

February 8, 2011

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
February 08, 2011 2:00 P.M.**

PRESENT: Commissioners Irwin Bagwell, Garry Fricks, Eddie Lumsden, John Mayes, and Chad Whitefield.

OTHERS

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

ABSENT: Assistant County Manager Blaine Williams. Commissioner Garry Fricks was absent for a portion of the meeting.

CALL TO

ORDER: Chairman Lumsden called the meeting to order.

INVOCATION: Commissioner Whitefield led the Invocation.

PLEDGE OF

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

PUBLIC PARTICIPATION:

**ROME-FLOYD SPRING INTO
PEACE 2011:**

Alvin Jackson and Ruth Demeter presented the Board with a Certificate of Appreciation on behalf of the MLK Commission. MLK Chairman Alvin Jackson stated they celebrated their 25th Anniversary of the MLK Commission this year, and they appreciate the commissioner's support every year. He stated that last year they started a new venture called "Rome-Floyd Spring into Peace." This program is about promoting peace throughout Rome and Floyd County, and is celebrated during the entire month of February. Ms. Demeter stated the program's initiative is to give people some direction about what they can do to make a difference in their community. Last year they had over 65 supporters. She stated it does not cost anything to sign on as a supporter. It is simply a way to state to Floyd County and the City of Rome residents that they too would like to have a peaceful community. She stated she found a terrific quote from Martin Luther King talking about changing from "...a negative peace which is the absence of tension to a positive peace which is the presence of justice."

**ADOPTION OF
MINUTES:**

Chairman Lumsden 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 January 25, 2011. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

Commissioner Fricks arrived at meeting.

PROCLAMATIONS:

ARBOR DAY:

Commissioner Bagwell presented Mary Hardin Thornton, Keep Rome-Floyd Beautiful Director and Ralph White, a volunteer with Keep Rome-Floyd Beautiful, with a Proclamation recognizing February 18, 2011 as Arbor Day.

Ms. Thornton stated everyone is invited to Arbor Day, Friday, February 18, 2011. She stated the Keep Rome-Floyd Beautiful Committee will be planting Liberty Elms at Bridge Point Plaza. She thanked the Board for their recognition and support.

(Proclamation/Resolution Book, Page 177)

**ENTER INTO MINUTES JOHNSON ELEMENTARY
SCHOOL 2010 NATIONAL BLUE RIBBON SCHOOL:**

Chairman Lumsden stated this Proclamation recognizes Johnson Elementary School as a 2010 National Blue Ribbon School. He stated that the presentation took place last week at the school's celebration of that honor.

(Proclamation/Resolution Book, Page 178)

**FIRST READINGS:
(PUBLIC HEARINGS TO BE HELD
FEBRUARY 22, 2011 AT 6:00 P.M.)**

- 1. ADOPT AN ORDINANCE TO AMEND AN ORDINANCE
TO DEFINE ANTENNA, COMMUNICATIONS TOWER,**

**GOVERNING BODY AND TELECOMMUNICATIONS
FACILITY; TO IDENTIFY THE PERMITTED USES FOR
TRANSMISSION TOWERS; AND FOR OTHER PURPOSES.
(2011-002A)**

- 2. ADOPT AN ORDINANCE AUTHORIZING THE
IMPOSITION OF CURFEWS DURING TIMES
OF EMERGENCY OR DISASTER. (2011-003A)**
- 3. ADOPT AN ORDINANCE TO PROHIBIT
OVERCHARGING FOR GOODS, MATERIALS,
SERVICES AND HOUSING DURING A STATE
OF EMERGENCY. (2011-004A)**
- 4. ADOPT AN ORDINANCE AUTHORIZING THE
SUSPENSION OF PORTIONS OF THE CODE OF
ORDINANCES AND OTHER FORMALITIES
DURING A STATE OF EMERGENCY. (2011-005A)**

4/5 VOTE REQUIRED

- 5. ADOPT AN ORDINANCE TO REQUIRE
REGISTRATION OF BUILDING AND REPAIR
SERVICES DURING A STATE OF EMERGENCY.
(2011-006A)**

Chairman Lumsden called for a motion to add item #5 to the agenda.
Commissioner Whitefield made a MOTION to add item #5 to the agenda. SECOND
by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

Chairman Lumsden stated the Public Hearings will be held Tuesday,
February 22, 2011 at 6:00 p.m.

**PUBLIC HEARINGS:
(FIRST READINGS HELD
JANUARY 25, 2011)**

- 1. FILE #111-2010Z. REQUESTS REZONING FROM SUBURBAN RESIDENTIAL (S-R) TO AGRICULTURE RESIDENTIAL (A-R) FOR AGRICULTURAL USE, WITH SPECIAL USE PERMIT FOR LIVESTOCK AND HOG PRODUCTION ON PROPERTY LOCATED ON PADLOCK MOUNTAIN ROAD. ZONING MAP E19Z, PARCEL 050A AND ZONING MAP F19, PARCEL 039. (PLANNING COMMISSION RECOMMENDATION: APPROVE REZONING WITH CONDITION THAT THERE BE NO ANIMAL FEEDING OPERATIONS (AFO) OR CONCENTRATED OR CONFINED ANIMAL FEEDING OPERATIONS (CAFO) AS DEFINED BY THE U.S. EPA ON EITHER LOT; DENY SPECIAL USE PERMIT. [VOTE: 10-0])**

Chairman Lumsden reviewed the Public Hearing procedures, and declared the Public Hearing open.

Support: Mary Denise Barrett, 578 Padlock Mountain Road SW, Cave Spring, stated there were two things that they started this meeting out with. One was the prayer with a very special word in it called freedom. She stated the other was to pledge allegiance to the flag with the same word, freedom. She stated that when they buy property, they expect to be able to do what they want to with that property within reason. She stated they are trying to get back to the way their fathers and grandfathers did things back before they were here. They are trying to go green and make it where it is good for their children. She stated they are trying to make it where their children will have jobs. She stated this is not just for them. It is for their community and surrounding counties. This is for anybody that wants to have a healthier society and raise their children the way they should be raised. She stated there are fewer and fewer people that are going against them (*their request*) now. They have already seen that from the meeting just the other day. She stated that people are learning about what they are doing. She thinks ignorance is not the best thing in the world to have. The more they learn about something, the better educated they are. She stated that if they can educate more people then they will better understand what they are trying to do. She stated they are not going to have concentrated animals. They will be free-ranged where they will be free from manure and such things. She stated they are even going to forgo the hogs. That is not something they are going to pursue right now. She stated they are just wanting to have their cattle, lamb, sheep, and free-ranged animals that will benefit society. If there is any way that the commission can help them, they would certainly appreciate it.

Scott Bates, 578 Padlock Mountain Road, Cave Spring, stated all the static that has been brought up over this farm is just beyond him. He stated he has worked hard all his life and lived in Floyd County for about 15 years. He stated that when he moved to Cave Spring, he thought what a nice, peaceful town. He stated that

is why he bought his property and moved there. He stated he can show them pins of cows, horses, chickens, goats, sheep, and hogs that are there. When he and his brother decided to start this farm, they just wanted something to pass on to their families with another way to make an income with the economy the way that it is right now. He stated his brother is very well versed with it. They go by his rules or they do not do it all. He stated he appreciates the time that the Board of Commissioners, Planning Commission, and everyone else involved has put into this. They are not out to upset anyone. He stated that is not what they want because they have to live in the community and get along with these folks. Up to this point, they have always gotten along well. He stated he has a big hunting club that borders their property all the way around. They have always gotten along well with them. He stated they do not trespass. Their farm, as far as their hogs, will not be a hog production type, pinned up, horse fed, and manure run-off. He stated they do not have that type of stuff with these free-ranging hogs. He stated that they respectfully ask the Commission to rule in their favor, and to make a recommendation without prejudice on the special use permit. He thanked the Board.

Opposition: **Rob Ware, 40 Rome Road, Cave Spring**, stated he is here in his capacity as the Mayor of Cave Spring. He stated there is a letter that represents the position of the city that was submitted to the Planning Commission the first time they had a public hearing. He stated he thinks that letter is pretty self-explanatory, but they will be glad to answer any questions they may have.

Judy Dickinson, 7 Elaine Drive, Cave Spring, stated she is speaking on behalf of those in opposition to the rezoning and special use permit for hog production on Padlock Mountain Road. She stated she does not want to be redundant in their opposition, because she knows they have all of that in their packets. She stated they have already conveyed their views to the Planning Commission and to the Board through these packets. She would mainly like to highlight some of the communities concerns. She stated the depreciation of the property value of the surrounding areas is one concern. A few of the other concerns are containment difficulty, property damage, and safety. She stated a historical cemetery and subdivision are less than a quarter of a mile from this proposed site. The community is considering this a serious matter and they are very much concerned about what the future of this farm could bring. She thanked the Board.

Rebuttal: Ms. Barrett stated as far as the property values, she paid \$2,000.00 an acre for her property 15 years ago. She stated most of the property that has been bought within the past 5 years is around \$700.00 an acre. She thinks if there was going to be any property values going down, it was before she got started. She stated she does appreciate everything that they will consider for them.

Chairman Lumsden asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of this request. Ms. Hiller stated the subject property would be combined with properties to the west for this endeavor according to the application. However, those properties are within the City of Cave Spring and do not require any zoning action for this use or any other use. She stated the adjacent property in all

directions is zoned Suburban Residential (S-R) and developed with single-family residential uses. The aerial photo shows that this is a rural area. She stated it is in the rural character area where agriculture and low-density residential use is predominate. The area is shown as agricultural on the future land use map. She stated because of the number of residences in this area, the potential for concentrated feeding animal operations to cause some adverse impacts such as odor, dust, noise, and so on is there. However, lower density life stock uses have less potential for that. She stated that is one of the factors behind the Planning Commission's recommendation that they approve the rezoning to Agriculture Residential (A-R) conditioned on no animal feeding operations (AFO) or confined animal feeding operations (CAFO) as they are defined by the U.S. EPA, and the recommended denial of the special use permit for hog production. She stated that she would like to clarify that the rezoning to Agriculture Residential (A-R) allows both production of crops and production of livestock. She stated the special use permit refers to the hogs only. Denial of the special use permit impacts the hog production, but not livestock production in general.

Discussion: Commissioner Whitefield asked the applicant if his understanding during the Planning Commission meeting was correct, that as applicants they were friendly to denial of the special use permit secondary to the fact that they actually have the ability to put those hogs on their property in Cave Spring. Ms. Barnett stated yes, that is correct.

Chairman Lumsden declared the Public Hearing closed, and called for a motion. Commissioner Whitefield made a MOTION to Approve the rezoning request from Suburban Residential (S-R) to Agriculture Residential (A-R) with the conditions as recommended by the Planning Commission that there be no animal feeding operation (AFO) or concentrated or confined animal feeding operations (CAFO) as defined by the U.S. EPA on either lot, and to Deny the Special Use Permit for Hog Production on property. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

- 2. FILE #121-2010Z. REQUESTS REZONING FROM OFFICE INSTITUTIONAL (O-I) TO SUBURBAN RESIDENTIAL (S-R) FOR SINGLE-FAMILY MANUFACTURED HOME ON PROPERTY LOCATED ON WOODS ROAD. ZONING MAP G12Y, PARCEL 010. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 10-0])**

Chairman Lumsden declared the Public Hearing open, and asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of this request. Ms. Hiller stated properties to the north of the subject property were recently rezoned from Office Institutional (O-I) to Suburban Residential (S-R) because this stretch of property is actually used residentially. She stated to the north, south and east are properties that were zoned Office Institutional (O-I) but now zoned residential. There is property to the west zoned Office Institutional (O-I) and property to the east zoned Light Industrial (L-I). She stated this property is shown as Suburban Residential on the future land use map. In this case, granting the request would make the zoning in the existing use compatible. She stated the aerial photo shows there are site-built and manufactured homes along the area.

Support: Henry Cox, 969 Woods Road NW, stated he is the applicant, and is here to answer any questions they may have.

Chairman Lumsden asked if there is anyone else wishing to speak in favor or opposition of this rezoning. Seeing none, he declared the Public Hearing closed, and called for a motion. Commissioner Whitefield made a MOTION to Approve the rezoning request from Office Institutional (O-I) to Suburban Residential (S-R). SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

3. FILE #123-2010Z. REQUESTS REZONING FROM COMMUNITY COMMERCIAL (C-C) TO SUBURBAN RESIDENTIAL (S-R) FOR EXISTING SINGLE-FAMILY DWELLING ON PROPERTY LOCATED ON MARTHA BERRY HIGHWAY. ZONING MAP J10X, PARCEL 064. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 10-0])

Chairman Lumsden declared the Public Hearing open, and asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of this request. Ms. Hiller stated the subject property is in the corridor of the Martha Berry Highway, which is predominantly commercial in this area. She stated because of the location of this property in the highway corridor, and the commercial development around it, it is possible that residential development is not the best use for this property any longer.

However, it is currently residential so all the rezoning would do is essentially make the use that is on the property and the zoning compatible. She stated its purpose is not to promote any additional development there.

Support: James Higgins, 4642 Martha Berry Highway, stated the reason he is having the property rezoned is so he can refinance the property and make it look a little better than what it does right now. He stated the bank is making him rezone it. He would leave it as Community Commercial and possibly do something else with it, but currently finances are requiring him to have it zoned residential to finalize the loan. His relatives have lived there since before 1970.

Chairman Lumsden asked if there is anyone else wishing to speak in favor or opposition of this rezoning. Seeing none, he declared the Public Hearing closed, and called for a motion. Commissioner Mayes made a MOTION to Approve the rezoning from Community Commercial (C-C) to Suburban Residential (S-R). SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

Commissioner Fricks left the meeting at this time.

- 4. FILE #124-2010SUP. REQUESTS SPECIAL USE PERMIT FOR A PET CREMATORIUM IN HEAVY COMMERCIAL (H-C) ZONING DISTRICT ON PROPERTY LOCATED ON CALHOUN HIGHWAY AT HIGHWAY 140. ZONING MAP N10, PARCEL 002, 003. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH THE CONDITIONS OF OBTAINING AND OPERATING WITHIN THE PARAMETERS OF APPLICABLE STATE AND/OR FEDERAL PERMITS. [VOTE: 10-0])**

Chairman Lumsden declared the Public Hearing open, and asked those wishing to speak in support or opposition to come forward to the podium.

Support: Paul Defoor, 1668 Old Rome Dalton Road, Calhoun, stated he has been in this business for over 10 years, doing pet cremations for pet owners around Atlanta. He stated he would like to have a crematory at this location in order to do the cremations locally.

Chairman Lumsden asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of this request. Ms. Hiller stated the subject property has frontage on the Calhoun Highway. She stated to the south is commercial property. To the west is heavy industrial and light industrial property. She stated there is suburban residential property to the north and to the east. She state that any use on the subject property is going to require buffering between it and the suburban residential properties. She stated however, the potential for adverse impacts from this proposed use on the industrial and commercial properties is considerably less. She stated the ULDC requires a special use permit in the Heavy Commercial (H-C) zoning district for a crematorium, so that is why this case is before them. There is a building and some transportable office buildings on the property now. She stated the aerial photo shows that there is a convenience store to the south of this property. Much of the other land around the property is undeveloped at this time.

There being no one present to speak in opposition, Chairman Lumsden declared the Public Hearing closed, and called for a motion. Commissioner Bagwell made a MOTION to Approve the special Use Permit for a pet crematorium located on Calhoun Highway in Heavy Commercial (H-C) zoning district, with the conditions of obtaining and operating within the parameters of applicable state and/or federal permits. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**5. ORDINANCE TO AMEND THE FLOYD COUNTY CODE
OF ORDINANCES TO REVISE THE STANDARDS FOR
OUTDOOR WATERING OF LANDSCAPE. (2011-001A)**

Chairman Lumsden declared the Public Hearing open, and asked if there is anyone wishing to speak in support of opposition of this amendment. Seeing none, he asked County Manager Poe for a brief review of the proposed amendment.

County Manager Poe stated this is basically a housekeeping measure to ensure that our local code complies with the state and EPD regulations related to outdoor watering restrictions.

Chairman Lumsden declared the Public Hearing closed, and called for a motion. Commissioner Bagwell made a MOTION to Adopt the Ordinance to Amend the Floyd County Code of Ordinances to Revise the Standards for Outdoor Watering of Landscaping. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

CHAIRMAN'S REPORT:

No Report.

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee

No Report.

2. Public Safety Committee

No Report.

3. Public Works Committee

No Report.

4. Water Committee

No Report.

5. Judicial Services Committee (CJIS)

No Report.

6. Special Committee Reports

a. Fire Overview Committee

b. Joint Services Committee

c. Joint Development Oversight Committee

d. Joint Solid Waste Oversight Committee

There were no Special Committee Reports.

CLERK'S REPORT:

Consent Agenda

County Clerk Kathy Arp stated there are four items on the Clerk's Consent Agenda that have been reviewed, and are submitted for approval. Commissioner Mayes made a MOTION to approve the Clerk's Consent Agenda as presented. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

1. Tax Refunds:

- a. Blount Construction, 1730 Sands Place, Marietta, \$3,195.64
- b. Bravo Fox LLC, 1464 Turner McCall Blvd, \$1,841.19
- c. Thomas & Mistee Graham, 3401 Callier Springs Road, \$228.58
- d. Elite Forming Design Solutions LLC, 15 Commerce Ct SE, \$418.03
- e. Helmut Cawthon, 2351 Fosters Bend Rd SW, \$107.43
- f. Hollis H. Reese, 6 Windsor Dr SW, \$108.70
- g. Ronald A. Tyler c/o Michael Joseph Tate, 4431 Everett Springs Rd, Armuchee, \$29.82
- h. David Bohannon & Amanda Treglown, 21 Eden Dr, \$11.46
- i. Bill Whitener, 4 Crestmont Ct, \$42.85
- j. Corntassel Bonding Co LLC, 1802 North Broad St NE, \$14.65
- k. James S. Garner III (deceased), 404 Tribune St, \$82.02

2. Adopt Policies and Procedures for 2011 CHIP Down-Payment Assistance Program Grant. (Grant #2011-811).

3. Approve Precious Metals Dealer License for Daniel D. Barker, Benchmark Gold Group, LLC, 39 East Drive NW, Rome.

4. Enter into Minutes Application for Request for Traffic Signal and Telephone Service Agreement for Intersection of State Route 1 Loop and Old Cedartown Road.

MANAGER'S REPORT:

1. AUTHORIZE EXECUTION OF CHANGE ORDER #1 BETWEEN FLOYD COUNTY AND NORTHWEST GEORGIA PAVING, INC., FOR THE NORTH TERMINAL AREA DEVELOPMENT – PHASE II PROJECT, AT RICHARD B. RUSSELL REGIONAL AIRPORT. [GDOT PROJECT NO. AP090-9911-30(115)FLOYD]:

County Manager Poe stated this is a bookkeeping matter at the end of the project trying to make sure they balance the actual work completed to the contract documents. He stated that the project came in slightly over the original contract by \$8,169.50. He recommended approval of the change order in the amount of \$8,169.50. He stated this is a cost-sharing project where the county is picking up 25% of the costs, so it is a cost increase to the county of roughly \$2,000.00.

Commissioner Whitefield made a MOTION to Approve Change Order #1 between Floyd County and Northwest Georgia Paving, Inc., for the North Terminal Area Development Phase II Project at Richard B. Russell Airport as submitted. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

2. AUTHORIZE EXECUTION OF CHANGE ORDER #1 BETWEEN FLOYD COUNTY AND NORTHWEST GEORGIA PAVING, INC., FOR THE SCHEDULE B – RUNAWAY 1 HOLD APRON PROJECT AT RICHARD B. RUSSELL REGIONAL AIRPORT. [GDOT PROJECT NO. AP090-9911-30(115) FLOYD]:

County Manager Poe stated this is also a bookkeeping issue related to a project at the Richard B. Russell Airport. He stated this change order would be a total project cost decrease of \$1,640.00.

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Approve Change Order #1 between Floyd County and Northwest Georgia Paving, Inc. for the Schedule B – Runway 1 Hold Apron Project at Richard B. Russell Airport as submitted. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**3. AUTHORIZE EXECUTION OF ACTUAL
COST UTILITY AGREEMENT BETWEEN
FLOYD COUNTY AND THE GEORGIA
DEPARTMENT OF TRANSPORTATION
RELATED TO THE WEST ROME BYPASS
PROJECT. (GDOT PROJECT NO.
HPPNH-0012-01(085), FLOYD COUNTY):**

County Manager Poe stated this agreement states that the Department of Transportation will bear 100% of the cost for the Floyd County Water Department having to adjust its water facilities for road construction. The estimated cost is a little over \$3.7 million. He stated again, the DOT is committing to bear 100% of the cost of the adjustments to the water facilities. He recommended authorizing execution of the agreement as submitted.

Commissioner Bagwell made a MOTION to Authorize execution of Actual Cost Utility Agreement between Floyd County and the Georgia Department of Transportation related to the West Rome Bypass project (GDOT Project No. HPPNH-0012-01(085), Floyd County). SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**4. AUTHORIZE EXECUTION OF INDIGENT DEFENSE
SERVICES AGREEMENT BETWEEN THE CIRCUIT
PUBLIC DEFENDER OFFICE OF THE ROME
JUDICIAL CIRCUIT AND FLOYD COUNTY:**

County Manager Poe stated that each year the commission enters into an agreement with the Circuit Public Defender Office to provide public defender services

to indigents. They have reduced the contract from last year's amount by 2%. He recommended authorizing execution of the agreement as presented.

Chairman Lumsden called for a motion. Commissioner Whitefield made a MOTION to Authorize execution of the Indigent Defense Services Agreement between the Circuit Public Defender Office of the Rome Judicial Circuit and Floyd County. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**5. DISCUSS MEMORANDUM OF UNDERSTANDING
BETWEEN FORESTAR (USA) REAL ESTATE GROUP
INC., CHATTOOGA COUNTY, FLOYD COUNTY, AND
WALKER COUNTY FOR DEVELOPMENT OF REGAL
SPRINGS FOR A WATER SUPPLY SOURCE:**

County Manager Poe stated this Memorandum of Agreement is specifically for the possible installation and operation of a groundwater well at Regal Springs with associated infrastructure. It does not involve the construction, just the installation of the groundwater well with associated infrastructure to tap into the aquifer under Regal Springs.

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Approve the Memorandum of Understanding between Forestar (USA) Real Estate Group Inc., Chattooga County, Floyd County, and Walker County for development of Regal Springs for a Water Supply Source. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

OTHER BUSINESS:

County Manager Poe stated they will be having a Joint City/County Commission meeting on Tuesday, February 15, 2011 at 5:00 p.m. at The Forum. He stated the two topics that will be discussed are the Tennis Center of Georgia and possible road projects to submit for the 1% Regional Sales Tax Program.

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 Bagwell, that the meeting be adjourned. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

EDDIE LUMSDEN, CHAIRMAN