



## **FLOYD COUNTY BOARD OF COMMISSIONERS**

**March 23, 2021**

**Forum River Center**

**Caucus — Floyd Room**

**4:00 pm**

**Regular Meeting — Ballroom**

**6:00 pm**

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**PRESENT: COMMISSIONERS:** WRIGHT BAGBY, ALLISON WATTERS, RHONDA WALLACE, LARRY MAXEY, AND SCOTTY HANCOCK; COUNTY MANAGER JAMIE MCCORD, ASSISTANT COUNTY MANAGER GARY BURKHALTER, COUNTY CLERK ERIN ELROD, AND COUNTY ATTORNEY VIRGINIA HARMAN; BRUCE IVEY, JEROME POOLE, JOHN CARROLL, BRICE WOOD, ART NEWELL, AND OLIVIA MORLEY

**PRESENT VIRTUALLY:** TIM HERRINGTON, DARRYL BOWIE, JEFF BURNS, JOHN BLALOCK, MELANIE CONRAD, MICHAEL SKEEN, BILL GILLILAND, RANDY SELF, MICHAEL LONG, AND SUSIE GASS

COMMISSIONER MAXEY MADE A MOTION TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE ACQUISITION OF PROPERTY PERSONNEL. THE MOTION WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.

### **CAUCUS**

- 1. Update on Floyd County EMA**
- 2. Dr. Rick Swiger — DID NOT ATTEND**

CHAIR BAGBY CALLED CAUCUS TO ORDER. MR. HERRINGTON STARTED THE MEETING WITH AN UPDATE ON FLOYD COUNTY'S EMA OPERATION. MR. MCCORD THEN LET THE COMMISSION KNOW THAT DR. SWIGER WOULD NOT BE ATTENDING CAUCUS. CHAIR BAGBY AND MR. MCCORD REVIEWED THE CONSENT AGENDA AND NEW BUSINESS. VICE CHAIR WATTERS UPDATED THE COMMISSION ON THE RECENT SOLID WASTE COMMISSION MEETING.

- I. CALL TO ORDER — CHAIR BAGBY CALLED THE MEETING TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE TO FLAG — COMMISSIONER WALLACE LED THE COMMISSION ON THE INVOCATION AND THE PLEDGE OF ALLEGIANCE.**
- III. APPROVAL OF THE AGENDA — COMMISSIONER WALLACE MADE A MOTION TO DEFER ITEM #3 UNDER NEW BUSINESS. THE MOTION WAS SECONDED BY COMMISSIONER MAXEY. THE MOTION CARRIED 5-0. THE AGENDA THEN PASSED BY COMMON CONSENT.**
- IV. PUBLIC PARTICIPATION — NO PUBLIC PARTICIPATION**

**V. APPROVAL OF MINUTES — APPROVED AS SUBMITTED**

1. Adopt minutes of Caucus and Regular Meeting of March 9, 2021.

**VI. SPECIAL RECOGNITION**

**VII. PROCLAMATION**

**VIII. FIRST READING**

**IX. SECOND READING/PUBLIC HEARING—CHAIR BAGBY REVIEWED THE RULES OF THE PUBLIC HEARING.  
(FIRST READING HELD MARCH 9, 2021 AT 6PM)**

**Chair Bagby explained the procedure of the public hearing: each person recognized shall come to the podium and state his or her name and home address. There is no less than ten minutes provided for all speaking in favor, and no less than 10 minutes should be provided by those speaking in opposition.**

1. **Adopt an ordinance to amend Article 3 and 4 of the Unified Development Code of Rome and Floyd County, Georgia (The “ULDC”); related to hobby farms and wildlife parks or zoos; in the agricultural residential (AR), and suburban residential (SR) zoning districts; to repeal conflicting ordinances; and for other purposes. — MR. NEWELL PRESENTED THE HISTORY OF THE AMENDMENT TO THE COMMISSION AND PRESENTED THE ITEM FOR ADOPTION.**

**OPPOSE: SAM NAFF, 8 WHITETAIL RIDGE RD NW,** STATED IF HE UNDERSTOOD THE CURRENT PROPOSAL, HE BELIEVED YOU SHOULD HAVE AT LEAST ONE ACRE TO HAVE ANY FOWL AND PREFERRED NO CHICKENS. STATED IN HIS NEIGHBORHOOD OF BATTLE FARM THERE ARE HALF-ACRE LOTS AND BELIEVED IT WAS INAPPROPRIATE TO HAVE THEM IN LOTS OF THAT SIZE. MR. NAFF ALSO STATED HE BELIEVED THE ORDINANCE TO BE UNENFORCEABLE DUE TO THERE NOT BEING ENOUGH LAW ENFORCEMENT TO COVER THESE COMPLAINTS ON A DAY-TO-DAY BASIS. MR. NAFF ASKED THE COMMISSION NOT TO ALLOW CHICKENS.

**OPPOSE: SPENCER BREWER, 173 LAVENDAR ROAD,** STATED HE BELIEVED MORE LAWS, MORE RULES MADE MORE TROUBLE. STATED HE DID NOT AGREE WITH RESTRICTING PEOPLES’ RIGHTS TO ANIMALS WITH THE EXCEPTION OF SMALLER AREAS SUCH AS

MR. NAFF'S. STATED HIS MOTHER LIVES IN ATLANTA AND PEOPLE HAVE CHICKENS IN THEIR BACKYARD WITHOUT ANY ISSUES. STATED HE BELIEVED THE COMMISSION WAS MISSING THE BOAT AS THE TREND IS MOVING. STATED TOO MUCH WAS TOO MUCH.

**OPPOSE: LINDA EVANS, 176 NEW ROSEDALE ROAD,** REFERRED TO MR. NAFF'S REMARKS AND STATED HE SHOULD HAVE A HOMEOWNER'S ASSOCIATION. MS. EVANS THEN BEGAN TO READ A LETTER. STATED U.N. AGENDA 2021, 2030 IS AT THE ROOT OF WHAT IS GOING ON WITH LIMITING LIVESTOCK FOR PROPERTY OWNERS. THEY WANT TO SHUT OFF OUR ABILITY TO INDEPENDENTLY FEED OURSELVES AND WE MUST BE DEPENDENT ON THE NANNY STATE, OUR OVERLORDS, THAT WILL DICTATE WHAT WE CAN AND CANNOT DO ON OUR OWN PROPERTY. CONTROL THE FOOD, CONTROL THE PEOPLE. PEOPLE ARE WAKING UP TO WHAT IS GOING ON. THE ELECTION OF MARJORIE TAYLOR GREENE IN THE 14<sup>TH</sup> DISTRICT BY 75% OF THE PEOPLE IS AN INDICATION THAT WE ARE BECOMING AWARE OF YOUR DRACONIAN LAWS TO BRING ON A ONE WORLD GOVERNMENT OVERSEEN BY THE UNITED NATIONS.

**OPPOSE: ELLEN SULLIVAN, 3637 MARTHA BERRY HIGHWAY,** STATED TWELVE YEARS AGO SHE CAME TO ROME FROM COBB COUNTY AND CHOSE TO MOVE HERE AND RAISE HER FAMILY. STATED SHE CAME TO BATTLE FARM AND CHOSE NOT TO LIVE THERE BECAUSE SHE ASSUMED THERE WERE REGULATIONS SUCH AS THE PROPOSED ORDINANCE. STATED ONE OF HER MOTIVATIONS IN BUYING LAND IS DUE TO THE PANDEMIC AND BEING LAID OFF. STATED FLOYD COUNTY WAS CLASSIFIED AS A RURAL AREA AND 60% OF IT WAS IN POVERTY. STATED SHE IS RAISING TWO TWENTY-TWO YEAR-OLD TWINS AND HAS AN INTEREST IN SELF-SUSTAINMENT. STATED EVERYONE IN COBB COUNTY HAS AN INTEREST IN HOBBY FARMING. STATED THIS PROPOSED AMENDMENT WILL FALL SHORT. STATED BASED ON HER OWN RESEARCH, THE RECOMMENDATION WILL FALL SHORT TO SUPPORT A FAMILY OF FOUR ON A 2000 CALORIE DIET PER PERSON. MS. SULLIVAN STATED SHE WAS GOING TO GET A HUTCH AND WHEN SHE CONTACTED TRACTOR SUPPLY THEY STATED THEIR SALES HAVE SKY ROCKETED WITH THE INTEREST OF HOBBY FARMING AND ASKED THE COMMISSION TO TAKE THAT INTO CONSIDERATION. MS. SULLIVAN THEN PROPOSED THE COMMISSION EITHER REMOVE THE AMENDMENTS OR POSTPONE THEM AT LEAST UNTIL THE 2022 ELECTION AND LET SOME OF THE DUST SETTLE.

**OPPOSE: ROBERT GUGE, 85 JACKSON CHAPEL ROAD,** STATED HE MOVED THERE THREE YEARS AGO FROM ROME TO BE ABLE TO RAISE CHICKENS, DUCKS, RABBITS, OR WHATEVER HE CHOSE TO DO. STATED HE DID NOT LIKE THE WORD HOBBY FARM AS HE DOES THIS TO PROVIDE FOR HIS FAMILY. STATED IF THE COMMISSION WAS TELLING HIM HE COULD NOT HAVE A ROOSTER, THEY WERE TELLING HIM HE COULD NOT REPRODUCE CHICKENS FOR HIMSELF. STATED IT WAS NOT A HOBBY FARM, IT WAS HOW HE PRODUCED FOR HIS FAMILY. STATED WHEN HE MOVED THERE THREE YEARS AGO HE CALLED THE DEPARTMENT OF AGRICULTURE ASKING THEM WHAT WAS THE HUMANE WAY TO DO THIS. STATED THEY TOLD HIM A ONE FOOT SQUARE BOX IS WHAT YOU NEED PER CHICKEN FOR THEM TO NEST, AND THREE FOOT IF YOU HAVE THEM IN AN ENCLOSED AREA FOR FREE RANGE. STATED HE HAS A LARGE ENCLOSURE FOR HIS CHICKENS AND HIS WIFE HAS DONE EVERYTHING IN THE WORLD TO MAKE THEIR CHICKENS COMFORTABLE. STATED HIS NEIGHBORS LOVE IT AS IT PROVIDES FREE FERTILIZATION AND UNDERSTANDS IF YOU LIVED IN A NEIGHBORHOOD SUCH AS STONEBRIDGE HE WOULD NOT WANT CHICKENS IN HIS NEIGHBOR'S YARD. HOWEVER, HE BELIEVES THAT SHOULD BE LEFT UP TO THE HOMEOWNERS ASSOCIATIONS AND SHOULD NOT AFFECT THE ENTIRE COUNTY. STATED IF HE WERE RAISING MOUNTAIN LIONS OR LEOPARDS HE COULD UNDERSTAND RESTRICTIONS, BUT TO SAY THAT HE HAS TO HAVE OVER AN ACRE TO HAVE MORE THAN TEN HENS AND HAVE MORE THAN TWO ACRES TO HAVE A ROOSTER IS VERY UNFAIR. MR. GUGE THANKED THE COMMISSION.

WITH THE ALLOTTED TIME EXPIRED, CHAIR BAGBY CLOSED THE PUBLIC HEARING.

COMMISSIONER MAXEY MADE A MOTION TO DENY THE REQUEST. THE MOTION WAS SECONDED BY COMMISSIONER WALLACE. CHAIR BAGBY OPENED THE DISCUSSION FOR THE COMMISSION.

VICE CHAIR WATTERS EXPLAINED THAT WHEN THIS WAS FIRST BROUGHT TO THE COMMISSION TWO YEARS AGO THE PLAN WAS TO MAKE THIS PROCESS EASIER. STATED WHAT SHE WAS HEARING TODAY WAS THAT THIS WAS COMPLICATING THINGS FOR THOSE THAT WISHED TO HAVE CHICKENS, WHICH WAS NOT THEIR INTENT. STATED THEY HAVE LEARNED A LOT AND ARE CONTINUING TO LEARN FROM EVERYONE. COMMISSIONER HANCOCK SPOKE ON THE ORDINANCE STATING HE WAS THE CHAIR AT THE TIME AND ASKED THE RESTRICTIONS TO BE LOOKED INTO TO LOOSEN THEM INSTEAD OF TIGHTENING THEM. STATED HE AGREED WITH A LOT OF WHAT

HE HEARD TONIGHT AND THOUGH THEIR INTENTIONS WERE GOOD, IT DID NOT COME THROUGH WITH THIS PROPOSAL. STATED NOW IF THIS DOES NOT PASS IN ORDER TO LEGALLY HAVE HENS, YOU WOULD NEED TO OBTAIN A SPECIAL-USE-PERMIT AND COME BEFORE THE COMMISSION TO GET IT APPROVED IF YOU WERE ZONED SUBURBAN-RESIDENTIAL, HOWEVER, BASED ON THE PUBLIC HEARING IT SEEMS PEOPLE PREFER IT REMAIN AS IT IS. COMMISSIONER WALLACE THANKED VICE CHAIR WATTERS AND COMMISSIONER HANCOCK FOR THEIR COMMENTS AND THANKED EVERYONE WHO CAME TONIGHT TO VOICE THEIR OPINIONS. STATED THE COMMISSIONERS' INTENT WAS NOT TO TELL PEOPLE WHAT TO DO WITH THEIR PROPERTY, BUT TO MAKE THINGS EASIER. COMMISSIONER WALLACE THEN EMPHASIZED HOW IMPORTANT IT IS TO LET YOUR VOICE BE HEARD BECAUSE THEY HAVE LEARNED SO MUCH THROUGHOUT THIS PROCESS AND WOULD NOT HAVE BEEN ABLE TO WITHOUT THEIR COMMENTS. CHAIR BAGBY ASKED MS. ELROD TO CALL THE ROLL. THE MOTION TO DENY CARRIED 5-0.

2. **File Z21-03-03 requesting rezoning from light industrial (LI) to heavy industrial (HI) for the property located at 0 Pinson Road, Rome, GA; Tax Parcel M10W039. Staff recommends approval.** — MR. WOOD PRESENTED THE REQUEST TO THE COMMISSION FOR APPROVAL. CHAIR BAGBY OPENED THE PUBLIC HEARING.

**FAVOR: SCOTT WILTSEY, 4002 PALISIDES MAIN,** REPRESENTING OLD CASTLE LAWN AND GARDEN AND PLEASED TO BE IN FRONT OF THE COMMISSION AGAIN. STATED HE WAS HERE TONIGHT ASKING FOR THE REZONING TO BE EXECUTED TO MAKE REALLY GOOD ON A COMMITMENT THEY HAD MADE TO THE COMMISSION REGARDING AN ALTERNATIVE ROUTE TO ENTER AND EXIT THE PROPERTY OFF OF HIGHWAY 53. STATED THEY CURRENTLY HAD THE LAND UNDER CONTRACT, COMPLETED THE ENVIRONMENTAL STUDIES, AND THIS WAS THE LAST STEP BEFORE CLOSING. MR. WISTLEY YIELDED HIS TIME AND THANKED THE COMMISSION.

**FAVOR: MISSY KENDRICK, 2004 HORSELEG CREEK ROAD,** REQUESTING THE COMMISSIONS' SUPPORT IN THE REZONING OF THE PARCEL FOR OLD CASTLE FOR AN ALTERNATE ENTRY AND EXIT WHICH IS NECESSARY TO FOLLOW THROUGH ON THEIR COMMITMENT TO DO SO. MS. KENDRICK THANKED THE COMMISSION FOR THEIR PREVIOUS REZONING AND REQUESTED THEY CONTINUE THAT SUPPORT FOR THIS REZONING.

NO ONE SPOKE IN OPPOSITION.

CHAIR BAGBY CLOSED THE PUBLIC HEARING.

COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER WALLACE. THERE WAS NO FUTURE DISCUSSION. THE MOTION CARRIED 5-0.

3. **File Z21-03-02 requesting rezoning from agricultural residential (AR) to heavy commercial (HC) for the portion of the property shown on the plat for the property located at 9435 Alabama Highway, Rome, GA; Tax Parcel A14O03. Staff recommends approval.** — MR. WOOD PRESENTED THE REQUEST TO THE COMMISSION FOR APPROVAL. CHAIR BAGBY OPENED THE PUBLIC HEARING. THERE WAS NO PARTICIPATION IN THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER WATTERS. THERE WAS NO FURTHER DISCUSSION. THE MOTION CARRIED 5-0.

## **X. RESOLUTIONS**

## **XI. CHAIRMAN'S REPORT**

## **XII. COMMISSIONER'S REPORT**

1. **Administrative Services Committee – Commissioners Allison Watters and Scotty Hancock**
  - a. Next Meeting, Thursday, May 20, 2021, at 9:00am.
2. **Public Safety Committee – Commissioners Scotty Hancock and Rhonda Wallace**
  - a. Next Meeting, Thursday, April 1, 2021, at 9:00am.
3. **Public Utilities & Transportation Committee – Commissioners Larry Maxey and Wright Bagby**
  - a. Next Meeting, Wednesday, April 21, 2021, at 9:00am.
4. **Special Committee Reports**
  - a. **Fire Overview Committee—Commissioners Wright Bagby and Scotty Hancock**
    - i. Next Meeting, Tuesday, May 12, 2021, at 10:30am.
  - b. **Joint Services Committee—Commissioners Wright Bagby and Allison Watters**

- i. Next Meeting, Tuesday, April 6, 2021, at 8:00am.
- c. **Rome-Floyd Planning Commission—Commissioner Larry Maxey**
  - i. Next Meeting, Thursday, April 1, 2021, at 2:30pm.
- d. **Joint Development Oversight Committee—Commissioners Wright Bagby and Allison Watters**
  - i. Next Meeting, Tuesday, May 4, 2021, at 10:00am.
- e. **Joint Solid Waste Commission—Commissioners Allison Watters and Larry Maxey**
  - i. Next Meeting, Tuesday, March 23, 2021, at 8:30am.
- f. **Transportation Policy Committee—Commissioner Larry Maxey**
  - i. Next Meeting, Wednesday, May 19, 2012, at 10:00am.
- g. **Airport Commission—Commissioners Scotty Hancock and Rhonda Wallace**
  - i. Next meeting, Tuesday, April 20, 2021, at 4:00pm.
- h. **SPLOST Project Overview Committee—Commissioners Scotty Hancock and Rhonda Wallace**
  - i. Next meeting, TBD
- i. **RFPR Advisory Committee—Commissioner Rhonda Wallace**
  - i. Next Meeting, Tuesday, 2021, at 12:00pm.
- j. **Judicial Committee/(CJIS) –**
- k. **Floyd County Library Board—Commissioner Allison Watters**
  - i. Next Meeting, Thursday, May 20, 2021, at 4:00pm.

**XIII. MANAGER’S REPORT — MR. MCCORD INFORMED THE COMMISSION OF THE MEETING TO DISCUSS VACCINES WITH LOCAL AGENCIES TOMORROW.**

**XIV. ATTORNEY’S REPORT — NO REPORT**

**XV. CONSENT AGENDA — CHAIR BAGBY ASKED IF THE CONSENT AGENDA WAS IN ORDER. COMMISSIONER WALLACE MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER MAXEY. THE MOTION CARRIED 5-0.**

1. Approve Rome Experimental Aircraft Association, Inc., Chapter 709 Lease and Service Agreement for the Richard B. Russell Regional Airport.
2. Approve update to the Terminal Office Lease for the Richard B. Russell Regional Airport.
3. Approve replacement of all lighting fixtures within the Judicial Building with LED lighting with dimming control by Georgia Power in the amount of \$240,579.00. This was budgeted at \$241,000.00 as a lease purchase. This is an extension of the work completed in 2019 at the Law Enforcement Building, Law Enforcement Parks Deck, Fourth Avenue Parking Deck, and State Mutual Stadium. The projected annual savings is \$38,778.00 annually.
4. Approve authorization for year two of a three year contract with Fox Environmental for Stormwater Management Program (Ms4) Technical Support.
5. Approve surplus designation for stadium lighting fixtures that were replaced at State Mutual Stadium.
6. Approve starting pay rate for new hire equipment operator in Parks & Recreation at \$15.385 which is \$0.475 more than the minimum.

## **XVI. OLD BUSINESS**

## **XVII. NEW BUSINESS**

1. **Approve for roof replacement at Lock & Dam Store by Camco Services, LLC in the amount of \$11,240.00. This was budgeted at \$25,000.00 in the 2017 SPLOST.** — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. VICE CHAIR WATTERS MADE A MOTION TO APPROVE. THE MOTION WAS SECONDED BY COMMISSIONER HANCOCK. THE MOTION CARRIED 5-0.
2. **Approve installation of a 12'x50'x10' metal four (4) bay garage for the Floyd County Prison by Alan's Factory Outlet in the amount of \$13,044.00.** — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. COMMISSIONER HANCOCK MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER MAXEY. THE MOTION CARRIED 5-0.
3. **Approve five year contract for airport consultation by Crawford, Murphy, and Tilly for the Richard B. Russell Regional Airport. This was recommended by the Floyd County Airport Commission.** — DEFERRED TO APRIL 13, 2021 MEETING.



4. **Approve Land Lease for the Richard B. Russell Regional Airport. The Land Lease was approved with a four to one vote by the Airport Board of Commissioners on Tuesday, March 16, 2021.** — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL WITH UPDATES TO THE LEASE AS DISCUSSED IN CAUCUS. COMMISSIONER WALLACE MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER HANCOCK. THE MOTION CARRIED 5-0.
5. **Approve an edit to the Capital Equipment list for Public Works for SPLOST purchase this year to include a pneumatic roller, road tractor, and rotating head for the mini excavator in the amount of \$235,000.00 instead of a motor grader that was budgeted at \$250,000.00.** — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. THIS IS A NET SAVINGS OF \$15,000.00. VICE CHAIR WATTERS MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER MAXEY. THE MOTION CARRIED 5-0.
6. **Approve reclassification of the Chief Elections Clerk from a paygrade 114 to a paygrade 121.** — MR. MCCORD PRESENTED THE ITEM WITH THE COMMISSION FOR APPROVAL. COMMISSIONER HANCOCK MADE A MOTION APPROVE. IT WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.
7. **Approve Memorandum of Understanding between International Paper and Floyd County Government Rome-Floyd Parks & Recreation Department to create a funding source for approximately fifteen (15) trees to be planted annually in the Rome-Floyd County Parks & Recreation Department's outdoor parks during the month of February for the next four (4) years.** — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. COMMISSIONER WALLACE MADE A MOTION TO APPROVE. IT WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.
8. **Approve rental fee schedule for the Forum River Center.** — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.

#### **XVIII. OTHER BUSINESS**

CHAIR BAGBY ANNOUNCED THE COMMISSION HAD ENTERED INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE ACQUISITION OF PROPERTY, POTENTIAL LITIGATION, AND PERSONNEL.

- XIX. ADJOURN** — COMMISSIONER HANCOCK MADE A MOTION TO ADJOURN. IT WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.