

**HARRIS COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

November 1, 2011  
7:00 P.M.

Commissioners Present: J. Harry Lange, Becky Langston, Joey M. Loudermilk, 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**. Chairman Lange called the Regular Session to order.
2. **MINUTES**. The motion to approve the minutes of the October 18, 2011, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.
3. **APPEARANCE OF CITIZENS**
  - A. **Lon Marlowe: Fraud and Conspiracy to Commit Fraud & Farmers Market**. Lon Marlowe, citizen who lives on Highway 219, West Point, appeared before the Board and discussed what happened during the October 18 meeting regarding the Steeplechase to include that the license/permit issued by the State was not valid due to the lack of the approval by the local authority; that alcohol cannot be donated to such a venue without a local license; and that there is no local license that allows such alcohol sales. He then briefly discussed what had occurred in his effort to be able to have a Farmers Market on his property, and he requested that the Board consider allowing farmers markets since the Board is working on such an amendment and in light of the action the Board took at the last meeting regarding Steeplechase.
  - B. **John Rodgers: Acres of Shade Drive and Ballfields**. John Rodgers, citizen who lives on Edgewater Court in Hamilton, appeared before the Board to discuss action taken by the Board during the October 18 meeting requiring the Cataula Inert Landfill owners to pay a portion of the repairs to Acres of Shade Drive to include that the trucks that use the road to get to the landfill buy fuel, on which taxes are paid, and probably food and/or lunches in the County, and that the Board should consider lifting the requirement placed on the landfill owners. Regarding ballfields, Mr. Rodgers said that there had been a meeting preceding the Commission meeting and that he would not comment on same at this time, but wait and see what develops from the meeting.
4. **OLD BUSINESS**
  - A. **Steeplechase at Callaway Gardens: Taxes Due County & Lottery**. Commissioner Wyatt said that included in the meeting packets were copies of letters sent to and received from the Department of Revenue regarding taxes due the County from Butts Mill Farm and suggested that a similar letter be sent regarding the Steeplechase. He also suggested that a letter be sent to the owner of Georgia Crown, who, it is alleged, donated alcohol for the Steeplechase. Danny Bridges, County Manager, said that he understands the vendors at the Steeplechase have been provided with the appropriate documents to send to the State indicating that Harris County should receive any applicable taxes. Discussion included that the Board is looking at amending the Alcohol Ordinance so as to allow events such as a Steeplechase to take place and that a letter to Georgia Crown isn't necessary since it is well aware of laws to which it must adhere. Commissioner Wyatt questioned the lottery being held at the Steeplechase, and John Taylor, County Attorney, said there is a procedure in Georgia law which must be met in order for non-profit charitable organizations to hold a lottery.
  - B. **Farmers Markets: Waiver of Enforcement**. Commissioner Woods said that he would like to suggest that the Board reconsider allowing Farmers Markets until the first of the year. Following discussion which included whether or not the Board could take such action; that because this matter is regarding zoning, the motion should be to waive the enforcement of operating farmers markets; that the motion would affect only A-1 districts; that the motion would be only until the first meeting in January during which the Board would be considering and taking action regarding amendments to the Zoning Ordinance that propose farmers markets be allowed only in A-1 and provide a definition of same; and that the Board may be setting a precedent by taking action to waive the enforcement. Even though Commissioner Woods' said his initial suggestion was a motion, which was seconded by

Commissioner Wyatt, during discussion, it was revised to include A-1 and that it would be effective until the first meeting in January; therefore: Commissioner Woods made the motion to waive the enforcement of operating farmers markets in A-1 districts until the first meeting in January. The motion was seconded by Commissioner Wyatt and passed with three in favor (Woods, Wyatt, Loudermilk) and two opposed (Lange, Langston). Note: there was no clarification as to the definition of farmers market included in the motion.

## 5. **NEW BUSINESS**

- A. **Report from Department of Natural Resources: Mitch Oliver.** Due to technical difficulties, this matter will take place during the November 15 meeting.
- B. **Requests for Tax Refunds.** Chairman Lange read the requests for Tax Refunds and action was taken as follows:
- (1) **Allen, Sandra B. (2010, 2009 and 2008).** Requests for refund of \$179 per year for three years because the Tax Assessor's office had been assessing the home for 1,850 square feet when it is actually 1,580 square feet. Explanation included that the house has an enclosed porch that is 270 square feet, which, from the outside looks like it is heated and cooled, but isn't. Both the Tax Commissioner and the Board of Tax Assessors agree with the request. The motion to approve these three refund requests was made by Commissioner Loudermilk, Commissioner Langston, and passed unanimously.
  - (2) **Courville, Traci.** Request for refund of \$656 in penalties and interest because the tax payment not being received by the Tax Commissioner's office, that while the check had been written, it never cleared the bank, and that until a levy notice was received, there had been no indication the taxes had not been paid. Both the Tax commission and the Board of Tax Assessors disagree with the request. The motion to approve this request was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
  - (3) **Parks, Archie E., Jr., as Trustee for Jacob Lathem Parks.** Requests for refunds because taxes assessed on two lots included that portion of the lots which lies in Muscogee County. The refunds requested are as follows:
    - (a) Lot 102 for 2010 and 2009 in the amount of \$32.36 per year
    - (b) Lot 102 for 2008 in the amount of \$31.67
    - (c) Lot 101 for 2010 and 2009 in the amount of \$53.47 per year
    - (d) Lot 101 for 2008 in the amount of \$52.33The motion to approve these six refund requests was made by Commissioner Langston, seconded by Commissioner Wyatt, and passed unanimously.

## 6. **COUNTY MANAGER**

- A. **Live Scan Fingerprint System and Grant.** Danny Bridges, County Manager, said the Sheriff wants to apply for a \$10,000 grant, with a \$1,000 match the Sheriff will pay, for the purpose of getting a new Live Scan fingerprint system; that the old fingerprint system is difficult to repair since the company for same is out of business; that the Sheriff is currently using the old method of using first class mail to send fingerprints rather than the internet; that the new system will not only benefit the Sheriff's Office, but the Probate Judge since she is responsible for issuing firearms licenses and as of January 1, a digital fingerprint must be on same. He also said that because of the January 1 deadline, the system must also be in place prior to that time, but the grant for same will not be awarded until after the first of January, so it may be necessary that we move forward with purchasing the system; that the Probate Judge has money in her budget that she will contribute toward the system, if necessary; and that he would look into the possibility of reimbursement from the grant. Following discussion, the motion to purchase the system as well as apply for the grant was made by Chairman Lange, seconded by Commissioner Langston, and passed unanimously.
- B. **CDBG Application Ideas.** Danny Bridges, County Manager, said that it is time to think about projects for which a Community Development Block Grant (CDBG) may be possible; that the actual deadline for projects is April 1, but because of the work involved in preparing the grant, a decision is needed by December 1. Discussion included looking at the road and water issues of the Kings Gap Village project again, which was rejected by DCA last time, but adding the other section that is across the road; possibly the extension of a water line to Shiloh; and maybe water assistance on Mt. Airy Road. Mr. Bridges said that he will contact the River Valley

Regional Commission about Kings Gap and Shiloh and will report back to the Board during the next meeting, but that the Mt. Airy Road area will probably be dealt with in another manner. Mr. Bridges also said that should there be other ideas, to please let him know.

- C. **Cagle's**. In response to a question from Commissioner Loudermilk, Danny Bridges, County Manager, said that as a result of current issues with Cagle's (bankruptcy), it may be possible to refinance the water bonds and save approximately \$30,000 a year, which could be utilized for water on Mt. Airy Road, and that water rates may need to be increased with the proposed amount to be brought to the Board during one of the December meetings.
- D. **Community Center: Change Order #3**. Danny Bridges, County Manager, said that the change order results in a charge of \$117,702.60 against the Contingency for the Community Center and a \$305,700 credit from the project scope with the revised new contract sum of \$6,915,921. He also said there is approximately \$300,000 remaining in the Construction Contingency. Following discussion, the motion to approve this Change Order was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #11-42.)
- E. **Community Center: Sign**. Danny Bridges, County Manager, said that during a previous meeting, the Board chose a particular sign for the Community Center; that the pricing of same turned out to be \$28,000 rather than \$20,000; and that the choice is to choose a less impressive sign or move forward with the first choice. Following discussion, the motion to take \$8,000 from the Community Center Construction Contingency to use toward the sign cost was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.
- E. **Hamilton Business Park: Naming of Road**. Danny Bridges, County Manager, said that the road in the Hamilton Business Park needs to be named since a business will soon be located there; that the proposed name is Water Oak Way; and that the name has been cleared by 9-1-1 as not being the same as or similar to another road name in the County or one of the municipalities. The motion to approve the road name as Water Oak Way was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.
- F. **Letter Regarding EMTs**. Danny Bridges, County Manager, said that a letter had been received (from Earl Cheal) complimenting EMTs who responded on two separate occasions to the home of the citizen.

7. **COUNTY ATTORNEY**

- A. **Quit Claim Deed to MeadWestVaco: Abandoned Section of Dowdell Mill Road**. John Taylor, County Attorney, said that over 10 years ago the Board had taken action to abandon a 2.3 mile section of Dowdell Mill Road not used by the general public and included the appropriate advertising and public hearings; that the Board approved the abandonment; and that the Board had indicated that upon presentation of a plat of survey and quit-claim prepared at the expense of the adjoining property owners, the County would execute a Quit Claim regarding same; that the appropriate documents have been received from MeadWestVaco; that a few minor changes are necessary to the Quit Claim; and that he recommended the Board approve the document and authorize the Chairman and County Clerk to execute the Quit Claim upon the appropriate revisions being made. The motion to approve the Quit Claim and to authorize execution of same by the Chairman and County Clerk upon its revision was made by Commissioner Woods, seconded by Chairman Lange, and passed unanimously.
- B. **Manatron Agreement Addendum: Printing Services for Personal Property Returns and Assessment Notices**. John Taylor, County Attorney, said that this was an addendum to the agreement with Manatron; that the estimated cost for the printing services is \$11,772; that the documents appears to be in order with the exception of an expiration date; and that he recommended approval of same with the addition of an expiration date. Following a brief discussion, the motion to approve the addendum, with the addition of an expiration date, was made by Chairman Lange, seconded by Commissioner Langston, and passed unanimously.

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

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Attest:

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J. Harry Lange, Chairman

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Nancy D. McMichael, County Clerk