

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

June 7, 2016

7:00 P.M.

Commissioners Present: J. Harry Lange, Martha Chewning, Becky Langston, Joey Loudermilk, Jim Woods. Staff Present: John Taylor, County Attorney; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE.** At the request of Chairman Lange, Commissioner Langston led those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the May 17, 2016, Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Chewning, and passed with four in favor (Loudermilk, Chewning, Lange, Langston), no opposition, and one abstention (Woods, who was absent from the May 17 meeting).
4. **OLD BUSINESS**
 - A. **Springsted Salary Compensation & Classification Study.** Chairman Lange reviewed the process that the County has undertaken with Springsted regarding a salary compensation and classification study, and said that the final revisions have been provided for action. He then made the motion to adopt the Springsted pay grades, job descriptions and salary ranges effective July 1, to include the implementation of same based on option #2, whereby all employees will receive a pay increase of 2%, and those employees whose pay rate is being increased to the new minimum but is less than 2% will receive a total of 2%; the intent to review and adopt the annual Consumer Price Index (CPI), adjusted for the local area, to reset the salary pay ranges; and the intent to review and provide for longevity raises within the next few years. The motion was seconded by Commissioner Loudermilk. As discussion, Commissioner Woods said that ultimately the implementation of the compensation and classification study will lead to an increase in the millage rate within the next year or two. The motion passed unanimously.
 - B. **US Highway 27 and Georgia Highway 116 (east) Intersection.** Commissioner Chewning said that Georgia DOT had made changes to the intersection of US Highway 27 and Georgia Highway 116 east to allow tractor-trailers turning onto Georgia Highway 116 east to have more room in making the turn.
 - C. **Water Build-Up on Koch/JCG Foods Property.** Commissioner Chewning said that she had contacted Georgia DOT about water building up on Georgia Highway 116 between the two driveways at Koch/JCG Foods but has not yet heard back about the possible rerouting of the water which flows through culverts onto private property.
 - D. **Litter/Garbage Pick-Up.** Commissioner Chewning said that litter still remains an issue throughout the County even though crews pick up same; that during the month of May 1,100 pounds of trash was picked up; that during April and May the total was over 3,000 pounds; and that picking up the trash is taking a lot of time away from persons who could be doing other work. Commissioner Loudermilk said that a lot of the trash comes from pick-ups where people have put trash in the bed of the truck not realizing that the trash will blow out and that people need to be more aware of the issue. Chairman Lange agreed that everyone needs to be mindful of the issue.
5. **NEW BUSINESS**
 - A. **Health Insurance: Motion to Rescind and New Motion.** Chairman Lange said that during the May 17 meeting, the Board voted to renew its health, dental and vision with Blue Cross Blue Shield and chose Option #3, which included an increase to the amount employees pay toward their insurance premium; that the Board had discussed revisiting this during a recent Work Session; and that in order to proceed with any change, a motion and action to rescind the previous motion is necessary. Commissioner Chewning made the motion to rescind the motion made May 17 regarding the insurance renewal in its entirety. The motion was seconded by Commissioner Langston and passed with four in favor (Chewning, Langston, Lange, Loudermilk), no opposition, and one abstention (Woods). The motion to renew the insurance with Blue Cross Blue Shield with Option #1, which includes no changes to

the deductible and out-of-pocket and the County absorbing the full cost of the increase was made by Commissioner Langston and seconded by Commissioner Loudermilk. Following discussion, the motion passed with three in favor (Langston, Loudermilk, Lange) and two opposed (Chewning, Woods).

- B. **Budget FY 16/17 Public Hearing I.** Chairman Lange called the Public Hearing to order and said that the budget included the general fund, airport, solid waste, water works and small funds; and that the general fund budget included the previously discussed salary increases for employees (see 4A above) and the changes made regarding the health insurance (see 5A above), also previously discussed. There were no comments from the Board or anyone in attendance regarding same. Chairman Lange said that the next Public Hearing will be during the June 21 meeting, after which action would be taken regarding the budget.
- C. **Appointments/Reappointments: Board of Health, Board of Zoning Adjustments & Valley Partnership.** Chairman Lange said that appointments or reappointments are needed on three boards.
- (1) **Board of Health.** With the vacant position resulting from Greg Wood no longer being County Manager, an appointment is needed; and that the vacant position is for the “executive officer of the governing authority or his appointee”. Chairman Lange asked that this be tabled to the June 21 meeting. Commissioner Woods said that he would be interested in filling the vacancy but he needs to know what it entails before he will commit to same. Nancy McMichael, County Clerk, is to contact the Health Department about same.
 - (2) **Board of Zoning Adjustments (BZA).** Rick Cozine, who was appointed for District 3, recently resigned his position on the board and his term expires September 30, 2017. The motion to appoint Dewey Batchelor to complete the term of Mr. Cozine was made by Commissioner Langston, who said that Mr. Batchelor is in construction and will bring a lot to the BZA. The motion was seconded by Commissioner Loudermilk, and passed unanimously.
 - (3) **Valley Partnership Joint Development Authority (VPJDA).** The term of Harry Lange expired March 14, 2016, and the VPJDA has recommended that he be reappointed. The motion to reappoint Chairman Lange to the VPJDA for a new term expiring March 14, 2020, was made by Commissioner Loudermilk, seconded by Commissioner Chewning, and passed unanimously.
- D. **VFD Stipend Requests.** Chairman Lange explained that when Melody Lakes Volunteer Fire Department (VFD) disbanded in September 2013, a full year’s stipend remained in the budget and at the request of the Council of Fire Chiefs (CFC) the stipend was divided among 11 departments. He said that the same stipend amount was included in the FY 14/15 and FY 15/16 budgets; that the CFC has requested the division of the \$12,736/year; and that the CFC has requested that the stipend amount per department be increased. Nancy McMichael, County Clerk, said that CFC had requested the amount if FY 14/15 and FY 15/16 be dividing among 10 departments, to not include West Point, but that she had inadvertently indicated the division to be among 11 departments. Following discussion, the motion to approve the division of the \$12,736/year leftover stipend amount be divided among 11 VFDs so that each department receives an additional \$1,157.82/year for a total of \$2,315.64 (two years) and that the stipend for each of the 11 VFDs be increased by \$1,157.82/year, to bring the stipend per department to \$13,893.82 annually or \$3,473.45 quarterly, was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously.
- E. **First Reading: Alcohol Application of Baljett K. Sandhu for Package/Liquor, Beer & Wine Off Premises at Billy Bob’s Party Shop, 6052 GA Highway 85, Ellerslie.** Chairman Lange read the specifics of the application and said that it had been recommended for approval by the Sheriff’s Office, for disapproval by Community Development, and that Health Department recommendation was not needed. Brian Williams, Community Development Director, confirmed that the disapproval by his department was due to the fact the applicant had not yet applied for an occupational license and that the building needed to be inspected for change of occupancy. The business manager was present and said that they will make sure the issues are resolved before the next reading. The applicant not being present, Chairman Lange asked if anyone wished to speak in favor of the application. There being none, he asked if anyone wished to speak in opposition.

Commissioner Loudermilk said that Billy Bob's convenience store sells beer and wine and that Luke's Pub sells drinks on premises; that someone can purchase alcohol from either of the current location; that he does not see the need for another alcohol license in the area; and that he will oppose the application when the vote is called. Commissioner Woods commented that a more descriptive birthplace, other than "India", is necessary. Chairman Lange said the Second Reading will be held June 21.

6. **PUBLIC HEARINGS @ 7:30 PM**

- A. **Explanation of Public Hearing Procedures.** The procedures regarding the scheduled Public Hearings were explained by Chairman Lange.
- B. **Conflict of Interest Forms.** The Conflict of Interest forms were completed at the request of Chairman Lange.
- D. **Application of Mary Ann Armijo to rezone 8.023 acres on Land Lot 11, Land District 21, Map 079, Parcel 036, owned by William B. Cliatt, from R-1 (Single Family Residential) to A-1 (Agricultural & Forestry); present use vacant; proposed use residential and farm; property located approximately 3/10 of a mile west of Harris Road on Ga Hwy 208, Waverly Hall.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that it had been recommended for approval by both the Planning Commission and Staff. Mary Ann Armijo, applicant, appeared before the Board and said that she wants to rezone to A-1 to be consistent with surrounding property for agricultural use and plans to build a home on the property. There being no questions from the Board, Chairman Lange asked if anyone wished to speak in favor of the application. There being none, he asked if anyone wished to speak in opposition.

Mullins Whisnant, citizen, appeared before the Board and said that he was concerned about what was planned for the property; that he did not want to see a hog farm; and that this could possibly be spot zoning since surrounding property is residential. Commissioner Chewning showed Mr. Whisnant a copy from the zoning map reflecting the surrounding property, with the exception of one small piece, as A-1.

There being no further comments in opposition, Chairman Lange asked Ms. Armijo for rebuttal. There being no rebuttal, Chairman Lange asked Ms. Armijo if she would object to a condition that there be no hog farm permitted on the property. Ms. Armijo said that she had no objections. Chairman Lange closed the Public Hearing and asked for a motion.

The motion to approve this rezoning application, with the condition that there be no hogs/hog farm on same, was made by Commissioner Loudermilk, seconded by Commissioner Chewning, and passed unanimously.

- E. **Application of Standing Boy Creek Farms, LLC, by Karl White, for a Special Use Permit to allow outdoor weddings and similar events on 8 acres on Land Lots 168 & 169, Land District 19, Map 031, Parcel 032; current use agricultural; proposed use outdoor weddings and similar events; property located approximately one-half mile northwest of Creekwood Court on Whitesville Road, Fortson; and zoned A-1 (Agricultural & Forestry) [Board to act on Request to Withdraw].** Chairman Lange read the specifics of the application and said that both the Planning Commission and Staff had recommended disapproval of this application; that shortly after the Planning Commission meeting, the Board of Commissioners' office received a letter from Karl White requesting the withdrawal of the application and that the Board would be acting on the request, after which action would be taken. John Taylor, County Attorney, also pointed out that the Zoning Ordinance reflects that in connection with such a request the Board must also include whether or not another application can be made within 24 months. Chairman Lange asked for a motion. The motion to approve the request and grant the withdrawal of the application with the stipulation that another Special Use Permit application cannot be made for the next two years (24 months) was made by Commissioner Langston and seconded by Chairman Lange. Commissioner Woods said that he must recuse himself as Standing Boy Creek Farms is a potential client. Commissioner Loudermilk asked Commissioner Langston if she would reduce the 24 month period, to which she replied that she would not. The motion passed with three in favor (Langston, Lange, Chewning), one opposed (Loudermilk), and one abstention (Woods).

7. **NEW BUSINESS (continued)**

F. **First Reading: Alcohol Application of Raju Surani for Beer & Wine Off Premises at Citgo Food Mart, 9089 GA Highway 18, Pine Mountain.**

Chairman Lange read the specifics of the application and said that it had been recommended for approval by the Sheriff's Office and Community Development, and that a recommendation from the Health Department was not needed. The applicant was not present. Chairman Lange asked if anyone wished to speak in favor of or in opposition to the application. There being none, he said that the Second Reading will take place June 21. Commissioner Woods suggested that a better birthplace description, other than "India", be obtained, and that the Board had previously requested that applicants be in attendance. Nancy McMichael, County Clerk, said that she advises the applicants to be in attendance at the hearings and that the dates and times are reflected on the sign that must be posted by the applicant.

G. **Recreation By-Laws Amendment.** Chairman Lange said that the Recreation Board has requested that their By-Laws be amended to allow the appointment of an interim member, for no more than 90 days, when the appropriate youth sports association does not make an immediate recommendation. He then read the amendment to Article IV, D - Term of Office of Board Members, as follows: The term of office of members of the Board shall be for three (3) years. Members whose terms have expired shall continue to serve as members until their successors have been appointed by the Board of Commissioners. If a duly appointed member of the Board is unable to fulfill his or her term for whatever reason, the Board shall have the authority to appoint an interim representative to serve in the capacity of the vacant seat with full voting rights. If the member is representing a community youth sports association, he or she must be an active member of that association, and shall remain on the Board until the community youth sports association makes a representative selection and said selection is approved by the Board of Commissioners. The interim term shall not exceed 90 days. Following discussion, the motion to approve was made by Commissioner Langston, seconded by Commissioner Loudermilk, and passed unanimously.

6. **COUNTY MANAGER**

A. **Projects Status Update.** Chairman Lange said that he asked Nancy McMichael, County Clerk and Assistant County Manager, to provide an update on various projects. Mrs. McMichael included:

- (1) **Water Treatment Plans Improvement Project.** The necessary warranty deed and plat have been recorded and construction start was to have been yesterday.
- (2) **Airport Hangar Floor Issues.** A formal demand letter is in the process of being prepared to have the flooring and other issues resolved within "x" days or the Performance Bond will be pulled. John Taylor, County Attorney, explained the process in greater detail and said that the letter should go out this week or next.
- (3) **CDBG Project.** Public Works has been working on the roads in Kings Gap Village for at least two weeks and is currently installing driveway pipes per construction plans.
- (4) **Washington Road.** Robinson Paving has reported that the road can probably be paved in the next two weeks, but Diverse Power poles are still in the way and holding up progress. Commissioner Chewing said that she has talked with the Diverse Power representative about the situation and he will address same once he returns from vacation. Chairman Lange said that the issue with the power poles is really between Diverse Power and the property owners.

7. **COUNTY ATTORNEY**

A. **Ante-Litem Notice: Andy & Amber Ginn.** John Taylor, County Attorney, said that an ante-litem notice had been received concerning Andy & Amber Ginn in connection with an accident that occurred on May 17. He reviewed the specifics of the accident and recommended that the Board deny the ante-litem notice, after which he will notify the County's insurance carrier of same. Following discussion, the motion to deny the ante-litem notice was made by Commissioner Woods, seconded by Commissioner Chewing, and passed unanimously.

- B. **Agreement: Department of Corrections - Care & Custody of 150 Prison Inmates.** Chairman Lange asked that this agreement be tabled to the next meeting; that there are issues that have come to light regarding the number of inmates and the number of personnel on duty; that the prison was originally built to house 110 inmates and the number has increased to 125 and then last year to 150; and that while it costs the Department of Corrections \$80/day to house an inmate, they only pay the County \$20/day; and that he would like to look into this a little further before taking action. There were no objections to tabling action to June 21.
- C. **GEFA Modification Document & Resolution: Water Treatment Plant Flocculation & Sedimentation Basins Improvements.** John Taylor, County Attorney, said that this agreement was in connection with the GEFA loan the County took out several years ago in the amount of \$2,000,000 regarding the improvements to the Water Treatment Plant; that the documents only extend the commencement of the repayment period; and that he recommends approval of same. In response to a question from Commissioner Loudermilk, Mr. Taylor said that the loan interest rate is 1.4%. The motion to approve was made by Commissioner Woods, seconded by Commissioner Chewning, and passed unanimously. (Document can be found in "Contracts Agreements" file as C&A #16-11.)
- D. **Request for Executive Session.** John Taylor, County Attorney, requested an Executive Session for the purpose of discussing real estate acquisition and personnel matter.
- E. **Westgate Drive & Circle.** In response to a question from Commissioner Chewning regarding the status of the acceptance of Westgate Drive and Circle, John Taylor, County Attorney, said that the title work is almost complete and should be finished soon.
8. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing personnel, real estate acquisition or disposal and potential litigation was made at 8:12 PM by Chairman Lange, seconded by Commissioner Langston, and passed unanimously.
9. **RECONVENE REGULAR SESSION.** The motion to go back into Regular Session was made by Commissioner Loudermilk, seconded by Commissioner Chewning, and passed unanimously.
10. **OTHER**
- A. **Release Agreement: Greg Wood.** The motion to approve the release agreement with Greg Wood, former County Manager, was made by Chairman Lange, seconded by Commissioner Langston, and passed unanimously. (Document can be found in "Contracts Agreements" file as C&A #16-11.)
11. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Chewning, seconded by Chairman Lange, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk