

**REGULAR MEETING  
FLOYD COUNTY BOARD OF COMMISSIONERS  
September 22, 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, Assistant Manager Gary Burkhalter, County Attorney Wade Hoyt, and Interim County Clerk Jaime Armstrong.

**CALL TO**

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

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

**PLEDGE OF**

**ALLEGIANCE:**    Commissioner Irwin Bagwell led the Pledge of Allegiance.

**PUBLIC**

**PARTICIPATION:**

**RECOGNIZE FLOYD COUNTY RETIREES:**

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

Wayne K, Shellnut, General Services, 16 years, 10 months

Robert Adams, Prison, 27 years, 10 months

James "Jim" Arthur, Sheriff's Office, 29 years, 6 months

Clifton Cabell, Public Works, 30 years, 7 months

John Edward Ballard, Water Department, 31 years, 3 months

Perry L. Maynard, Police Department, 41 years, 8 months

The Board also recognized the following employees unable to attend for their years of service:

Roger Landrum, Prison, 8 years, 9 months

Linda Thorne, Police Department, 9 years, 2 months

Patricia Hanks, Sheriff's Office, 14 years, 10 months

Calvin B. Barton, General Services, 16 years, 2 months

Sherry Near, Court Receiver/Jury Management, 24 years, 5 months

Peggy Evans, Sheriff's Office, 25 years, 7 months

Brenda Hancock, Finance Department, 24 years, 9 months

Bruce Rogers, Public Works, 25 years, 11 months

Virginia Stubbs, Tax Commissioner's Office, 31 years, 6 months

Nevin "Randy" Garrett, Engineering Department, 44 years, 7 months

The Chairman and the Commissioners thanked the employees for all their years of dedicated service to Floyd County. Plaques will be delivered to those employees that were unable to attend.

**ADOPTION OF  
MINUTES:**

Chairman Maxey asked County Attorney Wade Hoyt if the minutes were in order. County Attorney Hoyt stated the minutes have been reviewed and are in order. MOTION made by Commissioner Wallace to adopt the minutes of the Caucus and Regular Meeting of September 08, 2015. SECOND by Commissioner Hancock. VOTING:

YES

NO

Commissioner Wallace  
" Fricks

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" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**RESOLUTIONS:**

**RESOLUTION TO ADOPT AND AUTHORIZE EXECUTION OF AMENDED AND RESTATED ACCG DEFINED BENEFIT PLAN.**

Chairman Maxey asked County Manager McCord to review the proposed resolution. County Manager McCord stated this resolution is basically a restatement of their ACCG Defined Benefit Plan. He stated it is a requirement of the Internal Revenue Service (IRS) that they restate their benefit plan every five years. Again, this is for restatement purposes only as they are making no changes to the plan.

Chairman Maxey called for a Motion. MOTION made by Commissioner Bagwell to Adopt the Resolution to Adopt and Authorize Execution of Amended and Restated ACCG Defined Benefit Plan. SECOND by Commissioner Hancock. VOTING:

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

Motion Carried

**PUBLIC HEARINGS:**

**(FIRST READINGS HELD SEPTEMBER 08, 2015)**

**REQUESTS FOR REZONING & SPECIAL USE PERMITS**

**1. FILE #82-2015SUP. REQUESTS SPECIAL USE PERMIT FOR PERSONAL CARE HOME FOR SEVEN (7) PEOPLE (EXISTING PERSONAL CARE HOME FOR SIX (6) PEOPLE) ON PROPERTY ON WARD MOUNTAIN ROAD. TAX MAP M13, PARCEL 198. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 6-0].)**

Chairman Maxey asked Ms. Sue Hiller, Rome-Floyd County Planning Department Director, to review the rezoning request. Ms. Hiller stated the subject property is surrounded mostly by the same zoning, which is suburban residential, and the development is predominately single-family dwelling, even on the properties to the north that zoned somewhat differently. She stated the ariel photograph shows that this is a very rural residential area with large lots and low density. A few years ago, this property got a special use permit to increase the number of persons that they caring for in their home from four to six because a special use permit is not needed with only four. She stated at that time, they sent requests for comments. What they heard from Floyd County Water Department is that they were negotiating with them for water service that would support a sprinkler system due to a state requirement. She stated they also heard from the Health Department that they felt that there might be some issues with the septic tank on the property, and they would want to talk with these people. For that reason, they did postpone this one time. She stated the applicant showed up at the last Planning Commission meeting. They agreed that they were aware of those concerns and were going to work with the two agencies. She stated no one spoke in opposition to this request. The request was approved unanimously with the condition that the number of persons cared for in the home not exceed seven. She stated she thinks that is important because even though this is a large lot in a very rural area, they could reach a point where there are enough people being cared for there that it makes a turn from single-family residential character into something more. The Planning Commission felt that too. She stated the second condition was that they make the necessary utility upgrades.

Chairman Maxey declared the Public Hearing open, and asked if there is anyone to speak in support or opposition of the rezoning request. Seeing none, he declared the Public Hearing closed, and asked if there is any discussion.

Commissioner Wallace stated she would like to say that the applicant was present at the Planning Commission meeting, and they did express that the reason for going from six to seven individuals staying at the home was when they had six people staying there they had to pay someone to actually file for Medicare and Medicaid. She stated with seven people, they can file those applications and papers themselves, which would save them about fifty percent of the income. Also, their daughter that lived with them has recently married so her bedroom is available. She stated with that there would really be no more people living in the

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house than what was previously stated. She just wanted to clarify that for the other Commissioners.

Chairman Maxey called for a Motion. MOTION was made by Commissioner Wallace to adopt an ordinance to approve a Special Use Permit for personal care home for seven (7) people (existing personal care home for six (6) people) on property on Ward Mountain Road conditioned on the number of persons cared for in the home not exceed seven (7) and making necessary utility upgrades. SECOND by Hancock. VOTING:

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

Motion Carried

**2. FILE #91-2015Z. REQUESTS REZONING FROM COMMUNITY COMMERCIAL (C-C) TO SUBURBAN RESIDENTIAL (S-R) FOR EXISTING SINGLE-FAMILY DWELLING ON PROPERTY ON CALHOUN HIGHWAY. TAX MAP M11X, PARCEL 107. (PLANNING COMMISSION RECOMMENDATION: APPROVE. [VOTE: 6-0].)**

Chairman Maxey asked Ms. Sue Hiller, Rome-Floyd County Planning Department Director, to review the rezoning request. Ms. Hiller stated the subject property is within a commercial corridor that is along Highway 53, but it is also within the corridor along Calhoun Highway, which on one side at least is very highly residential zoning. She stated the house has been on the property for many years. It predates development of the Unified Land Development Code (ULDC). She stated there is a vacant lot to the north, a vacant lot and businesses to the west and south, and to the east are single-family residential properties. The dwelling on the property is a single-family dwelling. She stated there was one person who attended the Planning Commission meeting and asked questions about how this request would affect her property, which is the lot to the north. It was explained to her that any new development on those commercial lots would require buffers. She stated she thinks that answered her question. This 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 rezoning request. Seeing none, he declared the Public Hearing closed, and asked if there is any discussion.

Chairman Maxey called for a Motion. MOTION was made by Commissioner Fricks to adopt an ordinance to approve the request for rezoning from Community Commercial (C-C) to Suburban Residential (S-R) for existing single-family dwelling on property on Calhoun Highway. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

**COMMISSIONER'S REPORT:**

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

**a. Approve FY2015 Budget Revision.**

Commissioner Bagwell stated they have before them today to approve the FY2015 Budget Revision. He stated Assistant Manager/Comptroller Gary Burkhalter and Assistant Finance Director Susie Gass reviewed the budget revisions in detail at the Administrative and Finance Committee meeting Monday, September 21, 2015. Assistant Manager Burkhalter also reviewed the budget revisions during Caucus.

MOTION was made by Commissioner Bagwell to Approve the FY2015 Budget Revision. SECOND by Commissioner Wallace. VOTING:

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YES

NO

Commissioner Wallace  
" Fricks  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**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 Bagwell & 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**

County Manager McCord stated on Thursday, September 10, 2015, interviews will be conducted with the four teams proposing to build the Animal Control facility at the EOC Training Room. He stated the interviews will begin at 9:00 a.m. They have two interviews scheduled that morning and two that afternoon. He stated they will have some face to face discussion about their teams, the makeup of their teams, and also some question and answer periods from the county's group of evaluators as well as a couple of commissioners. They are looking forward to those interviews. He stated they are going to work diligently to have a recommendation to the Board by the end of September, but no later than the first meeting in October to move forward with the Animal Control facility.

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

No report.

**CLERK'S REPORT:**

**Consent Agenda**

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

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Chairman Maxey called for a Motion. MOTION made by Commissioner Hancock to Approve and Authorize Execution of items submitted under the Clerk's Consent Agenda as presented. SECOND by Commissioner Fricks. VOTING:

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

Motion Carried

- 1. Approve request from Tax Commissioner for removal of bills from the Tax Commissioner's Roll, in the amount of \$4,252.57, and that the taxes be relieved from the books as outlined in the memo from the Tax Commissioner and attached list dated September 03, 2015.**
- 2. Approve and Authorize Execution of Revised Equipment Schedule No. L1863 pertaining to Master Lease Agreement with Ontario Investments, Inc.**

**MANAGER'S REPORT:**

- 1. APPROVE AND AUTHORIZE AWARD OF BID FOR 1,600 FEET OF 12" US TYTON JOINT DUCTILE PIPE AND THIRTY (30) FIELD LOK GASKETS FOR THE WATER DEPARTMENT.**

County Manager McCord stated the award of bid would be for 1,600 feet of 12" ductile iron pipe and field LOK gaskets for the Water Department. He stated this is the Highway 27 North Water Main Project that is currently underway. They are actually piggy-backing on an earlier bid from back in May. He stated it does still meet their criteria for the bid to still be active, and the supplier did honor that.

Chairman Maxey called for a Motion. MOTION made by Commissioner Bagwell to Approve and Authorize Award of Bid for 1,600 feet of 12" US Tyton Joint Ductile Iron Pipe and thirty (30) Field LOK Gaskets for the Water Department to HD Supply Waterworks in the amount of \$50,960.50. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

- 2. APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT BETWEEN FLOYD COUNTY AND BARTOW COUNTY FOR INMATE WORK CREW.**

Defer.

- ~~**3. APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT BETWEEN FLOYD COUNTY AND DEPARTMENT OF NATURAL RESOURCES FOR INMATE WORK CREW AT RED TOP MOUNTAIN.**~~

County Manager McCord requested item #3 be removed from the agenda as no action is needed.

- 4. APPROVE AND AUTHORIZE COMPENSATION FOR TWO (2) CLERK'S POSITION IN THE CLERK OF SUPERIOR COURT'S OFFICE FOR ADDITIONAL BOARD OF EQUALIZATION DUTIES.**

County Manager McCord stated there was some discussion about this at the September 08, 2015 Caucus and in more detail during Caucus earlier today. He stated the Board of Equalization has to be separate from the Board of Assessors. The responsibility according to the law does fall under Barbara Penson, Clerk of Superior Court. He stated she has proposed a pay increase for two of her Clerk's in the amount of \$2.31 per hour for Dana Jewell and \$2.27 per hour for Tiffany Green for Board consideration. Instead of hiring a position, she is adding these additional duties to two of the clerks that are already in her office. He stated they would still have to create a budget separate from the Clerk of Superior Court's budget. The Board of Equalization would have its own budget to cover this. He stated in 2015 there would be no

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need for a budget revision and they will make the appropriate revision for 2016. He does think that this is a good use of funds, which is very creative of Barbara Penson and her staff in taking on the additional duties and complying with state law.

Chairman Maxey called for a Motion. MOTION made by Commissioner Wallace to Approve and Authorize Compensation for two (2) Clerk's positions in the Clerk of Superior Court's Office for additional Board of Equalization duties. SECOND by Commissioner Hancock. VOTING:

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

Motion Carried

**5. NOTICE OF INTENT TO AWARD FOR DESIGN BUILD SERVICES, PENDING CONTRACT NEGOTIATIONS, FOR ANIMAL CONTROL CENTER AND SPECIAL OPERATIONS FACILITY.**

County Manager McCord stated as they all know, the county purchased property late last year in 2014 on North Avenue, and have been going through the request for qualifications (RFQ) and request for proposals (RFP) process for several months now, which was narrowed down to four proposers a few weeks ago. He stated they had interviews a week ago this past Thursday, September 10, 2015 at the Emergency Operations Center (EOC). The evaluation team being himself, Assistant Manager Gary Burkhalter, Animal Control Director Jason Broome, Major Tom Ewing, and Facilities Manager Ryan Davis. He stated Commissioners Scotty Hancock and Garry Fricks also joined them for the interviews. It was a good experience and good opportunity for all of them to spend some face-to-face time with the four proposers that they chose to interview. He stated they really put a lot of thought into the process. He thinks that they would be well served with any of the four, but the top four certainly did their homework and did a good job presenting. He stated the recommendation from the evaluation team is to move forward with Peacock Partnership. They brought a strong team together. He stated in regards to animal control facilities, the Bacon Group Architecture have over a hundred and sixty facility designs under their belt. Their pre-contract strategy was very good. He stated their Procore Construction Software was another plus that the entire team was excited about where they could see any change orders, construction documents, and plan revisions as built; as long as they have an internet connection available, they can see all of that. They had a good construction schedule from the beginning though he knows all of this is up for negotiation, but they are excited about the schedule as presented. He stated they have had a lot of local experience here in Floyd County with both Harbin Clinic and the Cancer Center. They are excited about their ability and their team, and they felt that they were the best fit for this project. He stated the recommendation is to approve notice of intent to award for design build services, pending contract negotiations, for Animal Control Center and Special Operations Facility to Peacock Partnership as submitted.

Chairman Maxey called for a Motion. MOTION made by Commissioner Fricks to Approve Notice of Intent to Award for Design Build Services, pending contract negotiations, for Animal Control Center and Special Operations Facility to Peacock Partnership as presented. SECOND by Commissioner Hancock.

**Discussion:** Commissioner Hancock stated he would like to add one thing. He stated County Manager McCord stated they would be able to see change orders, but they do not want to see any change orders. Commissioner Fricks stated they appreciate all of the hard work that went into this. He stated they had twelve proposals submitted. They were very fortunate with the talent that was presented to give them a good selection to base a decision on. He stated they have had site visits, interviewed previous clients of all of the proposers, and they have done a very thorough job in the selection process. They are all very confident that they have chosen the right group for this project. County Manager McCord stated he agrees with Commissioner Fricks. He stated there was a lot effort put in by staff. Animal Control Director Jason Broome visited two locations over the past few days that they were not able to get to after their interviews and came back with the same recommendation. He stated there is still a lot of hard work ahead, so they would like to get the project moving forward as quickly as possible. VOTING:

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

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Motion Carried

**6. APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT BETWEEN FLOYD COUNTY AND SHORTER UNIVERSITY FOR ALTO PARK SOFTBALL COMPLEX.**

County Manager McCord stated this agreement is similar to what they have had in the past. He stated staff and the County Attorney have reviewed it, and everything is in order. The only changes to the agreement were to the capital outlay for the 2015-2016 season. The total estimated payment will be \$8,200.00 per year with a capital outlay for the 2015-2016 season of \$27,178.25, which is for various improvements to the center such as padding for the backstop and a bullpen area for their conference rules. He stated this is a good agreement for Floyd County, the Recreation Authority and Shorter University. It allows their kids to play on a college level field during the day with the university utilizing it at other times. He stated they have a good relationship established with the county utilizing it when the university is not there and the university utilizing it when the county is not. He recommended approval of the agreement as submitted. He stated again, this is a five-year agreement with an annual maintenance payment of \$8,200.00 per year, and it does have an out clause.

Chairman Maxey called for a Motion. MOTION made by Commissioner Hancock to Approve and Authorize Execution of Agreement between Floyd County and Shorter University for Alto Park Softball Complex. SECOND by Commissioner Wallace. VOTING:

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

Motion Carried

**7. APPROVE AND AUTHORIZE EXECUTION OF EMPLOYMENT CONTRACT FOR PRISON/WORK RELEASE CENTER WARDEN.**

County Manager McCord stated they are recommending approval of an employment contract with Mike Long, who has been serving as Interim Warden for the past year, for the Prison/Work Release Center Warden position. He stated he has done an excellent job. He comes to them with fifteen years of experience with Floyd County and a lot of experience in this field. He stated Warden Long has worked every position in that facility. He started out as a Jail Officer and worked his way up. He has done a wonderful job advancing in his career. He stated Warden Long has a Master's Degree in Public Administration with a Major in Judicial Administration. He also has an Undergraduate Degree in Criminal Justice from Jacksonville State University and an Associate's of Science in Human Services and Corrections from Georgia Highlands College. He stated Warden Long comes to them with a lot of good skill, and a lot of talent, which they knew they had. They appreciate his efforts as well as the staff at the Prison and Work Release Center for their efforts over the past year during this transition. He stated they look forward to him having a long career with Floyd County in this position. The contract will be for an annual salary of \$73,000.00. He stated a milestone is included for his accreditation through American Correctional Association (ACA), which hopefully he would be getting, but it does take some time to get that accreditation. They are excited about having him on the team, and having him as the new Floyd County Warden.

Chairman Maxey called for a Motion. MOTION made by Commissioner Wallace to Approve and Authorize Execution of Employment Contract with Mike Long as Prison/Work Release Center Warden. SECOND by Commissioner Hancock. VOTING:

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

Motion Carried

**8. APPROVE AND AUTHORIZE EXECUTION OF EMPLOYMENT CONTRACT FOR FINANCE DIRECTOR.**

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County Manager McCord stated they are recommending approval of an employment contract with Susie Gass as the new Finance Director. He stated Ms. Gass has done an excellent job during the past several months of Assistant Manager Burkhalter serving in the County Manager's Office along with the Finance Department. Ms. Gass also comes to them with a lot of skill and experience. She has been employed with Floyd County in the Finance Department since 2006, and has experience in the private sector prior to coming to Floyd County. She has a Master's Degree in Accounting with a concentration in Taxation as well as a Bachelor's of Science in Accounting from Auburn University. He stated she is also a Certified Public Accountant (CPA). He is extremely excited about working with Ms. Gass. He stated her employment contract is for an annual salary of \$93,000.00, and includes a milestone for certification as a Local Government Finance Officer similar to Warden Long's employment contract. He recommended approval of the employment contract as presented.

Chairman Maxey called for a Motion. MOTION was made by Commissioner Bagwell to Approve and Authorize Execution of Employment Contract with Susie Gass as Finance Director. SECOND by Commissioner Fricks. VOTING:

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

Motion Carried

Assistant Manager Burkhalter stated he would like to say thank you to Ms. Gass for all she had done and for all of her hard work. He stated he knows this is rewarding for her, and he is looking forward to working with her in the future.

**ATTORNEY'S REPORT:**

No report.

**ADJOURNMENT:**

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

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

Motion Carried

**FLOYD COUNTY BOARD OF COMMISSIONERS**

**LARRY N. MAXEY, CHAIRMAN**

**(09/22/15 - Regular Meeting)**

**FLOYD COUNTY BOARD OF COMMISSIONERS  
CAUCUS  
September 22, 2015 4:30 PM**

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

Mike Mathews, Airport Manager, was present at Caucus to provide an update on the upcoming Wings Over North Georgia Airshow. Morgan Ayers and Don Davis along with other residents from the Fouché Gap/Lavender Trail area were present to voice concerns and request assistance in addressing various issues affecting the quality of life in their community.

Commissioners and staff reviewed items on the agenda for the meeting of September 22, 2015.

**FLOYD COUNTY BOARD OF COMMISSIONERS**

**LARRY N. MAXEY, CHAIRMAN**