

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

October 5, 2010

7:00 P.M.

Commissioners Present: J. Harry Lange, Joey M. Loudermilk, Joe Manning, Patrick Whearley, Charles Wyatt. 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 September 21, 2010, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
3. **OLD BUSINESS**
 - A. **Vote: Ordinance to Amend Soil Erosion & Sedimentation Control Ordinance.** Chairman Lange said that the motion to approve this Ordinance was made during the September 21 meeting by Commissioner Loudermilk, seconded by himself (Lange), but action was tabled by Commissioner Manning in order to have a finished document to review before voting. Commissioner Manning said that he was satisfied with the document. Upon Chairman Lange's request for a vote, the motion passed unanimously.
 - B. **Moratorium on Sewer Line for the Grove.** Chairman Lange said that during the September 21 meeting a motion for a six-month moratorium on County expenses related to the sewer line was made by Commissioner Wyatt, seconded by Commissioner Manning, and action was tabled pending review of the agreements with Columbus Water Works and the Grove. John Taylor, County Attorney, said that the agreements are not date specific, but do include "time is of the essence", which could lead one to believe that any delay could be a violation of the terms. Commission Wyatt said that based on the review of various aspects of what has occurred with this project, he is rescinding his motion for a six-month moratorium and changing it to a 12-month moratorium on any County expenses related to the sewer line for the Grove, but that the County Manager can have phone conversations with the parties involved. Commissioner Manning seconded the new motion. Discussion included that rather than have a moratorium, which could possibly violate the agreements, the County Manager should come back to the Board regarding any additional expenses. Following discussion, the motion passed with three in favor (Wyatt, Manning, Whearley) and two opposed (Lange, Loudermilk).
4. **NEW BUSINESS**
 - A. **First Reading: Outdoor Landscape Watering Ordinance.** Chairman Lange said that the State has mandated that all counties adopt an outdoor landscape watering ordinance, which must be effective as of January 1, 2011; that an ordinance has been drafted; and that this is the First Reading. Discussion included that the first, second and fourth "whereas" paragraphs are to be deleted and the third is to reflect that the ordinance is mandated. Chairman Lange asked if anyone wished in speak in favor of or in opposition to this Ordinance. There being none, he said that the Second Reading and action are scheduled for the October 19 meeting.
 - B. **Error & Release Requests and NOD.** Chairman Lange read the Error & Release requests and NOD as follows:
 - (1) **Error & Release Requests**
 - (a) Culpepper, Vamus & Thelma, Life Estate: Digest total of \$55,436 corrected to \$46,969 due to acreage correction
 - (b) Harris County, GA: Digest total of \$2,628 corrected to zero due to the

property being exempt (owned by County)

- (c) McCall, John E.: Digest total of \$5,676 corrected to \$4,400 due to acreage correction
- (d) Iddins, Ron S.: Digest total of \$73,060 corrected to \$4,000 due to transfer of house and other improvements to another parcel (see 4B(2)(a) below).

(2) **NOD**

- (a) Iddins, Ron S.: Digest total of \$17,974 corrected to \$87,034 due to transfer of house and other improvements from another parcel (see 4B(1)(d) above).

The motion to approve the Error & Release requests and the NOD was made by Commissioner Manning, seconded by Commissioner Loudermilk, and passed unanimously.

5. **COUNTY MANAGER**

- A. **Telephone Upgrade Award.** Danny Bridges, County Manager, reminded the Board that he had been given permission to request proposals for a new telephone system for the Courthouse, Commissioners' office, and Community Development; that several requests for proposals were mailed, two companies attended the pre-proposal conference, but only one, A-COM, submitted a proposal; that the proposal is within the \$65,000 budget; and that he is requesting authorization to negotiate various aspects of the project to reduce the actual number of phones and phone lines needed, which would, in turn, also reduce the monthly costs involved. The motion to award the proposal to A-COM and to authorize the County Manager to negotiate the project and execute the agreement was made by Commissioner Whearley, seconded by Commissioner Wyatt, and passed unanimously. (Contract documents can be found in "Contracts & Agreements" file as C&A # 10-32.)
- B. **Ratify Purchase of Two Vehicles for Sheriff's Office.** Danny Bridges, County Manager, reminded the Board that he had obtained verbal approval for the purchase of two vehicles for the Sheriff's Office using Drug Funds. He said that the vehicles, totaling \$51,248, have been purchased and ratification of same is needed. The motion to ratify the purchase of the two vehicles, to be titled to the County, was made by Commissioner Whearley, seconded by Commissioner Loudermilk, and passed unanimously.
- C. **Supplemental Agreement: WK Dickson.** Danny Bridges, County Manager, said that the original agreement with WK Dickson, the County's Airport Consultant, was for three years with options of two one-year extensions; that the original agreement has expired; that the supplemental agreement is for a one-year extension and the only changes are to the hourly wages; and that there is no money involved with the agreement. The motion to approve the Supplemental Agreement #1 was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" as C&A #10-33.)

6. **PUBLIC HEARINGS @ 7:30 PM**

- A. **Public Hearing Procedures.** Chairman Lange explained the procedures involved with the Public Hearings.
- B. **Conflict of Interest Forms.** The Conflict of Interest forms were completed at the request of Chairman Lange.
- C. **Application of Greater Valley Partners, LLC, to rezone 388.09 acres of Map 001, Parcels 001 & 002B, Land District 5, Land Lots 226, 227, 232,**

233, 278, 279, 281 & 282, from A-1 (Agricultural) to CORD (Commercial Outdoor Recreation Development), present use undeveloped, proposed use hunting preserve (weekly hunts w/accommodations). Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Commission and Zoning Staff had recommended approval. Bob Farner and Kyle Farner, representing Greater Valley Partners, appeared before the Board. Mr. Bob Farner said that his son, Kyle, would be managing the hunting preserve called Twisted Pine; that the old house on the property has been renovated and will be used for accommodations for up to six hunters; and that there will be deer, turkey and dove hunts. In response to questions, Mr. Farner said that they plan to add quail hunts in the future; that the property has been used for hunting for a couple of years, that his son will be locating stands and hunters far enough away from the nearby interstate and Welcome Center to prevent ammunition from entering those areas; and that they had no problem with the property being rezoned to CORD only for a hunting preserve. Chairman Lange asked if anyone wished to speak in favor of or in opposition to the rezoning. There being none, he closed the Public Hearing. The motion to approve the rezoning with the condition that it is only for a hunting preserve was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

D. **Application of Harris County Board of Commissioners to Amend the Text of the Zoning Ordinance, Article IV (Zoning District Objectives, Uses & Regulations), Section 2 (Permitted Uses in Zoning Districts), Page CDA:25, Item 139 (Taxidermist), to add C-1, C-3 and C-4 with Special User Permit to the districts in which Taxidermist is permitted.**

Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Commission and Zoning Staff had recommended approval of the amendment. He then said that the amendment is to allow Taxidermist in C-1, C-3 and C-4, in addition to the districts in which it is already permitted, all with the Special Use Permit. Commissioner Wyatt said that he had instigated the amendment based on two different parties who were interested in opening Taxidermist shops in commercial districts, but that both have since changed their minds; and that if the Board wants to proceed with the amendment, he will go along with same. Two Commissioners indicated that allowing Taxidermist in C-1, C-3 and C-4 districts made sense. Chairman Lange asked if anyone wished to speak in favor of or in opposition to this zoning amendment. There being none, he closed the Public Hearing and asked for a motion. The motion to approve the amendment was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

7. **COUNTY MANAGER (CONTINUED)**

D. **Airport Task Orders: Airport Layout Plan Update & Environmental Assessment.**

Danny Bridges, County Manager, said that the Capital Improvement plan calls for the Airport Taxiway to be moved due to its close proximity to the runway; that before such an improvement can take place, the Airport Layout Plan (ALP) has to be updated, per FAA requirements, and an Environmental Assessment (EA) must be done; that these two task orders are for those projects; that he wants to discuss the projects with the FAA and GDOT, to whom a grant application would be made for the projects, before the Task Orders are executed; and that he is requesting authorization to negotiate the project costs, hopefully to a reduced amount, and to execute the documents once all parties are in agreement. Following a brief discussion, the motion to approve the task order descriptions, to authorize the County Manager to negotiate the project costs, and for the County Manager to execute the project documents was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously. [Documents can be found in "Contracts & Agreements" file - C&A 10-34 (ALP) and C&A 10-35 (EA).]

E. **TE Grant.** Danny Bridges, County Manager, advised the Board that it is

time to start thinking about applying for a TE Grant if there is any interest, and that he would like to approach the City of Hamilton and the Town of Pine Mountain about making joint applications for a TE Grant to possibly pave the sections of the Railroad Recreation Trail in Hamilton and Pine Mountain. Following a brief discussion, there were no objections to Mr. Bridges discussing the matter with the City of Hamilton and the Town of Pine Mountain.

- F. **Alcoholic Beverage Licensing Complaint.** Danny Bridges, County Manager, said that he had received a complaint about the citizenship requirement in order to obtain an alcoholic beverage license and that he had advised the individual that he would bring it to the attention of the Board. There were no comments or directives regarding making an amendment to the Alcoholic Beverage Ordinance.
8. **COUNTY ATTORNEY.** John Taylor, County Attorney, said that he had no business to discuss with the Board this evening.
9. **OTHER**
- A. **Sales Tax Dollars.** Chairman Lange said that he understands that the State Attorney General has given an opinion that the State cannot retain the sales tax dollars it has been holding for use in the State General Fund and must return same to the Counties.
- B. **ACCG Local Legislative Conference.** Chairman Lange said that he had recently attended the conference and obtained a copy of the County Platform as discussed during the conference and has provided same to the County Manager if any of the Board would like to see same.
10. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing a personnel issue and potential or pending litigation was made at 7:51 PM by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.
11. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.
12. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk