

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
December 15, 2015
7:00 P.M.

Commissioners Present: J. Harry Lange, Joey Loudermilk, Martha Chewning, Becky Langston, Jim Woods. Staff Present: John Taylor, County Attorney; Nancy D. McMichael, County Clerk. Staff Absent: Greg Wood, County Manager (due to surgery).

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE.** At the request of Chairman Lange, Lynda Dawson lead those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the December 1, 2015, Regular Session was made by Commissioner Loudermilk and seconded by Commissioner Chewning, and passed unanimously.
4. **APPEARANCE OF CITIZENS**
 - A. **Shannon Klein: Sheriff's Sign.** Shannon Klein, citizen, appeared before the Board regarding the recent sign the Sheriff erected at the Sheriff's Office and said that the sign does not speak for all the citizens of the County and requested that the Commissioners help remove the sign recently posted by the Sheriff. She said that the county is made of many different voices that one sign could ever encompass; that people should not be encouraged to fight over differences or to be told to leave when offended; that such a sign or official should not lead people into division and ungracious, unneighborly actions; and that we all need to keep being good neighbors. She concluded by thanking the Commissioners for the job they do in representing the citizens and for allowing her to speak.
5. **OLD BUSINESS**
 - A. **Second Reading: Ordinance to Amend Alcohol Ordinance.** Chairman Lange said that this was the Second Reading to amend the Alcohol Ordinance regarding parking spaces and changing the distance requirements to 100 yards for churches, residences, or lots zoned for residential purposes, to 200 yards for schools. John Taylor, County Attorney, discussed the changing of the required parking spaces for on-premises licenses from a minimum of 20 to a minimum of 10. There being no comments from the Board, he asked if anyone in attendance wished to comment on the amendments. There being none, he asked for a motion. The motion to approve was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.
 - B. **Second Reading: Application for Beer & Wine On-Premises at Lake Harding Marina Restaurant (located above Lake Harding Marina), 45 Bonnie Drive, Fortson.** Chairman Lange said that this was the Second Reading for this application. He said that the Sheriff's Office and Health Department had recommended approval, but that the Community Development Office had recommended disapproval based on having less than the minimum number of parking spaces and being too close to a residence, but because of the amendments just made to the Alcohol Ordinance those issues are no longer applicable. With that, he asked if there were any comments from those in attendance. There being none, he asked for comments or motion from the Board. The motion to approve this application was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.
 - C. **Second Reading: Ordinance to Amend Quotes, Bids and Proposals Ordinance.** Chairman Lange said that was the Second Reading to amend the Ordinance regarding quotes, bids and proposals, that included limiting the amount for written quotes to \$15,000 and requiring sealed bids for purchases of \$15,000 or more. He then asked if there were any comments from those in attendance. There being none, he asked for comments or motion from the Board. The motion to approve was made by Commissioner Woods, and seconded by Commissioner Chewning. Commissioner Chewning said that the words "not more" in Section 2-4.1(b) and (c) should be changed to "less". Commissioner Woods amended his motion to approve to include the word change, and Commissioner Chewning amended her second. Commissioner Woods then explained that the main reason to increase the cost limits was because sealed bids can take three to five weeks to accomplish before the results are back to the Board for action. The motion passed unanimously.

- D. **Second Reading: Resolution, Ordinance & User Agreement Regarding Purchasing Cards and Credit Cards for Elected Officials.** Chairman Lange said that this was the Second Reading for an Ordinance mandated by the State Legislature regarding the use of purchasing cards and credit cards by Elected Officials. Discussion included that while one elected official (Sheriff) maintains a credit card, the remaining elected officials are temporarily issued a credit card for travel and training purposed as needed. John Taylor, County Attorney, briefly reviewed the documents and recommended same for approval. Chairman Lange then asked if there were any comments from those in attendance. There being none, he asked for comments or motion from the Board. The motion to approve the Resolution, the Ordinance, and the User Agreement was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously. (User Agreement can be found in "Contracts & Agreements" file as C&A #15-40.)

6. **NEW BUSINESS**

- A. **Library Architect Approval & Authorization to Execute Contract.** Chairman Lange introduced Keith Schuermann, director of Troup-Harris Regional Library, and asked Mr. Schuermann to discuss the selection of the architect for the new library. Mr. Schuermann said that proposals were solicited by the Harris County Library Board for an architect; that the solicitation was properly advertised; that there were eight responses; that the Library committee narrowed the field down to six who then each made a presentation to the committee; and that ultimately 2WR of Columbus, GA, was selected. He asked that the Board approve the selection of 2WR whose fee is 5.75% of the total budget, which is currently set at \$4.825 million, and that the fee is all inclusive to include the design, the construction, the furnishings, and the cost for a library consultant. Following discussion, the motion to approve the selection of 2WR and to authorize the execution of the contract regarding same by the Chairman, pending review and recommendation of John Taylor, County Attorney, was made by Commissioner Woods, seconded by Commissioner Chewning, and passed unanimously. Chairman Lange commented that once the design work is completed, same will come back to the Board for approval before construction. (Contract can be found in "Contracts & Agreements" file as C&A #15-41.)
- B. **Financial Statement: September & October 2015.** Chairman Lange asked several questions pertaining to Operations (Department 35) to which Paul Glick, Finance Officer, responded and included: The amount indicated for gas and diesel is due to same being purchased but not yet charged out to the departments using same; that for Airport support, the amount is due to fuel purchases that have not yet been charged back out; that for Courthouse Security, the amount is due to AC issues; that for the Contingency Fund, the amount is due to a dispute regarding the phone contract with AT&T, which is hoped to soon be settled; that for CDBG, the amount is being held awaiting funding; and that for Radio, the amount is for a radio tower. Following discussion, the motion to approve was made by Commissioner Woods, seconded by Commissioner Chewning, and passed unanimously.
- C. **Appointments & Reappointments to Various Boards, Authorities and Committees.** Chairman Lange asked for motions regarding any changes, resulting in new appointments, to any of the various boards, authorities and committees.
- (1) **Construction Board.** The terms of Chance Carlisle (builder), Joey Teel (citizen), and Ray Underwood (professional) expired June 30, 2016, and all have consented to reappointment to terms ending June 30, 2019. There were no nominations to appoint others to this Board.
 - (2) **Development Authority.** The terms of Lynda Dawson (District 1) and David King (District 2) expire December 31, 2015, and both have consented to reappointment to terms ending December 31, 2019. Commissioner Chewning made the motion to appoint Jayson Johnston, president of the Harris County Chamber to represent the Chamber's interests on the Authority, to take the place of Mrs. Dawson, whom she thanked for her service to the County. The nomination was seconded by Chairman Lange.
 - (3) **Elections & Registration Board.** The terms of John Adams and Pam Jackson expire December 31, 2015, and both have consented to reappointment to terms ending December 31, 2019. There were no nominations to appoint others to this Board.

- (4) Family & Children Services. The term of Phoebe Dawson expired June 30, 2015, and the DFCS Board has recommended her reappointment to a new term ending June 30, 2020. Lynda Marlow resigned and the DFCS Board has recommended that Janice Harris be appointed to complete Mrs. Marlowe's term, which expires June 30, 2017.
- (5) Board of Health. The term of Ann Bacher expires December 31, 2015, and Mrs. Bacher did not consent to reappointment; therefore, the Board of Health has recommended Bill Searcey be appointed to take the place of Mrs. Bacher, with a term ending December 31, 2021.
- (6) Housing Authority. The terms of J.R. "Red" Beall and Pam Jackson expired October 31, 2015. While Mr. Beall did not consent to reappointment, Ms. Jackson did. There was no nomination of an individual to take the place of Mr. Beall but same is expected during the January 5, 2016, meeting.
- (7) Mental Health, Development Disabilities & Addictive Diseases Advisory Board. The term of James Taylor expired June 30, 2015, and Mr. Taylor did not consent to reappointment. There was no nomination of an individual to take the place of Mr. Taylor but same is expected during the January 5, 2016, meeting. Commissioner Chewning said that she has an individual in mind, but needs information on the MHDDAD Board, what they do, qualifications, etc.
- (8) Planning Commission. The term of Chad Kimbrough (District 2) expires December 31, 2015, and he consented to reappointment. Ron Gibson (District 4) resigned his position, and Chairman Lange nominated John Gay to complete Mr. Gibson's term, which expires December 31, 2015. The nomination was seconded by Commissioner Loudermilk.
- (9) Public Improvements Authority. The terms of Harry Lange (Commissioner) and Greg Wood (County Manager) expired June 30, 2015, and both consented to reappointment. There were no nominations to appoint others to this Authority.
- (10) Recreation Board. The terms of Robert Grant (At Large) and Heather Hajek (Mtn. Hill YSA) expire December 31, 2015, and both have consented to reappointment. There were no nominations to appoint others to this Board.
- (11) West Georgia Region 7 EMS Council. The term of Jimmy Carver expired June 30, 2015, and the WGR7 EMS Council has recommended that Mr. Carver be appointed to another term to expire June 30, 2017. There were no nominations to appoint others to this Council.
- (12) Zoning Adjustments, Board of. The terms of Doug Bryant (District 5) and Chris Butzon (District 4) expired September 30, 2015. While Mr. Bryant did not consent to reappointment, Mr. Butzon did. Commissioner Loudermilk said he had an individual in mind to replace Mr. Bryant, but was not yet ready to make the nomination. The nomination is expected to take place during the January 5, 2016, meeting.

The motion to approve (1) the appointment of Jayson Johnson to the Development Authority, (2) the appointment of John Gay to the Planning Commission, and (3) the reappointment of all others, except for the vacancies left by the resignation or non-consent of J. R. "Red" Beall (Housing Authority), James Taylor (MHDDAD Board), and Doug Bryant (Board of Zoning Adjustments), was made by Chairman Lange, seconded by Commissioner Chewning, and passed unanimously.

- D. **Rezoning/Special Use Permit Process & Schedule for 2016**. The motion to approve was made by Commissioner Loudermilk, seconded by Commissioner Chewning, and passed unanimously.
- E. **Requests for Tax Refund: Larry & Alvin Hardaway**. Chairman Lange said that three requests for refund were submitted by Larry & Alvin Hardaway because they own 1.50 acres but are being taxed on 2.10 acres. The requests are for: \$68.87 (2013), \$79.00 (2014), and \$79.00 (2015) for a total 226.87; and that the Tax Commissioner and the Board of Tax Assessors recommended approval of the requests. Following discussion, which included that Commissioner Chewning would like to see back-up materials for tax refund requests, the motion to approve was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously.

- F. **Litter Pick-up Report.** Commissioner Chewning said that the most recent litter pick-up report did not reflect the number of pounds of litter picked up at each location. Nancy McMichael, County Clerk, said that she would contact the Prison Warden who has such reports prepared.

7. **COUNTY MANAGER**

- A. **Bid Award: Cab & Chassis w/20 Cubic Yard Rear Loading Compactor Body.** In the absence of Greg Wood, County Manager, Nancy McMichael, County Clerk, said that bids were requested for a new or refurbished cab & chassis w/a 20 CY rear loading compactor body; that while 10 bids were received, only three met specs; that either the cab & chassis or the compactor body did not meet specs in the other seven bids; and that the bids meeting specs were:

Company	Make & Model	Bid Amount
Peterbilt, Albany, GA	Peterbilt 365 w/New Way Cobra compactor	\$ 170,189
Peterbilt, Albany, GA	Peterbilt 365 w/Loadmaster Legacy compactor	\$ 167,409
Transpro, Albany, GA	Kenworth T440 w/Loadmaster Legacy compactor	\$ 152,260

Mrs. McMichael said that Ronnie Duke, Solid Waste Supervisor, recommended that the bid be awarded to Peterbilt of Albany for the bid of \$170,189 because the vehicle and compactor are the same as others we currently have. Following discussion, action was tabled to the January 5, 2016, meeting in order to have Mr. Duke appear before the Board to better justify the award to the high bidder.

8. **COUNTY ATTORNEY**

- A. **Intergovernmental Agreement with City of Hamilton for Vehicle Maintenance.** John Taylor, County Attorney, reviewed the document and said that it is the same as the one the Board entered into with the City of Shiloh, except that it is for eight vehicles rather than for four. Following discussion, the motion to approve was made by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #15-42.)
- B. **Request for Executive Session.** John Taylor, County Attorney, requested an Executive Session for the purpose of discussing pending or potential litigation and real estate acquisition.
9. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing potential or pending litigation was made at 8:07 PM by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously.
10. **RESUME REGULAR SESSION.** The motion to go back into Regular Session at 9:00 PM was made by Chairman Lange, seconded by Commissioner Woods, and passed unanimously.
11. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Chairman Lange, seconded by Commissioner Loudermilk, and passed unanimously.

Attest:

J. Harry Lange, Chairman

Nancy D. McMichael, County Clerk