

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

May 18, 2010
7:00 P.M.

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

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order.
2. **MINUTES**
 - A. **Regular Session of May 4, 2010.** The motion to approve the minutes of the May 4, 2010, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Manning, and passed unanimously.
 - B. **Appeal Hearing of Orlando Tasby (Nuisance Classification of Dogs) of May 4, 2010.** The motion to approve the minutes of the May 4, 2010, Appeal Hearing of Orlando Tasby was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
3. **OLD BUSINESS**
 - A. **Second Reading: Ordinance to Amend the Road Development Regulations (Article IV, Division I, Sections 4-111 and 4-112).** Chairman Lange said that this was the Second Reading, and he asked Danny Bridges, County Manager, for comments. Mr. Bridges said that the main reason to amend the ordinance was to add the type of high density polyethylene pipe that Georgia DOT allows and which is cheaper than concrete, and that no changes had been made since the First Reading. Chairman Lange asked if anyone wished to speak in favor of or in opposition to the proposed amendment. There being none, the motion to approve the Ordinance was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously.
 - B. **Second Reading: Ordinance to Amend the Road Acceptance Ordinance (Article IV, Division 2, Sections 4-121 & 4-122).** Chairman Lange said that this was the Second Reading regarding amendments to the Road Acceptance Ordinance, and he asked Danny Bridges, County Manager, for comments. Mr. Bridges said that the proposed amendments will provide a method to accept roads/streets/easements that were in existence prior to October 4, 2004, and that no changes had been made since the First Reading. Chairman Lange asked if anyone wished to speak in favor of or in opposition to the proposed amendments. There being none, the motion to approve the Ordinance was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.
 - C. **Second Reading: Ordinance to Amend the Alcohol Ordinance (Section 6-53).** Chairman Lange said that this was the Second Reading regarding amendments to the Alcohol Ordinance, and said that the amendment would remove distance requirements in connection with residential buildings regarding On-Premises licenses. He asked if anyone wished to speak in favor of or in opposition to the amendment. There being none, the motion to disapprove the Ordinance was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
 - D. **Appointments/Reappointments: Valley Partnership Joint Development Authority.** The motion to reappoint Harry Boyd (representing the Development Authority), Danny Bridges (representing the Commissioners), and Lynda Dawson (representing the Harris County Chamber of Commerce) to the Valley Partnership Joint Development Authority, with expiration in June 2014, was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.
4. **NEW BUSINESS**
 - A. **Error & Release Requests.** Chairman Lange read the Error & Release requests as follows:
 - (1) Carey, Charles (2008): Digest total of \$9,370 corrected to \$8,058 (audit result)
 - (2) Carey, Charles (2007): Digest total of \$17,845 corrected to \$10,422 (audit result)

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

B. **Not On Digest.** Chairman Lange read the NODs as follows:

- (1) KFC - Pine Mountain (2008): Digest total of zero corrected to \$10,029 (audit result)
- (2) KFC - Pine Mountain (2007): Digest total of zero corrected to \$15,120 (audit result)
- (3) KFC - Pine Mountain (2006): Digest total of zero corrected to \$18,009 (audit result)
- (4) RCC Atlantic (2008): Digest total of zero corrected to \$4,788 (audit result)
- (5) RCC Atlantic (2007): Digest total of zero corrected to \$7,090 (audit result)
- (6) RCC Holdings (2006): Digest total of zero corrected to \$19,439 (audit result)

The motion to approve these six NODs was made by Commissioner Manning, seconded by Commissioner Whearley, and passed unanimously.

C. **Budget Public Hearing I: FY 10/11.** Chairman Lange called the Public Hearing to order and asked Danny Bridges, County Manager, to review the budget. Mr. Bridges said that the budgets include the General Fund, Solid Waste, Water Works, Airport, and Small Funds; that expenditures are \$15,082,372 for General Fund, which is 1.4% less than FY 09/10; \$1,728,154 for Solid Waste; \$3,706,132 for Water Works; and \$88,041 for the Airport. He said that not included in the General Fund is the increase in woodland protection with the Georgia Forestry; that the State passed legislation that would allow the protection to go up from \$.04 to \$.10 per acre, which means that the County's cost would go from \$8,500 as budgeted to \$21,000. He also said that the General Fund budget includes the investigator position for Harris County, but not the increase for the secretary, as requested by the District Attorney. Following discussion, consensus was not to fund the investigator position, so it will be removed from the budget. Chairman Lange asked if anyone wished to make comments regarding the budget. There being none, he said that the Second Public Hearing and adoption are scheduled for the June 1 meeting.

5. **COUNTY MANAGER**

A. **DNR Agreement: Pool at FDR State Park.** Danny Bridges, County Manager, said that this agreement is concerning the operation and maintenance of the pool at FDR State Park by the County; that the County will not remit any fees to the State or State Park in connection with the pool; that the State Park will collect the parking fees. John Taylor, County Attorney, said that he had reviewed the document; that the agreement is for 106 days with the pool being open Wednesday through Sunday; and that the County will be responsible for the operation and maintenance of the pool. The motion to approve the agreement was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously. (Document can be found in the "Contracts & Agreements" file as C&A #10-10.)

B. **Community Center: General Contractor Selection.** Danny Bridges, County Manager, suggested that the Board consider using the "CM-at-risk" method regarding the construction of the Community Center and said that CM stands for "Construction Manager"; that the Board would select the CM based on qualifications, fee and references rather than low bid; that the CM is at risk in that he gives the County a guaranteed maximum price that includes all the CM's administrative costs, profit, contingency, and all trade and subcontractor costs, but does not include the design fees and civil design; that this method is approved for use in the State of Georgia; that Sam Andras w/2WR, who has been working on the construction drawings, will continue as the architect and help in the CM-at-risk process. Following discussion, the motion to move forward with the CM-at-risk process was made by Commissioner Loudermilk, seconded by Commissioner Whearley, and passed unanimously.

C. **Medical Insurance Renewal.** Danny Bridges, County Manager, said that we have received the renewal package for our Blue Cross/Blue Shield insurance; that the increase is 7.37%; that there are several employees who continue to use "out of network" physicians for which 80% of the costs are paid, and which, in turn cause premiums to increase for everyone; and that the Board may wish to consider reducing the amount paid for out of network costs to 60%, which would reduce the overall increase to 3.61%. He also said that there is another plan, called HRA, which allows for the reimbursement of medical expenses paid by the employee, with a potential savings of \$7,000; that he is not sure that the \$7,000 is worth the risk; and that he will find out more about HRA. He said that he is not asking for action this evening, but that a decision would be necessary at the next meeting since our open enrollment for insurance is June 10 and 11 and we need to know exact costs for employees to consider in making any changes.

- D. **Bid Award: Turf Utility Vehicle for Recreation.** Danny Bridges, County Manager, said that bids were again requested for a turf utility vehicle, and again, only one bid was received, but it is more in line with budgetary restraints. He said that the bid from SunSouth was for a John Deere TS Gator for \$6,158.29 and that he recommended approval of same. The motion to award the bid to SunSouth for \$6,158.29 was made by Commissioner Manning, seconded by Commissioner Whearley, and passed unanimously.
- E. **DOT R/W Agreement: Culvert on Industrial Connection Road.** Danny Bridges, County Manager, said that this agreement is the crossing of the creek in the Northwest Harris Business Park and that the State will pay all costs associated with the construction. John Taylor, County Attorney, said that he had reviewed the agreement, found it to be in line with other DOT right-of-way agreements, and recommended approval of same. The motion to approve this agreement was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #10-11.)
- F. **Georgia Forestry: Community Wildfire Protection Plan.** Danny Bridges, County Manager, said that Georgia Forestry had presented its Community Wildfire Protection Plan, that copies are available for the Board to review during the next two weeks, and if there are no changes, both he and Chairman Lange will be executing the document on behalf of the County.
- G. **Pool Grand Opening.** Danny Bridges, County Manager, said that the Pool at FDR State Park will have its grand opening this Friday, May 21, from 6 PM to 8 PM, and invited the Board and those in attendance to attend. He said that there will be free parking and free admission to the pool during those hours, and that the Friends of the Park will have free food.

6. **COUNTY ATTORNEY**

- A. **DOT Agreement: Inmate Work Detail.** John Taylor, County Attorney, said that this is the usual annual agreement from DOT regarding the work detail consisting of 10 to 12 inmates doing work on DOT rights of way and buildings, and that he recommended approval of same. The motion to approve this agreement was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #10-12.)
- B. **First Reading: Ordinance Judicial in Rem Tax Foreclosures.** John Taylor, County Attorney, said that this ordinance is the result of a request from the Tax Commissioner and gives an alternate method of foreclosing on properties; that this method includes a judicial ruling before property is sold; that it may or may not be cost effective depending on the property; and that if the Board so desires, this can be considered the First Reading. Following a brief discussion, the motion to consider this the First Reading was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously. Chairman Lange asked if anyone wish to speak in favor of or in opposition to the ordinance. There being none, he said that the Second Reading with possible adoption will take place during the June 1 meeting.
- C. **Personal.** John Taylor, County Attorney, thanked the Board for its condolences on the recent death of his mother and the well wishes regarding his wife's recent surgery.

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

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk