

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

August 7, 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 July 17, 2012, Regular Session, and the July 30, 2012, Called Session, was made by Commissioner Wyatt and seconded by Commissioner Woods. The motion regarding the Regular Session passed unanimously, and the motion regarding the Called Session passed with four in favor (Wyatt, Woods, Lange, Loudermilk), no opposition, and one abstention (Langston, who was not in attendance during that meeting).
3. **OLD BUSINESS**
 - A. **Action Regarding Application for Temporary Special Event Alcohol License by Coweta Falls Steeplechase, dba Steeplechase at Callaway, on Saturday, November 3, at 214 Nelson Road, Pine Mountain.** Chairman Lange said that both the First and Second Readings of this application have been held, and that a motion to approve had been made during the July 17 meeting by Commissioner Langston and seconded by Commissioner Woods, and that action had been tabled due to discussion regarding the zoning of the property. He asked John Taylor, County Attorney, to discuss the zoning. Mr. Taylor said that based on the ordinance and discussion regarding same, the zoning of property does not pertain to this type of alcohol license and that such a license can be issued in any zoning district provided the application meets the criteria and the Board approves same. He also mentioned that the Steeplechase event predated the Zoning Ordinance regulations. Following a brief discussion, the motion to approve passed unanimously.
 - B. **Little League Altercation Status.** Commissioner Langston said that during the July 17 meeting, Commissioner Wyatt had asked about action taken regarding the altercation that occurred during a recent Little League game in Muscogee County. She said that the Little League board had disciplined the individual involved by prohibiting him from participating in Little League events other than attending his children's games; that the individual has accepted the discipline and chosen not to appeal the decision to the Recreation Board; and that the Recreation Board was also in agreement with the discipline taken.
4. **NEW BUSINESS**
 - A. **Appointments.** Chairman Lange said that appointments needed to be made to two boards, as follows.

Board of Zoning Adjustments. Harry Bannister, representing District 5, has resigned due to health reasons, and his term expires September 30, 2013. Commissioner Loudermilk said that he did not have a nominee at this time to replace Mr. Bannister. The matter will be taken up during a future meeting.

Recreation Board. Holly Holloway, representing Waverly Hall Youth Sports Association, (WHYSA) resigned her position, the term of which expires December 31, 2014, and the WHYSA has recommended the appointment of Mike Fuson to complete Ms. Holloway's term. The motion to appoint Mike Fuson to complete the term of Holly Holloway was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.
 - B. **Error & Release Requests.** Chairman Lange said that three Error & Release requests had been received regarding property owned by Mona Lisa Edge for tax digest years 2011, 2010, and 2009 with the Digest total of \$30,379 corrected to \$27,428 for each year due to being charged for 5.65 acres rather than 5.00 acres. The motion to approve these three Error & Release requests was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously.
 - C. **First Reading: Recreation Ordinance and Recreation By-Laws & Appendices.** Chairman Lange said that this was the First Reading of the Recreation Board Ordinance. Nancy McMichael, County Clerk, distributed Appendix D which had been revised by the Recreation Board when it reviewed and approved the By-Laws and Appendices. Discussion included the correction of typographical errors in three places, the addition of

“as determined by the Recreation Board” in Section 2-30, A, 1; rewording of parts of Section 2-30, B, 1 and 2 regarding the appeal process; spelling out what GCIC means (Georgia Crime Information Center) in Section 2-34; possibly adding National Crime Information Center (NCIC) in Section 2-34; and other minor changes yet to be advised by John Taylor, County Attorney. Following discussion, Chairman Lange asked if anyone in attendance wished to speak in favor of or in opposition to the Ordinance. There being none, he said that the Second Reading will be during the August 21 meeting.

5. **COUNTY MANAGER**

- A. **Proposal Agreement w/Farner Barley: Soil & Erosion Design & Permitting on 25 Acres in Northwest Harris Business Park.** Danny Bridges, County Manager, suggested that the Board authorize the execution of an agreement with Farner Barley regarding a 25-acre parcel in the Northwest Harris Business Park (NWHBP) to perform soil & erosion design and permitting in order for the County to clear and grade the property in order to have a site to show to potential businesses. Chairman Lange said that he was in agreement with moving forward, as recommended, because it is sometimes difficult for people to visualize a cleared site that is ready for construction. Mr. Bridges also asked that the Board authorize him to have GEC perform borings on the property to determine issues with rock. He also said that the work performed by Farner Barley and GEC would not exceed \$17,500 and that the funds would come from the SPLOST Economic Development line. The motion to approve the agreement and to move forward with the clearing and grading of the parcel was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously. In response to a question regarding the time frame for the project, Mr. Bridges said that it would probably take four to five months. (Document can be found in “Contracts & Agreements” file as C&A #12-17.)
- B. **Bid Award: Multi-Purpose Response Vehicle for Shiloh Fire Department.** Danny Bridges, County Manager, said that the County requested bid for a vehicle for the Shiloh Fire Department; that numerous requests were made but only one bid was received; that upon contacting the other potential bidders, it was determined that the specifications of the vehicle were directed to one particular manufacturer; and that it is being recommended that the bid be rejected and the vehicle re-bid. The motion to reject the bid, to revise the bid specifications, and to re-bid the vehicle was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously.
- C. **Animal Shelter.** Danny Bridges, County Manager, said that plans are underway to begin construction of the new Animal Shelter to be located at the Landfill; that this is the last of the building repairs to be made as a result of the November 2011 tornado; that there is approximately \$90,000 remaining in insurance funds and that we are waiting to find out if the contents damages were included in the insurance proceeds; that it is estimated the new Animal Shelter can be constructed for around \$120,000, but we are asking approval for a not-to-exceed cost of \$125,000. He reviewed and discussed the drawing of the proposed building. Following discussion, the motion to move forward with the construction of the Animal Shelter for a not-to-exceed price of \$125,000 was made by Commissioner Woods, seconded by Commissioner Wyatt, and passed unanimously.

6. **PUBLIC HEARING AT 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 James E. Grantham to rezone 103.59 acres of Land Lots 114, 115, 126 & 127, Land District 19, Map 032, Parcels 008, 008-006, 008-007, 008-008, 008-009, 008-011, 008-012, 008-013, 008-014 & 008-018, from R-1 (Single Family Residential) to A-1 (Agricultural Forestry); present use vacant residential subdivision; proposed use family farm; property located on Creek View Way and Brenthaven Way, Fortson.**
Chairman Lange called the Public Hearing to order, read the specifics of the application, said that the Planning Commission had recommended approval with the condition that no commercial livestock operations take place on the property, and that Mr. Grantham had sent an e-mail to the Board indicating that he would have small gardens, small pastures, no commercial livestock operation, no hunting leases of any kind, no high powered rifles, selective control of deer population only when necessary, and try to stop the illegal hunting that is taking place on the property.

James Grantham, applicant, appeared before the Board and said that he intends for the property to be used as a family farm, sort of like a park setting. In response to questions from the Board, he pointed out where on the property he intends to build his home and

said that the majority of the property will be in conservation easement.

Chairman Lange asked if anyone wished to speak in favor of this application. There being none, he asked if anyone wished to speak in opposition. There being none, he said he had visited the area and talked with some of the neighbors who apparently had no issues with the rezoning. Commissioner Langston said that the property is in District 3 and that she had not received any calls regarding the rezoning. Chairman Lange asked Mr. Grantham if he had any further comments, and he had none. Chairman Lange closed the Public Hearing and asked for a motion.

The motion to approve this rezoning application with the conditions of no commercial livestock operation, family farm only, small gardens, small pastures, no hunting leases of any kind, no high powered rifles, and selective control of the deer population only when necessary, was made by Commissioner Langston, seconded by Commissioner Wyatt, and passed unanimously.

7. **COUNTY MANAGER (CONTINUED)**

- D. **Radio Communications.** Danny Bridges, County Manager, said that there will be a Work Session on August 21 starting at 6:00 PM for the discussion of the County's radio communication system.
- E. **Tornado Alert System.** Commissioner Loudermilk asked that the topic of tornado alert system be added to the Work Session as well.

8. **COUNTY ATTORNEY**

- A. **Agreement w/Board of Education and Sheriff: School Resource Officer.** John Taylor, County Attorney, said that this agreement is for a Resource Officer at Harris County High School. He reviewed the agreement and said that the only difference from previous agreements is the compensation to the County for the deputy. The motion to approve this agreement was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #12-18.)
 - B. **Supplement Agreement #3 w/DOT: Extension of Completion Date of Palmetto Creek Multi-Use Trail.** John Taylor, County Attorney, said that this agreement is the third to extend the completion date of the Palmetto Creek Multi-Use Trail. Danny Bridges, County Manager, said that the agreement is necessary before Moreland Altobelli, the administrator of TE Grants, will issue a notice to proceed for the remainder of the work. The motion to approve this agreement was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #12-19.)
 - C. **Agreement w/Dean's Two Way: Telecommunications Tower on Pate Park Property.** John Taylor, County Attorney, said that the document is not ready for distribution and approval but will be presented, hopefully at the next meeting, in a joint agreement with the Board of Education, since the radio system for which a tower is necessary will be for the school system.
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.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk