

June 22, 2004

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS  
June 22, 2004 2:00 P.M.  
(Meeting was held at Hearn Academy in Cave Spring)**

**PRESENT:** Chairman Chuck Hufstetler, Commissioners Tom Bennett, Jerry Jennings and John Mayes.

**OTHERS**

**PRESENT:** County Manager Kevin Poe, County Attorney Tom Manning, County Clerk Michele Fountain, and Assistant County Manager Sammy Rich.

**CALL TO ORDER:** Chairman Hufstetler called the meeting to order.

**INVOCATION:** Commissioner Mayes led the Invocation.

**PLEDGE OF**

**ALLEGIANCE:** The Pledge of Allegiance was led by Commissioner Jennings.

Chairman Hufstetler stated that before they get started, he wanted to thank the community for having them there and he offered Mayor Rob Ware the opportunity to make a few remarks and introduce his Council Members.

Mayor Rob Ware stated that he would not say a lot. In addressing the Chairman, Commission and County Staff, he stated that it is a pleasure to have them there. On behalf of the Council and himself, he welcomed them and invited them to come again real soon. He stated that he thought this was something that they ought to do on a regular basis. He thought that it was a great opportunity for them to see the Commission in action and it is a great opportunity for them (*the Commission*) to meet some of the people in Cave Spring. Again, he thanked them for coming stated that if they could ever be of help, they would appreciate the opportunity to do so. Mayor Ware stated that members of the Council present were Ken Landers and Nellie McCain. He stated Public Safety Director, Randy Lacey, was also present.

Chairman Hufstetler stated that there was an Agenda Item which there was apparently a little bit of confusion on regarding Tuckawana Drive and U.S. Highway 411 East. That item will not be address at this meeting. He stated that he thought there was perhaps a little bit of confusion on that item and if there is anyone present regarding that item, they will not be discussing that.

**ADOPTION OF**

**MINUTES:** Chairman Hufstetler asked County Attorney Tom Manning if the minutes were in order. County Attorney Manning replied that they were in order. Commissioner

Jennings asked if they were verbatim or summary. County Attorney Manning replied that the next to last meeting were close to verbatim. It was commented that they were summary/verbatim minutes. Commissioner Bennett made a MOTION to adopt the minutes of the Regular Meetings of May 25, 2004 and June 8, 2004. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Hufstetler

Motion Carried

## **RESOLUTIONS**

### **RESOLUTION RELATED TO FLOYD COUNTY SCHOOL DISTRICT QZAB BONDS. (4/5 VOTE REQUIRED)**

Chairman Hufstetler stated that this requires a 4/5 vote to place on the Agenda and Commissioner Fricks is on vacation this week so it will require 4/4 vote. Commissioner Mayes made a MOTION to place this item on the Agenda. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Hufstetler

Motion Carried

Chairman Hufstetler stated that this item is on the Agenda and he asked if there was a Motion to approve the Resolution. County Attorney Manning asked that before that it is approved, the Resolution in the Packet is in correct Resolution with regard to date. I called the bond counsel's office just a little bit ago. The only change is I do have to substitute the second page with your (the Commission Chairman's) name on it. He stated he would be glad to do that tonight. MOTION by Commissioner Bennett to authorize the chairman to execute the Resolution related to Floyd County School District QZAB bonds. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett  
Chairman Hufstetler

Motion Carried

**FIRST READING**

**(SECOND READING/PUBLIC HEARING TO BE HELD July 13, 2004 at 2:00 P.M.)**

Chairman Hufstetler stated there was one item (on first reading), the Malt Beverage Ordinance. He said the Commissioners were given a packet in Caucus listing the changes. It has been quite a few years since this has been updated. He stated they would be having a public hearing on this item July 13, at 2 p.m. He stated that this item was placed on First Reading and they would move on to the second reading.

**SECOND READING/PUBLIC HEARING**

**(FIRST READING HELD JUNE 8, 2004 AT 2:00 P.M.)**

**FILE #27-2004Z, REQUESTS REZONING  
FROM S-R SUBURBAN RESIDENTIAL TO  
C-C COMMUNITY COMMERCIAL TO  
OPERATE A DAY CARE FACILITY  
(19 OR MORE PERSONS) ON PROPERTY  
LOCATED AT 3890 ROCKMART HIGHWAY/  
HIGHWAY 101 SOUTH. ZONING MAP J16-Z – 056  
PLANNING COMMISSION RECOMMENDATION:  
APPROVE [VOTE – 8 – 0]**

Chairman Hufstetler asked if there was a motion to open the Public Hearing. MOTION made by Commissioner Bennett. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Chairman Hufstetler stated the Public Hearing was now open and asked if there was anyone wishing to speak for or against this at this time. There was one person wishing to speak for the requested rezoning. Chairman Hufstetler asked Planning Commission Director Sue Hiller to give them a brief rundown of the Agenda item.

Ms. Hiller stated the proposed use of Daycare Center for 19 or more people is a primary use permitted within the C-C zoning district. In the current zoning district, the S-R use, allows daycare for up to 18 people. That would require a special use permit. The structure on the property appears to be residential. It's surrounded by residential zoning and residential uses; however... She stated Assistant County Manager Rich was passing out some packets of information because they did not have a Power Point presentation. The zoning around it is residential, use is for regular residential and this appears to be residential and that probably accounts for it being zoned S-R; that, and the fact that there have been interruptions in its commercial use in the past. Some time ago it was used as a daycare and has a history of that use. Before that, the neighbors indicate that it may have been a general store or a local food

store. This property is, however, separated from the surrounding residential uses. It has access from the highway, not from the local road. There is vegetation surrounding it and there is some elevation that is also between this property and the properties around it. So, rezoning it for commercial-use of the property should have no significant impact on the surrounding property. It is within the corridor on the highway there. Fire, police and transportation services to the property are adequate and public water and sewer are not available at this time but they are adequate as well and staff recommends approval and, as was reported to you, the Planning Commission recommended approval as well.

Commissioner Jennings asked Ms. Hiller, as far as the Rockmart Highway is concerned, what is the entrance to the facility and how is it as far as line of sight? Ms. Hiller replied that it appears to be alright. It's fairly clear there. There is already a driveway cut and a driveway into this and adequate parking for the use permitted alongside.

Ms. Sharon Shaw, of 332 Old Cedartown Road, Rockmart, Georgia 30153, introduced herself and spoke in favor of the rezoning. She handed out information to the Commissioners. She stated that they (*her documents*) do show that the property itself is "set" for daycare. The lady who walked her around said that the property was used for 13 years as a daycare facility. It used to be Gingerbread Daycare. She has been cleaning it up and repainting it. From her understanding, it was zoned C-C and then, when her (*the previous owner's*) became ill and passed away and she slowly closed down the facility, somehow during the time the facility was being closed down, in 2001, it became S-R, suburban residential. She is asking that it be zoned C-C again so she can have more children in there. She is in the middle of getting her State license for daycare from DHR. They have approved up to 37 children in the building safely but the way it's zoned prevents her from having more than 18. She is asking to have it rezoned so that she can have up to the 37 that they allow.

Chairman Hufstetler asked if there were any questions. MOTION by Commissioner Mayes to close the Public Hearing. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Commissioner Mayes made a MOTION to approve the rezoning and to add the documents she provided into the record. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Chairman Hufstetler invited Ms. Shaw to stay for the rest of the meeting, if she so desired.

**AMEND SEDIMENTATION AND EROSION CONTROL  
ORDINANCE**

Chairman Hufstetler asked for a motion to open the Public Hearing. MOTION by  
Commissioner  
Commissioner Jennings to open the Public Hearing. SECOND by Commissioner Bennett.  
VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Chairman Hufstetler asked if there was anyone wishing to speak for or against this item.  
Assistant County Manager Sammy Rich stated that he would give a brief history. He said the  
state adopted it or, basically, came up with these regulations back in the '70s. The County,  
somewhere along in '77 or '78, adopted these and every couple of years there are revisions  
made. We will be adopting this as an ordinance within our Floyd County Code and, at a later  
time, we will amend our ULDC, which will reference this. Chairman Hufstler asked if there were  
any other questions. He then asked for a motion to close the Public Hearing. MOTION by  
Commission Mayes to close the Public Hearing. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Commissioner Jennings made the MOTION to approve the amended Sedimentation and Erosion  
Control Ordinance. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

**VOTE ONLY:**

**FILE #18-2004Z, REQUESTS REZONING  
FROM HR-T HIGH DENSITY TRADITIONAL**

**RESIDENTIAL & SUBURBAN RESIDENTIAL TO  
C-C COMMUNITY COMMERCIAL FOR MARKETING  
AND DEVELOPMENT PURPOSES FOR PROPERTY  
LOCATED AT TUCKAWANA DRIVE AND  
U.S. HIGHWAY 411 EAST/CARTERSVILLE HIGHWAY.  
ZONING MAP K15X – 295, 273.  
PLANNING COMMISSION RECOMMENDATION:  
APPROVE [VOTE – UNANIMOUS]  
(DEFERRED ACTION ON REMAINING PORTION OF  
PARCEL 28D FROM MAY 11, MAY 25 AND JUNE 8, 2004 MEETINGS.)**

There was no action taken on this Agenda item.

#### **CHAIRMAN'S REPORT**

#### **APPOINTMENTS.**

Chairman Hufstetler announced there would be one appointment made to Highland Rivers Community Service Board. He stated the recommendation out of the Agenda Session was to reappoint Jim Mehaffey to that position. He then asked for a motion for this action. MOTION made by Commission Jennings to reappoint Jim Mehaffey to the Highland Rivers Community Service Board. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

#### **COMMISSIONERS REPORT.**

#### **PUBLIC WORKS COMMITTEE**

**ADD LLOYD CIRCLE TO FUTURE RESURFACING LIST,  
.13 MILE X 16', FROM WAX ROAD TO DEAD END  
AT AN ESTIMATED COST OF \$3,000.**

Commissioner Bennett stated there was one item. He made a MOTION to add Lloyd Circle to the future resurfacing list for Floyd County. He stated first it would have to be added to the Agenda. MOTION to put that item on the Agenda. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Commissioner Bennett then made a MOTION to add Lloyd Circle to the future resurfacing list. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

#### **WATER COMMITTEE.**

Commissioner Jennings reminded all present that there will be a Water Committee meeting Thursday, at 11:00. He stated it would consist of the usual agenda items plus they would be talking about future water supply issues.

#### **CLERK'S REPORT**

County Clerk Michele Fountain stated there was just one item on the Consent Agenda for the Board's approval, the Tax Refunds. Chairman Hufstetler asked for a motion to approve the Consent Agenda. MOTION by Commissioner Bennett to approve the Consent Agenda. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

#### **MANAGER'S REPORT.**

#### **DISCUSS PROPOSAL FROM AIRPORT COMMISSION TO PURCHASE HANGAR. (DEFERRED FROM JUNE 8,2004 MEETING)**

County Manager Kevin Poe stated that during the Caucus Session they were presented a proposal dealing with the purchase of Master Craft's hangar at the Richard B. Russell Airport and approve a new lease. The recommendation is to approve the purchase of the hangar and amend our budget to allow for purchase of the hangar for \$119,000. MOTION to approve the amendment to the budget to purchase a hangar at the Airport but, he thought they had agreed that they would restrict this or ask for County Attorney review before documents are signed. SECOND by Commissioner Bennett. The County Attorney asked, for the purpose of clarification, if this was a MOTION to purchase the east side and to enter into the lease. Commissioner Jennings verified that this was correct. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

**DISCUSS LEASE AGREEMENTS WITH OPEN DOOR  
HOME, INC.  
(DEFERRED FROM JUNE 8, 2004 MEETING.)**

County Manager Poe stated this item would be deferred to the next meeting.

**DISCUSS PURCHASE OF GREENSPACE PROPERTY.**

County Manager Poe stated that in Caucus Session they had discussed the purchase of Greenspace property. Chairman Hufstetler stated, for the benefit of those who were unfamiliar with this, that there is a State regulatory requirement that funding must be spent by the end of this month. He said the two properties that they are looking at buying and selling property out by the Airport, which we (the Commission) had looked at in the past for buffering area and we've (the Commission) really gotten a better price on it now than when they looked at it last year. The other property is in South Rome and it would be a good area that, he thought, the South Rome Redevelopment Corporation had looked at as an area they wanted to leave for a park-like facility. MOTION made by Commissioner Bennett to authorize the Chairman to enter into a real estate contract on behalf of the County with Richard Grant to purchase all some or all of 7 plus or minus acres adjacent to or near Silver Creek for \$50,000, utilizing Greenspace funds with the Chairman having the discretion to negotiate specific terms subject to the County Attorney's review. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Chairman Hufstetler commented that he appreciated having the ability to negotiate on this and he said that Commissioner Bennett has done a really good job of negotiating (*inaudible*)... Commissioner Bennett stated that he would like to commend Mr. Grant for being willing to enter into negotiations for the mutual benefit of the Greenspace fund and the community in that area. He didn't have to do it but he has agreed to enter into these negotiations with us to make this property available. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler



Motion Carried

Commissioner Bennett stated the other piece of property was adjacent to the Airport. He made a MOTION to authorize the Chairman on behalf of the County to enter into a contract with Jeff Barnett to purchase that tract, 19 plus or minus acres located adjacent to the current airport, for the purchase price of cash in the amount of \$120,000, utilizing Greenspace funds and to exchange that certain 2.37 acre tract owned by Floyd County, located on the Old Dalton Road, both being consideration for said property, with all other terms to be negotiated by said Chairman, subject to County Attorney approval. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

**AUTHORIZE CHAIRMAN TO SIGN INDIGENT  
DEFENSE CONTRACT FOR ASSISTANT PUBLIC  
DEFENDER THROUGH DECEMBER 31, 2004.**

County Manager Poe stated item number 4 concerned two contracts, which he had passed out earlier, naming Brad Reed as the new indigent defense attorney with two judges in two separate courts.

MOTION by  
Commissioner Mayes. SECOND by Commissioner Bennett. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

Chairman Hufstetler stated that this was not really in regard to this public defender. County Manager Poe stated it was actually indigent defense attorney. County Attorney Tommy Manning asked how that terminated. County Manager Poe stated the attorney can get out of it with 60-day notice. They are on an annual basis. Commissioner Bennett stated any of it could be terminated. He asked if County Manager Poe was anticipating, maybe, this other agreement coming in to effect and having to terminate this. Chairman Hufstetler said he guessed that was what he's thinking, what if the other one went through and we ... and this person said, "Well I want to stay on in this other position." County Attorney Manning stated, "He's got in number 5 the Chief Judge, after consultation with the other superior court judges may remove the contracting attorney at any

time, but that's the way I see it terminating." Commissioner Bennett said, "And it is a monthly sum." County Attorney Manning stated he just wanted to clarify that. Chairman Hufstetler stated he thought that was okay. Commissioner Bennett stated they would still make it subject to the attorney's review. Commissioner Bennett amended the MOTION to include that the contracts would be subject to the County Attorney's review. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

#### **APPROVE TRANSMISSION FACILITY RELOCATION AGREEMENT WITH GEORGIA POWER.**

County Manager Poe stated the Commissioners had before them a Transmission Facility Relocation Agreement with Georgia Power Company and, basically, this is the agreement we are entering into with Georgia Power to relocate the transmission lines on the property where the County is constructing the new Health Department project at a cost not to exceed \$30,000. MOTION by Commissioner Bennett to approve the County Manager's recommendation. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

#### **AWARD BID FOR INSTALLATION OF AN IRRIGATION SYSTEM FOR NORTH FLOYD PARK.**

County Manager Poe stated that bids were accepted recently for the installation of an irrigation system within North Floyd Recreation Park. The low bidder made an error in his calculation which made it very low and he obviously couldn't do the project for that cost. The recommendation is that the County go with the next low bidder which is Acqua Irrigation in the amount of \$43,185. He added that this was a SPLOST project. Commission Bennett made a MOTION that the Board approve the County Manager's recommendation. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Hufstetler

**Motion Carried**

**AWARD BID FOR PURCHASE  
OF PLAYGROUND EQUIPMENT  
FOR PARKS HOKE PARK**

County Manager Poe stated that next was a bid for acceptance of the purchase of playground equipment for the Parks Hoke Park. He said the recommendation is that the County go with the second low bidder, for the fact that the low bidder did not meet the specifications that were included in the bid package. The second low bidder is Domenica Game Time for \$13,095. He recommended that the bid be awarded to them. He said that this is also a SPLOST project. MOTION made by Commissioner Bennett to accept the Manager's recommendation. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Hufstetler

**Motion Carried**

**DISCUSS BID RECEIVED FOR SALE OF  
SURPLUS ASPHALT PLANT.**

County Manager Kevin Poe stated that they had recently received bids on the sale of the Asphalt Plant which had been declared surplus a couple of months ago. Only one bid had been received, which was from Contractors Equipment Company, Inc. in the amount of \$10,000. After speaking with the bidder and trying to figure out what all was being figured into what a potential vendor would bid for this equipment, he recommended that they accept the bid. It is lower than what he had anticipated, but considering all of the circumstances around it, he thought that it might be the only bid that they would get. County Manager Poe stated that the recommendation is to accept the bid. Commissioner Mayes made a MOTION to accept the Manager's recommendation. SECOND by Jennings. VOTING:

YES

NO

Commissioner Mayes  
" Jennings  
" Bennett  
Chairman Hufstetler

Motion Carried

**DISCUSS TENTATIVE ADOPTION OF  
2004 MILLAGE RATE.**

County Manager Kevin Poe stated that this does not take any action at this time. He stated that the tentative Millage Rate for 2004 which is 8.2, reduce the Fire from 2.0 to 1.96, Operations .70 to .685, with a basic .055 net from 10.9 to 10.845. They will proceed with their public advertising of the Millage Rate.

**DISCUSS PASSING A RESOLUTION OF  
ENDORSEMENT FOR RECOMMENDATIONS  
OF THE JOINT GMA/ACCG TASK FORCE  
ON QUALITY GROWTH.**

County Manager Kevin Poe stated that this will be deferred to the next meeting in order to have some time to review that.

**APPROVE PUBLIC DEFENDERS FY2004 BUDGET.**

County Manager Kevin Poe stated that this had been discussed during the Caucus Session and at this point in time, any minor expenses between now and when a final decision, it will be charged to Superior Court Indigent Defense. They had talked about adding a line item to the Superior Court Budget. They had discussed setting up an Advisory Committee to work with Tommy to make contacts with the different individuals to discuss the Public Defenders Office.

**DISCUSS IMPROVEMENTS TO WARE ROAD.**

County Manager Poe stated that in 1991 the Board of Commissioners accepted Ware Road on County Maintenance. Ware Road runs off of North Avery Road where they have a 2-inch County maintained waterline running down that road. Recently they upgraded that 2-inch waterline to a 6-inch. The reason why they had not taken the road on maintenance in 30 years is that they could not acquire all of the necessary right of way required when they took it on maintenance, it was accepted tentative that they acquired 60 feet of right of way on Ware Road. Particularly, one property owner was unwilling to give them right of way. In consideration that they have been out there doing a lot of work on waterlines, they need to have good access to continue to maintain the waterline. He stated that they would have very little maintenance with the 6-inch line. County Manager Poe stated that his recommendation would be that if they can acquire the majority of the right of way that they be allowed to go ahead and work in that road and officially take that road on maintenance. Right now it is a residential road and there are

14 property owners and probably about 10 houses. There probably won't be much more development since it is a small road off of North Avery. He stated that the reason they went in there to replace the lines is that it was getting to be a maintenance problem and through the years there was a lot of damage had been done to the road. They prefer to have the waterlines on County maintained roads so there is easy access to them. He stated that he did not think it took any action because the Commissioner in 1991 accepted it on County Maintenance.

**APPROVE USE OF FORUM  
RENT FREE BY DEPARTMENT  
OF LABOR.  
(4/5 VOTE REQUIRED)**

County Manager Kevin Poe stated that they had been contacted by the Georgia Department of Labor. They are wanting to set up a Job Fair for employees of Galey & Lord to help them find other employment. They have asked for free use of the Forum to set up this Job Fair. County Manager Poe felt it was appropriate to come before the Board and recommend that they allow the Department of Labor the free use of the Forum for this purpose. The Job Fair will be August 5, but they need to go ahead and make sure that they can get the facility. This would require a 4/5 vote to be added to the Agenda. County Manager Poe recommended this be approved.

Chairman Hufstetler stated that would be a worthwhile use of the Forum and would help out in the community. As they had discussed in Caucus, some of the employees had been hired by Florida Tile and Florida Tile is looking at an addition. There are also other possibilities. He stated that they would certainly be glad to have the Department of Labor assist these employees.

Chairman Hufstetler called for a MOTION to place this on the Agenda. Commissioner Jennings asked if they were to take action on this. County Manager Poe replied that when they allow agencies to use the facilities for free, they are required to present it to the Board. Commissioner Bennett made a MOTION to put the Manager's recommendation regarding use of the Forum on the Agenda. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Hufstetler

Motion Carried

Chairman Hufstetler called for a MOTION to approve. Commissioner Bennett made a MOTION to approve the use of the Form rent free by the Department of Labor. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Hufstetler

Motion Carried

## **ATTORNEY'S REPORT.**

### **AUTHORIZE EXECUTION OF QUIT CLAIM DEED FOR PROPERTY SOLD AT TAX SALE AND OWNER HAS REDEEMED.**

County Attorney Tom Manning stated that he had two items for the Commissioner. The first is a Quit Claim Deed with regard to another redemption of Tax Sale. It is a formality that the Commission needs to approve the Quit Claim Deed from the County to Mr. Thornton. He stated that it will take a Motion to authorize the Chairman to execute the Quit Claim Deed on behalf of the County. Commissioner Mayes made a MOTION to authorize the Chairman to execute this deed. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Hufstetler

Motion Carried

### **AUTHORIZE EXECUTION OF RESERVATION OF RIGHTS LETTERS FROM COUNTY'S INSURER, TRIDENT INSURANCE.**

County Attorney Tom Manning stated that the last thing he had were two letters from the County's Insurer. They are asking for Reservation of Rights Letters, which is a common thing which the insurer does with respect to litigation. He recommended that the County authorize the Chairman to execute both of those documents.

Chairman Hufstetler called for a Motion. Commissioner Bennett made a MOTION to authorize the Chairman to execute the Reservation of Rights Letters from the County's insurer. SECOND by Commissioner Jennings. VOTING:

YES

NO

Commissioner Mayes

" Jennings

" Bennett  
Chairman Hufstetler

Motion Carried

Chairman Hufstetler stated that the Floyd County Healthy Living Coalition is wanting to give a presentation. He stated that they could probably take 15 minutes at the Caucus, or they may need 30 minutes. They want the Commissioners to wear pedometers. He stated that the program will start in July and suggested that they look the program over.

Mayor Ware stated that he wanted to mention one of the City Staff which was very instrumental in putting this together for the Commission's visit today. That was Gail Roberts with the City. Chairman Hufstetler stated that they appreciated them providing the facility for the meeting.

Chairman Hufstetler asked if there were any questions from the Cave Spring community. He stated that one item was the Fire Study, which is going on. He stated that he understands that Cave Spring had not been visited on that yet, but he wanted to reiterate that they would be meeting Thursday morning. The Fire Study is for the entire Floyd County and they would make sure that Cave Spring is a part of that. He also mentioned that what is done in Cave Spring could possibly be used in a couple of other remote areas of Floyd County. Commissioner Jennings stated that they are also looking at the location of potential future fire stations.

Mayor Ware stated that they would certainly be interested in participating and they appreciate them realizing their need.

Chairman Hufstetler thanked everyone for attending and for having them in their great community.

#### **ADJOURNMENT:**

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

YES

NO

Commissioner Mayes

" Jennings

" Bennett

Chairman Hufstetler

Motion Carried

**FLOYD COUNTY BOARD OF**  
**COMMISSIONERS**

**CHAIRMAN**

**CHUCK HUFSTETLER,**