

**HARRIS COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

May 15, 2007

7:00 PM

Commissioners Present: Daniel B. Bridges, J. Harry Lange, Joe F. Manning, Charles Wyatt. Commissioner Absent: Patrick Whearley (due to kindergarten graduation). Staff Present: Carol A. Silva, County Manager; John M. Taylor, County Attorney; 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 May 1, 2007, Regular Session, was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.
3. **APPEARANCE OF CITIZENS**
  - A. **Robert Archer: Leadership Harris County**. Chairman Bridges said that Mr. Archer was unable to be present tonight, and that he contact the Commissioners' office as to being on a future agenda.
4. **OLD BUSINESS**
  - A. **Sheriff's Storage Building**. Chairman Bridges said that this has been discussed in previous meetings; that the Sheriff was unable to be present but he sent a memo stating that the building will not have any office space but will need some type of HVAC system to prevent mildew on files and clothing. Following discussion, the motion to approve going forward with construction of an addition to the Sheriff's Office with the work to be done by Facilities Maintenance after the addition to the 911 building is finished was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.
5. **NEW BUSINESS**
  - A. **Rezoning Clarification: Steele Creek**. Chairman Bridges said the rezoning of property for an additional phase of Steele Creek subdivision was approved with conditions during the May 1 meeting; that he has met with both Richard and Spencer Waddell at the site; that the requirement for a gate may be more of a fiasco and headache in the future; that it would be better to have a 60 foot right of way dedicated to the County from the end of the road in Steele Creek to the end of Randall Woods Drive; that the developer would not be required to improve or pave that section; that all traffic within Steele Creel would remain in Steele Creek. Richard Waddell said that the section to be dedicated to the County would be cleared; that there would be a curb to prevent use of same; and that the lots have been redrawn so that all lots access the main roads in Steele Creek. Discussion included that while the curb won't stop people, most people will not go over the curb, and that the cul-de-sac at the end of Randall Woods Drive will remain in place for use by school buses and garbage trucks. Chairman Bridges made the motion to amend the zoning conditions regarding the property so that no gate will be required, that a 60 foot right of way will be deeded, without improvement or paving, other than clearing, to the County, and that there will not be a curb cut accessing the deeded property. The motion was seconded by Commissioner Lange, and passed unanimously.
  - B. **Reappointment to Board of Family and Children Services**. Chairman Bridges said that the term of Marion Rutledge expires June 30; that Mrs. Rutledge has agreed to be reappointed; and that the Board of Family and Children Services has requested that Mrs. Rutledge be reappointed. The motion to reappoint Mrs. Rutledge to the Board of Family and Children Services, with her new term ending June 30, 2012, was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.
  - C. **Financial Statement: March 2007**. The motion to approve the March 2007 Financial Statement was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.
  - D. **Error & Release Requests**. Chairman Bridges read the Error & Release requests, as follows:
    - (1) Kinser, Mack: Digest total of \$4,960 corrected to zero (boat is located and registered in Florida)

- (2) Miller, Shannon: Digest total of \$24,200 corrected to zero (mobile home sold in 2006)
- (3) Old Wood Properties, Inc.: Digest total of \$7,200 corrected to zero (duplicate parcel)
- (4) Ward, Bob: Digest total of \$3,120 corrected to zero (business closed October 2004)
- (5) Williams, Heath: Digest total of \$26,440 corrected to zero (pre bill mobile home moved to homestead digest for 2007)
- (6) Winston, Marcia: Digest total of \$560 corrected to zero (mobile home burned November 2006)

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

- E. **Insolvent Requests for Mobile Homes**. Chairman Bridges said there are five requests regarding mobile homes, the majority of which are due to the mobile homes being dilapidated or out of service. Commissioner Lange said that this calls for the County to adopt an ordinance regarding abandoned and dilapidated properties that are hazards due to vermin or crime. He then made the motion to approve the insolvent requests and to work on some type of mechanism that will allow the County to tear down such buildings at the owners expense. The motion was seconded by Commissioner Wyatt and passed by a vote of three in favor (Lange, Wyatt, Bridges), no opposition, and one abstention (Manning).
- F. **First Reading: Application of Michelle L. Gallops for Beer & Wine On-Premises at Ossahatchee Oyster Bar, 6052 Highway 85, Ellerslie (new owner)**. Chairman Bridges read the specifics of the application and said that the Sheriff's Office, the Health Department, and the Community Development Department had recommended approval of the application. The applicant was not in attendance. Chairman Bridges asked if anyone wished to speak in favor of or in opposition to this application. There being none, he said that the Second Reading will take place at the next meeting.

6. **COUNTY MANAGER**

- A. **Agreement Renewal w/DOT: Two Work Details**. Carol Silva, County Manager, said that this agreement is to continue two work details for \$35,697 per detail to cover the cost of the Correctional Officer and benefits and which is the same amount as last year. John Taylor, County Attorney, said that paragraph 1 of the agreement refers to two work details of no less than 10 or more than 12 inmates, but at the end of the paragraph, it refers to a litter detail consisting of no less than 6 or more than 8 inmates. Mrs. Silva said that there are two details, one working on DOT rights of way and the other picking up litter. Mrs. Silva said that the \$35,697 per detail changed, at our request, in 2005, but it did not change in 2006. Consensus was to approve the agreement, subject to Mr. Taylor clearing up the legal description and to increase the amount paid to cover the salary and benefits for the Correctional Officers. The motion to approve the agreement, pending the change in the salary and the wording in paragraph 1, was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-10.)
- B. **Agreement Renewal w/New Horizons: Harris-Talbot Service Center and Mental Health Center**. Carol Silva, County Manager, said that this agreement is to continue the monthly payment in lieu of rent in the amount of \$500 per building. The motion to approve the agreements was made by Commissioner Manning, seconded by Commissioner Lange, and passed unanimously. (Documents can be found in "Contracts & Agreements" file as C&A #07-11 and #07-12.)
- C. **Agreement Renewal w/DOC: Prison Care and Custody of 110 State Inmates**. Carol Silva, County Manager, said that this agreement is to continue the housing of up to 110 state inmates in the County Prison at \$20 per day per inmate. The motion to approve the agreement was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-13.)
- D. **Bid Award: 29 Roads**. Carol Silva, County Manager, said that bids were received regarding the resurfacing of 20 roads, petromat on two roads, leveling of one road, striping and tack on 20 roads, and asphalt placed on the rock base of nine roads, as follows:

Description	CW Matthews, Marietta, GA	Southern Asphalt, Columbus, GA
Resurfacing of 20 Roads	\$ 1,258,726.22	\$ 1,100,111.72
Petromat on 2 Roads	\$ 24,284.40	\$ 30,975.00

Leveling of 1 road	\$	8,860.00	\$	5,722.00
Striping/Tack on 20 Roads	\$	46,049.00	\$	72,941.75
Asphalt placed on rock base of 9 roads	\$	260,429.72	\$	224,207.84
TOTAL	\$	1,593,349.34	\$	1,433,958.31

Mrs. Silva said that Jimmy Evans, Public Works Director, has reviewed the bids and recommends that the bid be awarded to Southern Asphalt for the low bid of \$1,433,958.31. The motion to award the bid to Southern Asphalt was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.

- E. **Agreement with GEC for Wetland Permitting: Northwest Harris Business Park.** Carol Silva, County Manager, said that she had already signed and returned this document to GEC so they can submit the necessary paperwork to obtain permission to put a culvert in the wetland area in the Park, but that the document needed to be ratified by the Board. The motion to approve the agreement was made by Commissioner Lange, seconded by Commissioner Manning, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-14.)
- F. **Old Mountain Hill Schoolhouse: Force Account.** Carol Silva, County Manager, said that the Board had previously approved submitting the documents necessary to apply for a Force Account with DOT in order to continue the projects at Old Mountain Hill Schoolhouse for which a grant was received; that the County has been approved for the Force Account from Moreland Altobelli who agreed that the County can oversee the work since it is "specialized work"; and that a motion is needed to move forward with the Force Account work. The motion to approve going forward with the Force Account work was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.
- G. **Agreement w/EMC re Survey Proposal for Hamilton Business Park.** Carol Silva, County Manager, said that she has received proposals regarding the survey that is necessary to put the roads within the Park on the plat so that the property can be subdivided. Discussion included that Jimmy Evans, Public Works Director, had recommended that the survey work be done every 50 feet along the centerline 60 feet in width, rather than 100 feet in width; and that reducing the width should not have any effect on any future plans for the Park. The motion to approve the proposal for \$4,700 for the 60 foot width was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-15.)
- H. **Cheerleader Signs.** Carol Silva, County Manager, said that Representative Vance Smith requested DOT to erect signs honoring the Harris County Cheerleaders who are the AAA State Champions 2006-2007 and DOT has indicated they will erect the signs if the County purchases same. Discussion included that the last time such signs were made, the cost was around \$2,000; that this is an excellent problem to have that so many State Championships are being won, we need to look at the type of signage being put up so there won't be such a clutter; that if a Championship is five or seven years old, the sign be removed before another is put up. The motion to approve having the signs printed was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.

7. **PUBLIC HEARING @ 7:30 PM**

- A. **Explanation of Public Hearing.** Chairman Bridges explained the procedures involved with the Public Hearing.
- B. **Conflict of Interest Forms.** The Conflict of Interest forms were completed at the request of Chairman Bridges.
- C. **Special Use Permit Application of Judy Smith for Safe Haven Animal Rescue for an animal shelter at 361 Hopkins Road, Pine Mountain, to house up to 75 dogs and 25 cats, on 61.53 located in Land Lot 330, Land District 20, Map 037, Part of Parcel 13.** Chairman Bridges called the Public Hearing to order, read the specifics of the application, and said that the Zoning Staff had recommended approval with the conditions of (1) animals to be limited to 75 dogs and 25 cats, and (2) animals be housed in a building that would limit any contact with other animals to keep down noise. Judy Smith, President of Safe Haven Animal Rescue, and Jean Macfie, Secretary of Safe Haven Animal Rescue, appeared before the Board. Between the two, they made a PowerPoint presentation to include that the 61.53 acres would be leased from Claire Hopkins Hawley for 50 years with an option to renew at the end of 50 years; that they are dedicated to rescuing animals from the local animal control which will decrease the

number of animals to be euthanized; that a building, approximately 40' x 100' would be constructed in the middle of the 61.53 acres for the dogs; that another building, approximately 20' x 20' would be constructed for cats; that the distance to the nearest house is 1,320 feet; that the shelter will be built with 40 kennels to include office, storage, laundry, restroom and adoption area; that each kennel would have an inner run approximately 4' x 12' and an outer run approximately 4' x 12'; that the metal building will be well insulated to reduce sound; that there will be a solid wall between each run to help reduce noise; that there will be perimeter fence around the entire shelter facilities for security and containment, which will be planted with shrubbery to provide additional soundproofing; that a 30' planted sound barrier is planned around the perimeter of the land; that minimum clearing will be done, and only to allow for the buildings; that there will be two septic tanks; and that animals will remain inside the building except for the short time during the cleaning of the pens and for exercising. In response to questions, Ms. Smith said that each run can hold two dogs; that some animals do come from other counties; that they also take some of their animals outside Harris County; that the inside kennels are covered, but the outside kennels are only covered with wire; that the outside kennels will only be used for exercise; and that the animals will be let out on a staggered basis because it takes some time to clean all the pens. There being no further comments or questions, Chairman Bridges asked if anyone wished to speak in favor of this applications.

Greg Hall, citizen who lives near Highway 315, appeared before the Board and said that this seems to be a win-win situation for the County; that the organization appears to be pretty much solvent; that regarding sound, with the location of the building, it appears there would be very little sound; that where he lives, there is a pig farm and a sheep farm nearby, from which he has neither smelt an odor or heard any noise.

Hank Hall, citizen and a veterinarian, appeared before the Board and said that he agrees with what the organization is doing; that noise and odor issues should be greatly reduced due to the building insulation and its location; that the organization is financially solvent; that he is in favor of the application.

Debra Steinhaus, citizen, appeared before the Board and said that she has had to take rabies shots in the past; that this organization will help reduce the risk of rabies; and that she is in favor of the application.

There being no further comments in favor of the application, Chairman Bridges asked if anyone wished to speak in opposition.

John Thayer, of 554 Oliver Road, appeared before the Board and said that his property abuts the subject property; that while he has offered to purchase the subject property three times in 12 years, he harbors no ill-will toward the property owner, and has indicated he still has an interest in the property; that he has had his property for 12 years and has no intention of developing same, although the previous owner did have plans to do so; that he intends to retire on the property; that while he commends what Safe Haven is doing, but he is opposed to it being done on the subject property; that it would be better located in a more central area of the County, such as at the County's landfill; that Ms. Smith currently is license for 12 animals (on Fortune Hole Road), but had 73 animals in January, 73 in February, and 50 in March; that if she exceeds the number there, the same can be expected at the subject location with a restriction of 75 dogs and 25 cats; that two of the Safe Haven board members live outside the County and each has over 50 dogs; that having the animal shelter in this location will destroy the peace and quiet that is currently enjoyed; and that nearly everyone on Hopkins Road is opposed to having an animal shelter at this location. In response to a question from Commissioner Manning, Mr. Thayer pointed out where his home is in relation to the proposed animal shelter. Mr. Thayer concluded his comments by saying that even with the building insulation and trees, there is no way keep the noise from being heard around the area; that the area will become even more of a dumping ground for unwanted animals as a result of the animal shelter; that the traffic on Hopkins Road will increase as a result of the shelter; and that he is opposed to the shelter on the subject property.

Maggie Madgen, citizen who lives on Wright Road, appeared before the Board and said that she believes in what Safe Haven is doing, but not for the subject location; that regarding the previous comments about sheep, sheep don't bark; that animals are dropped off all the time, and that she doesn't feel that people will stop dropping off animals just because there is an animal shelter in the area; and that she can hear the interstate from her house, which is 4.2 miles away, so she is sure she will be able to hear the animals.

Lee Champion, citizen who lives on Hopkins Road, appeared before the Board and said that his property is across the street from the subject property; that he doesn't want people bringing animals on his dead-end street and dropping them off; that his house is back off the road for a reason - that he doesn't want to hear anything and do what he wants to do; that people are already dropping off animals all the time on Hopkins Road and doesn't see that the animal shelter will change things; and that he doesn't want the animal shelter across the street from his home. He concluded by saying that nearly everyone on Hopkins Road are against the animal shelter, and asked that the Board not approve the shelter in a place that is not appropriate.

Billy Ray Graddick, citizen who lives on Hopkins Road, appeared before the Board and said he moved to the area about seven years ago; that he searched for three months looking for a quiet location; that his grandchildren also live on Hopkins Road and they ride their bikes to his house; that the traffic on Hopkins Road has already picked up; that dogs are already being dropped off; that his concern is not necessarily with the noise, but with the effect the shelter will have; and that he is against the shelter being located on Hopkins Road.

Mike McMillen, developer of Piedmont, appeared before the Board and said that he has received phone calls from 30 to 40 people in Piedmont who are concerned about the animal shelter; that Piedmont is the largest subdivision near the proposed location; that Safe Haven is doing a great job, but to put an animal shelter in the heart of a residential area is wrong; and that it might be better to be more centrally located, perhaps at the County landfill, like Morning Star.

Aimee Hare, citizen who lives on Hopkins Road, appeared before the Board and said that she and her husband are opposed to the animal shelter mainly because of her children who play in their unfenced yard; that she does not want more animals dropped off on Hopkins Road; that dogs bark at dogs, so there will be noise coming across the field; that the area will no longer be quiet and property values will be reduced as a result of the animal shelter; and that she supports what Safe Haven is doing, but not at the proposed location.

John Oliver, citizen who lives on Hopkins Road, appeared before the Board and said that he agrees with Mr. Graddick; that he lives out in the country; that the children can play and mingle going from house to house; that he does not like the idea of people dropping off animals in the area which will be more of a danger to his children; that he has worked with dogs and knows how much noise they make – every time a stranger arrives, at feeding time, and anything out of ordinary; that while there is some distance from the shelter to the nearest home, sound travels across open fields, especially at night; and that while he is not opposed to what Safe Haven does, only to it being done on the subject property.

Angela Stillwell, citizen who lives in Piedmont, appeared before the Board and agrees with what has already been said; that she has worked with foster animals before; that she commends Safe Haven for what they are doing; that the residential area is important too; that locating an animal shelter at the proposed location with as much opposition as there is won't work; that the number of animals will double, triple, and quadruple in no time as a result of people dropping off animals; that she has show dogs and they bark; that while she wants Safe Haven and Morning Star to be successful, she doesn't want it in her backyard.

Robert Vasquez, citizen who lives in Piedmont, appeared before the Board and said that his property basically backs up to Hopkins Road; that he agrees with what has already been said; that he can hear dogs barking from Hopewell Church Road; that the animal shelter will cause property values to drop; and that he bought his property for the peace and quiet.

Michael French, citizen who lives on Hopewell Church Road, appeared before the Board and said that he agrees with what has already been said; and that he opposes having the animal shelter on the subject property.

There being no further comments in opposition, Chairman Bridges asked Ms. Smith for rebuttal.

Matt Bexton, with Safe Haven, said that the dogs are going to be housed inside in an insulated building, which will cut down on the noise; that they can't control people dropping off dogs; and that they will work with the County Animal Control to have stray dogs picked up.

Ms. Smith said that Harris County's Animal Shelter is within a half-mile of Hamilton; that as far as she knows, no one has complained of the noise associated with same; and that Safe Haven's dogs will be housed inside.

There being no questions or comments from the Commissioners, Chairman Bridges closed the Public Hearing and asked for a motion.

Commissioner Manning said that he is impressed with the plans shown by Safe Haven, but he has a problem granting a Special Use Permit for the 61.53 acres. He then made the motion to approve the Special Use Permit restricted to the four acres around the building as shown in their presentation; that the number of animals will be restricted to 75 dogs and 25 cats; and to have a survey of some sort done defining the four acres. The motion was seconded by Commissioner Wyatt and passed with three in favor (Manning, Wyatt, Lange) and one opposed (Bridges). Later, in the meeting, Commissioner Manning amended his motion to include that the Special Use Permit is not operative until such time as the building is completed according to the conceptual plans as presented. Commissioner Wyatt amended his second, and the amendment to the motion passed with three in favor (Manning, Wyatt, Lange) and one opposed (Bridges). During the June 5 meeting, the motion was further amended to include that the conceptual plans presented by the applicant are to be considered part of the minutes.

## 8. COUNTY ATTORNEY

- A. **Draft Alcohol Ordinance Amendment.** John Taylor, County Attorney, said that he had prepared a draft of the amendments to the Alcohol Ordinance to permit the transfer of current/valid alcohol licenses. In reviewing the draft, discussion included that there be no public hearing, but to have the transfer approved administratively; that the applicant would pay a transfer fee in addition to all other licensing fees as are currently applicable and meet all the requirements; and that there be no limit on the number of times the license(s) can be transferred. The First Reading of the amendment will be held during the next regular meeting.
- B. **Resolution: Acceptance of Cove Hollow Road and Lake Harding Drive (Cove at Lake Harding Subdivision).** John Taylor, County Attorney, said that the County has received the appropriate documents in connection with road acceptance to include the right-of-way deed, a letter of credit, a commitment for title insurance, and the road inspection report recommending acceptance, and he recommended approval of the Resolution. The motion to approve the Resolution to accept these two roads was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.
- C. **Resolution: Acceptance of Oak Ridge Drive (Oak Ridge Subdivision).** John Taylor, County Attorney, said that the County has received the appropriate documents in connection with road acceptance to include the right-of-way deed, a letter of credit, a commitment for title insurance, and the road inspection report recommending acceptance, and he recommended approval of the Resolution. The motion to approve the Resolution to accept the road was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.
- D. **Intergovernmental Agreement with Development Authority re: Dollar General.** John Taylor, County Attorney, said that he had drafted an intergovernmental agreement with the Harris County Development Authority; that the County owns a piece of property in Cataula on which someone wishes to develop for a Dollar General store; that because of legal constraints as to what the County can and can't do with property, the property should be transferred to the Development Authority who can then enter into a contract with the developer, subject to this agreement and the uses contained within; that the agreement provides that the County will transfer the property to the Development Authority; that they will sign a contract in the same form as in the agreement; that if there are substantial terms of departure, it can't be done with the Board's approval; that the Authority will own it free and clear and receive the sales proceeds which can be used for commercial development; that the Board can require that some of the sales proceeds comes back to the County; that in the event the sale falls through, the Authority can do whatever it can to sell it, provided that the sale is on the same terms and conditions set out in the agreement; and that it can be made as stringent as the Board desires. Discussion included changing the term of the agreement to five years rather than 20 years, to delete the names of the chairmen of the Commissioners and the Authority (on page 5 and 13); that without written approval of the seller, Dollar General can't have a Subway restaurant next to the store; and that it had been agreed that the Cataula Methodist Church will be allowed to retain its sign where it is currently located on the property. There being no further questions, comments or concerns, the motion to

approve this intergovernmental agreement, with the changes discussed, was made by Commissioner Manning, seconded by Commissioner Lange, and passed unanimously. Mr. Taylor said that the document will go to the Development Authority for its review and approval. (Document can be found in "Contracts & Agreements" file as #07-16.)

- E. **Road Abandonment Request: Meadwestvaco.** John Taylor, County Attorney, said that Meadwestvaco has requested that portions of two roads (Monument Road and Whitten Road) that go through their property be abandoned because they have turned into dumping grounds; and that the DOT has indicated it will not participate in the replacement or repair of the bridge on Monument Road over Sand Creek. Carol Silva, County Manager, said that Meadwestvaco requested this as a result of their having been told to clean up their property where people have dumped trash. Commissioner Manning said that that area of the County is growing and that he would like to see the bridge over Sand Creek repaired. He made the motion to not abandon either section of the roads at this time. Commissioner Wyatt seconded the motion in the interest of commerce and trade. Discussion included that it is not advisable to close the sections of the road, rather than abandon same; and that if the roads are graded and made better, it's going to make it easier for people to dump trash. The motion passed with three in favor (Manning, Wyatt, Bridges), no opposition, and one abstention (Lange).
- F. **Request for Executive Session.** John Taylor, County Attorney, requested an Executive Session for the purpose of discussing the acquisition of real property.

9. **OTHER**

- A. **Travel Reimbursement for Meals.** Commissioner Wyatt made the motion to raise the daily meal per diem from \$25 to \$30 with only a total on the receipts. Chairman Bridges seconded the motion. Discussion included that meals are currently \$5.00 for breakfast, \$7.50 for lunch, and \$12.50 for dinner, and are only reimbursed depending on the travel circumstances; that the \$30 could be spent on one meal, if the employee so desired; that receipts must be turned in for reimbursement; and that the \$30 would apply to any travel circumstances. The motion failed with a vote of two in favor (Wyatt, Bridges) and two opposed (Lange, Manning).
10. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing real estate acquisition was made at 8:55 PM by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.
11. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made by Commissioner Manning, seconded by Commissioner Lange, and passed unanimously.
10. **OTHER (continued)**
- B. **Special Use Permit Amendment for Safe Haven.** Commissioner Manning said that he needed to amend the conditions to include that the building must be constructed as presented before any animals can be on the property. He made the motion that the Special Use Permit is not operative until such time as the building is completed according to the plans as presented. Commissioner Wyatt amended his second, and the motion passed with three in favor (Manning, Wyatt, Lange) and one opposed (Bridges).
- C. **Resolution for Condemnation of Property.** John Taylor, County Attorney, said that he had prepared a Resolution to go forward with condemnation proceedings against Robert Todd who has not responded to letters and phone calls regarding 0.186 acres needed as right of way for a DOT project. The motion to approve the resolution was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously. [Note: Mr. Todd responded within a few days of this meeting and signed the appropriate paperwork; therefore, proceedings will not proceed.]
11. **ADJOURNMENT.** The motion to adjourn was made by Commissioner Manning, seconded by Commissioner Lange, and passed unanimously.

Attest:

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Daniel B. Bridges, Chairman

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Nancy D. McMichael, County Clerk