

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

May 19, 2015

7:00 P.M.

Commissioners Present: J. Harry Lange, Joey Loudermilk, Martha Chewning, Becky Langston, Jim Woods. 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. **PLEDGE OF ALLEGIANCE.** Chairman Lange asked Nancy McMichael, County Clerk, to lead the Pledge of Allegiance, and she complied.
3. **MINUTES.** The motion to approve the minutes of the May 5, 2015, Regular Session was made by Commissioner Woods, seconded by Commissioner Chewning, and passed with four in favor (Woods, Chewning, Lange, Langston), no opposition, and one abstention (Loudermilk, who was absent from the May 5 meeting).
4. **APPEARANCE OF CITIZENS**
 - A. **Caroline Earley: Harris County Library Board.** Caroline Earley, citizen, appeared before the Board and said that she is concerned with the makeup of the Library Board which is appointed by the Commissioners; that most of the current appointees are from District 2; and that when current terms expire, the Board should consider appointing citizens from other districts.
 - B. **Cathy Flournoy, Rickey Flournoy and David Taylor: Washington Road Status.** Cathy Flournoy, Rickey Flournoy and David Taylor, citizens who live on Washington Road, appeared before the Board to discuss the status of the paving of Washington Road. Discussion included that the deed from Reynolds is expected soon; that negotiations will take place regarding the Crye property; that if no agreement is reached with Crye, the paving of the road could stop at his property line, he could be compensated for his acreage, or the County could take legal action; that if all goes well, paving should be completed by the end of October.
5. **OLD BUSINESS**
 - A. **Computers for Sheriff's Vehicles.** Chairman Lange said that action had been tabled from the April 21 and May 5 meetings pending determination as to where the funds for paying for the computers and installation would come. Greg Wood, County Manager, said that the Sheriff will not be back until next Tuesday and requested that the invoices be paid with the decision on where the funds should be taken tabled to the next meeting. Following a brief discussion, there were no objections to paying the invoices totaling \$109,477 or to tabling the discussion regarding the funding until the next meeting.
 - B. **Clarification: Hamilton Cemetery Issues.** Commissioner Chewning said that there appeared to be some misunderstanding about the role of the Hamilton Cemetery Association (Association) regarding the east section of the cemetery; that the Association is not an adversary in this matter; that the Association is a private, non-profit organization that was formed many, many years ago to maintain the graves of families of the members of the organization; and that the issue at hand is who should or will maintain the east section of the cemetery over which the Association has never maintained.

Alex Garrett, citizen, and member of the Association said that Commissioner Chewning had explained the situation to his satisfaction.

Don Newberry, citizen, and member of the Association also said that Commissioner Chewning had explained the situation to his satisfaction.

Ransom Farley, citizen, appeared before the Board and said that 95% of the families of the people buried in the black cemetery have died and the remaining 5% are older than he is; that he tries to maintain his section of the cemetery; that he is asking for assistance in bushhogging the middle section of the cemetery, where there are no trees, and that once the grass is at a manageable level, he will try to keep the area mowed. He then gave a brief history of the black cemetery, which included that there are three iron crosses in one section marking the graves of three prisoners from the prison.

Jill Raines, citizen, appeared before the Board and said that she is friends with Andrea McNally, that both are genealogists; that she has traveled to many cemeteries doing research and that the condition of the east section is the worst she has ever seen.

Andrea McNally, citizen, appeared before the Board and said that she and Ms. Raines have researched County records regarding the east section of the cemetery; that she doesn't think of it as a black cemetery, it's just a neglected cemetery; that records show some of Mr. Farley's relatives may be actually be buried in the cemetery managed by the Association and the fence, according to records, may be in the wrong area; that one of the people buried there is Juan Martinez, who was buried in 1986; that one individual is from the Spanish-American War; and that something needs to be done regarding the neglect that has taken place.

Commissioner Langston said that there are citizens willing to volunteer their time to help maintain the cemetery; and that the Commissioners have been looking at this issue for two years and nothing has been resolved.

Jim Gilliam, citizen, said that there is frustration involved when people around the country have indicated their concern about the situation with the Association, but when asked if they would like to take it over, no one is willing to do so.

Following discussion, there were no objections to having a survey performed of that portion of property shown on the tax assessor's map as containing 5.01 acres bounded on the west by the Hamilton Cemetery Association, the north and east by the city of Hamilton, and the south by homes that front Barnes Mill Road in order to determine boundaries and ownership. Greg Wood, County Manager, is to have the survey done.

6. NEW BUSINESS

A. **Department of Defense/BRAC Update: Gary Jones.** Gary Jones, Vice President of Military Affairs, Columbus Chapter, appeared before the Board, distributed information, and reviewed a PowerPoint presentation of the Department of Defense Update. In conclusion, Mr. Jones asked the Board to consider committing to \$15,000 a year for four years, and if that amount is not possible, whatever amount contributed would be welcome to help fight the proposed cuts to Fort Benning, which will impact Columbus and Harris County.

B. **Amendment to Alcoholic Beverage Ordinance: Reduce Age for Serving Alcohol.** Chairman Lange said that this had been tabled from the April 7 meeting and that the amendment had been requested by Commissioner Woods. Commissioner Woods said that the ordinance prohibits wait staff under the age of 21 from serving alcoholic beverages; that it keeps young people from working in restaurants; that reducing the age to 18 would allow more young people to work. Chairman Lange read the current wording, in Section 6-64 of the Alcohol Ordinance and said the only change being considered is to change "21" to "18". John Taylor, County Attorney, said that the State law allows people age 18 and above to serve alcoholic beverages. Chairman Lange said that two people had signed up to speak on this matter.

Edward Callaway, of Callaway Gardens, said that while the Country Store has a license to sell beer and wine on premises it came to their attention that servers under 21 could not serve alcoholic beverages; that young people graduating high school often work as servers in restaurants in order to make money for college; requiring

people to be at least 21 to serve alcohol limits the employment opportunities of young people; that reducing the age to 18 will help keep young people in Harris County; and that he supports reducing the age from 21 to 18.

Diane Leonard, of Callaway Gardens, said that requiring wait staff to be at least 21 to serve alcohol makes it difficult to hire staff; that while one person can be kept on hand to serve drinks, that one person can't keep up with the demand during busy times at the restaurant; that reducing the age to 18 will certainly help with employment as well as staffing needs.

There being no further comments in support or opposition, Chairman Lange asked if there were any comments from the Board.

Commissioner Woods said that a person age 18 can sell alcoholic beverages in establishments with off-premises licenses and that he doesn't see any difference in allowing those 18 to sell and serve in establishment with on-premises licenses.

Commissioner Woods then made the motion to approve the amendment to reduce the age for the serving of alcoholic beverages in on-premises establishments from 21 to 18. Commissioner Chewning seconded the motion.

Discussion included that Commissioner Loudermilk said that as a father and Juvenile Court Judge, he cannot support reducing the age from 21 to 18, and that one of his children almost died as a result of using alcohol and driving; that Commissioner Langston said that she does not support the amendment, because young people face tremendous peer pressure and may be more apt to serve their friends; that Chairman Lange said that this is a difficult decision in trying to keep young people working in Harris County versus their exposure to alcohol; and that Commissioner Chewning said that it is the alcohol license holder who is held responsible for the actions of his staff, and that the amendment has nothing to do with reducing the age in connection with drinking.

The amendment failed by a vote of two in favor (Woods, Chewning) and three opposed (Lange, Langston, Loudermilk).

- C. **Request from Recreation Board to Allow Documents via E-Signature.** Chairman Lange said that the Recreation Board is requesting to amend two of the appendices to the By-Laws in order to allow documents to be signed via E-Signature. John Magazu, Recreation Director, said that currently Appendix B (Rules & Regulations and Conduct for League Officials) and Appendix D (Youth Sports Association or Sports League Agreement) indicate that the original forms are to be on file in the Recreation Office; that they currently receive approximately 5,000 forms for all the different sports; that allowing e-signatures will be faster not only for those signing the forms but also for his office; and that the sports associations would like to be able to submit forms with e-signatures.

Mark Parsley, chairman of the Harris County Football League, appeared before the Board and said that the company they use for electronic registration, Watch Me Go Pro, is a very reliable company; that there will be no cost to the Recreation Department, at least initially, for the use of the registration program; and that with technology, there's no reason not to use e-signatures.

Following discussion, the motion to approve changing Appendices B and D to allow e-signatures was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.

7. **COUNTY MANAGER**

- A. **Water Rates: Homeowner Associations and Churches.** Greg Wood, County Manager, said that action is needed by the Board regarding water rates charged to Homeowner Associations (HOAs) and churches and that it is suggested that if they are non-profit they are charged residential rates but if there are commercial/for-profit

ventures they are charged commercial rates. Following discussion, consensus was that HOAs and churches should be charged residential rates; that if they have commercial/profit ventures they will be charged the commercial rate unless there is a meter for each use, for which they would be charged the applicable rate. Following discussion, the motion to charge HOAs and churches as described was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.

B. Park Property on Georgia Highway 208: Survey Update and Clear Cutting.

Greg Wood, County Manager, said that he is requesting approval to move forward with updating the survey of the property on Highway 208 and the clear cutting of the property, except for select trees to be left to provide shade for various recreation activities. Following discussion, the motion to approve the request was made by Chairman Lange, seconded by Commissioner Loudermilk, and passed unanimously.

8. **COUNTY ATTORNEY.** John Taylor, County Attorney, said he had no business to discuss with the Board this evening.
9. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing personnel was made at 9:17 PM by Chairman Lange, seconded by Commissioner Chewning, and passed unanimously. The Chairman stated that the County Attorney, the County Manager, and the County Clerk were not to be part of the Executive Session.
10. **RESUME REGULAR SESSION & ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Chewning, seconded by Commissioner Woods, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk