

September 13, 2011

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
September 13, 2011 2:00 P.M.**

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

OTHERS

PRESENT: County Manager Kevin Poe, County Attorney Tommy Manning, Deputy Clerk Jaime Armstrong, and Assistant County Manager Blaine Williams.

ABSENT: Commissioner Irwin Bagwell, and County Clerk Kathy Arp.

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 Mayes made a MOTION to adopt the minutes of the Regular Meeting of August 23, 2011. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

PROCLAMATIONS:

ROME SYMPHONY ORCHESTRA DAY:

Chairman Lumsden presented Barbara Beninato with a Proclamation recognizing September 17, 2011 as Rome Symphony Orchestra Day. Ms. Beninato thanked the Board for their recognition, and for the support that they have given the Rome Symphony Orchestra.

(Proclamation/Resolution Book, Page 198)

CONSTITUTION WEEK:

Commissioner Whitefield presented Mary McGuffey, representing Daughters of the American Revolution, with a Joint City-County Proclamation recognizing September 17 through September 23, 2011 as Constitution Week. Ms. McGuffey thanked the Board for their support and recognition.

(Proclamation/Resolution Book, Page 199)

**FIRST READINGS:
(PUBLIC HEARINGS TO BE
HELD ON SEPTEMBER 27, 2011
AT 6:00 PM)**

Rezoning and Special Use Permits

- 1. FILE #91-2011Z. REQUESTS REZONING FROM HIGH DENSITY TRADITIONAL RESIDENTIAL (H-TR) TO SUBURBAN RESIDENTIAL (S-R) WITH SPECIAL USE PERMIT FOR A MANUFACTURED HOME IN SUBURBAN RESIDENTIAL (S-R) ZONING DISTRICT ON PROPERTY LOCATED ON LANDERS DRIVE IN LINDALE. ZONING MAP J16Y, PARCEL 263. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0]).**
- 2. FILE #92-2011Z. REQUESTS REZONING FROM SUBURBAN RESIDENTIAL (S-R) TO OFFICE INSTITUTIONAL (O-I) FOR CHURCH BUILDINGS AND PARKING LOTS ON PROPERTY LOCATED ON ALABAMA HIGHWAY AT SALEM DRIVE. ZONING MAP G13X, PARCEL 134 AND PART OF PARCEL 202. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0]).**
- 3. FILE #94-2011Z. REQUESTS REZONING FROM SUBURBAN RESIDENTIAL (S-R) TO OFFICE INSTITUTIONAL (O-I) WITH SPECIAL USE PERMIT FOR A FUNERAL HOME AND**

CREMATORY ON PROPERTY LOCATED ON MARTHA BERRY HIGHWAY. ZONING MAP J10X, PARCEL 079A. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH THE CONDITION THAT A BUFFER ALONG OLD SUMMERVILLE ROAD THAT COULD BE A BERM OR PLANTINGS THAT WOULD PROVIDE A VISUAL SCREEN. [VOTE: 8-1]).

Chairman Lumsden stated Public Hearings would be held on Tuesday, September 27, 2011 at 6:00 P.M.

CHAIRMAN'S REPORT:

1. Appointment Voting Delegate for 2011 ACCG Legislative Leadership Conference.

Commissioner Whitefield made a MOTION to appoint Commissioner Garry Fricks as Voting Delegate for the 2011 ACCG Legislative Leadership Conference. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee

a. Consider Revision to Purchasing Thresholds.

Defer.

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

No Report.

b. Joint Services Committee

No Report.

c. Joint Development Oversight Committee

No Report.

d. Joint Solid Waste Oversight Committee

- 1) Consider recommendation from the Rome-Floyd Solid Waste Commission to increase the budget for the Rome-Floyd Recycling Center, to create a Recycling/Detail Officer position (position #475-003, paygrade 112).**

County Manager Poe stated this item comes as a recommendation from the Rome-Floyd Joint Solid Waste Commission. He stated Michael Skeen had made a proposal to add a Recycling/Detail Officer position at the Recycling Center. This would allow the center to do more sorting of the comingled material in order to generate more revenue. He stated the Board has been provided with an estimate detailing the cost to add that position, as well as the revenues that he conservatively feels that they can generate in return. The revenues outweigh the expenditures, so they think this is something positive for the Recycling Center on an ongoing basis. He stated there is a high likelihood that the numbers could be even better, because conservative numbers were used in the estimate provided. He recommended that the Board approve the recommendation from the Joint Solid Waste Commission to revise the Rome-Floyd Recycling Center budget to create this position.

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Approve the recommendation from the Rome-Floyd Joint Solid Waste Commission to revise the Rome-Floyd Recycling Center budget to create

a Recycling/Detail Officer position (position #475-003, paygrade 112).
SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

CLERK'S REPORT:

Consent Agenda

Deputy Clerk Jaime Armstrong stated there are six 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 Fricks. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

1. Tax Refunds:

- a. Sims Mountain LLC, 932 North 2nd Avenue, \$1,619.78
- b. Roman Properties Inc., P.O. Box 2936, \$975.04
- c. Michael Shane & Cindy Cowan, 36 Mountain Chase Road SW, \$231.52

2. Approve request from Tax Commissioner, dated August 25, 2011, for removal of bills from Tax Commissioner's Roll and that the taxes be relieved from the books, in the amount of \$10,962.19.

3. Adopt Resolution Approving Execution of Beverage Agreement between Coca-Cola and Floyd County related to The Forum Civic Center.

4. Adopt Resolution Approving Execution of Contract documents between Anniston Trucks, Inc., d/b/a AMR Waste Systems and Floyd County with respect to Collection and Disposal of Solid Waste and Recycling.

- 5. Authorize Execution of FY11 Edward Byrne Memorial Justice Assistance Grant (JAG). (Award Number 2011-DJ-BX-3150)**
- 6. Approve Modification #01 to FY2012 Transportation Agreement for the Elderly between Northwest Georgia Regional Commission and Floyd County.**

MANAGER'S REPORT:

Chairman Lumsden called for a motion to add item #5 under the Manager's Report to the agenda by 4/5 vote. Commissioner Whitefield made a MOTION to add item #5 to the agenda. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**1. AWARD OF BID FOR CONCRETE
CULVERT FOR NORTH FLOYD
INDUSTRIAL PARK (2009 SPLOST):**

County Manager Poe recommended that the Board award a bid for the purchase of some concrete pipe related to the construction of the new North Floyd Industrial Park entrance road. He stated they piggybacked off bids previously taken through Clayton County. The recommendation is to award the bid to Hanson Pipe & Precast, in the amount of \$20,328.00. He stated the funding for this project would come from the 2009 SPLOST.

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Award the bid for the purchase of concrete pipe, based on bid prices of an existing contract through Clayton County, to Hanson Pipe & Precast in the amount of \$20,328.00. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**2. ADOPT RESOLUTION TO APPROVE
THE EXECUTION OF AN AGREEMENT
BETWEEN KIMBLES FOOD BY
DESIGN, INC. AND FLOYD COUNTY FOR
COMMISSARY SERVICES AT THE
FLOYD COUNTY JAIL AND FLOYD
COUNTY PRISON:**

County Manager Poe stated they have before them a resolution that would approve the execution of an agreement between Kimbles Food By Design, Inc. and Floyd County for commissary services at both the Floyd County Jail and Floyd County Prison. He stated the current provider is no longer in business. The process they went through to bring a recommendation before the Board seeking approval to go with Kimbles for commissary services was discussed during caucus. He stated they have negotiated prices with them, and put together a proposed contract. The last day with the existing commissary services provider is this week, so it is very important that they take action as soon as possible. He recommended adopting the resolution as provided.

Chairman Lumsden called for a motion. Commissioner Whitefield made a MOTION to Adopt the Resolution to Approve the Execution of an Agreement between Kimbles Food by Design, Inc. and Floyd County for Commissary Services at the Floyd County Jail and Floyd County Prison, which will allow review by the County Attorney. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**3. ADOPT RESOLUTION TO APPROVE
THE EXECUTION OF AN AGREEMENT
FOR CERTAIN SOFTWARE SERVICES
BETWEEN FLOYD COUNTY AND COTT
SYSTEMS, INC., IN RELATION TO
CERTAIN ECOMMERCE SERVICES FOR
THE FLOYD COUNTY CLERK OF
SUPERIOR COURT:**

Defer.

4. DISCUSS AMENDMENT TO STADIUM

LEASE AND USE AGREEMENT:

County Manager Poe stated this amendment addresses the terms and conditions related to the Braves constructing and operating the Miracle Field on the current State Mutual Stadium site. He stated this would be set up similar to the current stadium project, and no tax dollars would go into the operation, maintenance, or capital maintenance of this facility. He recommended adopting the resolution, which authorizes the attorney to move forward with working out the final details with the Atlanta Braves organization.

Chairman Lumsden called for a motion. Commissioner Fricks made a MOTION to Adopt the Resolution to Approve an Amendment to the Stadium Lease and Use Agreement, as outlined by the County Manager. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

5. AWARD OF BID FOR SALE OF SURPLUS PROPERTY OFF TIGER FLOWER DRIVE:

County Manager Poe stated sealed bids were received for the sale of surplus property that the county has off Tiger Flower Drive. He stated it consists of four parcels of property, which were obtained through a Sheriff's sale. They did properly bid, and advertise it. He stated they received one bid from Kevin Evans with Evans Construction Company. He recommended awarding the bid to Kevin Evans.

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Award the bid for Sale of Surplus Property off Tiger Flower Drive, Tax Map J15W, Parcel 024, Parcel 028, Parcel 034, and Parcel 035, to Kevin C. Evans with Evans Construction Company, in the amount of \$1,100.00. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner 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 Fricks

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

EDDIE LUMSDEN, CHAIRMAN