

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

July 20, 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 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 6, 2010, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed with four in favor (Loudermilk, Wyatt, Lange, Whearley), no opposition, and one abstention (Manning, who was absent from the July 6 meeting).

3. OLD BUSINESS

- A. **Resolution: Opposition to Unions.** Chairman Lange said that this document was briefly discussed during the July 6 meeting. He asked for comments regarding same. Discussion included that the document was too long and too wordy, and that while it probably would not make any difference, Congress should be aware of the County's stand on same. Of the 14 "whereas" paragraphs, it was suggested that 10 be removed from the document. Following discussion, the motion to approve the Resolution with the omission of the 10 "whereas" paragraphs, was made by Chairman Lange, seconded by Commissioner Loudermilk, and passed unanimously.
- B. **Second Reading: Flood Damage Prevention Ordinance.** Chairman Lange said that this was the Second Reading of this document and asked if anyone in attendance wished to speak in favor of or in opposition to same. There being none, he asked for comments from the Board. Discussion included that the document appears to be "nit-picky" in some areas; that the document must be adopted in order to be eligible to receive federal funds in the event of damage as a result of flooding; that the document has been reviewed by DNR and found to be in order; that the County adopted such ordinances in 1986 and again in 1990; and that the revised document is based on the revised FEMA flood maps. Following discussion, the motion to approve the Ordinance was made by Commissioner Whearley, seconded by Commissioner Wyatt, and passed with four in favor (Whearley, Wyatt, Lange, Loudermilk) and one opposed (Manning).

4. NEW BUSINESS

- A. **Millage Rate.** Chairman Lange asked Danny Bridges, County Manager, to explain the millage rate. Mr. Bridges said that there is no change in the County's millage rate with the County at 6.14, the School Board at 17.06, and the State at .25 for a total of 23.45; that because there was no increase, the County was not required to hold three public hearings; and that a motion is needed to set the County's millage at 6.14, the West Point millage at 3.68, and to authorize the Tax Commissioner to collect the School Board's millage. Commissioner Wyatt made the motion to set the millage rate as explained. The motion was seconded by Commissioner Whearley, and passed unanimously.
- B. **Hardage Road.** Commissioner Wyatt said that Hardage Road is on the paving list, but is not scheduled for such for a few more years; that he had promised his constituents who live on the road that he would bring the matter before the Board; and of the 12 property owners (who own 16 parcels), all but four (who own five parcels) want the road paved. He then made the motion to go ahead and put into place the necessary direction for condemnation proceedings so that when the County is ready to start on the road, there won't be any delays. There was discussion and Commissioner Whearley asked that action be tabled to the next meeting and that the Board be provided a map and

other documents regarding same.

5. **COUNTY MANAGER**

- A. **Palmetto Creek Walking Trail: Update.** Danny Bridges, County Manager, brought the Board up to date regarding the Palmetto Creek Walking Trail to include the proposed route for connecting the Hamilton portion of the Trail to the County's portion. Following discussion, there were no objections.
- B. **Master Planning & Design Fees: Community Center.** Danny Bridges, County Manager, said that proposal is from a company recommended by the Architect, Sam Andras, and includes the site plan, design development plans, and construction documents; that the fee is \$49,500; and that the amount plus that of the architect should be well within the budget for the building. The motion to approve the proposal was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #10-24.)
- C. **Community Center Committee.** Danny Bridges, County Manager, said that in conjunction with the planned Community Center, a committee is needed to go through the responses received in connection with the forthcoming Requests for Qualifications (RFQ) in order to narrow the selection down to around four or five companies from whom bids would be solicited, and then go through the bids in order to make a recommendation to the Board. He recommended the following individuals for the committee: himself, Sam Andras (Architect), John Magazu (Recreation Director), Mike Rucker (Building Inspection Director) and two Commissioners. Chairman Lange and Commissioner Whearley volunteered to be on the committee. There were no objections to the make-up of the committee.
- D. **Dumpster in West Point.** Danny Bridges, County Manager, said that he will be meeting with the West Point City Manager next week regarding the dumpster in West Point; that West Point wants the dumpster in place, wants it manned, would like to have it open five days a week, and that it would be fenced in; and that his meeting will be to reach an agreement regarding the most beneficial and feasible arrangement from both Harris County and West Point.
- E. **Radio Tower on Old Boy Scout Road.** Danny Bridges, County Manager, said that he recently met with representatives of Troup County and the City of LaGrange regarding the radio tower on Old Boy Scout Road; that the tower is used by Harris County as part of its 800 MHZ radio communications; that the City of LaGrange has decided it does not need the tower and no longer wants to pay the monthly fee associated with same; that Troup County has not yet received its FCC license, which they need before they go on-line with their radio system; that it may be two or three months before the license is received; that Harris County has been requested to pay the monthly fee, which is a little over \$3,100 per month, starting in August and until such time as Troup County is on-line; and that if the tower is turned off, it will affect Harris County's radio communications. Following discussion, the motion to approve the payment for two months and to come back to the Board if another month is needed, was made by Commissioner Wyatt, seconded by Commissioner Manning, and passed unanimously. Mr. Bridges said that he is also looking at microwave capabilities that would, in the long-run, save money regarding radio communications.

6. **COUNTY ATTORNEY**

- A. **Resolution: Referendums for Mixed Drink/Pouring License.** John Taylor, County Attorney, said that the Board had been provided with two different resolutions calling for a referendum regarding the sale of distilled spirits by the drink on premises; and that one was for same in restaurants county-wide and the other solely for private clubs. Regarding the resolution concerning private clubs, he explained that should the Board approve the resolution and it is

passed by a majority of the voters, it would not only allow the serving of distilled spirits by the drink, it would, according to State law, allow such anytime on Sundays and would allow the serving of beer and wine on Sundays. Regarding the county-wide resolution, he explained that should the Board approve the resolution and it is passed by a majority of the voters, it would allow the serving of distilled spirits by the drink only during the days and hours allowed by the County. Following discussion, the motion to not approve the private clubs Resolution and to approve the county-wide Resolution was made by Commissioner Wyatt, seconded by Commissioner Whearley, and passed with three in favor (Wyatt, Whearley, Lange) and two opposed (Loudermilk, Manning).

7. **RECESS FOR EXECUTIVE SESSION**. The motion to go into Executive Session for the purpose of discussing pending litigation was made at 8:05 PM by Commissioner Wyatt, seconded by Chairman Lange, and passed with four in favor (Wyatt, Lange, Loudermilk, Whearley) and one opposed (Manning).
8. **RESUME REGULAR SESSION**. The motion to go back into Regular Session was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
9. **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