

October 25, 2011

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
October 25, 2011 6:00 P.M.**

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

OTHERS

PRESENT: County Manager Kevin Poe, County Attorney Andy Garner, 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

PUBLIC PARTICIPATION:

Mr. John Gaines, 127 Leafmore Road, stated that he is the former owner and operator of Coosa Valley Signs. He stated that since that time he has stayed involved in the review of the sign ordinance, which the Board is currently being asked to consider from the City of Rome. He stated that he has been involved in the review with the governments, and the public hearings. He stated that he, and the other members of the committee that have been reviewing this in the past were taken by surprise when it was given to the Board for approval with the noted changes. He stated that it was his understanding at the time the last meeting was held that what they had agreed upon was to go to the attorneys for legal review, and if there was nothing but minor legal changes, that at time it would be forwarded to the county and city commissions for approval. He stated that what he has seen is not what they agreed to and he asked that the Board send this back, with a no vote, to the city commission and ask them to go back to what was agreed to at the last hearings.

**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 Whitefield made a MOTION to adopt the minutes of the Regular Meeting of October 11, 2011. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

PROCLAMATION:

Commissioner Bagwell presented a joint City-County Proclamation to Ms. Joan Bohannon recognizing November 06, 2011 as Retired Educator's Day. Ms Bohannon stated that the Rome-Floyd Retired Educators Association have been an active force for forty-one years. They have 250 members, who have volunteered more than 9,800 hours in the community during 2010 and 2011. She thanked the Board.

PUBLIC HEARINGS (FIRST READING HELD OCTOBER 11, 2011 AT 2:00 P.M.)

Rezoning and Special Use Permits

- 1. FILE #103-2011Z. REQUESTS REZONING FROM COMMUNITY COMMERCIAL (C-C) TO OFFICE INSTITUTIONAL (O-I) WITH SPECIAL USE PERMIT FOR A FUNERAL HOME AND CREMATORY ON PROPERTY LOCATED ON SHORTER AVENUE. ZONING MAP H13X, PARCEL 171. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 9-0]).**

Chairman Lumsden declared the public hearing open and asked Ms. Sue Hiller, Planning Department Director, to review the request. Ms. Hiller stated that the subject property is approximately two and a quarter acres developed with a funeral home and parking lot. She stated that properties to the north, south, east and west are properties that are zoned Community Commercial (C-C). She stated there is a proposed enclosure to be added to the existing building to accommodate the crematory use on the property. She stated the property would essentially be used as is, with the exception of the small addition. She stated if the addition is for the mechanical system and equipment, it would not require additional parking. She stated that because it is an existing use the addition of the second use has a low potential for

adverse impacts, and there is no residential zoned properties immediately adjacent to this.

Chairman Lumsden asked if there was anyone wishing to speak in support or opposition of the request. Seeing none, he stated the hearing is closed and called for a motion. MOTION was made by Commissioner Whitefield, SECOND by Commissioner Fricks to Adopt the Ordinance to Approve the rezoning from Community Commercial (C-C) to Office Institutional (O-I) with a Special Use Permit for a crematory on property located on Shorter Avenue. 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. Recommendation to accept roads and detention pond within Battle Farm Subdivision Phase 2 onto county maintenance.

Commissioner Bagwell made a MOTION that the following roads and detention pond be accepted onto county maintenance: Battle Farm Road, NW; Whitetail Ridge Road, NW; Farm View Court NW; Trotters Lane, NW; Hitchin Post Drive, NW Extension; Walking Horse Drive, NW Extension; Detention Pond located on lot 172

SECOND by Commissioner Whitefield. 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 two (2) items on the Clerk's Consent Agenda, which 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. Bobby Joe Toles, 210 Greenview Road, \$236.64
 - b. Eugene M & Martha Childers, 20 Bridgeview Drive, \$228.41
 - c. John Arthur Nutter, Jr., 7926 Alabama Highway, \$65.10
- 2. Adopt Resolution to Amend Rental Agreement between Floyd County and Coosa Valley Technical College, dated November 13, 2007, to Reflect Name Changes, and for Other Purposes.**

MANAGER'S REPORT:

**1. ADOPT RESOLUTION TO APPROVE
RECOMMENDATION RELATED TO
JAIL MANAGEMENT AND RECORD
MANAGEMENT FOR THE FLOYD
COUNTY SHERIFF DEPARTMENT AND
POLICE DEPARTMENT:**

County Manager Kevin Poe stated that after issuing a Request for Proposal, and thoroughly reviewing the proposals received, the review committee is recommending that the Board approve the purchase of the management systems from Zuercher Technologies LLC in the amount of \$329,082. He stated that the committee recommends the option to pay for the system over a two-year period of time, with an initial payment of \$228,000 in 2011, a payment of \$52,717 in 2012 and a final payment of \$52,717 in 2013.

Commissioner Whitefield made a MOTION to Adopt the Resolution authorizing the Chairman to execute the documents related to the Agreement with Zuercher Technologies LLC, as presented by the County Manager. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**2. AWARD OF BID FOR SKID STEER
LOADER FOR RECYCLING CENTER:**

County Manager Poe stated sealed bids were recently received for the purchase of a Skid Steer Loader for the Recycling Center. He stated the recommendation from the Recycling Center Manager and Purchasing Director is to award the bid to the low bidder, Flint Equipment Company, in the amount of \$25,765.80.

Chairman Lumsden called for a motion. Commissioner Bagwell made a MOTION to Approve the Award of Bid as outlined by the County Manager. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**3. DISCUSS ENTERING INTO A
REVENUE SHARING AGREEMENT
WITH OPEN PORTAL SOLUTIONS, INC.,
FOR PURCHASE OF ELECTRONICALLY
FILED ACCIDENT REPORTS:**

County Manager Kevin Poe stated this is a recommendation to enter into an agreement with Open Portal Solutions, Inc., for the purchase of electronically filed accident reports. He stated this is software and training that will be provided free of charge from Open Portal Solutions as part of the Georgia Electronic Accident Reporting Systems. He stated the agreement has certain requirements that we must meet in order to share the revenue that they make by selling the electronic accident records. He stated that filing accident reports electronically is something that the state is moving towards, and anticipates that it will be mandated that the county participate in this shortly. He stated that we currently have no software to do that, and this will allow us to be able to obtain the software at no cost and be able to use the actual vendor that the state of Georgia has entered into for this purpose.

Chairman Lumsden called for a motion. Commissioner Whitefield made a MOTION to Adopt the Resolution to approve the Revenue Sharing Agreement with Open Portal Solutions, Inc., and authorize the Chairman to sign any necessary contracts. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Bagwell

" Fricks

" Whitefield

Chairman Lumsden

Motion Carried

**4. DISCUSS PROPOSED ANIMAL
CONTROL ORDINANCE
REVISIONS:**

County Manager Poe stated that there would be no action taken today. He stated that the Board had discussed proposed changes to the Animal Control Ordinance that would be presented at the next Board meeting.

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

" Whitefield

Chairman Lumsden

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

EDDIE LUMSDEN, CHAIRMAN