



FLOYD COUNTY BOARD OF COMMISSIONERS

January 26, 2021

Forum River Center

Caucus—Floyd Room	4:00 pm
Regular Meeting—Ballroom	6:00 pm

PRESENT: COMMISSIONERS: WRIGHT BAGBY, ALLISON WATTERS, RHONDA WALLACE, LARRY MAXEY, & SCOTTY HANCOCK; COUNTY MANAGER JAMIE MCCORD, ASSISTANT COUNTY MANAGER GARY BURKHALTER, AND COUNTY CLERK ERIN ELROD; HOLLIS BARTON, JOHN CARROLL, BRICE WOOD, ARTAGUS NEWELL, OLIVIA MORLEY, AND CARL LIVEY.

VIRTUALLY PRESENT: COUNTY ATTORNEYS VIRGINIA HARMAN & CHRISTOPHER JACKSON; SUISE GASS, JOHN BLALOCK, BRUCE IVEY, DARRYL BOWIE, AND TODD WOFFORD

CAUCUS

1. **Airport update from John Carroll** — Airport Manager, Mr. Carroll, provided an informational update on Richard B. Russell Regional Airport for the Commission.

CHAIR BAGBY AND MR. MCCORD REVIEWED THE AGENDA WITH COMMISSION AND STAFF. PLANNING DIRECTOR MR. NEWELL AND ASSOCIATE PLANNER MR. WOOD REVIEWED THE REQUESTS FROM THE PLANNING COMMISSION. MR. MCCORD CONTINUED WITH THE REVIEW OF THE CONSENT AGENDA AND NEW BUSINESS. HE ALSO UPDATED THE COMMISSION ON THE SOLID WASTE COMMISSION MEETING HELD THAT MORNING. THE COMMISSION THEN WENT INTO EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF PROPERTY WITH A MOTION TO ENTER BY COMMISSIONER WALLACE AND SECONDED BY COMMISSIONER MAXEY. THE MOTION CARRIED 5-0.

I. CALL TO ORDER — CHAIR BAGBY CALLED THE MEETING TO ORDER.

II. INVOCATION AND PLEDGE OF ALLEGIANCE TO FLAG — CHAIR BAGBY LED THE COMMISSION IN THE INVOCATION AND THE PLEDGE OF ALLEGIANCE.

III. APPROVAL OF THE AGENDA — THE AGENDA WAS APPROVED BY COMMON CONSENT.

IV. PUBLIC PARTICIPATION

V. APPROVAL OF MINUTES

1. The minutes from the January 12, 2020 Caucus, Regular Meeting, and Executive Session were approved by common consent.

VI. SPECIAL RECOGNITION

VII. PROCLAMATIONS

VIII. FIRST READING

IX. SECOND READING

(FIRST READING HELD JANUARY 12, 2021 AT 6PM)

- 1. Adopt an ordinance to amend Articles 3 and 4 of the Unified Land 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. It was approved by the Planning Commission (4-3). — MR. NEWELL PRESENTED THE REQUEST FROM THE PLANINNG COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING. THERE WAS NO ONE PRESENT TO SPEAK IN FAVOR OR OPPOSITION. COMMISSIONER MAXEY MADE A MOTION TO SEND THE REQUEST BACK TO THE PLANNING COMMISSION WITH A REQUEST TO A REQUIREMNET OF A ONE ACRE LOT. THE MOTION WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.**
- 2. File #SUP20-11-02 requesting a special use permit for a cellular communications tower at 4753 Martha Berry Highway, Armuchee, Georgia; Floyd County Tax Parcel J10X081. This is recommended for approval by the planning staff. It was approved with a condition of a 300' setback from the existing residential property lines, specifically Stone Gable Drive by the Planning Commission (9-0). — MR. WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING.**

FAVOR: ANDY ROTENSTREICH, 420 20TH STREET, BIRMINGHAM, ALABAMA, STATED HE WAS THERE ON BEHALF OF VERIZON WIRELESS AS THE APPLICANT FOR THE CELL TOWER. STATED THEY WERE APPLYING TO PUT A SINGLE POLE DESIGN AND VERIZON WAS APPLYING FOR THIS AREA DUE TO LACK OF COVERAGE AND CAPACITY ISSUES THAT AFFECTS THEIR CUSTOMERS. STATED THEY HAVE HEAVY TRAFFIC ALONG MARTHA BERRY HIGHWAY AND SURROUNDING AREAS THAT ARE IN NEED OF THIS COVERAGE. STATED THE FIRST THING THEY DO IN THESE CASES IS LOOK FOR AN EXISTING TOWER, HOWEVER IN THIS CASE THERE IS ONLY ONE TOWER WITHIN 2.3 MILES WHICH IS A FORTY-EIGHT FOOT TOWER ON COUNTY OWNED PROPERTY AT THE AIRPORT. STATED THE TOWER IS MUCH TOO LOW AND DOES NOT MEET THEIR ENGINEERING REQUIREMENTS AND WOULD NOT HELP WITH THEIR COVERAGE, WHICH RULED IT OUT AS AN OPTION. THEIR NEXT STEP

IS TO ASSESS FOR WILLING LAND OWNERS THAT ARE WILLING TO LEASE THE PROPERTY. MR. ROTENSTREICK DISTRIBUTED A HANDOUT TO THE COMMISSION DETAILING THE PROPERTY IN QUESTION. STATED PER THE COUNTY'S ORDINANCE THEY WERE GOING TO BUILD A TOWER STRONG ENOUGH TO COVER THEIR CUSTOMERS. STATED AFTER WORKING WITH THE PLANNING COMMISSION, THEIR SITE PLAN IS THE MOST EFFICIENT AND HAVE PLANNING COMMISSION APPROVAL AND ASK THE COMMISSION FOR THE APPROVAL WITHOUT THE 300' SETBACK.

OPPOSE: BILL THORNTON, 12 STONE GABLES DRIVE, STATED HE DOES NOT AGREE WITH THE AMOUNT OF SITES. STATED BERRY WOULD BE THE IDEAL LOCATION DUE TO THERE NOT BEING ANY SUBDIVISIONS AROUND. STATED HE SPOKE WITH MR. DANNY PRICE WHO IS BERRY'S ATTORNEY, AND THAT HE WAS UNAWARE OF ANY POLICY BERRY HAD IN OPPOSITION TO CELL TOWERS OTHER THAN NOT GIVING OUT A KEY TO THE GATE. THEREFORE, MR. THORNTON QUESTIONED THE FACT THAT BERRY WAS NOT AN OPTION FOR A SITE. STATED HE UNDERSTANDS THEY DO NOT AGREE ON LOSING PROPERTY VALUE, IT IS STILL RIGHT OUTSIDE OF HIS HOUSE THAT HE WOULD HATE TO SEE CONTAMINATED BY THIS CELL TOWER WITH RADIATION. STATED WHILE THAT HAS NOT YET BEEN DETERMINED BY RESEARCH IN THE UNITED STATES, THAT IS NOT THE CASE IN OTHER COUNTRIES. STATED HE IS CONCERNED WITH THE AFTERMATH OF THE TOWER IN THE CASE NEW STUDIES ARE FOUND AND THE UNCERTAINTY OF WHAT WILL HAPPEN TO HIS PROPERTY. STATED THEY AGREED TO THE 300' SETBACK, HOWEVER, VERIZON IS NOT WILLING TO DO THAT. STATED HE ASKED THE COMMISSION TO DELAY THE REQUEST UNTIL THEY COULD DISCUSS THEIR OPTIONS WITH BERRY.

OPPOSE: TIFFANY BLACKBURN, 30 FARM VIEW CT, STATED SHE HAD CONDUCTED HER OWN RESEARCH AND FOUND AN AT&T TOWER OUT IN ROSEDALE, AND THE DISTANCE FROM HER HOUSE IS 0.66 OF A MILE AND SHE RECEIVED NO BENEFIT FROM THIS TOWER BEING SO CLOSE IN PROXIMITY TO HER RESIDENCE. STATED SHE DID NOT WANT HER CHILDREN TO BE A SCIENCE EXPERIMENT FOR NO BENEFIT WHATSOEVER AND DID HAVE HEALTH CONCERNS.

OPPOSE: DAVID CLONTS, FORMER RESIDENT OF STONE GABLES AND THAT HE DEVELOPED THE SUBDIVISION BACK IN THE NINETIES. STATED ONE THING A DEVELOPER LOOKS FOR WHEN ASSESSING PROPERTIES, THEY WILL LOOK FOR SEVERAL NEGATIVE ASPECTS. STATED THEY BUILD THE SUBDIVISION, IT WAS SUCCESSFUL, AND HE STILL HAS SEVERAL FAMILY MEMBERS LIVING IN THAT SUBDIVISION. MR. CLONTS STATED THERE IS A

PIECE OF PROPERTY AT BERRY AND AS HE UNDERSTANDS IT, THEY DO NOT WANT ANY TOWERS THAT WOULD NEED GATE ACCESS. STATED HE WOULD LIKE TO SEE THE TOWER MOVED TO AT LEAST THE OTHER SIDE OF THE LOT AND WHILE THERE ARE PROERTY CONCERNS, HE BELIEVES IT TO BE A HEALTH CONCERN AS WELL.

REBUTTAL: MR. ROSTENSTREICH VERIZON REPRESENTATIVE SPOKE IN REBUTTAL AND HANDED OUT AN FAA DETERMINATION, WHICH DETERMINES THE SAFETY OF THE CELL TOWERS. STATED TO ADDRESS ONE RESIDENT'S CONCERN, THEY WILL NOT REQUIRE LIGHTS, AND WOULD LIKE TO HAVE IT ON THE RECORD THAT A PROPERTY VALUE STUDY CONDUCTED IN COVINGTON, GEORGIA, NO DIMINUTION TO PROPERTY VALUE BEFORE OR AFTER CELL TOWERS WERE BUILT IN THE AREA.

CHAIR BAGBY CLOSED THE PUBLIC HEARING.

COMMISSIONER HANCOCK ASKED THE COUNTY ATTORNEY TO EXPLAIN THE FCC GUIDELINES. MR. CHRISTOPHER JACKSON EXPLAINED THE REGULATIONS IN REGARDS TO THE TELECOMMUNICATIONS ACT OF 1966. VICE CHAIR WATTERS ASKED IF THE REQUEST COULD BE DELAYED FOR THERE TO BE A DISCUSSION WITH BERRY COLLEGE. MR. JACKSON DEFFERED TO VERIZON. MR. ROSETNSTREICH STATED THEY WENT TO BERRY COLLEGE TO BEGIN DEVELOPING EIGHTEEN MONTHS AGO, AND AT THE TIME THEY WERE DIRECTED TO REACH OUT TO THE FACILITIES MANAGEMENT DEPARTMENT, MARK HIGGINS, AND STATED IT WAS AN EMPHATIC NO AT THE TIME. STATED ONCE THEY GET A LANDOWNER TELLING THEM NO THEY START LOOKING FOR ALTERNATIVES.

COMMISSIONER HANCOCK MADE A MOTION TO APPROVE THE APPLICATION AS SUBMITTED TO THE PLANNING COMMISSION, SECONDED BY COMMISSIONER MAXEY. CHAIR BAGBY ASKED IF THERE WAS ANY FURTHER DISCUSSION. COMMISSIONER WALLACE SPOKE TO THE CITIZENS IN ATTENDANCE. STATED SHE WANTED THEM TO KNOW HOW IMPORTANT IT WAS THAT THEY HEARD FROM THEM TONIGHT AND ADDRESS THEIR CONCERNS. STATED TODAY, THESE ARE THE REQUIREMENTS THAT THEY HAVE AND THEY ARE OBLIGATED TO GO BY THOSE REQUIREMENTS AND COULD NOT FIGHT THAT AT THIS TIME. THE MOTION CARRIED 5-0.

3. **File #SUP21-01-03 requesting a special use permit for a special event venue at 5406 Calhoun Road, Adairsville, Georgia; Floyd County Tax Parcel M10W015. This is recommended for approval by the planning staff on the condition that the applicant meet and/all development requirements. This was approved by the Planning Commission (6-0). — MR. WOODS PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING.**

FAVOR: DONNA PEAVY, 5406 CALHOUN ROAD, ADAIRSVILLE, GEORGIA, STATED SHE WANTED TO BE RESPECTFUL TO HER NEIGHBORS AND DISCUSS HER PLANS FOR THE PROPERTY. STATED SHE WOULD LIKE TO USE THE PROPERTY AS A VENUE AND HAS BEEN IN TOUCH WITH LOCAL CHARITIES TO GIVE BACK TO THEM WHAT SHE WAS ABLE THROUGH THIS PROPERTY. STATED IT WAS NOT ONLY FOR A PROFIT, BUT AS AN INVESTMENT IN THE COMMUNITY. STATED WITH THAT BEING SAID, SHE DOES REALIZE IT IS A RESIDENTIAL AREA AND HAS LIMITATIONS IN MIND REGARDING EVENTS.

THERE BEING NO ONE ELSE TO SPEAK IN FAVOR OR OPPOSITION, CHAIR BAGBY CLOSED THE PUBLIC HEARING.

COMMISSIONER MAXEY MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.

4. **File #Z21-01-01 requesting a rezoning from Suburban Residential to Light Industrial at 0 Alabama Highway, Rome, Georgia; Floyd County Tax Parcel F13Y209, F13Y210, and F13Y211. This is recommended for approval by the planning staff. This was approved by the Planning Commission (8-0). — MR. WOODS PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING. NO ONE WAS PRESENT TO SPEAK IN FAVOR OR OPPOSITION OF THE REQUEST. COMMISSIONER MAXEY MADE A MOTION TO APPROVE, SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.**
5. **File Z21-01-03 requesting a rezoning from Suburban Residential/Light Industrial to Heavy Industrial at 0 Calhoun Highway, Rome, Georgia; Floyd County Tax Parcel M10Z095. This is recommended for approval by the planning staff. This was approved by the Planning Commission (7-0). — MR. WOODS PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING.**

FAVOR: SCOTT WILTSEY, 4002 PALISADES MAIN NW, KENNESAW, GEORGIA, STATED HE WAS THERE WITH TIM LESKO ON BEHALF OF OLDCASTLE APG. STATED THEY ARE A MANUFACTURING COMPANY LOOKING TO DEVELOP THEIR PRODUCTS TO MAJOR RETAILERS

SUCH AS HOME DEPOT AND LOWES. STATED THEIR INITIAL INTENT IS TO BRING UP TO THIRTY JOBS TO THE AREA. STATED THEY ARE READY TO START HIRING IN MARCH AND BE OPERATIONAL IN SEPTEMBER.

FAVOR: MISSY KENDRICK, 2004 HORSELEG CREEK RD, ROME, GEORGIA STATED SHE WAS IN ATTENDANCE ON BEHALF OF THE ROME FLOYD DEVELOPMENT AUTHORITY. STATED THEY CAME TO THEM BY A STATEWIDE PROCESS IN AUGUST OF LAST YEAR WORKING WITH THEIR BROKER, AND HAVE BEEN THROUGH AN EXTENSIVE PROCESS DECIDING ON A PROPERTY SITE. STATED THESE TYPES OF JOBS ARE EXACTLY THE KIND OF JOBS THEY ARE LOOKING TO BRING TO ROME AND FLOYD COUNTY WITH ABOVE AVERAGE WAGES, FULL BENEFITS, AND BELIEVES THEY WANT TO BE GOOD NEIGHBORS. STATED SHE ASKED THE COMMISSION FOR THEIR SUPPORT IN PASSING THIS REQUEST AND HELP WELCOME THEM TO ROME AND FLOYD COUNTY.

OPPOSE: JOHNIE EVANS, 5095 CALHOUN ROAD, ROME, GEORGIA STATED HE HAD SOME CONCERNS AND SPOKE WITH THE COMPANY REPRESENTATIVE YESTERDAY. STATED MR. WILTSEY DID ADDRESS SOME OF HIS CONCERNS DURING HIS PRESENTATION, HE WAS STILL CONCERNED ABOUT THE SMELL, WATER RUNOFF, AND THE LOCATION OF THE SITE ON HIGHWAY 53. ASKED THE COMMISSION TO CONSIDER THE WELLBEING OF THE RESIDENTS.

REBUTTAL: TIM LESKO, 4309 OLD BRIDGE LANE, NORCROSS, GEORGIA, STATED HE WAS THERE ON BEHALF OF OLD CASTLE AND HAD BEEN IN CONTACT WITH MR. EVANS REGARDING HIS CONCERNS. STATED THEY HAVE APPROACHED GDOT AND HAVE NOT HAD THE OPPORTUNITY TO CREATE THE ACCELERATION/DECELERATION LANE ON HIGHWAY 53. STATED THEIR INTENT HAS ALWAYS BEEN TO COME OUT ON THE HIGHWAY INSTEAD OF OLD CALHOUN ROAD.

COMMISSIONER MAXEY MADE A MOTION TO APPROVE, SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.

6. **Re-adoption of the ULDC and accompanying zoning maps. This was approved by the Planning Commission (6-0).** — MR. NEWELL PRESENTED THE RE-ADOPTION OF THE ULDC AND ACCOMPANYING ZONING MAPS. CHAIR BAGBY OPENED THE PUBLIC HEARING. NO ONE WAS PRESENT TO SPEAK IN FAVOR OR OPPOSITION TO THE REQUEST. COMMISSIONER MAXEY MADE A MOTION TO APPROVE SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.

X. PUBLIC HEARINGS

XI. RESOLUTIONS

XII. CHAIRMAN'S REPORT

1. Appoint some to fill Corey Townsend's position on the Rome-Floyd Citizens Advisory Committee. Mr. Townsend's second term expired December 31, 2020. This is a one-year term that expires December 31, 2021.

XIII. COMMISSIONER'S REPORT

1. **Administrative Services Committee – Commissioners Allison Watters and Scotty Hancock**
 - a. Next Meeting, Thursday, February 18, 2021, at 9:00am.
2. **Public Safety Committee – Commissioners Scotty Hancock and Rhonda Wallace**
 - a. Next Meeting, Thursday, February 4, 2021, at 9:00am.
3. **Public Utilities & Transportation Committee – Commissioners Larry Maxey and Wright Bagby**
 - a. Next Meeting, Wednesday, February 17, 2021, at 9:00am.
4. **Special Committee Reports**
 - a. **Fire Overview Committee—Commissioners Wright Bagby and Scotty Hancock**
 - i. Next Meeting, Tuesday, February 9, 2021, at 10:30am.
 - b. **Joint Services Committee—Commissioners Wright Bagby and Allison Watters**
 - i. Next Meeting, Tuesday, February 2, 2021, at 8:00am.
 - c. **Rome-Floyd Planning Commission—Commissioner Larry Maxey**
 - i. Next Meeting, Thursday, February 4, 2021, at 2:30pm.

- d. Joint Development Oversight Committee—Commissioners Wright Bagby and Allison Watters**
 - i. Next Meeting, Tuesday, February 2, 2021, at 10:00am.
- e. Joint Solid Waste Commission—Commissioners Allison Watters and Larry Maxey**
 - i. Next Meeting, Tuesday, January 26, 2021, at 8:30am.
- f. Transportation Policy Committee—Commissioner Larry Maxey**
 - i. Next Meeting, Wednesday, March 17, 2012, at 10:00am.
- g. Airport Commission—Commissioners Scotty Hancock and Rhonda Wallace**
 - i. Next meeting, Tuesday, February 16, 2021, at 4:00pm.
- h. SPLOST Project Overview Committee—Commissioners Scotty Hancock and Rhonda Wallace**
 - i. Next meeting, Thursday, January 28, 2021, at 5:30pm.
- i. RFPR Advisory Committee—Commissioner Rhonda Wallace**
 - i. Next Meeting, Tuesday, March 17, 2021, at 12:00pm.
- j. Judicial Committee / (CJIS) –**
- k. Floyd County Library Board—Commissioner Allison Watters**
 - i. Next Meeting, Thursday, February 18, 2021, at 4:00pm.

XIV. MANAGER’S REPORT — MR. MCCORD STATED THE PUBLIC HEALTH DEPARTMENT WILL CONTINUE TESTING ONE DAY A WEEK DURING THE MONTH OF FEBRUARY, BUT IF THEY RECEIVE ADDITIONAL VACCINES THEY MAY TURN TO FULL VACCINATION DAYS DURING THE WEEK.

XV. ATTORNEY’S REPORT — NO REPORT.

XVI. CONSENT AGENDA — CHAIR BAGBY ASKED MRS. ELROD IF THE CONSENT AGENDA WAS IN ORDER. SHE REPLIED THAT IT WAS. COMMISSIONER WALLACE MADE A MOTION TO APPROVE, SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.

1. Approve license agreement and waiver of claims-extension between General Electric Company and Floyd County.
2. Approve update to the airport owned office lease for the Richard B. Russell Regional Airport.
3. Approve standardizing airport owned office lease rate at Richard B. Russell Regional Airport. All airport owned offices will have a rental rate of Five Dollars and Sixty-Two and a Half Cents (\$5.625) per square foot annually. All offices must have a signed lease and the lease rate will increase annually by the CPI per the lease.
4. Approve the removal of \$6,214.17 from the Tax Commissioner's Roll due to uncollectable taxes.

XVII. OLD BUSINESS

XVIII. NEW BUSINESS

1. **Approve request to transfer funds in the amount of \$27,440.00 from 2020 to 2021 for the remaining amount of the original replacement of nineteen (19) HVAC units throughout the Parks & Recreation division for Floyd County and approve the purchase and installation by Air Masters, Inc. in the amount of \$27,438.00.** — MR. MCCORD PRESENTED THE REQUEST TO THE COMMISSION. VICE CHAIR WATTERS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.
2. **Approve addition of \$1,800.00 to the Superior Court Equipment budget and the purchase of an ELMO PX-30e Premium 4K Resolution Document Camera from Ready or Not, Inc. in the amount of \$1,799.72.** — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION. COMMISSIONER MAXEY MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HANCOCK. THE MOTION CARRIED 5-0.

- 3. Approve transfer of \$83,375.00 from the Capital Projects Fund Balance and \$83, 375.00 from the Richard B. Russell Regional Airport Fund Balance, for a total of \$166,750.00. This will be a budget revision of \$667,000.00 in the Capital Projects Fund, with the funding split being \$500,250.00 of state funds and \$166,750.00 of local funds. This funding is for the construction only of the Airport Perimeter Fencing Project with a 75/25% GDOT/LOCAL funding system. — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION. COMMISSIONER WALLACE MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HANCOCK. THE MOTION CARRIED 5-0.**
- XIX. OTHER BUSINESS — THE COMMISSION DID ENTER INTO EXECUTIVE SESSION DURING CAUCUS TO DISCUSS THE ACQUISITION OF PROPERTY. NO ACTION WAS TAKEN.**
- XX. ADJOURN — COMMISSIONER WALLACE MADE A MOTION TO ADJOURN SECONDED BY COMMISSIONER MAXEY. THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMITTEE, THE MEETING WAS ADJOURNED.**