

Houston County Commissioners Meeting
July 1, 2014
Perry, Georgia

The Houston County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, July 1, 2014 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, Human Resources Director Ken Carter, Director of Operations Robbie Dunbar, Fire/HEMA Chief Jimmy Williams, Chief Building Inspector Tim Andrews, Director of Purchasing Mark Baker, Animal Control Officer Alan Smith, Tax Appraiser Representatives Amanda Clark and Wayne Chapman, Lisa Hudson-DA Office Manager, Walton and Becky Wood, Library Board member Robin Engle, Centerville Mayor John Harley, Perry City Councilman Randall Walker, Robins Regional Chamber member Jim Taylor and County Attorney Tom Hall.

Commissioner Robinson led the audience in the Invocation.

James Phillips, Chief Petty Officer, US Navy, Retired, led the audience in the Pledge of Allegiance and then detailed his military career. He joined at the age of 17 and served for 22 years. During his career he served as a Navy medic, attended Rescue Aviation Med School and performed over 500 parachute jumps. His most memorable service was his postings to the Arctic Circle at the North Pole. He also had the opportunity to spend time at the South Pole as well. Mr. Phillips served four tours in Vietnam, three inland with the Marines and one on the aircraft carrier USS Saratoga. He was wounded twice during those four tours. Mr. Phillips met his wife Joyce while serving in the Navy and they have a son who has retired after 25 years from the Air Force. After his military career, Mr. Phillips spent 15 years working at Houston County as the Landfill Superintendent.

Chairman Stalnaker remarked that Mr. Phillips was a pioneer of the County's Landfill and large part of the success it still enjoys today.

Chairman Stalnaker recognized Ellie Loudermilk, President of the Perry Historical Society, for the society's efforts in preserving the Perry area's history for future generations. He read a resolution expressing the Board's appreciation for the efforts of the Society and its volunteers for their dedication and hard work. Ms. Loudermilk then introduced her fellow officers and volunteers present at the meeting.

At their request, Chairman Stalnaker also agreed to provide a curb cut access from the Perry Library parking lot to the Historical Society parking lot to allow patrons to safely walk back and forth between the two facilities. Since the County is preparing for a major renovation at the library site, Chairman Stalnaker promised to include this walkway in the plans.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously to approve the minutes of June 17 and June 24, 2014.

Chief Building Inspector Tim Andrews presented Re-Zoning Application #1805 submitted by Thomas Hollingsworth. This application was originally sent back to Planning and Zoning by the Commissioners on June 3, 2014. Since then the application was withdrawn by the applicant on June 11, 2014 and therefore the Planning & Zoning Board did not take action on it. Therefore, no action is necessary by the Commissioners.

Chief Building Inspector Tim Andrews presented Special Exception Application #1804 for a Home Occupation Online Boutique business submitted by Darryl and Stephanie Duckworth. This application was originally tabled at the June 3, 2014 meeting by the Commissioners and sent back to Zoning & Appeals since the applicant had not been present at the original hearing.

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Mr. Andrews stated that the application complies with Section 95 of the Comprehensive Land Development Regulations and that the Board of Zoning & Appeals recommends unanimous approval subject to no signage, no customers to the home, no storage of products at the home, no commercial vehicle to be used for the business and deliveries to the home are to be limited to once a month. Mr. Andrews explained that the applicants will act as brokers and have a home office only.

Mr. Walker asked Mr. Andrews if there was any opposition at the Zoning & Appeals hearing. Mr. Andrews replied that there was none. Mr. Walker asked if deliveries were to be made to the home. Mr. Andrews replied that the applicant originally stated she would have one delivery per month to the home, but later amended her application to have no deliveries with the products being drop-shipped to her client's home.

Chairman Stalnaker then opened a public hearing on Special Exception Application #1804.

Applicant was present but had no additional comments.

There was no opposition.

There being no further comments, the hearing was closed.

Chairman Stalnaker 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. The Board of Commissioners does not enforce these covenants.

Mr. Walker made a motion and Mr. Thomson seconded to include no deliveries to the home. Upon further discussion, Mr. Walker amended his motion to allow one delivery per month.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously to approve Special Exception Application #1804 submitted by Darryl and Stephanie Duckworth subject to no signage, no customers to the home, no storage of products at the home, no commercial vehicle to be used for the business and deliveries to the home limited to once a month.

Tim Andrews presented an amendment to the Comprehensive Land Development Regulations amending Section 95.4 as recommended by the Planning & Zoning Board at their June 16, 2014 meeting. This amendment removes language from the regulation that was added April 1, 2014 by amendment prohibiting home businesses that would require a Federal ATF license. Recent changes brought about by the new gun bill HB60 makes it necessary to remove that language. The new gun bill goes into effect today.

Motion by Mr. McMichael, second by Mr. Thomson and carried unanimously to approve an amendment to Section 95.4 as recommended by the Houston County Planning & Zoning Board at their June 16, 2014 meeting.

Animal Control Officer Alan Smith presented a Waiver to Animal Limitations submitted by Mr. Milton Goldin, Jr. of 104 Valley Lake Drive, Perry, Georgia. Section 10-19 of the Unified Animal Control Ordinance states that it is unlawful to keep more than three dogs and three cats on any residential lot. Mr. Goldin has made application to keep from ten to twelve dogs at a time as part of a rescue/foster operation at his home.

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As background information, Officer Smith related that on June 11th there was a complaint received from a neighbor about the number of dogs and the excessive barking at the Goldin's house. Officer Smith made a visit to the home and issued a written warning to the Goldin's citing the eight miniature schnauzers and the excessive barking. Mr. Goldin has since taken five of the dogs to a local kennel to be boarded until this matter could be settled. No further complaints have been taken since the original incident.

Chairman Stalnaker asked Officer Smith to describe the condition of the house. Officer Smith responded that he found the house to be in a state of disorder only because the Goldin's were currently repainting, but that it seemed clean inside. The backyard has a privacy fence but no dog houses or shade structures to speak of which concerned him. The Chairman asked about devices that might be used to control the dogs barking. Officer Smith said that in his opinion bark collars do work, but that in his experience some of the other devices do not work as well. Mr. Thomson asked if there was a sign placed in the yard advertising the public hearing. Officer Smith replied that a sign was posted on the property June 16th and that he had fielded at least two phone calls since with questions from neighbors who saw the sign. Mr. Thomson asked how big the lot was in acreage. Officer Smith thought approximately half of an acre.

Chairman Stalnaker then opened a public hearing on a Waiver to Animal Limitation submitted by Mr. Milton Goldin, Jr.

The applicant stated that he has lived in home for 27 months with very little interaction with his neighbors during that time. He said that he and his wife rescue miniature schnauzers that are suitable for adoption and has had anywhere from 7 to 11 dogs continuously for the past 17 months at the house with no complaints. He presented several types of bark-control devices and stated that some were more effective than others. He also stated that most of his neighbors have dogs themselves.

Tom McMichael asked why the letters of support presented with his application were not from any Houston County residents. The applicant explained that they place the animals wherever they can. He also explained that there have been several dogs rescued from within Houston County as well as from outside of the county. Mr. McMichael also asked if the applicant was essentially running a business from the home. The applicant replied that he was not running a business and he did not earn any income from the activity.

Chairman Stalnaker asked if the applicant was aware of the County's ordinance concerning the 3 dog/3cat limitation. The applicant replied that he was unaware until such time as Officer Smith informed him. Officer Smith stated that he felt Mr. Goldin was very knowledgeable of the State regulations but apparently not the County's.

Sheri Goldin, the applicant's wife, also spoke in favor of the application stating that she loves miniature schnauzers and wants to continue with their foster operation.

Jeff Kipa, 105 Lake Lillian Drive, Perry spoke in opposition to the application and presented a petition signed by 16 residents from within the Lake Lillian Estates subdivision. He characterized the neighborhood as a peaceful residential subdivision where many children play and dogs sometimes roam freely. He had concerns about the welfare of the dogs, the size of the house and fenced backyard, excessive noise and odors. He also explained that he has not met Mr. Goldin because he has three children and he knows that Mr. Goldin is a convicted child molester. Chairman Stalnaker asked Mr. Kipa to stick with the merits of the application and not stray to what amounts to an unrelated matter. Mr. Kipa stated that the schnauzer breed has a high pitched bark in general and that he has concerns about increased traffic to the home as well.

In relation to the comment about dogs roaming the neighborhood, Chairman Stalnaker asked Officer Smith to enlighten Mr. Kipa on the County's ordinance. Officer Smith stated that the dogs must be contained in some manner including being leashed, fenced, behind an electric control system (fence) or under verbal command of the owner while at heel.

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Kathleen Chasteen, 211 Lake Lillian Drive also spoke in opposition and stated that her backyard connects with the Goldin’s backyard. She had concerns about the noise level, feces disposal, odors from a compost pile, and of the possible spread of canine diseases to her pets through the shared fence.

Walton Wood, 426 Sandefur Road, Kathleen also spoke in opposition and stated that it was hard to believe that the Goldin’s were ignorant of the County’s ordinance given the amount of coverage that the Unified Animal Control Ordinance received when it was being formulated and adopted. He felt that the residents of the neighborhood should be able to enjoy their homes in peace and solitude.

Mr. Goldin stated that his home was larger than Mr. Kipa believed it to be and he has never had complaints about odors but that he would be willing to dismantle the compost bin if necessary. He also stated that no animal feces were placed in the compost bin, but rather the waste was picked up and disposed of through the house septic system.

There being no further comments, the hearing was closed.

Ms. Robinson remarked that an R-AG zoned property would be more conducive to the foster/rescue operation.

Ms. Robinson made a motion to approve the application for waiver to animal limitations as long as any nuisance was contained, limited the number of dogs to six, and they were to be pets only not fosters. As the dogs passed, they would not be able to be replaced until the total number had been reduced to three. The motion died for lack of a second.

Mr. Walker, Mr. Thomson and Mr. McMichael each felt that the waiver to exceed three dogs should not be granted in this residential R-1 zoned subdivision.

Motion by Mr. McMichael, second by Mr. Thomson and carried to deny the application for waiver to animal limitations submitted by Mr. Milton Goldin, Jr. with the stipulation that Mr. Goldin had 60 days to make arrangements to reduce the total number of dogs to three. Upon voting, Mr. McMichael, Mr. Thomson and Mr. Walker voted yes and Ms. Robinson voted no. Motion carried.

Motion by Ms. Robinson, second by Mr. Walker and carried unanimously to approve the hiring of the following workers for the upcoming July 22, 2014 General Primary/Nonpartisan General/Special Election Runoff:

	<u>Amount</u>	<u>Total</u>
21 Managers	\$125.00	\$2,625.00
42 Assistant Managers	85.00	3,570.00
46 Clerks	75.00	3,450.00
10 Janitors	15.50	155.00
4 Janitors	25.00	100.00
91 TS Units	3.00	273.00
2 Election Night Helpers	50.00	100.00
2 Supply Pickup Helpers	50.00	100.00
3 Election Night Check-In	50.00	150.00
19 Supply Pick Up/Return Supplies	10.00	190.00
22 Cell Phones	10.00	<u>220.00</u>
Total		\$10,933.00

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Chairman Stalnaker remarked that the Board of Elections reported voting a record 79 people in yesterday's first day of early voting.

Motion by Ms. Robinson, second by Mr. McMichael and carried unanimously to authorize Chairman Stalnaker to sign the agreement accepting Grant #EMW-2011-SS-00081 (BW3216/SHO11-176) for \$30,000 through the Homeland Security Grant Program for use repairing and updating a mobile communications center (truck and trailer) to be used by the E-911 Center. The grant will reimburse the County for the expenses incurred.

Motion by Ms. Robinson, second by Mr. Walker and carried unanimously to authorize Chairman Stalnaker to sign the Independent Contractor Agreements with Greg Bell at \$40,000 per year, Susan McNally at \$40,000 per year, and Kameyan Sims at \$30,000 per year to provide for the defense of indigent persons appearing in the Houston County Juvenile Court. Each agreement will be effective July 1, 2014 and remain in effect until June 30, 2015. These agreements may be renewed from year to year subject to an annual review of performance conducted by the County in conjunction with the Juvenile Court.

Mr. Thomson asked if these were conflict attorneys. Chairman Stalnaker explained that they served as both conflict and indigent defense attorneys.

Motion by Ms. Robinson, second by Mr. Walker and carried unanimously to authorize Chairman Stalnaker to sign the 2015 Juvenile Justice Incentive Grant Memorandum of Understanding with Community Solutions, Inc. (CSI). Under this agreement, Houston County will continue to serve as the referral source for youth to receive Multi-Systemic Therapy (MST), and will facilitate communications between families, school personnel, the Department of Juvenile Justice, the Community Service Board and court personnel. CSI will provide the MST to 30 youth and families, residing in Houston County, annually. The total amount of this agreement is \$250,000 for the period of 7/01/14 through 6/30/15.

Chairman Stalnaker pointed out that if the grant funding were to be discontinued that the program and personnel would be likewise terminated. Mr. Walker asked if the effectiveness of the program was being assessed and, if so, by whom. Chairman Stalnaker indicated that the State of Georgia would be responsible for auditing the success of the program.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously to approve the appointment of Warner Robins Councilman Clifford Holmes, Jr. to the Phoenix Center Community Service Board. The term will be for one year and begin on July 1, 2014 and expire June 30, 2015.

Motion by Mr. Thomson, second by Mr. McMichael and carried unanimously to authorize Chairman Stalnaker to sign an agreement (#1036) with Traylor Business Services, Inc. (TBS) for personal property audits in FY2015. Audits will only be performed when requested specifically by the Chief Tax Appraiser.

Motion by Mr. Thomson, second by Ms. Robinson and carried unanimously to authorize Chairman Stalnaker to sign Change Order #1 on the Feagin Mill Road (Phase 2) construction contract with Georgia Asphalt in the amount of \$241,152.80. The original contract price will increase from \$3,289,805.27 to \$3,530,958.07. The contract time will increase by 21 days from 730 calendar days to 751 calendar days.

Chairman Stalnaker explained that the unit prices from the original bid were used for the work being added by this change order. He also explained that if the County were to proceed with the project without doing this added work that there would likely be road failure within two years.

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Motion by Mr. Thomson, second by Mr. McMichael and carried unanimously to approve the temporary closure and detour of Feagin Mill Road by contractor Georgia Asphalt performing the Feagin Mill Road Phase 2 widening project.

The section of road between Houston Lake Road and Peach Blossom Road will be temporarily closed and detoured from July 12, 2014 through July 14, 2014. If weather does not permit work to be done at this time the closing would be moved to July 19, 2014 to July 21, 2014. Georgia Asphalt is responsible for obtaining the concurrence of the City of Warner Robins and Georgia DOT; will notify all necessary agencies and the media outlets; and will be responsible for the cost of signage for the closure.

The Chairman explained that the closure and detour were unfortunate but necessary due to the depth and width of the cut necessary to complete the culvert replacement. He encouraged the media to help get the word out concerning the closure and detour.

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously to approve the award of one 2015 Ford Explorer SUV to Allan Vigil Ford of Morrow, GA in the amount of \$24,845 for use in the District Attorney's office. The DA will reimburse the County for 100% of the cost from drug forfeiture funds.

Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously to approve the payment of bills totaling \$1,997,741.25.

Chairman Stalnaker recognized Centerville Mayor John Harley.

Chairman Stalnaker then opened the meeting for public comments.

There being no public comments the meeting was continued.

The Chairman then asked for comments from the Commissioners.

Mr. McMichael thanked Wayne Crenshaw for the article he wrote on the County's FY15 budget.

There being no further comments from the Commissioners the meeting was continued.

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

Barry Holland
Director of Administration

Chairman

Commissioner

Commissioner

Commissioner

Commissioner