

November 22, 2011

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

PRESENT: Commissioners Eddie Lumsden, Irwin Bagwell, 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.

ABSENT: Commissioner Garry Fricks.

**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 October 25, 2011. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

**PUBLIC HEARINGS
(FIRST READING HELD
NOVEMBER 08, 2011 AT 2:00 P.M.)**

Chairman Lumsden reviewed the procedures for Public Hearings.

ULDC Amendments

1. Revise or delete Article 2.2.3 a.(1)(b)2) concerning notification. 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 what they are proposing is a sign that will be simpler and more efficient to get the word out, as well as giving people better information about how to contact the Planning Department with their questions and concerns about zoning actions on any property.

Chairman Lumsden asked if there is anyone present to speak in support or opposition of the revision. Seeing none, he closed the Public Hearing and called for a Motion. MOTION was made by Commissioner Whitefield to Adopt the Ordinance to Revise Article 2.2.3 a.(1)(b)2) concerning notification. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

2. Revise or delete Article 2.11.7d.(1)(b)2 concerning notification. (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 she had no further information unless there were any questions. She stated that this revision would be the same as the previous revision concerning notification.

Chairman Lumsden asked if there is anyone present to speak in support or opposition of the revision. Seeing none, he closed the Public Hearing and called for a Motion. MOTION was made by Commissioner Whitefield to Adopt the Ordinance to Revise Article 2.11.7d.(1)(b)2 concerning notification. SECOND by Commissioner Bagwell. VOTING:

YES NO

Commissioner Bagwell
" Mayes
" Whitefield

Chairman Lumsden

Motion Carried

Rezoning and Special Use Permits

- 1. FILE #113-2011Z REQUEST REZONING FROM SUBURBAN RESIDENTIAL (S-R) TO COMMUNITY COMMERCIAL (C-C) WITH SPECIAL USE PERMIT FOR ATHLETIC FIELD ON PROPERTY LOCATED ON PAYNE ROAD. ZONING MAP H131 PARCELS 151,152. (PLANNING COMMISSION RECOMMENDATION: DENY [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 there is property zoned S-R and M-R to the north, which is developed with single-family dwellings, both site built and manufactured. She stated to the south, east and west are properties zoned S-R and developed with single-family dwellings, with some undeveloped lots in the area as well. She stated that the property is developed with a single-family dwelling and out buildings, and now with the soccer field, benches, retail space, and unpaved parking. She stated that in 2005 the owner of the property applied for rezoning of the property to Community Commercial (C-C) and at the Planning Commission meeting the case was postponed and the Planning Commission asked for a site plan asking what the owner proposed to do with the property. She stated that the case was dropped after that, so there was never a vote on that requested rezoning. She stated that after that time it was developed as a soccer field, with the benches and other things on the property. She stated that the Planning Department was unaware of this, because it is off Burnett Ferry Road quite a bit, until they received calls from residents of the neighborhood who had concerns about the activity level going on there. She stated that retail businesses require paved parking that does not pull out onto the public right of way. It requires restroom facilities, and a number of amenities and development that this does not have, as well as a land disturbance permit for filling and changing the drainage patterns in the area. She stated for that reason there were citations, and this property was the subject of a court case. She stated that the reason the Planning Commission gave for denial was not the situation with the permits, but that this is a residential neighborhood and what is being proposed is a substantial commercial encroachment into that neighborhood.

Chairman Lumsden asked if there was anyone wishing to speak in support or opposition of the request.

Support: Maicela Natividad, 1355 Graves Road, Apt. 26, Norcross, stated that she is representing Juana Natividad, who lives at 104 South Hughes Street. She stated that the main thing she wanted to state is that they have had a petition, and they have the signatures of all the immediate residents around the soccer field showing their

consent and their support of the soccer field. She stated that their overall statement is that everyone enjoys the soccer field and some of the senior citizens living right beside the soccer field enjoy coming out and watching the teams. She stated that they also have proof of the permit and some of the miscommunication that happened during the building process. She stated that they also have a few witnesses that want to testify about some of the claims that have been made about the noises and traffic.

Juan Ortiz, 514 Burnett Ferry Road, stated that he has a team that gathers on Saturday that go out and take their family and have fun on the field. He stated that there was never a problem and a lot of people take their families, and take their kids and go out and watch the soccer game and have fun on the weekends.

Ms. Natividad interpreted for Mr. Nelson Archila, 117 Payne Road. He stated that the claims that the traffic would be blocked, along with no public restrooms are false. He stated that he has seen the bathroom and the permits have been obtained, and the traffic was not blocked or inconvenient in any way by the soccer field during that time. He stated that he is in favor of the soccer field because this keeps children and teenagers from going off somewhere. This is where they can have some family time together at a soccer field doing some recreational activities such as football, soccer, and pretty much open for children to go and spend some time with their parents. He thinks it is more of a community necessity to bring everyone together.

Ms. Natividad interpreted for Mr. Pablo Morales, 402 Edgewood Avenue. He stated that he wanted to speak against the claim of public urination. He stated that he has gone there whenever the soccer field is open and he has never seen anyone display any indecent behavior. The bathroom has always been open and there is a key available, if it has not been opened yet. He stated that he has three children that he enjoys taking to the soccer field to show them that they can develop skills that are helpful in their character, and it helps promote their wellbeing, because they will be able to be physically active and they spend time together as a family. He stated that it is a very good place for families to get together to spend good quality time together.

Ms. Natividad interpreted for Fro Blanco, 209 Cherry Street. He stated that he wanted to motivate young people and adolescents to be active in their community and to come together in a good way that these athletic sports that help promote them. He stated that he wants them to know that race does not matter and that there are other healthy options, so they can avoid the gangs and the drugs. It is a good healthy way to bring the adolescents into the community.

Oppose: Gary Greer, 117 Burnett Ferry Road. He stated that he owns the property at the corner, and he opposes this because they filled in wetlands that absorbs all the water from the area. He stated that they filled it in with about twenty truck loads of chert, and put wood shavings on top of that, and then put topsoil and filled in and made them a nice field in their wetlands. He stated that some of the neighbors are now catching the overflow from the water. He stated that the water comes off and actually floods their houses. He stated that the neighbors on down from the property get an

increase of water from that. He stated that it was a quiet neighborhood before they set up the fields, but now from Friday until Sunday evening they park cars all around the field and down the road, and even onto his commercial property and the store next door, at the end of Burnett Ferry. He stated that you can't get up and down the road in any of that area. He stated that there is no way to handle the traffic. He stated they use concrete blocks with boards on them that they use as a grand stand, and they have kids walking in between the cars urinating. He stated that it is a disaster. He stated that it shouldn't be there. They didn't start it out right. He stated that they need their wetlands back to absorb some of the water. He stated we have a good recreation department, and they have plenty of fields that should be used.

Rita Childers, 121 Presley Street. She stated that the soccer field is right behind her house. She stated that she is getting flooded, that her doghouses were floating down the road. She stated that the water has come into her house, and that it has washed her driveway away. She stated that the balls come into her yard, it hits her car, her house, and her screens on her house. She stated that it also floods her brother's house, which is right behind hers. She stated that they did not have this problem before.

Lucinda Huir, 117 Presley Street. She stated that there are a lot of elderly people who live in the neighborhood, and when it rains it is washing her property away. She stated that it is very noisy, and the balls come out of the field and hit her van. She stated that the water has been up to tires on her van. She stated that she does not think they need to have the field, that this is a little community.

Rebuttal: Ms. Natividad rebutted the claim about the flooding. She stated that the fields were cleared twelve years ago when he purchased the property. She stated that Ms. Childers brought the claim at that time, and they said that she was already on a flood plain, and that the runoff was no consequence of clearing the field, so it is not a result of the soccer field. She stated that he did not intentionally make the layout like it is right now, that he did not have the plan for this soccer field. She stated that now that it has come to this, he wants to do everything right. He has contacted landscapers to reduce the size of the field to ensure that it does not disturb anyone with the soccer field balls flying off, and he wants to get the proper parking and proper layout with the correct tools and everything.

Juan Ortiz stated that regarding the claim of Friday through Sunday being noisy is not true, because they only have the tournaments on Saturdays. He stated that there is nobody there on Friday or Sunday. He stated that regarding all the soccer fields that Rome has, they have a lot of kids that live in that neighborhood that can't get to Garden Lakes or 411, but they can ride their bikes from the nearby trailer park to this field, and sometimes parents can't take them to the other fields.

Discussion: Commissioner Mayes asked County Attorney Tommy Manning the Commission denies the request, can you prevent someone from playing soccer on their own property. Mr. Manning stated he doesn't think you could prevent

it if you had a “pickup game” of football or soccer in your back yard, but this is different. He stated that he has not seen exactly what they have done in the past, but it is his understanding that this is more of an organized soccer operation that plays almost weekly.

He asked Ms. Hiller if that was correct. Ms. Hiller responded that there are tournaments, so they have organized teams that come in and play. He stated that they have sales and things going on and there is a fee to play on the property, which moves this from the realm of playing soccer with their kids into something more commercial. Mr. Manning stated so there is a commercial element involved.

There being no one else to speak in support or opposition of the request. Chairman Lumsden stated the hearing is closed and called for a motion. MOTION was made by Commissioner Mayes to Deny the request for Rezoning from S-R to C-C with a Special Use Permit for athletic field on property located on Payne Road. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" Whitefield

Chairman Lumsden

Motion Carried

2. FILE #114-2011Z REQUEST REZONING FROM COMMUNITY COMMERCIAL (C-C) TO SUBURBAN RESIDENTIAL (S-R) FOR EXISTING SINGLE-FAMILY RESIDENTIAL USE ON PROPERTY LOCATED ON MARTHA BERRY HIGHWAY. ZONING MAP HJ11X PARCEL 023. (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 property is located in a mixed-use corridor along Martha Berry Highway, with residences and a mix of businesses. She stated that to the east there is a residential subdivision zoned S-R. She stated that to the north, along Martha Berry Highway, is becoming a little more rural and less urban. She stated that the property is shown on the future land use map as residential. The existing use is compatible with the mix of uses in the area, and granting the rezoning request would not change that use. It will continue to be a single-family dwelling. She stated that the potential for impact on the neighborhood is very low. She stated that if any of the commercial properties to the north and south of this property were to develop as businesses,

they would have to buffer along the property lines if this is zoned residential. Otherwise, there would be minimal impact.

Chairman Lumsden asked if there was anyone wishing to speak in support or opposition of the application. Seeing none, he declared the public hearing closed and called for a Motion. Commissioner Whitefield made a MOTION to adopt the Ordinance to Approve the rezoning from Community Commercial to Suburban Resident for Zoning Map J11X Parcel 023. VOTING:

YES NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

Amendments to Floyd County Code

1. ADOPT AN ORDINANCE TO AMEND SECTION 2-5-11 OF THE CODE OF ORDINANCES OF FLOYD COUNTY, GEORGIA, REGRADING PUNISHMENT FOR VIOLATIONS OF THIS CHAPTER OF THE CODE. (2011-008A)

Assistant County Manager Blaine Williams stated that this comes as a recommendation from the Animal Control Welfare Board. He stated that this Amendment would provide an option for injunctive relief for use in cases of aggravated cruelty to animals. This would give Animal Control the opportunity to petition the superior court to remove animals from owners who are convicted of cases of aggravated cruelty after a single incident. He stated that the current ordinances allows animals to be removed only after a second conviction.

Chairman Lumsden asked if there was anyone wishing to speak in support or opposition of the amendment. Seeing none, he declared the public hearing closed and called for a Motion. Commissioner Whitefield made a MOTION to adopt the Ordinance to Approve the Amendment to the Floyd County Code as presented. SECOND by Commissioner Bagwell. VOTING:

YES NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

2. ADOPT AN ORDINANCE TO AMEND SECTION 2-5-38 OF THE CODE OF ORDINANCES OF FLOYD COUNTY, GEORGIA, REGARDING DESTRUCTION OF ANIMALS BY THE ANIMAL CONTROL DEPARTMENT. (2011-009A)

Assistant County Manager Blaine Williams stated that this comes as a recommendation from the Animal Control Welfare Board. He stated that this Amendment would strike language in the current ordinance, which limits the Animal Control Director's discretion in euthanizing animals, by reason of age, disease, or injury for those not considered adoptable or otherwise placeable. He stated the reason they are seeking this is due to the high intake of animals, we do not have the space much longer than the 72 hours provided, without getting into some overcrowding. He stated that we take almost 6,000 animals a year, and we have limited space at our animal control facilities.

Chairman Lumsden asked if there was anyone wishing to speak in support or opposition of the amendment.

Oppose: Richard Landry, 1001 Mt. Alto Road. Mr. Landry stated that he is seriously opposed to this amendment. He stated that he believes that his position on this reflects that of a large and growing number of Floyd County residents. He stated that many people deplore the practice of destroying healthy, adoptable animals, for the sole purpose of emptying the cage they occupy to make a space available for a new arrival. He stated that among the animal advocates this is referred to as killing for space. He stated that this is wrong and unnecessary and he believes that it is immoral, and it may be in violation of the laws of the state of Georgia. He stated that the national Humane Education Society was founded in 1948 on the principal that we will not participate in the killing of one animal in order to make room for another animal. He stated that he certainly does not want any of his tax money paying any part of the cost to euthanize healthy animals. He stated that they want the kill for space practice to be euthanized, not the animals. He stated that his position on this amendment relies heavily on his interpretation of local and state law. He stated that he is not an attorney, and he does not presume to instruct anyone, especially this Board of Commissioners, on the meaning of any law. However, he encourages everyone who cares about this issue to take the time to read the laws on animal protection, and form your own conclusions. He stated that he realizes there are many pressing humanitarian needs that compete for funding from the county government, but he thinks it is not unreasonable to expect that funding for animal control be at the very least sufficient to provide basic humane care for impounded animals until an adoption, foster home, or rescue transfer can be arranged. Also, considering the enormous charity of the people of Floyd County, and the many volunteer shelters and rescue organizations, all of

whom are eager to work with a predictable and stable system, it is in fact possible that the vast majority of healthy, normal tempered animals can be processed through the system, including being spayed and neutered, inoculated, micro-chipped, and placed in safe and caring homes, all within a reasonable timeframe. He stated that he believes the constitution of the state of Georgia renders the legality of this amendment invalid. He stated that his basis for this is the home rule provision of the Georgia constitution, which grants authority to the counties to enact local ordinances and regulations. He stated that it also establishes rules for amending those same regulations. He stated that paragraph one of the home rule section, titled home rule for counties, in part B subpart 1, reads as follows “no amendment hereunder shall be valid if inconsistent with any provision of this constitution, or if provision has been made therefore by general law.” He stated that he believes that provision has been made by general law, and is embodied in the Official Code of Georgia, as Title 4 Animals, Chapter 11 Animal Protection, Paragraph 9.6, Disposal of Impounded Animals. He stated that there is no ambiguity in that title, nor is there any ambiguity in the regulations that follow under it. Mr. Landry stated that he respectfully requests that this Commission rejects this proposal, or postpone voting until the county attorney has reviewed not only this amendment, and this regulation, but also the several state-county conflicting regulations regarding the impoundment, care and disposition of animals. He also requested that the director of animal control immediately cease all euthanasia of animals, except in those cases where he has obtained the written opinion of a licensed, accredited veterinarian stating the specific health condition, or behavioral characteristics of a specific animal that make it unsuitable for adoption and leave this the only reasonable course of action humane euthanasia. He stated that his final request is for consideration by the commissioners to schedule a special meeting for the purpose of discussing the scope and future of animal welfare in Floyd County.

Chairman Lumsden asked if there was anyone else who wished speak to support or opposition of the proposed amendment.

Discussion:

Commissioner Chad Whitefield asked County Attorney Tommy Manning to answer some of the questions raised by Mr. Landry. Mr. Manning stated that as he understands it, Mr. Landry’s interpretation of Georgia Law is that he feels as if the state law found in Title 4, Chapter 11, speaks to the issue of when animals may be impounded and when euthanasia may take place. Mr. Manning stated that his interpretation of that statute and of the Georgia Law is that there is a code section that is found in 4-11-9.2 that does speak to impoundment of animals. Mr. Manning stated that based on his review and research of the issue that that code section is speaking to where animal control would have the right to go and impound an animal from a known owner in such circumstances where there has been alleged lack of humane care, or there has been cruelty of the animals, or situations such as that. Mr. Manning stated that in that case, where you are going and taking an animal

from someone, you are taking their property, and there are due process rights that exist there, and the code section that Mr. Landry referenced would indeed be applicable and the County could not euthanize the animal under state law unless it met the criteria that is set forth. Mr. Manning stated that in looking at the law, he thinks there is a different criteria for the picking up of a stray animal. He stated that you do not know who that animal's owner is, no one has come in to claim it. He stated that in his opinion the state law does not speak to such a scenario. He stated that he thinks that the Georgia state law also says that this article on animals is cumulative and doesn't prohibit the enactment of local ordinances that aren't in conflict with the state law. He stated that in his opinion the proposed ordinance would be legal and constitutional from a legal perspective.

Mr. Landry stated that there is a provision in state law under the notification of owners, that when the owner is unknown the impounding authority is required to post a notice in the area where the animal was impounded. He stated the notice should describe the animal and provide the address of where the animal is impounded. He stated that you would have to wait thirty days before they can do anything with the animal. He stated they still cannot euthanize it after thirty days by state law. The animal has to be held for thirty days to allow the owner time to see the notice and react to it.

Mr. Manning stated that his opinion is that the impoundment statute, which is 4-11-9.2, does not speak to the situation that animal control is facing. He stated this speaks to going and taking an animal from someone and he does not think this is the scenario.

Commissioner Mayes asked if there was any county that has a thirty-day wait period. Animal Control Director Jason Broome stated that all animal control ordinances of similar size have a similar waiting period for reclaiming animals. He stated that code section 4-11-5.1 that deals exclusively with disposal and euthanasia of animals collected as strays.

Chairman Lumsden declared the public hearing closed and called for a Motion. Commissioner Whitefield made a MOTION to Table Consideration of the Amendment until the next meeting of the Board, to allow the county attorney to provide written documentation to the Commissioners regarding legality. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Bagwell

" Mayes

" 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

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 Clerk Kathy Arp stated there is one (1) item on the Clerk's Consent Agenda, which has been reviewed, and is submitted for approval. Commissioner

Whitefield made a MOTION to approve the Clerk's Consent Agenda as presented. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

1. Authorize Execution of Addendum to Memorandum of Agreement for SAVE Anticipated Collections for FY2012.

MANAGER'S REPORT:

Chairman Lumsden called for a motion to add Item #7 to the Manager's Report by 4/5 Vote. Commissioner Bagwell made a MOTION to add Item #7 to the agenda. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

1. ADOPT RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT #1 TO AGREEMENT BETWEEN FLOYD COUNTY AND VALLEY SERVICES, INC., FOR INMATE FOOD SERVICES AT FLOYD COUNTY JAIL:

County Manager Kevin Poe stated the Sheriff's staff has negotiated the price for inmate meals for the coming year with Valley Services at .919 cents per meal. He stated the current price is .887. The recommendation is to authorize execution of the amendment

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution authorizing execution of Amendment #1 to the Agreement with Valley Services, Inc. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**2. APPROVE CHANGE ORDERS WITH
C. W. MATTHEWS CONTRACTING
COMPANY FOR THE ARMUCHEE
CONNECTOR PROJECT. (2009 SPLOST)**

County Manager Poe stated there are three changes orders, and the net of all three change orders is a decrease of \$535,610.36. He recommended approval of the three changes orders as presented.

Chairman Lumsden called for a motion. Commissioner Bagwell made a MOTION to Approve the Change Orders, as outlined by the County Manager. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**3. APPROVE BUDGET AMENDMENT
FOR PURCHASE OF WASHERS AND
DRYERS FOR FLOYD COUNTY JAIL:**

County Manager Kevin Poe stated there was \$25,000.00 in the capital budget for the purchase of washers and dryers. He stated that overall there is a need for two (2) new washers and four (4) new dryers. He stated that the recommendation is to transfer \$13,000.00 from the Facilities Management Jail Repair and Maintenance fund over to the Capital Equipment Budget for the jail to give them the \$38,000.00 to purchase the equipment.

Chairman Lumsden called for a motion. Commissioner Mayes made a MOTION to Approve the recommendation as presented by the County Manager. SECOND by Commissioner Bagwell. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**4. AWARD OF BID FOR ONE (1)
PASSENGER VAN FOR THE
WORK RELEASE CENTER:**

County Manager Poe stated that sealed bids were received for one (1) twelve passenger van for the Work Release Center. He stated that the recommendation is to award the bid to Mall of Georgia, at a price of \$21,492.00 for a 2012 Ford E350 12-passenger van. He stated the purchase would be made through lease-purchase.

Chairman Lumsden called for a motion. Commissioner Bagwell made a MOTION to Award the Bid to Mall of Georgia as recommended by the County Manager. SECOND by Commissioner Whitefield. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**5. CONSIDER ENTERING INTO A
DATA BROKER AGREEMENT
BETWEEN QPUBLIC, LLC, AND
FLOYD COUNTY:**

County Manager Poe stated this agreement would allow access to data through the Tax Appraiser office, which would allow easier access to data by the public. He stated that this is on a revenue sharing basis, which the county will be able to share. It also provides additional tools for the Tax Appraiser's office use. He stated that the recommendation is to approve the agreement as presented.

Chairman Lumsden called for a motion. Commissioner Whitefield made a MOTION to Approve the recommendation as presented by the County Manager. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

County Manager Poe stated that he would like to present item #7 of the agenda prior to item #6.

**6. AWARD OF BID FOR WATERLINE
RELOCATION FOR WEST ROME
BYPASS, DOT PROJECT HHP-NH-012-1(85)LP:**

County Manager Poe stated that sealed bids were received to relocate the county waterline utilities for the West Rome Bypass project. He stated that the money will be reimbursed by the DOT, per an agreement with the DOT. The recommendation is to award the bid to the low bidder, C&S Construction Company, Adairsville, Georgia, in the amount of \$2,416,499.50.

Chairman Lumsden called for a motion. Commissioner Bagwell made a MOTION to Approve the recommendation as presented by the County Manager. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**7. RECOMMENDATION REGARDING
APPOINTMENT OF INTERIM
COUNTY MANAGER:**

County Manager Poe recommended appointment of Blaine Williams as Interim County Manager until a new County Manager is appointed.

Chairman Lumsden called for a motion. Commissioner Bagwell made a MOTION to Approve the recommendation by the County Manager. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

OTHER BUSINESS:

The Board of Commissioners recognized County Manager Kevin Poe for his 17 years as County Manager. Mr. Poe was presented a Proclamation and Plaque honoring him for his years of service. Mr. Poe stated it has been a great ride and he appreciates the support he has received from the employees and Boards he has served with over the years.

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 Mayes, that the meeting be adjourned. VOTING:

YES

NO

Commissioner Bagwell
" Mayes
" Whitefield
Chairman Lumsden

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

EDDIE LUMSDEN, CHAIRMAN