

REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
May 09, 2017 2:00 P.M.

PRESENT: Commissioners Wright Bagby, Allison Watters, Scotty Hancock, Larry Maxey, and Rhonda Wallace.

OTHERS PRESENT: County Manager Jamie McCord, Assistant Manager Gary Burkhalter, County Clerk Erin Elrod, County Attorney Wade Hoyt III

CALL TO ORDER: Chair Wallace called the meeting to order.

INVOCATION: Vice-Chair Hancock led the Invocation.

PLEDGE OF ALLEGIANCE: Vice-Chair Hancock led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Chair Wallace called for a motion to approve the May 09, 2017 agenda. MOTION made by Commissioner Watters. SECOND by Commissioner Maxey VOTING:

YES NO

Commissioner Bagby
" Watters
" Maxey
Vice-Chair Hancock
Chair Wallace

Motion Carried

ADOPTION OF MINUTES:

Chair Wallace asked County Attorney Wade Hoyt if the minutes were in order. County Attorney Hoyt stated the minutes have been reviewed and are in order. MOTION made by Commissioner Maxey to adopt the executive session minutes and minutes of the Caucus, Regular Meeting of April 25, 2017. SECOND by Commissioner Bagby. VOTING:

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YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Chair Wallace

Motion Carried

PROCLAMATIONS:

1. Peace Officers Memorial Day

Commissioner Watters stated that she thought that she spoke on behalf of everyone in Floyd County when she says "thank you" especially today after what transpired yesterday. She stated that they are indebted to their services and grateful for all that they do and presented the Peace Officers Memorial Day Proclamation to Floyd County Assistant Chief of Police Mark Wallace

Mark Wallace, Floyd County Assistant Chief of Police, stated Memorial week is set up for the ones that have given their lives for their community. Back in 2001 he was able and honored to take part in the National event that occurred in Washington D.C. at the National Monument. There are over 20,000 Police Officer names engraved in the monument that have given their lives for the community. Unfortunately, seven of those names come from Rome and Floyd County. We know every time one of our officers goes out on call, there is no such thing as routine call anymore, every call has a potential for violence and danger and yet they still do it and do it with loyalty and dignity. He stated that one thing he remembered from the national monument was a quote by President George H.W. Bush and he would like to read it to them. "Carved on these walls is a story of America of a continuing quest to preserve both Democracy and decency and to protect the national treasure that we call the American dream." He stated that is what they do. They hope to make an impact on the American dream and on Floyd County.

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2. National Correctional Officers' Week

Vice-Chair Hancock stated that he read through the proclamation before they started and he really did not have to say anything after what the community went through last night. The proclamation summed it up. He stated that they appreciated what they did and as they knew he started his career at the prison a long time ago and he appreciated everything that they do. He presented the proclamation to Deputy Warden Frank Cronan.

Deputy Warden Cronan stated that he grew up in the community and he had been a correctional officer from the time he graduated high school so he had been doing it for 25 years. He stated that it meant a lot to him and a lot of fellow Correctional Officers and correctional staff. On behalf of all the Correctional Officers and staff of Floyd County and Rome they appreciate them honoring them. He thanked the board again.

SECOND READINGS

(FIRST READINGS WERE HELD ON APRIL 25, 2017 AT 6:00PM)

Chair Wallace reviewed the rules of the public hearing. She stated that each person recognized to speak shall come to the podium, state his or her name, and home address. No less than 10 minutes shall be provided for those speaking in support and no less than 10 minutes for those speaking in opposition.

1. ADOPT AN ORDINANCE TO AMEND CHAPTER 2-11, ARTICLE VIII. TIMBER HARVESTING, OF THE CODE OF ORDINANCES OF FLOYD COUNTY, GEORGIA.

Chair Wallace asked County Manager McCord to provide insight on the ordinance and the changes.

County Manager McCord stated that the timber ordinance is something that they had been discussing in excess of a year. The original discussion was on timber tax. He stated that they had been very unpredictable on their timber tax collections and this is an official code of Georgia that they are obligated to do. It is not a local tax even though some of the funds end up locally but it is a requirement of the state and the Official Code of Georgia

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for them to do it. He stated that they had also been updating their restricted bridge list and want to make sure they can protect the bridges. He stated that this was not unlike the communities around them. He thought almost every community surrounding them has some form of a permit and there is no charge for the permit at this time. If there is a charge, they would be placed in the fee schedule later, but they were just trying to get a handle on where people are, where they are doing business, and to make sure the timber tax is being reported appropriately. He stated that they were on the honor system right now, and they feel like that system is not working through the Assessor's Office. They have had as low as \$20,000.00 and as high as \$60,000.00, and they have had communities around them that have been in excess of \$100,000.00. He stated that he thought their harvesting was if not greater than surrounding communities were at least equal to. He thought this would help them to identify that. It does have an irrevocable letter of credit that goes along with the permit, which is \$5,000.00 that can be done at a lending institution or I think through cashier's check. This is not an unusual amount. Some communities to the north are even larger than that on the amount. It will tie in together between Public Works and Engineering the ability to document what is going on throughout the community as far as timber harvesting.

Chair Wallace declared the Public Hearing open. She asked if there was anyone there to speak in favor of the change. She asked if there was anyone there to speak in opposition of the request, seeing none and hearing none she closed the Public Hearing.

Chair Wallace called for a motion. MOTION made by Commissioner Maxey to approve the ordinance to amend chapter 2-11, article VII regarding Timber Harvesting, of the Code of Ordinances of Floyd County Georgia. SECOND by Commissioner Bagby.
VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Chair Wallace

Motion Carried

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2. ADOPT AN ORDINANCE TO AMEND CHAPTER 2-5, ARTICLE I. ANIMAL AND FOWL, OF THE CODE OF ORDINANCES OF FLOYD COUNTY, GEORGIA.

Chair Wallace asked County Manager McCord for an update on this change.

County Manager McCord stated that they had been discussing this also for several months now. This eliminates the breed specific ordinance tied directly to the Strafford Terrier, American Strafford also known as Pit Bulls. In research and looking at this ordinance, it was also a recommendation from our consultant back in January to look at their ordinances and evaluate them. He stated that they had a lot of creditable associations and organizations that do not endorse breed specific legislation that they have looked at. This would be eliminating that. They still have multiple ways to identify vicious dogs. They have vicious dog, dangerous dog, and potentially dangerous dog. He stated that they would still have the ability to classify a dog based on his behavior and not necessarily based on his breed. He stated that they had good background information and they understand the statistics, and they knew the statistics are what they are in regards to what has happened recently and in the past. He stated that they were one of 17 ordinances in the State of Georgia. The City of Rome being number two since they have a similar ordinance. There are 159 counties and over 800 cities and there are only 17 breed specific ordinances throughout the State of Georgia. He stated that it was similar numbers throughout the country. He stated that this was just one strike through and local Veterinarians that they had been in communications with endorse it. It is also endorsed by multiple organizations that have credentials. The American Bar Association, The American Kennel Club, American Veterinarian Association, even up to the White House at the Federal level, and the United States Department of Justice. That is some background of where we are at.

Chair Wallace declared the Public Hearing open. She asked if there was anyone there to speak in favor of the request.

FAVOR: Connie Sams, 105 Chaucer Place, Rome, Georgia introduced her husband Mike and stated that she wanted to first say hi and thank you. She stated that she and her husband owned River Dog Paddle Co. and the Outpost in Downtown Rome. First and foremost they commend Floyd County Animal Control Director Jason Broome, 911 Director John Blalock, County Manager Jamie McCord and the Floyd County Commissioners for their willingness to look past stereotypes tied to Pit Bull Terriers and

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recognize their potential as outstanding pets. Riverdog, their Pitbull Terrier, was rescued a mile from their home along a stretch of Black's Bluff Road by the Coosa River after he escaped life as a Fighting Bait dog. Breed specific legislation is discrimination. These laws are proven to be ineffective, costly and interfere with citizens properties rights. To judge any living thing based solely on appearance is wrong. Humans need to be held accountable for irresponsible, uneducated, reckless behavior. No evidence exists that breed discriminatory laws make communities safer. In fact ending breed discrimination is a national trend. As of 2016, twenty states have provisions against these practices and over 100 municipalities have replaced them with breed neutral policies. If our Riverdog is outside, Floyd County ordinance states that he must be inside a five foot fence and restrained with a leash or chain, otherwise known as tethered. According to the CDC, chained dogs are 2.8 times more likely to bite. The USDA defines tethering as inhumane confinement. The Humane Society of the United States considers continuous dog chaining to be a key contributor to poor socialization, excessive barking, and psychological damage which can lead to anxiety and aggression. She stated that the current local legislation advocates for these conditions while numerous counties in Georgia have made tethering illegal. She stated that they could stand there and tell them how they mentioned the White House issued a statement in 2013 that they don't support breed specific legislation and bans on specific breeds are often a waste of community resources. The American Bar suggest all state and local governments to adopt breed neutral laws. The Georgia based American Temperament Test Society put 25,000 dogs through drills to assess aggressiveness and friendliness around people. Eight-four percent of Pit Bull Terriers passed which brought them ahead of Beagles, Airedales, Border Collies, and all but one variety of dachshunds. The Department of Justice believes it is inconsistent with the Americans with Disabilities Act for local breed discrimination laws to prohibit certain breeds thus limiting the rights of those with disabilities. She stated that she did not have to tell them as they already knew the facts. The leaders are vested in best practices for Floyd County. Target Zero's assessment and recommendation this January made these facts clear to them. Best Friends Animal Society, the Humane Society of the United States, and the ASPC all declare breed specific laws impede community safety and humane sheltering of pets. Even Statefarm Insurance vouches that all dogs can be great dogs regardless of breed if they are properly cared for, loved and trained. In an excellent survey based article about how breed bans are illogical writer Malcom Gladwell states "the strongest connection of all is between the trait of dog viciousness and certain kinds of dog owners. In many cases dogs are vicious because they have owners that want a vicious dog. The vicious junkyard German Sheppard and the German Sheppard guide dog are the same breed dog but they are not the same dog because they have owners with

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different intentions. It is undisputed that Pit Bull Terriers are the most abused dogs in the United States. Many are treated cruelly to make them as dangerous as possible and are routinely abandoned when they are not vicious enough for their evil masters. Abandoned, like their Riverdog, he was not vicious enough for his previous life who has adjusted perfectly to life with his Boxer siblings, paddle boarding and Facebook famous status. She stated that they could not imagine life without him. They want to urge the commission to not continue vilifying a specific breed when aggressive behaviors in animals are generally attributed to the behaviors of their owners and the practice of chaining dogs. Don't rely on stereotypes, or influenced by the fuel of media hype, and fears induced by sensationalism. Do the right thing for Floyd County. A dog's individual history and behavior are the most important thing, more important than its breed.

FAVOR: Mike Sams, 105 Chaucer Place, Rome, Georgia stated that he could not say anything better than his wife but he wanted to add that they please characterize the Pitbull as a potential pet and not as a neighborhood threat. He stated that they appreciated their time and thanked them for looking out for them.

Chair Wallace asked if there was anyone else there to speak in favor of the request. She asked if there was anyone there to speak in opposition of the request.

OPPOSE: Marilyn Turley, 905 Terrace Drive, Rome, Georgia introduced her husband Tom and stated that she was sure that they have seen in the news in two separate instances of two (2) children being mauled and one killed by Pit Bulls not by any other kind of dog. I personally experienced being attacked by a Pit Bull in her neighborhood. She stated that she walked for years...Mrs. Turley got emotional and asked her husband to take over.

OPPOSE: Tom Turley, 905 Terrace Drive, Rome, Georgia stated that his wife was literally mauled and he had the pictures if they would like to see them. She was attacked and pushed down and if the neighbor had not come along he doesn't know what would have happened. He stated that this was someone's pet that had gotten out of the fence and she was traumatized by this experience to the point that she could no longer walk in the neighborhood for months. He stated that it happened last fall and it took her 3-4 months to get over the experience and now she walks around with pepper spray and mace. It totally changed her outlook about the neighborhood. The experience that the child was killed down in south Atlanta that was a family pet that stayed around small children in that family, but when it got out from its fence, it ran down to the bus stop and killed a 5

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year old little boy and mauled a 5 year old little girl. He stated that they could tell him that pit bulls can be a docile animal but why did Michael Vick raise Pit Bulls to fight. Because they are inbred and born to fight, that is what they do. He thought that to change any landscape as far as identifying a dog as not being vicious is the wrong thing to do. He stated that he thought that the Board has it on their conscious that if a kid gets killed in the community. He believed that they should take a second look. He stated that he did not care that they were one of seventeen counties that had a vicious dog status he didn't care if they were the only county that had a vicious dog status. They needed to own up to the fact that these dogs are dangerous and you never know when they will turn on a dime and it could be one of their kids being attacked because his wife was attacked by someone's pet dog. He thanked them for their service and stated he knew it was a thankless job sometimes and he appreciated what all they were doing. He asked that they please give it reconsideration that this is something very serious that they should consider. He thanked them again.

Chair Wallace thanked them for their comments and asked if there was anyone else to speak in opposition of the request. Hearing none she closed the Public Hearing and asked if there was any discussion from the commission.

Commissioner Bagby stated that he would like for County Manager McCord or Mr. Broome to describe that they were not eliminating any of their vicious dog regulations for lack of a better word.

County Manager McCord stated that there were actually four (4) vicious dog portions of the ordinance, the dangerous dog portion of the ordinance and the potentially dangerous dog. Also, any animal that has been involved in any type of abuse which would include dog fighting would not be eligible for adoption in their facility. He stated that if they had those in their facility and they are under those characteristics there are restrictions that will not allow them to be adopted and can only be adopted to a licensed, certified rescue or organization. He stated that those were the four categories that they still have. He stated that they were only striking basically that every Strafford and Pitbull Terrier are vicious.

Chair Wallace asked if there was any other discussion.

Chair Wallace called for a motion. MOTION made by Commissioner Watters to approve the recommendation presented to them by the Animal Control Welfare Board and amend

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chapter 2-5, article I regarding Animal and Fowl of the Code of Ordinances of Floyd County. SECOND by Vice-Chair Hancock. VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Chair Wallace

Motion Carried

Chair Wallace stated that they appreciated both of their comments. Mr. and Mrs. Sams for being there and Mr. and Mrs. Turley for being there. She stated that they were so sorry that that incident had happened to her and she felt like the change in the ordinance does not take away any of their safety issues. Their Animal Control Director Mr. Jason Broome was there and if they would like they are more than welcome to talk to him after the commission meeting. They felt like instead of just taking one breed into consideration it is taking all breeds into consideration for anything like what happened to Mrs. Turley can't happen to anyone else. They certainly do not want that happening to anyone but they appreciated them being there.

CHAIR'S REPORT:

Chair Wallace recommended that the appoint Mr. Stephen Graves to the Airport Commission to fill the next term. Mike Britton is currently serving and his second term which will expire on June 30, 2017 and she would like to appoint Steve Graves to start the next appointment beginning July 01, 2017 in the form of a recommendation. SECOND by Commissioner Maxey VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

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Chair Wallace

Motion Carried

Chair Wallace made a recommendation and a motion for the Highland Rivers board to reappoint Bonnie Moore who is currently serving in her first term, which will expire on June 30, 2017. SECOND by Vice-Chair Hancock VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Chair Wallace

Motion Carried

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee- Commissioner Bagby & Commissioner Maxey (Alternate)

a. Next meeting, Thursday, May 18, 2017 at 8:00am.

2. Public Safety Committee- Chair Wallace & Commissioner Bagby (Alternate)

a. Next meeting, Wednesday, May 10, 2017, at 8:00am

Chair Wallace stated that she wanted to say publically how well the Floyd County Police Department, Rome City Police Department, Sheriff's Department, Fire Department, the State Patrol all worked together to rearrest the prisoner that escaped yesterday from the Courthouse and what a great job they did and they appreciated the safety that they have provided for them.

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3. Public Works Committee- Vice Chair Hancock & Commissioner Watters (Alternate)

- a. Next meeting, Wednesday, May 17, 2017 at 7:30am

Chair Wallace asked if County Manager McCord had anything to report.

County Manager stated that as they discussed in caucus they were going to be doing a neighborhood clean-up in the Lindale community area later this spring. He stated that they were also going to be doing some property maintenance enforcement as well but prior to that they will sweep the neighborhood as they have done in the past and allow people to dispose of external issues along the property at no charge. He stated that they had also talked a little bit about tourism. There is rail fan potential in Lindale that they did discuss with some community stakeholders over the past couple of days and would be following up with some additional details as they go farther.

4. Water Committee- Commissioner Maxey & Vice Chair Hancock (Alternate)

- a. Next meeting, Monday, May 15, 2016, at 3:30pm.

Commissioner Maxey stated that they were hoping for a possible report or approval today on the water loan application for the Everett Springs water so they were looking forward to having that at the end of the day.

5. Judicial Services Committee (CJIS)- Commissioner Bagby

- a. No report.

6. Floyd County Library Board- Commissioner Watters

- a. Next meeting, Thursday, May 18, 2017, at 4:00pm.

7. Special Committee Reports.

a. Fire Overview Committee- Chair Wallace and Vice Chair Hancock

- i. Next meeting, Monday, May 15, 2017, at 1:30pm

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- b. Joint Services Committee- Chair Wallace, Commissioner Bagby & Commissioner Maxey**
 - i. Next Meeting Tuesday, May 16, 2017 at 2:00pm.
- c. Joint Development Oversight Committee- Vice Chair Hancock & Commissioner Bagby**
 - i. Next meeting, Tuesday, August 1, 2017 at 8:30am.
- d. Joint Solid Waste Oversight Committee- Vice Chair Hancock & Commissioner Bagby**
 - i. Next meeting, Tuesday, May 23, 2017, at 9:00am.
- e. 2013 SPLOST Project Overview Committee- Commissioner Maxey & Commissioner Watters**
- f. 2017 SPLOST Project Planning- Chair Wallace**
 - i. Next meeting Thursday, May 11, 2017 at 5:30pm.

Chair Wallace stated that she wanted to let the public know that everyone was invited to attend the 2017 SPLOST project planning meeting that would be considered an icebreaker and all of those that have been chosen to serve on that committee. It will be Thursday May 11th at 5:30 held at the Historic Courthouse.

- g. RFPRA Task Force Committee – Vice Chair Hancock**
 - i. Next Meeting, Tuesday, May 16, 2017 at 11:30am

CLERK’S REPORT:

Chair Wallace asked County Clerk Erin Elrod if the Clerk’s Consent Agenda was in

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order. County Clerk Elrod stated that all items on the Clerk's Report were reviewed in caucus and are ready to be voted on.

Chair Wallace called for a Motion. MOTION made by Commissioner Maxey to approve and authorize execution of items submitted under the Clerk's Consent Agenda as presented. SECOND by Commissioner Watters. VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Chair Wallace

Motion Carried

- 1. Accept Supplemental Subgrant Award for Technology from the Criminal Justice Coordinating Council in the amount of \$3,099.00 for the Rome Mental Health Court.**
- 2. Approve removal of \$1,523.11 from the Tax Commissioner's Roll.**
- 3. Approve reclassification of two (2) crew leader positions to equipment operator positions for Parks and Recreation. Positions would be downgraded from a 113/05 to a 110/05.**
- 4. Approve reclassification in District Attorney's Office.**

MANAGER'S REPORT:

- 1. APPROVE RECOMMENDATION FROM THE AIRPORT COMMISSION TO APPROVE OPTION AGREEMENT TO PURCHASE A HOUSE AND LAND WITH FAA AND STATE FUNDS. THIS PURCHASE IS RELATED TO THE AVIATION EASEMENT/ OBSTRUCTION PROJECT FUNDED**

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BY THE FAA AND GDOT. THIS PROPERTY MEETS FAA CRITERIA AND BY OWNING THE PROPERTY WE WOULD BE ABLE TO CONTROL THE SAFETY AND INTEGRITY OF THE MAIN APPROACH INTO RUNWAY 1 ON THIS PROPERTY IN THE FUTURE. THE OPTION AGREEMENT OFFER IS \$64,600.00 FOR THE HOUSE AND \$11,000.00 FOR THE ADJACENT PROPERTY. THE FAA WILL FUND 90% OF THE COST AND GDOT WILL FUND 5%. THE COUNTY SHARE WILL BE 5% WHICH IS AN ESTIMATED \$3,780.00 +/- NOT INCLUDING THE CLOSING COST WHICH WILL HAVE THE SAME SHARE.

County Manager McCord stated that he had one item for consideration this is a recommendation by the Airport Commission to enter into an Option Purchase Agreement on some property just south of the Richard B. Russel Regional Airport. He stated that this was with FAA funds and local funds. He stated that it was related to their Aviation Easement Obstruction Project. Again, it is something that needs to be done to improve their approach from the south to the north at Richard B. Russel. The Option Agreement offers \$64,000.00 for the structure and \$11,000.00 for the adjacent property. He stated that it has been reviewed by staff and recommended by GDOT and FAA. He stated that there would be no relocation expense as the property is vacant at the moment. He stated that it had been vacant for several years and FAA including demolition would perform all the work or any abatement required. He stated that it followed all the uniform relocation guidelines per FAA. He recommended to enter into the Option Agreement to purchase house and land with FAA and state funds in the offer of \$64,000.00 for the house and \$11,000.00 for the adjacent property with the County's portion of the 5% max being \$3,780.00

Chair Wallace called for a Motion. MOTION made by Commissioner Bagby to approve the Option Agreement to purchase a house (\$64,000.00) and land (\$11,000) with FAA and State funds with the County's portion being the max 5% at \$3,780.00 related to the Aviation Easement/Obstruction Project. SECOND by Commissioner Vice-Chair Hancock. VOTING:

YES

NO

Commissioner Bagby

"

Watters

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" Maxey
Vice-Chair Hancock
Chair Wallace

Motion Carried

OTHER BUSINESS

County Manager McCord and Chair Wallace answered a question about the first meeting of the 2017 SPLOST Project Planning.

Chair Wallace Recognized Leadership Rome Participants.

Jeanne Kruegar, Rome-Floyd Chamber of Commerce.

ADJOURNMENT:

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

YES

NO

Commissioner Bagby
" Watters
" Maxey
Vice-Chair Hancock
Chair Wallace

Motion Carried

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ATTEST:

ERIN ELROD, FLOYD COUNTY CLER

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**FLOYD COUNTY BOARD OF COMMISSIONERS
CAUCUS**

May 09, 2017 12:00 PM

Present: Commissioners Wright Bagby, Scotty Hancock, Larry Maxey, Rhonda Wallace and Allison Watters, County Manager Jamie McCord, Assistant Manager Gary Burkhalter, County Clerk Erin Elrod, and County Attorney Wade Hoyt

Al Hodge and Heather Seckman of the Rome Floyd Chamber of Commerce presented the Economic Development Update to the Commission. Commissioners and staff reviewed items on the agenda for the meeting of May 09, 2017 meeting.

ATTEST:

ERIN ELROD, FLOYD COUNTY CLERK