

**HARRIS COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

February 1, 2011  
7:00 P.M.

Commissioners Present: J. Harry Lange (arrived 7:35 PM), Joey M. Loudermilk, Becky Langston, Jim Woods, Charles Wyatt. Staff Present: Daniel B. Bridges, County Manager; John M. Taylor, County Attorney; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Vice-Chairman Loudermilk, in the absence of Chairman Lange, called the Regular Session to order.
2. **MINUTES.** The motion to approve the minutes of the January 18, 2011, Regular Session was made by Commissioner Wyatt and seconded by Commissioner Woods. Vice-Chairman Loudermilk asked that the minutes be amended so that paragraph 5A reflects a comment he made concerning the need to show the location of personal property on the NOD form. Commissioner Wyatt amended his motion to include the correct, Commissioner Woods amended his second, and the motion regarding the amended minutes passed unanimously.
3. **OLD BUSINESS**
  - A. **Second Reading: Application of Marcus Simpson for Beer & Wine Off Premises at Chief Oil Company, 7535 Highway 85, Waverly Hall.** Vice-Chairman Loudermilk said that this was the Second Reading and was due to the fact that the applicant failed to renew his off premises license by December 31. The applicant was not present. Vice-Chairman Loudermilk asked if anyone wished to speak in favor of or in opposition to this application. There being none, he asked for a motion. The motion to approve this application was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously.
4. **NEW BUSINESS**
  - A. **Fort Benning Land Expansion Study: Deputy Garrison Commander George Steuber.** Deputy Garrison Commander Steuber appeared before the Board to explain why Ft. Benning was now looking at property in Harris and Talbot counties as part of their expansion of approximately 82,800 additional acres for the training of heavy maneuver battalions. His explanation included that Mead Westvaco had indicated they have about 23,000 acres (approximately 7,000 in Harris and 16,000 in Talbot) and because of the way the regulations are written, if an offer is made, the property must be reviewed. He said that no decision has been made, and he reviewed the hand-out information he provided.

At 7:30, Vice-Chairman Loudermilk said that the scheduled Public Hearing must be held, and he suspended discussion until after the Hearing.
5. **PUBLIC HEARING @ 7:30 PM**
  - A. **Explanation of Public Hearing Procedures.** Vice-Chairman Loudermilk reviewed the procedures involved with the Public Hearing.
  - B. **Application of Board of Commissioners to Amend the Text of the Zoning Ordinance, Article II (Definitions) and Article V (Supplementary District Regulations), Sections 14 and 15, to provide for the compatibility of manufactured housing units and to impose standards, conditions, and an inspection program for pre-owned manufactured homes which are relocated in or to the County.** Vice-Chairman Loudermilk called the Public Hearing to order and read the specifics of the application, and he asked Danny Bridges, County Manager, to explain the amendment. Mr. Bridges reminded the Board that Legislation taken last year by the State prohibits counties from using the age of a manufactured housing unit as the reason to prohibit same from locating in the County; that even though the age of the unit can't be a determining fact, the health and safety standards can; that a model ordinance was provided and reviewed; that the Board did not agree with all the language in the model ordinance, so excerpts were used to draft the amendments; that the amendments provide for the inspection of units as to meeting health and safety standards; and that the Planning Commission recommended approval of the amendments with a change regarding metal roofing [in section 15.1(1)] and clarification regarding the possible liability to the County should the unit meet requirements but is then found not to be road worthy, both of which have been addressed in the amendments. Vice-Chairman

Loudermilk asked if anyone wished to speak in favor of or in opposition to the proposed amendments. There being none, he closed the Public Hearing.

Commissioner Wyatt suggested that "building inspector" be replaced with "Community Development Department for use by the building inspector" in two places (15.2-1A (1), 15.2-1B). Following discussion, the motion to approve the amendments, with the changes regarding the building inspector, was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed with a vote of four in favor (Wyatt, Loudermilk, Langston, Woods), no opposition, and one abstention (Lange, who had joined the meeting during discussion).

6. **NEW BUSINESS (CONTINUED)**

- A. **Fort Benning Land Expansion Study: Deputy Garrison Commander George Steuber (continued)**. Following the Public Hearing, Vice-Chairman Loudermilk asked Deputy Garrison Commander Steuber to continue with his discussion. Deputy Garrison Commander Steuber said that unless there were questions, he had no further comments. Vice-Chairman Loudermilk thanked Deputy Garrison Commander Steuber for attending the meeting.

Following the exit of Deputy Garrison Commander Steuber, Commissioner Wyatt said that he would like to recommend that a letter be sent to Representative Lynn Westmoreland, Senator Johnny Isakson, and Senator Saxby Chambliss indicating that the Board does not feel it would be in the best interest of Harris County to have heavy maneuver battalion training in the County. Discussion included that it may be too soon to send such a letter with consensus being to wait until a later time to decide as to whether such a letter should be sent.

- B. **Northwest Harris Business Park: Road Naming**. Danny Bridges, County Manager, said that the City of West Point, in whose limits the Business Park is located, has asked the County to name the second entrance road heading north on Highway 103. Chairman Lange said that the entrance road is named Progress Parkway and goes from Highway 103 to Davidson Road, and that the first entrance road heading north on Highway 103 is South Progress Parkway (and will eventually connect to Progress Parkway). Therefore, no action was taken regarding the road naming.

7. **COUNTY MANAGER**

- A. **May 3 Commission Meeting: Possible Conflict**. Danny Bridges, County Manager, said that the May 3 Commission meeting is on the same day that the annual ACCG conference concludes in Savannah, which will be a travel day for the Board; and that if the meeting needs to be changed, now is the time to do so in order to amend the Zoning Amendment schedule. Consensus was there is no need to reschedule or cancel the May 3 meeting, and to hold it as scheduled.

- B. **Waverly Hall: Fire Truck Match**. Danny Bridges, County Manager, said that the Town of Waverly Hall has applied for and received a fire truck grant and has requested that the County pay the match; that the grant is for \$188,100, the truck costs \$211,800, which leaves a difference of \$23,700, and necessary equipment costs \$13,011, which brings the total to \$36,711; that the County has, in the past, paid the match for other fire departments; that by paying the match, the truck will be titled to the County but will be housed at the Waverly Hall VFD; that \$7,500 is budgeted in General Funds for equipment, which Waverly Hall is willing to use toward the match, and which would reduce the amount to a little less than \$30,000; and that SPLOST funds would be used to pay the match. The motion to approve paying the match as recommended was made by Commissioner Loudermilk and seconded by Commissioner Langston. Commissioner Wyatt asked that the motion be amended to make it clear that the match would be up to \$37,000 using SPLOST funds and leaving the \$7,500 in the General Fund. Commissioner Loudermilk amended his motion and Commissioner Langston amended her second. The motion to expend up to \$37,000 in SPLOST funds as the match passed unanimously.

- C. **Community Center Project: Grading Change Order**. Danny Bridges, County Manager, said that it has been determined that the cost to grade the entire property on which the Community Center will be located will cost \$259,270, which, in the long run, will save approximately \$80,000 by not have to haul dirt in or out, and he requested that he be authorized to execute a change order to the contract regarding the grading. The motion to authorize the execution of a Change Order regarding the grading was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously. (Document can be found in "Contracts &

Agreements" as C&A #11-04.)

- D. **Request for Executive Session.** Danny Bridges, County Manager, requested an Executive Session for the purpose of discussing real estate acquisition.

8. **OTHER**

- A. **Regional Water Commission.** Chairman Lange brought the Board up to date regarding recent meetings and actions of the Regional Water Commission.
- B. **Transportation SPLOST.** Chairman Lange brought the Board up to date regarding recent meetings and actions concerning the Transportation SPLOST. Danny Bridges, County Manager, is to e-mail information to the Board for consideration and suggestions.
- C. **Capitol Connection Conference.** Chairman Lange brought the Board up to date regarding the meetings he attended as part of the recent Capitol Connection Conference (ACCG) in Atlanta to include that speakers were Lt. Governor Casey Cagle and Governor Nathan Deal, and that included in the Governor's budget, which has not yet passed, is to continue the funding of OneGeorgia grants.

9. **COUNTY ATTORNEY**

- A. **Agreements with Certified Payments, Inc. Re: Use of Credit Cards and Electronic Checks/Debit Cards for Payment of Taxes (Tax Commissioner's Office).** John Taylor, County Attorney, reviewed the Service Provider Agreement, which covers Visa, MasterCard, and Discover; the addendum to same for American Express; and the ACH Processing Services Agreement for electronic checks and debit cards; to include that the County will not pay a fee for the use of credit cards or e-check/debit card transactions; that any fee will be passed on the tax payer using the credit card; that the fee will be 2.5% or a minimum of \$2.00 for each transaction; and he recommended approval of same. Following a brief discussion which included that the Board wanted to make sure the tax payer would know they are paying the usage fee, the motion to approve both agreements was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously. [Documents can be found in "Contracts & Agreements" file as C&A #11-05 (Service Provider Agreement) and C&A #11-06 (ACH Processing Services Agreement).]
- B. **Request for Executive Session.** John Taylor, County Attorney, requested an Executive Session for the purpose of discussing potential and pending litigation.

10. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing real estate acquisition and potential and pending litigation was made at 8:25 PM by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.

11. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

12. **OTHER (CONTINUED)**

- D. **Hamilton Business Park: Business Prospect.** Danny Bridges, County Manager, said that the County has been approached by a company with 10 employees, with hopes of expanding to 20 within the next few years, about locating on five acres in the Hamilton Business Park; that the company would not require water, except for employee usage; that the company is interested in locating between Highway 116 and the Animal Shelter; that the County may need to pave the entrance road from Highway 116 up to where the business would be located; that to facilitate this endeavor, the County would have to deed five acres to the Development Authority; and that the business would like some type of tax abatement. Discussion included that more information is needed before a final decision can be made. Commissioner Wyatt made the motion to move forward with deeding the five acres, more or less, to the Development Authority for purposes of getting the ball rolling. Chairman Lange seconded the motion, pending the Board's agreement as to the business requirements. The motion passed unanimously.
- E. **Zoning Issues.** Commissioner Wyatt said he had a couple of Zoning issues to discuss.

- (1) **Commercial and Manufacturing.** Commissioner Wyatt said that the County's Zoning Ordinance is exclusionary and that he would like to see changes made

so that commercial businesses could also be located in manufacturing districts without having to rezone the property to commercial. He said that the changes could probably be accomplished by amending the Zoning Matrix.

While there were no objections, consensus was for a draft of changes to be produced.

- (2) Agri-Tourism. Commissioner Wyatt said that he would like to see changes made to the Zoning Ordinance to allow someone in agricultural zoning to have the ability to purchase agricultural goods from other sources to sell on their property, and to make it so that a Special Use Permit would be needed rather than a Rezoning. As an example, he said that the Cooperative Extension Agent purchased Christmas trees to sell on his agricultural property and was told he could not do that. Discussion included that this may be accomplished by the addition of Agri-Tourism, which would require a Special Use Permit, and which is soon to be presented to the Board.

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

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J. Harry Lange, Chairman

Attest:

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Nancy D. McMichael, County Clerk