

January 9, 2001

REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
January 9, 2001 2:00 P.M.

PRESENT: Chairman John Mayes, Commissioners Chuck Hufstetler, Garry Fricks, Jerry Jennings, and Tim Mahanay.

OTHERS

PRESENT: County Manager Kevin Poe, County Attorney Wade Hoyt, County Clerk Sue Broome,
and Assistant County Manager Tom Tully.

CALL TO ORDER: County Attorney Wade Hoyt called the meeting to order.

INVOCATION: Commissioner Mayes led the Invocation.

PLEDGE OF

ALLEGIANCE: The Pledge of Allegiance was led by Commissioner Mahanay.

APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN.

County Attorney Wade Hoyt stated that the first order of business is the appointment of a Chairman and Vice Chairman and called for a Motion. MOTION was made by Commissioner Jennings to appoint Commissioner John Mayes as Chairman for the Floyd County Commission for the 2001 calendar year. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Jennings
" Mahanay

Motion Carried

County Attorney Wade Hoyt called for a Motion for the appointment of a Vice Chairman for the year 2001. MOTION was made by Commissioner Hufstetler to appoint Commissioner Tim Mahanay as Vice Chairman. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

"	Fricks
"	Jennings
"	Mahanay

Motion Carried

The meeting was then turned over to Chairman Mayes.

ADOPTION OF**MINUTES:**

Commissioner Mahanay made a MOTION to adopt the minutes of the Regular Meeting of December 19, 2000 as presented. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

RESOLUTIONS**HIRING RESOLUTIONS:****COUNTY MANAGER, COUNTY ATTORNEY
COUNTY PHYSICIAN, AND AUDITORS.**

Chairman Mayes called for a Motion to ratify these positions for 2001. MOTION was made by Commissioner Hufstetler to approve the resolutions appointing Kevin Poe as the County Manager, Wade C. Hoyt, III as the County Attorney, Dr. Marc Wall as the County Physician and Read, Martin and Slickman as the County Auditor. SECOND by Commissioner Fricks.

Commissioner Jennings noted that they need to make sure that they provide evaluation for the County Manager, County Attorney and County Physician as part of this process. The Commissioners need to develop an evaluation system for each of the positions and give these individuals feedback in terms of how they view them and their performance. He stated that they owe it to them to give them adequate feedback and this should include addressing the salaries of the county officials. We have been looking at the salaries within all departments and need to attend to salaries of persons in the managerial positions.

VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**DISCUSS PROPOSED RESOLUTION
REGARDING UNMARKED VEHICLES.**

No action was taken on this item.

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay

Motion Carried

PUBLIC HEARING

IMPLEMENT NEW E911 FEE ON CELLULAR PHONES.

Chairman Mayes called for a Motion to open the Public Hearing. MOTION was made by Commissioner Jennings. SECOND by Commissioner Mahanay. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay

Motion Carried

County Manager Kevin Poe stated that they had properly advertised for a Public Hearing and have met all criteria that will allow them to consider implementing a fee on wireless telecommunications connections with subscriptions within Floyd County. He presented a resolution which will impose the rate of \$1.00 per month on all cellular phones. According to State law, on October 1, 2001, the rate will increase to \$1.50 per month. He noted that \$.70 of the \$1.00 charge initially goes towards the day-to-day operations of the 911 center and \$.30 is put in a reserve account for enhancements to 911 systems to provide for accurate setting up of databases to implement this fee through the wireless carriers and any improvements to the system where they can identify and locate cell phones within 100 meters of where the call is being made. If adopted, it will go into effect July 1. They will have to contact and work with all wireless carriers which have subscribers in Floyd County regarding setting up their systems to implement the fee and to negotiate contracts for use of up to \$.30 per subscriber. They will have access to up to \$.30 per subscriber, from the reserve account, to make the improvements to their systems. Once the improvements are made then the entire 30% is set aside in the reserve account for future enhancements to the 911 system. It was noted that this will be done through contract and hopefully there will be a way to review their documents. They cannot use the \$.30 to make a profit; it can only go to direct cost to implement this service. County Manager Poe introduced Hugh Atkins and Pat Smith from the 911 Center and noted that they are now County employees since as of January 1, 911 and EMS comes under County jurisdiction. County Manager Poe noted that in the past the County had subsidized 911 since the funds made from the existing phone services did not cover the cost. Previously the City and County had funded the operation 50/50. After going through House Bill 489 the City of Rome will no longer fund 911 after the year 2002, therefore 100% of the funding becomes the responsibility of the County. More and more calls are coming into the center from wireless phones. County Manager Poe recommended the fee be implemented since more people are going to wireless technology and also for funding issues.

There being no one present wishing to speak for or against this item, MOTION was made by Commissioner Jennings to close the Public Hearing. SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler

" Fricks
" Jennings
" Mahanay

Motion Carried

MOTION was made by Commissioner Mahanay to adopt the resolution and to implement the E911 fee on cellular phones. SECOND by Commissioner Jennings. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay

Motion Carried

**ADOPT RESOLUTION AUTHORIZING
THE TAX COMMISSIONER TO ACCEPT
CHECKS AND OTHER NEGOTIABLE
INSTRUMENTS AND COLLECT A
COMMISSIONER ON SCHOOL TAXES.**

Chairman Mayes called for a Motion. MOTION was made by Commissioner Hufstetler to adopt the resolution authorizing the Tax Commissioner to accept checks and other negotiable instruments and collect a commission on school taxes. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay

Motion Carried

**ADOPT RESOLUTION ESTABLISHING
3-YEAR TERMS FOR MEMBERS OF
THE COUNTY BOARD OF TAX ASSESSORS.**

Chairman Mayes called for a Motion. MOTION was made by Commissioner Hufstetler to adopt the resolution establishing any future appointments as being 3-year terms for members of the County Board of Tax Commissioners. SECOND by Commissioner Mahanay. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay

Motion Carried

FIRST READING

**FILE #017-2000SUP, PROPERTY LOCATED AT
100 BAGWELL ROAD IN THE VANNS VALLEY
AREA, REQUEST A SPECIAL USE PERMIT IN
AN A-R (AGRICULTURAL RESIDENTIAL) TO
BUILD A COMMUNICATION TOWER,
TAX MAP #726, AREA #0, PARCEL(S) #002.
(PLANNING COMMISSION RECOMMENDATION:
APPROVE [VOTE – UNANIMOUS])
(SECOND READING/PUBLIC HEARING TO BE
HELD JANUARY 23, 2001 AT 6:00 P.M.)**

**FILE #020-2000Z, PROPERTY LOCATED AT
1792 OLD SUMMERVILLE ROAD, REQUEST
A SPECIAL USE PERMIT IN A S-R (SUBURBAN
RESIDENTIAL) TO BUILD DUPLEXES, TAX
MAP #512, AREA #00, PARCEL(S) #225.)
(PLANNING COMMISSION RECOMMENDATION:
APPROVE WITH CONDITION OF PRIVATE
SEWER [VOTE – UNANIMOUS])
(SECOND READING/PUBLIC HEARING TO BE
HELD JANUARY 23, 2001 AT 6:00 P.M.)**

Chairman Mayes called for a Motion. MOTION was made by Commissioner Jennings that File #017-2000 SUP and File #020-2000Z on First Reading. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

SECOND READING/PUBLIC HEARING

**AMEND SECTION 2-14-45(f) OF THE CODE
OF ORDINANCES OF FLOYD COUNTY,
GEORGIA, RELATING TO RESIDENCY.
(FIRST READING HELD DECEMBER 19, 2000 AT 2:00 P.M.)**

Chairman Mayes called for a Motion. MOTION was made by Commissioner Fricks to open the Public Hearing. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

County Attorney Wade Hoyt stated that this is a change in the Ordinance where certain affected personnel listed in the Ordinance are required to live within a 25 mile radius of their assigned work station, and those that do not have one year to comply. He noted that in section *f(1)* where it states “25 mile radius of Floyd County” should read “25 mile radius of the employee’s assigned work station”.

MOTION was made by Commissioner Hufstetler to close the Public Hearing. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

Chairman Mayes called for a Motion. MOTION was made by Commissioner Hufstetler to amend Second 2-14-45(f) of the Code of Ordinances relating to residency. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**AMEND SECTION OF THE FLOYD
COUNTY CODE OF ORDINANCES
RELATING TO RESTRICTING THE
DISPOSITION OF GARBAGE, TRASH
OR PROPERTY BY LANDLORDS.
(FIRST READING HELD DECEMBER 19, 2000
AT 2:00 P.M.)**

MOTION was made by Commissioner Hufstetler to open the Public Hearing relating to disposition of garbage, trash or property by landlords. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

County Attorney Wade Hoyt stated that this is a public comment section where we take public comments on the code amendment which will add a lien-it provision to Floyd County's Clean-It Ordinance and will also provide for disposition for garbage, trash or property, of and by landlords. He requested that once the Public Hearing is closed that no action be taken until the next meeting.

Chairman Mayes called for a Motion to close the Public Hearing. MOTION was made by Commissioner Jennings to close the Public Hearing. SECOND by Commissioner Mahanay. VOTING:

VARIANCES

Chairman Mayes called for a 4/5 vote to add **File #001-01V, The Church at Northside**, to the Agenda. MOTION was made by Commissioner Jennings to place File #015-01V, The Church at Northside, 3006 Martha Berry Highway, on the Agenda. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

FILE #001-01V, THE CHURCH AT NORTHSIDE, 3006 MARTHA BERRY HIGHWAY, VIOLATION OF MINIMUM SETBACK.

Chairman Mayes called for a Motion to open the Public Hearing. MOTION was made by Commissioner Mahanay. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

Assistant County Manager Tom Tully stated that the request is for a Variance from the minimum setback at the rear property line. The church is proposing to put a double-wide manufactured home to be used for office areas and other uses. They have received a letter from the adjacent property owner, which abuts the property, who has agreed to the request for approval. They are requesting a 6 feet setback rather than 20 feet, which is a variance of 14 feet. He stated that he has heard no opposition to the request.

Chairman Mayes called for a Motion to close the Public Hearing. MOTION was made by Commissioner Jennings to close the Public Hearing. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay

Motion Carried

Chairman Mayes called for a Motion to approve or deny the variance. MOTION was made by Commissioner Fricks to **approve** the variance on the Church at Northside, 3006 Martha Berry Highway, violation of minimum setback. SECOND by Commissioner Hufstetler. VOTING:

YES NO

Commissioner Hufstetler
" Fricks
" Jennings
" Mahanay

Motion Carried

VOTE ONLY

VARIANCE

**FILE #014-00V, JEFF BARNETT,
2960 MARTHA BERRY HIGHWAY,
VIOLATION OF MINIMUM SETBACK.
(SECOND READING/PUBLIC HEARING HELD
DECEMBER 19, 2000 AT 2:00 P.M.)**

No action taken.

**FILE #010-2000SUP, 3128 HIGHWAY 411,
REQUEST A SPECIAL USE PERMIT IN A
C-C (COMMUNITY COMMERCIAL) ZONING
DISTRICT TO BUILD A COMMUNICATION
TOWER, TAX MAP #572, AREA #0, PARCEL(S) #017.
(PLANNING COMMISSION RECOMMENDATION:
DENY [VOTE – 5 AGAINST, 3 FOR])
(FIRST READING HELD JULY 11, 2000 AT 2:00 P.M.)
(SECOND READING/PUBLIC HEARING HELD JULY 25, 2000
AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD AUGUST 8,
2000 AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD AUGUST 22,
2000 AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD
SEPTEMBER 12, 2000 AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD
SEPTEMBER 26, 2000 AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD
OCTOBER 3, 2000 AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD
OCTOBER 24, 2000 AT 6:00 P.M. [NO ACTION])**

**(SECOND READING/PUBLIC HEARING HELD
NOVEMBER 14, 2000 AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD
NOVEMBER 28, 2000 AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD
DECEMBER 19, 2000 AT 2:00 P.M. [NO ACTION])**

Sean Caskie, Signal One, Chattanooga, Tennessee, stated that they would like to withdraw File #010-2000SUP, 3128 Highway 411, for a Special Use permit for a communication tower.

Chairman Mayes called for a Motion to accept the withdrawal. MOTION was made by Commissioner Hufstetler to accept the withdrawal. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**FILE #019-99SUP, MALLARD POINT ROAD,
REQUEST A SPECIAL USE PERMIT, TO
CONSTRUCT A COMMUNICATION TOWER
IN A S-R (SUBURBAN RESIDENTIAL) ZONING
DISTRICT, TAX MAP #570, PARCEL 34.
(PLANNING COMMISSION RECOMMENDATION:
DENY [VOTE – 4 AGAINST, 4 FOR])
(FIRST READING HELD FEBRUARY 22, 2000 AT 6:00 P.M.)
(SECOND READING/PUBLIC HEARING HELD MARCH 14, 2000
AT 2:00 P.M. [WILL TAKE UP AT NEXT MEETING])
(SECOND READING/PUBLIC HEARING HELD MARCH 28, 2000
AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD APRIL 11, 2000
AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD APRIL 25, 2000
AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD MAY 9, 2000
AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD MAY 23, 2000
AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD JUNE 13, 2000
AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD JUNE 27, 2000
AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD JULY 11, 2000
AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD JULY 25, 2000
AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD AUGUST 8, 2000
AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD AUGUST 22, 2000
AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD SEPTEMBER 12,**

2000 AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD SEPTEMBER 26,
2000 AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD OCTOBER 3,
2000 AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD OCTOBER 24,
2000 AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD NOVEMBER 14,
2000 AT 2:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD
NOVEMBER 28, 2000 AT 6:00 P.M. [NO ACTION])
(SECOND READING/PUBLIC HEARING HELD
DECEMBER 19, 2000 AT 2:00 P.M. [NO ACTION])

No action taken.

CHAIRMAN'S REPORT

APPOINTMENTS:

MOTION was made by Commissioner Jennings to nominate **Gene Milner** for the **Floyd County Board of Tax Assessors**, for a **3-year term, expiring December 31, 2003**. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Jennings
" Mahanay
" Mayes

Motion Carried

Commissioner Fricks and Commissioner Hufstetler abstained from voting until they have time to review all other applicants.

COMMISSIONER'S REPORT

ADMINISTRATIVE/FINANCE COMMITTEE

Commissioner Hufstetler, Committee Chairman, mentioned a discussion held during Caucus regarding all Commissioners voting. He also mentioned the possibility of a change in Committee Chairman. Chairman Mayes asked that the Commissioners review the Committee list. It was noted that these can be discussed at a future planning meeting.

The next meeting will be held January 22, 2001 at 2:00 p.m. The meeting was changed from January 15, 2001 due to that date being a holiday.

PUBLIC SAFETY COMMITTEE

Commissioner Mahanay, Committee Chairman, reported on three issues which had been presented by the ACCG Public Safety Committee to the local legislative group.

1. Take more financial responsibility for State prisoners, which would include a per diem increase for the Jail and Prison to an amount which would be equal to the State's cost for housing a State inmate, including technical violators.
2. Professional development of public safety officers. This is for ongoing training and education, expand the training of certification programs, pay fees for public safety employees to attend college, vocational and technical schools.
3. Develop and enhance public safety communications, which will put all public safety departments on a standardized statewide communication network.

Commissioner Mahanay stated the next Public Safety Committee meeting will be January 10, 2001 at 2:00 p.m.

Commissioner Jennings stated that Mayor Frank Scalf, Cave Spring, had mentioned recently the Georgia School for the Deaf property in Cave Spring as the northern training facility for EMS and generally for public safety. He questioned if this needs to be reviewed before going to Atlanta. Commissioner Mahanay agreed that it needs to be reviewed.

PUBLIC WORKS COMMITTEE

The next Public Works Committee meeting will be on February 14, 2001 at 9:00 a.m.

WATER COMMITTEE

Commissioner Jennings, Committee Chairman stated that the next Water Committee Meeting will be held January 16, 2001 at 11:00 a.m.

Commissioner Jennings stated that Brad McClain, Director of Alabama River Alliance, will be speaking at 7:00 p.m. tonight in the Coosa Room at the Library. He will be speaking on the proposed settlement on the Alabama-Coosa-Tallapoosa Rivers in the water wars issue. This issue certainly affects Rome and Floyd County and reaching an agreement will affect the proposal for the reservoir on Armuchee Creek.

Commissioner Fricks stated that the video tape on TMDL is available from the Clerk's Office and it is very informative.

Commissioner Jennings reminded everyone that there will be a meeting at New Armuchee Baptist Church the end of the month, on the Lavender Creek TMDL issue.

CLERK'S REPORT

CONSENT AGENDA.

County Clerk Sue Broome stated that items 2 and 3 on the Consent Agenda require 4/5 vote to be added to the Agenda, the all three items are ready for vote. The items are in order and presented for consideration.

MOTION was made by Commissioner Jennings to add to the Agenda the contract between Floyd County and Clear Cleaning Services and the Malt Beverage License for Tonya R. Green. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Jennings
" Mahanay

Motion Carried

Chairman Mayes stated that all items are on the Agenda and called for a Motion. MOTION was made by Commissioner Jennings that the items on the Consent Agenda be accepted. SECOND by Commissioner Hufstetler. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks
" Jennings
" Mahanay

Motion Carried

1. Tax Refunds:

- a. Horace L. & Idell R. Roberts, 140 Wilshire Road, NE, \$205.96
- b. Nancy A. Salmon, 79 Boyd Valley Road, SE, \$735.99
- c. Ronald Hess, 326 McClain Road, NE, Kingston, \$49.91
- d. William H. Knight, 411 Mt. Alto Road, \$45.09
- e. Ray Tate, 5809 Big Texas Valley Road, NW, \$148.62
- f. Dallas Kerce, 1542 Morrison Campground Road, NE, \$19.41
- g. Peggy Regis Garrett, 917 Rush Chapel Road, NE, Adairsville, \$66.66
- h. Charles M. Doss, 38 View Drive, SE, \$23.32
- i. Charles M. Doss, 38 View Drive, \$30.50
- j. Charles M. Doss, 38 View Drive, \$25.28
- k. Clarence W. White, 2024 Foster Mill Road, \$20.44

2. Enter into Minutes contract between Floyd County and Clear Cleaning Services for cleaning services. (4/5 vote required)

3. Malt Beverage License:

- a. Tonya R. Green, One Second Trip, 2995 Cedartown Highway, Rome (convenience store). (4/5 vote required)

MANAGER'S REPORT

**REQUEST FROM COUNT RECYCLING
REGARDING RECYCLING EQUIPMENT
BID.**

County Manager Kevin Poe stated that this item was discussed at the last meeting and tabled.

Count Recycling had submitted a late bid on recycling equipment. Sealed bids were taken on November 29 and the staff did not accept the bid and have not opened the bid. Count Recycling has appealed to the County Commission asking that their request to open and include their bid as part of the sealed bids which were accepted for the purchase of recycling equipment, be approved. Chairman Mayes was not present at the previous meeting and County Manager Poe reviewed information discussed previously. It was the recommendation of the staff that the bid not be accepted. The company had been notified that even though there were extenuating circumstances that the bid would not be accepted. MOTION was made by Commissioner Hufstetler that the staff's recommendation be accepted and reject the bid since it did not meet the guidelines. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

PROPOSED FEE INCREASES FOR COUNTY HEALTH DEPARTMENT.

County Manager Poe presented proposed fee increases from the County Health Department. They had submitted a letter of action taken at the June, 2000 Board of Health Meeting. He reviewed the proposed changes and stated the list presented also shows the current fees. Chairman Mayes was present at the Board of Health Meeting when these were approved and he noted that the vote had been unanimous. MOTION was made by Commissioner Mahanay that the proposed fee increases by the County Health Department be approved. SECOND by Commissioner Jennings. Commissioner Hufstetler questioned why some fees were increased and some were not. Chairman Mayes stated that they needed to increase some of the fees to cover costs and that the fees are in line with other communities. Commissioner Mahanay asked when the last fee increase was. After discussion, Commissioner Mahanay withdrew his MOTION and Commissioner Jennings withdrew the SECOND until further information could be obtained at the January 18 budget hearing. Possibly they will have a public hearing on this matter.

DISCUSS PROGRAM TO REIMBURSE EMPLOYEES THAT GO TO DOCTOR FOR AN ANNUAL PHYSICAL.

Manager Kevin Poe stated that it had been discussed in the Administrative/Finance Committee to encourage employees to take annual physicals, not only for a healthy workforce, but possibly to lead to less health claims. Less health claims would benefit all employees financially with possible lower future insurance rates. A program had been discussed whereby an employee going for a physical would be given 2 hours of time off from work to take the physical and it had also been discussed that the County would reimburse the employee for their co-pay. Currently the co-pay on county insurance is \$15 for a physical. He recommended that this be applied to employees and any dependents who are on County health insurance. Employees not on County insurance, would be reimbursed up to \$15 when they get a physical under their plan and give them up to two hours off with pay. Other incentives previously discussed were such as, on a monthly basis every employee who files for a reimbursement, will have their name put in for a drawing for 8 hours of vacation time. Also it was mentioned of doing something on a departmental level for the department with the highest participation rates there would be some type incentive. County Manager Poe stated that since it is the first of the year, something needs to be put in place if this is going to be implemented. If approved, they will work on a policy and necessary forms for reimbursements. Commissioner Jennings asked the percentage of employees who currently have annual physicals. Commissioner Fricks noted that this might be an incentive to those who currently do not have annual physicals. County Manager Poe will have more information available for the next Board meeting.

**AWARD FOOD SERVICE BID AT
JAIL AND AUTHORIZE CHAIRMAN
TO EXECUTE CONTRACT.**

County Manager Kevin Poe stated this item had been discussed during the Caucus Session. Sealed bids were taken on food service for the Floyd County Jail. After reviewing the proposals and service provided by the current vendor, the recommendation is to award the food service to Valley Food Service. This vendor is also recommended by the Sheriff. Assistant County Manager Tom Tully noted that the contract will be awarded on the same terms, with the exception of the termination of the contract. MOTION was made by Commissioner Hufstetler that the food service contract at the Jail be awarded to Valley Food Service Company and to authorize the Chairman to sign the contract. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**DISCUSS REQUEST FROM BRUSHY
BRANCH COON HUNTERS CLUB
CONCERNING COUNTY OWNED
BUILDING AT INTERSECTION OF
MORTON BEND ROAD AND
HIGHWAY 100 AND OLD ARMUCHEE
FIRE STATION.**

County Manager Kevin Poe stated that this item deals with buildings which the County no longer uses and they have had a couple of old courthouse buildings which were used as polling places that are no longer being used. The one on Morton Bend Road does have a reversionary clause in it, so it will have to be deeded back to the original property owners. There was a request for the use of the building, but it will not require any action. There is also a courthouse on Vanns Valley which has the same criteria and will be reverted to the original property owners. County Manager Poe stated that he had received calls about the old Armuchee Fire Station. There is a lot of interest in renting or purchasing the property. Some plan to rent it for a commercial business and some want to rent it for non-profit group to meet in. A decision needs to be made as to what we want to do with the property. The building could be rented or it could be declared surplus and take sealed bids. With sealed bids a form will be sent out and then a bid opening and the highest bid will be taken. If the decision is to rent the property, then there would be a period of time where proposals would be accepted on the rent or lease of the building and then determine what would be the best use of the building. Some people would have to consider zoning also. Commissioner Fricks mentioned that the funds received from rental, including cell towers, could possibly be put aside in a special fund to be given back to the community by way of grants such as have recently been given to non-profit organizations. Any lease would have to include that the facility is being accepted as is and any maintenance would be on the person leasing the building. Commissioner Fricks also mentioned reviewing an inventory list of surplus property.

**REQUEST FROM NORTHEAST ALABAMA
WATER, SEWER AND FIRE PROTECTION
DISTRICT TO EXTEND WATER TO THE
END OF FOSTERS BEND ROAD.**

County Manager Kevin Poe stated that the County currently has an agreement with them. They have two customers as the beginning of Fosters Bend Road and a customer at the end of the road has requested a line extension. We have no current or future plans to put water on this road. This would be similar to the agreement with Polk County to service the Windmill Subdivision near the County line on Highway 101. He recommended allowing the request as submitted. MOTION was made by Commissioner Hufstetler to approve the request by Northeast Alabama Water, Sewer and Fire Protection District to extend water to the end of Fosters Bend Road. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**AUTHORIZE CHANGE ORDER #1
ON DAVIS COMMERCIAL
CONTRACTING, INC. FOR THE
ANIMAL SHELTER EXTENSION.**

County Manager Kevin Poe stated that this is a deductive change order, three hollow metal doors have been taken out of the project and the 6 by 8 roll-up door will be purchased and installed by the County at a later date. The amount of the deductive change order is \$916 to their contract with Floyd County. MOTION was made by Commissioner Mahanay to authorize Change Order #1 on Davis Commercial Contracting, Inc. on the Animal Shelter Extension. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**AUTHORIZE EXECUTION OF HOME
COMPOSTING GRANT AGREEMENT
BETWEEN DCA AND FLOYD COUNTY
COMMISSION FOR \$10,000. CN-0201
(4/5 VOTE REQUIRED)**

County Manager Kevin Poe stated this item will take a 4/5 vote to be placed on the Agenda. A grant has been received from the Department of Community Affairs to continue the Home Composting Program. The grant was submitted by the Rome/Floyd Recycling Center. Attached to the grant is information as to how the funds will be used. There has been a Home Composting Program previously in coordination with Rolling Hills RC&D. This is a way to continue the Home Composting Program in Floyd County, which involves making available compost bins and distributing literature and promotional information regarding the advantages of composting. This is approval to accept the grant. Commissioner Fricks asked if all of the criteria will have to be met. County Manager Poe replied that they have to encourage those type of activities and most of the literature does that.

Chairman Mayes called for a Motion to place Item 8 and 9 on the Agenda. MOTION was made by Commissioner Hufstetler to put Items 8 and 9 of the Manager's Report on the Agenda. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

MOTION was made by Commissioner Hufstetler to accept the Home Composting Grant from Georgia Department of Community Affairs. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

**AUTHORIZE EXECUTION OF TWO
LAND LEASES WITH MASTER AIR
POWER (30 ACRES, AREA 12 AND
10 ACRES, AREA 10) AT RICHARD
B. RUSSELL AIRPORT.
(4/5 VOTE REQUIRED)**

County Manager Kevin Poe presented for consideration, two land lease agreements, one for the 10-acre tract as had been described during the Caucus Session on the west side of the Airport and the other is a 30-acre tract on the east side. MOTION was made by Commissioner Jennings to authorize the execution of two land leases with Master Air Power for 30 acres, area 12 and 10 acres, area 10 at Richard B. Russell Airport. SECOND by Commissioner Mahanay. Commissioner Hufstetler stated that this has been reviewed by the Airport Staff and Commission and they recommend the leases. Commissioner Jennings stated that a lot work has gone into this and a lot of patience has been exhibited, which he appreciates and feels they are ready to move forward with the project. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

ATTORNEY'S REPORT

AUTHORIZE EXECUTION OF TRI-PARTY

**AGREEMENT BETWEEN FLOYD COUNTY,
RELIANCE TRUST COMPANY AND U.S. BANK
TRUST NATIONAL ASSOCIATION RELATING
TO THE ISSUANCE OF \$3,500,000 IN FLOYD
COUNTY WATER AND SEWERAGE REVENUE
BONDS, SERIES 1973.**

County Attorney Wade Hoyt stated this is regarding an old bond from 1973. U. S. Bank Trust Company bought our Reliance Trust Company and has now become the new trustee on the bonds. This agreement authorizes the execution of an agreement acknowledging the fact that there is a new trustee, U. S. Bank Trust National Association. He requested authorization for the execution by the Chairman of the Tri-Party Agreement between Floyd County, Reliance Trust Company and U. S. Bank Trust National Association. MOTION was made by Commissioner Hufstetler to authorize the execution of the agreement between Floyd County, Reliance Trust Company and U. S. Bank Trust National Association and authorize the Chairman to sign any necessary documents. SECOND by Commissioner Mahanay. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

ADJOURNMENT:

There being no further business to come before the Board, MOTION was made by Commissioner Jennings, SECOND by Commissioner Hufstetler, that the meeting be adjourned. VOTING:

YES

NO

Commissioner Hufstetler

" Fricks

" Jennings

" Mahanay

Motion Carried

COMMISSIONERS

FLOYD COUNTY BOARD OF

JOHN W. MAYES, CHAIRMAN