

October 13, 2009

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
October 13, 2009 2:00 P.M.**

PRESENT: Chairman John Mayes, Commissioners Irwin Bagwell, Eddie Lumsden, and Chad Whitefield.

OTHERS

PRESENT: County Attorney Tommy Manning, County Clerk Kathy Arp, and County Manager Kevin Poe.

ABSENT: Commissioner Garry Fricks and Assistant County Manager Blaine Williams.

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

INVOCATION: Commissioner Whitefield led the Invocation.

PLEDGE OF

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

**ADOPTION OF
MINUTES:**

Chairman Mayes asked Attorney Tommy Manning if the minutes were in order. Mr. Manning stated the minutes had been reviewed and were in order. Commissioner Bagwell made a MOTION to adopt the minutes of the Regular Meeting of September 22, 2009. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

PROCLAMATIONS:

DOMESTIC VIOLENCE AWARENESS MONTH:

Commissioner Lumsden presented Amy Weaver, Hospitality House Director, with a Proclamation recognizing October as Domestic Violence Awareness Month. Ms. Weaver stated Hospitality House is celebrating their 31st Anniversary this year. She expressed appreciation of the Board's support and recognition.

(Proclamation/Resolution Book, Page 152)

RESOLUTIONS:

RESOLUTION AUTHORIZING FY2009 REVISED BUDGETS:

County Manager Poe stated the Commissioners had reviewed the revised budgets for the various Floyd County funds and recommended approval of those revised budgets.

Commissioner Whitefield made a MOTION to Adopt the Resolution Authorizing the FY2009 Revised Budgets. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

RESOLUTION AUTHORIZING ESTABLISHING LINE OF CREDIT WITH UNITED COMMUNITY BANK:

County Manager Poe stated this Resolution is authorizing establishing a line of credit with United Community Bank. He stated they are doing this as a precautionary measure. At this time of year, the cash flow is critical, before taxes start coming in at a good pace. He stated they do expect the Insurance Premium Tax check to come in next week, which is about \$2.7 million, but just in case that does not come in, they would need a line of credit in order to pay bills and payroll. He said this Resolution would be a line of credit up to five million dollars. He stated again, they do not anticipate having to tap into it at all, particularly if they get the Insurance Premium Tax check from the state, but this is a precautionary measure.

Commissioner Lumsden made a MOTION to Adopt the Resolution authorizing establishing a line of credit, if necessary, with United Community Bank in an amount not to exceed five million dollars. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

**FIRST READINGS:
(PUBLIC HEARINGS TO BE HELD
OCTOBER 27, 2009 AT 6:00 PM)**

- 1. FILE #93-2009SUP, REQUESTS SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN SUBURBAN RESIDENTIAL (S-R) ZONING DISTRICT IN PROPERTY LOCATED AT 0 SKYLINE DRIVE. ZONING MAP M11X-197. (PLANNING COMMISSION RECOMMENDATION: MOTION FAILED 3-5, RECOMMENDATION MOVED FORWARD AS APPROVAL [VOTE: 3-5]).**

Chairman Mayes stated Public Hearings will be held on October 27, 2009 at 6:00 p.m.

CHAIRMAN'S REPORT:

- 1. Appointments to Joint Floyd County-Gordon County Development Authority:**

Commissioner Whitefield made a MOTION to nominate Chairman John Mayes to the Joint Floyd County-Gordon County Development Authority. SECOND by Commissioner Bagwell.

Discussion: County Manager Poe stated he would like to make one addition to that, just to make sure everyone is reappointed properly. He stated he thinks it would be good for them to also reappoint the current Chair of the Rome-Floyd County Development Authority (David Newby), and the Chair of the Development Authority of Floyd County (Nancy Smith). He stated based on how this authority was developed, those two people automatically are on the authority. He said he thought it would probably be good to reappoint them, along with Commissioner Mayes. He stated that the Board would also make an appointment to fill the at-large citizen slot on the Authority at a future meeting.

Commissioner Whitefield AMENDED his MOTION to appoint Chairman John Mayes and reaffirm the appointments of David Newby, Chair of the Rome-Floyd

County Development Authority and Nancy Smith, Chair of the Development Authority of Floyd County. SECOND to Amended Motion by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Lumsden

" Whitefield

Chairman Mayes

Motion Carried

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee – Commissioner Chad Whitefield, Chairman

No Report.

2. Public Safety Committee – Commissioner Eddie Lumsden, Chairman

No Report.

3. Public Works Committee – Commissioner Irwin Bagwell, Chairman

No Report.

4. Water Committee – Commissioner Garry Fricks, Chairman

No Report.

5. Judicial Services Committee – Commissioner Eddie Lumsden, Chairman

No Report.

6. Special Committee Reports

a. SPLOST Committee – (Fricks)

b. Work Release Committee – (Lumsden and Mayes)

c. Fire Overview Committee – (Lumsden and Whitefield)

d. Joint Services Committee – (Mayes and Whitefield)

e. Joint Development Oversight Committee – (Fricks and Whitefield)

f. Special Transportation Committee – (Whitefield)

g. Special Public Safety Committee – (Lumsden)

There were no Special Committee Reports.

CLERK’S REPORT:

Consent Agenda

County Clerk Kathy Arp stated there are three items on the Clerk’s Consent Agenda that have been reviewed and are submitted for approval.

Commissioner Lumsden made a MOTION to approve the Consent Agenda as presented. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Lumsden

" Whitefield

Chairman Mayes

Motion Carried

1. Tax Refunds:

- a. Terry Arnold, P.O. Box 2443, \$31.32
- b. Dan Reed Davis, 3381 Falling Brook Drive, Marietta, \$27.29
- c. Carolyn E. Grissom, 4460 Blacks Bluff Road, \$56.16
- d. Randy C. Davis, 652 Chulio Road SE, \$104.65
- e. Melvin Watters, 986 Plainville Road, \$416.62

2. Temporary Malt Beverage Application, Ayet “Eddie” Hasko, Bella Roma Italian Restaurant, Inc., 3401 Martha Berry Highway. (Beer & Wine)

3. Precious Metals Application, Charles Ledbetter, Pawn Stop, 849 Park Avenue, Lindale, GA.

MANAGER’S REPORT:

1. AUTHORIZE EXECUTION OF AGREEMENT BETWEEN FLOYD COUNTY AND TIGER FLIGHT FOUNDATION FOR USE OF HANGAR AT RICHARD B. RUSSELL REGIONAL AIRPORT:

County Manager Poe stated the Agreement between Floyd County and Tiger Flight Foundation is for the use of the large hangar at the Richard B. Russell Regional Airport for an event later this year. He stated they have allowed this group to use the hangar in the past for such purposes. He recommended approval to authorize execution of that agreement.

Commissioner Lumsden made a MOTION to authorize execution of the Agreement between Floyd County and Tiger Flight Foundation for use of hangar at Richard B. Russell Regional Airport. SECOND by Chairman Mayes. VOTING:

YES

NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

2. CONSIDER ENTERING INTO OPTION TO PURCHASE PROPERTY ADJACENT TO AIRPORT:

County Manager Poe stated this item comes to them as a recommendation to enter into an option to purchase property adjacent to the airport. He stated the property is located at 261 Hatfield Road and owned by Gail Deberry. He said we are looking to obtain federal and state funding to help with the purchase of this property. He stated in order to "tie up" the property the recommendation is to enter into an option, which would cost \$500.00. He stated the option period would run until April 3, 2010. He stated we are hopeful that we will obtain these federal and state funds to help purchase the property. He recommended entering into the option for the property at 261 Hatfield Road.

Commissioner Whitefield made a MOTION to approve the Option Agreement to Purchase the property located at 261 Hatfield Road which would authorize the chairman to execute the document. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

3. APPROVE ONE (1) ADDITIONAL CORRECTIONAL OFFICER POSITION FOR PRISON. (POSITION NUMBER 460-975, PAYGRADE 112)

County Manager Poe stated they have before them a recommendation to approve one additional Correctional Officer position for the Floyd County Prison. He stated that several months ago they entered into an agreement with the library to provide janitorial service to them. At that time, they took a Correctional Officer out of the Prison staff to handle that contract. He said they failed to request that the Board authorize creating another Correctional Officer position to replace that position. He stated that is what this does, and again, it is at no additional cost to the county, because the other position that went to the library is fully funded by the library through the contract.

Commissioner Bagwell made a MOTION to approve one (1) additional Correctional Officer position for the Prison (Position Number 460-975, Paygrade 112). SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Bagwell

" Lumsden

" Whitefield

Chairman Mayes

Motion Carried

4. APPROVE WORK AUTHORIZATION #16A WITH LPA GROUP, INC., FOR NORTH TERMINAL AREA EXPANSION – PHASE 2 (CONSTRUCTION) AT RICHARD B. RUSSELL REGIONAL AIRPORT. GDOT PROJECT NO. AP090-9000-31(115).

County Manager Poe stated this comes to the Board as a recommendation from the Floyd County Airport Commission. He stated they are recommending that the Board approve Work Authorization #16A with LPA Group, Inc., who is the engineer of record at the airport, for the North Terminal Area Expansion – Phase 2. He stated as with all of the other projects that are funded through the Georgia DOT, they have to authorize engineering to be completed, and have the plans completed, before they receive any funding from the DOT. He said this will move them forward with this project, with authorization for the engineer to go to work.

Commissioner Lumsden made a MOTION to approve Work Authorization #16A with LPA Group, Inc., for the North Terminal Area Expansion – Phase 2. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

4/5 VOTE REQUIRED

5. APPROVE RESOLUTION TO SUBMIT FORMAL APPLICATION TO THE GEORGIA PUBLIC DEFENDER STANDARDS COUNCIL FOR RETENTION OF FINES AND FEES AND PROVIDING FOR VERIFICATION OF INDIGENCY:

County Manager Poe requested adding this item to the agenda. Commissioner Whitefield made a MOTION to place the item on the agenda. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

County Manager Poe stated this Resolution is to make Formal Application to the Georgia Public Defender Standards Council for permission to retain the \$50 application fee for indigent defense services, and the \$50 bail and bond fee. He stated up until now this has been going straight to the Public Defenders Standards Council. He stated by making this application they agree to the guidelines and procedures for verification of indigency as published by the Standards Council. He noted that the Rome Public Defenders Office will perform the verification of indigency at no cost to the county. He stated they will do it with the staff that they currently have, and this allows the \$50 fees to come straight to the county, which on an annual basis is about \$20,000.00. He recommended approval of the Resolution to authorize submittal of the application.

Commissioner Bagwell made a MOTION to Adopt the Resolution to Submit Formal Application to the Georgia Public Defender Standards Council for Retention of Fines and Fees and Providing for Verification of Indigency, as recommended by the County Manager. SECOND by Commissioner Lumsden. VOTING:

YES

NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

ATTORNEY'S REPORT:

No Report.

ADJOURNMENT:

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

YES

NO

Commissioner Bagwell
" Lumsden
" Whitefield
Chairman Mayes

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

JOHN MAYES, CHAIRMAN