

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

Commissioners Present: Daniel B. Bridges, J. Harry Lange, Joe F. Manning, Patrick Whearley, Charles Wyatt. Commissioners. Staff Present: John M. Taylor, County Attorney; Nancy D. McMichael, County Clerk. Staff Absent: Carol A. Silva, County Manager (ill).

1. **CALL TO ORDER**. Chairman Bridges called the Regular Session to order.
2. **MINUTES**. The motion to approve the Regular Session minutes of October 16, 2007, was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.
3. **APPEARANCE OF CITIZENS**
 - A. **Presentation of Scenic Byways Plaque**. Lynda Dawson (Harris County Chamber of Commerce) said that on October 18, DOT granted a Scenic Byways designation for I-185 from Williams Road north to I-85, a distance of 39 miles, and that she was asked to present the plaque to the Board.
4. **OLD BUSINESS**
 - A. **Second Reading: Ordinance to Amend Smoking Ordinance**. Chairman Bridges said that this was the Second Reading and asked if there were any comments. Discussion included that the distance of 25 feet is from the entrance to any building and that signs regarding same will probably be necessary for several County buildings. Chairman Bridges asked if anyone in attendance wished to comments on the proposed amendment. There being none, the motion to approve this Ordinance Amendment was made by Commissioner Lange, seconded by Commissioner Whearley, and passed with four in favor (Lange, Whearley, Bridges, Wyatt) and one opposed (Manning).
 - B. **County Vehicles**
 - (1) **Passengers in County Vehicles**. Chairman Bridges said that passengers in County Vehicles will not cost any more in premium but they create an additional liability and asked for comments. Discussion included that employees with a take-home vehicle who need to pick up immediate family members on their way home from work, or drop them off on their way to work, will be permitted to do so; that the vehicle cannot be used like a "taxi cab" or a normal means of transportation. There were no objections.
 - (2) **Community Development Vehicles**. Chairman Bridges said that \$35,438 was budgeted for two 4x4 pick-ups, but that \$556 more is needed to purchase the two vehicles due to price changes. Discussion included that the difference could probably be found in the salary line in Community Development; that 4x4 vehicles are not necessary; that it is the goal of John Champion, Community Development Director, for all the department's vehicles to be 4 wheel drive. The motion to approve the request for the additional \$556 to be taken from the salary line, or another line if necessary, was made by Commissioner Lange, seconded by Commissioner Whearley, and passed with four in favor (Lange, Whearley, Bridges, Wyatt) and one opposed (Manning).
5. **NEW BUSINESS**
 - A. **First Reading: Ordinance to Amend Construction (Building) Codes**. Chairman Bridges said that this was the First Reading to amend the Construction Codes Ordinance and he asked John Taylor, County Attorney, to review same. In review, Mr. Taylor said that this is to adopt the current State mandatory construction/building codes and any future building codes adopted by the State or the Department of Community Affairs, some additional codes that while not mandatory are currently enforced by the County, the necessary administrative codes for each code, the appendices of the codes, the appeals process through the Board of Construction Appeals, and regulations concerning agricultural buildings not requiring a building permit as long as they meet certain criteria which would eliminate the inspection process but not the requirement to build according to mandatory codes. Discussion concerning the 100 AMP limitation on agricultural buildings included that 100 AMPs is the smallest electrical service available, that it would support electrical equipment in such a building, and that most mobile homes come with such electrical service. Chairman Bridges asked if any citizen wished to comment on the Ordinance. There being none, he said that the Second Reading will be held November 20.

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

- (1) Chattahoochee Valley Land Trust: Digest total of \$81,773 corrected to zero (not a sale, changed in error)
- (2) Knob View, Inc.: Digest total of \$10,023 corrected to zero (duplicate)
- (3) Stanley, Robert & Crystal: Digest total of \$18,120 corrected to \$2,360 (house burned in March 2006)

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

C. **Request for Lawn Equipment at Jail.** Nancy McMichael, County Clerk, said that a request from the Jail had been made to purchase an industrial lawn mower, like the one recently purchased for Recreation at the same bid price if possible, and a weed eater, neither of which was budgeted. Discussion included that there should not be much grass growing now; and that the equipment should have been budgeted. No action was taken.

6. **COUNTY ATTORNEY**

A. **Agreement: Andras Allen Starr Architecture re: Health Department CDBG.** John Taylor, County Attorney, said that this document is the standard AIA contract to engage the services of the architect to oversee the 1,375 square foot renovations and addition to the Harris County Health Department for which the County received a grant; that it consists of five phases - Schematic Design, Design Development, Construction Document, Bidding or Negotiation, and Construction; that the contract is for \$45,592.00; that it provides for mandatory mediation, which is standard in this type of contract; and that he recommended approval. The motion to approve this contract was made by Commissioner Wyatt and seconded by Commissioner Lange. Commissioner Manning asked about a retainage on each phase, and following discussion, consensus was to contact Sam Andras, architect, regarding a 10% retainage. Commissioner Wyatt withdrew his motion, Commissioner Lange withdrew his second, and action was tabled to November 20 pending the response from Mr. Andras.

7. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing personnel matters was made at 7:38 PM by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.

8. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.

9. **OTHER**

A. **Mitigation Bank.** Commissioner Wyatt distributed a proposal regarding stream side buffer/wetlands mitigation banks for Harris County. Discussion included that more information is needed before the Board takes action, and John Taylor, County Attorney, will contact a source regarding such to make sure what the County can and can't do regarding same and advise the Board of same.

10. **ADJOURNMENT.** There being no further business, the motion to adjourn was made by Commissioner Manning, seconded by Commissioner Whearley, and passed unanimously.

Attest

Daniel B. Bridges, Chairman

Nancy D. McMichael, County Clerk