

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

October 4, 2011
7:00 P.M.

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

1. **CALL TO ORDER**. Chairman Lange called the Regular Session to order and said that Danny Bridges, County Manager, was absent due to illness.
2. **MINUTES**. The motion to approve the minutes of the September 20, 2011, Regular Session was made by Commissioner Woods, seconded by Commissioner Langston, and passed with four in favor (Woods, Langston, Lange, Wyatt), no opposition, and one abstention (Loudermilk, who was absent from the September 20 meeting).
3. **APPEARANCE OF CITIZENS**
 - A. **Lon Marlowe: Farmers Market, Educational Field Trips, Farm Tours, Corn Maze and Pumpkin Patch**. Lon Marlowe, citizen, appeared before the Board and distributed a flyer about his planned Corn Maze & Pumpkin Patch for September 23 through November 6. Mr. Marlowe then explained the plans that he started three years ago to include applying to rezone his property commercial but withdrawing same before the Board could act on it in hopes that the recently proposed Agri-Tourism ordinance would be approved; that the proposed ordinance would have allowed him to have various venues on his property to include a farmers market, educational field trips, farm tours, corn maze, and pumpkin patch; that in anticipation of approval, he went ahead and planted the corn and pumpkins and advertised the maze and patch; and that because the proposed ordinance failed, he is concerned as to what he can and cannot do on his property. Following Mr. Marlowe's comments, Chairman Lange said that Mr. Marlowe should meet with Danny Bridges, County Manager, and Becky Gray regarding the types of venues he can conduct on his property.
 - B. **John Rodgers: Enforcement of Ordinances**. John Rodgers, citizen, appeared before the Board and said a property owner next to his property on Coco Hollow Road has been told he has to get rid of his horses because they are on residential property; that there are probably five other property owners doing the same thing in the same area who have not been contacted by the County; that it appears the County is picking and choosing regarding enforcement of the Zoning Ordinance; and that the enforcement should have started at one end of Highway 315 and worked its way to the other end. Following Mr. Rodgers' comments, Chairman Lange said that with only one Code Enforcement officer, the County enforces its ordinance to the best of its ability, which is usually in response to a complaint, because personnel do not ride the County looking for violations.
4. **NEW BUSINESS**
 - A. **Sewer Line Route for The Grove**. Chairman Lange said that included in the meeting packet was information regarding three proposed routes for the sewer line to serve The Grove subdivision; that Route A, from the pump station on Smith Road in Muscogee County to Fortson Road to the County line and then up Fortson Road/Highway 315 to The Grove, has an estimated cost of \$4,285,560; that Route C, from the pump station on Smith Road in Muscogee County north along an easement on the west side of the right-of-way of Interstate 185, has an estimated cost of \$4,237,500; that Route D, from the pump station on Smith Road in Muscogee County north along the power line easement on the east side of the right-of-way of Interstate 185 and then over to Fortson Road/Highway 315, has an estimated cost of \$4,574,775; that there is no Route B, which was inside the east right-of-way of Interstate 185, because it is prohibited by Federal Law. Discussion included that the estimated costs do not include any of the project in Muscogee County, only from the County line to The Grove. Commissioner Langston said that it is her preference and that of her constituents that the least intrusive route be taken, which appears to be Route C. Following a brief discussion, Commissioner Wyatt asked that this matter be tabled to October 18 for a Work Session with all parties included (engineer, Columbus Water Works, The Grove developers, and the County) so that all questions could be answered, and that action then be taken during the Regular Session regarding the Route. There were no objections.

- B. **DOT Agreement: New Connector Road in Northwest Harris Business Park (S013666-PR)**. Chairman Lange said that this agreement was to complete the road connection between JCI and Daehan in the Northwest Harris Business Park. He then asked John Taylor, County Attorney, to discuss the agreement. Mr. Taylor said that this is the usual DOT agreement regarding the base and plant mix surfacing for the road and that he recommended approval of same. The motion to approve the agreement was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #11-40.)
- C. **Transportation SPLOST**. Chairman Lange brought the Board up to date on the status of the proposed Transportation SPLOST and the recent round-table meeting to include that the round-table committee had approved the referendum and that the matter will definitely be on the ballot of either the July Primary or the November General Election in 2012.
- D. **Point University**. Commissioner Woods said that Point University, a Christian college in West Point, had its Grand Opening today.

5. **OLD BUSINESS**

- A. **Steeplechase at Callaway Gardens**. Commissioner Wyatt said that during the September 20 meeting he had brought up the issue of alcohol being sold or served at the Steeplechase, which is located in the unincorporated area of the County, and for which no alcohol license has been issued, and that he was also concerned about the appropriate alcohol taxes coming to the County. He said that he understands that the State has issued a one-day on-premise alcohol license, which indicates it is valid only with a current local license, but that no such license has been issued by the County. Chairman Lange said that he understands the State license was issued based on a letter written by Sheriff Jolley authorizing the on-premise alcohol consumption, that the Sheriff has been issuing such a letter ever since he has been in office based on the fact that the previous Sheriff issued same, and that records are being searched to find out if a previous Board had given such authorization to the Sheriff. John Taylor, County Attorney, said that there is a State statute regarding the issuance of a special license, not to exceed three days, for charitable, non-profit, organizations with the appropriate evidence to include the organization's status and authorization from the local authority, and that the State apparently recognizes the Sheriff's letter as such. Discussion followed, with no resolution regarding same, other than to searching the records.

6. **COUNTY ATTORNEY**

- A. **Fifth Amendment to Intergovernmental Agreement with Development Authority**. John Taylor, County Attorney, explained the document to included that it is in connection with Knology of Georgia locating on five acres in the Northwest Harris Business Park and another five acres on which Knology would have first option to expand. He also said that not only would Knology be restricted by the Industrial Agreement it signs with the Development Authority but also by the recorded covenants of the Business Park, and he recommended approval of the document. The motion to approve the Fifth Amendment was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #11-41.)
7. **ADJOURNMENT**. There being no further business to discuss, the motion to adjourn was made by Commissioner Woods, seconded by Commissioner Loudermilk, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk