

**HARRIS COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION**  
October 20, 2015  
7:00 P.M.

Commissioners Present: J. Harry Lange, Joey Loudermilk, Martha Chewning, Becky Langston, Jim Woods. Staff Present: John Taylor, County Attorney; Greg Wood, County Manager; Sherrail Jarrett, Acting Secretary in the absence of Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER**. Chairman Lange called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE**. Chairman Lange asked Paul Glick, County Finance Officer, to lead those in attendance in the Pledge of Allegiance, and he complied.
3. **MINUTES**. The motion to approve the minutes of the October 6, 2015, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed with four in favor (Loudermilk, Woods, Chewning, Langston), no opposition, and one abstention (Lange, who was absent from the October 6 meeting).
4. **APPEARANCE OF CITIZENS**
  - A. **Carrie Copeland: Paving of Louie Copeland Road**. Carrie Copeland, citizen, appeared before the Commissioners to request that the Board consider paving Louie Copeland Road due to its poor condition, and some of the road does not allow two-way traffic. Following Ms. Copeland's comments, the Board indicated that at this time, the road will be looked at to make any necessary repairs, and that Ms. Copeland has previously been advised by the County Clerk of the procedure for paving.
  - B. **Phil McGuire: Leash Law and Dog Attack**. Phil McGuire, citizen of Pine Mountain Valley, appeared before the Board regarding a recent incident whereby he was attacked by four (4) pit bull dogs. Mr. McGuire said that he walks 5 to 7 miles on the days he is off duty from his work as a Firefighter in LaGrange; that on October 11, he was walking on North L Street in Pine Mountain Valley; and that he has done this same walk several times before and encountered the dogs with no issues, but on October 11, the same dogs (pit bulls) attacked him without any warning or provocation. He showed pictures of his injuries, which resulted in 29 stitches, and said he received bites on both calves, the quads in the back, and both arms. He continued by saying that the dogs, at the time of the attack, had not been vaccinated for rabies, so he is going through the required series of shots; that he carries a walking stick and was using it to defend himself; that the owners were home and were able to get the dogs off him; that the dogs have been impounded/quarantined by the County and the owners have been sent certified letters classifying the dogs as dangerous dogs; and that he feels if the owners had not been home, he may have ended up dead. He asked if there is a leash law in the County, and John Taylor, County Attorney, responded that there is a leash law but that it is limited to subdivisions, defined as a minimum of 10 residential lots of 2 acres or lrrd in the Animal Control Ordinance and that it would not apply to subdivisions with larger lots or to rural areas not in subdivisions. Mr. McGuire said that he understands Pine Mountain Valley is a subdivision, to which Mr. Taylor replied that it is not as it does not meet the subdivision definition in the Ordinance. Mr. McGuire said he would like to see something done to protect the citizens from such dogs. In response to questions, Mr. McGuire said that one person owns three (3) of the dogs and another person owns the other dog. Following discussion, which included Mr. Taylor saying that one way to solve the issue is to apply the leash law county-wide rather than just to subdivisions, the Board indicated their displeasure in what happened and that Mr. Taylor will review the Animal Control Ordinance.
5. **OLD BUSINESS**
  - A. **2016 LMIG Road List**. Greg Wood, County Manager, said that due to information that has come to light from GDOT, he suggested that Licksillet Road be placed on the LMIG list for paving rather than Fortune Hole Road. Following discussion, which included an update regarding patching a section on Madison Way, Commissioner Chewning withdrew her motion for Fortune Hole Road, and Commissioner Langston withdrew her second. Commissioner Woods then made the motion to have only Licksillet Road on the LMIG list, which was seconded by Commissioner Langston, and passed unanimously.
  - B. **Resurfacing of Roads**. Chairman Lange asked Mike Brown, Public Works Director, about the resurfacing of roads as to if section-paved roads is the way to go, especially on the longer roads, and asked for a report regarding same. Mr. Brown said that each road is a little different; that some roads could be section-paved, depending on the length and condition, but most of the time, the whole road needs to be paved. Greg Wood, County Manager, said that when a bridge is involved, section-paving could be done without problems.
6. **NEW BUSINESS**
  - A. **Financial Statement: August 2015**. The motion to approve the August 2015 financial statement was made by Commissioner Woods, seconded by Commissioner Chewning, and passed unanimously.

- B. **First Reading: Application for Beer & Wine On-Premises at Lake Harding Marina Restaurant, 45 Bonnie Drive, Fortson.** Chairman Lange read the specifics of the application and said that it had been recommended for approval by the Sheriff's Office and the Health Department, but that Community Development had recommended disapproval for two reasons (1) business does not have the minimum 20 parking spaces required for on-premises licenses, and (2) on-premises licenses require that the business be located a minimum of 200 yards (600 feet) from the nearest residence, and it is located only 332 feet from the nearest residence. Steve Kennedy, applicant, appeared before the Board and said that the Marina project turned into a larger project than anticipated; that adding the restaurant was conceived after the fact when the lake population indicated there was no place to eat on the lake; that the convenience store and fuel pumps opened; that for the restaurant, the Health Department required a larger septic system, which resulted in a massive septic system bigger than the condominiums nearby; that the local residents are looking forward to the restaurant; that 20 parking spaces are laid out, but when Code Enforcement came out, dumpsters and storage trailers were on the lot, so it was impossible to see how 20 parking spaces might be available, but there are 20 parking spaces on the water alone; and that because of their unique situation of being on the water, with the restaurant upstairs on the same business as an off-premises license (the Marina), he would like the Board to consider granting the license.

Chairman Lange asked if anyone wished to speak in favor or in opposition to this application. There being none, he asked if there were any questions from the Board. In response to questions from the Board, John Taylor, County Attorney, said that the Alcohol Ordinance does not allow flexibility regarding the lack of parking spaces or reducing the distance to the nearest home; that the only way to allow such would be to amend the Alcohol Ordinance after which another application could be made at a later date; and that the waiving of objections from any nearby residences would not help or be beneficial. Discussion included that including the boat parking may be possible; and that no brown bagging is permitted anywhere in the County.

- C. **Appointment: Recreation Board.** Chairman Lange said that Mike Fuson, an "at large" member of the Recreation Board had resigned from the Recreation Board. Commissioner Langston made the motion to appoint Aaron Wine to complete Mr. Fuson's term, which expires December 31, 2017, and advised the Board of Mr. Wine's background. The motion was seconded by Commissioner Chewing, and passed unanimously.
- D. **Request for Executive Session.** Commissioner Langston asked for an Executive Session for the purpose of discussing a personnel matter.

## 7. **COUNTY MANAGER**

- A. **Change Order: Washington Road (25 mph modification).** Greg Wood, County Manager, said that by reducing the speed limit on Washington Road, we would eliminate having to move four of the power poles (a cost of \$32,000). Discussion included that the cost to change engineering design standards for 25 mph would be \$2,500; that 25 mph where all the lots are two acres or more is not favorable; that Georgia Power is who indicated that four poles would not have to be moved; that while the current speed limit is 35, people tend to drive faster; that 25 mph is more favorable in a subdivision; that posting speed limits does not reduce driving speeds per GDOT; that if the design standards change for 25 mph and people drive faster, it would create a more dangerous situation; and that while citizens requested the 25 mph, no promises were made regarding same. The motion to build a safe road at 35 mph, thus disapproving the change order of \$2,500 to re-engineer the plans for 25 mph, was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.
- B. **Pandemic Meeting.** Greg Wood, County Manager, said that he had attended the Ebola conference today; that the focus is more on any pandemic that may occur in the County or the Country; that they also discussed Avian Flu and the increase in egg prices due 48 million birds having been killed because of the Avian Flu; and that there is concern regarding bird hunters because the wild birds (turkey, duck, quail, etc.) may contract same, which while not necessarily contractible by humans, care should be taken in handling the birds. Discussion also included that people with backyard birds should also be cautious as their birds can intermingle with wild birds, and that should they have birds that are sick/dying, the health department should be notified.
- C. **Springsted Compensation & Update.** Greg Wood, County Manager, said that as of this afternoon, the job evaluations have been completed and some job audits, where they will actually see the job functions, will probably be needed; and that he will provide that information to the Board upon receipt.

## 8. **COUNTY ATTORNEY**

- A. **Agreement: Georgia Power Company for Relocation of Power Poles on Washington Road.** John Taylor, County Attorney, reviewed and discussed the agreement regarding the relocation of power poles on Washington Road; that the cost will be lesser of \$81,758 or the corresponding percentage of actual relocation; and that he recommended approval of same. Following discussion, the motion to approve this agreement was made by Commissioner Woods, seconded by Commissioner Chewing, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #15-35.)

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