

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
February 5, 2008
7:00 PM

Commissioners Present: J. Harry Lange, Charles Wyatt, Daniel B. Bridges, Joe F. Manning, Patrick Whearley. Staff Present: John M. Taylor; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order.
2. **MINUTES.** The motion to approve the minutes of the January 15, 2008, Regular Session was made by Commissioner Wyatt, seconded by Commissioner Bridges, and passed unanimously.
3. **OLD BUSINESS**
 - A. **Animal Control Committee for Leash Laws.** Chairman Lange and Commissioner Bridges indicated that they did not have nominations for appointments to this committee at this time, but hoped to have same at next meeting. Commissioner Whearley made the motion to add two "at large" positions to the Committee because getting public input regarding leash laws would be easier with more people. The motion was seconded by Commissioner Wyatt and passed with three in favor (Whearley, Wyatt, Bridges) and two opposed (Lange, Manning).
 - B. **Second Reading: Ordinance to Establish and Create Office of County Manager.** Chairman Lange said that this was the second reading; that the ordinance sets out the qualifications, duties, term of office and other requirements. He asked if anyone in attendance had any questions or comments. There being none, the motion to approve this Ordinance was made by Commissioner Manning, seconded by Commissioner Wyatt, and passed with four in favor (Manning, Wyatt, Lange, Whearley), no opposition, and one abstention (Bridges).
 - C. **Recreation Board Appointments.** The motion to reappoint Sammy Hubbard as the representative for Hamilton Youth Sports Association for the term January 1, 2008 to December 31, 2010, and to appoint Lee Holloway as the representative for Mountain Hill Youth Sports Association to complete Bill Moran's term, which expires December 31, 2009. The motion was seconded by Commissioner Wyatt and passed unanimously.
4. **NEW BUSINESS**
 - A. **County Manager Appointment.** Chairman Lange said that he was going to read a statement and would like a motion and vote regarding same. He read "I move that the Harris County Board of Commissioners appoint Daniel B. Bridges as County Manager of Harris County effective February 15, 2008, conditioned upon (1) his resignation as a member of the Board of Commissioners of Harris County from District 5; and (2) the execution of the employment agreement as Harris County Manager, and I further move that the County Manager employment agreement be approved as drafted." The motion to approve the statements was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed with four in favor (Wyatt, Whearley, Lange, Manning), no opposition, and one abstention (Bridges). (Document can be found in "Contracts & Agreements" file as C&A #08-03.)
 - B. **County Manager Outside Employment.** Chairman Lange said that the County Manager's contract indicates that the individual cannot hold other employment without the express permission of the Board. He said that Commissioner Bridges currently provides bookkeeping services for the Pine Mountain Valley Water Association and that he would like to continue doing so. Chairman Lange then read "I move that authorization and approval be given to Daniel B. Bridges to continue his bookkeeping services for Pine Mountain Valley Water Association while serving as County Manager." The motion to approve was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed with four in favor (Wyatt, Whearley, Lange, Manning), no opposition, and one abstention (Bridges).
 - C. **County Manager Job Description Amendment and Inclusion in Personnel Plan.** Chairman Lange said that the County Manager's contract includes two items that were not included in the original job description (adopted January 2, 2008); therefore, the job description needed to be amended to include same. John Taylor, County Attorney, explained that the items were (1) works with volunteer fire departments to assist in the coordination and delivery of fire services, and (2) attain and maintain NIMS training and certification to facilitate decision making for EMA emergencies, and that the job

description should be made part of the Personnel Plan. The motion to approve the amendment to the job description and to include same in the Personnel Plan was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.

- D. **Road Lists Amendments.** Commissioner Whearley said that he would like to have Martin Road, off Licksillet Road, added to the 2007 SPLOST Road List and that Jimmy Evans, Public Works Director, had provided the estimated cost for same (\$91,618). There was discussion about adding the road to the LARP list instead, and consensus was to try to have it added to the LARP list but that if it failed to be accepted by DOT, to add it to the SPLOST Road list. The motion to do so was made by Commissioner Whearley, seconded by Commissioner Wyatt, and passed unanimously. (Note: DOT requires LARP lists in the fall of each year. Because the County's LARP list for 07/08 was sent to DOT in August 2007, Martin Road was added to the 2007 SPLOST list.)
- E. **Error & Release Requests.** Chairman Lange said that as a result of 91 appeals to the Board of Tax Equalization the Digest total would be reduced by \$1,788,562; however, due to the adjustments of 28 Utilities, the Digest total would increase by \$21,273,370 for a net increase of \$19,484,808. There was discussion regarding the request lists, and John Taylor, County Attorney, said that these adjustments have been approved by the Board of Equalization and the Commissioners must approve same by law. The motion to approve the Error & Release Appeals and Utilities lists was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
- F. **Request for Tax Refund: Terbra Enterprises, Inc.** Chairman Lange said that a request for the refund of penalties and interest in the amount of \$168.85 had been received from Terbra Enterprises. Discussion included that the digest year is shown as 2006, a due date of 12-20-07, and date paid as 12-13-07. Because of the discrepancies, action on this request was tabled by Commissioner Manning until the February 19 meeting.
- G. **Resolution: Prescribed Fire.** Commissioner Whearley said that he had been requested to bring this resolution before the Board for consideration; that it concerns Prescribed Fire as being a land management tool as a means of preventing wildfires. Following a short discussion, the motion to approve this Resolution was made by Commissioner Whearley, seconded by Commissioner Bridges, and passed unanimously.
- H. **Proclamation: USS Georgia Day.** Chairman Lange said that there will be a flag ceremony in the Commission Chambers on Tuesday, February 26, at 4:00 PM as part of the "Georgia Flag Project", which is to carry a Georgia State Flag through all 159 counties and present same to the USS Georgia, a submarine which has been returned to service and will be ported at the Naval Submarine Base in Kings Bay, Georgia. He said that the flag ceremony will be brief, that the Georgia RDCs are assisting in the project, that at least one Navy and/or Nave League representative should be involved in the ceremonies; that the flag will not be flown in each County; and that a logbook will be completed with a page signed in each County. He said that he would like as many Navy personnel at the February 26 ceremony as possible. The motion to approve the Proclamation was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.

5. **COUNTY MANAGER**

- A. **EMS Rate Adjustments and Non-Transport Fee.** Nancy McMichael, County Clerk, said that the Board had discussed the EMS rate adjustments and non-transport fee during the preceding Work Session and that a motion and vote were needed to approve same. The motion to approve the rate adjustments and the non-transport fee was made by Commissioner Wyatt, seconded by Commissioner Bridges, and passed unanimously. [Note: Rates were adjusted as follows: ALS1 at \$425; ALS1-Emergency from \$425 to \$550; BLS from \$275 to \$350; BLS-Emergency from \$350 to \$500; ALS2 from \$575 to \$700; and SCT from \$675 to \$800 with no change in the miles. The Non-Transport fee will be \$100 for on-scene time greater than 30 minutes and/or medications/supplies used for treatment and for which the patient refused transport.]
- B. **Radar Unit for Georgia State Patrol (GSP) Unit.** Nancy McMichael, County Clerk, said that the Board had discussed purchasing one radar unit for one of the GSP units that patrol in Harris County; that the cost for same would not exceed \$1,550; and that a motion and vote were needed regarding same. The motion to purchase one radar unit at a not-to-exceed price of \$1,550 was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed with four in favor (Wyatt, Whearley, Bridges, Lange) and one opposed (Manning).

6. **COUNTY ATTORNEY**

- A. **Agreement & Memorandum of Understanding re Application of US Highway 27 Initiative to OneGeorgia**: John Taylor, County Attorney, said that this document was in connection with the 18 Georgia counties through which US Highway 27 runs making application to OneGeorgia for funding for a tourism feasibility study. Chairman Lange said that OneGeorgia may fund 75 to 80 percent of the cost for the study, but that the seed money paid by each County should make up the difference. Discussion included that because it is not known as to the exact cost for the study, the document is to be amended in paragraph "b" by adding "subject to the approval of Harris County". The motion to approve the document as amended was made by Chairman Lange, seconded by Commissioner Whearley, and passed with four in favor (Lange, Whearley, Bridges, Wyatt) and one opposed (Manning). (Document can be found in "Contracts & Agreements" file as C&A #08-04.)
- B. **Agreement Amendment: T-Netix, Inc., to T-Netix Telecommunications**. John Taylor, County Attorney, said that this document was to amend the name of the company from T-Netix, Inc., to T-Netix Telecommunications. The motion to approve this document was made by Commissioner Wyatt, seconded by Commissioner Bridges, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #08-05.)
- C. **Agreement: AT&T Easement along Highway 116 East**. John Taylor, County Attorney, said that this document was concerning a 10 foot easement along 470 feet of Highway 116 East where the highway realignment will take place. The motion to approve this document was made by Commissioner Whearley, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #08-06.)
- D. **Deed and Easement: Interstate Telephone Company**. John Taylor, County Attorney, said that this document was concerning a 876 square foot site with the NW Harris Business Park on the north property line of the former Fears property for the purpose of constructing a switch gear to provide phone service within the business park. Discussion included that a reversionary clause is needed in the deed whereby if the property ceases to be used by this or another telephone company it would revert to the County. The motion to approve this document with the reversionary clause was made by Commissioner Bridges, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Miscellaneous Documents" file as MD#08-06.)
- E. **Agreement: DOT Aviation Program re Airport FAA Funds**. John Taylor, County Attorney, said that this document was concerning DOT's sponsorship of the County's FY08 General Aviation Entitlement Grant from the FAA; that DOT will accept \$150,000 for the County; that the funds represent 95% federal participation in the cost of the project, which is identified as "rehabilitate runway - phase II"; and that state funding of 2.5% is also available for the project. The motion to approve this document was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #08-07.)
- F. **Agreement: Mulberry Grove Development LLC re Water & Wastewater for The Grove**. John Taylor, County Attorney, said that this document was discussed during the preceding Work Session and additional work is needed on same.
- G. **Agreement: Mitigation**. John Taylor, County Attorney, said that this document was discussed during the preceding Work Session and additional work is needed on same.
7. **RECESS FOR EXECUTIVE SESSION**. The motion to go into Executive Session for the purpose of discussing real estate acquisition and a personnel matter was made at 7:48 PM by Chairman Lange, seconded by Commissioner Wyatt, and passed unanimously.
8. **RESUME REGULAR SESSION**. The motion to go back into Regular Session was made by Commissioner Bridges, seconded by Commissioner Wyatt, and passed unanimously.
9. **ADJOURNMENT**. There being no further business, the motion to adjourn was made by Commissioner Bridges, seconded by Commissioner Manning, and passed unanimously.

Attest:

J. Harry Lange, Chairman

Nancy D. McMichael, County Clerk