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**Houston County Commissioners Meeting**

**August 4, 2015**

**Perry, Georgia**

The Houston County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, August 4, 2015 at the Houston County Courthouse in Perry, Georgia with Chairman Stalnaker presiding and Commissioners Thomson, McMichael, Walker and Robinson present. Also present were Director of Administration Barry Holland, HEMA/Fire Chief Jimmy Williams, Chief Building Inspector Tim Andrews, Purchasing Director Mark Baker, Director of Operations Robbie Dunbar, Roads Superintendent Travis McLendon, Chief Tax Appraiser James Moore, Senior Animal Control Officer Dale Newberry, Animal Control Officer Alan Smith, Houston County Library Director Sara Paulk, Mental Health Court Administrator Angela Kidder, Senator Ross Tolleson, Sally Tolleson, Senator John Kennedy, Representative Bubber Epps, Sole County Commissioner Butch Hall (Pulaski), Economic Development Director Lee Slade (Pulaski), Candidate for State House 146 Shaw Blackmon, Candidate for State House 146 Larry Walker, III, ACCG General Counsel Jim Grubiak, Walt and Becky Wood, Ansel Peck and County Attorney Tom Hall.

Chairman Stalnaker led the audience in the Invocation.

Major Arielle Abbate, USAF led the audience in the Pledge of Allegiance and then detailed her 5 year military career. Major Abbate currently serves as Executive Officer for the 78th Air Base Wing Commander Colonel King. She is from Connecticut where she went to college to earn her pharmaceutical degree. After spending a few years in the Reserves and graduating from the University of Connecticut in May of 2010, she became active duty working as a pharmacist. She will leave here in early October for her next assignment in her chosen field at Hill Air Force Base, Utah. She remarked that the community support for Robins Air Force Base and the military in general was excellent.

Chairman Stalnaker recognized Jim Grubiak, General Counsel for the Association of County Commissioners of Georgia (ACCG), who presented Senator Ross Tolleson with one of the ACCG’s 2015 Legislative Service Awards for his diligent efforts in crafting sound policy on behalf of all counties and citizens of the State of Georgia. He thanked the Senator specifically for assisting with the passage of HB217, ACCG’s major retirement bill, out of the Senate Rules Committee. He explained that HB217 now authorizes local governments to continue to invest their pension assets in mutual funds. Chairman Stalnaker then recognized Representative Bubber Epps and Senator John Kennedy who lauded Senator Tolleson for his work ethic, wisdom and expertise. Chairman Stalnaker also recognized Sole County Commissioner Butch Hall of Pulaski County and Economic Development Director Lee Slade who thanked the Senator for being both a great Georgian and a friend to Pulaski County.

Chairman Stalnaker recognized Andrew Ross, Field Representative for Senator Johnny Isakson, who thanked Senator Tolleson for his efforts. Chairman Stalnaker remarked that Senator Tolleson was a friend, first and foremost, and also a great public servant.

Chairman Stalnaker read resolutions recognizing the Class of 1965 for both Northside High and Warner Robins High.

Mr. Walker who is a member of the Northside High Class of ’65 thanked the Board for recognizing both schools.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously to approve the minutes from the meeting of July 21, 2015 and July 28, 2015.

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County Attorney Tom Hall made a blanket statement for the benefit of all applicants for Special Exceptions for home occupations that even if the Board of Commissioners approves an application, neighborhood covenants may still impose certain restrictions upon or against home occupation businesses. These restrictive covenants are superior to any action taken by the Board of Commissioners. The action taken by the Board will not change any provision within the covenant that prohibits any commercial or business activity.

Special Exception Application #1889 for a home occupation business was presented by Tim Andrews. Mr. Andrews explained that this application was tabled at the July 7th Board meeting and sent back to Zoning & Appeals at the applicant’s request so he could present additional information to the Zoning & Appeals Board. The applicant appeared at the second Zoning & Appeals hearing held on July 27th with an amended business plan and is unanimously recommended for approval by the Zoning & Appeals Board.

Special Exception Application #1897 and #1899 through #1905 for home occupation businesses were also presented by Tim Andrews. Mr. Andrews explained that Application #1902 and #1903 were recommended to be tabled and sent back to Zoning & Appeals for reconsideration. Application #1902 needs to be sent back because the sign was mistakenly posted on 104 Whitley Drive instead of on 104 Whitley Court. Application #1903 needs to be sent back in order for the applicant to obtain the required approval of the property owner. He stated that all other applications comply with Section 95 of the Comprehensive Land Development Regulations and that the Board of Zoning & Appeals recommends unanimous approval of each.

Chairman Stalnaker then opened a public hearing on Applications #1889, 1897 and #1899 through #1905.

#1889 – Applicant James Patterson was not present.

#1897 - Applicant John LaBuda was present with no further information to add.

#1899 – Applicant Tim Fetz was present with no further information to add.

#1900 – Applicant Tylie Eaves was present with no further information to add.

#1901 – Applicant Katie Johnson was present with no further information to add.

#1902 – Applicant was not present since application is recommended to be tabled.

#1903 – Applicant was not present since application is recommended to be tabled.

#1904 – Applicant was present with no further information to add.

#1905 – Applicant was present with no further information to add.

There was no opposition to any of the applications.

There being no public comments, the meeting was continued.

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Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously to approve Special Exception Application #1889 submitted by James Patterson.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously to approve the following special exception applications to include any and all stipulations as noted on the Zoning & Appeals recommendation and Section 95 Requirements staff report:

Application #1897 submitted by John LaBuda; Application #1899 submitted by Tim Fetz; Application #1900 submitted by Tylie Eaves; Application #1901 submitted by Katie Johnson; Application #1904 submitted by Joseph Reed; and Application #1905 submitted by John Gillman.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously to send Special Exception Application #1902 submitted by Vilma Venegas and Special Exception Application #1903 submitted by Heart of Georgia Landscaping back to Zoning & Appeals for reconsideration.

Re-Zoning Application #1898 submitted by Hong Ha Ai was presented by Tim Andrews. Mr. Andrews explained that the applicant desires to rezone existing R-1 Residential property at 1101 Leverette Road to C-2 Commercial.

Chairman Stalnaker then opened a public hearing on Application #1898.

Applicant Hong Ha Ai was present with no further information to add.

There was no opposition to the Application.

There being no public comments, the meeting was continued.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously to approve Re-Zoning Application #1898 submitted by Hong Ha Ai.

Mr. Andrews gave each applicant approved for a home occupation instruction on the next step of the process which is obtaining their occupational business license from the Commissioner’s office. He also informed Ms. Ai that the C-2 zoning on her property is effective immediately and that she may proceed with her plans for the property.

Motion by Ms. Robinson, second by Mr. Thomson and carried unanimously to approve the hiring of the following workers for the August 11, 2015 Special Election runoff for State House District 146.

**Amount Total\_\_\_**

8 Managers $130.00 $1,040.00

16 Assistant Managers 90.00 1,440.00

10 Clerks 80.00 800.00

3 Training 12.50 37.50

4 Janitors 15.50 62.00

2 Janitors 25.00 50.00

35 TS Units 3.00 105.00

1 Election Night Helper 50.00 50.00

1 Supply Pick Up Helper 50.00 50.00

2 Election Night Check In 50.00 100.00

7 Supply Pick Up/Return Supplies 10.00 70.00

8 Cell Phones 10.00 80.00

**Total $ 3,884.50**

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Chairman Stalnaker remarked that the special election process was nearing the end and

that it was an expensive, albeit necessary, undertaking.

Motion by Ms. Robinson, second by Mr. Walker and carried unanimously to approve Chairman Stalnaker to sign a Memorandum of Agreement between Houston County and Phoenix Center Behavioral Health Services for the purposes of providing contracted clinical treatment services for the Mental Health and Veterans Accountability Court. The agreement term will cover the period from August 24, 2015 until June 30, 2016. Payment under this agreement will come from the Mental Health and Veterans Accountability Court grant.

Mr. Walker recognized Mental Health Court Administrator Angela Kidder who was present. Chairman Stalnaker mentioned that this is the first accountability court to be established in Houston County and that he was sure that it would prove to be a successful one.

Motion by Mr. Walker, second by Mr. McMichael and carried unanimously to approve the appointment of Ms. Patsy Hutto to a four-year term on the Planning & Zoning Board beginning September 7, 2015 and expiring on September 6, 2019.

Motion by Mr. Thomson, second by Ms. Robinson and carried unanimously to approve the appointment of Ms. Lindsay Bailey to a term on the Library Board beginning August 4, 2015 and expiring on February 1, 2019.

Chairman Stalnaker recognized Ms. Bailey and remarked that she would have to fill some big shoes replacing Ms. Becky Wood on the Board. He also recognized Library Director Sara Paulk who was in attendance.

Motion by Mr. Thomson, second by Mr. McMichael and carried unanimously to approve Change Order #4 to the Feagin Mill Road Phase 2 improvements project being performed by contractor Georgia Asphalt. The change order will increase the current contract price of $3,622,703.87 by $466,609.36 to $4,089,313.23. There is no increase to the 781 day contract time under this change order.

Chairman Stalnaker explained that the change order was primarily due to additional materials needed to complete the contract that were under the fixed unit costs per the contract. Mr. McMichael remarked that the flow of traffic on Feagin Mill Road has improved dramatically and thanked the taxpayers for voting for this SPLOST-funded project. Mr. Walker agreed that the traffic flow was much improved and commented that it was also aesthetically pleasing.

Motion by Mr. Thomson, second by Mr. McMichael and carried unanimously to approve the proposed 2016 LMIG priority list to be submitted to Georgia D.O.T. The estimated grant funding would total $588,601.56 and the 30% mandatory match from the County at $176,580.47. The road names, mileage and priority ranking are as follows:

1. Bear Branch Road 2.58 miles
2. Boutwell Road 0.83 miles
3. Elko Road 2.79 miles
4. Heron Drive 0.26 miles
5. East Pointe Circle 0.32 miles
6. Klondike Road 2.53 miles
7. Thompson Mill Road 0.75 miles
8. Southfield Court 0.61 miles

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Chairman Stalnaker commented that the required 30% match would be covered with SPLOST funds. Mr. Walker disclosed that he owns property along one of the roads on the LMIG list, Bear Branch Road, but did not feel that he had a conflict. Chairman Stalnaker recognized Roads Superintendent Travis McLendon and thanked him for the great job he does maintaining County roads on a daily basis.

Senior Animal Control Officer Dale Newberry briefed the Board on the application for a waiver to animal limitations brought by Mr. Ronnie Martin of 202 Lake Drive. He said that Section 10-19 of the Unified Animal Control Ordinance allows a maximum of three dogs per residence. Mr. Martin currently has five adult German Shepherds and one other adult Shepherd that he keeps during the day for a friend. Mr. Martin wishes to establish a business breeding and selling German Shepherds from his residence.

Mr. Thomson asked Officer Newberry what circumstances precipitated this action. Officer Newberry stated that there had been an initial anonymous phone call complaining about barking dogs and that there were several more complaints lodged by neighbors since.

Mr. McMichael asked if all six dogs were breeding females. Officer Newberry was not sure. He stated that the Georgia Department of Agriculture allows only one litter during a twelve month span; otherwise, you would need a breeder’s license.

Chairman Stalnaker then opened a public hearing on the application for waiver to animal limitations submitted by Ronnie Martin.

Applicant Ronnie Martin spoke in favor of the application stating that he did not realize there was a limit of three dogs per residence. He stated that all of his dogs were AKC-registered, in good health and that females could have maybe seven to eight puppies per litter. He stated that he is disabled and living at the 202 Lake Drive residence with his 83-year old mother. He commented that the State of Georgia has recently inspected his dog pens and dogs and that he had no intention of running a puppy mill.

Ms. Robinson asked how many of the dogs were female. Mr. Martin stated that four of his five dogs were females and that the dog he keeps for a friend is also female.

Mr. McMichael remarked that he is sympathetic but that the County has the ordinance limiting the number of dogs for good reason.

Mr. Walker asked Mr. Martin how large the dogs were. Mr. Martin replied that they were between 64 and 76 pounds.

Ms. Robinson asked how long he had owned the dogs. Mr. Martin replied approximately two years.

Mr. Jason Matthews, 311 Erin Way, Warner Robins stated that Mr. Martin keeps his dog for him during the day and that he fully supports his application for the waiver. Chairman Stalnaker asked Mr. Matthews if his dog was prone to barking. Mr. Matthews replied yes that most German Shepherds bark a lot.

Speaking in opposition: Mr. Walton Wood, 426 Sandefur Road, Kathleen stated that there is a good reason for the ordinance and that most people who are granted a waiver to animal limitations very likely abuse it. He commended Officer Newberry and his staff and stated that Mr. Martin’s lack of knowledge as to the animal limitations should have no bearing. He felt that the maximum dogs allowed under the ordinance should be enforced.

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Ms. Robinson stated that the ordinance does list certain criteria specific for exceptions, such as special use or need or for therapeutic purposes, but that it would not be appropriate in this case. She made a motion and received a second from Mr. McMichael to deny the application. After the motion and second, but before the vote, discussion ensued.

Mr. McMichael suggested that Ms. Robinson include in her motion a specific period of time to be set for Mr. Martin to reduce the number of animals to the maximum of three. Ms. Robinson thought that 90 days would be appropriate. A discussion as to whether the ‘boarded’ dog Mr. Martin was keeping for a friend on a daily basis should count as one of the three allowable dogs ensued.

Ms. Robinson then amended her motion to include the 90 day time period and that Mr. Martin could keep an occasional ‘boarder’ dog for a short period of time in addition, but not on a permanent basis. If a dog was kept on a permanent basis it would be considered one of the allowable three.

Motion by Ms. Robinson, second by Mr. McMichael and carried unanimously to deny an application for a waiver to animal limitations as submitted by Ronnie Martin of 202 Lake Drive. Mr. Martin will have 90 days in which to reduce the number of dogs to the maximum of three as allowed under Section 10-19 of the Unified Animal Control Ordinance. Any dog that is ‘boarded’ during the day on a regular basis will be considered one of those three allowable dogs. Any dog that is ‘boarded’ on an occasional basis only will not be considered one of the three and is allowable.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously to approve the payment of bills totaling $2,477,243.67.

Chairman Stalnaker then opened the meeting for public comments.

Ms. Becky Wood, 426 Sandefur Road, Kathleen thanked all the hard-working County employees for the services they provide to citizens. She specifically commended Roads Superintendent Travis McLendon.

Andrew Ross, Field Representative for Senator Johnny Isakson, stated that his office is here in Houston County and that anyone needing assistance should call.

Chairman Stalnaker thanked ACCG General Counsel Jim Grubiak for attending and presenting the legislative award to Senator Tolleson.

Library Director Sara Paulk passed out a flyer outlining the library system’s recent accomplishments and advancements. She thanked the Board for their continued support.

Mr. Ansel Peck, 109 Latham Drive, Warner Robins stated that he is extremely proud of Senator Tolleson’s legacy as a great communicator. He also mentioned that the Houston County school system had a great kickoff to the new school year.

Chairman Stalnaker thanked Representative Bubber Epps for the amount of time he has spent in Houston County representing its citizens. He called Representative Epps the quintessential ‘common man for the common man’. Representative Epps applauded the Board for their efforts serving its citizens and thanked them for their commitment to Robins Air Force Base and the military mission.

There being no further public comments, the meeting was continued.

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The Chairman then asked for comments from the Commissioners.

Mr. Walker agreed with Ms. Wood that we have outstanding employees who make Houston a great place to live. He thanked Representative Epps, Shaw Blackmon, Jim Grubiak and Ms. Kidder for attending the meeting.

Ms. Robinson thanked the citizens for allowing her to serve.

Mr. Thomson thanked Officer Newberry and Travis McLendon for their efforts.

Mr. McMichael thanked everyone for being in attendance.

Motion by Mr. McMichael, second by Mr. Thomson and carried unanimously to enter into Executive Session for Attorney/Client matters as allowed by O.C.G.A. § 50-14-2(1).

Upon returning, Chairman Stalnaker reconvened the regular Board meeting with no action taken.

There being no further comments, the meeting was continued.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously to adjourn the meeting.

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Director of Administration

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