

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

July 21, 2009

7:00 PM

Commissioners Present: J. Harry Lange, Charles Wyatt, Joey M. Loudermilk, Joe F. Manning, Patrick Whearley. Staff Present: Daniel B. Bridges, County Manager; John M. Taylor, County Attorney, Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order.
2. **MINUTES.** The motion to approve the minutes of the July 7, 2009, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
3. **OLD BUSINESS**
 - A. **Decision re: Application fo Davis Broadcasting for Special Use Permit for Radio Tower Structure on 50.169 acres of Parcel 003, Map 100, LD 17, LL 196, zoning district A, current use agricultural; property owned by MeadWestvaco and located on west side of Talbot County line and just north of Muscogee County (Public Hearing was held June 16, 2009 with the decision tabled from that meeting).** Chairman Lange said that a request had been made by Davis Broadcasting to move this subject to the August 4 meeting. Commissioner Wyatt said that he had made the motion to table the decision until this meeting. He then made the motion to further table the decision until the August 4 meeting. The motion was seconded by Commissioner Loudermilk, and passed unanimously.
 - B. **Proclamation: No GM or Chrysler Vehicles.** Chairman Lange said that this document was tabled from the last meeting, and that seven people had signed up to speak about same. Commissioner Wyatt, who proposed the Proclamation, said that he had received about 200 phone calls, but only one came from a constituent who agreed with what he was trying to do but was concerned about her son's job in the automotive industry, and because of that call, he would withdraw the Proclamation from the table. With that, John Taylor, County Attorney, said comments from those who signed up would not be necessary since the topic was now a moot point.
 - C. **Second Reading: Application of Gina Stein for Package Store at Hamilton Beer & Wine 9118 US Highway 27, Hamilton.** Chairman Lange said that this was the Second Reading and that the application had been recommended for approval by the Sheriff and by Community Development. Gina Stein, applicant, appeared before the Board and said that she plans to be open from 10 to 10; that she will be providing jobs to include construction jobs since the building needs some build-out; that she plans to provide a service to the County that hasn't been addressed in other package stores - certain things that people say they have to travel to another city or County to purchase. Chairman Lange asked if anyone wished to speak in favor of or in opposition to this application. There being none, he asked for a motion. The motion to approve this Package Store application was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.
 - D. **Media Com: Request for Refund.** Danny Bridges, County Manager, said that this topic was briefly discussed during the June 2 meeting; that MediaCom has been collecting 2% from customers and remitting 5% to the County; that same has been verified through various methods; that MediaCom has overpaid \$43,515.65; that upon reviewing our collections, we have collected well over what was budgeted; and that while he recommends the County making a full refund so that the collections look right for the year, MediaCom can credit us that amount and withhold future payments until that amount has been reached, which will take almost a year. Following a brief discussion, the motion to refund the full amount of \$43,515.65 to MediaCom was made by Commissioner Manning, seconded by Commissioner Loudermilk, and passed unanimously.
4. **NEW BUSINESS**
 - A. **United Way Campaign.** Scott Ferguson, President & CEO of United Way of Chattahoochee Valley, and Billy Blanchard, Campaign Chairman, appeared before the Board. Mr. Ferguson said that as explanation as to the value of United Way in Harris County, they distributed 27,000 pounds of food in the County, mostly through churches, the Salvation Army (receives funds from United Way), provided utility assistance to 45 families in the County, last year a small grant of \$2,500 was donated to the County to support the youth program, this year a \$4,000 donation was made to the High School to help with graduation; and that with the County's future Community Center, they hope to continue to work to help fund some of the programs

at the Center. Mr. Blanchard explained what they have done with other cities and Counties toward this year's campaign goal; that they would like to present a campaign to County employees to give them an opportunity to help support those in need; that such contributions can be done through payroll deductions; and he asked the Board to endorse the campaign. In response to a question, Mr. Ferguson said that 99% of what is collected in the Chattahoochee Valley stays in the Chattahoochee Valley and 1% goes to the United Way of America, since it is a franchise. Chairman Lange said that before moving to the County several years ago, he was on the Allocations Advisory Panel of the United Way and was chair of the Child and Adult Day Care Committee; and that volunteers do a great deal of work and due diligence to make sure that the charities are deserving and that the funds are being used for what they are supposed to be used. He said that he supports giving the employees an opportunity to choose whether or not they wish to contribute toward the United Way. The motion to allow an employee campaign was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously. Danny Bridges, County Manager, is to meet with Mr. Ferguson and/or Mr. Blanchard to work out details of the employee campaign.

B. **Millage Rate.** Chairman Lange said that the County's millage rate is 6.14 (which is the same as last year), the School Board has set its millage rate (which they have sole control over up to a certain rate) at 16.41, the School bond indebtedness rate is .65, and the State rate is .25, a total millage of 23.45, and that the millage for the portion of West Point within the County is 3.68. The motion to set the County's millage rate at 6.14, to set the West Point portion within the County at 3.68, and to authorize the Tax Commissioner to collect the School Board's millage (total of 17.06) was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.

C. **Requests for Tax Refunds**

(1) **Dowis, William C., Jr.:** Chairman Lange said that the request is for the refund of \$81.33; that Mr. Dowis purchased the tag in error after having sold the vehicle; and that the Tax Commissioner and the Board of Tax Assessors agreed with the request. The motion to approve the refund was made by Commissioner Manning, seconded by Commissioner Whearley, and passed unanimously.

(2) **Johnson, Thomas L., III:** Chairman Lange said that the request is for the refund of \$138.41; that Mr. Johnson sold the boat in November 2007 but failed to file the appropriate return with the Tax Assessor's office; and that the Tax Commissioner and the Board of Tax Assessors disagreed with the request. The motion to approve the refund was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.

(3) **Westbrook, Danielle R.:** Chairman Lange said that the request is for the refund of \$123.36; that Ms. Westbrook paid the taxes before the taxes were due but then sold the vehicle before the taxes were due; and that the Tax Commissioner and the Board of Tax Assessors disagreed with the request. The motion to approve the refund was made by Commissioner Manning, seconded by Commissioner Wyatt, and passed unanimously.

D. **The Grove.** Chairman Lange said that this was discussed during the preceding Work Session and that the Board has to decide the route to take for the sanitary sewer and wastewater. Commissioner Whearley asked that this matter be tabled to the August 18 meeting in order for Danny Bridges, County Manager, to find out about the cost for both routes from the pump station in Muscogee County to the County line, and the possibility of utilizing the I-185 Right of Way easement. After the Board decides on the route, financing will be discussed and decided upon.

5. **COUNTY MANAGER**

A. **LARP List 2010.** Danny Bridges, County Manager, said that is the proposed LARP road list to send to DOT; that the list is subject to DOT's scrutiny as to which roads, if any, it will choose; that if the list is not submitted, there will not be an opportunity to get DOT assistance for any of the roads; and he reminded the Board that the County does not pay toward the paving of the roads chosen by DOT. Following a brief discussion, the motion to approve the LARP road list was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously. Regarding other roads, Mr. Bridges said that the SPLOST list is currently being worked and if the Board has any short roads for the list to let him or Nancy McMichael, County Clerk, know; and that we are working on cleaning up the lists of roads to be paved and should have a plan in place by the end of the year.

B. **Sally Port Doors: Sheriff's Office.** Danny Bridges, County Manager, said that the doors at the rear of the Sheriff's Office through which the deputies drive in order to

take prisoners into the Jail have been damaged; that they were not included in the normal budgeting process but do need to be replaced; that the quote of \$7,485 is for two sally-port doors, which includes the installation; that the funds will come from the Jail Fund, which currently has over \$200,000 and can only be used for the Sheriff's Office and Prison. Following a brief discussion, the motion to approve the purchase of the Sally Port doors in the amount of \$7,485 was made by Commissioner Loudermilk, seconded by Commissioner Manning, and passed unanimously.

6. **PUBLIC HEARING AT 7:30 PM**

- A. **Application of John Rodgers for Special Use Permit for Ballfield Complex Park on 29.82 acres fka Coco Hollow Tree Farm, in Land Lot 92, Land District 19, Map 029, Parcel 094.** Chairman Lange said that this Special Use Permit for a Ballfield Complex Park was to go along with the application to rezone this property from R-1 to CORD; that the property was not rezoned to CORD; and because the rezoning to CORD was not approved, this Special Use Permit application should be withdrawn. The motion to allow the withdrawal of this Special Use Permit application was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

7. **COUNTY MANAGER (continued)**

- C. **Vehicle Purchase: Sheriff's Office.** Danny Bridges, County Manager, reminded the Board that no new vehicles were included in the budget, and said that the Sheriff is requesting to purchase a vehicle, which will add to the fleet, in the amount of \$24,937 with the funds coming from the Drug Account. The motion to approve the purchase of this vehicle (an F-150 with tow package for the purpose of towing trailers) in the amount of \$24,937, which will increase the Sheriff's fleet, was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.
- D. **Airport Budget FY 08/09.** Danny Bridges, County Manager, said that he and Jennie Shelhorse, Finance Officer, recently met with the auditors; that last year, the budget had an amount for funding and support of the Airport; that because of the money that has been spent in the last few months the auditors requested that a budget be adopted that will formally take care of those expenses and revenue; and that this budget is for the budget that ended June 30, 2009, and would actually be an amendment to that budget. Following a brief discussion, the motion to amend the FY 08/09 Airport budget was made by Chairman Lange, seconded by Commissioner Manning, and passed unanimously.
- E. **Budget Amendment #3 FY 08/09.** Danny Bridges, County Manager, reviewed the budget amendment items and said that the items on the amendment were previously approved by the Board, but the actual budget amendment has not yet been approved. The motion to approve Budget Amendment #3 was made by Commissioner Manning, seconded by Commissioner Wyatt, and passed unanimously.
- F. **Health Department Change Order #3.** Danny Bridges, County Manager, said that this change order is in the amount of \$3,933.50; that during the renovation, issues were discovered that need to be addressed - insulation in the Reception Area, in the walls of the Interview Rooms, and in the ceilings of two restrooms and offices; and that there is still almost \$100,000 of the original \$500,000 grant that has not been used. The motion to approve this Change Order was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously. (Document can be found in the "Contracts and Agreements" file as C&A #09-36.)

8. **COUNTY ATTORNEY**

- A. **County Manager Agreement: First Amendment.** John Taylor, County Attorney, said that this amendment is to increase the County Manager's salary as of July 1, 2009 (from \$92,000 to \$94,760); that nothing else in the original agreement is affected; and that he recommends approval of same. The motion to approve the First Amendment was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in the "Contracts and Agreements" file as C&A #09-37.)
- B. **Board of Education Agreement: Shotgun Team Use of County Property.** John Taylor, County Attorney, said that this agreement is to allow the High School Shotgun Team to utilize approximately 20 acres of County property located on Lower Blue Springs Road for a practice and shooting facility not open to the general public. He reviewed the agreement and recommended approval of same. The motion to approve this agreement was made by Commissioner Manning, seconded by

Commissioner Wyatt, and passed unanimously. (Document can be found in the "Contracts and Agreements" file as C&A #09-38.)

- C. **Intergovernmental Agreement with Waverly Hall.** John Taylor, County Attorney, reminded the Board that the City Council of the Town of Waverly Hall has indicated that it will no longer need the County to issue building permits or conduct building inspections, and that as a result, a new intergovernmental agreement with Waverly Hall is necessary to supersede the agreement approved March 21, 1995, which included the provision of such action by the County. He reviewed the document and recommended approval of same. The motion to approve this agreement was made by Commissioner Loudermilk, seconded by Commissioner Whearley, and passed unanimously. (Document can be found in the "Contracts and Agreements" file as C&A #09-39.)
- D. **Agreement: Airport Hangars.** John Taylor, County Attorney, said that this document is for use in renting the T-hangars at the Airport. He reviewed the document and recommended approval of same. The motion to approve the agreement format was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously. (Document can be found in the "Contracts and Agreements" file as C&A #09-40.)

9. **OTHER**

- A. **Boy Scout Troop Recognition.** Chairman Lange recognized members of Boy Scout Troop #115, of Pine Mountain Valley, who attended the Commission meeting in order to meet merit badge requirements.
 - B. **County Manager Appreciation.** Chairman Lange said that previously in the meeting, the Board approved a salary increase for the County Manager (see item #8A), and that he wanted to thank Danny Bridges, County Manager, for the work he is doing and his ability to "hit the ground running" when he accepted the position of County Manager.
 - C. **Sheriff of the Year.** Commissioner Wyatt said that Sheriff Mike Jolley was not in attendance during this meeting because he was accepting the award as Sheriff of the Year from the Georgia Sheriff's Association.
- 10. **REQUEST FOR EXECUTIVE SESSION.** John Taylor, County Attorney, requested an Executive Session for the purpose of discussing real estate acquisition and potential, pending or threatened litigation.
 - 11. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purposed of discussing real estate acquisition and potential, pending or threatened litigation was made at 8:00 PM by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.
 - 12. **RESUME REGULAR SESSION.** The motion to resume the Regular Session was made by Chairman Lange, seconded by Commissioner Whearley, and passed unanimously.
 - 13. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk