

VI. SPECIAL RECOGNITION

1. African American History Month Recognition
 - A. **DR. ROBERTSTEEN HOWARD** — Nominated by Vice Chair Allison Watters, Jeanne Krueger, and Cassandra Wheeler
 - B. **GARY ALAN JONES, II** — Nominated by Desiree Jones
 - C. **CHRIS TWYMAN** — Nominated by Commissioner Scotty Hancock

VII. PROCLAMATION

VIII. FIRST READING

- IX. SECOND READING/PUBLIC HEARING — CHAIR BAGBY STATED THE RULES OF THE PUBLIC HEARING.**
(FIRST READING WAS HELD FEBRUARY 8, 2022 AT 6PM)

1. **File Z22-02-02 requesting rezoning from Heavy Industrial to Split Zones— Suburban-Residential/Multi-Family Residential located at 0 Calhoun Highway, Floyd County Tax Parcel L11Z003. Staff recommended approval on the condition that parcels are formally subdivided before the development begins. The planning commission recommended denial (4-3).** — Mr. Wood presented the requested to the Commission for their consideration. Chair Bagby opened the Public Hearing, first asking for those who were there to speak in favor of the request.

Speaking in Favor:

Brandon Bowen, 15 South Public Square, Cartersville, Georgia: “I represent your applicant tonight, we have presented this afternoon a request that this application be withdrawn without prejudice, we became aware today of some concerns that had been raised that we would like some time to try to address, but we can’t address them tonight so we want the opportunity to go back to the drawing board and see if we can resolve or at least talk with the folks that are interested and come up with a solution that serves everybody, so we have submitted that and we ask that you grant that without prejudice so we have time to do that; that said, we agree with the staff analysis that Mr. Wood just presented to you, particularly you know this property, it has a very intensive zoning district which you would think would be very valuable, but when you’re looking at a piece of property that has such substantial buffers and the creek on it that makes it very difficult to use in an economically viable manner, so we’re trying to reach a solution that allows for that, in addition we’re trying to address some concerns that I’ve heard numerous times when I’ve come to Floyd County about housing

and housing that's available, so that's what we're trying to do, we hope that you'll give us a little bit of time to do that and grant this request to withdraw without prejudice, and I'm happy to answer any questions that you might have."

Dan Carlton on behalf of Toles, Temple, and Wright: "I represent the buyers and brokers of the property, as Brandon said we presented some information today, y'all were as well, and we're trying to digest that information, so all we're asking for is some time to try and figure it out, here's the thing, in that area, I've combed that entire area, looking for property for housing, and we know we need it, it was in the paper last week we've got a huge shortage, 19,000 people working here living outside the County, we need these houses, I know this isn't perfect, and I know there's people that are against this, but all we're asking is let us have an opportunity to try to work some of these differences out; some of this information we got today we haven't even had a chance to verify any of it, it was just thrown on us, all we're saying is just give us a little time to see, and if it turns out that this is not doable, hey, it's not doable, but all we're asking is, out of fairness, because we don't have any other housing opportunities in that area, I can tell you they're not there, all the land, none of it's for sale that has sewer as far as development, and for us to have an opportunity to do housing in that area this is it, and just don't discount and say 'no we're not even going to give you a chance' at least give us an opportunity for the next zoning to see if we can work some of these differences out, and find out some of this information and work through it, that's all we're asking."

Chair Bagby then asked for anyone who was there to speak in opposition to come forward.

Speaking in Opposition:

Lucy Burnes, 1646 Martin Luther King Jr. Blvd., Rome: "I am here to speak on behalf of myself and all of the Rush family in opposition to this development that they are requesting to be withdrawn, first I just want to let it be known that we are advocates of our community, and we support growth and healthy growth with good homes for people, we want people to come and live there and have a great life in that area, which we have enjoyed for a long time, our opposition is strongly based on the density of the subdivision and how it does not fit with the comprehensive plan of Rome and Floyd County, the Comprehensive Development Plan outlines character areas for our community and this property falls in the rural commercial corridor, in that area that's, you know, there is industrial development, there are a lot of commercial sites, however it is intended to maintain the character of the rural countryside, when you refer back to the Comprehensive Development Plan, there's nothing there, nothing in there that supports multi-family high density developments of this nature, this would be as large as, I could not find one this large, with this many units even in the city, we just feel like it doesn't fit not only the density, but the location it is surrounded by the industrial part, and then on the other side the agricultural industry which is my

family's farm, one side of the neighborhood is bordered by the railroad which runs, we checked into that, runs about fifteen (15) trains from 7:00 am – 7:00 pm, and we just don't feel like that would be a very good place for people to live, and long-term we do not see it as an investment in our community for the long-term, there are several people here tonight from the community who have been very interested, and I would like to submit on their behalf a petition and I would like to ask everyone who is here who is opposed of a development of this nature to stand up, now I'm going to let Mr. Greg Hopkins speak to you, thank you."

Greg Hopkins, 4 Old Shorter Hill, Rome: "We sent all of you an email yesterday from our Board of Directors about our opinion and how we feel about this development and the rezoning, we don't feel we will be a good neighbor, we are an industrial plant, we make bio-diesel, we make renewable chemicals, and we make noise, occasionally we make odors, we have a tremendous amount – on good days – we have a tremendous amount of truck traffic, and a lot of rail traffic, when we get a rail switch, we shut down Hermitage Road for about five minutes, I can't imagine a lot of people heading out to school or work at the time we're getting a rail switch, traffic and noise will be our big issues that we will cause for the neighborhood, they'll cause traffic issues for us, but I'd like to draw your attention to the next-to-last paragraph of what we sent, we are right now in the engineering phase and in the grant application phase for what I think is about a \$13,000,000.00 expansion, if we don't have resolution on this soon, we have other plans we can take this to, we have plans throughout the southeast, west coast, and northeast, and I need resolution to take to the Board of Directors, I appreciate your time and if you have any questions I'll be happy to answer them."

Carey Harris, 3661 Blacks Bluff Road, Rome: "I would just like to speak on behalf of agriculture in Floyd County namely the Farm Bureau and the Cattlemen's Association, rezoning these acres from Heavy-Industrial to Suburban-Residential Multi-Family, is strictly going to be spot-zoning, it'll do the exact opposite, in my opinion, of what the ULDC and the Zoning was designed to do, it'll take away the very protection that these Ordinances were designed to provide for the industry, the agriculture, and the potential residents, it'll put 325 houses between industrial operations and a family farming operation with the six (6) border houses and leaf cattle operation, any time you've got a farming operation that's big enough for a family to survive on, and make a living with, which is what this country was founded on, it's better suited to be adjacent to industry, we can get along better with them than we can a lot of residents, if you look back to when the comprehensive plan was first proposed and all the focus groups were started and people met and they said that one thing that was good about Rome and Floyd County was retaining the small town rural character, a common theme that the residents don't want is to become part of Atlanta, we don't want to lose the character of Floyd County and the rural nature of what's out there beyond, we appreciate Broad Street, we appreciate downtown Rome, it's a viable part of the community, outside there, we want to retain some of that natural beauty and agriculture's a part of it, if you look back on page eight it says,

‘retain agriculture by reducing encroachment of any compatible uses, agriculture is still desired use in Floyd County, viable agriculture operations are threatened by residential encroachment, noises, dust, odors from normal agriculture operations can be nuisances to rural residences, to protect existing agricultural operations the county should minimize the potential conflicts between agriculture operations and rural residences, where rural residential development is appropriate, conservation should be done to protect that’ agriculture is desirable, it’s also a big part of the economy, to the tune of almost \$85,000,000.00 according to the latest UGA Farm Gate Report, according to that same report there are 547 farms in Floyd County, that provides those families a multi-generational way of making a living and a way of life that’s worth protecting, when roll’s called and you take your vote, you need to support those folks in agriculture, we’re a viable part of this community, you’re either going to support us, or you’re not, thank you.”

Seeing no one else to speak in opposition, Chair Bagby asked Mr. Bowen if he would like to use any of his remaining time to address the concerns.

Mr. Bowen: “Yes sir, thank you, again we have heard these concerns and the reason we are asking for this withdrawal without prejudice to be granted is so that we can address these concerns, both looking at the industrial concerns that were raised and also the density concerns, we understand there’s a density concern and we want to look at how we can resolve that concern, because this is a split zoning, I don’t think we’re in a position to be able to just drop part of it tonight, I think we’ve got to refile it a new way to fix that, which is what you know I think we’re thinking about doing, but that does, it takes time, and that’s why we’re asking for you to grant us that time to do that and let us address these concerns and try to bring you a product that you can be happy with, thank you.”

Chair Bagby then closed the Public Hearing. Chair Bagby asked Commissioner Maxey for a motion on the request to withdraw. Commissioner Maxey made a motion to deny the request to withdraw, seconded by Commissioner Hancock. The motion carried 5-0. Commissioner Wallace raised a question on the effect of the motion to deny without prejudice. Mr. Jackson clarified that the intent of the motion was to deny the application as submitted without prejudice, but not to defeat the potential rezoning of the property such as to prevent a new application from being filed within the next twelve (12) months. Mr. Jackson stated that a vote in favor of the motion to deny without prejudice would allow the applicant, or anyone else, to bring another zoning application for the same property without any required delay. Commissioner Maxey then made a motion to deny the request without prejudice, seconded by Vice Chair Watters. The motion to deny without prejudice carried 5-0.

2. **File Z22-02-03 requesting rezoning from Suburban Residential to Community Commercial located at 0 Rockmart Highway Floyd County Tax Parcel K17085, K17086, and K17087. Staff recommended denial. The**

planning commission recommended approval (5-2). — Mr. Wood presented the request to the Commission for their consideration. Chair Bagby opened the Public Hearing, asking for those speaking in favor of the request to speak first.

Speaking in Favor:

Jim Givens, 16 Commerce Court, Rome: “I’m here tonight on behalf of Gary Evans, he’s the owner of Ace Hardware in Lindale, along with Larry Ashley who’s the owner of PSG Construction Company, these gentlemen have acquired this site they assembled it together, they actually bought some land from the County to put all this together at the intersection of Rockmart Road and Old Rockmart Road, now when they acquired the site it was occupied by an abandoned house they have since cleaned that house off the property, at the time they had bought it, the property was being occupied by homeless people, the property does front GA Highway 101, or what we know as Rockmart Road, for about 450-feet and there’s 500-feet of the property on the Old Rockmart Road, now the question about zoning in the area, there is a commercially zoned tract within 75-feet of this property north on Highway 101, now it does front both roads, it’s a very compliable tract, the proposed use of Community-Commercial here allows for a retail store, and it is their intent to try and land a national discount retailer on this site, let me put this property in perspective from a retail angle, the nearest discount retailer to this site is located on Dean Street, think East Central school, I’m not calling any names of stores, but that makes this site six (6) miles away from a discount retailer, how many of y’all live more than six (6) miles away from a discount retailer, I’d say probably very few of us, now, the discount retailer that’s located there if you go to the south the next discount retailer is in Aragon, outside of Polk County, there are four (4) existing convenience stores along this path, but a national discount retailer is going to offer a much broader product line and much less expensive items than a convenience store, now the traffic count here, according to Georgia DOT website, somewhere in the neighborhood of 8,000 cars a day, now let me tell you what else we found out, I met last week with Jordan Clement, at the DOT office on Dean Street, there are no plans to widen this area of Rockmart Road in the DOT’s work scope, so this idea that the DOT is going to widen it, lessen it, not in our lifetime, it’s not going to happen, okay, so that refutes that, there is not a-cell d-sell lane required on this property because they would be entering the property, entering the store front if you will, from the Old Rockmart Road, and the applicant has no trouble pushing that entrance as far north on Old Rockmart Road as possible, to get it further away from any traffic interference with Rockmart Road, it does not require curb-cut, and therefore we could enter on the Rockmart Road, this area is the densest populated rural area in Floyd County, according to Post Office records at Silver Creek Post Office, they’ve just always been the densest are, there’s a lot of subdivisions out here, not one under a great development umbrella like Garden Lakes but when you start talking about Ridgewood, Wax Road, Silvermont, Raintree, there’s just numerous houses, rooftops, out there and they’re not served by a national discount retailer, to give you some experience on why this site was

purchased, Mr. Ashley constructs national discount retailers right now he's got active projects in Mississippi, Alabama, and Tennessee, so we think it's a good site for this and we would hope that y'all would grant us this request for zoning to C-C, thank you."

Seeing no one further to speak in favor, Chair Bagby asked for those speaking in opposition to come forward.

Speaking in Opposition:

Dennis Young, 1786 Old Rockmart Road, Rome: "I provided a presentation, I'm not sure if that's available to everyone, or if it's going to be, I currently own property, it's really a seventeen-acre farm on the Old Rockmart Road, before I continue, thank you for your time, and if I have difficulty in communication, getting fitted for some hearing aids, bear with me, if you go to the next slide, on February 3rd at the Planning Commission the following false claims were made by Jim Givens and Ashley Evans in support of rezoning and it was that it would increase the employment in the area there are no other type businesses in the area, and other businesses were actually on the Old Rockmart Road, and there was a community need, the reality is there's only potentially five to six employees that will be added to this location, there are two other similar businesses within the same industry segment within five to seven miles from this location there's one that's actually has a greater square footage of service area than what this property's capable of producing, and there are no other businesses on the Old Rockmart Road, and there are currently three convenience stores within a linear mile, so this would be the fourth retail shop, the real argument is will a retain saturated section of Highway 101 benefit from more corporations, is it my right to expect a residential community to stay that way, since it's always been, will the environment be impacted, something I want to expand on in slide eight, and will one of the deadliest intersections on the Rockmart Highway become even worse, this area was, when I purchased it and I grew up on it, it was expected to stay residential, and that was the plans I made, my grandfather built or rebuilt the oldest home on this property on the Old Rockmart Road in 1940s, there are approximately seventy-two homes within one-mile on northwest on the Old Rockmart Road from this property, and my biggest concern is the water runoff, I have a farm pond and I'm about to begin prepping for retirement and increasing the utilization of the property with cattle, repairing to fence and the infrastructure, so point one, there are presumed three lots for commercial rezoning at this location, I'm assuming that all of those lots will be paved in some capacity and the runoff is in consideration for me, or a liability in my case, I've been in touch with FEMA's Flood Map Service to help me determine the impact and help with any future litigation that I may pursue, the property is located at 860 feet, that is below an area 960 feet east of Highway 101, meaning there is a direct current of flood water coming across that property, as well as there's a twenty to thirty foot drop at a ninety degree angle from Highway 101 onto the property before it gets to the Old Rockmart Road, and there, most notably, there was one lawsuit settled

thirty feet away from this property for the same runoff plans, selfishly, I am concerned about the property investment being at age sixty, being at some of the plans of utilization of this farm, but I also have traffic concerns for the intersection at Old Rockmart Road and Rockmart Highway which has had a number of fatalities, and in closing, I just want to say thank you and I appreciate everyone's attention and that's, that concludes the presentation."

Rebuttal:

Mr. Givens: "The only thing I'd have to say to that is, the owner would fully comply in regards to drainage, runoff, they would be required and they would graciously comply with all drainage requirements of Georgia Environmental Department, no trouble with that, do it everywhere they build, thank you."

Chair Bagby closed the Public Hearing. Commissioner Maxey made a motion to approve the request with a special stipulation that the driveway be as far north as possible on the property. Commissioner Wallace seconded the motion. The motion carried 5-0.

X. PUBLIC HEARING

XI. RESOLUTIONS

XII. CHAIRMAN'S REPORT

1. **Consider reappointing Stuart Neslin to the Floyd County Alcohol Control Commission. This term will expire August 31, 2024.** — Vice Chair Watters made a motion to reappoint Mr. Neslin, seconded by Commissioner Wallace. The motion carried 5-0.
2. **Consider reappointing Spencer Brewer to the Floyd County Alcohol Control Commission. This term will expire August 31, 2025.** — Vice Chair Watters made a motion to reappoint Mr. Brewer, seconded by Commissioner Wallace. The motion carried 5-0.
3. **Consider reappointing Lynnwood Belvin to the Floyd County Alcohol Control Commission. This term will expire August 31, 2025.** — Vice Chair Watters made a motion to reappoint Mr. Belvin, seconded by Commissioner Wallace. The motion carried 5-0.
4. **Consider appointing someone to serve on the Floyd County Alcohol Control Commission. This term will expire August 31, 2024.**
5. **Consider appointment to the Airport Commission to fill the unexpired term of Dr. Rick Swiger. This term is set to expire June 30, 2024.** — Commissioner

Wallace made a motion to reappoint Dr. Swiger, seconded by Commissioner Hancock. The motion carried 5-0.

6. **Consider appointment to the Rome-Floyd Planning Commission to fill the unexpired term of Ghee Wilson. This term is set to expire August 20, 2022.**
7. **Consider appointment to the NWGA Regional Commission Council to fill the unexpired term of Chris Butler. This term is set to expire September 8, 2022.**

XIII. COMMISSIONER'S REPORT

1. **Administrative Services Committee – Commissioners Watters & Bagby**
 - a. Next Meeting, Thursday, February 24, 2022, 9:00am
2. **Public Safety Committee – Commissioners Hancock & Wallace**
 - a. Next Meeting, Thursday, March 17, 2022, 9:00am
3. **Public Utilities & Transportation Committee – Commissioner Maxey & Hancock**
 - a. Next Meeting, Wednesday, April 20, 2022, 9:00am
4. **Elected Officials Committee – Commissioner Wallace & Maxey**
 - a. Next Meeting, Friday, March 4, 2022, 2:30pm
5. **Special Committee Reports**
 - a. **Fire Overview Committee — Commissioners Bagby & Hancock**
 - i. Next Meeting, Tuesday, May 10, 2022, 10:30am
 - b. **Joint Services Committee — Commissioners Watters & Maxey**
 - i. Next Meeting, Tuesday, April 5, 2022, 8:30am
 - c. **Rome-Floyd Planning Commission — Commissioners Maxey & Watters**
 - i. Next Meeting, Thursday, March 3, 2022, 2:30pm
 - d. **Joint Development Oversight Committee — Commissioners Bagby & Watters**

- i. Next Meeting, Tuesday, May 3, 2022, 10:00am
- e. **Joint Solid Waste Commission — Commissioner Watters & Maxey**
 - i. Next Meeting, Tuesday, March 22, 2022, 8:30am
- f. **Transportation Policy Committee — Commissioner Maxey**
 - i. Next Meeting, Wednesday, March 16, 2022, 10:00am
- g. **Airport Commission — Commissioners Hancock & Wallace**
 - i. Next meeting, Tuesday, March 15, 2022, 4:00pm
- h. **SPLOST Project Overview Committee — Commissioners Wallace & Hancock**
 - i. Next meeting, Thursday, March 10, 2022, 5:30pm.
- i. **RFPR Advisory Committee — Commissioner Wallace**
 - i. Next Meeting, Tuesday, March 15, 2022, 12:00pm
- j. **Floyd County Library Board — Commissioner Watters — Vice Chair Watters noted that the library will be open on Fridays from 10:00am – 2:00 pm beginning in May.**
 - i. Next Meeting, Thursday, May 19, 2022, 4:00pm

XIV. MANAGER’S REPORT — NO REPORT

XV. ATTORNEY’S REPORT — NO REPORT

XVI. CONSENT AGENDA — Mrs. Elrod reported the Consent Agenda was in order. Commissioner Wallace made a motion to approve, seconded by Commissioner Maxey. The motion carried 5-0.

1. Consider recommendation from Parks & Recreation to approve a sponsorship contract between Brown & Brown and Rome-Floyd Parks and Recreation.
2. Consider recommendation from Purchasing to approve the purchase of a 2022 Ford Ranger Extended Cab from Wade Ford in the amount of \$25,620.00 for the Water Department. This was budgeted at \$35,000.00 in the 2022 budget.

XVII. OLD BUSINESS

XVIII. NEW BUSINESS

- 1. Consider recommendation from Parks and Recreation to approve a partnership with GG Leagues for E-Sports League. This will include a budget revision of \$250 to join the E-Sports League. This was not originally budgeted in 2022. Rome-Floyd Parks & Recreation will receive a 30% revenue share of the participant registration.** — 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. Consider recommendation from Purchasing to purchase rubber bonded mulch from Mulch Outfitters in the amount of \$73,540.00 for Shag Williams Park. This was budgeted through the 2017 SPLOST.** — Mr. McCord presented the request to the Commission. Commissioner Maxey made a motion to approve, seconded by Vice Chair Watters. The motion carried 5-0.
- 3. Consider recommendation from Purchasing to approve the purchase of six (6) Police Pursuit Ford Explorer SUVs from Prater Ford in the amount of \$206,580.00 for the Police Department. This quote offered the fastest delivery time. This was budgeted at \$255,600.00 in the 2017 SPLOST. The remaining \$49,025.00 will be used for upfitting.** — Mr. McCord presented the request to the Commission. Commissioner Wallace made a motion to approve, seconded by Commissioner Hancock. The motion carried 5-0.
- 4. Consider recommendation from Purchasing to approve the purchase of one (1) Ford F-150 super cab pickup 4x4 from Prater Ford in the amount of \$29,575.00 for the Tax Assessor's office and to consider a budget revision of \$3,575.00. This was budgeted at \$26,000.00 in the 2017 SPLOST.** — Mr. McCord presented the request to the Commission. Commissioner Hancock made a motion to approve, seconded by Vice Chair Watters. The motion carried 5-0.
- 5. Consider recommendation from Purchasing to approve the cost of labor and equipment to be provided by Willow Construction, Inc. in the amount of \$61,875.00 for Kingston Road Well Repairs. This was budgeted at \$75,000.00 in 2021. No work was started in 2021 and the project was transferred to the 2022 Water Capital Budget.** — Mr. McCord presented the request to the Commission. Commissioner Wallace made a motion to approve, seconded by Commissioner Maxey. The motion carried 5-0.
- 6. Consider recommendation from Purchasing to approve the purchase of a US Jetting/Vactor Ramjet Trailer from Environmental Products Group in the amount of \$80,780.00 for Public Works. This was budgeted at \$100,000.00 in the 2017 SPLOST budget. This was a state bid.** — 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.

7. **Consider recommendation from Purchasing to purchase a ten (10) passenger Ford Van from Wade Ford in the amount of \$36,650.00 for the Prison and a budget revision of \$650.00. This is a 2021 used vehicle with only 500 miles. This was budgeted in 2017 SPLOST at \$36,000.00.** — Mr. McCord presented the request to the Commission. Vice Chair Watters made a motion to approve, seconded by Commissioner Maxey. The motion carried 5-0.
8. **Consider recommendation from Purchasing to approve the purchase of two (2) washers and two (2) dryers from Southeastern Laundry Equipment Sales, Inc. in the amount of \$122,010.00 for the Floyd County Jail, pending final review. This was budgeted at \$93,730.00. The additional funds will be paid using IBF in order to get the Unimac Brand. Although not the lowest bid, they are the only vendor that can provide Unimac units which is what is already in place at the jail.** — Mr. McCord presented the request to the Commission. Commissioner Hancock made a motion to approve, seconded by Vice Chair Watters. The motion carried 5-0.
9. **Consider request from the Rome-Floyd Development Authority to approve a Memorandum of Understanding between the Rome-Floyd Development Authority, MDH F2 ATL Shannon, LLC, The Hillman Group, Inc., Floyd County, and the Board of Tax Assessors of Floyd County.** — Mr. McCord presented the request to the Commission. Commissioner Wallace made a motion to approve, seconded by Vice Chair Watters. The motion carried 5-0.

XIX. OTHER BUSINESS

The Commission entered into Executive Session during the Caucus for the purpose of discussing the potential acquisition of property. No action was taken.

XX. ADJOURN — Chair Bagby adjourned the meeting.