

Houston County Meeting Minutes From August 7, 2012

The Houston County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, August 7, 2012 at the Houston County Courthouse in Perry, Georgia with Chairman Stalnaker presiding and Commissioners McMichael, Walker, Thomson and Robinson present. Also present were Director of Administration Barry Holland, Director of Operations Robbie Dunbar, HEMA/Fire Chief Jimmy Williams, Director of Personnel Ken Carter, Chief Building Inspector Tim Andrews, Walton Wood, Jimmy Autry Senior Vice-President Flint Energies, Centerville Mayor John Harley, Senior Animal Control Officer Dale Newberry, Jeanne Moyer Advanced Disposal and County Attorney Tom Hall.

Commissioner Thomson led the audience in the Invocation.

Mr. Rodney Noel, retired SSgt. United States Air Force, led the audience in the Pledge of Allegiance and then detailed his career with the Air Force. Mr. Rodney joined the Air Force at age eighteen and served at bases in the United States and Europe. He shared his belief that freedom is not free and that we all bleed the same red, white and blue like the colors of our flag. Mr. Noel met his wife Denise, a local dentist, while serving his last duty assignment here at Robins Air Force Base with the 5th Mob and has been here for twenty-five years. Mr. Noel has one son.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously to approve the minutes of July 17, 2012.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously to withdraw Houston County's objection to annexation by the City of Warner Robins of property located south of Bass Road and west of South Houston Lake Road, identified as Tract No. 1, totaling 3.25 acres and Tract No. 2 totaling 8.245 acres, more particularly shown on the attached Exhibit "A", and by reference made a part hereof. The owner of the potential unincorporated islands has filed to have the parcels annexed into the City of Warner Robins.

Motion by Mr. Walker, second by Mr. McMichael and carried unanimously to concur with a request from the City of Warner Robins to annex Land Lot 192 of the 10th Land District, Houston County, Georgia, being known and designated as Tract 3 (18.091 acres) and Tract 4 (9.271 acres) totaling 27.362 acres located on Corder Road Extension at South Houston Lake Road. Present zoning is R-1 with no change in zoning.

Chief Building Inspector Tim Andrews presented Special Exception Application #1660 submitted by Jaime Gonzalez. The property is located at 103 Wilkes Court, Warner Robins, Georgia, and is more specifically described as LL 132, 10th Land District of Houston County, Georgia, Tara Estates Subdivision, Section No. 3, Lot 32, Block "C", consisting of .38 acres. Existing use is residential, R-1 zoning. Proposed use is a Special Exception for a Home Occupation Window Cleaning Business with no change in zoning. The Zoning and Appeals Board recommends unanimous approval of Application #1660.

Chairman Stalnaker then opened a public hearing on Special Exception Application #1660.

Mr. Walker inquired as to any opposition at the Planning & Zoning meeting. Mr. Tim Andrews, Chief Building Inspector stated there was no opposition.

There being no further public comments, the hearing was closed.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously to approve Application #1660.

Tim Andrews, Chief Building Inspector, presented Special Exception Application #1661 submitted by Cynthia Davis. The property is located at 114 Fisher Street, Warner Robins, Georgia and is more specifically described as LL 139, 5th Land District of Houston County, Lots 8 & 9, consisting of .92 acres in the Dogwood Park Subdivision. Existing use is residential, R-1 zoning. Proposed use is a Special Exception for a Home Occupation Residential Cleaning Business with no change in zoning. The Zoning and Appeals Board unanimously recommends approval of Application #1661

Chairman Stalnaker then opened a public hearing on Special Exception Application #1661.

Mr. Thomson inquired as to whether the business requires a special vehicle. The applicant responded no.

Mr. Walker inquired whether there would be storage of any industrial chemicals at the home. The applicant responded no.

Ms. Cynthia Davis stated she would provide residential cleaning services for surrounding Houston County residents.

There being no further public comments, the hearing was closed.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously to approve Application #1661.

Tim Andrews, Chief Building Inspector, presented Special Exception Application #1662 submitted by Kimberly Spivey. The property is located at 117 Pine Bluff Drive, Warner Robins, Georgia and is more specifically described as LL 223, of the 10th Land District of Houston County, Georgia, Lot 31 Block "C", Section No. 6 of South Oaks Subdivision, consisting of .46 acres. Existing use is residential, R-1 zoning. Proposed use is a Special Exception for a Home Occupation Home Daycare Business with no change in zoning. The Zoning Appeals Board unanimously recommends approval of Application #1662.

Chairman Stalnaker then opened a public hearing on Special Exception Application #1662.

Mr. Andrews stated Ms. Spivey would have to limit her daycare to no more than six children and requires a Department of Human Resource letter after Commissioners approval.

Mr. Thomson inquired as to who inspects the site. Mr. Andrews stated the State.

Mr. Walker inquired as to any objections at the Planning & Zoning meeting. Mr. Andrews stated there was no opposition. Mr. Walker also pointed out that there may be covenants on the subdivision, but that the County does not enforce covenants.

Ms. Spivey stated that she previously operated a home daycare in the City limits, but moved to the County.

There being no further public comments, the hearing was closed.

Motion by Mr. Walker, second by Ms. Robinson and carried to approve Application #1662.

Upon voting Mr. Walker, Ms. Robinson and Mr. Thomson voted yes. Mr. McMichael abstained due to the proximity of his residence to the applicants. Motion passed.

Tim Andrews, Chief Building Inspector, presented Special Exception Application #1663 submitted by Mr. Randy Wynn. The property is located at 112 Winchester Lane, Warner Robins, Georgia and is more specifically described as LL66, of the 5th Land District of Houston County, Lot 11, Block_C, Section 1, Phase 2A of Crestview Plantation Subdivision, consisting of .36 acres. Existing use is residential, R-1 zoning. Proposed use is a Special Exception for a Home Occupation for an Attorney's Office with no change in zoning. The Zoning Appeals Board unanimously recommends denial of Application #1663.

Chairman Stalnaker then opened a public hearing on Special Exceptional Application #1663.

Mr. Wynn spoke in favor of his application and asked the Board to send this application back to Planning & Zoning regarding the petition that was presented against him. He contends that some of the petitioners do not live in the immediate neighborhood.

Mr. Thomson inquired as to whether the names and addresses of the petitioners were given. Mr. Wynn replied that only the names were given.

There being no further public comments, the hearing was closed.

Motion by Mr. Thomson, second by Mr. McMichael and carried to send Special Exception Application #1663 submitted by Mr. Randy Wynn for a Home Occupation for an attorney's office back to the Board of Zoning & Appeals for further consideration. Upon voting, Commissioners Thomson, McMichael and Robinson voted yes. Commissioner Walker abstained on the advice of the County Attorney to avoid any appearance of conflict since he and the applicant once shared office space in the same building and have worked on legal cases that may have been interrelated.

Tim Andrews, Chief Building Inspector, presented Special Exception Application #1665 submitted by Stacy Boudreaux. The property is located at 201 Winston Court, Warner Robins, and is more specifically described as LL 125, 10th District of Houston County, Lot 1, Block "B", Phase No. 1 of Weatherby Plantation, consisting of .54 acres. Existing use is residential, R-1 zoning. Proposed use is a Special Exception for a Home Occupation Locksmith Business with no change in zoning. The Zoning Appeals Board voted 3 to 1 to deny Application #1665.

Chairman Stalnaker then opened a public hearing on Special Exception Application #1665.

Tim Andrews, Chief Building Inspector, indicated that the Board of Zoning & Appeals felt that this home occupation would not be in keeping with the character of the neighborhood, that there would be clients at the house and there were concerns about the noise levels generated by any key-cutting machinery.

Mr. Walker inquired as to what type of garage the applicant had. The applicant indicated a 2 car garage. Mr. Boudreaux was asked whether this was full-time or part-time work. Mr. Boudreaux replied it is currently part-time, but would like for it to be full-time.

Mr. McMichael inquired as to how customers would reach applicant. Mr. Boudreaux replied by phone or email.

Chairman Stalnaker advised applicant to check neighborhood covenants. Mr. Boudreaux stated he is very familiar with the covenants.

There being no further public comments, the hearing was closed.

Motion by, Mr. Walker, second by Mr. McMichael and carried unanimously to send Special Exception Application #1665 submitted by Mr. Stacy Boudreaux for a Home Occupation mobile

locksmith business back to the Board of Zoning & Appeals for further consideration.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously to approve the hiring of two temporary part-time Tax/Tag Clerks at pay grade 10A (\$12.02/hour) to fill the vacancies of Katy Smith and Dalia Anguiano while they are out on maternity leave. Benefits will not be available to either temporary part-time worker during this temporary placement. Both temporary part-time positions will terminate immediately upon the return of Ms. Smith and Ms. Anguiano.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously to authorize Chairman Stalnaker to sign the Houston County Workplace Wellness Policy, thereby fulfilling the requirements of the ACCG grant, and demonstrating our commitment to the overall health and general wellbeing of Houston County employees.

Pursuant to O.C.G.A. 3-3-7(j) and 3-3-7(q), referendums were held on July 31, 2012 in conjunction with the County's primary election on the question of Sunday sales of alcohol by the drink and Sunday package sales of alcohol; and will amend the Code of Ordinances of the County accordingly.

1.

Section 6-30(b) is repealed in its entirety.

2.

Section 6-30(c), (d), (e) and (g) shall be repealed in their entirety and the following inserted in lieu thereof:

(c) Packaged sales of beer and wine. Licensees whose only sale of alcoholic beverages consist of beer and/or wine by the package may sell such beverages at any time except between 12:00 a.m. and 12:30 p.m. on Sunday and between 11:30 p.m. on Sunday and 12:00 a.m. on Monday.

(d) Package Stores. The sale of package distilled spirits shall be permitted at any time between 8:00 a.m. and 11:45 p.m. on Monday through Saturday and between 12:30 p.m. and 11:30 p.m. on Sunday. No retail dealer or licensee for package sale of distilled spirits shall allow any person inside the establishment after said hours other than regular employees who are engaged in activities to close, clean, or stock the establishment, or if the doors to the establishment are unlocked. The only exception to the above may be caused by emergency repairs to equipment and/or facilities.

(e) Establishment that sell alcohol for consumption on premises. Licensees for the sale of alcoholic beverages for consumption on premises may sell such beverages and be open between the hours of 8:00 a.m. and 2:00 a.m. on Monday through Saturday and from 12:00 a.m. to 2:00 a.m. on Sunday. Any other sales on Sunday must be in compliance with the section entitled Sunday alcohol sales below. For purposes of this section, establishments will be considered open if at any time, there are any persons inside the

establishment other than regular employees who are engaged in activities to close, clean or stock the establishment, or if the doors to the establishment are unlocked. The only exception to the above may be caused by emergency repairs to equipment and/or facilities.

(g) Christmas Day: (1) No licensee shall sell or offer for sale any alcoholic beverages at any time on Christmas Day.

(2) Notwithstanding the above, licensees of food and restaurant establishments may rent separate and distinct rooms for private parties to be held on Christmas Day. In such event, the licensee shall not sell or serve any alcoholic beverages. Nothing contained in this section shall allow areas commonly regarded as lounges or bars to be open for any reason on Christmas Day.

3.

A new provision is hereby adopted as follows:

Sunday alcohol sales . Establishments holding a license for the sale of distilled spirits, wine or beer by the drink shall also be permitted to sell and serve between the hours of 12:30 p.m. and 12:00 a.m. on Sundays provided that the criteria contained in O.C.G.A. 3-3-7(j) is met.

4.

If any ordinance, or part thereof, of Houston County is in conflict herewith, this ordinance shall have preference. If any provisions of this ordinance are held invalid, such invalidity shall not affect any of the other provisions which can be given effect without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

The provisions of this ordinance shall become effective upon the adoption this 7th day of August, 2012.

Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously to amend Chapter 6 of the County Code of Ordinances regarding alcoholic beverages.

Commissioner Robinson presented a first reading of an amendment to the Houston County Unified Animal Control Ordinance which would delete Chapter 10, Article III,

"Dangerous Dog Control" in its entirety and would substitute a new Chapter 10, Article III, "Responsible Dog Ownership".

House Bill 685, which holds owners more intensely accountable for their dangerous or vicious dogs, passed during the General Assembly's last legislative session and was approved by Governor Deal. This change to Houston County's Unified Animal Control Ordinance will bring the County in line with the state's new Responsible Dog Ownership Law.

A second reading will be required at the August 21, 2012 Board meeting before action may be taken.

Motion by Ms. Robinson, second by Mr. Thomson and carried unanimously to approve the hiring of poll workers for the upcoming August 21, 2012 Democratic Primary Runoff Election for Senate District 26. Only two precincts are involved.

2 Managers @ \$125.00 \$250.00
4 Asst. Mgr. @ 85.00 \$340.00
2 Clerks @ 75.00 \$150.00
1 Janitor @ 15.50 \$ 15.50
1 Janitor @ 25.00 \$ 25.00
6 TS Units @ 3.00 \$ 18.00
2 Return Supplies @ 5.00 \$ 10.00
2 Cell Phones @ 10.00 \$ 20.00
TOTAL \$828.50

Motion by Mr. Thomson, second by Mr. McMichael and carried unanimously to authorize the Chairman to sign Contract Change Order #1 for the West Henderson Water Supply and Treatment Facility. The net decrease of this Change Order is \$19,397.20, making the final contract price with Jones Construction Company \$704,002.80.

Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously to approve the payment of bills totaling \$3,978,244.44.

Chairman Stalnaker then opened the meeting for public comments.

Mr. James Ermeraczyh related a story of a neighbor that recently required the assistance of the ambulance service and subsequently of the Houston Medical Center, and he thanked the Commissioners that serve on the Hospital Authority for their service.

Chairman Stalnaker recognized Mr. Mark Baker, Houston County_s new Purchasing Agent.

Chairman Stalnaker also briefed the audience about the Board of Commissioners intention to set the 2012 tax levy at the next Commissioners meeting on August 21, 2012 at 6:00 p.m. at the Annex building in Warner Robins.

Commissioner Walker recognized Centerville Mayor John Harley.

Mr. Jimmy Autry thanked all the volunteers that helped the Little League this week, the business community for their donations toward the Little League banquet, and all agencies of law enforcement that assisted during the games.

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

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