

Houston County Commissioners Meeting
May 18, 2021
Warner Robins, Georgia

The Houston County Board of Commissioners met in regular session at 5:00 p.m. on Tuesday May 18, 2021, at the Houston County Annex in Warner Robins, Georgia, with Chairman Stalnaker presiding and Commissioners Byrd, Perdue, Robinson, and Walker present. Also present were County Attorney Tom Hall, Director of Administration Barry Holland, Director of Operations Robbie Dunbar, Director of Purchasing Mark Baker, Roads Superintendent Travis McLendon, Chief Building Inspector Tim Andrews, Fire/HEMA Chief Chris Stoner, Community Planner Jake Cox, Library Director Sara Paulk, Centerville Councilman Justin Wright, Centerville Director of Operations Mike Brumfield, Michelle Delaney-Field Representative for Congressman Austin Scott, Brenda Williams-Outreach Director for Senator Raphael Warnock, and Tom McMichael.

Chairman Stalnaker led the audience in the Invocation and then the Pledge of Allegiance.

Chairman Stalnaker recognized Michelle Delaney, Field Representative for Congressman Austin Scott, and Brenda Williams, Outreach Director for Senator Raphael Warnock both of whom briefly addressed the Board and offered their office's assistance to the citizens of Houston County if they ever have the need.

Chairman Stalnaker recognized Centerville Councilman Justin Wright and Director of Operations Mike Brumfield who presented the Board with a plaque to be fixed to a bench in the City's new Center Park in recognition of the County's contribution during construction. Councilman Wright presented framed copies of a letter from Mayor Harley thanking the Board and the Houston County Public Works Department for their generous in-kind support on the project. He presented Director of Operations Robbie Dunbar and Roads Superintendent Travis McLendon a Centerville challenge coin as a token of thanks. Mr. Brumfield thanked each and also thanked the voters for supporting the SPLOST which provided the funds for the project.

Chairman Stalnaker then recognized Head Football Coach Marquis Westbrook and Principal Chris McCook of Warner Robins High School and three players of the Demon's football team. He read a resolution recognizing the team's December 2020 GHSA 5A State Championship and presented each with ball caps featuring the school logo. Principal McCook and Coach Westbrook each addressed the Board and thanked them for their support.

Motion by Mr. Perdue, second by Mr. Byrd and carried unanimously by all to approve the minutes from the meeting of May 4, 2021.

Chairman Stalnaker asked for a motion to add an item to the agenda as number 9A concerning a Resolution of Declaration by Taking for right of way necessary on Parcel #53 along the Lake Joy Road Phase 5 Improvement project.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously by all to approve adding an item to the agenda as number 9A concerning a Resolution of Declaration by Taking for right of way necessary on Parcel #53 along the Lake Joy Road Phase 5 Improvement project.

Mr. Byrd presented a request from the city of Warner Robins to annex 58.34 acres off Tucker Road.

Chairman Stalnaker briefly explained the process of annexation to the audience and commented that the County had posted this property with signage soliciting public comment on the proposed annexation and zoning. He then opened the floor for public comments on this issue.

Dave McMahan, 229 Tucker Road, Warner Robins stated that he was representing the residents of Tucker Road, Kathryn Ryals Road, Orchard Court, and Mill Pond Plantation. He stated that he has lived at this residence for 37 years and has seen change both good and bad. The community in general is not opposed to the development of this property but has issues with the proposed density and the challenges that it would bring. The major issues brought forth included increased traffic and congestion, increased traffic accidents, potential damage to the existing infrastructure, and potential negative effects on the existing water pressures. He concluded saying that there are questions and issues that need to be addressed and then respectfully requested the Board consider a decision of non-concur on this request.

Rockne Hammer, 1109 Kathryn Ryals Road, Warner Robins felt that allowing smaller lot sizes would bring down surrounding property values.

Leon Tompkins, 227 Tucker Road, Warner Robins had concerns about the increased traffic and potential accidents.

Susan Jarrett, 215 Westbury Court, Warner Robins commented on the already inadequate water pressures she experiences in the Mill Pond Plantation subdivision.

Jared Icard, 101 Orchard Court, Warner Robins commented that several vehicles have already ended up hitting his house after blowing through the intersection and thought that further development would increase these types of traffic accidents.

Greg Edenfield, 205 Westbury Court, Warner Robins shared concerns about the land not percolating properly and the potential increase in stormwater runoff that new development would generate.

Meredith Speiden, 1106A Kathryn Ryals Road, Warner Robins commented that the area has experienced multiple water main breaks in the past. She also thought that the speed limit should be reduced from 35 mph because people generally travel 10 mph over the limit without penalty. She said that they had petitioned previously to have the speed limit lowered but it was denied at that time. She felt that further development would only exacerbate the problem.

Sean Speiden, 1106A Kathryn Ryals Road, Warner Robins commented that the community walks a lot and the safety of the residents and especially the children are at stake.

Matt Jagelewski, 233 Tucker Road stated that he lives at the bottom of the hill next to the creek and he already gets most of the stormwater runoff now. With further development he felt that the stormwater runoff would increase.

Darlene Marchant, 104 Orchard Court, Warner Robins wondered if additional stormwater runoff would compromise the new construction house foundations. She also related that the area already experiences internet issues and that more development would only make it worse.

Bob Kennedy, 100 Mill Pond Plantation Way, Warner Robins said that his is the first house in the Mill Pond Subdivision and has already experienced two fatal vehicular accidents in front of his house. The increase in traffic would only increase these types of accidents.

Chairman Stalnaker explained that the reason the City of Warner Robins could annex this property is that it was contiguous to the City limits. Once a piece of land is contiguous to the City limits the property owner may come to the City and request annexation and the City of Warner Robins then has right to annex the property and the property owner has the right to be annexed. They have a legal right to be annexed once they have met the legal criteria of being contiguous. The City can annex property that have become islands but given a change in the law years ago there are few of those left. Another way that cities are able to annex properties is if they have a covenant on property that is not currently contiguous to the City limits but once it does then they can automatically annex property. These are the only three ways that property may be annexed. This property on Tucker Road is contiguous and the property owner has requested annexation into the City of Warner Robins. The County has no legal standing to stop that annexation process. On this particular property, before the application was even made to the City for annexation and rezoning, there were discussions about the property being rezoned to R-3. At that time, the County expressed its opinion that an R-3 zoning would not be appropriate. By the time the application was made the rezoning portion of the request was amended to R-2. Further discussions about the concern of that density has generated another amendment to the application whereby the properties in this proposed development that are adjacent to existing County R-1 zoned properties should be R-1 and then step-down to R-2 for the interior lots. Chairman Stalnaker commented that the developer wants to be a good neighbor and has amended the applications based on concerns over density. As far as the domestic water, it is County water and the County sells water to the cities in many areas including this one. The County has performed flow tests in this area and before any development is done the developer is required to have a hydrological study done as far as water pressures and how it would affect surrounding properties. If it is found to have a negative impact on other areas, then the developer will have to address that at their cost. The stormwater issues would be addressed in a similar fashion as well. He commented that the County has been engaged with the developer and property broker and has worked hard to gain certain concessions relative to the zoning in this process, and that he appreciated all the public comments.

Mr. Byrd thanked Chairman Stalnaker for the explanation and thanked the residents for attending the meeting and bringing forth comments and concerns relative to the annexation and rezoning request in a professional and respectful manner. The Board is committed to giving the unincorporated residents of the County a voice. The Board understands the concerns, but the County has an obligation to act in compliance of the law. By his estimation, if the developer simply annexed the property as R-1 only, they could probably get a little over two lots per acre on the usable acreage which would equate to approximately 100 lots. They could do that now because the zoning in the

County is already R-1. The R-2 zoning in the City reduces the lot width and therefore the square footage of each lot by about 40% which means possibly another 20 to 25 lots added to the 100 lots. The difference being those 20 to 25 additional lots is the only real topic of discussion.

Mr. Perdue asked Mr. Dunbar to elaborate on the afore mentioned flow tests.

Mr. Dunbar stated that flow tests were performed on the 6" inch main on Tucker Road and pressures were found to be adequate. However, the developer would still have to demonstrate that proper flows could be maintained with the additional development. The developer would be responsible for improving the water main up to the development if it was deemed necessary.

Mr. Perdue then asked if the County could require the City to annex the roads.

County Attorney Hall explained that the City could not annex the roads unless it was done by the State legislature or by permission of the County Commission. They would need to have City on both sides of the road to annex the road.

Ms. Robinson asked County Attorney Hall to explain what the next step would be if the County concurred or non-concurred with the request.

Mr. Hall explained that if the County concurred then the City would simply move on with the process considering the request as submitted. If the County non-concurs then the County has a certain timeframe to notify the City in writing by either certified mail or Fed Ex that we have non-concurred. The County also notifies the Department of Community Affairs (DCA) and, after verification that all criteria have been met, DCA will assemble a mediation panel that will deliberate on the issue. The issue that would be mediated in this case would be the zoning or density. If the County had some type of infrastructure in place that would be adversely affected, then that could also be mediated as well.

Mr. Walker initially had the same questions as Ms. Robinson but remarked that Mr. Hall had explained it to his satisfaction.

Chairman Stalnaker confirmed with Mr. Hall that even when zoning on any property is finally approved, citizens still have a right to file a civil action if they feel they have been adversely affected.

Motion by Mr. Byrd, second by Mr. Perdue and carried unanimously by all to concur with a revised City of Warner Robins annexation request for properties totaling 58.34 acres (Tax Parcel 00076A 066000 for 15.1-acres and Tax Parcel 00076A 07A000 for 43.24-acres) located off Tucker Road and situated to the east of Millpond Subdivision and to the north of Governor's Cove Subdivision. The zoning once annexed would be City R-1 on all perimeter lots and City R-2 on all interior lots.

Mr. Byrd presented a request for approval of a change order for additional resurfacing and striping on a portion of Dunbar Road.

Motion by Mr. Byrd, second by Ms. Robinson and carried unanimously by all to approve Chairman Stalnaker signing Change Order #1 with C.W. Matthews Contracting

of Marietta, GA on the Local Maintenance and Improvements Grant (LMIG) increasing the original contract price of \$1,117,692.26 by \$103,856.76 for an amended contract total of \$1,221,549.02. There is no increase in contract time.

Mr. Perdue presented a request from the City of Perry for annexation of 12.12 acres located at US Hwy 41 South and the South Perry Parkway.

There were no public comments pertaining to this request.

Motion by Mr. Perdue, second by Ms. Robinson and carried unanimously by all to concur with a City of Perry annexation request for properties totaling 12.12-acres (Tax Parcel 000340 065000 for 3.33-acres; Tax Parcel 000340 015000 for 6.25 acres; and Tax Parcel 000190 010000 for 2.54-acres) located at US Hwy. 41 South and the South Perry Parkway.

Motion by Mr. Perdue, second by Mr. Byrd and carried unanimously by all to approve the following appointments to the Library Board of Trustees:

- Emily Silva term expiring 6/30/2023
- Jean Jones term expiring 6/30/2024
- Denisa Davis term expiring 1/31/2024

Chairman Stalnaker recognized Library Director Sara Paulk who introduced new members Ms. Silva and Ms. Jones, and Ms. Davis who is the current chair of the Library Board. The Board thanked each for their service to the community and Chairman Stalnaker thanked Ms. Davis for her continued service on the Board.

Motion by Mr. Perdue, second by Mr. Walker and carried unanimously by all to approve the following appointment to the Board of Elections:

- Pamela Morgan term expiring 12/31/2022

Mr. Walker presented a request for timber thinning around the Sheriff's Firing Range.

Motion by Mr. Walker, second by Mr. Perdue and carried unanimously by all to approve awarding the timber thinning at the Houston County Firing Range (Landfill) site to Woodard Land & Timber, LLC of Rentz, GA at the following per ton prices:

Pine Pulpwood	\$13.05
Pine CNS/ Sawtimber Blend	\$30.10
Hardwood Pulpwood	\$ 7.30

Mr. Walker presented a request for approval of a bid on the Elko Road and Gilbert Road Water System Improvement project.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously by all to approve the award of the Elko Road and Gilbert Road Water System Improvements project to Gordy Construction Company of Fortson, GA in the amount of \$434,152.25. This is a 2012 SPLOST funded project.

Chairman Stalnaker commented on how close each of the bids were on this project.

Ms. Robinson presented a request from the Purchasing Department to declare three items of equipment as surplus and list them for online auction.

Motion by Ms. Robinson, second by Mr. Byrd and carried unanimously by all to approve the declaration of surplus equipment for the items listed in a memorandum from Director of Purchasing Mark Baker dated May 11, 2021. These items will be properly advertised and listed for online auction with GovDeals.

Ms. Robinson presented a request from the Engineering Department to enter into a professional services agreement for services on the Lake Joy Road Phase 5 widening project.

Motion by Ms. Robinson, second by Mr. Walker and carried unanimously by all to approve entering into a professional services agreement with R.K. Shah & Associates of Suwanee, GA in the amount of \$11,630 on the Lake Joy Road Phase 5 widening project. This county-wide project is funded by the 2012 SPLOST.

Motion by Mr. Byrd, second by Mr. Perdue and carried unanimously by all to approve the payment of the bills totaling \$1,009,891.17.

Mr. Byrd presented the Resolution of Declaration by Taking for right of way necessary on Parcel #53 along the Lake Joy Road Phase 5 Improvement project.

County Attorney Tom Hall explained that the parcel was bank-owned and that the bank was not willing to discuss the necessary right of way since the property was tenant occupied and they have not been able to dispossess the tenant given the rights they have under the Coronavirus Relief Act. The best way to approach this therefore was a condemnation or declaration of taking whereby the County will pay the appraised value of the small portion of the property we are taking. This action will be then filed with the Superior Court of Houston County. Under this process within sixty days the County will acquire the necessary right of way to move forward with the road widening project.

Mr. Perdue asked how many times within the last five years that the County had to take this approach.

Mr. Hall replied that maybe two times in the last five years but that this was the last resort in all cases.

Chairman Stalnaker explained that the County does go to great extremes to avoid having to take right of way by this condemnation process.

Motion by Mr. Byrd, second by Ms. Robinson and carried unanimously by all to approve the signing of the Resolution of Declaration by Taking for right of way necessary on Parcel #53 along the Lake Joy Road Phase 5 Improvement project.

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

Director of Purchasing Mark Baker updated the Board on the status of both the State Court expansion project and the construction of the new Houston County Government Building. The State Court project is moving along but slowly due to a few issues with utilities relocation. The Government building is progressing well with brick work ongoing this week as well as interior work with sheetrock and other trades.

There being no further comments Chairman Stalnaker closed the Public Comments portion of the meeting and reopened the regular portion of the meeting.

Chairman Stalnaker then closed the regular portion of the meeting and opened Commissioners Comments.

Chairman Stalnaker recognized former Commissioner Tom McMichael who was in attendance and thanked the Sheriff's Deputy for providing security for the meeting and for his service to our community.

Ms. Robinson thanked everyone for coming and for the citizens who expressed their opinions and concerns about the annexation request. She expressed appreciation for the City of Centerville coming to recognize the County personnel who assisted with Center Park and also for the Warner Robins High Football team members, coach, and principal.

Mr. Walker remarked that it was a long meeting but that a lot was accomplished for the citizens of Houston County. Zoning is sometimes a very difficult issue to undertake and he appreciated those residents who came to speak about the issue and for doing so in a calm and respectful manner.

Mr. Byrd heralded a recent economic development success here in Houston County with the Perry-based Interfor Division announcing a \$30 million investment to increase production at their sawmill. He also commented on the impending retirement of Captain Ronnie Harlowe from the Sheriff's Department and his long service to the citizens of Houston County. He commented that he is very proud to serve on a Board that supports the law enforcement and first responder community. Regarding the concurrence of the Warner Robins Annexation request he reiterated that this Board has a great amount of care and concern for the unincorporated citizens, but the County has certain timeframes within which we must act.

Mr. Perdue expressed thanks to the Houston County school system as well as to all private schools within our county for the job that they have done during the 2020-2021 school year both getting students back in the classroom and managing to teach and to educate within the rules and mandates brought about by the pandemic.

Chairman Stalnaker informed the Board that a public hearing concerning the proposed FY22 budget will be held at the regularly scheduled Board meeting on June 15th at 5:00 p.m. to hear public comments. He proposed a special called meeting on the following Tuesday, June 22nd at 5:00 p.m. to formally adopt the budget which must be set by July 1st. He commented that the FY22 departmental budget requests for the General Fund are about \$1.2 million out of balance with proposed revenues. In many years, we may be anywhere from \$2 to \$4 million out of balance to begin with and he felt confident that the \$1.2 million could be reduced from the requests to bring it in line. He also stressed that this budget is being built based on the same millage rate that we currently have in place. The general consensus of the Board was to maintain the millage rate with no planned increase in taxes. Chairman Stalnaker did remind everyone that we operate under a tax cap and that we are not that far from that cap now so there is not much room to raise taxes even if the Board desired.

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Mr. Byrd commented that the County is a very efficient local government compared to some other governments of similar size in the State.

Chairman Stalnaker reminded everyone that we will continue to celebrate the County's 200th Anniversary through the rest of the year.

Motion to adjourn by Mr. Walker, second by Ms. Robinson and carried unanimously by all, meeting adjourned.

Barry Holland
Director of Administration

Chairman

Commissioner

Commissioner

Commissioner

Commissioner