

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
February 6, 2007
7:00 PM

Board Members Present: Daniel B. Bridges, J. Harry Lange, Joe F. Manning, Patrick Whearley, Charles Wyatt. Staff Present: Carol A. Silva, County Manager; Jeff Todd, Acting County Attorney; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER**. Chairman Bridges called the Regular Session to order.
2. **MINUTES**. Regarding the January 16 minutes, Commissioner Whearley said that the motion concerning the truck for the EMA/911 Assistant Director was not correct. Discussion included that the Assistant Director should be able to drive the vehicle home at night when the Director is out due to vacation or illness; to approve the minutes as they are and make a new motion; that the minutes can be approved with a change; that if the original minutes don't match up with the intent of the person that made the motion, the minutes should be changed. Commissioner Whearley said that the motion should be amended to "approve the use of the 1994 truck by the Assistant Director when he becomes Acting Director in the absence of the Director, and that the truck can be driven home or during an emergency". There being no further corrections, the motion to approve the amended January 16 minutes was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.
3. **OLD BUSINESS**
 - A. **Airport: Memorandum of Agreement for NAVAID Lease**. Carol Silva, County Manager, said that the FAA is simplifying their paperwork regarding airports; that they desire to have a general memorandum of agreement rather than a metes and bounds lease; that this document will not put the County in the position of keeping the airport open. Chairman Bridges said that this is something the County has been doing, and Commissioner Lange said that the FAA was using metes and bounds, which required new surveys when changes were made, but this document makes it more general if changes are made. The motion to approve the agreement was made by Commissioner Manning, seconded by Commissioner Lange, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-04.)
4. **NEW BUSINESS**
 - A. **Request for Tax Refund: Ron Roth**. Chairman Bridges asked Mr. Roth if he had any comments regarding why he should receive a refund (in connection with refund requests for \$1,024.31 for 2004; \$1,028.85 for 2005; and \$1,516.99 for 2006). Mr. Roth said that based on his conversation with Commissioner Whearley that he is "good to go" unless the Board wants to discuss same. Nancy McMichael, County Clerk, said that Mr. Roth had requested a hearing. Chairman Bridges said that the square footage recorded in the Tax Assessor's office was not correct for several years; that the value was increased one year and Mr. Roth questioned that. Mr. Roth said that his home is about 3,600 square feet; that the square footage was changed on tax records to 4,700 square feet; that he didn't notice anything until he noticed the sizable increase in this past year's tax bill; that upon requesting the records from the Tax Assessor's office the square footage error was discovered; that he has talked to Wayne Morris on a number of occasions; that he met with the Board of Tax Assessor's several weeks ago; that an agreement was reached in that the increase in taxes for 2004 and 2005 were not substantial and that a refund of the 2006 taxes would be made; that he had agreed to the refund for 2006 only. Chairman Bridges said that the Tax Commissioner and the Board of Tax Assessor's have disagreed with any refund, and that their decisions were based on the appeal not being made within the 45 day time frame for appealing. Discussion included that square footage is not indicated on tax bills; that Mr. Roth's taxes are paid through escrow; that he did not recall receiving a notice regarding an increase in tax assessment/revaluation. Chairman Bridges asked Jeff Todd, Acting County Attorney, about the difference in a tax refund and an Error and Release and how they affect School Board taxes. Mr. Todd said that to appeal an assessment there is a 45 day time frame, but there is another method regarding errors within a three year time frame, but he does not know how refunds through either method would affect the School Board, but that could be researched. Commissioner Wyatt asked that this matter be tabled to February 20. Commissioner Manning asked if Mr. Roth can go to the School Board to request a refund of those taxes, and Mr. Todd said that may be the route to take, but, again, he is not certain. The matter will be taken up again during the February 20 meeting as to the best manner to make the refund.

B. **Error & Release Requests.** Chairman Bridges read the Error and Release requests as follows:

- (1) Marshall, Jacqueline: Digest total of \$19,390 corrected to zero (delete pre-bill account)
- (2) Mayhand, Jeffrey (2006): Digest total of \$5,699 corrected to zero (boat sold in March 2004)
- (3) Mayhand, Jeffrey (2005): Digest total of \$5,699 corrected to zero (boat sold in March 2004)
- (4) Willis, John: Digest total of \$8,600 corrected to zero (aircraft traded November 2005)

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

C. **Appointment to Recreation Board.** Chairman Bridges said that the Mountain Hill Youth Sports Association has recommended that Bill Moran be appointed to fill the vacancy left by Commissioner Whearley. The motion to appoint Bill Moran to the Recreation Board as the representative for the Mountain Hill Youth Sports Association was made by Commissioner Whearley, seconded by Commissioner Lange, and passed unanimously. Mr. Moran's term will expire December 31, 2009.

D. **Hazard Mitigation Proclamation.** Carol Silva, County Manager, said that the Proclamation is required as part of the Hazard Mitigation Plan. The motion to approve the Proclamation was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.

E. **First Reading: Application of Gustavo Gonzales for Beer & Wine On Premises at La Pareja Mexican Restaurant, 7365 Highway 85, Waverly Hall (new owner, fka El Torito Mexican Restaurant).** Chairman Bridges read the specifics of the application, said that this was the first reading, and asked if anyone wished to speak in favor of or in opposition to the application. There being none, he said that the Second Reading and action will take place during the next meeting.

5. **COUNTY MANAGER**

A. **Bid Award: GAB.** Carol Silva, County Manager, said that bids were requested to provide the County with GAB, and that the following bids were received:

| COMPANY | BID PER TON |
|---------------------------|-------------|
| Florida Rock, Fortson, GA | \$ 6.15 |
| LaFarge, Fortson, GA | \$ 5.60 |
| Vulcan, Fortson, GA | no bid |

Mrs. Silva said that Jimmy Evans, Public Works Director, recommends the bid be awarded to LaFarge for the low bid of \$5.60 per ton. The motion to award the bid to LaFarge was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.

B. **DOT Off-System Improvement Grant.** Carol Silva, County Manager, said that the DOT has awarded the County a \$190,000 grant for street signs, raised pavement markers, and stripping; that the DOT will determine what work gets done and where; and that there is no match required from the County. The motion to approve the grant, pending review by the County Attorney, was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.

C. **Pate Park Shelters.** Carol Silva, County Manager, said that the Board had discussed this matter during the preceding Work Session; that consensus was for two shelters, each having the capacity for five picnic tables, to be built using Recreation funds in the last SPLOST; and that the approximate cost would be \$7,000. The motion to approve the construction of two shelters for an approximate cost of \$7,000 and for the funds to come from the Recreation funds in the last SPLOST was made by Commissioner Lange, seconded by Commissioner Whearley, and passed unanimously.

D. **Tax Break for Senior Citizens.** Carol Silva, County Manager, said that this matter was discussed during the preceding Work Session; that the Board needs to decide on how to move forward on a couple of items before it is presented to the Board of Education; that consensus was for the exemption to be for seniors over age 65 with a gross income not to exceed \$35,000, and to have the homestead exemption go from \$4,000 to \$10,000 for the first year and from \$10,000 to \$20,000 the second year. Chairman Bridges made the

motion to ask Representative Vance Smith to introduce legislation, and defer to the School Board for their next meeting, tax relief for seniors over age 65 with gross income of \$35,000 or less phased in over two years with homestead exemption of \$10,000 the first year and \$20,000 the second year. The motion was seconded by Commissioner Lange and passed unanimously.

E. **Topo Map for Northwest Harris Business Park.** Carol Silva, County Manager, said that this was discussed during the preceding Work Session; that a topo map is needed in order to develop the Northwest Harris Business Park; that a proposal to do the topo map in two-foot contours has been received for a little over \$3,800; that permission is needed in order to go forward; and that Economic Development funds in the last SPLOST will be used to pay for the map. The motion to approve having the topo map, with two-foot contours, with the cost, a little over \$3,800, being taken from the Economic Development funds in the last SPLOST, was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.

F. **Personnel Policy Slot for Community Development Director.** Carol Silva, County Manager, said that several years ago, the County had a slot for Community Development Director, but that it was eliminate, and that it is apparently time to have that slot reinstated to the personnel system. The motion to reinstate the slot of Community Development Director was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed with four in favor (Wyatt, Whearley, Bridges, Manning) and one opposed (Lange).

6. **COUNTY ATTORNEY.** Jeff Todd, Acting County Attorney, said that he had nothing to discuss with the Board this evening.

7. **OTHER**

A. **Economic Development Committee.** Chairman Bridges said that a “go to” committee for Economic Development is being formed; that the committee would be made up of two Commissioners, two members of the Development Authority, two members from the Harris County Chamber of Commerce, and Valley Partnership members, Dayton Preston and Becca Hardin; that the committee will meet on a regular basis; and that when calls come in, this group would know what to do and how to respond. He said that for the two Commission positions, he would be one, and Commissioner Wyatt would be the other, unless there are objections; that the Development Authority will choose two members next week; that the Chamber has chosen two members; and that this committee will “keep the ball rolling” so that everyone will know what is going and keep everyone informed on the progression and what is going on. He also said that this committee will make the County a “better, stronger” team to work on what the County is trying to develop.

8. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Manning, seconded by Chairman Bridges, and passed unanimously.

Daniel B. Bridges, Chairman

Attest:

Nancy D. McMichael, County Clerk