

**Houston County Commissioners Meeting**  
**October 1, 2019**  
**Perry, Georgia**

The Houston County Board of Commissioners met for a regular session at 9:00 a.m. on Tuesday October 1, 2019, at the Houston County Courthouse in Perry, Georgia, with Chairman Stalnaker presiding and Commissioners Walker, McMichael and Robinson present. Also present were County Attorney Tom Hall, Director of Administration Barry Holland, Director of Operations Robbie Dunbar, Director of Personnel Ken Carter, Chief Building Inspector Tim Andrews, Mayor Randall Walker, Flint Energies VP of Cooperative Communications Marian McLemore, Walton and Becky Wood and Ansel Peck.

Chairman Stalnaker announced that Mr. Thomson would not be able to attend the meeting due to a personal situation.

Commissioner Walker led the audience in the Invocation.

Col. Brian Mueller, USAF led the audience in the Pledge of Allegiance and then detailed his 31-year military career. After marrying his high school sweetheart and graduating from Colorado State University through the ROTC program his career field was as a computer scientist. He left the service sometime after that and quickly realized that he wanted to continue his service, so he joined the Air Force Reserves. During his career he has been posted in such places as Minnesota, California, Hawaii, Korea and now Georgia. Enjoying a varied career, he has been deployed to Afghanistan, served as a Navy reserve chaplain and as a liaison officer to the Air Force Academy among other details. Col. Mueller is currently serving as the Director of Intelligence at Headquarters Air Force Reserve Command on Robins AFB. He has found ours to be a very welcoming community regarding military members and their mission.

Motion by Mr. McMichael, second by Mr. Walker to approve the minutes from the September 17, 2019 meeting. After voting Mr. Mr. McMichael, Mr. Walker, and Ms. Robinson voted yes. Motion carried.

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.

Chief Building Inspector Tim Andrews presented Special Exception Applications #2288 thru #2292 and #2294.

Chairman Stalnaker asked Mr. Andrews if the disposal of roofing materials was addressed pursuant to Application #2288.

Mr. Andrews replied that the applicant would dispose of the materials at the Landfill and that no materials would be stored or accumulated at the home.

Relative to Application #2289, Chairman Stalnaker asked Mr. Andrews if there was normally a specific zoning for telecommunication towers. Mr. Andrews replied that in this case the residential zoning required only a conditional use by special exception.

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Chairman Stalnaker asked if the proposed tower was a monopole type construction.

Mr. Andrews replied that it was in fact a monopole tower.

Chairman Stalnaker closed the regular portion of the meeting and opened a Public Hearing.

Special Exception Application #2288 applicant Frank Gray was present and stated that he typically utilizes commercial type dumpsters to dispose of the construction debris on his roofing jobs. There was no opposition.

Special Exception Application #2289 applicant Steve Watkins, representing ComSite, LLC, was present and stated that the FAA application has been made and is pending. He estimated that construction of the tower may be complete sometime in January of 2020. There was no opposition.

Special Exception Application #2290 applicants were present. There was no opposition.

Special Exception Application #2291 applicants were present. There was no opposition.

Special Exception Application #2292 applicants were not present. There was no opposition.

Special Exception Application #2294 applicants were present. There was no opposition.

As there were no further comments Chairman Stalnaker closed the Public Hearing and reopened the regular portion of the meeting.

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

Application #2288	Frank Gray	Roofing
Application #2289	ComSite, LLC	Telecommunications Tower
Application #2290	Timothy & Andrea Horne	Bookkeeping
Application #2291	Leo & Ruth Ann Spielman	Resume Writing Service
Application #2292	Marx Ivandich & Mildred Canales	Lawn Care
Application #2294	Wes & Sarah Sawyers	Real Estate Development

After voting Mr. Walker, Ms. Robinson and Mr. McMichael voted yes. Motion carried.

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.

Chief Building Inspector Tim Andrews presented Re-Zoning Application #2293.

Chairman Stalnaker closed the regular portion of the meeting and opened a Public Hearing.

Applicant #2293 was present. There was no opposition

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Mr. McMichael asked the applicant what would happen to the old house on the corner of the property.

Mr. Smith replied that is was in bad shape and would have to be torn down.

As there were no further comments Chairman Stalnaker closed the Public Hearing and reopened the regular portion of the meeting.

Motion by Mr. Walker, second by Mr. McMichael to approve Rezoning Application #2293 submitted by William Smith III, Daphane Smith, and William Smith, Jr. After voting Mr. Walker, Mr. McMichael and Ms. Robinson voted yes, motion carried.

Chairman Stalnaker thanked Mr. Smith for the quality of his past developments within Houston County.

Mr. Walker presented a request for abandonment of easement.

Motion by Mr. Walker, second by Mr. McMichael to deny a request for abandonment of the utility and drainage easement at Whippoorwill Drive submitted by Austin R. Tosi. After voting Mr. Walker, Mr. McMichael and Ms. Robinson voted yes. Motion carried.

Chairman Stalnaker indicated that it is not uncommon for the government to retain these types of easements.

Ms. Robinson presented a request for the release of a maintenance bond.

Motion by Ms. Robinson, second by Mr. Walker to authorize the release of the maintenance bond (SunTrust Letter of Credit #70002339, expiring February 20, 2020) for Forestbrooke Subdivision (Lots 273-276 & 305-311) and the Stratford Hills Subdivision (Lots 277-281 & 294-304); and to accept Thurston Street, 686 feet or 0.13 mile at a speed limit of 25 mph; Foxborough Lane, 370 feet or 0.07 mile at a speed limit of 25 mph; Mathis Mill Drive, 633 feet or 0.12 mile at a speed limit of 25 mph; Bedfordshire Lane, 792 feet or 0.15 mile at a speed limit of 25 mph; and to accept the 2.93-acre Forestbrooke & Stratford Hills Subdivision stormwater detention pond. After voting Ms. Robinson, Mr. Walker and Mr. McMichael voted yes. Motion carried.

Ms. Robinson presented a request for the release of cul-de-sac bonds.

Motion by Ms. Robinson, second by Mr. McMichael to authorize the release of the cul-de-sac bonds on Harley Farms Drive (Persons Banking Letter of Credit #432984, Expires November 9, 2019) and on Ashley Nicole Avenue (Persons Banking Letter of Credit #432985, Expires November 9, 2019) in Harley Farms Subdivision. After voting Ms. Robinson, Mr. McMichael and Mr. Walker voted yes. Motion carried.

Ms. Robinson presented a request for additional work at the Magistrate Court building.

Motion by Ms. Robinson, second by Mr. Walker to approve the award of additional Magistrate Court Renovations to ICB Construction Group of Macon in the amount of \$16,298. SPLOST 2012 will fund these additional renovations. After voting Ms. Robinson, Mr. Walker, and Mr. McMichael voted yes. Motion carried.

Chairman Stalnaker instructed Mr. Holland and Mr. Dunbar not to proceed with the work until certain paperwork was received from the Magistrate Court.

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Ms. Robinson presented a request from the City of Perry to amend the current water use agreement.

Motion by Ms. Robinson, second by Mr. Walker to approve a request from the City of Perry to include Greystone Subdivision located off Langston Road in the current water use agreement between the City of Perry and Houston County. An eight-inch master water meter will be installed for this location. The following requirements will apply:

1. Issuance of utility permit to City of Perry based on all conditions being met according to "Houston County Utility Accommodations".
2. Water Distribution Engineering plans approved by Houston County Water System.
3. The current rate structure is subject to adjustment by the calendar year end.

After voting Ms. Robinson, Mr. Walker and Mr. McMichael voted yes. Motion carried.

Chairman Stalnakar recognized newly elected Perry Mayor Randall Walker and thanked him for attending the meeting and for the continued relationship and partnership that the County and City enjoy.

Mayor Walker thanked the Chairman and Board and remarked that he looks forward to continuing that partnership.

Chairman Stalnakar clarified for Mayor Walker that the current rate structure would increase across the board for all three cities by calendar year end.

Mr. McMichael presented a request for approval of a bid on a new tandem dump truck for use in the Roads Department.

Motion by Mr. McMichael, second by Ms. Robinson to approve the award of one new 2021 Freightliner 114SD tandem dump truck for use in the Roads department from Middle Georgia Freightliner of Macon for the unit price of \$121,819. SPLOST 2012 will fund the purchase of this vehicle. After voting Mr. McMichael, Ms. Robinson and Mr. Walker voted yes. Motion carried.

Chairman Stalnakar asked Mr. Dunbar if he knew the lead time on this truck.

Mr. Dunbar stated that he did not know for sure but that it could be as much as six months.

Mr. McMichael presented a request for approval of a bid on two tractors for use in the Roads Department.

Motion by Mr. McMichael, second by Mr. Walker to approve the award of one new 2019 John Deere 5100E tractor from Lasseter Tractor of Tifton for the unit cost of \$49,000 and one new 2019 Kubota M5-11HDC-1 tractor from Walker-Rhodes Tractor Co. of Perry at a unit cost of \$51,498 for use in the Roads Department. 2012 SPLOST will fund the purchase of these tractors. After voting Mr. McMichael, Mr. Walker and Ms. Robinson voted yes. Motion carried.



Motion by Mr. McMichael, second by Ms. Robinson to approve the payment of the bills totaling \$3,393,444.12. After voting Mr. McMichael, Ms. Robinson, and Mr. Walker voted yes. Motion carried.

Chairman Stalnakcer closed the regular portion of the meeting and opened Public Comments.

Austin Tosi, 114 Whipoorwill Drive, Warner Robins stated that he was the applicant for the abandonment of easement turned down by the Board a few minutes ago. His contention is that the easement contains no drainage or utilities presently nor over the last 41 years since the neighborhood was developed. He has a desire to improve his property but cannot pursue the variance necessary unless the easement is abandoned.

Chairman Stalnakcer conceded that although this easement, as with many others, may contain improvements such as accessory use buildings, fences, etc., that the government does not maintain them. The easement belongs to the property owners, but the government needs the easement to retain the rights to come onto the property if it ever becomes necessary. Chairman Stalnakcer asked Mr. Dunbar to meet with Mr. Tosi after the board meeting conclusion to discuss the issue further to see if there is any reason to revisit the request. If Public Works staff finds a reason to revisit the request for abandonment the County will not require Mr. Tosi to pay an additional fee.

Walton Wood, 426 Sandefur Road, Kathleen commended Mayor Walker for recognizing County residents who wish to make comments at the City of Perry's council meetings.

As there were no further comments Chairman Stalnakcer closed the Public Comments portion of the meeting and opened Commissioners Comments.

Mr. McMichael thanked everyone for coming.

Ms. Robinson likewise thanked everyone for coming.

Mr. Walker thanked everyone for coming and thanked Mayor Walker especially.

Chairman Stalnakcer reminded everyone that the Houston County Public Works Department will be closing a portion of Lake Joy Road beginning Monday, October 7th. The road will remain closed until work is complete for the week of October 7th thru October 13th, weather permitting. Although this will be an inconvenience for the travelling public it is necessary to fix the road properly. The work was scheduled for this particular week so that it would coincide with the school system's Fall break.

There being no further comments Chairman Stalnakcer closed the Commissioners comments.

Having concluded Commissioner's comments, Chairman Stalnakcer asked County Attorney Tom Hall to read the applicable code sections for the Executive Session.

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Motion by Mr. McMichael, second by Ms. Robinson to enter into Executive Session for Attorney/Client matters per O.C.G.A. § 50-14-2(1) and for Real Estate matters per O.C.G.A § 50-14-3(b)(1). After voting Mr. McMichael, Ms. Robinson and Mr. Walker voted yes. Motion carried.

Motion by Mr. Walker, second by Mr. McMichael to re-enter the regular Board meeting. After voting Mr. Walker, Mr. McMichael and Ms. Robinson voted yes. Motion carried.

Motion by Mr. Walker, second by Ms. Robinson to adjourn the meeting. After voting Mr. Walker, Ms. Robinson and Mr. McMichael voted yes. Motion carried.

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Barry Holland  
Director of Administration

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Chairman

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Commissioner

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Commissioner

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Commissioner

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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 October 1, 2019.

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

3. The executive session was called to order at 10:15 a.m.

4. 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:

X 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 Discussion or voting on:
  - \_\_\_\_\_ 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);

X Entering a contract for the purchase, disposal of, or lease of property as provided in O.C.G.A. § 50-14-3(b)(1)(D);  
\_\_\_\_\_ Entering into an option to purchase, dispose of, or lease property as provided in O.C.G.A. § 50-14-3(b)(1)(E);

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);



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\_\_\_\_\_ Other (describe the exemption to the open meetings law):

\_\_\_\_\_ as 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 October, 2019.

\_\_\_\_\_  
Tommy Stalnaker, Chairman  
Houston County Board of

Commissioners

Sworn to and subscribed  
before me this \_\_\_\_\_ day of  
October, 2019.

\_\_\_\_\_  
Notary Public  
My commission expires:

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