

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS  
SEPTEMBER 23, 2014 6:00 P.M.**

**PRESENT:** Chairman Irwin Bagwell, Vice-Chairman Larry Maxey, Commissioners Garry Fricks, 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 Wallace led the Invocation.

**PLEDGE OF**

**ALLEGIANCE:** Commissioner Maxey led the Pledge of Allegiance.

**PUBLIC PARTICIPATION:**

**RECOGNIZE FLOYD COUNTY RETIREES:**

The Board recognized the following employees for their years of service to Floyd County.

A Proclamation and plaque was presented to John Morris, Water Department, for his 29 years, 11 months of service.

(Proclamation/Resolution Book, Page 61)

Plaques were presented to the following employees recognizing their years of service:

John Satterfield, Animal Control, 26 years, 2 months  
Bill Curtis, Public Works Department, 22 years, 3 months  
Jesse Adams, Floyd County Police Department, 22 years, 1 month  
David Ledbetter, Floyd County Prison, 20 years, 7 months  
Anthony Maynard, Floyd County Prison, 19 years, 10 months  
Sheryl Allen, Finance Department, 19 years, 3 months  
James Mewborn, Floyd County Sheriff's Office, 15 years, 10 months  
Raymond Stock, Floyd County Police Department, 14 years, 3 months  
Lloyd Stager, Public Works Department, 13 years, 7 months  
Jimmy Brownlow, Water Department, 13 years, 1 month  
Betty Sue Robinson, Floyd County Sheriff's Office/Jail, 13 years  
Jimmy Bowers, Floyd County Sheriff's Office, 10 years, 9 months  
Michael Dodson, Floyd County Prison, 9 years, 2 months  
Pat McConnell, Finance Department, 6 years, 1 month

The Chairman thanked the employees for all their years of dedicated service to the county.

**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 Caucus and Regular Meeting of September 09, 2014. SECOND by Commissioner Maxey. VOTING:

YES                      NO

Commissioner Wallace  
"      Fricks  
"      Mayes

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" Maxey  
Chairman Bagwell

Motion Carried

**PROCLAMATIONS:**

**NATIONAL PREPAREDNESS  
MONTH:**

Commissioner Wallace presented Tim Herrington, Acting Emergency Management Director, with a Proclamation recognizing September 2014 as National Preparedness Month.

Mr. Herrington stated that the Emergency Management Agency would be hosting a Preparedness Expo on September 26, 2014 from 6:00 p.m. to 8:00 p.m. at The Forum. He encouraged the community to come out and participate. He thanked the Board for their continued support and recognition of National Preparedness Month.

(Proclamation/Resolution Book, Page 62)

**PUBLIC HEARINGS:  
(FIRST READINGS HELD  
ON SEPTEMBER 09, 2014)**

Chairman Bagwell reviewed the procedures for Public Hearings.

**REQUESTS FOR REZONING**

- 1. FILE #92-2014Z. REQUEST REZONING FROM SUBURBAN RESIDENTIAL (S-R) TO COMMUNITY COMMERCIAL (C-C) FOR DAY CARE CENTER ON PROPERTY LOCATED ON WHAT IS COMMONLY KNOWN AS BURTON ROAD. FLOYD COUNTY TAX MAP K13W, PARCEL 095. (PLANNING COMMISSION RECOMMENDATION: APPROVE WITH CONDITION OF LIMITING POTENTIAL USES TO DAY CARE CENTER, AND ANY USES ALLOWED IN OFFICE INSTITUTIONAL (O-I), NEIGHBORHOOD-OFFICE-COMMERCIAL (N-O-C) OR SUBURBAN RESIDENTIAL (S-R) ZONING DISTRICTS. [VOTE: 7-0]).**

Chairman Bagwell asked Ms. Sue Hiller, Rome-Floyd County Planning Director to review the rezoning request. Ms. Hiller stated the property to the north of the subject property is zoned Suburban Residential (S-R) and undeveloped. To the south and east is property that is zoned S-R and developed with a church and single-family dwellings. The property to the west is zoned Community Commercial (C-C) and is used by a construction contractor as a contractor storage yard, along with property zoned multi-family residential that is undeveloped, and property that is zoned suburban residential. She stated in the vicinity, two undeveloped properties were zoned C-C in 2003 and 2006. She stated the site plan submitted indicates that the property would be used as is, except for the future addition of parking spaces. She stated Board of Adjustment action is necessary because of drive isle widths and parking spaces. They currently provide seventeen spaces, but twenty-four are required. She stated additional standards for day care centers include having a drop off/pick up location, adequate outdoor play area, state license, and access from an arterial road. The Board of Adjustments granted approval on September 16, 2014 for existing development only, so any future development would have to meet those standards, or apply for additional Board of Adjustment action. She stated services and utilities are all available except for public sewer. The property is not shown on FIRM maps as being within a flood plain. She stated the Future Land Use Map (FLUM) indicates public institutional use for the property. The aerial photo shows the property with the development on it, which has been used as a school for about fourteen years. She stated the Planning Commission unanimously recommended Board approval of the rezoning request.

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

**Support: Eric Munn, PO Box 441, Rome,** stated he is the Head of Unity Christian School. He

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stated they have combined their campuses, vacating the Burton Road campus. He would like the Board to consider that the building was built forty-one years ago as a school by Trinity Christian Academy. He stated it has been a school or day care since it was built, so the buyer is not changing the use of the property or facility. The only kind of buyer that they would be able to find is someone interested in a school or day care facility for them to be able to sell the property. He thanked the Board.

**Steve Graves, 332 Rosedale Road, Armuchee**, stated he is the realtor involved in the transaction. He stated they would like the Board to consider approving the rezoning request. According to what Ms. Hiller is saying, the Department of Transportation did not want any other access coming out into Calhoun Road. He stated they feel that there would be less of an impact with the facility being used as a day care because unlike Unity Christian School, the parents would rotate dropping kids off and picking them up at sporadic times during the day.

**Joey Cross, 4 N. Ivy Ridge Road**, stated he has operated childcare centers in Rome for twenty years. He stated he would be operating a childcare center at this location if the rezoning is approved and the purchase goes through. He would be glad to answer any questions that the Board may have as far as the operations of the center, and how it may affect the area. He thanked the Board for allowing him to speak.

There being no one to speak in opposition, Chairman Bagwell declared the Public Hearing closed, and called for a Motion. Commissioner Maxey made a MOTION to Adopt an Ordinance to Approve the Rezoning from Suburban Residential (S-R) to Community Commercial (C-C) for day care center on property located on what is commonly known as Burton Road. SECOND by Commissioner Wallace. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Mayes		
" Maxey		
Chairman Bagwell		

Motion Carried

**ULDC TEXT AMENDMENTS**

- 1. AMENDMENT TO THE UNIFIED LAND DEVELOPMENT CODE OF FLOYD COUNTY AND THE CITY OF ROME, GEORGIA (THE "ULDC") TO AMEND ARTICLE 4, SECTION 4.2.17 OF THE ULDC CONCERNING SOLAR FARMS. (2014-004ULDC) (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 7-0]).**

Chairman Bagwell asked Ms. Sue Hiller, Rome-Floyd County Planning Director to review the proposed text amendment. Ms. Hiller stated during discussion at the Planning Commission meeting, it was pointed out that at the time the Board adopted the amendment to the ULDC that would allow solar farms, it was not included that the setback for property lines in every direction should be 50' regardless of what zoning district it is in. She stated it was brought up partly because the folks from the industry who were at the Planning Commission meeting pointed out that it allows them room for a fence, and room to do their vegetation for screening without having the trees and fence shade the solar panels, which would defeat the purpose of having the solar panels there. She stated the recommended language be "Solar farms shall be setback from the property line a minimum of 50' in every zoning district where allowed by right or by special use permit."

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. Commissioner Mayes made a MOTION to Adopt an Ordinance to Approve the Amendment to the Unified Land Development Code of Floyd County and the City of Rome, Georgia (the "ULDC") to Amend Article 4, Section 4.2.17 of the ULDC concerning Solar Farms. SECOND by Commissioner Maxey. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		

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" Mayes  
" Maxey  
Chairman Bagwell

Motion Carried

**2. AMENDMENT TO THE UNIFIED LAND DEVELOPMENT CODE OF FLOYD COUNTY AND THE CITY OF ROME, GEORGIA (THE "ULDC") TO AMEND ARTICLE 3, SECTION 3.4, TABLE 3-2; TO AMEND ARTICLE 4, SECTION 4.1.2; AND TO AMEND ARTICLE 8, REGARDING TEMPORARY STORAGE OF VEHICLES. (2014-005ULDC) (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 6-1]).**

Chairman Bagwell asked Ms. Sue Hiller, Rome-Floyd County Planning Director to review the proposed text amendment. Ms. Hiller stated the amendment essentially adds a new use to the ULDC called "temporary vehicle storage." She stated it is defined as the temporary outdoor storage of vehicles on property, which may also contain an office. It also changes the development standards that would apply to this use by removing the current 100' setback from property lines, and 200' from residential property lines. She stated the amendment would allow the use to be located in a community commercial zoning district with a special use permit, as well as in heavy commercial and light industrial by right, as it is now.

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. Commissioner Maxey made a MOTION to Adopt an Ordinance to Approve the Amendment to the Unified Land Development Code of Floyd County and the City of Rome, Georgia (the "ULDC") to Amend Article 3, Section 3.4, Table 3-2; to Amend Article 4, Section 4.1.2; and to Amend Article 8, regarding temporary storage of vehicles. SECOND by Commissioner Wallace. 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 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.

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**7. Special Committee Reports**

- 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. **RFPPRA Task Force Committee – Commissioners Fricks & Maxey**

There were no Special Committee Reports.

**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 five 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 a Resolution to Approve and Authorize Execution of the items submitted under the Clerk’s Consent Agenda. SECOND by Commissioner Mayes. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Mayes		
" Maxey		
Chairman Bagwell		

Motion Carried

- 1. **Request from Tax Commissioner for removal of bills from the Tax Commissioner’s Roll, in the amount of \$4,665.28, and that the taxes be relieved from the books as outlined in the memo from the Tax Commissioner and attached list dated September 02, 2014.**
- 2. **Grant Award for the FY2014 Byrne Justice Assistance (JAG) Program (2014-DJ-BX-1169), in the amount of \$19,431.00.**
- 3. **Georgia Emergency Management Agency 2014 Performance Partnership Agreement between the Georgia Emergency Management Agency-Homeland Security and Floyd County and a Georgia Emergency Management Agency Statement of Subgrant Award (GEMA Project ID: OEM14-059, Federal Award Number EMW-2014-0073).**
- 4. **Temporary Alcoholic Beverage License, Virginia Kibler, Harvest Moon Café, 234 Broad Street, Rome. Event Location: Richard B. Russell Regional Airport, October 17, 18 and 19, 2014. Beer & Wine.**
- 5. **Amendment IV to Agreement between Floyd County and Valley Services, Inc., for Inmate Food Services at Floyd County Prison for the period October 01, 2014 to September 30, 2015.**

**MANAGER’S REPORT:**

- 1. **ADOPT RESOLUTION TO APPROVE AND AUTHORIZE REVISION TO RENEWAL DATE OF EMPLOYEE HEALTH INSURANCE, AND THE EMPLOYEE HEALTH INSURANCE**

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**RATES EFFECTIVE NOVEMBER 01, 2014.**

County Manager McCord stated it was discussed the premium increases would vary between zero and two percent depending on discounts and eligibility for those discounts, with employer contribution similarly increasing. He stated the premiums reflect a \$55.00 non-tobacco use discount and a \$70.00 wellness discount. Based on claims history, the stop loss deductible was increased from \$100,000.00 to \$250,000.00. He recommended approval as submitted.

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt a Resolution to Approve and Authorize Revision to Renewal Date of Employee Health Insurance, and the Employee Health Insurance Rates effective November 01, 2014. SECOND by Commissioner Fricks. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Mayes		
" Maxey		
Chairman Bagwell		

Motion Carried

**2. ADOPT RESOLUTION TO APPROVE THE AWARD OF BID AND THE EXECUTION OF AGREEMENT BETWEEN FLOYD COUNTY AND T&T COMMERCIAL SERVICES, LLC, FOR CHILLER REPLACEMENT AT ROME-FLOYD COUNTY LIBRARY, IN THE AMOUNT OF \$89,957.00. (2003 SPLOST)**

County Manager McCord stated the chiller replacement at the Library is the first of several energy efficiency improvements that will be completed as part of the 2013 SPLOST. He stated sealed bids were received, with the low bid coming in at \$89,957.00. The library was approved for a state library facilities grant that would pay up to fifty percent of the total project amount, which would leave the county responsible for \$44,978.00. He stated the county would cash flow the project from SPLOST funds, and then the state would reimburse the county with the grant funds of \$44,978.00. The improvement would be a good step moving forward for the library. He stated the chiller is thirteen years old, and several years past due for replacement. The replacement will give them a new control system along with the chiller to improve their energy efficiency. He recommended awarding the bid and executing the agreement with T&T Commercial Services, LLC, for the chiller replacement at the library in the amount of \$89,957.00.

Chairman Bagwell called for a motion. Commissioner Maxey made a MOTION to Adopt a Resolution to Approve the Award of Bid and the Execution of an Agreement between Floyd County and T&T Commercial Services, LLC, for Chiller Replacement at the Rome-Floyd County Library, in the amount of \$89,957.00. SECOND by Commissioner Wallace. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Mayes		
" Maxey		
Chairman Bagwell		

Motion Carried

**3. ADOPT RESOLUTION TO APPROVE THE AWARD OF BID FOR A BUCKET TRUCK FOR THE PUBLIC WORKS DEPARTMENT.**

County Manager McCord stated six bids were recently received for a used bucket truck for the Public Works Department. He stated they found an acceptable bid that met specifications for a 2004 GMC line truck with a utility body with a mileage of 90,091 miles. He stated the original bid was \$39,500.00. They were able to negotiate a couple of repairs, resulting in a reduced bid amount of \$33,500.00. He stated

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Public Works had budgeted \$30,000.00 in the capital fund for the purchase of a bucket truck. The Public Works Department had savings from other capital purchases earlier in the year that would cover the additional \$3,500.00. He stated the recommendation is to award the bid for a 2004 GMC bucket truck for Public Works to Sagon Truck and Equipment, Inc., in the amount of \$33,500.00.

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt a Resolution to Approve the Award of Bid for a 2004 GMC Bucket Truck for the Public Works Department from Sagon Truck & Equipment, Inc., in the amount of \$33,500.00. SECOND by Commissioner Fricks. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Mayes		
" Maxey		
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		
" Mayes		
" Maxey		
Chairman Bagwell		

Motion Carried

**ATTEST:**

**KATHY M. ARP, COUNTY CLERK**

**FLOYD COUNTY BOARD OF COMMISSIONERS**

**IRWIN BAGWELL, CHAIRMAN**

**FLOYD COUNTY BOARD OF COMMISSIONERS  
CAUCUS  
September 23, 2014 5:00 PM**

Present: Chairman Irwin Bagwell, Vice-Chairman Larry Maxey, Commissioners Garry Fricks, 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.

Commissioners and staff reviewed items on the agenda for the meeting of September 23, 2014.

**ATTEST:**

**KATHY M. ARP, COUNTY CLERK**

**FLOYD COUNTY BOARD OF COMMISSIONERS**

**IRWIN BAGWELL, CHAIRMAN**