

August 10, 2010

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
August 10, 2010 2:00 P.M.**

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

OTHERS

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

ABSENT: Commissioner John Mayes and County Manager Kevin Poe.

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.

PUBLIC PARTICIPATION:

Rebekah Wright Skelton, 10 Burton Road NE, read an article from the *Rome News-Tribune* regarding the new optical scanning machines for Elections. She expressed her concerns about the state scanning her driver's license, stating that is her personal property. She stated it is just another way to get things going the way the state wants them to, and this is just not right.

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 Fricks made a MOTION to adopt the minutes of the Regular Meeting of July 27, 2010. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

PROCLAMATIONS:

**ENTER INTO MINUTES OPERATION
LIFESAVER DAY:**

Chairman Lumsden stated a Joint City-County Proclamation would be presented on August 18, 2010 during a special "Operation Lifesaver" Train from Austell to Rome, recognizing Operation Lifesaver Day.

(Proclamation/Resolution Book, Page 166)

**RECOGNIZE ROME CIRCUIT DISTRICT
ATTORNEY LEIGH PATTERSON ON BEING
SELECTED DISTRICT ATTORNEY OF THE YEAR:**

The Board presented District Attorney Leigh Patterson with a Proclamation expressing their congratulations on her being named District Attorney of the Year.

Ms. Patterson stated it was a great honor when she received the award at Jekyll Island, but she really appreciates this Proclamation, because it comes from the hometown folks. She thanked the Board.

(Proclamation/Resolution Book, Page 167)

**FIRST READINGS:
(PUBLIC HEARINGS TO HELD
AUGUST 24, 2010 AT 6:00 P.M.)**

- 1. FILE #81-2010Z, REQUESTS REZONING FROM COMMUNITY COMMERCIAL (C-C) TO HEAVY COMMERCIAL (H-C) TO CONSTRUCT FLEA MARKET ON PROPERTY LOCATED ON SHORTER AVENUE. ZONING MAP H13X-PARCELS 174, 175. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH CONDITIONS THAT THE PROPERTIES BE RECORDED AS A SINGLE PLOT AND ADHERE TO THE SITE PLAN SUBMITTED. [VOTE: 9-0]).**
- 2. FILE #82-2010Z, REQUEST REZONING FROM COMMUNITY COMMERCIAL (C-C) TO SUBURBAN RESIDENTIAL (S-R) FOR EXISTING SINGLE-FAMILY DWELLING ON PROPERTY LOCATED ON BELLS**

**FERRY ROAD. ZONING MAP K12Z-PARCEL 036.
(PLANNING COMMISSION RECOMMENDATION:
APPROVE. [VOTE: 9-0]).**

Chairman Lumsden stated the Public Hearings will be held on August 24, 2010 at 6:00 p.m.

CHAIRMAN'S REPORT:

1. Appointments:

a. Alcohol Control Commission.

Chairman Lumsden made a MOTION to reappoint Gary Miller, Post 2 and Stuart Neslin, Post 3, to the Alcohol Control Commission, for 3-year terms expiring August 31, 2013. SECOND by Commissioner Whitefield. 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

No Report.

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 five 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 Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

1. Tax Refunds:

- a. Himanshu Patel, 14 Forest Meadow Drive SW, \$118.36**

2. Malt Beverage License, Kavita R. Agarwal, YUSUF Investment LLC, 4428 Martha Berry Highway. (Ownership Change) (Beer)

3. Self-Service Fuel Dispensing Permit, Kavita R. Agarwal, YUSUF Investment LLC, 4428 Martha Berry Highway. (Ownership Change)

4. Malt Beverage Application, Mary Rogers, Capri Beverage, Ltd., 304 Russell Field Road, Suite 100. (Wholesale Delivery, Wine) (New)

5. Agreement for Transportation of the Elderly, Modification 01, between Northwest Georgia Regional Commission and Floyd County, Georgia.

MANAGER'S REPORT:

**1. CONSIDER REQUEST FROM CLERK OF
SUPERIOR COURT FOR BUDGET REVISION:
(DEFERRED JULY 27, 2010)**

Assistant Manager Williams stated there are several items of urgency that involves the purchase of some additional supplies for the Clerk's Office to continue operations, as well as a new copier lease. The Manager's recommendation is that they approve a budget increase not to exceed \$6,000.00, to allow them to work out those issues. He stated they will return to the Board on the remaining items of the request for budget revisions at a later date. Commissioner Whitefield asked do they need to take action on the copier, or are they able to do that without Board action. Assistant Williams stated he believes they are able to do that without Board action and that the \$6,000.00 will help capture that as well.

Commissioner Whitefield made a MOTION to Approve the Manager's recommendation to approve a budget increase not to exceed \$6,000.00 for the Superior Court Clerk's Office. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**2. CONSIDER REQUEST FROM PETE McDONALD,
CHAIRMAN OF THE BOARD OF ELECTIONS, TO
PURCHASE TWO (2) NEW OPTICAL SCANNING
MACHINES:**

Assistant Manager Williams stated the scanning machine is the machine that malfunctioned during the last primary election. He stated they need to replace that machine and have another one to help speed the process. He stated the cost of two new machines is \$8,750.00. The Elections office has found about \$5,200.00 within their existing budget to help offset the purchase of these new machines. He stated the Manager's recommendation is to approve a budget increase for Elections and Registration in the amount of \$3,550.00 to cover the additional cost. Commissioner Fricks asked is this the same machine that they had in the past that was overwhelmed by the printing or are they upgrading. Assistant Manager Williams stated he believes it

is the same machine. He stated one thing they did talk about is that they are going to attempt to have the other one repaired. If they are able to repair that one, then they will only purchase one new machine. Commissioner Fricks stated the process changed and required more printing, which is what caused the problem, so why are they buying the same machine. He asked is there another machine they can buy. Chairman Lumsden stated he thinks this is what is authorized by the state.

Commissioner Fricks made a MOTION to Approve the budget revision of \$3,550.00 to purchase two (2) new optical scanning machines for the Elections and Registration office. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**3. AUTHORIZE EXECUTION OF THIRD AMENDMENT
TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE SECRETARY OF STATE AND
FLOYD COUNTY:**

Assistant Manager Williams stated in 2002 the State of Georgia and Floyd County entered into an Intergovernmental Agreement where a new voting system was purchased by the state and loaned to Floyd County. He stated in 2005 that was updated to include the express polls, as the state brought more technology into the voting process. This is the latest iteration of that, where bar code scanners will be available at the precincts to scan in driver's license information to speed up that process of identifying the voter. He stated this agreement covers the use of those bar code scanners. State mandate resides within this Intergovernmental Agreement.

Assistant Manager Williams spoke to Ms. Skelton's concern, and set forth his understanding that voters will not be required to scan their driver's license if they should choose not to. According to Mr. Williams, other alternatives should be available such as a voter being able to ask for his or her information to be pulled up manually. This is just to ease the convenience of the voters and get them through the polls quicker. He stated the Manager's recommendation is to approve the Amendment as presented.

Commissioner Bagwell stated that is at no cost to the county, and the state is going to supply the machines. Assistant Manager Williams stated to be clear, the state will cover the initial cost of the machines and warranty period for up to a certain point after which any warranty and maintenance costs would fall on Floyd County, as well as the purchase or replacement of any machines thereafter. Commissioner Bagwell

asked how many machines will the county receive. Assistant Manager Williams stated initially they will receive two, but he is not sure on the total number of machines the state plans to furnish in the future.

Commissioner Whitefield made a MOTION to Authorize Execution of the Third Amendment of the Intergovernmental Agreement between the Secretary of State and Floyd County to include bar code scanners. SECOND by Commissioner Bagwell. 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 Whitefield, 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