

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

May 7, 2019
7:00 P.M.

Commissioners Present: Becky Langston, Andrew Zuerner, Susan Andrews, Rob Grant, J. Harry Lange.
Staff Present: Randy Dowling, County Manager; John Taylor, County Attorney; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Chairman Langston called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE.** Chairman Langston led those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the April 16, 2019 Regular Session was made by Commissioner Lange, seconded by Commissioner Andrews, and passed unanimously.

4. **NEW BUSINESS**

A. **Surplus Property.** Becky Langston, Chairman, said that with the recent acquisition of new vehicles, there is a surplus of 14 vehicles for disposition due to age, mileage or condition; that there are several pieces of equipment (hay rake, commercial dryer, commercial washer, library bookshelves, TV and stand, and five (5) library desks) for disposition as well as two (2) pallets of obsolete/unusable vehicle parts, and that the list of same has been provided to the Board for approval. There being no questions or comments, the motion to declare the listed items as surplus and to sell same on GovDeals or other legal means was made by Commissioner Lange, seconded by Commissioner Grant, and passed unanimously.

B. **Requests for Tax Refund.** Chairman Langston said that two requests for tax refunds had been received, as follows:

- (1) **Thompson, John Michael.** Refund of \$41.60 due to truck tag being purchased on February 25, 2019, and then totaled on February 28, 2019; that the Tax Commissioner and the Board of Tax Assessors agree with the request.
- (2) **Zambino, Michael J.** Refund of \$438.22 due to boat being sold in 2014 and taxes paid until 2017, at which time a fifa was issued, and owner requested a refund; that the Tax Commissioner agrees; and the Board of Tax Assessors disagrees with no reason given.

The motion to approve both requests was made by Commissioner Zuerner, seconded by Commissioner Andrews, and passed unanimously.

C. **Resolution Regarding the Reimposition of the Transportation Special Sales Tax (TSPLOST).** Chairman Langston said that the current TSPLOST expires in 2022; and that a resolution is necessary in order to move forward with the process of the reimposition of same by referendum. The motion to approve the Resolution was made by Commissioner Lange, seconded by Commissioner Langston, and passed unanimously.

D. **Appeal Hearing: Charles McCann of Planning Commission Decision to Uphold the Decision of Community Development Director to Deny the Subdivision of a Parcel into Two Substandard Lots.** Charles McCann, appellant, and his attorney, Laura Benz, appeared before the Board to appeal the Planning Commission's decision to uphold the decision of Brian Williams, Community Development Director, to deny the subdivision of a 1.75+/- acre lot on an easement road into two .90 acre lots. Mr. McCann said that his property is grandfathered in based on his conversation with Mr. Williams in that he can build two homes on the 1.75 acres as long as they are attached by a breezeway; that the Planning Commission was concerned about the septic tanks being near the lake; that there are other instances around the County where homes are being built on easement roads on lots less than two acres; and that the Health Department has indicated they will approve the septic field if the County approves the subdivision of the property into two lots. Ms. Benz said that the proposed lots are more in line with the other lots on the easement road.

5. **RECESS FOR PUBLIC HEARING.** Chairman Langston said that a Public Hearing was scheduled for 7:30 PM and that the appeal hearing would be suspended until after the Public Hearing takes place.

6. **PUBLIC HEARING @ 7:30 PM**
 - A. **Conflict of Interest Forms.** The Conflict of Interest forms were completed at the request of Chairman Langston.

 - B. **Explanation of Public Hearing Procedures.** Chairman Langston explained the procedures involved for the Public Hearing.

 - C. **Application of Lynda Marlowe, Oakhurst Farm and LLMM Properties, for a Special Use Permit on 25.636 acres for Farmers Market & Farm Dinner, on Land Lot 200, Land District 4, Map 023, Parcels 023B & 023B001; current use agricultural w/corn maze and farm tours/field trips; proposed use add Farmers Market and Farm Dinners; property located across from 19710 GA Highway 219, West Point and zoned A-1.** Chairman Langston called the Public Hearing to order; read the specifics of the application; and said that approval had been recommended by the Planning Commission and by Staff. Morgan Marlowe, representing Lynda Marlowe, applicant, appeared before the Board and said that he is requesting to add a Farmers Market in order to build restrooms as an accessory building on the property; that the Farmers Market will have open sides and the restroom will be a concrete building with concrete floors. Chairman Langston asked if anyone in attendance wished to speak in favor of or in opposition to this Special Use application. There being none, she asked if there were any questions or comments from the Board. Commissioner Grant said that it would be better to have restrooms for the field trip participants than porta potties, and Mr. Marlowe agreed to same. There being no further comments or questions, Chairman Langston closed the Public Hearing and asked for a motion. The motion to approve this Special Use Permit was made by Commissioner Grant, seconded by Commissioner Zuerner, and passed unanimously.

7. **NEW BUSINESS (CONTINUED)**
 - D. **Appeal Hearing: Charles McCann of Planning Commission Decision to Uphold the Decision of Community Development Director to Deny the Subdivision of a Parcel into Two Substandard Lots (Continued).** In response to questions from the Board, Mr. McCann said that when he met with Mr. Williams he advised he wanted to build two structures but was told the lot could not be split, and that his neighbors have no objections to the two lots and resulting homes he plans to build. Chairman Langston said that she would like to table this matter to May 21 so that Brian Williams, Community Development Director, can be in attendance to respond to questions and/or comments. There were no objections from Mr. McCann or Ms. Benz.

 - E. **Insurance Renewal (Medical, Dental, Vision, Life & Disability): John Leggett, MSI.** John Leggett, with MSI, the County's insurance broker, appeared before the Board and reviewed the various aspects of the renewal documents which included there is a reduction in the medical premium, no change in dental or vision, a slight increase in life, and no change in disability, with an overall decrease of five percent. There was discussion as to increasing the contribution by the County toward dependent coverage, which is currently 14%, while industry standard is higher. Following discussion, the motion to approve renewal with Anthem/Blue Cross Blue Shield as presented for Option #2 and increasing the contribution by the County for dependent coverage to 25% was made by Commissioner Lange, seconded by Chairman Langston, and passed unanimously.

 - F. **Comprehensive Plan Update Transmittal.** Rick Morris, of the River Valley Regional Commission (RVRC), distributed updated drafts of the Comprehensive Plan and said that such include the maps and tables not included in what the Board was provided in their meeting packets. He said that action is needed in order to transmit the finished document to the RVRC and then on to the Georgia Department of Community Affairs (DCA), and that once DCA approves the document, it will come back to the Board for final approval. Chairman Langston said that the update is a good document and thanked Mr. Morris and RVRC staff for the work they did in completing the document. The motion to approve transmittal of the Comp Plan Update to the RVRC and on to the DCA was made by Commissioner Andrews, seconded by Commissioner Lange, and passed unanimously.

8. **COUNTY MANAGER**

A. **Carter & Sloop: Proposal re Melody Lakes Dam Remediation Design.**

Randy Dowling, County Manager, said that during the March 19, 2019, meeting, the Board discussed the result of the Melody Lakes Dam study regarding Option #8, which was selected by the Board; that a proposal from Carter & Sloop has been received for engineering services in connection with option #8 and includes construction drawings, details and specifications, operation and maintenance plan, coordination of meetings and bidding, and permitting, for a lump sum of \$48,000; and that funding is in the current year and next year's budget in Public Works - Professional Services. Commissioner Lange said that he would not be voting in favor of the proposal because he does not feel tax dollars should be spent on remediation of a dam in a specific area where the subdivision has not made any contribution to the repair; that the funds could be used to address employee salary compression issues; and that other dams in the County are being maintained by the subdivisions in which they are located. He then made the motion to disapprove the proposal, which was seconded by Commissioner Andrews, and failed by a vote of one in favor (Lange) and four opposed (Andrews, Grant, Langston, Zuerner). The motion to approve the proposal at a cost of \$48,000 was made by Commissioner Zuerner, seconded by Commissioner Grant, and passed with four in favor (Zuerner, Grant, Andrews, Langston) and one opposed (Lange). (Document can be found in "Contracts & Agreements" file as C&A #19-15.)

B. **Bid Award: Clearing & Grubbing of 35 Acres in Northwest Harris Business Park.**

Randy Dowling, County Manager, said that the Board authorized Harris Gray, during the January 2, 2019, meeting to prepare the Soil & Erosion (S&E) plan and obtain all necessary permits to clear and grub 35 acres in Northwest Harris Business Park; that the S&E plan was completed at a cost of \$10,600; that the project was bid out, and that 10 bids were received on April 24, as follows:

	Company	Bid Amount	# days
1	C&S Construction & Consulting, Jonesboro, GA	\$ 65,800.00	30
2	Evergreen Erosion Control, LLC, Opelika, AL	\$ 189,560.00	90
3	Hardy Construction, Woodbury, GA	\$ 219,257.90	90
4	Alexander Contracting Co., Fortson, GA	\$ 267,950.00	90
5	Graham County Land Co., Robbinsville, NC	\$ 269,000.00	60
6	Southeastern Site Development, Newnan, GA	\$ 270,515.00	120
7	Murphy Clearing & Grading, Inc., Thomaston, GA	\$ 281,250.00	90
8	Piedmont Paving, Inc., Newnan, GA	\$ 294,700.00	90
9	McCoy Grading, Greenville, GA	\$ 300,009.00	90
10	Lewis Contracting Services, LLC, Atlanta, GA	\$ 435,790.00	72

Mr. Dowling said that the low bidder did not meet the bid requirements (failed to include the W-9 form and to acknowledge the addendum) and is disqualified; that the staff recommends the award be made to Evergreen Erosion in the amount of \$189,560; that deadline to complete the project is 90 days after the NTP is issued; and that funding is in the FY 19/20 budget in SPLOST 2019 (Economic Development). Discussion included that a possible alternate method of mulching may be more feasible for the County to consider, and that the failure by the County to get the property cleared/grubbed may have contributed to a prospective tenant choosing to locate in Alabama. Chairman Langston tabled action on this matter in order for information regarding the mulching alternative to be reviewed.

C. **Daesol Stream Re-Route Change Order.**

Randy Dowling, County Manager, said that during the August 7, 2018, meeting, the Board awarded the stream re-routing project to Takco in the amount of \$425,235.54; that a change order in the amount of \$251,213.75 is needed due to unforeseen events and field conditions; and that if approved, the project cost would increase to \$676,449.29. He said Cedric Campbell, with GMC, was in attendance to explain the need for the change order. Mr. Campbell said that in addition to an unseasonably wet fall and winter, which required suspension of the project, concrete debris/rubble was uncovered; that Takco has fulfilled its contractual obligation of earthmoving but the site is not what Daesol expects, which is for it to be "pad ready"; and that more soil must be removed in addition to excavating more rock and placing the excess material east of the stream. There was discussion regarding the agreement with Daesol to which Commissioner Lange indicated the project was not to be pad ready, but only clearing and grubbing; and that Daesol expects it to be pad ready. Commissioner Andrews tabled the issue in order for more research to determine what the contract includes.

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

- (1) Jaws of Life Tools. Should be received this week.
- (2) Ellerslie Park. Bid regarding the chipping and grinding of the storm debris will be going out this week.
- (3) Rails to Trails. Project (from Pine Mountain to near Mountain Creek Inn at Callaway Gardens) is on bid with bids due May 30.
- (4) Airport Security & Wildlife Fence, Phase II. Bid award has been made, pre-construction meeting will be next week, and project should be completed in July.
- (5) Airport Crack Seal & Runway Remarking. Bid award has been made, pre-construction meeting will be next week, and project should be completed in July.
- (6) Airport Open House. Event was held on May 4 and well attended.
- (7) Comprehensive Master Plan Update. Action took place during tonight's meeting to transmit the document to the RVRC and on to DCA for approval.
- (8) Chip/Grind Collected Storm Debris - Ellerslie Park. Bid going out this week with results before the end of the month.
- (9) SPLOST 2014. Collection total \$12,390,960 during the five year period.
- (10) Bronze Plaque for Community Center. In response to a question from Commissioner Grant, Mr. Dowling said that the plaque has been ordered.

9. **COUNTY ATTORNEY.**

A. **GDOC Agreement: Care & Custody and Capacity at Prison.** John Taylor, County Attorney, said that this is the usual annual agreement with GDOC regarding the care, custody and capacity of State inmates at the County Prison, except that the number of inmates has increased from 150 to 156 and the per diem from the State per inmate per day has increased from \$20 to \$22, and that he recommends approval of same. Cynthia Nelson, Prison Warden, appeared before the Board and said that the increase in inmates is to handle the work detail requirements for our County, Talbot County, and West Point. The motion to approve the agreement was made by Commissioner Lange, seconded by Commissioner Andrews, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #19-16.)

B. **DBT Agreement: Airport Aviation Support & Maintenance Services.** John Taylor, County Attorney, said that this is a renewal of the support and maintenance services for the AWOS system at the Airport and that he recommends approval of same. The motion to approve the agreement was made by Commissioner Lange, seconded by Chairman Langston, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #19-17.)

10. **ADJOURNMENT.** There being no further business to discuss the motion to adjourn was made by Chairman Langston, seconded by Commissioner Lange, and passed unanimously.

Becky Langston, Chairman

Attest:

Nancy D. McMichael, County Clerk