

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

March 18, 2014

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. **ANNOUNCEMENT.** Chairman Lange announced that Howard “Bo” Callaway passed away Saturday and said that Mr. Callaway was well-known and had done much in the County and the State and asked that everyone remembered him kindly.
3. **MINUTES.** The motion to approve the minutes of the March 4, 2014, Regular Session, was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.
4. **APPEARANCE OF CITIZENS**
 - A. **Peter Byrd: Charter Communication Complaints.** Peter Byrd, citizen who lives on Plantation Creek Road, appeared before the Board and said that he wanted to shed light on how widespread the problems are with Charter Communications; that he has been a customer since 2003 during which time he has experienced many problems; that he e-mailed his Homeowners Association regarding Charter issues and received 20 replies; that the problems include pixelation on the television, loss of phone service, loss of internet service; that when the phone goes out, the fire and/or burglar alarms sound; that he wanted to submit documentation of his recent issues with Charter; that he wondered if the problems are County-wide; that the FCC regulations stipulate that calls must be answered within 30 seconds but he has been on the phone 8 to 10 minutes, been disconnected; that he has had issues that have taken six months to resolve; that he submitted information regarding a buy-out reimbursement via a website to which he received an e-mail response, but he also sent the information via a certificate of mailing; that he was told it would take 60 days; that he contacted them after 60 days to let them know he had not received a check for the buyout; that he received an e-mail in response that he had waited too long to submit the information; and that he filed a complaint with the Public Service Commission, after which he received a credit to his account. Mr. Byrd asked the Board to poll the County to see how widespread the cable problems are; that there are a lot of people with problems. Chairman Lange said that he was not certain as to what the County could do since Charter has their franchise through the State. John Taylor, County Attorney, said that while most cable franchises are now through the Secretary of State’s office and not through the County, the County does continue to receive the franchise fee; and that in 2008, when this occurred, the Board considered increasing the franchise fee to 5%, but chose to remain at 2% rather than putting more of a burden on the taxpayer. Mr. Taylor said that as part of the legislation in 2008, the state was to develop a process for handling complaints, which was done, but it is very complicated and convoluted process; that the County has received complaints, but that the difficulties endured by Mr. Byrd are consistent with what the County has encountered; that the state statute includes that the County is to handle complaints until it can be determined that 50 percent of the potential subscribers within an affected local governing authority are being offered service by two or more cable or video service providers holding a state or local franchise; and that the County may adopt a resolution to discontinue receiving and handling subscribers’ complaints. Commissioner Langston said that she had received a call from a citizen in District 3 concerning similar issues with Mediacom. Discussion included that the County currently has an obligation to receive complaints and make effort to notify Charter; that there is a mediation process if necessary; that the complaint should be passed on to Charter in a more formal fashion than by phone; that the County could file objections with the State when it comes to renewal for Charter. Mr. Taylor is to review the documents presented by Mr. Byrd, to get them to Charter via formal contact by or for the County, and determine what other action the County can take. There were no objections to moving forward with the resolution for the County to discontinue receiving and handling complaints regarding cable or video service providers. (Documents submitted can be found in “Miscellaneous Documents” file as MD #14-06.)
 - B. **Command Sergeant Major (Retired) Samuel Rhodes: Warrior Outreach.** Command Sergeant Major (Retired) Rhodes, CEO of Warrior Outreach located on Georgia Highway 219 in Fortson, appeared before the Board to give a one-year update on what the Warrior Outreach program has done and is doing. He presented documents regarding what is offered

at Warrior Outreach and said that there are many veterans in the area; that the goal is to establish new ways to do things and cope with PTSD; that four homes of veterans have been worked on this year; that they recently had an event, called "Operation Song at the Warrior Outreach Center" during which song writers from Nashville, Tennessee, participated; that Brittany Lawrence, who lost her husband in Afghanistan, rides horses four days a week and volunteers to help conduct the free riding lessons; that they are "big" on free; that last year more than \$40,000 was used in the community for gas, lunches, local stores, veterans projects, riding events; that they are making a difference in the lives of veterans and their families; that they have received a letter approving their incorporation, so by the end of the month, they should have their 501(c)(3); and that they need more attention on what soldiers are doing. Commissioner Langston said that she is honored to have the Warrior Outreach in District 3, and urged the other Commissioners to visit the facility if they haven't already done so; that what they do is really uplifting; and that while she was there she observed a family of a soldier having a great time. Chairman Lange thanked Sgt. Major on what he is doing and wished him much future success. (Documents submitted can be found in "Miscellaneous Documents" file as MD #14-07.)

- C. **Corey Curley: Warrior Outreach.** Corey Curley, citizen, said that he has been working with Warrior Outreach for over a year with over 500 hours community service; that he works as a volunteer; that the program is about what can be done for veterans and the community; that Sgt. Major is doing a great job; and that any support the County can provide would be greatly appreciated. In response to a question, Mr. Curley said that he had a 15-month tour in Iraq, an overseas tour in Korea, has been stationed in Hawaii, New York, and has nine years in the Army. He concluded by saying that everything at Warrior Outreach is at no charge and really is non-profit.
- D. **Ben Bennett: Warrior Outreach.** Ben Bennett appeared before the Board and said that he has known Sg. Major Rhodes for about 14 years; that when the Sgt. Major called him a year ago, he and his wife moved from Tennessee in order to help at Warrior Outreach; that the soldiers who visit the facility need someone to talk to; that families talk to other families; that the soldiers need stability when; and that Warrior Outreach is helping.
- E. **Alicia Chilton: Warrior Outreach.** Alicia Chilton appeared before the Board and said that from a family prospective, she has seen multiple families come together at the facility; that spouses are able to communicate, as can the children, since they have a common element; that Warrior Outreach is doing something good; that she sees it only getting better; that the more it grows, the more people can get together; and that people drive over an hour to get to the facility.

5. **NEW BUSINESS**

- A. **Audit for FYE June 30, 2013.** Jay Pease and Steven Voynich, of Robinson, Grimes & Co., were in attendance regarding the FYE June 30, 2013, audit. Mr. Pease reviewed the 2012/2013 audit. Following review and discussion, the motion to approve the audit was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.
- B. **Financial Statement: January 2014.** Commissioner Langston tabled action on the January 2014 financial statement until the April 1 meeting.
- C. **Code of Ethics.** Commissioner Langston said that she had been working on a code of ethics for the Commissioners; that she believes such a document is needed; that she would like the Board to consider adopting such; and that she will provide it to John Taylor, County Attorney, for review before presenting same to the Board. There were no objections.

6. **COUNTY MANAGER**

- A. **Bridge on Fortson Road at Standing Boy Creek.** Greg Wood, County Manager, said that he had been contacted by Georgia DOT regarding their plans to replace the bridge over Fortson Road at Standing Boy Creek; that they are entering into the engineering stage; that the project is scheduled to take place in 2016/2017; that the County had apparently committed to pay the right-of-way costs, which are estimated to be around \$53,000 and DOT wanted to confirm same. Following discussion, action was tabled in order to determine if the County had made such a commitment.
- B. **Computer Issues.** Greg Wood, County Manager, said that Windows XP will no longer be supported in April; that a survey of County departments revealed there are at least 24

computers that will be come vulnerable and may need to be replaced depending on whether or not they use the internet; and that while he hopes to be able to make the necessary replacements from this year’s budget, a budget amendment may be necessary before the end of the fiscal year. There were no objections from the Board.

- C. **Northwest Harris Volunteer Fire Department: Waive Special Use Permit Process.** Greg Wood, County Manager, said that the Northwest Harris Volunteer Fire Department (NWHVFD) has purchased property at Pine Lake Road and Monument Road on which to construct a new fire station; that they will be vacating their current location, which is in bad shape; and that he is requesting that NWHVFD not be required to go through the Special Use Permit process. The motion to waive the Special Use Permit process for NWHVFD was made by Commissioner Woods, seconded by Commissioner Langston, and passed unanimously.
- D. **Proposal Award: Insurance Broker/Consultant.** Chairman Lange said that while time is of the essence in this matter, he would like to table action since a couple of things have come to light that need to be determined. Greg Wood, County Manager, said that the top three firms being recommended are MSI of Atlanta, Americare of Columbus, and Strongside Solutions of Cumming, and if the Board wants to review the proposals, they are in the Commissioners’ office. Action was tabled to April 1.
- E. **Proposal Award: Hazard Mitigation Plan Update.** Greg Wood, County Manager, said that five proposals were received, as follows:

Company	Proposal Amount
All Clear Emergency Management Group, Raleigh, NC	\$ 23,500
BOLDplanning, Nashville, TN	\$ 32,000
Lux Mitigation & Planning Corp., Shady Dale, GA	\$ 18,000
Savior Associates, Annville, PA	\$ 24,221
URS Corporation, Atlanta, GA	\$ 22,400

Mr. Wood said that both he and Monty Davis, 911 Director, had reviewed the proposals and that each recommends Lux Mitigation. He also said that he has met the Lux Mitigation proposer a couple of times, but has not worked with her; that he called the references to verify her ability to do the work, all of which were favorable; and that her father-in-law is Ed Westbrook, the GEMA representative for Harris County. Following discussion, the motion to award the Hazard Mitigation Plan Update to Lux Mitigation for \$18,000 was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed with four in favor (Loudermilk, Langston, Lange, Woods) and one opposed (Wyatt). (Document can be found in “Contracts & Agreements” file as C&A #14-02A.)

- F. **Animal Shelter & Humane Society Rabies Clinic.** Greg Wood, County Manager, announced that the Harris County Animal Shelter and the Harris County Humane Society will be hosting a rabies clinic and adopt-a-pet program at the Animal Shelter on Saturday, April 26.
- 7. **COUNTY ATTORNEY.** John Taylor, County Attorney, said that he had no business to discuss with the Board this evening.
- 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