

HARRIS COUNTY BOARD OF COMMISSIONERS

DECEMBER 5, 2017

Commission Chamber, Room 223, Harris County Courthouse

NO WORK SESSION

REGULAR SESSION

7:00 PM

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

MINUTES

1. Regular Session of November 21, 2017

APPEARANCE OF CITIZENS

OLD BUSINESS

2. Third Reading: Application of Mindy McGuire for Beer & Wine On-Premises at Tricky's located at 6052 GA Hwy 85, Ellerslie

NEW BUSINESS

3. Colin Martin: Presentation of Chamber's Residential Broadband Survey
4. Recommendation Regarding Tennis Court Usage & Community Center Usage for Private Classes
5. First Reading: Application of Tommy Moss for Beer & Wine On-Premises at Tommy's Smokehouse & Barbecue located at 3565 GA Hwy 85, Ellerslie

COUNTY MANAGER

6. Project Updates

COUNTY ATTORNEY

7. Resolution & Adoption Agreement for ACCG Senior Management Plan
8. Agreement & Resolution: GEFA Drinking Water Revolving Fund Third Modification of Promissory Note & Loan (to extend time to June 1, 2018)
9. Agreements w/Georgia Probation Services to Provide Probation Supervision Services for Magistrate Court, Probate Court, and Superior Court

ADJOURNMENT

MINUTES

12/05/17

Minutes are not available to the public until they have been approved by the Board of Commissioners. Once approved, they will be posted on the website.

**THIRD READING: APPLICATION OF
MINDY McGUIRE for BEER & WINE ON-PREMISES**

First Reading was held November 7, and the Second held November 21. Two motions were made during the November 21, one for approval and one for disapproval, and both failed due to a tie vote on each.

Applicant: Mindy McGuire

Business: Tricky's

Location: 6052 GA Highway 85, Ellerslie
(former location of Ossahatchee Oyster Bar)

Type License: Beer & Wine On Premises

Recommendations:

Sheriff's Office: approval

Community Development: approval pending meeting building code

Health Department: approval pending issuance of food permit

Motion and vote needed.

**COLIN MARTIN: PRESENTATION OF CHAMBER'S
RESIDENTIAL BROADBAND STUDY**

12/05/17

Colin Martin, President & CEO of the Harris County Chamber of Commerce, requested to be on the agenda to review the results of the Chamber's Residential Broadband Study.

**TENNIS COURT USAGE & FEES
& CLASSES AT COMMUNITY CENTER**

12/05/17

The Fee Schedule for the Community Center & Recreation Facilities has been revised to reflect usage of Tennis Courts and Community Center by individuals giving private lessons.

Regarding the Tennis Courts, the following is suggested:

- ▶ Instructor to collect and remit 10% of the class fee to the county at the end of each class with a class roster
- ▶ Classes will be scheduled on a space available basis with Recreation staff
- ▶ Instructor shall have general liability insurance naming the county as an additional insured
- ▶ Instructors who reside in the county shall have a county-issued business license

According to John Magazu, Bobby Greer has been contacted about the above, but had no comment.

Regarding usage of the Community Center for private classes, the following is current practice, but was inadvertently omitted from the previously approved Fee Schedule for the Community Center

- ▶ Instructor of a class must be a member of the Community Center
- ▶ Community Center members must pay the class fee
- ▶ Non-members must pay at \$1.50 fee as a Community Center fee and the class fee.
- ▶ Instructor to collect all fees and remit 100% of the \$1.50 fee and 30% of the class fee to the county at the end of each class with a class roster.
- ▶ Classes will be scheduled on a space available basis with Recreation staff.
- ▶ Instructor shall have general liability insurance naming the county as an additional insured.
- ▶ Instructors who reside in the county shall have a county-issued business license.

Mr. Magazu will be present to respond to questions regarding the above.

Motion needed to approve the revised Fee Schedule for the Community Center Facility & Recreation Facilities.

**FIRST READING: APPLICATION OF
TOMMY MOSS for BEER & WINE ON-PREMISES**

12/05/17

This is the First Reading.

Applicant: Tommy Moss

Business: Tommy's Smokehouse and Barbecue

Location: 3565 GA Highway 85, Ellerslie

Type License: Beer & Wine On Premises

Recommendations:

Sheriff's Office: approval

Community Development: disapproval - does not meet distance requirements*

Health Department: approval

Second Reading scheduled for December 19, 2017.

***SECTION 6-52. DEFINITIONS**

Distance means the measurement in linear feet from the nearest wall enclosing the business premises or proposed premises of licensee to the nearest point of any church building; residential building; school building or school grounds, including nursery school building, day care center building, and adjoining playgrounds; girls' club building; boys' club buildings; public library building; funeral chapel; teen center building; *public recreation area*; college campus; alcoholic treatment center, or any public housing authority property, the same to be measured by way of the nearest traveled road, street or highway, as provided by law.

SECTION 6-53. IN GENERAL

(d) Restrictions on Location of Business.

- (1) No retail on or off premises license shall be issued unless the business meets the distance requirements, as follows:
 - a. On-premises beer, wine and/or distilled spirits by the drink licenses: beyond one hundred (100) yards from any church or residential building or lot zoned R-1 or R-2 or *beyond two hundred (200) yards from any school building or grounds or otherwise specifically addressed in the definition of "distance" as set forth in Section 6-52 of this article*; or beyond one hundred (100) yards of any college campus, alcoholic treatment facility, or housing authority property.

6

PROJECT UPDATES

12/05/17

Randy Dowling, County Manager, will provide updates on various projects.

RESOLUTION: ACCG SENIOR MANAGEMENT PLAN

12/05/17

During the November 7 meeting, the BOC approved making a contribution to the ACCG Senior Management Retirement Program, as part of the benefits provided to Randy Dowling, County Manager, following his first years' job performance evaluation.

The documents necessary to become part of the ACCG Defined Contribution Plan for Senior Management (Resolution and Adoption Agreement) have been provided, and action is required by the Board.

Motion and vote needed.

**GEFA DRINKING WATER REVOLVING FUND
THIRD MODIFICATION OF PROMISSORY NOTE &
LOAN AGREEMENT and RESOLUTION**

12/05/17

The County entered into an agreement with GEFA for Water Treatment Plant Improvements in the amount of \$2,000,000 in May 2014, and in September 2016 approved additional funding of \$750,000 via a Second Modification to the Agreement, bringing the loan to \$2,750,000.

An extension to June 1, 2018, is necessary for the completion of the project, and GEFA has provided the Third Modification of the Promissory Note & Loan Agreement and Resolution regarding same, and which must be approved by the Board.

Motion and vote needed to approve the modification agreement and the resolution to authorize Chairman Lange to execute related documents and for the County Clerk to attest same.

**AGREEMENTS W/GEORGIA PROBATION SERVICES
TO PROVIDE PROBATION SUPERVISION SERVICES**

12/05/17

The County currently has agreements with Georgia Probation Services to provide probation supervision services for defendants convicted in Magistrate Court, Probate Court and Superior Court, and they expire December 31.

John Taylor, County Attorney, will review the three agreements, which are needed in order to continue the services for the courts.

Motion and vote needed.