

October 26, 2010

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
October 26, 2010 6:00 P.M.**

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

OTHERS

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

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 Andy Garner if the minutes were in order. Mr. Garner stated the minutes had been reviewed and were in order. Commissioner Fricks made a MOTION to adopt the minutes of the Regular Meeting of October 12, 2010. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

PROCLAMATIONS:

**NATIONAL 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 and the Chieftains Museum. She thanked the Board and the county for recognizing the heritage of the Cherokees in this area.

(Proclamation/Resolution Book, Page 173)

RETIRED EDUCATORS DAY:

Commissioner Whitefield presented Nancy Ivestor, Floyd-Rome Retired Educators Association, with a Joint Proclamation from Floyd County and the City of Rome recognizing November 7, 2010 as Retired Educators Day in Georgia.

Ms. Ivestor stated she is here to represent the 250 members of the Floyd-Rome Retired Educators Association. She stated they continue to try to serve the community in volunteer ways. Last year they had over nine thousand hours of volunteer service. She thanked the Board for their recognition and support.

(Proclamation/Resolution Book, Page 174)

RESOLUTIONS:

**ADOPT RESOLUTION TO AMEND THE FEE
SCHEDULE BOOK RELATED TO PAYMENT
REQUIREMENTS/DELINQUENCY FEES POLICY:**

County Manager Poe stated this new policy deals with credit and debit card payments, return check fees, and delinquency fees and comes before the Board as a recommendation from the Administrative & Finance Committee.

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution to Amend the Fee Schedule Book related to Payment Requirements/Delinquency Fees Policy. SECOND by Commissioner Whitefield.
VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**PUBLIC HEARINGS:
(FIRST READINGS HELD
OCTOBER 12, 2010)**

- 1. FILE #101-2010Z, REQUESTS REZONING FROM COMMUNITY COMMERCIAL (C-C) TO SUBURBAN RESIDENTIAL (S-R) ON PROPERTY LOCATED AT 1104 CALHOUN ROAD. ZONING MAP M11X-PARCEL 150. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 8-0]).**

Chairman Lumsden declared the Public Hearing open, and asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of this request. Ms. Hiller stated the subject property is surrounded on all sides by Suburban Residential (S-R) zoning that is mostly developed as single-family dwellings with the exception of the property adjacent to the southwest. She stated it is a small shop or contractor type business. She stated there is some Community Commercial (C-C) and Light Industrial (L-I) zoning further to the south. She stated there is a single-family dwelling that has been on the property since well before adoption of the ULDC.

Support: Rhonda Hazelwood, 181 Sunny Heights Drive, stated she is the applicant. She stated that the property was purchased for residential purposes, but they found out that it is commercially zoned. She said they are just trying to get it zoned back to residential.

There being no one to speak in opposition, Chairman Lumsden declared the Public Hearing closed and called for a motion. Commissioner Whitefield made a MOTION to approve the rezoning request for rezoning from C-C to S-R on property located at 1104 Calhoun Road. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

- 2. AMENDMENT TO FLOYD COUNTY CODE §2-4-31 RELATED TO ALCOHOLIC BEVERAGES. (2010-003A)**

Chairman Lumsden declared the Public Hearing open, and asked County Attorney Garner for a brief overview of this request. County Attorney Garner stated this would be an amendment to the Malt Beverage Ordinance that would provide that certain alcohol related offenses could be prosecuted in Magistrate Court. He stated the reason that is important is those who are allegedly violating the ordinance would be given citations, and would not have to be arrested as they presently are. He said this would involve two offenses. Those would be selling alcohol to a minor, and a minor purchasing alcohol under age.

There being no one to speak in support or opposition, Chairman Lumsden closed the Public Hearing, and called for a motion. Commissioner Whitefield made a MOTION to Approve the Amendment to Floyd County Code §2-4-31 related to Alcoholic Beverages. SECOND by Commissioner Bagwell. VOTING:

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

Motion Carried

CHAIRMAN'S REPORT:

1. Appointments:

a. The Forum Civic Center Advisory Committee.

Commissioner Bagwell made a MOTION to appoint Jay Shell to The Forum Civic Center Advisory Committee to fill the unexpired term of Nancy Simmons, 3-year term expiring August 31, 2011. SECOND by Commissioner Whitefield. VOTING:

YES	NO
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Commissioner Bagwell	
" Fricks	
" Mayes	
" 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

No report.

MANAGER’S REPORT:

- 1. AWARD OF BID FOR SIX (6) SCOREBOARDS AND THREE (3) CONSOLES AND RECEIVERS FOR NORTH FLOYD PARK:**

County Manager Poe stated bids were received and reviewed for six (6) scoreboards and three (3) consoles and receivers for the North Floyd Park Community Center (Thornton Community Center). He stated they have a recommendation from the Rome-Floyd Parks and Recreation Authority to award the bid to Electro-Mech of Wrightsville, Georgia in the amount of \$18,105.00.

Commissioner Mayes made a MOTION to accept the recommendation for Award the Bid for six (6) Scoreboards and three (3) consoles and receivers to Electro-Mech in the amount of \$18,105.00. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

2. AWARD OF BID FOR REFINISHING THE PORTABLE BASKETBALL COURT AT THE FORUM:

County Manager Poe stated they recently received sealed bids for the repair and refinishing of The Forum's portable basketball court. He stated the recommendation is that the bid be awarded to Praters, Inc. for a base bid price of \$27,625.00.

Commissioner Whitefield made a MOTION to Award the Bid for refinishing the portable basketball court at The Forum to Praters, Inc. in the amount of \$27,625.00 for the base bid price. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

3. DECLARE CERTAIN REAL ESTATE SURPLUS:

County Manager Poe stated that a list of certain real estate has been submitted to the Board with a request to declare the real estate surplus in order to proceed with proper disposal of the properties. He recommended approving the list as submitted.

Commissioner Bagwell made a MOTION to declare the list of real estate surplus per the Manager's recommendation. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

4/5 VOTE REQUIRED

**4. APPROVE SELECTION OF AUCTIONEER
FOR AUCTIONEERING SERVICES RELATED TO
SALE OF SURPLUS REAL ESTATE:**

County Manager Poe requested a 4/5 vote to add the Approval of a Selection of Auctioneer for the Sale of Surplus Real Estate to the agenda.

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

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

County Manager Poe stated proposals were accepted to provide auctioneer services to dispose of the surplus real estate. He stated after review of the proposals received, the recommendation is to select J.L. Todd Auction Company for those services.

Commissioner Bagwell made a MOTION to Approve J. L. Todd Auction Company for auctioneering services related to the sale of surplus real estate. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Mayes
" 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
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

EDDIE LUMSDEN, CHAIRMAN