

**HARRIS COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

March 20, 2012

7:00 P.M.

Commissioners Present: J. Harry Lange, Becky Langston, Jim Woods, Charles Wyatt. Commissioners Absent: Joey M. Loudermilk (out of the country). 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 March 6, 2012, Regular Session was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.
3. **APPEARANCE OF CITIZENS**
  - A. **John Rodgers: Church Activities.** Nancy McMichael, County Clerk, said that Mr. Rodgers had cancelled his appearance at the meeting.
  - B. **Lynn Sanders: Rights of Citizens.** Lynn Sanders, citizen who lives at 233 Dogwood Lane West, Fortson, appeared before the Board, thanked the Board for the opportunity to speak and said that citizens attend meetings to help, not hinder, in the running of the County; that citizens are exercising their First Amendment Right to freedom of speech when speaking at meetings; that when they are attacked as individuals, they are attacked as a community; that a citizen was attacked by Commissioner Wyatt during the March 6 meeting for exercising his (the citizen) First Amendment Right; that the attack was unprovoked and unnecessary; that citizens should not expect such an attack or personally directed rage or antagonism from a sitting Commissioner; that the private apology was appreciated; and that they (citizens) are requesting some form of censure of Commissioner Wyatt for his actions. She then submitted the document she read. (Document can be found in "Miscellaneous Documents" file as MD#12-03.)
  - C. **Jim Furin: Continued Support of Commissioners.** Jim Furin, citizen who lives at 233 Dogwood Lane West, Fortson, appeared before the Board, thanked the Board for the opportunity to speak and said that as stated during the March 6 meeting, he has learned a great deal over the past months while attending meetings; that the Commissioners must evaluate, analyze and decide on a vast amount of factors; that Commissioner Wyatt's behavior during the March 6 meeting was unprofessional, unethical, unlawful and shameful, and he should recuse himself from any actions associated with the Coco Hollow issues; that all questions, concerns or comments regarding Coco Hollow should be through the Chairman, who could then determine how to disseminate any information; and that Commissioner Wyatt's actions during the March 6 meeting by not playing a tape recording he allegedly has implies extortion. (Following the meeting, Mr. Furin submitted the document he read. Document can be found in "Miscellaneous Documents" file as MD#12-04.)
4. **OLD BUSINESS**
  - A. **Resolution: Broadband Feasibility Study.** Chairman Lange said that action regarding the resolution to participate in a broadband feasibility study had been tabled to this meeting; that the questions asked by the Board during the March 6 meeting had been addressed and same provided in the meeting packets; and that Tina Rust, of the RVRC, was present in the event there are more questions. Ms. Rust said that the cost for the broadband in Northwest Georgia was \$21 million rather than \$26 million as she had indicated during the March 6 meeting. Following discussion, the motion to disapprove the resolution and to not take part in the feasibility study was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed with three in favor (Wyatt, Langston, Lange), no opposition, and one abstention (Woods).
  - B. **Action on Amendment to Alcohol Ordinance for Temporary Special Event License** Chairman Lange said that because the two public hearings had been held and closed regarding the amendment to the Alcohol Ordinance to allow temporary special events no further comments from citizens would be permitted, and he asked for a motion. The motion to approve the amendment to the Alcohol Ordinance was made by Commissioner Langston, seconded by Commissioner Woods, and passed with three in favor (Langston, Woods, Lange) and one opposed (Wyatt).
  - C. **Amend Alcohol License Fee Schedule for Temporary Special Event License.** Chairman Lange said that with the approval of the Alcohol Temporary Special Event License, a fee is needed. Commissioner Wyatt suggested that the fee be based on attendance or some type of sliding scale. He said that such events, specifically the Steeplechase at Callaway Gardens, bring many people to the County, but the County does

not receive any taxes based on ticket sales, alcohol sales, or any other benefit; that alcohol for the event is not purchased in Harris County, but in Columbus or Auburn; and that while the donation of distilled beverages is permissible by State law, the donation of malt beverages (beer) is not. Following a brief discussion by Commissioners, Chairman Lange said that one person had signed up to speak about this matter.

Fred Dodelin, secretary for the Steeplechase at Callaway Gardens, appeared before the Board and said that over \$2,000 in sales tax is sent to the State each year; that he has receipts to show such tax; that his staff has indicated less than 10% of the attendees to the event are Auburn University students; that he disagrees with Commissioner Wyatt's regarding malt beverages and said that it is permissible to donate such; that the event attracts 5,000 to 8,000 people, most of whom are from outside the County; and that while the event does not benefit specific businesses/charities in Harris County, it does benefit those in the region (like the Columbus Symphony, the Columbus Museum, etc.) which are utilized by many citizens of Harris County. There was an exchange of questions, responses and comments by Mr. Dodelin and Commissioner Wyatt relating to the possibility of Mr. Dodelin having made an offer to make a donation to the County school system, which Mr. Dodelin denied, or to provide the Commissioners with tickets to the Steeplechase.

Chairman Lange said that no decision will be made tonight regarding the license fee and that it would be taken up again at the April 3 meeting. Danny Bridges, County Manager, said that he would have suggestions regarding the license fee at that meeting.

## 5. **PUBLIC HEARINGS @ 7:30 PM**

- A. **Explanation of Public Hearings.** Chairman Lange explained the procedures involved with the Public Hearings.
- B. **Conflict of Interest Forms.** The Conflict of Interest forms were completed at the request of Chairman Lange.
- C. **Application of Barbara Short for a Special Use Permit for Education Farm Tours, Farmers Market, Farm Dinners, and Corn Maze, on 46 acres at 1817 Hopewell Church Road, Pine Mountain; property located in Land Lot 327, Land District 20, Map 37, Parcel 049A; property zoned A-1.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Staff had recommended approval of the application. Barbara Short, applicant, appeared before the Board, thanked the Board for having adopted the Ordinance to allow the activities on property zoned A-1, and said that the total farm acreage is 76.51 acres but only 46 will be used for the Special Use activities; that her Farmers Market will include produce grown only in Georgia to include peaches from Meriwether County and organic tomatoes, will mainly serve the people in her community and the occasional tourists on their way to Callaway Gardens, and be an open-air market; that the Farm Tours will be mainly for school children learning that food comes from places other than Publix; that the Farm Dinners will be outdoors, under tents or shade cloth, and may include entertainment in the form of a guest speaker or unamplified music; that the Corn Maze is something planned for the future; that she has plenty of space for parking of vehicles; and that she is delighted to be the first to have such an application for these four activities acted upon. Chairman Lange asked if anyone wished to speak in favor of this Special Use application.

Lon Marlowe, citizen who lives on Highway 219, West Point, appeared before the Board and said that he is in favor of Mrs. Short's application; that it will not only benefit her and her neighbors, but the County; and that he knows the Welcome Center on Interstate 85 is constantly asked about the nearest Farmers Market.

Lenore Threlkeld, citizen who lives on Whitetail Way, appeared before the Board and said that she is in favor of Mrs. Short's application and that she looks forward to having a market near by to purchase fresh vegetables.

Chairman Lange then read an e-mail from a citizen in favor of Mrs. Short's application.

There being no further comments in favor of this application, Chairman Lange asked if anyone wished to speak in opposition. There being none, he asked Mrs. Short for any closing comments.

Mrs. Short again thanked the Board for allowing such uses on A-1 property and said that she looks forward to being able to provide such farm experiences to the public.

Chairman Lange closed the Public Hearing. Commissioner Langston asked Mrs. Short if she understood that the only activities allowed under this Special Use Permit are those activities listed on the application, and Mrs. Short responded that she understood what is being permitted. Commissioner Wyatt asked Mrs. Short if she understood about having to

provide 50 percent of the produce for the Farmers Market, and Mrs. Short responded that she understood that and asked if that was in actual produce or value. Consensus was that it was in value. The motion to approve this Special Use Permit for Educational Farm Tours, Farmers Market, Farm Dinners, and Corn Maze without conditions was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.

- D. **Application of Lon Marlowe for a Special Use Permit for Farmers Market, Farm Dinners, and Educational Farm Tours, on 126 acres (on the east side of the road) at 19710 Georgia Highway 219, West Point; property located in Land Lot 200, Land District 4, Map 23, Parcel 024; property zoned A-1.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Staff had recommended approval of the application. Lon Marlowe, applicant, appeared before the Board, and said that the application reflected the wrong acreage (of 4 acres); that the correct acreage should be 126 acres on the east side of Highway 219; that Mrs. Short, during the hearing for her application of a similar nature, covered everything regarding the activities; and that he would like to move forward with his plans for developing his activities. Chairman Lange asked if anyone wished to speak in favor of this Special Use application.

Hal Avery, citizen who lives on Highway 219, West Point, appeared before the Board and said that he is in favor of Mr. Marlowe's application.

Gerald Bowie, citizen who lives on Highway 219, West Point, appeared before the Board and said that he is Mr. Marlowe's neighbor; that Mr. Marlowe's current activities attract a lot of families and don't bother him; and that he is in favor of the application.

Chris Short, citizen who lives on Price Road, appeared before the Board and said that he is in favor of Mr. Marlowe's application and sees the activities as being beneficial to the County.

There being no further comments in favor of this application, Chairman Lange asked if anyone wished to speak in opposition. There being none, he asked Mr. Marlowe for any closing comments. Mr. Marlowe had no comments.

Chairman Lange closed the Public Hearing. Commissioner Langston asked Mr. Marlowe if he understood that the only activities allowed under this Special Use Permit are those activities listed on the application, and Mr. Marlowe responded that he understood what is being permitted. The motion to approve this Special Use Permit for Farmers Market, Farm Dinners, and Educational Farm Tours without conditions was made by Commissioner Woods, seconded by Commissioner Wyatt, and passed unanimously.

## 6. **NEW BUSINESS**

- A. **Proclamation: Donate Life Month.** Chairman Lange said that this proclamation has been adopted annually for several years. He then read the document. The motion to approve the Proclamation was made by Commissioner Woods, seconded by Commissioner Langston, and passed unanimously.
- B. **Safety Incentive Discount Program Verification Form.** The motion to approve the form for receiving a discount on the County's Workers' Compensation Insurance was made by Commissioner Woods, seconded by Commissioner Langston, and passed unanimously.
- C. **Sunday Alcohol Sales: Package and By-the-Drink.** Chairman Lange said that the referendums for Sunday sales of alcoholic beverages by the package and by the drink were approved by a majority of the citizens voting in the March 6 special election; that the election results for package sales was 2,603 Yes votes to 2,085 No votes, and for by-the-drink sales as 2,689 Yes votes to 1,985 No votes; and that the referendums only authorized the Board to allow such sales upon approval of the appropriate ordinance. He asked for a motion regarding moving forward with the ordinance process. The motion to move forward with the process to amend the Alcohol Ordinance to allow the Sunday sales of alcoholic beverages by the package and by-the-drink was made by Commissioner Langston, seconded by Commissioner Woods, and passed with three in favor (Langston, Woods, Lange) and one opposed (Wyatt).
- D. **Financial Statement: January 2012.** The motion to approve the January 2012 financial statement was made by Commissioner Woods, seconded by Commissioner Langston, and passed unanimously.
- E. **DOT Transportation SPLOST Update.** 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 be on the ballot of the July Primary. He said that DOT will be having an open house on Thursday, April 5, from 10:00 AM to Noon at its office located at 115 Transportation Boulevard in Thomaston, during which more information regarding the DOT SPLOST

projects for this region will be available.

- F. **Daehan Fire**. Chairman Lange said that Daehan Solutions experienced a damaging fire in the early morning of Saturday, March 17; that the older section of the building sustained most of the fire damage; that the fire wall between the old and new sections worked like it should because the new portion of the building was undamaged for the most part; that because Daehan is a supplier to Kia of on-demand parts, Kia, as well as other parts suppliers, had to shut down because of the fire; that Kia hopes to start production within the next few days; and that along with the West Point Fire Department, several Harris County Volunteer Fire Departments responded to fight the fire. He said that the Harris County Chamber of Commerce has asked for donations of bottled water and drinks for the workers clearing the fire debris. Commissioner Woods said that Ed Moon, City Manager of West Point, has expressed his appreciation for the response by the Harris County VFDs in fighting the fire.

7. **COUNTY MANAGER**

- A. **Community Center Update, Equipment Needs, and “Cloud” Ceiling**. Danny Bridges, County Manager, said that information had been provided detailing the various equipment needed for the Community Center at an approximate cost of \$120,000; that the Community Center is scheduled to open June 1; that during the March 6 meeting, there was a brief discussion regarding the “cloud” ceiling in the entrance area of the Center at a cost of between \$7,000 and \$8,000, for which a decision is needed; and that even with these expenses, construction should still come in about \$600,000 under budget. Following discussion, the motion to approve the equipment needs at a not-to-exceed cost of \$125,000 in order to allow for other items needed before the opening of the Center and to approve the “cloud” ceiling was made by Commissioner Woods, seconded by Commissioner Wyatt, and passed unanimously.
- B. **Bid Award: Surplus Vehicles**. Danny Bridges, County Manager, reminded the Board that it had previously declared 13 vehicles as surplus, and said that sealed bids were received for the vehicles; and that the high bids total \$12,037. The motion to award each vehicle to the highest bidder of each was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously.

8. **COUNTY ATTORNEY**

- A. **Redistricting Update**. John Taylor, County Attorney, said that the pre-clearance letter and information regarding the redistricting bill for the County has been sent to the US Department of Justice, and a copy is available for viewing in the Commissioners’ office.
9. **ADJOURNMENT**. There being no further business to discuss, the motion to adjourn was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.

Attest:

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J. Harry Lange, Chairman

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Nancy D. McMichael, County Clerk