

**HARRIS COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION**  
January 20, 2009  
7:00 PM

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

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order.
2. **MINUTES**
  - A. Regular Session of January 6, 2009. The motion to approve the minutes of the January 6, 2009, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
  - B. Called Session of January 13, 2009. The motion to approve the minutes of the January 13, 2009, Called Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed with four in favor (Loudermilk, Wyatt, Manning, Whearley), no opposition, and one abstention (Lange - due to being absent from the Called Session).
3. **OLD BUSINESS**
  - A. **Appointments/Reappointments.** Chairman Lange said that several appointments and/or reappointments that were tabled during the January 6 meeting needed to be made for various boards. Action was as follows:
    - (1) Library Board. Upon the motion by Commissioner Wyatt, second by Commissioner Loudermilk, and unanimous vote, Elaine Davis and Elaine Beall were appointed to take the place of Mary Jones, who preferred not to be reappointed, and Pam Jackson, who was reappointed January 6, but has since resigned. The term for Mrs. Davis and Ms. Beall will be from January 1, 2009, to December 31, 2011.
    - (2) Planning Commission. Upon the motion by Chairman Lange, second by Commissioner Wyatt, and unanimous vote, Ron Gibson (District 4) was appointed to complete the term of David Grunfeld who resigned due to moving to Alabama. The term of Mr. Gibson will be from January 1, 2009, to December 31, 2009.
    - (3) Recreation Board. Upon the motion by Commissioner Manning, second by Commissioner Whearley, and unanimous vote, Pam Davis (Pine Mtn YSA) was appointed to take the place of Christie Carroll upon the recommendation of the Pine Mtn YSA, and upon the motion of Commissioner Whearley, second by Commissioner Wyatt, and unanimous vote, Derick Moxley (Mountain Hill YSA) was appointed to complete the term of Lee Holloway, who was replaced by the Mountain Hill YSA. The term for Ms. Davis is January 1, 2009, to December 31, 2011, and the term for Mr. Moxley will be January 1, 2009, to December 31, 2009.
    - (4) Zoning Adjustments, Board of. Upon the motion by Commissioner Whearley, second by Commissioner Wyatt, and unanimous vote, Brian Lucas was appointed to take the place of Carl Gilliam. The term for Mr. Lucas will be January 1, 2009, to September 30, 2011.
  - B. **Withdrawal of the application of Michael Eddings, attorney, to rezone 7.96 acres owned by Michael B. Moon, on Map 083, Parcel 017, Land Lots 260 & 285, Land District 17, from R-1 to A-1; present use residential; proposed use broadcast tower; property located at Lot 11, McKee Road, Upatoi.** Chairman Lange said that the request to withdraw this rezoning application is due to Mr. Eddings no longer representing the owner as the property was foreclosed on on January 13, 2009. The motion to approve the withdrawal of the rezoning application was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
4. **NEW BUSINESS**
  - A. **Daehan Christmas Card.** Chairman Lange read the belated Christmas card he received from Chairman Kwon of Daehan, indicating that regardless of the current economy, the Hundai-Kia project will continue to move forward with equipment

expected to arrive on site by the end of March or April to begin mass production by December 2009.

- B. **October 2008 Financial Statement.** Commissioner Wyatt made the motion to approve the October 2008 Financial Statement. Discussion included that the County sends 1/12th of the Library budget to the Regional Library System that disburses the salaries to the Library employees; that the Library budget was over because payments that should have been made in November were paid in October; that there was a credit in the Community Development budget because something was charged to that budget in error and was corrected); and that because the Department of Revenue can't give a good explanation of how funds are received and disbursed in connection with the Local Option Sales Tax (LOST) and the Special Purpose Local Option Sales Tax (SPLOST), both Danny Bridges, County Manager, and Commissioner Manning, will contact Representative Vance C. Smith, Jr., to see if he can get something done regarding same. Following discussion, Chairman Lange seconded the motion to approve, and the motion passed unanimously.

5. **COUNTY MANAGER**

- A. **Agreements: Airport Projects - Work Authorizations for Site Prep for T-Hangar Site and Rehabilitation of Runway & Terminal Apron - WK Dickson.** Danny Bridges, County Manager, said that the total of the agreements (\$260,000) is the same as the amount funded by the DOT and the FAA for the Airport; and that these documents must be acted on prior to application being made for the DOT/FAA funds in order to request a drawdown. John Taylor, County Attorney, said that he has reviewed the documents, find them to be in order and recommends approval of same. The motion to approve both documents was made by Commissioner Manning, seconded by Commissioner Wyatt, and passed unanimously. (Documents can be found in "Contracts & Agreements" file as C&A #09-04 and #09-05.)
- B. **Recreation Center: Architectural Proposal from Andras Allen Starr.** Danny Bridges, County Manager, said that a proposal has been received from Sam Andras, with Andras Allen Starr, to begin the design portion for the Recreation Center and on an EMS/Fire Station; that the fee is 5.9% of the total cost; that \$3,000,000 is currently budgeted (\$2,200,000 in upcoming SPLOST plus \$800,000 in the current SPLOST); and that the fee will not be paid all at once, it will be 15% of the anticipated construction cost for the total building for the drawings, 30% for the design, 35% for the construction, 5% for the bidding process, and 15% for administration. In response to questions, Mr. Bridges said that Mr. Andras has been told that the design will be for a \$3,000,000 building, but if the Board decides at a later point to add to that amount, then the building could be altered; and that Mr. Andras will present suggested layouts for the Board to decide upon and as the project moves forward, he will meet with the Board from time to time for direction. Mr. Bridges said that Mr. Andras has worked with the County before and is currently working on the Health Department addition/expansion project. The motion to approve the 5.9% fee for Mr. Andras was made by Commissioner Whearley, seconded by Commissioner Wyatt, and passed unanimously.
- C. **Tourism Grant Application Ratification.** Danny Bridges, County Manager, said that in December he signed, on behalf of the County, a grant application of Lon Marlowe, who owns Oakhurst, for \$8,000 to build a butterfly display at his facility; that the grant funds have to come through the County; that there will be no cost to the County and the County will not administer the grant; that if the grant is approved, the County will receive the check and then write one to Mr. Marlow. The motion to approve the grant application was made by Commissioner Loudermilk, seconded by Commissioner Whearley, and passed unanimously. (Document can be found in "Miscellaneous Documents" as MD# 09-01.)

6. **COUNTY ATTORNEY**

- A. **Agreement: Dean's Commercial Two-Way (Repeater & Tower Lease).** John Taylor, County Attorney, said that this agreement is for the lease of repeaters on two towers in the amount of \$300 per month per tower; that this equipment and service will provide radio usage for the various Volunteer Fire Departments and members; that Mr. Ginn owns one of the towers, located in Ellerslie, and represents the owner of the other tower, located in West Point; that he will maintain and repair the equipment at his cost and keep it and the towers in working condition; that the lease is for 36 months and will automatically renew for one-year terms unless cancellation notice is provided to Mr. Ginn; that during the initial 36-months, termination can only be made for cause (not fulfilling the requirements of the system), but during the renewal terms, termination can be made without cause subject to written notice; that he recommended approval of the agreement; and that he has provided Mr. Ginn a copy of same so there may be a few minor changes but all terms and amounts will

remain the same. The motion to approve was made by Commissioner Loudermilk, seconded by Commissioner Manning, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #09-06.)

7. **OTHER**

- A. **Comp Plan Transmittal Resolution.** Commissioner Loudermilk noted that the Comp Plan Transmittal Resolution was to have been on this agenda. Chairman Lange said that was true, but because he had found too many errors to consider going forward with any action, he moved action to the first meeting in February; that he visited with the director of the Lower Chattahoochee RDC to give them his opinion of the document; that he provided the LCRDC with a copy of the necessary changes; that the revised draft should be ready before the next meeting; that the RDC should have the corrections made and a revised document provided prior to the next meeting. He directed Nancy McMichael, County Clerk, to provide copies of the revised document to the Board upon receipt of same.
8. **REQUEST FOR EXECUTIVE SESSION.** John Taylor, County Attorney, requested an Executive Session for the purpose of discussing a personnel issue.
9. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing a personnel issue was made at 7:35 PM by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
10. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
11. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Manning, seconded by Commissioner Whearley, and passed unanimously.

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J. Harry Lange, Chairman

Attest:

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Nancy D. McMichael, County Clerk