

REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
April 28, 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 Wade Hoyt, and Interim County Clerk Jaime Armstrong.

CALL TO

ORDER: Chairman Maxey called the meeting to order.

INVOCATION: Chairman Maxey led the Invocation.

PLEDGE OF

ALLEGIANCE: Commissioner Fricks led the Pledge of Allegiance.

ADOPTION OF

MINUTES:

Chairman Maxey asked County Attorney Wade Hoyt if the minutes were in order. Mr. Hoyt stated the minutes had been reviewed and were in order. Commissioner Wallace made a MOTION to adopt the minutes of the Caucus and Regular Meeting of April 14, 2015. SECOND by Commissioner Fricks. VOTING:

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

Motion Carried

PROCLAMATIONS:

NATIONAL FAIR HOUSING MONTH:

Commissioner Wallace presented Appalachian Housing and Redevelopment Corporation Property Manager Shannon Johnson with a Proclamation recognizing April 2015 as National Fair Housing Month.

Ms. Johnson thanked the Board for the recognition. She stated they are very honored to participate in fair housing in Floyd County.

(Proclamation/Resolution Book, Page 80)

NATIONAL TRAVEL AND TOURISM WEEK:

Commissioner Hancock presented Director of Communications Kristi Kent with a Joint Floyd County and City of Rome Proclamation recognizing May 2-10, 2015 as National Travel and Tourism Week.

Ms. Kent reviewed the activities and events planned during National Travel and Tourism Week. She invited the entire community, including the Board, and encouraged everyone to attend the events. She thanked the Board for their recognition.

(Proclamation/Resolution Book, Page 81)

NATIONAL POLICE WEEK:

Commissioner Bagwell presented Floyd County Police Chief Bill Shiflett with a Joint Floyd County and City of Rome Proclamation recognizing May 10-16, 2015 as National Police Week.

Chief Shiflett stated they appreciate the honor of the Board recognizing and supporting their Police Department over the years.

(Proclamation/Resolution Book, Page 82)

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**PUBLIC HEARINGS:
(FIRST READINGS HELD
APRIL 14, 2015)**

Chairman Maxey reviewed the procedures for Public Hearings.

REQUEST FOR REZONING & SPECIAL USE PERMITS

**1. FILE #44-2015Z. REQUESTS REZONING
FROM COMMUNITY COMMERCIAL (C-C)
TO AGRICULTURAL RESIDENTIAL (A-R)
FOR SINGLE-FAMILY DWELLINGS ON
PROPERTY LOCATED ON WHITE ROAD.
TAX MAP L06, PARCEL 020. (PLANNING
COMMISSION RECOMMENDATION:
APPROVE [VOTE: 9-0].)**

Chairman Maxey asked Ms. Sue Hiller, Rome-Floyd County Planning Director to review the proposed text amendment. Ms. Hiller stated the subject property was developed with a single-family dwelling in 1983 according to tax records. She stated later use included a tree farm, which she thinks explains why the property was zoned community commercial when the ULDC was adopted. The current owners intend to use the property primarily for residential. She stated the surrounding property is zoned agricultural residential. Property uses include agricultural low-density residential and undeveloped land. She stated the proposed zoning change is not likely to result in adverse impacts on those uses. It would also remove the potential for inappropriate, incompatible commercial uses so it would be beneficial for the area. She stated the tree farm on the property could actually continue under the agricultural residential zoning if they chose to do that. She presented photos showing that the area is a very rural, low-density area with lots of trees, pastureland, crops, and so on. She stated the rezoning request comes to the Board with a unanimous recommendation to approve.

Chairman Maxey 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 asked if there is any discussion.

Chairman Maxey called for a Motion. Commissioner Bagwell made a MOTION to Adopt an Ordinance to Approve the Request for Rezoning from Community Commercial (C-C) to Agricultural Residential (A-R) for single-family dwelling on property located on Whited Road. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

**2. FILE #47-2015Z. REQUESTS REZONING
FROM SUBURBAN RESIDENTIAL (S-R)
TO AGRICULTURAL RESIDENTIAL (A-R)
FOR AGRICULTURAL OPERATION ON
PROPERTY LOCATED ON BELLS FERRY
ROAD. TAX MAP K12Z, PARCEL 019.
(PLANNING COMMISSION
RECOMMENDATION: APPROVE
[VOTE: 9-0].)**

Chairman Maxey asked Ms. Sue Hiller, Rome-Floyd County Planning Director to review the proposed text amendment. Ms. Hiller stated the subject property has recently been timbered both for the sale of the timber as well as for preparing it for agricultural use. She stated the owner/applicant indicates that the property would be used residentially and agriculturally. The suburban residential zoning district allows crop production, but the agricultural residential zoning would allow both crop and livestock production. She stated the applicant's description of himself was more or less a gentleman farmer raising crops for his own family's use though he did ask for the agricultural residential zoning. Surrounding properties are rural residential with dwellings, forestland, and some pastureland. She stated the agricultural residential zoning that is on two sides of the subject property, or the suburban residential zoning on the other two sides of it would be appropriate. Although farming operations and keeping of livestock does have some potential for

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adverse impacts on surrounding uses, the property size of less than twenty acres would limit the size of any agricultural operation, and therefore the potential for adverse impacts. She stated the low-density development and distance to any adjacent dwellings would also help mitigate any potential for impacts. The rezoning requests comes to the Board with a unanimous recommendation to approve.

Chairman Maxey 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 asked if there is any discussion.

Chairman Maxey called for a Motion. Commissioner Fricks made a MOTION to Adopt an Ordinance to Approve the Request for Rezoning from Suburban Residential (S-R) to Agricultural Residential (A-R) for agricultural operation on property located on Bells Ferry Road. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

AMENDMENT TO CODE OF ORDINANCES OF FLOYD COUNTY, GEORGIA

**1. AMEND CHAPTER 2-13, SECTION 2-13-2
REGARDING ROME-FLOYD PARKS AND
RECREATION AUTHORITY, OF THE CODE
OF FLOYD COUNTY, GEORGIA. (2015-002A)**

Chairman Maxey asked County Manager McCord to review the code amendment. County Manager McCord stated this code amendment would coincide with the newly adopted Rome-Floyd Parks and Recreation Authority Agreement. He stated two attorneys have actually reviewed the amendment now, and he believes that everything is in order. It gives clear direction on the authority, how they are structured, the term limits, and how they would appoint. He recommended adoption of the proposed code amendment as presented.

Chairman Maxey 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 asked if there is any discussion.

Chairman Maxey called for a Motion. Commissioner Bagwell made a MOTION to Adopt an Ordinance to Amend Chapter 2-13, Section 2-13-2 regarding Rome-Floyd Parks and Recreation Authority, of the Code of Floyd County, Georgia. (2015-002A) SECOND by Commissioner Fricks. VOTING:

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

Motion Carried

**VOTE ONLY –
(PUBLIC HEARING HELD ON MARCH 10, 2015)**

**2. AMEND CHAPTER 2-14, SECTION 2-14-32
REGARDING COMPENSATION PLAN, AND
SECTION 2-14-37(a) REGARDING WORKING
TEST AND PERMANENT STATUS, OF THE
CODE OF FLOYD COUNTY, GEORGIA.
(2015-001A)**

Chairman Maxey called for a motion. Commissioner Hancock made a MOTION to Adopt an Ordinance to Amend Chapter 2-14, Section 2-14-32 regarding Compensation Plan, and Section 2-14-37(a) regarding Working Test and Permanent Status, of the Code of Ordinances of Floyd County, Georgia. (2015-

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001A) SECOND by Commissioner Bagwell. VOTING:

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

Motion Carried

CHAIRMAN'S REPORT:

1. Discuss pay increase for all employees effective July 1, 2015.

Chairman Maxey stated the Board discussed a pay increase for all employees effective June 1, 2015.

Chairman Maxey made a MOTION to Approve a \$500.00 COLA pay increase for all full-time employees effective June 1, 2015. SECOND by Commissioner Bagwell. VOTING:

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

Motion Carried

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee – Commissioner Bagwell, Chairman

No Report.

2. Public Safety Committee – Commissioner Maxey, Chairman

No Report.

3. Public Works Committee – Commissioner Wallace, Chairman

No Report.

4. Water Committee – Commissioner Fricks, Chairman

a. Award of Bid for Water Department:

1) Adopt Resolution to Approve and Authorize Award of Bid for Two (2) 20 Ton Trailers.

Commissioner Fricks stated they have two items for Board consideration. He asked County Manager McCord for a review of the items. County Manager McCord stated the twenty-ton trailers are used for the Water Department's backhoe excavators. He stated thirteen bids were received with the low bid being received from Rhinehart Equipment Company in the amount of \$31,370.00, which is well below the budgeted amount. He recommended awarding the bid for two twenty-ton trailers to Rhinehart Equipment Company in the amount of \$31,370.00.

Commissioner Fricks made a MOTION to Adopt a Resolution to Approve and Authorize Award of Bid for Two (2) 20 Ton Trailers to Rhinehart Equipment Company in the amount of \$31,370.00. SECOND by Commissioner Wallace. VOTING:

	YES	NO
Commissioner Wallace		
" Fricks		
" Bagwell		
" Hancock		

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Chairman Maxey

Motion Carried

2) Adopt Resolution to Approve and Authorize Award of Bid for One (1) Hydraulic Excavator.

County Manager McCord stated bids for the hydraulic excavator were opened on March 26, 2015. He stated seven bids were received with the low bidder not meeting the specifications. They moved to the second low bidder, which was Mid-South Equipment Company with a base bid of \$133,800.00. He stated they exercised the option for a power train and hydraulics warranty for an additional \$4,200.00 for a total amount of \$138,000.00. The approved budget amount was \$165,000.00, so the second low bid would still be below budget. He recommended awarding the bid for a hydraulic excavator with a power train and hydraulic warranty to Mid-South Equipment Company for a total amount of \$138,000.00.

Commissioner Fricks made a MOTION to Adopt a Resolution to Approve and Authorize Award of Bid for One (1) Hydraulic Excavator in the amount of \$133,800.00 with a power train and hydraulic warranty in the amount of \$4,200.00 for a total amount of \$138,000.00 to Mid-South Equipment Company. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

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

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:**

Interim County Clerk Jaime Armstrong stated there are seven items on the Clerk’s Consent Agenda, which have been reviewed, and are submitted for approval.

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. SECOND by Commissioner Hancock. VOTING:

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YES

NO

Commissioner Wallace
" Fricks
" Bagwell
" Hancock
Chairman Maxey

Motion Carried

1. **Temporary Malt Beverage Application Permit for off-premises, Alejandro Perez, LaConquista Mexican Grill, 3989 Martha Berry Highway. Date of event May 5, 2015. (Beer & Wine).**
2. **Authorize Execution of P-Hangar, General Building, and Hangar-Land Leases at Richard B. Russell Regional Airport.**
3. **Approve and Authorize Transfer of Computer Equipment from E-911 to Surplus and Authorize Disposal of same through GovDeals or other approved method.**
4. **Approve and Authorize Transfer of a 1999 Ford F250 (Asset #2417, VIN #1FTNF20LOXEC59031) and a 1986 International Bus (VIN #1HVLPHXL5GHA62171) from Rome-Floyd County Parks and Recreation Authority to Surplus and Authorize Disposal of same through GovDeals or other approved method.**
5. **Approve and Authorize Award of Bid as recommended by the Purchasing Department for the annual purchase of ammunition for the Floyd County Police Department, Sheriff's Office, and the Floyd County Prison.**
6. **Approve and Authorize Calhoun Utilities to provide water service to the following parties:**
 - a. **Dewey L. and Karen Dunaway, 1221 West Union Road, Calhoun. (Tax ID L06-001)**
 - b. **Walton R. Dunaway, 1181 West Union Road, Calhoun. (Tax ID L06-002)**
 - c. **Gregory F. and Dorothy P. Beck, No structure/No Address Assigned. (Tax ID L06-003)**
 - d. **Gregory F. and Dorothy P. Beck, 1117 West Union Road, Calhoun. (Tax ID L06-004)**
7. **Position reclassification recommendations.**

MANAGER'S REPORT:

1. ADOPT RESOLUTION TO APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT BETWEEN FLOYD COUNTY AND POLK COUNTY, GEORGIA FOR INMATE WORK CREW.

County Manager McCord stated this would actually be a renewal of the current three-year term agreement in place with Polk County, Georgia. He stated the agreement would be for the provision of an inmate work crew for another three-year term with a ninety-day out for both parties in the amount of \$61,547.00. Polk County will be providing their own vehicle and transportation. He recommended approval of the agreement with Polk County for an inmate work crew in the amount of \$61,547.00. Commissioner Fricks stated that they need to make sure to prioritize these type of arrangements. He stated he would hate to see them sell themselves short with all of these contracts to point of not being able to fill their inmate needs in the county. They need to ensure that those stipulations are in these contracts. County Manager McCord stated the county does have priority. He stated under an emergency, or even a routine situation, the other party does not pay if the county does not deliver. It is understood that if the county cannot or does not deliver that they do not get the service, but they do not pay for it either.

Chairman Maxey called for a Motion. Commissioner Wallace made a MOTION to Adopt a Resolution to Approve and Authorize Execution of Agreement between Floyd County and Polk County, Georgia for Inmate Work Crew in the amount of \$61,547.00. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Wallace

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" Fricks
" Bagwell
" Hancock
Chairman Maxey

Motion Carried

**2. ADOPT RESOLUTION TO APPROVE
AND AUTHORIZE EXECUTION OF
AGREEMENT BETWEEN ROME/FLOYD
RECYCLING CENTER AND NORFOLK
SOUTHERN RAILWAY COMPANY.**

County Manager McCord stated this is an agreement that has been in place since October of 1996 for use of approximately .675 acres that backs up to the railroad tracks at the Recycling Center's north Rome location. He stated the area is 29,400 square feet, plus or minus, where the county has some loading and storage bins placed on the railroad right-of-way. The county has not paid their 2014 renewal because they thought they were in the process of not utilizing that property as they have some SPLOST money to modify their recycling operation. He stated they have had some delays in planning and what they are going to do going forward, so they are required to pay the difference. Norfolk Southern increased the annual lease amount from \$1,500.00 to \$3,600.00 for 2014 and 2015. He stated the county would need to pay \$1,100.00 to make up the difference for 2014 as well as the new amount of \$3,600.00 for 2015. This is a year-to-year lease, and they do have an out at any time. He recommended approval of an agreement with Norfolk Southern Railway Company for the difference of \$1,100.00 for 2014 and \$3,600.00 for 2015. Commissioner Fricks asked if this is a year-to-year lease, how do they do go back on a year. He asked if last year's lease had the old the old amount on it. County Manager McCord stated no sir it did not. He stated that is what they proposed and the county did not renew it thinking that they were not going to be using the property. Commissioner Bagwell asked could the county not just pay the 2014 level. He stated he understands the lease for 2015, but 2014 has already passed. He asked what the language was in the contract, and if it specified there would be a penalty involved if they did not pay. County Manager McCord stated he could not answer that; he would have to do some research on it. He stated they were unsure about the direction they were headed with what they were going to do. He was just trying to get them through this year where they could maybe get through the planning stages because they have talked about some coverage area over those bins, as well as some alternatives that are not on that particular side. He stated they could discuss it with Norfolk Southern though he would not recommend it. Commissioner Bagwell stated they could be very difficult, he understands that.

Chairman Maxey called for a Motion. Commissioner Wallace made a MOTION to Adopt a Resolution to Approve and Authorize Execution of Agreement between Rome/Floyd Recycling Center and Norfolk Southern Railway Company for the difference of \$1,100.00 for 2014 and full lease amount of \$3,600.00 for 2015. SECOND by Commissioner Hancock. VOTING:

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

Motion Carried

**3. ADOPT RESOLUTION TO APPROVE AND
AUTHORIZE REQUEST FOR REVISION
TO 2015 SENIOR PROMOTIONS COUNCIL
BUDGET FOR ROME-FLOYD COUNTY
PARKS AND RECREATION AUTHORITY.**

County Manager McCord stated the Parks and Recreation Authority has requested an increase to the Senior Inforum and Senior Promotions Council line items. He stated it would be an increase of \$6,500.00 total revenue, and balanced out with \$6,500.00 total expenses. It would be balanced with no additional allocation from Floyd County to the Recreation Authority budget. He recommended approval of the request for revision to the Rome-Floyd Parks and Recreation Authority 2015 Senior Promotions Council Budget. He stated the Parks and Recreation Authority's Finance Committee also approved this in April.

Chairman Maxey called for a Motion. Commissioner Wallace made a MOTION to Adopt a Resolution to Approve and Authorize Request for Revision to 2015 Senior Promotions Council Budget for Rome-Floyd Parks and Recreation Authority. SECOND by Commissioner Hancock. VOTING:

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YES NO

Commissioner Wallace
" Fricks
" Bagwell
" Hancock
Chairman Maxey

Motion Carried

OTHER BUSINESS:

Commissioner Bagwell asked County Manager McCord where they are on hiring a Parks and Recreation Authority Director. County Manager McCord stated they posted the advertisement on April 23, 2015. He stated the position is posted on the Georgia Local Government Personnel Association (GLGPA) site, which is the Human Resource website, and on the Chamber of Commerce website. They are in the process of posting it on Georgia Local Government Access (GLGA) Marketplace. He stated it would also go to the National Parks Service and Georgia Parks Service website. They even discussed listing the position on Monster to ensure nationwide coverage of the search. Commissioner Fricks asked what the deadline to apply would be. County Manager McCord stated it would close on May 22, 2015, so it would be a full thirty-day advertisement.

County Manager McCord stated in addition, he would also like to mention that Troy Brock was appointed as the new Fire Chief. He stated he was involved in the hiring process, and they are all excited about Mr. Brock being their new Fire Chief. He would also like to mention the entire group that interviewed as there is a lot of talent in the Rome-Floyd Fire Department, which is something they should all be extremely proud of. Chairman Maxey stated he thinks it says a lot that they had so many step forward to apply for that position from within the department.

ADJOURNMENT:

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

YES NO

Commissioner Wallace
" Fricks
" Bagwell
" Hancock
Chairman Maxey

Motion Carried

ATTEST:

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

FLOYD COUNTY BOARD OF COMMISSIONERS

LARRY N. MAXEY, CHAIRMAN

FLOYD COUNTY BOARD OF COMMISSIONERS

CAUCUS

April 28, 2015 6:00 PM

Present: Commissioners Irwin Bagwell, Garry Fricks, Larry Maxey, Scotty Hancock, and Rhonda Wallace, County Manager Jamie McCord, County Attorney Wade Hoyt, Interim County Clerk Jaime Armstrong, and Comptroller/Finance Director Gary Burkhalter.

Public Works Director Michael Skeen was present to discuss hosting a Lindale Community Meeting regarding an Urban Redevelopment Plan for the Lindale Community.

Commissioners and staff reviewed items on the agenda for the meeting of April 28, 2015.

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ATTEST:

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

FLOYD COUNTY BOARD OF COMMISSIONERS

LARRY N. MAXEY, CHAIRMAN