



FLOYD COUNTY BOARD OF COMMISSIONERS

July 27, 2021

County Administration Building

Caucus—Suite 204

4:00 pm

Regular Meeting—Suite 206

6:00 pm

PRESENT: COMMISSIONERS: WRIGHT BAGBY, ALLISON WATTERS, RHONDA WALLACE, LARRY MAXEY, & SCOTTY HANCOCK; COUNTY MANAGER JAMIE MCCORD, COUNTY CLERK ERIN ELROD, COUNTY ATTORNEY VIRGINIA HARMAN, COUNTY ATTORNEY CHRIS JACKSON, SUSIE GASS, BRUCE IVEY, OLIVIA MORLEY, DANNY WOMACK, BRANDON ELROD, DR. MELANIE CONRAD, COREY TOWNSEND, JOHN SCOTT HUSSER, BRICE WOOD, MEMBERS OF THE PUBLIC.

CAUCUS

1. Update on Floyd County Finance

CHAIR BAGBY OPENED THE MEETING. ADMINISTRATIVE SERVICES DIVISION DIRECTOR & FINANCE DIRECTOR, MS. GASS, UPDATED THE COMMISSION ON THE FINANCE DEPARTMENT. MR. WOOD PRESENTED THE ITEMS FROM THE PLANNING COMMISSION. CHAIR BAGBY & MR. MCCORD CONTINUED THE REVIEW TO THE CONSENT AGENDA AND NEW BUSINESS. DR. CONRAD INTRODUCED THE PLANS FOR THE POSITIONS IN ELECTIONS REORGANIZATION.

COMMISSIONER HANCOCK MADE A MOTION TO ENTER EXECUTIVE SESSION TO DISCUSS PROPERTY ACQUISITION AND PERSONNEL. THE MOTION WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE TO FLAG — COMMISSIONER HANCOCK LED THE COMMISSION IN THE INVOCATION AND THE PRAYER.

III. APPROVAL OF THE AGENDA—CHAIR BAGBY ASKED FOR A MOTION TO APPROVE THE AGENDA. COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.

IV. PUBLIC PARTICIPATION – CHAIR BAGBY OPENED THE PUBLIC PARTICIPATION PIECE OF THE MEETING

DANIEL EASON, 11 ROBIN STREET NW ROME, GEORGIA: “I came to speak about the recommendation to have Vanessa [Waddell] as the Elections Chief Clerk. Having spent three elections cycle as a poll watcher and a poll observer, I have interacted with Ms. [Waddell] several times. She’s very friendly, very cordial. She knows her position, she knows her job, she knows the ins and outs of the office. She knows the law. She did an admiral job during the audit of

the general election and then the full recount. I was here for all of that. She did an admiral job in the counting of the special election for the senators on January 5th. I sat in that room and watched her several times answer questions from folks of all persuasions. People who had beefs, gripes, were disgruntled, or just wanted to know how things worked. I watched Ms. [Waddell] steadily give folks good, sound advice, answer their questions and spend an awful lot of her time doing that. She's competent, she's friendly. She knows the job. She has done the job. We've had, in the general election, we had a major flaw in losing some ballots. But since then the first day I sat in that room I watched our former Chief Clerk come in and say that he had been exposed to someone with Covid so he had to go home and quarantine. From that moment Ms. [Waddell] took over the helm and we did not have a flaw since then. She did the audit, the 100% audit. She did the 100% recount after that and she ran that special election start to finish. Nobody can say that there is anything wrong with any of that. The Republican Party carried this county at about 70% to 30%. Ms. [Waddell] was in charge of that. She did not fix any ballots. She didn't do anything illegal. We watched her, everybody watched her. Both parties watched her. Nobody had a beef with Ms. [Waddell] at the time. She is the most qualified person who put in for this position as a permanent position. She's got certification that nobody else in the pool of applicants has. I sat at a meeting, an Elections Board meeting, a few weeks ago and listened to someone suggest that the County was open to a lawsuit if they had hired somebody with after posting greater qualifications than the state gave you."

CHAIR BAGBY: "Your time is up."

MR. EASON: "Thank you."

MICKEY TUCK, 1319 BETHEL CHURCH ROAD, SILVER CREEK, GA:

"I am here for the concern of the recommendation of Vanessa Waddell for Chief Elections Clerk. Floyd County, we've had problems with our elections clerk, our elections board for years. I have been here over forty years and we've had elections problems for many, many years. Probably outside of Fulton County, my opinion is Floyd County has the worst elections and elections board in the state. So bad that we've made national news a couple of times in this past election. Also, the latest thing I've also found disturbing is that the requiring the certification before hiring. The state of Georgia said you've got six months if you hire someone for this position for them to get the certification and I'm sure we have some well qualified applicants that we don't know about or know their qualifications that could have done this very easily. It's also strange that the other new position that they've hired that's not required. They get the six months, but not the top position. What I understand, we had some great applicants and they should have been interviewed. They were not interviewed. They also, which Virginia was a part of, I came before the Board about some questionable registered voters that they turned down. I understand the reason that you gave and I appreciate that, but as far as I know from this point no one on the Elections Board or the Elections office has investigated those names since post election to

see if those voters, according to the postal service, have moved and no longer live in Floyd County that were still registered voters here. Also, I'm going down a list to go as fast as I can since I am limited. Also, that day in that meeting I was the one that filed that complaint and I didn't know until someone called me saying hey you need to be up here for this hearing. I was at work and had to call my boss and say hey we got to leave work so that's a failure of the Election Board. So for me, I think to increase the confidence of the voters and the quality of the Elections in Floyd County, I'm asking please not to consider Floyd County Board of Election's choice. Force them to do their job the correct way and above board and not by fixing the table so that the only qualified person eligible is narrowed down to the single person that they want when qualified, quality people who applied are not part of the process. So I'm just asking yall not to, for yall to do the right thing to make the Election Board do the right thing so we'll have good, fair, honest elections that people will have confidence in when they go to the poll. I know I got a few seconds left, but they talk about flawless elections and we had our Republican poll workers that were talked down or chastised or ridiculed or got onto and if you give me a few more seconds. The Democrat poll watchers that were from out of town were treated differently because in the Rome newspaper there's an editorial from a poll watcher from Massachusetts about how great Rome was."

CHAIR BAGBY: "Mickey, your time is up."

MR. TUCK: "and how well it was and how he enjoyed talking to the people coming into vote, explaining the voting machines to them and while they were emptying the voter machines against the wall so they were allowed to do that and we weren't. So if we can't have a fair Election Board."

COMMISSIONER WALLACE: "Mickey, your time is up."

MR. TUCK: "Thank you."

TERRI WRIGHT, 5092 FOSTERS MILL ROAD, CAVE SPRING, GEORGIA: "I have been here before you before and since that time we have learned that from one of the election board members that this job description change came about by someone in HR. That kind of turns it over, I believe, to Mr. McCord. We as people that would like to see that this be done fair and proper and an investigation done as to who made the decision to override the state requirements for this job description and have disciplinary action taken because they have put the county in bad light. Also, the things that I have said before. Ms. Waddell she is, and I believe that is the way her name is pronounced, has turned out to be the only one that is able to be qualified because of this qualification, but she did in fact go against the regulations. When it came to allowing Dominion to be in our system and it was posted on your door. They were in our system after election started and that should have been at least three days before. I would like to see a formal investigation. I would request a formal investigation into who

allowed that job description to be changed where she would be the only one qualified to do that. I would also like to have it looked into as to what she did do. Why she thought that signature verification was not important because her feelings they could not be verified. I think that needs to be looked into and she also wouldn't allow us to watch signature verification. All those things need to be looked into before anyone considers her and I would like to see that position opened up again and reposted so that you can get better qualified people to apply for position that, as you all know, you have to be appointed before you can get certified. That eliminated everybody but her. I believe now that, another thing, the salary wasn't listed at the time, the increase in salary. I think that will also bring a lot more qualified people into this pool if you will please just repost this position. Thank you very much."

CHAIR BAGBY: "Thank you."

RHONDA RAYBURN, 105 FRIAR TUCK ROAD, ROME, GEORGIA: "I don't need to reiterate everything that has been said because it was spot on. I too was a poll watcher and we weren't allowed in certain areas. I was a Republican poll watcher. One thing I would like to point out, there's a huge difference between a recount and an audit. An audit is looking for discrepancies and that was not done in Floyd County. It's not been done anywhere except in Fulton County recently and it is being pushed to be done in all the counties and I too would like to see that done as well. Thank you."

CHAIR BAGBY: "Thank you."

CHARLES LOVE, 304 KINGSTON AVE, ROME, GEORGIA: "I am not here to speak in favor of a particular person or a situation. We are living in a time where conspiracies are running rampant and those things cause us to make decisions that are sometimes unwise. What I would, my understanding of this process is an election board process to select this person that is selected by the election board. I have never heard of reopening a job offering when people have had an opportunity doing a normal process to apply for a position. I grew up in a time where at some points in job applications I was considered over qualified. There was a reason for me not to be hired. If you have someone that's qualified, that should be a reason to hire. If there's a process that you establish, that was established by the Elections Board, to seek applicants and those people who wanted to apply did and the person was selected. That's the process. That doesn't have anything to do with party. Doesn't have anything to do with who I am, a democrat or republican, it has to do with a process. You all approved a process. The Elections Commission approved a process. That process played its way out. A person was recommended and that's the way it should be. We should not go around spewing things that are not provable or accurate. We should rely on the process that in the past worked. So why shouldn't it work in this instance. Thank you."

CHAIR BAGBY: “Thank you, Charles.”

MARSHA YANCEY ATKINS, 608 RIVER AVE SW ROME, GEORGIA: “I am not very good at public speaking so I wrote down what I wanted to say so I wouldn’t forget anything. I am here because I would like to commend Ms. Waddell for her professionalism and her role as acting Elections Chief. Over the past four years I have frequently visited the Board of Elections office and what now is my prior role, voter registration chair for the League of Women Voters. I have done probably thirty five voter registration drives over the past four years, if not more. I was also a poll watcher during the endless counting and recounting of the paper ballots during the last election. I have found Ms. Waddell knowledgeable in election laws pertaining to voter registration, voter identification, election protocol, ballot handling and counting. She is always polite and efficient in carrying out the duties and mandates in her role. She has always been prepared and helpful when I’ve had questions, needed applications, or information. I noticed a marked difference in professionalism and efficiency as a poll watcher during the first count of paper ballots and then subsequent recounts. Initially, the former election chief was in charge of the first paper ballot count. Ms. Waddell was in charge of second and third recounts. She was meticulous in making sure all poll watchers were appropriately identified and had received appropriate training. Even though she knew me from my prior visits to the office, I had to show my identification, show that I had been trained, etc. She was very nonpartisan in her actions with everyone who was waiting in line to be a poll worker. I was impressed. Rules and laws pertaining to poll watchers were posted and enforced in a nonpartisan manner and as I said I was there for all of them, including the first one, and I never saw a rule I never saw anything like that. She was present and attentive and during the height of the pandemic made every effort to keep her staff and volunteers as safe as possible by enforcing all safety protocols. It’s not just about the elections and the job, it’s also about managing employees and taking care of them. She made no unnecessary interruptions and rigorously followed protocols to ensure that our votes were safe and counted. We are fortunate in Floyd County to have Ms. Waddell. Her years of experience and her integrity will continue to be beneficial to our community. Thank you.”

CHAIR BAGBY: “Thank you.”

MARK SWANSON, 224 ROLLINGWOOD CIRCLE NW ROME, GEORGIA: “Good evening. Thank you for allowing me some time to speak to you tonight. On 7/13 during the commission meeting I read into the minutes a letter that I had prepared for the commission that cited fifteen possible violations of Georgia election laws during the last election process. Based on those concerns that were outlined in that letter, on 7/23 I emailed all the commissioners a letter requesting for a performance review from the state elections board as per Senate bill 202 provides. I would like that letter made a part of these minutes. The letter on 7/23 outlines your governing authority to request a performance review from the State Elections Board. On 7/27, today, I sent in a resume that was one of nine

applicants that were not considered. The resume was given to me by the applicant. I will quickly cite off the resume's key facts. This person has a Master's degree from Tulane University, has a Bachelor's degree from Emory University, has held numerous positions of management and oversight, is a certified fraud examiner, and also a graduate of Leadership Rome. I asked this person if they had been contacted in consideration of the position. They said they had not. Now that's only one of the nine applicants that were submitted. We don't know what the rest of them look like. This person's qualifications, I think, are pretty strong to be considered for this position. Let alone, the other eight possible applicants. Also, on 7/27, earlier today, I sent each of you in your emails a spreadsheet of something I became aware of. In that spreadsheet, it was in regard to the recount of the Presidential election where Floyd County reported 307 fewer votes than they did in the general election tally. Apparently that was the result of double counting a batch of votes during the recount. Now that doesn't sound like a lot, 307 votes, but that was a difference of .74% in the votes from Floyd County. Again that still doesn't sound like much, but as a reminder, the margin of victory was .24% overall. So simply put, if all the counties had missed as much as Floyd County, the elections result might be completely different. Because of those concerns, and all the other concerns that I've outlined here with, I ask you to please request a performance review by the State Elections Board of our Elections Department to allow us to continue to restore the credibility of our elections office. Thank you."

CHAIR BAGBY: "Thank you, Mark"

JEREMY SMITH, 201 RIDGEDALE DRIVE, SILVER CREEK,

GEORGIA: "2020 was my first election that I ever had the honor of working. I got to be a vote review panel judge and I saw a lot of things in that election and I learned a lot of things. One thing that really stood out is the level of service, of public service that people give in these elections. There are so many people like Ms. Waddell, and honestly, Mickey Tuck and many other people, Republicans, Democrats that give their time, their energy and really put a lot into making sure our elections go off smoothly. Not everybody was like that. There were people that were helpful that did their job and made sure things went right. And then there were disruptors and obstructionist. What basically, when we first got there, Robert Brady decided that the Democratic side did not need to have any vote review ballot judges due to some kind of procedural, I have no idea what. Obviously he was not correct, but my very first 'hey, welcome to the election' is the Republican side saying no the Democrats cannot even participate in this. It seemed kind of weird, but we got it worked out. And then we had this gentleman that was supposed to be a poll watcher who disrupted people and intimidated people, followed one of the Dominion techs into the bathroom recording him on his phone. These were the Republicans doing that. His wife also got kicked out of being a poll watcher. What I am trying to say is there are some people that come into this position, into this work, and do it with the mind of being of service to the public. And then there are some people who just listen to lies and conspiracy

theories and want you to do an audit and other ridiculous stuff. Ms. Waddell most certainly deserves whatever position that you can give her. She's had twenty years' experience. Granted, I only did the 2020 election, but with all the recounts and audits I got like twelve years election cycles worth of experience. But it is still nothing compared to her. And when I heard that people were objecting to the big salary I thought well good lord, it's got to be \$100,000 or \$200,000, how much are they paying her? And it's what a third grade teacher would be making. Come on. Absolutely she deserves it. Please consider it. Thank you."

CHAIR BAGBY: "Thank you."

DANIELLE BRAY, 1421 CHUBB ROAD, CAVE SPRING, GEORGIA: "I am here today on behalf of the Chubbtown community. There's three things that I want to focus on. Again, it's broadband. We really want to make sure that we are getting broadband for the area. I have done a lot of legwork as you know to get it here. So we want to make sure we are doing that. Then also the litter and the mowers, if they could come out that would be great because I haven't heard anyone since, I think her name is Mandi said something about tractors were not working. Could we please have someone up there? Thank you."

CHAIR BAGBY: "Thank you, Danielle"

MIKE MURDOCH, 106 DODD STREET, ROME, GEORGIA: "I am not here either to [INAUDIBLE] the integrity or the character of the Board of Elections nomination, but I am here more out of concern for what this office entails. I have heard a lot of bipartisan back and forth already this evening and frankly I never gave a hoot about what flavor the candidate is, but it's the job they do. I came from forty four years of being in an industry where you are, you're hired, you're promoted, and judged on the performance in your job. And I must say for the first time in my adult history I was supremely disgusted with the way our elections were run the last term. We became, not only a local and regional, state disgrace, but a national disgrace. My question to you as commissioners is, first of all, the integrity of our elections are the most important thing that we as citizenry looks at before we go into vote. Are they fair? Are they legal? Are they honest? It's one job. The Board of Elections has one job to do and that is to see that the Board makes sure that the elections are fair, honest, and open. The last election it was a far cry from that so my question tonight is why would you promote from within someone that was involved in a department that didn't do their job, their one simple job. And provide a pay raise for a failed system. I am sure that the candidate is a person with integrity and it seems as so with some of these constituents that they've pointed that out. But once again I am not here to attack the potential new hire for this position, but is this the right choice? Is our county making the right decision putting someone in that has been used to a system that obviously was a disgrace, not only to our county and our state, but nationally in this last election. Thank you."

CHAIR BAGBY: “Thank you, Mike.”

BOB HENDERSON, 88 GLEN LAKE ROAD NE, ROME, GEORGIA:

“First I would like to thank you for your service as commissioners to our community. We are a representative government and we elect you and I am proud to have, to be a citizen in this community in which you are leading. Thank you very much. There’s a lot of discussion about redoing what has already been done. You have appointed a board of elections and they have gone through due diligence to select the person to be the chief clerk. If you decide that you’re going to reverse that decision, just remember that two months from now you’re going to have somebody else come up here that says that person does not qualify to work because some reason that they shouldn’t be appointed. Put your trust in your Board of Elections and make you decision accordingly. Thank you.”

CHAIR BAGBY: “Thank you, Bob”

LARRY MORROW, 313 DELLWOOD DRIVE NW, ROME, GEORGIA: “I

am here in support of Vanessa Waddell. A long time employee of the Elections office. I think there has been a lot of misunderstanding as to how the elections supervisor was chosen. I don’t think the public knows that legislation has been mandated in Georgia. Georgia legislation says that the election board supervisor will be chosen by the election board of that county and then that person that they choose will be then confirmed by the commission. I think a lot of people don’t understand when people are talking about interviews, interview this or interview that, well the Election Board chairman does the interview and Human Resources Department and the County don’t do any interview. I don’t think a lot of people understand that. Elections supervisor, he chooses that particular person. I think the last two supervisors of the election we had were chosen by Steve Miller. I was in a board meeting here three years ago in 2018. Steve made a comment that he hired Robert Brady. He hired him, that’s what he said. Not Human Resources and a lot of people don’t understand that and I think that’s something that needs to be helped to be explained to the public here that the position itself, the person that’s chosen by the election supervisor, chairman I’m sorry, and that’s the criteria. There’s nothing else you can read into it. Once this election supervisor has been chosen and confirmed, the County Commission can do nothing else with that particular employee. That’s what happened in the case of Robert Brady. You guys couldn’t fire Robert Brady. I mean you could fire him for maybe something that was really detrimental. Robert Brady, he kind of chastised me and some other people in a meeting and I complained, but nobody did anything because you couldn’t do anything because the state legislation. It says you can’t do anything once you confirm them, you don’t have any say so anymore. The Election Board has all the say so. So I am just here to say to you that the general public need to know that all these criticisms about they weren’t interviewed and they’re qualified, that rests in the hands of the Election Board chairman who chooses the person that they recommend to the County Commission for the job of Election Supervisor. Thank you.”

CHAIR BAGBY: “Thank you, Larry.”

SONYA SHULER, 1880 FOSTERS BEND ROAD, ROME, GEORGIA: “I’m here today because I want to discuss the election and I was elected by a lot of my family and friends to come up here to speak. We feel like the election was run very poorly and we feel like that there shouldn’t be anybody appointed anywhere or anybody getting a raise any time until we get to the bottom of what happened to the election in 2020. There was a lot of, 3,000 votes missing, and if Ms. Waddell was in charge of that then that was very poorly on her part. I don’t think you’re supposed to give a raise to incompetence. I also think that, or want to know, it’s come to everybody’s attention that in Arizona and Maricope County, the audit that they’re doing. They have found out that Dominion, it was in Dominion’s contract for them to have their machines that they control their election. I think everyone here needs to know if Dominion is controlling our elections. Because Dominion was clearly counting our votes and not only was it Dominion counting our votes, it was a guy by the name of Eric Thompson, I think is his name. He was Kamala Harris’s personal photographer. I called to check on my vote to see if it counted and three days after I called they still had not received my vote so something was not done right. I just feel like we need to do an audit, a real audit to find out what happened. Nobody I know trusts these elections. So I feel like something needs to really be done and believe me I am speaking for a lot of people that couldn’t be here today. Thanks.”

CHAIR BAGBY: “Thank you.”

AMY MENDES, 201 E 3RD AVE, ROME, GEORGIA: “Good evening and thank you for this opportunity to address you about this matter. I think that obviously what our last speaker said really resonated with a lot of people in this room. She said a lot of people don’t trust our elections and that is indeed a very big problem. I think, unfortunately, the reason that people don’t trust the results of our election is because they are being fed a constant diet of misinformation and paranoia. Unfortunately, I think we can see that playing out in this process as well. I know the members of the Board of Elections, I know some of them personally. I certainly worked with them as both a poll worker, a poll watcher. I also worked one election to verify signatures for mail in ballots. I’ve seen the professionalism of both the poll staff and our Board of Elections. These are our neighbors. They are good people who have received death threats. I think everyone needs to calm down and let them do their jobs. Our Board of Elections has recommended someone with twenty years of experience and yes, much of that experience happened under the supervision of previous chief election officers who we have now realized were not doing their job properly. Vanessa should not be held responsible for that. No one has any proof, any evidence, any firm accusation of anything that Vanessa has ever done other than her job, and well. I hope that you will listen to the recommendation of the Board of Election that you appointed and take the recommendation and hire Ms. Waddell. Thank you.”

CHAIR BAGBY: “Thank you very much for all of you. No matter what you think, we live in a great place where we can have discussions like this and we’re very appreciative of public participation and appreciate you being here tonight.”

THIS CONCLUDED THE PUBLIC PARTICIPATION.

V. APPROVAL OF MINUTES

1. **Adopt minutes of Caucus, Regular Meeting, and Executive Session of July 13, 2021. — MINUTES STAND APPROVED AS SUBMITTED.**

VI. SPECIAL RECOGNITION

VII. PROCLAMATION

VIII. FIRST READING

**IX. SECOND READING/PUBLIC HEARINGS
(FIRST READINGS WERE HELD JULY 13, 2021 AT 6PM)**

1. **File SUP21-06-01 requesting a special use permit for multi-family housing for the property located at 3840 Martha Berry Blvd., Rome, Georgia; Floyd County Tax Parcel J11X017. Staff recommended approval. Planning Commission recommended approval 5-4. — BRICE WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY EXPLAINED THE RULES OF THE PUBLIC HEARING, AND DECLARED THE PUBLIC HEARING OPEN.**

SPEAKING IN FAVOR:

TONYA SHEPARD, 1481 OLD DALTON ROAD NE, ROME, GEORGIA:

“I am the property owner. Once I bought this property I had several things I wanted to do with it. My neighbor introduced me to her niece, she works at LivingProof. I had a meeting with them and I highly favor what they are going to do at this property. I think it will be an asset to the community. It’s not going to, I know a lot of neighbors are concerned about it, but I really believe in this program. I’m going to save my time in case anybody has any questions later and let someone else speak.”

JENNIFER JENKINS, 2880 OLD SUMMERVILLE ROAD, ROME,

GEORGIA: “I am a person in long term recovery. I am now a homeowner in the community we are speaking of because of the programs that are offered at LivingProof. I may have gotten to where I’m at earlier in life if we had more opportunities for sober living. So I just want to keep that in mind, that it is not

something that is going to downgrade the community. It's something to help us better ourselves."

AMY YOUNG, 107 BILLY PYLE ROAD, ROME, GEORGIA: "I am also a person in long term recovery. I am also a member of the board of directors for LivingProof and I opened up their existing facility that they have on Shorter Avenue. I can speak to the fact that these programs that LivingProof are running in our communities are enhancing the lives of the people that are living in the communities, not just those that are directly affected by recovery or addiction issues, but their families. Over the last five years that I've been involved with LivingProof I've seen numerous families put back together. People that were experiencing incarceration are now running businesses, they're now adopting children. It's amazing what you can do when using the resources that you have and obviously there is a resource in our community that is opening up the ability to change lives. We ask that you please open up your hearts and your minds to give that a possibility."

RENALTA HOUSTON, ADDRESS NOT PROVIDED: "I am a student at Jacksonville State University. I am working on my Master's and I will graduate on August 6th. I did my internship at LivingProof and it is an amazing place. When I walked in, I thought 'gosh this is peaceful.' I looked around and everything was designed for living a normal, healthy life unlike a lot of facilities. I am also an addiction counselor. I came in and everybody was receptive. They were kind and gentle and showed empathy and I thought this can't be real. A couple of days later, everybody was the same. A month went by, everybody was the same. Six months went by, nothing changed. They embraced me, gave me an opportunity to work with them. These are people that I have never met before. They allowed me to participate in the staff meetings, participate in the outings. I was able to get to know the participants or clients at LivingProof and they are happy there. They're lives are changing. This is something that I did not plan to say, but I am in recovery also. I have not used drugs or alcohol in forty years and this is the first time I've said that publicly among this many people. I just want to advocate for the agency because the staff are amazing and they're doing amazing work. I have been an addiction counselor since 1996. I have never, ever in all my time working seen a facility that embraces people like LivingProof and if you don't believe me, you can show up any day, any time and the same thing will be happening. I just wanted to advocate on behalf of LivingProof."

MIKE CLARK, 2711 PLEASANT VALLEY ROAD, ROME, GEORGIA: "I have the honor of serving on the board of LivingProof. I have a family member that had a drug addiction problem. It's heartbreaking to see them out there on the street. No job, nothing. Hoping you don't get that phone call and expecting to get it, to be honest with you. So imagine putting yourself in those shoes when you're addicted and you've got no place to go, you've got nowhere to stay. You've got a group of folks here that will take you in. Cost you nothing, well the LivingProof will cost because they've got to INAUDIBLE. But it's an opportunity. If we don't

reach out and help those citizens in our community it's going to cost us all more in taxpayer dollars, jail time, whatever. This is zero taxpayer dollars, zero and it is going to help so many people. I don't have the exact number, but I think it is, you will be shocked. There was something over 5,000 touches a month from LivingProof in this community. Imagine what it will be if we expand it.

CATHERINE LOVVORN, GREENLEAF DRIVE, ROME, GEORGIA:

"First of all, I want to say I am a person in long term recovery. Five years ago today I walking the streets with a trash bag in one hand and my son in the other, but because of recovery and connection and because of getting the opportunity to help build LivingProof and to help build Next Door, my life is so abundant. I learned things about myself and about others and I had been through multiple, multiple rehabs in my life for fourteen years and nothing worked until this. We have been running our Next Door program since May 2019. It is very successful. Today because of recovery, I get to live in a home with hardwood floors and have my children and be a member of the PTO, which I never thought they would let me do, just saying. Everyone is redeemable and that is what we're doing. Somebody touched me and healed me and that's what we're working on is healing our community. We've had the opportunity since 2016 to heal the City of Rome and we don't want to just get the City of Rome. We want to get Floyd County, so that's what we started doing is reaching out to the rural areas. How can we help you? What do you need? What is your barrier? One of the biggest barriers out in Armuchee is transportation. They can't get to us. The bus line doesn't go further. So what are we going to do? We're going to bring it to them. Not only is this location going to be run off this exact same program that we found is working, we've got partnerships with the drug courts that say do you have a bed? Do you have a bed? We just didn't have any more beds so we need more space because what we're doing is working. We have an amazing board, we have an amazing staff and we really believe in what we do because we are all in recovery. We all have lived experience. We all are thriving because of connection, because of our community. Because of what's going on, there is healing and we don't just want to heal here. We want to heal the entire county. Through us, using us through our experience, we also have certified peer specialists of addictive diseases on staff. I just currently did a two week training for mental illness as well. Dual diagnose is huge in our community. What came first the chicken or the egg? You don't know what came first either addictive diseases or their homelessness or their mental illness. We partner with Elevation House, the Salvation Army we work with them all the time. We work with Hope Alliance, I know you guys have heard of that. We really and truly want to heal our community. We've never had any domestic disturbances and I do want to say that some of tenants were concerned about their property values. They were concerned that maybe us bringing our organization in there would devalue their property, but it's public record everything that we've done thus far has never, even our recovery residence, has not brought any property value down. What we're trying to do now is we just want to push healing out further in our community. People are getting better and better and better. We want to continue to be a part of that.

Just think about that. I know you know somebody that knows somebody or you've been affected or your family has been affected. Everybody gets healed differently. We just want to help."

SPEAKING IN OPPOSITION:

JOHN HUSSER, 401 BROAD STREET, ROME, GEORGIA: "I am a local attorney here on behalf of a number of adjacent property owners. The presentation that you just received was about a rehabilitation facility for people addicted to alcohol and drugs. We're not here to suggest to you that there is not a need that type of facility here in Rome. What we're here to talk about though is a zoning matter. A special use of a property. My concern in terms of this board's consideration is first of all, the application that was filed. The application indicated that this was to be a facility for women. Then only towards the conclusion of the meeting at Planning Commission, it was articulated that it was going to be a facility for men. That in and of itself, the application is deceptive. The second thing and this was a matter brought to the Planning Commission's attention by the County Attorney, and I applaud her for doing so, but under the Unified Land Development code Section 1.43 as relates to non-conforming developments and the limitation that it imposes on repairs to non-conforming structure. In terms of they're not exceeding 50% of the replacement costs of the structures that currently exist. So what they are requesting be done right now would be in violation of the zoning code that you have. Again, I'm here to talk about the use, not the purpose for which the property is put to. The other thing is that pursuant to Section 2.2.4 the standards for zoning changes. One of the most important factors is the use and usability of the adjacent or nearby properties. I attended that Planning commission meeting and there was no one there, adjacent property owner, the owner of the property was there saying 'I'm going to lease this property', but all of the adjacent property owners were there to speak against the special use permit that was granted by Planning. I've got adjacent property owners that I would like to introduce."

MARK WALL, 514 BROAD STREET, ROME, GEORGIA: "I own the Piggly Wiggly in the shopping center out there and I am the largest property owner out there and I pay the most taxes. Personally, I've dealt with the addiction thing with a family member over fifty years and the success rate is not very good. I do have concerns. I've got a letter I think yall got that I gave to her to give to you. I've got two female owned businesses out there. New Image Hair Salon and 813 Nutrition and both of them are very concerned about having that in their neighborhood and being out there. As Mr. Husser said when you look at that none of the adjacent property owners are for this proposed use."

ROBERT L. MOSS, 12 HORSESHOE BEND SW, ROME, GEORGIA: "I'm an engineer by profession. I own the adjacent property, the nearest property to this facility. I think the idea of the facility is a good idea. I think it should be done somewhere, but I think this is the wrong place for it. I support other areas like

Northwest Georgia Hospital area, but that's not available at this time. The existing property is dilapidated. It has two mobile homes on it. They have to get on my property to repair the sewers because it's only about four or five feet away from the property line. Doesn't come close to the ULDC. According to the ULDC Section 2.4, special use permit requires that no adverse effect to the adjacent properties will be done by any kind of action like this. The tenants that I have in my properties, I have two places, are elderly and they're all very good tenants. They've been there a long time. They do the best job they can to stay there, but I think that possibly they will leave if this goes in. As I said, two of these facilities are double wide mobile homes. They have electrical power. It requires a double wide mobile home or a mobile home to have electrical power on a separate pole. They have a separate pole. It has two meters on it and it leans so badly that they had to put a 2x4 to stand it up. The electrical on this property is going to be economically unfeasible to renovate this property to bring it up to code. On the back of these two mobile homes, they are not underpinned. Through the years they've frozen and busted the water lines because of the cold. They didn't have an emergency exit at one time. I think they may be working on that. These properties were designed for overnight stay, like a motel or hotel type. They're not designed for the kind of stay these people will require. I am for this program I just don't think this is the right location. When the property was used prior as a motel, people would cut through my property as a shortcut over to the Piggly Wiggly and other facilities over there. We try to keep repairing the fence, they tore the fence down and there is no fence on part of that property at this time. I feel like this is just the wrong place for this kind of facility. I am not for or against the facility, I am against the use of this property for that purpose. Thank you very much."

SHEILA BAKER, ADDRESS NOT PROVIDED: "I am the owner of New Image Hair Studio next to the said property. I just feel like this is really not a good thing as far as my business. Like she was talking about, they'll have no sort of transportation so therefore they'll be walking back and forth and the schools are half a mile both ways with these people walking and doing their things. I work with a girl, she's worked at my business for fifteen years that was part of the Star House. Therefore, yes some people do get right, but how many don't and then they go out wandering and doing their thing. All of my elderly clients are very, very nervous about this and also I don't think it's good for my community because I am a homeowner in this same community."

JOHN HUSSER, 401 BROAD STREET, ROME, GEORGIA: "Again, having been a practicing attorney for almost fifty years, I am well aware of the drug problems that exist in this community. I am very much in favor for drug rehabilitation, but I would remind this board that it needs to enforce the law. By granting this permit, your granting a permit could be subject to legal challenge. Thank you."

CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY ASKED IF COUNTY ATTORNEY CHRIS JACKSON COULD ELABORATE REGARDING ULDC.

COUNTY ATTORNEY CHRIS JACKSON: Stated every structure that is on this subject property is a non-conforming structure under our current Unified Land Development Code. Attorney Jackson explained this means they violate setbacks, which provide room to work on a building. Stated other issues are there is no required landscape strip and one of the properties may actually sit on the right of way. Attorney Jackson referenced the ULDC which states a non-conforming structure can continue to be used, except it cannot be repaired or altered after damaged which has exceeded 50% of its replacement cost. Stated LivingProof has not discussed costs, however, we do know from Building Inspection that it is going to require a substantial amount of repair. Also stated the ULDC says non-conforming structures shall not be enlarged or altered that increases non conformity, which would also be an issue.

COMMISSIONER MAXEY MADE A MOTION TO DENY THE REQUEST. IT WAS SECONDED BY COMMISSIONER HANCOCK. THE MOTION CARRIED 5-0.

COMMISSIONER WALLACE MADE A STATEMENT THANKING LIVINGPROOF FOR COMING AND SHARING THEIR STORIES. STATED WHAT THEY ARE HEARING FROM THE ATTORNEY AND THE ULDC, THE COMMISSION IS NOT AGAINST LIVINGPROOF, BUT THIS PROPERTY DOES NOT WORK FOR WHAT THEY ARE WANTING TO USE IT FOR. STATED THIS COMMISSION FULLY SUPPORTS WHAT LIVINGPROOF IS DOING.

2. **PUBLIC HEARING ON FY 2021 MILLAGE RATE** — CHAIR BAGBY OPENED THE PUBLIC HEARING. SEEING NO ONE IN ATTENDANCE TO SPEAK, THE PUBLIC HEARING WAS CLOSED.
3. **File SUP21-07-01 requesting a special use permit for mixed use (residential & commercial) for the property located at 3478 Martha Berry Highway, Rome, Georgia; Floyd County Tax Parcel J11Y029. Staff recommended approval.** —BRICE WOOD PRESENTED THE REQUEST TO THE COMMISSION. APPLICANT RESCINDED APPLICATION FOR SPECIAL USE PERMIT. CHAIR BAGBY OPENED THE PUBLIC HEARING. SEEING NO ONE IN ATTENDANCE TO SPEAK, CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO DENY WITH PREJUDICE. IT WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.
4. **File Z21-06-03 requesting rezoning from Suburban Residential (SR) to Multi-Family Residential for the properties located at 0 Chateau Drive,**

Rome, Georgia; Floyd County Tax Parcel J15Z234. Staff recommended approval. Planning Commission recommended approval 8-0. — BRICE WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING.

SPEAKING IN FAVOR:

JACK PEARSON, 603 WEST 1ST ST, ROME, GEORGIA: “I am the developer and as the commission knows, Rome and Floyd County is in desperate need of housing and I have had this property for about nineteen years. With skyrocketing development costs and building materials going up rapidly, the idea here is to develop much less of the property and just condense the development into townhomes so I can keep everything as compact as possible. I think it is very fitting Chateau. Everything on Chateau is M.R., currently I am the only piece of property on Chateau that is not M.R. If you have questions I am happy to answer any questions.”

SPEAKING IN OPPOSITION:

GRANT MILLER, CALLIER SPRINGS ROAD, ROME, GEORGIA:

“Before we go forward in passing such things I want to point out that for over a decade I have been trying to address issues related to sewer and drainage issues for that part of the area including Callier Springs Country Club runoff, water related run offs, and sewer issues that have not been addressed, related to infrastructure that probably need to be looked at before we start adding to those larger issues. Already we’re having, we regularly have to have the sewer department come out to breaks, leakages and it goes through the entirety of the golf course on my property. I just thought I would bring that up to your attention before any approval is done for any additions in the area.”

REBUTTAL:

JACK PEARSON, 603 WEST 1ST ST, ROME, GEORGIA: “I’m not sure if this was entered in with the application, but I have an engineering report with the sewer capacity for that area and it has sewer capacity and it has been done by an engineer here in Rome.”

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

5. **File Z21-06-04 requesting rezoning from Suburban Residential (SR) to Light Industrial (LI) for the property located at 31 June Street, Rome, Georgia: Floyd County Tax Parcel L12Y124. Staff recommended approval. Planning Commission recommended approval 8-0. — BRICE WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING. SEEING NO ONE IN ATTENDANCE TO SPEAK IN**

FAVOR OR OPPOSITION, CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER HANCOCK. THE MOTION CARRIED 5-0.

6. **File Z21-07-01 requesting rezoning from Suburban Residential (SR) to High Density Traditional Residential (HDTR) for the property located at 0 Eden Valley Road, Rome, Georgia; Floyd County Tax Parcel I16W014A. Staff recommended approval. Planning Commission recommended approval 7-2.** — BRICE WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING.

SPEAKING IN FAVOR:

BERNIE SMITH, 4763 JEFFERSON TOWNSHIP, MARIETTA, GEORGIA: “I am the applicant and developer and here with the owner of the property. I met a lot of nice folks here this evening before the meeting got started. One thing I’d like to make sure everybody understands is we’re not asking for any changes to what we’re already approved for except for the zoning designation, which actually gives us ten foot deeper building pad. Some of the nice folks I met this evening were concerned about the density being increased and traffic and I just wanted to put them at ease and say we’re not asking for anything more than we’re already entitled for. We just need a little bit more deeper building pad and that’s why we’re here. Happy to answer any questions.”

CHAIR BAGBY: “What about your ability to change the entry road?”

BERNIE SMITH: “That would be really difficult. We’ve got all the infrastructure in, the sewer, the storm, the curb, gutter. Engineering is done. Basically right now we could put the pavement down, finish a couple of things and we would be done with the neighborhood and start building. To change the entrance would be a really monumental task.”

SPEAKING IN OPPOSITION:

BRAD BURGESS, 45 CLUB VIEW DRIVE, ROME, GEORGIA: “I’ve lived in Edenfield for twenty two years now. That area down there whenever they started building it, before they started the little subdivision they did, it used to be a beaver swamp. We used to ride four wheelers on it. Then when they developed it, one of our old neighbors, Don Black, who is the one that came and got this shot down the first time. The first people that built it, I don’t know, their engineer didn’t set it back far enough, but they put a house in there and that’s why they would have to get this exception. They could have cut a road down one of the sides and put houses on one side. It’s just not wide enough for them to put it on both sides of that road. Where that entrance is, it’s just on the side of a hill and if you put that many more cars there, we already have a lot of wrecks right there in

the curve right before you get to that. My friend Travis Smith who lives on Eden Valley Rd, he's had five wrecks in his front yard. There's been multiple wrecks, if you look at both sides of BWA's old entrance there's walls right there, both of them are in disrepair because they've been hit by a car. Buses turning in there, it would be an accident waiting to happen. People come down that road going fast and it's in a curve and a hill and it's just a lot. There will be way too many cars, with the number of cars that come out of our neighborhood and then have to deal with all seventy houses, that road is not wide enough."

BILL BLACKSTOCK, 6 CLUB VIEW DRIVE, ROME, GEORGIA: "I feel like you talking about the offset for the property line. The developer shouldn't use that before he started a subdivision. The service that's already put in, Georgia Power messed up because they're supposed to have an approved subdivision plat before they put the underground in. I worked for Georgia Power for thirty years, engineer. They could take down the number of the lot to get the set back, but of course they're losing money because that's going to raise the price of the lots. From Hwy 27 coming into Eden Valley Road, they need to look at the entrance to that new subdivision, the one they want to get approved. There's a hill and a curve. Somebody coming out and they're coming over that hill, there's a good chance there would be a wreck especially if they were going to Lindale. So that and the other reason I feel like it should be denied."

PHILLIP MAY, 30 CLUB VIEW DRIVE, ROME, GEORGIA: "I think this is a safety issue. When Captain Wayne Smallwood was with the Floyd County Police Department, he made a statement to me one day saying every time I am on duty, every time it rains and I have a spare officer, I put them on Eden Valley Road because of the high volume of accidents we have there. When school starts, Pepperell traffic overruns Eden Valley Road. It's very dangerous for the teenagers, the teachers, and the buses. I don't want us to wait until we have some fatalities there to make some changes. When you're coming out of Princess Branch, this proposed right now, if you take a left turn towards Lindale, it's totally on faith. You cannot see anything coming off of Hwy 27. I talked with Officer Dan Bickers and asked him to get you some facts because you need to make decisions based on facts rather than on people's feelings. He asked his captain and they were not able to produce how many wrecks we've had in the last two years on Eden Valley Road. Tonight I want to give you this invitation. Please, please let's make sure we take all the precautions we can to protect our children, our teachers, the Darlington traffic that comes in and out of our neighborhood, and also my neighbors who actually shouldn't be driving anymore."

JERRY GREEN, 40 CLUB VIEW DRIVE, ROME, GEORGIA: "I am not opposed to any kind of progress at all. I have two concerns. One of them is the safety of the location of this place. The entrance to where it would come into Eden Valley Road is very dangerous. The other one is this going to be something that enhances Floyd County and the neighborhood that's already there or would it

later on be something that would be not as good as it should be. Like I said, I'm not opposed to progress, but I would ask you to look at this situation."

RONALD HOOD, 266 RAVENWOOD DRIVE, ROME, GEORGIA: "I am one of the newest people moving into that area. I just heard about this and people talking about if this is going to affect property values. I don't really care so much about property values, but I do want to come in here as a new person who has been driving in that area. Talking about the safety, there is a real problem with putting more traffic on that road because more than once, driving slowly if it rains the least bit, if you touch your brakes you're going to slide on that road. You put more children, more families there, you are increasing the risk to all those people."

REBUTTAL

BERNIE SMITH, 4763 JEFFERSON TOWNSHIP: "I'd like to add to all the folks here tonight that we can go ahead and finish the neighborhood as it is and put the sixty eight homes in some titles and build them. It wouldn't be fair to the neighbors because the value of the homes wouldn't be very high based on the size we'd have to build them and it would devalue their property. I hear the concerns about traffic and I definitely understand it, but when you come out of that neighborhood and turn left, you've got plenty sight of vision. The problem might be that people are going too fast and not following the speed limit. For us to move that entrance, I would rather be denied and just finish the neighborhood as is. That would be my preference."

CHAIR BAGBY THEN CLOSED THE PUBLIC HEARING.

COMMISSIONER HANCOCK: "Are you from here, sir?"

BERNIE SMITH: "No."

COMMISSIONER HANCOCK: "When you build here, you have to live here and be around here to appreciate what these people are saying. I live in that neighborhood and everything that was said up here is spot on. And you're wrong about what you said about the sight. I don't know how you got the subdivision approved, but that's beside the point and legally there's nothing we can do about it. If you're going to be a builder and be successful, you have to be a friendly neighbor as well. I would recommend that you reconsider moving that driveway. That's totally up to you if you do that, but there's going to be another 138 homes built on that golf course so you're going to add 200 homes in that area back to back and additional traffic to an already narrow road that the County and taxpayers will have to foot the bill to widen that road and make corrections on it. I would hope that you would reconsider that. We can deny it and you can go ahead and build it however you want to, but future variance or anything you come to, this may not be favorable to you later on down the road."

COMMISSIONER MAXEY MADE A MOTION TO DENY THE REQUEST. IT WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 4-0 WITH COMMISSIONER HANCOCK ABSTAINING DUE TO HIS COMMENTS MADE DURING THE DISCUSSION PERIOD.

7. **File Z21-07-02 requesting rezoning from Community Commercial to Suburban Residential (SR) for the property located at 3547 Martha Berry Highway, Rome, Georgia; Floyd County Tax Parcel J11Y253. Staff recommended approval. Planning Commission recommended approval 9-0.** —BRICE WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING. SEEING NO ONE IN ATTENDANCE TO SPEAK IN FAVOR OR OPPOSITION, CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.
8. **File Z21-07-03 requesting rezoning from Suburban Residential (SR) to Agricultural Residential (AR) for the property located at 0 Billy Pyle Road, Rome, Georgia; Floyd County Tax Parcel G14W003A. Staff recommended approval. Planning Commission recommended approval 9-0.** — BRICE WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING.

SPEAKING IN FAVOR:

JESSICA AGAN, 10 MADISON CIRCLE, ADAIRSVILLE, GEORGIA:

“We bought the property this year and it’s fifty acres, but we can only build on two. We only plan to build on two. We can’t put any permanent structures on the other forty eight acres that are all untouched. We plan to do that in the next several years and would like to use the property as much as we can. It makes sense for it to be agricultural. It’s under the conservation deed forever. We can never change that. It can never be split. Like I said, it can never be built on except for the two acres. Pretty much everything he said stands. There’s not a whole lot else we can do other than our two acres so it makes sense for it to be similar to the new land.

CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.

9. **File Z21-07-04 requesting rezoning from Suburban Residential (SR) to Agricultural Residential (AR) for the properties located at 545, 547, and 555 Burnett Ferry Road, Rome, Georgia; Floyd County Tax Parcel H13Y588, H13Y574, H13Y574, H13Y572, and H13Y575. Staff recommended denial. Planning Commission recommended approval 9-0.** — BRICE WOOD

PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING.

SPEAKING IN FAVOR:

JESSICA AGAN, 10 MADISON CIRCLE, ADAIRSVILLE, GEORGIA:

“Last time we were here last time those folks for this land thought they were approved when they left. They were very excited and thought that was it and that there wasn’t another meeting. I have a feeling they don’t even know this is happening right now. That’s neither here nor there, but I can say they purchased the land with a horse already on it. They bought the horse with the land for it to be agricultural use. I kind of feel bad for them if it happens to get denied. I understand the chicken house process would not be a positive impact and I don’t know what to say about that, but it laid upon my heart to speak on their behalf.”

BRICE WOOD STATED HE HAD REACHED OUT TO THE APPLICANTS REGARDING THIS MEETING.

CHAIR BAGBY CLOSED THE PUBLIC HEARING. AFTER DISCUSSION WITH BRICE WOOD AND ATTORNEYS, COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER HANCOCK. COMMISSIONER WALLACE THEN AMENDED THE MOTION TO RESTRICT COMMERCIAL FARMING AND CHICKEN HOUSES ON THE PROPERTY. THE RESTRICTIONS WILL STAY WITH THE ZONING. THE AMENDMENT WAS ACCEPTED BY COMMISSIONERS MAXEY AND HANCOCK. THE MOTION CARRIED 5-0.

X. PUBLIC HEARINGS

1. **FY21 Millage Rate for County M&O, Fire, and Solid Waste —** COMMISSIONER WALLACE MADE A MOTION TO APPROVE A 50% ROLLBACK ON THE M&O AND NO CHANGE FOR FIRE OR SOLID WASTE, MAKING THE MILLAGE RATE 9.678, WITH A TOTAL OF 11.984. IT WAS SECONDED BY COMMISSIONER HANCOCK. THE MOTION CARRIED 5-0.
2. **FY21 Street Light Assessment —** COMMISSIONER WALLACE MADE A MOTION TO APPROVE \$0.62 PER LINEAR FEET. IT WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.
3. **SCHOOL BOARD —** COMMISSIONER WALLACE MADE A MOTION TO ADOPT THE RESOLUTION FOR THE FLOYD COUNTY SCHOOL BOARD’S RATE OF 18.200. THE MOTION WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.

XI. RESOLUTIONS

- 1. Adopt a resolution declaring certain property of the County unserviceable and authorizing the transfer of said property to Rome-Floyd County Land Bank Authority.** — JAMIE MCCORD PRESENTED THE RESOLUTION TO THE COMMISSION. COMMISSIONER MAXEY MADE A MOTION TO APPROVE. THE MOTION WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.

XII. CHAIRMAN'S REPORT

XIII. COMMISSIONER'S REPORT

- 1. Administrative Services Committee – Commissioners Allison Watters and Scotty Hancock**
 - a. Next Meeting, Thursday, September 16, 2021, at 9:00am.
- 2. Public Safety Committee – Commissioners Scotty Hancock and Rhonda Wallace**
 - a. Next Meeting, Thursday, August 12, 2021, at 9:00am.
- 3. Public Utilities & Transportation Committee – Commissioners Larry Maxey and Wright Bagby**
 - a. Next Meeting, Wednesday, August 18, 2021, at 9:00am.
- 4. Elected Officials Committee – Commissioners Rhonda Wallace and Larry Maxey**
 - a. Next Meeting, Friday, August 6, 2021, at 1:30pm.
- 5. Special Committee Reports**
 - a. Fire Overview Committee—Commissioners Wright Bagby and Scotty Hancock**
 - i. Next Meeting, Tuesday, August 10, 2021, at 10:30am.
 - b. Joint Services Committee—Commissioners Wright Bagby and Allison Watters**
 - i. Next Meeting, Tuesday, August 3, 2021, at 8:00am.

- c. Rome-Floyd Planning Commission—Commissioner Larry Maxey**
 - i. Next Meeting, Thursday, August 5, at 2:30pm.
- d. Joint Development Oversight Committee—Commissioners Wright Bagby and Allison Watters**
 - i. Next Meeting, Tuesday, August 3, 2021, at 10:00am.
- e. Joint Solid Waste Commission—Commissioners Allison Watters and Larry Maxey**
 - i. Next Meeting, Tuesday, July 27, 2021, at 8:30am.
- f. Transportation Policy Committee—Commissioner Larry Maxey**
 - i. Next Meeting, Wednesday, September 15, 2021, at 10:00am.
- g. Airport Commission—Commissioners Scotty Hancock and Rhonda Wallace**
 - i. Next meeting, Tuesday, August 17, 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, July 27, 2021, at 12:00pm.
- j. Judicial Committee/(CJIS) –**
- k. Floyd County Library Board—Commissioner Allison Watters**
 - i. Next Meeting, Thursday, August 19, 2021, at 4:00pm.

XIV. MANAGER’S REPORT — NO REPORT

XV. ATTORNEY’S REPORT — NO REPORT

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

1. Recommendation from Rome-Floyd Parks & Recreation to consider an amendment to the Forum rental rate sheet and check list to include onsite manager and maintenance as well as cleanup deposit.
2. Recommendation from Rome City Police to consider an intergovernmental agreement between the City of Rome, Georgia and County of Floyd, Georgia for the 2021 Byrne Justice Assistance Grant (JAG) Program Award.

XVII. OLD BUSINESS

XVIII. NEW BUSINESS

1. Recommendation from the Floyd County Board of Elections to consider an amendment to the Floyd County Classification and Compensation Plan to restructure the office of elections by creating two job classifications and adding one position each in classification in the Office of Elections:
 - a. Deputy Elections Clerk, paygrade 16, non-exempt, \$37,851-\$47,314 hiring range
 - b. Senior Elections Clerk, paygrade 12, non-exempt, \$32,335-\$40,419 hiring range

And to consider the amendment of the Classification and Pay Plan to retitle the Elections Technician job classification, paygrade 8, non-exempt, to Elections Office Assistant and to convert the existing two fulltime positions to two part-time positions.

- c. Two Part Time Elections Assistants, paygrade 8, non-exempt, equaling \$26,791-\$33,498

CHAIR BAGBY PRESENTED THE ITEM TO THE COMMISSION. VICE CHAIR WATTERS MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.

2. Recommendation from the Floyd County Board of Elections to consider a budget adjustment up to \$102,000 to cover the increase in salary and benefits for the Floyd County Board of Elections. — CHAIR BAGBY PRESENTED THE REQUEST TO THE COMMISSION. COMMISSIONER WALLACE MADE A MOTION TO APPROVE. IT WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.

3. Recommendation from the Floyd County Board of Commissioner to consider Vanessa Waddell as the Floyd County Chief Elections Clerk at a salary of \$65,000.00. — CHAIR BAGBY PRESENTED THE REQUEST TO THE COMMISSION.

COMMISSIONER HANCOCK THEN READ A STATEMENT. “Over the past four months in our efforts to fully support the Board of Elections and our desire to see continuous improvement within the Floyd County Board, the Board of Commissioners has recently approved the relocation of the Floyd County Election Office which will provide both more space and better access than the current location. Tonight we approve the restructuring of the office, to which we included two higher graded positions and earlier this year we also approved the reclassification of the Chief Elections Clerk position to make that job more competitive with other area agencies. However, it is evident that the limitations that we approved for the position narrow the pool so far as to produce only one applicant. Our intentions to this were to make the process more inclusive and be able to cast a wider net to be able to get numerous applicants. Our concern as a Board is not over the person, it’s over the process that went about for this position, therefore I’m going to make a motion to recommend reposting the job of Chief Election Clerk in accordance with the guidelines and timeframes in set by the rules and regulations by the Georgia’s Secretary of State’s Office and Georgia law and the intentions of the Board of Commissioners when originally approving that position. Also, to be able to offer some kind of financial assistance for a recruiter to do a nationwide recruit because I feel like the citizens of Floyd County deserve to have the best in this position.”

COMMISSIONER HANCOCK MADE THE MOTION TO REPOST THE POSITION OF CHIEF ELECTION CLERK. THE MOTION WAS SECONDED BY COMMISSIONER WALLACE.

COMMISSIONER WALLACE STATED, “As yall have heard tonight there has been so much discussion. So much discussion and we appreciate every single person that came tonight. Every single person that shared their heart with us. Every person that sent us a letter, an email. We’re just trying to make sure that we do the right thing. We all have the utmost respect for Vanessa Waddell. We just want to make sure that we’re doing the right thing to support every citizen of this community.”

MS. HARMAN SPOKE IN REGARDS TO THE LOCAL LEGISLATION THAT ESTABLISHED THE BOARD OF ELECTIONS. “I wanted to give a little context regarding the legal positions of the Board of Elections and Registration. Everybody is familiar with the big code of Georgia and you will look to that for most of our elections laws, but more difficult to find in the State of Georgia is the local legislation that affects particular counties in the state. Uniquely in Georgia, is a state given to county home rule, is the fact that you can look at almost any county and find something unique about their elections board structure. I have the

enabling legislation for our Board of Elections and Registrations and maybe because it is so hard to find as local legislation we'll try to get it on the website. The enabling legislation dates back to 1986, back in Joe Frank Harris' administration. It's only been amended once and that was in 2008 where the members of the Board of Elections and Registration terms were staggered, but otherwise it remains the same as it was when it was enacted by the legislature in 1986. Section 9 of that local legislation provides that our Board of Elections and Registration is authorized to employ such full time and part time employees, including a full time chief clerk as the board shall deem necessary. It goes on to state the Board of Commissioners of Floyd County shall have the right to approve the hiring of any such employee, so not just the Chief Clerk, but all staff members could come before this board to be approved. Then it provides that also employees would be under Floyd County merit system. That is the position that this board is in tonight, to exercise its right under that provision of our local legislation. I think Mr. Morrow was right when he referred to the general election laws of the State of Georgia and the code, but it didn't take into account our local legislation. I just wanted to clarify that because there was confusion. Also, I wanted to briefly point out, Mr. Tuck, the role of electors is under review and has been under review with the Secretary of State's office. That is a process that happens I think every other year."

MR. TUCK MADE COMMENTS REGARDING THIS.

MS. HARMAN ALSO STATED, "One issue that has come up is whether it was legal for the Board of Elections & Registration to require as a minimum qualification that a candidate be already certified under the State law related to elections clerks and registrars. It is certainly legal. The code provides that you can allow up to six months and the Secretary of State's regulations limit that a little bit by saying by the time you have the election, your Chief Elections Clerk or your superintendent be properly certified. It does not require that period of time be provided, it simply allows that it be provided. As a matter of law, that was not an illegal qualification to require by the Board." MOTION CARRIED 4-0 WITH COMMISSIONER MAXEY ABSTAINING.

4. Recommendation from Rome-Floyd Parks and Recreation to consider a budget adjustment of \$5,000.00 for the Brushy Branch Shelter Project. Originally, \$35,000.00 was approved in the 2017 SPLOST. This project will be completed by the Floyd County Prison using reclaimed lumber from Ridge Ferry Park. — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. COMMISSIONER WALLACE MADE A MOTION TO APPROVE. THE ITEM WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.
5. Recommendation from Floyd County IT to consider a request to transfer \$30,000.00 from subscriptions 100533-51200 planned for network monitoring and the request for an additional \$6,000.00 added to 100533-53700 to purchase

Micollab for our existing Mitel Phone System. This has been approved by Finance. — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. VICE CHAIR WATTERS MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.

6. Recommendation from the Floyd County Water Department to consider a new test well at the Biddy Well location to develop a new water system for Floyd County. The cost is estimated at \$122,020.00 by A&S and Hand Service Company. — 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.
7. Recommendation from the Floyd County Tax Assessor's Office to consider a subscription to Costar. The three-year subscription at \$9,560.00 was recommended by Finance. This program will assist the assessor's office in their annual appeals process for commercial property. — 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. Request to consider a contract with Dalton-Whitfield Regional Solid Waste Management Authority to provide a Floyd County inmate detail to operate their recycling operations. — 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.
9. Recommendation from the Floyd County Airport Commission to consider the Wings over North Georgia Air Show Agreement at the Richard B. Russell Regional Airport. — 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.
10. Recommendation from Floyd County Police to consider the purchase of a license plate reader for parking enforcement and traffic enforcement in the amount of \$22,670.00 from Vigilant Solutions and a yearly subscription for traffic and parking in the amount of \$2,575.00. This will include an amendment to the FY21 Budget. — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. VICE CHAIR WATTERS MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.

11. Recommendation from Floyd County Purchasing to consider a request for approval for use of Bonfire, a cloud based source/storage provider, to post, receive, and process bids & RFPs electronically in the amount of \$5,000.00. — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0

XIX. OTHER BUSINESS

CHAIR BAGBY STATED THE COMMISSION ENTERED INTO EXECUTIVE SESSION TO DISCUSS POTENTIAL LITIGATION, ACQUISITION OF PROPERTY, AND PERSONNEL. NO ACTION WAS TAKEN.

XX. ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, CHAIR BAGBY ADJOURNED THE MEETING.