

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

July 15, 2014

7:25 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 at 7:25 PM due to extended time needed to complete the Appeal Hearing of Edward Walker.
2. **MINUTES.** The motion to approve the minutes of the July 1, 2014, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.
3. **APPEARANCE OF CITIZENS**
 - A. **Charlene Mehlenbeck: Cutting Budget & Spending.** Charlene Mehlenbeck, citizen, appeared before the Board and said that Commissioners need to start cutting taxes to lower property taxes. She also discussed various costs related to the recent ACCG Conference, held in Savannah, to include hotel costs, registration costs, meal allowances, mileage reimbursement. She suggested that the Commissioners should pay their own expenses to attend classes or conferences and she reviewed the check in date, classes attended, and check out date of each Commissioner and the County Attorney, and said that she understands the Westin was where the conference was held and she probably would have stayed there herself. She concluded by saying that she would like to see more information on the website to include minutes and forms, and that employees should be sent to classes.
 - B. **Scott Moye: JCG/Koch Foods.** Scott Moye, citizen, appeared before the Board to discuss the status of his complaints made during the July 1 meeting (trash, water run-off, horn blowing by trucks, and noise from the boiler). He thanked Chairman Lange and Commissioner Langston for meeting with him and walking around the area. He asked if the County had done anything regarding his concerns of the last meeting.

Greg Wood, County Manager, said that he had met with the new Plant Manager, provided them a copy of the concerns discussed at the last meeting and reviewed same; that they are looking at the parking lot; that he looked at the cross drain; and suggested that DOT be contacted about the cross drain, stopping the cross drain, and made more retention areas to help stop the water, which is probably all the County can do about the water; that the stormwater retention needs to be addressed.

Discussion included that when the water in the ditch rises, it goes onto Mr. Moye's property; that retention ponds need to be in front of the building with the water pumped back to the slurry ponds; that one way to get this done might be to withhold the majority of the water sold to Koch's on a daily basis; and that the County Manager will be visiting with the new Plant Manager on a regular basis.

Chairman Lange said that he visited the area yesterday and observed run-off, but whether it was soap or chemicals, he doesn't know, but there is no doubt there is a problem; that the responsibility lies for the most part with Koch Foods and some with the County; that the County needs to do whatever it can; that the cleaning of the live chicken trucks runs towards the street; that something runs out of the refrigerated trucks of the final product; that somehow that has to be stopped or bermed and then pumped back; and that it won't be an overnight fix, but it has to be started.

Regarding the trash, Mr. Moye said that is almost solved, and Chairman Lange said that as long as they continue to work on the trash, that is good.

Regarding the noise, Chairman Lange said that the County doesn't control the truck drivers, but plant management can be notified about the issue; that there are things the County can pursue and follow up; that there needs to be regular meetings with

management at Koch Foods; that he will be a part of those meetings along with the County Manager; and that when talking about solutions, he thinks one or two people from Pine Mountain Valley should also be part of the discussion with Koch Foods.

Commissioner Wyatt said that water is used everyday, and asked why what is not made into ice is dumped around 3:00 AM. Mr. Wood said that may be the cleaning shift, and Chairman Lange said that is something that should be discussed in the meetings. Discussion included that there may be Health Department violations; and that the County Manager will contact the Health Department.

Commissioner Langston said that she has visited the area three times; that she didn't see trash on the roads either time she was there; that regarding the run-off, Mr. Wood and Chairman Lange will be involved with that so hopefully it can be resolved; and that the third time she visited, right after lunch around 1:00 or 2:00, there was a slight odor in the air. Mr. Moyer said that the odor is usually worse around 7:00 in the morning, but that he can't say it is at 7:00 every morning.

Discussion included that that Koch bought the property just past the store (Billy Bob's Too), which is down hill, and it was suggested that Koch put in an entrance on that property for the trucks, which would cut half the water off from the front of the plant.

Mr. Wood said that in addition to contacting the Health Department, he will also be contacting EPD, and Mr. Moyer said the he plans to be back at the next meeting.

- C. **Bobby Haralson: JCG/Koch Foods.** Bobby Haralson, citizen, appeared before the Board and said that because he didn't hear everything that was said, he'll have to wait three weeks to find out what went on; that an investigative reporter is needed to turn over two or three rocks to see what is going on; that if it was done in 2012, he wouldn't be here tonight; that there was no input from citizens regarding the \$250,000 given to Koch; that in 2012, changes were made to the Open Meetings Open Records law and were in effect in June 2012 when the County turned over Cagle Drive to Cagle's; and that he understands the law says that anything to be brought up has to be on the agenda and is supposed to be posted seven days before the meeting. Chairman Lange cautioned Mr. Haralson that his comments were supposed to be related to Koch Foods. Mr. Haralson had no further comment.

4. **OLD BUSINESS**

- A. **Consulting Engineer Services for Plat and Plans Review.** Greg Wood, County Manager, said that a proposal had been received in connection the plat and plans review, but due to the costs, he requested permission to request proposals so that prices can be obtained from other companies. There were no objections.
- B. **Fees (Permit, Inspections, Plat Reviews, Construction/Building Reviews, etc.).** Greg Wood, County Manager, said that due to the time it is going to take to discuss the proposed fees, it is suggested that it be done in a Work Session. Consensus was to hold the discussion during a Work Session on August 19.
- C. **Radio System Update.** Greg Wood, County Manager, said the Sheriff's vehicles and EMS vehicles will have gateways that act as repeaters, which will help the volunteer fire departments with their handheld radios; and that everything should be in place by August 1. In response to a question from Commissioner Wyatt, the police departments of Pine Mountain, Shiloh, Hamilton and Waverly Hall will be provided with handheld units, but is not sure when they will be in place.

5. **NEW BUSINESS**

- A. **Financial Statement: May 2014.** The motion to approve the May 2014 financial statement was made by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.

- B. **Juvenile Drug Court Grant Application**. Commissioner Loudermilk explained that there is an existing Juvenile Drug Court in Muscogee County; that the program has been in operation 14 years and has been very successful; that a request is being made to apply for a three-year grant of approximately \$300,000 to expand the Juvenile Drug Court into Harris County; that the grant would be for \$225,000 for which a 25% match (of \$75,000) is required and that a private source has pledged to provide the 25% match so there would be no cost to Harris County; and that the grant, if awarded, would be administered by Muscogee County. The motion to approve the grant application was made by Commissioner Woods, seconded by Commissioner Wyatt, and passed by a vote of four in favor (Woods, Wyatt, Lange, Langston), no opposition, and one abstention (Loudermilk, since he is a Juvenile Court Judge).
- C. **Community Center Open House**. Commissioner Woods said that due to recent conversation about loss in revenue at the Community Center; that he was asked to propose an Open House at the Community Center; that the person who has requested it will provide the punch and cookies for it; that it will be an opportunity for people to visit the facility; that another citizen will provide the advertising of the event; and that the County look at pro-actively increasing the programs offered at the Community Center. There were no objections to having an Open House.

6. **COUNTY MANAGER**

- A. **SPLOST and Waverly Hall Volunteer Fire Department**. Greg Wood, County Manager, said that in the 2009 SPLOST, there was a line for EMS/Fire Equipment and Construction but in April 2012, the Board took action to define what would be purchased from the remaining 2009 funds, to include fire equipment; that a request has been made from Waverly Hall for \$35,000 from SPLOST to help with the construction of a bay to house the engine they received from Melody Lakes; and that he is asking for clarification. There were no objections to providing the \$35,000 for the building addition.

7. **COUNTY ATTORNEY**

- A. **First Amendment to Intergovernmental Agreement with Public Improvements Authority re: Community Center Build American Bonds Reallocation**. John Taylor, County Attorney, said that there is approximately \$840,000 remaining in the bonds for the Community Center; that all the funds must be spent or face issues with the IRS; that the law allows the reallocation of the remaining funds to be used toward purchases made from General Funds or SPLOST Funds during the same time frame; that a Resolution was approved by the Board on April 22 to reallocate the bonds; that by using the remaining bond funds will reimburse the County's General Funds or SPLOST funds, thus freeing up funds for other needs; and he recommended approval of same. The motion to approve the agreement was made by Commissioner Langston, seconded by Commissioner Wyatt, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #14-21.)
- B. **Agreement with Court Dowis: Ground Lease for Corporate Hangar at Airport**. John Taylor, County Attorney, reviewed the document to include that the lease is for property to build a 10,000 square foot hangar; rented to him at the cost of \$.30 per square foot, or about \$3,000 a year; that every three years, the lease cost will be reviewed and adjusted based upon the consumer price index; that it is for a 20 year lease with two 10-year renewal options; that the construction costs of the hanger will be paid by Mr. Dowis and his investors; that construction will be to Harris County building code standards; that the design of the hangar is to be approved by the Board; that there will be a right to sub-lease the property; that the hangar is for the storage of airplanes; that the hangar must comply with FAA and State of Georgia aviation regulations; and that the typos contained within will be corrected. He recommended approval. Discussion included that the Airport is referred to both Callaway Gardens Airport and the Harris County Airport; that a caveat is needed so that no vehicles can be stored in the hangar, except for temporary vehicle parking when the airplane is out; that if Mr. Dowis and his investors were to lose the building to the bank, the building

remains on the property and cannot be removed; and that the reference to “administration of aircraft maintenance business” will be limited solely to the aircraft stored in the hangar. The motion to approve the agreement, pending the revisions discussed, was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously. (Document can be found in “Contracts & Agreements” file as C&A #14-22.)

8. **REQUEST FOR EXECUTIVE SESSION.** Greg Wood, County Manager, requested an Executive Session for the purpose of discussing real estate acquisition or disposition.
9. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing real estate acquisition or disposition was made at 8:25 PM by Commissioner Wyatt, seconded by Commissioner Woods, and passed unanimously.
10. **RESUME REGULAR SESSION.** The motion to resume the Regular Session was made by Commissioner Wyatt, seconded by Chairman Lange, and passed unanimously.
11. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Wyatt, seconded by Commissioner Loudermilk, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk