

**HARRIS COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

May 1, 2012

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 April 17, 2012, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.
3. **OLD BUSINESS**
  - A. **Second Reading: Amend Alcohol Ordinance re Special Events Facility.** Discussion and action deferred until after the Public Hearing for the Zoning Ordinance amendment scheduled for 7:30 PM. (See 8A.)
4. **NEW BUSINESS**
  - A. **Department of Corrections Agreement: Inmate Capacity at Prison.** Danny Bridges, County Manager, said that this agreement increases the number of inmates at the Prison from 110 to 125 and that the increase was made at the request of the County. John Taylor, County Attorney, reviewed the document, said it was basically the same as those approved in the past, pointed out the items regarding inmate medical expenses, and recommended approval. The motion to approve this agreement was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #12-04.)
  - B. **Requests for Tax Refund.** Chairman Lange read the Requests for Tax Refunds as follows:
    - (1) **Hubbard, Jarred (2011).** Refund amount of \$284.36 due to the equipment being for farm use with no money being made from using the equipment. The Tax Commissioner disagreed because a return should have been made to the Tax Assessor's office, and the Board of Tax Assessors agreed with the request with no reason given.
    - (2) **Rodeheaver, Nathan & Anna (2011).** Refund amount of \$80.61 due to the tax bill having been mailed to the builder, who did not forward the bill until March 2012. The Tax Commissioner agreed because the bill could have been lost in the mail, and the Board of Tax Assessors disagreed with no reason given.
    - (3) **United Rentals North America/Auto Rental, Inc.** Refund amount of \$129.57 due to having renewed tag, which was due February 28, on January 27 and then selling the vehicle on February 8. The Tax Commission agreed because the company paid the taxes and decal in error.

The motion to approve the three refund requests was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.
  - C. **Home Rule: Commissioner Compensation.** Commissioner Wyatt said that he would like to see compensation to the Commissioner's increased due to the cost of fuel. There was a brief discussion regarding the process for same and it was determined that there was not enough time to advertise such an increase before the May 23-25 qualifying dates.
5. **COUNTY MANAGER**
  - A. **Ridgeway Road Property Development.** Danny Bridges, County Manager, reminded the Board that the County had previously purchased property on Ridgeway Road but that no plans had yet been implemented for the recreational development of same. He said that unless there was any objection, Requests for Qualifications will be sent to engineering firms regarding development of the recreation park, and a committee of County staff and Waverly Hall citizens will be formed regarding the recreation needs of the citizens. There were no objections to the suggestions.
  - B. **Bid Award: Fitness Equipment for Community Center.** Danny Bridges, County

Manager, said that bids were requested for various pieces of fitness equipment, but that the one bid, from Gopher Sports in the amount of \$42,158.97 did not meet specs on two pieces of equipment and requested that the Board reject the bid in order to go back out of bid. The motion to reject the bid and go back out on bid was made by Commissioner Langston, seconded by Commissioner Loudermilk, and passed unanimously.

- C. **Safe Room Bid**. Danny Bridges, County Manager, said that bids had been requested for a Safe Room for the 9-1-1 Center but no responses were received; that upon contacting the companies to whom the bid request was sent, we learned one had e-mail problems and the other just failed to respond; and that it was also learned that the Safe Room would be put together inside the 9-1-1 building, but whether by welding or bolting, we don't know. He said that we would be going back out on bid for the Safe Room.

6. **COUNTY ATTORNEY**

- A. Ante-Litem Notice. John Taylor, County Attorney, said that an Ante-Litem Notice had been received in connection with a vehicle accident involving a County garbage truck and a vehicle driven by Floyd Willis; that the Ante-Litem Notice is required by State Law; and that he recommended the Board deny same. The motion to deny the Ante-Litem Notice was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

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

- A. **Explanation of Public Hearing**. Chairman Lange explained the procedures involved with the Public Hearing.
- B. **Application of Harris County Commissioners to Amend the Zoning Ordinance, Article II (Definitions) to clarify the definition of Special Events Facility**. Chairman Lange called the Public Hearing to order, read the specifics of the application, and asked Danny Bridges, County Manager, to explain. Mr. Bridges said that this amendment has been discussed for some time; and that this amendment removes the part about not allowing such a facility to be open to the public and includes the types of events permitted in such a facility. Chairman Lange asked if anyone wished to speak in favor of the amendment.

Lon Marlowe, citizen who lives at 19710 Highway 219, West Point, appeared before the Board, gave a brief history of leading up to this amendment, and said that such an amendment will allow him to better utilize his Special Event Facility.

There being no further comments in favor, Chairman Lange asked if anyone wished to speak in opposition to the amendment.

Jim Straub, citizen who lives at 404 Hopkins Farm Road, Pine Mountain, appeared before the Board and said that approving such an amendment opens up agricultural property to be used for commercial purposes; that such events should take place in commercially zoned areas, and that the Zoning Ordinance is not meant to allow individuals to do what they want with their property.

There being no further comments, Chairman Lange asked Mr. Bridges if he had any further comments. There being none, Chairman Lange closed the Public Hearing.

The motion to approve the Zoning Ordinance amendment was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.

8. **OLD BUSINESS (CONTINUED)**

- A. **Second Reading: Amend Alcohol Ordinance Regarding Special Event License**. Chairman Lange asked Danny Bridges, County Manager, to review the ordinance amendment. Mr. Bridges said that changes had been made, based on discussion during the First Reading, and that the amendment only changes the definition of Special Events Facility to match the definition in the Zoning Ordinance, which was just held and approved.

There being no comments or questions from the public, Commissioner Wyatt asked if a non-profit charitable organization renting a Special Events Facility could get a Temporary Special Event Alcohol License with this amendment, to which Mr. Bridges replied that such an organization meeting the requirements for such a license probably could. The motion to approve the amendment to the Alcohol Ordinance was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.

9. **OTHER**

- A. **T-SPLOST**. Chairman Lange said that the T-SPLOST referendum will be on the ballot in

July, and that while the County cannot expend funds for advertising of same, he is on the Transportation Round Table Committee and if anyone would like for him to speak at their club or organization regarding the T-SPLOST, he would be glad to do so, and to just get in touch with him.

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.

Attest:

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J. Harry Lange, Chairman

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Nancy D. McMichael, County Clerk