

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
December 1, 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 November 17, 2009, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
3. **OLD BUSINESS**
 - A. **Tax Refund Requests (3): T. J. Bugg et al.** Chairman Lange said that this matter had been tabled from the November 3 and 17 meetings pending additional information, and he asked Danny Bridges, County Manager, to advise the Board as to what has been determined. Mr. Bridges said that he and a member of the Tax Assessor's office walked the property in question, found no grave sites on the property, found what appears to possibly be a baptismal pool which may indicate a church was on the site at one time, and that there is a church and cemetery across the road from the subject. The motion to deny the requests was made by Commissioner Manning, seconded by Commissioner Loudermilk, and passed unanimously.
 - B. **Decision: Application of Ronnie Reeves and Bryan Becker for a Special Use Permit for Deer Processing & Taxidermy on .50 acres on Map 97, Parcel 009, Land District 17, Land Lot 14, located at 9040 Georgia Highway 208, Waverly Hall.** Chairman Lange said that this matter would be taken up following the related Public Hearings scheduled for 7:30 PM. (See item 12B)
 - C. **Decision: Application of Davis Broadcasting for a Special Use Permit for Radio tower Structure on 50.169 acres on Map 100, Parcel 003, Land District 17, Land Lot 196, and owned by MeadWestvaco on the west side of the Talbot County line and just north of the Muscogee County line.** Chairman Lange said that this matter would be taken up following the related Public Hearing scheduled for 7:30 PM. (See item 14C)
 - D. **Homestead Legislation Update.** As an update, John Taylor, County Attorney, said that he had contacted an individual on the Legislative Council who will research the issue and get back with him, but at this time, he does not have any information regarding same.
4. **NEW BUSINESS**
 - A. **Financial Statement: September 2009.** The motion to approve the financial statement for September 2009 was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
 - B. **Resolution: Acceptance of Brenthaven Court, Brenthaven Way, and Creek View Way in Brenthaven Subdivision, Phase 1.** John Taylor, County Attorney, said that in addition to the right-of-way deed, all documents necessary for the County to accept this road have been received and appear to be in order. The motion to approve this Resolution was made by Commissioner Whearley, seconded by Commissioner Wyatt, and passed unanimously.
 - C. **Resolution: Acceptance of Shelby Court, Claudette Court, Aiden Court, and a portion of Ross Road in Timberland Subdivision, Section 4.** John Taylor, County Attorney, said that in addition to the right-of-way deed, all documents necessary for the County to accept this road have been received and appear to be in order. The motion to approve this Resolution was made by Commissioner Loudermilk, seconded by Commissioner Manning, and passed unanimously.
 - D. **Resolution: Adoption of Comprehensive Plan 2009-2029.** The motion to approve this Resolution was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
5. **COUNTY MANAGER**
 - A. **Groundwater and Methane Monitoring Wells at Landfill.** Danny Bridges, County

Manager, advised the Board that as part of the on-going monitoring at the Landfill, it is necessary to drill new wells at an approximate cost of \$13,600, which will be taken from Solid Waste funds. The motion to approve the expenditure was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #09-56.)

- B. **Conservation Subdivision Proposal.** Danny Bridges, County Manager, asked the Board if he and Staff members should proceed with the review and editing of the Conservation Subdivision proposal, which the Board worked on during the preceding Work Session, and provide the completed product for the Board's review during the January 5 or the January 19 Work Session depending on the completion. The general consensus of the Board was in favor of having the County Manager and Staff review and edit the proposal for further consideration by the Board.
6. **COUNTY ATTORNEY.** John Taylor, County Attorney, said that he had no business to bring up before the Board this evening.
7. **RECESS FOR EXECUTIVE SESSION.** Commissioner Wyatt made the motion to go into Executive Session at 7:15 PM for the purpose of discussing real estate acquisition. The motion was seconded by Chairman Lange and passed unanimously.
8. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made by Chairman Lange, seconded by Commissioner Wyatt, and passed unanimously.
9. **RECESS.** Chairman Lange recessed the meeting until 7:30 PM, at which time the scheduled Public Hearings would begin.
10. **PUBLIC HEARINGS @ 7:30 PM**
 - A. **Explanation of Public Hearing Procedures.** Chairman Lange explained the procedures involved with the Public Hearings.
 - B. **Conflict of Interest Forms.** The Conflict of Interest forms regarding the Rezoning Application of Charles Boren were completed at the request of Chairman Lange.
 - C. **Application of Board of Commissioners to Amend the Text of the Zoning Ordinance, Article IV, Section 2, Item 139, to change Taxidermist from C-1, C-3 & C-4 to A-1*, M-1* and M-2* with Special Use Permit for consistency with Deer Processing.** Chairman Lange called the Public Hearing to order, read the specifics of the application, said that the Planning Commission and Zoning Staff had recommended approval, and asked Danny Bridges, County Manager, to explain the request. Mr. Bridges said that upon reviewing the Zoning Ordinance, it seemed that Deer Processing and Taxidermist go together and should be in the same zoning districts and that these two businesses are in the same zoning districts in other counties. Chairman Lange asked if anyone wished to speak in favor of or in opposition to this Amendment. There being none, he closed the Public Hearing. The motion to approve this Amendment was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.
 - D. **Application of Charles Boren to Rezone .50 acres of Map 097, Parcel 009, Land Lot 240, Land District 17, from C-4 to A-1; present use warehousing; proposed use Deer Processing and Taxidermy; property located at 9040 Georgia Highway 208, Waverly Hall.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Commission and Zoning Staff had recommended approval with the following conditions: (1) fenced so that it (deer hanging, skinning or gutting) can't be seen from the road or from the adjacent Smith property; (2) the water run-off is to go into the septic tank; and (3) the business is to connect to County water. Charles Boren, applicant, and Bryan Becker, partner in the Deer Processing/Taxidermy business, appeared before the Board. Mr. Becker said that fencing has been put in place; that it will be difficult to have the run-off go into the septic tank, which is up hill; and that it will be an expensive endeavor to connect to County water, since the line is on the other side of Highway 208. He then provided copies of photos to the Board showing not only the fence, but the lay of the land, and said that they will be putting in a French drain from which the water run-off would go down hill toward the woods. Regarding the connection to County water, Danny Bridges, County Manager, said that the cost would be to the County since the County would have to do the boring under Highway 208. Chairman Lange asked if anyone wished to speak in favor of or in opposition to this application. There being none, he closed the Public Hearing. The motion to approve this Rezoning application with the condition that it be fenced so that deer hanging, skinning, or gutting can't be seen from the road or from the adjacent Smith property, was made by Commissioner Loudermilk and seconded by Commissioner Wyatt. In response to questions from Chairman

Lange, Mr. Becker said that the water usage will be limited to basically three months of the year and that no solids will be going down the drain or be included in the water run-off (they will be caught and taken to the Landfill). The motion passed unanimously.

11. **OTHER.** At this point, Commissioner Loudermilk departed the meeting in order to attend a function to which he had previously committed.

12. **OLD BUSINESS (CONTINUED)**

B. **Decision: Application of Ronnie Reeves and Bryan Becker for a Special Use Permit for Deer Processing & Taxidermy on .50 acres on Map 97, Parcel 009, Land District 17, Land Lot 14, located at 9040 Georgia Highway 208, Waverly Hall.** Chairman Lange said that the Public Hearing regarding this Special Use Permit had been held and closed on November 17 with action tabled until December 1 following the Public Hearings related to this application. He asked for a motion. The motion to approve this Special Use Permit for Deer Processing and Taxidermy with the same condition as stipulated for the rezoning of this property (fenced so that deer hanging, skinning, or gutting can't be seen from the road or from the adjacent Smith property) was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.

13. **PUBLIC HEARINGS (CONTINUED)**

E. **Application of Board of Commissioners to Amend the Subdivision Regulations, Article XII, Section 1211, to allow communications towers or public utilities to locate on property which does not front on a County public road, but is accessible from a private or easement road in an adjoining county.** Chairman Lange called the Public Hearing to order, read the specifics of the application, said that the Planning Commission and Zoning Staff had recommended approval, and asked Danny Bridges, County Manager, to explain the reason for the application. Mr. Bridges said that the current Subdivision Regulations require subdivided parcels to abut a County public road by 50 feet, that this amendment would permit only communications towers and public utilities to locate on subdivided parcels that are accessible only by roads in an adjoining county, and that this amendment will not affect any property that does not abut an adjoining county. Chairman Lange asked if anyone wished to speak in favor of or in opposition to this amendment. There being none, he closed the Public Hearing. The motion to approve this amendment was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.

14. **OLD BUSINESS (CONTINUED)**

C. **Decision: Application of Davis Broadcasting for a Special Use Permit for Radio tower Structure on 50.169 acres on Map 100, Parcel 003, Land District 17, Land Lot 196, and owned by MeadWestvaco on the west side of the Talbot County line and just north of the Muscogee County line.** Chairman Lange said that the Public Hearing for this Special Use Permit application had been held and closed on May 19, 2009, with action tabled until such time as the Board could amend the Subdivision Regulations. He asked for a motion. The motion to approve this Special Use Permit was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.

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

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Attest:

J. Harry Lange, Chairman

Nancy D. McMichael, County Clerk