

August 28, 2012

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
August 28, 2012 6:00 P.M.**

PRESENT: Chairman Irwin Bagwell, Commissioners Garry Fricks, John Mayes, Larry Maxey, and Rhonda Wallace.

OTHERS

PRESENT: County Manager Blaine Williams, County Attorney Tommy Manning, County Clerk Kathy Arp, and Assistant County Manager Noah Simon.

CALL TO

ORDER: Chairman Bagwell called the meeting to order.

INVOCATION: Commissioner Maxey led the Invocation.

PLEDGE OF

ALLEGIANCE: The Pledge of Allegiance was led by Commissioner Wallace.

ADOPTION OF

MINUTES:

Chairman Bagwell asked County Attorney Tommy Manning if the minutes were in order. Mr. Manning stated the minutes had been reviewed and were in order. Commissioner Maxey made a MOTION to adopt the minutes of the Regular Meeting of August 14, 2012. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

PROCLAMATIONS:

ROME SHRINERS BENEFIT

FOOTBALL GAME:

Mike Eads, Rome Shrine Cub, spoke to the commission concerning the Rome Shriners sixty-fifth annual Rome Shrine Benefit Football Game to be held on September 22, 2012, and later a proclamation was presented to Mr. Eads recognizing the Rome Shriners on their sixty-fifth annual Rome Shrine Benefit Football game. Mr. Eads stated all proceeds from the ticket sales would benefit local charities.

(Proclamation/Resolution Book, Page 5)

RESOLUTIONS:

**ADOPT RESOLUTION TO INCLUDE
COMMUNITY & SOUTHERN BANK
AS A DESIGNATED DEPOSITORY OF
FLOYD COUNTY:**

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution to include Community & Southern Bank as a Designated Depository of Floyd County. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Wallace
" Fricks
" Mayes
" Maxey
Chairman Bagwell

Motion Carried

**ADOPT RESOLUTION ADOPTING A
REVISED BUDGET FOR THE FISCAL
YEAR 2012 FUNDS OF FLOYD COUNTY:**

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution Adopting a Revised Budget for the Fiscal Year 2012 Funds of Floyd County as presented. SECOND by Commissioner Maxey. VOTING:

YES NO

Commissioner Wallace
" Fricks
" Mayes
" Maxey
Chairman Bagwell

Motion Carried

**PUBLIC HEARINGS:
(FIRST READINGS HELD
AUGUST 14, 2012)**

**1. ADOPT AN ORDINANCE TO
CLOSE A PORTION OF LOONEY
ROAD, IDENTIFIED AS A PORTION
OF THE CURRENT LOONEY ROAD
RIGHT OF WAY AND HAS AN AREA
OF 0.637 ACRES.**

Chairman Bagwell declared the Public Hearing open, and asked if there is anyone to speak in support or opposition of the Ordinance. Seeing none, he closed the Public Hearing. No motion was made concerning the proposed ordinance and no action having been taken, Chairman Bagwell stated the matter may be considered at a later meeting.

REZONING REQUESTS

Chairman Bagwell reviewed the procedures for Public Hearings.

**1. FILE #81-2012Z. REQUESTS REZONING
FROM COMMUNITY COMMERCIAL (C-C)
TO SUBURBAN RESIDENTIAL (S-R) FOR
EXISTING SINGLE-FAMILY RESIDENCE ON
PROPERTY LOCATED ON GAINES ROAD.
ZONING MAP M10X PARCEL 042. (PLANNING
COMMISSION RECOMMENDATION: APPROVE
[VOTE: 6-0]).**

Chairman Bagwell asked Ms. Sue Hiller, Planning Department Director to review the request. Ms. Hiller stated the subject property is surrounded by Suburban Residential (S-R) zoning, and residential properties. She stated that at the time the Unified Land Development Code was adopted, the property was being used as a daycare, which explains the Community Commercial (C-C) zoning. She stated it is shown on the future land use map as Suburban Residential (S-R), and although it is in a rural area, services and utilities are available to the property. She stated that it is not in a flood plain. She stated that granting the request would prevent future commercial uses in the location that have the potential for adverse impacts on the adjacent residential properties.

Chairman Bagwell declared the Public Hearing open.

Support: Patricia Tucker, 412 Armuchee Trail, stated she is the owner of the property and would be glad to answer any questions the Commissioners may have.

There being no one else to speak in support or opposition of the request, Chairman Bagwell declared the public hearing closed.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Adopt the Ordinance to Approve Rezoning from Community Commercial (C-C) to Suburban Residential (S-R) for existing single-family residence on property located on Gaines Road. Zoning Map M10X Parcel 042. SECOND by Commissioner Wallace. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Mayes		
" Maxey		
Chairman Bagwell		

Motion Carried

2. FILE #82-2012Z. REQUESTS REZONING FROM LIGHT INDUSTRIAL (L-I) TO SUBURBAN RESIDENTIAL (S-R) WITH SPECIAL USE PERMIT FOR MANUFACTURED HOME ON SUBDIVISION LOT ON PROPERTY LOCATED ON LINDSEY ROAD. ZONING MAP J11X PARCEL 349. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 7-0]).

Chairman Bagwell asked Ms. Sue Hiller, Planning Department Director to review the request. Ms. Hiller stated the subject property is zoned Suburban Residential (S-R) with the exception of the lower northeast corner of the property, which is zoned Light Industrial (L-I). She stated part of the request is to change that corner to Suburban Residential (S-R) in order to consolidate it into one lot without mixed zoning. The second part of the request is a special use permit that would allow a manufactured home to be placed on the property at some point in the future. She stated this is a residential area with a mix of site built and manufactured homes. She stated that a large part of this property is actually made up of a lake. She stated part of it is not developable, and does not have road frontage. She stated the request would at least allow consolidation and possibly some subdivision in the future to allow for a second home, or manufactured home to be placed on it.

Chairman Bagwell declared the Public Hearing open.

Support: Ellen Sullivan, 178 Lindsey Road, (applicant) stated she would like the request to be approved so that the entire lot is zoned Suburban Residential (S-R).

There being no one else to speak in support or opposition of the request, Chairman Bagwell declared the public hearing closed.

Chairman Bagwell called for a motion. Commissioner Maxey made a MOTION to Adopt the Ordinance to Approve Rezoning from Light Industrial (L-I) to Suburban Residential (S-R) with Special Use Permit for manufactured home on subdivision lot on property located on Lindsey Road, Zoning Map J11X Parcel 349. SECOND by Commissioner Fricks. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Mayes		
" Maxey		
Chairman Bagwell		

Motion Carried

ULDC TEXT AMENDMENT

1. RESOLUTION TO INITIATE A CHANGE TO THE ULDC CONCERNING SECTION 1.4.3(d) INVOLVING NONCONFORMING SIGNS. (DEFERRED AUGUST 14, 2012)

Defer.

AMENDMENT TO CODE OF ORDINANCES OF FLOYD COUNTY, GEORGIA

1. ADOPT AN ORDINANCE TO AMEND SECTION 2-4-113(1) OF THE CODE OF ORDINANCES OF FLOYD COUNTY, GEORGIA, RELATED TO ALCOHOLIC BEVERAGES. (2012-005A):

Chairman Bagwell declared the Public Hearing open, and asked if there is anyone to speak in support or opposition. Seeing none, he declared the public hearing closed.

Discussion: County Attorney Manning stated this proposed code revision would allow for an off- premises license to be issued to a business that had an alcohol license that was in good standing in the City of Rome. He stated it would allow that to be used for an off-premises license in the unincorporated area of the county.

Commissioner Wallace made a MOTION to Adopt the Ordinance to Amend Section 2-4-113(1) of the Code of Ordinances of Floyd County, Georgia, related to Alcoholic Beverages. (2012-005A) SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace
" Fricks
" Mayes
" Maxey
Chairman Bagwell

Motion Carried

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee – Commissioner Fricks, Chairman

a. Authorize Lease-Purchase of one (1) pickup truck to replace one (1) F-250 crew cab truck for Rome-Floyd Parks & Recreation Authority.

Commissioner Fricks stated the lease-purchase of this pickup truck would be to replace the F-250 crew cab truck that was recently totaled in an accident. Chairman Bagwell stated they are anticipating the total cost to be between \$23,000.00 to \$24,000.00. He stated the \$8,685.91 received from the insurance company for the wrecked truck would be applied to the first year payment of the new vehicle.

Commissioner Fricks made a MOTION to Authorize the Lease-Purchase of one (1) pickup truck to replace one (1) F-250 crew cab truck for Rome-Floyd Parks & Recreation Authority. SECOND by Commissioner Maxey. VOTING:

YES

NO

Commissioner Wallace
" Fricks
" Mayes
" Maxey
Chairman Bagwell

Motion Carried

2. Public Safety Committee – Commissioner Mayes, Chairman

No Report.

3. Public Works Committee – Chairman Bagwell, Chairman

- a. Recommendation to accept the following roads within Hampton Preserve Subdivision onto county maintenance: Hamptonshire Place SE, Rushden Way SE, and Caversham Lane SE.**

Chairman Bagwell deferred to County Manager Williams for a brief review. County Manager Williams stated they have three roads in the Hampton Preserve Subdivision that have been inspected by the County Engineering Department and appear to have been constructed according to regulations. He stated that it is the recommendation of the Public Works Committee that Hamptonshire Place SE, Rushden Way SE, and Caversham Lane SE, be accepted onto county maintenance.

Chairman Bagwell made a MOTION Hamptonshire Place SE, Rushden Way SE, and Caversham Lane SE, within Hampton Preserve Subdivision onto county maintenance. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

4. Water Committee – Commissioner Maxey, Chairman

No Report.

5. Judicial Services Committee (CJIS) – Commissioner Wallace

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 items on the Clerk’s Consent Agenda, which have been reviewed, and are submitted for approval.

Chairman Bagwell called for a motion. Commissioner Fricks made a MOTION to approve the Clerk’s Consent Agenda as presented. SECOND by Commissioner Wallace. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Mayes		
" Maxey		
Chairman Bagwell		

Motion Carried

- 1. Approve request from Tax Commissioner for removal of bills from the Tax Commissioner’s Roll, and that they be relieved from the books as outlined in his memo and attached list dated August 14, 2012, in the amount of \$4,510.60.**
- 2. Adopt Resolution Approving and Authorizing Execution of Agreement between Floyd County, the City of Rome and BFI Waste Services, LLC, dba Allied Waste Services of Rome – Waste Disposal Procurement Agreement.**

MANAGER’S REPORT:

- 1. ADOPT RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF CHANGE ORDER 006 TO THE SYSTEM PURCHASE CONTRACT BETWEEN FLOYD COUNTY AND HARRIS CORPORATION THROUGH ITS RF COMMUNICATIONS DIVISION. (2009 SPLOST PUBLIC SAFETY COMMUNICATIONS PROJECT).**

County Manager Williams stated this item is being deferred for the purpose of gathering additional information.

OTHER BUSINESS:

Chairman Bagwell recognized Junior Service League members in attendance.

ADJOURNMENT:

There being no further business to come before the Board, MOTION was made by Commissioner Mayes, SECOND by Commissioner Maxey, that the meeting be adjourned. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

IRWIN BAGWELL, CHAIRMAN