

REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
June 27, 2017 6:00 P.M.

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

OTHERS

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

**CALL TO
ORDER:**

Vice-Chair Hancock called the meeting to order.

INVOCATION: Commissioner Maxey led the Invocation.

PLEDGE OF

ALLEGIANCE: Commissioner Maxey led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Vice-Chair Hancock called for a motion to approve the June 27, 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:

Vice-Chair Hancock 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 Bagby to adopt the minutes of the Caucus, and Regular Meeting of June 13, 2017. SECOND by Commissioner Watters. VOTING:

YES

NO

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

Motion Carried

SPECIAL RECOGNITION:

1. Employees with at least 30 Years of Service

- a. Catherine Fricks, Juvenile Court, 33 Years
- b. Mark Blanton, Sheriff's Office, 32 Years

2. Employees with at least 25 Years of Service

- a. Barbara Willingham, Juvenile Court, 28 Years
- b. Jeffrey Ploof, Sheriff's Office, 27 Years (not present)

3. Employees with at least 20 Years of Service

- a. Wallace Pledger, Sheriff's Office, 21 Years (not present)
- b. Robert Whitfield, Sheriff's Office, 21 Years (not present)

4. Retirement Recognition

- a. Recognition of Linda Harris for 16 Years of Service and her retirement on June 30, 2017

PUBLIC HEARING:

(FIRST READING HELD ON JUNE 13, 2017 AT 4:00PM)

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Vice-Chair Hancock reviewed the procedure of the Public Hearing. He stated that each person shall come to the podium and state his or her name and address. There will be no less than ten (10) minutes provided for all of those speaking in support, and no less than ten (10) minutes shall be provided for all of those speaking in opposition.

- 1. FILE #61-2017SUP REQUESTING A SPECIAL USE PERMIT FOR A TELECOMMUNICATIONS TOWER ON PROPERTY ON FOSTERS MILL ROAD IDENTIFIED ON FLOYD COUNTY TAX MAP E16 AS PARCEL 004 AGRICULTURAL RESIDENTIAL (A-R). MOTION TO RECOMMEND APPROVED 6-0 BY PLANNING COMMISSION**

Vice-Chair Hancock asked David Thompson, Rome-Floyd Associate Planner, for insight.

Mr. Thompson presented slides of the property and stated that the subject property is approximately thirty-four (34) acres in size. It is heavily timbered with two utility easements across the property. Every direction the properties are zoned Agricultural Residential (A-R) with uses such as single-family residences, and forestry. The application indicates that a 260-foot self-support telecommunications tower would be built there within a one hundred by one hundred (100 x 100) enclosure located at least 260 feet from any property line. He presented the site plan that was submitted by the applicant. He stated that the proposed use requires a Special Use Permit in the Agricultural Residential (A-R) zoning district. Access to the property would be from Fosters Mill Road. He presented slides of the property from the north, south, east, and west. He stated that all services and utilities are available except public sewer. The future land use map indicates agricultural use for the property, and does not indicate that the property is within a flood hazard area. Once constructed, towers generally generate little traffic, noise, dust, or light pollution. Based on the site plan, the proposed tower would not be highly visible from any adjacent properties, partly due to the distance of the tower from property lines, and partly due to the maintenance of already mature vegetation surrounding the site. The staff recommendation is top approved based on the site plan provided.

Vice-Chair declared the public hearing open and asked if there was anyone there to speak in support or opposition.

SUPPORT: David Kirk, Troutman Sanders, 600 Peachtree Street, Atlanta, Georgia

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stated that he was there on behalf of Verizon Wireless and he appreciated the opportunity to speak with them about the site. He stated that he wanted to give them a little background on wireless service demands, the Center for Disease Control now estimates based on a survey, that they do every six (6) months, which more than fifty percent (50%) of households nationwide rely completely on wireless service for personal, business, and their emergency communications. In addition, the FCC estimates that about seventy percent (70%) of emergency 911 calls are made from wireless devices. He stated at a previous reading he spoke with the county's E-911 Director and he said, that here in Floyd County it is closer to eighty-five percent (85%) of emergency calls come from a wireless device, so these are really becoming a life line. In addition, data usage is growing by nearly fifty percent (50%) annually. He mentioned that in their caucus, the Library discussed downloading things from the library on to a phone, and that uses data. It may not cost anything coming from the Library but it does use data. The demand for that and those sorts of things is going up exponentially. The proposed project is what all carriers are struggling to meet this incredible demand. As Mr. Thompson said the proposed telecommunications tower would be located on a heavily wooded parcel on Fosters Mill Road. It would address demonstrated needs that Verizon has to meet the coverage of the area, but also the capacity to meet data demand. The tower is designed to accommodate not only Verizon, but also three (3) other carriers, so Sprint, AT&T, T-Mobile, or if another carrier wanted to come in and locate on that tower. It is designed to physically accommodate that. Importantly, it does meet all the County Ordinance requirements. The ordinance sets forth the standards that they have to meet, and they believe that they have done that. He stated that the closest site that Verizon is located on, which is 5.2 miles to the northwest, on Heath Mountain on a county owned tower. What they are trying to do is relieve some of the service demand that is coming from the south of that tower. He stated that the last time he was there, they discussed the need out to the west of the location, but they were talking about the need down to the south. He stated that there was a tower about three (3) miles further south but it was too far away to provide the service that was needed in the area. The site plan is 289 feet from the road which is more than what the ordinance requires, and it meets all the setbacks and dimensions as well. He provided a Radio Frequency Propagation Map that is produced by their Engineers that showed the proposed location of the tower and the service levels it would offer. From a capacity standpoint, it is a little bit harder to read but from the Heath site coming south, it is stretching too far to provide adequate service. What this new site will do is relieve some of that demand, allowing the Heath site to work better in the network, and provide additional coverage and capacity in that location. He stated that the County's staff has thoroughly reviewed the site plans and recommended approval based

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on the site plan provided. The Planning Commission looked at the plan very carefully as well, deliberated, heard both sides at their meeting, and unanimously recommended approval. In summary, they meet all of the requirements of the County ordinance, the site provides improvements to not only the capacity but the overall coverage in that corridor. He stated that it comes to them with twin recommendations of approval from staff and the Planning Commission. He stated that they had made a good faith effort to meet all the requirements and they respectfully request approval. He stated that he was available for any questions but would like to save any remaining time for rebuttal if necessary.

Vice-Chair asked if there was anyone there in opposition for the project.

OPPOSE: Frank Bing, 2757 Fosters Mill Road, Rome, Georgia stated that he lived in the area of the tower. He stated that they were there to oppose the tower, and that he represented the families along there, called the miracle mile. He stated that it is not quite a mile; it is more like 4,000 feet. He stated that everyone that lives there owns a property and lo and behold, the only piece of property to put the tower is the only property that does not have an occupant/owner on it. Strange, maybe it is fate. (inaudible, microphone difficulties) He stated that they were not worldly people or anything like that, but they wanted to start by saying that they do not want it because it is ugly. He stated that they knew about the FCC, and he read the telecommunications act even though he did not know about it until a month ago. He stated that he knew that their (the Commission) hands had been tied. He then wanted to tell them that it is unsafe, but the FCC tells them no, the approval rating is okay. Unfortunately, the World Health Organization that has 155 countries in it, one being the United States, but the World Health Organization says that there is a minimum spacing of towers, they also classify RF radiation as a type 2B carcinogen. A type 2B is a possible human health hazard. It is in the same rank as DDT, and formaldehyde, but the FCC in their wisdom, who do not do their own testing, they take the word of the experts, and they say it is perfectly safe, so he can't talk about that. He stated that there was a third thing and it was called property devaluation. The zoning ordinance is so lax that the Buffington's house is less than 500 feet from that tower. The Buffingtons sold a strip of land in 2002 to the (inaudible) and it has covenants and restrictions. The FCC says that is not good enough and that she would have to go to civil court. She will get her money back that way because that is her land that she has spent fifty (50) years on. She has a two (2) story colonial house, which is very nice, she has a brand new house that she built for her daughter, both of them now are within 500 foot, because in the zoning the county did not restrict it far enough. The World Health Organization says 400 meters, which is 1362 feet American, the zoning does not go that

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far, it only goes to a property line. If someone lives close to the property line, the zoning actually sucks. He stated that he wished that the Commission would look into it in the future. He stated that they were not going to have a whole lot of these towers before towers are a thing in the past. He presented a handout to the Commission (inaudible) ... shows that there is something in the environment that says lighting is a residential. He asked what kind of lighting this 250-foot monster is going to have. He stated the FCC and FAA had a workshop last year, two (2) big bureaucratic conglomerations, sometimes they kind of mess up. He referred to the highlighting in the handout, and stated that there was no longer a question of what kind of light is going to be in that. There is going to be a flashing light, no longer will they have the red glowing light and the blinking light, it is now high intensity flashing. He stated that this affected them also, being county members. He stated if they would read it, it is going to make them go back and put flashing lights on all the towers in the county. He stated that what they were asking for, is to move the tower away from the road. This is in the front yard of three families that have worked years to put their homes together, to raise their families, and now their property is going to be devalued, because common sense is not sitting there and telling him that they would buy a house under a 260 foot flashing tower. He stated that there was a lot of reasons that he loved Donald Trump, guess what he did on January twentieth this year, he had went to the VA the FAA the CIA and maybe Russia, but he also went to the Federal Communications Commission and god rid of Mr. Tom Wheeler. Mr. Tom Wheeler (inaudible)...Very smart man, Mr. Pai was also on the FCC Commission, he had been on there for longer than Mr. Wheeler, but Donald Trump on his first day in office says "hey, we need to change something." (inaudible) We realize that it is too late for us and this tower and they realized that their (the Commission's) hands were tied, but they had an out here. That lighting in the residential area, and now we know that it is going to be a high-intensity flashing light, just like what will be on all the towers in Floyd County. The Verizon people must now do an EA, which in an environmental assessment, they must submit it to the FCC, and the FCC must send it back to the County for thirty (30) days for public input. He stated that the only thing that they ever wanted out of Verizon was to move the tower to the back of the lot and everything would have been fine. Now they want a no on it because of the lighting, they don't want to lay there for the rest of their lives under a blinking light. He stated that they needed to go ahead and do this Environmental Assessment Study, and have it done because guess what will happen to all the towers. All the people of Floyd County are going to be so mad that they would probably have to make a bigger room in there within a few months. He stated that as they could see in the FAA rules they would have to go back and put them (the flashing lights) on their towers too. What they were asking is that they table it and not vote on it, they

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have one-hundred fifty (150) days on a new tower. The FCC put that in the rules. He asked that the Commission, staff, and County Attorney study one of the handouts he presented. He stated that he had nothing personal against Mr. Kirk it was just about quality of life. He stated to table, study it, because they had one hundred fifty (150) days to pass it or say no. He appreciated their time and what they did for the county. He thanked the Commission.

REBUTTAL: David Kirk, Troutman Sanders, 600 Peachtree Street, Atlanta, Georgia stated that after the Planning Commission meeting and the caucus last month. He went back to Verizon's Radio Frequency Engineer and the site Acquisition Consultant, and asked if they could move the tower back, and if so how far back can they move it without triggering a completely new round of environmental work and other work. He was told that they could move it up to forty-nine (49) feet or fifteen (15) meters (without having to trigger that. He had them evaluate that, and they are prepared to do that, but the only question would be whether they do that by moving it straight back from the road at a forty-five (45) degree angle from the road, or just move it parallel to the road. He stated that they were prepared to do that, but did not know if Mr. Bing and the neighbors have a preference on that, but they would be happy to work with them on that. He stated that he did not know if he needed to go into all of the other things because he did not see what Mr. Bing gave to the Commission, so he did not know exactly what they said. The tower will be lighted according to the FCC standards; typically, that has been a strobe during the day and pulsing light at the top during the nighttime. If there have been any changes to that, he was not aware of them, but that does not mean that there has not been. The way the lighting systems work, they are intended towards aircraft to make them aware of the location of the tower, not to illuminate the ground. There are shielding and things that can be done to minimize the light dispersal, regardless of the type of lighting system that is used. He stated that he was happy to answer any questions that they may have. He stated that they were prepared, if it was, the desire of the Commission to shift the tower as far back as they can within the fifteen (15) meter or forty-nine (49) foot range.

Vice-Chair Hancock declared the public hearing closed and asked if there was any discussion. He asked County Attorney Hoyt for some insight on the ruling and a little bit about what they discussed in caucus.

County Attorney Hoyt stated that what he was about to tell them was the current state of the law, and that is something that they needed to know from this standpoint and any

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other cell tower applications. The current Georgia law and the Federal Telecommunications Act of 1996 control how local governments can either approve or deny an application for cell tower. He stated that they had some discretion but not a lot of discretion. Once the applicant, in this case Verizon, files an application that is in proper order ,compliance with FCC regulations, approved by the Planning Commission, and it sets out the placement of the tower, the necessity for the tower, the coverage for the tower, it takes substantial evidence under the law. That is not opinion, that is case law that they do not have any control over. There has to be substantial information and evidence that the cell tower is incorrect, that it is placed improperly, that there is no necessity for it, that it might damage property values, and that has to be presented to the board by the way of experts, by case law. Unless that is done with substantial evidence and substantial clarity, it could be ignored and move forward. If they did they would be subject to Federal Court jurisdiction. In his opinion, they would lose any case that is taken up there unless they present substantial evidence and facts that the cell tower application is improper, that is a general bird's eye view of the law.

Vice-Chair Hancock thanked County Attorney Hoyt and asked if there was any more discussion.

Vice-Chair Hancock called for a Motion. MOTION made by Commissioner Bagby to approve File #61-2017SUP requesting a Special Use Permit for a telecommunications tower on property on Fosters Mill Road, identified on Floyd County Tax Map E16 as parcel 004 with the stipulation that it be worked out with residents and moved the forty-nine (49) feet. SECOND by Commissioner Watters. VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Motion Carried

2. FILE #62-2017SUP REQUESTING A SPECIAL USE PERMIT FOR A TELECOMMUNICATIONS TOWER ON PROPERTY ON MARION DAIRY

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**ROAD IDENTIFIED ON FLOYD COUNTY TAX MAP E10 AS PARCEL 004
AGRICULTURAL RESIDENTIAL (A-R) MOTION TO RECOMMEND
APPROVED 5-1 BY PLANNING COMMISSION.**

Vice-Chair Hancock asked David Thompson, Rome-Floyd Associate Planner, for insight.

(inaudible, microphone not on)

Vice-Chair declared the public hearing open and asked if there was anyone there to speak in support.

SUPPORT: Buddy Robinson, 1171 Eugenia Terrace, Lawrenceville, Georgia stated that he had a prepared statement that he would like to read the Commission. He stated that he was the President of Valued Concepts, a site acquisition firm, working on behalf of Southern Link. Southern Link is a wholly owned subsidiary of Southern Company, and they are the wireless communication providers for Southern Company's four (4) large electric utility companies including Georgia Power, Alabama Power, Gulf Power, and Mississippi Power. In addition, Southern Link also provides wireless communication to numerous local city and state governmental agencies, other electric utility companies, and Emergency Management agencies as well. Some of these include Georgia State Patrol, The Georgia DOT, Georgia Emergency Management Agency, and The Georgia Department of Natural Resources. These entities depend on Southern Link to provide reliable wireless communication, not only during every day activities, but especially in after damaging storms, natural disasters, medical emergencies, and other critical and dangerous situations. Restoring power after storm damage is made much more efficient when using reliable wireless communications. Southern Company has made a decision to advance the transition to a brand new state of the art LTE communications system for their voice and data. He stated that they were proposing to build a 250 feet tall self-supporting tower off Marion Dairy Road in the Lindale area of Floyd County to maximize coverage, capacity, and to improve data speeds in the area. He stated in order to do that they need the County to approve a Special Use Permit for this undertaking. He stated that they have researched the county's ordinances thoroughly and their request meet the ordinance as required, including all required setbacks. Because this proposed project completely meets the ordinance, as written, has been recommended for approval by the Planning staff, and the Planning Commission. Because of the need they have to provide wireless communications to their very critical customers, he respectfully asks for the Commission's approval. He stated that he wanted to ask Ms. Toni Hannah of

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Georgia Power Company to speak a brief word of the benefits of this project to them. He stated after Ms. Hannah Spoke he would be happy to answer any questions that the Commission may have.

SUPPORT: Toni Hannah, 19 Camelot Circle, Rome, Georgia stated that she was there to speak in support for the cell tower in terms of the Georgia Power Leadership Team in Rome. She stated that as they all knew, Georgia Power is heavily invested and heavily engaged in the Rome and Floyd County community. She stated that they had a saying called “being a citizen, wherever they serve”, a lot of the times people will see this in terms of their charitable giving efforts in the community, and their volunteerism to help others here in the community. That also translates in ensuring the safety and wellbeing, restoring power and having electricity here for all of the citizens and customers in Rome and Floyd County. With that new cell phone tower, they are in support of that. primarily to help with the safety and the restoration efforts while their line crews are out there during storms. This particular pocket on Marion Dairy road, she actually rode it with Mr. Robinson today, it is way up in the woods on top of a mountain. She has looked at the drawings and the maps and there is a huge void in terms of cell phone coverage, not only for their push-to-talk radios for their employees, but connecting with local hospitals, working with emergency services and any kind of people that need to get in touch with them during those storms or outages. That pocket does not have any service, so what that means is it is a safety risk for their employees, it decreases the time that they can restore the power that everyone wants and needs. She stated that she would ask them respectfully to consider approving this new cell phone tower. The push-to-talk units that they use to communicate during storms and other outages- they have had them since 1993. She stated that they were old and outdated. This new technology will allow them to have the phone coverage, that service area. Again, to be a citizen wherever they serve and to serve their customers as best, quickly and efficiently as they can. She stated that she would respectfully ask that they approve the new cell tower on Marion Dairy Road. She thanked the Commission for their consideration.

Vice-Chair Hancock stated that they had four and a half more minutes to speak if they wanted to add anything.

Mr. Robinson stated that he would be happy to answer any questions.

Vice-Chair Hancock asked if there was anyone to speak in opposition of the request. Seeing none, he closed the Public Hearing.

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Vice-Chair Hancock called for a Motion. MOTION made by Commissioner Maxey approve file #62-2017SUP requesting a Special Use Permit for a telecommunications tower on Property on Marion Dairy Road, identified on Floyd County Tax Map E10 as parcel 004 . SECOND by Commissioner Watters. VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Motion Carried

- 3. FILE #64-2017Z REQUESTING REZONING FROM MULTIFAMILY RESIDENTIAL (M-R) TO HEAVY COMMERCIAL (H-C) FOR AUTOMOTIVE REPAIR/ AUTOMOTIVE SERVICE BUSINESS ON PROPERTY ON WALENDA DRIVE IDENTIFIED ON FLOYD COUNTY TAX MAP J10Y AS PARCEL 216. MOTION TO RECOMMEND DENIAL APPROVED 6-0 BY PLANNING COMMISSION.**

Vice-Chair Hancock asked David Thompson, Rome-Floyd Associate Planner, for insight

(inaudible, microphone not turned on)... with a commercial building on the aerial map. The property was zoned Multifamily Residential (M-R) with adoption of the ULDC. To the north, east, and west, are properties zoned Multifamily Residential (M-R) and developed with an auto repair shop, duplexes and a single family residence to the west, to the south are properties zoned Multifamily Residential (M-R) and Heavy Commercial (H-C) and developed with a duplex. Access to the property would be from Walenda Drive, all utilities and services are available. The future land use map indicates high-density residential (H-D-R) use for the property. It is not in a flood hazard area. The development pattern in the area is mixed with low density and high density residential, commercial and institutional developments. The application does not come with a site

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plan, but indicates the property will be used for automotive repairs and service at the existing commercial building would be used for the proposed use. He presented slides looking to the north, south, east, and west of Walenda Drive. He pointed out on the picture looking to the west the auto repair shop that is currently right next door to the subject property. The ULDC prohibits auto repair and pain shops from being established on a lot that is either adjacent to or directly across the street from any residentially zoned property. The Board of Adjustments must grant the release. Such use would require compliance with the development standards of the ULDC. The existing building is not set back away enough from the existing plot lines to accommodate the required buffer on the western side plot line. Setbacks and buffers are forty (40) feet from the front property line on major streets, thirty (30) from all other streets, twenty (20) feet from side property lines, and thirty (30) feet from rear property lines. The area surrounding the subject property includes other Heavy Commercial (H-C) Light Industrial (L-I) uses. Granting the request could result in adverse impact, such as traffic, light, noise, litter on adjacent property, and would be encroachment into a residential area. The staff recommendation is to deny.

Vice-Chair declared the public hearing open and asked if there was anyone there to speak in support.

SUPPORT: Ryan Streeter, Active Pest Control, 987 Grassdale Road, Cartersville, Georgia stated that Active Pest Control was a Georgia based business that started in 1985 and have been family owned and operated for over 32-years. In December of 2015 the purchased a company that has been long standing in the Floyd County area, Thornton Pest Control, that operated out of the building on Walenda Drive. He stated that they moved into that office and continued to operate and build the business out of the building for approximately eleven (11) months at which point they realized that they were quickly going to the point where the building was no longer going to suit their needs. They needed more space. As a result, they moved closer to town on 12th Street and have been since December of 2016. He stated that their purpose was to expand into the northwest Georgia area, using Floyd County as a foothold. As he stated earlier, they realized that they were outgrowing the building and needed to move. At that point they had an asset that had come along with the purchase of that company that they no longer had a need for, and wish to sell it. He stated that they found a buyer, Mr. Derek Overby, who is here as well. He wished to open a vehicle repair and maintenance facility in that location. In the process of going through the beginning stages of selling the property, they realized the zoning issue, which at the time they were not aware of. In speaking with Todd Pierce

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who owns the body shop and paint shop that is next door, and who has been operating there for many years, indicated that there has been nothing but businesses ran out of this building for close to thirty (30) years. He stated prior to Active there was Thornton, in the years prior to Thornton there was a heating and air company, prior to that there was a company that manufactured windshield wiper motors, prior to that there was a vehicle maintenance supply company, and prior to that there was another heating and air company. Needless to say, there has been a long history of industrial use in this building, so it is kind of a surprise to them to learn in 2001 it was zoned as residential as it is currently. The building does have commercial structures on either side. So currently, there are businesses operating on either side of the building even though it is zoned as Multi-Residential (M-R) they would never be able to sell it for that use because of where it is located and the type of building it is. It is not a residential structure, it was not built for that use, it is primarily all bays. It has three (3) rollup bays and a very small limited amount of office space. It was built as a commercial structure and they hope to continue using it as such. He stated that he viewed this as a perfect harmony between this new company and the body shop that is next door. He sees it as a way for them to bring more dollars into the county and hopefully provide more employment, just as they are trying to provide more employment in the Floyd County area. He stated that they have added three positions since they have moved into Floyd County, they intend to grow much more than that, and they are not going anywhere. He stated that they would be seeing a lot of Active Pest Control in the future. They are going to lose their buyer if they are not able to make this happen and they do not want to do that. The building will sit empty and it won't really benefit the County in any way. He stated that their buyer does wish to open a business that will benefit the community, just as they are trying to. He hoped that the Commission would consider approving the zoning change so that they could both move forward and get back to growing businesses in Floyd County. He stated that he thought that Mr. Overby wanted to say a few words and that he (Mr. Streeter) would be available to answer any questions that they may have. He thanked the Commission for their time and the opportunity to speak with them.

SUPPORT: Derek Overby, 1038 Old Summerville Road, Rome, Georgia stated that he was interested in purchasing the property to open up an automotive shop. He stated that he comes from over twenty (20) years of experience in the field. He became ASE Master certified back in 2005. He stated that if he had the opportunity to open up a shop in Floyd County then he would be able to serve his community and surrounding counties, if they chose to do business with him. He plans on doing minor and major repairs, routine maintenance, everything would be done within OEM specs. He asked if they had any

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questions for him and he appreciated the opportunity to speak with them.

SUPPORT: Theresa Overby, 1038 Old Summerville Road, Rome, Georgia stated that she was there speaking on behalf of her husband in hopes that they would approve the zoning. She stated that her husband has been a mechanic for twenty (20) years, a man built on integrity. She stated that she spoke from a woman's experience, when she goes to get her car fixed, she can tell them that there has been times when she has walked up and a man has acted like she didn't know anything about her car. She stated that her husband was very humble, very patient, considerate, and respectful. He does what is needed and never does anything more. She stated that he was honest, fair, and she believes he would be a blessing to the community. She grew up in Armuchee all her life. A lot of people who know her husband, when his name is mentioned their eyes light up, because they know when they get their car fixed or diagnosed they know it is done right because it is never brought back. She stated any major things that are done, are sent out to other shops, he is very dependable. As far as the trash that is on that property, it actually is the neighbor's. It does look junky, and they do need to clean it up. She stated that her husband was very clean, and a stickler for cleanliness being next to godliness. She could assure them that his place would always be kept up, and as far as the quiet time he would probably stop working by 6:00pm, so noise and disturbance was not going to be an issue.

Vice-Chair Hancock asked if there was anyone there to speak in opposition of the request. Seeing none, he closed the Public Hearing and asked if there was any discussion.

Vice-Chair Hancock called for a Motion. MOTION made by Commissioner Maxey to approve file #64-2017Z requesting rezoning from Multifamily Residential (M-R) to Heavy Commercial (H-C) for automotive repair/ automotive service business on property on Walenda Drive, identified on Floyd County Tax Map J10Y as parcel 216. SECOND by Commissioner Bagby. VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

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Motion Carried

4. FILE #66-2017SUP REQUESTING SPECIAL USE PERMIT FOR A TELECOMMUNICATIONS TOWER ON PROPERTY ON GADSDEN ROAD IDENTIFIED ON FLOYD COUNTY TAX MAP C20 AS PARCEL 010 AGRICULTURAL RESIDENTIAL (A-R) MOTION TO RECOMMEND APPROVED 6-0 BY PLANNING COMMISSION.

Vice-Chair Hancock asked David Thompson, Rome-Floyd Associate Planner, for insight

Mr. Thompson stated that the subject property is approximately twenty-one and a half (21.5) acres in size and is vacant. Where the applicant wishes to put the communications tower is on the north side of Gadsden Road. He presented the site plan that indicated the placement of the tower. He stated that in every direction properties are zoned Agricultural Residential (A-R) and includes uses such as, single-family residences, and agriculture. The application states that there will be a 235-foot self-supported communications tower within a one hundred by one hundred (100 x 100) enclosure located over 319 feet from any property line. Access to the property will be from Gadsden Road, all services and utilities are available except public sewer. The future land use map indicates agricultural use for the property, and does not indicate that the property is in a flood hazard area. Mr. Thomas presented slides looking north, south, east, and west of the property along Gadsden Road. As stated before, once constructed, towers generally generate little traffic, noise, dust, or light pollution. Based on the site plan the proposed tower will be highly visible from the public right-of-way. However, the landscape planning indicates that the enclosure would be landscaped on all sides to shield all ground level equipment from being visible from the right-of-way. The staff recommendation is to approve based on the site plan provided.

Vice-Chair declared the public hearing open and asked if there was anyone there to speak in support.

SUPPORT: David Kirk, Troutman Sanders, 600 Peachtree Street, Atlanta, Georgia stated in view of their long agenda and the few people there, they had the approval of the staff and from the Planning Commission. It meets all the standards in the ordinance, it will have a fifteen (15) foot vegetated buffer around the base of the tower and is intended to improve the coverage and capacity going towards Alabama. He stated that he was

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happy to answer any questions and was respectfully asking for the Commission's approval.

Vice-Chair Hancock asked if there was anyone there to speak in opposition of the request. Seeing none, he closed the public hearing.

Vice-Chair Hancock called for a Motion. MOTION made by Commissioner Bagby to approve file #66-2017SUP requesting a Special Use Permit for a telecommunications tower on Gadsden Road, identified on Floyd County Tax Map C20 as parcel 010. SECOND by Commissioner Watters. VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Motion Carried

COMMISSIONER'S REPORT:

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

a. Next meeting, Thursday, July 20, 2017 at 8:00am.

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

a. Next meeting, Wednesday, July 12, 2017, at 8:00am

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

a. Next meeting, Wednesday, July 19, 2017 at 7:30am

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

- a. Next meeting, Wednesday, July 17, 2017, at 3:30pm.
- b. Everett Springs Project Meeting

Vice-Chair Hancock asked for an update.

County Manager McCord stated that he and Commissioner Maxey went up to the Everett Spring Community two (2) weeks prior, and discussed the project status. He stated they gave the community an update on where they are. They discussed the process of meter purchase, and other things. They also coincidentally got their last categorical exclusion that they were expecting from EPD, so they are ready to move forward with procurement, and will be working with the Floyd County Purchasing Director to get it out as soon as possible. He stated that they would be working with the residents in the area to get meters assigned, and locations assigned through the Water Department and water billing office. He stated that they would be bringing the list before the Board by next meeting for the pricing on the meters. He stated that it was obviously much less now when done as part of the project, versus going back and having to dig the roadway up and hot tap a water main. It will be a lot smoother to do this at this time. He stated it was a good meeting and they were excited, and some were even ready to pay on site. They were going to meet with them again later in July to give them another update on where they were at.

Commissioner Maxey stated he believed it was important to note that they were breaking it down into several phases of bidding so maybe they would have a lot of local businesses participate.

County Manager McCord stated that the bonding issue, having a bid bond, and a performance bond to go along with that would be problematic to some local vendors and contractors. He stated that they would probably do the tank standalone, the pump station standalone, and either two (2) or three (3) on the line installation.

Vice-Chair Hancock thanked County Manager McCord and Commissioner Maxey for going down and working on it together. He stated one other thing, he did not mention but he asked County Manager McCord to provide the information at the next SPLOST meeting.

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5. Judicial Services Committee (CJIS)- Commissioner Bagby

- a. No report.

6. Floyd County Library Board- Commissioner Watters

- a. Next meeting, Thursday, August 17, 2017, at 4:00pm.

7. Special Committee Reports.

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

- i. Next meeting, Monday, July 11, 2017, at 1:30pm

b. Joint Services Committee- Chair Wallace, Commissioner Bagby & Commissioner Maxey

- i. Next Meeting Tuesday, August 01, 2017 at 8:00am

c. Joint Development Oversight Committee- Vice Chair Hancock & Commissioner Bagby

- i. Next meeting, Tuesday, August 1, 2017 at 10:00am.

d. Joint Solid Waste Oversight Committee- Vice Chair Hancock & Commissioner Bagby

- i. Next meeting, Tuesday, July 25, 2017, at 9:00am.

e. SPLOST Project Overview Committee- Commissioner Maxey & Commissioner Watters

f. 2017 SPLOST Project Planning- Chair Wallace

- i. Next meeting Thursday, June 29, 2017 at 5:30pm.

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County Manager McCord stated that they would be at EOC again on Thursday night (June 29, 2017), and that this would be their third meeting. The program starts at 5:30, and he believes there are seven (7) on the agenda. He stated that it would be another long night, but they have had a lot of momentum, and good discussions. One of the SPLOST Committee members said that they had not seen a project yet that they did not think was needed. He stated that they had a tough road ahead to whittle down \$170M worth of projects down to a \$61M package, but they are going to work hard to do that. He stated that they have some citizen projects that will be presented in July. They are working together with a couple of different groups on a couple of different projects, all they need is some assistance to get cost estimates in, and some of the logistics of putting the project together. He stated that they were working hard on that for the Commission and the Community.

g. RFPRA Task Force Committee – Vice Chair Hancock

- i. Next Meeting, Tuesday, June 18, 2017 at 11:30am

MANAGER'S REPORT:

1. FAIRVIEW BROWN SCHOOL

County Manager McCord stated that he had two (2) items. The Fairview Brown School down in Cave Spring was recently awarded on the National Historic Registry of historic places in Floyd County. That is a big event for them and something that they have been working toward. He stated that he had a conference call with Joyce Perdue Smith this week, and she had to cancel and reschedule. He stated that he went down there last year and went over the property, and looked at some of the things that they were doing. They have a lot of potential there, a lot of potential for some tourism, and other events that will take place there. He stated that they were limited on what they could do for them with it being privately owned, but they certainly support their efforts and what they have done in that location.

2. 2018 LMIG ALLOCATIONS

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County Manager McCord stated for the record, they received notification from Russell McMurry, their Commissioner for the Georgia DOT, that their LMIG formula was increased by \$77,247.00 for 2018. Staff will be preparing recommendation and bringing it back through Public Works for those projects. Mainly paving to be done for 2018, which is always a good thing. He stated that there was an increase statewide to the formula, they obviously still have to do their thirty percent (30%) match as they have done in the past, but it was a positive move.

ATTORNEY'S REPORT:

No Report

CONSENT AGENDA:

Vice-Chair Hancock asked County Clerk Erin Elrod if the Consent Agenda was in order. County Clerk Elrod stated that the items were in order.

Vice-Chair Hancock called for a Motion. MOTION made by Commissioner Maxey to approve the June 27, 2017 Consent Agenda. SECOND by Commissioner Bagby.
VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Motion Carried

- 1. Approve the removal of \$706.51 from the Tax Commissioner's roll. These accounts are uncollectable.**

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- 2. Approve request to create position in the Public Works Bridge Shop 456-064. This position was frozen in 2009 and will post at \$16.80 per hour and should not require a budget change.**
- 3. Approve renewal of property and casualty insurance from IRMA for Floyd County for the time period of July 01, 2017 through June 30, 2018.**

OLD BUSINESS:

No Report

NEW BUSINESS:

- 1. APPROVE VIDEO PRODUCTION CAMERA AND WAYFINDING SYSTEM FOR THE FORUM FROM LOGICAL SYSTEMS, INC. IN THE AMOUNT OF \$93,698.46. THIS WAS BUDGETED THROUGH THE 2013 SPLOST.**

County Manager McCord stated that he had two (2) items for consideration. Item one is to approve the video production camera and wayfinding system for the Forum through Logical Systems, Inc. Logical Systems was the low bidder, they only had two (2) bids, and the second bidder was Sharp bidding the system at \$133,836.00. He stated that this was budgeted through 2013 SPLOST and he recommended to approve Logical Systems at \$93,698.46 which is an up-to amount, they may actually have some deducts on that.

Vice-Chair Hancock called for a Motion. MOTION made by Commissioner Watters to approve video production camera and wayfinding system for the Forum from Logical Systems, Inc. in the Amount of \$92,698.46, which was budgeted through 2013 SPLOST. SECOND by Commissioner Bagby. VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Motion Carried

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2. APPROVE THE CLOSING AND QUIT-CLAIM PLATTED, UNDEVELOPED RIGHT-OF-WAY OF WEST VIEW AVENUE.

County Manager McCord stated that the second item was to approve the closing and quit-claim deed of a platted, undeveloped right-of-way on West Avenue in the Cave Spring Heights subdivision. The roadway was platted but never constructed, it fronts both the east and west side of West Avenue and Mr. Harold Olson has purchased it. Mr. Olson has requested that the right-of-way adjacent has been abandoned and it needs to be decreed a single larger tract. He has provided a legal survey and description. He stated that they had been talking about this for several months and he (Mr. Olson) has done all the work that needs to be done. It has been reviewed by both the County Attorney and the County Engineer, and he recommended approval of closing of the quit-claim deed of platted, undeveloped right-of-way of West Avenue to Herold F. Olson.

Vice-Chair Hancock called for a Motion. MOTION made by Commissioner Maxey to approve the closing and quit-claim platted, undeveloped right-of-way of West View Avenue to Harold F. Olson. SECOND by Commissioner Watters. VOTING:

YES

NO

Commissioner Bagby

" Watters

" Maxey

Vice-Chair Hancock

Motion Carried

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

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Commissioner

Bagby

" Watters

" Maxey

Vice-Chair Hancock

Motion Carried

ATTEST:

ERIN ELROD, FLOYD COUNTY CLERK

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**FLOYD COUNTY BOARD OF COMMISSIONERS
CAUCUS**

June 27, 2017 4:00 PM

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

Delana Hickman from the Sara Hightower Regional Library discussed library E-Services with the Commission and staff. Sammy Bartley discussed the difficulty of zoning rules & regulations.

Commissioners and staff reviewed items on the agenda for the meeting of June 27, 2017.

ATTEST:

ERIN ELROD, FLOYD COUNTY CLERK