

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

February 4, 2020

7:00 P.M.

Commissioners Present: Becky Langston, Susan Andrews, Rob Grant, J. Harry Lange, Andrew Zuerner.
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 January 21, 2020, Regular Session, was made by Commissioner Lange, seconded by Commissioner Andrews, and passed unanimously.
4. **ANNOUNCEMENTS**
 - A. **Master Plan Revision: Woodland Hills, CJC Partners.** Chairman Langston announced that item #4, regarding the Woodland Hills Master Plan Revision, is being removed from the agenda due to a state requirement for the Regional Commission to perform a DRI (Developments of Regional Impact) study, once it is requested by the County because there is no DRI on file for Woodland Hills.
 - B. **Not Running for Re-Election: Harry Lange.** Commissioner Lange announced that he will not seek re-election for a sixth term; and that he has enjoyed his 20 years on the Board and meeting and working with the public.
5. **OLD BUSINESS**
 - A. **Surplus Real Property Disposal: 24 Lots.** Chairman Langston said that the Board took action on January 21 to approve a resolution declaring 24 lots owned by the County as surplus property and to authorize the sale of same by sealed bid. However, no decision was made regarding having a minimum bid. She asked John Taylor, County Attorney, to discuss. Mr. Taylor said that these lots were offered for sale by sealed bid in 2005 but did not sell due to an issue with financing by the high bidder; that he has reviewed the costs associated with the lots, to include advertising, legal requirements, etc., and recommends the Board set the same minimum bid for each lot as was used in 2005. Following discussion, which included the bid would require a 10% bid guarantee, the motion to approve setting the minimum bid for each lots as was used in 2005 was made by Commissioner Lange, seconded by Commissioner Zuerner, and passed unanimously.
6. **NEW BUSINESS**
 - A. **Financial Statement: November 2019.** Chairman Langston tabled action due to questions she had regarding a notation in the Recreation Department section concerning batting cages and reimbursement by the Little League. There were no objections to tabling action to the February 18 meeting.
7. **COUNTY MANAGER**
 - A. **Project Updates.** Randy Dowling, County Manager, reviewed various projects, as follows:
 - (1) **LMIG 2020 Road Resurfacing.** Bids open February 6; project should be completed by June 30, 2020.
 - (2) **Repair Three Bridges.** Design underway; once finished, construction bids will be requested for consideration by the Board.
 - (3) **Replacement Scoreboards for Recreations Facilities.** Scoreboards have been ordered and County crews will install in March.
 - (5) **Soccer Complex Pavilion.** Should be completed before soccer season starts.

- (6) Rails to Trails. Phase I has been completed; Phases II and III are underway and should be completed in early March.
 - (7) Airport Consultant. Responses to RFQ are due February 7.
 - (8) Replacement Scales at Transfer Station. Project underway; should be completed this month. In response to a question, Mr. Dowling said that tonnage coming in to the Transfer Station is being estimated until the new scales are in place.
 - (9) Water Line Upgrade on SR 315. Pre-construction meeting held January 17 with project completion expected late this month.
 - (10) Land Use & Development Codes Update. Project is underway and should be completed by the end of this year.
 - (11) Melody Lakes Dam. Construction plans will be sent to EPD well in advance of due date of March 5, then once approved by EPD, the construction bid process will start.
 - (12) Compensation Study by CVIOG. Project begins tomorrow with three informational meetings at the Community Center for department heads/constitutional officers and key personnel.
 - (13) Single Family Building Permits. Total issued for January is 19, which makes a total of 120 thus far this fiscal year.
8. **COUNTY ATTORNEY**. John Taylor, County Attorney, said he had no business to discuss with the Board this evening.
9. **RECESS REGULAR SESSION**. Chairman Langston recessed the Regular Session at 7:18 PM and announced the meeting will resume with the Public Hearing at 7:30 PM.
10. **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**. Chairman Langston explained the Public Hearing procedures.
 - C. **Application of Pamela Pruett for a Special Use Permit for a Special Events Facility and Outdoor Wedding Venue on 15 +/- acres on Map 040, Part of Parcel 010, Land Lot 299, Land District 20, located at 495 Beech Springs Road, Pine Mountain, and zoned A-1 (Agricultural & Forestry)**. Chairman Langston called the Public Hearing to order, read the specifics of the application, said that the Planning Commission had recommended disapproval, and that Staff had recommended approval with designation of times of operation and compliance with the noise ordinance. Pamela Pruett, applicant, appeared before the Board and said that she had re-evaluated her business plan and that the capacity will be 300 people rather than 500. In response to questions from the Board, Mrs. Pruett said many people like the “rustic barn” approach for weddings; that events could include formals, parties, showers, weddings, etc.; that parking will be to the left of the location of the barn; that she would like to have between 35 and 70 events per year; that even with the opposition, she still has the passion to move forward with her plan; that events will be required to have liability insurance to cover any possible issues associated with drinking and accidents; that the barn will be “open air”, but have doors that can be closed and will be climate controlled; that if required a sprinkler system will be installed; that if another well is needed to provide adequate water for the facility, it will be drilled or they can connect to County water that is about 8/10 of a mile away; that the sound system will be inside the barn; that the barn will be facing the road; and that the barn will be about 100 feet from the road. There being no further questions or comments, Chairman Langston asked if anyone wished to speak in favor of the Special Use Permit.

Frank Pruett, spouse of the applicant, appeared before the Board and said that his family has owned the property since 1890; that the nearest neighbor is about 4,000 feet away; that the majority of the neighbors are more than a mile away; that the road is in relatively good shape; that they plan to renovate the house and move onto the property; that his family has paid property taxes over 130 years; that he owns

property on both sides of the road; that noise should not be an issue; that there are two wells currently on the property; that the events would probably have 100 to 150 attendees, but they would have the capacity for 250; and that the facility would be an asset to the County since they would pay more taxes as a result of the improvements.

There being no further comments in favor, Chairman Langston asked if there were any comments in opposition.

Jesse James, citizen who lives on Wright Road, appeared before the Board and said that Beech Springs Road is one of three roads that make a closed loop; that he is opposed to the application; that safety is an issue; that he moved to the area to get away from people; that the area is very rural; that it sounds like there could be 100 cars every weekend; and that there are other event facilities within a few miles so the facility makes no sense economically.

Daniel Ferrone, citizen who lives on Beech Springs Road, appeared before the Board and said that there are many concerns regarding the venue; that Mrs. Pruettt did not discuss how she would vet the individuals renting the venue; that there are individuals within 4,000 feet of the property; that noise carries; that the tenant (in the house owned by the Pruetts) can be heard on almost any evening outside talking; that the tenant was mud bogging on the road on January 26; and that there has been no communication to the neighbors regarding the venue.

Bernie Talley, citizen who lives on Beech Springs Road, appeared before the Board and said that he has had personal experience (working security) with wedding venues and event centers; that generally anywhere from 150 to 200 people attend weddings and if alcohol is involved, about 80% drink and many become intoxicated; that for sorority and fraternity events people arrive by bus; that Beech Springs Road is in a closed loop of three roads; that traffic wise, he sees the mailman daily, the garbage truck once a week, and church traffic on Wednesdays and Sundays; that parties with alcohol tend to get out of control; that he is opposed to the event center; and that the applicant does not live in the County or in the neighborhood.

Josh Stuart, citizen who lives on Wright Road, appeared before the Board and said he agrees with the previously made comments; and that he lives where he lives because of the rural atmosphere.

Sue Koone, citizen who lives on Wright Road, appeared before the Board and said that she owns property on Beech Springs Road; that there are three points in access to the proposed venue - from Nathon Thompson Road, Oliver Road, and Wright Road; that there are dangerous curves on the roads; that people familiar with the roads have problems with the curves; that her driveway is at one of the curves and she has found her driveway and yard damaged from vehicles that have missed the curve; that the closest similar venue is 2.4 miles away; that with two to three people per vehicle there could be 200 to 300 people for each of the 35 to 70 events a year; and she asked the Board to deny the application.

Phillip Arrington, citizen who lives on Wright Road, appeared before the Board and said that while there are not many houses on Beech Springs Road, there are quite a number on Wright Road, which is the main access to Beech Springs Road.

Charles Koone, citizen who lives on Wright Road, appeared before the Board and said that his family has lived on the property since 1825; that some of his property is about a half-mile from the venue site; that Wright Road is the most practical access to Beech Springs Road; that he doesn't want to see 200 to 250 vehicles every few days; that there are sharp curves on Wright Road; that people attending the events would eventually object to the rural activities of chainsaws, shooting, and smells associated with animals; and that he is opposed to the application.

Charity Koone, citizen who lives on Wright Road, appeared before the Board and said that her family has lived in the area since the 1800s; that the area is very rural; that Wright Road has dangerous curves and people unfamiliar with the road could have accidents; that people ride bikes, walk, and push strollers on the roads; and that she is opposed to the application.

Jimmy Billings, citizen who lives on Beech Springs Road, appeared before the Board and said that he owns cows and horses; and that he does not want the venue in the area or the "racket" that it will bring.

Rick Scarborough, citizen who lives on Beech Springs Road, appeared before the Board and said that with college events there will be a lot of drinking and noise; that the venue is not far from his house; that they already have problems with the tenant (in the house owned by the Pruetts); and that what they want to do is bad.

Cindy Majors, citizen who lives on Beech Springs Road, appeared before the Board and said she lives about a half mile from the venue site; that noise travels a great distance through the woods; that traffic from the events will be an issue; that this is a rural area; and asked the Board to disapprove the application.

Steve Koone, citizen who lives on Beech Springs Road, appeared before the Board and said that he is opposed to the application; that Oliver Road has a single lane bridge on it and is not a good road to be on; and that he does not want the additional traffic that will occur from the events.

Robin Koone, citizen who lives on Beech Springs Road, appeared before the Board and said that GPS devices tend to take travelers down Oliver Road where there is a single lane bridge; that people who live in the area ride bikes on regular basis and the additional traffic from the events will be a safety issue; that the noise from the events will be an issue; that she lives in the area for the quiet country life; and that she is opposed to the application.

Milton Haney, citizen who lives on Moore Road, appeared before the Board and said that he represents Hopewell United Methodist Church trustees and is opposed to the application; that he has witnessed several close calls (accidents) as a result of the current traffic in the area; that the location for the venue is difficult to get to; that the roads are narrow; that the area will not benefit from the venue; and he asked the Board to deny the application.

Nick Marino, citizen who lives on Wright Road, appeared before the Board and said that if the venue is approved, when he walks on the roads he will be breathing fumes from vehicles rather than fresh air; that the venue will devalue property in the area; that there is nothing redeeming about the project; that the house on the property is not being taken care of; and the applicant does not live in the area.

Mercer Buffington, citizen who lives on Beech Springs Road, appeared before the Board and said that he is firmly against the application.

There being no further comments in opposition, Chairman Langston asked Mrs. Pruett for rebuttal.

In rebuttal, Mrs. Pruett said that her family does pay taxes in the County, but does not live in the County; that the venue would be different from Sweet Home, which is the closest existing venue; that many brides want a barn venue for their weddings; that the pecan trees in the area will remain; that they would eventually like to renovate the house and be able to have it be part of the venue; that while the roads in the area are bad, she has never made a wrong turn; that sorority and fraternity events are college events and must arrive and depart by bus; and she thanked the Board for its consideration of her application. In response to questions from the Board, Mrs. Pruett said that the parking will be in the pecan orchard; that parking areas will be crush and run rather than asphalt; and that there will be car stops in the parking areas.

There being no further comments or questions, Chairman Langston closed the Public Hearing and asked for a motion. The motion to disapprove the Special Use Permit application was made by Commissioner Grant, seconded by Commissioner Zuerner, and passed unanimously.

11. **ADJOURNMENT.** There being no further business, the motion to adjourn was made by Commissioner Andrews, seconded by Commissioner Lange, and passed unanimously.

Becky Langston, Chairman

Attest:

Nancy D. McMichael, County Clerk