

1. **Terri Wright, P.O. Box 35, Coosa:** “We were thanked by you at the last meeting for our participation, but I believe there is some confusion. We are not giving you thoughts and opinions to go in one ear and out the other, we have mostly been stating facts and legal violations mostly proven through open records requests. As an example, it was discussed that there is no background check done of any kind on Vanessa Waddell. A position so sensitive as the one she holds, and there is no background check? This is the response we got from Virginia Harman from an open records request. This is not something we made up, we did not ask for the background check itself, just what type, who did it, and anything legally obtainable. We have not been getting up here for over 3 months so you could ignore us, we are not asking for a professional review, we are telling you that we have given you the justification for one and we want it requested. What good was it to put that authority in Senate Bill 202 if not to be used and acted upon? Again, we are not asking. We are pointing out your obligation, your obligation, to the citizens of Floyd County to address these violations through Senate Bill 202 with the request of a professional review. In writing Senate Bill 202 they entrusted you with the authority as they have with most election rules, I use the word entrusted, we are trusting you to act, we did that when we voted for you, you cannot have the mindset that you have four more years and all this will blow over by then, that is the mindset of a ruler, and I must remind you, you are a public servant, we voted for you to do our will, not your will. You are obligated and justified to ask for a professional review, if that is not your intention, then tell us now. How can you ignore the violations that have been brought before you, and I reserve the remainder of my time for your answer, thank you.”

Chair Bagby: “We are aware of the accusations and we are looking at them and we will address them, I wouldn’t guarantee you that it would be tonight, but we will see.”

2. **Angela Rubino, 1410 Kingston Highway, Rome:** “We are here this evening and will continue to be here every evening until we get our professional review. We will not sit idle or quiet while everyone is operating out of our consent, I’m sorry. We are asking and will continue asking, we deserve to know that our elections are free, fair, and safe here in Rome, I would like to know why the by-laws are not available to the public without having an open record request, why do we not have a bi-partisan Election Board and why is that not in our by-laws? I also choose to reserve the remaining time for you to answer my questions.”
3. **Mark Swanson, 224 Rollingwood Circle, Rome:** “Yes, Pam Peters and I are going to tag team a letter tonight because my letter was a little longer than three minutes, and so I’m going to start the letter and then she will finish it, ‘my name is Mark Swanson I reside at 224 Rollingwood Circle, and this is our fourth letter to you guys regarding violations of elections laws by our County Elections office in the past two elections. Our last letter and report read into the minutes at our

last Commission Meeting by investigative partner Pam Peters, highlighted 115 violations of elections laws in just the January 5th run-off election alone, and just on ballot drop-boxes, to be clear, that election was run by the Interim Chief Elections Clerk Vanessa Waddell who is a twenty-plus year elections veteran and the current Board of Elections to include Melanie Conrad, Chair, John Scott Husser, and Corey Townsend. In a previous letter to the Commissioners I also provided guidance on SB 202, that allows the Commissioners to formally request a performance review of our Elections office, in that letter, we cite the relevant sections that our State legislators provided for our Governor to sign into law in March of this year, we also conclude each of the letters based upon the mounting evidence and significant volumes and severity of violations of election law, that a performance review should be ordered immediately, we even provided a draft Resolution for you to do so, as of today, we have partially completed an external audit via open records request of the election equipment security leading up to the January 5th run-off and subsequent, this audit examined the requirements of the law regarding election equipment security as outlined in O.C.G.A. 183-1-12-.04 – 183-1-12-.06, a summary of my findings are as follows: twenty-four out of twenty-four, 100% of all equipment chain of custody forms were signed by individuals with no record of signing the required oath of custodians and deputy custodians, six of the twenty-four of the equipment chain of custody forms were not signed by Elections office personnel as being properly checked out of storage, it should also be noted that Shirley Mosley signed all of the equipment chain of custody forms as Elections staff for both checking out and checking in the election equipment in and out of storage except for the forms missing a signature, it should be investigated as the veracity of her signatures because there are significant inconsistencies noted within these signatures such as there is a concern that some of these signatures may have been forged, there were six violations that related to the door to the elections equipment room, in the Floyd County Admin Building, this building, has been found wide open and unattended on the following dates documented by photos, 8-23-21 at 5:08 pm, 9-2-21 at 10:06 am, 9-8-21 at 12:32 pm, 9-9-21 at 10:59 am, 9-15-21 at 9:39 am, and on 11-17-20 I have an eyewitness account that a Democratic Party worker took an inspector from the Georgia Secretary State's office Gilbert Humes into open elections equipment room –“

4. **Pam Peters, 1063 Burnett Ferry Road, Rome:** “– Violation 183-1-12.043, the elections equipment storage is not equipped with at least one of the required security devices on the door to include keypads, electronic locks, motion detectors, video surveillance or security system monitored by an outside source, a total of thirty-seven violations were identified in this narrow review, this is on top of 115 violations identified in the ballot drop-box review for the January 5th election, that brings us to a grand total of 152 violations in just January 5th 2021 run-off election, how many more violations do you want us to find before you will take action? As our previous letters indicated your elected state legislators and our governor have provided a way for you to determine if our Elections office performed within established election laws in Georgia, I remind you that

our Elections Board and Interim Chief Clerk are already under investigation by the Attorney General's Office for the missing 2800 votes found during the recount of the 2020 General Election, it's time to determine if our Elections office and Board have violated any of our state election laws and be judged accordingly, indeed SB 202 provides that if only three violations have occurred, the State Elections Board can remove Election officials, so far in my narrow limited scope, we have found 152 possible violations of law in just January 5 run-off election, the State only requires three violations to remove Election officials, but so far we found 152 violations and you have yet to order a performance review, how many more do you need to take action you are empowered and elected to take, we don't know whether a crime has occurred here in Floyd County regarding our last two elections, however, we have clearly documented a means, motive, and opportunity for a crime to have occurred, it's time we find out what happened and if our Elections office performed the last election within the scope of the law, failure to take action at this point that is within your legal right, is to turn your backs on the people who elected you to this position, failure to take action that is within your legal right, is to turn your backs on the rule of law in our elections, and consider this, failure to take action that is within your legal right, appears to make you culpable and complicit in all these violations since you appoint, fund, house, and approve personnel decisions for our Elections office, and rest assure, this important act, the issue is too important, we will not stop until a SB 202 performance review is completed, our way of life as we know it depends upon election integrity and our series of letters have confirmed the lack thereof right here in Floyd County."

5. **David Smith, 407 Booger Hollow Road, Rome:** "Good evening I just wanted to start off by saying a couple of weeks ago I talked a little bit about the masks and stuff and I know that's a bit of a polarizing issue and not really even that important, but I just, I feel like I should at least say, I feel like it would set a better example for you guys, and I respect your positions and all I understand there's political things to worry about and all, but there's no science backing the masks, why we continue to wear masks in spite of all the evidence, I think it sets a bad example for the community, you know our congresswoman takes all the flack she gets, takes fines from the Democrats and the House for not wearing the mask because it's turned into such a political thing, I know we all understand that, have our opinions and stuff, but I personally feel like it set a better example being an all Conservative Commission, but you know that's just a pet peeve of mine, you know we've all saw what's gone on in the past several years, after Mr. Trump was elected, just the show that has gone on in our country, where one political party, or actually both, have thrown everything that they could possibly find to throw, to try to do anything they can to get him out of office. So when this election came up, was anyone really surprised when what happened has happened, the election, the fraud, the irregularities, everything that's gone on, we should have seen it coming, and the things that have gone on that had been uncovered that the Supreme Court refuses to look at, a lot of the courts and all throughout the country, the point is there's evidence there's so much evidence to

anyone that takes it upon themselves to do the investigation to look to try to figure out what's going on, the evidence is overwhelming that this election was fraudulent, the wrong, an illegitimate president is in the White House right now that has had dire effects on all of us on the country what just happened I mean there's what thirteen service members killed in Afghanistan just this past month or so because of this, what's going on at the border, there's so many things you know we all know that are going on in the country that go back to a fraudulent election that there's overwhelming proof of, but all the people in positions of power that could do something about it whenever they talk a good game and then when it comes time to actually do something they hide, they do something they come up with an excuse there's some reason why they can't do it, and that's why we're so adamant that you guys please move forward with this review, we know it's just a first step what'll come of it we don't know yet but we've got to get the ball rolling we've got to figure out something you know there's a lot of bad things happened and we're about to have another election coming up here for the City, County School Board and all that, we're supposed to do that on the same elections machines same equipment same process basically people don't have any faith in it, and there's people that's not gonna participate in the election because they don't think that their vote really counts, and so I'd just like to see something done about it thank you."

6. **Larry Wright, P.O. Box 35, Coosa:** "Good evening gentleman and ladies, I understand the Board of Elections is being increased in size and I just wonder what type of manpower allocation and distribution, survey, or study was done to increase and determine the workload that was justified this increase in personnel and as we understand there is no background check that is being done on some of the candidates that have applied for that position and a very limited background check would be asking for a sealed transcript from the college or university that which that person says they attended, a sealed transcript is not hard to get, universities know that people apply for jobs that they need those in a hurry and they usually get them out within a week to ten days tops, and people that are assuming to apply for a job usually have sealed copies from their university which they keep in case they do apply for a job, another minimum I would've thought would've happened would be a check of the National Crime Information Center or even Georgia, through the GBI system, and I know you probably have an answer to that, are those types of things done in a position I would expect to be called an executive position, not only because of pay but because of the seriousness of the position which the person who gets this position permanently would hold, can you tell us whether or not any of these things have been done or will be done in the future, if they're not gonna be done then this would be a perfect place to apply for a job I've got a PhD, maybe I'm a medical doctor, are you gonna look at those background, if people can put any type of background in their application as far as universities and experience and you're not gonna check on it to make sure that those things are factual, how do we know these people have those types of degrees and have the respect of the community knowing that we have qualified people to perform those duties and increase the load capacity

of the section of the Board of Elections to more than double to do one position, the position that one person held in the past, I hope there are going to be if not already done, these types of background investigations thank you for your time.”

7. **Kim Wedgeworth, 294 W Troutman Road, Rome:** “I hope that the 2021 elections and all elections going forward the Floyd County Board of Commissioners should ensure that it is protecting and expanding voter access for eligible voters, it can do this by continuing to support the Board of Elections so that the Board of Elections have the resources it needs to ensure all voters in the county have access to an equitably placed ballot drop-box and that all early voting sites are fully staffed and accessible, this must include offering early voting on both Sundays, offering early voting from 7 AM – 7 PM so that all voters can participate in our elections, even if they work irregular hours or have family obligations, installing the maximum number of ballot drop-boxes as permitted under SB 202 and ensuring that all poll worker positions for early vote and election day are filled, the Board of Commissioners also could make sure the Board of Elections have the resources and support it needs to clearly communicate and publicize the hours and location for voters to cast their ballot by updating their website with information on early voting locations and hours, drop box locations and hours and election day voting information, including precinct location and hours, thank you.”

8. **Michael Morgan, 1235 Radio Springs Road, Rome:** “I’d like to start out with the justification of why I’m here by quoting two paragraphs from our Georgia State Constitution, the first one comes from Article I Section I Paragraph 9: *‘the right to assemble and petition, the people have the right to assemble peaceably for the common good and to apply by petition or remonstrance to those vested with the powers of government for a redress of grievances’* the second one comes from Article I Section II Paragraph 1: *the origin and foundation of government, ‘all government, of right, originates with the people, is founded upon their will only and is instituted solely for the good of the whole, public officers are the trustees and servants of the people and are at all times amenable to them’* so the first thing I’d like to address is I feel we need to demand that we have a real voting technology be put into service that cannot be compromised verifying and ensuring a fair, transparent, and honest election, the roots of which is election integrity, ok? I believe we should immediately redraw Floyd County voting precinct lines to reduce the precinct sizes to 1,000 voters or less, I believe we should ensure protection of individual liberties such as the right to choose what medical treatment are acceptable or not acceptable, i.e. the chinavirus vaccine, I believe we should establish a plan for compensation and liability for harm against those who have been coerced into taking the vaccine via mass media influence and federal government influence as well as mandate with illegal passage of the usage of vaccine approvals from the FDA and other federal agencies, I will leave the remaining ailments of this paper for future delivery so as to effectively manage my allocation of time and regarding the time, yeah I yield the rest of it fourteen seconds, I’ll see you again next time.”

9. **Missey Gomez, 5 Heather Circle, Cave Spring:** “I am here to address a different issue tonight, something that’s not on the agenda yet, this is regarding the Blaze Ultra Lounge out on Highway 27 beside Pasquale’s at the entrance of Northwoods where my daughter resides with my two grandsons, ages one and five, I hear that they have applied for a beer and wine license there I just want to let you guys know this is not desired by that community at all, they’ve been dealing with loud noise up to the point of awaking my family in the early hours of the morning where she’s had to move to a different room so they could be able to sleep they’ve been dealing with littering as these people that are attending these concerts here are parking up and down the road in front of my daughter’s house all the other resident’s houses they are throwing down their beer cans on the streets of Northwoods and I just want to say I’m not opposed with the right tenant in there to you guys offering beer and wine license, but before you approve this I would love for you guys to come out and attend one of these parties or concerts or these events and see what’s going on I want you to see how late in the night or how early in the morning they are being so loud out there, they don’t respect our community, they don’t respect our ordinances that we have in place, and I’m just urging you before you issue this license please just listen to what we’re saying, listen to what the citizens want and we’ll be back when this is on the agenda to discuss it a little bit more, thank you so much.”

10. **Susan Harrell, 5109 Fosters Mill Road, Rome:** “I have not worked as a poll watcher or personally witnessed any deviations or violations of our election laws, I am just a concerned citizen of Floyd County who wants our elections to be fair and just, I have talked with individuals who have worked our polls and I have attended many Commissioners’ meetings listening and learning, on August the 10th at the Commissioners’ meeting, I sat to the right of Mrs. Wright at the center of this room, each time I turned to speak to Mrs. Wright I observed Mrs. Vanessa Waddell staring at her, Mrs. Waddell was sitting to the rear and just to the left of us, I found it odd that she was staring each time I looked, but I just laughed it off, on August the 24th, Mrs. Wright and I stood against the rear wall with me standing to her right, Mrs. Waddell again sat to the left of us, but in front of us, again each time I looked her way she was staring intently at Mrs. Wright, she has literally turned in her seat sideways in order to stare at Mrs. Wright, I begin to be concerned of her intent and because I had to leave before the meeting adjourned, I asked two individuals to keep an eye on the situation and Mrs. Wright, I am highly concerned that an individual who exhibits such unprofessional and frankly juvenile behavior could be over our Elections office, I am asking you to reject any recommendation to place Mrs. Waddell in a position of our Chief Elections Clerk, I have witnessed this behavior again tonight, and I have given you two statements, signed statements of witnesses to this behavior, thank you.”

11. **Cheryl Garner, 1 Hearthstone Drive, Rome:** “I’m here tonight as a citizen with grave, grave concerns about the recent efforts to discredit the Board of Elections and Vanessa Waddell in particular, many people in the U.S., and even here in

Floyd County, realize that the past election cycle was a legitimate process, state by state, this has been proven time and time again after exhausted reviews, we still live in a democracy, voting needs to be a fully transparent and equitable process to all people of all colors and shapes and sizes, it doesn't need to be a process dictated by misinformation and fear, but by facts and reason, thank you."

12. **Peggy Reiners, 311 Clark Drive, Rome:** "I'm not coming to speak about any of their issues, I'm just coming to speak about the property of Northwest Georgia Regional, I worked there as a nurse for forty years and I was just really fell in love with the way that the land laid, the trees, how large and beautiful they are and there's no hills, there's flat ground, it's easy for anyone to be able to get around in, and I would like to see that property be used for residential, or mixed residential for professionals that might want to come into the city to work that need housing, because you know right now housing is very desperately needed, and also for the elderly because there's a bus line that goes out there and can pick them up if they can't drive and there's nice walking areas that they can walk in, so I just urge you to consider the citizens of Floyd County and not put an industrial site there because that's too close to Summerville Park, and there's other sites for industrial use that are here that have not been used, thanks a lot."

V. APPROVAL OF MINUTES — CHAIR BAGBY ASKED FOR A MOTION TO APPROVE THE MINUTES. COMMISSIONER WALLACE MADE A MOTION TO APPROVE. IT WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.

1. Adopt minutes of Caucus, Regular Meeting, and Executive Session of September 14, 2021.

VI. SPECIAL RECOGNITION

VII. PROCLAMATION

1. **National Fire Prevention Week** — COMMISSIONER HANCOCK PRESENTED THE PROCLAMATION TO REPRESENTATIVES OF THE ROME-FLOYD FIRE DEPARTMENT. FIRE MARSHAL MARY CATHERINE CHEWNING SPOKE ON BEHALF OF THE DEPARTMENT.
2. **Manufacturing Day** — COMMISSIONER WALLACE PRESENTED THE PROCLAMATION TO REPRESENTATIVES OF THE ROME-FLOYD CHAMBER OF COMMERCE AND THE ROME-FLOYD DEVELOPMENT AUTHORITY. MISSY KENDRICK AND PAM POWERS-SMITH SPOKE ON BEHALF OF THE DEVELOPMENT AUTHORITY AND THE CHAMBER OF COMMERCE.

VIII. FIRST READING

IX. SECOND READING—CHAIR BAGBY GAVE THE RULES TO THE PUBLIC HEARINGS.

(FIRST READINGS WILL BE HELD SEPTEMBER 14, 2021 AT 6PM)

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

- 1. File SUP21-09-01 requesting a Special Use Permit for a duplex for the property located at 2409 Maple Road, Rome, GA; Floyd County Tax Parcel J15X431 zoned High Density Traditional Residential. The planning staff recommended approval and was approved 6-0 by the planning commission. — MR. WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING. SEEING NO ONE TO SPEAK IN FAVOR OR AGAINST THE REQUEST. CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO APPROVE. IT WAS SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.**
- 2. File SUP21-09-02 requesting a Special Use Permit for a manufactured home for the property located at 21 Green Street, Rome, GA; Floyd County Tax Parcel J13W004, zoned Suburban Residential. The planning staff recommended denial and the planning commission recommended denial by a 6-0 vote as well. — MR. WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING.**

SPEAKING IN FAVOR:

JANET LANGSTON, 14 IVY STREET, ROME: “This is my property, I’ve owned this property since 1986, I had a mobile home on it from ’87 until it was damaged in a storm and we tore it down with intention of putting another one there, I’ve been a part of this community, I’ve lived in this community fifty of my sixty years, you know this is four generations, I understand a neighbor’s complaining and opposition to this, but the opposition was regarding an individual who came and was squatting on this property and would not leave, I had the police out there multiple times, they did not, would not, and did not, escort him off, I have filed a criminal trespassing warrant, we go to court on Friday to prevent this individual from coming back, I just want to move, in this mobile home is a \$74,000.00 home, it is a brand new 2021 model, you know upscale model, my land value per the Tax Commissioner is over \$24,000.00 so this is not going to depreciate the surrounding houses, it’s going to be an upgrade because we’ll be living there, to better upkeep the land, I just want to move home. I have

done everything I can do to abide by every recommendation or whatever, I don't see that one neighbor who's been there three years could override someone who has been a part of this community for fifty years, and the problem started because they approached me several times wanting to buy my property, and I declined them telling them that we were going to put a home back there, they have a privacy fence with a gate onto my property and have put a bird feeder up in my trees, why would you put a gate onto my property if the end game is not to try to get me to sell you this property? It makes no sense, I just wish, I just hope, want y'all to reconsider the denial and allow us to put this manufactured home there, like I said it would be an upgrade to the community not a downgrade, I have a copy of the criminal trespass warrant and I also have a letter from my sister who is my neighbor now and will be my neighbor, she lives beside me, like I said I could understand if it was a used trailer that was dilapidated but it's not, it's a brand new one, top of the line, it would be an improvement to the community not a downgrade, and like I said I do understand the complaints of this neighbor, but that's all that they were complaining about, everything, is in regard to this individual who would not leave that I pressed the trespassing warrant on, he will never be back ever, I guess that's all."

SPEAKING IN OPPOSITION:

SANDY AND STAN FROSLAN, 19 HICKORY ST, ROME:

SANDY: "My property backs up to the property in question, and this is not personal, even though it's been portrayed that way, and yes we did put up a privacy fence because there's been so much ruckus back there for the last year, and that was part of our presentation before we sent emails, and the reason the gate was put up is because when we bought the property there was already a gate and we just put it on the existing property line and put the gate there, we did approach Ms. Langston about buying the property and she turned us down and that's perfectly fine, regarding the bird feeder, her son gave us permission to put the birdfeeder because it's for woodpeckers so we put in the tree, we'd be more than happy, we will remove that if that's what she wants, we are opposing this manufactured home because it does not fit in with Celanese, Celanese is a historical neighborhood, it's all brick homes, and as I said at the last [Planning] Commission meeting, if they would like to put in a brick home, we're not opposed to that, we just do not want to see another manufactured home back there."

STAN FROSLAN: "It's just on the issue of the gate being put up, we were actually given permission, again, to put up the bird feeder which is actually a bird house which matches the trees and we were given permission in the beginning to put up a gate so we could have access to just wander through the woods back there but then all the other you know illegal activities you know just things were happening back there we had to put up a privacy fence to eliminate ourselves from it at all hours of the days and nights."

SANDY FROSLAN: “We would have preferred to have kept the original fence that was there because it was an open fence and you could see the beautiful property that Ms. Langston has, the other thing is we did not bring this motion, she is making it seem like that we did, we did not, we are not part of the zoning thing, we had no idea what the zoning was, and my understanding is with the flood plain, that is the reason that you had to get a Special Use Permit, again we’re not part of that, we’re new to Rome, we don’t know that, and I don’t know for a brick home if you have to have a SUP or not, because I don’t know anything about flood zones or things like that, but we do oppose we don’t think it fits in with the historical nature of the neighborhood.”

STAN FROSLAN: “And as far as being the only person that is opposing it, we have actually had several neighbors along that street just because of the things going on that have opposed it, but did not want to come forward so we are the spokespersons for the group of people.”

SANDY FROSLAN: “And also in the packet that was submitted by Brice there are numerous emails in there and numerous phone calls as well, but again, because they have lived in the neighborhood for so long and they have these relationships with people they were concerned about coming out and vocalizing their opposition to this.”

STAN FROSLAN: “I think that’s all we have.”

SANDY FROSLAN: “And again we don’t wish them any will harm at all and I’m sorry it was portrayed that way.”

CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO DENY THE REQUEST, SECONDED BY COMMISSIONER HANCOCK. THE MOTION TO DENY CARRIED 5-0.

3. **File Z21-09-01 requesting rezoning from Community Commercial to Agricultural Residential for the property located at 75 Imogene Drive, Lindale, GA; Floyd County Tax Parcel H19113. The planning staff recommended approval and the planning commission recommended approval 6-0. — MR. WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING. SEEING NO ONE TO SPEAK IN FAVOR OR OPPOSITION, CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER WALLACE. THE MOTION TO APPROVE CARRIED 5-0.**

4. **File Z21-09-03 requesting rezoning from Community Commercial to Agricultural Residential for the property located at 84 Imogene Dr., Lindale, GA; Floyd County Tax Parcel H19114. The planning staff recommended approval and the planning commission recommended approval 6-0. — MR.**

WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING. SEEING NO ONE TO SPEAK IN FAVOR OR IN OPPOSITION, CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO APPROVE, SECONDED BY VICE CHAIR WATTERS. THE MOTION TO APPROVE CARRIED 5-0.

5. **File Z21-09-04 requesting rezoning from Community Commercial to Suburban Residential for the property located at 1790 Huffaker Rd., Rome, GA; Floyd County Tax Parcel F12010. The planning staff recommended approval and the planning commission recommended approval 6-0. —MR. WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING. SEEING NO ONE TO SPEAK IN FAVOR OR IN OPPOSITION OF THE REQUEST, CHAIR BAGBY CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER WALLACE. THE MOTION TO APPROVE CARRIED 5-0.**

6. **File Z21-09-05 requesting rezoning from Light Industrial to Agricultural Residential for the property located at 0 Turkey Mountain Road, Rome, GA; Floyd County Tax Parcel M10W047. The planning staff recommended approval and the planning commission recommended approval 6-0. — MR. WOOD PRESENTED THE REQUEST TO THE COMMISSION. CHAIR BAGBY OPENED THE PUBLIC HEARING. SEEING NO ONE TO SPEAK IN FAVOR OR IN OPPOSITION TO THE REQUEST, HE CLOSED THE PUBLIC HEARING. COMMISSIONER MAXEY MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER WALLACE THE MOTION CARRIED 5-0.**

X. RESOLUTIONS

XI. CHAIRMAN’S REPORT — NO REPORT

XII. COMMISSIONER’S REPORT

1. **Administrative Services Committee – Commissioners Allison Watters and Scotty Hancock**
 - a. Next Meeting, Thursday, November 18, 2021, at 9:00am.
2. **Public Safety Committee – Commissioners Scotty Hancock and Rhonda Wallace**
 - a. Next Meeting, Thursday, October 14, 2021, at 9:00am.

- 3. Public Utilities & Transportation Committee – Commissioners Larry Maxey and Wright Bagby**
 - a. Next Meeting, Wednesday, October 20, 2021, at 9:00am.
- 4. Elected Officials Committee – Commissioners Rhonda Wallace and Larry Maxey**
 - a. Next Meeting, Friday, November 5, 2021, at 2:30pm.
- 5. Special Committee Reports**
 - a. Fire Overview Committee—Commissioners Wright Bagby and Scotty Hancock**
 - i. Next Meeting, Tuesday, November 9, 2021, at 10:30am.
 - b. Joint Services Committee—Commissioners Wright Bagby and Allison Watters**
 - i. Next Meeting, Tuesday, October 5, 2021, at 8:00am.
 - c. Rome-Floyd Planning Commission—Commissioner Larry Maxey**
 - i. Next Meeting, Thursday, TBD, at 2:30pm.
 - d. Joint Development Oversight Committee—Commissioners Wright Bagby and Allison Watters**
 - i. Next Meeting, Tuesday, November 2, 2021, at 10:00am.
 - e. Joint Solid Waste Commission—Commissioners Allison Watters and Larry Maxey**
 - i. Next Meeting, Tuesday, September 28, 2021, at 8:30am.
 - f. Transportation Policy Committee—Commissioner Larry Maxey**
 - i. Next Meeting, Wednesday, November 17, 2021, at 10:00am.
 - g. Airport Commission—Commissioners Scotty Hancock and Rhonda Wallace**
 - i. Next meeting, Tuesday, October 19, 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, November 16, 2021, at 12:00pm.
- j. Judicial Committee/(CJIS) –**
- k. Floyd County Library Board—Commissioner Allison Watters**
 - i. Next Meeting, Thursday, November 18, 2021, at 4:00pm.

XIII. MANAGER’S REPORT — MR. MCCORD REPORTED ON THE ARPA GRANT STATUS FOR THE COUNTY. STAFF IS LOOKING AT WATER, BROADBAND, PREMIUM PAY, ETC., WE HAVE ALSO RECEIVED REQUESTS FROM THE HOUSING AUTHORITY AND GEORGIA POWER.

XIV. ATTORNEY’S REPORT — MS. HARMAN PREPARED A BRIEF REPORT AT THE COMMISSION’S REQUEST AS IT RELATES TO SENATE BILL 202 AND CAN REPORT NOW OR WHEN IT APPEARS ON THE AGENDA.

XV. CONSENT AGENDA — MR. MCCORD STATED THE CONSENT AGENDA WAS IN ORDER. COMMISSIONER WALLACE MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HANCOCK. THE MOTION CARRIED 5-0.

- 1. Consider request from Human Resources to amend the Floyd County Classification and Compensation Plan to regrade the Assistant County Clerk job classification from paygrade 16, non-exempt, to paygrade 21, exempt, and to reclassify one current Administrative III position in the County Clerk’s office to that of Assistant County Clerk. This was budgeted for FY 2021.**

XVI. OLD BUSINESS – NO REPORT

XVII. NEW BUSINESS

- 1. Consider recommendation from Purchasing to approval the purchase of one (1) Freightliner 114-SD Cab & Chassis with 15-yard Tandem Dump for the Floyd County Public Works Department from Peach State Freightliner in the amount of \$140,422.00. This was budgeted through 2017 SPLOST in \$140,000.00. The approval will also include a budget increase of \$425.00 to**

purchase the 5-year extended warranty. — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION FOR APPROVAL. COMMISSIONER WALLACE MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER MAXEY. THE MOTION CARRIED 5-0.

2. **Consider agreement with Pride Contracting for project no. AP021-9046-41(115) for Airfield Fencing—Phase 2 at Russell Regional Airport.** At the May 25, 2021 meeting, the Board of Commissioners approved GDOT Grant contract for construction of Airport Fencing Project Phase II at \$880,878.27 with an approved local match of \$170,191.75. Pride Contracting provided low bid for the project at \$1,087,680.00. The scope of the project was reduced with the contractor's approval to fall within the approved grant funding. \$759,340.00 will be paid from the Airport Capital Projects Fund. — MR. MCCORD PRESENTED THE REQUEST TO THE COMMISSION FOR APPROVAL. COMMISSIONER HANCOCK MADE A MOTION TO APPROVE, SECONDED BY VICE CHAIR WATTERS. THE MOTION CARRIED 5-0.
3. **Approve new employment contract with Ryan Davis.** — MR. MCCORD PRESENTED THE REQUEST TO THE COMMISSION FOR APPROVAL. COMMISSIONER WALLACE MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER MAXEY. THE MOTION CARRIED 5-0.
4. **Pay Plan Discussion** — MR. MCCORD PRESENTED A CONCEPTUAL RECOMMENDATION TO THE COMMISSION FOR APPROVAL. COMMISSIONER MAXEY MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER WALLACE. THE MOTION TO APPROVED CARRIED 5-0.
5. **Consider recommendation to approve Northwest Regional Hospital property in conjunction with the City of Rome in the amount of \$2,250,000.00. Floyd County's contribution is \$1,125,000.00 from the 2017 SPLOST.** — MR. MCCORD PRESENTED THE REQUEST TO THE COMMISSION FOR APPROVAL. COMMISSIONER HANCOCK MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER WALLACE. THE MOTION CARRIED 5-0.
6. **2022 Forum Operations Discussion** — MR. MCCORD PRESENTED THE ITEM TO THE COMMISSION REGARDING FUTURE PLANS OF OPERATION FOR THE FORUM. NO MOTION WAS MADE DUE TO NO ACTION BEING TAKEN AT THIS TIME.
7. **Senate Bill 202 Discussion** — MS. HARMAN PRESENTED AN OVERVIEW OF SENATE BILL 202, ITS SCOPE, WHO HAS THE ABILITY TO INITIATE A REVIEW, THAT FLOYD COUNTY WOULD BE RESPONSIBLE FOR THE

COSTS OF THE REVIEW, AND THE PROCESS OF A PERFORMANCE REVIEW FOR LOCAL ENTITIES IN GEORGIA.

Ms. Virginia Harman: “At the request of the Commission, I, with Mr. Jackson’s help, prepared a brief overview of what is known as Senate Bill 202 now codified in Georgia Law at O.C.G.A 21-2-105 through 108 with reference to Official Code of Georgia annotated 21-2-33.2, Senate Bill 202 is a mammoth piece of legislation, and it incorporates a lot of provisions that were beyond the scope, I think, of the particular point of interest that the Commission had directed us to focus our attention on, and that is the provisions of that bill as they relate to the ability of this Commission to request a performance review of local election officials. So I’ll start by stating that no other county has made such a request at this point, there is a performance review panel, which has been requested by State Representatives and State Senators for Fulton County’s Election Board, that panel has been appointed by the State Elections Board, they have been affected in the progress of their audit of that particular Elections office by ensuing litigation, so there’s very little information that I can tell you today based on my conversations with other county attorneys including Fulton County attorneys, and the ACCG Council’s office about the scope and nature of that panel’s activities, they really have not done much that they can relay publicly because of that litigation, but at this point, the other two bodies, so under O.C.G.A 21-2-106, there are essentially three different avenues through which a performance panel can be requested, and the first of those would be the local governing body, which in our county is our County Commission, that particular statute goes on to have a little bit different requirements if such a request comes through the State Representatives and State Senators who can initiate those proceedings. In the case of Floyd County, it would take one State Representative and one Senator whose districts cover our county to make that request to the State Elections Board, and larger counties like Fulton County it takes a larger delegation, but that would be the requirement here. Then lastly, actually the State Elections Board can initiate a performance review panel on its own volition, if it, through complaints or otherwise, becomes aware of concerns that would lead it to believe that an audit or a review would be appropriate. So those would be the three methods by which that performance review could be initiated. Once that is done, and again the only time this has happened has been in Fulton County that was done by a letter request from those Representatives, I think for this body, although the statutes doesn’t state that, it would take a Resolution passed in the normal course of the business of this Commission to request that such a performance review be initiated, if that were transmitted to the State Elections Board they would then put that matter on their own agenda, that process took some time in the case of Fulton County, it took about three months for it to hit their agenda to have a panel actually named for their purposes. Senate Bill 202 actually made some fundamental changes to the way the State Elections Board does its business, so it took a little more time, I’m not saying it would take that much time if a request were generated for Floyd County, but I guess the most important point is other than the State Elections Board initiating a panel, which would be constituted of one member of the

Elections staff of the Secretary of State of the State of Georgia and then two other Elections officials chosen from some jurisdiction other than Floyd County, so it would be a three person panel appointed by the State Elections Board. At that point, the State Elections Board has not enacted any other rules or procedures that would necessarily allow me to tell you exactly what would happen next, so there's a little bit of an unknown there, through inquiries that Mr. Jackson and I have made of other county attorneys and ACCG's office, we think that that type of review would be based on a similar review process that can be initiated involving Tax Assessor's offices, we think that that is the idea of a structure for the review process, but there's nothing that would require that currently, so there's no rules yet that have been enacted that I can outline for you, but ultimately, under the State statute that panel would come back and present a report and that report would be given both to this body, the local governing officials, the State Elections Board, and the Elections office of the Secretary of State, at that point that report could run again, from a finding of no issues, to recommendations, structurally, it would be their report and recommendations based upon their review. That could end the process there is a provision under the codification of Senate Bill 202 that would allow either the local governing body or the State Elections Board to then petition for some extraordinary relief that could include removal of local election officials, but that is under an entirely different code section and that process could not be initiated by the State Legislative body, that would only the local governing officials or the State Elections Board itself. There are pellet rights, and that proceeding is governed by the Administrative Procedures Act of the State of Georgia, so there are rules that would be followed in regard to a preliminary hearing that could then be appealed by the local Elections Board, so that is a general overview, again we tried to find out more just about just the nuts and bolts about what the review panels activities would be, I can tell you that the statute does require that Floyd County cover all the costs of that performance review panel. I don't know, I don't have any other context to report back to you on what to expect in terms of those costs, those costs would be borne by the County through the end of even the preliminary hearing if it went that far, at that point if there was an appeal, the Elections Officer appealing the decision would have to bear their own expense unless they were successful, and if they are ultimately successful in their appeal then those costs would come back to the County as well. So that would really be the structure, and the overview, and the context for Senate Bill 202 as its been codified and to the extent that we could find any additional information out that might be helpful to the Commission."

The Commissioners then addressed those in attendance regarding recent statements of the Elections office and Elections Board.

Commissioner Wallace: "I don't have a question for Ms. Harman, just as a Commissioner it is really hard to be put in this position that we are currently in. I feel like the integrity of our whole community is on the line, and I'm not saying that our Election office did anything wrong, but it's almost an attack of the Election office or elections, I don't know that most of you take it personal, I don't

know that it is a personal vendetta against the people working in the Election office or that is if it is that we just want to make sure that we've done the right thing. So as far as the Commission, and as far as me personally, I think that this is a way and a tool to use to bring back integrity to our community, so however we vote and I don't have any idea if we're going to do anything or if it's going to be a discussion, I think the anger and the tone of people's voices and how they express their concerns toward each other is very disrespectful and that does bother me because I think it's, we have people on that Board that work very hard and there's people in that office that have worked through a lot of turmoil, right or wrong, make mistakes or not, but they have worked through a lot of turmoil, and we, as the Commission, are sitting here, and y'all are demanding that we make a decision when we don't really know exactly what we should do. This does give us a tool to move forward to maybe get some answers from a different panel from somebody outside of our community, so that's sort of my thoughts, so I'll end it there."

Vice Chair Watters: "I will just add; I don't disagree with anything that Commissioner Wallace said, one thing that I would like to personally see is an opportunity for the Elections Board to respond to this Board, I think we've got four letters now, Mark? Three or four, a new one today maybe, I would like for the Elections Board to have an opportunity to respond to these concerns, and that's what I see them as, they're concerns, and in doing that, I would like for us to come to some sort of resolution at our next meeting, October 12th, make a decision on where we plan to go with this, I appreciate your perseverance, but I also appreciate the hard work this volunteer board has done and I would like to give you the opportunity to provide this board your responses to those allegations, is basically what they are. That's just me personally."

Chair Bagby: "I feel the same way, through no fault of anyone's, the last presentation that you as a group made, and the letters that Mark had written were not sent to the Election Board until I think Friday of last week, which was a mistake on our part, that was not intended by anybody, it just happened. I would fall in the line with Vice Chair Watters that I would like to take Mark, mainly yours, because yours was in writing, and present the copies of that and make sure all of the documents are in the hands of the Election office and see if they would like to have the opportunity to respond to any of that and then we would move on. That's what I believe is the right thing to do."

Commissioner Hancock: "I tend to agree with Commissioner Wallace, and I agree to a sense with what [Chair Bagby] and [Vice Chair Watters] said, but one of the things that bothers me as a Commissioner sitting up here, this Sunday at church our pastor talked about this, and this is just as mankind, and this is a quote from Mark Twain, it basically says about being kind, 'the deaf can hear it and the blind can see it' so think about that when you're getting up here speaking and you're approaching the commission and you're talking about people that are in this room, be decent about it. There's a way to present your case and be decent

about it without being vindictive and going after somebody, because there's nobody, I can assure you that there is nobody that has intentionally that I know of broken any of the laws intentionally, that I know of now, there may be something that may come out of that later, but if there is I don't know about it, so in order to be criminal there has to be some kind of intent. I do think that Senate Bill 202 is a tool that was put there for a reason for situations just like we're dealing with here. The thing that puts us in an awkward position is we're the ones that appoint the Elections Board, so we appoint them from the Commission, but once we appoint them we leave them alone, and it's intentionally set up that way so that local elected officials don't interfere with the elections process. That way no one can accuse me or anybody on this Board of interfering with any election or being involved in the process, because then, it is tainted at that point. That may happen other places, but I can assure you this board has not interfered in any way, we've been more than hands off to try to figure to how to do this. I personally support the Senate Bill 202, I personally would like to see us do something and here's why, I want to give you my reason, it's not an attack on our [Elections] board, if anything, it would be to clear our [Elections] board of any wrongdoing, so if we did do this Senate Bill 202, it has every opportunity to come back and say 'there's nothing founded to this', Mark, 'there's nothing founded to your letter we did an open investigation, it's unfounded' you know, case closed. Or it could come back and it can say, just like Virginia said, 'well there's some issues here that we need to resolve and here's a recommendation on how you fix it, you do x, y, and z,' and this comes from the State Elections Board that tells us how to fix any problems that we have with our elections process. So I don't see it as an attack on our Elections board and I don't see it as going against anything this side says, or going with what this side says, I see it as a tool that gives us an opportunity to clear the air and it takes us, as a Commission, out of it and gets a second opinion for somebody else to come in here and look at our elections process, clear the air, and tells us if there's anything that we need to do since as an elected official, I can't go and do a deep dive into what's going on in the Elections Board, all I can do is ask questions through Jamie, or through Wright or the Chair, whoever, in order to do a deep dive, we have to have somebody else come in here and do that. That's where I stand, and I understand giving them a chance to respond, but no matter what their response is going to be, we're still going to have this coming back to us at the next meeting, and the next meeting, and the meeting, because there's a trust issue and it's unfortunately nation-wide, and it's not cause by one side or the other, it's caused by both sides."

Commissioner Larry Maxey: "My only concern is that we have been the first on several different projects, this is going to be the first from a county to do this, and we've been the first on a couple of other projects and it wound up costing the County substantial money when we went on some other outfits we've done where we were the first ones to try it, I wish there were some other cases. It's a new law, and we'd be the first one that's doing this as a county, is that right?"

Ms. Harman: “That is correct, there’s been no previous county that has initiated this procedure.”

Chair Bagby: “If there is no further action tonight, I will make sure that the documentation is given to Melanie, John Scott, and Corey.”

Commissioner Hancock: “Wright can I ask one favor? Since we’re having an open discussion, I will agree to do that if we take action at the next meeting, give them two weeks to respond, and then take action whether we want to do Senate Bill 202, or if we don’t want to do it.”

Chair Bagby: “I can guarantee you it will be on the next agenda. There will have to be a motion to bring it up, so I will get those documents to Melanie, John Scott, and Corey and make sure that they have what they need. We appreciate you doing what you do, everybody has passion about things, and we understand that. So, if there’s no further business –”

Commissioner Wallace: “If the Election Board receives those documents that we have, will y’all acknowledge that to the whole Commission Board so we will know that they are done, because we sort of thought you all had them at the last meeting, so I’m sorry that you did not get them because we all thought that you did. I’ll just have to say too before we close, that I do think that Senate Bill 202, even though we do not know the cost and no other communities have done it, that it is just a tool that the State has put in place in order to bring back integrity to all elections and our State Reps, we’ve all had conversations with them, so we’ll continue those conversations. Just remember one thing when you leave here today, just be respectful of each other, because that at the end of the day, that is what’s important, and that’s what we want, we want to have a fair election as well, so thank you all for your time.”

XVIII. OTHER BUSINESS

The Board of Commissioners entered in Executive Session to discuss personnel, property acquisition, and potential litigation. No action was taken.

XIX. ADJOURN — Seeing no other business to come before the board, the Commission adjourned.