

May 10, 2011

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
May 10, 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, 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 Tommy Manning if the minutes were in order. Mr. Manning stated the minutes had been reviewed and were in order. Commissioner Mayes made a MOTION to adopt the minutes of the Regular Meeting of April 26, 2011. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

PROCLAMATIONS:

TEEN PREGNANCY PREVENTION MONTH:

Commissioner Whitefield presented Angie Robinson, Floyd County Teen Health Center Youth Development Coordinator, with a Proclamation recognizing May

2011 as Teen Pregnancy Prevention Month. Ms. Robinson thanked the Board on behalf of Northwest Georgia Public Health, the Floyd County Teen Health Center, the Floyd County Teen Pregnancy Prevention Task Force, and all of their community partners.

(Proclamation/Resolution Book, Page 193)

UPDATE ON STORMS/TORNADO DAMAGE:

Chairman Lumsden stated Scotty Hancock, Emergency Management Director, has an update on the recent storms that have affected the community. Mr. Hancock reviewed a PowerPoint presentation detailing the damage throughout the community. He stated there were two separate events on April 27, 2011. Straight-line winds of up to 80 mph began around 8:30 a.m. in the Garden Homes and Armuchee areas. A tornado hit the Cave Spring area, with wind speeds of 125 mph, at about 8:45 p.m. He stated there were 24 businesses, 5 non-profit agencies (mostly churches), 332 homes (with minor damage), 72 homes (with major damage), and 40 homes destroyed by the storm. Floyd County was very blessed that there were no deaths associated with the storms that left approximately \$12,802,257.00 in property damage throughout the county. Scotty thanked everyone for their support and assistance to the Emergency Management and Public Safety agencies, Floyd County staff, and all those who volunteered and worked tirelessly to protect the citizens of Floyd County.

FIRST READINGS:

**(PUBLIC HEARINGS TO BE HELD
ON MAY 24, 2011 AT 6:00 P.M.)**

- 1. FILE #51-2011Z. REQUEST REZONING FROM HEAVY COMMERCIAL (H-C) AND SUBURBAN RESIDENTIAL (S-R) TO HEAVY INDUSTRIAL (H-I) FOR MARKETING OF PROPERTY LOCATED ON NEW CALHOUN HIGHWAY AND ON NEW CALHOUN HIGHWAY AT AUTRY ROAD. ZONING MAP N09, PARCELS 050, 054. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 9-0]).**

- 2. FILE #52-2011Z. REQUESTS REZONING FROM LIGHT INDUSTRIAL (L-I) TO COMMUNITY COMMERCIAL (C-C) WITH SPECIAL USE PERMIT FOR AMUSEMENT/RECREATION, INDOOR (HANDGUN SHOOTING RANGE) WITH RETAIL SALES ON PROPERTY LOCATED ON KINGSTON ROAD. ZONING MAP M14, PARCEL 291. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH CONDITION THAT ALL STATE AND FEDERAL PERMITS BE OBTAINED. [VOTE: 9-0]).**

ULDC TEXT AMENDMENT

- 1. REVISE OR DELETE ARTICLE 4 AND ARTICLE 5 CONCERNING SIGNAGE AND PERSONAL CARE HOMES IN AGRICULTURE RESIDENTIAL (A-R), SUBURBAN RESIDENTIAL (S-R), HIGH DENSITY TRADITIONAL RESIDENTIAL (H-TR), LOW DENSITY TRADITIONAL RESIDENTIAL (L-TR) AND DUPLEX RESIDENTIAL (D-R) ZONING DISTRICTS. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 9-0]).**
- 2. REVISE OR DELETE ARTICLE 6 CONCERNING PARKING AND PERSONAL CARE HOMES IN ALL ZONING DISTRICTS. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 9-0]).**
- 3. REVISE OR DELETE ARTICLE 8, DEFINITIONS, CONCERNING “PERSONAL CARE HOMES.” (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 9-0]).**
- 4. REVISE OR DELETE ARTICLE 5 CONCERNING SIGNS. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 8-1]).**

Chairman Lumsden stated the Public Hearings will be held Tuesday, May 24, 2011 at 6:00 p.m.

CHAIRMAN’S REPORT:

No Report.

COMMISSIONER’S REPORT:

- 1. Administrative/Finance Committee**

No Report.

- 2. Public Safety Committee**

No Report.

- 3. Public Works Committee**

No Report.

4. Water Committee

a. Consider Recommendation for Water Rate Increase and Adopt Resolution to Amend Fee Schedule Book.

Commissioner Fricks stated they have a recommendation from the Water Committee for a water rate increase. County Manager Poe stated they are recommending that the base charge for customers with a 5/8" meter be increased to \$14.42; that the usage rates be increased to \$3.65 per 1,000 gallons, which is a 3% increase; and a 3% increase on usage for all meters 1" and above. He stated that means the rate for meter sizes 1" through 1½" would be \$3.65 per 1,000 gallons, and \$3.03 per 1,000 gallons for meter sizes 2" and above. For average residential usage, this would result in an increase of \$.72 on their monthly bill.

Commissioner Fricks stated they did scrutinize over this increase in the Water Committee. He stated they did not want to put an increase on anyone unnecessarily, but he thinks it is justified here. He stated operational costs are down, and he is glad to see everyone working hard to accomplish that. However, there have been a number of different cost increases through their water purchasing from both the City of Rome and the City of Adairsville. He stated that he is proud of the way their water operations department have really contained their costs. Unfortunately, they have to do an increase based on their cost of their raw product. County Manager Poe stated this is the first increase they have had since July 1, 2009.

Chairman Lumsden called for a motion. Commissioner Fricks made a MOTION to Approve the Water Rate Increase and Adopt a Resolution to Amend the Fee Schedule Book to reflect the revisions. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

5. Judicial Services Committee (CJIS)

No Report.

6. Special Committee Reports

a. Fire Overview Committee

No Report.

b. Joint Services Committee

No Report.

c. Joint Development Oversight Committee

No Report.

d. Joint Solid Waste Oversight Committee

- 1) Approve Contract with Environmental Guidance Associates for Corrective Action Plan and Final Compliance Status Report for Old Fox Manufacturing Site.**
- 2) Approve Contract with Golder Associates for 2011 Landfill Tier 2 Gas Sampling at Walker Mountain Landfill.**
- 3) Approve Contract with Golder Associates for Continuing Groundwater Monitoring Services at Walker Mountain Landfill.**
- 4) Approve Contract with Golder Associates for Continuing Groundwater Monitoring Services at Berryhill Landfill.**

County Manager Poe stated these items come to the Board with a recommendation for approval from the Joint Solid Waste Oversight Committee. He recommended approval of these contracts as submitted. Commissioner Bagwell stated these contracts would be paid out of the Solid Waste fund.

Chairman Lumsden called for a motion. Commissioner Bagwell made a MOTION to Adopt a Resolution Approving and authorizing execution of the contracts as recommended. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

CLERK’S REPORT:

Consent Agenda

County Clerk Kathy Arp stated there are three 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 Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

1. Tax Refunds:

- a. Carter Custom Carpets, 25 Park Place, 8th Floor, Atlanta, \$138.40
- b. Richard & Debra Gilbert, 107 Nelson Boulevard NW, \$69.75
- c. Cloyd & Mable H. Fullerton, 100 Parkway Drive, \$3.49
- d. Raymond & Susan Waters, 2341 Frettiesburg Drive, Rockmart, \$190.28
- e. Richard & Debra Gilbert, 107 Nelson Boulevard NW, \$497.77
- f. RWW, LLC, 80 Fallen Branch Circle, \$1,414.86
- g. Conasauga Investments, Inc., 101 Architecture Building, Stillwater, OK, \$563.94
- h. Tom E. Spector, 2400 Garden Lakes Parkway, \$227.21
- i. CRM Central Properties, LLC, 75 Eden Valley Road, \$911.54
- j. Doris H. Todd, 28 Bale Street, \$726.27
- k. Joan W. Brock, 7 Wayne Street, \$108.89
- l. John M. & Gwendalyn Sirmans, 21 Bridgeview Drive, \$1,446.35
- m. June S. Barron, P.O. Box 6229, \$1,763.50
- n. Donald R. Lawalin, 7 Johns Drive NE, \$18.40
- o. Gilbert Capital, LLC, 512 Riverside Parkway Suite 300, \$1,335.40

2. Adopt Resolution Approving and Authorizing Execution of contract between Floyd County and Accountability Measures, LLC, regarding Governor’s Office of Children and Families Grant.

3. Adopt Resolution Approving and Authorizing Execution by the Chairman of an Agreement regarding possible use of Oglethorpe Power’s Rocky Mountain Site. (2009 SPLOST)

MANAGER’S REPORT:

4/5 Vote Required to Add Item #4 & Item #5

Chairman Lumsden stated they have two items, Item #4 and Item #5, that require a 4/5 vote to be added to the agenda. Commissioner Mayes made a MOTION to add Item #4 and Item #5 to the agenda. SECOND by Commissioner Fricks. VOTING:

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

Motion Carried

1. AWARD OF BID FOR WATER DEPARTMENT:

- a. One (1) 4x4 Extended Cab Pickup Truck**
- b. One (1) 4x4 Backhoe Loader**

County Manager Poe stated that sealed bids were recently accepted for the purchase of a pickup truck and a backhoe loader for the Water Department. He stated the recommendation is to award the bid to the low bidder on both of these items. Both purchases would be under the budgeted amount. He stated the recommendation on the 4x4 extended cab pickup truck is to award the bid to Wade Ford, in the amount of \$23,842.00, for a 2011 Ford F150. The recommendation on the 4x4 backhoe loader is to award the bid to Flint Equipment Company in the amount of \$69,726.00.

Commissioner Whitefield made a MOTION to Award the bids to Wade Ford and Flint Equipment Company, as outlined by the County Manager. SECOND by Commissioner Fricks. VOTING:

	YES	NO
Commissioner Bagwell		
" Fricks		
" Mayes		
" Whitefield		

Chairman Lumsden

Motion Carried

**2. AWARD OF BID FOR ONE (1)
4X4 EXTENDED CAB PICKUP
TRUCK FOR PRISON:**

County Manager Poe stated that sealed bids were received for the purchase of a pickup truck for the Prison. He stated the recommendation is to award the bid to the low bidder, Wade Ford, in the amount of \$22,686.00. The budgeted amount was \$25,000.00.

Chairman Lumsden called for a motion. Commissioner Bagwell made a MOTION to Award the bid to Wade Ford in the amount of \$22,686.00. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**3. CONSIDER REQUEST FROM
COOPERATIVE EXTENSION FOR FULL
FUNDING OF SUPPLEMENT OF THE 4-H
AGENT POSITION:**

County Manager Poe stated the Cooperative Extension Office has submitted a request asking that the county provide their full funding of the supplement for the 4-H Agent position. He stated it appears that the University of Georgia is going to provide funding for the local Cooperative Extension Office to fill the 4-H position with a full time person. In expectation of that, they are requesting full funding for their supplement, which is \$12,000.00 per year. He stated that this year the county has already funded the majority of that, \$9,633.00, so we will only have to come up with half of that for the remainder of the year. They would be committing to provide the full \$12,000.00 supplement for this 4-H position going into the county's next fiscal year. He stated the state's fiscal year starts July 1, 2011.

Commissioner Bagwell made a MOTION to Approve the request from Cooperative Extension for full funding of the supplement for the 4-H Agent position. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

4. RESCIND AWARD OF BID, APPROVED AT MEETING OF APRIL 12, 2011, TO COBB COUNTY TRACTOR FOR TRACTOR AND BOOM MOWER FOR PUBLIC WORKS DEPARTMENT:

County Manager Poe stated Cobb County Tractor was awarded a bid at the meeting of April 12, 2011, for the purchase of a tractor and boom mower for the Public Works Department. He stated Cobb County Tractor has informed the Public Works Department that they are unable to meet the bid requirements, which is that they provide the piece of equipment within 60 days. They informed the county that they could not obtain that piece of equipment to be delivered for 4 to 6 months. He stated that would put us past the mowing season, and we are in desperate need of a new tractor and boom mower. He recommended that the Board rescind the award of bid to Cobb County Tractor.

Commissioner Whitefield made a MOTION to rescind the award of bid to Cobb County Tractor. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Bagwell
" Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

5. AWARD OF BID FOR TRACTOR AND BOOM MOWER FOR PUBLIC WORKS DEPARTMENT:

County Manager Poe stated the recommendation is to award the bid to Franklin Tractor in the amount of \$63,446.00. He stated this is only \$487.00 more than

Cobb County Tractor's bid, and it comes with more features. Franklin Tractors said they can meet the 60-day delivery time.

Chairman Lumsden called for a motion. Commissioner Bagwell made a MOTION to Award the bid for Tractor and Boom Mower for Public Works Department to Franklin Tractor in the amount of \$63,446.00. SECOND by Commissioner Fricks. 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 Bagwell, 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

