

Houston County Commissioners Meeting
June 16, 2020
Perry, Georgia

The Houston County Board of Commissioners met in regular session at 3:00 p.m. on Tuesday, June 16, 2020, at the Houston County Courthouse in Perry, Georgia, with Chairman Stalnaker presiding and Commissioners Walker, Thomson, 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, Fire/HEMA Chief Chris Stoner, Chief Building Inspector Tim Andrews, District Attorney George Hartwig, Library Director Sara Paulk, and Mark Byrd.

Commissioner Thomson gave the Invocation and then led the Pledge of Allegiance.

Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously by all to approve the minutes of both the June 2, 2020 and the June 8, 2020 meetings.

Chairman Stalnaker asked the Board to consider adding an Executive Session for Personnel and Attorney / Client Matters to the agenda as Item #9.

Motion by Mr. Walker, second by Mr. Thomson and carried unanimously by all to approve the addition of an Executive Session as Item #9.

Mr. Walker presented a request for abandonment of a County Easement.

Motion by Mr. Walker, second by Ms. Robinson and carried unanimously by all to approve the Resolution Abandoning a portion of the drainage easement as shown by the sketch included in the Application for Abandonment and shall be designated more specifically on a plat of survey to be completed by a registered surveyor at Mr. Graafmans expense. Further, upon Mr. Graafmans having a plat of survey completed then approved by the county attorney and recorded by the surveyor, Chairman Stalnaker is hereby authorized to sign the quit claim deed conveying the designated portion of drainage easement right to Mr. Graafmans.

Motion by Mr. Walker, second by Mr. McMichael and carried unanimously by all to approve the following reappointment:

DFCS Board	Kathy Wallace	7/01/2020 thru 6/30/2025
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Mr. Thomson presented a request for approval of Change Order #1 on the Lake Joy Fire Station and HEMA Complex.

Motion by Mr. Thomson, second by Ms. Robinson and carried unanimously by all to approve Chairman Stalnaker signing Change Order #1 with International City Builders, Inc. on the Lake Joy Fire Station and HEMA Complex project increasing the current contract total of \$2,500,000 by \$14,258.68 bringing the amended contract total to \$2,514,258.68. There is no change in contract time.

Mr. McMichael presented a request for ratification of a special issued check to Mr. James Tant in the amount of \$7,014 for over-payment of a water bill.

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Motion by Mr. McMichael, second by Mr. Thomson and carried unanimously by all to approve a refund check in the amount of \$7,014 to Mr. James Tant of 104 Dowdy Lane for overpayment of a water bill.

Chairman Stalnaker then led a discussion concerning water customer refunds in general and whether the Board should consider a policy setting a refund fee. He suggested that the Board consider the issue today but not take any action immediately possibly coming back to the next Board meeting on July 7th with a recommendation from staff.

Mr. Holland briefly outlined the procedure of processing each refund and the administrative time that it entails.

Chairman Stalnaker asked Mr. Holland to gather some data for the next Board meeting concerning the number of refund occurrences.

Mr. McMichael presented a request from Public Works and our Landfill consultant Atlantic Coast Consulting to harvest and reforest property at the Landfill.

Motion by Mr. McMichael, second by Mr. Thomson and carried unanimously by all to approve entering into an agreement with American Forest Management (AFM) of Sandersville, GA for the timber harvest and sale on approximately 47 acres located at the Houston County Landfill; and to reforest approximately 75 acres of previously clear-cut land at the Landfill at an estimated cost of \$17,648.50. The timber harvest and sale of the 47 acres is estimated to bring \$89,300 in revenue.

Ms. Robinson presented a request from Judge Edwards for approval of three Juvenile Court Contract Attorney Agreements.

Motion by Ms. Robinson, second by Mr. Walker and carried unanimously by all to approve Chairman Stalnaker signing Independent Contractor Agreements with Caralyn J. Huddleston at \$20,000 per year; David Jennings at \$45,000 per year; and Kameyan Sims at \$50,000 per year to provide for the defense of indigent persons appearing in the Houston County Juvenile Court. Each agreement will be effective July 1, 2020 and remain in effect until June 30, 2021. 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.

Chairman Stalnaker asked Mr. Holland to report back to Mr. McMichael concerning the number of cases handled by the attorneys under these agreements.

Motion by Ms. Robinson, second by Mr. McMichael and carried unanimously by all to approve the payment of the bills totaling \$1,695,174.84.

Chairman Stalnaker read the FY21 Budget Resolution into the record commenting that there has been no change to the budget since it was presented at last week's public hearing on June 8th. He thanked all County employees, department heads, elected officials and constitutional officers for their efforts toward reaching this balanced budget.

Mr. Walker thanked the Chairman for his leadership and all others for their efforts.

Ms. Robinson thanked everyone for their hard work on the budget.

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Mr. Thomson thanked everyone for their hard work and thanked the Chairman for maintaining the County's fund balance.

Mr. McMichael likewise thanked everyone for their hard work.

Motion by Mr. McMichael, second by Ms. Robinson and carried unanimously by all to approve Chairman Stalnaker signing the FY21 Budget Resolution adopting the FY21 budget totaling \$132,314,022 as presented.

Lastly, Chairman Stalnaker commented that the Board would need to reexamine the budget concerning revenues and expenses at the end of the calendar year to see if any adjustments are necessary.

Whereas, the Houston County Board of Commissioners has prepared a line-item budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021; and

Whereas, the Houston County Board of Commissioners has adhered to the provisions of O.C.G.A. Section 36-81-3, as amended; and

Whereas, a public hearing was held on June 8, 2020, and it is now in the best interest of the County that the budget be adopted,

Now, therefore, be it resolved by the Houston County Board of Commissioners that the annual budget for Houston County for the fiscal year beginning July 1, 2020 and ending June 30, 2021, attached hereto and made a part hereof, is hereby approved and adopted in the amount of:

General Fund	\$ 61,143,440
E911 Telephone Fund	\$ 4,483,801
Fire District Fund	\$ 2,938,378
SPLOST Fund	\$ 34,352,203
Water Fund	\$ 7,542,000
Solid Waste Fund	\$ 9,069,200
Internal Service Fund	\$ 12,230,000
Special Revenue Funds	<u>\$ 555,000</u>
	\$132,314,022

Be it further resolved that during the fiscal year beginning July 1, 2020 and ending June 30, 2021, the General Fund shall appropriate \$53,200 from prior year fund balance for the County's "Code Red" early warning communications system and outdoor siren maintenance. The Solid Waste Fund shall appropriate \$55,100 in prior year host fees for equipment to be transferred out to the General Fund. The Solid Waste Fund shall also appropriate \$378,363 in prior year fund balance for Closure/Post Closure of Landfill cells and other costs. Prior year SPLOST revenue in the amount of \$9,385,535 shall be appropriated for construction.

Be it further resolved that merit and longevity pay increases remain suspended for all employees.

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Be it further resolved that any increase in appropriation for any department or salary line-item in excess of the approved budget shall require approval by the Board of Commissioners authorizing said funds to be expended.

Be it further resolved that any SPLOST expenditure exceeding \$2,500 shall require approval by the Board of Commissioners authorizing said funds to be expended.

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

Sheila Faircloth, 107 Independence Drive, Suite C, Warner Robins briefed the Board on a tenant she has been trying to evict since March and expressed her frustration with the Houston County Magistrate Court not doing anything to clear up these type of cases during the court-ordered shutdown due to the COVID-19 crisis. She indicated that Judge Turner has told her that the Georgia Supreme Court has ordered them to suspend the normal operation of the court which, in his opinion, includes trials and hearing in civil and dispossessory actions until June 12th. Now the order has been extended to July 13th and the Magistrate Court has not made any attempt to resolve some of these cases through alternative means such as utilizing technology to handle routine civil cases remotely. She felt that it is unfair that the courts have chosen to do nothing to resolve these cases. She also asserted that the property in question did not fall under the federally mandated moratorium due to the CARES Act.

Chairman Stalnaker indicated that he was just as frustrated as she is with the court system.

Denise Halpert, 107 Independence Drive, Suite C, Warner Robins identified herself as working with Ms. Faircloth as a property manager and contended that the Magistrate was not properly posting the court order as they are required to do.

County Attorney Tom Hall indicated that the courts were given some latitude or discretion concerning the interpretation of the court order.

Cheri Adams, Houston Home Journal Publisher, introduced the paper's new intern, Rylee Klatt, a rising senior at Veteran's High.

With no further public comments, Chairman Stalnaker opened the meeting for Commissioners Comments.

Chairman Stalnaker reminded everyone that the next meeting would be a special called meeting at 9:00 a.m. on Friday, June 26th to be held in the Commissioner's Board Room at the Annex building in Warner Robins. The next regularly scheduled meeting will be at 9:00 a.m. on Tuesday, July 7th in the Jury Assembly Room of the County courthouse in Perry. On Tuesday July 21st the Board will resume meeting per the normal schedule at 6:00 p.m. in the Commissioner's Board Room at the Annex building in Warner Robins. He thanked Lt. Spires for his efforts making the alternative meeting places available during the COVID-19 crisis. He then reminded everyone of the importance of the 2020 Census and encouraged everyone to respond.

Chairman Stalnaker gave a brief summary of the votes from the primary election with a total of 31,096 votes of which 16,700 were absentee ballots. The large volume of absentee ballots presented an almost overwhelming problem to the elections staff due to the scanning and validation process and the number of fouled ballots that were received. Houston experienced very little problems with the new election equipment other than they were rather cumbersome to set up on election day morning. The

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machines cannot be set up prior to election day and only two precincts out of sixteen experienced minor delays of fifteen minutes or less on election morning. This was remedied by a court order extending the voting times in those two precincts. He sympathized with the elections staff and poll workers and suspected, that without some changes, the November election will take weeks rather than days to tabulate. He commended the Board of Elections and the staff members for their considerable efforts.

Chairman Stalnaker asked Mr. Dunbar to brief the Board on a Warner Robins annexation request concerning property abutting the Doublegate Subdivision that will come before the Board at the July 7th meeting. Mr. Dunbar explained that the two main concerns with this annexation request are the increase of traffic on the existing street that enters this property from the Doublegate Subdivision and potential water supply impacts on the County's water system. Mr. Dunbar, Mr. Andrews, and County Engineering staff all recently met with Warner Robins staff to discuss these potential impacts on the County's existing infrastructure. There are several options for tie-in to the County's water system, but it is currently unknown if the impact would be adverse or not.

Chairman Stalnaker commented that once annexed this property will no longer be in the County's jurisdiction but that it will impact surrounding unincorporated County residents.

Mr. Andrews also covered the two concerns relative to this request, one being the accessibility to the property in question by the extension of Shannon Ridge Drive as the sole access point; and the second being the availability of County water and what limitations that may place on the amount of development that could occur. Also, an additional factor is whether the road was designed for the increased amount of traffic.

Chairman Stalnaker commented that these issues needed to be considered over the next few weeks before the July 7th meeting.

Mr. Walker thanked everyone for coming and to be safe.

Ms. Robinson thanked everyone for coming and participating in the meeting.

Mr. Thomson thanked everyone for coming and commented that retail sales were up 17% nationwide as compared to May of 2019.

Mr. McMichael remarked that the economy was starting to look better and thanked everyone involved in the budget process for their efforts.

There being no additional comments, Chairman Stalnaker asked for a motion to enter into Executive Session for Personnel Matters per O.C.G.A. § 50-14-3(b)(2) and Attorney/Client privilege per O.C.G.A. § 50-14-2(1).

Motion by Mr. McMichael, second by Mr. Walker and carried unanimously by all to enter into Executive Session for Personnel Matters per O.C.G.A. § 50-14-3(b)(2) and Attorney/Client privilege per O.C.G.A. § 50-14-2(1).

Upon returning to the regular meeting Chairman Stalnaker announced that there would be no action taken pursuant to the Executive Session.

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Motion to Adjourn by Mr. Walker, second by Mr. Thomson and carried unanimously by all, meeting adjourned.

Barry Holland
Director of Administration

Chairman

Commissioner

Commissioner

Commissioner

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 June 16, 2020.

2.

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

3.

The executive session was called to order at 4:30 p.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) _____;

 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);

 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);

 X 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);

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_____ Interviewing candidates for executive positions as provided in O.C.G.A. § 50-14-3(b)(2);

_____ 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 June 2020.

Tommy Stalnaker, Chairman
Houston County Board of Commissioners

Sworn to and subscribed
before me this _____ day of
June, 2020.

Notary Public

My commission expires:
