

September 25, 2012

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS  
September 25, 2012                      6:00 P.M.**

**PRESENT:**                      Vice-Chairman Garry Fricks, Commissioners 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.

**ABSENT:**                      Chairman Irwin Bagwell.

**CALL TO ORDER:**

Vice-Chairman Fricks called the meeting to order.

**INVOCATION:**                      Commissioner Wallace led the Invocation.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Commissioner Maxey.

**ADOPTION OF MINUTES:**

Vice-Chairman Fricks called for a motion for approval of the minutes of the September 11, 2012 meeting. Commissioner Mayes made a MOTION to adopt the minutes of the Regular Meeting of September 11, 2012. SECOND by Commissioner Maxey.  
VOTING:

YES                                      NO

Commissioner Wallace  
"                      Mayes  
"                      Maxey  
Vice-Chairman Fricks

Motion Carried

**PUBLIC HEARINGS:  
(FIRST READINGS HELD  
SEPTEMBER 11, 2012)**

**REQUESTS FOR REZONING & SPECIAL USE PERMITS**

**1. FILE #92-2012SUP. REQUESTS SPECIAL USE PERMIT FOR MANUFACTURED HOME WITHIN A SUBDIVISION IN SUBURBAN RESIDENTIAL (S-R) ZONING DISTRICT ON PROPERTY LOCATED ON EAST DRIVE. ZONING MAP G13W PARCEL 528. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH THE CONDITION THAT THE MANUFACTURED HOME HAS PITCHED ROOF. [VOTE: 8-0]).**

Vice-Chairman Fricks asked Ms. Sue Hiller, Planning Department Director to review the request. Ms. Hiller stated the subject property has frontage on both East Drive and West Drive. She stated the property is located in a subdivision called Snyder Subdivision. Therefore, it requires a special use permit for a manufactured home. She stated that the subdivision has a mix of site-built and manufactured single-family dwellings, as well as duplexes along West Drive. She stated this comes to the Board with a unanimous recommendation to approve with the condition that the manufactured home has a pitched roof.

Vice-Chairman Fricks declared the Public Hearing open.

**Support:** Robert Holcomb, 2614 Lakeridge Circle, stated his son and family are trying to find a place to live, so they are buying the mobile home for them. He stated it is a new mobile home, with a pitched roof. They are going to put skirting around it. He stated there are other mobile homes on that street, as Ms. Hiller said.

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

Vice-Chairman Fricks called for a motion. Commissioner Maxey made a MOTION to Adopt the Ordinance to Approve the Special Use Permit for a manufactured home within a subdivision in Suburban Residential (S-R) zoning district on property located on East Drive, with the condition that the manufactured home have a pitched roof. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace

" Mayes

" Maxey

Vice-Chairman Fricks

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, 28 AND SEPTEMBER 11, 2012)**

Vice-Chairman Fricks asked County Attorney Manning to give an overview of the proposed text amendment. County Attorney Manning stated the proposed text amendment involves the nonconforming signs that were grandfathered in with the implementation of the ULDC. He stated this language arises after a recent sign issue in West Rome. He stated that this is an attempt to make the code simpler, without dealing with costs. He stated the process would be, if the Board approves the resolution, then the proposed resolution would go to the Planning Commission for a Public Hearing. The Planning Commission would consider it, and it would come back to the Board for final consideration following a Public Hearing. Vice-Chairman Fricks stated as a courtesy, what they are doing is opening up a Public Hearing to receive input or comments on this proposed amendment.

Vice-Chairman Fricks declared the Public Hearing open.

**Spencer Brewer, 173 Lavender Road, Armuchee,** stated he is glad that they are taking this elephant a piece at a time. He stated this is a very thick, complicated document as he has seen over the years trying to work with the Planning Commission to come up with a replacement document. He stated he understands that this is going back to the Planning Commission, and then back to the Board for review and approval. He asked who the attorney is for the Planning Commission, if they have one.

County Attorney Manning stated the counsel for the Planning Commission is the city attorneys. He stated the reason it is going back to the Planning Commission is because any change in the ULDC has to go back there, but there is a way that the county can initiate that process. He stated by virtue of the process initiating at the County Commission level, the County Commission has come up with the proposed language. They are sending it to the Planning Commission for it to be vetted, and then come back to the Board for final approval. He stated that is the required process under the ULDC.

Mr. Brewer stated he would encourage all of them (*the Board of Commissioners*) to look at the parts and pieces. He stated here again, if they have to do it a piece at a time, then that is the way to do it. He stated the only way to know is when issues rise to the top. It is so complicated that the average citizen cannot digest it all. He stated keep up the good work.

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

Vice-Chairman Fricks called for a motion. Commissioner Wallace made a MOTION to Approve the Resolution to initiate a proposed change to the ULDC concerning Section 1.4.3(d) involving nonconforming signs. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace  
" Mayes  
" Maxey  
Vice-Chairman Fricks

Motion Carried

**CHAIRMAN'S REPORT:**

**1. Consider nominations to fill seats on the Board of the Hospital Authority of Floyd County.**

Vice-Chairman Fricks stated the Hospital Authority of Floyd County has submitted two names for nomination to be presented to the Grand Jury by the Hospital Authority. He stated the nominations are Mr. Jerry Norman, and Dr. Billy Burk to fill the Board positions, which they both currently occupy as holdover incumbents.

Vice-Chairman Fricks called for a motion. Commissioner Mayes made a MOTION to approve the nominations of Mr. Jerry Norman, and Dr. Billy Burk to fill seats, which they currently occupy as holdover incumbents on the Board of the Hospital Authority of Floyd County, for 5-year terms expiring April 1, 2017. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace  
" Mayes  
" Maxey  
Vice-Chairman Fricks

Motion Carried

**COMMISSIONER'S REPORT:**

**1. Administrative/Finance Committee – Commissioner Fricks, Chairman**

No Report.

**2. Public Safety Committee – Commissioner Mayes, Chairman**

No Report.

**3. Public Works Committee – Chairman Bagwell, Chairman**

No Report.

**4. Water Committee – Commissioner Maxey, Chairman**

Commissioner Maxey stated the Water Department will make a presentation at the October 9, 2012 caucus regarding the proposed membrane filtration system, and 5-year strategic plan outlining future water demand and supply.

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

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

YES

NO

Commissioner Wallace  
" Mayes  
" Maxey  
Vice-Chairman Fricks

Motion Carried

**1. Tax Refunds:**

- a. Blake Darin Pressley, 3 Laurchris Drive SE, \$58.31
- b. Marshall Lewis Giles, 4 Dell Place NE, \$43.95
- c. Leann Baird & Forrest Stanley Watson, 4-A Mill Street SW, Cave Spring, \$12.57
- d. Wanda J. & E. Mathews, 203 Valley Brook Drive, \$3.05

- 2. 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 September 6, 2012, in the amount of \$1,425.74**
- 3. Authorize Execution of Quit Claim Deed between Floyd County and Bobbie J. Newby, for property located on that parcel of land designated as Zoning Map J14E, Parcel 255.**
- 4. Authorize Execution of Resolution Related to Light Pole Repairs at State Mutual Stadium.**
- 5. Authorize Execution of a Joint Funding Agreement between U. S. Geological Survey, United States Department of the Interior and Floyd County, for continued operation and routine maintenance of streamgage station number 02388350 Armuchee Creek at Old Dalton Road, for the period of October 1, 2012 to September 30, 2013.**

**MANAGER'S REPORT:**

- 1. AWARD OF BID TO DAIKEN MCQUAY, ATLANTA DISTRICT, AS SOLE SOURCE PROVIDER FOR CHILLER REPAIR AT THE FORUM AND JUDICIAL BUILDING, IN THE AMOUNT OF \$43,828.29.**

County Manager Williams stated this relates to the chiller that services both The Forum and the Judicial Building. He stated they have two chillers, but are currently only operating on one. He stated Facilities Management has worked with the manufacturer to diagnose the issue. They collaborated with Purchasing, and would like to provide the manufacturer with a sole source contract to repair the chiller. He stated this will help extend the life of the chiller. He recommended awarding the bid to Daiken McQuay, Atlanta District, for chiller repair in the amount of \$43,828.29.

Vice-Chairman Fricks called for a motion. Commissioner Wallace made a MOTION to Award the Bid to Daiken McQuay, Atlanta District, as Sole Source Provider for Chiller Repair at The Forum and Judicial Building, in the amount of \$43,828.29. SECOND by Commissioner Maxey. VOTING:

YES

NO

Commissioner Wallace  
" Mayes  
" Maxey  
Vice-Chairman Fricks

Motion Carried

**2. AWARD OF BID TO INNOVATIVE ROOFING, FOR ROOF REPAIRS TO THE THORNTON RECREATION CENTER AT NORTH FLOYD PARK IN THE AMOUNT OF \$10,250.00.**

County Manager Williams stated this is a recommendation from the Rome-Floyd Parks & Recreation Authority for roof repairs to the Thornton Recreation Center. He stated they have gone through the process of identifying a scope, and went through the correct purchasing procedure, which produced several responsive bidders. He recommended awarding the bid to Innovative Roofing for roof repairs to the Thornton Recreation Center in the amount of \$10,250.00, as recommended by the RFPRA.

Vice-Chairman Fricks called for a motion. Commissioner Maxey made a MOTION to Award the Bid to Innovative Roofing, for roof repairs to the Thornton Recreation Center at North Floyd Park in the amount of \$10,250.00, with payment to be made from the County Capital Account. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace  
" Mayes  
" Maxey  
Vice-Chairman Fricks

Motion Carried

**ATTORNEY'S REPORT:**

**1. ADOPT RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AMENDMENT TO AGREEMENT BETWEEN JLC AIRSHOW MANAGEMENT, LLC AND FLOYD COUNTY:**

County Attorney Manning stated this relates to an amendment to the agreement between Floyd County and JLC Airshow Management, LLC, concerning the insurance requirements. He stated as he mentioned in Caucus, he does not think that they absolutely had to adopt this resolution, because there was some language in the previous resolution that allowed them to make some changes to that agreement, but out of an abundance of caution he felt it would be good to have the actual language agreed upon. He suggested that they consider adopting the resolution.

Vice-Chairman Fricks called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution Approving and Authorizing Execution of Amendment to Agreement between JLC Airshow Management, LLC, and Floyd County. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Wallace  
" Mayes  
" Maxey  
Vice-Chairman Fricks

Motion Carried

**OTHER BUSINESS:**

Vice-Chairman Fricks stated he would like to remind everyone of the Airshow this weekend, September 28 – 30, 2012. He stated he thinks it is going to be a fantastic show at the airport, and he hopes everyone is able to attend.

**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  
" Mayes  
" Maxey  
Vice-Chairman Fricks

Motion Carried

**FLOYD COUNTY BOARD OF  
COMMISSIONERS**

**IRWIN BAGWELL, CHAIRMAN**