

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
November 20, 2007
7:00 PM

Commissioners Present: Daniel B. Bridges, J. Harry Lange, Joe F. Manning, Patrick Whearley, Charles Wyatt. Commissioners. Staff Present: Jeff Todd, sitting in for County Attorney John M. Taylor (surgery); 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. **ANNOUNCEMENT**. Chairman Bridges announced that Carol Silva, County Manager, has submitted a letter of retirement due to health reasons. He said that he wanted to publically say that he appreciates what Mrs. Silva has done for the County during her many years of service and wish her all the best. He said that the County stands ready to help her, and that her retirement will be effective following the use of her accumulated sick time and vacation time.
3. **MINUTES**. The motion to approve the Regular Session minutes of November 6, 2007, was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.
4. **RECESS FOR EXECUTIVE SESSION**. Chairman Bridges said that there are a couple of items to be discussed in Executive Session. The motion to go into Executive Session for the purpose of discussing personnel matters, real estate acquisition, and pending litigation, was made at 7:03 PM, by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.
5. **RESUME REGULAR SESSION**. The motion to go back into Regular Session was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.
6. **OLD BUSINESS**
 - A. **Contract: Andras Allen Starr, Architect for Health Department CDBG (Renovation and Addition)**. Chairman Bridges said that action regarding this contract was tabled from the November 6 meeting pending retainage issues. Nancy McMichael, County Clerk, said that she had talked to Sam Andras who suggested that rather than withholding a 10% retainage on each of the five phases that he would submit invoices for the Construction phase, which is the last phase, in two parts, which would basically mean that the County would be holding a little over \$3,400 until we are satisfied. Chairman Bridges asked if there were any questions or comments, and Commissioner Whearley said he had no problems with that suggestion. The motion to approve the contract with the stipulation that the Construction Phase be invoiced in two parts was made by Commissioner Whearley, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-31.)
 - B. **Second Reading: Ordinance to Amend Construction (Building) Codes**. Chairman Bridges said that this was the Second Reading; that the amendments include that whenever the State changes the Code, same will automatically apply to the County, and agricultural use structures. He asked if there were any comments from the Board. There being none, he asked if anyone wished to comment on the proposed Ordinance. There being none, the motion to approve this Ordinance was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.
7. **NEW BUSINESS**
 - A. **Amend 2007 SPLOST Road List (#1 of 2)**. Chairman Bridges said that it is being requested that two roads be added to the 2007 SPLOST road list; that the roads are Lewis Circle, 0.2 mile at \$10,070.72 and Lewis Drive, 0.1 mile at \$5,035.36. The motion to approve these additions was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously.
 - B. **Financial Statements: August & September 2007**. The motion to approve the August and September 2007 financial statements was made by Commissioner Lange, seconded by Commissioner Whearley, and passed unanimously.
 - C. **First Reading: Amend Alcohol Ordinance for Special Events Facility**. Chairman Bridges said that this was the first reading for the amendment to the Alcohol Ordinance to allow the licensing of a Special Events Facility. He asked if the Board had any comments or questions. There being none, he asked if anyone in attendance wished to comment on same. There being none, he said that the Second Reading will be held

December 4.

D. **Public Hearing and Resolution: Abandonment of Portion of old Brown Creek Road.** Chairman Bridges called the Public Hearing to order and said that it was for the purpose of abandoning a portion of old Brown Creek Road, that the appropriate advertising had taken place, and asked if anyone in attendance wished to comment on this matter. There being none, he closed the Public Hearing and asked for a motion on the Resolution. The motion to approve the Resolution to abandon a portion of old Brown Creek Road (approximately 1,400 feet) was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.

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

- (1) Daugherty, Judy A.: Digest total of \$3,232 corrected to zero (duplicate account).
- (2) Frith, Christopher L. & Maria T. Amos: Digest total of \$12,000 corrected to zero (boat is kept at residence in Muscogee County)

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

F. **Request for Tax Refund.** Chairman Bridges said that a request for a tax refund in the amount of \$4,144.71 had been received from George W. Zimmerman who paid the tax bill for property he sold in February 2007; and that both the Tax Commissioner and Board of Tax Assessors agree with the request. The motion to approve the refund in the amount of \$4,144.71 was made by Commissioner Manning, seconded by Commissioner Lange, and passed unanimously.

G. **GEMA Performance/Partnership Agreement Report re: 911/EMA.** Chairman Bridges said that this document was in connection with a \$2,800 grant from GEMA, with a local match of in-kind in the same amount, for funds used for 911/EMA purposes. The motion to approve the report was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Miscellaneous Documents" as MD# 07-14.)

H. **Bid Award: Water Line Relocation - SR 116 at Little Palmetto Creek.** Chairman Bridges said that bids were received in connection with moving the County's water line due to the realignment of SR 116 at Little Palmetto Creek near the Health Department. Nancy McMichael, County Clerk, said that Jeff Culpepper, Water Works Director, had indicated that DOT will reimburse the County for the costs. The bids were as follows:

COMPANY	BID AMOUNT
Regan Construction, Salem, AL	\$ 29,533.00
Crawford Grading & Pipeline, Luthersville, GA	\$ 29,607.40
Gordy Construction, Fortson, GA	\$ 35,516.00
Hydro Operations, West Point, GA	\$ 62,588.20

Chairman Bridges said that both Mr. Culpepper and Carter & Sloope, consulting engineers, have recommended the bid be awarded to Regan Construction. The motion to award the bid to Regan Construction for the low bid of \$29,533 and execute the contract agreement for same was made by Commissioner Lange, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-32A.)

8. **COUNTY MANAGER**

A. **Agreement Amendment: Southern Health Partners - Health Services at Prison.** Nancy McMichael, County Clerk, said that the agreement to amend the costs for the health services at the Prison was received today; that the amendment is to be effective December 1; and that the amendment is to reduce the annual cost by \$6,895. The motion to approve the agreement amendment was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously. (Document can be found in "Contracts & Agreements" as C&A #07-33.)

B. **Morning Star Animal Shelter at the Landfill/Transfer Station.** Nancy McMichael, County Clerk, said that notification from EPD had finally been received indicating that the proposed site for the Animal Shelter was not within the permitted landfill boundary; that we can now proceed with the project; that because one and a half years have passed since the Board approved the agreement, the document needed to be amended regarding the start date and the property description; that once the survey is completed, the document will be fully revised and brought back to the Board for approval. In

response to questions, Mrs. McMichael said that Morning Star members had been involved with the initial agreement, but that the document had never been signed pending the survey and EPD response. She was directed to send the revised document to Morning Star for review and execution before presenting it to the Board for approval.

- C. **December 31 as a Holiday.** Nancy McMichael, County Clerk, said that Martha Hartley, Probate Judge, has requested that December 31 be an official County holiday, and that if not permanently, at least for this year. The motion for December 31 to not be an official County holiday, either permanently or this year, was made by Commissioner Manning, seconded by Commissioner Wyatt, and passed with four in favor (Manning, Wyatt, Bridges, Lange) and one opposed (Whearley).
- D. **Personnel Issues.** Nancy McMichael, County Clerk, said that the Board had discussed various personnel issues related to salaries and grades with the consensus being as follows:
- (1) **Sheriff's Office.** Change the Jail Corporal from grade 24 to grade 27 and change the Jail Sergeant from grade 25 to 30.
 - (2) **Tax Assessor's Office.** Change the title of Office Assistant to Appraiser Technician, change the title of Field Appraiser to Appraiser Trainee, and increase the hourly salary of the GIS employee by \$2.00.
 - (3) **Tax Commissioner's Office.** Change two Tax/Tag Clerk slots to Accounting Technician II, change one Tax/Tag Clerk slot to Motor Vehicle Supervisor in Grade 15 and increase that employee's pay to \$11.30 per hour, change two Tax/Tag Clerk slots to Motor Vehicle Specialist, and to leave Tax/Tag Clerk as entry level title.

The motion to approve the above changes was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously.

9. **COUNTY ATTORNEY**

- A. **Resolution: Board of Education Bond Tax Levy.** Jeff Todd, sitting in for County Attorney John Taylor, said that this Resolution is an administrative necessity since the County collects the Board of Education's SPLOST; that this was the second bond in connection with the current SPLOST; and that the Board had approved the previous bond in September 2006. Following discussion, the motion to approve this Resolution was made by Commissioner Lange, seconded by Commissioner Whearley, and passed unanimously.
- B. **Amendment to Intergovernmental Contract Agreement w/Development Authority re: Xpress Materials and IMS.** Jeff Todd, sitting in for County Attorney John Taylor, said that this amendment to the Intergovernmental Contract with the Development Authority regarding the Northwest Harris Business Park was for two reasons: (1) transfer 47.04 acres from the County to the Authority in order for the Authority to sell same to Xpress Materials at a purchase price of \$336,727.07 less \$242,647.07 for site work performed by Xpress Materials in the business park resulting in net proceeds of approximately \$94,080 to be turned over to the County from the Authority; and (2) transfer 14 acres from the County to the Authority in order for the Authority to sell same to IMS at a purchase price of \$28,000, which is also to be turned over to the County. The motion to approve this contract amendment was made by Commissioner Wyatt, seconded by Commissioner Lange, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #07-32.)

10. **OTHER**

- A. **Amend 2007 Road SPLOST List (#2 of 2).** Commissioner Whearley said that due to the condition of Richardson Road, he would like to add it to the 2007 Road SPLOST list; that the road is about a mile long and that Jimmy Evans, Public Works Director, had looked at the road and gave him an estimate, which he did not have with him. Action was tabled regarding Richardson Road until the December 4 meeting pending exact distance and cost estimate.
- B. **Quit Claim Deeds: Hardaway Drive.** Commissioner Whearley said that a problem arose some time ago regarding Hardaway Drive, a road off of Terry Lane, in that citizens who live on the road claim their property goes to the middle of the road; that it is a private easement and that an individual who was issued a building permit for a lot at the end of the easement cannot traverse the road. He explained that County records show that Hardaway Drive is a County maintained road about .20 mile long and that one of the citizens was planning to erect a gate across the road to control access by other

individuals but was prevented from doing so by means of a letter from Jimmy Evans, Public Works Director. He suggested that in an effort to try to solve the situation, and because records show that this is a County road, that Quit Claim Deeds be prepared by the County for execution by the citizens who claim their property goes to the middle of the road in order to have that amount of property removed from their taxes. Following discussion, there was no objection, and Nancy McMichael, County Clerk, was directed to draw up the appropriate documents as soon as possible and to send same to the appropriate citizens.

C. **Radar List Revision.** Commissioner Wyatt said that he has received many phone calls from citizens on Calhoun Road, from Hudson Mill Road to Lower Blue Springs Road, regarding the speed limit, and that he would like to have it added to the Radar List at 35 mph. There being no objections from the Board, Nancy McMichael, County Clerk, was directed to notify the Georgia DOT of the request.

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

Daniel B. Bridges, Chairman

Attest:

Nancy D. McMichael, County Clerk