

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
September 18, 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; 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 September 4, 2012, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and with four in favor (Loudermilk, Wyatt, Langston, Woods), no opposition, and one abstention (Lange, who was absent from the September 4 meeting).
3. **APPEARANCE OF CITIZENS**
 - A. **Rowena Baker: Pine Hollow Court.** Chairman Lange said that Mrs. Baker was unable to attend the meeting, and that, as she requested, the matter would be taken up at a future meeting (October 2).
 - B. **Marcus Carter: Playing Facilities (Recreation).** Chairman Lange said that Mr. Carter was unable to attend the meeting, and that, as he requested, the matter would be taken up at a future meeting (November 6).
 - C. **Dan Colberg: Sheriff's Office and Accounting Issues.** Dan Colberg, citizen, appeared before the Board to discuss three accounting issues regarding the Sheriff's Office for which the Commissioners have no or very little records, and wants to know where all the income is or has gone. The issues are income from phone service, income from commissary, and income from seized vehicles, as follows.
 - (1) **Income from phone service provided for Jail inmates.** Mr. Colberg said that open records requests were made in the past with the results being that such records didn't exist; that in response to an open records request he made a few months ago, he received information on this account, but only to 2009; and that based on that information, the average revenue is \$20,854, which if multiplied by 16 years and 8 months, the total is \$347,571.50.
 - (2) **Income from commissary for Jail inmates.** Mr. Colberg said that in response to the open records request he made a few months ago, he received information on this account, but only to 2009; that ABL Food Services, who provide the meals at the Jail, used to provide the Commissary until about 12 years ago, when the Sheriff took it over; that a spokesperson for ABL has indicated that the commissary serves approximately 80 inmates who spend about \$25 a week for an approximate total of \$2,000 per week or \$140,000 per year; and that multiplied by 16 years and 8 months, the total is \$1,248,000.
 - (3) **Income from selling seized vehicles.** Mr. Colberg said that in response to the open records request he made recently, he was told the records don't exist; that if approximately 10 seized vehicles are sold each year for approximately \$6,000 each, the total is about \$60,000 per year; and that multiplied by 20 years, the estimated total is \$1,200,000.

In conclusion, Mr. Colberg provided each Commissioner a handout detailing his concerns. Chairman Lange thanked Mr. Colberg for his comments and said that the Board would take the matters under consideration. (Document can be found in "Miscellaneous Documents" ad MD #12-12.)
4. **NEW BUSINESS**
 - A. **Proclamation: American Business Women's Association Day (ABWA).** Chairman Lange read the document proclaiming September 22 as ABWA Day. The motion to approve the document was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.
 - B. **Requests for Tax Refund.** Chairman Lange read the Requests for Tax Refunds as follows:

- (1) Skinner, Clarence L., Jr.. Refund amount of \$34.01 due to having paid for tag early and then wrecking vehicle. Tax Commissioner agreed with the request. Discussion included if the vehicle had been wrecked, totaled or salvaged.
- (2) Williams, Donnell. Refund amount of \$41.56 due to having paid for tag early and selling vehicle before tag actually due. The Tax Commissioner agreed with the request but that the refund should be \$21.56 since the tag was transferred to another vehicle.

The motion to table the Skinner request to October 2 and to approve the Williams request for \$21.56 was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.

- C. **First Reading: Amend Interstate Sign Ordinance (Chapter 6, Article IV, Section 6-83)**. Chairman Lange said that this was the First Reading to amend the ordinance to reduce the time frame in which the message on an electronic sign can be changed. He then read the proposed amendment. Commissioner Wyatt suggested that rather than change "eight hours" to "ninety seconds" that it be changed to "sixty seconds". There were no objections to the proposed change. Chairman Lange then asked if anyone wished to speak in favor of or in opposition to the proposed amendment. There being none, he said that the Second Reading will take place October 2.

5. **COUNTY MANAGER**

- A. **Surplus Vehicles: Sell on GovDeals**. Danny Bridges, County Manager, said that he was requesting that eight (8) vehicles, no longer of use by the County, be declared surplus and to sell same on GovDeals.com. The motion to declare the vehicles surplus and to approve the sale of same on GovDeals.com was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously.
- B. **Energy Excise Tax**. Danny Bridges, County Manager, said that this matter had been discussed during previous Work Sessions with the municipalities; that the estimate is that such a tax could produce about \$24,000 per year to be split with the municipalities; and that having the tax could possibly stop someone from locating their manufacturing business in the County. The motion to not approve the implementation of the energy excise tax was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.
- C. **Northwest Harris Volunteer Fire Department Truck Repair**. Danny Bridges, County Manager, said that a fire truck belonging to Northwest Harris VFD must be repaired; that the repairs will be about \$30,000, which the VFD does not have; and that it is being recommended that the \$14,000 remaining in last year's Fire Services line be used toward the repair. Following a brief discussion, Commissioner Woods made the motion to utilize the \$14,000 from last year's Fire Services line and \$16,000 from Contingency to pay for the repairs. The motion was seconded by Commissioner Langston and passed unanimously.
- D. **Community Center: Personnel**. Danny Bridges, County Manager, said that a part time slot is needed at the Community Center for the purpose of making sure the pool is operating as it should; that with the new slot, the overtime that is occurring should stop; and that the slot would be 30 hours per week. The motion to approve the part time slot for 30 hours a week was made by Chairman Lange, seconded by Commissioner Langston, and passed unanimously.
- E. **Community Center Hours**. Danny Bridges, County Manager, said that the pool lights are in the process of being replaced to meet Health Department requirements and when the new lighting is approved, he is recommending that the Community Center open early two days a week to meet some of the demands for use before regular work hours. There were no objections.
- F. **Community Center Grand Opening**. Chairman Lange announced that the Grand Opening of the Community Center will be on Sunday, September 30, at 3:00 PM.

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

- A. **Explanation of Public Hearing**. Chairman Lange explained the Public Hearing procedures.
- B. **Conflict of Interest Forms**. The Conflict of Interest forms were completed at the request of Chairman Lange.

- C. **Application of Lon Marlowe for a Special Use Permit for Special Events on four (4) acres of Land Lot 200, Land District 4, Map 23, Parcel 24; properly located at 19710 Georgia Highway 219, West Point, in A-1 zoning.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that Planning Staff had recommended disapproval because Mr. Marlowe would not specify which building the Special Use Permit would be applicable. Mr. Marlowe nor his representative were present. Commissioner Wyatt commented that “special events” is not listed in the matrix of permitted uses and should be disapproved for that reason rather than because of a building not being specified. Chairman Lange asked if anyone wished to speak in favor of or in opposition to this application. There being none, he closed the Public Hearing.

The motion to disapprove the application because “special events” is not a use listed in the matrix of permitted uses in the Zoning Ordinance was made by Commissioner Wyatt, seconded by Commissioner Langston, and passed unanimously.

7. **COUNTY ATTORNEY**

- A. **Agreement with Board of Education: Radio Communications System.** John Taylor, County Attorney, said that the agreement has not been finalized and asked that it be moved to the October 2 agenda.
8. **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