# Houston County Commissioners Meeting June 6, 2017 Perry, Georgia

The Houston County Board of Commissioners met in a regular session at 9:00 a.m. on Tuesday June 6, 2017 at the Houston County Courthouse in Perry, Georgia with Chairman Stalnaker presiding and Commissioners Walker, Robinson, McMichael and Thomson present. Also present were County Attorney Tom Hall, Director of Administration Barry Holland, Director of Personnel Ken Carter, Director of Purchasing Mark Baker, Director of Operations Robbie Dunbar, Fire/HEMA Chief Jimmy Williams, Chief Building Inspector Tim Andrews, Senior Animal Control Officer Alan Smith, Perry Mayor Jimmy Faircloth, Walton and Becky Wood, Ansel Peck, James Erdmanczyk, Maurice Braswell, Flint Energies VP of Cooperative Communications Marian McLemore, and Flint Energies Senior VP Jimmy Autry.

Commissioner Robinson led the audience in the Invocation.

Specialist Billy Boney, US Army (ret.) led the audience in the Pledge of Allegiance and then detailed his military career. He joined the Army in 1966 and after basic training at Ft. Benning, GA he was trained as a wheeled-vehicle mechanic and then later as a tracked vehicle mechanic. Eventually posted in Korea working at the motor pool he realized that he would rather be a sentry dog handler and was retrained in that specialty. He served 16 months in Korea at a missile base just a few miles from the DMZ. After serving proudly in the Army he became a police officer in 1980 and eventually retired from law enforcement in 2005. He recently came out of retirement and currently serves as a Captain in the Centerville Police Department.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously by all to approve the minutes of the May 16, 2017 meeting.

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 actions taken by the Board will not change any provision within the covenant that prohibits any commercial or business activity.

Mr. Walker presented Special Exception Application #2071 submitted by Miles McMillan for a home occupation food concessions business. The application was previously sent back to the Zoning & Appeals Board for reconsideration so that the applicant could be present at the hearing. The Zoning & Appeals Board reconsidered the application at their May 22, 2017 meeting and now recommends the application for unanimous approval.

Chairman Stalnaker opened the meeting for a public hearing.

Applicant Miles McMillan was not present

There was no opposition.

With no comments, the meeting continued.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously by all to approve Special Exception Application #2071 submitted by Miles McMillan to include any and all stipulations as noted on the Zoning & Appeals recommendation and Section 95 Requirements staff report.

Chief Building Inspector Tim Andrews presented Special Exception Applications #2075 thru #2079 and #2081 thru #2086. Mr. Andrews explained that each application met the Section 95 requirements and are recommended by the Zoning & Appeals Board for unanimous approval.

Chairman Stalnaker opened the meeting for a public hearing.

Applicant for #2075 was present with nothing further to add.

There was no opposition.

Applicant for #2076 was present with nothing further to add.

There was no opposition.

Applicant for #2077 was present with nothing further to add.

There was no opposition.

Applicant for #2078 was present with nothing further to add.

There was no opposition.

Applicant for #2079 was present with nothing further to add.

Maurice Braswell, 204 Blue Meadow Circle, Kathleen stated that although he commends Mr. and Mrs. Brown for doing the right thing and applying for the home occupation to run their lawn service, he has concerns about other operations in the County that are not in compliance.

Chairman Stalnaker stated that between the County Marshal and the Building Inspection Department the County does in fact enforce the home occupation and business license regulations.

Applicant for #2081 was present with nothing further to add.

There was no opposition.

Applicant for #2082 was present with nothing further to add.

There was no opposition.

Applicant for #2083 was present with nothing further to add.

There was no opposition.

Applicant for #2084 was not present.

There was no opposition.

Applicant for #2085 was present with nothing further to add.

There was no opposition.

Applicant for #2086 was present with nothing further to add.

There was no opposition.

In relation to Application #2085, Mr. Thomson asked where the bucket truck would be stored.

Mr. Andrews replied that current regulations do permit one commercial vehicle to be parked at a residential property. The vehicle in this instance is a smaller dually-sized truck that would be parked at the home which is in the south end of the County.

In relation to Application #2082, Mr. McMichael asked where Mr. Houser would perform his personal training activities.

Mr. Andrews indicated that Mr. Houser contracts with Edge Fitness and would perform the activities at the gym.

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

Special Exception Application #2075 - David & Beatriz Harrison

Special Exception Application #2076 - Gregory Lewis

Special Exception Application #2077 - Gary & Alicyn Graham

Special Exception Application #2078 - Jerry Cope

Special Exception Application #2079 - Ronald & Carol Brown

Special Exception Application #2081 - Rodney & Jennifer Toole

Special Exception Application #2082 - Rick Houser

Special Exception Application #2083 - Kenneth Beasley, Jr. & Duane Barker

Special Exception Application #2084 - Chad J. Hanson

Special Exception Application #2085 - David English

Special Exception Application #2086 - Angela Butts

After the motions Mr. Andrews gave each applicant approved for a home occupation instructions on the next step of the process which is obtaining their occupational business license from the Commissioner's office.

Mr. Walker presented a request from the City of Warner Robins for annexation of a 5.2-acre portion of property owned by Mr. Ernest W. Livingston, Jr. located at Booth Road and Russell Parkway. The property is currently zoned County C-2 General Commercial District and the proposed Zoning upon annexation is for Warner Robins C-2 General Commercial District for a proposed grocery store.

Motion by Mr. Walker, second by Mr. McMichael and carried unanimously by all to concur with a City of Warner Robins annexation request for the 5.2-acre property located at Booth Road and Russell Parkway (Tax Parcel 001220 001000).

Chairman Stalnaker confirmed that the property was contiguous and that the zoning would remain the same upon annexation.

Mr. Walker presented contracts for court reporters for all three Superior Court judges. The court reporters function as independent contractors and serve at the pleasure of the court. The term of the contracts will be July 1, 2017 thru June 30, 2018.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously by all to authorize Chairman Stalnaker signing the Superior Court employment contracts for court reporters Wendy Nelson, Connie Montgomery, and Joy Malone for terms beginning July 1, 2017 and ending June 30, 2018.

Ms. Robinson presented four independent contractor agreements between the County and four local attorneys who will provide for the defense of indigent persons in cases where the Houston County Public Defender's Office has declared a conflict of interest. Both David Daniell and Ron Daniels are currently under contract and are up for renewal. Jonathan Perry Waters will replace Russell Walker's contract as Mr. Walker has given notice of termination. Jeff Grube's contract is an additional contracted position that is needed to service the court. In addition, there will be an MOU for Mr. Grube detailing how his current assigned cases will be billed in light of this new conflict attorney contract.

Motion by Ms. Robinson, second by Mr. Walker and carried unanimously by all to authorize Chairman Stalnaker signing independent contractor agreements for the purposes of providing defense of indigent persons in cases where the Houston County Public Defender's Office has declared a conflict of interest with David G. Daniell, Daniels Law (Ron Daniels), Jonathan Perry Waters, and Jeffrey L. Grube effective June 6, 2017 through June 30, 2018; and in addition to sign the Memorandum of Understanding with Jeffery L. Grube concerning the disposition of his current cases assigned by the Superior and State Courts.

County Attorney Tom Hall presented a first reading of the Unified Animal Control Ordinance Amendment. He explained that most of the changes were clarifications and bringing the current code in line with the state code.

Ms. Robinson thanked Senior Animal Control Officer Alan Smith for his considerable efforts putting together the amendment.

Senior Animal Control Officer Alan Smith explained to the Board that this amendment would bring all four governments, the County and the cities of Warner Robins, Perry and Centerville, in concert with the only real exception being the fact that the County maintains the three cats and three dogs rule while several of the cities maintain a six-animal total of any combination. He also explained that two of the three cities had passed the amendment and the third is scheduled to do so in the near future.

Chairman Stalnaker thanked Officer Smith for his efforts and thanked Commissioner Robinson for her long service on the Animal Control Board.

Ms. Robinson presented a quit-claim deed to correct an error in the records. The property located on Bloodworth Road a/k/a Holt Road, being Houston County Tax Parcel No. 000900 008000, was not the property conveyed by the tax deed at Deed Book 636, Page 337, Clerk's Office, Houston Superior Court. The property described in that deed is located in a different land lot. Since the County could not have owned anything on Bloodworth Road a/k/a Holt Road it is necessary to quit-claim any perceived interest in the property to the current owner.

Motion by Ms. Robinson, second by Mr. Thomson and carried unanimously by all to authorize the Chairman signing a quit-claim deed clearing any perceived interest of Houston County in the following property:

All that tract or parcel of land situate, lying and being the East one-half of Land Lot 92 of the 13th Land District of Houston County, Georgia.

Chairman Stalnaker explained that although the Board recently took action to declare this property surplus to the County's needs and offer it for sale by sealed bids, the issues with the title were discovered and this action will clear up ownership of the property.

Ms. Robinson presented a request from the Superior Court for approval to accept a grant they have been awarded. The grant is for continuing the operation of the Mental Health & Veterans Accountability Court established two years ago utilizing a similar grant. This grant is made available through the State of Georgia and is administered by the Criminal Justice Coordinating Council (CJCC). The total award is \$211,554 of which \$190,399 are federal grant funds and the remaining \$21,155 is the required match from the County.

Motion by Ms. Robinson, second by Mr. Walker and carried unanimously by all to approve the acceptance of the Mental Health Accountability Court grant (J18-8-071) in the amount of \$211,554 from the State of Georgia — Criminal Justice Coordinating Council for the purposes of continuing the Mental Health & Veterans Accountability Court. Of that \$211,554, Houston County's required match is \$21,155. Chairman Stalnaker is authorized to sign all grant documents.

Chairman Stalnaker remarked that this was a significant increase in grant funds over the last year and that Judge Lumsden and the other Superior Court judges were pleased with the success of the Accountability Court and its continued grant funding.

Mr. Thomson presented a contract between Houston County and Traylor Business Services, Inc. (TBS) who provide personal property verification reviews of business taxpayers only when requested by the Chief Tax Appraiser. The County will pay a set fee amount pursuant to the fee schedule outlined in the contract.

Motion by Mr. Thomson, second by Mr. McMichael and carried unanimously by all to authorize Chairman Stalnaker signing an agreement (#1036) with Traylor Business Services, Inc. (TBS) for personal property audits in FY2018. Audits will only be performed when requested specifically by the Chief Tax Appraiser.

Mr. Thomson presented a request from Mr. James Dryden of 402 Statham's Way for an additional abandonment of easement. At the April 4<sup>th</sup> meeting the Board approved the partial abandonment of easement for Mr. Dryden, he had requested the abandonment of both sides of Parcel K, but staff recommended only the north side of the easement at that time. Mr. Dryden has now asked the County to reconsider abandonment of part of the south side of the easement as well. After a more thorough onsite examination staff agrees that a portion of the easement on the south side (that portion behind Lots 17,18 and 19) could be abandoned as well.

Motion by Mr. Thomson, second by Mr. McMichael and carried unanimously by all to approve the partial abandonment of the easement for Parcel K (6.043 acres) as shown on the plat of survey by Christopher A. Branscom, GRLS #3164 dated January 26, 2017 and more clearly defined by the County generated drawing showing the utility easement being abandoned along the southerly boundary of Parcel K adjacent to the northwesterly and northerly lot lines of Lots 17, 18, and 19, Section No. 2, Hampton Woods Subdivision.

Mr. Thomson presented a request from Sheriff Talton asking the Board to consider eliminating two current position in his department and then creating two others. He would eliminate one Deputy Sheriff-Sergeant position in the Investigations Division and create one Deputy Sheriff-Lieutenant position and also eliminate one Deputy Sheriff position in the HEAT unit and create one Deputy Sheriff-Corporal position in the same unit. He has offered to cover the cost difference totaling \$3,813.40 for these changes from within the Sheriff's current budget thereby creating no additional cost to the County.

Motion by Mr. Thomson, second by Mr. Walker and carried unanimously by all to approve the elimination of one Deputy Sheriff-Sergeant position and to create one Deputy Sheriff-Lieutenant position in the Investigations Divisions (Dept. 3300); and to eliminate one Deputy Sheriff position and create one Deputy Sheriff-Corporal position in the HEAT unit (Dept. 3310). The Comptroller is authorized to make the necessary budget adjustments. The total cost of these changes (\$3,813.40) will be covered from within his current budget.

Mr. McMichael presented a request for a surplus vehicle declaration and transfer. The County is replacing one of its old pothole patch trucks (2000 International, M #377). The new truck is currently on order. The City of Centerville has expressed their interest in obtaining our old truck once the new truck has been received. Staff recommends declaring the old truck surplus to the County's needs and transferring title to the City of Centerville upon receipt of the new replacement truck.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously by all to approve declaring one 2000 model International Pothole Patch Truck (M#377) from the Roads Department as surplus to the County's needs; and, upon receipt of the new replacement truck, transferring title of M#377 to the City of Centerville.

Chairman Stalnaker explained that the truck would be deeded to the City of Centerville at no cost since it had a lot of age on it and needs some work.

Mr. McMichael presented a request for approval of a bid for the construction of parking lot extensions at the VECTR Center. At the May 2, 2017, meeting the Board approve the Memorandum of Understanding (MOU) with Middle Georgia State University to bid the project and then to superintend the construction at the VECTR Center. Three bids were received with Peed brothers having the low bid of \$106,753.80 and the Engineering staff has negotiated that bid down to \$99,000. Staff recommends award to Peed Brothers in the amount of \$99,000.

Motion by Mr. McMichael, second by Mr. Thomson and carried unanimously by all to approve the award of the parking lot expansion project at the VECTR Center to Peed Brothers of Butler, GA in the amount of \$99,000.

Chairman Stalnaker remarked that this has been an ongoing process with Middle Georgia State University and Central Georgia Technical College (CGTC) and that the transfer will be complete July 1<sup>st</sup> to CGTC. He explained that CGTC benefits the community through the education and training of personnel in the medical field. He also remarked that the County was simply acting as the pass-thru agency and that these were not County funds being expended on the project. He then recognized City of Perry Mayor Jimmy Faircloth who is also the Assistant VP for Facilities and Ancillary Services at CGTC.

Mayor Faircloth remarked that CGTC truly appreciates the long-standing partnership and thanked the Chairman and Board for the many commitments that the County has made to assist the school. He further remarked that CGTC exists to create workforce and that the VECTR Center helps military personnel make the transition to the civilian workforce. He then gave a comprehensive overview of the capabilities and high-tech teaching aids utilized at the new Sonny Watson Health Sciences building on CGTC's Warner Robins campus.

Director of Operations Robbie Dunbar commented that he looked forward to the continued partnership with CGTC and said that the school reciprocates by way of offering various training opportunities to County staff.

Mr. McMichael presented a request for approval of a bid for the construction of the Sheriff's Office storage building to be located next to the Sheriff's Department between the Juvenile Justice building and the HEMA garage. The building will be approximately 7,500 square feet and similar in construction to the HEMA garage.

One bid was received from International City Builders (ICB) of Warner Robins in the amount of \$975,000. Staff recommends award of this building construction project to ICB.

Motion by Mr. McMichael, second by Mr. Thomson and carried unanimously by all to approve the award of the Sheriff's Office Storage Building construction project to International City Builders of Warner Robins in the amount of \$975,000. This is a 2012 SPLOST funded project.

Chairman Stalnaker commented that three bidders were initially interested and attended the pre-bid conference but that only one bid was ultimately received. Although disappointed in the fact that only one bid was submitted, he explained that the lone bid was well under the architects original cost estimate.

Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously by all to approve the payment of the bills totaling \$3,323,417.48.

Chairman Stalnaker presented the Public Notice for the FY18 Budget Review and Adoption:

The Houston County Board of Commissioners will hold a public hearing at 6:00 p.m. on Tuesday, June 20, 2017 in the Commissioner's Board Room at the County Annex in Warner Robins, Georgia to hear public comments concerning the proposed FY2018 budget. A copy of the proposed budget is available for public inspection in the Commissioner's Office at the County Annex in Warner Robins, Georgia, Monday through Friday from 8:00 a.m. to 5:00 p.m.

The Board will formally adopt the FY2018 budget at a called meeting at 4:00 p.m. on Tuesday, June 27, 2017 in the Commissioner's Board Room at the County Annex in Warner Robins, Georgia. Any disabled person requiring special provisions for either of these meeting should contact the Commissioner's Office at 478-542-2115 at least ten (10) days in advance.

Chairman Stalnaker explained that although it has been a struggle the proposed General Fund budget is balanced at approximately \$55 million. The proposed budget includes a 2% COLA for employees. He further explained that one of the largest increases to expenditures is the rising cost of health insurance. There is no tax increase for this budget and that balancing the budget would not be accomplished by relying on the County's reserves. He thanked the employees, elected officials and constitutional officers for their combined efforts both during the current year and during the FY18 budget process.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously by all to change the regularly scheduled Board meeting on July 4<sup>th</sup> to the following day July 5<sup>th</sup> due to the holiday; and to approve July 3<sup>rd</sup> as an extra paid holiday for employees. Shift workers scheduled to work that day will be given an additional day off at a later date with their department heads approval.

Chairman Stalnaker commented that the extra paid holiday was one small way to thank each employee for the great job that they perform during the year.

Chairman Stalnaker opened the meeting for public comments.

Amber Schmidtke, 409 Downing Circle, Kathleen represented a group advocating for a paid parental leave benefit for Houston County government employees. She asked the Board to consider the same plan that was recently approved by the Macon-Bibb County Commission and the City of Warner Robins. The plan calls for four weeks of paid maternity leave, one week of paternity leave and one week of leave for newly adoptive parents.

Chairman Stalnaker explained the County's current very liberal leave policy and asserted that the Board extends special consideration for additional leave on a case by case basis for all employees.

Velicia Lowe, 105 Shannon Lane, Centerville also spoke in favor of the paid parental leave benefit for employees and asked the Board to consider the time necessary for a new mother to bond with a newborn child.

Richard Tucker, 515 Lake Joy Road, Kathleen registered a complaint about the vast amount of junk and debris in his neighbor's yard. He asked that the County help get the owner to clean up the yard and presented photos as evidence.

Chairman Stalnaker commented that the County would do its level best to help and asked the County Attorney to look into what could be done.

Maurice Braswell, 204 Blue Meadow Circle, Kathleen commented that the County had great employees who were probably well deserving of the proposed 2% COLA but that federal employees were getting much less. He also complained about a serious drainage problem in his neighborhood and drainage easements that needed County attention. He further commented that he felt on days that burning yard debris was not permitted that the County landfill should waive tipping fees for private property owners. He thanked the Board for listening to his comments today and other comments over the past years.

Reverend Rutha Jackson, 2022 Hiwassee Drive, Bonaire stated that she is the President of the Houston County Branch of the NAACP and also a member of the coalition working for paid parental leave. She encouraged the Board to look closer at the County's current leave plan. She also mentioned the upcoming NAACP sponsored 'Unity in Community' 5K Run/Walk and Fun Festival on Saturday, July 15th being held at Delores Toliver Park in Warner Robins.

James Erdmanczyk, 123 S. Third Street, Warner Robins asked if Houston Healthcare had selected a new Director of Emergency Medicine yet.

Chairman Stalnaker replied that although several commissioners serve on the Hospital Authority that they are not involved in hiring new personnel at the hospital. The Chairman suggested Mr. Erdmanczyk contact the hospital directly for the answer to his question.

Ansel Peck, 109 Latham Drive, Warner Robins commented that Reverend Jackson was retired military and that the Board should invite her to speak at a future meeting.

Director of Operations Robbie Dunbar thanked the Board on behalf of the County employees for the additional holiday.

There being no further comments the meeting continued.

Chairman Stalnaker opened the meeting for Commissioners comments.

Mr. Walker thanked everyone for attending remarking that citizen participation was an integral component of government. He also congratulated the Chairman and staff for putting together the proposed balanced budget.

Mr. Thomson thanked everyone for coming especially Mayor Faircloth for his description of the services and teaching aids available at the Sonny Watson Health Sciences building. He also thanked Lt. Spires of the Sheriff's Office for providing security for the meeting.

Mr. McMichael commended Mark Baker on the recent successful surplus auction in which the County received over \$100,000 in proceeds.

Chairman Stalnaker thanked everyone for coming and sharing their viewpoints on various issues. He thanked Barry Holland and all other staff members who were involved with the budget process. He also thanked the employees, elected officials and constitutional officers for not spending every dollar of the current year budget thereby generating savings to the County.

There being no further comments the meeting continued.

Motion by Mr. McMichael, second by Mr. Thomson and carried unanimously to enter into Executive Session for Property Acquisition matters per O.C.G.A. § 50-14-3(b)(1).

Upon returning, Chairman Stalnaker reconvened the regular meeting and announced that no action would be taken as a result of the Executive Session.

Chairman Stalnaker once again recognized City of Perry Mayor Jimmy Faircloth and thanked him for coming.

Motion to Adjourn by Mr. Walker, second by Mr. Thomson and carried unanimously by all.

Barry Holland	Chairman	
Director of Administration		
	Commissioner	

#### **EXECUTIVE SESSION AFFIDAVIT**

# STATE OF GEORGIA COUNTY OF HOUSTON

# AFFIDAVIT OF PRESIDING OFFICER

Tommy Stalnaker, Chairman of the Houston County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his knowledge and belief:

1.

The Houston County Board of Commissioners met in a duly advertised meeting on June 6, 2017.

2.

During such meeting, the Board voted to go into executive session.

3.

The executive session was called to order at 11:16 a.m.

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The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meeting law:

	_Consultation with the county attorney or other legal counsel to discuss	
	pending or potential litigation, settlement, claims, administrative	
	proceedings, or other judicial actions brought or to be brought by or	
	against the county or any officers or employee or in which the county or	
	any officer or employee may be directly involved as provided in O.C.G.A.	
	§ 50-14-2(1);	
	_Discussion of tax matters made confidential by state law as provided by	
	O.C.G.A.	
§ 50-14-2(2) and (insert the citation to the legal authority making the tax		
	matter confidential);	
X		
	Authorizing a settlement as provided in O.C.G.A. § 50-14-	
	3(b)(1)(A);	
	Authorizing negotiations to purchase, dispose of, or lease property as	
	provided in O.C.G.A. § 50-14-3(b)(1)(B);	
	Authorizing an appraisal as provided in O.C.G.A. § 50-14-3(b)(1)(C);	

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X Entering into an option to purchase, dispose of, or lease property as

as provided in O.C.G.A. § 50-14-3(b)(1)(D);

provided in O.C.G.A. § 50-14-3(b)(1)(E);

Entering a contract for the purchase, disposal of, or lease of property

Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic
evaluation or rating of a county officer or employee as provided in
O.C.G.A. § 50-14-3(b)(2); Interviewing candidates for executive positions as provided in O.C.G.A.
§ 50-14-3(b)(2);
Other (describe the exemption to the open meetings law):
provided in (insert the citation to the legal authority exempting the topic)
provided in (insert the citation to the legal authority exempting the topic)
5.
During the course of the closed session devoted to exempt topics, an incidental remark regarding a non-exempt topic or an attempt to discuss a non-exempt topic was made.
The attempt was immediately ruled out of order and attempts to discuss same ceased immediately.
The attempt was immediately ruled out of order. However, the comments did not cease, so the closed/executive session was immediately adjourned without discussion or action being taken regarding any non-exempt topic.
6. Minutes were taken of this meeting and will be filed and held for in camera inspection only.
This day of June, 2017.
Tommy Stalnaker, Chairman Houston County Board of Commissioners
Sworn to and subscribed
before me this day of
June, 2017.
Notary Public
My commission expires:
<del></del>