

**HARRIS COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION**  
October 1, 2013  
7:00 P.M.

Commissioners Present: J. Harry Lange, Joey M. Loudermilk, Becky Langston, Jim Woods, Charles Wyatt. Staff Present: Greg Wood, County Manager; John 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 17, 2013, Regular Session, Appeal Hearing of Midway Grocery (Beer & Wine License), and Appeal Hearing of Eric Webster (Dangerous Dog) was made by Commissioner Woods, seconded by Commissioner Wyatt, and passed with four in favor (Lange, Langston, Woods, Wyatt), no opposition, and one abstention (Loudermilk, who was not in attendance during the September 17 meeting).

3. **NEW BUSINESS**

A. **Requests for Tax Refund.** Chairman Lange read the requests for Tax Refunds, as follows:

- (1) **Campbell, Christine:** Refund amount of \$296.29 due to tax being paid on vehicle no longer owned. Tax Commission agreed with the request.
- (2) **Mobley, Jim Hayes:** Refund amount of \$46.13 due to having paid the tax that was due on September 21 on August 26 and trading in vehicle before September 21. Tax Commissioner agreed with the request.
- (3) **White, Jared DeWayne.** Refund amount of \$58.83 due to having paid tax on vehicle no longer owned. Tax Commissioner agreed with the request.

The motion to approve all three requests was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.

B. **Request for Reimbursement for Damages.** Chairman Lange said that a request had been made by Joe Harris for reimbursement after having the right fender, right fender liner, right front door, right quarter panel, and front bumper/step plate repainted due to getting paint on his vehicle from the striping on Hamilton Pleasant Grove Road on August 27; that the contractor confirmed that striping took place on August 27; and that the lowest estimate was \$288.95. Discussion included there were no witnesses to the incident nor photos of the damages, and that the contractor should be contacted about restitution. Nancy McMichael, County Clerk, is to contact the contractor and advise the Board of the response.

C. **Checks for Damages to Property.** Commissioner Wyatt said that after thinking about it, claims for damages can be handled via e-mails, if necessary, rather than coming before the Board in a meeting, and he made a motion for same. The motion was seconded by Commissioner Woods, and passed unanimously.

D. **Aerial Imagery - Flight for Tax Mapping.** Greg Wood, County Manager, said that the Tax Assessor has requested this be removed from the agenda; that the new administrator in Pike County, which is part of the group of counties having the flight done, wants a little more time to review before acting on same; and that Pike County's decision could affect the cost to Harris County and the other counties in the group. John Taylor, County Attorney, said that he has reviewed the agreement and found it to be in order. This will be tabled until the appropriate meeting.

E. **Master Site Plan Amendment: Woodland Hills Golf Community.** Lee Duncan and Jim Garrigus, of Woodland Hills Golf Community, appeared before the Board to discuss the proposed Master Site Plan amendment. Mr. Duncan said that he intends to engage local counsel to assist with the establishment of a Home Owners Association (HOA); and that they have engaged third-party consultants who have provided an appraisal and comprehensive market analysis of the area. He then reviewed charts, which Mr. Garrigus, displayed as appropriate, to include the distribution of home sale values in the County, the relationship between home sales and building permits, the optimum home price based on supply and demand, and simple supply vs. demand. He said that the charts will also be displayed at the Golf Shop in Woodland Hills. At this point, Chairman Lange recessed the presentation in order to hold the scheduled Public Hearing.

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

A. **Explanation of Public Hearing Procedures.** Chairman Lange explained the procedures involved with the Public Hearing.

**B. Application of the Harris County Planning Commission to Amend Article II (Definitions), Article IV (Permitted Uses in Zoning Districts), and Article V (Supplementary District Regulations), Section 12 (Customary Home Occupations), regarding Home Occupations.**

Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Commission had recommended approval. John Britt, member of the Planning Commission, appeared before the Board to discuss and explain the proposed amendments. Mr. Britt said that the current Home Occupation regulations are too restrictive on people trying to run businesses out of their homes; and that the proposed amendments include two areas for home occupation, one for residential districts and the other for “rural” areas only on five acres or more located in agricultural and rural residential districts. He then reviewed the two areas. In reviewing the proposed wording included in the meeting packet, which consisted not only of the wording recommended by the Planning Commission but also of additional suggestions by staff, discussion included that meeting ADA regulations won’t be necessary as the primary use of the structure will not be changing because the home occupation must be secondary to the residential use; that the accessory building in the rural setting, if it is occupied for the home occupation business, it will have to meet state commercial building codes, but if used for storage, such codes are not necessary; that the storing of products needs to be shielded from view with the consensus that the wording should be “appropriate screening so that it is not visible from any abutting property or street”; and that the number of business related vehicles is limited to one in the residential area. Mr. Britt responded to various questions from the Board related to the discussed items. Upon conclusion, Chairman Lange asked if anyone wished to speak in favor of or in opposition to the amendments. There being none, he closed the Public Hearing.

The motion to approve the amendments as presented and with the changes discussed was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously with an effective date of January 1, 2014.

**5. NEW BUSINESS (CONTINUED)**

**E. Master Site Plan Amendment: Woodland Hills Golf Community (CONTINUED).** Regarding the existing Master Plan, approved in 2010, Mr. Duncan said it was developed without proper topographic information or verified data; that the proposed driving range is on the side of a hill; that the commercial area is split into three parcels totaling 10 acres; and an over abundance of cul-de-sacs. Regarding the amended proposed Master Plan, Mr. Duncan said that the commercial area is in one location; that there is a minimum of cul-de-sacs; that the driving range has been relocated to a more feasible area; that the density is 428 units; that a new northern entrance/exit is necessary; that they hope to move forward with turning roads over to the County; that the only areas that can have new housing are the existing platted lots on the south end of the community, and that the remaining/new areas cannot be platted until the sewer is extended to same; that there are greenspace areas; that “gores” exist between some lots (in the Existing Phase 2) and the golf course corridor, which are of no use to the golf course; that property lines can be extended to the edge of the golf course with the rear property line running with the golf course; that those extended areas would have restrictive covenants; that regarding housing, they will engage focus groups, hopefully made up of residents of the Woodland Hills community; that they would like to create a series of unique villages within Woodland Hill to provide a variety of lifestyle experiences; and that homes will be sited to accommodate the characteristics of the lot. Mr. Duncan concluded his presentation by saying that a successful development results from a true collaboration of a variety of sources to include the residents, the developer, and the County.

Chairman Lange then asked for comments from those individuals who had signed up to speak.

Rick Lincoln, citizen who lives on Foxchase Trail in Woodland Hills, appeared before the Board, distributed a copy of his speech regarding representation of Woodland Hills Community interests. He then presented the proposal which includes having three to five residents of the community work with the developer and Harris County until an HOA is formed and having community meetings, with the arrangement lasting until the HOA is created, the completion of all County and developer approvals and building permits, or a member is removed by majority vote. Commissioner Wyatt commented that the County has nothing to do with enforcing covenants or forming HOAs.

John Grot, citizen who lives on Day Lake Drive in Woodland Hills, appeared before the Board, distributed a copy of his speech, and said that the proposed plan shows sections of roads and some lots going over the property line into the area zoned R-3 that is not part of the resort; that lots 11, 12 & 13 (in existing phase 2) are taking part of the golf course; that the lots in pod “B” has increased from 56 to 72; and that residents have yet to meet with Mr. Duncan about his proposal.

Gerald Stinson, citizen who lives on Day Lake Drive in Woodland Hills, appeared before the Board and said that he hopes Mr. Duncan is successful in the development of the property; that he liked hearing that greenspace is proposed; and that he would like to see trees replanted where others were removed.

Chairman Lange said that in regard to the roads being turned over to the County, there may be issues regarding the roads that go over dams, since they pose a greater liability to the County.

There being no further comments, Chairman Lange asked Mr. Duncan for rebuttal. Mr. Duncan said that he will assist in the establishment of an HOA; that the roads and lots that overlap into the R-3 property will be deleted from the plan; that the extension of the lots to the golf course will make them front on the golf course rather than being separated from the golf course. In response to questions from the Board, Mr. Duncan said that it will take 12 to 18 months to get the sewer in place; that the sewer is needed in order to develop the property; that build out may be in five to seven years; that should property owners not wish to extend their lot to the golf course (in the section with the “gores”), the property would be turned over to the HOA to maintain, but should someone desire at a later point to purchase the property, they would deal with the HOA; that he hopes the development will have more to offer people so that Woodland Hills will be chosen over other nearby developments; that in addition to golf, the Resort amenities to be offered include swimming, tennis, play area, golf, lake activities such as canoeing, and walking trail; and that should the proposed amendment not be approved, it will be difficult to utilize the current Master Site Plan for development purposes.

There being no further questions or comments, Chairman Lange closed the Public Hearing and asked for a motion.

The motion to approve the new Master Site Plan (dated August 23, 2013) for Woodland Hills Golf Community was made by Commissioner Loudermilk. Commissioner Wyatt seconded the motion and asked that conditions include (1) no private roads, (2) all lots less than two acres must be on sewer except those lots, owned by individuals other than the developer, that were platted and recorded prior to October 1, 2013, (3) roads with dams to be considered for County acceptance must have ten-year bonds, and (4) roads with dams to be considered for County acceptance must have a minimum 60' right of way out of water. Commissioner Loudermilk amended his motion to include the four conditions, and Commissioner Wyatt seconded same. The motion passed unanimously.

- F. **Legislative Conference Report.** Chairman Lange said that he had attended the recent ACCG Legislative Conference and brought back a copy of the County Platform report, and that if anyone wishes to receive a copy they can contact Greg Wood, County Manager.
- G. **Courthouse Painting.** Chairman Lange said that while at the Legislative Conference, it was announced that 2014 is ACCG's 100<sup>th</sup> anniversary; that in conjunction with same, every County courthouse has been photographed; and that paintings, 4' x 6' in size, of each courthouse are being made available at a cost of \$1,400. He said that he and Commissioner Langston saw a sample courthouse painting at the Legislative Conference and he made the motion to purchase such a painting for Harris County. The motion was seconded by Commissioner Loudermilk, and passed with four in favor (Lange, Loudermilk, Langston, Wyatt) and one opposed (Woods).

## 6. **COUNTY MANAGER**

- A. **Road Paving List.** Greg Wood, County Manager, said that a list of roads had been included in the meeting packet; that most of the funding would come from T-SPLOST or SPLOST; and that the priority roads of each Commissioner are in bold, underlined italics.

Chairman Lange said that three individuals had signed up to discuss roads, and he asked for their comments.

Jeff Brown, citizen who lives on Kingsboro Road, appeared before the Board and said that Kingsboro Road gets a lot of heavy traffic due to the horse shows at Poplar Place Farm that results in ruts and lots of dust, and that the citizens on Kingsboro Road would like to see the road paved. Commissioner Wyatt said that road was on the previous list of roads to pave, but there were issues regarding the layout of the road since GDOT required the road to be moved to “T” into US 27 on the crest of the hill. Chairman Lange said that Kingsboro Road is in his district and he considers it to be his number one road for paving.

Gary Stegman, owner of Poplar Place Farm, appeared before the Board, distributed an aerial photograph of Poplar Place Farm showing several hundred vehicles, including cars, trucks, travel trailers, and horse trailers, at an equestrian event. Mr. Stegman said that regarding the paving of Kingsboro Road, he has set aside property in the area where the road is to be relocated, and that the current condition of the road makes it difficult for the large, heavy horse and travel trailers to safely enter, traverse, and exit the road.

Buddy Hix, citizen who lives on Kingsboro Road, appeared before the Board and said that he has lived on Kingsboro for 18 years; that the ingress/egress of Kingsboro Road at US Highway 27 is dangerous; and that the dust from the road during horse shows makes it even more difficult to see where you're going.

Chairman Lange commented that DOT has been installing larger-than-normal road signs in various areas; that he has received complaints about same; and that he has talked to GDOT, who is not very pleased with the signs. Following discussion, Chairman Lange said that if anyone has issues with the new signs to let him know and he will contact GDOT.

To move forward with paving, each Commissioner then chose their top two roads, as follows:

District #	Road #1	Road #2
1	Washington Road	Mountain Road
2	Hardage Road	Cold Springs Road
3	Whitesville Road	Holland Drive
4	Kingsboro Road	Peed Smith Road
5	Diamond Circle/Diamond Road	Boyd Drive

Commissioner Wyatt made the motion to give the municipalities 30 days in which to utilize their remaining SPLOST funds, and then if the funds remain after that point, to use same for roads. Chairman Lange tabled action until a determination is made as to if the funds could be utilized in that manner. Consensus was to arrange a Work Session for the purpose of discussing paving roads, resurfacing roads, repairing bridges. (Work Session will be held November 5.) Staff was directed to move forward with the surveying of the roads chosen by the Commissioners and to utilize 2004 SPLOST funds for same.

- B. **Self-Insurance**. Greg Wood, County Manager, said that if the Board is interested in looking into being self-insured that now is the time to start doing so. There was some discussion, after which Commissioner Langston asked that the discussion be tabled and for a work session to take place regarding same. The Work Session will be on November 5 and Mr. Wood is to have individuals knowledgeable about same in attendance.

Greg Wood, County Manger, said that if the Board is interested in looking into being self-insured that now is the time to start doing so. There was some discussion, after which Commissioner Langston asked that discussion be tabled and for a work session to take place regarding same. The Work Session will be on November 5, and Mr. Wood is to have individuals knowledgeable about self-insurance in attendance to discuss same.

- C. **Planner Position**. Greg Wood, County Manager, said that he has offered the Planner position to an individual on a part time basis of 24 hours/week at the rate of \$24.50, but because the rate is higher than the 5% than he is authorized, he is requesting that the \$24.50 be approved. Commissioner Langston said that she would like to see the application of the individual who has been offered the position. The motion to approve the rate of \$24.50, pending review of the application by Commissioner Langston, was made by Commissioner Woods, seconded by Commissioner Wyatt, and passed unanimously.

7. **COUNTY ATTORNEY**

- A. **Blackwell Property**. John Taylor, County Attorney, advised the Board that the closing for the Blackwell Property adjacent the Northwest Harris Business Park has occurred, and that the next step is to have the property annexed into the City of West Point and then rezoned.

8. **RECESS FOR EXECUTIVE SESSION**. The motion to go into Executive Session for the purpose of discussing a personnel matter was made at 10:32 PM by Chairman Lange, seconded by Commissioner Loudermilk, and passed unanimously. Both the County Clerk and the County Attorney were excluded from the Executive Session.
9. **RESUME REGULAR SESSION**. The motion to go back into Regular Session was made by Chairman Lange, seconded by Commissioner Loudermilk, and passed unanimously.
10. **ADJOURNMENT**. There being no further business to discuss, the motion to adjourn was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.

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J. Harry Lange, Chairman

Attest:

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Nancy D. McMichael, County Clerk