

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
November 15, 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 November 1, 2011, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.
3. **APPEARANCE OF CITIZENS**
 - A. **Madeline Condrey: Alcohol License Fees.** Madeline Condrey, citizen and business owner, appeared before the Board and said that she did not feel the Board had the right to raise beer and wine license fees; that the increase cuts into her profits; that such increases could result in businesses not continuing; that she can't see the justification in the increase. Danny Bridges, County Manager, said that the increase has been in effect almost a year and that alcohol fees had not been increased since the 1980s.
4. **OLD BUSINESS**
 - A. **Steeplechase at Callaway Gardens & Taxes.** Commissioner Wyatt said that at the last meeting that taxes due the County from the Steeplechase were discussed and that he would like to have the Department of Revenue conduct an audit at the request of the Board. Following discussion, the motion to send a letter to the Department of Revenue requesting an audit to make sure that the County is receiving the appropriate taxes from the Steeplechase at Callaway was made by Commissioner Wyatt, seconded by Chairman Lange, and passed with four in favor (Wyatt, Lange, Langston, Loudermilk), and one opposed (Woods).
 - B. **Temporary Special Event Alcohol License.** Commissioner Wyatt said that with the recent discussions concerning the Steeplechase and similar special events, he would like to see a draft of the proposed amendments to the Alcohol Ordinance brought to the Board for discussion at the next meeting. Danny Bridges, County Manager, said that staff is currently working on the draft, which will be presented to the Board for discussion during the December 6 meeting.
 - C. **Sunday Alcohol Sales.** Commissioner Wyatt asked about Sunday alcohol sales and whether or not the Board was interested in having the necessary referendum for same on the appropriate future election ballot. Discussion included that it could be for package sales as well as sales in restaurants; that John Taylor, County Attorney, would research the issue; and that the matter will be on the December 6 agenda for further discussion.
 - D. **Farmers Market Clarification and Definition.** Commissioner Loudermilk said that the motion, which was passed during the November 1 meeting, regarding farmers markets, which was to waive the enforcement of operating farmers markets in A-1 districts until the first meeting in January, did not contain a definition of farmers market, and that in order to clarify same, he made the motion that Farmers Market be defined as "a place of business not exceeding 1,200 square feet located on a working sustainable farm of at least 25 acres in which agricultural products (fruits, produce, and meat products), at least 50% of which are grown on the working farm with the remainder being from other, preferably local, locations, are made available for purchase by consumers", and which is the definition included in the proposed amendment to the Zoning Ordinance regarding same. The motion was seconded by Commissioner Langston and passed unanimously.
5. **NEW BUSINESS**
 - A. **Audit FY 10/11.** Jay Pease, of Robinson, Grimes & Co., was in attendance and reviewed the 2010/2011 audit. The motion to approve the Audit for FYE June 30, 2011, was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

- B. **Recess for Public Hearing.** Chairman Lange declared a recess from the Regular Session due to a scheduled Public Hearing at 7:30.

6. **PUBLIC HEARING @ 7:30 PM**

- A. **Explanation of Procedures.** Chairman Lange explained the procedures involved with the Public Hearing.
- B. **Conflict of Interest Forms.** The Conflict of Interest forms were completed at the request of Chairman Lange.
- C. **Application of Michelle Johannes for a Special Use Permit for a Preschool/Mother's Morning Out at 61A Mulberry Drive, Fortson, Land Lot 48, Land District 19, Map 45, Parcel 29, present use vacant.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that it had been recommended for approval by the Planning/Zoning Staff with the comment to clarify which building would be utilized for the preschool. Michelle Johannes, applicant, appeared before the Board and said she wanted to open a Mother's Morning Out Preschool facility that would be open Monday through Friday, from 9 AM to 12 Noon, and that because of the hours, she would not fall under the State requirements for a daycare facility. In response to questions from the Board, Ms. Johannes said that she plans to have no more than 16 children at one time with two care-givers; that such a facility would allow parents to have some child-free hours to run errands; and that the facility will be located in the front building (the old store), which is about 500 square feet, on the fenced-in property owned by Madeline Condrey. Chairman Lange asked if anyone wished to speak in favor of or in opposition to the application. There being none, and there being no need for rebuttal, Chairman Lange closed the Public Hearing and asked for a motion. The motion to approve the Special Use Permit for a Preschool/Mother's Morning Out in the front building (old store), with a maximum of 16 children and open from 9 AM to 12 Noon, was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.

7. **NEW BUSINESS (CONTINUED)**

- B. **Report from Department of Natural Resources: Mitch Oliver.** Mitch Oliver, Corporal with the Georgia Department of Natural Resources, made a PowerPoint presentation that detailed the various types of assistance and jobs performed by the DNR Law Enforcement division. He said that Harris is part of Region 4; that DNR services include response to hunting and boating incidents, wilderness first responders, search and rescue on land and water, law enforcement support, critical incident response team, critical action team (dispatched through GEMA in connection with natural disasters), counter terrorism task force, Governor's drug task force, public education (wildlife, hunting, boating safety); that he has various equipment for use and assistance to include patrol boats, jet outboard riverboats, intox machines, and an ATV; and that DNR is now on the State Patrol's CAD system.
- C. **Humane Society Agreement: 12 Month Extension.** Commissioner Wyatt made the motion to extend the deadline by which the Humane Society of Harris County must have a building constructed and occupied on the leased County property to January 1, 2013. The motion was seconded by Commissioner Langston and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #11-43.)
- D. **Not On Digest (NOD).** Chairman Lange read the NOD, as follows: Susan Hadley, total on digest corrected from zero to \$16,720 due to aircraft not being on digest. The motion to approve this NOD was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously.
- E. **Financial Statement: September 2011.** The motion to approve the Financial Statement for September 2011 was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously.

8. **COUNTY MANAGER**

- A. **Airport Capital Improvements Plan (CIP).** Danny Bridges, County Manager, said that the Capital Improvements Plan is for the next five years; that just because something is on the list doesn't mean it can't be changed next year; and that if approved, he will execute the applications for the items listed for 2013 (Medium Intensity Runway Lights, Security Improvements, and Land Acquisition

Reimbursement). The motion to approve the December 2011 CIP was made by Chairman Lange, seconded by Commissioner Woods, and passed unanimously. (Document can be found in "Miscellaneous Documents" file as MD #11-10.)

- B. **Community Development Block Grant (CDBG) Project Application Ideas.** Danny Bridges, County Manager, said that this matter was discussed during the November 1 meeting; that he has not received any other project possibilities; and that unless there are objections, he will move forward with re-applying for the Kings Gap Village road and water issues and include the other section (of Kings Gap) that is across the road. Following discussion, the motion to move forward with the Kings Gap project, as described, was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.
- C. **Cagle's Bankruptcy and Water Issues.** In response to questions about Cagle's bankruptcy and the resulting affect to the County's water system, Danny Bridges, County Manager, discussed the topic and said that the County has requested a \$40,000 deposit, which is based on the last 12 months' usage, and that Jeff Todd, partner of John Taylor, County Attorney, is handling this matter for the County.
- D. **Motorola Service Agreement: 9-1-1 Equipment.** The motion to approve the service agreement with Motorola for the 9-1-1 equipment, at a cost of \$37,308.11, was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #11-44.)
9. **COUNTY ATTORNEY.** John Taylor, County Attorney, has no business to discuss with the Board this evening.
10. **RECESS FOR EXECUTIVE SESSION.** Chairman Lange made the motion at 8:15 PM to recess for an Executive Session for the purpose of discussing a personnel matter. The motion was seconded by Commissioner Langston and passed unanimously.
11. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made by Commissioner Loudermilk, seconded by Chairman Lange, and passed unanimously.
12. **OTHER**
- A. **Woodland Hills.** Chairman Lange said that he had received a phone call from an individual involved with Woodland Hills and its revitalization efforts. He asked that Becky Gray, Planning/Zoning Tech, be made aware that she would be receiving phone calls about same.
13. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk