

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

February 20, 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; John Taylor, County Attorney; Sherrail Jarrett, Office Assistant (in absence of Nancy D. McMichael, County Clerk).

1. **CALL TO ORDER**. Chairman Bridges called the Regular Session to order.
2. **MINUTES**. The motion to approve the minutes of the February 6 Regular Session and the Appeal Hearing of Hazel Hope was made by Commissioner Lange, seconded by Commissioner Whearley, and passed unanimously.
3. **OLD BUSINESS**
 - A. **Request for Tax Refund: Ron Roth**. Chairman Bridges said that this matter was discussed during the February 6 meeting with action tabled pending if the refund could be done, how it could be done, and if it affects the School Board. John Taylor, County Attorney, said that regarding the refund, he researched same and found that any refund would include that of the County, State and School Board taxes paid; that the taxpayer will not have to go to the State or School Board for a refund; that the Tax Commissioner will offset the amount of the refund against any amount that may be due in the next distribution to the State or School Board. Wayne Morris, Chief Tax Appraiser, was present to respond to comments or questions from the Board, from which there were none. Regarding the amount to refund, discussion included that the amount originally discussed was for 2006 in the amount of \$1,516.99, and in response to a question, Mr. Morris said that the square footage has been corrected for 2007; and Commissioner Whearley said that the refund should be the difference between the 2006 and the 2005 taxes, which is \$1,631.80. He then made the motion to refund the amount of \$1,631.80. The motion was seconded by Commissioner Lange and passed with four in favor (Whearley, Lange, Bridges, Manning) and one opposed (Wyatt).
 - B. **Second 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 had been recommended by the Sheriff's Office, the Health Department, and the Department of Community Development. While the applicant was present, he made no comments. Chairman Bridges asked if anyone wished to speak in favor of or in opposition to the application. There being none, he made the motion to approve this application. Commissioner Wyatt seconded the motion, which passed unanimously.
4. **NEW BUSINESS**
 - A. **Proclamation: VICA Week**. Appearing before the Board was the president of the Harris County VICA Club and she thanked the Board for its support of the VICA Club. The vice-president of the VICA Club also thanked the Board and extended an invitation to the appreciation banquet to be held March 26 at the Sheraton Hotel in Columbus, and said that invitations would also be sent in the mail. Chairman Bridges then read the document proclaiming February 18-24 as VICA Week. The motion to approve same was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.
 - B. **Hearing: Request for Tax Refund: Jeff & Leasa Stultz**. Chairman Bridges said that a request for a hearing regarding a tax refund in the amount of \$495.41; that it appears Mr. and Mrs. Stultz paid a tax bill that they shouldn't have paid. Mrs. Stultz said that they received the tax bill and upon going to the Tax Commissioners's Office were told to pay the bill, which they did, even though they weren't sure about doing so. Mr. Stultz said there were two properties, that they paid the taxes for both properties, even though one of the properties belong to someone else. The motion to refund \$495.41 to Mr. and Mrs. Stultz was made by Commissioner Manning, seconded by Commissioner Lange, and passed unanimously. The Tax Commissioner's Office is to notify the mortgage company of the other property owner that taxes of \$495.41 are due.
 - C. **First Reading: Application of Ashwani Kumar for Beer & Wine Off Premises at A&A C Store, 1560 Highway 27, Cataula (new owner, fka Shopper Stop #451 and Jacobs)**. Chairman Bridges read the specifics of the application, said that it had been recommended for approval by the Sheriff's Office and Department of Community Development, and asked if anyone wished to speak in favor of or in opposition to this application. There being none,

he said that the Second Reading and action will take place on March 6.

- D. **Financial Statement: December 2006.** The motion to approve the Financial Statement of December 2006 was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.
- E. **CDBG Health Department.** Chairman Bridges said that this was discussed during the preceding Work Session and that action is necessary to approve Andras Allen Starr Architects as the architect for the extension to the Health Department (as a CDBG project), subject to DCA approval. The motion to approve Andras Allen Starr as the architect for the Health Department CDBG was made by Commissioner Manning, seconded by Commissioner Lange, and passed unanimously.
- F. **Budget 07/08 Schedule.** Chairman Bridges said that this was discussed during the preceding Work Session and that action is needed to approve the schedule. The motion to approve the schedule was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.
- G. **First Reading: Ordinance to Amend Personnel Policy re: Birthday as holiday.** Chairman Bridges said that this amendment is to add the employee's birthday as an additional holiday. He asked if anyone wished to make comments regarding this amendment. There being no comments from those in attendance or from the Board, he said that the Second Reading, with possible action, will take place during the March 6 meeting.
- H. **First Reading: Ordinance to Amend Ordinance re: Quotes, Proposals and Bids.** Chairman Bridges said that this was discussed during the preceding Works Session and that it basically doubles the limits currently being used by the County; that while purchases less than \$500 will not need quotes, the best possible price should be sought; that from \$500 to \$1,000 would need three quotes, from \$1,000 to \$5,999 would need written quotes, and from \$6,000 would require sealed bids. He asked if anyone wished to make comments regarding this amendment. There being no comments from those in attendance or from the Board, he said that the Second Reading, with possible action, will take place during the March 6 meeting.
- I. **Detached Structures Ordinance.** Chairman Bridges said that this reading cannot be held because it has to be advertised. John Taylor, County Attorney, said that this is a Zoning matter and the Zoning Procedures Act will have to be complied with before any Readings can take place. He also said that the Board can rescind the moratorium as of tonight, if it is so desires. Chairman Bridges made the motion to rescind the moratorium on Detached Structures and allow detached structures in R-1 districts as long as they are no more than 800 square feet, and that the individual(s) to live in such a structure are spouse, children, grandchildren, parents or grandparents, related by blood, marriage or adoption and are either disabled or need medical attention or guardianship, and that the structure would not be rented out for any purpose. The motion was seconded by Commissioner Lange and passed unanimously.

5. **COUNTY MANAGER**

- A. **Agreement for Airport CIP.** Carol Silva, County Manager, said that the contract is from JJ&G concerning the capital improvement plan for the Airport; that the plan will give you an idea of what it will cost for such improvements at the Airport for the next 10 years; and that once the plan is devised, a petition will be made to DOT to allow this to be submitted for the 2008 round of additional funds from DOT in excess of the normal \$250,000. Commissioner Lange said that the agreement only mentions five (5) years, but should be for ten (10) years. He said that the cost would come from the Airport Budget rather than committing the County to Federal funds. He then made the motion to approve the CIP. The motion was seconded by Commissioner Manning and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-05) [Note: Upon checking after approval of minutes, the CIP (Capitol Improvements Plan) turned out to be for 5 years; the ALP (Airport Layout Plan) is for 10 years.]
- B. **Bid Award: Addition to 911/EMS Building.** Carol Silva, County Manager, said that the County went back out on bid for an addition to the 911/EMS Building; that the bid was divided into three parts (Part A - exterior shell, Part B - permits, grading, etc., and Part C - the interior); and that three bids were received as follows:

Bid	Carlisle Services Pine Mountain, GA	Daniel Construction, LaGrange, GA	Dennis Contracting, East Point, GA
Part A	\$ 65,620.84	\$ 67,758.00	\$ 50,000.00

Part B	\$	20,085.00	\$	49,951.00	\$	25,000.00
Part C	\$	113,418.18	\$	70,119.00	\$	57,000.00

Mrs. Silva said that only \$49,000 was budgeted for the addition. Discussion took place regarding the County's ability to do parts B and C for \$25,000. The motion to award the bid to Dennis Contracting for the amount of \$50,000, pending checking the references provided with the bid, and for the County's work of \$25,000 to come from Contingency, was made by Commissioner Wyatt, seconded by Commissioner Lange and passed unanimously.

- C. **Bid Inmate Telephone System**. Carol Silva, County Manager, said that bids were obtained for an Inmate Telephone System at the Prison, that three bids were received, and she read the bids. Discussion included that there seemed to be a problem with the bid results (typographical errors). Action was tabled until the March 6 meeting.
- D. **Copier for EMS/911**. Carol Silva, County Manager, said that this was discussed during the preceding Work Session and that action is needed regarding the purchase of a copier for approximately \$4,700. The motion to approve the purchase of the copier for an approximate cost of \$4,700 was made by Commissioner Lange, seconded by Commissioner Whearley, and passed unanimously.

6. **OTHER**

- A. **Homestead Exemption for Senior Citizens**. Commissioner Manning said that at the last meeting, the Board decided to raise the homestead exemption for citizens over age 65 to \$10,000 the first year and \$20,000 the second year, and he would like to make a motion to change the County's portion of the homestead exemption to \$20,000 from the start. The motion was seconded by Commissioner Whearley and passed unanimously.
- B. **Gross Income Limit for Senior Citizens as it relates to Homestead Exemption**. Commissioner Manning said that at the last meeting, the Board agreed to raise the gross income level to \$35,000, but that he would like to make a motion to increase the gross income limit as it related to the County's portion of the taxes to \$50,000. The motion was seconded by Commissioner Whearley and passed with three in favor (Manning, Whearley, Lange) and two opposed (Bridges, Wyatt).

7. **COUNTY ATTORNEY**

- A. **Tax Exemption for Senior Citizens**. John Taylor, County Attorney, said that the changes regarding the Homestead Exemption and Gross Income Limit would amend a current exemption to apply to citizens age 65 and over or disabled. Carol Silva, County Manager, is to communicate the changes to the School Superintendent.
- B. **Orbit Street Right of Way**. John Taylor, County Attorney, said that he hopes to have the right of way document ready for the next meeting. He said that a title search shows that the property is owned by Winter Acres, which merged into Moon Family Properties several years ago, and the portion in blue is also owned by Winter Acres; that he has talked to Britt Moon and prepared a deed to Moon Family Properties to execute a deed for yellow and blue portions of the map included in the meeting packet (yellow is Orbit Street, blue is Satellite Drive) for the County to accept. He also said that north of the intersection of the yellow and blue lines, there are deeds from 1996 and 1997 that have never been recorded; that in that section, the property owner was deeded up to the center line of the road; that some of the properties have changed hands and he has not attempted to determine the title to those lots north of the intersection. Commissioner Whearley said that street signs, stop signs, and "children at play" signs are needed on the roads that the County owns. Direction was for Mr. Taylor to proceed with the right of way concerning the yellow and blue portions (Orbit Street and Satellite Drive) and for Jimmy Evans, Public Works Director, to install the appropriate signs along County maintained roads.

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

Daniel B. Bridges, Chairman

Attest:

Nancy D. McMichael, County Clerk