

October 9, 2012

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS  
October 09, 2012                      2:00 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 Mayes led the Invocation.

**PLEDGE OF**

**ALLEGIANCE:**              The Pledge of Allegiance was led by Commissioner Fricks.

**PUBLIC**

**PARTICIPATION:**

**Trey Smith, 608 Broad Street,** stated he is here in regards to the upcoming vote on the environmental study for the extension of a \$400,000.00 grant that the county applied for several years ago. He stated he would like to express the need of this as a source of transportation from the area of town that this trail would go to, and it would provide access into downtown, and the importance of continuing forward with the funds to cover the environmental study to keep the project alive. He feels that it is the responsibility of the Board that applied for the grant to not let the money dissipate.

**Chris McCormick, 9 Habersham Court,** stated she would also like to express her support for moving forward with the environmental studies. She stated she feels that it is a quality of life issue, and a safety issue. She stated that it can only enhance Rome and Floyd County to anyone who may be seeking to come to this community to live. She stated she does not understand why the county is trying to put all of the responsibility on the city, if the county originally applied for the grant. She stated that the county should go ahead with their original commitment to move forward with the environmental study so they do not lose the grant. She thanked the Board for their time.

**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 September 25, 2012. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

#### **PROCLAMATIONS:**

#### **RETIRED EDUCATORS DAY:**

Commissioner Wallace presented Mr. Ed Watters with a Proclamation recognizing November 4, 2012 as Retired Educators Day. Mr. Watters thanked the Board for their recognition.

(Proclamation/Resolution Book, Page 9)

#### **FIRST READINGS:**

**(PUBLIC HEARINGS TO BE HELD  
OCTOBER 23, 2012 AT 6:00 P.M.)**

#### **REQUESTS FOR REZONING & SPECIAL USE PERMITS**

- 1. FILE #101-2012Z. REQUESTS REZONING FROM SUBURBAN RESIDENTIAL (S-R) TO COMMUNITY COMMERCIAL (C-C) FOR COMMERCIAL USE ON PROPERTY LOCATED ON COKER DRIVE. ZONING MAP H13X PARCELS 345, 346. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 7-0]).**

#### **ULDC TEXT AMENDMENT**

- 1. REVISE OR DELETE ARTICLES 3.4, 4.1.2, 6.8.6, AND 8 CONCERNING AUTO SERVICE BUSINESSES. (PLANNING COMMISSION RECOMMENDATION: APPROVE**

**[VOTE: 8-0)].**

Chairman Bagwell stated that Public Hearings would be held on October 23, 2012 at 6:00 P.M.

**CHAIRMAN'S REPORT:**

No Report.

**COMMISSIONER'S REPORT:**

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

No Report.

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

**a. Adopt Resolution Approving and Authorizing Execution of Georgia Emergency Management Agency Hazard Mitigation Grant Program Grantee-Subgrantee Agreement (Revised).**

Commissioner Mayes asked County Manager Williams to provide an overview of this item. County Manager Williams stated that in April 2011 Floyd County had significant storm damage. He stated Floyd County became eligible for the Hazard Mitigation Program. He stated the federal share is seventy-five percent, with the state and local government sharing the remaining twenty-five percent. This revised agreement is to correct a match percentage error of two and one-half percent (2½%) in the county's favor. He stated that the recommendation from the Public Safety Committee is to approve the revised agreement with the Georgia Emergency Management Agency.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution Approving and Authorizing Execution of the Revised Georgia Emergency Management Agency Hazard Mitigation Grant Program Grantee-Subgrantee Agreement. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

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

No Report.

**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 – Commissioners Fricks and Mayes**

**1) Discuss location of New Fire Station. DEFER**

**b. Joint Services Committee – Chairman Bagwell and Commissioner Fricks**

**c. Joint Development Oversight Committee – Chairman Bagwell and Commissioner Fricks**

**d. Joint Solid Waste Oversight Committee – Chairman Bagwell and Commissioner Fricks**

**e. Work Release Committee – Commissioner Maxey and Mayes**

**1) Discuss Award of Bid for 2013 Ford Explorer.**

Commissioner Mayes stated the possible purchase of a 2013 Ford Explorer for the Work Release Center was discussed during caucus. He asked County Manager Williams to review this item. County Manager Williams stated the thought behind the Work Release Center is to divert inmates from the Floyd County Jail, where they are just sitting in jail for minor offenses. He stated with the Work Release Center they could remain in the work place during the day or night depending on their shift, but report back to the Work Release Center and serve their time. Not only are they paying fees to stay at the Work Release Center, which helps to offset the costs, but also their families are still receiving funds. He stated it is a great program, and has worked very well. What they have found out though is that it is challenging to convince industries to hire people who have been convicted of crimes. He stated there were some issues with people making it to work on time, so everyone involved agreed that they needed to start a transportation program where they were dropped off at their place of employment on time to avoid issues with that. He stated they had

a surplus car that they were using along with a van to transport, and it was destroyed in a fire. He stated to make up for that in the short term, the Prison transferred a fifteen-passenger van for use by the Work Release Center. The vans are big and they are not very fuel-efficient. He stated it makes sense when they have a full load, but they burn up a good bit of gas when they are only transporting a couple of people to work in Rockmart for instance. This boiled down to trying to get a more fuel-efficient car to run those routes. He stated they had a discussion in caucus, and there were some lingering questions about it, so he is not sure how the Board would like to proceed.

Chairman Bagwell stated they discussed setting up an enterprise fund at the Work Release Center. He asked County Manager Williams if they could have that going by the first of the year. County Manager Williams stated yes, but they need to make sure with Gary Burkhalter that it would not cause any issues with the financial reporting. Chairman Bagwell stated that would help the Board to see the precise accounting in where the money goes. What comes in, and what is spent. He stated that with inmates paying back into the system, he would like to see how much they pay in per line item to get a true cost to the county. Right now, it is comingled going into the general budget, especially with Warden Chandler also running the Prison. He stated these funds to pay for this vehicle would come out of the Jail Surcharge funds, which of course the Sheriff runs.

County Manager Williams stated that is correct, although the county is able to use Jail Surcharge funds for any of their corrections facilities. He stated they could certainly move to set something like that up if that is the desire of the Board. Commissioner Mayes asked would they like to postpone this item. Chairman Bagwell asked what the favor of the Commissioners would be, would they like to postpone it until they get further information on it. Commissioner Fricks asked Commissioners Maxey and Mayes what their thoughts are since they are on the Work Release Center committee. He asked if there was urgency on this, or could they continue to operate for a while. Commissioner Mayes stated he based his opinion on the staff's recommendation, and his interpretation of what they think they need. He stated he thinks they need the vehicle, but if there were lingering questions, he would respect their opinions and wait. Chairman Bagwell stated he would like to defer it to look at how they could set up the enterprise fund, and the savings in the gas possibly paying for the vehicle, or something along those lines, which would require more information. He stated if they would like to make a decision today, he would go along with them. Commissioner Wallace asked Commissioner Mayes if he was making a motion. Commissioner Mayes stated he would like to find how other commissioners would like to proceed for sure first.

Commissioner Maxey stated he would like to see it come out as a regular budget item instead of coming out of the Jail Surcharge fund. He stated he does not think they should keep using this money, and should have a set goal,

or set project that they are working toward for use of this money that they are building up rather than spending it along the way. Commissioner Mayes asked Commissioner Maxey if he meant a general fund item when he said regular budget. Commissioner Maxey stated yes. Commissioner Mayes stated Commissioner Fricks asked the question of how could they purchase it, or could they do lease-purchase and take it out of the general fund. Commissioner Fricks stated if they were to set up an enterprise fund, the enterprise fund could pay as a debt out of that. Commissioner Mayes stated they could buy it as a lease-purchase and pay for it out of fund that was set up later. Commissioner Fricks stated they did that at the airport before. He stated they did a lease-purchase on some T-hangars, and made sure that it had a return on investment, or payoff within a certain period.

Commissioner Mayes made a MOTION to Approve the purchase of a 2013 Ford Explorer through lease-purchase from General Fund with the provision of setting up an Enterprise Fund for the purpose of accounting for the money. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

## **CLERK'S REPORT:**

### **Consent Agenda**

County Clerk Kathy Arp stated there are three items on the Clerk's Consent Agenda, which have been reviewed, and are submitted for approval.

Chairman Bagwell called for a motion. Commissioner Maxey 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. Tax Refunds:**

- a. David James Shelton, 204 Green View Road SW, \$17.32

**2. Malt Beverage Application, Staci Adams, Taylor's Grocery & Tobacco, 4672 Martha Berry Highway NE. (Ownership Change – Beer & Wine)**

**3. Authorize Execution of Quit Claim Deed between Floyd County and Ray Donaldson, for property located on that parcel of land designated as Zoning Map J13P, Parcel 204, situated on what is commonly known as 214 Grady Avenue.**

**MANAGER'S REPORT:**

**1. DISCUSS REDMOND TRAIL PROJECT  
(TRANSPORTATION ENHANCEMENT  
GRANT):**

County Manager Williams stated this relates to the Redmond Trail Project, which is ultimately meant to connect downtown to the western Pinhoti Trail. He stated this is just one segment that starts roughly at the top of the levee along Avenue A, goes across Little Dry Creek past the new Post Office, across Martha Berry Highway at Coligni Way intersection, and on to Tolbert Park. He stated that in 2007, the county originally applied for a grant with a total project cost of a million dollars, of which the projected state contribution was \$750,000.00. He stated at some point past that they were trying to divvy out some of the funds and offered the county \$400,000.00 instead, so the scope was reduced at that point. Over the last few years, they have gone through various hurdles without spending any money. He stated they have done the project concept report, and have done some worksheets to fulfill various federal guidelines because this is federal money. He stated that what they have gotten to is that the State Historic Preservation Office, in their review, has asked that the county provide an archeological assessment, and the third party administrator has asked for an ecological assessment. He stated there is a proposal before them in the amount of \$23,983.23 in order for that to happen. Of late, within the last forty days or so, because the project started in 2007 and it is now 2012, the third party administrator has warned them verbally that if the county does not show significant progress by early November that it runs the risk of losing the \$400,000.00 in grant funds. He stated this is a step to try to keep this project alive. He stated that he would also offer that it is an eighty-twenty (80%-20%) match for the grant. He stated the county's part initially, after the state cut down on its contribution, was going to be \$100,000.00. Seventy-five thousand dollars (\$75,000.00) of that was for engineering for the trail, and \$25,000.00 was earmarked for right-of-way acquisition. He stated there are several property owners that the county would need to buy some land from.

He stated that the scope before the Board today was not originally anticipated, and could only come after there had been some further review. He stated he is revising what the county's match would be, or portion of this project, from \$100,000.00 by adding another \$25,000.00 to that for the study, and he would also add another \$25,000.00 just as a broad estimate for the right-of-way acquisition. The City of Rome has offered to pay \$37,500.00 toward this project, to go toward half of the projected engineering costs. He stated he has had some verbal interest from one or two groups in the community that may be willing to put forth some extra money, but they do not know how much exactly. He stated that that is the background behind the Redmond Trail Project. He stated there is a certain sense of urgency as they have been given a deadline to move forward.

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to defer the request in order to allow more time to find community partners interested in investing in the project. She stated they have had certain other community parties that have shown interest in the project. At this time, the budget does not permit them to pay for the full project, but she would ask that they defer it in order to find out what those contributions could be to help save the grant to move forward at a later date. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

#### **ATTORNEY'S REPORT:**

#### **1. ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION:**

County Attorney Manning stated it is his understanding that the Board may want to consider voting to go into Executive Session to discuss pending litigation matters.

Chairman Bagwell made a MOTION to enter into Executive Session to discuss pending litigation matters. SECOND by Commissioner Maxey. VOTING:

YES

NO

Commissioner Wallace



" Fricks  
" Mayes  
" Maxey  
Chairman Bagwell

Motion Carried

The Board entered into Executive Session at 2:57 p.m.

The Meeting reconvened at 4:10 p.m.

**OTHER BUSINESS:**

Chairman Bagwell recognized Leadership Rome participant, Meredith Brown, in attendance at today's meeting.

**ADJOURNMENT:**

There being no further business to come before the Board, MOTION was made by Commissioner Wallace, 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**