

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

March 16, 2010

7:00 PM

Commissioners Present: J. Harry Lange, Joey M. Loudermilk, Joe Manning, Charles Wyatt.
Absent: 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 March 2, 2010, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed with three in favor (Loudermilk, Wyatt, Lange), no opposition, and one abstention (Manning, who was absent from the March 2 meeting).
3. **APPEARANCE OF CITIZENS**
 - A. **Jeff Hustick: Amendment to Alcohol Ordinance.** Jeff Hustick, citizen, appeared before the Board and said that he and his wife would like to open a restaurant in Ellerslie and be able to sell beer and wine on-premise; that the restaurant location is too close to a residence; and that he would like the Board to consider changing the ordinance. Commissioner Loudermilk said that he is not in favor of changing the distance requirements for one person and suggested that the Board consider changing the length of time for grandfathering a business to five years. He asked about the previous alcohol licenses for the location (the old China Wok), and Nancy McMichael, County Clerk, said that the China Wok was denied an alcohol license about five years ago and before that, the German restaurant had a beer license. Commissioner Loudermilk asked Mrs. McMichael to find out when the business location last had an alcohol license, and Mrs. McMichael said that she would have the information at the next meeting. Mr. Hustick thanked the Board for its time.
4. **NEW BUSINESS**
 - A. **Financial Statement: January 2010.** The motion to approve the January 2010 Financial Statement was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
5. **COUNTY MANAGER**
 - A. **Liberty Bell Pool.** Danny Bridges, County Manager, distributed information showing estimates of revenue and expenses regarding the County operating the Liberty Bell Pool for 73 days from Memorial Day to Labor Day, and said that he had talked with several people who had been involved with the pool to obtain attendance, revenue and concession estimates; that based on what he has been able to determine, the County might be able to break even, but it all depends on attendance, which is hard to estimate particularly since the pool has been closed for a year; that he has had some conversation with the State Park and the Department of Natural Resources and indications are that they are willing to negotiate on some areas (percentage of revenue), but not on others (parking fee); and that if the Board wants to move forward, he will need the authority to negotiate the best deal he can to bring back to the Board for approval. Following discussion, which included comments from Steve Earles, former concessionaire of the pool, and Pam Davis (see March 2 minutes), the motion for Mr. Bridges to negotiate the best deal for the operation of the Pool by the County was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
6. **PUBLIC HEARING @ 7:30 PM**
 - A. **Conflict of Interest Forms.** The Conflict of Interest forms regarding the Special Use Permit were completed at the request of Chairman Lange.
 - B. **Explanation of Public Hearing Procedures.** Chairman Lange explained the procedures involved with the Special Use Public Hearing.
 - C. **Special Use Permit Application of Jeff Macon for Special Event Facility (Macon's Place) on 6± acres in Land Lot 146, Land District 18, Map 48, Parcels 34, 35 & 35A; current use multi-purpose use; proposed use same with main function being weddings; located at 108 Macon Drive, Cataula, GA.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Staff had recommended approval. Jeff Macon, applicant, appeared

before the Board and said that he intends to make more improvements to the business; that he has been losing business because of his inability to have alcohol on the premises; that he intends to construct a gazebo near the lake and put in a garden between the parking lot and highway; and that in order to allow alcohol at various functions, he needs the Special Use Permit for a Special Event Facility. Chairman Lange asked if anyone wished to speak in favor of the application. There being none, he asked if anyone wished to speak in opposition to the application. There being none, he asked Mr. Macon if he had any additional comments. Mr. Macon said that he believes the business will be good for the community and the County.

Chairman Lange said that he was concerned about noise from bands/outdoor entertainment and that he would like to see trees planted to help muffle any outdoor noise from surrounding properties. He then closed the public hearing and asked for a motion. The motion to approve the Special Use Permit for a Special Event Facility was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

7. **COUNTY MANAGER (CONTINUED)**

- B. **Courtesy Car at Airport.** Danny Bridges, County Manager, said that pilots who fly the corporate jets into the County Airport usually end up staying at the Airport when their clients/employers attend meetings or make short visits to the area; that the pilots have no way to go anywhere or even get something to eat; that it is suggested that the County have a vehicle to loan only to pilots; that information would be obtained from the pilot to include a copy of their drivers license before allowing the use of the vehicle; that the vehicle would be loaned for an hour; that the vehicle cannot be taken out of the County; and that a form has been drawn up outlining the terms of use. Following discussion, the motion to have a loaner vehicle at the County airport and to loan out the vehicle as presented was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
- C. **Harris County Magazine Advertising.** Danny Bridges, County Manager, said that the County had received a notice regarding advertising in the Harris County Magazine, which is produced by the Chamber of Commerce. Lynda Dawson, president of the Harris County Chamber of Commerce, said that the deadline for advertising is probably mid-April; and that the Development Authority advertised in same in the last issue. Because there were no specifics regarding costs, Mr. Bridges said that he would provide more information at the next meeting.

8. **COUNTY ATTORNEY**

- A. **Resolution: Intent to Abandon Portion of Old Hamilton Pleasant Grove Road.** John Taylor, County Attorney, reviewed the Resolution which includes the process for abandonment and recommended approval of same. The motion to approve this Resolution was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

9. **OTHER**

- A. **Second Reading: Application of Jeff Macon for Alcohol Special Event Facility for Macon's Place located at 108 Macon Drive, Cataula (to allow beer/wine on premises during special functions only).** Chairman Lange read the specifics of the application and said that it had been recommended for approval by the Sheriff's Office and the Department of Community Development. Jeff Macon, applicant, had no comments. Chairman Lange asked if anyone wished to speak in favor of or in opposition to this application. There being none, he made the motion to approve the Alcohol Special Event Facility license. The motion was seconded by Commissioner Wyatt and passed unanimously.
10. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk