

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

June 7, 2022
6:30 P.M.

Commissioners Present: Andrew Zuerner, Susan Andrews, Rob Grant, Bobby Irions, Becky Langston.
Staff Present: Randy Dowling, County Manager; Russell Britt, County Attorney; Andrea Dzioba, County Clerk.

1. **CALL TO ORDER.** Chairman Zuerner called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE.** Chairman Zuerner led those in attendance in the Pledge of Allegiance.
3. **INTRODUCTION.** Representative Vance Smith introduced himself to those present as the Interim President of the Harris County Chamber of Commerce. He also introduced Gloria Boyer, Tourism and Event Manager, and Conner Olds, Operations Coordinator, for the Harris County Chamber of Commerce.
3. **MINUTES.** The motion to approve the minutes of the May 17, 2022 Regular Session and May 17, 2022 Budget Work Session II was made by Commissioner Grant, seconded by Chairman Zuerner and passed unanimously.
4. **OLD BUSINESS.**
 - A. **Application of Board of Commissioners to Amend the County Code of Ordinances - Appendix A (Zoning Ordinance), Articles I-X; Appendix B (Subdivisions), Articles I-XX; Chapter 4 (Planning and Development), Articles I, II, III, IV, V, VIII, IX; Chapter 5 (Public Safety, Health & Sanitation), Article IV; Chapter 7 (Water, Sewage & Utilities), Article I; and other associated sections of the Code of Ordinances intended to be incorporated into the Unified Development Code (UDC).** Chairman Zuerner said that the Unified Development Code (UDC) has been in development since early 2020 and described what has transpired since that time. Chairman Zuerner provided the schedule that will be followed if the old version of the UDC is denied. The motion to deny the old version of the UDC was made by Commissioner Andrews, seconded by Commissioner Irions, and passed unanimously.
5. **NEW BUSINESS**
 - A. **First Reading: Alcohol Application of Whitley Harris for Special Events Facility at Olde Whitesville, 4731 Pine Lake Road, West Point.** Chairman Zuerner read the specifics of the application and said that the Sheriff's Office recommended approval and that no recommendations were given by the Health Department or the Community Development Department. Whitley Harris, applicant, appeared before the Board and stated that the alcohol license was applied for should their Special Use Permit be approved for a Special Events Facility. Chairman Zuerner asked if any wished to speak in favor of the application. Chairman Zuerner asked if anyone wished to speak in opposition to the application. There begin none, and there being no comments from the Board, her said that the second reading and action are scheduled to take place during the June 21, 2022 meeting.
 - B. **Appointments to the Agricultural Complex Master Plan Committee.** Chairman Zuerner said that during the April 19, 2022 Regular Commissioners meeting that Commissioner Andrews requested that a committee be formed to review and update the existing Agricultural Complex Master Plan that was developed in 2013. At the May 19, 2022 Planning Session, the Board discussed this issue and came to a consensus that the following people/positions be appointed to the Agricultural Complex Master Plan Committee:

Cattleman's Association President - currently Jarrod Hubbard; Extension Service - Steve Morgan; Harris County Chamber of Commerce (Tourism) - currently Gloria Boyer; Sandy Reams; Jaime Tillman, Recreation Director - Ashley Marston; Nancy McMichael; Board of Commissioner's Representative - Commissioner Susan Andrews

Commissioner Grant pointed out that the number of appointees was eight and wondered if nine would be needed. Commissioner Irions agreed and stated that he would be willing the serve on the committee also.

The motion to appoint Cattleman's Association President - currently Jarrod Hubbard; Extension Service - Steve Morgan; Harris County Chamber of Commerce (Tourism) - currently Gloria Boyer; Sandy Reams; Jaime Tillman, Recreation Director - Ashley Marston; Nancy McMichael; Board of Commissioner's Representative - Commissioner Susan Andrews and add Commissioner Bobby Irions as the 9th appointee to the Agricultural Complex Master Plan Committee was made by Commissioner Grant, seconded by Chairman Zuerner, and passed unanimously.

- C. **Financial Statement: April 2022.** The motion to approve the financial statement for April 2022 was made by Commissioner Langston, seconded by Chairman Zuerner, and passed unanimously.

6. **COUNTY MANAGER**

- A. **Bid Award: Harris County Water Works Administration Building.** County Manager Randy Dowling said that the Water Works Administration Building to be built at 958 Grant Road in Cataula has been designed by 2WR Architects and bid out. On May 24, 2022, two bids were received as follows:

Company Name	Total Bid
Headley Construction	\$ 1,749,000.00
Principle Construction	\$ 1,850,000.00

He stated that the low bidder was Headley Construction from Newnan with a bid of \$1,749,000 and that 2WR is recommending that the low bidder, Headley Construction, be awarded this bid.

The motion to award the bid to Headley Construction in the amount of \$1,749,000.00 for the Water Works Administration Building project and authorize the County Manager and County Clerk to execute the necessary documents was made by Commissioner Irions, seconded by Commissioner Langston, and passed unanimously.

- B. **Bid Award: Harris County Solid Waste Disposal Site Improvements.** County Manager Randy Dowling stated that the Solid Waste Complex, to be built at the Transfer Station on Barnes Mill Road in Hamilton, has been designed by Hecht Burdeshaw Architects and bid out. On May 24, 2022, two bids were received as follows:

Bid Item	Principle	Thayer Bray
Base Bid	\$1,252,000	\$1,649,000
Deduct #1 (3 truck bay structure)	(\$96,000)	(\$135,442)
Deduct #2 (truck wash structure)	(\$124,000)	(\$192,560)
Deduct #3 (transfer station office/restroom)	(\$40,000)	(\$107,957)
Add #1 (paint exposed wood on truck bays)	\$21,000	\$21,606
Per Unit (unsuitable soils on-site)	\$50/cubic yard	\$42/cubic yard
Per Unit (unsuitable soils off-site)	\$70/cubic yard	\$63/cubic yard
Construction Days	180	180

He stated that the low bidder was Principle Construction from LaGrange with a bid of \$1,273,000 (Base Bid + Add #1) and that Hecht Burdeshaw is recommending that the low bidder, Principle Construction, be awarded this bid.

The motion to award the bid to Principle Construction in the amount of \$1,273,000.00 for the Solid Waste Disposal Site Improvements project and authorize the County Manager and County Clerk to execute the necessary documents was made by Commissioner Andrews, seconded by Commissioner Grant, and passed unanimously.

- C. **Courthouse Renovation Phase I - Guaranteed Maximum Cost.** County Manager Randy Dowling said that 2WR Architects conducted an assessment of the County Courthouse during 2021 and presented the Board of Commissioners with the results of that assessment. He stated that the results of the assessment suggested that the Courthouse needs substantial repairs totaling over \$8,000,000 and that the work will be completed in five separate phases. He said that this is Phase I which consists of replacing the roof of the entire building, clean and paint exterior surfaces,

replace storm windows on the historic portion, repair the front balcony and canopies on the historic portion, investigate and repair the interior courtroom balcony in the historic portion, and repair the foundation on the 1998 addition. He went on to explain that the County hired River City Contracting from Fortson, Georgia during early 2022 to serve as the construction manager and they reviewed the construction drawings and the site to prepare a guaranteed maximum price (GMP) for Phase I. Mr. Dowling stated that their GMP for Phase I of the renovation is \$1,626,042 including a \$250,000 contingency that may or may not be used, their GMP to replace the entire building's HVAC system is \$1,882,035, and that Phase I will have a total GMP of \$3,508,077.

The motion to accept the guaranteed maximum price (GMP) of \$3,508,077 was made by Commissioner Grant, seconded by Commissioner Langston, and passed unanimously.

- D. **Budget Amendment: Purchase Wheel Loader for Solid Waste.** County Manager Randy Dowling stated that during the Budget Work Session III on May 24, 2022 that the Solid Waste Director explained the need for a replacement wheel loader that is in the FY 2022-23 proposed budget and the Board of Commissioners had a consensus to proceed with the purchase of the wheel loader in this fiscal year rather than next fiscal year and to ratify the purchase at the next regular Commissioner meeting.

The motion to approve a budget amendment for FY 2021-22 for the purchase of a new 2022 Caterpillar 962M Wheel Loader for Solid Waste in the amount of \$318,545 was made by Commissioner Grant, seconded by Chairman Zuerner and passed unanimously.

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

- (1) Update County's website. The website is being updated right now.
- (2) UDC/Land Use Codes. The UDC was discussed during this meeting earlier this evening.
- (3) New EMS/VFD Facility at NWHBP. This project should be bid out later this week.
- (4) New Public Works Building. Project started last week to get a site selected and proceed with this project.
- (5) Man O'War Railroad Recreation Trail, Phase V (aka Rails to Trails). Project has begun and is expected to be completed in November of this year.
- (6) Water Works Administration Building. Bid was approved at tonight's meeting.
- (7) Courthouse Renovations, Phase I. The GMP (guaranteed maximum price) was approved at tonight's meeting.
- (8) Impact Fee Study. Waiting for State to approve the CIE and that the revised CIE has been sent to the State and we are still waiting for approval.
- (9) Quarterly Retreat and Legislative Dinner. These items have been scheduled for August 9, 2022 at 4:30 p.m. and 6:30 p.m. respectively.
- (10) LOST Negotiations. The letter went out and the initial meeting is June 14, 2022 at 5:30 p.m. at the Library.
- (11) Diverse Power and Broadband. Meeting was held by phone with the CEO of Diverse Power and they are working on it but there isn't a time frame. They will get to Harris County as soon as they can but the time frame was vague and fluid.

7. **RECESS.** Chairman Zuerner recessed the meeting at 6:58 p.m. until the Public Hearing begins.

8. **RESUME.** Chairman Zuerner resumed the Regular Session at 7:00 p.m.

9. **PUBLIC HEARING at 7:00 p.m.**

The Conflict of Interest forms were completed at the request of Chairman Zuerner.

Chairman Zuerner explained the procedures involved in the Public Hearing, and reminded all that there is a five-minute time limit.

- A. **FY 22/23 Budget Public Hearing I.** Chairman Zuerner called the Public Hearing to order and said that this is the first of two public hearings regarding the proposed budget, that the second public hearing is scheduled to be held on June 21, 2022, and asked if there were any comments from those in attendance. There being none, he asked for comments from the Board. There being no comments, Chairman Zuerner closed the Public Hearing.
- B. **Application of Whitley Harris for a Special Use Permit for a Special Events Facility on 1.47 acres of property located at 4731 Pine Lake Road, West Point, GA; located on Map 024A, Parcel 028, Land Lot 323, Land District 20, and zoned A-1 (Agricultural/Forestry).** Chairman Zuerner called the Public Hearing to order, read the specifics of the application, and said that the recommendations of the Planning Commission and the Staff were for approval with conditions. Whitley Harris, applicant, appeared before the Board and introduced herself and her husband, Brandon Harris. She stated that they dreamed of owning and running their own business. They wanted to re-purpose the building while preserving its history and charm; that they would like to provide an event space for families to host small events and seasonal events; that they will comply with ordinances; provide traffic control when needed; that they have a lease with Whitesville Cemetery Association for parking in addition to their ability to provide parking on their property; and has spent the last year upgrading the space. Chairman Zuerner asked if anyone wished to speak in favor of this application.

Elizabeth Jamison Rouquie, Pine Lake Road, appeared before the Commission and advised that she is the Vice President of the Board of the Whitesville Cemetery Association that that she and the Association are in favor of Mrs. Harris' proposed use of the church; that the Association is made up of prior church members and that she has family in the cemetery; that the Association cares and cares for the cemetery; that she is delighted to support this application; that it warms her heart to see the building being cared for; that she wants the church to remain in good repair; that this use is an asset to the community; and that the Association has executed a lease with Mrs. Harris for parking.

There being no additional individuals to speak in favor, Chairman Zuerner asked if anyone wished to speak in opposition to the application.

Jack Schley, lives in Columbus but stated that he is a landowner of 789 Hopeful Church Road, provided the Board with a printed presentation. He stated that the applicant should have to provide parking on their own property; that they would be unable to expand the current property; that the zoning does not favor a special event facility; that he has fire, safety, and traffic concerns; that he has a concern about the safety of pedestrians; that the use is not suitable to the area; that he is concerned about areas that may contain unmarked graves; that there are no lights along the road; and that the 45 mph speed limit on the road is a danger to pedestrians.

Whitley Harris, applicant, advised that there are seventeen (17) 10' x 20' parking spaces on the church property; that there are no graves behind the church; that occupancy load is determined by the building; and that the facility will not harm the safety of the community.

In response to questions from the Board of Commissioners, Whitley Harris advised that there were no complaints about parking when the church was being operated; that there could be parking in the back of the church; that they would use lot across the street for larger events; that they would have to know which events would want to serve for alcohol and that they would serve it; that the individuals using the facility would not be allowed to bring their own alcoholic beverages; that they plan on keeping the outside of the building as is due to the historical nature of the building.

Community Development Director Brian Williams advised that there is not a concern related to parking as the building was a church for 100 years.

There being no further questions from the Board nor comments from those in attendance, either in favor of or opposed to this application, Chairman Zuerner closed the Public Hearing.

The motion to approve a Special Use Permit for a Special Events Facility located at 4731 Pine Lake Road, West Point was made by Commissioner Langston, seconded by Commissioner Andrews and passed unanimously with the following conditions:

- (1) Weekend closure by 10:30 p.m.;
- (2) Weekday closure by 8:30 p.m.;
- (3) Provide plan to verify ability to park on owned property;
- (4) Lighting shall be directed away from all adjoining residential property and public roads;
- (5) Lighting shall not illuminate a public road, directly or indirectly, with a level of intensity that is deemed to be potentially hazardous to vehicular traffic by the Georgia Department of Transportation or by the Harris County Department of Public Works; and
- (6) All activities shall take place inside the venue due to noise concerns in the residential area.

C. **Application of Dylan Lloyd Thomas for a Special Use Permit for a commercial Kennel for Training and Boarding of Dogs on 16.867 acres of property located at 1245 Winfree Road, Hamilton, GA; located on Map 069, Parcel 010, Land Lots 55 and 74, Land District 21, and zoned A-1 (Agricultural/Forestry).** Chairman Zuerner called the Public Hearing to order, read the specifics of the application, and stated that the applicant has withdrawn his application. Russell Britt, County Attorney, advised that there was no need to hold the public hearing. No action was taken.

D. **Application of Cataula Volunteer Fire Department for a Special Use Permit for a Fire Station on 2.0 acres of property located on northern 2 acres of 7211 US Hwy 27, Cataula, GA; located on Map 061, part of Parcel 020, Land Lots 5 and 6, Land District 21, and zoned A-1 (Agricultural/Forestry).** Chairman Zuerner called the Public Hearing to order, read the specifics of the application, and said that the recommendations of the Planning Commission and the Staff were for approval.

Bill Czurur, Chief of the Cataula Volunteer Fire Department, appeared before the Board and stated that they have been looking for a piece of property for better than 10 or 15 years; that the Davis' donated the 2 northern acres of their property for the fire station; that the location will improve the ISO rating and will help homeowner's insurance premiums for residents; and increase their ability to respond to nearby areas.

Chairman Zuerner asked if anyone wished to speak in favor of this application. There being none, he asked if anyone wished to speak in opposition to this application. There being none, Chairman Zuerner asked if there were any comments or questions from the Board.

Chairman Irions asked how much the fee was for the Application for the Special Use Permit. Community Development Director Brian Williams advised that it was \$400.00. In response to questions, Community Development Director Brian Williams stated that they would charge the fee for the Application for the Special Use Permit but would not charge building fees.

There being no further comments or questions from the Commission, Chairman Zuerner closed the Public Hearing.

The motion to approve a Special Use Permit for a Fire Station located on the northern 2 acres of 7211 US Hwy 27, Cataula was made by Commissioner Grant and seconded by Commissioner Irions who stated that he would like to approve and refund the application fee. Commissioner Grant withdrew his motion.

After discussion by the Board, the motion to approve a Special Use Permit for a Fire Station located on the northern 2 acres of 7211 US Hwy 27, Cataula and refund the Special Use Permit fee of \$400.00 was made by Commissioner Irions and seconded by Commissioner Andrews, and passed with four in favor (Zuerner, Grant, Irions, Andrews) and one opposed (Langston).

10. **COUNTY ATTORNEY**

- A. **Agreement with Harris County Chamber of Commerce - Man O'War Recreation Trail Branding.** County Attorney Russell Britt informed the Board that this agreement, along with discussions with the Harris County Chamber of Commerce and a consensus at the February 24, 2022 Planning Retreat, memorializes the branding related to the Man O'War Recreation Trail and each parties' responsibilities.

The motion to award the approve the Man O'War Railroad Recreation Trail Branding Agreement with the Harris County Chamber of Commerce and authorize the County Manager to execute the necessary documents was made by Commissioner Grant, seconded by Chairman Zuerner, and passed unanimously.

11. **OTHER**

- A. **Consideration of cancelling the July 5, 2022, September 6, 2022 and December 20, 2022 Regular Meetings.** Chairman Zuerner stated that he would definitely be in favor of cancelling the July 5th meeting. Commissioner Grant did not think that the meetings of September 6th or December 20th should be cancelled now in case there was something that may come up but they could be cancelled later if desired.

The motion to cancel the July 5, 2022 Regular Meeting was made by Commissioner Grant, seconded by Chairman Zuerner, and passed unanimously.

12. **COUNTY ATTORNEY**

- A. **Request for Executive Session.** Russell Britt, County requested an Executive Session for the purpose of discussion litigation and real estate.

13. **RECESS FOR EXECUTIVE SESSION.** Chairman Zuerner made the motion to go into Executive Session for possible litigation and real estate at 7:50 p.m. The motion was seconded by Commissioner Langston and passed unanimously.

14. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made at 9:28 p.m. by Commissioner Irions, seconded by Chairman Zuerner, and passed unanimously.

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

Andrew Zuerner, Chairman

Attest:

Andrea Dzioba, County Clerk