

January 11, 2011

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
January 11, 2011 2:00 P.M.**

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

OTHERS

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

ABSENT: County Clerk Kathy Arp.

CALL TO

ORDER: County Attorney Manning called the meeting to order.

INVOCATION: Commissioner Whitefield led the Invocation.

PLEDGE OF

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

**APPOINTMENT OF CHAIRMAN
AND VICE-CHAIRMAN:**

County Attorney Manning stated that on the agenda is the appointment of a Chairman and a Vice-Chairman of the Floyd County Board of Commissioners. He called for a motion to appoint a Chairman.

Commissioner Whitefield made a MOTION to appoint Eddie Lumsden as Chairman. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Bagwell	
"	Fricks
"	Lumsden
"	Mayes
"	Whitefield

Motion Carried

Chairman Lumsden thanked the Board for the appointment, and called for a motion to appoint a Vice-Chairman. Commissioner Mayes made a MOTION to appoint Chad Whitefield as Vice-Chairman. SECOND by Commissioner Bagwell. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

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 December 07, 2010 and Called Meeting of December 29, 2010. SECOND by Commissioner Fricks. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

PROCLAMATIONS:

**ENTER INTO MINUTES PROCLAMATION
FOR GOVERNOR-ELECT NATHAN DEAL:**

Chairman Lumsden stated this Proclamation is in support of Governor Nathan Deal's Day of Service, which was held January 8, 2011.

(Proclamation/Resolution Book, Page 175)

RESOLUTIONS:

1. MATTERS RELATED TO THE COLLECTION OF TAXES

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution regarding Matters Related to the Collection of Taxes. SECOND by Commissioner Whitefield. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield

Chairman Lumsden

Motion Carried

2. HIRING RESOLUTIONS:

- a. COUNTY MANAGER**
- b. COUNTY ATTORNEY**
- c. COUNTY AUDITOR**

Chairman Lumsden stated they have Hiring Resolutions to appoint the following:

- a. Kevin Poe, County Manager
- b. McRae, Stegall, Peek, Harman, Smith and Manning, LLP, County Attorney
- c. Mauldin & Jenkins, LLC, County Auditor for 2011.

Commissioner Whitefield made a MOTION to Adopt the Hiring Resolutions for the year 2011 for County Manager, County Attorney, and County Auditor as presented by Chairman Lumsden. SECOND by Commissioner Mayes. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

3. DESIGNATION OF DEPOSITORY OF FLOYD COUNTY:

Chairman Lumsden called for a motion. Commissioner Fricks made a MOTION to Adopt the Resolution designating the Depositories of Floyd County for 2011. SECOND by Commissioner Bagwell. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Leopold

Chairman Lumsden

Motion Carried

**4. ADOPT RESOLUTION APPOINTING COUNTY
LEGISLATIVE COORDINATOR FOR ASSOCIATION
COUNTY COMMISSIONERS OF GEORGIA (ACCG):**

County Manager Poe stated ACCG is looking for someone in each county that is intimate with county operations, staffing, and personnel to act as a liaison with the legislative efforts that the ACCG undertakes during this current legislative session. He stated in reviewing the criteria it seems that his position would lend him to be the one to serve in that capacity.

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution Appointing County Manager Kevin Poe for County Legislative Coordinator for Association County Commissioners of Georgia (ACCG). SECOND by Commissioner Whitefield. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Chairman Lumsden

Motion Carried

**FIRST READINGS:
(PUBLIC HEARINGS TO BE HELD
JANUARY 25, 2011 AT 6:00 P.M.)**

1. ADOPT AN ORDINANCE TO AMEND AN ORDINANCE TO DEFINE ANTENNA, COMMUNICATIONS TOWER,

**GOVERNING BODY AND TELECOMMUNICATIONS
FACILITY; TO IDENTIFY THE PERMITTED USES FOR
TRANSMISSION TOWERS; AND FOR OTHER PURPOSES.
(2011-002A)**

- 2. FILE #01-2011Z. REQUESTS REZONING FROM OFFICE INSTITUTIONAL (O-I) TO SUBURNAN RESIDENTIAL (S-R) FOR EXISTING SINGLE-FAMILY RESIDENTIAL USE ON PROPERTY LOCATED ON WOODS ROAD. ZONING MAP G12Y, PARCELS 004, 006, 007, 008. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0])**
- 3. FILE #02-2011Z. REQUESTS REZONING FROM OFFICE INSTITUTIONAL (O-I) TO SUBURNAN RESIDENTIAL (S-R) FOR EXISTING SINGLE-FAMILY RESIDENTIAL USE ON PROPERTY LOCATED ON WOODS ROAD. ZONING MAP G12Y, PARCEL 005. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0])**

ULDC

- 1. ADOPT UNIFIED LAND DEVELOPMENT CODE (ULDC) FOR THE CITY OF ROME AND FLOYD COUNTY REGARDING THE ESTABLISHMENT OF ZONING DISTRICTS AND DEVELOPMENT REGULATIONS. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0].)**
- 2. ADOPT ZONING MAPS FOR THE CITY OF ROME AND FLOYD COUNTY. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0].)**
- 3. REVISE OR DELETE ARTICLE 3.4 AND ARTICLE 4.1.5 CONCERNING COMMUNICATION TOWERS. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH NO CHANGE IN ARTICLE 3.4 [VOTE: 9-0].)**

Chairman Lumsden stated the Public Hearings will be held Tuesday, January 25, 2011 at 6:00 p.m.

**PUBLIC HEARINGS:
(FIRST READINGS HELD
DECEMBER 07, 2010)**

- 1. FILE #111-2010Z. REQUESTS REZONING FROM**

**SUBURBAN RESIDENTIAL (S-R) TO AGRICULTURE
RESIDENTIAL (A-R) FOR AGRICULTURAL USE,
WITH SPECIAL USE PERMIT FOR LIVESTOCK AND
HOG PRODUCTION ON PROPERTY LOCATED ON
PADLOCK MOUNTAIN ROAD. ZONING MAP E19Z,
PARCEL 050A AND ZONING MAP F19, PARCEL 039.
(PLANNING COMMISSION RECOMMENDATION:
APPROVE REZONING WITH CONDITION THAT
THERE BE NO ANIMAL FEEDING OPERATIONS
(AFO) OR CONCENTRATED OR CONFINED ANIMAL
FEEDING OPERATIONS (CAFO) AS DEFINED BY THE
U.S. EPA ON EITHER LOT; DENY SPECIAL USE PERMIT.
[VOTE: 7-2]).**

- 2. FILE #121-2010Z. REQUESTS REZONING FROM OFFICE
INSTITUTIONAL (O-I) TO SUBURBAN RESIDENTIAL
(S-R) FOR SINGLE-FAMILY MANUFACTURED HOME
ON PROPERTY LOCATED ON WOODS ROAD. ZONING
MAP G12Y, PARCEL 010. (PLANNING COMMISSION
RECOMMENDATION: APPROVE. [VOTE: 9-0]).**
- 3. FILE #122-2010Z. REQUESTS REZONING FROM AGRICULTURE
RESIDENTIAL (A-R) TO COMMUNITY COMMERCIAL (C-C)
TO MARKET PROPERTY LOCATED ON BLACKS BLUFF ROAD
AT SE BYPASS. ZONING MAP G16, PARCEL 042 (PART), 044A,
044B. (PLANNING COMMISSION RECOMMENDATION: DENY.
[VOTE: 7-2]).**
- 4. FILE #123-2010Z. REQUESTS REZONING FROM
COMMUNITY COMMERCIAL (C-C) TO SUBURBAN
RESIDENTIAL (S-R) FOR EXISTING SINGLE-FAMILY
DWELLING ON PROPERTY LOCATED ON MARTHA
BERRY HIGHWAY. ZONING MAP J10X, PARCEL 064.
(PLANNING COMMISSION RECOMMENDATION:
APPROVE. [VOTE: 9-0]).**
- 5. FILE #124-2010SUP. REQUESTS SPECIAL USE PERMIT FOR
A PET CREMATORIUM IN HEAVY COMMERCIAL (H-C)
ZONING DISTRICT ON PROPERTY LOCATED ON CALHOUN
HIGHWAY AT HIGHWAY 140. ZONING MAP N10, PARCEL
002, 003. (PLANNING COMMISSION RECOMMENDATION:
APPROVE CONDITIONED ON OBTAINING AND OPERATING
WITHIN THE PARAMETERS OF APPLICABLE STATE
AND/OR FEDERAL PERMITS. [VOTE: 9-0]).**
- 6. ORDINANCE TO AMEND THE FLOYD COUNTY CODE**

OF ORDINANCES TO REVISE THE STANDARDS FOR OUTDOOR WATERING OF LANDSCAPE. (2011-001A)

Chairman Lumsden stated due to the weather, all Public Hearings will be rescheduled for February 08, 2011 at 2:00 p.m.

CHAIRMAN'S REPORT:

1. Appointment of Commissioners to various committees.

Chairman Lumsden stated the County Clerk has prepared a list of the appointments to the various committees, and asked that they be entered into the minutes.

2011 Commissioner Appointments

Commissioner Irwin Bagwell

Chairman Public Works Committee
Highland Rivers Community Service Board
Joint Development Oversight Committee (Building Inspection)
Keep Rome-Floyd Beautiful
Northwest Georgia Regional Water Partnership
Rolling Hills RC&D Council
Rome-Floyd Solid Waste Commission
Transportation Policy Committee (TPC)

Commissioner Garry Fricks

Chairman Water Committee
Airport Commission/Avionics Program
Development Authority of Floyd County
Greater Rome Convention & Visitors Bureau
Northwest Georgia Regional Commission Council

Commissioner Eddie Lumsden (Chairman)

Criminal Justice Information Sharing (CJIS)
Floyd County Library/Sara Hightower Regional Library Board of Trustees
Joint Services Committee
Northwest Georgia Regional Commission Council of Chief Elected
Officials
Northwest Georgia Regional Transportation Roundtable
Rome-Floyd Development Authority
Rome-Floyd Parks & Recreation Authority
The Forum Civic Center Advisory Board

Transportation Policy Committee (TPC)
Work Release Center Committee

Commissioner John Mayes

Chairman Public Safety Committee
211 Committee
Alcohol Control Commission (ACC)
Fire Overview Committee
Hospital Authority
Rome-Floyd Commission on Children & Youth
Work Release Center Committee

Commissioner Chad Whitefield (Vice-Chairman)

Chairman Administrative & Finance Committee
Department of Family & Children Services Board
Fire Overview Committee
Floyd County Board of Health
Joint Development Oversight Committee (Building Inspection)
Joint Services Committee
Rome-Floyd Planning Commission
Rome-Floyd Solid Waste Commission

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee

No Report.

2. Public Safety Committee

No Report.

3. Public Works Committee

No Report.

4. Water Committee

No Report.

5. Judicial Services Committee (CJIS)

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 Manager Poe stated there are three 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 Mayes. VOTING:

YES NO

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

1. Tax Refunds:

- a. Jeffrey David Baker, PO Box 541, Plainville, \$71.42
- b. James Burton, 1813 Calhoun Road, NE, \$17.67
- c. Stacey Hughey, 139 Countryside Dr NW, Calhoun, \$94.70
- d. Glenda Sharon W. Jordan, 290 County Road 534, Centre, AL, \$138.19
- e. Verdant Investments LLC, 510 Riverside Parkway, NE, \$2,584.89
- f. Richard A Buffington, 119 Oak St SE, Lindale, \$16.81
- g. Shirley Badawi, 312 Old Bells Ferry Rd., \$250.17
- h. Mitchell & Jennifer Jolly, 26 Pineridge Dr SE, Silver Creek, \$10.42
- i. Helmut Cawthon, 2351 Fosters Bend Rd SW, \$769.77
- j. Ray & Louella Tate, 5809 Big Texas Valley Rd, \$138.51
- k. Rome Rental Housing LLP, PO Box 450233, Atlanta, \$4,272.18
- l. Helmut Cawthon, 2351 Fosters Bend Rd SW, \$349.13
- m. Virginia Barnes, 122 Pine Bower Dr, \$113.30

- n. Patricia M Parsons, 1970 Pleasant Valley Rd SE, Silver Creek, \$25.89
- o. David & Linda Cundy, 5981 Blacks Bluff Rd SW, Cave Spring, \$7.16
- p. David & Linda Cundy, 5981 Blacks Bluff Rd SW, Cave Spring, \$53.68
- q. Tonya & Joe Fowler, 944 Old Bells Ferry Rd NE, \$238.93
- r. Clinton Poole, 1586 New Rosedale Rd, Armuchee, \$70.36
- s. William & Patti Bowling, 407 Billy Pyle Rd, \$423.79
- t. Katherine Millican/Gwen Bartlett, 40 Martin Rd, \$37.03
- u. (Life Estate) Ed & Alma Allen, 712 Burnett Ferry Rd, \$3.05
- v. Nevin L. Sims, Jr, PO Box 35, Cave Spring, \$31.71
- w. F. Doyle Woodruff, 204 Mimosa Dr, \$26.03
- x. Welborn Turner McCall Properties LLC, PO Box 829, \$143.95
- y. One Holdings Inc, 1014 Vine St., Cincinnati, Ohio, \$4,301.45
- z. Seven Hills Development Co. Inc, 16 Bluff Mountain Dr, \$135.70
- aa. Samuel H & Elizabeth Johnston 124 Thornwood Dr SW, \$19.97
- bb. Secretary of HUD / Gwen Bartlett, 40 Martin Rd, \$93.92
- cc. Grace M Dempsey, 5 Bells Ferry Rd NE, \$27.09
- dd. Tara Johnson, 909 Magnolia Ave SW, \$54.35
- ee. Property Acquisitions of Georgia Inc, 230 West Lakeshore Dr, \$431.58
- ff. Heather Lindley, 4 Loggers Mill Dr NE, \$20.58
- gg. Jackie & Donald McCreary, 54 Harris Rd, \$137.14
- hh. Brian & Darien Mitchell, 227 Bells Ferry Rd, \$606.19
- ii. Christopher & Nancy Brookshire, 9 Fernwood Way NE, \$26.39
- jj. David & Louis Trot, 114 North Edenfield Ridge Dr SE, \$371.70
- kk. Robert L Camp, 118 Moran Lake Rd, \$1,637.61
- ll. Hamilton Ridge Apartments, 611 Turner McCall Blvd, \$552.33
- mm. Clint Yates, 5 Leland Ave, \$28.67
- nn. David Taylor, 4 Leisure Dr, \$830.92
- oo. Keith Winslette, 2444 Shorter Ave, \$483.33
- pp. James O'Daniels & Robert M O'Daniels, 9280 Highpoint Rd, Villa Rica, \$862.32
- qq. Seven Hills Development Company Inc, c/o Diane Harbin, 11 Ridgewood Rd, \$67.85
- rr. Michelle A & Bethany M Blevins, 715 Harmony Rd, Aragon, \$286.69
- ss. Kenneth L & Frances T Tillery, 50 Lexington Lane, \$659.71
- tt. Trudie Sams, 24 Surrey Trail SE, \$273.08
- uu. Jean Biessenberger, 1610 Pleasant Valley Rd, Silver Creek, \$40.92
- vv. Phillip Burkhalter Builders Inc, 4 Bridgeview Dr, \$1,440.75
- ww. Mark A Benning, 13 Whitehead St, \$33.32
- xx. Frances F Buice, 1097 Texas Valley Rd, \$390.50
- yy. West Town Square Investments, 5871 Glenridge Dr, Suite 400, Atlanta, \$429.89
- zz. Margaret Duke, 873 Old Summerville Rd, \$44.10
- aaa. Kay C Britt, 1065 Texas Valley Rd, \$231.72
- bbb. Alyssa E & Mark P Luthi, 929 Moran Lake Rd, \$355.12
- ccc. Stacey & Chriselle Elliott, 11 Winterberry Lane SE, \$127.28
- ddd. Roger & Joan Goss, 5 Hogan Lane, \$41.30
- eee. Brad L Riddle Sr, 18 Westover Dr, \$1.52
- fff. Perla Nguyen, 41 Boulder Dr NW, \$6.62

ggg. William W Byington III, 11 Ridgewood Rd, \$98.20
hhh. Anne W Gowen, 20 Maplewood Sq, \$42.15
iii. Lightstone Portfolio LLC/ Mount Berry Mall, 705 E Pratt St Suite 900, Baltimore, MD \$6,686.44
jjj. Ida M Vaughn, PO Box 401, \$2.15
kkk. Shelley Stein Peller, 206 Sherwood Rd, \$107.89
lll. The Kroger Co, 2175 Parklake Dr, Atlanta, \$766.29
mmm. CTR Development Co LLC, 611 Turner McCall Blvd, \$539.24
nnn. Duane & Wanda Reid, 2 Haley Dr, \$6.15
ooo. Nathan & Lori Poorman, 29 S Ivy Ridge Rd SE, \$13.55
ppp. Gabriel & Zoila Garcia, 112 Norcross Way, \$.84
qqq. RT&T Enterprises LLC, 611 Turner McCall Blvd, \$164.28
rrr. Brian Dulaney, 1204 Biddy Rd, \$615.11
sss. Michael & Carmine Rogers, 1682 Huffaker Rd, \$1,019.54
ttt. Gregory & Bibbeth Hall, 45 E Centre Rd SE, \$98.20
uuu. Martin McClure, 30 Seay Dr, \$82.27
vvv. Thomas B & Mistee Graham, 3041 Callier Springs Rd, \$58.82
www. Judy C Sloman, 2631 Turkey Mountain Rd, \$170.38
xxx. Wallace L Brown, 174 Tate Estate Rd SE, \$137.62
yyy. Stephanie Corwin, 1140 Horseleg Creek Rd SW, \$394.93
zzz. Gerald Nash, 310 Grant Rd, Armuchee, \$54.25
aaaa. Dan Roberson, PO Box 67, Lindale, \$8.90
bbbb. Brad L Riddle, 18 Westover Dr, \$15.43

- 2. Adopt Resolution Approving and Authorizing Execution by the County Attorney of a Settlement Agreement and Release and Any and All Other Documents Related to the Settlement of a Worker's Compensation Claim initiated by Ellen Sosbe.**
- 3. Authorize Execution of Settlement Agreement and Mutual Release between Floyd County, Rome-Floyd Parks & Recreation Authority, Pope/Partners Architects, Inc., and Rhodes Engineering Services, Inc., related to North Floyd Park and Shannon Park. (2006 SPLOST)**

MANAGER'S REPORT:

- 1. DISCUSS RENEWAL OF PARKING MANAGEMENT AGREEMENTS BETWEEN DOWNTOWN DEVELOPMENT AUTHORITY FOR THE CITY OF ROME AND FLOYD COUNTY FOR THE FOURTH AVENUE AND SIXTH AVENUE PARKING DECKS. (DEFERRED DECEMBER 07, 2010):**

County Manager Poe stated they have before them Parking Management Agreements between the Downtown Development Authority for the City of Rome and Floyd County for the Fourth Avenue and Sixth Avenue Parking Decks. He

recommended approval of the agreements as submitted, pending final review of the County Attorney.

Commissioner Whitefield made a MOTION to Approve the Parking Management Agreements between the Downtown Development Authority for the City of Rome and Floyd County for the Fourth Avenue and Sixth Avenue Parking Decks pending final review of the County Attorney. SECOND by Commissioner Mayes. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**2. AUTHORIZE EXECUTION OF CONTRACT
BETWEEN FLOYD COUNTY AND LONG FENCE
COMPANY FOR WILDLIFE FENCING PROJECT
AT RICHARD B. RUSSELL REGIONAL AIRPORT
IN THE AMOUNT OF \$439,357.74. [GDOT PROJECT
NO. AP011-9017-34(115)]:**

County Manager Poe stated they have before them a recommendation to award a contract to Long Fence Company for the Wildlife Fencing Project at Richard B. Russell Regional Airport, in the amount of \$439,357.74. He stated the recommendation comes from the Airport Commission and the Airport Consultant based on sealed bids received for that project.

Commissioner Fricks made a MOTION to Approve the Contract between Floyd County and Long Fence Company for Wildlife Fencing Project at the Richard B. Russell Regional Airport, in the amount of \$439,357.74. SECOND by Commissioner Bagwell. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**3. AUTHORIZE EXECUTION OF JAIL AGREEMENT
BETWEEN FLOYD COUNTY AND DOUGLAS COUNTY
FOR BOARDING INMATES AT FLOYD COUNTY JAIL:**

County Manager Poe stated this is a Jail Agreement between Floyd County and Douglas County for boarding Douglas County inmates at the Floyd County Jail. He recommended approval and execution of this document as presented.

Commissioner Bagwell made a MOTION to Authorize Execution of the Jail Agreement between Floyd County and Douglas County for Boarding Inmates at Floyd County Jail. SECOND by Commissioner Fricks. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

4. AUTHORIZE EXECUTION OF SUB-RECIPIENT AGREEMENT BETWEEN FLOYD COUNTY, THE CITY OF ROME AND THE APPALACHIAN HOUSING COUNSELING AGENCY FOR COMMUNITY HOME INVESTMENT PROGRAM (CHIP) GRANT:

County Manager Poe stated they have a Sub-Recipient Agreement between Floyd County, the City of Rome and the Appalachian Housing Counseling Agency for Community HOME Investment Program (CHIP) Grant. He recommended authorizing execution of this agreement as submitted.

Commissioner Mayes made a MOTION to Authorize Execution of the Sub-Recipient Agreement between Floyd County, the City of Rome and the Appalachian Housing Counseling Agency for Community HOME Investment Program (CHIP) Grant. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

5. AWARD OF BID FOR SOLID WASTE SERVICES AND EQUIPMENT:

County Manager Poe stated they recently received bids for the operation of their Remote Solid Waste Collection Sites. He stated the recommendation is to award the bid to AMR Waste. There is a fee schedule that will be paid on a monthly basis for each individual remote site, which includes providing all the compactor equipment. He stated there is also a price per pull for any additional times they need to pull dumpsters. He stated this price is actually a reduction over what they are currently paying under their contract with Allied Waste. He recommended awarding the bid to AMR Waste, contingent upon the County Attorney and AMR Waste preparing a satisfactory contract.

Commissioner Bagwell made a MOTION to Award the Bid for Solid Waste Services and Equipment to AMR Waste, as outlined by the County Manager. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Chairman Lumsden

Motion Carried

**6. AWARD OF BID FOR HVAC CONTROL SYSTEM
FOR COURTHOUSE/JUDICIAL BUILDING AND
THE FORUM:**

County Manager Poe stated they have received a grant for significant upgrades to the heating and air systems in the Courthouse/Judicial Building and The Forum. These upgrades will ultimately result in a more energy efficient system for those two buildings. He stated that after review of the bids, the recommendation from the engineer is to award the bid to Haynes Heating & Air for a total contract price of \$352,759.00.

Commissioner Fricks made a MOTION to Award the Bid for HVAC Control System for Courthouse/Judicial Building and The Forum to Haynes Heating & Air, in the amount of \$352,759.00. SECOND by Commissioner Bagwell. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

7. APPROVE ACQUISITION OF PROPERTY FOR NEW PUBLIC SAFETY COMMUNICATION SYSTEM:

County Manager Poe stated this pertains to acquiring some property for a new tower site for the upcoming Public Safety Communication System in Floyd County. He stated the recommendation is to purchase two parcels of property totaling 1.38 acres from Charter Communications. The amount that they will be paying for the existing tower and land is \$50,000.00. He stated there will also be a \$5,000.00 real estate commission paid, \$3,000.00 to the two former landowners that will require quit-claim deeds, and \$2,000.00 to cover closing costs. The total cost will be \$60,000.00. He recommended approving all the legal documents to acquire the property from Charter Communications.

Commissioner Whitefield made a MOTION to Approve Acquisition of Property for New Public Communication System from Charter Communications and authorize the execution of all legal documents in connection with the acquisition, for a total cost of \$60,000.00, as outlined by the County Manager. SECOND by Commissioner Mayes. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman L. C. L.

Chairman Lumsden

Motion Carried

8. DISCUSS EXTENSION OF HEALTH SERVICES AGREEMENT WITH CORRECTHEALTH FOR INMATE MEDICAL CARE AT JAIL AND PRISON:

County Manager Poe recommended accepting the amendment to the contract with CorrectHealth, to extend the contract for the period January 1, 2011 through December 31, 2011, with an increase of 2.15% in the base price of services provided on a monthly basis.

Commissioner Whitefield made a MOTION to Approve the Extension of the Health Services Agreement with CorrectHealth for Inmate Medical Care at the Jail and Prison with the Amendment as noted by the County Manager. SECOND by Commissioner Mayes. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

9. RECLASSIFY DEPUTY CLERK POSITION (POSITION NO. 493-018) IN MAGISTRATE COURT TO COURT SUPERVISOR, PAYGRADE 14:

County Manager Poe stated they have a request to Reclassify the Deputy Clerk Position (Position No. 493-018) in Magistrate Court to Court Supervisor Position in Paygrade 14. He stated this would be an at-will position to the Chief Magistrate Judge. The Chief Magistrate Judge, working with the County Attorney, will present to the Board a Contract of Employment for that particular employee at some point in the future. He stated this action is to approve the reclassification of that position.

Commissioner Mayes made a MOTION to Reclassify Deputy Clerk Position (Position No. 493-018) in Magistrate Court to Court Supervisor Position, Paygrade 14. SECOND by Commissioner Bagwell. VOTING:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

10. DISCUSS RENEWING VENDING AND SPONSORSHIP AGREEMENT BETWEEN FLOYD COUNTY AND COCA-COLA ENTERPRISES:

Defer.

11. DISCUSS MODIFYING RENTAL RATES AND FEES FOR USE OF THE FORUM:

Defer.

OTHER BUSINESS:

County Manager Poe announced that a Public Hearing will be held on the FY2011 Budget on January 18, 2011 at 8:30 A.M. in the Commissioners Meeting Room.

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:

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

EDDIE LUMSDEN, CHAIRMAN