

March 13, 2007

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
March 13, 2007 2:00 P.M.**

PRESENT: Chairman Jerry Jennings, Commissioners Garry Fricks, Eddie Lumsden, John Mayes, and Chad Whitefield.

OTHERS

PRESENT: County Attorney Tommy Manning, Deputy Clerk Jaime Foster, County Manager Kevin Poe.

ABSENT: County Clerk Kathy Arp.

CALL TO ORDER: Chairman Jennings called the meeting to order.

INVOCATION: Commissioner Mayes led the Invocation.

PLEDGE OF

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

**ADOPTION OF
MINUTES:**

Chairman Jennings asked if the minutes were in order. County Attorney Tommy Manning stated the minutes had been reviewed and were in order. Commissioner Mayes made a MOTION to adopt the minutes of the Regular Meeting of March 13, 2007. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

PROCLAMATIONS:

**RECOGNIZE DIRK GAYLOR FOR HIS ASSISTANCE
AND COURAGEOUS EFFORTS DURING THE GREATER
ROME BANK ROBBERY.**

Commissioner Lumsden presented Dirk Gaylor with a Proclamation recognizing him for his assistance and courageous efforts during the Greater Rome Bank Robbery.

Mr. Gaylor stated any opportunity he gets to thank the Lord for his goodness to him, he is the one who enables all of us to do good deeds, and anytime they have a chance to do

good deeds, he thinks we should. He stated the Bible says perfect love cast out fear so let us always stand for good. He thanked the Board for the recognition.

(Proclamation/Resolution Book, Page 96)

CHILD ABUSE PREVENTION MONTH:

Commissioner Fricks presented Ms. Beth Dabbs with a Proclamation recognizing April as Child Abuse Prevention Month. Ms. Dabbs reviewed the Awareness Activities for the month of April. She recognized her committee and thanked the Board for their recognition.

(Proclamation/Resolution Book, Page 97)

RECOGNIZE EMPLOYEES OF THE QUARTER:

The Board presented Employee of the Quarter Awards to Corporal Carla Perkins, Floyd County Prison and John Satterfield, Animal Control. Chairman Jennings thanked them for their high level of professionalism, exemplary performance and conscientious service exhibited to the public.

SECOND READINGS/PUBLIC HEARINGS: (PUBLIC HEARINGS HELD FEBRUARY 27, 2007 COMMISSION DEFERRED ACTION)

Chairman Jennings stated they have votes to take on two ULDC Revisions. He stated they have previously held the Public Hearings for both of these items on February 27, 2007.

ULDC REVISIONS

- 1. REVISE OR DELETE ARTICLE 3.3.2 b(2); ARTICLE 3.4 TABLE 3-1;
4.1.12 b(6)(e) AND b(2)(b); 4.1.12 d(1) AND d(4); AND 4.1.12 f(3)
REGARDING MANUFACTURED HOMES OUTSIDE OF
MANUFACTURED HOME PARKS. (PLANNING COMMISSION
RECOMMENDATION: APPROVE [VOTE: 10 – 0]:**

Commissioner Mayes made a MOTION to approve the ULDC Revision per Planning Commission recommendation. SECOND by Commissioner Lumsden. VOTING:

YES	NO
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Commissioner Fricks	
" Lumsden	
" Mayes	
" Whitefield	
Chairman Jennings	

Motion Carried

- 2. REVISE ARTICLE 3.3.2 b, c, d, AND e; ARTICLE 3.4 TABLE 3-1;
AND ARTICLE 4.1.28 CONCERNING ATTACHED SINGLE-FAMILY
DWELLINGS. (PLANNING COMMISSION RECOMMENDATION:
APPROVE [VOTE: 10 – 0]:**

Commissioner Whitefield made a MOTION to approve the ULDC Revision per Planning Commission recommendation. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

CHAIRMAN'S REPORT:

1. Appointments:

a. Coosa River Soil and Water Conservation District.

Commissioner Whitefield made a MOTION to re-appoint Thad Rush to the Coosa River Soil and Water Conservation District. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

b. Zoning Board of Appeals.

Commissioner Whitefield made a MOTION to nominate Will Byington for the Zoning Board of Appeals. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. Establish Judicial Services Committee.

Defer.

3. Discuss Make-up of Public Works and Administrative and Finance Committees.

Chairman Jennings stated they discussed Public Works and Administrative & Finance Committees in Caucus adding John Mays, Facilities Manager to the Public Works Committee, and Bill McWhorter and a representative from Jim Ford, Tax Commissioner along with Evon Billups, Director of Elections and Registration to the Administrative & Finance Committee.

4. Report on Strategic Planning Session.

Chairman Jennings stated at the Strategic Planning Session on Wednesday and Thursday, they established a Mission Statement for Floyd County. He stated they discussed between their four committee areas goals and objectives. They will be following up in May with another meeting giving those committees and opportunity to report on goals, objectives and action plan. He recommended formally adopting the Mission Statement as developed at the Strategic Planning Session. Chairman Jennings reviewed the Mission Statement.

Commissioner Mayes made a MOTION to formally adopt the Mission Statement as read by Chairman Jennings. SECOND by Commissioner Lumsden. VOTING:

YES	NO
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Commissioner Fricks	
"	Lumsden
"	Mayes
"	Whitefield
Chairman Jennings	

Motion Carried

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee – Commissioner Whitefield, Chairman

No Report.

2. Public Safety Committee – Commissioner Lumsden, Chairman

a. Request to give Tom Ewing a 10 Percent Salary Stipend for being Commander of the Bomb Squad and the City/County Swat Team.

Commissioner Lumsden stated they have a request to give the position currently held by Captain Tom Ewing of the Floyd County Police Department a 10 percent salary stipend because he wears several hats in addition to his regular duties. Captain Ewing serves as the Commander of the Bomb Squad, and the City/County Swat Team Commander.

Commissioner Lumsden made a MOTION to approve the request for a 10 percent salary stipend for Captain Tom Ewing. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

b. Discuss House Bill 89.

Commissioner Lumsden stated they received a request from Chief Shiflett in regards to House Bill 89, which is a bill that is currently in the State Senate that has to do with expanding the carrying of firearms in a private vehicle. He stated the police community has a concern in regards to this bill and as per their discussion in caucus, he would recommend they go on record encouraging all of their citizens to contact their legislators and voice their views on this issue. He stated they as a Board, while they fully support their police community, they are reluctant to support or condemn any legislation that they as a Board have no direct control over.

c. Discuss request from Sheriff Tim Burkhalter to use Jail Surcharge Funds for several small projects that need to be completed at the Jail.

Commissioner Lumsden stated they have a request from Sheriff Tim Burkhalter to use Jail Surcharge funds for several small projects that need to be completed at the jail. County Manager Poe stated those projects are described in the memo that they covered in agenda session. He stated that would be the Negative Pressure Cell, the Sallyport doors, the completion of the jail access road, and miscellaneous carpeting and tile at the jail. He stated he would also like to add the purchase of a rifle for the member of the Sheriff's Department that is on the SWAT Team to be included in this list of items to be funded through the Jail Surcharge funds.

Commissioner Lumsden made a MOTION to approve the Sheriff's request to use Jail Surcharge Funds for several small projects that need to be completed at the Jail. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

d. Recommendation regarding purchase of Public Safety Patrol Vehicles.

Commissioner Lumsden stated a committee was formed and they spent a great deal of time investigating the various vehicles that were available to them. He stated after much input from several different sources they found the Dodge Charger was the vehicle of choice.

Commissioner Lumsden made a MOTION to recommend the Dodge Charger be purchased as the vehicle for their Public Safety Officers. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

3. Public Works Committee – Commissioner Fricks, Chairman

No Report.

4. Water Committee – Commissioner Mayes, Chairman

No Report.

5. Special Committee Reports

- a. SPLOST Committee**
- b. Work Release Committee**
- c. Fire Overview Committee**
- d. Joint Services Committee**

No Special Committee Reports.

CLERK’S REPORT:

Consent Agenda

Deputy Clerk Jaime Foster stated there are two items on the Clerk’s Consent Agenda, which have been reviewed and are submitted for approval. Commissioner Whitefield made a MOTION to approve the Clerk’s Consent Agenda as presented. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

1. Tax Refunds:

- a. Herbert Monford, 265 Sunset Avenue, Atlanta, 30314, \$93.15
- b. Herbert Monford, 265 Sunset Avenue, Atlanta, 30314, \$2.77
- c. Ronald and Barbara Lynch, P.O. Box 1681, \$68.85
- d. Dongye Hou, P.O. Box 3044, \$63.15
- e. Alvin Lee Jackson, Sr., 22 Conn Street, \$18.04
- f. Ida Belle Davis, 32 Wentworth Place, \$14.24
- g. Mac Gilbert, 4679 Rockmart Road SE, Silver Creek, \$36.08
- h. Echota Realty Company, P.O. Box 6113, \$525.05
- i. James E. Cline, Jr., 2024 Cheatwood Drive, Oxford, Alabama, \$16.67
- j. William S. Davis, 308 Shorter Avenue, \$620.10
- k. Robert L. Moss, 12 Horseshoe Bend Road, \$95.20
- l. Robert L. Moss, 12 Horseshoe Bend Road, \$82.51
- m. Robert L. Moss, 12 Horseshoe Bend Road, \$124.76
- n. Robert L. Moss, 12 Horseshoe Bend Road, \$134.50
- o. Robert L. Moss, 12 Horseshoe Bend Road, \$88.32
- p. Edd Properties, LLC, 117 Rollingwood Circle, \$38.29
- q. James & William Cash, 95 Joy Drive, Cave Spring, \$87.14
- r. Lee Harris Bagley, Jr., 319 Cooper Drive, \$17.22
- s. Lee Harris Bagley, Jr., 319 Cooper Drive, \$114.86
- t. W.E. Salmon, 414 East 20th Street, \$23.62
- u. W.E. Salmon, 414 East 20th Street, \$456.34
- v. Anthony Izaak & John Wayne, 175 N. Edenfield Ridge Drive, \$1.00
- w. Anthony Izaak & John Wayne, 175 N. Edenfield Ridge Drive, \$93.72
- x. Roger Tate, 5859 Big Texas Valley Road, \$30.34
- y. Roger Tate, 5859 Big Texas Valley Road, \$29.36
- z. Richard I. Phillips, P.O. Box 42, Silver Creek, \$13.46
- aa. Richard I. Phillips, P.O. Box 42, Silver Creek, \$111.17

2. Malt Beverage Applications:

- a. **Mukund K. Patel, Riyajill, Inc. d/b/a EZ Stop, 4466 Rockmart Hwy., Silver Creek, Georgia (Convenience Store – Beer)**
- b. **Troy Tanner, Tanner's Bar, 117 Burnett Ferry Road, Rome, Georgia (Beer – New)**

MANAGER'S REPORT:

1. DISCUSS RECOMMENDATION TO RENEW CONTRACT WITH CORRECT HEALTH FOR HEALTH SERVICES AT THE FLOYD COUNTY PRISON AND JAIL:

County Manager Poe stated before them is an Amendment to their Health Services Agreement with Correct Health for health services at the Floyd County Prison and Jail. He stated after review of the services provided with the Sheriff and Warden and as their current Contract allows for continuing the service and the adjustment to the annual amount they pay to Correctional Health, he recommends that they approve the Amendment as presented.

Commissioner Mayes made a MOTION to approve the Contract with Correct Health. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. APPROVE INTERGOVERNMENTAL AGREEMENT BETWEEN THE DEPARTMENT OF NATURAL RESOURCES, FLOYD COUNTY, AND THE ROME-FLOYD PARKS AND RECREATION AUTHORITY REGARDING THE USE OF PROPERTY ADJACENT TO THE LOCK AND DAM PARK:

County Manager Poe stated they have before them an Intergovernmental Agreement between the Department of Natural Resources, Floyd County, and the Rome-Floyd Parks and Recreation Authority regarding the use of property adjacent to the Lock and Dam Park and property along Big Cedar Creek that was purchased with River Care 2000 money. He stated this basically is an agreement dealing with the fact that the state will own this property but deals with how the county and the Recreation Authority can utilize the property and maintain it.

Commissioner Lumsden made a MOTION to accept the recommendation of the Intergovernmental Agreement as presented by the County Manager. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

3. AUTHORIZE LETTER OF SUPPORT FOR ACTION MINISTRIES FOR DCA GRANT:

County Manager Poe stated they have a letter from Action Ministries requesting the County Commission support their request for a grant from the Department of Community Affairs for providing transitional housing and supportive services for homeless families in our community. He stated this is a grant that they have supported for several years now. He stated the recommendation is to support Action Ministries in this grant request.

Commissioner Whitefield made a MOTION to Authorize the Letter of Support for Action Ministries. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Lumsden

" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**4. CLARIFY ACTION TAKEN REGARDING BID AWARD
OF PARK SHELTERS FOR RECREATION AUTHORITY:**

County Manager Poe stated he needs to clarify the action taken at the last meeting regarding the award of bids for shelters at several of their recreational parks. He stated in the minutes he referred to the fact that they would be purchasing three shelters. He stated they have the bid tabulation form, if they look on the far right side; the recommendation was to go with Leisure Lines, which is the low bidder. He stated there are actually four shelters that are going to be purchased. The ones he mentioned at the last meeting were Shannon, Lindale and the North Rome Pool. He stated all of those are SPLOST projects, but there is also a fourth one, which will be Brushy Branch that is a county capital project where they plan to put a park shelter there too. He stated he wanted to make it clear that they are recommending that the bid be awarded to Leisure Lines, which was the low bidder for four park shelters as presented in the bid tabulation form.

Commissioner Mayes made a MOTION to add the item to the agenda under 4/5 vote. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Jennings called for a motion to formally accept the low bid for the four shelters from Leisure Lines per bid tabulation submitted. Commissioner Whitefield made a MOTION to accept the Manager's recommendation. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

5. DISCUSS APRIL 24, 2007 BOARD MEETING:

County Manager Poe stated they noted in Caucus Session they have a conflict with the April 24, 2007 meeting. He stated that will be at the same time they have the ACCG

Annual Conference in Savannah. He stated he thinks the recommendation was to just cancel that meeting at this time and if an issue that comes up that needs to be addressed they can have a Called Meeting.

Commissioner Whitefield made a MOTION to add the discussion of the April 24, 2007 County Commission meeting on the agenda. SECOND by Commissioner Lumsden. VOTING:

	YES	NO
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Commissioner Fricks		
"	Lumsden	
"	Mayes	
"	Whitefield	
Chairman Jennings		

Motion Carried

Chairman Jennings made a MOTION to cancel the April 24, 2007 County Commission meeting due to the conflict with the Association of County Commissioners of Georgia Annual Meeting. SECOND by Commissioner Mayes. VOTING:

	YES	NO
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Commissioner Fricks		
"	Lumsden	
"	Mayes	
"	Whitefield	
Chairman Jennings		

Motion Carried

ATTORNEY'S REPORT:

1. DISCUSS PROPOSED LOCAL LEGISLATION TO IMPLEMENT A SYSTEM OF STAGGERED TERMS OF OFFICE FOR MEMBERS OF THE BOARD OF ELECTIONS AND REGISTRATION:

County Attorney Manning stated they have before them a draft of proposed local legislation to be presented to the local legislators regarding the Board of Elections and Registration specifically to create staggered terms of office, and also to increase the time for making a reappointment to that board. He stated that is before them and it sounded like this body may want to pass a motion that this be submitted to the delegation of local legislators for consideration.

Chairman Jennings stated they may remember their discussion back in December and January when they discovered there was not staggered terms for their Board of Elections and Registration. He stated they felt like having some degree of continuity on that board would be important. He stated they also learned that they could without having to go through the local legislation they could simply implement the county's policy that persons could serve more than two consecutive terms. He stated he thinks that is their intent also in regards to this board. County Attorney Manning stated he was just thinking about the form

of that motion. He stated he would suggest that this body vote to submit this to this to the local delegation because they are not actually adopting it themselves. Chairman Jennings stated he would like to submit this to the Rome City Council and to the Cave Spring City Council for their support of this change.

Commissioner Fricks made a MOTION to submit the Proposed Local Legislation to Implement a System of Staggered Terms of Office for Members of the Board of Elections and Registration to our local legislators as presented. SECOND by Commissioner Lumsden. VOTING:

	YES	NO
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Commissioner Fricks		
" Lumsden		
" Mayes		
" Whitefield		
Chairman Jennings		

Motion Carried

ADJOURNMENT:

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

	YES	NO
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Commissioner Fricks		
" Lumsden		
" Mayes		
" Whitefield		
Chairman Jennings		

Motion Carried

FLOYD COUNTY BOARD OF COMMISSIONERS

JERRY JENNINGS, CHAIRMAN