

**REGULAR MEETING**  
**FLOYD COUNTY BOARD OF COMMISSIONERS**  
**October 25, 2016                      5:00 P.M.**

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

**OTHERS**

**PRESENT:**                      County Manager Jamie McCord, Assistant Manager Gary Burkhalter, County Clerk Erin Elrod, County Attorney Wade Hoyt

**CALL TO**

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

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

**PLEDGE OF**

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

**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 October 11, 2016. SECOND by Commissioner Hancock. VOTING:

YES                                      NO

Commissioner Wallace  
"              Bagwell  
"              Hancock  
Chairman Maxey

Motion Carried

**PROCLAMATIONS:**

**1. Retired Georgia Educators Joint Proclamation**

Commissioner Bagwell Presented the Retired Georgia Educators Proclamation to Ms. Sally Caesar.

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Ms. Caesar stated that she wanted to thank the board for honoring retired teachers of Rome and Floyd County. They continue to serve the community, the children and parents of Rome and Floyd County even after retirement. They have over 300 members in the area; they support their local schools with donations, with tutoring and other programs. They also have projects that they do every year, they are helping with the food bank, donating books to the North Rome Youth Center. A lot of their Teachers are still teaching as either Substitute Teachers or they have gone back to where they are needed the most. She stated that they may be retired but they are still working for the community and for the children. They have an organization that is sponsored by the state called “ The First Foundation” where they are trying to get donations to help with pre-school children. These are 3 and 4 year olds that come from disadvantaged homes and do not have any literary materials. They have no books, no magazines, anything. So what they are trying to do is get this into the homes so they have some exposure to the literary world before they come to Kindergarten and First Grade. She stated they were excited about helping with this project this year. This is on a state level, all of the organizations throughout the state are contributing towards this and she is really excited about it because Rome is one area where they are going to start developing this program in local schools. She stated that Polk County already has it and it is 100% in all their schools and they are really seeing a lot of progress in their school. She stated that even though they are retired, it is only a name because they are still contributing and doing what they can in the community. She thanked the board again for honoring them and recognizing that they exist and that they are there to help.

**2. Lung Cancer Awareness Month Joint Proclamation**

Commissioner Wallace Presented the Lung Cancer Awareness Month Proclamation to Ms. Anne Hook

Ms. Anne Hook thanked the commission for the proclamation. She stated lung cancer is the biggest killer. 57% of people are diagnosed with lung cancer when it is too late. She stated they know they have a lot of work to do in the community and they have taken on all the people mentioned in the proclamation including Gina Agnew and Northwest Georgia Cancer Coalition. They have taken on lung cancer. Redmond launched a lung screening program last year and she believed they are one of the largest screening center in the state. 390 people have been screened that are high risk and they are saving lives by finding early stage lung cancer. Gina and her team do a lot of work to educate about smoking cessation. She stated that nothing like this has been done in the

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community before. Bringing awareness in a public forum. Downtown development has been instrumental in helping them get it set up and Harbin Clinic is working with them as well. They are excited about it and their goal is to save lives. She thanked the board again for their support for the even and for November.

**SPECIAL RECOGNITION:**

**1. Special recognition of Scott Weaver by Floyd County Police Chief Bill Shiflett**

Floyd County Police Chief Shiflett introduced Scott Weaver and family and provided background. He stated that Officer Weaver was from Trion Georgia and joined the Marine Corps in 1984 and served until 1988. He stated he joined the Police department in 1988 and worked with them until 1997. When Officer Weaver worked with the Floyd County Police he became really good friends with Tom Ewing who is also from Trion and at one point they even lived together in their bachelor days. He stated on September the 22<sup>nd</sup> he received a phone call from a really good friend of his that told him one of his officers had been involved in a really bad accident. He started making phone calls and Tom called him and said Officer Broome had been involved in a wreck and that it did not look good. At that point he immediately got dressed and went to the scene. As he approached the traffic was completely shut down, there were police cars, ambulances and fire trucks everywhere. As he started walking up there he heard dispatch say "life flight is on the way". He stated that when you hear that sound it is never good. When he arrived, he walked up and saw the damage to the ambulance and it was terrible and he knew it was a great impact so he walked over to the police car and it was down an embankment, in a ditch and the ditch was full of water. He stated that when he arrived Officer Weaver and the other first responders had already gotten Officer Broome out of the car and on a stretcher. Officer Weaver was at the head of the stretcher talking to Officer Broome, calming him down and holding his hand the whole time he was there. As they tried to stabilize Officer Broome they moved him to an ambulance and Officer Weaver got in the ambulance with Officer Broome because Life Flight had not gotten there yet. As Officer Broome laid in the ambulance Officer Weaver stayed with him while he (Chief Shiflett) was around talking to state troopers about the accident and looking at the scene. He went back to the ambulance to check on him and there Officer Weaver was, still holding his hand. He stated that he has been in his career, and has been to many terrible accidents and has seen many terrible crime scenes. He stated that as he said in his letter to Officer Weaver: it seemed like his mind always captures one event to remind me of that scene. He did not know why it has done it for 42 years but it has. Some

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of the scenes he has saw, if he could draw it, he could put it on the wall just as well as anybody could, he knows the facts but he just cannot put it together. What captured him that night was when he walked up there was Officer Weaver and his clothes were completely bloody, he was standing there at the stretcher holding that officers hand. It was not a hand on top of a hand. If I could draw that hand I could. He stayed with him and I never will forget that, and so when we finally got him back to the ambulance and they were moving him to the chopper. Officer Weaver followed him, never letting go of his hand. Got to the chopper and Officer Weaver was going to go in the chopper with Officer Broome. Tom Ewing was there and told Officer Weaver that he could not go because there was no room, Officer Weaver said he was going, and Tom told him he wasn't. It sounded like a couple of roommates. Tom is bigger so he won out, M. Weaver could not go. When the flight left and everything Officer Weaver came back over to several of the officers and asked if anyone had called his wife. No one had so he called her and she seemed really concerned because he was already supposed to be home. He told his wife that he was not involved in an accident be he was helping Officer Broome. He stated what he wanted everyone to think about, for an accident to happen, everybody involved in that accident has to leave at a certain time. Timing cannot be off a millimeter of a second. For some reason that night when Officer Broome had the wreck Officer Weaver was 15 seconds behind the wreck. Without any regard for his safety, we as police officers are trained that you stay away from blood and you never touch any ones blood and Officer Weaver put his training, his military training and police training to work and he ran immediately to the car, he crawled inside the car to stabilize Officer Broome and make sure he could breathe all while steadily talking and holding his hand. He believed Officer Weaver was put there for a reason and he believed that with the impact Officer Broome took that night that he had to have someone there that was a voice that he has heard. He stated that Officer Weaver and Officer Broome are on the same SWAT team where they train every month together, they work every scenario they can, they work on saving each other's life if something happens to the other. He thinks that Officer Weaver was placed in that moment, at that time to save that officer's life because of the lick he took. There is no way he should have survived it but he did. He believed he was placed in that moment of time to bring Officer Broome through that moment of shock and from the impact that he took. For Officer Weaver to jump in that car and hold his head and hold him the whole time is remarkable and he did not care for himself or think about anyone else but getting in that car with that officer. He stated that it was a great honor to honor Officer Weaver because he knows what kind of person he is and what a great family man he is and what a good police officer he is. It is an honor to congratulate him and to show him my heart to him about what he did. A lot of people would not of done that but he did

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and answered that call. He was given a call that night and he answered that call with pride, and with a spirit of “you’re not holding me back”. When he saw his eyes he knew what he was thinking. His eyes were wide open, he was frightened but he would not leave him. He stated that everyone should be proud to have an employee like Scott William. He stated he was proud to be his friend, and at one time his boss, he really is a joy. He stated that he appreciated that the commissioners took their time to recognize him because he definitely deserved it.

Ms. Leigh Patterson, District Attorney stated Brandon Weaver started his career in the Marine Corps and then went to the Floyd County Police Department and came to work in their offices as an Investigator in 1997. She stated she nominated Officer Weaver for an award one time and wanted to read a small paragraph that she wrote in it: Scott has served his country as a member of the Marine Corp before he entered Law Enforcement and in my opinion he exemplifies their motto “Semper Fidelis”. Semper fidelis means always faithful and it became the Marine Corp motto in 1883 it guides Marines to remain faithful to the mission at hand, to each other, to the Corp, and to the country no matter what. Scott has taken the Marine Corp values to heart and he brings them with him every day when he comes to work in our office. I am really proud that he is my friend, my colleague, my Chief Investigator. She stated that he was Brandon Broomes protector that night and I think the people of Floyd County are fortunate that he is there guardian and protector too. She stated that she appreciated the board honoring him and Chief Shiflett for bringing it about.

Officer Weaver stated that her really appreciated it and wanted them to know that Officer Broome was doing a lot better, he is at home now, but he has a long road ahead of him, a lot of physical therapy he has to go through but he is doing very well.

**PUBLIC HEARINGS  
(FIRST READINGS HELD OCTOBER 11, 2016)**

**Chairman Maxey Reviewed the Procedures of the Public Hearing**

- 1. FILE #101-2016Z REQUESTS REZONING FROM HEAVY INDUSTRIAL (H-I) TO SUBURBAN RESIDENTIAL (S-R) TO CONSTRUCT SINGLE-FAMILY DWELLING ON PROPERTY ON ALABAMA HIGHWAY IDENTIFIED ON FLOYD COUNTY TAX MAP E13Z AS PARCEL 178 (APPROVED UNANIMOUSLY BY PLANNING COMMISSON)**

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Chairman Maxey asked Ms. Sue Hiller, Rome-Floyd County Planning Department Director, to review the rezoning request. Ms. Hiller presented slides showing pictures of the property. She stated that the property had heavy industrial (H-I) to the west, and south. Suburban residential (S-R) zoning to the north and east. She stated the property was zoned Heavy Industrial (H-I) with adoption of the ULDC but it has been used residentially for some time. On the property there is a manufactured home that is currently occupied. There is an unoccupied single family dwelling and recreational vehicle as well. She stated it was in an industrial corridor on Alabama Highway, but as shown from the aerial photographs there are single family residential uses mixed in with the commercial and residential. The proposed rezoning would allow construction of a second single family dwelling that would be allowed in the suburban residential (S-R) district under the ULCD provided that the property is in the county and is not served by public sewer. She stated the property is served by everything but public sewer so they would be eligible for that. A comment submitted by the Floyd County Health Department indicates that there would have to be a soil test for a septic tank to be put there. She stated rezoning the property would allow an existing residential use to come into conformant with the ULDC. Of course there are not circumstances that would allow more than two dwellings on the lot, or occupation of an RV. The question that has come up a couple of times about this is, is how this would impact the industrial properties around it. It's true that if that property were developed it would have to provide a buffer adjacent to the property. The H-I property to the south though is largely within a flood hazard area so there is probably a low potential for it to be a development there. She stated that it was a unanimous recommendation to approve.

Chairman Maxey declared the Public Hearing open, and asked if there was anyone to speak in support or opposition of the request.

**SUPPORT:** **Juan Gilberto Meraz, 5101 Alabama Highway** thanked the board for listening and that they would like the change in zoning because they want to build a place called "home" and that was pretty much it. He stated that he appreciated the Commissioners for taking it in to consideration.

Chairman Maxey asked if there was anyone else to speak in favor, or opposition of the request. Seeing none he closed the public hearing and called for a motion.

Chairman Maxey called for a Motion. MOTION made by Commissioner Hancock to Approve the Request for Rezoning from Heavy Industrial (H-I) to Suburban

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Residential (S-R) on Property Located on Alabama Highway Identified on Floyd County Tax Map E13Z as Parcel 178. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**2. FILE #102-2016Z REQUESTS REZONING FROM SUBURBAN (S-R) TO DUPLEX RESIDENTIAL (D-R) FOR EXISTING DUPLEXES ON PROPERTY ON BERT ROAD IDENTIFIED ON FLOYD COUNTY TAX MAP L12X AS PARCELS 043, 043A, 043B AND 043C. (APPROVED UNANIMOUSLY BY PLANNING COMMISSION)**

Chairman Maxey asked Ms. Sue Hiller, Rome-Floyd County Planning Department Director, to review the rezoning request. Ms. Hiller presented slides showing pictures of the property. She stated that this was for four lots, three of them are developed with duplexes that were built in 1997 according to tax records. They were zoned suburban residential (S-R) with the adoption of the ULDC. She stated there were additional properties in the area that are developed with duplexes as shown by aerial photograph. Access to the property is from Bert Road all services and utilities are available and the future land use map shows the property as commercial but she did not believe it had ever been that. She stated granting the request would allow the existing duplexes on three of the properties to come into conformant with the ULDC and establish duplex residential (D-R) use as a use by right. In July of 2003 the adjacent properties to the north were rezoned from suburban residential (S-R) to duplex residential (D-R). It would also allow the forth lot to be developed if that were the choice of the owner in the future. She stated that it was a unanimous recommendation to approve.

Chairman Maxey declared the Public Hearing open, and asked if there was anyone to speak in support or opposition of the request. Seeing none he closed the public hearing and called for a motion

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Chairman Maxey called for a Motion. MOTION made by Commissioner Wallace to Approve the Request for Rezoning from Suburban Residential (S-R) to Duplex Residential (D-R) on Property Located on Bert Road Identified on Floyd County Tax Map L12XZ as Parcels 043, 043A, 043B, 043C. SECOND by Commissioner Hancock. VOTING:

YES

NO

Commissioner Wallace  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

- 3. FILE #104-2016SUP REQUESTS SPECIAL USE PERMIT FOR FARM RETREAT ON PROPERTY ON MINSHEW ROAD IDENTIFIED ON FLOYD COUNTY TAX MAP L10Z AS PARCELS 011, 012, 014, 015 [SUBURBAN RESIDENTIAL (S-R)] (APPROVED UNANIMOUSLY BY PLANNING COMMISSION)**

Chairman Maxey asked Ms. Sue Hiller, Rome-Floyd County Planning Department Director, to review the rezoning request. Ms. Hiller presented slides showing pictures of the property. She stated she thought she said there were three but there were actually 4, so this would make 5 properties that Mr. Taylor wants to use as a farm retreat. It is developed with a single family dwelling, pasture, woodland and some storage buildings. It was zoned suburban residential (S-R) with adoption of the ULDC and in the suburban residential (S-R) district a farm retreat would be allowed but only with a special use permit. Access to the property is from Minshew Road, services and utilities are available except for public sewer and the Floyd County Health Department has commented that septic systems would have to be put on the site for any future development. Granting this request would allow an existing use to conform to the ULDC and grant further expansion on the subject properties. It could result in some adverse impacts. Some traffic, lights, and noise but the size of the property all put together and the separation from other low density development in the area make the potential relatively low. The property has some mature vegetation

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around it that provides a landscape buffer also mitigating the potential. She stated that it was a unanimous recommendation to approve.

Chairman Maxey declared the Public Hearing open, and asked if there was anyone to speak in support or opposition of the request. Seeing none he closed the public hearing and called for a motion

Chairman Maxey called for a Motion. MOTION made by Commissioner Bagwell to Approve the Special Use Permit for a Farm Retreat on Property Located on Minshew Road Identified on Floyd Tax Map L10Z as Parcels 011, 012, 014, 015. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace

" Bagwell

" Hancock

Chairman Maxey

Motion Carried

**COMMISSIONER'S REPORT:**

**1. Administrative/Finance Committee- Commissioner Maxey, Chairman**

Next meeting, Monday, November 21, 2016, at 9:30am.

**2. Public Safety Committee- Commissioner Wallace, Chairman**

Next meeting, Wednesday, November 9, 2016, at 8:00am.

**3. Public Works Committee- Commissioner Hancock, Chairman**

Next meeting, Wednesday, November 16, 2016, at 8:15am.

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**4. Water Committee- Commissioners Fricks, Chairman**

Next meeting, Monday, November 21, 2016, at 3:30pm.

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

No report.

**6. Floyd County Library Board- Commissioner Bagwell**

Next meeting, Thursday, November 17, 2016, 4:00pm.

**7. Special Committee Reports.**

No report.

**a. Fire Overview Committee- Commissioner Bagwell & Fricks**

No report.

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

No report.

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

Next meeting, Tuesday, November 1, 2016, at 10:00am

**d. Joint Solid Waste Oversight Committee- Commissioners Bagwell & Hancock**

**a.** Next meeting, Tuesday, November 22, 2016, at 9:30am.

**b.** County Manager McCord provided a brief report about the meeting with the Solid Waste Commission. He stated he briefly mentioned the meeting about the recycling center. He stated they met with the Solid Waste Commission this morning and discussed the potential move to the north

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Rome site on Lavender Drive and potentially entering into a contract Mr. Levy at a future date. He thinks they have a good plan together. Hopefully, this will improve their options. There are additional places for white goods and metal that can be recycled and the public could potentially be paid for it. He stated it was a good time for them to reevaluate where they are at. They are at the point where all the equipment is outdated and to the point where it needs to be updated. He stated that it was a good time to look at a public private partnership where the public can still be serviced and they would also be able to process the material they collect from city curbside and from the remote site. He stated they would be drafting a contract with the attorneys and trying to get it into contract form. The Solid Waste Commission, staff, and Public Works staff at the city would be working on an update of the 5-year financial plan to see the impact the changes make. He stated they supplement recycling to the tune of about \$160,000.00 per year currently but this would require an additional increase to that deficit. He stated they were going to work hard to improve the operation, and vacate the north Rome property.

**e. SPLOST Project Overview Committee- Commissioners Fricks & Hancock**

No report.

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

Next Meeting Tuesday, November 15, 2016, at 9:30am.

**g. Transportation Policy Committee (TPC) – Commissioners Bagwell & Fricks**

No report.

**CLERK’S REPORT:**

**Consent Agenda**

County Clerk Erin Elrod stated there were ten items placed 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 Wallace to Approve and Authorize Execution of items submitted under the Clerk's Consent Agenda as presented. SECOND by Commissioner Hancock. VOTING:

YES

NO

Commissioner Wallace  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

- 1. Approve renewal application for Self- Service Fuel License for The Rock Store at 3403 Kingston Highway. The application has been approved by the Floyd County Police Department and the Tax Commissioner's office. The application has been paid in full.**
- 2. Approve renewal application for Beer License for Classic Bowling Center at 75 Huffaker Road. The application has been approved by the Floyd County Police Department and the Tax Commissioner's office. The application has been paid in full.**
- 3. Approve renewal application for Beer License and Self-Service Fuel License for Walker Mountain Store at 2342 Cedartown Highway. The application has been approved by the Floyd County Police Department and the Tax Commissioner's office. The application has been paid in full.**
- 4. Approve new wine application for GMC Value Mart, Inc at 3402 Alabama Highway. The application has been approved by the Floyd County Police Department and the Tax Commissioner's office. The application has been paid in full.**
- 5. Approve renewal application for Beer License and Self-Service Fuel License for Evans Service Station at 5680 Alabama Highway. The application has been approved by the Floyd County Police Department and the Tax Commissioner's office. The application has been paid in full.**

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- 6. Approve renewal application for Beer & Wine License for Silver Creek Mini Mart at 5720 Rockmart Road. The application has been approved by the Floyd County Police Department and the Tax Commissioner's office. The application has been paid in full.**
- 7. Approve renewal application for Beer License and Self-Service Fuel License for EZ Stop at 4466 Rockmart Highway. The application has been approved by the Floyd County Police Department and the Tax Commissioner's office. The application has been paid in full.**
- 8. Approve removal from Tax Commissioner's Roll in the amount of \$6,010.39. This property was exposed at a public outcry for back taxes and there being no bidders, the property was sold to Floyd County.**
- 9. Approve removal from Tax Commissioner's Roll in the amount of \$1,480.00 for unpaid DTS funds for property that was exposed at public outcry for back taxes and there being no bidders, the property was sold to Floyd County.**
- 10. Approve reorganization and reclassification of employees in the Public Works, Facilities and Parks and Recreation.**

**MANAGER'S REPORT:**

**1. APPROVE 2017 L-MIG LIST.**

County Manager McCord stated there were four items for consideration. Item one would be to approve the 2017 L-MIG list to submit to the Georgia Department of Transportation (GDOT). He stated this was a list of 32 roads broken in different quadrants throughout the county. A total of 17.43 miles and a 15,517 tons. He noted that the 2017 amount was increased after the Transportation Act went into effect this year with their funding for 2017 being \$114,813,000.00. He recommended to approve the 32 roads submitted under the 2017 L-MIG list to the Georgia Department of Transportation (GDOT) be submitted to for approval

Chairman Maxey called for a Motion. MOTION made by Commissioner Hancock to Approve the 32 Roads Submitted Under the 2017 L-MIG List to the Georgia Department of Transportation (GDOT). SECOND by Commissioner Wallace.

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VOTING:

YES

NO

Commissioner Wallace  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

County Manager McCord added that one difference that was reported at Rome News was Floyd Springs Road. He stated that they would only be doing a portion of Floyd Springs Road due to their water project. He stated that it would take place in future years they just did not want to impact new pavement with the water project. He stated that one portion was on the report and they would bring the rest back for consideration after the water project.

Chairman Maxey stated that he thought it was great thing to do to hold off until they get done instead of dinging it back up after they pave it.

2. **APPROVE RECOMMENDATION FROM PUBLIC WORKS TO ACCEPT THE BID FROM KELLY CRESWELL TO PURCHASE A NEW PAINT STRIPING SYSTEMS AND INSTALL IT ON CURRENT PAINT TRUCK 271. THE TOTAL COST OF THE UNIT WITH ATTACHMENTS IN \$93,709.45. THE CAPITAL BUDGET ONLY ALLOWED FOR \$75,000.00 BUT PUBLIC WORKS IS NOT GOING TO REPLACE THE RIGHT OF WAY SPRAYER AT THIS TIME WHICH PROVIDES ADDITIONAL FUNDS TO COVER THE COST OF THE PAINT STRIPING SYSTEM.**

County Manager McCord stated item two is a recommendation from Public Works to accept the bid for the new paint striping system. He stated that it was a custom build and install on an existing vehicle. The total low bid and cost for this unit with attachments is \$93,709.45 He stated that it was over what was allocated in capital budget but they would not be purchasing a right of way sprayer this year. Both of these items were funded in SPLOST and transferred to the capital fund for these

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purchases. He recommended to approve the purchase of a new paint striping system and install with Kelly Creswell on existing truck 271 in the amount of \$93,709.45.

Chairman Maxey called for a Motion. MOTION made by Commissioner Hancock to Approve Purchase of New Paint Striping System with Attachments to be Installed on Existing Truck 271 from Kelly Creswell in the Amount of \$93,709.45. SECOND by Commissioner Wallace. VOTING:

YES

NO

Commissioner Wallace

" Bagwell

" Hancock

Chairman Maxey

Motion Carried

**3. APPROVE CONTRACT TO A&D PAINTING FROM TUCKER, GEORGIA FOR \$116,616.00 FOR CLEANING AND PAINTING OF THE FORUM. THIS IS BUDGETED IN SPLOST FORUM IMPROVEMENTS.**

County Manager McCord stated item three is to approve the contract with A&D Painting from Tucker, Georgia. He stated this was for the improvements at the Forum and would be for the cleaning, painting the interior ceiling at the Forum, and blackening of the ceiling. The low bid was with A&D Painting out of Tucker at \$116,616.00 He recommended to approve the contract with A&D Painting from Tucker, Georgia for \$116,616.00

Commissioner Wallace asked when would they start if the contract was approved tonight and how quickly would they begin.

County Manager McCord stated that he thought that Mike Bankson wanted them to start in the morning but it would be pretty quick and probably next week. He stated that Mr. Bankson sent out an email at about 4:00pm that said they could start tomorrow so it would be pretty immediately.

Chairman Maxey called for a motion. Commissioner Wallace

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made a MOTION to Approve the Contract with A&D Painting from Tucker, Georgia to Complete Improvements by the Cleaning and Painting of the Interior of the Forum in the Amount of \$116,616.00. SECOND by Commissioner Hancock. VOTING:

YES

NO

Commissioner Wallace  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

- 4. AUTHORIZE PURCHASE OF 2017 HALF TON FORD F-150 FROM ALLAN VIGIL FORD-LINCOLN GOVERNMENT SALES IN THE AMOUNT OF \$30,874.00 FOR PUBLIC WORKS DIRECTOR. THIS WILL BE A CONVERSION FROM A CAR ALLOWANCE TO A VEHICLE, ADDING A VEHICLE TO THE FLEET.**

County Manager McCord stated item four was to authorize the purchase of a 2017 F-150 half ton 4-wheel drive crew pickup from Allan Vigil Ford-Lincoln Government Sales in the amount of, and there is a small change on what was shared in caucus because he needed to add an additional \$255.00 to that total for reverse sensing. The total amount would be \$30,874.00 for Public Works Director and this would be a conversion from car allowance for a county vehicle, and adding a vehicle to the fleet. He recommended to approve purchase from Allan Vigil Government sales for a 2017 F-150 half ton 4x4 crew cab in the amount of \$30,874.00 to be funded from SPLOST and would require budget revision at a later date.

Chairman Maxey called for a motion. Commissioner Bagwell made a MOTION to Approve the Purchase of a 2017 Half Ton Ford F-150 from Allan Vigil Ford-Lincoln Government Sales in the Amount of \$30,874.00 for Public Works Director and Adding a Vehicle to the Fleet. SECOND by Commissioner Wallace. VOTING:

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YES

NO

Commissioner Wallace  
" Bagwell  
" Hancock  
Chairman Maxey

Motion Carried

**OTHER BUSINESS:**

Commissioner Bagwell stated they discussed in caucus the upcoming TAD development out there at the Braves Stadium. He stated he had some questions and he thought they specifically needed to have a joint service committee meeting with the city to discuss these things and during what has happened in the past 3 or 4 days it has become apparent that questions in general on the TAD about businesses that have already build but do not participate in the TAD. That tax money is being paid into the TAD account but the city and county do not get any M&O off of that.

County Manager McCord stated that besides the base amount that was how he understood it. Any TAD revenue that is generated above the base amount goes into the TAD and it goes in for the life of the TAD. So other than the base amount you do not get any additional revenue.

Commissioner Bagwell asked if the additional revenue would be like the new bank Rivercity built, Publix, the new building they built, the whole 9-yards. At least another question, who is in charge of this account and what is the plan to spend that money. Is it just accumulating. He stated that he knew it had to spend it within the TAD. When does the TAD end, is it 25, 30 years. I guess sit goes back to the original contract. If you could provide all the commissioners with that information. When it was started when is it going to end. He guessed if the new development took place, which he understood it was not going to unless the county votes for it, that tax money will be going to the TAD district and it could not be touched. He stated that he guessed that was true with any new development that pops up in the TAD district that they do not have access to it. He stated he did not realize that until it came to light over the past 3 or 4 days with the discussion of the new TAD that is being applied for. He stated if they could gather the facts up and some other information that he spoke with him about that morning and

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provide it to the commissioners where they can look at it. He stated that he for one just wanted the questions answered before they had to come to the meeting and vote on it he wanted the questions answered and not have to ask them at the meeting that they are voting on. He stated that they needed to know ahead of time and he was sure other commissioners may have some questions about it that need to be answered. He stated and that leads to another question. They have always had an intergovernmental Agreement between Floyd County and the City of Rome associated with the TAD, and he realized if the TAD does not pass, there will be not intergovernmental agreement. He stated from previous experience on the last TAD they should have had an intergovernmental agreement before they voted on the TAD because there is a lot of controversy, a lot of questions he had that arose of an intergovernmental agreement. He asked what the city would require of this TAD if they pass it then what do they (the city) want in the intergovernmental agreement. He stated he thought they all should be on the same page when they vote on it, knowing the intergovernmental agreement will be coming later, they need to know ahead of time what is expected of them. He stated that they did not need any curve balls thrown to them in the intergovernmental agreement. He asked County Attorney Hoyt if the intergovernmental agreement comes later could they ask basic questions. County Attorney Hoyt stated that they could and ordinarily it was prepared by the City Attorney. Commissioner Bagwell stated that he thought they needed an outline of the different power points that will be in it and what they were going to be expected to vote on after the TAD vote, if passed.

County Manager McCord stated he totally agreed and that it was part of the reason both Chairman Maxey and himself made it clear to the group that they would not be addressing this tonight. He stated he and I just received the information a couple days before, but not many and there are certainly a lot of questions. He stated he had a lot of questions, no one in this room was at the table when this TAD was drawn. Commissioner Fricks was the only person on the board at that time. Certainly a lot of these issues would be helpful at a joint services meeting as discussed. He stated they were working on that.

Commissioner Bagwell stated that if he could get them a spreadsheet of how much money has been paid into the current TAD, let's go TAD 1, the first TAD we did, How much money has been paid into that over the base amount that is accumulated in that TAD.

County Manager McCord stated they could do that.

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Commissioner Bagwell stated if they could find out when it was voted on, what year. He did not know if Mr. Hoyt was on board at that time, or if it was after his time. The original TAD vote. If they could dig that up and provide it to them. He thought if they had these questions answered that it would solve a lot and they could have a good discussion as to what is going to be expected.

County Manager McCord stated that he had some information at about 4:30 that he would forward. It was a power point from DCA and also some information that Georgia State University did as the law changed, it is either 2014 or 2015, so it is missing some recent changes to the law and how TADs are set up. He stated that when they were originally set up they were for blighted and brown fields and difficult builds and that law has since changed to allow more flexibility to do in areas that are as not as effected by that. He stated he knew the first two they did were a lot clearer. The Riverside Chevrolet, Olive Garden TAD and then the Marriot. They both had clear complications in the build whereas this one is not necessarily so. He stated that was not the case but they would work on all of that and get it out. He did have some of it ready, the spreadsheets they would have to get with the city on and he assumed they would have that information because he is sure he has seen it in the past but it would need to be updated. He stated that they would get that to them ASAP. He stated that they had their books, a power point they have prepared, and he would add this information to it relatively quickly.

Commissioner Bagwell asked County Manager McCord if he had any idea how much money has accumulated, off the bat, in that district.

County manager McCord stated he did not but he wanted to say the TAD would fund, the number is well over \$300,000.00. It's like \$360,000.00 or \$370,000.00 monthly of what it would fund currently, unobligated. If you take \$360,000.00 you will generate, it generates throughout the year, so that is \$4.3M that was available annually but the money has to be spent in the TAD. Again, the base value, it has to be realized that you draw a line at a given point and time and that continue. As it appreciates it is not received until the TAD expires. He stated that he did not know when the TAD expires he did not know if it was 10, 20 years, obviously it is longer than these TAAD agreements.

Commissioner Bagwell stated a little over 300,000.00 in that TAD account that is just sitting there, we assume. He thought it would be good if they had the city provide quarterly reports to the county.

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County Manager McCord stated that he was pretty sure they already do that and asked if Assistant County Manager Burkhalter knew with what regularity they update it, or was it annually with their budget.

Assistant County Manager Burkhalter stated he was not sure if they put it in their monthly financial report. He stated he knew it was separate funds that they account for. The TADS 1 and 2 and they are audited every year but he did not know if they did reports throughout the year they would have to check on it.

Commissioner Bagwell asked if they were able to draw on the funds, like if they need money in their general fund and then pay it back during the year.

Assistant County Manager Burkhalter stated he was not for certain but he would think that they are probably not doing that. He stated that he would have to confirm that but he thought not.

County Manager McCord stated that he did not know the answer but Susie Gass, Floyd County Finance Director, and himself had talked about this last week and she had said the Olive Garden TAD is over collecting but he did not know the answer to the date of the baseline TAD throughout the entire TAD district and when it expires. He stated he knew that was the theory is that it is 10, 20, 30 whatever you choose it to be and then the projects happen internally or they ask for it or they don't. All the appreciated value goes in twos. He stated he knew Publix did not and Rivercity Bank did not. He stated those were the two largest ones he was aware of.

Commissioner Bagwell stated that he guessed that led him to another question. If it is over accumulating and he assumed that one was built out. He asked if there was nothing else to build over there was there any reason to keep accumulating more than what is needed to fund the \$500,000.00 given to the Ledbetter's the first time.

County Manager McCord stated that he would assume that over accumulation goes to both city, county and school system. The existing accumulation for that appreciated value up to that amount would have to stay in there. If it over, they do not get more, they agree on a certain amount for a set amount of time. This one was very small if remembered. He believed it was under \$600,000.00 over 15 years. He stated he would assume if it over appreciates, again if it had been built without TAD dollars that amount

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would have to stay but you have a project and it does over appreciate he would assume they would get that portion.

Assistant County Manager Burkhalter believed that they had been making distributions back through the entities for the overpayments in previous years.

County Manager McCord stated that what was complicating if there is a TAD and there is nothing developing, or it does develop without TAD dollars. So there is a baseline from TAD and then there is TAD development with no TAD dollars disbursed. Where do those TAD dollars go.

Commissioner Bagwell stated that was exactly what he was asking. On Rivercity, there is no money received from them. They pay their taxes on time, like they are supposed to, Publix does too but the county does not get the benefits of those taxes.

County Manager McCord stated not the appreciated, the county gets the base pay.

Commissioner Bagwell stated that it was the brand new building of Rivercity Bank.

County Manager McCord stated that yes there is a big difference between Rome Seed and Feed, it's a lot more valuable from an assessed value purpose. He stated that they would get the information and they did need to have this information well in advance. He reiterated that they had a packet and they would get the other information this week. They had a few weeks and they could call him if they wanted to have a sit down and he was sure Ledbetter and Williams would join if need be.

Commissioner Bagwell stated that if County Manager McCord could see if the city would agree to a joint service committee meeting. He stated they have not had one all year but had several cancelled and if they could meet with them before even proceeding on at the county level with this TAD vote. He stated he thinks they need to have an open discussion and know what is expected of them and where they stand.

County Manager McCord stated that he would try his best.

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Assistant County Manager Burkhalter stated that as of December 31, 2015 they had 136,486.00 in cash in the TAD in their audit report. He assumed since it just said TAD that they were combined into one fund so it would be both TADs together.

Commissioner Wallace stated that she would like to request one additional thing. She stated she knows they received the package this afternoon after five o'clock and they have that information and they are planning to vote on that on November the 8<sup>th</sup>. She asked if County Manager McCord would be willing to contact Charlie Williams and Wright Ledbetter and see if they can do the presentation to them as they did the first group. She stated she knew they had the package, information and several of them had talked to them on an individual basis. She stated that if they could actually do that together as a group she believed it would be better for all of them to be in the same room with the same questions they can ask those individuals. She thought it would be beneficial to all of them.

County Manager McCord stated that they were expecting to do that. Charlie delivered the notebooks at about 5 o'clock and he was planning that already. He stated they talked about it and he had already told him it would probably be an early caucus that day and they would probably come in an hour early for that presentation and then we can do regular business after that in caucus.

Commissioner Wallace stated that she apologized but it needed to be earlier than the same day they were going to vote on it because that does not give her enough time to digest all of it. She stated that if the commissioners feel differently she certainly understood.

County Manager McCord asked if they wanted to get a calendar and set the date

Commissioner Wallace stated that she did not guess they had to do it right this minute but if they could just look at it and see maybe next week they could work that in and have some kind of presentation.

County Manager McCord stated that they would do whatever was asked. They really want this but they will do whatever. He stated that he would let County Clerk Erin Elrod work on and scheduled a date.

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Chairman Maxey stated he thought it would be a miracle if they had another meeting between because they had a budget hearing coming up soon.

Commissioner Bagwell stated that he believed they needed to have a joint services meeting and get that ironed out. He stated he was sure there were going to be questions to arise out of that meeting and they probably needed to ask Mr. Williams and Mr. Ledbetter, maybe they could come in two weeks and then schedule the vote the last meeting in November. He stated if they had gotten this 6 weeks ago they would have already had all these questions answered. To receive it at 5 o'clock today.

County Manager McCord stated that they would have not gotten it today if he would not have asked for it. He stated he understood and he made sure to tell them that they needed it today. He stated that himself and Chairman Maxey had gotten it Tuesday afternoon and looked at it Wednesday. He stated that he did not disagree with Commissioner Bagwell.

Commissioner Bagwell stated from previous experience he has been through two of these, over there on Riverside Drive and the Marriot. He stated that they always had the information the same time the city did. He stated that it was given to them at the same time and they all worked on it jointly. He stated that he thought they needed the same consideration for this one.

Commissioner Wallace stated if they could get the maybe the information meeting one day next week. If it is a possibility then that will give them time to at least come up with what questions they have in order to present them before they take a vote. She stated and then if they are not ready for the November 8, 2016 meeting that it will be the digression of the group to not be able to vote if they do not feel like we have enough information.

County Manager McCord stated he agreed and there is some urgency on their part but he was not sure what the urgency related to other than HUD financing. He stated he did not know what their timing was but he does not think they have been given the go ahead. He stated they had a window of closing after they have been given the go ahead for HUD financing. He stated he thought Chairman Maxey had said it was for 45 days. He stated they needed to be aware of that.

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Commissioner Wallace stated typically an approval of that financing is only good for so many days and they have got to get an approval from all parties involved in order to move forward. She stated if they could work it out for next week it would be great.

Commissioner Bagwell stated he needed to change the subject but wanted to know when the budget hearings were.

County Manager McCord stated that they could start the budget hearings whenever they are ready. He stated that himself and Susie Gass would be in operating next week. He stated they could have a budget hearing at their next meeting or prior to if that is what they wanted to do.

Commissioner Bagwell stated last year he thought that all the department heads were there during the budget hearing.

County Manager McCord asked if Commissioner Bagwell wanted every department head to come to budget hearings.

Commissioner Bagwell stated that he would like everyone there. He stated that it use to be when he first came on board they heard from every department head. They came before the commissioners and explained in detail. He stated that it was good to sit down one on one with them.

County Manager McCord said they would do whatever they wanted to do. He stated that he got paid to be there so he would do whatever they wanted to do.

Commissioner Bagwell stated that he would recommend to hear from department heads and take the time to go through the budget and come up with a really good budget.

Commissioner Wallace stated that based on past experience the last couple of meetings that they scheduled that everyone is going to attend and people do not show up and then they are back to square one. So if they had to have a meeting with all the department heads she could not imagine that they could come up with a day that they could all show up for that type of meeting. She stated that was just her personal opinion.

Commissioner Bagwell stated that when he first came on they would have 3 or 4 at a meeting that would come in. Then they would have another meeting and they have

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County Commission meetings. Now before the end of the year they could schedule some of those 30 to 45 Minutes ahead of time to be a part of that. He stated that he thought they needed to make an effort and to try to make an effort before batting it down without even trying.

Chairman Maxey stated that they would work towards that goal. They met with some last year so they definitely needed to meet with ones they haven't met with in the past year to start off with and see how it works. He stated they have met with several of the committees and then they would go from there. He stated it would be great if they could meet them all but to see how it works and try the ones that did not meet with them in the past year would be his goal.

Commissioner Bagwell inaudible comments.

Chairman Maxey stated that they met with several people last year.

County Manager McCord stated historically they had been doing the constitutional officers but if they wanted to meet with others that was fine. He stated that they have met with the Sheriff multiple times, they had met with Barbara, and he did not believe they wanted to meet with her again. He stated they might, she had been there a couple of times.

Commissioner Wallace stated that she loved meeting with Barbara.

County Manager McCord and Chairman Maxey stated that she was not happy about not having her software.

County Manager McCord stated that he already knew she did not have it, and they did too. They did not need to hear that again because it was out of their control at the moment.

**ADJOURNMENT:**

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

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YES

NO

Commissioner Wallace

" Bagwell

" Hancock

Chairman Maxey

Motion Carried

**ATTEST:**

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**ERIN ELROD, FLOYD COUNTY CLERK**

**(10/25/16 - Regular Meeting)**

**FLOYD COUNTY BOARD OF COMMISSIONERS  
CAUCUS**

**October 25, 2016 4:00 PM**

Present: Commissioners Garry Fricks, Scotty Hancock, Larry Maxey, and Rhonda Wallace, County Manager Jamie McCord, Assistant Manager Gary Burkhalter, and County Attorney Wade Hoyt

Commissioners and staff reviewed items on the agenda for the meeting of October 25, 2016.

**ATTEST:**

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**ERIN ELROD, FLOYD COUNTY CLERK**