

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

November 2, 2010

7:00 P.M.

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

1. **CALL TO ORDER.** In the absence of Chairman Lange, Vice-Chairman Loudermilk called the Regular Session to order.
2. **MINUTES.** The motion to approve the minutes of the October 19, 2010, Regular Session was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.
3. **OLD BUSINESS**
 - A. **Fourth Reading: Amendments to Animal Control Ordinance.** Vice-Chairman Loudermilk said that this was the fourth reading of the amendments to the Animal Control Ordinance. Discussion included that the mandated neutering/spaying of dangerous dogs, after impoundment, had been deleted, and that "or subdivided area" has been added at the end of the definition of subdivision. Following discussion, Vice-Chairman Loudermilk asked if anyone in attendance wished to comment on the proposed amendments. Bobby Haralson, citizen, appeared before the Board and said that he is for less government and the amendment appears to be more government; and that people used to take care of animal problems. There being no further comments, the motion to approve the amendments was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.
4. **NEW BUSINESS**
 - A. **Rezoning & Special Use Schedules for 2011.** The motion to approve the Rezoning and Special Use Schedules for 2011 was made by Commissioner Wyatt, seconded by Vice-Chairman Loudermilk, and passed unanimously.
 - B. **Error & Release Requests.** Vice-Chairman Loudermilk read the Error and Release requests as follows:
 - (1) Barfield, Richard P. & Caroline (2010): Digest total of \$2,640 corrected to zero (duplicate charge)
 - (2) Barfield, Richard P. & Caroline (2009): Digest total of \$2,640 corrected to zero (duplicate charge)
 - (3) Barfield, Richard P. & Caroline (2008): Digest total of \$2,640 corrected to zero (duplicate charge)
 - (4) Coker, Robert & Sharon: Digest total of \$29,035 corrected to \$23,945 (acreage correction)
 - (5) Dozier, Wayne & Gwendolyn (2010): Digest total of \$28,418 corrected to \$27,107 (duplicate charge)
 - (6) Dozier, Wayne & Gwendolyn (2009): Digest total of \$28,418 corrected to \$27,107 (duplicate charge)
 - (7) Dozier, Wayne & Gwendolyn (2008): Digest total of \$28,418 corrected to \$27,107 (duplicate charge)
 - (8) Middlebrooks, Franklin: Digest total of \$11,894 corrected to \$7,200 (error on file; property is vacant)

The motion to approve the eight Error & Release requests was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.
 - C. **Insolvent List (November 2010).** Vice-Chairman Loudermilk read the insolvent list. Following discussion, the motion to approve the entire list was made by Commissioner Wyatt, seconded by Vice-Chairman Loudermilk, and passed unanimously.
5. **COUNTY MANAGER**
 - A. **Intergovernmental Agreement w/West Point: Animal Shelter.** Danny Bridges, County Manager, said that this matter had been discussed during the September 16

meeting and that the Board had no objections to moving forward with an agreement with West Point for the use of the County's Animal Shelter. Following discussion, the motion to approve this agreement was made by Commissioner Manning, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #10-36.)

- B. **Manufactured Home Ordinance.** Danny Bridges, County Manager, said that the State has determined that counties can no longer regulate the installation of pre-owned manufactured homes (aka mobile homes or trailers) based on the year of construction of the home, but that counties can establish standards and conditions for pre-owned manufactured homes; and that a model ordinance has been provided by ACCG and will be used as a template if necessary. Following discussion, Mr. Bridges said that copies of the current manufactured home ordinance and the proposed ordinance will be provided to the Board for review before proceeding with the Zoning amendment process.
- C. **TE Rails to Trails Grant: Railroad Recreation Trail.** Danny Bridges, County Manager, said that this matter had been discussed previously and that the grant amount discussed was \$ 100,000 with a 20% match; that the minimum grant amount is now \$250,000 and can be up to \$1,000,000 with a 20% match that can either be in-kind and/or in cash; and that the cities support applying for \$1,000,000 and will do what they can to help with the match of \$200,000. Following discussion, the motion to move forward with applying for a \$1,000,000 grant was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.

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

- A. **Public Hearing Procedures.** Vice-Chairman Loudermilk explained the procedures involved with the Public Hearings.
- B. **Application of Harris County Board of Commissioners to Amend the text of the Zoning Ordinance, Article IV (Zoning District Objectives, Uses & Regulations), Section 1 (Zoning District Objectives, Uses & Regulations), Page CDA:14, Paragraph 1.13 MHU-2 Manufactured Housing Unit District - Subdivision AND Section 2 (Permitted Uses in Zoning Districts), Page CDA:24, Item #128 (Residential/Industrial Building), to allow single family residences in MHU-2.** Vice-Chairman Loudermilk called the Public Hearing to order, read the specifics of the application, and said that both the Planning Commission and the Zoning Staff had recommended approval. Danny Bridges, County Manager, said that there has been discussion about allowing stick-built homes in MHU-2 zoning districts, and that by making such an amendment to the Zoning Ordinance, it would allow persons owning property in MHU-2 districts to build stick-built homes, which could only improve the area. Following a brief discussion, Vice-Chairman Loudermilk asked if anyone wished to speak in favor of the amendment. There being none, he asked if anyone wished to speak in opposition to the amendment. There being none, he closed the Public Hearing and asked for a motion. The motion to approve the Zoning Text Amendment was made by Commissioner Wyatt, seconded by Vice-Chairman Loudermilk, and passed with two in favor (Wyatt, Loudermilk) and one opposed (Manning).

7. **COUNTY MANAGER (CONTINUED)**

- D. **Hamilton Youth Sports Association Building.** Danny Bridges, County Manager, said that the Hamilton Youth Sports Association has requested that they be allowed to construct a building for the purpose of holding meetings and storage; that it is recommended the request be granted and that the building be located on County property, just outside the fence line at Moultrie Park, with access from the driveway to Moultrie Park. Following discussion, which included that a ground lease would be necessary, and that insurance should be required from the Association, the motion to move forward with the process was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously. Mr. Bridges said that the agreement would be brought back to the Board for approval at a later date.
- E. **County Rating re: Community Center Bond Financing.** Danny Bridges, County Manager, said that in connection with the bond financing of the Community Center, Standard & Poor's will provide the County's rating; that the rating fee is \$11,000; that the fee will come from the bonds; and that in today's world, a bond rating is necessary in order to sell the bonds. He said that no action is necessary by the Board, but he wanted the Board to be aware of what was going on with the bond financing, and that the letter from Standard & Poor's has to be accepted by the

Public Improvements Authority whose action during its last meeting authorized the execution of bond documents.

8. **COUNTY ATTORNEY.** John Taylor, County Attorney, said that he had no business to discuss with the Board this evening.
9. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Manning, seconded by Commissioner Wyatt, and passed unanimously.

Joey M. Loudermilk, Vice-Chairman

Attest:

Nancy D. McMichael, County Clerk