

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

March 1, 2022
6:30 P.M.

Commissioners Present: Andrew Zuerner, Susan Andrews (late), Rob Grant, Bobby Irions, Becky Langston. Staff Present: Randy Dowling, County Manager; Russell Britt, County Attorney; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Chairman Zuerner called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE.** Chairman Zuerner led those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the February 15, 2022, Regular Session was made by Chairman Zuerner, seconded by Commissioner Langston, and passed unanimously.
4. **OLD BUSINESS**

A. **Agreement with GDOT: Lighting for US 27 & SR 315 Intersection Roundabout.** Chairman Zuerner said that this agreement had been tabled from the February 15 meeting; and that GDOT has provided additional information for the roundabout. Commissioner Grant said the roundabout near Greenville does indeed have lights on it. Chairman Zuerner said that the lighting is mainly a safety concern, and he made the motion to approve the agreement. The motion was seconded by Commissioner Grant and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #22-04.)

B. **Decision on Rezoning Applications of Edgar Hughston Builder, Inc., to (1) rezone 67.78 acres on Map 033, Parcel 017, Land Lot 9, Land District 19 and (2) rezone 314.55 acres on Map 033, Parcel 027, Land Lot 10, Land District 19; both from A-1 (Agricultural/Forestry) to R-1 (Single Family Residential), present use timber, proposed use single residential homes; property located on north side of Mountain Hill Road & west of I-185, Fortson.** Chairman Zuerner said that a combined public hearing for the two rezoning applications had been held and closed on January 4, 2022; that the decision regarding the applications was tabled to this meeting; and that because the public hearing has been held and closed no further comments can be received from the audience regarding the applications, but the Board may ask questions of the applicant. Tyler Findley, representing Edgar Hughston Homes, appeared before the Board to respond to questions.

In response to questions from the Board, Mr. Findley said that no changes had been made, but that an economic study regarding the impact of the proposed development and an archeological study regarding the cemetery on the subject property, both of which had been provided to the Board, had been performed; that precautions will be taken regarding the protection of the creek; that the closest building site to the creek is 250' and the farthest is 1,000'; that the closest right of way to the creek is 430' and the farthest is 650'; that the price point of the homes will be between \$390,000 and \$450,000 with the average being \$409,000; that while some of the lots are just over 2 acres, the majority are from 3 to 21 acres; that regarding the cemetery, it is not on the right of way of any road and that an access easement to the cemetery will be provided; and that the reason to rezone from A-1 to R-1 is to negate homeowners having livestock on their property, which is permitted in A-1.

Chairman Zuerner said that the Harris County Tax Assessor has indicated the price point for homes to offset expenses related to services was \$320,000 three years ago, so the homes on the subject property should more than offset such expenses. He said that according to GDOT standards the roads in the area will be able to withstand additional traffic; that regarding the rate of growth in the County, in 1992 there were 322 single family residential permits issued, in 2005 there were 449, in 2007 there were 252, after which there was a decrease until it jumped back up in 2021 to 242; that growth is at a much slower pace than in the past; and that QPublic shows some homes currently in the area as being closer than 200' from the creek.

Commissioner Andrews said that the Comprehensive Plans indicates growth on the 315 corridor; that the subject properties are not on that corridor but on Mountain Hill Road; that the only question to answer is does the County want this large tract of rural land on a county road that has been A-1 for decades to be rezoned to dense

residential; that the County has spent funds on a new UDC which will come before the board in a few weeks and include what agricultural districts should look like in the future; and that she cannot support the rezoning. Mr. Findley said that the Future Lane Use Map includes an area of 5 miles north and south of the 315 corridor, and the subject property is within 3 miles; and that the proposed development is not high density, which is usually 4 units to the acre. Commissioner Andrews said that the proposed development is dense to her. Mr. Findley said that the current code does not reflect 2 acres outside the flood plain, that they have followed all the County rules; and that it is unfair to put something on them that is not in the code. Chairman Zuerner said the proposed UDC may change things and impact building and growth, but he doesn't think the Board may be ready to pass it.

Commissioner Irions said that density is not a singular development but the area as a whole; that in the area, the County has approved 2,200 homes in one development, 400 in four others; that one development is a 30-year development; that he understands the concept of not wanting to be in a high density area; that he has to listen to his constituents; that just because an application checks all the boxes, the impact to the community and services need to be considered; and that it doesn't mean it is acceptable in every case, but on a case by case basis; that he doesn't know what the number is for services in the area; that 2,600 units have already approved in the area and the numbers don't balance; that he has concerns about schools especially with kids being in portable buildings; that development is coming, which and we have to have or taxes will go higher to cover service costs; and that there are more variables than black and white as to what is on the application.

Mr. Findley said the 2,600 homes have been deemed as appropriate by the county; that commercial businesses won't come to the county without higher density; and that this development is what Harris County is asking for.

Commissioner Irions said that the Harris County he knows is a rural area without high traffic, no crime, and he is responsible to his constituents; that he has received numerous phone calls about these applications; and that the higher the density and population count, the higher the crime. Mr. Findley said that defined across the nation, high density is 3+ units on an acre; and that while high density does bring crime, but the proposed development will not bring crime.

Commissioner Langston said that this development is in her district and she has received five emails and no phone calls about it; that the 2,200 units of the Grove were approved about 14 years ago; and that we can't second guess the professionals and developers as to build out.

Commissioner Grant said in 1994 lot sizes went from 1/2 to 1 acre, which didn't slow down growth, and then in 2003 from 1 acre to 2 acres and it really didn't slow down growth.

There being no further comments, Chairman Zuerner asked for a motion.

Commissioner Langston made the motion to approve the rezoning of the 67.78 acres from A-1 to R-1 with no conditions. The motion was seconded by Chairman Zuerner and passed with three in favor (Langston, Zuerner, Grant) and two opposed (Andrews, Irions).

Commissioner Langston then made the motion to approve the rezoning of the 314.55 acres from A-1 to R-1 with no conditions. The motion was seconded by Chairman Zuerner and passed with three in favor (Langston, Zuerner, Grant) and two opposed (Andrews, Irions).

(Note: The documents referenced by Mr. Findley - the economic study, archeological study, and map regarding creek - can be found in "Miscellaneous Documents" file as MD #22-04.)

4. **NEW BUSINESS**

- A. **Resolution of Acceptance and Commitment: Recreational Trails Program Grant.** Chairman Zuerner said that the County has been notified its application for a Recreational Trails Program (RTP) grant was successful and has been invited to proceed to the second level of the application process, for which a Resolution to accept and commit to the grant is required; that this is a \$70,000 grant (\$49,000 State and \$21,000 County) and is to clear and develop about 4,000 additional linear feet of dirt trail on the south side of Ellerslie Park with associated drainage, gravel

trailhead, security gate, kiosk, and signage; and that if approved, construction would begin in the summer and be completed by the fall of this year; and that funds will be included in next year's budget. The motion to approve the Resolution was made by Commissioner Grant and seconded by Commissioner Langston. Discussion included that the trail will be like the one presently in place; that upon completion there will be about 3.5 miles of trail in the park, and that out of 38 grant applications, only 13 were awarded. The motion to approve passed unanimously.

5. **COUNTY MANAGER**

- A. **Consideration of Construction Manager for Courthouse Partial Renovation, Phase I.** Randy Dowling, County Manager, said an RFQ was prepared and distributed for a Construction Manager (CM) to manage Phase I of the Courthouse renovations, the budget of which is \$3,413,150, with \$1,388,250 from SPLOST-2019 and \$2,024,900 from federal ARP funds for the HVAC portion; and that on the deadline date of February 11, three responses were received from:

River City Contracting, Fortson GA
Freeman & Associates, Columbus GA
Thayer-Bray Construction, Columbus, GA

Mr. Dowling said that personal interviews were held on February 22 with all three firms and the selection committee (himself, two representatives from 2WR, a representative from Peach Engineering (doing the HVAC), and a staff member of the County's Facilities Maintenance Department); that the recommendation is to approve River City Contracting as the CM; and that the CM will prepare a guaranteed maximum price (GMP) for the project for approval by the Board in April, with contract preparation during May, construction beginning in June, and completion during December 2022. The motion to award the River City Contracting as CM was made by Commissioner Grant, seconded by Commissioner Irions, and passed unanimously.

- B. **Project Updates.** Randy Dowling, County Manager, reviewed various projects, as follows:

- (1) UDC/Land Use Codes. The final version is has been posted on the website; first reading before the Planning Commission on March 16 and second reading before the Board on April 5.
- (2) EMS/VFD Facility in NWHBP. Design is ongoing with meetings held January 28 and February 24 with all end users.
- (3) Prison Roof Replacement. Project started this week; should be completed in 30-45 days.
- (4) Patching of 7 County Roads. Project out on bid; bids open March 3 with Board consideration on March 15.
- (5) Ellerslie Park Development. Phase II will be included in the upcoming budget, the process for which has started.
- (6) Man O'War Railroad Recreation Trail, Phase V (aka Rails to Trails). Project is on bid; bids open March 30 with Board consideration on April 5.
- (7) Water Lines on Green Drive. Project has started and should be completed soon.
- (8) Courthouse Renovations, Phase I. The Construction Manager chosen during tonight's meeting; should have the guaranteed maximum price (GMP) for Board consideration in April.
- (9) Impact Fee Study. Discussed during recent retreat; Advisory Committee to meet March 23 regarding the draft Ordinance and fee schedule to make recommendation to the Board.
- (10) Assist RVRC with T-SPLOST Referendum. T-SPLOST referendum is May 24, information is on the County's website, and publicity will be by the Chamber of Commerce. Discussion included the County currently receives around \$100,000 per months which is used for road resurfacing, the railroad recreation trail, and other projects; and that citizens need to be made aware

of what the funds have been used for and what the future funds, if approved, will be used for.

6. **COUNTY ATTORNEY.**

A. **Agreement: Mercer Medicine to Lease the Old County Library Building.** Russell Britt, County Attorney, reviewed the document to include that the agreement to lease the old library building to Mercer Medicine as a full-service medical clinic is effective April 1 and will run for five years with options to renew for two additional five-year terms; that the rent will increase incrementally starting at \$500/month and ending at \$2,500/month in 2027. The motion to approve this agreement was made by Commissioner Grant, seconded by Chairman Zuerner, and passed unanimously. (Document can be found in “Contracts & Agreements” file as C&A #22-05.)

B. **Termination Agreement: Board of Education re: Waverly Hall School Property.** Russell Britt, County Attorney, reviewed the document to include that in 2014, the County and the Board of Education entered into an IGA allowing the County to have use of a section of the Waverly Hall School property for recreation purposes; that the County has never used the property; and that the Board of Education intends to sell same, thus the need for the termination agreement. The motion to approve the agreement was made by Commissioner Andrews, seconded by Commissioner Grant, and passed unanimously. (Document can be found in “Contracts & Agreements” file as C&A #22-06.)

7. **RECESS FOR EXECUTIVE SESSION.** Chairman Zuerner made the motion at 7:30 PM to go into Executive Session to discuss real estate. The motion was seconded by Commissioner Irions and passed unanimously.

8. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made at 7:37 PM by Commissioner Grant, seconded by Commissioner Irions, and passed unanimously.

9. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Irions, seconded by Commissioner Andrews, and passed unanimously.

Andrew Zuerner, Chairman

Attest:

Nancy D. McMichael, County Clerk