

**HARRIS COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

May 6, 2014

7:15 P.M.

Commissioners Present: J. Harry Lange, Joey M. Loudermilk, Becky Langston, Jim Woods. Commissioner Absent: Charles Wyatt (due to illness). Staff Present: Greg Wood, County Manager; John Taylor, County Attorney; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order and apologized for the delay in starting the meeting due to discussion regarding the County's health insurance.
2. **MINUTES.** The motion to approve the minutes of the April 22, 2014, Regular Session, was made by Commissioner Loudermilk, seconded by Chairman Lange, and passed unanimously.
3. **OLD BUSINESS**
  - A. **Bridge on Fortson Road over Standing Boy Creek.** Chairman Lange said that this had been tabled from the March 18, April 1 and April 22 meetings regarding clarification of the County's commitment to pay approximately \$53,000 to purchase the right of way for the project. Sue Ann Decker, GDOT Project Manager, appeared before the Board to discuss the project. In response to questions, Ms. Decker said that GDOT is in negotiations with the project designers; that the typical smallest bridge footprint is 11-foot lanes with six-foot shoulders of two-foot asphalt and four-foot grass; that the needed right-of-way will be dictated by the hydraulic study, which could result in the bridge having to be raised; that GDOT will do its best to keep the right-of-way as tight as possible; that they anticipate using I-185 as detour for the project; that the hydraulic study is conducted by taking a cross section of the river bed, doing an analysis of the topography in the area, and looking at the 1994 flood water elevation of the area; that there is no assurance GDOT can give as to the cost of the right-of-way around the bridge; that they can give estimates on the width that may be needed to include utilities and erosion control; that costs estimates include \$380,000 for engineering, \$54,000 for right-of-way, a little over \$500,000 in construction, and \$11,000 in utilities; that typically they don't have to purchase right-of-way underneath bridges because of the divergent ditches; that the typical local right-of-way acquisition agreement has an estimated amount and not guaranteed; that it is a posted bridge with a weight limit; that the right-of-way will taper out from the bridge; that as an example of how close GDOT estimates costs, an estimate for a bridge in Dooly County came in at \$101,000 and the actual right-of-way was \$107,000; that by this summer GDOT should be able to provide the County with a layout with the amount of right-of-way anticipated and the County can come back with a cost based on the property around the bridge; that a non-commitment from the County won't hold up the right-of-way, but if the County does not fund it, it may push the project out several years and GDOT may not fund it. Following discussion, Chairman Lange said that once GDOT gets the layout to the County, it can better determine the cost for the right-of-way, at which point the Board would act on the cost for acquisition.
4. **PUBLIC HEARING @ 7:30 PM**
  - A. **Public Hearing Procedures.** Chairman Lange explained the Public Hearing procedures.
  - B. **Conflict of Interest Forms.** The Conflict of Interest forms were completed at the request of Chairman Lange.
  - C. **Application of Brook D. & Lisa E. Thompson and Andre Lopez to rezone 5.07 acres of Land Lot 108, Land District 19, Map 029A, Parcels 209, 210, 211 and 213; from MHU-2 to A-1; present use residential; proposed use residential with up to three equine of property; property located at 153 South Haley Street, Fortson.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Commission recommended disapproval, and that the County Planner has recommended the Rezoning is not appropriate due to the fact that the surrounding property is zoned MHU-2 and has developed with that usage; however, if approved, it is suggested that the number of horses be limited to three.

Brook D. and Lisa Thompson and Andre Lopez, applicants, appeared before the Board, along with Kathleen Lopez, wife of Mr. Lopez. Mrs. Thompson said that they have three horses; that they want to rezone the property in order to keep the horses; that they are in a subdivision but have a private road on each side of their property; and that no one in the area has any problems with the horses. Mrs. Lopez said that the horses are rescue horses; that the

covenants for the subdivision indicate that farm animals are permitted; that part of the land has been cleared, but they have put everything on hold because of a letter received saying they were in violation of the zoning ordinance. Mrs. Thompson said that they plan on having about 3.5 acres cleared off with fencing. Mr. Thompson said that the four parcels are grouped together between two gravel roads leading to the lake; and that they would not increase the number of animals nor raise more horses. In response to questions, Mr. & Mrs. Thompson and Mrs. Lopez said that they have a small lean-to; that they would like to put in a barn; that they would do everything proper for the safety of the animals; that they (Thompson) live on lot # 34 and the Lopez's live on # 38; that their relatives live on the other lots; and that the letter received was from Joe Negrete.

There being no further comments or questions, Chairman Lange asked if anyone wished to speak in support of the Rezoning application.

Bob King, father of Mrs. Thompson and Mrs. Lopez, said that he lives across from the subject property, and that they have no objections to the Rezoning.

There being no further comments, Chairman Lange asked if anyone wished to speak in opposition to the Rezoning application. There being none, Chairman Lange asked the applicants if they had any further comments or if there were any questions from the Board. In response to questions from the Board, the applicants said that the land is sufficient for the two horses and one donkey; that they have had the animals for a year but on the subject property since October 2013; that some of the property does slope down toward the lake; and that they have silt fencing on one part of the property. Mrs. Lopez said that she never hears the horses; that there is no odor; and that there have not been any complaints from the neighbors. Tracie Hadaway, County Planner, in response to a question from Commissioner Lange, said that she had received one letter in opposition to the Rezoning from Mike Moon, who developed the property [and had also talked to Britt Moon, who was opposed.]

There being no further comments or questions, Chairman Lange closed the Public Hearing. The motion to disapprove this Rezoning application was made by Commissioner Langston based on the advice of the County Planner, the Planning Commission, and the fact that everything around the subject property is zoned MHU-2, was made by Commissioner Langston and seconded by Chairman Lange. He said that while what the Thompson and Lopez's are doing is wonderful, he is concerned about agricultural zoning being surrounded by MHU-2, and about the possibility of excrement run-off into the lake. The motion failed by a vote of two in favor (Langston, Lange) and two opposed (Loudermilk, Woods).

The motion to approve the Rezoning with the condition that silt fencing remain in place to protect the lake from the runoff of excrement and that the number of equine be limited to three was made by Commissioner Loudermilk and seconded by Commissioner Woods. The motion failed by a vote of two in favor (Loudermilk, Woods) and two opposed (Lange, Langston).

As a result of both motions failed, the County Attorney said that the Rezoning fails.

5. **OLD BUSINESS (CONTINUED)**

- B. **TIA Signs from GDOT.** Chairman Lange said that this had been tabled from the April 1 and April 22 meetings regarding signs about TIA (Transportation Investment Act) project. Greg Wood, County Manager, reminded the Board that purchasing the signs from GDOT would cost \$40.26 per sign plus \$15.40 per T-post, for a total of \$55.66 per sign; that purchasing the signs directly from the manufacture, Georgia Correctional Industries, would cost \$40.00 per sign, plus \$8.95 shipping unless the order is over \$100, and the County would obtain the T-posts elsewhere, and that "Harris County" will be on the signs, rather than "River Valley". Following discussion, which includes that the signs would be posted on resurfacing, paving, and bridge projects, the motion to purchase 10 signs was made by Commissioner Woods, seconded by Commissioner Loudermilk, and passed unanimously.
- C. **Bidder Lists Sign-Up Policy.** Greg Wood, County Manager, said that as a result of the discussion during the April 22 meeting concerning bidders lists, a policy was drafted, and would be posted on the County's website. Following discussion, which included that the word "package" needed to be inserted and that the dollar amount of \$10,000 should remain, the motion to approve the bidder list policy was made by Commissioner Woods, seconded by Commissioner Langston, and passed unanimously. (Document can be found in "Miscellaneous Documents" file as MD #14-10.)

- D. **Road Resurfacing List FY 14/15: T-SPLOST or LOST**. Greg Wood, County Manager, said that the road resurfacing list was discussed during the April 22 meeting, and that he has included cost estimates for milling (0-2" at \$30,800/mile), leveling (80#/SY at \$45,696/mile), and resurfacing (135#/SY, which equates to 1.25" asphalt, at \$66,696/mile and 165#/SY, which equates to 1.50" asphalt, at \$79,926/mile); and that the Airport access road should be included, although it will be for paving rather than resurfacing; that the total mileage is 53.2 miles, which at 1.5" asphalt would be an estimated \$4.26 million not counting the Airport; that the milling would be an estimated \$390,000; that leveling would be an estimated \$920,000; that the estimated total to do all 17 roads would be \$5,566,600; that the Board may choose to do the first five roads, which would be an estimate of \$1,096,000, milling at \$145,700, leveling at \$237,000, for a total of \$1,471,700; that the estimated T-SPLOST is \$940,000 for the year; that there is approximately \$2.7 million available in the 2009 SPLOST; that \$530,000 could come from 2009 SPLOST and combine with T-SPLOST, would give \$1.47 million, which would knock on the first phase; that at that rate, using T-SPLOST plus the LMIG, the whole list could be done in about four years, and if the Airport access road is included, it would be about a five-year completion. Discussion included that this would be starting as of July 1, 2014, with the first phase completed before January 2015; that paving the Airport road, approximately 1,300 feet, is really needed; that Harris Road (first on the list) is a very heavily traveled road; that funds need to be set aside for dirt roads; that the list could be adopted for a five-year plan, but there could be minor changes as necessary with the work being done based on the monies available. The motion to approve the list as a five-year plan with the addition of the Airport road, which is to be included in the first phase, with changes as necessary and as funds (SPLOST, T-SPLOST, LMIG) are available and to come back with a firm numbers and dollar amounts at the appropriate time was made by Chairman Lange, seconded by Commissioner Woods, and passed unanimously.
- E. **Mars Hill Drive & West Mars Hill Drive Issues**. Chairman Lange said that the matter of moving forward with the acceptance of Mars Hill Drive & West Mars Hill Drive was discussed during the April 22 meeting; that the two property owners, whose properties abut both Monument Road and Mars Hill Drive, have indicated they will give the necessary right of way, but do not want to be assessed for any of the costs associated with the acceptance process; there is one other property owner who has indicated they will not give the right of way; and that a request was made for an estimate of costs associated with the road acceptance; that the estimated costs are \$42,183 for the road work (for GAB, pipe, equipment & labor, rip a rap, and silt fence) and \$7,500 for legal work (title searches and deed preparation) for an approximate \$49,683. Discussion included that a Commissioner could talk to the one person who has refused to donate the right-to-way or that property could be condemned; that the two properties abutting Monument and Mars Hill do not access Mars Hill Drive and do not use that road. Commissioner Woods made the motion to move forward with the road acceptance process and that the two property owners abutting both Monument Road and Mars Hill Drive are not assessed for any costs. The motion was seconded by Commissioner Loudermilk, who then asked if the County would move forward with condemnation of the other property. John Taylor, County Attorney, said that the person might change their mind and that before condemnation can take place, a resolution will be necessary. The motion passed with three in favor (Woods, Lange, Loudermilk) and one opposed (Langston).

## 6. **NEW BUSINESS**

- A. **Request for Bus for EMA/9-1-1**. Chairman Lange said that a request is being made to obtain a bus from the Board of Education and he asked Greg Wood, County Manager, for comments. Mr. Wood said that the plan is to use the bus in the event of a mass casualty; that it will be retrofitted with stretchers and stanchions; and that it will be painted, for which \$500 has been included in the upcoming budget. Monty Davis, EMA/9-1-1 Director, said that the bus would be able to carry 12 patients; that it needs some minor repairs; and that it will be painted white with red letters. Following discussion, the motion to approve the acquisition of the bus from the Board of Education was made by Commissioner Langston, seconded by Commissioner Loudermilk, and passed unanimously.
- B. **Request for Tax Refund: Ashley Brown**. Chairman Lange said that a refund request in the amount of \$27.96 was due to having paid for tag on a car that had been stolen rather than the car the owner still has, and that the Tax Commissioner agreed with the request. The motion to approve the refund of \$27.96 was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.

- C. **Airport Jumbo T-Hangar Rental Fee.** Discussion took place regarding the fee to charge for the larger Jumbo T-Hangars. Following discussion, the motion to set the fee at \$215 for the single hangars and to set the fee for Ben Baker, mechanic who runs his airplane repair business at the Airport, at \$450, was made by Commissioner Woods, seconded by Chairman Lange, and passed unanimously.
- D. **Health Insurance Renewal.** Chairman Lange asked if there was a motion regarding the health insurance for employees, as a result of the preceding Work Session. Commissioner Langston said that she would like more time to review the information, to which commissioner Chairman Lange and Commissioner Loudermilk agreed. Following a brief discussion, action was tabled to the May 20 meeting.
7. **COUNTY MANAGER.** Greg Wood, County Manager, said that he had no business to discuss with the Board this evening, other than to request an Executive Session for the purpose of discussing real estate acquisition and a personnel matter.
8. **COUNTY ATTORNEY.** John Taylor, County Attorney, said that he had no business to discuss with the Board this evening.
9. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing real estate acquisition and a personnel matter was made at 8:30 PM by Commissioner Woods, seconded by Commissioner Loudermilk, and passed unanimously.
10. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made by Commissioner Woods, seconded by Chairman Lange, and passed unanimously.
11. **OTHER**
- A. **Salary Increase: EMS Director.** Greg Wood, County Manager, said that he would like to increase the salary of Jimmy Carver, EMS Director, to \$70,000. Following a brief discussion, the motion to approve the salary increase to \$70,000 on the condition that Mr. Carver not work for any other EMS unit was made by Chairman Lange, seconded by Commissioner Woods, and passed unanimously.
12. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.

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J. Harry Lange, Chairman

Attest:

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Nancy D. McMichael, County Clerk