

Houston County Commissioners Meeting
August 2, 2016
Perry, Georgia

The Houston County Board of Commissioners met in a regular session at 9:00 a.m. on Tuesday August 2, 2016 at the Houston County Courthouse in Perry, Georgia with Chairman Stalnaker presiding and Commissioners Walker, McMichael, Robinson and Thomson present. Also present were Director of Administration Barry Holland, County Attorney Tom Hall, Director of Operations Robbie Dunbar, Personnel Director Ken Carter, Director of Purchasing Mark Baker, Fire/HEMA Chief Jimmy Williams, Chief Building Inspector Tim Andrews, Chief Tax Appraiser James Moore, Flint Energies Senior VP Jimmy Autry, Ansel Peck, Clarence Long, and Walton and Becky Wood.

Commissioner Robinson led the audience in the Invocation.

Corp. Penrose Wolf, US Army (ret.), led the audience in the Pledge of Allegiance and detailed his military career. Mr. Wolf served from 1944 until August of 1946 spending much of that time 'boots on the ground' during WWII in the K Company of the 347th Infantry Regiment 87th Division. Due to an injury that he suffered in basic training at Camp Blanding in Florida he was separated from the group he originally trained with and went in as a replacement just after the Battle of the Bulge in December 1944. He spoke of joining his unit and their journey through Germany, crossing the Rhine River and ending up at the Czechoslovakian border on either May 3rd or 4th. A few days later on May 6th, the Germans officially surrendered after which his unit boarded a ship in France to sail back home. After a month of leave he spent the rest of his service at Camp Shelby in Mississippi. He spoke of his fellow soldiers that were lost and showed the Board a Nazi swastika that he liberated at some point from a German office building. After marrying his wife Sally Ann in 1949 he went back to school earning several degrees including his law degree. Most of his legal career was spent in Connecticut. He and his wife moved to Perry about eight years ago after retiring.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously by all to approve the minutes from the meetings of July 19, 2016 and July 25, 2016.

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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Chief Building Inspector Tim Andrews presented Special Exception Applications #1985 and #1988 stating that the Zoning & Appeals Board now recommends #1985 for unanimous approval while #1988 was ruled withdrawn by default; however, Mr. Andrews explained that staff recommends #1988 be denied.

Chairman Stalnaker opened the floor for a public hearing on Special Exception Applications #1985 and #1988.

Applicants for #1985 and #1988 were not present.

There was no opposition to either application.

There being no further comments the meeting continued.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously by all to approve Special Exception Application #1985 submitted by Jeffrey Sohler to include any and all stipulations as noted on the Zoning & Appeals recommendation and Section 95 Requirements staff report.

Motion by Mr. Walker, second by Mr. McMichael and carried unanimously by all to deny Special Exception Application #1988 submitted by Frank Gray.

Chief Building Inspector Tim Andrews presented Special Exception Applications #1990 thru #1996 for home occupation businesses. Mr. Andrews explained that each application meets the Section 95 requirements and is recommended by the Zoning & Appeals Board for unanimous approval with the exception of Application #1995 which is recommended to be tabled since the applicant was not present at the Zoning & Appeals hearing.

Mr. McMichael disclosed that although he personally knows the applicants of both #1990 and #1996 he has no conflict and feels that he can vote on those applications.

Chairman Stalnaker opened the meeting for a Public Hearing on Special Exception Applications #1990 thru #1996.

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Applicants for #1990 were not present.

There was no opposition.

Applicants for #1991 were present with nothing further to add.

There was no opposition.

Applicant for #1992 was present with nothing further to add.

There was no opposition.

Applicant for #1993 was present with nothing further to add.

There was no opposition.

Applicant for #1994 was present with nothing further to add.

There was no opposition.

Applicant for #1995 was not present as this application is recommended to be tabled.

Applicants for #1996 were present with nothing further to add.

There was no opposition.

There being no further comments the meeting was continued.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously by all to approve Special Exception Application #1990 submitted by Robert and Janine Davis, Special Exception Application #1991 Submitted by David and Nancy Hall, Special Exception Application #1992 submitted by Marcus Womack, Special Exception Application #1993 submitted by Jennifer Doran, Special Exception Application #1994 submitted by Lynda White and Special Exception Application #1996 submitted by Kenneth Cirilli and Lisa Fruge to include any and all stipulations as noted on the Zoning & Appeals recommendation and Section 95 Requirements staff report.

Motion by Mr. McMichael, second by Mr. Thomson and carried unanimously by all to table Special Exception Application #1995 submitted by Cecil and Catalina Ingle and to send it back to Zoning & Appeals for reconsideration.

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Mr. Walker presented a request by the City of Warner Robins for SKI Development, LLC to annex 27.03 acres of vacant land located on the north side of Feagin Mill Road between Hwy 41 and Lake Joy Road. The property is currently zoned County R-1. Proposed zoning and land use upon annexation is City of Warner Robins R-3 General Residential District. This property is contiguous.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously to concur with City of Warner Robins annexation request for the property known as Tax Parcel #000500 08A000 Parcel #1 comprising 27.03 acres according to a plat of survey prepared by Michael A. Clarke, G.R.L.S. No. 2865, dated May 12, 2015 and recorded in Plat book 77, Page 60, Clerk's Office, Houston Superior Court. An agreement with the City of Warner Robins concerning any existing County utilities will be required.

Ms. Robinson presented requests for reappointment of Mr. Clifford Holmes, Jr. to the Phoenix Center Community Service Board and Dr. Steve Holcomb, Sr., Mr. Kim Mullis, and Mr. Danny Carpenter to the Planning & Zoning Board.

Motion by Ms. Robinson, second by Mr. McMichael and carried unanimously by all to reappoint Mr. Clifford Holmes, Jr. to the Phoenix Center Community Service Board with the term beginning August 2, 2016 and ending June 30, 2017.

Motion by Ms. Robinson, second by Mr. Thomson and carried unanimously by all to reappoint Dr. Steve Holcomb, Sr. and Mr. Danny Carpenter to the Planning & Zoning Board with each term beginning September 7, 2016 and ending September 6, 2020.

Motion by Ms. Robinson, second by Mr. Thomson and carried unanimously by all to table the reappointment of Mr. Kim Mullins to the Planning & Zoning Board.

Mr. Thomson presented a request from Persons Banking Co. (The Bank of Perry) to abandon a portion of the original right of way at the southwest corner of Lake Joy at SR96 which is no longer needed due to the realignment of the road. Staff recommends approval.

Motion by Mr. Thomson, second by Ms. Robinson and carried unanimously by all to approve the abandonment of a portion of the original right of way for Lake Joy Road described as all that tract or parcel of land situate, lying and being in Land Lots 124 and 133 of the Tenth Land District of Houston County, Georgia, being known and designated as Parcel 'D' containing 0.375 acres according to a plat of survey prepared by Christopher A. Branscom, G.R.L.S. No. 3164. Existing easements for utilities will remain.

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A Resolution Abandoning Houston County Right of Way

WHEREAS, Lake Joy Road near its intersection with State Highway 96 has been realigned as a part of the State Highway 96 road improvement project; and

WHEREAS, a portion of the original right of way for Lake Joy Road, more particularly described in Exhibit "A" attached hereto and by reference made a part hereof, has ceased to be used by the public such that no substantial public purpose is served by it; and

WHEREAS, pursuant to O.C.G.A. § 32-7-2(b)(1) the adjoining property owner has been notified and a public notice of intent to abandon has been advertised in the Houston Home Journal once a week for two weeks,

NOW, THEREFORE, BE IT RESOLVED by the Houston County Board of Commissioners that the portion of Lake Joy Road, described in Exhibit "A", is hereby abandoned and shall no longer be a part of the county road system and the rights of the public in and to the section of road as a public road shall cease.

EXHIBIT "A"

All that tract or parcel of land situate, lying and being in Land Lots 124 and 133 of the Tenth Land District of Houston County, Georgia, being known and designated as Parcel 'D', containing 0.375 acres according to a plat of survey prepared by Christopher A. Branscom, G.R.L.S. No. 3164.

Mr. Thomson presented a request from The Bank of Perry, to purchase a portion of the unused right of way adjacent to their property at the intersection of Lake Joy Road and Georgia State Highway 96 that was relocated due to the Highway 96 improvement project. The property has been abandoned by the Board of Commissioners.

Motion by Mr. Thomson, second by Mr. McMichael and carried unanimously by all to approve the sale of that portion of the right of way of Lake Joy Road abandoned previously by the Board of Commissioners for a purchase price of Five Thousand Dollars (\$5,000). The Chairman is authorized to sign a quit claim deed to The Bank of Perry upon payment of the purchase price.

Chairman Stalnaker mentioned that there are plans in the Fall to landscape two small park areas in this vicinity in conjunction with the City of Warner Robins.

Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously by all to approve the payment of the bills totaling \$2,929,749.27.

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Chairman Stalnaker opened the meeting for Public Comments.

Mr. Walton Wood, 426 Sandefur Road, Kathleen commended Flint Energies for reserving parking spaces at their Russell Parkway facility for active duty service members, veterans, law enforcement and firefighters. He also went on record, for both he and his wife Becky, in support of the Houston County Library System and Director Paulk.

Chairman Stalnaker explained that the library systems' wireless network had been shut down recently due to some abuse by a patron. The library system has since applied for federal grant funds that would allow them to upgrade the network. He commended Director Paulk for waiting to see if the County is awarded the grant funds before expending any local taxpayer dollars to fix the problem.

Mr. Wood also commended the Commissioners for their policy of allowing the general public to access and have input to all facets of the local government.

There being no further public comments the meeting continued.

Chairman Stalnaker then asked for comments from the Commissioners.

Mr. McMichael remarked that he was glad to see Mr. Clarence Long.

Mr. Thomson applauded all WWII vets and thanked them for their service.

Ms. Robinson thanked everyone for attending the meeting.

Mr. Walker remarked that his father was part of a WWII bomber crew and that he likewise appreciated every veteran.

Chairman Stalnaker offered condolences to 911 Director Ricky Harlowe who lost his wife Gail on Monday.

Motion by Mr. McMichael, second by Mr. Thomson and carried unanimously by all to enter into Executive Session for Personnel matters per O.C.G.A. §50-14-3(b)(2) and Attorney/Client matters per O.C.G.A. §50-14-2(1).

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Upon returning the meeting continued. Chairman Stalnaker asked if there were any action to be taken by the Board.

Motion by Mr. Thomson, second by Mr. Walker and carried unanimously by all to settle Houston Superior Court Case No. 2015-V-113093-N for the amount of \$30,000.00. The Chairman is authorized to sign the settlement agreement and the Comptroller is authorized to make the necessary budget adjustments.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously by all to terminate the employ of Public Defender Nick White effective immediately.

Chairman Stalnaker announced that there would be a special called Board meeting at 2:00 p.m. on Wednesday, August 3, 2016 at the Warner Robins Annex building to address a personnel item.

Motion to adjourn by Mr. Walker, second by Mr. McMichael and carried unanimously by all.

Barry Holland
Director of Administration

Chairman

Commissioner

Commissioner

Commissioner

Commissioner

