

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

March 3, 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.** The motion to approve the minutes of the February 17, 2009, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed with four in favor (Loudermilk, Wyatt, Lange, Whearley), no opposition, and one abstention (Manning, who was absent on February 17).
3. **NEW BUSINESS**
 - A. **Safety Discount Verification for ACCG-IRMA (Property & Liability Insurance).** Danny Bridges, County Manager, said that this was the usual verification form that the County has previously signed in connection with receiving a 5% discount on its Property & Liability insurance. The motion to approve the execution of the document was made by Commissioner Wyatt and seconded by Commissioner Manning; however because Commissioner Loudermilk said that since he was not familiar with the requirements of the discount he would not vote on same. Commissioner Wyatt withdrew his motion, Mrs. McMichael was directed to provide the info to the Commissioners, and this matter will be placed on the March 17 agenda.
 - B. **Not on Digest Request.** Chairman Lange said that an NOD had been received regarding Norfolk Southern Corporation and that the amount on the digest of zero had been corrected to \$7,340 due to it have been deleted erroneously. The motion to approve the NOD was made by Commissioner Manning, seconded by Commissioner Loudermilk, and passed unanimously.
 - C. **Requests for Tax Refund.** Chairman Lange said that two requests had been received, as follows:
 - (1) **Blackmar, Fredrick L.** The requested amount of \$58.64 for 2006, 2007 and 2008 is due to a duplicate billing and has been agreed to by the Tax Commissioner and the Board of Tax Assessors. The motion to approve this tax refund was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
 - (2) **Justice, Jeffery & Trang Thi.** The requested amount of \$1,529.88 for 2008 is due to tax having been erroneously paid on previously owned property which was sold in October 2008. Following discussion, consensus was that this is more of a matter between the Justices and the new property owner, Arville Mooneyham. Danny Bridges, County Manager, was directed to look into this matter and to bring it back to the Board if nothing can be worked out between the Justices and Mr. Mooneyham.
4. **COUNTY MANAGER**
 - A. **SPLOST Road List 2008 and Road Contract Amendment.** Danny Bridges, County Manager, said that it is being requested that the 2008 SPLOST Road List and the contract with C.W. Matthews be amended to add the balance of the length of Cecily Court and of Cecily Drive; that the estimated costs for the additional 0.35 mile of Cecily Court is \$27,555.52 and for the 0.30 mile of Cecily Drive (of 0.30 mile) is \$20,188.30; and that both estimates include asphalt, petromat, tack and center striping. The motion to amend the 2008 SPLOST Road List and to amend the road contract with C. W. Matthews was made by Commissioner Loudermilk, seconded by Commissioner Whearley, and passed unanimously.
 - B. **Daehan Solutions Site Project: Site Prep Work.** Danny Bridges, County Manager, reminded the Board that in the project agreement regarding Daehan/Daesol, the County is obligated to provide certain items for finished site preparation to include asphalt and paving; that two proposals show the work to be estimated at a little over \$1.5 million; that it is being recommended that the funds be taken from Fund Balance and transferred to the Development Authority to pay for the finished site prep work; and that the only remaining obligation of the County is to provide the gravel, but not the

hauling or spreading of same, and about \$3,000 for the grand opening ceremonies. Following discussion, the motion to approve transferring up to \$1.5 million from Fund Balance to the Development Authority and to providing the gravel was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.

- C. **Salary Changes: Sheriff's Office.** Danny Bridges, County Manager, said that the Sheriff would like to make salary changes affecting six individuals whose ranks are changing; that the changes will result in no difference to the bottom line of the Sheriff's budget; that these changes are being brought to the Board because two increases are over the 5% that he, as County Manager, is authorized to approve; and that the changes are as follows:

- (1) Demotion of one Lt. to Sgt: -\$2.81/hour
- (2) Promotion of two Lts. to Cpts: +\$.06/hour (both at .15%)
- (3) Promotion of two Sgts. to Lts.: +\$1.39/hour (one at .95%; one at 7.7%)
- (4) Promotion of one Dep. to Sgt.: +\$1.36/hour (9.1%)

The motion to approve the changes was made by Commissioner Loudermilk, seconded by Commissioner Manning, and passed unanimously.

- D. **Public Awareness of Illegal Use of Rail Line Right of Way.** Chairman Lange thanked Pam Avery, reporter for the Harris County Journal, for her article last week concerning the illegal use of the Rail Line Right of Way by ATVs/4-Wheelers.

- E. **Resolution: Authorize Investment through Local Government Investment Pool and CD Investments of up to \$250,000 in Banks.** Danny Bridges, County Manager, said that the County has investments with Wachovia and First Peoples banks; that Wachovia is currently paying .05% interest and we have reached the maximum we can have in First Peoples; and that it is being requested to allow the County to invest in the Georgia Fund 1 Local Government Investment Pool, which does not loan money and is not associated with the One Georgia program. He explained how such investment would work with Georgia Fund 1 and also asked that the County be authorized to invest up to a maximum of \$250,000 in CDs in other banks in Muscogee and Troup counties in an effort to receive better interest rates with him, Jennie Shelhorse (Finance Officer), and Nancy McMichael (County Clerk) as authorized signers. Commissioner Wyatt said that he had no objections to such an investment being made in any bank statewide. Following a brief discussion, the motion to approve the Resolution authorizing the investment of funds through the Local Government Investment Pool of Georgia Fund 1 and to authorize the use of any bank within the State of Georgia for CDs not to exceed \$250,000 in any one bank, and to authorize the County Manager, Finance Officer, and County Clerk as authorized signers was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.

5. **COUNTY ATTORNEY**

- A. **Resolution: Authorizing Acceptance of Easements Regarding Cedar Drive.** John Taylor, County Attorney, said that this document authorizes the County to proceed with obtaining the necessary easements from owners of property along Cedar Drive for the sole purposes of repairing a culvert that may pose possible danger to County public safety/emergency personnel; that the Resolution authorizes the County to exercise its police and public health, safety and welfare powers to obtain such easements and make the necessary repairs; that the easements must be obtained prior to any work being done on the culvert; and that such easements can be reversed by the County after repairs have been made. The motion to approve the Resolution was made by Commissioner Manning, seconded by Commissioner Loudermilk, and passed unanimously.

- B. **Resolution: Acceptance of Sputnik Street.** John Taylor, County Attorney, said that this Resolution is to accept all of Sputnik Street, located in Mulberry Estates and described on the Right of Way Deed which has been obtained from Moon Family Properties. The motion to approve the Resolution was made by Commissioner Whearley, seconded by Commissioner Wyatt, and passed unanimously.

- C. **First Reading and Review of Ordinance to Provide for Uses and Restrictions Pertaining to the "Railroad Recreation Trail".** John Taylor, County Attorney, said that as a result of the Board's direction during the February 17 meeting, he drafted an Ordinance regarding the uses and restrictions pertaining to the "Railroad Recreation Trail", for lack of a better name, and he reviewed the document. In addition to discussion of the document, minor corrections were noted. Following discussion, Chairman Lange said this was the First Reading and asked if anyone had any comments or questions. There being none, he said that the Second Reading with

possible action will take place during the March 17 meeting.

- D. **Review and Authorization to Proceed: Ordinance Amendment regarding Electronic Variable Message Signs.** John Taylor, County Attorney, said that he drafted an amendment to the Zoning Ordinance regarding electronic variable message signs, which have previously been discussed by the Board on several occasions; that because the signs are part of the Zoning Ordinance, the amendment will have to be advertised and at least one public hearing held; and that while electronic variable message signs are not permitted, per se, in the County, such signs that change no more than once every eight hours will be permitted. Following discussion, in which minor corrections to the document were noted, the motion to proceed with the amendment as required by the Zoning Ordinance was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.
- E. **Request to Abandon a Portion of Old Mount Airy Road.** John Taylor, County Attorney, said that a request to abandon a portion of Old Mountain Airy Road had been received from Byron and Orpha Gainey; and that regarding the plat provided in the meeting packet, Mr. and Mrs. Gainey purchased Tract 7 and would like the old road bed, shown in yellow, to be abandoned so that their property would be in one piece. Following a brief discussion, the motion to proceed with the abandonment process as it pertains to Tract 7 was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
6. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing possible real estate acquisition and a personnel matter was made at 8:00 PM by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
7. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made by Chairman Lange, seconded by Commissioner Wyatt, and passed unanimously.
8. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

Attest:

J. Harry Lange, Chairman

Nancy D. McMichael, County Clerk