

May 13, 2014

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
May 13, 2014 2:00 P.M.**

PRESENT: Chairman Irwin Bagwell, Vice-Chairman Larry Maxey, Commissioners 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.

ABSENT: Commissioner Garry Fricks.

CALL TO

ORDER: Chairman Bagwell called the meeting to order.

INVOCATION: Commissioner Maxey led the Invocation.

PLEDGE OF

ALLEGIANCE: Commissioner Wallace led the Pledge of Allegiance.

PUBLIC PARTICIPATION:

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

The Board presented a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) to the Finance Department. Gary Burkhalter, Comptroller/Finance Director stated the Finance Department is quite proud of this award, and he knows that the Board and management staff is proud of the award as well. He stated the Finance Department is a good team and he appreciates all of the efforts the department puts forth, and their hard work. Chairman Bagwell stated the Board is very appreciative of the Finance Department for running such a great department.

**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 Caucus and Regular Meeting of April 22, 2014. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

PROCLAMATIONS:

NATIONAL HISTORIC PRESERVATION MONTH:

The Board presented Mr. Phillip Jones, Rome Historic Preservation Commission, with a Proclamation recognizing May 2014 as National Historic Preservation Month.

(Proclamation/Resolution Book, Page 56)

ENTER INTO MINUTES NATIONAL POLICE WEEK:

Chairman Bagwell stated a Joint Floyd County and City of Rome Proclamation recognizing May 11 – May 17, 2014 as National Police Week was presented at the Peace Officers Memorial Service on May 09, 2014 and will be entered into the minutes. He stated the Board appreciates the service of the men and women of Public Safety in helping to keep our community safe.

(Proclamation/Resolution Book, Page 57)

FIRST READINGS: (PUBLIC HEARINGS TO BE HELD ON MAY 27, 2014 AT 6:00 P.M.)

REZONING REQUEST

- 1. FILE #51-2014Z. REQUESTS REZONING
FROM SUBURBAN RESIDENTIAL (S-R) TO
AGRICULTURAL RESIDENTIAL (A-R) FOR
RAISING LIVESTOCK ADJACENT TO WHAT
IS COMMONLY KNOWN AS DELAND ROAD.**

**FLOYD COUNTY TAX MAP M14, PARCEL 016.
(PLANNING COMMISSION RECOMMENDATION:
APPROVE CONDITIONED ON CONCENTRATED
ANIMAL FEEDING OPERATION AND CHICKEN
HOUSES BEING PERMITTED BY SPECIAL USE
PERMIT ONLY. [VOTE: 7-0]).**

- 2. FILE #57-2014Z. REQUESTS REZONING
FROM SUBURBAN RESIDENTIAL (S-R)
TO COMMUNITY COMMERCIAL (C-C)
FOR LANDSCAPE CONTRACTING
BUSINESS ADJACENT TO WHAT IS
COMMONLY KNOWN AS OLD
SUMMERVILLE ROAD. FLOYD COUNTY
TAX MAP J10X, PARCEL 102. (PLANNING
COMMISSION RECOMMENDATION:
DENY. [VOTE: 7-0]).**
- 3. FILE #58-2014Z. REQUESTS REZONING
FROM COMMUNITY COMMERCIAL (C-C)
TO LIGHT INDUSTRIAL (L-I) FOR WRECKER
AND AUTO STORAGE BUSINESS ADJACENT
TO WHAT IS COMMONLY KNOWN AS MARTHA
BERRY HIGHWAY. TAX MAP J11X, PARCEL 019.
(PLANNING COMMISSION RECOMMENDATION:
DENY. [VOTE: 6-1]).**

Chairman Bagwell stated Public Hearings would be held on these items on May 27, 2014 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 Bagwell, Chairman**

County Manager McCord recognized and congratulated Warden Jeff Chandler on the Floyd County Prison and Work Release Center being chosen as one of three pilot programs to participate in the Focusing Impact on Re-Entry (FIRE) Program that began a couple of weeks ago. He stated the program is part of the

Georgia Department of Corrections' Re-entry Initiative. Chairman Bagwell stated he believes that this is going to be a great program, and being chosen as one of the three participants across the state is a great accomplishment. He stated he feels that Commissioner Mayes serving on the Board of Corrections certainly helps bring programs like this to the community.

3. Public Works Committee – Commissioner Wallace, Chairman

No Report.

4. Water Committee – Commissioner Maxey, Chairman

No Report.

5. Judicial Services Committee (CJIS) – Commissioner Wallace

No Report.

6. Floyd County Library Board – Commissioner Maxey

No Report.

7. Special Committee Reports

a. Fire Overview Committee – Chairman Bagwell & Commissioner Fricks

No Report.

b. Joint Services Committee – Chairman Bagwell & Commissioner Fricks

No Report.

c. Joint Development Oversight Committee – Commissioners Fricks & Wallace

No Report.

d. Joint Solid Waste Oversight Committee – Commissioners Fricks & Wallace

No Report.

e. 2013 SPLOST Project Overview Committee – Chairman Bagwell & Commissioner Fricks

County Manager McCord stated that a SPLOST Project Overview Committee meeting has been tentatively scheduled for May 23, 2014. He stated this will be a time for staff to provide an update on progress to the committee. He stated

a meeting has also been set to meet with SPLOST Committee, with a tentative date of June 19, 2014.

CLERK'S REPORT:

Consent Agenda

Adopt Resolution to Approve and Authorize Execution Of Items Submitted under the Clerk's Consent Agenda:

County Clerk Kathy Arp stated there are seven 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 Adopt the Resolution to Approve and Authorize Execution of items submitted under the Clerk's Consent, as presented by the County Clerk. SECOND by Commissioner Maxey. VOTING:

YES

NO

Commissioner Wallace

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

1. Tax Refunds.

a. James Michael Hillis, 33 Pleasant Hope Road SE, Silver Creek, \$731.11

2. Approve request from Tax Commissioner for removal of bills from the Tax Commissioner's Roll, and that the taxes be relieved from the books, as outlined in the memo from the Tax Commission and attached list dated May 6, 2014 in the amount of \$650.31.

3. Transfer 2003 Ford Crown Victoria (VIN# 2FAFP71W73X104496) from Office Tax Commissioner to Surplus.

4. Transfer 2001 Dodge Ram 1500 Pickup (VIN# 1B7HC16X41S124640) from Surplus to Office of Tax Commissioner.

5. Authorize transfer from Floyd County Police Department Supplies line item (100454-51000) to Floyd Police Department Capital Equipment line item (330454-67040) in the amount of \$110.00 to cover remaining cost of up-fitting the new police vehicles purchased in 2014.

- 6. Resolution to Rescind the Approval of the previous Beverage Agreement between Atlanta National League Baseball Club, Inc., d/b/a Rome Braves dated April 08, 2014, and to Approve and Authorize the Execution of a Beverage Agreement between The Stadium Club, Inc., and Floyd County d/b/a The Forum Civic Center, for beverage sales at The Forum for all home games of the Professional Indoor Football League Georgia Fire team.**
- 7. Resolution to Approve and Authorize Execution of Renewal of Contract between Floyd County and EarthLink Business (formerly DeltaCom) for telephone services.**

MANAGER'S REPORT:

**1. ADOPT RESOLUTION APPROVING
AND AUTHORIZING REVISED 2013
BUDGET.**

County Manager McCord stated the revised budget is a finalization of the year-end 2013 revenues, expenditures, and other items.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Adopt the Resolution Approving and Authorizing the Revised FY2013 Budget. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

**2. ADOPT RESOLUTION APPROVING AND
AUTHORIZING AWARD OF BID FOR:**

- a. TWO (2) TRACTORS WITH RADIAL ARM ROTARY MOWERS,
TO BE PURCHASED THROUGH LEASE PURCHASE,
FOR THE PUBLIC WORKS DEPARTMENT.**
- b. ONE (1) FORD F750 TRUCK WITH GRAPPLE BOOM AND BED,
TO BE PURCHASED THROUGH LEASE PURCHASE,
FOR THE PUBLIC WORKS DEPARTMENT.**

County Manager McCord stated the low bid for the two (2) tractors with radial arm rotary mowers came in at \$74,181.00 each for a total cost of \$148,362.00. He stated \$150,000.00 was budgeted for the two tractors budget. He stated the budgeted amount for the Ford F750 truck with grapple boom and bed was \$125,000.00. He stated the low bid for the truck came in at \$117,099.00. He recommended that the bid for the two (2) tractors with radial arm rotary mowers be awarded to Franklin Tractor for a total cost of \$148,362.00, and the bid for the Ford F750 truck with grapple boom and bed be awarded to Cherokee Truck Equipment in the amount of \$117,099.00. He stated these vehicles would be purchased through Lease Purchase.

Chairman Bagwell called for a motion. Commissioner Maxey made a MOTION to Adopt the Resolution Approving and Authorizing Award of Bid for Two (2) Tractors with Radial Arm Rotary Mowers to Franklin Tractor at a total cost of \$148,362.00, to be purchased through lease purchase, and One (1) Ford F750 Truck with Grapple Boom and Bed to Cherokee Truck Equipment at a cost of \$117,099.00, to be purchased through lease purchase, for the Public Works Department. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

**3. ADOPT RESOLUTION AUTHORIZING
THE ASSIGNMENT OF HANGAR LEASE
FROM 421B, LLC TO F. B. T. SERVICES,
LLC, AND FURTHER AUTHORIZING AN
AMENDMENT BETWEEN F.B.T. SERVICES,
LLC, AND FLOYD COUNTY, GEORGIA
CONCERNING THE ASSIGNED HANGAR
LEASE.**

County Manager McCord stated the resolution authorizes assignment of the current hangar lease from 421B, LLC to F.B.T. Services, LLC, and authorizes an amendment between F.B.T. Services, LLC and Floyd County concerning the assigned hangar lease located at the Richard B. Russell Regional Airport. The assignment would be for the remainder of the nine years of the existing lease, with an option for an additional ten years as part of the new lease, for a potential total of nineteen years. The recommendation from the Floyd County Airport Commission is to approve the Assignment and the General Corporate Hangar Lease for Mr. Fred Taylor of F.B.T.

Services, LLC for the assumable lease currently held by Cash Construction for a corporate aircraft hangar at the airport.

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution Authorizing the Assignment of Hangar Lease from 421B, LLC to F.B.T. Services, LLC, and Further Authorizing an Amendment between F.B.T. Services, LLC and Floyd County, Georgia concerning the Assigned Hangar Lease. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Wallace

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

SURPLUS AUCTION:

County Manager McCord stated that twenty-eight properties were sold at the surplus property auction held on May 7th. He stated based on a one-hundred percent closing, the properties sold for a net revenue of \$51,746.00. He stated the auction allowed the county to get some properties back on the tax rolls.

JUSTICE ASSISTANCE GRANT (JAG) PROGRAM:

County Manager McCord stated that the county has been allocated \$19,431.00 through the Justice Assistance Grant (JAG) Program. He stated the grant is provided annually by the Department of Justice for a law enforcement project awarded. He stated grant funds in previous years have been for cameras and other equipment for the police department. He stated when the grant application is finalized, it would be brought before the Board for their consideration.

ATTORNEY'S REPORT:

1. ADOPT RESOLUTION RELATED TO FLOYD COUNTY BOARD OF EDUCATION GENERAL OBLIGATION BONDS.

County Attorney Manning stated this resolution is in regards to the levy of a tax for the principal and interest of Education SPLOST (E-SPLOST) bonds should there be a need where the E-SPLOST revenue was not sufficient to cover the payment of those debts. He stated that is highly unlikely, and to his knowledge there has never been a situation where a tax was collected. He stated that the Floyd County Board of Education is the body that would be charged with entering into to any debts on school

projects. He stated under the Georgia Constitution, the Board of Education has requested that there be an assessment for this tax in the unlikely event that this E-SPLOST was not sufficient to pay the outstanding bonds. He stated the bonds are only a little more than one third of the entire estimated E-SPLOST revenue.

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution Providing for the Levy and Collection of an Annual Tax to Provide Funds for the Payment of the Principal of and Interest on \$27,205,000 in Aggregate Principal Amount of Floyd County School District, Georgia General Obligation Bonds. SECOND by Commissioner Maxey. VOTING:

YES

NO

Commissioner Wallace

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

OTHER BUSINESS:

Commissioner Wallace stated she would like to update the Board and the public on the Sparkle Box Project in which the Commissioners are involved. She stated Commissioner Mayes allowed them to use his shop, and with his expertise, they have built a beautiful table, bench, and chairs. She stated they would be presenting those to the Arias family this week. She stated the dedication ceremony will be Saturday, May 17, 2014, at the property located at 2386 Old Bluff Road. She stated she knows that it will be a blessing to the Arias family, and it has certainly been a blessing to each one of the Commissioners to participate in the project. She thanked the Commissioners for their work and expertise.

ADJOURNMENT:

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

YES

NO

Commissioner Wallace

" Mayes

" Maxey

Chairman Bagwell

Motion Carried

**ATTEST:
COMMISSIONERS**

KATHY M. ARP, COUNTY CLERK

FLOYD COUNTY BOARD OF

IRWIN BAGWELL, CHAIRMAN

**FLOYD COUNTY BOARD OF COMMISSIONERS
CAUCUS**

May 13, 2014 2:00 PM

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

Absent: Commissioner Garry Fricks.

Commissioners and staff reviewed items on the agenda for the meeting of May 13, 2014.

**ATTEST:
COMMISSIONERS**

KATHY M. ARP, COUNTY CLERK

FLOYD COUNTY BOARD OF

IRWIN BAGWELL, CHAIRMAN