

**HARRIS COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

May 16, 2017  
7:00 P.M.

Commissioners Present: J. Harry Lange, Jim Woods, Susan Andrews, Martha Chewning, Becky Langston. Staff Present: Randy Dowling, 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.** At the request of Chairman Lange, Jimmy Carver, EMS Director, led those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the May 2, 2017 Regular Session, the May 2, 2017 Work Session, and the May 9, 2017 Planning Session was made by Commissioner Woods, seconded by Commissioner Andrews, and passed unanimously.
4. **OLD BUSINESS**
  - A. **Road Acceptance Request: Hickory Creek Drive.** Chairman Lange said that the request for acceptance of Hickory Creek Drive was discussed during the March 7, 2017 meeting; that the recommendation of the Public Works Director is to not accept the road due to the need for raising the bridge because of flooding from time to time; and consensus was to have the bridge inspected regarding its condition and replacement. Discussion included that GDOT inspected the bridge, found it to be in good condition, but did not address replacement; that EMC Engineering inspected the bridge and determined costs estimates for replacing the bridge and raising the road accordingly range from \$1,074,850 to \$1,603,950; that some road work, estimated to be \$19,786, will be necessary; and that should the road be accepted, and due to the number of other bridges that needs replacement/repair, it would be far into the future before improvements could be made. Following discussion, to motion to disapprove the request for acceptance was made by Commissioner Andrews, seconded by Commissioner Woods, and passed unanimously.
  - B. **Columbus Consolidated Government Request for Payment re: Juvenile Court of Chattahoochee Judicial Circuit.** Chairman Lange said that this was discussed during the May 2 meeting, with action tabled to this meeting; that the Columbus Consolidated Government (CCG) has invoiced the County for its share of the costs related to the circuit-wide Juvenile Court for FY 14, 15, 16 and 17, at a cost of \$50,833.90 for FY 14, 15 & 16 plus a projected cost of \$17,928.85 for FY 17, for a total of \$68,762.75; and that Randy Dowling, County Manager, was directed to contact CCG about the method of payment and frequency. Mr. Dowling said that the County can pay the total amount in one payment or split it into two payments. John Taylor, County Attorney, said that based on state law, the County owes the money even though CCG failed to invoice the County for same. Following discussion, the motion to approve payment of \$68,762.75, with funds taken from Fund Balance, was made by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously. Mr. Dowling is to determine whether to pay in one payment or two.
5. **NEW BUSINESS**
  - A. **Road Acceptance Request: South Halley Street.** Chairman Lange said that a petition with the signatures of 90% of the property owners had been received regarding the acceptance of South Halley Street; that the road has been inspected by the Public Works Director, who has recommended acceptance as an all-weather road; that the estimated assessment costs to be passed on to the property owners for title searches, deed preparation and driveway pipe are \$5,376; that in addition, costs for the survey will be assessed; and that the estimated improvement costs, for which the property owners will not be assessed, to bring the road up to County standards is \$23,163.

Kathleen Lopez, citizen who lives on South Halley Street, appeared before the Board and said that the road is a dirt road; that there is a culvert in the road that is causing major issues; that there is a handicapped individual who lives at the end of the road and emergency responders have a difficult time getting to that person's home. Nancy McMichael, County Clerk, said that the County has had to do emergency repairs on this particular road during the past few years for emergency response purposes.

Simmie Culpepper, citizen who lives on South Halley Street, appeared before the Board and said that he lives at the end of the road; that he son is handicapped; that traversing the road is difficult and hazardous for his son, who is wheelchair bound; and that he, himself, should also be in a wheelchair.

There being no further comments, Chairman Lange asked for a motion. The motion to move forward with the acceptance process (survey, title search, deed preparation) was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously.

B. **Financial Statement: March 2017.** The motion to approve the March 2017 financial statement was made by Commissioner Woods and seconded by Commissioner Chewning. In response to a question from Commissioner Langston, Randy Dowling, County Manager, said that the professional services in 911 are for TUSA.

C. **Resolutions: Georgia Fund 1 Accounts.** Randy Dowling, County Manager, said that approval is requested to allow the County to open four accounts with Georgia Fund 1, which is an investment mechanism used by many cities and counties in lieu of CDs; that it is 100% liquid; that the current yield is .79% as compared to Wells Fargo's .02%; that the administrative fee is 5 basis points; and that the accounts would be for TIA Funds, 2014 SPLOST Funds, General Funds Savings, and Solid Waste. Following discussion, the motion to approve opening four accounts and the Resolutions for same was made by Commissioner Andrews, seconded by Commissioner Chewning, and passed unanimously.

D. **Personnel: District Attorney Office.** Nancy McMichael, County Clerk, said that District Attorney Julia Slater is requesting approval to hire an experienced Assistant District Attorney at a salary of \$56,444 that is \$7,090.72 above and more than 5% above the minimum start rate, which requires approval by the Board; that due to the recent resignation of an Assistant District Attorney, who was being paid \$70,735, funds are in the current budget and included in the upcoming budget. Bill Lisenby, Assistant District Attorney, said that his office is catching up on the trial cases and with the addition of this experienced attorney, the reduction in the case backlog should be even greater. Mrs. McMichael commented that this person would be a County employee and would be required to go through the hiring process before being permitted to actually start work. Following discussion, the motion to approve the request to hire an Assistant District Attorney at \$56,444 was made by Commissioner Chewning, seconded by Commissioner Andrews, and passed unanimously.

E. **Requests for Tax Refund.** Chairman Lange said that three Tax Refunds were received as follows:

(1) Griffin, Alicia G. Refund of \$32.60 with the request to pro-rate the ad valorem tax paid because vehicle was sold in March 2017; that both the Tax Commissioner and Board of Tax Assessors disagree with the request. The motion to deny this refund request was made by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously.

(2) Haralson, Robert. Refund of \$1,480.03 for 2014, 2015, and 2016 for homestead exemption because he is a qualified disabled veteran; that the Tax Commissioner disagrees because Mr. Haralson did not apply for Veterans exemptions; that in 2016 he was denied the exemption; that proper documents were received in 2017 and adjustments made to the tax digest; that the Tax Commissioner disagrees because Mr. Haralson did not meet the eligibility requirements until 2017, that there is nothing to refund, and the new law allowing reimbursement for prior years with retroactive VA disability date does not go into effect until July 1, 2017. Mr. Haralson asked to speak and was permitted to do so. Mr. Haralson distributed two pages of information, one of which being a map showing the location of the VA Office in West Point that serves Harris County, and the other showing that personnel who staff VA offices are certified to counsel and assist veterans in all matters pertaining to benefits. He then said that by law he is eligible to receive homestead exemption for the past three years; that Pam Jackson of the Tax Assessor's office, has been a great help to him in this matter; that everyone except the County Attorney should sit down and work this out; and that if disapproved, he is going to take it upstairs (to Superior Court). John Taylor, County Attorney, said that Mr. Haralson is

incorrect in that prior to July 1, 2017, to meet eligibility requirements the individual must have loss of sight in one eye as well as loss of a limb, which does not apply in Mr. Haralson's case; and that with the law that goes into effect on July 1, 2017, the individual must have a loss of sight or a limb. There was discussion regarding some of the back-up material provided in the meeting packet for this matter. Pam Jackson, Division Chief in the Tax Assessor's Office, appeared before the Board and said that Mr. Haralson did not apply until April 9, 2016, which is after the April 1 deadline for the 2015 digest; that all veterans receive a benefit package from the VA office to let them know what their benefits are; that she went the extra mile and drove to Troup County VA in 2016 and was told that Mr. Haralson was not eligible; and that Mr. Haralson should have brought in a letter stating he was entitled to the benefits, which is what she receives from all other veterans who apply for the exemption. Wayne Morris, Tax Assessor, said that his office was receiving conflicting information in this matter; that while Mr. Haralson qualified for homestead, it was not for the VA homestead; that Ms. Jackson went to Troup County to talk to the VA in person and was told that Mr. Haralson does not qualify for the VA homestead; that the Tax Commission went to GATO Conference this past week and found out that for a person to qualify for the three year refund, when it becomes effective in July, that they should receive a letter from the VA that indicates "retro"; that if Mr. Haralson receives a letter from the VA that indicates "retro", his office will adjust the tax digest and the matter will not come back to the BOC; and that they are doing nothing more than following the code and the law and are treating Mr. Haralson like the other 395 veterans in the County. Vickie Jamerson, Tax Commissioner, said that Georgia Code 48-5-48 indicates that a disabled veteran qualifying for VA homestead should receive a final determination of disability from the VA containing a retro-active period of eligibility; and that the taxes can't be removed unless a letter is received from the VA indicating "retro". Chairman Lange said that if a vote is taken, it doesn't prevent Mr. Haralson from providing additional evidence (letter from VA) in the future.

Following discussion, Commissioner Woods asked that action be tabled to the July 5 meeting in order to give Mr. Haralson time to obtain a determination from the VA as to whether or not he is eligible retroactively.

- (3) Nolen, Terry W. Refund of \$20.25 because vehicle was total loss in wreck on March 16, having paid the ad valorem tax on March 6 and was not due until April 11; that the Tax Commissioner disagrees because car was totaled; that the Board of Assessors disagrees because no refunds for wreck of vehicle. Following discussion, the motion to disapprove this request was made by Commissioner Langston, seconded by Commissioner Woods, and tabled by Commissioner Chewning in order to determine if the title to the wrecked vehicle was transferred to the insurance company prior to the due date of April 11.

## 6. COUNTY MANAGER

A. **Project Updates.** Randy Dowling, County Manager, brought the Board up to date on various projects, as follows:

- (1) Library. Work is progressing; the next construction meeting is on May 23.
- (2) Website. Work is in progress; should be up and running this month.
- (3) LMIG 2016 & 2017. Work is underway; bids are due to go out this month.
- (4) Hardage Road. Bid is going out this week.
- (5) High Speed Internet. Agreement on tonight's agenda regarding the connection of county officers to high speed internet.
- (6) Ambulance. New ambulance arrived today and is undergoing final necessary additions to be put into service.
- (7) 911 Radio System Improvements. The Request for Proposals (RFP) went out this week for the Next Gen 911 Call Handling System with the results expected to come before the Board on July 18.
- (8) Rails to Trails Project (Recreation Railroad Trail). Good newspaper article last week based on the riding of the trail last week from Hamilton to Pine Mountain.

- B. **Ambulance Remount**. Randy Dowling, County Manager, said that the remount of an ambulance box onto a newer chassis at the cost of \$29,500 is underway based on consensus of the Board, but that action is needed to ratify the expense because it was not budgeted. He said that funds will come from Fund Balance. The motion to ratify the remount of an ambulance box at a cost of \$29,500 was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously.

7. **COUNTY ATTORNEY**

- A. **GDOT Agreement: AWOS & Beacon Reimbursement, DBE Update and Fencing Design**. John Taylor, County Attorney, reviewed the agreement and said that the County will be reimbursed by GDOT for certain costs related to the AWOS and Beacon projects, which have been completed, the DBE update, and the upcoming Fencing Design; and that the total reimbursement will be \$144,253 (\$141,674 Federal funds plus \$2,579 State funds), and that because a portion of the land donations for the Airport will count towards the County's share of the funding, there will be no outgoing funds from the County. The motion to approve this agreement was made by Commissioner Woods, seconded by Commissioner Chewning, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #17-17.)
- B. **GDOT Agreement: Bridge on Fortson Road at Standing Boy Creek**. John Taylor, County Attorney, said that GDOT will undertake the acquisition of the necessary right of way for the bridge project at a cost of \$178,500. Nancy McMichael, County Clerk, said that originally, the County was to obtain the right of way at an estimated cost of \$53,000, but regulations have changed which requires the County to be LAP (Local Administered Project) certified, which it is not, and because GDOT wants the project to be underway, they will obtain the right of way for \$178,500. Mr. Taylor reviewed the agreement, and following same, the motion to approve the agreement was made by Commissioner Langston, seconded by Chairman Lange, and passed unanimously. (Document can be found in "Contracts & Agreements" files as C&A #17-18.)
- C. **Point Broadband Agreement: Internet Service**. John Taylor, County Attorney, reviewed the agreement to include that internet services will be provided to the County offices in Hamilton at the rate of 200 mgs at \$1,200/month as opposed to the current 10-20 mgs at \$1,896/month; and that the connection to the offices will be in phases during the next three to eight weeks for the Commissioners' Office, Courthouse, Community Development, Sheriff's Office & Jail, CID, 911, EMS, Prison, Vehicle Maintenance, Facilities Maintenance, and Natural Resources Conservation. He then reviewed the addendum he had prepared and recommended the approval of the agreement. Randy Dowling, County Manager, said that this connection is simply taking advantage of the infrastructure that is already in place. The motion to approve the agreement was made by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #17-19.)
8. **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