

**REGULAR MEETING**  
**FLOYD COUNTY BOARD OF COMMISSIONERS**  
**March 24, 2015                      6:00 P.M.**

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

**OTHERS**

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

**CALL TO**

**ORDER:** Chairman Maxey called the meeting to order.

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

**PLEDGE OF**

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

**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 March 10, 2015. SECOND by Commissioner Wallace. VOTING:

YES                      NO

Commissioner Wallace  
"      Fricks  
"      Bagwell  
"      Hancock  
Chairman Maxey

Motion Carried

**PROCLAMATIONS:**

**NATIONAL PUBLIC SAFETY**  
**TELECOMMUNICATOR WEEK**

Commissioner Hancock presented E911 Director John Blalock with a Joint Floyd County and City of Rome Proclamation recognizing April 12–18, 2015 as Nation Public Safety Telecommunicator Week. Mr. Blalock stated their profession does not expect or receive much appreciation or recognition because they are behind the scenes, and they are okay with that. He stated they really appreciate the Board taking the time to show their appreciation to the 911 dispatchers of Floyd County. Outside the Public Safety community, most citizens only contact with them would be at some of the darkest, most fearful times during their life. He stated he would like to reassure the Board and the citizens of Floyd County that when they do have to make that call, that they are going to be met with someone who is calm, professional, and compassionate while getting the information they need to make sure those individuals get the help that they need for a positive resolution. They have some activities that they will be doing inside the department to celebrate Nation Public Safety Telecommunicators Week, and for him to show his appreciation to all of the dispatchers at 911. He stated he would like to extend an open invitation to any of the Commissioners that would like to swing by that week to say hello. He thanked the Board again for their support and recognition.

(Proclamation/Resolution Book, Page 76)

**CHAIRMAN'S REPORT:**

**1. Citizen Appointments:**

**a. Airport Commission.**

Chairman Maxey made a MOTION to Appoint Steve Graves to the Airport Commission to fill the post vacated as the result of the resignation of Johnny Davis, POST 4, for a 4-year term to expire June 30, 2016. SECOND by Commissioner Bagwell. VOTING:

YES                      NO

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Commissioner Wallace  
" Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**COMMISSIONER'S REPORT:**

**1. Administrative/Finance Committee – Commissioner Bagwell, Chairman**

**a. Discuss vehicle purchases for 2015.**

Commissioner Bagwell stated they received some good news at the Administrative & Finance Committee meeting last week. He stated the projected fund balance should increase by about \$388,000.00. This is good news because they anticipated drawing a fund balance down \$1.3 million, so they have about a \$1.7 million turn around. He stated he credits County Manager McCord, Finance Director Gary Burkhalter, the Finance Department staff, and all of the department heads who worked diligently with the budget to reduce costs and expenditures. They are all conscious that they need to save money and do things more efficiently, and it is paying off. He stated he would like to congratulate everyone on a great year. He is looking forward to an even greater year this year.

**2. Public Safety Committee – Commissioner Maxey, Chairman**

No Report.

**3. Public Works Committee – Commissioner Wallace, Chairman**

No Report.

**4. Water Committee – Commissioner Fricks, Chairman**

No Report.

**5. Judicial Services Committee (CJIS) – Commissioner Fricks**

No Report.

**6. Floyd County Library Board – Commissioner Hancock**

No Report.

**7. Special Committee Reports**

**a. Fire Overview Committee – Commissioners Maxey & Fricks**

No Report.

**b. Joint Services Committee – Commissioners Maxey & Bagwell**

No Report.

**c. Joint Development Oversight Committee – Commissioners Bagwell & Wallace**

No Report.

**d. Joint Solid Waste Oversight Committee – Commissioners Bagwell & Wallace**

No Report.

**e. SPLOST Project Overview Committee – Commissioner Maxey & Bagwell**

No Report.

**f. RFPRA Task Force Committee – Commissioners Maxey & Fricks**

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Chairman Maxey stated they believe they are close to having a new Parks & Recreation Agreement. He stated they hope to have a draft of that agreement to review at their Planning Session on March 27, 2015.

**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 with an amendment to item #1. She stated under item #1, the current resolution approves the award of bid for the Georgia Department of Transportation (GDOT) Off System Safety Project (P.I. Number 0011650) for the placement of standard road signs, roadway striping, and stop lines in Floyd County. The recommendation is to award the bid to Peek Pavement Marking, LLC. As discussed in Caucus, they have now received a contract from the Department of Transportation. She stated that they would like to include approval of the contract document with Peek Pavement Marking, LLC, along with the award of bid pending review of that contract by the Purchasing Director, County Manager, and/or Chairman of the Board.

Chairman Maxey 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 Hancock. VOTING:

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

Motion Carried

- 1. Award of Bid for Georgia Department of Transportation (GDOT) 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, and Approve Contract with Peek Pavement Marking, LLC.**
- 2. Application for Alcoholic Beverage License, Nadeem Bhamani/Hi Fi Express, LLC, 5850 New Calhoun Highway.(Ownership Change, Beer & Wine)**
- 3. Application for Self-Service Fuel Dispensing Stations, Nadeem Bhamani/Hi Fi Express, LLC, 5850 New Calhoun Highway.(Ownership Change)**
- 4. Resolution to Authorize Investments through Georgia Fund 1 (Local Government Investment Pool).**

**MANAGER'S REPORT:**

**1. ADOPT RESOLUTION TO APPROVE AND AUTHORIZE BUDGET REVISION FOR MAGISTRATE COURT.**

County Manager McCord this resolution relates to a budget revision for Magistrate Court. He stated Judge Richardson notified the Human Resources Department, and subsequently himself, about a difference in payment where Judge Richardson filled the unexpired term of Judge Mathis. Judge Richardson was brought in at starting pay for Magistrate Court Judge while filling the unexpired term of Judge Mathis. He stated through research of case law, and the attorney's recommendation, they have confirmed that Judge Richardson should have been paid the amount of Judge Mathis' salary for filling the unexpired term. To clean this matter up, Judge Richardson is hereby authorized \$18,350.31, which is the difference between Judge Mathis' pay and the pay that Judge Richardson actually received for the period of June 2010 through the end of 2012. He stated Judge Richardson was elected in 2013, which reverted to the starting pay for Magistrate Court Judge once he started his new term. This resolution would include two things. He stated the resolution would authorize a budget revision from \$636,340.00 to \$656,090.00 for Magistrate Court to cover \$1,403.80 in FICA and \$18,350.31 in salary. The resolution would also approve a unilateral settlement agreement. He recommended approval of the budget revision for Magistrate Court as presented.

Chairman Maxey called for a Motion. Commissioner Wallace made a MOTION to Adopt a

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Resolution to Approve and Authorize Budget Revision for Magistrate Court. SECOND by Commissioner Bagwell. VOTING:

YES NO

Commissioner Wallace  
" Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**2. DISCUSS KENORA DRIVE PROPERTY.**

County Manager McCord this pertains to a right-of-way issue on Kenora Drive that they discussed back in February 2015, or possibly the last meeting in January 2015. He stated they have met with all parties involved, the bank, adjoined property owners, as well as an interested party in purchasing a property on the particular lot in question. They have agreed on a resolution however, to make this action possible; the associated parties will have to go through the variance process under Section 2.11 of the Unified Land Development Code (ULDC) to obtain relief from the fifty-foot right-of-way obligation that is required for subdivision streets. He stated he has notified all of the parties involved, so they are aware of this process. Any of the interested parties would be allowed to go through the variance process in order to determine an appropriate resolution to the Kenora Drive issue. He stated no action is required for this item.

County Manager McCord stated he would like to take a minute to thank the Finance Department and all of the department heads for their hard work on this budget. He stated everyone countywide worked really hard this year to think differently, do things a little bit differently, and it resulted in some good news on the 2014 Budget. He hopes that this will carry over into 2015, and maybe they can come up with some new ideas. He stated again, he is very appreciative of the hard work that went into bringing them in under budget and dealing with these tough times. The last couple of months have been good with regard to sales tax, which was a nice surprise that helped them out as well as some unexpected money that came as a one-time thing. He stated that he is really proud of all of the department heads and their staff for everything they did to bring them in under budget for 2014.

**OTHER BUSINESS:**

Chairman Maxey recognized Leadership Rome participants in attendance.

**RECOGNIZE COUNTY ATTORNEY TOMMY MANNING:**

Chairman Maxey stated this is County Attorney Tommy Manning's last meeting. He stated he has served as County Attorney for the Board of Commissioners for twelve years. He congratulated Mr. Manning on being chosen as the new attorney to represent Floyd Medical Center.

The Board presented Mr. Manning with a plaque, a certificate of appreciation and a throw depicting Floyd County landmarks, as a token of appreciation for the service he has provided to the Board of Commissioners and the citizens of Floyd County.

**1. ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION OR DELIBERATION ON THE APPOINTMENT, EMPLOYMENT, COMPENSATION, HIRING, DISCIPLINARY ACTION OR DISMISSAL, OR PERIODIC EVALUATION OR RATING OF A COUNTY OFFICER OR EMPLOYEE OR INTERVIEWING APPLICANTS FOR THE POSITION OF THE EXECUTIVE HEAD OF AN AGENCY, AS PROVIDED IN O.C.G.A. §50-14-3(b)(2).**

Chairman Maxey called for a Motion to enter into Executive Session. Commissioner Wallace made a MOTION to Enter into Executive Session for the Purpose of Discussion or Deliberation on the Appointment, Employment, Compensation, Hiring, Disciplinary Action or Dismissal, or Periodic Evaluation or Rating of a County Officer or Employee or Interviewing Applicants for the Position of the Executive Head of an Agency, as provided in O.C.G.A. §50-14-3(b)(2). SECOND by Commissioner Hancock. VOTING:

YES NO

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Commissioner Wallace  
" Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

The Board entered into Executive Session at 6:30 p.m.

Chairman Maxey reconvened the meeting at 8:20 p.m.

**2. APPOINTMENT OF COUNTY ATTORNEY.**

Chairman Maxey called for a Motion. Commissioner Fricks made a MOTION to take the action to support the drawing up of a contract and reviewing a contract with the Hoyt Firm, and also hire them on an interim basis until the contract is available to sign. SECOND by Commissioner Hancock. VOTING:

YES NO

Commissioner Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

Commissioner Wallace abstained due to husband's affiliation.

County Attorney Manning stated he would like to reiterate what he said a few minutes ago. He stated that it has been a privilege for their firm to serve as the County Attorney for the past twelve years, over a decade. They will work with the county, and respect their right to make the decisions concerning who the County Attorney will be. He stated they do not necessarily agree with those because they are keen. They feel that they have provided great service in the past, and will continue to do so through the firm that he has been associated with for over twenty years. He understands that the Board has worked with him more directly than anyone else in the firm. He stated he knows that he speaks on behalf of the firm that they will make the transition in the right way. He thanked the Board for allowing their firm to serve as the County Attorney.

Chairman Maxey thanked Mr. Manning. He stated that they do appreciate the firm's work. They have done a fantastic job serving the community, not just the Board, but also all of Floyd County. He stated the Board respects the whole firm, and feels that they have done a great job. Commissioner Bagwell stated he would like to thank Mr. Manning for his service to the Board. He stated it has been great, which they have expressed before. The Board thanks him for the time he has spent with them. He stated they appreciate what the firm has done for them also. Commissioner Wallace stated she would also like to say thank you for the leadership that their firm has shown to the Board, for the direction that they are going, and the research that has been done. She stated she knows, just since she has been on the Board, how the learning curve was much easier because there were so many people to deal with and so much wealth of knowledge. She knows they will have many dealings with Ms. Harman, Mr. Smith, Mr. Knight and the rest of the team, and that they will continue that relationship even though the Hoyt Firm will be their new County Attorney. Some of the Commissioners will have the opportunity to work with Mr. Manning at the Hospital Authority and Management Board. She stated they wish him the best in his new endeavor, and they thank him for all that he has done. She personally appreciates how Mr. Manning welcomed her to the Board.

**ADJOURNMENT:**

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

YES NO

Commissioner Wallace  
" Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

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**ATTEST:**

**JAIME L. ARMSTRONG,  
INTERIM COUNTY CLERK**

**FLOYD COUNTY BOARD OF COMMISSIONERS**

**LARRY N. MAXEY, CHAIRMAN**

**FLOYD COUNTY BOARD OF COMMISSIONERS  
CAUCUS  
March 24, 2015 6:00 PM**

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

Commissioners and staff reviewed items on the agenda for the meeting of March 24, 2015.

**ATTEST:**

**JAIME L. ARMSTRONG,  
INTERIM COUNTY CLERK**

**FLOYD COUNTY BOARD OF COMMISSIONERS**

**LARRY N. MAXEY, CHAIRMAN**