

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

August 21, 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 August 7, 2012, Regular Session was made by Commissioner Langston, seconded by Commissioner Loudermilk, and passed unanimously.
3. **APPEARANCE OF CITIZENS**
 - A. **Bill Crowell: Tornado Alert System.** Bill Crowell, citizen, and Ed Wise, of Sirens for Cities, appeared before the Board to discuss the need for a tornado siren alert system in the County. Mr. Crowell said that grants are available to assist in installing tornado sirens through USDA Rural Development; that \$200,000 is currently available but will soon be reduced to \$50,000 so time is of the essence; and that a system could also send messages via phones, both landline and cell. Mr. Wise distributed information regarding a tornado siren system, and said that a study had been performed on Harris County indicating that 8 sirens could be installed and reach citizens in the high population areas (Hamilton, Pine Mountain, Callaway Gardens, Waverly Hall, Melody Lakes, Shiloh, Cataula and Ellerslie); that such a system would cost approximately \$197,000; that his company, located in Jonesboro, has installed several systems in the area. Discussion included that the range of a siren is approximately three square miles; that the cost is approximately \$25,000 per siren; that if such a system was installed, it should cover all the citizens; that while there is interest in having some type of alert system, more research is necessary; and that because the County is a Tier 4 County, it qualifies for very few grants, but the municipalities could probably qualify for the grant. (Info provided by Sirens for Cities can be found in "Miscellaneous Documents" file as MD #12-11.)
4. **OLD BUSINESS**
 - A. **Second Reading: Recreation Board Ordinance and Recreation By-Laws & Appendices.** Chairman Lange said that this was the Second Reading of the Recreation Board Ordinance and By-Laws. Discussion included that all changes had been made and that if NCIC is used for background checks, not only would fingerprinting be necessary, but there is a charge of \$39.99 per person. Chairman Lange asked if anyone wished to speak in favor of or in opposition to this Ordinance. There being none, he asked for a motion. The motion to approve the Ordinance, the By-Laws and the four Appendices was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.
 - B. **Appointment: Board of Zoning Adjustments.** Commissioner Lange said that the appointment regarding the replacement of Harry Bannister, who resigned due to health reasons, was tabled from the August 7 meeting. Commissioner Loudermilk said that while he does have an individual in mind to appoint, the person has to get permission from his employer, and that he should have an answer before the September 4 meeting.
5. **NEW BUSINESS**
 - A. **Requests for Tax Refund.** Chairman Lange read the Requests for Tax Refunds as follows:
 - (1) **Clayton, William Howard & Catharine Marie.** Refund amount of \$315.25 due to having paid for tag for a trailer they had sold. The Tax Commissioner agreed with the request but indicated that the amount should be \$302.25.
 - (2) **Cook, Brandy E.** Refund amount of \$126.70 due to having paid for tag early and selling vehicle before tag actually due. The Tax Commissioner agreed with the request
 - (3) **Crosby, Christopher (2009).** Refund amount of \$171.19 due to being charged for incorrect square footage on home. The Tax Commissioner and Board of Tax Assessors agreed with the request
 - (4) **Jeffrey, Amanda.** Refund amount of \$36.16 due to having paid for tag early and

selling vehicle before tag actually due. The Tax Commissioner agreed with the request.

- (5) Rademacher, Joseph E. Refund amount of \$112.80 due to girlfriend having paid tag fee in his name not knowing he is exempt from same in Georgia (due to being in military). The Tax Commissioner agreed with the request

The motion to approve the refund for Clayton at \$302.25 and the other four refunds as requested was made by Commissioner Woods, seconded by Commissioner Langston, and passed unanimously.

6. COUNTY MANAGER

- A. Local Energy Excise Tax. Danny Bridges, County Manager, said that in connection with the recent legislation to phase out local sales tax on energy used in manufacturing, if there is a desire to levy such a tax in the County, notices of a meeting regarding same must be sent to the municipalities by September 1. He said that notices will be mailed, and the meeting will be during the Work Session preceding the September 4 meeting.

7. COUNTY ATTORNEY

- A. Agreement with WK Dickson: Task Order 2012-2 for Design Phase Services related to the Taxiway Relocation. John Taylor, County Attorney, said that this agreement is for the design phase of the taxiway relocation and is basically the same as previous Task Order agreements with WK Dickson. Danny Bridges, County Manager, said that approval should be contingent upon the amount of the contract from DOT. The motion to approve this agreement contingent upon the DOT contract was made by Commissioner Woods, seconded by Commissioner Loudermilk, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #12-20.)

8. 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 Beverly Jean Pope for Special Use Permit for Education (Home School Type & Tutoring) at 807 US Highway 27, Cataula, in Land Lot 113, Land District 18, Map 048, Parcel 143A; property zoned C-4. Chairman Lange called the Public Hearing to order, read the specifics of the application, said that the Planning Staff had recommended approval. Beverly Jean Pope, applicant, appeared before the Board and said that she taught public school for several years, is currently home schooling her children, and has been working on starting a school for about a year; that during the first year her school, Life Christian Academy and Tutoring Center, would be non-accredited, but would be accredited in its second year; that initially the school will be open five days a week from 9 to 12 or 12:30; that students receive up to 60% of their instruction from her school and the other 40% from their parents as this is a home school environment; and that the curriculum will also be on-line for homebound students. In response to questions, Mrs. Pope said that her school will be for grades 3 through 12; that there is a process for accreditation; and that should the school fail, the children will go back to the home-school environment at their homes. Chairman Lange asked if anyone wished to speak in favor of this application.

Dean Ginn, citizen and owner of the property on which the school will be located, appeared before the Board and said that there is a need for this type of schooling in the community; and that the actual address of the building is 813.

Thomas Van Bevel, citizen who lives on Hardage Road, appeared before the Board and said that his son will be attending this school; and that they have been searching for such a school for some time and the only ones nearby are in Columbus.

Marcus Bice, citizen who lives on Georgia Highway 219, appeared before the Board and said that Mrs. Pope taught his sons in elementary school and had nothing but good things to say about her and her teaching skills.

There being no further comments, Chairman Lange asked Mrs. Pope if she had any other comments. Mrs. Pope said that her goal was to start the school August 13, but because of the delay with the Special Use Permit, she will be starting as soon as possible. Chairman Lange closed the Public Hearing and asked for a motion. The motion to approve this Special Use Permit with no conditions was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

- D. **Application fo William T. Moshell for Special Use Permit for a Kennel at 546 Georgia Highway 219, Fortson, located in Land Lot 170, Land District 19, Map 030, Parcel 009: property zoned A-1.** Chairman Lange called the Public Hearing to order, read the specifics of the application, said that the Planning Staff had recommended approval with the condition that there be less than 10 dogs and had noted that the kennel should not be in front of the house. William T. Moshell, applicant, and Robert McKenna, attorney with Sprouse, Tucker & Ford, appeared before the Board to discuss the application. Mr. McKenna distributed a letter from William Moeller, an adjacent neighbor to Mr. Moshell, indicating no opposition to the building of a pole barn; and said that Mr. Moshell wants to build a pole barn in which to house the kennel; and that the property is zoned A-1. There being no questions, Chairman Lange asked if anyone wished to speak in favor of this application.

John Rodgers, citizen who lives on Edgewater Court, Hamilton, appeared before the Board and said that on behalf of his family, who owns property nearby, they do not have an objection to the kennel.

Chairman Lange asked if anyone wished to speak in opposition. There being none, he asked the Board for comments. Discussion included that a pole barn is already on the property but another would be built for the kennel and that regarding the location of the pole barn and kennel, a hearing is scheduled to go before the Board of Zoning Adjustments. Following discussion, Commissioner Langston said that she would like to table any action on the application until after the Board of Zoning Adjustments has heard the case and made a decision. There was no opposition to tabling action, and Chairman Lange said the Public Hearing, however, would continue and be closed tonight.

In response to questions, Mr. Moshell said, regarding the location of the kennel, that the way the house is situated will make it difficult to not put the kennel in front of the house; and that he owns the adjacent 187 acres, which is heavily wooded. Mr. McKenna pointed out the location of the house on the plat of the 10 acres which shows the house being in the upper northwest corner of the property and oriented facing west rather than south.

There being no further comments or questions, Chairman Lange closed the Public Hearing and said that action would be taken following the decision of the Board of Zoning Adjustments, which is scheduled for later this month.

9. **COUNTY ATTORNEY (CONTINUED)**

- B. **Agreement with Traylor Business Services for Personal Property Verification.** John Taylor, County Attorney, said that this agreement is for personal property verification, that we have used this company in the past for the same purpose; that there is an automatic renewal clause, for which he recommended deletion; and recommended approval of same. 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 #12-21.)
- C. **Agreements with Dean's Two Way Radio for Telecommunications Tower on Pate Park Property and the Board of Education for Radio Communications.** John Taylor, County Attorney, said that the draft agreement with Dean's Two Way Radio has yet to be completed but should be ready for the September 4 meeting. Regarding the Intergovernmental Agreement with the Board of Education, Mr. Taylor said that a draft of same has been provided and will be finalized also in time for the September 4 meeting. Danny Bridges, County Manager, commented that the radio communications system would be discussed during the September 4 Work Session.
- D. **Resolution and Agreements with Public Improvements Authority re: Water Revenue Bond Refinancing.** John Taylor, County Attorney, said that the documents are for the purpose of proceeding with the refinancing of the water revenue bonds that the Board has previously discussed; that the total is about \$7.85 million; that the bonds will be issued by the Public Improvements Authority (PIA); that the water treatment plant property will be deeded to the PIA who will then lease it back to the County for the amount of the bond payment. Bryan Huskey, with Merchant Capital, was present and said that the bonds will refinance the bonds issued in 2002 and will mature in 2027, which is the same as the current bonds; and that by refinancing the County will save \$1.5 million. Following discussion, the motion to approve the Resolution, the Project Lease Agreement, the Bond Purchase Agreement, and any other documents that may be necessary to complete the refinancing process, was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously. [Documents can be found in "Contracts & Agreements" file as C&A #12-22 (Project Lease) and #12-23 (Bond Purchase).]
- E. **GDOT Title VI Documents.** John Taylor, County Attorney, said that the Title VI documents consisting of a Non-Discrimination Agreement and Assurance are required in order for the

County to received funding for Transportation Enhancement projects, and recommended approval of same. The motion to approve the documents was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously. (Documents can be found in "Contracts & Agreements" file as C&A #12-24.)

10. **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