POLK COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

JANUARY 09, 2024 6:45 PM

COMMISSIONERS PRESENT:

Commissioners Ray Carter (via phone conference), Hal Floyd, Linda Liles, Gary Martin, and Chuck Thaxton.

OTHERS PRESENT:

County Manager Matt Denton, Assistant County Manager Connor Hooper, County Attorney Brad McFall, and County Clerk Jaime Armstrong.

MEDIA PRESENT:

Jeremy Stewart, Polk County Standard Journal.

CALL TO ORDER:

Chairman Hal Floyd called the meeting to order at 6:45 p.m.

APPROVAL OF AGENDA

1. **Consider approval of agenda for the Regular Meeting of January 09, 2024.**

   Chairman Floyd called for a Motion. Motion was made by Commissioner Martin to approve the agenda for the Regular Meeting of January 09, 2024 with the addition of: Consider Recommendation from Bid Committee to award the Courthouse Audio Project to S&L Integrated in an amount not to exceed $410,000.00 to be funded by the Tallapoosa Judicial Circuit's ARPA Grant. Second by Commissioner Liles. Motion passed unanimously.

APPROVAL OF MINUTES

1. **Consider approval of Minutes for the Regular Meeting of December 05, 2023.**

   Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to approve the Minutes for the Regular Meeting of December 05, 2023. Second by Commissioner Martin. Motion passed unanimously.

NEW BUSINESS

1. **Consider appointment of Commission Chairman for 2024.**

   Chairman Floyd turned the meeting over to County Attorney McFall to address the election of a Commission Chairman and Vice-Chairman for the Polk County Board of Commissioners for 2024.

   County Attorney McFall requested nominations for Commission Chairman for calendar year 2024. Commissioner Liles made a Motion nominating Commissioner Floyd for Chairman. With no other nominees, County Attorney McFall closed the nominations. Motion passed unanimously.

2. **Consider appointment of Commission Vice-Chairman for 2024.**

   County Attorney McFall requested nominations for Commission Vice-Chairman for calendar year 2024. Commissioner Carter made a Motion nominating Commissioner Thaxton for Vice-Chairman. With no other nominees, County Attorney McFall closed the nominations. Motion passed unanimously.

3. **Consider recommendation from the Finance Committee to approve the proposed agreement with Multi-Bank Securities, Inc. regarding Security Treasury Investment Services.**

   Chairman Floyd stated the Motion as recommended by the Finance Committee is to approve the proposed agreement with Multi-Bank Securities, Inc. regarding Security Treasury Investment Services. Motion passed unanimously.

4. **Consider recommendation from the Finance Committee to approve a resolution amending the Fiscal Year 2024 Juvenile Court budget for joint funding of positions and supplements for the Children in Need of Services (CHINS) Program.**

   If approved, this action will provide joint funding for two (2) new full time Haralson County positions and supplements for prosecuting and defense attorneys for Juvenile Court. The new positions will be Haralson County Positions, not Polk County, and will include overhead and benefits. The funding split will be approximately 60/40.

   Chairman Floyd stated the Motion as recommended by the Finance Committee is to approve a resolution amending the Fiscal Year 2024 Juvenile Court budget for joint funding of positions and supplements for the Children in Need of Services (CHINS) Program. Motion passed unanimously.

5. **Consider installation of fencing for the Baldwin Cut Convenience Center in a not to exceed amount of $19,000.00 to be funded by Capital Fund 340.**

   Chairman Floyd called for a Motion. Motion was made by Commissioner Carter to approve installation of fencing for the Baldwin Cut Convenience Center in a not to exceed amount of $19,000.00 to be funded by Capital Fund 340. Second by Commissioner Martin. Motion passed unanimously.

6. **Consider resolution amending the County Ordinance, section 30-34 & 30-47, pertaining to occupational tax licenses.**

   The proposed amendment provides Magistrate Court the ability to revoke an occupational tax license if an individual is found guilty of “misrepresentation.” Under the current ordinance, a fine can only be issued to someone found guilty of “misrepresentation.”

   Chairman Floyd called for a Motion. Motion was made by Commissioner Liles to approve the resolution amending the County Ordinance, section 30-34 & 30-47, pertaining to occupational tax licenses. Second by Commissioner Martin. Motion passed unanimously.

7. **Consider recommendation from the Finance Committee to declare the old Extension Building and parking lot (Parcels C19-123 & C19-132) as surplus to be donated to the City of Cedartown for economic development purposes.**

   Chairman Floyd stated the Motion as recommended by the Finance Committee is to declare the old Extension Building and parking lot (Parcels C19-123 & C19-132) as surplus to be donated to the City of Cedartown for economic development purposes. Motion passed with Commissioners Carter, Liles and Martin voting in favor. Commissioner Thaxton voted against.

8. **Consider recommendation from the Bid Committee to award the bid for the FY2024 Polk County Line Striping Project to Tidwell Traffic Solutions, Inc. in the amount of $451,132.64. Funding provided by a combination of LMIG and 2020 SPLOST funds.**

   The above amount is the price for striping of 49.28 miles of roadways in Polk County. Many of these roads are from the past two previous paving cycles. The county received an additional LMIG grant in the amount of $180,000.00 to help fund this striping project.

   Chairman Floyd stated the Motion as recommended by the Bid Committee is to award the bid for the FY2024 Polk County Line Striping Project to Tidwell Traffic Solutions, Inc. in the amount of $451,132.64 with funding provided by a combination of LMIG and 2020 SPLOST funds. Motion passed unanimously.

9. **Consider new Alcohol License Application from Javeed Dhanani requesting a Retail Package Outlet license to sell malt beverages and wine for the business known as Mars Rockmart Inc. located at 180 Morgan Valley Road in Rockmart, Georgia.**

   The above application was submitted due to a change in business ownership at this location. Per county ordinance, any change in ownership requires a change of ownership application be approved by the Board. The applicant has completed and met all of the requirements to consider granting approval of the license application.

   Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to approve the new Alcohol License Application from Javeed Dhanani requesting a Retail Package Outlet license to sell malt beverages and wine for the business known as Mars Rockmart Inc. located at 180 Morgan Valley Road in Rockmart, Georgia. Second by Commissioner Carter. Motion passed with Commissioners Carter, Martin and Thaxton voting in favor. Commissioner Liles voted against.

10. **Consider request from James & Shirley Waits for a partial refund of taxes paid on parcel 058-043 for years 2021-2023.**

    The Tax Commissioner has calculated the total value for this request to be $635.38. The breakdown of that amount $192.39 for 2021, 189.92 for 2022, and $253.07 for 2023. The Tax Assessors Office recommended no refund.

    Chairman Floyd called for a Motion. Motion was made by Commissioner Carter to approve the request from James & Shirley Waits for a partial refund of taxes paid on parcel 058-043 for years 2021-2023 in the amount of $635.38. Second by Commissioner Liles. Motion passed unanimously.

11. **Consider request from David O'Neal for a partial refund of taxes paid on parcel 028C-025A for year 2023.**

    Since the Tax Assessors will not assess the structures separately, only a total value of $2,400.29 is available for consideration. The Tax Assessors Office recommended no refund.

    Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to deny the 11. Consider request from David O'Neal for a partial refund of taxes paid on parcel 028C-025A for year 2023. Second by Commissioner Liles. Motion passed unanimously.

12. **Consider agreement with the USGS for stream monitoring on the Cedar Creek for Calendar year 2024 in the amount of 5,830.00.**

    The county has participated in this arrangement for many years. The purpose of this agreement is for the U.S. Geological Survey (USGS) program to monitor the water levels of the Cedar Creek. It was recently discovered that the City of Cedartown is also being billed the same amount for the same USGS monitoring point. The USGS program advised that their share of this agreement is $2,370.00. County Manager Denton confirmed with City Manager Edward Guzman that this monitoring point has no impact or bearing upon the City of Cedartown or their operations. They are awaiting this Board's decision before executing the agreement. Commissioner Martin requested that County Manager Denton obtain the data collected through the program, and Commissioner Thaxton suggested analyzing the project over the next year to determine if it is really needed.

    Chairman Floyd called for a Motion. Motion was made by Commissioner Carter to approve the agreement with the USGS for stream monitoring on the Cedar Creek for Calendar year 2024 in the amount of 5,830.00. Second by Commissioner Thaxton. Motion passed unanimously.

13. **Consider minor modification request from GFL regarding construction of Cell 14. (Tabled December 05, 2023)**

    Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to approve with the exclusion of Item #2 pertaining to particle size. Following discussion, the Motion was withdrawn by Commissioner Thaxton.

Motion was made by Commissioner Carter to approve the minor modification request from GFL regarding construction of Cell 14. Second by Commissioner Liles. Motion passed with Commissioners Carter, Liles and Thaxton voting in favor. Commissioner Martin voted against.

14. Consider a resolution amending Article 5 of the Polk County Development Regulations. (Tabled November 07, 2023 and December 05, 2023)

Based on the current Development Regulations, individuals cannot split any property if they do not have access to County water no matter how large the acreage. Under this proposal, individuals could split their property with a letter from a certified well driller or professional hydrologist stating an ample amount of water on the property. This would only apply to minor subdivisions, 4 or less splits, and a letter would have to be provided for each lot. County Attorney McFall has stated there is no liability on the County for approving a lot with a well.

The County held a meeting with the Water Authority and there are a number of County roads with limited access to County water. The Water Authority does not object to the proposed language in this revision. Commissioner Thaxton noted he believes there is more work that can be done on this and would like to see that happen.

Chairman Floyd called for a Motion. Motion was made by Commissioner Carter to approve the resolution amending Article 5 of the Polk County Development Regulations. Second by Commissioner Liles. Motion passed unanimously.

15. Consider the abandonment of 20 foot of right-of-way on the eastern side along a portion of Old Cartersville Road adjacent to Tax Parcel R25-069-.

For reasons unknown, Polk County has 80 foot of right-of-way on Old Cartersville Road, despite the road only being approximately 20 foot wide. Robert Cannon has been doing survey work for this property owner and it has been noted that the building on this parcel actually sits in the right-of-way currently. The building has been on this parcel since at least 1977.

It is being requested of the County to abandon 20 foot of right-of-way in front of this parcel, which is approximately 135 foot of road frontage. The Public Works Committee met on this issue a few months ago and was not opposed to the abandonment of 20 foot of right-of-way because it serves Polk County no purpose.

Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to approve the abandonment of 20 foot of right-of-way on the eastern side along a portion of Old Cartersville Road adjacent to Tax Parcel R25-069-. Second by Commissioner Martin. Motion passed unanimously.

16. Consider an easement agreement with Georgia Power for the Rocky Hollow property (Tax Parcel 001-002Q).

The proposed easement agreement is to allow Georgia Power access for the purposes of placing power poles on this property since it is well off the road and a land locked piece of property.

Chairman Floyd called for a Motion. Motion was made by Commissioner Liles to approve the easement agreement with Georgia Power for the Rocky Hollow property (Tax Parcel 001-002Q). Second by Commissioner Martin. Motion passed unanimously.

17. Consider resolution setting Qualifying Fees for County Officials for the 2024 Elections.

Elections Director Noah Beck provided the qualifying fees as shown in the charts. The fees for commissioners and constitutional officers have increased due to the increase in annual compensation.

2024 QUALIFYING FEES FOR POLK COUNTY LOCAL OFFICES		2024 QUALIFYING FEES FOR POLK COUNTY LOCAL OFFICES	
Office	**Qualifying Fee**	**Office**	**Qualifying Fee**
Sheriff	$ 2,106.83	District 1 - County Commission	$ 235.11
Superior Court Clerk	$ 1,690.57	District 2 - County Commission	$ 235.11
Probate Judge	$ 1,690.57	District 3 - County Commission	$ 235.11
Magistrate Judge	$ 1,690.57		
Tax Commissioner	$ 1,690.57	District 3 - School Board	$ 45.00
Corner	$ 451.26	District 5 - School Board	$ 45.00
County Surveyor	$ -	District 6 - School Board	$ 45.00

Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to approve the resolution setting Qualifying Fees for County Officials for the 2024 Elections. Second by Commissioner Liles. Motion passed unanimously.

18. Consider Recommendation from Bid Committee to award the Courthouse Audio Project to S&L Integrated in an amount not to exceed $410,000.00 to be funded by the Tallapoosa Judicial Circuit's ARPA Grant.

Commissioner Carter noted that mutual funding will come from prior year funding to be reimbursed by ARPA.

Chairman Floyd stated the Motion as recommended by the Bid Committee is to award the Courthouse Audio Project to S&L Integrated in an amount not to exceed $410,000.00 to be funded by the Tallapoosa Judicial Circuit's ARPA Grant. Motion passed unanimously.

COUNTY MANAGER'S REPORT

1. December 2023 Finance Report.

County Manager Denton reviewed the December 2023 Finance Report. He reported that Revenues were at 59.8%, Expenses were at 46.3%, and Agency Allocations were at 55.9 %.

COMMISSIONER COMMENTS

Commissioner Martin thanked County Clerk Armstrong expressing sincere appreciation for the wonderful memorial set up in remembrance of Commissioner Tillery.

Commissioner Carter echoed Commissioner Martin's sentiments adding how much he will truly be missed.

Commissioner Liles also reiterated Commissioners Martin and Carter's feelings and expressed her appreciation for his continued support since being appointed to the Board.

Commissioner Thaxton shared his fellow Commissioners thoughts on the passing of Commissioner Tillery.

Commissioner Floyd elaborated on his fellow Commissioners comments adding how unreal it feels to be running the meeting without Commissioner Tillery here noting his many memories of him not only as part of the Board but in other areas as well.

EXECUTIVE SESSION FOR PERSONNEL

Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to enter into Executive Session for Personnel. Second by Commissioner Liles. Motion passed unanimously.

RECONVENE REGULAR MEETING

Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to reconvene the Regular Meeting. Second by Commissioner Carter. Motion passed unanimously.

ADJOURN

Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to adjourn. Second by Commissioner Carter. Motion passed unanimously.

POLK COUNTY BOARD OF COMMISSIONERS

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HAL FLOYD, CHAIRMAN

ATTEST:

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JAIME ARMSTRONG, COUNTY CLERK