

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

July 17, 2007

7:00 PM

Commissioners Present: Daniel B. Bridges, J. Harry Lange, Patrick Whearley, Charles Wyatt.
Commissioners Absent: Joe F. Manning (out of town). 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**. Commissioner Lange said that the last name of one individual had been misspelled; that it should be Linsicomb, not Lipsicomb. With that amendment, the motion to approve the July 3, 2007, minutes was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.
3. **OLD BUSINESS**
 - A. **Appointment to New Horizons Community Service Board**. Chairman Bridges said that this had been tabled from the July 3 meeting; that Gary Brown resigned, but completed his term, which expired June 30; and the New Horizons Community Service Board has requested that Kittye Crockett be appointed in Mr. Brown's position. The motion to appoint Kittye Crockett to the New Horizons Community Service Board was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.
 - B. **Second Reading: Ordinance to Amend Alcohol Ordinance**. Chairman Bridges said that this was the Second Reading of an Ordinance to Amend the Alcohol Ordinance, and he asked John Taylor, County Attorney, to explain. Mr. Taylor said that this amendment would require that applicants be citizens of the United States, as well as being residents of the State of Georgia; that this is addressed in one section of the Ordinance but was overlooked in this section; and he recommended approval of same. Chairman Bridges asked if anyone wished to speak in favor of or in opposition this amendment. There being none, the motion to approve this Ordinance Amendment was made by Commissioner Whearley, seconded by Commissioner Lange, and passed unanimously.
4. **NEW BUSINESS**
 - A. **Taxpayers Bill of Rights Public Hearing #3**. Chairman Bridges called the Public Hearing to order and said that this was the third Public Hearing for same; that while there will be an increase in the West Point portion of the County in the amount of 35.71 percent, there will not be an increase for the rest of the County; and that the proposed County millage is 7.468. He asked if anyone had any comments or questions.

In response to questions from Willie and Yvonne Downer, citizens who live in Piedmont Subdivision, Wayne Morris, Chief Tax Assessor, said that he does not know when there was a complete County-wide revaluation; that it hasn't been done since he was worked for the County; that it could be as long as 20 years ago, but he is not certain; that the Georgia Department of Revenue states that property should be reviewed every three years, which has not been done in the past; that three or four years ago, revaluation of the County was started to included visiting each property to remeasure structures and obtain current data, and should be completed by the end of next year; that once all the data is updated and correct, it should be simpler to do County-wide revaluations based on property sales and market trends rather than revisit every property every year; that future revaluations should be much smaller than have been seen recently; that for anyone who feels their property is over assessed there is an appeals process which is started by filing a return of value between January 1 and April 1, after which a visit is made to the property to revalue, and if the citizen is not satisfied with the new value, they can go before the Board of Equalization, which is an arm of the Grand Jury, and again, if the citizen is not satisfied with the decision, they can go to Superior Court; that after all the revaluations are done, there should be a blanket revaluation every three years; that the Commissioners do a good job operating the County on what was 7.9 mils and will now be 7.468. In response to questions by Carol Silva, County Manager, Mr. Morris said that if an addition is made to a house at any time, a revaluation is made on that house then; that if a neighbor sells property, the other neighbor's property is not necessarily revalued because his office likes to have several sales within an area before other revaluations are made. Mr. Downer asked how properties are picked for revaluation, and Mr. Morris said that properties chosen are in all areas of the County, not just a specific area, but that one house in a subdivision is not done, the whole subdivision would be done. Mr. Downer said there are some properties that haven't been revalued

within the last 12 years, and Mr. Morris said that those properties will be revalued during this last year. Mr. Downer said that it is unfair that he has to pay higher property taxes for 12 years while another person hasn't been revalued in 12 years because the Tax Assessor's Office doesn't have the resources or man power to take care of the revaluations. Commissioner Lange said that Mr. Morris was hired because the County had not been revalued within the three year period; that Mr. Morris was directed to get the revaluations caught up as soon as possible; that there are people in the County that may not have had their property revalued in 20 or 30 years; that by the end of this coming year, all properties should be revalued so that we can then be on a schedule to do revaluations as they should be done; and that if anyone discovers any property that has "slipped by", the County would like to know about it. Mr. Downer said that there are State loans available to Counties to hire individuals to help with revaluations and asked if the County has taken advantage of that. Mr. Morris said that statute was passed recently and we don't think we need to borrow money to finish up since we are so close to being finished. Chairman Bridges said that the Commissioners, not Mr. Morris, make the decision whether or not to apply for State loans; that while we can't guarantee that property won't be revalued two years in a row, unless a change has been made to the property, we are taking steps to control that. Mr. Downer said if he is revalued each year and his neighbor is not, the system is not working like it is supposed to; that it is not fair to him; that he got revalued two years in a row. He asked the Board if it knew their property had not been revalued during the last three years, does it feel a sense of responsibility of getting that done. Commissioner Wyatt said that he notified the Tax Assessor to reevaluate his property. Mr. Downer said that a person who sits on the Board of Equalization has not had their property revalued in 12 years. Mr. Morris said that the information on the internet does not show when property was last revalued, but that is being worked on. Chairman Bridges said that his property was revalued three years ago and then three months ago. Mr. Downer said that based on what he has seen, depending on one's position with the County or who you know in the County you seem to get a pass. Chairman Bridges said that has nothing to do with revaluations, but at the same time, the average citizen is not going to call the County to let us know that their property has not been revalued; that to say that it is unfair and intentional is totally wrong and out of place because that is not the way it is done in Harris County.

There being no further comments, Chairman Bridges closed the Public Hearing.

- B. **Millage Rate.** Chairman Bridges said that the County's new millage rate is 7.468 percent; that the portion of West Point within the County is 4.481 percent; that the School Board millage is 15.91 percent, the School bond is .65 percent, and the State is .25 percent, for a total of 24.278 percent down from 24.71 last year. The motion to set the County's millage rate at 7.468 percent, to set the West Point portion within the County at 4.481, and to authorize the Tax Commissioner to collect the School Board's millage was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.
- C. **Error & Release Requests.** Chairman Bridges read the Error & Release requests as follows:
- (1) Fuson, Bruce: Digest total of \$11,036 corrected to zero (mobile home moved out of County)
 - (2) Pine Mountain Valley Church of God: Digest total of \$12,200 corrected to zero (property deeded in church's name in January 2006)
 - (3) Pine Mountain Valley Church of God: Digest total of \$11,990 corrected to zero (property deeded in church's name in January 2006)

The motion to approve these three Error & Release requests was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.

- D. **Not On Digest (NOD).** Chairman Bridges read the NODs as follows:
- (1) Fletcher Oil Company (2006): Digest total of zero corrected to \$2,510 (equipment not on digest per audit review)
 - (2) Fletcher Oil Company (2005): Digest total of zero corrected to \$2,273 (equipment not on digest per audit review)
 - (3) Fletcher Oil Company (2004): Digest total of zero corrected to \$1,584 (equipment not on digest per audit review)

The motion to approved these three NODs was made by Commissioner Lange, seconded by Commissioner Whearley, and passed unanimously.

- C. **Insolvent Lists for June and July 2007.** Chairman Bridges said that there was a duplication on the lists, which needs to be clarified. The motion to approve the Insolvent Lists for June and July, pending review of the duplicate item, was made by Commissioner Lange, seconded by Commissioner Whearley, and passed unanimously.

There was a brief discussion concerning having an Ordinance regarding dilapidated buildings; that it needs to address mobile homes that are owned by one person and located on the property of another; and that it should also address the removal of such mobile homes. John Taylor, County Attorney, is to look into this matter.

5. **COUNTY MANAGER**

- A. **Agreement: Farner, Barley & Associates Concerning Various Services for Northwest Harris Business Park.** Carol Silva, County Manager, said that this was discussed during the preceding Work Session; that the total is \$90,000, not \$125,600 because some items have either been done or deleted. The motion to approve the agreement for \$90,000 was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-19.)
- B. **Northwest Harris Business Park Road Names.** Carol Silva, County Manager, said that this was discussed during the preceding Work Session; that consensus was to name the main road "Progress Parkway" and the name of road off of Progress Parkway going to Xpress Materials "Xpress Way". The motion to approve these two road names was made by Commissioner Lange, seconded by Commissioner Wyatt and passed unanimously.
- C. **Stonegate, LLC.** Carol Silva, County Manager, said that this was discussed during the preceding Work Session; that authorization is necessary in order to give John Champion, Community Development Director, to call in the Soil and Erosion bond for Stonegate of Pine Mountain, LLC. The motion to authorize John Champion to call in the Soil and Erosion bond for Stonegate Pine Mountain, LLC, and to initiate daily prosecution penalties was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.

6. **COUNTY ATTORNEY**

- A. **Resolution: Service Delivery Strategy for West Point.** John Taylor, County Attorney, said that he had drafted a Resolution to revise the 1999 Service Delivery Strategy for West Point which adjusted taxes to 40% in order to equalize any duplication of services or lack of provision of services; that this Resolution will revise that due to the acquisition of property in northwest Harris County and the creation of a business park to be annexed into the City of West Point; that the Resolution repeals the 40% tax reduction for property lying within the city limits of West Point that is in Harris County to equate to any services due, provides for the cessation of such tax after January 1, 2007, except for those property owners that continue property ownership; that the reduction will continue so long as the same property owner continues to own the property, but if the owners divest themselves of the property, with the exception of spousal transfer, the property goes back on the tax roles and they no longer receive the 40% reduction; that the City of West Point are in agreement with the Resolution; and he recommended approval and the transmission of same to the City of West Point for approval and adoption. The motion to approve this Resolution was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.
- B. **Contract: Transfer of Private Water System of Mike Moon and Moon Family Properties.** John Taylor, County Attorney, said that this agreement is with Mike Moon and Moon Family Properties concerning a private water system developed over the past several years in and around McKee Road; that negotiations have been underway for some time; that this contract is for the County to acquire the private water system and make it part of the County water system in order to provide water to citizens in the McKee Road area within Harris County; that Moon Family Properties will pay the County \$185,000 and transfer title and ownership of the water system, which includes pipes, pumps, and water system equipment, along with any and all easements regarding same; that the County will bring the water system up to standards; and that Mike Moon and Moon Family Properties have agreed, upon acceptance of the water system by the County, will not at any time, hereafter, anywhere in Harris County attempt to construct or operate a private water system. The motion to approve this contract agreement was made by Chairman Bridges, seconded by Commissioner Lange, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-20.)

C. **Resolution of Intent to Abandon Three Portions of Ridgeway Road.** John Taylor, County Attorney, said that some time ago, a request was made by Bob McLemore to abandon three small parcels on Ridgeway Road consisting of 1.79 acres, 0.176 acre, and .001 acres; that a Resolution of Intent to Abandon those three portions has been drafted; and that upon approval, a title check will be made to determine which property owners need to be notified, and advertise the public hearing for the abandonment. The motion to approve this Resolution of Intent to Abandon was made by Chairman Bridges, seconded by Commissioner Wyatt, and passed unanimously.

7. **OTHER**

A. **Resolution: Edge Grant Application.** Nancy McMichael, County Clerk, said that as part of the Edge Grant application, a Resolution from the Board of Commissioners was required; that Chairman Bridges has signed the Resolution; and that the Resolution needs to be ratified/approved by the Board. The motion to ratify/approve this Resolution was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.

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

Daniel B. Bridges, Chairman

Attest

Nancy D. McMichael, County Clerk