

Houston County Board of Commissioners Meeting
Perry, Georgia
January 7, 2020
9:00 A.M.

### **HOUSTON COUNTY COMMISSIONERS MEETING**

Perry, Georgia January 7, 2020 9:00 A.M.

#### Call to Order

### **Turn Off Cell Phones**

**Invocation** - Commissioner McMichael

<u>Pledge of Allegiance</u> - Lt. Col. Jarrod Beers, USAF

Recognition of Mr. Stewart Bloodworth

### Approval of Minutes from December 17, 2019

### **New Business:**

- 1. Personnel Request (Deputy Clerk / State Court) Commissioner Walker
- 2. Public Hearing on Re-Zoning Application #2313 (Cemex Southeast, LLC) Commissioner Walker
- 3. Public Hearing on Re-Zoning Application #2316 (Cemex Southeast, LLC) Commissioner Walker
- 4. First Reading on Alcohol License Application (Lake Mart / Beer & Wine) Director of Administration
- 5. Equipment Purchase Approval (District Attorney / Forfeiture Funds) Commissioner Robinson
- 6. Letter of Commitment (GA-DOT / SR247 & SR247 Spur Roundabout) Commissioner Robinson
- 7. Bid Award (Articulated Dump Truck / Landfill) Commissioner Thomson
- 8. Bid Award (Mini-Excavator / Water) Commissioner Thomson
- 9. FY19 Final Budget Adjustments Commissioner McMichael
- 10. Approval of Bills Commissioner McMichael

### **Public Comments**

### **Commissioner Comments**

#### **Motion for Adjournment**

State Court Clerk Teresa Hathaway is requesting approval to hire Faith Peeples for the vacant Deputy Clerk position at a Grade 12-C based on her experience. Staff concurs that Ms. Peeples has the necessary experience to qualify for the C-step.

Motion by,	second by	and carried	to
approve disapprove table authorize			

hiring Faith Peeples for the vacant Deputy Clerk position in the State Court Clerk's Office at a Grade 12-C effective January 8, 2020.



### **Houston County Personnel Department**

Houston County Board of Commissioners 200 Carl Vinson Parkway Warner Robins, GA 31088 478/542-2005 (Office) 478/542-2118 (Fax)

To: County Commissioners

From: Kenneth Carter, Director of Personnel

Date: December 23, 2019

Re: Request to Hire, Deputy Clerk State Court

Please find the attached request from Teresa Hathaway, State Court Clerk to hire Faith Peeples at grade 12 step C or \$34,881.60 for the vacant Deputy Clerk position. I have reviewed Ms. Peeples experience and she does meet the qualifications for the C step bases on her experience in another county. I would recommend approval to hire Faith Peeples at grade 12 step C effective January 8, 2020. Please consider this request.

### **Ken Carter**

From:

Teresa Hathaway

Sent:

Monday, December 23, 2019 3:11 PM

To: Subject: Ken Carter Faith Peeples

Ken;

Pursuant to our conversation, I would like to hire Faith Peeples at the 12C scale instead of 12A. She comes to our office with 2 years of experience from Henry Co. Superior Court.

If you need anything further from me, please let me know.

Thanks

Teresa

# HOUSTON COUNTY APPLICATION FOR EMPLOYMENT

It is the policy of Houston County to select new employees and to promote current employees without regard to race, sex, religion, national origin, marital status or disability.

INSTRUCTIONS: You must answer all items on this application fully and accurately. The information that you give will be used in determining your qualifications and rating for employment. If an item does not apply to you, or if there is no information to be given, write the letters "N/A" for Not Applicable. PRINT IN INK OR TYPE. A resume may be attached BUT WILL NOT be accepted in lieu of this application. In order to be assured consideration for employment, your application must be received no later than the closing date of the vacancy announcement.

	CHILDREN		
Position(s) Desired:		AMMANANA.	Date:
(1) Deputy Clerk (2)	(3)		12-09-19
Full Time Par	t TimeTer	nporary Salary I	Desired: 33 000
PERSONAL DATA			,
Name: Last First	Middle	Social S	ecurity Number
Peeples Foith	<u>Artene</u>		
Address: No. & Street	Apt No.	A STATE OF THE STA	ity, State, Zip
Telephone Numbers:	Are you	between the ages of 17	obins GA 31088
Home: Business:		☑ Yes ☐ No	,
U. S. Citizen or Permanent VISA		786570	
✓ Yes ☐ No If no, give work perm	nit number:		
Have you ever been convicted of a crime of traffic violation? (A conviction does not a you from employment consideration If yes, explain on a separate sheet.	utomatically exclude Yes 🗹 No	Do you have a relative Yes No If y	working for the county? es, give name(s) and relationship.
Have you ever been employed by Houston classification:	County? 🛽 Yes 🗹	No If yes, give dates,	location and job
Do you possess a valid motor vehicle Driv	er's License? 🗹 Yes 🧢	🗆 No Class 🗆 C	Lic No.
EDUCATION			
		Highest Grade Did You	Type Date Degree Obtained
1884 8.7	From Mo/Yr To Mo/Yr	Completed Graduate	Degree Major or To Be Obtained
High School Peoples rie Drou Bootist GA	<u> </u>	12 Yes	
College(s) West Coast Larcast Baptist CA	05-09 08-10	1 UF NO	
(Other if Applicable)		**	
Graduate School			
MILITARY			
Branch of U.S. Service	From Mo/Yr.	To Mo/Yr	Rank
Major Duties: (Explain on separate sheet) Honorable Discharge:	Yes	No (If no, ex	plain on separate sheet)
Service Schools or special training (Explain	n on separate sheet)	2 30 2	
Do you have a Reserve Obligation?	YesNo	(If yes, please descri	be)

	luties. If you held more than one pletermine eligibility. If submitting			
Were you ever discharged or	r asked to resign from any position	? 🗆 Yes 🗹 No		act your present employer Yes  No
(Begin with your present	or most recent employer)			
Name of Employer Henry	County Superior Court	Address Courths	use Souare	McDonough GA
Employment Dates (mo/yr)	Salary 40 hrs/wk	Name and Title of	Supervisor Deputy	Telephone Number
from /	Starting: \$ 25,000 per <u>yr</u>	Tammy Collier	Clerk	
to <u>Present</u> /	Present: \$28,158 per 4	Job Duries		
	Clerk	See a	tached	hesume
Reason for Leaving reloc	cating for family			
Name of Employer Self	Employed	Address Jone	sboro	GA
Employment Dates (mo/yr)	Salary 30 hrs/wk	Name and Title of		Telephone Number
from 04 / 03	Starting: \$ 50 per hr	N/A		N/A
to <u>05 / 15</u>	Present: \$ per	Job Duties		
Position Title Co Dw	ner	11		//
Reason for Leaving Stort	in a family	]		
Name of Employer		Address 2001	Toda - B	d. Stock bridge GA
Employment Dates (mo/yr)	unity Christian School	Name and Title of	Supervisor	Telephone Number
from 01 / 07	Salary 32 hrs/wk Starting: \$ 12 per hr	Annette Benning	Child Care	
to <u>07</u> / <u>07</u>	Present: \$ N/A per	Job Duties	)	
Position Title Child Cou	- Yearless	//		11
Reason for Leaving	re reconer			
Keloc	ating for College	L		
REFERENCES	:			the rest form
NAME	inors, relatives or former employer  ADDRESS	OCCUPATION	Ou wen during PHONE N	NO. YEARS
Kule Mullis	Byron GA	Principal	4	1.5
Maranda Little	1_0	Deputy Clerk		2
Walt Exleu	Warner Robins	Building Insper	40	1.5
	ICATION AND AUTHORIZATION FO	R RELEASE OF INFO		
that any false information, mi	ion given by me in this application isrepresentation, or concealment of	is true and complete fact is sufficient grou	to the best of n inds for my app	ny knowledge knowing plication to be rejected
or, if employed, my employm	nent terminated. REE that all information furnished :	in this application ma	av be verified h	ov the County. I further
understand that any offer of e	mployment may be revoked in the	event a drug test, give	en by the Coun	ty discloses information
	squalifying. I hereby authorize all cement organization to give the Ho			

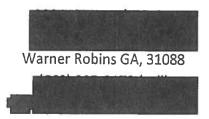
employment, education and character, and hereby release such individuals, organizations, and Houston County from any

EMPLOYMENT HISTORY: Please provide a complete employment history, listing all positions held, including military, part-time, summer, and volunteer. It is most important that you provide exact dates of employment, exact title or position,

HR0002FB

liability for any claim or damage which may result.

### **Faith Peeples**



### Summary/Objective

To use my talents and abilities to help a company excel at their goals and objectives. I am a hardworking individual who is very task oriented and results driven. I am a patient, quick learner who works well with others and am passionate about the position I hold and the tasks that I undertake.

### Experience

Deputy Clerk: November 2017 - Present

Henry County Superior Court

1 Courthouse Square McDonough, GA 30253

Responsibilities: provide excellent customer service, over the telephone and office counter; assist customers with resources for legal proceedings; electronic filing for child support; handle personal information; in-office mail sorting and filing; electronic mail for pro se litigants, paralegals, and attorneys; input proof of sheriff's entry of service; file new cases; file proceedings; answer telephones; transfer calls to proper department/court; receipting

Elder Caregiver: October 2015-December 2016

In Home Care

3421 Hollow Oak Dr. Rex, Georgia 30273

Responsibilities: administer bedside and personal care; administer person hygiene assistance; provide client with communication assistance;

### Co-Owner of Family-owned lawn company: April 2003-May 2015

Family-owned and Operated Landscaping Company Jonesboro, Georgia

Responsibilities: monitor project activities to ensure instructions are followed, deadlines are met, and schedules are maintained; correspond with customers regarding fees for landscaping, lawn service, or grounds keeping work; prepare service estimates; answer company calls; mow lawns; edge lawns; prune bushes and trees; maintain budgets for individual projects

Child-care Center Teacher: January 2007-July 2007

Community Christian School
2001 Jodeco Rd. Stockbridge, Georgia 30281

Responsibilities: maintain a safe play environment; care for small children's physical and emotional needs; dress children and change diapers; observe and monitor children's play activities; communicate with children's parents or guardians about daily activities, behaviours, and related issues; encourage children's emotion and social development; perform general administrative tasks, such as taking attendance, filling out paperwork, and making phone calls; organize and store toys and materials to ensure order in activity areas; sanitize toys and play equipment

#### Education

### **Peoples Baptist Academy**

McDonough, Georgia High School Diploma, May 2005

### West Coast Baptist College

Lancaster, California Completed coursework, May 2011

### **Re-Zoning Summary**

Application	Applicant	Location	Proposed Use	P & Z Recommendation/Comments
2313	Cemex Southeast, LLC	Highway 341 S	Rezoning from R-AG to M-2	Approved unanimously
2316	Cemex Southeast, LLC	Highway 341 S	Rezoning from R-AG to M-2	Approved unanimously

Public hearing on Re-zoning Application #2313 submitted by Cemex Southeast, LLC for a 290-acre tract adjoining the existing Cemex Clinchfield cement plant and limestone quarry in the vicinity of Hwy. 247 Spur, Hwy. 224 (Golden Isles / Larry Walker Parkway), and Hwy. 341. Present zoning is R-AG Residential Agricultural. Proposed zoning is M-2 General Industrial. The proposed use for the property is for purposes of extending the existing limestone quarry for mining limestone and other minerals which are the primary raw materials used in the production of cement and related products. Planning & Zoning recommends unanimous approval of this application.

Motion by	, second by	and carried	to
approve disapprove table authorize			

Re-Zoning Application #2313 submitted by Cemex Southeast, LLC.

### APPLICATION FOR RE-ZONING/SPECIAL EXCEPTION/VARIANCE **HOUSTON COUNTY**

<b>Application No.</b>	2313
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The undersigned owner(s) of the following legally described property hereby request the consideration of change in zoning district classification or use as specified below:

1.	Name of Applicant Cemex Southeast, LLC
2.	Applicant's Phone Number 478-747-4576
3.	Applicant's Mailing Address P.O. Box 120 Clinchfield, Ga. 31013
4.	Property Description <u>LL 182 and 197, 13<sup>th</sup> Land District of Houston County,</u> Georgia, Consisting of 290 acres
5.	Existing Use Agricultural
6.	Present Zoning District R-AG
7.	Proposed Use Re-Zoning for Industrial Use
8.	Proposed Zoning District M-2
9.	Supporting Information: Attach the following item to the application:  A. Surveyed plat of the property and easements.

10. The following disclosure is required of the applicant(s) by Section 36-67A-3 of the O.C.G.A. This information is for disclosure purposes only and does not disqualify the

Within the past two years, have you made either campaign contributions totaling \$250 or more and/or given gifts having a value of \$250 or more to a local government official who will be responsible for making a decision on this application? Yes ( ) No ( X ). If yes, then complete Form "A" attached and return within ten (10) days after filing this application for rezoning.

- A) The name(s) of the local government official(s) to whom a cash contribution or gift was made;
- B) The dollar amount(s) and date(s) of each campaign contribution made by the applicant to each local government official during the two years immediately preceding the filing of this application; and
- C) An enumeration and description of each gift having a value of \$250 or more made by the applicant to any local government official within the past two years.

Note: The applicant or his/her Agent should be present at the meeting in order to address any concerns that may be generated by the Board or General Public. Failure to be present may result in the applicant's request being denied or tabled until the next regularly scheduled meeting. The Davis

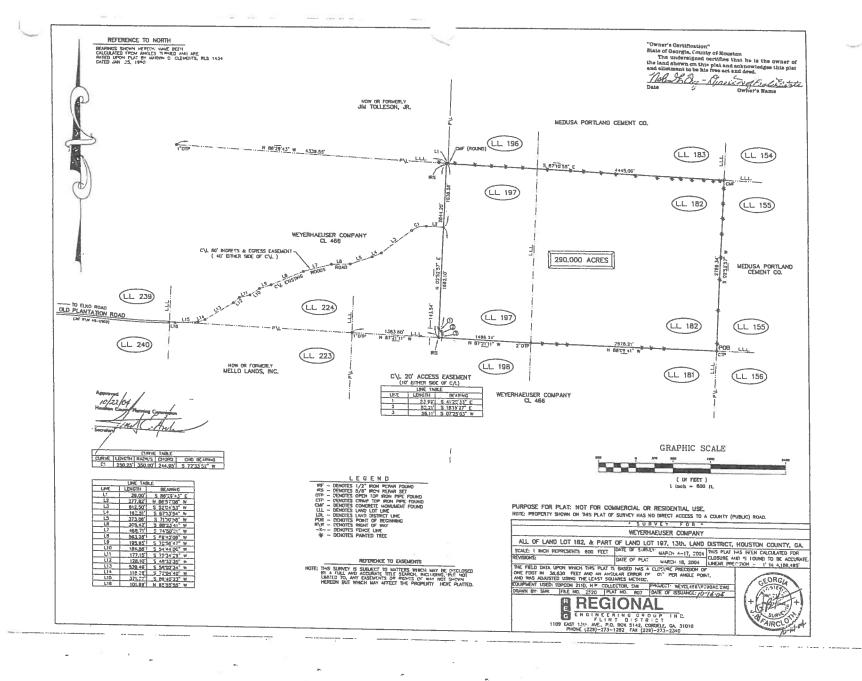
NOV. 20, 2019

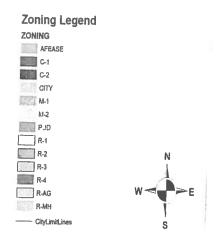
Application	#	2313	

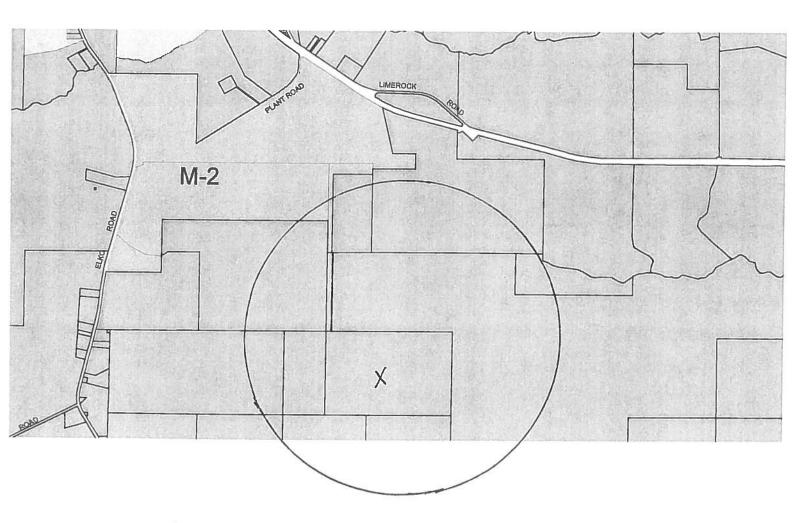
For Official Use Only (Planning & Zoning Commission)

### Houston County Planning and Zoning Commission

Date Filed:	November 20, 2019
Date of Notice in Newspaper:	November 27 & December 4, 2019
Date of Notice being posted on the	property: November 27, 2019
*	* * * * * * * * * * * * * * * * * * * *
Date of Hearing:	December 16, 2019
Fee Paid: \$300	Receipt #41790
Recommendation of Board of Plann Approval X Den	
Comments: Approved unanimo	usly.
December 16, 2019 Date	Planning Commission Secretary  ***********************************
(Housto	For Official Use Only n County Board of Commission)
Date of Recommendation Received:	January 7, 2020
Date of Notice in Newspaper:1	November 27 & December 4, 2019
Date of Public Hearing:	January 7, 2020
Action by Houston County Commiss	sioners:
Approval Deni	ed Tabled
Reason if denied or tabled:	
175.00	
17.	
Date	Clark







### STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

1) The suitability of the subject property for zoned purposes;

The 290-acre Expansion Area is suitable for use as timber and hunting land under the current zoning classification; however, those uses are not the highest and best uses for the property. The proposed rezoning would allow the continued operation of the limestone quarry area that supports the companion CEMEX cement manufacturing plant. Like the existing mining area, the expansion would take advantage of the significant mineral deposits of limestone located at reasonably shallow depths near the existing material conveyor system. The mining area expansion will be located more than a mile from the nearest road and even further from the nearest residence. The project site is centrally located in a timber area between two stream valleys where associated wetlands would likely prevent further development of nearby residential uses in the future. The project will continue to support the existing industrial uses which the Houston County Comprehensive Plan and Houston County Character Areas map anticipate will be a future area for additional industrial development in Houston County.

2) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;

Considering the presence of significant mineable limestone deposits in the expansion area, its proximity to other industrial uses taking advantage of the major highways and a railroad line and the large existing cement production facility, and the physical suitability of the property for the proposed use, the mining expansion operation is consistent with the highest and best use of the property for industrial activities. Under the current Houston County Zoning Ordinance, the R-AG Residential Agricultural zoning classification does not permit the proposed mine expansion. Thus, the value of the subject property would be significantly diminished if the site were not rezoned to M-2 Industrial District for this use. In my opinion, it is unlikely that the property will be developed for large scale residential or typical commercial uses, considering the existing surrounding industrial uses, the remoteness of the site, and the presence of stream valleys and wetlands between the property and public roadways. Moreover, such uses would not make or permit any beneficial use of the valuable mineral deposits underlying the subject property and probably the adjoining properties as well. The rezoning will preserve the value of the other CEMEX lands and will enable the ongoing operation of the only producing cement plant in Georgia.

The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;

Assuming that the subject property is maintained at the current zoning classification of R-AG, it would suffer a diminution of value if not rezoned to its highest and best use. Because this proposed use of the property will not create significant adverse impacts to other properties and land uses in the area, destruction of the value of this property by maintaining its current zoning

classification is not necessary to protect public health, safety, morals, or welfare. In the absence of rezoning to allow industrial use, the Expansion Area would likely be limited for the near-term future to uses for growing silviculture and hunting.

While maintaining the current R-AG zoning may have a neutral effect on the health, safety and morals of the public, limiting the property to its current zoning classification would have a significant negative effect on the general welfare of the public due to the loss of potential economic opportunities, and potentially the loss of jobs.

# 4) The relative gain to the public as compared to the hardship imposed upon the individual property owner;

If the property were not rezoned to M-2, there would be no relative gain to the public. Conversely, there would be a loss to the community if the rezoning requested were not granted, primarily in the potential loss of future economic opportunity for jobs and tax base in the County. At the same time, there would be a significant loss to the property owner, as the property could not be used for its highest and best use for industrial development.

## 5) Whether the subject property owner has a reasonable economic use as currently zoned;

Under the current zoning classification, the property would likely continue to be used for timber production and hunting activities. Such uses would not make any reasonable economic use of the underlying valuable limestone deposits. Although it is possible that the property could be developed over time into some low-density residential use, the suitability of the land for such a use would be limited, considering the absence of ready access to the property from the west and south directions and the relatively limited market for such residential uses, which can be more readily accommodated along existing roadways in the vicinity. The residential use would not be the highest and best use of the property, given the attributes of the land that are peculiar to it, as discussed elsewhere in this report.

# 6) The length of time the property has been vacant as zoned considered in the context of land development of adjacent and nearby property;

The subject tract has been used for silviculture for a long time and quite likely before that for agriculture. Industry has grown up along the northeast sides of the property, while timber land uses have continued to the south and west. A number of single lots have been subdivided on existing country roads in the region from time to time at a sparse density level. The property in question is not suited for that type of development because of its lack of road frontage, its large size, its remoteness from the nearest public roadway, its proximity to existing heavy industrial activity, and the presence of valuable mineral resources.

# 7) Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property;

The proposed use of the subject property is the most suitable use for the land, because of the peculiar characteristics of having significant mineral deposits of limestone located at relatively shallow depths on a large tract of land immediately

adjacent to existing mining operations. This is a prime opportunity to continue the source of supply for a cement manufacturing operation, and it represents the highest and best us of this particular tract.

8) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;

The proposed rezoning and resulting operations will not adversely affect the existing use or usability of adjacent or nearby property, the locations of which are only on the south and western borders of the tract. The limestone mining operation will be located behind buffers within the large tract of land, so that most of the operation will not be obvious to observers from the outside. The property perimeter will not be buffered. The mining operation is subject to Georgia state approvals for required mining and environmental protection permits. This proposed use of the property, a simple extension of existing operations, in consideration of the environmental permitting, buffers from adjoining properties, and other circumstances of use that are described in this report, in my opinion, should not interfere with existing and future uses of nearby properties.

- The adequacy of public facilities and services intended to serve the Lot proposed to be rezoned, including but not limited to roads, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, wastewater treatment, and solid waste services;

  The proposed mining extension onto the Expansion Area will have a minimal effect or no effect on any of the public services outlined. Little to no additional traffic is projected to occur, nor will any activity involve the need for increasing capacities of any public facilities.
- 10) Whether the zoning proposal is in conformity with the policies and intent of the land use plan; and

The Joint Comprehensive Plan has been previously discussed in this report. As stated in that section of the text, the proposed project, in my opinion, is consistent with the goals and policies of the Comprehensive Plan for future industrial development in this area of Houston County and more particularly well-suited to the character area of the Plan for future use.

Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Houston County is quite fortunate to have a combination of limestone deposits at relatively shallow depths, located in a rural area with access to major railroads and highways, because it affords a prime opportunity for cement manufacturing operations. Expanding the limestone mining operation will continue to support the CEMEX cement manufacturing plant, maintaining a substantial number of jobs in the county. These facilities represent a substantial investment which would mean maintaining or increasing the county tax base due to the plant itself, as well as supporting facilities for those employed and businesses to serve their daily needs.

#### DISCLOSURE OF FINANCIAL INTERESTS

(Required by Title 36, Chapter 67A, Official Code of Georgia Annotated)

Reference:	Application #2313, filed on November 20, 2019, for a Re-Zoning Request for the real property described as follows:

LL 182 and 197 of the 13th Land District of Houston County, Georgia, consisting of 290 Acres on Highway 341 S

The undersigned official of Houston County, Georgia, has a property interest (Note 2), in said property as follows: yes no
The undersigned official of Houston County, Georgia, has a financial interest (Note 3), in a business entity (Note 1), which has a property interest in said property, which financial interest is as follows:
The undersigned official of Houston County, Georgia, has a member of the family (Note 4) having a property interest in said property or a financial interest in a business entity which has a property interest in said property, which family member and property interest is as follows:
I hereby depose and say that all statements herein are true, correct, and complete to the best of my knowledge and belief.
Signature of Official

**Note 1**: Business Entity – Corporation, partnership, limited partnership, firm, enterprise, Franchise, association, or trust.

Note 2: Property Interest – Direct or Indirect ownership, including any percentage of Ownership less than total ownership.

Note 3: Financial Interest – all direct ownership interests of the total assets or capital Stock of a business entity where such ownership interest is 10 percent or more.

Note 4: Member of the family - spouse, mother, father, brother, sister, son, or daughter.

Public hearing on Re-zoning Application #2316 submitted by Cemex Southeast, LLC for a 6.5-acre tract adjoining the existing Cemex Clinchfield cement plant and limestone quarry in the vicinity of Hwy. 247 Spur, Hwy. 224 (Golden Isles / Larry Walker Parkway), and Hwy. 341. Present zoning is R-AG Residential Agricultural. Proposed zoning is M-2 General Industrial. This application was submitted after Application #2313 by Cemex as a supplemental request. This 6.5-acre tract adjoins the 290 acres from the previous application and is itself a portion of a larger tract owned by Cemex which together with the 290 acres is planned for use in extending the existing Cemex limestone quarry area for future mining. Planning & Zoning recommends unanimous approval of this application.

Motion by	, second by	and carried	to
approve disapprove table authorize			

Re-Zoning Application #2316 submitted by Cemex Southeast, LLC.

# APPLICATION FOR RE-ZONING/SPECIAL EXCEPTION/VARIANCE HOUSTON COUNTY

Application	No.	2316

The undersigned owner(s) of the following legally described property hereby request the consideration of change in zoning district classification or use as specified below:

1.	Name of Applicant Cemex Southeast, LLC
2.	Applicant's Phone Number 478-747-4576
3.	Applicant's Mailing Address P.O. Box 120 Clinchfield, Ga. 31013
4.	Property Description <u>LL 196, 13<sup>th</sup> Land District of Houston County, Georgia, as shown on a plat of survey for Cemex Southeast, LLC, Consisting of 6.5 acres</u>
5.	Existing Use Agricultural
6.	Present Zoning District R-AG
7.	Proposed Use Re-Zoning for Industrial Use
8.	Proposed Zoning District M-2
9.	Supporting Information: Attach the following item to the application: A. Surveyed plat of the property and easements.
10.	The following disclosure is required of the applicant(s) by Section 36-67A-3 of the

10. The following disclosure is required of the applicant(s) by Section 36-67A-3 of the O.C.G.A. This information is for disclosure purposes only and does not disqualify the petition.

Within the past two years, have you made either campaign contributions totaling \$250 or more and/or given gifts having a value of \$250 or more to a local government official who will be responsible for making a decision on this application? Yes ( ) No ( X ). If yes, then complete Form "A" attached and return within ten (10) days after filing this application for rezoning.

- A) The name(s) of the local government official(s) to whom a cash contribution or gift was made;
- B) The dollar amount(s) and date(s) of each campaign contribution made by the applicant to each local government official during the two years immediately preceding the filing of this application; and
- C) An enumeration and description of each gift having a value of \$250 or more made by the applicant to any local government official within the past two years.

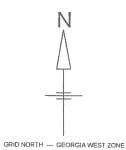
Note: The applicant or his/her Agent should b	e present at the meeting in order to address
any concerns that may be generated by the Bo	ard or General Public. Failure to be present
may result in the applicant's request being der	ued or tabled until the next regularly
scheduled meeting.	
11/2/19	

Application	#	2316

For Official Use Only (Planning & Zoning Commission)

### **Houston County Planning and Zoning Commission**

Date Filed:	November 21, 2019
Date of Notice in Newspaper:	November 27 & December 4, 2019
Date of Notice being posted on the pr	roperty: November 27, 2019
* *	*******
Date of Hearing:	December 16, 2019
Fee Paid:\$300	Receipt #41793
Recommendation of Board of Plannin Approval X Deni	
Comments: Approved unanimous	sly.
	Planning Commission Secretary  ***********************************
	For Official Use Only County Board of Commission)
Date of Recommendation Received: _	January 7, 2020
Date of Notice in Newspaper: No	ovember 27 & December 4, 2019
Date of Public Hearing:	January 7, 2020
Action by Houston County Commission	oners:
Approval Denied	d Tabled
Reason if denied or tabled:	
3-	
Date	Clerk



LAND LOT 195 LAND LOT 184 S 89°45'21"E S 89°45'21°E 0 1481.30 2978.50 LAND LOT 196 LAND LOT 183 1481.30' 2972.50 N 89°45'21"W N 89°45'21"W PB 63 / 110 LAND LOT 197 LAND LOT 182 4474.55' 0 N 89°53'30"W LAND LOT 198 LAND LOT 181



NOTE THIS PLAT IS NOT FOR RECORDING IN ITS CURRENT STATE.

NOTE:
THIS PLAT OF THE AREAS SHOWN
IS COMPILED FROM THE FOLLOWING
RECORDED PLATS:
PLAT BOOK 6, PAGE 230-10/11/1960 by Million V Beckham
PLAT BOOK 60, PAGE 118
PLAT BOOK 63, PAGE 110

THIS IS A SURVEY OF AN EXISTING PARCEL OF LAND.

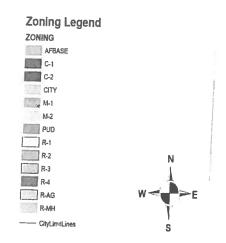
SURVEY OF PROPERTY
FOR
Cemex Southeast LLC
THIRTEENTH LAND DISTRICT
HOUSTON COUNTY, GEORGIA

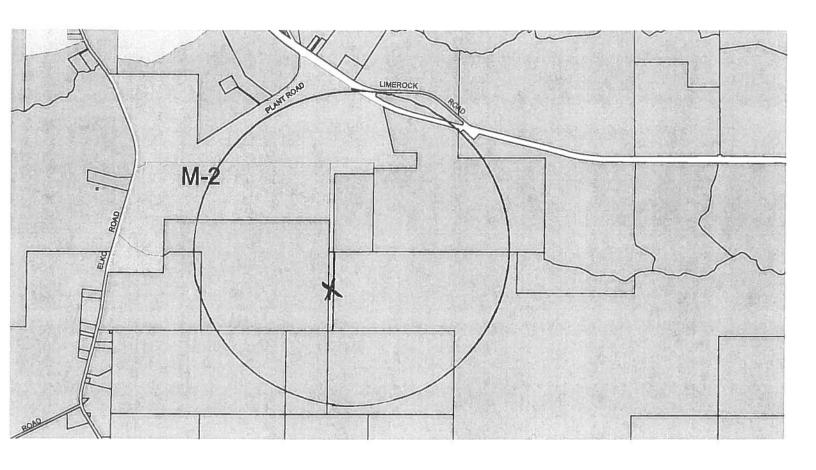
NOTE . AN AMENDMENT OF THIS PLAT WAS CREATED FOR RE ZONING ONLY

RE-ZONING AREA (Approx. 6.5 acres)

SURVEYOR: BYRON L. FARMER 259 COUNTY LINE CHURCH ROAD, SW MILLEDGEVILLE, GEORGIA 31061 PHONE: 478-932-5755 GEORGIA REGISTRATION NUMBER 1679

NOTE THIS PROPERTY IS SUBJECT TO UTILITY AND OTHER EASEMENTS,
BOTH VISIBLE AND NOT VISIBLE AT THE TIME OF THE SURVEY
THESE EASEMENTS MAY OR MAY NOT BE OF RECORD





### STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

1) The suitability of the subject property for zoned purposes;

The 6.5-acre lot is suitable for use as timber and hunting land under the current zoning classification; however, those uses are not the highest and best uses for the property. The proposed rezoning would allow the continued operation of the limestone quarry area that supports the companion CEMEX cement manufacturing plant. Like the existing mining area, the expansion would take advantage of the significant mineral deposits of limestone located at reasonably shallow depths near the existing material conveyor system. The mining area expansion will be located more than a mile from the nearest road and even further from the nearest residence. The project site is centrally located in a timber area between two stream valleys where associated wetlands would likely prevent further development of nearby residential uses in the future. The project will continue to support the existing industrial uses which the Houston County Comprehensive Plan and Houston County Character Areas map anticipate will be a future area for additional industrial development in Houston County.

2) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;

Considering the presence of significant mineable limestone deposits in the expansion area, its proximity to other industrial uses taking advantage of the major highways and a railroad line and the large existing cement production facility, and the physical suitability of the property for the proposed use, the mining expansion operation is consistent with the highest and best use of the property for industrial activities. Under the current Houston County Zoning Ordinance, the R-AG Residential Agricultural zoning classification does not permit the proposed mine expansion. Thus, the value of the subject property would be significantly diminished if the site were not rezoned to M-2 Industrial District for this use. In my opinion, it is unlikely that the property will be developed for large scale residential or typical commercial uses, considering the existing surrounding industrial uses, the remoteness of the site, and the presence of stream valleys and wetlands between the property and public roadways. Moreover, such uses would not make or permit any beneficial use of the valuable mineral deposits underlying the subject property and probably the adjoining properties as well. The rezoning will preserve the value of the other CEMEX lands and will enable the ongoing operation of the only producing cement plant in Georgia.

The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;

Assuming that the subject property is maintained at the current zoning classification of R-AG, it would suffer a diminution of value if not rezoned to its highest and best use. Because this proposed use of the property will not create significant adverse impacts to other properties and land uses in the area, destruction of the value of this property by maintaining its current zoning

classification is not necessary to protect public health, safety, morals, or welfare. In the absence of rezoning to allow industrial use, the Expansion Area would likely be limited for the near-term future to uses for growing silviculture and hunting.

While maintaining the current R-AG zoning may have a neutral effect on the health, safety and morals of the public, limiting the property to its current zoning classification would have a significant negative effect on the general welfare of the public due to the loss of potential economic opportunities, and potentially the loss of jobs.

# 4) The relative gain to the public as compared to the hardship imposed upon the individual property owner;

If the property were not rezoned to M-2, there would be no relative gain to the public. Conversely, there would be a loss to the community if the rezoning requested were not granted, primarily in the potential loss of future economic opportunity for jobs and tax base in the County. At the same time, there would be a significant loss to the property owner, as the property could not be used for its highest and best use for industrial development.

# 5) Whether the subject property owner has a reasonable economic use as currently zoned;

Under the current zoning classification, the property would likely continue to be used for timber production and hunting activities. Such uses would not make any reasonable economic use of the underlying valuable limestone deposits. Although it is possible that the property could be developed over time into some low-density residential use, the suitability of the land for such a use would be limited, considering the absence of ready access to the property from the west and south directions and the relatively limited market for such residential uses, which can be more readily accommodated along existing roadways in the vicinity. The residential use would not be the highest and best use of the property, given the attributes of the land that are peculiar to it, as discussed elsewhere in this report.

# The length of time the property has been vacant as zoned considered in the context of land development of adjacent and nearby property;

The subject tract has been used for silviculture for a long time and quite likely before that for agriculture. Industry has grown up along the northeast sides of the property, while timber land uses have continued to the south and west. A number of single lots have been subdivided on existing country roads in the region from time to time at a sparse density level. The property in question is not suited for that type of development because of its lack of road frontage, its large size, its remoteness from the nearest public roadway, its proximity to existing heavy industrial activity, and the presence of valuable mineral resources.

# 7) Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property;

The proposed use of the subject property is the most suitable use for the land, because of the peculiar characteristics of having significant mineral deposits of limestone located at relatively shallow depths on a large tract of land immediately

adjacent to existing mining operations. This is a prime opportunity to continue the source of supply for a cement manufacturing operation, and it represents the highest and best us of this particular tract.

8) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;

The proposed rezoning and resulting operations will not adversely affect the existing use or usability of adjacent or nearby property, the locations of which are only on the south and western borders of the tract. The limestone mining operation will be located behind buffers within the large tract of land, so that most of the operation will not be obvious to observers from the outside. The property perimeter will not be buffered. The mining operation is subject to Georgia state approvals for required mining and environmental protection permits. This proposed use of the property, a simple extension of existing operations, in consideration of the environmental permitting, buffers from adjoining properties, and other circumstances of use that are described in this report, in my opinion, should not interfere with existing and future uses of nearby properties.

- The adequacy of public facilities and services intended to serve the Lot proposed to be rezoned, including but not limited to roads, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, wastewater treatment, and solid waste services;

  The proposed mining extension onto the Expansion Area will have a minimal effect or no effect on any of the public services outlined. Little to no additional traffic is projected to occur, nor will any activity involve the need for increasing capacities of any public facilities.
- 10) Whether the zoning proposal is in conformity with the policies and intent of the land use plan; and

The Joint Comprehensive Plan has been previously discussed in this report. As stated in that section of the text, the proposed project, in my opinion, is consistent with the goals and policies of the Comprehensive Plan for future industrial development in this area of Houston County and more particularly well-suited to the character area of the Plan for future use.

11) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Houston County is quite fortunate to have a combination of limestone deposits at relatively shallow depths, located in a rural area with access to major railroads and highways, because it affords a prime opportunity for cement manufacturing operations. Expanding the limestone mining operation will continue to support the CEMEX cement manufacturing plant, maintaining a substantial number of jobs in the county. These facilities represent a substantial investment which would mean maintaining or increasing the county tax base due to the plant itself, as well as supporting facilities for those employed and businesses to serve their daily needs.

#### **DISCLOSURE OF FINANCIAL INTERESTS**

(Required by Title 36, Chapter 67A, Official Code of Georgia Annotated)

Reference:	Application #2316, filed on No	ve
	D	

ember 21, 2019, for a Re-Zoning

Request for the real property described as follows:

LL 196 of the 13th Land District of Houston County, Georgia, as shown on a plat of survey for Cemey Southeast LLC consisting of 6.5

Acres on Highway 341 S
The undersigned official of Houston County, Georgia, has a property interest (Note 2), in said property as follows: yes no
The undersigned official of Houston County, Georgia, has a financial interest (Note 3), in a business entity (Note 1), which has a property interest in said property, which financial interest is as follows:
The undersigned official of Houston County, Georgia, has a member of the family (Note 4) having a property interest in said property or a financial interest in a business entity which has a property interest in said property, which family member and property interest is as follows:
I hereby depose and say that all statements herein are true, correct, and complete to the best of my knowledge and belief.
Signature of Official

Note 1: Business Entity - Corporation, partnership, limited partnership, firm, enterprise, Franchise, association, or trust.

Note 2: Property Interest - Direct or Indirect ownership, including any percentage of Ownership less than total ownership.

Note 3: Financial Interest – all direct ownership interests of the total assets or capital Stock of a business entity where such ownership interest is 10 percent or more.

Note 4: Member of the family - spouse, mother, father, brother, sister, son, or daughter.

Director of Administration Barry Holland will present the first reading of an Alcohol License Application submitted by Shetalben G. Patel representing Shree Yogiji dba Lake Mart convenience store for the retail sale of beer and wine located at 451 Lake Joy Road, Kathleen. The property is zoned C-1.

A second reading and public hearing will be held at 6:00 p.m. on January 21, 2020 in Warner Robins after which the Board will vote on the issue.

District Attorney Hartwig has requested approval to purchase 33 replacement computers for use in his office at a total of \$50,603.52. He has sufficient forfeiture funds to reimburse the County for the entire cost of the order.

Motion by,	second by	and carried	to
approve disapprove table authorize			

the purchase of 33 computers from Dell for a total amount of \$50,603.52 for use in the District Attorney's office. DA Hartwig will reimburse the County for 100% of the cost of this equipment purchase from Forfeiture Funds.



### **HOUSTON COUNTY BOARD OF COMMISSIONERS PURCHASING DEPARTMENT**

2020 Kings Chapel Road • Perry, Georgia 31069-2828 (478) 218-4800 • FACSIMILE (478) 218-4805

MARK E. BAKER **PURCHASING AGENT** 

### MEMORANDUM

To:

**Houston County Board of Commissioners** 

FROM:

Mark E. Baker

CC:

**Barry Holland** 

DATE:

December 26, 2019

SUBJECT: Purchase of Computers for the DA's Office

The DA's Office is requesting approval to purchase 33 computers from Dell for a total of \$50,603.52 to be reimbursed with forfeiture funds. Initially the funds will be charged to 100-2200-53.1600.

Houston County has offered to enter into a financial cost-share agreement with the Georgia Department of Transportation (GDOT) in order to expedite their planned intersection improvement project (the roundabout for State Route 247 @ State Route 247 Spur). The County would contribute \$500,000 from SPLOST to effectively move up the LET date of the project to the Spring of 2021. A formal Memorandum of Agreement (MOA) will be executed with the terms stipulating that the funds will be forwarded to GDOT in one lump sum payment upon the project being LET.

Motion by,	second by	and carried	to
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Chairman Stalnaker to sign a letter of commitment concerning financial participation in the Georgia Department of Transportation proposed roundabout for State Route 247 @ State Route 247 Spur in the amount of \$500,000; and to authorize Chairman Stalnaker to sign a Memorandum of Agreement memorializing the County's contribution and the terms under which the funds will be forwarded to GDOT. The County's portion of the funding would come from SPLOST.

The Purchasing Department solicited bids for one new articulated dump truck for use at the Landfill. Four vendors responded and staff recommends award to low bidder Yancey Brothers in the amount of \$510,655. This amount includes a 5-year / 10,000 hour extended warranty and a trade-in value of \$15,000 on a 2003 CAT-740 with over 28,000 hours.

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authorize			

the award of one new 2019 CAT-740GC Articulated Dump Truck from Yancey Brothers of Macon for use in the Landfill for \$458,350 plus \$18,055 bedliner option, \$49,250 5-year / 10,000 hour extended warranty, and a trade-in allowance of \$15,000 on a 2003 CAT-740 (M# 614) for a total of \$510,655. Solid Waste Capital Funds will fund the purchase of this equipment.



### **HOUSTON COUNTY BOARD OF COMMISSIONERS** PURCHASING DEPARTMENT

MARK E. BAKER PURCHASING AGENT

2020 Kings Chapel Road • Perry, Georgia 31069-2828 (478) 218-4800 • FACSIMILE (478) 218-4805

### MEMORANDUM

To:

**Houston County Board of Commissioners** 

FROM:

Mark E. Baker

CC:

Barry Holland

DATE:

December 26, 2019

SUBJECT: Purchase of One (1) 2019 Articulated Dump Truck

(Bid # 20-16)

The Purchasing Department solicited prices for One (1) New Articulated Dump Truck in December 2019. This vehicle will be used by the Houston County Landfill.

The Purchasing Department recommends that the Houston County Board of Commissioners purchase the Articulated Dump Truck from Yancey Brothers for \$458,350.00 with option of a bedliner and an extended warranty for an additional \$67,305.00. Yancey Brothers will provide a trade-in amount of (\$15,000) on our malfunctioning truck. A total of \$510,655.00 will be charged to 540-11.7500.

Company	Year	Make	Model	Bid Amount
				\$458,350 truck
				\$ 18,055 bedliner
Yancey Brothers	2019	Cat	740GC	\$ 49,250 5yr/10k hours
				<u>\$ -15,000</u> trade-in
				\$510,655 total
				\$466,099 truck w/bedliner
Flint Equipment	2019	John Deere	410E	\$ 65,420 5yr/10k hours
i iiiic Equipinent		John Deere	4102	<u>\$ -20,000</u> trade-in
				\$511,519 total
				\$505,675 truck
Ascendum	2020	Volvo	A40G	\$ 21,000 bedliner
				\$ 68,150 5yr/10k hours
				<u>\$ -15,000</u> trade-in
				\$579,825 total
				\$568,209 truck
Tractor			HM400-5	\$ 17,337 bedliner
Equipment	2020	Komatsu		\$ 58,091 5yr/10k hours
Equipment				<u>\$ -13,000</u> trade-in
				\$630,637 total

The Purchasing Department solicited bids for one new mini-excavator for use in the Water Department. Two vendors responded and staff recommends award to low bidder Mason Tractor Company in the amount of \$56,250.

Motion by	otion by, second by		to
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the award of one new Kubota KX057-4R1A Mini-Excavator for use in the Water Department from Mason Tractor Company of McDonough, GA in the amount of \$56,250. Water Department Capital Funds will fund the purchase of this equipment.



### **HOUSTON COUNTY BOARD OF COMMISSIONERS** PURCHASING DEPARTMENT

MARK E. BAKER **PURCHASING AGENT** 

2020 KINGS CHAPEL ROAD • PERRY, GEORGIA 31069-2828 (478) 218-4800 • FACSIMILE (478) 218-4805

### MEMORANDUM

To:

**Houston County Board of Commissioners** 

FROM:

Mark E. Baker

CC:

**Barry Holland** 

DATE:

December 27, 2019

SUBJECT: Purchase of One (1) Mini Excavator

(Bid # 20-18)

The Purchasing Department solicited prices for One (1) New Kubota Mini Excavator in December 2019. The equipment will be used by the Houston County Water Department.

The Purchasing Department recommends that the Houston County Board of Commissioners purchase the Excavator from low bidder Mason Tractor at a price of \$56,250. The equipment will be charged to 505-11.7500.

Company	<u>Make</u>	Model	Bid Amount
Mason Tractor Co.	Kubota	KX057-4R1A	\$56,250
Atlanta Kubota, LLC	Kubota	KX057-4R1A	\$58,829
Walker Rhodes	Not a Dealer of Kubota Excavators		No bid

The auditors have completed the FY19 audit and have identified three line-items that need to be adjusted before the audit is finalized. The General Fund adjustments are to cover expenses that came after the final round of line-item adjustments were made last fiscal year. The first is for the Superior Court Clerk's office and the second is required to adjust the DA Witness Fees to actual per the bank statement. The third adjustment is to the Special Revenue Fund (District Attorney Drug Fund) to reflect actual expenditures.

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the fo	llowing budget adjustn	nents.		
Gener	ral Fund			
	Increase Expenditure Superior Court Clerk District Attorney  Decrease Expenditure	2180-52.3200 2200.52.3600 es:	Dues and Fees TOTAL	\$ 300 \$3,300 <b>\$3,600</b>
	Other	1599-57.9000	Contingency TOTAL	\$3,600 <b>\$3,600</b>
Specia	al Revenue Fund			
	Increase Expenditure District Attorney		nses	\$8,300
	Increase Revenues: District Attorney	Fines & Forfe	itures	\$8,300

### Summary of bills by fund:

•	General Fund (100)	\$	858,720.98
•	Emergency 911 Telephone Fund (215)	\$	115,380.32
•	Fire District Fund (270)	\$	6,417.22
•	2006 SPLOST Fund (320)	\$	455.00
•	2012 SPLOST Fund (320)	\$	364,448.61
•	2018 SPLOST Fund (320)	\$1	,387,593.72
•	Water Fund (505)	\$	87,465.94
•	Solid Waste Fund (540)	\$	637,712.82
•	Internal Service Fund (600)	<u>\$</u>	1,650.00
	Total for all Funds	\$3	,459,844.61

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the payment of the bills totaling \$3,459,844.61