

**POLK COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING MINUTES**  
**JULY 02, 2024**                      **6:15 PM**

**COMMISSIONERS PRESENT:**

Commissioners Ray Carter, Hal Floyd, Jordan Hubbard, 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:**

Kevin Myrick, Polk.Today.

**CALL TO ORDER:**

Chairman Hal Floyd called the meeting to order at 6:15 p.m.

**APPROVAL OF AGENDA**

**1. Consider approval of agenda for the Regular Meeting of July 02, 2024.**

Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to approve the agenda for the Regular Meeting of July 02, 2024. Second by Commissioner Liles. Motion passed unanimously.

**APPROVAL OF MINUTES**

**1. Consider approval of Minutes for the Regular Meeting and Executive Session of June 04, 2024, and the Called Meeting of June 12, 2024.**

Chairman Floyd called for a Motion. Motion was made by Commissioner Liles to approve the Minutes for the Regular Meeting and Executive Session of June 04, 2024, and Called Meeting of June 12, 2024. Second by Commissioner Hubbard. Motion passed unanimously.

**NEW BUSINESS**

**1. V24-06: Variance request from Jason Mohon for property located at 111 Bennett Road, Rockmart (Tax Parcel 048-002A) to reduce right-of-way setback requirement to 150 feet for placement of a mobile home. Planning Commission recommended approval.**

The applicant was present at the Work Session to answer any questions the Commissioners may have prior to consideration of the requests at their Regular Meeting.

Chairman Floyd called for a Motion. Motion was made by Commissioner Liles to approve the variance request from Jason Mohon for property located at 111 Bennett Road, Rockmart (Tax Parcel 048-002A) to reduce right-of-way setback requirement to 150 feet for placement of a mobile home. Second by Commissioner Hubbard. Motion passed unanimously.

**2. Z24-09: Zoning change request from Jake Benefield for property on Piedmont Highway (Tax Parcel 008-007) near Alabama line to be rezoned from A-1 to C-1 for freestanding billboard sign. Planning Commission recommended approval.**

The applicant was present at the Work Session to answer any questions the Commissioners may have prior to consideration of the requests at their Regular Meeting.

Chairman Floyd called for a Motion. Motion was made by Commissioner Hubbard to approve the Zoning change request from Jake Benefield for property on Piedmont Highway (Tax Parcel

008-007) near Alabama line to be rezoned from A-1 to C-1 for freestanding billboard sign. Second by Commissioner Carter. Motion passed unanimously.

**3. Consider appointment to Planning & Zoning Board to fill the District 2 position held by Jackie Casey to complete the 3-year term expiring December 31, 2025.**

Jackie Casey resigned from the Planning & Zoning Board and needs to be replaced. Jodi Smith has expressed interest in this seat and she is currently an alternate on the Board. This is a District 2 appointment.

Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to appoint Jodi Smith to the Planning & Zoning Board to fill the District 2 position held by Jackie Casey to complete the 3-year term expiring December 31, 2025. Second by Commissioner Hubbard. Motion passed unanimously.

**4. Consider a proposed lease agreement with Axon Enterprise, Inc. as a sole source provider of Tasers, Cartridges, and Supplies for the Police Department in the amount of \$152,635.29.**

The proposed lease agreement is a 60-month lease, billed annually at \$30,527.05 a year. The lease will provide the Police Department with 36 Tasers, necessary cartridges, and supplies needed to train, and remain certified for 5 years. This is a sole source provider. The earlier cost of this lease was \$167,266.37 as presented during budget meetings, but has been negotiated down to \$152,635.29. The expense will be funded annually through the Police Departments General Fund Departmental Allocation.

Chairman Floyd called for a Motion. Motion was made by Commissioner Liles to approve the lease agreement with Axon Enterprise, Inc. as a sole source provider of Tasers, Cartridges, and Supplies for the Police Department in the amount of \$152,635.29. Second by Commissioner Hubbard. Motion passed unanimously.

**5. Consider acceptance of terms for the Kroger Opioid Settlement.**

Counties and Municipalities within the states where Kroger operates are required to either accept or reject the terms of the Kroger Opioid Settlement by August 12, 2024. The terms are almost identical to the other settlements. The recommendation is to accept the proposed terms of the settlement.

Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to approve acceptance of terms for the Kroger Opioid Settlement. Second by Commissioner Liles. Motion passed unanimously.

**6. Consider a proposed resolution regarding amendments to the Polk County Pay and Compensation Plan.**

The proposed amendments to the Pay and Compensation Plan will reallocate the Code Enforcement Officer Position including Salary, Overhead and Benefits Expenses from the Planning and Zoning Department to the Police Department. This position will then be a Mandated Officer position at the new grade of PD-1, which will be a salary increase of approximately \$4,300.00 plus overhead and benefits. It will also grant Administration the authority to reclassify one Sergeant Position over CID to a Captain Position over CID if deemed necessary to restructure CID. This will increase the Police Department payroll by just over \$9,000.00 plus overhead and benefits.

Chairman Floyd called for a Motion. Motion was made by Commissioner Thaxton to approve the resolution regarding amendments to the Polk County Pay and Compensation Plan. Second by Commissioner Martin. Motion passed unanimously.

**7. Consider declaring three (3) Polk County Police Department Colt firearms as surplus equipment (SNs LGC001650, LTA001310, & LTA001203).**

Three Colt firearms in the possession of the Polk County Police Department, one (1) Colt AR-15 5.56 (SN LGC001650) and two (2) Colt AR-15 9mm (SNs LTA001310 & LTA001203),

were included as trade-ins for the most recent patrol rifle purchase that was awarded to Ed's Public Safety. Before the transaction can be completed, these firearms must be declared surplus by the Board of Commissioners.

Chairman Floyd called for a Motion. Motion was made by Commissioner Martin to declaring three (3) Polk County Police Department Colt firearms as surplus equipment (SNs LGC001650, LTA001310, & LTA001203). Second by Commissioner Hubbard. Motion passed unanimously.

**8. Consider an Intergovernmental Agreement with the City of Cedartown conveying ownership of various properties.**

The proposed Intergovernmental Agreement is a legal form of conveying the old Extension Office Building and Parking Lot to the City of Cedartown. The agreement indicates that the City will then transfer it to the Cedartown Development Authority. The agreement will also convey the land that the Polk County Animal Control Facility is situated upon, which is currently owned by the City, to the County.

Chairman Floyd called for a Motion. Motion was made by Commissioner Liles to approve the Intergovernmental Agreement with the City of Cedartown conveying ownership of various properties. Second by Commissioner Hubbard. Motion passed unanimously.

**9. Consider a proposed amendment to the final order of Judge Grubbs.**

County Attorney McFall drafted the proposed Amended Final Order of Judge Grubbs regarding the landfill. The proposed order will amend the Final Order to allow Municipal Waste Water Cake Form and Screenings Sludge from the Cities of Cedartown, Rockmart and the Polk County Water Authority only.

Chairman Floyd called for a Motion. Motion was made by Commissioner Hubbard to approve the proposed amendment to the final order of Judge Grubbs. Second by Commissioner Carter.

Discussion: Commissioner Hubbard mentioned transparency stating he would like to remind everyone that this has been going on since 2019 with the cities sending letters in reference to not being able to take their solid waste to the landfill. In addition to that, economic development is coming from the hub of our cities with the expectation of growth. The cities should have their support, and this is a situation where he feels that they have not had support from the county adding in the fact that the cities provide Parks and Recreation services keeping the county out of that business. Commissioner Carter asked if a clause should be included in the order that the county could declare cease if sludge is determined to be an issue in the future to which County Attorney McFall answered that it would be difficult to include such language due to it being a subjective decision rather as opposed to something that is measurable. Commissioners Martin and Liles shared their positions stating that they would be adhering to Judge Grubbs' final order. Commissioner Liles noted, with regard to transparency, that she was unaware this was going before the Board for consideration until receiving the agenda packet adding she would have preferred discussions as a full Board so the citizens could be included with hopes of determining some sort of better arrangement.

Following discussion, Motion was denied with Commissioners Liles, Martin and Thaxton voting against; Commissioners Hubbard and Carter voted in favor.

**10. Consider a proposed Memorandum of Understanding regarding abatements for the Solarcycle Project.**

The proposed Memorandum of Understanding is the official agreement regarding abatements for the Solarcycle Project. The agreement mirrors the abatement schedule that the Board previously approved during the initial offer period. The Board reviewed the agreement with City of Cedartown Attorney Carey Pilgrim during the Work Session with the Board suggesting a few amendments as clarification pertaining to responsibilities of the City and County. Commissioner Carter requested that the Motion include these amendments to the Memorandum of Understanding subject to review by County Attorney McFall.

Chairman Floyd called for a Motion. Motion was made by Commissioner Hubbard to approve the Memorandum of Understanding regarding abatements for the Solarcycle Project with amendments as discussed subject to review by County Attorney McFall. Second by Commissioner Martin. Motion passed unanimously.

**11. Consider a proposed resolution amending the Polk County Development Regulations, Section 3.3.3 pertaining to manufactured homes.**

The proposed amendment corrects an issue relating to where manufactured homes can be placed. Under the current language, manufactured homes can be placed anywhere in the county, including developed subdivisions. This amendment would not allow manufactured homes to be placed in the subdivisions named in the resolution. This is considered a temporary fix until subdivisions can be properly rezoned. Administration will be having a meeting with the Northwest Georgia Regional Commission (NWGRC) on July 10, 2024 to determine how to move forward with this zoning process.

Chairman Floyd called for a Motion. Motion was made by Commissioner Liles to approve the resolution amending the Polk County Development Regulations, Section 3.3.3 pertaining to manufactured homes. Second by Commissioner Thaxton. Motion passed unanimously.

**COUNTY MANAGER'S REPORT**

**1. June 2024 Finance Report.**

County Manager Denton stated that the June 2024 Finance Report is not yet complete so they have been provided with a draft of the report. He will not be reviewing the report at this time due to the incomplete status. Commissioner Carter added that some inconsistencies were identified that need to be addressed in order to finalize the report.

**COMMISSIONER COMMENTS**

Commissioner Martin expressed his appreciation to those in attendance as it has been another great turnout, and to Pastor Jason Purser for his invocation.

Commissioner Carter mentioned the banner out there pertaining to taxation modifications stating that he would like to assure everyone that the Board of Assessors did their job correctly following assessments being defined by the state as unacceptable. They as Commissioners do not have impact on that other than appointments to the Board who then hire and oversee the operations of the department. He is proud that the Board of Commissioners rolled back their taxes though he recognizes that does not offset the increase to every tax payer.

Commissioner Hubbard as usual, he would like to thank all of the department heads, county employees and constitutional officers adding that the budget process was humbling witnessing how savvy the departments are in spending money considering the struggle with revenues.

Commissioner Liles echoed Commissioner Martin's sentiments expressing appreciation to those in attendance, and congratulated Brody Malone from Rockmart on making it to the Olympics as a gymnast. She encouraged everyone to be sure to celebrate America's upcoming birthday.

Commissioner Thaxton had no comment.

Commissioner Floyd expounded on Commissioner Carter's comments with regard to the recent assessments stating that they were ordered by the Department of Revenue to re-assess every property in Polk County due to the sales values being so great compared to what was being assessed, which was quite a lengthy and expensive endeavor. He wished our country a Happy Birthday on Thursday, July 04. He also expressed his appreciation for the work of this Board as always, and expressed his appreciation to Administration staff for all that they do.

**ADJOURN**

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

**(07/02/24 – Regular Meeting)**

POLK COUNTY BOARD OF COMMISSIONERS

---

HAL FLOYD, CHAIRMAN

ATTEST:

---

JAIME ARMSTRONG, COUNTY CLERK