

March 12, 2013

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
March 12, 2013 2:00 P.M.**

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

OTHERS

PRESENT: Interim County Manager Gary Burkhalter, County Attorney Tommy Manning, County Clerk and Kathy Arp.

ABSENT: Vice-Chairman Larry Maxey, 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:

**RECOGNIZE FINANCE DEPARTMENT
STAFF FOR RECEIVING A CERTIFICATE
OF ACHIEVEMENT FOR EXCELLENCE IN
FINANCIAL REPORTING FROM THE
GOVERNMENT FINANCE OFFICERS
ASSOCIATION (GFOA):**

Commissioner Fricks presented the 2013 Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GOFA) to the Finance Department. He stated this award has been received by Floyd County for twenty-five consecutive years, and thirty years overall. He stated that the Board appreciates the hard work that goes into this achievement. He stated the Board recognizes that it is a team effort, not just a single effort. He congratulated Interim Manager/Finance Director Gary Burkhalter and his team on this achievement.

**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 Mayes made a MOTION to adopt the minutes of the Regular Meeting of February 26, 2013 and Executive Session of February 26, 2013. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

Chairman Bagwell

Motion Carried

PROCLAMATIONS:

CHILD ABUSE PREVENTION MONTH:

Commissioner Wallace presented Ms. Gail Garland, Child Abuse Prevention Partnership, with a Joint Floyd County and City of Rome Proclamation recognizing April 2013 as Child Abuse Prevention Month. Ms. Garland provided the Board with blue bracelets and ribbons, and asked that everyone join the Child Abuse Prevention Partnership and the Exchange Club of Rome in wearing blue on Monday's during the month of April to support the local and national efforts of child abuse prevention. She thanked the Board for the recognition and support.

(Proclamation/Resolution Book, Page 18)

FIRST READINGS:

(PUBLIC HEARINGS TO BE HELD

MARCH 26, 2013 AT 6:00 P.M.)

ULDC TEXT AMENDMENT

1. ADOPT ORDINANCE TO REVISE OR DELETE ARTICLE 3.4, ARTICLE 4.2, AND ARTICLE 8 CONCERNING DISTILLERIES, BREWERIES, AND WINERIES. (2013-002ULDC) (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 8-0]).

Chairman Bagwell stated Public Hearings would be held on these items on March 26, 2013 at 6:00 p.m.

PUBLIC HEARINGS:

4/5 VOTE REQUIRED TO ADD ITEM TO AGENDA

1. DISCUSS PROCESS AND SCHEDULE FOR PREPARATION OF THE 2013-2017 COMMUNITY WORK PLAN AND THE REPORT OF ACCOMPLISHMENTS (2008-2012 WORK PLAN) AS THEY RELATE TO THE GOALS/OBJECTIVES /ISSUES/OPPORTUNITIES AND THE FUTURE LAND USE MAP ADOPTED IN 2008 AS PART OF THE COMPREHENSIVE PLANNING PROCESS.

Chairman Bagwell called for a motion to add this Public Hearing to the agenda. Commissioner Wallace made a MOTION to add the item to the agenda. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

Chairman Bagwell

Motion Carried

Chairman Bagwell asked Ms. Sue Hiller, Planning Department Director to provide an overview of this item. Ms. Hiller stated the rules of the Georgia Department of Community Affairs require that the Floyd County Comprehensive Plan be updated every ten years. She stated that every five years Community Work Program, formally called the Short Term Work Program, is updated. She stated the process for doing that is to first look at the last Short Term Work Program. A progress report is done on what they have completed, what they have not completed, and what they intend to do about what they have not completed. Once that process is finished, they set a new five-year work program to carry them through the next five years. She stated this needs to be done in conjunction with the goals and objectives that are adopted as part of the comprehensive plan. She stated that looking at the goals and objectives would be steps one, two, and three. She stated the fourth thing that they need to do is to look at their future land use map adopted in 2008, and see if any of the rezonings approved since that time require an amendment to the future land use map. She stated that they have taken a preliminary look at that, and she thinks that there are going to be fewer than twenty parcels to discuss, because they have done a good job of basing the rezonings by what was on the future land use map. She stated they have set a plan to accomplish this by the deadline, which is the end of October. She stated in that time there will a required thirty-day public review period, and a meeting that the public can attend for

review purposes. They also have to have another public hearing before the Board to discuss what has been done. She stated a sixty-day period for the state to review what they are planning to adopt is also required. She stated that the schedule that they have set out begins today with this public hearing. She stated they are hoping to complete the process by early to mid September. Chairman Bagwell stated for clarification that he believes the Rome City Commission had their public hearing on this last night. Ms. Hiller stated they did, and there were no comments in support or opposition. She stated she would be speaking with the Cave Spring Commission tonight about beginning this process as well.

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.

CHAIRMAN’S REPORT:

1. Citizen Appointments:

- a. GEORGIA DEPARTMENT OF BEHAVIORAL HEALTH & DEVELOPMENT DISABILITIES BOARD.

COMMISSIONER WALLACE MADE A MOTION TO APPOINT DEBORAH MALONE TO FILL THE SLOT CURRENTLY HELD BY WARREN JONES AS A HOLDOVER APPOINTMENT ON THE GEORGIA DEPARTMENT OF BEHAVIORAL HEALTH & DEVELOPMENT DISABILITIES BOARD, 3-YEAR TERM EXPIRING JULY 31, 2014. SECOND BY COMMISSIONER MAYES. VOTING:

YES	NO
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Commissioner Wallace	
" Fricks	
" Mayes	
Chairman Bagwell	

Motion Carried

COMMISSIONER’S REPORT:

1. Administrative/Finance Committee – Commissioner Fricks, Chairman

NO REPORT.

2. PUBLIC SAFETY COMMITTEE – COMMISSIONER MAYES, CHAIRMAN

a. Recommendation for approval of Reclassification of Corrections Training Supervisor from Sergeant (Position Number 460-960, Paygrade 119) to Lieutenant (Position Number 460-960, Paygrade 118).

Commissioner Mayes asked Interim Manager Burkhalter to give a brief overview. Interim Manager Burkhalter stated a request was received from the Warden to reclassify the Corrections Training Supervisor position from a Sergeant to a Lieutenant. He stated the position would go from a paygrade 119 to a paygrade 118, and there would be no additional cost to the budget at this time, in making this reclassification.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Approve the Reclassification of Corrections Training Supervisor from Sergeant (Position Number 460-960, Paygrade 119) to Lieutenant (Position Number 460-960, Paygrade 118). SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

Chairman Bagwell

Motion Carried

b. Recommendation to transfer a 2001 Dodge Pickup Truck (VIN#1B7HC16X11S771478) from Facilities Management to Surplus, and transfer a 1999 Dodge Pickup Truck (VIN#1B7HC16X6WS756739) from Surplus to Facilities Management.

Interim Manager Burkhalter stated Ryan Davis, Facilities Management Director has requested to transfer a 2001 Dodge pickup truck from their fleet to surplus, and transfer a 1999 Dodge pickup truck from surplus to their fleet. He stated there would not be an increase to their fleet by doing this. The transfer is due to the difference in mileage between the pickup trucks. He stated the pickup truck they are interested in transferring out of surplus has fewer miles than the pickup they currently have.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Approve the recommendation to transfer a 2001 Dodge Pickup Truck (VIN#1B7HC16C11S771478) from Facilities Management to Surplus, and transfer a 1999 Dodge Pickup Truck (VIN#1B7HC16X6WS756739) from Surplus to Facilities Management. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace
" Fricks
" Mayes
Chairman Bagwell

Motion Carried

- c. Approve purchase of replacement van for Floyd County Prison to replace a 2011 E-350 Ford Econoline Van (VIN#1FBSS3BLXBDB01574) that was deemed a total loss after an accident, and Award of Bid from Allen Vigil Ford for replacement van.**

Interim Manager Burkhalter stated this is a request to purchase a replacement van for the Floyd County Prison. He stated this would replace a detail van that was recently involved in an accident, and deemed a total loss. He stated the county has received full payment from the other party's insurance company. He recommended approval to award the bid to Allen Vigil Ford for purchase of a replacement van in the amount of \$23,144.00.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Approve the purchase of a replacement van for Floyd County Prison to replace a 2011 E-350 Ford Econoline Van (VIN#1FBSS3BLXBDB01574) that was deemed a total loss after an accident, and Award of Bid to Allen Vigil Ford for a replacement van in the amount of \$23,144.00. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace
" Fricks
" Mayes
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

No Report.

b. Joint Services Committee – Chairman Bagwell and Commissioner Fricks

No Report.

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

No Report.

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

- 1) ADOPT RESOLUTION APPROVING AND AUTHORIZING AMENDMENT TO FLOYD COUNTY FEE SCHEDULE BOOK TO ESTABLISH REVISED LANDFILL FEES TO BE EFFECTIVE APRIL 01, 2013.

CHAIRMAN BAGWELL ASKED INTERIM MANAGER BURKHALTER TO GIVE A REVIEW. INTERIM MANAGER BURKHALTER STATED THE JOINT SOLID WASTE COMMITTEE RECOMMENDS APPROVAL OF A REVISED FEE STRUCTURE FOR LANDFILL FEES. HE STATED THE REVISED FEES WOULD BE EFFECTIVE APRIL 01, 2013. HE STATED THE PROPOSED INCREASE IN THE FEES WOULD AVERAGE 2.5% AND WOULD HELP TO STAY IN LINE WITH THE COSTS NECESSARY TO COVER LANDFILL CLOSURE, POST CLOSURE, AND OTHER UPKEEP AT THE LANDFILL. CHAIRMAN BAGWELL STATED THE INCREASE REQUIRES JOINT APPROVAL FROM THE CITY AND COUNTY COMMISSIONS, AND THAT THE CITY TOOK ACTION ON THIS ITEM LAST NIGHT.

CHAIRMAN BAGWELL CALLED FOR A MOTION. COMMISSIONER FRICKS MADE A MOTION TO ADOPT THE RESOLUTION APPROVING AND AUTHORIZING AMENDMENT TO FLOYD COUNTY FEE SCHEDULE BOOK TO ESTABLISH REVISED LANDFILL FEES TO BE EFFECTIVE APRIL 01, 2013. SECOND BY COMMISSIONER WALLACE. VOTING:

YES

NO

Commissioner Wallace
" Fricks
" Mayes
Chairman Bagwell

Motion Carried

2) Adopt Resolution Approving and Authorizing Acceptance of Proposal submitted by Golder Associates, Inc., for continued Water Monitoring Services at the Walker Mountain Landfill for a period through the end of 2014.

Interim Manager Burkhalter stated Golder Associates, Inc. provides groundwater and surface water monitoring at the county's landfills. He stated this proposal would be for monitoring at the Walker Mountain Landfill at a cost of \$132,000.00.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution Approving and Authorizing Acceptance of the Proposal submitted by Golder Associates, Inc., for continued Water Monitoring Services at the Walker Mountain Landfill for a period through the end of 2014 in the amount of \$132,000.00. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Wallace
" Fricks
" Mayes
Chairman Bagwell

Motion Carried

3) Adopt Resolution Approving and Authorizing Acceptance of Proposal submitted by Golder Associates, Inc., for continued Water Monitoring Services at the Berryhill Landfill for a period through the end of 2014.

INTERIM MANAGER BURKHALTER STATED THIS PROPOSAL WOULD BE FOR GOLDER ASSOCIATES, INC. TO PROVIDE GROUNDWATER AND SURFACE WATER MONITORING AT THE BERRYHILL LANDFILL SITE. HE STATED THIS CONTRACT AMOUNT IS \$65,000.00.

Chairman Bagwell called for a motion. Commissioner Fricks made a MOTION to Adopt the Resolution Approving and Authorizing Acceptance of the Proposal submitted by Golder Associates, Inc., for continued Water

Monitoring Services at the Berryhill Landfill for a period through the end of 2014 in the amount of \$65,000.00. SECOND by Commissioner Wallace. VOTING:

YES NO

Commissioner Wallace
" Fricks
" Mayes
Chairman Bagwell

Motion Carried

e. SPLOST Committee – Commissioner Wallace

Commissioner Wallace stated citizens have been appointed to the committee by the City of Cave Spring, the City of Rome, and Floyd County. They are currently working on a date for their first meeting, which will be in the next couple of weeks. She stated all members would be notified with the details of the meeting.

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 Wallace made a MOTION to approve the Clerk’s Consent Agenda as presented. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Wallace
" Fricks
" Mayes
Chairman Bagwell

Motion Carried

1. Tax Refunds:

- a. Poppy & Ninny Rental Enterprises, LLC, 18 Saddle Mountain Rd, \$157.80
- b. The Kroger Company, 2175 Parklake Drive, Atlanta, \$2.40
- c. Paula’s Silver & Gold, 212 Broad St, \$277.43

2. Adopt Resolution Approving and Authorizing Execution of Consent Judgment for a portion of the Berry Family property condemnations on the Armuchee Connector Project (2006 SPLOST).

MANAGER’S REPORT:

No Report.

ATTORNEY’S REPORT:

No Report.

OTHER BUSINESS:

Chairman Bagwell recognized the Leadership Rome participants in attendance.

ADJOURNMENT:

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

YES

NO

Commissioner Wallace

" Fricks

" Mayes

Chairman Bagwell

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

IRWIN BAGWELL, CHAIRMAN