

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS**

OCTOBER 28, 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, and County Clerk Kathy Arp.

**CALL TO
ORDER:** Chairman Bagwell called the meeting to order.

INVOCATION: Commissioner Mayes led the Invocation.

**PLEDGE OF
ALLEGIANCE:** Commissioner Wallace led the Pledge of Allegiance.

**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 October 14, 2014. SECOND by Commissioner Maxey.

VOTING:

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

Motion Carried

PROCLAMATIONS:

**ROME-FLOYD COUNTY COMMISSION
ON CHILDREN & YOUTH SILVER
ANNIVERSARY:**

Commissioner Wallace presented Carol Willis, Rome-Floyd County Commission on Children & Youth Executive Director, with a Joint Floyd County and City of Rome Proclamation recognizing the Silver Anniversary of Rome-Floyd County Commission on Children & Youth.

Ms. Willis introduced board members Jackie Harrison, Jim Burton, Judge Greg Price, and John Burnette. She stated that they are very appreciative to the Board for their ongoing support of the Rome-Floyd County Commission on Children & Youth.

(Proclamation/Resolution Book, Page 65)

**BULLYING AWARENESS
AND PREVENTION:**

Chairman Bagwell stated a Joint Floyd County and City of Rome Proclamation recognizing Bullying Awareness and Prevention will be entered into the minutes.

(Proclamation/Resolution Book, Page 66)

RETIRED EDUCATORS DAY:

Commissioner Fricks presented Diana Lanham, Floyd-Rome Retired Educators President, with a Joint Floyd County and City of Rome Proclamation recognizing November 2, 2014 as Retired Educators.

Ms. Lanham stated there are currently 1,207 retired educators in Floyd County. She thanked the Board for the recognition.

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(Proclamation/Resolution Book, Page 67)

**DEVELOPMENTAL DISABILITY
AWARENESS DAY:**

Commissioner Maxey presented Pam Hunter Dempsey, All About Mental Disabilities, with a Joint Floyd County and City of Rome Proclamation recognizing November 06, 2014 as Developmental Disability Awareness Day.

Ms. Dempsey invited everyone to “Conversations That Matter” on behalf of All About Mental Disabilities on November 6, 2014. She stated these events are hosted across the state, and will include conversations with state leaders from the Department of Behavioral Health and Developmental Disabilities regarding employment options, partnerships, as well as other exciting opportunities for persons with developmental disabilities. She thanked the Board for their recognition and support.

(Proclamation/Resolution Book, Page 68)

**PUBLIC HEARINGS:
(FIRST READINGS HELD
ON OCTOBER 14, 2014)**

Chairman Bagwell reviewed the procedures for Public Hearings.

REQUESTS FOR SPECIAL USE PERMIT

- 1. FILE #102-2014SUP. REQUESTS SPECIAL
USE PERMIT TO CONSTRUCT A SOLAR
FARM ON PROPERTY ON ALABAMA
HIGHWAY. TAX MAP F13Z, PARCEL 202.
SUBURBAN RESIDENTIAL (S-R). (PLANNING
COMMISSION RECOMMENDATION:
APPROVE CONDITIONED ON A PLAT BEING
PREPARED AND RECORDED; AND THAT
NATURAL VEGETATION BE PRESERVED
AS A BUFFER ON NORTH, SOUTH, AND
EAST SIDES. [VOTE: 6-0]).**

Chairman Bagwell asked Ms. Sue Hiller, Rome-Floyd County Planning Director to review the special use permit request. Ms. Hiller stated that the subject property is zoned suburban residential. She stated that with a recently adopted amendment to the ULDC, a solar farm could be placed in the suburban residential zoning district with a special use permit. She stated that the total acreage of the subject property is approximately thirty-eight acres, with approximately eleven acres to be designated and developed with solar panels. She stated there is some residential development to the north and west of the subject property, with a brick plant to the south, and undeveloped land to the east. There is also some scattered commercial development in this area. All services and utilities are available. She stated that although part of the property is within a flood plain, the area where the panels would be placed is not. She stated there is a stream that runs through, but it is not shown as a flood way. She stated that once built, solar farms are low impact land uses because there is minimal associated traffic, activity, noise, dust, smoke, or light. She stated with adequate fencing and screening, visual impacts are minimal. The ULDC requires fifty feet of setbacks for solar farms with a fence and vegetative buffer on all sides. She stated the site plan indicates the fifty-foot wide setback, with trees planted on the west side along the road, and an existing natural vegetation buffer on the north. Due to a buffer being required on all sides, the Planning Commission, as well as the staff, felt that natural vegetation should be preserved on north, south, and east sides if that is their choice for buffering. She stated because the zoning action is intended to address only eight to ten acres, and the site plan submitted shows that it is actually a little closer to eleven acres, a recommendation for approval should also include a condition that a plat be prepared and recorded to show that specific lot. She stated this comes to the Board with a unanimous recommendation from the Planning Commission to approve with the conditions that a plat be prepared and recorded, and that natural vegetation be preserved as a buffer on the north, south, and east sides if the applicant’s choice is to use natural vegetation rather than planting a new buffer.

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 Special Use Permit to construct a solar farm on property on Alabama Highway Tax Map F13Z, Parcel 202, conditioned on a plat being prepared and recorded, and that natural vegetation be preserved as a buffer on the north, south, and east sides. SECOND by Commissioner Wallace. VOTING:

YES

NO

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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.

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

- 1) Consider recommendation from the Joint Solid Waste Oversight Committee to increase Landfill Fees.

Defer.

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

County Manager McCord stated he would like to give a brief update on Phase I and Phase II of the Environmental Study underway on the North Avenue site for the new Animal Control and the Special Operations facilities. He stated the preliminary process of that report has been completed. He stated there was one area that indicated levels exceeding the allowable limits for arsenic and barium, which are naturally occurring in northwest Georgia. He stated there is a need for additional studies to investigate what a remediation plan would be for that one site, or to prove that it is naturally occurring. He stated they are in the process of completing remediation and he hopes to have information within a week or so. He stated that overall, everything looks good.

f. RFPRA Task Force Committee – Commissioners Fricks & Maxey

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Chairman Bagwell stated he believes the RFPRA Task Force Committee has a meeting tentatively scheduled for November 10, 2014. County Manager McCord stated the meeting would be at 9:00 a.m. in the conference room of the Floyd County Administrative Building.

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 requested that item #5 be removed from the Consent Agenda, stating that there was a request by the attorneys to withdraw the item at the current time. Ms. Arp stated items #1 through #4 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 1-4 submitted under the Clerk’s Consent Agenda. SECOND by Commissioner Fricks. VOTING:

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

Motion Carried

- 1. Request from Tax Commissioner to remove bills from the Tax Commissioner’s Roll in the amount of \$4,353.28, and that the taxes be relieved from the books as outlined in the memo from the Tax Commissioner and attached list dated October 08, 2014.
- 2. Temporary Alcoholic Beverage License, Barbara Beninato, Rome Symphony Orchestra, Inc., 21 John Maddox Drive, Rome. Event Location: Richard B. Russell Regional Airport, November 07, 2014. Wine.
- 3. Adopt Resolution to Approve and Authorize Inclusion of East West Bank to the list of Designated Depositories of Floyd County to Provide Banking and Investment Services.
- 4. Resolution to Approve and Authorize Execution of Amendment to Intergovernmental Agreement between Floyd County and the City of Rome Regarding Certain Properties.

MANAGER’S REPORT:

- 1. ADOPT RESOLUTION TO APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT BETWEEN FLOYD COUNTY AND NORTH GEORGIA CONSULTING GROUP, LLC, FOR HAZARD MITIGATION PLAN UPDATE. (DEFERRED OCTOBER 14, 2014)
- 2. ADOPT RESOLUTION TO APPROVE AND AUTHORIZE GENERATOR REPAIRS TO THE BERRY, SHANNON AND LAKE MARVIN COMMUNICATION TOWER SITES.

Defer.

County Manager McCord requested that this item be deferred or withdrawn. He stated that conference calls were held with both Harris Communications and Williams Communications this week to discuss the issues. He stated that he would like to clarify that they have power, back-up generators, and back-up batteries at every tower site. What they do not have is an automatic switch that turns on the back-up generators when there is a power failure. He stated staff would physically have to go to the three sites that have been damaged by either power surges or lighting in past several months to turn on the generators. The three sites are the Shannon, Lake Marvin, and Berry sites. He stated everything functions, but if there were a

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power failure, they would have to go to the site to start the generator. There is no danger in the system, or danger of the system not functioning. He stated they have communicated with the contractor that installed this. They have a warranty with specific language in the contract that protects them from power surges and lightening. He stated the contractor even indicated that the county has additional protection above and beyond what they normally recommend. He stated there might possibly be an issue with the grounding. He stated it could potentially be a design flaw, or it could potentially be an installation flaw. He will continue to work on this, and will keep the Board notified and up to date.

3. **RESOLUTION TO RESCIND THE APPROVAL OF THE PREVIOUS AWARD OF BID TO PRATER FORD AND TO APPROVE THE AWARD OF BID TO LANGDALE CHEVROLET FOR VAN FOR THE FLOYD COUNTY PRISON.**

County Manager McCord stated that Prater Ford has notified the county that they are unable to provide the vehicle for the bid price. He recommended rescinding the approval of the previous award to Prater Ford, and to adopt a resolution to approve award of bid to Langdale Chevrolet for a 2015 Chevrolet CG33706 15-passenger van in the amount of \$26,530.00 for the Floyd County Prison and Work Release Center.

Chairman Bagwell called for a motion. Commissioner Mayes made a MOTION to Adopt a Resolution to Rescind the Approval of the Previous Award of Bid to Prater Ford and to Approve the Award of Bid to Langdale Chevrolet for a 2015 Chevrolet CG33706 15-passenger van in the amount of \$26,530.00 for the Floyd County Prison and Work Release Center. SECOND by Commissioner Maxey.

Discussion: Chairman Bagwell asked County Manager McCord if any bids were received from local dealers. County Manager McCord stated no. He stated that they contacted the local dealers, and they acknowledged that they did not bid. He stated it is an issue of having these vehicles in stock. He stated the local dealers had the newer versions of this type van. He stated this is the last year model that this style will be available, specifically by Ford. The local dealers did not have any in stock. He stated the ones that they could order were twenty-plus weeks out on delivery time with a significantly higher price. VOTING:

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

Motion Carried

4. **RESOLUTION TO APPROVE AND AUTHORIZE DESIGNATION OF PROCEEDS FROM RIGHT OF WAY FOR HIGHWAY 140 PROPERTIES OWNED BY THE ROME-FLOYD COUNTY DEVELOPMENT AUTHORITY AND THE DEVELOPMENT AUTHORITY OF FLOYD COUNTY.**

County Manager McCord stated this item relates to the sale of right-of-way as part of the Georgia Department of Transportation Highway 140 widening project from I-75 to SR 53. He stated the Rome-Floyd County Development Authority and the Development Authority of Floyd County own property through a joint agreement for both the intersection at Prosperity Way and the 100-acre site at the northwest intersection of 140 and SR 53. The Georgia Department of Transportation needs to acquire right-of-way to complete the Highway 140 widening project. He stated part of that acreage, .427 acres on the east side and 2.02 acres on the west side of SR 53 will come off property owned by the two authorities. He stated both Authorities have authorized this. Per the joint agreement, the county must approve all sales of property. He stated the funds from the sales of the rights of way would be credited to the Development Authority of Floyd County and they would receive credit for the debt payment that is to be made. The amount would be \$44,110 for the 2.02 acres plus \$9,610.00 for the .427 acres for a total amount of \$53,720.00. He the Development Authority of Floyd County would credited as having paid the county these amounts as part of its contractual obligation.

Chairman Bagwell called for a motion. Commissioner Wallace made a MOTION to Adopt a Resolution to Approve and Authorize Designation of Proceeds from Right of Way for Highway 140

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properties owned by the Rome-Floyd County Development Authority and the Development Authority of Floyd County. 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 Fricks, that the meeting be adjourned. VOTING:

YES	NO
Commissioner Wallace	
"	Fricks
"	Mayes
"	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
October 28, 2014 4:30 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, and Comptroller/Finance Director Gary Burkhalter.

Mike Mathews, Airport Manager, provided an overview of the recent Wings Over North Georgia Airshow at Richard B. Russell Regional Airport on October 17 -19, 2014.

Commissioners and staff reviewed items on the agenda for the meeting of October 28, 2014.

ATTEST:	FLOYD COUNTY BOARD OF COMMISSIONERS
KATHY M. ARP, COUNTY CLERK	IRWIN BAGWELL, CHAIRMAN