

**REGULAR MEETING**  
**FLOYD COUNTY BOARD OF COMMISSIONERS**  
**January 13, 2015                    2:00 P.M.**

**PRESENT:** Commissioners Irwin Bagwell, Garry Fricks, Scotty Hancock, Larry Maxey, and Rhonda Wallace.

**OTHERS PRESENT:** County Manager Jamie McCord, County Attorney Tommy Manning, and County Clerk Kathy Arp.

**CALL TO ORDER:** County Attorney Manning called the meeting to order.

**INVOCATION:** Commissioner Wallace led the Invocation.

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

**APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN:**

County Attorney Manning stated the Commission has before them the issue of the appointment of a Chairman and a Vice-Chairman for the Floyd County Board of Commissioners. He called for a motion to appoint a Chairman.

Commissioner Bagwell made a MOTION to appoint Commissioner Maxey as Chairman. SECOND by Commissioner Wallace. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Bagwell		
" Maxey		
" Hancock		

Motion Carried

County Attorney Manning turned the meeting over to Chairman Maxey. Chairman Maxey called for a motion to appoint a Vice-Chairman. Commissioner Bagwell made a MOTION to appoint Commissioner Fricks as Vice-Chairman. SECOND by Chairman Maxey. VOTING:

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

Motion Carried

**ADOPTION OF MINUTES:**

Chairman Maxey asked County Attorney Tommy Manning if the minutes were in order. Mr. Manning stated the minutes had been reviewed and were in order. Commissioner Bagwell made a MOTION to adopt the minutes of the Caucus and Regular Meeting of December 09, 2014. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

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**RESOLUTIONS:**

**1. ADOPT RESOLUTION REGARDING  
MATTERS RELATED TO THE  
COLLECTION OF TAXES:**

Chairman Maxey called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution Regarding Matters Related to the Collection of Taxes for the year 2015. SECOND by Commissioner Fricks. VOTING:

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

Motion Carried

**2. HIRING RESOLUTIONS:**

**a. COUNTY MANAGER**

Chairman Maxey called for a motion. Commissioner Bagwell made a MOTION to Adopt the Hiring Resolution appointing Jamie McCord as Floyd County Manager for the year 2015. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

**b. COUNTY ATTORNEY**

Chairman Maxey called for a motion. Commissioner Bagwell made a MOTION to Adopt the Hiring Resolution appointing McRae, Stegall, Peek, Harman, Smith and Manning, LLP, as County Attorney for the year 2015. SECOND by Commissioner Fricks. VOTING:

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

Motion Carried

**c. COUNTY AUDITOR**

Chairman Maxey called for a motion. Commissioner Bagwell made a MOTION to Adopt the Hiring Resolution appointing Mauldin & Jenkins, LLC, as County Auditor for the year 2015. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

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**3. ADOPT RESOLUTION REGARDING  
DESIGNATION OF DEPOSITORIES  
OF FLOYD COUNTY:**

Chairman Maxey called for a motion. Commissioner Wallace made a MOTION to Adopt the Resolution Designating the Depositories of Floyd County for the year 2015. SECOND by Bagwell. VOTING:

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

Motion Carried

**FIRST READINGS:  
(PUBLIC HEARINGS TO BE HELD  
JANUARY 27, 2015 AT 6:00 PM)**

**ULDC TEXT AMENDMENTS**

- 1. REVISE OR DELETE ARTICLE 3.4  
TABLE 3-1 CONCERNING SPECIAL  
EVENTS/SPECIAL EVENTS VENUES  
IN THE AGRICULTURAL  
RESIDENTIAL (A-R) AND SUBURBAN  
RESIDENTIAL (S-R) ZONING DISTRICTS.  
(2015-003ULDC) (PLANNING COMMISSION  
RECOMMENDATION: APPROVE WITH THE  
CONDITION THAT A SPECIAL USE PERMIT  
SYMBOL (◊) BE ADDED TO THE OFFICE  
INSTITUTIONAL (O-I) COLUMN. [VOTE: 6-0]).**

Chairman Maxey stated the Public Hearing on this item would be held on January 27, 2015 at 6:00 p.m.

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

Chairman Maxey reviewed the procedures for Public Hearings.

**ULDC TEXT AMENDMENTS**

- 1. REVISE OR DELETE ARTICLE  
3.5, TABLE 3-3, CONCERNING  
DENSITY IN THE CENTRAL  
BUSINESS COMMERCIAL (C-B-C)  
ZONING DISTRICT. (2015-001ULDC)  
(PLANNING COMMISSION  
RECOMMENDATION: APPROVE.  
[VOTE: 9-0].)**

Chairman Maxey asked for an overview of the proposed text amendment. County Attorney Manning stated that in Ms. Hiller's absence he would provide background information concerning the proposed amendment to the ULDC. He stated the proposed change to Table 3-3 of the ULDC would be from thirty-five units per acre, under the use or density heading, to none. He stated this would mean there would be no requirement of a specific number of units per acre in the Central Business Commercial (C-B-C) district. He stated that usually the central business commercial zoning district does not affect the unincorporated area.

Chairman Maxey declared the Public Hearing open, and asked if there is anyone to speak in support or opposition of the proposed amendment. Seeing none, he declared the Public Hearing closed, and called for a Motion. Commissioner Bagwell made a MOTION to Adopt the Ordinance to Amend Article 3.5, Table 3-3, concerning density in the Central Business Commercial (C-B-C) zoning district. SECOND by Commissioner Fricks. VOTING:

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YES NO

Commissioner Wallace  
" Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**2. REVISE OR DELETE ARTICLE 3.4,  
TABLE 3-2, CONCERNING DAY  
CARE CENTER IN THE OFFICE  
INSTITUTIONAL (O-I) ZONING  
DISTRICT. (2015-002ULDC) (PLANNING  
COMMISSION RECOMMENDATION:  
APPROVE [VOTE: 9-0]).**

Chairman Maxey asked for an overview of the proposed text amendment. County Manager McCord stated that in the last couple of years there have been three or four different occasions where there has been an appropriate setting for a day care of nineteen persons or more in the office institutional zoning, but a day care center is currently not allowed in that zoning district. The property would have had to be rezoned to community commercial to be able to expand a grandfathered use as a day care center or to open a new day care center. He stated he, along with the Planning Commission, feels that the community commercial zoning designation might be opening up to a lot of additional uses where office institutional zoning would be more appropriate. The proposed change would add, "allowed by right with limitations," on the table in the O-I zoning district and would require a special use permit. Mr. McCord stated that it would still be allowed by right with limitations in community commercial, as well as allowed by right with special use permit in office institutional.

Chairman Maxey declared the Public Hearing open, and asked if there is anyone to speak in support or opposition of the proposed amendment. Seeing none, he declared the Public Hearing closed, and called for a Motion. Commissioner Bagwell made a MOTION to Adopt the Ordinance to Amend Article 3.4, Table 3-2, concerning day care center in the Office Institutional (O-I) zoning district. SECOND by Commissioner Wallace. VOTING:

YES NO

Commissioner Wallace  
" Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**PUBLIC HEARINGS**

**1. TO RECEIVE INPUT ON A PROPOSED RESOLUTION  
TO EXEMPT A CERTAIN COUNTY-OWNED  
VEHICLE (2010 FOR ESCAPE, VIN #1FMCU4K3XAKD01585)  
FROM THE REQUIREMENTS OF O.C.G.A. § 36-80-20,  
RELATED TO THE PLACEMENT OF A DECAL OR SEAL  
CONTAINING THE NAME OF OR OTHERWISE  
IDENTIFY THE COUNTY ON SAID VEHICLE.**

County Attorney Manning stated this public hearing is to receive input on a proposed resolution to exempt the County Manager's vehicle from the requirement that it have a decal or a seal on it. He stated the Georgia Code requires that all county vehicles have such a seal unless it is a law enforcement vehicle, or it is specifically exempted with a resolution passed by the Board so as not to require that. This public hearing is to receive input from the community, if any, concerning that issue. He stated the vote would take place at the next County Commission meeting.

Chairman Maxey declared the Public Hearing open, and asked if there is anyone to speak in support or opposition of the proposed resolution. Seeing none, he declared the Public Hearing closed. (The Resolution will be presented for consideration by the Board at the meeting of January 27, 2015.)

**CHAIRMAN'S REPORT:**

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**1. Citizen Appointments:**

**a. Animal Control & Welfare Board.**

Chairman Maxey called for a motion. Commissioner Wallace made a MOTION to Appoint Allison Watters to the Animal Control & Welfare Board to fill the holdover slot of Sheila May, Post 2, 3-year term to expire September 30, 2017. SECOND by Commissioner Hancock. VOTING:

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

Motion Carried

**b. Rome-Floyd Parks & Recreation Authority.**

- 1) Appoint Bill Thornton to fill holdover slot of Jerry Collins, Post 2, 5-year term to expire on June 30, 2018.

Chairman Maxey called for a motion. Commissioner Bagwell made a MOTION to Appoint Bill Thornton to the Rome-Floyd Parks & Recreation Authority to fill the holdover slot of Jerry Collins, Post 2, 5-year term to expire June 30, 2018. SECOND by Commissioner Hancock. VOTING:

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

Motion Carried

- 2) Appoint Thomas Dempsey Jr., to fill holdover slot of Larry Hestely, Post 6, 5-year term to expire June 30, 2018.

Chairman Maxey called for a motion. Commissioner Bagwell made a MOTION to Appoint Thomas Dempsey, Jr., to the Rome-Floyd Parks & Recreation Authority to fill the holdover slot of Larry Hestely, Post 6, 5-year term to expire June 30, 2018. SECOND by Commissioner Hancock. VOTING:

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

Motion Carried

- 3) Appoint Spencer Brewer to fill holdover slot of Jerry Lee, Post 3, 5-year term to expire June 30, 2019.

Chairman Maxey called for a motion. Commissioner Bagwell made a MOTION to Appoint Spencer Brewer to the Rome-Floyd Parks & Recreation Authority to fill the holdover slot of Jerry Lee, Post 3, 5-year term to expire June 30, 2019. SECOND by Commissioner Hancock. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		

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" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**2. Appointment of Commissioners to various Board, Committees and Authorities.**

Chairman Maxey called for a motion. Commissioner Bagwell made a MOTION to Approve Appointment of Commissioners to the various Boards, Committees and Authorities, for the year 2015, as presented in the list prepared by the County Clerk. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

**2015 Board of Commissioners Appointments**

**Commissioner Larry Maxey (Chairman)**

Chairman Public Safety Committee  
Alcohol Control Commission (ACC)  
Joint Services Committee  
Northwest Georgia Regional Commission Council  
Northwest Georgia Regional Council of Chief Elected Officials  
Rome-Floyd County Development Authority  
The Forum Civic Center Advisory Board  
Work Release Committee  
2013 SPLOST Project Overview Committee

**Commissioner Irwin Bagwell**

Chairman Administrative Finance Committee  
Fire Overview Committee  
Joint Development Oversight Committee (Building Inspection)  
Joint Services Committee  
Rome-Floyd Solid Waste Commission  
Transportation Policy Committee (TPC)  
2013 SPLOST Project Overview Committee

**Commissioner Garry Fricks Vice-Chairman**

Chairman Water Committee  
Airport Commission/Avionics Program  
Criminal Justice Information Sharing (CJIS)  
Development Authority of Floyd County  
Fire Overview Committee  
Highland Rivers Community Service Board  
Rome-Floyd Parks & Recreation Authority  
Transportation Policy Committee (TPC)

**Commissioner Scotty Hancock**

Animal Control Board  
Department of Family & Children Services Board  
Floyd County Board of Health  
Floyd County Library/Sara Hightower Regional Library Board of Trustees  
Keep Rome-Floyd Beautiful  
Rolling Hills RC&D Council  
Work Release Committee

**Commissioner Rhonda Wallace**

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Chair Public Works Committee  
Gordon County-Floyd County Joint Development Authority  
Greater Rome Convention & Visitors Bureau  
Hospital Authority of Floyd County\* and Floyd Healthcare Management Board \*\*  
(\*Pursuant to an Act of the General Assembly approved on March 1, 1973 as amended most recently by an act of the General Assembly codified in GA. L. 2008, pg. 3854.  
\*\*Pursuant to the 2009 Intergovernmental Agreement between the Hospital Authority and Floyd County)  
Joint Development Oversight Committee (Building Inspection)  
Rome-Floyd Commission on Children & Youth  
Rome-Floyd Planning Commission  
Rome-Floyd County Solid Waste Commission

**COMMISSIONER'S REPORT:**

**1. Administrative/Finance Committee**

No Report.

**2. Public Safety Committee**

No Report.

**3. Public Works Committee**

No Report.

**4. Water Committee**

No Report.

**5. Judicial Services Committee (CJIS)**

No Report.

**6. Floyd County Library Board**

No Report.

**7. Special Committee Reports**

**a. Fire Overview Committee**

No Report.

**b. Joint Services Committee**

No Report.

**c. Joint Development Oversight Committee**

No Report.

**d. Joint Solid Waste Oversight Committee**

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

Commissioner Wallace stated the Joint Solid Waste Oversight Committee has a recommendation for Board consideration to increase the Landfill fees. She asked County Manager McCord to review the details of the recommendation. County Manager McCord stated the increase in Landfill fees was part of the update to the financial plan that was done in late 2012 and the beginning of 2013. He stated the Board requested a survey throughout surrounding areas to see what the rates were in the surrounding communities. The results of the survey indicate that Floyd County is a bit higher than average on municipal waste, but a little bit lower than average on construction and demolition waste. He stated the recommendation from the Joint Solid Waste Oversight Committee was a 2.5% increase to the gate rate for general public (all haulers) outside of contract, which would go from \$36.40 per ton to \$37.50 per ton. The host rate would increase from \$31.50 to \$32.45 per ton, with the preferred rate increasing from \$26.30 to \$27.10 per ton. He stated this is the second rate increase since 2013.

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He stated we have a 30-year landfill that is certainly going to outlast its normal life. We still have 30 plus years left, based on the tonnages that they are taking in, and many different factors have changed throughout the years. He recommended approving the rate increase based on the information provided and discussed during Caucus in an attempt to keep the closure and post-closure accounts, as well as future development accounts, solvent as we move forward.

Chairman Maxey called for a Motion. Commissioner Hancock made a MOTION to Adopt a Resolution to Amend the Fee Schedule to increase Landfill Fees as presented. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

**e. SPLOST Project Overview Committee**

County Manager McCord stated that we closed on the property for the new Animal Control Building on December 30, 2014. He stated the remediation, which was minor, has been completed. It was well documented that there was some arsenic and barium detected, that was believed to be naturally occurring. He stated that about a dump truck load and a half of material that was above the allowable limits was removed. He stated the Public Works Department has done some clean up on the site, removing material that was left behind since the property has been vacated. He stated we will be moving forward with engineering and architectural design of that project in the near future.

**f. RFPRA Task Force Committee**

No Report.

**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 four items on the Clerk's Consent Agenda, which have been reviewed, and are submitted for approval. County Attorney Manning stated with regard to item #3 concerning changes related to personnel on the Consent Agenda before the Board, authorization for an amendment to the Finance Director's contract would be included in the action of the Board to take into account in the Finance Director's contract the change documented in the paperwork before the Board, which was also discussed in Caucus.

Chairman Maxey called for a Motion. Commissioner Bagwell 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 with changes recommended by the County Attorney, and to change the word "Freeze" to "Abolish" on the four positions noted on spreadsheet presented. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

- 1. Approve and Authorize Execution of an Amendment to Agreement between Northern Integrity Counseling Services, LLC and Floyd County with respect to the Floyd County Matrix Program.**
- 2. Approve and Authorize Execution of Settlement Documents related to Subrogation Claim concerning**

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Ronald K. Morris.

3. **Approve and Authorize Changes related to Personnel as set forth in the attached spreadsheet (Exhibit A) as well as an amendment to the Contract of Employment with the Finance Director to reflect the change in the pay to the Finance Director's position.**
4. **Approve and Authorize Execution of Modification Documents 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.**

**MANAGER'S REPORT:**

**1. ADOPT RESOLUTION TO APPROVE AND AUTHORIZE EXECUTION OF ENGINEERING SERVICES AGREEMENT BETWEEN SOUTHERN ENGINEERING AND SURVEYING, INC., AND FLOYD COUNTY. (2013 SPLOST)**

County Manager McCord stated they have an industrial site located at State Route 53 and 140 in the northern part of the community. He stated the Rome-Floyd County Development Authority has been marketing this property for several years. This agreement would authorize Southern Engineering to do the preliminary engineering and prepare the bid documents for a grading project. He stated they are trying to balance the property to make it more marketable than it is currently for the short amount of time that they spend with the clients that they show the property to. We would like to get it as close to shovel ready as possible, and work toward GRAD certification. He stated the amount for the services would be \$12,500.00. Southern Engineering is a local Floyd County business that they are supporting and sending SPLOST dollars to perform the work. He recommended adopting the resolution approving the contract with Southern Engineering and Surveying, Inc., to provide services to complete construction and bid documents for balance grading of the site in the amount of \$12,500.00 funded by 2013 SPLOST proceeds.

Chairman Maxey called for a Motion. Commissioner Bagwell made a MOTION to Adopt the Resolution to Approve and Authorize Execution of Engineering Services Agreement between Southern Engineering and Surveying, Inc., and Floyd County in the amount of 12,500.00. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

**2. ADOPT RESOLUTION TO APPROVE AND AUTHORIZE AWARD OF BID AND AGREEMENT BETWEEN PRESLEY, INC., AND FLOYD COUNTY FOR CHILLER REPLACEMENT PROJECT AT THE ROME-FLOYD COUNTY LAW ENFORCEMENT CENTER. (2013 SPLOST)**

County Manager McCord stated eight bids were received on December 29, 2014 for the chiller replacement at the Law Enforcement Center with the lowest responsible bid being received from Presley, Inc., in the amount of \$460,000.00. He stated they submitted a completion date of April 30, 2015. He stated this project would be funded by 2013 SPLOST proceeds. He recommended adopting the resolution approving and authorizing award of bid and agreement with Presley, Inc.

Chairman Maxey called for a Motion. Commissioner Wallace made a MOTION to Adopt the Resolution to Approve and Authorize Award of Bid and Agreement between Presley, Inc., and Floyd County, for Chiller Replacement at the Rome-Floyd County Law Enforcement Center in the amount of \$460,000.00. SECOND by Commissioner Bagwell. VOTING:

	YES	NO
Commissioner Wallace		

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" Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

County Manager McCord thanked the Board for reappointing him as County Manager and for their confidence.

**ATTORNEY'S REPORT:**

County Attorney Manning thanked the Board for reappointing McRae, Stegall, Peek, Harman, Smith and Manning, LLP, as County Attorney.

**OTHER BUSINESS:**

Chairman Maxey stated Commissioner Wallace has a special recognition to make. Commissioner Wallace stated she wanted to take a minute to honor and remember Hartwell E. Nolan, Jr. She Mr. Nolan passed away Saturday, January 10, 2015 at the age of 81. She stated he lived in the Shannon area, and most people in the community involved in the political arena knew him as Mr. Shannon. He has been a friend of hers for many years. She stated retired from the Navy as a Lieutenant Commander after 25 years of service. He served in the Korean War as well as the Vietnam War. He was very instrumental in bringing the VA Clinic to Rome. She stated they were unable to attend his funeral today due to the Board meeting, but she wanted to recognize and remember Mr. Nolan.

Greater Rome Chamber of Commerce President and CEO Al Hodge introduced Leadership Rome participants in attendance. Mr. Hodge thanked the Board for allowing them the opportunity to be with them today, and for their support of Economic Development.

**ADJOURNMENT:**

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

YES NO

Commissioner Wallace  
" Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**ATTEST:**

**FLOYD COUNTY BOARD OF COMMISSIONERS**

**KATHY M. ARP, COUNTY CLERK**

**LARRY MAXEY, CHAIRMAN**

**FLOYD COUNTY BOARD OF COMMISSIONERS**

**CAUCUS**

**January 13, 2015 2:00 PM**

Present: Commissioners Irwin Bagwell, Garry Fricks, Larry Maxey, Scotty Hancock, and Rhonda Wallace, County Manager Jamie McCord, County Attorney Tommy Manning, County Clerk Kathy Arp, and Comptroller/Finance Director Gary Burkhalter.

Sheriff Tim Burkhalter presented information to the Commissioners regarding his FY2015 budget requests.

Commissioners and staff reviewed items on the agenda for the meeting of January 13, 2015.

**ATTEST:**

**FLOYD COUNTY BOARD OF COMMISSIONERS**

**KATHY M. ARP, COUNTY CLERK**

**LARRY MAXEY, CHAIRMAN**

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