

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

January 17, 2012

7:00 P.M.

Commissioners Present: J. Harry Lange, Joey M. Loudermilk, Becky Langston, Jim Woods, Charles Wyatt. Staff Present: Daniel B. Bridges, County Manager; Bryan Forsyth, Acting County Attorney in the absence of John M. Taylor; 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 January 3, 2012, Regular Session was made by Commissioner Langston, seconded by Commissioner Loudermilk, and passed unanimously.
3. **APPEARANCE OF CITIZENS**
 - A. **Lon Marlowe: Level Playing Field.** Lon Marlowe, citizen and owner of Oakhurst, appeared before the Board and said that the recently adopted zoning amendment regarding Farmers Market, based on conversations with staff, prohibit him from having a Farmers Market in his 3,500 square foot building; that he would like to use Oakhurst (the Special Event Facility), for which he has a beer and wine permit, for other uses besides private special events; that most special events are held on Friday, Saturday or Sunday; that he would like to have vendors at the Farmers Market; and that he would like the Board to consider accommodating his needs. Discussion included that there were no objections to vendors and that the Farmers Market could be inside a larger building (see 5C regarding an amendment). Commissioner Langston said that she would like to give ordinances adopted a chance to work rather than come back and change them every two weeks.
4. **OLD BUSINESS**
 - A. **Alcohol Ordinance Proposed Amendments: Temporary Special Event License.** Chairman Lange said that this matter has been discussed in previous meetings, the most recent on December 20 at which four Commissioners were present with two in favor of the proposed amendments as written and two opposed to the amendments as written; that discussion included if brown-bagging was permitted it should be permitted County-wide; that there should be restrictions as to the zoning district in which such events take place; that it should not be restricted to bona-fide non-profit organizations; and that since that time, Commissioner Wyatt has also suggested that it be a one-day event, with no brown bagging, allowing anyone to apply, limiting to four (4) events per year, and having an application fee of \$1,500. Following discussion, which again included brown-bagging and non-profit organizations, consensus was to have a Work Session on February 7 regarding this matter.
 - B. **Appointment to Board of Zoning Adjustments: District 3.** Commissioner Langston said that Brian Lucas, whose term has expired, was living in District 3 when he was first appointed to the BZA, but that he has since moved. She then made the motion to appoint Rick Cozine to the position formerly held by Brian Lucas. The motion was seconded by Commissioner Loudermilk and passed unanimously. Mr. Cozine's term will expire September 30, 2014.
 - C. **Error & Release: Ida Cason Callaway Foundation (ICCF).** Chairman Lange said that during the January 3 meeting, action was tabled regarding two Error & Release requests concerning ICCF property. Danny Bridges, County Manager, said that the property (the lodge and tower site near Callaway Country Store) was part of a tax abatement arrangement between ICCF and the Development Authority; that the property was transferred back to ICCF from the Development Authority in 2009, at which time the property was sold by ICCF, and that basically there is a duplication on the Tax Digest for 2010 and 2011 in that the buyer has been taxed at the full rate while the ICCF was taxed, in error, at the reduced rate. Following a brief discussion, the motion to approve these two Error & Release requests (2011 Digest total of \$4,179 corrected to zero; 2010 Digest total of \$3,157 corrected to zero) was made by Commissioner Loudermilk, seconded Commissioner Langston, and passed unanimously.
5. **NEW BUSINESS**
 - A. **Qualifying Fees for Elected Officials.** Chairman Lange said that State law requires the Commissioners to set the qualifying fee for elected officials and to publish same no later than February 1 of any year in which a general or nonpartisan primary or general election is to be held; and that the fee is 3% of the base salary. The motion to set the fees as

follows: Commissioners at \$315, Coroner at \$360, School Board Members at \$72, Sheriff at \$1,943, and Chief Magistrate, Probate Judge, Superior Court Clerk, and Tax Commissioner at \$1,591 was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously.

B. **Not On Digest (NOD)**. Chairman Lange read the NODs as follows:

- (1) Barshana Corp, d/b/a Days Inn of Pine Mountain (2010): Digest total of zero corrected to \$43,162 (personal property not reported due to under reporting of assets per audit results).
- (2) Barshana Corp, d/b/a Days Inn of Pine Mountain (2009): Digest total of zero corrected to \$62,691 (personal property not reported due to under reporting of assets per audit results).
- (3) Barshana Corp, d/b/a Days Inn of Pine Mountain (2008): Digest total of zero corrected to \$67,596 (personal property not reported due to under reporting of assets per audit results).
- (4) Cnossen, Lisa Y., d/b/a Fireside Inn (in Pine Mountain) (2009): Digest total of zero corrected to \$1,146 (personal property not reported due to under reporting of assets per audit results).
- (5) Cnossen, Lisa Y., d/b/a Fireside Inn (in Pine Mountain) (2008): Digest total of zero corrected to \$8,741 (personal property not reported due to under reporting of assets per audit results).

The motion to approve the three NODs for Barshana Corp was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously. The motion to approve the two NODs for Cnossen, Lisa was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.

C. **Zoning Ordinance Amendment: Parking for Corn Maze and Educational Field Trips and Clarification of "Structure"**. Nancy McMichael, County Clerk, said that when the Board approved the most recent amendments to the Zoning Ordinance concerning Corn Maze and Educational Field Trips, that an oversight had been made in that the parking requirements indicated one parking space per 500 square feet of lot area, which means a one-acre field would require 87 parking spaces; and that John Taylor, County Attorney, had indicated that should the Board wish to make a change, it would require going through the amendment process again. Consensus, following discussion, was for the parking to be two per acre of lot area. Mrs. McMichael, then asked about clarifying the definition of Farmers Market regarding "structure", and following discussion, consensus was to delete "not exceeding 1,200 square feet, if a temporary structure, or 2,000 square feet, if a permanent structure, located" and insert "not exceeding 2,000 square feet, located"; and to also insert "and dairy" between "meat products". Mrs. McMichael said that she will prepare the necessary documents to move forward with the amendments.

6. **COUNTY MANAGER**

- A. **Solid Waste Schedule/Hours**. Danny Bridges, County Manager, said that in the past, the Board has approved the schedule for garbage pickup by Solid Waste, and that he is requesting that he be given that authority rather than having to come back to the Board each time a change has to be made. The motion to give the County Manager the authority to set the Solid Waste schedule/hours, with the condition that same be advertised well in advance, was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.
- B. **Personnel: Community Development Director Slot, Job Description and Grade Classification**. Danny Bridges, County Manager, said that in an effort to get the Community Development Department in order, he would like to reinstate the slot/position of Community Development Director and to change the job classification from 38 to 45; and that the job description has been revised in several areas. He reviewed the revised job description and responded to questions regarding same. The motion to reinstate the slot of Community Development, to approve the job description, and to change the job classification from 38 to 45 was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
- C. **FDR State Park Pool**. Danny Bridges, County Manager, introduced the Assistant Park Superintendent of FDR State Park, and said that they had visited High Falls State Park, whose pool is run by a private vendor, where they charge \$5.00 per person, regardless of who it is; that included in the meeting packet was an analysis of the summer of 2010, during which the County ran the pool at FDR State Park and had a loss of \$1,317.42, as well as two projections for the Summer of 2012; that if the Board is interested in running the pool this summer, he recommends that the pool be open from May 26 through September 3, be closed on Mondays and Tuesdays, and that the fee be \$5.00 per person unless there is a group of 25 or more; and that his concerns were we would

possibly be competing against the Community Center pool and the needed repairs to the infrastructure and pump house. Consensus was in favor of moving forward with the County running the pool. Mr. Bridges also said that the County would have to enter an agreement with the State which would have to include that the State will make the improvements to not only include the infrastructure and pump house repairs, but to make it handicap accessible; that the County could sub-lease the property to a private concessionaire, and that the agreement would probably be three years. He said that once details are worked out, the agreement would be brought back to the Board for final approval.

- D. **Fire Truck for Shiloh VFD.** Danny Bridges, County Manager, introduced Shiloh Mayor Jesse Ellison and Councilman Billy McDaniel, and said that the Shiloh Volunteer Fire Department is the only fire department that has not received or had assistance from the County regarding a new fire truck; that the Council of Fire Chiefs agreed that Shiloh VFD should be the next department to get a new truck; that a truck could cost approximately \$225,000; that there is \$125,000 left in the Fire Services budget that could be used toward the truck and due to the delivery time, the remainder of the cost budgeted in the FY 12/13 budget. The motion for the County to purchase the truck, which would be titled to the County, was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously.
- D. **Auditor Services.** Danny Bridges, County Manager, said that the County has been using Robinson Grimes as its auditor for several years; that we are pleased with the results of the audits; that the agreement with Robinson Grimes is up for renewal, or if the Board prefers, requests for qualifications can be sent out. He said that should the Board want to continue with Robinson Grimes, costs will be obtained and an agreement brought back to the Board for approval. There were no objections to continuing with and negotiating with Robinson Grimes for its services.
- E. **Governors Office of Highway Safety Grant.** Danny Bridges, County Manager, said that the County has been awarded a \$10,000 reimbursable grant through the Governor's Office of Highway Safety; that the funds can be used for law enforcement equipment; that the funds must be expended by the County and then reimbursement will be made through the grant. The motion to accept the \$10,000 grant was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.

7. **OTHER**

- A. **Bonus for Employees.** Commissioner Wyatt said that during the last meeting, he had made a motion to give employees a \$300 bonus, but that it failed. He again made the motion to give employees a \$300 bonus. Again, the motion died for lack of a second.
8. **COUNTY ATTORNEY.** Bryan Forsyth, acting County Attorney in the absence of John Taylor, said that he had no business to discuss with the Board this evening.
9. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk