULDC TEXT AMENDMENTS

- 1. REVISE OR DELETE ARTICLE 2.8.2 CONCERNING FEES FOR BUILDING PERMITS. (PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION WITH THE CHANGE OF THE DOLLAR AMOUNT FROM \$500.00 TO \$2,500.00. [VOTE: 6-4]).**
- 2. REVISE OR DELETE ARTICLE 2.8.1 REGARDING BUILDING CODES. (PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION TO CAPITALIZE THE WORDS "BUILDING CODE". [VOTE: 10-0]).**
- 3. REVISE OR DELETE ARTICLE 2.11.3 a. REGARDING APPEALS OF ADMINISTRATIVE DECISION. (PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION TO ADD THE WORD "REASON" TO THE FIRST SENTENCE. [VOTE: 10-0]).**

4. **REVISE OR DELETE ARTICLE 5 CONCERNING SIGNS (REPEAL OF EXISTING ARTICLE 5 CONCERNING SIGN REGULATIONS AND ADOPTION OF REPLACEMENT PROVISIONS UNDER ARTICLE 5 CONCERNING SIGN REGULATIONS. (PLANNING COMMISSION RECOMMENDATION: POSTPONE [VOTE: 10-0]).**
5. **REVISE OR DELETE ARTICLE 2.11.4 a. (6) REGARDING SPECIAL EXCEPTIONS FOR UNIFORM SIGN PLANS. (DELETE) (PLANNING COMMISSION RECOMMENDATION: POSTPONE 3 MONTHS [VOTE: 10-0]).**
6. **REVISE OR DELETE ARTICLE 1.4.3 d. (2) REGARDING NON-CONFORMING TEMPORARY SIGNS. (DELETE) (PLANNING COMMISSION RECOMMENDATION: APPROVE TO DELETE DATED, OBSOLETE LANGUAGE REGARDING TEMPORARY SIGNAGE. [VOTE: 10-0]).**
7. **REVISE OR DELETE ARTICLE 2.8.2 CONCERNING FEES FOR BUILDING PERMITS. (REVISE) (PLANNING COMMISSION RECOMMENDATION: APPROVE REVISION TO THE LANGUAGE CONCERNING BUILDING PERMIT REQUIREMENTS AS RECOMMENDED BY STAFF. [VOTE: 9-1].**

REZONING/SPECIAL USE PERMIT REQUESTS

1. **FILE #43-2009Z, REQUESTS REZONING FROM DUPLEX RESIDENTIAL (D-R) TO SUBURBAN RESIDENTIAL (S-R) WITH SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN SUBURBAN RESIDENTIAL (S-R) ZONING DISTRICT ON PROPERTY LOCATED AT 29 CIRCLE DRIVE, LINDALE. ZONING MAP J16X- 049. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH CONDITIONS THAT THE MANUFACTURED HOME HAVE VINYL SIDING AND A SHINGLED ROOF. [VOTE: 9-1]).**
2. **FILE #44-2009Z, REQUESTS REZONING FROM DUPLEX RESIDENTIAL (D-R) TO SUBURBAN RESIDENTIAL (S-R) WITH SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN SUBURBAN RESIDENTIAL (S-R) ZONING DISTRICT ON PROPERTY LOCATED AT 5 CIRCLE DRIVE, LINDALE. ZONING MAP J16Y – 049. APPROVE WITH CONDITIONS THAT THE MANUFACTURED HOME HAVE VINYL SIDING AND A SHINGLED ROOF. [VOTE: 9-1]).**

3. FILE #45-2009SUP, REQUESTS SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN SUBURBAN RESIDENTIAL (S-R) ZONING DISTRICT ON PROPERTY LOCATED ON 753 BOOZE MOUNTAIN ROAD. ZONING MAP I17W-227. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-1]).

Chairman Mayes stated Public Hearings will be held Thursday, April 30, 2009 at 6:00 p.m.

**PUBLIC HEARINGS:
(FIRST READINGS HELD
MARCH 24, 2009)**

1. ORDINANCE TO AMEND FLOYD COUNTY CODE SECTION 2-7 RELATED TO YARD DEBRIS REMOVAL SERVICES (2009-002A):

Chairman Mayes declared the Public Hearing open. He reviewed the procedures for Public Hearings, and asked if there is anyone wishing to speak in support or opposition. Seeing none, he asked County Manager Poe to give a brief overview of the proposed ordinance.

County Manager Poe stated this ordinance addresses the removal of yard debris along county right-of-ways. He stated the ordinance addresses the definition of yard debris and the proper placement of yard debris on the county right-of-ways. He stated Public Works will only pick up yard debris along county right-of-ways. They do not pick up yard debris on private streets or along state right-of-ways. He stated the proposed ordinance sets fees for picking up yard debris. There will be no charge for yard debris up to three cubic yards. For loads or amounts from three cubic yards to less than ten cubic yards, the amount will be \$100.00. Loads or amounts larger than ten cubic yards would be \$150.00, and an additional \$150.00 per load after that. He stated the ordinance would go into effect upon approval by the Board of Commissioners. He stated information regarding the ordinance would be put out to the public through press releases and posting to our website.

Chairman Mayes declared the Public Hearing closed and called for a motion.

Commissioner Bagwell made a MOTION to Adopt the Ordinance to Amend Floyd County Code Section 2-7 related to Yard Debris Removal Services. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Bagwell
" Lumsden

" Whitefield
Chairman Mayes

Motion Carried

**2. PUBLIC HEARING TO RECEIVE COMMENTS
RELATED TO A JOINT GRANT APPLICATION
FOR THE FY2009 BYRNE JUSTICE ASSISTANCE
GRANT (JAG) PROGRAM:**

Chairman Mayes declared the Public Hearing open and asked County Manager Poe to give a brief overview of the application.

County Manager Poe stated the purpose of the public hearing is to advise the public of the recommended use of the funds awarded through this grant. He stated the county would receive \$105,357.00. The proposed funds would be used to purchase the following equipment: one police vehicle; seventy-nine gas masks; twenty-five bulletproof vests; one lap top computer; six in-car digital video camera systems; and ten rifles and gun racks. He stated that is how we propose to submit the application for the grant for these funds.

Chairman Mayes asked if there is anyone wishing to speak in support or opposition. Seeing none, he declared the Public Hearing closed.

CHAIRMAN'S REPORT:

No Report.

COMMISSIONER'S REPORT:

- 1. Administrative/Finance Committee – Commissioner Chad Whitefield, Chairman**
 - a. Adopt Resolution Adopting a Revised Budget for FY2008.**

Commissioner Whitefield stated essentially we are going to fall short of our revenue projections due in large part to the lack of receipt of the Homeowners Tax Relief Grant. He stated this was approved for this year, but those funds have not been released from the state as of yet resulting in a \$1.4 million shortfall in last years projected revenues. He stated based on the last budget revision we are going to be a little over \$100,000.00 short in revenue, which will have to be carried from the General Fund.

Commissioner Whitefield made a MOTION to accept the Resolution Adopting the Revised Fiscal Year 2008 Budget. SECOND by Commissioner Lumsden.

Discussion: County Manager Poe stated he would like to mention that these are budgeted numbers. He stated we feel like we have been conservative on revenues, liberal on the expenditure part, and hopefully we will exceed revenues and come under expenditures. Our goal is not to use any fund balance for FY2008, and once all of the numbers are in, we will be close to meeting that goal.
VOTING:

YES NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

2. Public Safety Committee – Commissioner Eddie Lumsden, Chairman

No Report.

3. Public Works Committee – Commissioner Irwin Bagwell, Chairman

No Report.

4. Water Committee – Commissioner Garry Fricks, Chairman

No Report.

5. Judicial Services Committee – Commissioner Eddie Lumsden, Chairman

No Report.

6. Special Committee Reports

- a. **SPLOST Committee – (Fricks)**
- b. **Work Release Committee – (Lumsden and Mayes)**
- c. **Fire Overview Committee – (Lumsden and Whitefield)**
- d. **Joint Services Committee – (Mayes and Whitefield)**
- e. **Joint Development Oversight Committee – (Fricks and Whitefield)**
- f. **Special Transportation Committee – (Whitefield)**

g. Special Public Safety Committee – (Lumsden)

There were no Special Committee Reports.

CLERK’S REPORT:

Consent Agenda

County Clerk Kathy Arp stated there is one item on the Clerk’s Consent Agenda, which has been reviewed and is submitted for approval.

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

YES NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

1. Tax Refunds:

- a. Forestar Real Estate / Marion Ware, 170 Plaza Drive, Suite B, Centre, AL, \$8,190.80
- b. Floyd Ozment, 3918 Alabama Highway, \$153.12
- c. Tin, Inc., P.O. Box 1149, Austin, TX, \$299.77
- d. Brian K. Phillips, 103 Hawthorne Street, \$189.17
- e. Grace Dempsey, 5 Bells Ferry Road NE, \$121.80
- f. Harold & Jacqueline Murphy, 3 Haley Drive SE, \$15.84
- g. Mike Hill, 2405 Rockmart Highway, \$72.13
- h. Ellen Kemp, 25 Orchard Spring Drive, \$13.59
- i. Teresa & John Hills, P.O. Box 207, Silver Creek, \$31.94
- j. Timothy Sampson & Robert Ochoa, 31 River Lane SW, \$67.93
- k. Walter & Tonya Trapp, P.O. Box 81534, Athens, \$80.32
- l. John Dempsey, 5 Bells Ferry Road NE, \$5.39
- m. Keith & Angela Winslette, 28 Forest Meadow SW, \$6.30
- n. Excelsior Financial, Inc., 900 North 2nd Avenue NW, \$431.36
- o. Donna Boyd Warren, P.O. Box 272, Dublin Circle #706, Shannon, \$187.75
- p. Joyce Griffies, 98 Sunridge Drive, \$1.47
- q. Stephen & Bonnie Brewster, 14 Belle Meade Drive, \$890.61
- r. SEBE Investments, 501 East 6th Street, \$3,674.62
- s. Paul Wade, 94 Woodland Street, \$17.25
- t. Sammy Scott, 5 Roseway Circle NE, \$38.47
- u. John S. Husser, P.O. Box 1897, \$41.13

v. Virginia Spector, 2400 Garden Lakes Blvd., \$47.28

MANAGER'S REPORT:

1. AUTHORIZE EXECUTION OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ROME AND FLOYD COUNTY FOR THE FY2009 JAG PROGRAM (CITY - \$132,049; COUNTY - \$105,357; TOTAL - \$237,406):

County Manager Poe stated this is a request to authorize execution of the Intergovernmental Agreement between the City of Rome and Floyd County for the distribution of the funds that have been allocated through the FY2009 Byrne Justice Assistance Grant. He stated the funds are prorated based on the number of sworn officers in the city and county Police Departments. He stated the city's share will be \$132,049.00, and the county's share will be \$105,357.00. Last year the JAG Grant was less than \$7,000.00. Additional monies are available this year due to the availability of stimulus funds, and we plan to put it to good use.

Commissioner Lumsden made a MOTION to authorize execution of the Intergovernmental Agreement between the City of Rome and Floyd County for the FY2009 Byrne Justice Assistance Grant (JAG) Program. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

2. REQUEST FROM JUDGE TIM PAPE FOR FULL-TIME ATTORNEY/GUARDIAN AD LITEM POSITION IN JUVENILE COURT, SALARY RANGE \$44,000.00 TO \$60,000.00 (INCLUDES BENEFITS):

Defer.

3. REQUEST FROM JUDGE STEVE BURKHALTER TO APPROVE SOFTWARE LICENSE AND SUPPORT AGREEMENT BETWEEN FLOYD COUNTY AND CRIMINAL JUSTICE TECHNOLOGIES, INC.:

County Manager Poe stated they have received a request from Judge Steve Burkhalter to approve a Software License and Support Agreement between Floyd

County and Criminal Justice Technologies, Inc. for Probate Court. He stated they are having problems with the current Sustain System, which is state sponsored software. According to Mr. Poe, the hope is that if the contract is approved, Judge Burkhalter will adjust the traffic fines to cover the cost of entering into the contract. The cost should be \$5.00 per citation, plus any additional cost such as credit card transaction fees. He recommended approving the contract with Criminal Justice Technologies, Inc., as stated.

Commissioner Lumsden made a MOTION to approve the request from Judge Burkhalter to approve the Software License and Support Agreement between Floyd County and Criminal Justice Technologies, Inc. per the Manager's recommendation. SECOND by Commissioner Bagwell. VOTING:

YES NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

ATTORNEY'S REPORT:

No Report.

OTHER BUSINESS:

Chairman Mayes stated the next regular Board of Commissioners meeting has been rescheduled due to a conflict, and will be held on Thursday, April 30, 2009 at 6:00 p.m.

ADJOURNMENT:

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

YES NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

JOHN MAYES, CHAIRMAN