

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
February 2, 2010
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 January 19, 2010, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
3. **APPEARANCE OF CITIZENS**
 - A. **Dannie Kemp: Washington Road.** Dannie Kemp, citizen who lives on Washington Road, appeared before the Board to discuss issues regarding Washington Road, to include the number of school buses that traverse the road, the narrowness of the road in places, especially on hills; the lack of visibility approaching the hills; the condition of the road due to the recent rain; that he had contacted every property owner on the road and those he has heard from are in agreement with giving the necessary right of way to widen the road in order to improve and pave same; that everyone understands that trying to put conditions on giving the right of way to the County will only delay the project; and that he will assist the County in obtaining signatures on the right of way deeds. He concluded by asking the Board to consider moving Washington Road up on the paving list. Commissioner Wyatt said that the road has been on the paving list for some time; that he has seen the number of school buses using the road; and that due to recent rains, vehicles had to be pulled out of the mud. He then made the motion for staff to do what can be done to move the road up on the paving list. The motion was seconded by Commissioner Whearley and passed unanimously.
4. **NEW BUSINESS**
 - A. **Resolution: Service Delivery Strategy Update.** Chairman Lange said that the Resolution is needed in connection with updating the Service Delivery Strategy, as required by the Georgia Department of Community Affairs, and he asked Danny Bridges, County Manager, for comments. Mr. Bridges said that the municipalities must also sign off on updating the Service Delivery Strategy; that Rick Morris, with the River Valley Regional Commission, is attending the municipalities' meetings regarding the update; that the deadline for the update is February 28; and that because some of the municipalities have yet to meet, he recommended tabling action on the Resolution until the February 16 meeting. He also said that Waverly Hall will be holding a called meeting on the 11th to discuss the Service Delivery Strategy and that he will be attending same because of a possible change in our intergovernmental agreement. Chairman Lange tabled action until the February 16 meeting.
 - B. **Resolution: Community Development Block Grant (CDBG) Application Process.** Chairman Lange said that this Resolution is needed in order to move forward with the application process for the upcoming round of grants. Danny Bridges, County Manager, said that because there were no other suggestions from the Board regarding projects, the application would be for street and road improvements in Kings Gap Village, and that during the last meeting, he indicated the match would be \$100,000, but the required cash match is \$10,000. Katie Howard, of the River Valley Regional Commission, explained that the maximum grant for which the County can apply is \$500,000; that hopefully the \$500,000 would cover the improvements; that while the required cash match is \$10,000, the County can increase their leverage for the grant by either contributing more cash or providing in-kind work. There was discussion concerning the width of the roads in Kings Gap Village which included that plats show a 50-foot right of way, which is acceptable for grant purposes. The motion to approve the Resolution was made by Commissioner Manning, seconded by Commissioner Wyatt, and passed unanimously.
 - C. **Request for Tax Refund: Burns, William B.** Chairman Lange said that a request had been received for a refund in the amount of \$1,956.34 because property had been sold, other property had been purchased, and the tax was paid on the sold property in error. Following some discussion, Commissioner Wyatt tabled action to the February 16 meeting and asked Danny Bridges, County Manager, to find out about the closing statement of the sold property.

5. **COUNTY MANAGER**

- A. **Chamber of Commerce Contract.** Danny Bridges, County Manager, said that the contract with the Harris County Chamber of Commerce expired some time ago; that a new contract with minor changes has been drawn up, and that the Chamber has agreed to the new contract. The motion to approve the contract was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A # 10-04.)
- B. **Investments through CDARS.** Danny Bridges, County Manager, said that there is state-approved investment program, known as the Certificate of Deposit Account Registry Service (CDARS), to which the County can belong that allows banks in which County funds are deposited, to invest those funds in other banks up to \$250,000 increments, and that the County is looking at Colony Bank in Columbus for this program. Following discussion, the motion for the County to participate in CDARS through Colony Bank with the County Manager (Daniel B. Bridges), the Finance Officer (Jennie Shelhorse), and the County Clerk (Nancy D. McMichael) authorized to set up such account and be authorized signers, was made by Commissioner Loudermilk, seconded by Commissioner Manning, and passed unanimously.
- C. **Surplus Property: Airport Fuel Trucks.** Danny Bridges, County Manager, said that prior to the installation of the fuel farm at the Airport, fuel trucks were used for fueling purposes; that the two trucks are no longer needed at the Airport and are of no use to the County; that he is requesting permission to sell the trucks. The motion to declare the two trucks unserviceable to the County and to authorize the sale of same by means of sealed bids was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously.

6. **COUNTY ATTORNEY.** John Taylor, County Attorney, said that he had no business to discuss with the Board this evening.

7. **PUBLIC HEARING @ 7:30 PM**

- A. **Conflict of Interest Forms.** The Conflict of Interest forms were completed at the request of Chairman Lange.
- B. **Explanation of Public Hearing Procedures.** The procedures for the Public Hearing were explained by Chairman Lange.
- C. **Application of Dorothy Moss to rezone 4.19 acres of Land Lot 134, Land District 18, Parcels 041 and 042, Map 081A, from A-1 to C-4, present use residential, proposed use commercial business as a specialty shop, and properties located at 13272 Warm Springs Road and 3564 Georgia Highway 85, Ellerslie.** 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 of the rezoning with the following conditions: (1) the property must be developed as a unified commercial district with access points approved by the County Engineer and/or DOT; (2) a 10-foot landscaped buffer along the perimeter of the property; (3) only one sign structure for the commercial development and no portable sign on the site; and (4) the property may only be used for the specialty/antique shop. Dorothy Moss, applicant, and her husband, Tommy Moss, appeared before the Board. Mr. Moss, speaking for Mrs. Moss, said that the property is at a traffic light in Ellerslie, which is a good location for a commercial business; that there are other nearby commercial properties; that they desperately need the rezoning to move forward with the necessary renovations on the house; and that the location meets DOT requirements.

Chairman Lange asked if anyone wished to speak in favor of the rezoning application.

Sean Elia, citizen who lives on Persimmon Court in Midland, appeared before the Board and said that he supports the rezoning request; that the property is in a good commercial location; and that the business would benefit the community.

Ronnie Watley, citizen who lives nearby on Georgia Highway 85, appeared before the Board and said that he has no problem with the rezoning and thinks it will be good for the area.

There being no further comments in favor, Chairman Lange asked if anyone wished to speak in opposition to the rezoning application. There being none, he asked Mr. and Mrs. Moss for any final comments.

Mr. Moss said that the recommended conditions will be difficult to meet, especially the 10-foot buffer around the perimeter of the property, and that having to use the four acres for the business will mean they could not consider offers from others to purchase any of the property for commercial use. Discussion included that three of the conditions are actually requirements of the zoning ordinance and the fourth condition was to limit the type of business that could be on the property, and that C-4 zoning allows many different types of businesses.

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

The motion to approve the rezoning from A-1 to C-4, with no conditions, was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.

8. **COUNTY MANAGER (CONTINUED)**

D. **DOT Contract Request: Mehaffey Road.** Danny Bridges, County Manager, said that DOT has indicated, as a result of a request from the County, that it will pay for paving that portion of Mehaffey Road that the County does not own and then turn ownership of that section of the road over to the County to maintain; that the contract would be for 1.75 miles on Mehaffey Road from Central Church Road to a point of Mehaffey Road, where it begins to be a County road; and that DOT would issue the contract, let the County do the work, and that the contract would be for whatever the bid price is for having the work done. Following a brief discussion, the motion to approve the Contract Request was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #10-03.)

E. **Forest Land Protection Act Reimbursement Status.** Danny Bridges, County Manager, said that the citizens of Georgia, in 2008, voted in the Forest Land Protection Act, which is a Constitutional amendment that allows an exemption for which forest land is taken off the tax rolls to a certain extent; that to date, Harris County has removed \$11,700,000 of forest land property from the tax rolls; that the amendment indicates that the State will reimburse counties; that such reimbursement has not been included in the State budget for FY 2010 and FY 2011; that the reimbursement to Harris County is \$264,000; and that he suggested that the Board members contact the State legislators about the reimbursement.

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

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk