

July 27, 2010

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
July 27, 2010 6:00 P.M.**

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

OTHERS

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

ABSENT: Commissioner 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 Bagwell.

**ADOPTION OF
MINUTES:**

Chairman Lumsden asked County 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 July 13, 2010. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

RESOLUTIONS:

**ADOPT RESOLUTION SETTING 2010
MILLAGE RATE FOR FLOYD COUNTY
BOARD OF EDUCATION M&O AND**

**FLOYD COUNTY GOVERNMENT M&O,
FIRE PROTECTION AND SOLID WASTE:**

County Manager Poe stated the tax levy for the Board of Education and the county government M&O, Fire Protection and Solid Waste are all staying the same as they were in 2009. He stated for the county the millage rate is 1.669 mills for Fire, 0.664 mills for Solid Waste, and 8.767 mills for M&O. This is based on the fact that we are experiencing a decrease in the tax digest, which will result in a reduction in taxes in the M&O budget of approximately \$417,000.00.

Commissioner Fricks made a MOTION to Adopt the Resolution Setting the 2010 Millage Rate for Floyd County Board of Education M&O and Floyd County Government M&O, Fire Protection, and Solid Waste as outlined by the County Manager. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

**ADOPT RESOLUTION SETTING STREET
LIGHTING ASSESSMENT FOR 2010 TAX
YEAR:**

County Manager Poe stated this Resolution sets the charge for each property in the county that is in a street light district, for assessment for street light services. He stated the current street lighting assessment is \$.45 per foot. Based on the cost that the county pays Georgia Power for streetlights, an increase from \$.45 to \$.46 is recommended for 2010. He stated this will show up on the tax bill of those taxpayers who own property in the county that are in street light districts.

Commissioner Bagwell made a MOTION to Adopt the Resolution Setting Street Lighting Assessment for 2010 Tax Year as outlined by the county manager. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

**PUBLIC HEARINGS:
(FIRST READINGS HELD
JULY 13, 2010 AT 2:00 P.M.)**

**1. FILE #72-2010SUP, REQUESTS SPECIAL USE
PERMIT FOR MANUFACTURED HOME ON
SUBDIVISION LOT IN SUBURBAN RESIDENTIAL
(S-R) ZONING DISTRICT ON PROPERTY LOCATED
ON BEARD DRIVE. ZONING MAP J11Y-PARCEL 011.
(PLANNING COMMISSION RECOMMENDATION:
DENY. [VOTE: 9-0]):**

Chairman Lumsden reviewed the Public Hearing procedures, and declared the Public Hearing open. He asked Sue Hiller, Planning Department Director, to give a brief overview of this item. Ms. Hiller stated property to the north of the subject property is zoned S-R (Suburban Residential). That property is partly undeveloped, used agriculturally, or has been in the past. She stated to the east is property zoned S-R (Suburban Residential). The lot is developed with two manufactured homes, neither of which appear to be habitable at this time. She stated to the west is property zoned D-R (Duplex Residential). There is a single-family dwelling on the lot closest to the street, and then three duplex dwellings. She stated to the south is property zoned S-R (Suburban Residential) and either undeveloped, or developed with single-family structures. This property is within a subdivision known as J. F. Beard Estates. Therefore, it does require a special use permit for placement of a manufactured home on the property. She stated in 2001 when the ULDC was adopted, this area was not zoned, because this map sheet was left out of the adoption process. In 2003 the entire map sheet was adopted and this property was zoned S-R (Suburban Residential) at that time, as was most of the property within this subdivision because that represents the predominant land use of site built single-family dwellings. She stated approval of a special use permit for a manufactured home in this area would not introduce a new development pattern, but it would be inconsistent with the predominant land use pattern of site built structures. The aerial photo shows both of the manufactured homes that are on the adjacent property. It also shows a manufactured home on that lot, but that was gone for the twelve-month period that the ULDC specifies, and that is why it is back before them for a special use permit.

Support: Jeff Barnett, 196 Painter Road, stated he is the applicant, and he lives less than a mile away from this property. He stated Mike Waters would like to purchase this piece of property to temporarily put a mobile home on it, and in a few years build a house. He does not want to do anything to upset his neighbors because he would be living there. He stated at this point what they would like to do is possibly go back and talk to some of the people in Glenview Drive subdivision that came to the Planning Commission meeting against it. Maybe they could speak with them about a setback line, vegetated buffer, landscaping, or something that they could agree to. He

stated what he would like to do is proceed with this with some conditions on it. They would be okay with 150-foot setback. He stated that way the mobile home would be at the back of the lot. He stated the lot is 377 feet deep, and they could put a mobile home in the back, where they probably could not even see it from the road. He stated they would like to approach those who are against it to see if they can work something out as far as a setback.

Mike Waters, 2168 Old Dalton Road, stated he is the person interested in purchasing the property. He stated he has spent a little bit of time out there and done some cleaning up of the property. There was a lot of trash in the ditch and on the road frontage there. He stated he keeps a neat property, and he would not be a nuisance. He does not have parties or anything like that. He stated he would be living there by himself, and planning to possibly put up a privacy fence. He wrote to the person who owns the property beside it in attempts to purchase that property, so when he gets ready to build he would actually have both lots. He stated there is no one living in the two mobile homes on the other lot, and he cannot get a hold of anyone, but he wrote a letter to the person listed as the owner on the tax books. He has not heard anything back from them. He stated the property is perfect for him right now. It has water and sewer hook-up and a power pole. He stated he has mowed the property, brought in a bobcat and graded the driveway, and cleaned up the ditch. He has done a lot of work there already, so hopefully they can work something out because it is close to where his parents are and that is where he would like to live.

Opposition: Sherry Ward Payne, 5790 Rockmart Highway, stated her father owned some of the undeveloped land on Beard Drive and he passed away about a year and a half ago, and that land was deeded to herself and her brother. They have not had any definite plans for that land, but she would definitely like for the property to remain suitable to sell if they need to, or to have someone build on it. She stated they would prefer that there were not more mobile homes in that area, if she had her choice, but she realizes that is not her choice. She thinks that it would hurt the property to have more manufactured homes in the area.

Mark Ward, P.O. Box 640, Armuchee, stated he is Sherry Ward Payne's brother. He stated he is definitely against it because he thinks it sets a precedent for that land there. His father held that land for as long as he has been alive, and it was a nest egg for his mother. He stated he is against anything that is going to bring its value down. He believes another mobile home will, because if they allow this one, then there will be more. He stated one thing the aerial photo does not show, and he thinks it is the most important thing, is an established subdivision there. It is on Glenview Drive, and has been there all of his life. He stated they were nice homes when they were built in the 1960's. He stated if they continue to put trailers back there, he knows there are already some and does not know how they got there, but it will not be fair to those people who spent a lot of money at the time to buy those houses. He stated they bought the houses and understood that there were covenants and things that they could not do in their neighborhood. He thinks it will just be an injustice to them, as well as the

neighborhood. He stated they are planning to sell their land eventually to people who want to build a home, not just something that could be pulled off at anytime.

Jeff Payne, 5790 Rockmart Highway, stated the reason he is here to speak is because one thing that he has thought about in this is, maybe he is just going to put a trailer there long enough to build a house, but that would be cracking the door for something else to happen. He stated they have a right-of-way into their property that they live on. Some people that lived on the highway wanted to build their daughter a house back behind theirs, but they wanted to use their driveway as access. Their lawyer told them that if they ever give one of them access, they might as well plan to keep giving because it is going to just spread. He stated they do not know that is going to happen, but he knows his father-in-law would turn over in his grave if he thought there was going to be a trailer park there. He stated they know that it degrades the property. He said their nephew has three kids, and is having a hard time. He checked on some of the trailer parks because he was trying to find a cheap place to live. He stated it is in the same area, and after looking it over, he did not want to move there. He said there were too much drugs and things going on that he just did not want to be involved in any of that. He stated that is kind of their fear right now that something of that nature could happen.

Rebuttal: Mr. Barnett stated he would like to point out that the subdivision that Beard Drive is under is not the same subdivision as Glenview Drive. He stated Glenview Drive does have covenants and it was part of a subdivision of custom-built homes. He stated Beard Drive has never been that. It has always been mixed. He stated there are two businesses that operate off Beard Drive. There are nine duplexes. So there are eighteen families living in apartments, and there are four mobile homes. Beard Drive is a mixed-use road. (*Mr. Waters's comments were inaudible.*)

Chairman Lumsden declared the Public Hearing closed. Commissioner Whitefield asked Ms. Hiller the "T" on the map represents the existing mobile homes, is that correct. Ms. Hiller stated yes, the "T" represents manufactured homes that are in place now, regardless of whether they are habitable or not. She stated the two that are on the property to the east are currently not inhabited, and do not appear to be habitable. Commissioner Whitefield asked were either one of these properties issued a special use permit since the inception of the ULDC. Ms. Hiller stated no. When she went back to check on the tax records, it appeared that the manufactured homes in this area predated the ULDC.

Commissioner Fricks stated Mr. Barnett had mentioned that he would like to further discuss the setbacks and things with the neighborhood. He asked can they table the request to give him the opportunity to have those discussions and attempt to work things out. He stated that he is really torn about it. Chairman Lumsden stated they can approve, deny, or table, and he can make that motion.

Commissioner Bagwell asked Ms. Hiller when the duplexes were constructed. Ms. Hiller stated the duplexes also predate the ULDC. However, the lot

that was zoned M-R (Multi-family Residential) was zoned following the ULDC, which was 2005, and it has not been developed yet. Commissioner Bagwell asked Mr. Barnett when he purchased the piece of property. Mr. Barnett stated he has owned it about fifteen years. He stated there were actually two mobile homes on this property a few years back. About two years ago, the people lost their jobs and moved out. He stated he had not realized that his year had lapsed, and that they were going to run into this with the subdivision regulations. He said when the ULDC was first adopted, the subdivision regulations were a little different from what they are now. He stated in the beginning the ULDC did not encompass everything. It was only the subdivisions, such as the one on Glenview Drive that was covered under those subdivision regulations. Commissioner Bagwell asked so he has owned the property since 1995. Mr. Barnett stated something like that because it was a fifteen-year loan and he has paid it off. He stated he did spend a good bit of money getting the sewage and water run to it.

Commissioner Whitefield asked what type of development pattern does he want to open the door for. He stated currently the dilapidated mobile homes to the east would require special use permits if someone wanted to replace those with newer units. Ms. Hiller stated she believes that would be the case under the amendment to the code that was adopted. Commissioner Whitefield stated so approval of the special use permit would set a precedent for continued development of that area with mobile homes. He asked Ms. Hiller what the future land use map calls for that area to be. Ms. Hiller stated suburban residential.

Commissioner Fricks made a MOTION to table the request to allow Mr. Barnett to meet with the neighbors, and come back with a proposal for setbacks, and/or a site plan for the location of the mobile home for reconsideration. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Fricks

Commissioner
Whitefield
Chairman
Lumsden

County Clerk Kathy Arp stated they have a tie vote. County Attorney Manning stated another motion would be in order.

Commissioner Whitefield stated he appreciates Commissioner Fricks' willingness to help these parties find a common place in this, but his concern is the future land use in this area and the development pattern that it would create. He stated he genuinely feels that Mr. Barnett has the best of intentions, but it would open the door for continued development of that property that is not in line with future land use maps and development patterns.

Commissioner Whitefield made a MOTION to deny the request for special use permit on File #72-2010SUP for the placement of a manufactured home. SECOND by Commissioner Bagwell. VOTING:

	YES	NO
Commissioner Bagwell		Commissioner
Fricks		
" Whitefield		
Chairman Lumsden		

Motion Carried

2. FILE #73-2010SUP, REQUESTS SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT IN SUBURBAN RESIDENTIAL (S-R) ZONING DISTRICT ON PROPERTY LOCATED ON LINDSEY ROAD. ZONING MAP J11X-PARCEL 352A. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 6-3]):

Chairman Lumsden declared the Public Hearing open, and asked Sue Hiller, Planning Department Director, to give a brief overview of this item. Ms. Hiller stated the subject property is listed in the tax records as Summerville Road Addition. Therefore, it does require a special use permit for a manufactured home. She stated to the north and west is properties that are zoned S-R (Suburban Residential). To the south is property zoned S-R (Suburban Residential) and developed with a mix of site built and manufactured homes. She stated in fact, on one of the properties to the south a special use permit was granted in May of 2009. The property to the west is zoned H-C (Heavy Commercial) and has a manufactured home on it as well. She stated it is a very rural residential area. The aerial photo shows the development in the area of single-family residences. She stated they did have a discussion at the Planning Commission about the fact that the property is partially, or almost entirely, within a flood plain but not in the floodway. Therefore, a single-family dwelling could be built there, as long as it could be elevated above the flood elevation by two feet. She stated there are some restrictions there, but it is still a possibility. The applicant indicated that he would get the appropriate permits to do that. She stated there is also a sewer easement that goes through the property. The applicant indicated that he could place the manufactured home in a way that would avoid that easement.

Support: James Turner, 61 Autry Road, stated he has recently been declared disabled and this is the first time he has ever purchased a piece of property. He stated he has worked mostly all his life, but he is trying to set his own home up since he has these disability problems. He bought a piece of property, 74 Lindsey Road, from Larry and Justin Hight. He purchased the property May 21, 2010, and he is just trying to go through the process of what he needs to do to get this organized and set up.

He stated he would like the opportunity to be part of the community. He would like this one chance to try to and make this work for his family. He stated he has run into a few snags on the mobile home that he had purchased to put on that property, but he would like to try to move forward with some of this.

Opposition: **Ronald Lynch, 3689 Martha Berry Highway**, stated he adjoins his property in the back and on the east side. He stated Memorial Drive subdivision joins it on the east and north side. He stated there is only one mobile home that is sitting on Lindsey Drive. He stated it is in the floodplain, and a creek runs under Lindsey Drive. The main county sewer line runs across this property. He stated he has a picture of it before it was cleared, but they have gone out there now, cleared this lot, and pushed all the stuff into the creek. He stated he does not know who is going to clean it up, but it will dam the creek up, and it does flood. He explained how the sewer line feeds the surrounding neighborhood. He stated there is not really room to put a double wide there. The land is low and it does flood. He stated he just hates to see anybody spend several thousand dollars on it because it will not work.

Rebuttal: Mr. Turner stated first of all, he was not aware of the main sewer line running through that property. He stated basically what he has done was bought a piece of land and just trying to work with it. If it is going to cause any problems then he would like to be able to resell it and maybe recover at least some of his money. He stated they have had some heavy rain this past week and he has gone over to look at it. They pushed the brush and trees over close to the creek to keep it from flooding for right now. He stated he understands what they are saying about the sewer line, but he does not know what he can do at this point except try to go ahead and do something with the property. This is the first piece of property he has ever bought. He stated he is just learning as he goes and that is all he can do. He thanked the Board.

Commissioner Bagwell asked Ms. Hiller if she could point out on the aerial where the fill dirt was put in on that property. Ms. Hiller stated she does not know exactly it is, but from the photo it looks like part of it has been cleared and either scraped or filled in that area. She stated he indicated at the Planning Commission that he would fill in the area to provide a level area, and that it would be two to four feet of fill to bring it up to the appropriate level on a floodplain.

Commissioner Whitefield asked Mr. Turner if he understood him to say that he has run into some complications, and it could be several months before he can pursue buying his mobile home. Mr. Turner stated yes, he is having problems from the people that he is purchasing the mobile home from. He would try to do this somewhere else, but right now he is kind of stuck and he just needs some guidance and understanding.

Chairman Lumsden declared the Public Hearing closed, and called for a motion. Commissioner Whitefield stated with the future of that property uncertain, and the question about whether or not the applicant is going to be able to put a mobile home there, he made a MOTION to deny without prejudice to allow the applicant time

to make a determination on what he may be able to do with that property. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

3. FILE #74-2010Z, REQUESTS REZONING FROM HIGH SUBURBAN RESIDENTIAL (S-R) TO COMMUNITY COMMERCIAL (C-C) TO CONSTRUCT GENERAL MERCHANDISE STORE ON PROPERTY LOCATED ON CALHOUN HIGHWAY. ZONING MAP N09-PARCEL 053. (PLANNING COMMISSION RECOMMENDATION: APPROVE CONDITIONED ON PROVISION OF SETBACKS, LANDSCAPING, AND PARKING THAT COMPLIES WITH THE STANDARDS OF THE ULDC. [VOTE: 9-0]):

Chairman Lumsden declared the Public Hearing open, and asked Sue Hiller, Planning Department Director, to give a brief overview of this item. Ms. Hiller stated the subject property is surrounded on both sides by H-I (Heavy Industrial) property that was rezoned in 2006 by the Floyd County Development Authority. She stated to the southwest is also some property that is zoned S-R (Suburban Residential) and it was developed for single-family residential use. Across the highway is single-family residential use as well. She stated to the north is undeveloped land. The property is approximately 2.4 acres in size, and is developed with an outbuilding that would be used as a commercial building. She stated the property is within the urban character area where services and utilities are generally available to support development. However, in this location there is currently a lack of public sewer. She stated it is shown on the future land use map as suburban residential, as is much of the land in this area, but the rezoning of the large tract of land that nearly surrounds it to H-I (Heavy Industrial) for industrial development has probably changed that. The rezoning of that tract has made single-family residential use improbable and inappropriate use for this property. She stated the staff's recommendation was to approve this. It came to the Board with a unanimous recommendation from the Planning Commission to approve with the conditions that the setbacks, landscaping and parking comply with the standards of the ULDC. She stated she would like to ask the Board to consider modifying that slightly. Since the applicant has indicated that they would use the existing building, which does not appear to meet the setback requirements, if they choose to put that condition on there, it should state that any new development on the property should provide the setbacks, landscaping and parking requirements of the ULDC.

Support: Harry Anderson, 327 E 1st Avenue, stated he is the applicant. He stated there is an existing building on the property. Originally, it was a local ‘mom & pop’ Shannon grocery store, then it turned into a pool hall with sandwiches, and now the plan is to try to make just a local general hardware store. He stated they would have seed and feed, a few hardware supplies, and garden items. There are no plans to expand it right now, but it will need improved parking.

There being no one to speak in opposition, Chairman Lumsden closed the Public Hearing, and called for a motion. Commissioner Fricks made a MOTION to approve the request with the conditions that any new development on the property meet the provisions of setbacks, landscaping, and parking requirements of the ULDC. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

ULDC TEXT AMENDMENTS

- 1. REVISE OR DELETE ARTICLE 4.2.5 a. (2) (a)
CONCERNING FENCES AND FREE-
STANDING WALLS IN RESIDENTIAL
DISTRICTS. (PLANNING COMMISSION
RECOMMENDATION: APPROVE.
[VOTE: 7-0]):**

Chairman Lumsden declared the Public Hearing open, and asked if there are any comments regarding the proposed change. Ms. Sue Hiller stated the current code keeps front yard fences only in residential areas at 3-feet, and there are a lot of reasons for that. She stated they do that to maintain the residential character, and to ensure that they do not interfere with line of sight for people driving or walking along the street. However, what they have found is that 3-foot fences do not exist anymore unless you custom build them. She stated that increasing the height gives people a little bit of leeway to get the appropriate fencing.

There being no one to speak in support or opposition of the proposed revision, Chairman Lumsden declared the Public Hearing closed, and called for a motion. Commissioner Bagwell made a MOTION to approve the ULDC Text Amendment of Article 4.2.5 a. (2) (a) concerning fences and free-standing walls in residential districts as presented. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

**2. REVISE OR DELETE ARTICLE 3.3.2
CONCERNING BEAUTY AND BARBER SHOPS
IN NEIGHBORHOOD OFFICE COMMERCIAL
(N-O-C) DISTRICT. (PLANNING COMMISSION
RECOMMENDATION: APPROVE. [VOTE: 9-0]):**

County Attorney Manning stated this was a proposed text amendment that was generated in the Planning Commission that related to a change in the ULDC that would have application only in the City of Rome. He stated the county currently has an existing ordinance in the ULDC that has application in the unincorporated area only that is the same as the proposal being made that the City of Rome adopt. He stated that since the city did not adopt the text amendment, and it only applied to the city, in his opinion there is no need to conduct a public hearing with regard to this matter.

CHAIRMAN'S REPORT:

1. Appointments:

a. Floyd County Library Board & Sara Hightower Regional Library Board of Trustees.

Commissioner Fricks made a MOTION to appoint Wendy Robert to succeed Chad Dabbs for a 3-year term expiring June 30, 2013, and reappoint Ralph White to the Floyd County Library Board & Sara Hightower Regional Library Board of Trustees, for a 3-year term expiring June 30, 2013. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

2. Appointments to Firearm Discharge Review Board.

County Manager Poe stated this is the process that they go through whenever they have a situation with an officer in the Police Department discharging their firearm. He stated they had an incident recently where an officer did have to shoot a suspect, and based on their standard operating procedures, the County Commission Chairman does appoint members of the Police Department to conduct an internal review of the incident.

Chairman Lumsden recommended the appointment of Captain Mark Wallace, Captain Wayne Smallwood, Sergeant John Blalock, Sergeant Jeff Jones, and PFC Byron McCarley to the Firearm Discharge Review Board as recommended by Chief of Police Bill Shiflett. Commissioner Fricks made a MOTION to accept the recommendation of Chief Shiflett. SECOND by Commissioner Bagwell. VOTING:

YES NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee – Commissioner Whitefield, Chairman

No Report.

2. Public Safety Committee – Commissioner Mayes, Chairman

No Report.

3. Public Works Committee – Commissioner Bagwell, Chairman

Commissioner Bagwell stated they discussed at the last Public Works Committee meeting about informing the public further about the Debris Pickup Policy. He stated they will be running a few ads in the paper to further explain how the program works. County Manager Poe stated they would also be posting information on the website, as well as signage that Public Works is going to put up in the major subdivisions for additional information.

4. Water Committee – Commissioner Fricks, Chairman

No Report.

5. Judicial Services Committee (CJIS) – Chairman Lumsden, Chairman

No Report.

6. Special Committee Reports

- a. **Fire Overview Committee**
- b. **Joint Services Committee**
- c. **Joint Development Oversight Committee**
- d. **Joint Solid Waste Oversight Committee**

There were no Special Committee reports.

CLERK’S REPORT:

Consent Agenda

County Clerk Kathy Arp stated there are two items on the Clerk’s Consent Agenda that 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 Fricks. VOTING:

YES NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

1. Tax Refunds:

- a. Annette B. Hall & Lester Marion Hall, 290 Featherston Road SW, \$29.63
- b. Lee Ann Howell, 117 Nelson Blvd. NW, \$ 18.72
- c. Robert O. Bryant & Marjorie Bryant, 865 N.E. B Street, Pullman, WA, \$59.94

2. Authorize Release of Tax Bills from the Tax Commissioner’s Roll in the amount of \$9,372.16.

MANAGER’S REPORT:

1. ACCEPT RECOMMENDATION FROM ROME-FLOYD PARKS & RECREATION AUTHORITY FOR AWARD OF BID FOR HDTV'S AND DVD'S FOR THE NORTH FLOYD PARK RECREATION CENTER AND SHANNON COMMUNITY CENTER (2006 SPLOST): (DEFERRED JULY 13, 2010)

No Action .

2. AWARD OF BID FOR TRAFFIC PAINT AND SIGN MATERIAL FOR PUBLIC WORKS DEPARTMENT:

County Manager Poe stated they recently received sealed bids for the purchase of traffic paint and sign material for the Public Works Department. He stated this is an annual contract. They have a recommendation from the Purchasing Director for awarding the items to various vendors who are low bidders that met specifications. He recommended approval for the award of bids per the recommendations of the Purchasing Director.

Commissioner Bagwell made a MOTION to Award bids for traffic paint and sign material for Public Works as outlined by the County Manager, and recommended by the Purchasing Director. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

3. APPROVE WORK AUTHORIZATION #24 WITH LPA GROUP, INC. FOR AIRPORT FENCING PROJECT AT RICHARD B. RUSSELL REGIONAL AIRPORT:

County Manager Poe stated they have received a recommendation from the Floyd County Airport Commission to approve Work Authorization #24 with the LPA Group, Inc., for Airport Perimeter Fencing Project at Richard B. Russell Regional Airport. He stated this is a project that has been on the Capital Improvement Projects list for a while. The FAA will pick up 95% of the cost of the actual construction and installation work, the state will pick up 2.5%, and the county will pick up the remaining 2.5% of the cost. He stated in order to get started on the project, they need to hire an engineer to put together a design of the fencing and the bid documents. That cost will

be \$38,269.00 for design and bidding services. He stated that is 95% reimbursable by the FAA once the project is completed. There is an additional \$10,720.00 needed to update their 2010 Disadvantage Business Enterprise Plan (DBEP) that the FAA requires for any projects that receive more than \$200,000.00. There is also another item, which is an additional \$2,750.00 for document reproduction for plans for the bidders, and that type of thing. He stated all of that is reimbursable, and the recommendation is to move forward with hiring LPA Group, Inc., to provide both the engineering design services and the update to their DBE Plan. County Manager Poe stated the total cost of the Work Authorization is \$51,739.00. He stated the total cost is 95% is reimbursable, and this would allow them to get started on the design of the Perimeter Fencing Project.

Commissioner Fricks made a MOTION to Approve Work Authorization #24 with LPA Group, Inc., as outlined by the County Manager. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

**4. DISCUSS MEMBERSHIP IN NORTHWEST GEORGIA
REGIONAL WATER RESOURCES PARTNERSHIP:**

County Manager Poe stated this is before them for consideration to renew their membership in the Northwest Georgia Regional Water Resources Partnership. He stated to be a full member the cost is \$1,500.00 per year, and as a full member the County Commission is allowed to appoint one person to that committee.

Commissioner Bagwell made a MOTION to rejoin the Northwest Georgia Regional Water Resources Partnership for one year as a full member at a cost of \$1,500.00, and appoint Commissioner Garry Fricks to be their voting member. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

5. DISCUSS BUDGET REQUEST FROM CLERK OF SUPERIOR COURT:

No action.

6. DISCUSS ENGINEERING SERVICES FOR ENERGY AUDIT FOR HVAC AT THE FORUM AND COURTHOUSE/ JUDICIAL BUILDING:

County Manager Poe recommended accepting the proposal submitted by Drinkard Engineering Group, Inc., to perform engineering services to complete an energy audit and improvements of the heating and air conditioning system for The Forum and the Courthouse/Judicial Building, as part of the GEFA Energy Efficiency and Conservation Block Grant recently awarded. He stated the total cost of the work would be \$43,000.00. The proposal includes a Level II ASHRAE Energy Audit and Engineering Design and Construction Administration. He stated the total budget that they anticipated to do the engineering services was \$60,000.00, so that is within what they had projected. He stated Drinkard Engineering is a local company. Commissioner Bagwell stated he thinks the savings in energy should easily recoup this cost. County Manager Poe stated they are projecting \$100,000.00 per year in savings and energy cost once they put in the new HVAC control system that controls the heating and air for both of those buildings.

Commissioner Whitefield made a MOTION to Approve the Contract with Drinkard Engineering as outlined by the County Manager. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

4/5 VOTE REQUIRED

4/5 Vote to add Item #7

County Manager Poe requested that the award bids for a backhoe loader and a pickup truck for the Water Department be added to the agenda.

Commissioner Fricks made a MOTION to add Item #7 to the agenda. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

7. AWARD OF BID FOR WATER DEPARTMENT:

a. One (1) 4x4 Backhoe Loader with Enclosed Cab

County Manager Poe stated sealed bids were opened last Thursday, and that is why they did not have time to get them on the agenda initially. He stated the budgeted cost was \$80,000.00. The low bid did not meet specifications, as reviewed by Water Department staff. He stated the second low bid was from Tractor & Equipment Company for a 2010 Komatsu, and did meet specifications. The price for that was \$59,898.00. He recommended awarding the bid to Tractor & Equipment Company.

Commissioner Fricks made a MOTION to Award the bid to Tractor & Equipment Company for a 2010 Komatsu 4x4 Backhoe Loader with Enclosed Cab, in the amount of \$59,898.00. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

b. One (1) 4x4 Pickup Truck

County Manager Poe stated the budgeted price for the truck was \$25,000.00. The low bid did not meet specifications. He stated the next low bid was from Wade Ford, for a 2010 F-150 Ford pickup, in the amount of \$23,543.00. He recommended awarding the bid to Wade Ford.

Commissioner Whitefield made a MOTION to Award the bid for a 2010 4x4 F-150 pickup truck for the Water Department to Wade Ford, in the amount of \$23,543.00. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

4/5 VOTE REQUIRED

**8. GEMA GRANT FOR PURCHASE OF POWER
GENERATOR FOR CRITICAL FACILITIES:**

County Manager Poe stated he would like to add one other item to the agenda, which would be to consider submittal of a grant application to purchase and install an emergency generator for the Floyd County Administration Building.

Commissioner Whitefield made a MOTION to add Item #8 to the agenda.
SECOND by Commissioner Bagwell. VOTING:

YES NO

Commissioner Bagwell
" Fricks
" Whitefield
Chairman Lumsden

Motion Carried

County Manager Poe stated the Georgia Emergency Management Agency is making grant funds available to allow local governments to purchase and install power generators for critical facilities. He stated based on the fact that the MIS Department, as well as all of their VOIP phone equipment for all of their downtown buildings, is housed in the Administration Building this building is considered a critical facility. If they did lose power, they would not be able to provide critical services to other parts of their operation. He stated GEMA has a grant available for up to \$50,000.00, which would require a 50/50 match. GEMA would provide up to \$25,000.00 and the county would match it with up to \$25,000.00 to purchase and install an emergency generator at the Administration Building. He stated that is their cost estimate. He recommended authorization to submit the grant application. With that grant application, they are committing to the \$25,000.00 match. He stated since part of that will be a critical part of their overall computer operations, which does tie into their Emergency Communication System, they feel like the \$25,000.00 match could come out of the 2009 SPLOST funds for the Emergency Communication System. They are requesting for authorization for the Chairman to sign the pre-application for this grant. He stated it is not guaranteed. However, they do have to make a commitment in case they do eventually approve the grant for Floyd County.

Commissioner Whitefield made a MOTION to Authorize the Chairman to sign the GEMA Pre-grant Application as outlined by the County Manager. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

ATTORNEY'S REPORT:

No report.

ADJOURNMENT:

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

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

EDDIE LUMSDEN, CHAIRMAN