

HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
November 6, 2018
7:00 P.M.

Commissioners Present: J. Harry Lange, Susan Andrews, Martha Chewning, Becky Langston, Jim Woods. 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, Commissioner Woods led those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the October 16, 2018 Regular Session, and the October 16, 2018 Comprehensive Plan Update Work Session, was made by Commissioner Andrews and seconded by Commissioner Woods, and passed unanimously.
4. **APPEARANCE OF CITIZENS**
 - A. **Mickey Ellis: Home Inspector Licensing & Business Licenses.** Mickey Ellis was not in attendance.
 - B. **Bill Berry: Home Inspector Licensing & Business Licenses.** Bill Berry, citizen, appeared before the Board and said that he has been a home inspector for more than 40 years; that the State does not require home inspectors to be certified; that by his own choice he is certified and licensed electrician, home builder, and HVAC installer; that home inspections are not required by law, having such is the personal choice of the consumer; and that he does not recommend requiring certification and insurance for such business licenses. In response to a question from Commission Langston, Mr. Berry confirmed that the State does not require such certification or insurance coverage.
5. **OLD BUSINESS**
 - A. **Local Preference Policy.** Chairman Lange said that action was tabled from the October 16 meeting pending wording changes that John Taylor, County Attorney, was to undertake. Mr. Taylor reviewed the changes he had made to the policy, and following discussion, the motion to approve the Local Preference Policy was made by Commissioner Woods and seconded by Commissioner Chewning. Commissioner Woods said that he is very much in favor of this policy because it is an encouragement to small businesses, and Commissioner Chewning agreed. The motion passed unanimously. (Document can be found in "Miscellaneous Documents" file as MD# 18-10.)
 - B. **Melody Lakes: Meeting with Property Owners.** In response to a question from Commissioner Langston regarding the next meeting with property owners of Melody Lakes, consensus was to try to have the meeting in early December.
6. **NEW BUSINESS**
 - A. **Financial Statement: August 2018.** The motion to approve the August 2018 financial statement was made by Commissioner Chewning and seconded by Commissioner Woods. In response to a question from Commissioner Langston, Clint Chastain, Finance Officer, said that the 2004 SPLOST still has some funds remaining for Pate Park improvements. The motion to approve passed unanimously.
 - B. **Request for Tax Refund: Campbell, Lorraine.** Chairman Lange said that a request for tax refund in the amount of \$1,446.84 had been received from Lorraine Campbell due to her being a 100% disabled veteran; that the refund request is for eight (8) years; that both the Tax Commissioner and Board of Tax Assessors have agreed to the request, but only for the three (3) prior years as allowed by law, which would be \$354.21.

Bobby Haralson, citizen who lives on A Circle in Pine Mountain Valley and who had signed up to speak about this request, appeared before the Board and said that Ms. Campbell should be entitled to receive a refund for all eight (8) years.

Upon verifying that state statute only allows tax refunds for the three (3) prior years, the motion to approve the refund of \$354.21 was made by Commissioner Chewning, seconded by Commissioner Woods, and passed unanimously.

- C. **Agreement & Resolution: DNR for Land and Water Conservation Fund Grant.** Randy Dowling, County Manager, explained that the Board had approved submission of the application for a \$100,000 grant about a year ago; that the County has been awarded the grant, which requires a \$100,000 match and which has been budgeted; and the County must now formally accept the grant by resolution and agreement. Following discussion, the motion to approve the Resolution, to approve the Project Agreement, and to authorize the County Manager and County Clerk to execute any related documents as needed, was made by Commissioner Andrews, seconded by Commissioner Chewning, and passed unanimously. (Agreement can be found in "Contracts & Agreements" file as C&A #18-32.)
- D. **Census 2020.** Chairman Lange said that the federal government is gearing up for the 2020 census; that they are looking for people to be census takers; and that when people are contacted about the census, they should respond because census numbers help determine representation in Washington, DC, and federal grant funding.

7. **PUBLIC HEARING @ 7:30 PM**

- A. **Conflict of Interest Form.** The Conflict of Interest forms were completed at the request of Chairman Lange.
- B. **Explanation of Public Hearing.** Chairman Lange explained the procedures involved for the Public Hearing.
- C. **Application of Edgar Hughston Builder, Inc., to Rezone 83.339 acres of property owned by Campbell J. Johnson, III, Trust, on Land Lot 39, Land District 19, Map 044, Part of Parcel 14, from A-1 (Agricultural & Forestry) to R-1 (Single Family Residential); current use tree farm; proposed use residential subdivision; property located at Georgia Highway 315 and Hoody Hudson Road, Fortson.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that both the Planning Commission and Staff had recommended approval of the rezoning with no conditions. Edgar Hughston, of Edgar Hughston Builder, Inc., appeared before the Board and said that plans are to build a residential subdivision; that all lots will be two acres or more; that it is 2.5 miles from Georgia Highway 315 and Interstate 185; and that the Comprehensive Plan shows this 315 corridor area for residential development.

There being no questions or comments from the Board, Chairman Lange asked if anyone wished to speak in favor of the application. There being none, he asked if anyone wished to speak in opposition.

Marie Smith, citizen who lives on Hudson Mill Circle, appeared before the Board and said that she has lived in Harris County 23 years; that she is opposed to the rezoning; that before a decision is made, a traffic study, an archaeological study, and an impact study to include schools and infrastructure should be performed; that if people want to live in such subdivisions, they should look to Columbus or LaGrange; and that consideration should be given as to the impact such developments will have on the County.

Justin Oliver, citizen who lives on Georgia Highway 315, appeared before the Board and said that he agrees with what Mrs. Smith said; that there is already a lot of traffic in the area; that schools are already over crowded; and that Harris County does not need to continue to grow in an effort to look like Columbus.

Fred Martin, citizen who lives on Georgia Highway 315, appeared before the Board and said that he agrees with what has been said; that he moved to Harris County to get away from subdivisions; that the development will put a burden on the schools; that he is opposed to the rezoning.

M.L. Riley, citizen who lives on Hoody Hudson Road, appeared before the Board and said that his property is surrounded by the subject property; that he moved out of Columbus many years ago to get away from overcrowding; that there is a water source - a spring - on his property and wants to know what will be done about it; and that he does not want a subdivision next door.

Patricia Riley, citizen who lives on Hoody Hudson Road, appeared before the Board and said that the spring on her property is the only fresh water source in the area and goes back to the Civil War era; that there are rumors of an Indian burial ground on the subject property; that she has anxiety attacks with crowds and moved from Columbus for that reason; and that there is an easement to her property in which her telephone lines are located.

Lisa Oliver, citizen who lives on Georgia Highway 315, appeared before the Board and said that she has roosters and goats and people will complain about the noise from her animals; that schools are already over burdened; and that more children are not needed in the schools.

Carlene Smith, citizen who lives on Hudson Mill Circle, appeared before the Board and said that she has lived in the same house in the County for 21 years; that she went to school in Athens but returned to Harris County because of the rural integrity; that schools have been and continue to be over burdened; and that she would like to see the integrity of the County to remain as is.

There being no further comments, Chairman Lange asked Mr. Hughston for rebuttal.

In rebuttal, Mr. Hughston said that due to the size of this development a traffic study is not required; that he checked with the school board and found no opposition to the proposed development; that he doesn't see a need for an archaeological study because the property was clear cut several years ago and replanted in trees; that if there was any evidence of Indian burial grounds, they are long gone; that people are moving out of Columbus to Harris County and he wants to provide housing for those people; that not allowing more people in the County is just selfish; that the Rileys live on five acres, which should give them plenty of room from overcrowding; that there are setback requirements for houses to be 25 to 30 feet off property lines; that regarding the fresh water spring, it is on the Riley property; that property zoned A-1 allows animals; and that he is trying to help the County by providing affordable housing.

Commissioner Chewning asked questions regarding the possibility of an Indian burial ground or cemetery to which Mr. Hughston said that he had never come across such on any property he has developed; and that should he find such, it would have to be reported to the State.

Commissioner Langston said, as a matter of record, that information on rezonings is provided to various departments and entities for comments, that copies of preliminary plats are provided to more departments and entities for comments; and that it is rare that comments in opposition to proposed development are received.

There being no further questions or comments, Chairman Lange closed the Public Hearing and asked for a motion. The motion to approve this rezoning application was made by Commissioner Chewning, seconded by Commissioner Woods, and passed unanimously.

8. **COUNTY MANAGER**

A. **Bid Award: Prison Security Control Upgrade.** Randy Dowling, County Manager, said that bids were requested for the upgrade of the Prison security control and an alternate bid for a replacement intercom system; that two bids were received on October 22, as follows:

	SWC (South Western Communications, Inc.) Decatur, AL	Cornerstone Madison, AL
Amount	\$ 38,621.00	\$ 79,100.00
Alt. #1 (Intercom)	\$ 26,815.00	\$ 11,100.00
TOTAL	\$ 65,436.00	\$ 90,200.00

Mr. Dowling said that Rosser International, consultants, reviewed the bids and have recommended the bid for the security control upgrade be awarded to SWC for the low bid of \$38,621; that rather than replace the intercom system, it will be repaired for which the balance between the \$50,000 budgeted for this project and the low bid of \$38,621, in the amount of \$11,379, could be used; and that the completion for the

upgrade and repair is 120 days from the Notice to Proceed. Following discussion, the motion to award the security control upgrade bid to SWC for the low bid of \$38,621, to expend up to \$50,000 for both the security upgrade and the intercom repair, and to authorize the County Manager and County Clerk to execute the necessary documents related to same was made by Commissioner Woods, seconded by Commissioner Langston, and passed unanimously. (Contract can be found in "Contracts & Agreements" file as C&A #18-33A.)

B. **Project Updates.** Randy Dowling, County Manager, reviewed various projects, as follows:

- (1) Prison Security Control Upgrade. Award took place this evening and project should be completed in early March 2019.
- (2) LMIG 2019 Roads. Bid was during the October 16 meeting, and completion is expected by the end of May 2019.
- (3) Ellerslie Park Development. Project is underway, playground equipment is expected to be shipped next week, and the opening has been rescheduled for December 1 due to inclement weather.
- (4) Airport & Public Works Tractors/Mowers. Both have been delivered; the one for Public Works is in use; and the one for the Airport will be in use this week.
- (5) Water Meter Replacement Project. Meter replacements are underway, starting in Waverly Hall and moving west. This is an 18-months project.
- (6) Comprehensive Master Plan Update. Update is underway; next meeting is scheduled for November 20 at 5:00 PM.
- (7) Melody Lakes Dam. Meeting to be scheduled with the affected property owners, either late November or early December.
- (8) Rails to Trails Project. Project is on-going; should receive notification this week regarding the TAP grant funding.
- (9) Hotel/Motel Tax. Increased from 3% to 5% effective January 1, 2019.
- (10) Daesol Stream Reroute. Project is underway and is expected to be completed by the end of December.
- (11) Radio System Sharing Agreement. Document being reviewed by the County's consultant.
- (12) Sign Ordinance. First Reading/Public Hearing before the Planning Commission on November 21, Second Reading/Public Hearing before the Board on December 4.
- (13) Single Family Building Permits. 87 have been issued this fiscal year.

9. **COUNTY ATTORNEY**

A. **Agreement: Eastern Aviation Fuels.** John Taylor, County Attorney, reviewed the renewal agreement with Eastern Aviation Fuels to supply AV Gas and Jet Fuel for resale at the Harris County Airport, to include incentives of (1) \$500 cash toward the maintenance of the County's fuel truck, (2) \$500 cash toward expenses associated with the annual Airport fly-in, and (3) a state-of-the-art QT-M4000 fuel card reader; a better pricing definition, and the inclusion of two paragraphs (#14 and #15) by the fuel supplier. He said that the agreement is for the balance of this fiscal year with four (4) fiscal year renewals. Following discussion, the motion to approve the agreement and the authorize the County Manager and County Clerk to execute any necessary documents related to the Airport fuel was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #18-33.)

B. **Request for Executive Session.** John Taylor, County Attorney, said that an Executive Session is necessary to discuss personnel, litigation, and real estate acquisition.

10. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing personnel, litigation, and real estate acquisition was made at 8:25 PM by Chairman Lange, seconded by Commissioner Chewning, and passed unanimously.
11. **RECONVENE REGULAR SESSION.** The motion to go back into Regular Session was made at 10:00 PM by Chairman Lange, seconded by Commissioner Chewning, and passed unanimously.
12. **OTHER**
 - A. **County Manager: Annual Evaluation, Budget Amendment #5, and Second Contract Amendment.** Based on the annual evaluation of Randy Dowling, County Manager, Chairman Lange made the motion to (1) increase Mr. Dowling's salary, effective November 1, to \$120,000, (2) to make a one-time contribution of \$6,000 to his ACCG sponsored Senior Management Retirement Program, (3) to change Section 6E to reflect 60 days rather than 90 days, and (4) no additional extension of his contract date beyond its current term. The motion was seconded by Commissioner Chewning and passed unanimously. The increase in salary resulted in Budget Amendment #5 for FY 2018/19 and in the Second Amendment to Mr. Dowling's contract. (Document can be found in "Contracts & Agreements" file as C&A #18-34.)
13. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Chairman Lange, seconded by Commissioner Woods, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk