

June 11, 2013

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS  
June 11, 2013                      2:00 P.M.**

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

**OTHERS**

**PRESENT:**                      County Manager Jamie McCord, 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:**

**REVIEW OF FY2012 PRELIMINARY AUDIT REPORT:**

Finance Director Gary Burkhalter thanked Assistant Finance Director Susie Gass and the entire Finance Department for their hard work on the year-end closeout and the audit leading up to this point. He introduced Matt Hill with Mauldin & Jenkins, LLC, to provide a brief overview of the county's financial position at the end of 2012. Mr. Hill stated they are currently wrapping up the audit. He stated that they will be issuing an unqualified, or clean, opinion for both the financial statements and the compliance with federal awards, also known as the Single Audit. He stated in addition to that, they are very excited to be able to say that the county has reduced the number of audit findings from the prior year, and some issues that had been found in previous audits have been cleared up. He pointed out that the county had an increase in the General Fund balance, which had seen some decline over the years, and an increase in the net position of the Water and Sewer Fund. He stated it is certainly a good sign to see that those funds are moving in a positive direction. He stated that he would be glad to answer any questions that they may have. He 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 Caucus and Regular Meeting of May 28, 2013. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

## **RESOLUTIONS:**

- 1. ADOPT RESOLUTION TO EXEMPT  
A CERTAIN COUNTY-OWNED  
VEHICLE (2010 FORD ESCAPE,  
VIN #1FMCU4K3XAKD01585) FROM  
THE STATE LAW REQUIRING THE  
PLACEMENT OF A DECAL OR SEAL  
IDENTIFYING THE COUNTY ON  
SAID VEHICLE.**

Chairman Bagwell called for a motion. Commissioner Fricks made a MOTION to Adopt the Resolution to exempt a certain county-owned vehicle (2010 Ford Escape, VIN #1FMCU4K3XAKD01585) from the state law requiring the placement of a decal or seal indentifying the county on said vehicle. SECOND by Commissioner Maxey. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

**FIRST READINGS:  
(PUBLIC HEARINGS TO BE HELD  
ON JULY 02, 2013 AT 6:00 P.M.)**

**Rezoning and Special Use Permits:**

- 1. FILE #61-2013Z. REQUESTS REZONING FROM LIGHT INDUSTRIAL (L-I) TO HEAVY COMMERCIAL (H-C) TO CONSTRUCT GROCERY STORE ON PROPERTY LOCATED ON TODD STREET AT NEW CALHOUN HIGHWAY, SHANNON, GEORGIA. TAX MAP M11X, PARCEL 004. (PLANNING COMMISSION RECOMMENDATION: APPROVE CONDITIONED ON COMPLIANCE WITH THE NUMBER OF PARKING SPACES, PARKING LOT DIMENSIONS, PARKING LOT LANDSCAPING, AND SIDE AND FRONT YARD LANDSCAPING STANDARDS. [VOTE: 9-0]).**
- 2. FILE #62-2013SUP. REQUESTS SPECIAL USE PERMIT FOR A GROUP PERSONAL CARE HOME IN SUBURBAN RESIDENTIAL (S-R) ZONING DISTRICT ON PROPERTY LOCATED ON SURREY TRAIL. TAX MAP K14Y, PARCEL 050. (PLANNING COMMISSION RECOMMENDATION: DENY WITHOUT PREJUDICE. [VOTE: 9-0]).**

Chairman Bagwell stated Public Hearings would be held on these items on July 02, 2013 at 6:00 p.m.

#### **PUBLIC HEARINGS:**

Chairman Bagwell reviewed the procedures for Public Hearings.

- 1. ADOPT AN ORDINANCE TO CLOSE AN UNOPENED STREET IN THE JOLLY ACRES SUBDIVISION:**

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. Commissioner Wallace made a MOTION to Adopt the Ordinance to close an unopened street in the Jolly Acres Subdivision. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

**2. ADOPT AN ORDINANCE TO CLOSE  
UNOPENED STREETS IDENTIFIED  
AS WATTERS STREET AND PINE  
STREET LOCATED ON TRACT  
17 OF THE BURLINGTON MILLS  
PROPERTY:**

Chairman Bagwell declared the Public Hearing open, and asked if there is anyone to speak in support or opposition.

**Support: Tom Bennett, 510 Riverside Parkway**, stated he is the applicant, and they are requesting street closures of an old abandoned subdivision on the Burlington Mills property. He stated this is actually the property that they are requesting to be rezoned for the grocery store in Shannon, Georgia. He would be glad to answer any questions that they may have. He thanked the Board.

Chairman Bagwell asked if there was anyone to speak in opposition. Seeing none, he declared the Public Hearing closed, and called for a motion. Commissioner Mayes made a MOTION to Adopt an Ordinance to close unopened streets identified as Watters Street and Pine Street located on Tract 17 of the Burlington Mills property. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

**CHAIRMAN'S REPORT:**

**1. Citizen Appointments:**

**a. Airport Commission.**

Commissioner Fricks made a MOTION to Reappoint Mike Britton to the Airport Commission, Post 1, for a 4-year term to expire on June 30, 2017. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace  
" Fricks  
" Mayes  
" Maxey  
Chairman Bagwell

Motion Carried

**b. Floyd County Library – Sara Hightower Regional Library Board.**

Commissioner Maxey made a MOTION to Reappoint Wendy Robert to the Floyd County Library – Sara Hightower Regional Library Board, for a 3-year term to expire June 30, 2016. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Wallace  
" Fricks  
" Mayes  
" Maxey  
Chairman Bagwell

Motion Carried

**c. Rome-Floyd Land Bank Authority.**

Commissioner Wallace made a MOTION to Appoint David Mathis to the Rome-Floyd Land Bank Authority to fill the unexpired term of Larry Maxey, 4-year term to expire December 31, 2015. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Wallace  
" Fricks  
" Mayes  
" Maxey  
Chairman Bagwell

Motion Carried

**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 Changer Order 011 to the System Purchase Contract between Floyd County and Harris Corporation through its RF Communications Division. (2009 SPLOST Public Safety Communications Project).**

Commissioner Mayes asked County Manager McCord to review the Public Safety Committee items. County Manager McCord stated Change Order 011 would result in a total credit of \$59,145.36 for the contract. He recommended approval of Change Order 011 with Harris Corporation.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution Approving and Authorizing Execution of Change Order 011 to the System Purchase Contract between Floyd County and Harris Corporation through its RF Communications Division. (2009 SPLOST Public Safety Communications Project). SECOND by Commissioner Maxey. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

- b. Adopt Resolution Approving and Authorizing Execution of Amendment No. 012 to the System Purchase Contract between Floyd County Harris Corporation through its RF Communications Division. (2009 SPLOST Public Safety Communications Project).**

County Manager McCord stated Amendment No. 012 would change the language in the contract signifying when acceptance of the radio system would be deemed to have taken place. He stated they had an issue with system potentially being deemed accepted before the final testing, which is currently being conducted. He recommended approval of the amendment with Harris Corporation. Assistant Manager Simon stated that this amendment also addresses the date for commencement of the warranty period.

Chairman Bagwell called for a motion. Commissioner Fricks made a MOTION to Adopt the Resolution Approving and Authorizing Execution of

Amendment No. 012 to the System Purchase Contract between Floyd County and Harris Corporation through its RF Communications Division. (2009 SPLOST Public Safety Communications Project). SECOND by Commissioner Maxey. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

**c. Adopt Resolution Approving and Authorizing Execution of Agreement between Floyd County and Siemens Industries, Inc. to provide Tower Site Surveillance and a Closed Circuit Television System for Communication Tower Sites. (2009 SPLOST Public Safety Communications Project).**

County Manager McCord stated the total amount of the contract is \$97,672.00, with a three-year warranty period. He stated the first year warranty would be \$4,346.00, the second year would be \$8,928.00, and the third would be \$9,107.00. He recommended approval of the agreement with Siemens Industries, Inc.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution Approving and Authorizing Execution of Agreement between Floyd County and Siemens Industries, Inc. to provide Tower Site Surveillance and a Closed Circuit Television System for Communication Tower Sites. (2009 SPLOST Public Safety Communications Project.) 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**

**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. SPLOST Committee – Commissioner Wallace**

Commissioner Wallace stated the committee is working very hard. She stated the public is welcome to attend the upcoming June 13, 2013 SPLOST Committee meeting at 5:30 p.m. She stated the meeting would be at the Emergency Operations Center (EOC).

**CLERK’S REPORT:**

**Consent Agenda**

County Clerk Kathy Arp stated there is one item on the Clerk’s Consent Agenda, which has been reviewed, and is 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 Maxey. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell



Motion Carried

**1. Tax Refunds:**

- a.Elaine S Thomas, 307 Timothy Ave, \$44.48
- b.Spring Haven Partnership LP C/O Winn Companys, 6 Faneuil Hall Market Place, Boston, MA, \$2,158.47
- c.Winslette Pharmacy, 2444 Shorter Ave, \$221.01
- d.Keith Winslette , 2444 Shorter Ave, \$109.88
- e.Keith Winslette , 2444 Shorter Ave, \$41.82
- f.Keith Winslette , 2444 Shorter Ave, \$18.64
- g.Carl Davis Shelter, 5579 Cedartown Hwy, Lindale, \$275.91
- h.Joe Williamson, Sharon Lumsden, Linda Crumbly, 46 Southern Grace Place, \$94.41
- i.Valerie Tuttle, 3111 Village Blvd, \$0.72
- j.Mohawk Inds. 183 GA Huffaker Spinning , P. O. Box 52307, Atlanta, GA, \$2,353.25
- k.Metropcs, 100 Congress Ave, Austin, TX, \$16,908.25
- l.Jackson Morgan, 436 Broad St, \$1,517.37
- m.Sue Jackson Sikes, P.O. Box 54, Cave Spring, \$44.95
- n.Whitney Sullins Langley, 1853 Reeceburg Rd, \$89.67
- o.Kelly L & Allison B Parnell, 899 Booger Hollow, \$34.48
- p.Diane Alice Simmons, 15 Lakemore Dr, \$14.07
- q.Dwayne V & Ruth M Miller, 4 Carrington Place, \$44.53
- r.Matthew & Tatjana Christ- Stevens, 3977 Everett Springs Rd, Armuchee, \$1,008.85
- s.Valencia Stonewall, 10 Thornwood Dr, \$42.51
- t.Deborah Childress, 4688 Roland Hayes Pkwy, Calhoun, \$140.71
- u.Matthew & Tatjana Christ-Stevens, 3977 Everett Springs Rd, Armuchee, \$547.23

**MANAGER'S REPORT:**

**1. ADOPT RESOLUTION APPROVING  
AND AUTHORIZING EXECUTION OF  
AGREEMENT BETWEEN THE GEORGIA  
DEPARTMENT OF TRANSPORTATION  
(GDOT) AND FLOYD COUNTY FOR  
ON-AIRPORT OBSTRUCTION CLEARING  
AND RUNWAY SAFETY AREA  
IMPROVEMENTS AT THE RICHARD B.  
RUSSELL REGIONAL AIRPORT. (PROJECT  
NO. AP013-9021-35(115) PID – T004787)**

County Manager McCord stated the total of the contracts would be \$437,620.00. The county intends to do the work internally through the Public Works Department with the local share being \$18,020.00. He stated they do not have any issues with completing the contracts within the time allotted. He thinks it would be a

good process for both the county and the Georgia Department of Transportation (GDOT). He recommended approval of the agreement for these projects as submitted.

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution Approving and Authorizing Execution of Agreement between the Georgia Department of Transportation (GDOT) and Floyd County for On-Airport Obstruction Clearing and Runway Safety Area Improvements at the Richard B. Russell Regional Airport. (Project No. AP013-9021-35(115) PID – T004787) SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Wallace

" Fricks

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

#### **OTHER BUSINESS:**

County Manager McCord stated eleven projects were reviewed at the June 06, 2013 SPLOST Committee meeting. He stated that there are nine projects scheduled for review at the upcoming June 13, 2013 meeting. He complimented the county staff for their hard work. He stated he thinks they had a good meeting last week, and they are looking forward to another round this week.

Chairman Bagwell announced that the June 25, 2013 Commission Meeting has been rescheduled to July 2, 2013 at 6:00 p.m. with Agenda Session being held July 1, 2013 at 8:15 a.m.

#### **ADJOURNMENT:**

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

**FLOYD COUNTY BOARD OF COMMISSIONERS  
CAUCUS  
JUNE 11, 2013      1:00 PM**

Present: Chairman Irwin Bagwell, Vice-Chairman Larry Maxey, Commissioners Garry Fricks, John Mayes, and Rhonda Wallace, County Manager Jamie McCord, Assistant County Manager Noah Simon, County Clerk Kathy Arp, County Attorney Tommy Manning, and Comptroller/Finance Director Gary Burkhalter.

Matt Hill, Mauldin & Jenkins, LLC provided a review of the FY2012 preliminary audit report.

Commissioners and staff reviewed items on the agenda for the meeting of June 11, 2013, and discussed rescheduling the meeting of June 25, 2013 for July 02, 2013 at 6:00 p.m.

**FLOYD COUNTY BOARD OF  
COMMISSIONERS**

**IRWIN BAGWELL, CHAIRMAN**