

October 27, 2009

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS  
October 27, 2009                      6:00 P.M.**

**PRESENT:** Vice-Chairman Eddie Lumsden, Commissioners Irwin Bagwell, Garry Fricks, and Chad Whitefield.

**OTHERS**

**PRESENT:** County Attorney Tommy Manning, County Clerk Kathy Arp, County Manager Kevin Poe and Assistant County Manager Blaine Williams.

**ABSENT:** Chairman John Mayes.

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

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

**PLEDGE OF**

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

**ADOPTION OF**

**MINUTES:**

Chairman Lumsden 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 October 13, 2009. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**PROCLAMATIONS:**

**NATIVE AMERICAN INDIAN HERITAGE MONTH:**

Commissioner Bagwell presented Ms. Ansley Saville, Xavier Chapter, Daughters of the American Revolution, with a Joint Proclamation from Floyd County and the City of Rome recognizing November as National American Indian Heritage Month.

Ms. Saville stated she is accepting this proclamation on behalf of the Daughters of the American Revolution Xavier Chapter. She stated she is Chairman of the American Indians Committee. She stated she is also here for the Chieftains Museum, and they are very fortunate that both the city of Rome and Floyd County recognize the very deep heritage they have with the Cherokee Indians. She stated the Cherokee Nation is very supportive of Chieftains Museum, and they appreciate the support of Floyd County and the City of Rome. She thanked the Board.

(Proclamation/Resolution Book, Page 153)

## **RESOLUTIONS:**

### **ADOPT RESOLUTION RELATED TO CLOSURE OF A PORTION OF DEMPSEY ROAD. (PUBLIC HEARING TO BE HELD TUESDAY, NOVEMBER 10, 2009 AT 2:00 P.M.)**

County Manager Poe stated the property owner, who owns the property on both sides of the road, has made a request to close a portion of Dempsey Road. He said the property is at the dead-end portion of Dempsey Road, right across the railroad tracks from the old Dempsey Dairies. Based on the county procedure, they will go through a public hearing process. If it is in the public's interest, and there is no need to keep the road open, the Commissioners can vote to close it. He stated if they vote to close it, that portion of the road will be deeded to the property owner,

Commissioner Fricks made a MOTION to adopt the Resolution related to closure of a portion of Dempsey Road. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

## **FIRST READINGS:**

**(PUBLIC HEARINGS TO BE HELD  
NOVEMBER 10, 2009 AT 2:00 PM)**

- 1. PROPOSED CLOSURE OF A PORTION  
OF DEMPSEY ROAD.**
- 2. PROPOSED RENAMING OF MCC DRIVE,  
A FLOYD COUNTY MAINTAINED ROAD,**

**TO BALL DRIVE.**

Chairman Lumsden stated Public Hearings will be held on November 10, 2009 at 2:00 p.m.

**PUBLIC HEARINGS:  
(FIRST READINGS HELD  
ON OCTOBER 13, 2009)**

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

Chairman Lumsden declared the Public Hearing open and asked Phil Helton, Rome-Floyd Planning Department, to give a brief overview of this request. Mr. Helton stated the property is located off Hermitage Road on Skyline Drive. He stated this is located in the Shannon area, and is currently undeveloped. He said the property to the north, south, east, and west is zoned Suburban Residential (S-R). The surrounding property has both site built and manufactured homes.

Chairman Lumsden asked if there is anyone who wishes to speak in support or opposition of this item. Seeing none, he declared the Public Hearing closed and called for a motion.

Commissioner Bagwell made a MOTION to approve the special use permit request for manufactured home on property located at 0 Skyline Drive. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**CHAIRMAN'S REPORT:**

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

Commissioner Bagwell made a MOTION to appoint Greg Wood to fill the at-large slot on the Joint Floyd County-Gordon County Development Authority. The term will expire on December 31, 2011. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

#### **COMMISSIONER'S REPORT:**

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

##### **4/5 VOTE REQUIRED**

- a. Authorize purchase of CP60 Plus Color Printer, Simplex, 200-Card Input Hopper with Ethernet Connectivity and Software for Human Resources Department in the amount of \$6,172.00.**

Commissioner Whitefield made a MOTION to add the item to the agenda. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

Commissioner Whitefield stated they have a request from the Human Resources Department to authorize the purchase of a new color printer. He stated the current one is in disrepair and no longer upgradeable. He said that Human Resources has had some significant savings within their Equipment Budget due to state pricing on some time clocks. The request is to use those savings to purchase the new printer and related equipment and software package.

Commissioner Whitefield made a MOTION to authorize the purchase of CP60 Plus Color Printer, Simplex, 200-Card Input Hopper with Ethernet Connectivity and Software for Human Resources Department in the amount of \$6,172.00 (from their Equipment Budget). SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**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 four items on the Clerk's Consent Agenda that have been reviewed, and as noted in caucus, item 4 b, 106 East 14<sup>th</sup> Street (Parcel J14N-376) is not to be considered as part of the Consent Agenda. She stated with that deletion, the Consent Agenda is submitted for approval.

Commissioner Bagwell made a MOTION to approve the Consent Agenda as presented, with the deletion of item 4 b as noted. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**1. Tax Refunds:**

- a. John Jerome Jones, 1646 Old Dalton Road NE, \$45.96
- b. Randy C. Davis, 652 Chulio Road SE, \$113.00
- c. Marion B. Hunter & Ann Coleman, P.O. Box 3057, \$1,460.17
- d. Douglas & Sheryl Allen, 27 Tate Estate Road, \$153.66

**2. Execution of Waterline Surcharge Agreement between Floyd County and Youth for Christ Rome Area, Inc.**

**3. Execution of Application for Transfer of Federally Forfeited Property.**

**4. Execution of HUD HOPE VI Option Contract for the following properties:**

- a. 4 East 15<sup>th</sup> Street (Parcel J14N-383)

**MANAGER'S REPORT:**

**1. AWARD OF BID FOR FUEL DISPENSERS  
FOR PUBLIC WORKS AND JAIL:**

County Manager Poe stated sealed bids were accepted on October 15, 2009. He stated the recommendation from the Purchasing Director is to accept the lowest bid meeting specifications, in the amount of \$19,763.40, from Southern Pump and Tank. He said the budgeted amount was \$25,000.00. He recommended awarding the bid to Southern Pump and Tank.

Commissioner Whitefield made a MOTION to award the bid to Southern Pump and Tank in the amount of \$19,763.40. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**2. APPROVE LARP CONTRACT (SO11994-LAR)  
BETWEEN GEORGIA DEPARTMENT OF  
TRANSPORTATION AND FLOYD COUNTY  
AND AUTHORIZE EXECUTION OF CONTRACT  
DOCUMENTS:**

County Manager Poe stated the LARP (Local Assistance Resurfacing Projects) Contract has been received from the Georgia Department of Transportation. He recommended authorizing the Chairman or Vice-Chairman to execute all contract documents related to this project.

Commissioner Bagwell made a MOTION to approve the LARP Contract as presented, and authorize the Chairman or Vice-Chairman to execute all contract documents, per the Manager's recommendation. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**ATTORNEY'S REPORT:**

**1. RECOVERY ZONE BOND NOTICE  
OF INTENT TO ISSUE:**

County Attorney Manning stated the Recovery Zone Bond Notice of Intent to Issue, which the Board has before them would allow the county, if they authorize this Notice of Intent, to issue Recovery Zone Economic Development Bonds and

Recovery Zone Facility Bonds. He said this would be through money that has been provided for by the state, that the county is eligible to receive and use for certain financing for private industry, and certain financing for governmental projects. He stated if the Commissioners authorize execution of this Notice of Intent to Issue, the county would not obligate itself to move forward with the use of these bonds, but would remain eligible. Therefore, he thinks it is the recommendation of the County Manager that the Commission approve the execution of this Recovery Zone Notice of Intent to Issue.

Commissioner Whitefield made a MOTION to authorize the execution of the Recovery Zone Bond Notice of Intent to Issue. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

#### **ADJOURNMENT:**

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

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**FLOYD COUNTY BOARD OF  
COMMISSIONERS**

**JOHN MAYES, CHAIRMAN**



