

February 22, 2011

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS  
February 22, 2011                      6:00 P.M.**

**PRESENT:** Commissioners Irwin Bagwell, Garry Fricks, Eddie Lumsden, 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 Fricks.

**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 Whitefield made a MOTION to adopt the minutes of the Regular Meeting of February 08, 2011. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell  
" Fricks  
" Whitefield  
Chairman Lumsden

Motion Carried

**PROCLAMATIONS:**

**RECOGNIZE 2010 RETIREES:**

The Board recognized the following employees for their years of service to Floyd County. Proclamations and plaques were presented to those who retired after serving at least twenty-five years:

Major Tommy Shiflett, Floyd County Police Department, 39 years, 7 months

(Proclamation/Resolution Book, Page 179)

Deputy Charles Layman, Floyd County Sheriff's Office, 38 years, 4 months

(Proclamation/Resolution Book, Page 180)

Homer Vincent, Floyd County Prison, 33 years, 1 month

(Proclamation/Resolution Book, Page 181)

Annie Sue Gill, Tax Commissioner's Office, 32 years, 11 months

(Proclamation/Resolution Book, Page 182)

Major Mike Brock, Floyd County Police Department, 32 years, 8 months

(Proclamation/Resolution Book, Page 183)

Judge Glenda Caldwell, Magistrate Court, 28 years, 6 months

(Proclamation/Resolution Book, Page 184)

Mickey Walker, Public Works Department, 27 years, 6 months

(Proclamation/Resolution Book, Page 185)

Plaques were presented to the following:

Leonard Miller, Public Works Department, 19 years, 5 months

Larry Wilkins, Public Works Department, 12 years, 3 months

Jackie Crowe, Clerk of Superior Court, 12 years, 2 months

Jackie Dowdy, Public Works Department, 10 years, 4 months

The Commissioners expressed their appreciation to all these employees for the 255+ years of combined service to the citizens of Floyd County.

**PUBLIC HEARINGS:  
(FIRST READINGS HELD  
FEBRUARY 08, 2011)**

**1. ADOPT AN ORDINANCE AUTHORIZING THE IMPOSITION OF CURFEWS DURING TIMES OF EMERGENCY OR DISASTER: (2011-003A)**

Chairman Lumsden declared the Public Hearing open, and asked County Manager Kevin Poe to give a brief overview of this ordinance. County Manager Poe stated this ordinance allows the Board of Commissioners to institute a curfew following a declaration of a State of Emergency by the Governor, or following the existence of an emergency or disaster as determined by the Board of Commissioners. The curfew is instituted through the adoption of a resolution specifying the dates, hours and territory within the county to which the curfew applies. He stated the curfew will not apply to individuals rendering emergency services.

Chairman Lumsden asked if there is anyone wishing to speak regarding this ordinance. Seeing none, he declared the Public Hearing closed, and called for a motion. Commissioner Whitefield made a MOTION to Adopt the Ordinance Authorizing the Imposition of Curfews During Times of Emergency or Disaster. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**2. ADOPT AN ORDINANCE TO PROHIBIT OVERCHARGING FOR GOODS, MATERIALS, SERVICES AND HOUSING DURING A STATE OF EMERGENCY: (2011-004A)**

Chairman Lumsden declared the Public Hearing open, and asked County Manager Kevin Poe to give a brief overview of this ordinance. County Manager Poe stated this ordinance prohibits overcharging during a State of Emergency and up to six months following the Emergency Declaration.

Chairman Lumsden asked if there is anyone wishing to speak regarding this ordinance. Seeing none, he declared the Public Hearing closed, and called for a motion. Commissioner Bagwell made a MOTION to Adopt the Ordinance to Prohibit Overcharging for Goods, Materials, Services, and Housing During a State of Emergency. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell  
" Fricks  
" Whitefield  
Chairman Lumsden

Motion Carried

**3. ADOPT AN ORDINANCE AUTHORIZING THE  
SUSPENSION OF PORTIONS OF THE CODE OF  
ORDINANCES AND OTHER FORMALITIES  
DURING A STATE OF EMERGENCY: (2011-005A)**

Chairman Lumsden declared the Public Hearing open, and asked County Manager Kevin Poe to give a brief overview of this ordinance. County Manager Poe stated this ordinance allows the Board of Commissioners to waive certain formalities during a State of Emergency. Those would include the following: (1) Commission meetings may be held at places other than the regular meeting place, even outside of the county (2) Regular purchasing procedures may be waived. (3) Enforcement of certain portions of the Code of Ordinances may be suspended. (4) The Board of Commissioners may suspend or reduce permit fees, application fees, or other fees. (5) The Board of Commissioners may administratively allow the placement of temporary housing that might otherwise be prohibited by the zoning regulations.

Chairman Lumsden asked if there is anyone wishing to speak regarding this ordinance. Seeing none, he declared the Public Hearing closed, and called for a motion. Commissioner Whitefield made a MOTION to Adopt the Ordinance Authorizing the Suspension of Portions of the Code of Ordinances and Other Formalities During a State of Emergency. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell  
" Fricks  
" Whitefield  
Chairman Lumsden

Motion Carried

**4. ADOPT AN ORDINANCE TO REQUIRE  
REGISTRATION OF BUILDING AND REPAIR  
SERVICES DURING A STATE OF EMERGENCY:  
(2011-006A)**

Chairman Lumsden declared the Public Hearing open, and asked County Manager Kevin Poe to give a brief overview of this ordinance. County Manager Poe stated this ordinance requires individuals, or businesses, that provide building,

construction, repairing and renovation services to register with the Building Inspection Department during a State of Emergency and up to three months following the Governor's Emergency Declaration.

Chairman Lumsden asked if there is anyone wishing to speak regarding this ordinance. Seeing none, he declared the Public Hearing closed, and called for a motion. Commissioner Fricks made a MOTION to Adopt the Ordinance to Require Registration of Building and Repair Services During a State of Emergency. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**CHAIRMAN'S REPORT:**

No Report.

**COMMISSIONER'S REPORT:**

**1. Administrative/Finance Committee**

No Report.

**2. Public Safety Committee**

No Report.

**3. Public Works Committee**

**a. Authorize submission of road list for the FY2011 Georgia Department of Transportation Local Maintenance & Improvement Grant Request for Resurfacing of County Roads.**

Commissioner Bagwell made a MOTION to authorize the submission of the road list prepared by the Public Works Department for the FY2011 Georgia Department of Transportation Local Maintenance & Improvement Grant (LMIG) Request for Resurfacing of County Roads. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell  
" Fricks  
" Whitefield  
Chairman Lumsden

Motion Carried

**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 Clerk Kathy Arp stated there are four items on the Clerk's Consent Agenda that have been reviewed, and are submitted for approval. Commissioner Bagwell 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. Blue Marlin LLC, 22 Bridgeview Drive, \$1,166.68
  - b. Great American Leasing Corp, P.O. Box 609, Cedar Rapids, IA, \$1.50
  - c. Tim Baird, 208 Harrison Road, \$104.16
  - d. Steve Hicks, 540 Brice Station Road SE, Silver Creek, \$181.70
  - e. Don West, 4 Villamar Street NW, \$40.37
  - f. Ben Bagley, 49 Bellemont Drive SW, \$143.75
  - g. Vanessa J. & Windell C. McLendon, 20 Drexel Drive, \$5.40
  - h. Joseph R. Wade, Jr. & Carol Wade, 4 College View Drive, \$203.65
  - i. Michael W. Mathis, 22 Shorter Avenue, \$1,016.10
  - j. Crew Investments Inc. & Charles Bradley Clark, 22 Shorter Avenue, \$779.92
  - k. Helen H. Ruchti, 21 Mitchell Circle, \$96.23
  - l. John & Mary Self-Karlovich, 22 Saddlebrook Drive SE, \$23.63
  - m. Zachary A. Harter & Thomas & Kimberly Holly, 217 Rolling Pines Road NW, \$1.77
  - n. Coosa Medical Group, Inc., 20 Riverbend Drive SW, \$101.04
  - o. Suntrust Bank, P.O. Box 4418, Atlanta, \$410.98
  - p. LV Ozment, Jr. & BV Ozment & Four Fred Ozment LLC, 3918 Alabama Highway, \$129.86
  - q. Dana D. Zeiman, 208 Charlton Road, \$34.08
  - r. DLL Operational Services LLC, 1111 Old Eagle School Road, Wayne, PA, \$10.76
  - s. Charming Shoppes, Inc. / R.E. Johnson, Jr., 4115 Poplar Springs Road, Gainesville, \$64.94
  - t. R.E. Johnson, Jr. / Charming Shoppes, Inc., 840 North Moseley Road, Colcord, OK, \$32.80
- 2. Authorize execution by Chairman of FY2010 Homeland Security Grant Program Grantee-Subgrantee Agreement Citizen Corps Program.**
- 3. Authorize execution by Chairman of Quit Claim Deed for Lot Number 49 in Lavender Park Addition (Plat Book 1, page 287), as requested by Floyd County Tax Commissioner.**
- 4. Authorize execution by Chairman of all Georgia County Internship Program Subgrant Agreement documents between Association County Commissioners of Georgia (ACCG) and Floyd County for County Internship Program.**

**MANAGER'S REPORT:**

**1. AUTHORIZE EXECUTION OF CONTRACT DOCUMENTS FOR TELEPHONE SERVICES:**

County Manager Poe stated they received a report from MIS Director LaSonja Holcomb during Caucus explaining what they are trying to accomplish by putting all of their telephone services under one vendor. We are expecting to save

money and improve service. He stated they have before them a contract with DeltaCom related to their overall telephone services, and pending review of the County Attorney, he recommended approving the contracts as submitted. Commissioner Bagwell stated this will hopefully result in overall savings on telephone costs. County Manager Poe stated it will save them money, and it puts the telephone service with one vendor.

Commissioner Whitefield made a MOTION to Authorize execution of Contract Documents with Delta Com, for telephone services, pending review of the County Attorney. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**2. AUTHORIZE SURPLUS OF GLOCK DUTY  
WEAPONS AS SUBMITTED BY FLOYD COUNTY  
POLICE DEPARTMENT:**

County Manager Poe stated the Floyd County Police Department has a grant that they are going to use to upgrade their duty weapons from a Glock Generation III to a Glock Generation IV. He stated they anticipate that part of the proposals they get when they put this out for bid will involve exchanging their current guns for the new ones as part of the deal. In order to accommodate that, they need to declare their inventory of Glock side arms as surplus property. He stated this upgrade is being 100% funded through a grant.

Commissioner Bagwell made a MOTION to Approve the request to surplus the Glock duty service weapons as submitted. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**3. AUTHORIZE REQUEST FOR BUDGET  
REVISION FOR EMERGENCY MANAGEMENT:**



County Manager Poe stated they have grant funds, in the amount of \$1,400.00, through Georgia Emergency Management Agency (GEMA) to be used for training and providing supplies to their Certified Emergency Response Teams (CERT) left over from last year that they failed to rollover into the FY2011 Budget. He stated this request is to add the \$1,400.00 to the Revenue Budget in Emergency Management, as well as \$1,400.00 to the Expenditure Budget. This will allow them to spend out these grant funds for their Certified Emergency Response Teams (CERT).

Commissioner Bagwell made a MOTION to Authorize Emergency Management's request for a Budget Revision in the amount of \$1,400.00, as presented. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

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

#### **4. RECOMMENDATION FROM ROME-FLOYD PARKS & RECREATION AUTHORITY FOR AWARD OF BID FOR ROOF (SHINGLE) REPLACEMENT AT UPPER ALTO PARK CONCESSIONS BUILDING:**

County Manager Poe requested that this item be added to the agenda by 4/5 vote. He stated this is a recommendation from the Rome-Floyd Parks & Recreation Authority for award of bid for roof replacement at the upper Alto Park concessions building. Commissioner Whitefield made a MOTION to add the item to the agenda. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

County Manager Poe stated the Parks & Recreation Authority met yesterday, and they are recommending to the Board of Commissioners that they award

the bid for this roofing project to M. Tanner Contracting in the amount of \$5,112.00, and decking at a cost of \$70.00 per sheet. He stated that it appears that there are three sheets of decking that need to be replaced. The funding would come out of the capital reserve fund that the Parks & Recreation Authority administers at this time. He recommended approving the proposal from the Parks & Recreation Authority to award the bid to M. Tanner Contracting to do the roofing work.

Commissioner Bagwell made a MOTION to Award the bid for Roof Replacement at Upper Alto Park Concessions Building to M. Tanner Contracting in the amount of \$5,112.00, and the decking at a cost of \$70.00 per sheet. 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 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**

