

REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
AUGUST 12, 2014 2:00 P.M.

PRESENT: Chairman Irwin Bagwell, Vice-Chairman Larry Maxey, Commissioners Garry Fricks, and Rhonda Wallace.

OTHERS

PRESENT: County Attorney Virginia Harman, County Clerk Kathy Arp, and Assistant County Manager Noah Simon.

ABSENT: Commissioner John Mayes.

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:

Marilyn Ringstaff, Founder, CEO, and Nurse Practitioner of the Women of WORTH (Women's Organization for Reproductive and Total Health care) Clinic, 1513 Dean Street, stated that they are an unfunded, non-profit clinic. She stated they are doing most of the work for county clinic patients, and Health Department patients who are unable to get appointments. She stated that all of the southern states, including Georgia, now have 13,000 people that die every year because they are uninsured and cannot obtain health care. She stated that in Floyd County people cannot get an appointment at the Health Department to be checked and/or treated for sexually transmitted diseases. She stated they often treat women for things such as chlamydia and gonorrhea, and have them tell their partners to go to the Health Department, only for the Health Department to tell them that it is \$200.00. They are not telling people that the services need to be scaled down, so they have repeat treatments for these infections. She stated the Health Department actively refers the patients that they are not seeing to emergency rooms. Patients with gynecological conditions that should be managed in an office are being sent to emergency rooms where they receive bills that are hundreds of times higher than necessary. She stated for instance, they could see a patient at the clinic for a urinary tract infection that costs the clinic fifty cents. The last patient that came to them for a urinary tract infection had received a \$1,300.00 bill from Floyd Medical Center. She stated it was discussed during Caucus that the Commission is funding Floyd Medical Center for some operational services, and they would like to know what the oversight is of that funding, as well as the funding for the Floyd County Health Department. They need someone in Floyd County to direct the public health care. She stated there is no one organizing health care, and people do not know about the free clinic, or the county clinic. Many people are not aware that those two entities do not provide women's health care. She stated they do not know how to get patients into, or referred to the family practice residency. Patients go to emergency rooms, but the emergency rooms are not actively referring them to the free clinic or the county clinic. She stated emergency rooms do not follow up on patients, or make follow up appointments for them, so they are back in the emergency rooms repeatedly. Emergency rooms are reporting that they provide hundreds of millions of dollars of indigent care. She stated much of that indigent care could be avoided if funding was available for clinics like the Women of WORTH Clinic. They are asking the Commissioners to look into funding clinics that are able to provide the care needed, and to develop an oversight committee for indigent and uninsured health care in Floyd County. She stated as mentioned in Caucus, she only recently learned that there is an indigent care committee at the hospital, which is not a countywide committee. They need a countywide committee to look into these issues with uninsured people, and being able to provide them with health care. She thanked the Board for their time and consideration.

Chairman Bagwell thanked Ms. Ringstaff for sharing her concerns. He stated the appropriate boards would be contacted, as well as the health department, and Floyd Medical Center, to forward those concerns. Ms. Ringstaff asked Chairman Bagwell if the Board could provide them with written follow up of the outcome. She stated as she mentioned, they have been looking into these problems, asking for assistance, and talking to Commissioners for over five years now. They keep hearing that the Board will look into these issues, but that never happens. Chairman Bagwell assured Ms. Ringstaff that Commissioner Wallace would contact the health board and Commissioner Fricks would contact the hospital board.

**ADOPTION OF
MINUTES:**

Chairman Bagwell asked County Attorney Virginia Harman if the minutes were in order. Ms. Harman 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 July 22, 2014, and Planning Session of August 06, 2014. SECOND by Commissioner Fricks. VOTING:

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YES

NO

Commissioner Wallace
" Fricks
" Maxey
Chairman Bagwell

Motion Carried

**FIRST READINGS:
(PUBLIC HEARINGS TO BE HELD
ON AUGUST 26, 2014 AT 6:00 PM)**

**AMENDMENT TO CODE OF ORDINANCES
OF FLOYD COUNTY, GEORGIA**

- 1. AMEND CHAPTER 2-6, ARTICLE VI,
SECTIONS 2-6-120 THROUGH 2-6-136,
OF THE CODE OF FLOYD COUNTY,
GEORGIA INVOLVING PERSONAL
WIRELESS COMMUNICATION
FACILITIES. (2014-003A)**

REZONING AND SPECIAL USE PERMIT

- 1. FILE #81-2014Z. REQUEST REZONING
FROM SUBURBAN RESIDENTIAL (S-R)
TO OFFICE INSTITUTIONAL (O-I) WITH
A SPECIAL USE PERMIT TO CONSTRUCT
SCHOOL BUILDING ON PROPERTY ON
ALABAMA HIGHWAY. TAX MAP F13Y,
PARCELS 067, 074 AND 075. (PLANNING
COMMISSION RECOMMENDATION:
APPROVE [VOTE: 6-0]).**
- 2. FILE #83-2014SUP. REQUEST SPECIAL
USE PERMIT FOR CONSTRUCTION OF
A 260' TELECOMMUNICATIONS FACILITY
ON PROPERTY ON ANTIOCH ROAD. TAX
MAP G09, PARCEL 065A. AGRICULTURAL
RESIDENTIAL (A-R). (PLANNING
COMMISSION RECOMMENDATION:
APPROVE [VOTE: 6-0]).**

Chairman Bagwell stated Public Hearings on these items would be held on August 26, 2014 at 6:00 p.m.

**PUBLIC HEARINGS:
(FIRST READINGS HELD
ON JULY 22, 2014)**

Chairman Bagwell reviewed the procedures for Public Hearings.

ULDC TEXT AMENDMENTS:

- 1. REVISE OR DELETE ARTICLE 3,
ARTICLE 4, AND ARTICLE 8
CONCERNING LOCATION OF
FITNESS/TRAINING FACILITIES.
(2014-002ULDC). (PLANNING
COMMISSION RECOMMENDATION:
APPROVE [VOTE: 7-0]).**

Chairman Bagwell asked Ms. Sue Hiller, Rome-Floyd County Planning Director to review the proposed amendment. Ms. Hiller stated the proposed ULDC amendment came about due to people in the fitness industry approaching the planning department to say that fitness has changed somewhat, in that the popular kinds of activities now require bigger, taller, and wider spaces, and the training that goes on in the

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facilities is a lower density kind of training. She stated they have indicated that the buildings they were finding that were suitable for what they wanted to do were zoned light industrial (L-I). She stated most people do not want to rezone from light industrial (L-I) to community commercial (C-C) because light industrial (L-I) zoning is not always easy to get. They researched this by going to other communities and seeing what they do. She stated what they found was that the problem was being addressed by allowing the larger scope, lower density fitness activities such as cross fit, gymnastics, and martial arts training into the light industrial (L-I) zoning district, which is what the Planning Commission is recommending for Board approval.

Chairman Bagwell declared the Public Hearing open, and asked if there is anyone to speak in support or opposition of the request. Seeing none, he declared the Public Hearing closed, and called for a Motion. MOTION was made by Commissioner Wallace to Adopt an Ordinance to Amend Article 3, Article 4, and Article 8 concerning location of fitness/training facilities. SECOND by Commissioner Maxey. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Maxey		
Chairman Bagwell		

Motion Carried

2. REVISE OR DELETE ARTICLE 3, ARTICLE 4, AND ARTICLE 8 CONCERNING LOCATION OF SOLAR PANELS AS ACCESSORY USES AND SOLAR "FARMS" AS PRIMARY USES. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH THE CHANGE THAT "SCREENING VEGETATION SHALL BE PROVIDED OUTSIDE THE SECURITY FENCE MEETING THE STANDARDS OF ARTICLE 6.16.3. [VOTE: 7-0]).

Chairman Bagwell asked Ms. Sue Hiller, Rome-Floyd County Planning Director to review the proposed amendment. Ms. Hiller stated this change to the ULDC was proposed to the planning commission by both property owners in Rome and Floyd County, and by companies who would like to install solar farms and solar panels within Rome and Floyd County. She stated solar farms and solar panels were not previously addressed in the ULDC. The proposed amendment before the Board today is sort of three levels of solar installation. She stated one level would be the solar farm, where there are several acres of solar panels. The second level would be a solar installation, which might be several solar panels that could drive a commercial, agricultural, or even a small industrial office complex. The third level would be the individual or small-scale solar installations seen sometimes on single-family dwellings. She stated the proposed ordinance the Board has before them shows in what zoning districts each of those would be allowed. She stated essentially solar farms could be by right in agriculture residential (A-R) or high-density traditional residential (HT-R) zoning, and by special use permit in light industrial (L-I) and suburban residential (S-R) zoning. The solar panel arrays and solar installations would be allowed in zoning districts mostly by right rather than by special use permit. She stated they go on to give Article 4 amendments that would provide some development standards such as solar panels used should be non-reflective, so they do not have an impact on aviation, and the type of fencing and buffers that would need to be around these properties.

She stated that the Planning Commission recommended Board approval by a unanimous vote. She stated the Planning Commission did request one change related to the screening that would go outside the fence. The Planning Commission also discussed the amount of setback that would be necessary on these properties. She stated she believes that their intent was to have fifty feet of setbacks across the board, although they did not put that into their motion. She suggested adopting the amendment to the code that would allow the solar farms and solar panels, but also directing the Planning Commission to take another look at this to ensure that what they intended was fifty feet of setback.

Chairman Bagwell declared the Public Hearing open, and asked if there is anyone to speak in support or opposition of the request. Seeing none, he declared the Public Hearing closed, and called for a Motion. MOTION was made by Commissioner Maxey to Adopt an Ordinance to Amend Article 3, Article 4, and Article 8 concerning location of solar panels as accessory uses and solar "farms" as primary uses with the change that "screening vegetation shall be provide outside the security fence meeting the standards of Article 6.16.3. SECOND by Commissioner Wallace. VOTING:

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YES NO

Commissioner Wallace
" Fricks
" Maxey
Chairman Bagwell

Motion Carried

CHAIRMAN'S REPORT:

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

Chairman Bagwell made a MOTION to accept the nomination of Denise Downer McKinney to the Hospital Authority of Floyd County to fill the board slot currently occupied by Sam Burrell as a holdover incumbent with the term to expire April 01, 2018. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Wallace
" Fricks
" Maxey
Chairman Bagwell

Motion Carried

Chairman Bagwell made a MOTION to accept the nomination to reappoint David Johnson to the Hospital Authority of Floyd County with the term to expire April 01, 2018. SECOND by Commissioner Wallace. VOTING:

YES NO

Commissioner Wallace
" Fricks
" Maxey
Chairman Bagwell

Motion Carried

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee – Commissioner Fricks, Chairman

No Report.

2. Public Safety Committee – Commissioner Bagwell, Chairman

No Report.

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

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- a. Fire Overview Committee – Chairman Bagwell & Commissioner Fricks
- b. Joint Services Committee – Chairman Bagwell & Commissioner Fricks
- c. Joint Development Oversight Committee – Commissioners Fricks & Wallace
- d. Joint Solid Waste Oversight Committee – Commissioners Fricks & Wallace
- e. SPLOST Project Overview Committee – Chairman Bagwell & Commissioner Fricks
- f. RFPRA Task Force Committee – Commissioners Fricks & Maxey

There were no Special Committee Reports.

CLERK’S REPORT:

4/5 Vote Required to Add Item #8 to Consent Agenda

Consent Agenda

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

County Clerk Kathy Arp requested a 4/5 vote to add item #8, Application for Alcoholic Beverage License, Julie Owens, Julie Enterprises, Inc., dba Ole Tymer Barbecue, 4534 Martha Berry Highway, Rome, GA. (Beer & Wine – New), to the Clerk’s Consent Agenda.

Chairman Bagwell called for a motion. Commissioner Fricks made a MOTION to add Application for Alcoholic Beverage License, Julie Owens, Julie Enterprises, Inc., dba Ole Tymer Barbecue, 4534 Martha Berry Highway, Rome, GA. (Beer & Wine – New), to the Clerk’s Consent Agenda. SECOND by Commissioner Wallace. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Maxey		
Chairman Bagwell		

Motion Carried

County Clerk Kathy Arp stated there are eight 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 Adopt the Resolution to Approve and Authorize Execution of items submitted under the Clerk’s Consent Agenda. SECOND by Commissioner Fricks. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Maxey		
Chairman Bagwell		

Motion Carried

1. Tax Refunds:

- a. Martin Keith Davis, 12 Misty Ridge Drive, \$57.60
- b. Show Case Auto, 609 Shorter Ave, \$20.00

2. Approve and Authorize Transfer of Equipment from Water Department to Surplus and Authorize Disposal of same through GovDeals or other approved method.

3. Approve and Authorize Transfer of Equipment from Surplus and Authorize Disposal of same through GovDeals or other approved method.

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4. Approve and Authorize Execution of Agreement between Floyd County and the Georgia Department of Transportation for an Off System Safety Project. (P.I. Number 0011650) for the placement of standard road signs, roadway striping and stop lines at various locations in Floyd County.
5. Application for Precious Metals Dealer License, Edwin G. Lemus/Rome Pickers, 2523 Shorter Avenue, Rome. (New)
6. Authorize Execution by Chairman of 2015 ACCG Safety Discount Verification.
7. Authorize Budget for Floyd County Department of Family & Children Services.
8. Application for Alcoholic Beverage License, Julie Owens, Julie Enterprises, Inc., dba Ole Tymer Barbecue, 4534 Martha Berry Highway, Rome, GA. (Beer & Wine – New).

MANAGER’S REPORT:

**1. ADOPT RESOLUTION TO APPROVE
AWARD OF BID FOR 2014 TRAFFIC
PAINT AND SIGN MATERIAL.**

Assistant Manager Simon stated bids were received from twenty suppliers for the annual agreement to provide the items on an as needed basis. He stated the recommendation is to award the bid for traffic paint and sign material to the supplier with the lowest price that met specifications for the individual sections.

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution to Award the Bid for 2014 Traffic Paint and Sign Material as recommended by the Purchasing Department. SECOND by Commissioner Fricks. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Maxey		
Chairman Bagwell		

Motion Carried

**2. ADOPT RESOLUTION TO APPROVE
AND AUTHORIZE EXECUTION OF
CHANGE ORDER 001 TO CONTRACT
BETWEEN FLOYD COUNTY AND
LAYNE HEAVY CIVIL, INC., FOR
THE FULTON ROAD WELL
MEMBRANE FILTRATION
FACILITY PROJECT.**

Assistant Manager Simon stated that the contract awarded in June 2014 did not include the SCADA System. He stated the change order would add the SCADA System to the project to be supplied and installed by the contractor. The system would add an additional \$102,000.00 to the original contract, for a revised total of \$2,289,758.62. He stated the Water Committee recommends approval of the change order.

Chairman Bagwell called for a motion. Commissioner Maxey made a MOTION to Adopt the Resolution to Approve and Authorize Execution of Change Order 001, in the amount of \$102,000.00, to the contract between Floyd County and Layne Heavy Civil, Inc., for the Fulton Road Well Membrane Filtration Facility Project. SECOND by Commissioner Fricks. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Maxey		
Chairman Bagwell		

Motion Carried

3. ADOPT RESOLUTION TO APPROVE

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**AND AUTHORIZE EXECUTION OF
AMENDMENT TO THE GEORGIA
ENVIRONMENTAL FINANCE
AUTHORITY (GEFA) LOAN
AGREEMENT AND PROMISSORY
NOTE RELATED TO THE FULTON
ROAD WELL REHABILITATION,
TREATMENT PLANT IMPROVEMENTS
AND INTERCONNECTION WITH
NEIGHBORING SYSTEM.**

Assistant Manager Simon stated the Water Department is requesting an additional \$683,288.50 from GEFA for the project. He stated the funds would be available at the same interest rate as the original loan, which is 1.93%. He stated the loan agreement terms and payback period would remain the same, and the payments would increase approximately \$500.00 per month. He stated the Water Committee recommends approval of the amendment to the loan agreement and promissory note. The Resolution before the Board would request that the GEFA loan be amended so as to request a loan for the additional amount.

Chairman Bagwell called for a motion. Commissioner Maxey made a MOTION to Adopt the Resolution to Request Changes to the Georgia Environmental Finance Authority (GEFA) Loan so as to Request a Loan for an Additional Amount. SECOND by Commissioner Fricks. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Maxey		
Chairman Bagwell		

Motion Carried

**4. ADOPT RESOLUTION TO APPROVE
AND AUTHORIZE 2013 SPLOST
BUDGET FOR FLOYD COUNTY FOR
FISCAL YEAR 2014.**

Assistant Manager Simon stated the 2013 SPLOST Budget is staff's estimation of what would be spent on the SPLOST projects in 2014. He stated that approval of the budget would allow the ability to move forward with some of the work previously discussed and authorized. He stated that monies to be spent immediately are just small dollar amounts for some things that have already been authorized.

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution to Approve and Authorize the 2013 SPLOST Budget for Floyd County for Fiscal Year 2014. SECOND by Commissioner Maxey.

Discussion: Commissioner Maxey asked if this reflects what we are expecting to take in. Assistant Manager Simon stated the budget is in line with collections. He stated the Board would not be approving anything above the revenue collections for 2014. Chairman Bagwell asked Assistant Manager Simon how much they are anticipating spending this year on SPLOST projects. Assistant Manager Simon stated approximately \$5.6 million. Commissioner Fricks asked if \$600,000.00 a month is the correct projected average in collections. (*Comptroller/Finance Director Gary Burkhalter's comments were inaudible.*) Assistant Manager Simon stated that the funds are allocated over roughly thirteen projects. He stated they are not anticipating funding two of the SPLOST projects in 2014. Chairman Bagwell stated \$1,799,300.00 is the amount budgeted. Assistant Manager Simon stated the \$5.6 million he quoted was the total collection amount. Chairman Bagwell stated that they are actively working on every one of the projects. He stated it is just going to take time for them to come to fruition. He stated that he does not believe that the process could be hurried along any faster than it is currently moving, even if they had all of the necessary funds available today. Assistant Manager Simon stated it might appear to the public that the county is not doing a whole lot, but they are doing a lot behind the scenes with the various projects whether it is assessing sites, discussing needs, meeting with contractors and vendors about the projects, and so on. He stated a great deal of time is spent working on these projects, getting all of the pieces together, and having everything ready so they are good to go when they do get the green light. Chairman Bagwell asked Assistant Manager Simon when he would be able to provide the Board with the timeline and cash flow information. Assistant Manager Simon stated they are working on that, and it should be available by the next Board meeting. VOTING:

	YES	NO
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Commissioner Wallace
" Fricks
" Maxey
Chairman Bagwell

Motion Carried

5. ADOPT RESOLUTION TO APPROVE AND AUTHORIZE EXECUTION OF AN ISDA CREDIT SUPPORT ANNEX, JP MORGAN AUGUST 2012 AND MARCH 2013 BILATERAL DODD-FRANK AGREEMENTS, AND TO AUTHORIZE AND ADOPT CERTAIN POLICIES AND PROCEDURES FOR SWAP TRANSACTIONS IN COMPLIANCE WITH THE WALL STREET TRANSPARENCY AND ACCOUNTABILITY ACT.

Assistant Manager Simon stated the information before the Commission would bring the county in compliance with the Dodd-Frank Wall Street Reform and Consumer Protection Act (the "Wall Street Transparency and Accountability Act"). He stated the cost for the county would be 200.00 annually

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution to Approve and Authorize Execution of an ISDA Credit Support Annex, JP Morgan August 2012 and March 2013 Bilateral Dodd-Frank Agreements, and to Authorize and Adopt Certain Policies and Procedures for Swap Transactions in Compliance with the Wall Street Transparency and Accountability Act. SECOND by Commissioner Maxey. VOTING:

YES NO

Commissioner Wallace
" Fricks
" Maxey
Chairman Bagwell

Motion Carried

OTHER BUSINESS:

4/5 Vote Required

1. INITIATE ULDC TEXT AMENDMENT RELATED TO BUFFERS FOR SOLAR FARMS.

Chairman Bagwell called for a motion to add this item to the agenda. Commissioner Wallace made a MOTION add the item to Initiate a ULDC Text Amendment Related to Buffers for Solar Farms to the Agenda. SECOND by Commissioner Maxey. VOTING:

YES NO

Commissioner Wallace
" Fricks
" Maxey
Chairman Bagwell

Motion Carried

Chairman Bagwell stated called for a motion. Commissioner Maxey made a MOTION for the Board of Commissioners to Initiate a ULDC Text Amendment related to Buffers for Solar Farms. SECOND by Commissioner Wallace. VOTING:

YES NO

Commissioner Wallace
" Fricks
" Maxey

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Chairman Bagwell

Motion Carried

ADJOURNMENT:

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

YES NO

Commissioner Wallace

" Fricks

" Maxey

Chairman Bagwell

Motion Carried

ATTEST:

FLOYD COUNTY BOARD OF COMMISSIONERS

KATHY M. ARP, COUNTY CLERK

IRWIN BAGWELL, CHAIRMAN

FLOYD COUNTY BOARD OF COMMISSIONERS

CAUCUS

August 12, 2014 1:00 PM

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

Absent: Commissioner John Mayes.

Allison Watters and Nancy Knight presented information to the Commissioners regarding the Claws for Paws organization.

Marilyn Ringstaff discussed funding for the Women of WORTH Clinic of Rome.

Commissioners and staff reviewed items on the agenda for the meeting of August 12, 2014.

ATTEST:

FLOYD COUNTY BOARD OF COMMISSIONERS

KATHY M. ARP, COUNTY CLERK

IRWIN BAGWELL, CHAIRMAN