

Houston County Commissioners Meeting
April 4, 2017
Perry, Georgia

The Houston County Board of Commissioners met in a regular session at 9:00 a.m. on Tuesday April 4, 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, HEMA/Fire Chief Jimmy Williams, Director of Operations Robbie Dunbar, Chief Building Inspector Tim Andrews, Senior Animal Control Officer Alan Smith, Animal Control Officer Jevari Rumph, Chief Tax Appraiser James Moore, MIS Representative Ryan Hale, Flint Energies Senior VP Jimmy Autry, Flint Energies VP of Cooperative Communications Marian McLemore, James Erdmanczyk, Jim Taylor, Walton and Becky Wood and Ansel Peck.

Chairman Stalnaker led the audience in the Invocation.

Sgt. Matthew Evans, USMC led the audience in the Pledge of Allegiance and then detailed his military career. Although both his grandfather and father served in the Air Force he wound up enlisting in the Marines on his seventeenth birthday. Two weeks later he shipped off to Parris Island, South Carolina for boot camp. He related several stories of his service during the 2003 invasion of Iraq by U.S. and allied forces. He really enjoys the sense of community in this area and currently works managing nine concrete plants in eight different counties including Houston. He also operates his own decorative concrete business.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously by all to approve the minutes from the meeting of March 21, 2017.

Chairman Stalnaker explained a change in the procedure for certain repetitive or annual resolutions and proclamations to be presented during Board meetings. Those occurrences that are annual in nature will be placed on the agenda as an action item to be ratified by the Board by a formal vote.

Motion by Ms. Robinson, second by Mr. Thomson and carried unanimously by all to ratify the resolution recognizing Animal Control Officer Appreciation Week.

Chairman Stalnaker then recognized Senior Animal Control Officer Alan Smith and presented him with the resolution.

Mr. Walker presented the Child Abuse Prevention Month Proclamation for ratification and explained that the County, each of the three cities and Robins AFB had all signed to recognize April 2017 as Child Abuse Prevention Month in Houston County and urged every citizen to engage in activities that strengthen families and provide our children a safe and nurturing environment free of violence, abuse and neglect.

Motion by Mr. Walker, second by Mr. McMichael and carried unanimously by all to ratify the Child Abuse Prevention Month Proclamation.

Mr. Walker commended the Rainbow House Children's Resource Center and CASA (Court Appointed Special Advocates) of Houston County for their efforts.

Mr. Walker presented a request from Warner Robins to annex an 18.23-acre tract located in Statham's Landing off Statham's Way for GSL Investment Holdings, LLLP. The property is currently zoned County PUD and the proposed zoning upon annexation is Warner Robins PDR.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously by all to concur with a City of Warner Robins annexation request for the property described as:

Houston County Tax Parcel No. 001230 040000 and as shown on a plat of survey prepared by Waddle & Company dated August 18, 2016 for GSL Investment Holdings, LLLP comprising 18.23 acres.

Mr. Walker presented a request from Warner Robins to annex a 25.98-acre tract located at Russell Parkway, west of Houston Lake Road and east of Elaine Drive for CCCCT Investments, LLC. The property is currently zoned County R-1 Residential and the proposed zoning upon annexation is for 14.66 acres as Warner Robins C-2 General Commercial and 11.34 acres as Warner Robins R-4 Multi-Family Residential.

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 property described as:

All that tract of land situate, lying and being in Land Lots 118 and 143 of the 5th Land District of Houston County, Georgia, containing 25.98 acres and identified as Tract 3 and having such shapes, metes, bounds, courses and distances as are shown on a plat of survey prepared by Michael L. Clarke, dated November 19, 2008 and recorded in Plat Book 71, Page 131, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

Chief Building Inspector Tim Andrews presented Special Exception Applications #2056 thru #2059, #2061 thru #2063, and #2065 thru #2067. Mr. Andrews explained that each application met the Section 95 requirements and are recommended by the Zoning & Appeals Board for unanimous approval except for #2056 which is recommended for tabling in order for the applicant to provide a medical statement of need for the mobile home hardship and for #2057 which was withdrawn by the applicant at the Zoning & Appeals hearing.

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.

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Chairman Stalnaker opened the meeting for a Public Hearing.

Applicant for #2056 was not present as the application is recommended by Zoning & Appeals to be tabled.

Applicant for #2057 was not present as the applicant withdrew the application during the Zoning & Appeals hearing.

Applicant for #2058 was present with nothing further to add.

There was no opposition.

Applicant for #2059 was present and stated that he has sold the 5' x 16' trailer that he intended to use for the business and will use a smaller 5' x 10' trailer instead.

There was no opposition.

Applicant for #2061 was present with nothing further to add.

There was no opposition.

Applicant for #2062 was present with nothing further to add.

There was no opposition.

Applicant for #2063 was present with nothing further to add.

There was no opposition.

Applicant for #2065 was present with nothing further to add.

There was no opposition.

Applicant for #2066 was present with nothing further to add.

There was no opposition.

Applicant for #2067 was present with nothing further to add.

Jan Weatherford, 105 Smokerise Drive, Warner Robins objected to the application since a commercial vehicle with an advertising wrap would be parked at the house, that the applicant would likely be painting vehicles in the process of repairing them, and that property values would suffer due to a home occupation business being located in the neighborhood.

The applicant responded that he would have only one commercial vehicle which is allowed but that he has offered to remove the wrap in favor of less conspicuous advertising and also that there would be no painting of vehicles since he employs a paint-less dent removal process.

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Chairman Stalnaker asked Mr. Andrews if there were other home occupation business operating in the neighborhood currently.

Mr. Andrews stated that there were multiple home occupations in the neighborhood.

There being no further comments the meeting continued.

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

#2058 - Carl Wilkins – Consulting

#2059 - Garrett Hunter- Landscaping

#2061 - Jenard & Rochelle Wadlington - Property Preservation

#2062 - Gayward & Amanda Smith - Mobile Pressure Washing

#2063 - Morgan & Keegan Doty - Lawn Care

#2065 - Carlos & Maria Ortiz - Utility Pole Maintenance

#2066 - Mark Kloberdanz - Grill Cleaning

#2067 - Christopher Tarpley - Mobile Dent Repair

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously by all to table Application #2056 submitted by Michael and Erica Seagraves for a mobile home hardship and send it back to Zoning & Appeals for reconsideration.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously by all to note for the record the withdrawal of Application #2057 submitted by Dwayne and Mia Gilbert.

After the motions, 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.

Mr. Andrews presented Re-Zoning Application #2060 from David L. Hill and Jon Gausche for a 35.05-acre tract north of Davidson Road, south of Azalea Avenue and east of Hwy. 247. Present zoning is R-1 vacant land. Proposed zoning is R-4 Multi-Family Residential. Planning & Zoning recommends unanimous approval with the condition that a 50-foot undisturbed buffer be maintained on the eastern property line and the property is to be accessed only from Hwy. 247 and Azalea Avenue. Mr. Andrews further stated that a letter from the City of Warner Robins Utility Engineer Charles Beaucha was submitted to Planning & Zoning indicating

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that there is sewer capacity available for up to 220 units. He explained that the applicant's agent has been informed by Georgia DOT that they will not allow access to the proposed development from Hwy. 247 via the two existing access points.

Mr. McMichael asked if the property was contiguous to the City of Warner Robins.

Mr. Andrews indicated that it was not contiguous but that there is a public sewer line that runs to an adjacent neighborhood.

Mr. Walker stated that the letter from the City of Warner Robins addresses the available capacity for sewer but not whether or not the City would provide the utility since it was not within the City limits.

Chairman Stalnaker opened the meeting for a Public Hearing.

The applicant was not present. Mr. Andrews suggested that without a document from the City of Warner Robins addressing the concerns about the sewer availability that staff would recommend sending the application back to Planning & Zoning for further consideration.

A larger number of individuals present at the Board meeting indicated that they were opposed to the application. Chairman Stalnaker asked for a maximum of two individuals to act as spokesmen for the group.

Lisa Marie Pierce, 218 Cardiff Court, Bonaire shared concerns about traffic being heavy already, over-populated schools and stormwater drainage issues.

Steven Baker, 603 Cannock Court, Bonaire stated that he is nervous about an apartment complex being located next to the Windsor Heights neighborhood due to safety and property value concerns.

Howard Davidson, 178 Davidson Road, Bonaire stated that he does not agree with a traffic study that Davidson Road can support more traffic and opposes the rezoning.

Gregory Barnes, 400 Windecker Drive, Bonaire stated that he is a former member of the HOA in Windsor Heights and that the development of this property had previously planned to be the second phase of Windsor Heights with approximately 20 homes not 200 plus apartment units.

There being no further comments the meeting continued.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously by all for denial of Re-Zoning Application #2060 submitted by David L. Hill and Jon Gausche.

Chairman Stalnaker asked Director of Operations Robbie Dunbar to brief the Board on planned improvements to the intersection of Hwy. 247 and Davidson Road.

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Mr. Dunbar indicated that the County has entered into agreement with the Georgia DOT for the intersection improvement concept which would include a left turn lane from Hwy. 247 onto Davidson Road and exclusive left and right turn lanes from Davidson Road onto Hwy. 247.

Senior Animal Control Officer Alan Smith presented an application from Michael and Michelle Seals for waiver to the limitation of three dogs and three cats as per County Ordinance. The Seals are requesting permission to keep six dogs at their residence at 109 Club Court. He stated that all dogs are current on their vaccinations, have been chipped, spayed and or neutered and appear to be well cared for.

Ms. Robinson asked how many complaints had been received.

Mr. Smith responded that only two complaints were received and they were both from the same individual.

Chairman Stalnaker asked if there was any previous waiver to the animal limitations at this residence.

Mr. Smith responded that there was not.

Mr. Walker asked how the initial complaint came about.

Mr. Smith explained that a golfer had attempted to reach through the fence to retrieve his ball from the Seals yard and was confronted by two dogs. He then attempted to retrieve the ball with a ball-retriever device and the dogs attacked the device. The golfer then made a complaint to the HOA and the HOA called Animal Control with a complaint.

Chairman Stalnaker opened the meeting for a Public Hearing.

Applicant Michelle Seals, 109 Club Court, Warner Robins stated that she and her husband were not aware of the County's ordinance limiting them to three dogs prior to the complaint. She explained that each of their dogs has certain medical issues due to past abuse or neglect and that her husband also has medical conditions that caring for the dogs helps him with. She stated that they do not breed their dogs and that they only go outside in the fenced backyard when she or her husband goes with them. She would like the waiver to be granted with the understanding that the numbers will eventually be reduced to the maximum of three by natural attrition. She did say that she thought the three dog/three cat rule was discriminatory since her husband is allergic to cats. She further stated that the HOA is only upset because they are in conflict about the lock on their fence. She stated that the lock is there for insurance purposes because of their swimming pool and also to protect both the golfers and her dogs.

Don Parrot, 206 Forest Mill Drive, Warner Robins opposes the waiver and stated that the HOA, of which he is president, depends on the County to enforce its three dogs / three cats limitation. He spoke of the impact that a homeowner with six large dogs would have on the development, of the fact that golfers have a right to

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retrieve their balls, of signage restrictions referencing the "Beware of Dogs" signs that are displayed at the Seal's property, and of the noise and danger level that the dogs present. He also stated that he was the golfer that experienced the incident with the two dogs while trying to retrieve his golf ball.

Barbara Hastings, 107 Club Court, Warner Robins spoke in favor of the waiver stating that she is next door neighbors with the Seals and that she never sees the dogs in the yard unless they are accompanied by Mr. Seals. She stated that they are not aggressive, do not bark incessantly and are well-behaved dogs in general.

Sue Dryden, 402 Stathams Way, Warner Robins spoke in opposition of the waiver stating that although she appreciates the obvious care that the Seal's provide for the dogs the County ordinance limits them to three not six. She felt that there was very little room for six large dogs to run in the backyard and that the neighborhood could experience a decline in property values if conditions like these are allowed to persist.

Walton Wood, 426 Sandefur Road, Kathleen spoke in opposition of the waiver stating that every home buyer should be aware of both their applicable covenants and of the County ordinances limiting the number of dogs allowed. He felt that the County should strictly enforce the ordinance that has been on the books since 2005 or 2006.

Ms. Robinson commented that the point of the waiver procedure in the ordinance is to address these particular instances on a case by case basis, that if the waiver was granted it would be temporary in nature, that at least three of the six dogs appear to be close to the natural end of their lives, and that the evidence does not show any great disruption to the neighborhood since only two complaints were received over the years and both of those were concerning the same incident.

Motion by Ms. Robinson to approve a waiver to animal limitations submitted by Michael and Michelle Seals of 109 Club Court, Warner Robins allowing six dogs with the understanding that the numbers would be reduced by attrition to the allowable three within 14 months. The motion died for a lack of a second.

Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously to approve a waiver to animal limitations submitted by Michael and Michelle Seals of 109 Club Court, Warner Robins allowing six dogs with the understanding that the numbers would be reduced by attrition to the allowable three within 12 months.

Ms. Robinson presented a mutual aid agreement for fire, law enforcement and emergency management support in the event of a major disaster or in case of unusual circumstances. This agreement is unchanged from the previous agreement with the City of Perry and must be updated every two years.

Motion by Ms. Robinson, second by Mr. Thomson and carried unanimously by all to authorize Chairman Stalnaker signing a two-year Mutual Aid Agreement for fire, law enforcement and emergency management support between Houston County and the City of Perry. Effective dates are April 22, 2017 through April 21, 2019.

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Ms. Robinson presented an addendum to the current service agreement with Sentinel that clarifies the terms of the agreement. The agreement runs during the fiscal year (July 1st thru June 30) and renews automatically under the same terms and conditions unless either party gives a 30-day notice. Both Judge Lukemire for the Superior Court and Judge Ashford for the State Court have signed off on the addendum.

Motion by Ms. Robinson, second by Mr. Walker and carried unanimously by all to authorize Chairman Stalnaker signing an addendum to the existing service agreement with Sentinel Offender Services, LLC which clarifies the term of the agreement.

Mr. Thomson presented a request from Mr. James Dryden of 402 Statham's Way for abandonment of the easement on both sides of Parcel K (6.043 acres). Staff recommends abandonment of only the north side of the easement as the south side is needed for drainage and access purposes.

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 a plat of survey by Christopher A. Branscom, GRLS #3164 dated January 26, 2017 and more clearly defined by the County generated drawing (Exhibit A). Only the north side of the easement shall be abandoned.

Mr. Thomson presented a quit-claim deed conveying the Board of Commissioners interest in a parcel of land to the City of Warner Robins. This parcel of land contains a portion of a detention pond. The Board of Commissioners previously conveyed their interest in the surrounding properties that contain the rest of the detention pond to the City of Warner Robins. This quit-claim deed will ensure that the City of Warner Robins will hold the interest to all property containing the detention pond.

Motion by Mr. Thomson, second by Ms. Robinson and carried unanimously by all to authorize Chairman Stalnaker signing the quit-claim deed conveying the County's interest in a parcel of land containing a portion of a detention pond to the City of Warner Robins. This parcel is more particularly described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 94 of the Tenth Land District, Houston County, Georgia, and being known and designated as Parcel "B", according to a Property Plat for Houston County Board of Commissioners, prepared by Waddle & Company on February 27, 2007, a copy of which is of record in Plat Book 68, Page 187, Clerk's Office, Houston Superior Court. The said plat and the record thereof are incorporated herein by reference for all purposes.

Mr. Thomson presented a request for approval of a bid. Bids were solicited for the installation of a traffic signal at the intersection of Lake Joy Road and Cohen Walker Drive. The Engineering Department recommends award to Bass Signal Corporation at a cost of \$184,306. This is a SPLOST project.

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Motion by Mr. Thomson, second by Mr. McMichael and carried unanimously by all to approve the award of the Lake Joy Road / Cohen Walker Drive intersection traffic signal installation contract to Bass Signal Corporation of Milledgeville in the amount of \$184,306.

Director of Operations Robbie Dunbar confirmed that the contract spells out an August 1st completion date for the installation of the signal.

Mr. McMichael presented an amended Memorandum of Agreement between Houston County and the Phoenix Center Behavioral Health Services. The County, the Mental Health Accountability Court and the Phoenix Center currently have a Memorandum of Agreement that runs through June 30, 2017 whereby the Phoenix Center provides treatment services to offenders with mental health and substance abuse problems. The Phoenix Center operates as a contractor to the court providing these services and the Mental Health Accountability Court grant covers the cost.

This amendment provides a separate line item in the Tri-County 501(c) 3 for donations that are given to the Accountability Court and then the Phoenix Center will put all donations into the court's account in the 501 (c) 3 so that they may be used for items approved by the Accountability Court Team. It also sets the rate (the State's reimbursable rate) for both case managers making court appearances and for intake assessments. The grant will continue to cover all costs.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously by all to authorize Chairman Stalnaker signing an amended Memorandum of Agreement between Houston County and the Phoenix Center Behavioral Health Services for the purposes of providing contracted clinical treatment services for the Mental Health Accountability Court. The amended agreement will expire June 30, 2017 which mirrors the expiration date of the original agreement.

Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously by all to approve the payment of the bills totaling \$2,739,019.18.

Chairman Stalnaker opened the meeting for Public Comments.

Becky Wood, 426 Sandefur Road, Kathleen spoke of her concerns with a pending City of Perry annexation and rezoning of property at the corner of Sandefur Road and Danny Carpenter Drive. Although the matter is on a future agenda and not today's she explained that her problem with the rezoning is not with the R-2 of which the major portion of the property would become but rather with the 2+ acres on the corner that would be C-2 commercial. Given the residential nature of the surrounding properties, the proximity to the school and the current traffic situation she asked the Board to not concur with the C-2 portion of the rezoning application when it does come before them.

Fire/HEMA Chief Jimmy Williams briefed the Board on the 62 occurrences related to Monday's storm and commented that Wednesday has the potential to be much worse. He asked that all citizens be aware of their surroundings and to be safe

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especially during the potential tornado activity that is expected. He announced a 4:00 pm weather briefing that will be held today at the County Annex building in Warner Robins for all public safety and staff members of agencies throughout the County.

James Erdmanczyk, 123 S. 3rd Street, Apartment 9, Warner Robins submitted a letter and supporting documents to the Board and expressed his dissatisfaction of how a court case he is involved with has been handled by the courts and the Warner Robins Police Department.

Chairman Stalnaker asked Commissioner Walker to look into the matter and report his findings back to the Board at the next Commissioner's meeting.

There being no further comments the meeting continued.

Chairman Stalnaker opened the meeting for Commissioners comments.

There being no comments the meeting continued.

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

Barry Holland
Director of Administration

Chairman

Commissioner

Commissioner

Commissioner

Commissioner