

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
November 19, 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 November 5, 2013, Regular Session, was made by Commissioner Loudermilk, seconded by Commissioner Woods, and unanimously.
3. **APPEARANCE OF CITIZENS**
 - A. **Bobby Haralson: Koch and Water Usage.** Bobby Haralson, citizen and member of the Pine Mountain Valley Water Association, appeared before the Board and said that during the November 20 meeting last year, the Board discussed Koch/JCG Foods and the anticipated water usage in connection with the plant's upgrade; that the minutes of November 20 show that Commission Wyatt indicated he did not believe there was enough water to handle the Koch/JCG expansion from both the County and Pine Mountain Valley (PMV) water systems, and that Chairman Lange had talked to the Koch/JCG people who had indicated there would be no need for additional water (than what the plant had already been using) and that he would ask them again about the water. Mr. Haralson asked Chairman Lange if he had ever heard back from the Koch/JCG people, and Chairman Lange replied that he had and that they again indicated they would not be using anymore water than they had been using. Mr. Haralson said that he recently learned that Koch/JCG is pulling 1,000 gallons of water per minute; that the water system at the plant is set up so that during the night, after 2 AM, they can switch from the County water system to the PMV water system; that three weeks ago, the plant drained the County's tank and then switched to the PMV tank at 10 PM, and as a result, many citizens on the PMV water system were out of water at 6:30 AM; that the citizens come first, the fire service comes second, and whatever is left can be sold to Koch/JCG, but they are not just going to go out there and take the water, and that it better not happen again. Commissioner Wyatt said this is the same incident the Board discussed at the last meeting but that they have over-pumped the County tank at least two other times. Mr. Haralson said that Koch/JCG think because they are the number one customer they get priority, but they are third on the list after citizens and fire services. Chairman Lange said that he agrees, and that Greg Wood, County Manager, has already had discussion about the water usage, particularly when the County starts work on its water plant; that Koch/JCG will not be allowed to take more than 600,000 gallons a day, and while they still claim they were not going to use more, they obviously have. Mr. Wood said that as part of the plant upgrade, they have a water recycling program in place, but everything is apparently not working in sync. Commissioner Wyatt said that water is not the only issue; that they said there would be less noise and less odor, but there has been more noise and more odor recently; that the PMV citizens are asking for help; and that the Koch/JCG plant engineer is an ex-EPD employee, so everything is okay, when it's not. Chairman Lange said that the County may need to start monitoring things in a better fashion, and if need be, put in some kind of restriction; that to run out of water is ridiculous; and that he agrees citizens come first, fire is second, and Koch/JCG is third. Mr. Haralson said that is in the contract. Commissioner Wyatt said that someone somewhere is running interference; that they have put in 16 miles of pipe line and only 100 feet of silt fence; and that he understands it comes from "higher up" to not enforce the silt fence issue. Mr. Wood said that the pipeline is on the County's railroad track right of way and he is not sure where they got such permission and is concerned about the proposed fiber optic line that is to go on that right of way. Commissioner Wyatt said that Liberty apparently inherited rights of way throughout the County and they can go wherever they want. Chairman Lange asked Mr. Wood to find out who the "higher up" is and to investigate the matter further and try to get to the root of the matter. He also asked Commissioner Wyatt to continue to bring issues regarding the pipeline and water usage as they occur by keeping Mr. Wood posted so as to be aware of what is going on. Mr. Haralson said citizens of PMV are getting fed up and are ready to start picketing Cagle Drive, which is still a public road as far as he is concerned. Both Chairman Lange and Commissioner Wyatt said that Cagle Drive is not a public road.
4. **OLD BUSINESS**
 - A. **Project Agreement: Development Authority, West Point, Board of Tax Assessors, Board of Education and KOPLA America.** Chairman Lange said that this document was tabled during the November 5 meeting, and asked John Taylor, County Attorney, to discuss same. Mr. Taylor said that the agreement is with KOPLA who will have a \$15 million investment (\$5 million in the building and \$10 million in equipment and machinery); that the tax abatement is 100% the first three years, then from the fourth through the seventh year a 50% abatement, and then the eighth year, the property goes on the tax records at full market value; that the agreement is similar to the

agreements with other companies in the Northwest Harris Business Park; that they are looking at a maximum of 150 employees over the first three or four years; and that there is a clawback whereby if the investment or employees are not met, they start to lose some of the abatement going forward. Mr. Taylor responded to questions from the Board members concerning various parts of the agreement. Commissioner Wyatt said that he tabled it during the November 5 meeting but is still upset that the County is going to do the grading on the property when it hasn't built a road in four years. The motion to approve the document was made by Commissioner Woods, seconded by Commissioner Loudermilk, and passed with four in favor (Woods, Loudermilk, Lange, Langston), no opposition, and one abstention (Wyatt). (Document can be found in "Contracts & Agreements" as C&A #11-36.)

- B. **Special Use Permit Process.** Chairman Lange said that Commissioner Wyatt had requested this topic to be on the agenda, and he asked Commissioner Wyatt for comments. Commissioner Wyatt said that some of the Commissioners are having concerns about the Special Use Permit process and he wanted to see if those concerns could be resolved. Following a brief discussion, which included that there seems to be too many Special Use Permit applications coming before the Board; that it may be necessary to limit the number of permits an individual can request; and perhaps looking at changing the zoning regarding such permits and tweaking the Zoning ordinance, consensus was to have a Work Session prior to the meeting on January 21, and to have the County Planner and Community Development Director in attendance.

5. **NEW BUSINESS**

- A. **Notice of Upcoming Appointments/Reappointments.** Chairman Lange said that a list of upcoming appointments or reappointments has been provided and that same is scheduled to be on the December 17 agenda. Consensus was to have the appointments or reappointments on the December 3 agenda.
- B. **Bid Award: SR 315 @ SR 85.** Chairman Lange asked Greg Wood, County Manager, for comments regarding the bid. Mr. Wood said that DOT is only going to fund \$645,780.35, which is \$349,004.50 less than the low bid, and that one way to pay the difference is to pay from General Funds and then pay the General Funds back from T-SPLOST after the other bridges and roads are paved, to which the consensus was in agreement. The bid results are:

COMPANY	BID AMOUNT
CW Matthews, Marietta, GA	\$ 1,014,818.39
Robinson Paving, Columbus, GA	\$ 994,784.85

The motion to award the bid to Robinson Paving for the low bid of \$994,784.85 was made by Commissioner Loudermilk, seconded by Commissioner Wyatt, and passed unanimously. Commissioner Wyatt noted that the County is required to do erosion control by the DOT contract, but that the Liberty gas pipeline is not required to do so for the work it is doing.

- C. **Financial Statement: June 2013.** Chairman Lange said that the June financial statement has been provided and that action is scheduled for the next meeting. Commissioner Langston said that she is concerned that the County is five months into the new fiscal year, and the Board is just getting the June financial statement, and Chairman Lange said that he, too, had that same concern. Greg Wood, County Manager, said that with the hiring of the new Finance Officer a couple of months ago and the audit being underway, we are in the process of catching up with the financial statements. Consensus was that the financial statements are too far behind and there needs to be one or two statements at each meeting until we are caught up.
- D. **Distracted Driving Program Save A Life Tour.** Rachel Benefield and Alexis Barber, students in the Skills USA program at Harris County High School, and Charles Benefield, father of Rachel Benefield, appeared before the Board to discuss a Distracted Driving Program. Ms. Barber said that this is an awareness program regarding the dangers of texting and driving; that it would benefit the juniors and seniors at the high school, and that they are trying to raise funds in order to have a simulator unit on site. Ms. Benefield explained that the simulator is a mock-up of a car with a projection screen showing traffic conditions; that it has a cell phone ring frequently to which the participants must respond as they are "driving"; that the simulator records when the driver speeds up, slows down, or makes traffic violations; and that at the end, the driver is given a grade on how well they did. In response to questions from the Board, Ms. Benefield and Ms. Barber said that the program is scheduled for February 20 and 21, one day for the juniors and one for the seniors; that they hope to be able to schedule two more days for the freshmen and sophomores; and that they are in the process of soliciting donations because the simulator unit costs \$2,500 per day. Following discussion, Commissioner Loudermilk said that he would contribute \$1,000, and Commissioner Woods said that he would contribute a lesser amount. Commissioner Wyatt made the motion for the County to match the contributions to SKILLS USA for this project, up to \$4,000, and to use the

old DARE funds, which is now called Drug Fund. There was no second in order to make sure the funds are available; therefore the second and action was tabled to December 3.

6. **COUNTY MANAGER**

- A. **Airport Grading Contract with Southeastern Site Development: Change Order #1.** Greg Wood, County Manager, said that this change order is to increase the area being cleared so that the area proposed for the corporate hangar, for which the County has a letter of intent, can be incorporated. Following discussion, the motion to approve this Change Order for \$10,302.50, which will increase the contract to \$394,544.75, and to authorize the grading of an additional area, not to exceed \$15,000.00, was made by Commissioner Woods, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #13-37.)
- B. **Prospective Business in Northwest Harris Business Park.** Chairman Lange said that he and County Manager Greg Wood had met with a prospective business interested in locating in the Northwest Harris Business Park; that they ended up showing the prospect the recently acquired MeadWestVaco property, and that there seemed to be a great deal of interest in same.
- C. **Bridge on Georgia Highway 103 over Flat Shoals Creek.** Greg Wood, County Manager, said that the DOT bridge project on Highway 103 over Flat Shoals Creek is progressing and should be finished according to DOT's schedule.

6. **COUNTY ATTORNEY**

- A. **Resolution to Declare Election Results for SPLOST.** John Taylor, County Attorney, reviewed the Resolution, which must be sent to the State regarding the results of the SPLOST vote. The motion to approve the Resolution was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.

7. **OTHER**

- A. **Surplus Property.** Nancy McMichael, County Clerk, said that the Board of Education has requested that the County trade two cars for one surplus bus, which is needed for inmate transportation purposes. She said that a 2006 Ford Crown Victoria is currently parked at the Vehicle Maintenance Shop, is in relatively good shape, although it is high mileage, and the County does not have a need for same. Greg Wood, County Manager, in response to a question from the Board, said that he is in favor of the trade, and that the County is probably getting the better deal. The motion to declare the Ford Crown Vic (VIN 220578) as surplus and to transfer title of same to the Board of Education was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.
8. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk