

1. Agenda

Documents:

[JANUARY 16, 2018 AGENDA.PDF](#)

2. Agenda Summary

Documents:

[JANUARY 16 2018 AGENDA SUMMARY.PDF](#)

3. Minutes

Documents:

[JANUARY 16, 2018 \(2\).PDF](#)
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NEWTON COUNTY BOARD OF COMMISSIONERS
1124 Clark Street
Covington, Georgia
Regular Meeting
Agenda
January 16, 2018

Thought for the day...

“Start where you are. Use what you have. Do what you can.”

Arthur Ashe

7:00 p.m.

1. Call to Order: Chairman Marcello Banes
2. Invocation: Pastor Daniel Thompson, Pathway Community Church
3. Pledge of Allegiance
4. Agenda Adoption
5. Citizen Comments
6. Chairman’s Report:
- 6a. County Manager’s Report:
County Manager’s Report:
 - Fiscal Year 2018-2019 Budget Calendar
 - Special Projects Update
 - Permits, Business Licenses, and Development Projects Update
 - Notable Current Activities
7. Old Business:
- 7a. DISCUSSION/CONSIDERATION OF SETTLEMENT AGREEMENT AND MUTUAL RELEASE BETWEEN NEWTON COUNTY, PIEDMONT-NEWTON HOSPITAL, AND THE HOSPITAL AUTHORITY.
- 7b. DISCUSSION/CONSIDERATION OF RESOLUTION R011618b– A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS MAKING APPOINTMENTS TO THE JOINT DEVELOPMENT AUTHORITY OF DEKALB COUNTY, NEWTON COUNTY AND GWINNETT COUNTY.
8. Consent Agenda
- 8a. Superior Courts/Newton County Resource Court – Permission to submit for grant through United Way of Newton county to fund treatment assessments and treatment transportation for Resource Court Participants in the amount of \$7,308. (There is no cost to the County.)

- 8b. Juvenile Court (Judge Roberts) – Request approval of Independent Contractor, Carlas Manning for supervision services in connection with the Juvenile Drug Treatment Court. Cost of \$1,950 to be funded by CJCC Grant A18-8-034.
- 8c. Requesting approval of Resolution R011618a, A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS NAMNG JUDY T. JOHNSON AS THE NEWTON COUNTY BOARD OF COMMISSIONERS APPOINTMENT AS THE COUNTY LEGISLATIVE COORDINATOR (CLC)
- 8d. Finance: Request approval of contract for Cathy Garey to provide drug treatment and education services via the Covington Department of Community Supervision in an amount not to exceed \$12,000 per year from funding from the Drug Abuse and Treatment Fund.
- 8e. Sheriff's Office – Request approval of independent contractor, Laura Tate, from January 1, 2018 to June 30, 2018 as the Body-Worn Camera Project Manager.
- 8f. Sheriff's Office - Permission to accept 2nd Walmart Foundation Grant in the amount of \$1,000 to be used for the CHAMPS & Explorers programs. (No matching funds)
- 8g. County Clerk: Approval of BOC Minutes dated December 5, 2017
- 8h. County Clerk: Approval of BOC Minutes January 2, 2018
- 8i. BOC: 2017 SPLOST Appointments
District 2: Baxter Bouchillon
District 4: Sammy Banks
- 9. Administrative Services: Monthly Financial Report – December 2017
- 10. DISCUSSION/CONSIDERATION OF RESOLUTION R011618 – A RESOLUTION BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY SETTING QUALIFYING FEES FOR THE 2018 ELECTION AND AUTHORIZING PUBLICATION OF SAME

SP

11. CONSIDERATION/DISCUSSION OF RESOLUTION R011618E REGARDING OPERATION AND MANAGEMENT OF GAITHER PLANTATION
12. Discussion of Opioids Epidemic
13. R011618D - A RESOLUTION DISPOSING OF THE ABANDONED COUNTY LINE ROAD EAST BY CONVEYANCE TO ABUTTING PROPERTY OWNERS
14. Discussion/Consideration of additional employee for the Clerk of Superior and Magistrate Courts

7:30 PM
ZONING/PUBLIC HEARING

The applicant and those in favor of the petition are allowed ten-minutes to address the board. In addition, ten-minutes are allotted for those in opposition to the petition.

15. OLD BUSINESS:
Case Number: CUP17-000007
Proposed Use: Special Events Facility
Existing Zoning: AR (Agricultural Residential)
Watershed: Yellow River
Location: 1048 W. Macedonia Church Road, Oxford, GA
301 feet of frontage on W. Macedonia Church Road
Parcel Size: 5.91 acres
Tax Parcel: 58-3
Owner: David & Carolin Mafe
Petitioner: David & Carolin Mafe
Representative: David & Carolin Mafe
Applicant's Intent: To operate a Special Event Facility for weddings, reunions, and other special event gatherings.
Planning Commission: Recommended approval with conditions on October 24, 2017
District Three
*Request received from applicant to postpone the public hearing until the February 20, 2018 Board of Commissioners meeting to complete survey & site plan.
16. STREETLIGHT PETITION
River Walk Farms Subdivision, Phase 4, Units II & III
Resolution R011618c
A RESOLUTION PROVIDED FOR THE INSTALLATION OF STREETLIGHTS AND THE ASSESSMENT OF THE ANNUAL COSTS OF MAINTANING AND OPERATING

SAID LIGHTS AGAINST PROPERTY SERVED BY THOSE LIGHTS.

- 17. Citizen Comments**
- 18. Commissioner Comments**
- 19. Executive Session**
- 20. Adjourn**

NEWTON COUNTY BOARD OF COMMISSIONERS
1124 Clark Street
Covington, Georgia
Regular Meeting
January 16, 2018

AGENDA SUMMARY

Thought for the day...

“Start where you are. Use what you have. Do what you can.”

Arthur Ashe

7:14 p.m.

1. Call to Order: Chairman Marcello Banes
 2. Invocation: Pastor Daniel Thompson, Pathway Community Church
 3. Pledge of Allegiance – Gladstone Nicholson
 4. Agenda Adoption – **Approved with removal of items #11 and #12 (5-0)**
 5. Citizen Comments
 6. Chairman’s Report:
- 1-16
- 6a. County Manager’s Report:
County Manager’s Report:
 - Fiscal Year 2018-2019 Budget Calendar
 - Special Projects Update
 - Permits, Business Licenses, and Development Projects Update
 - Notable Current Activities
 7. Old Business:
- 17-40
- 7a. DISCUSSION/CONSIDERATION OF SETTLEMENT AGREEMENT AND MUTUAL RELEASE BETWEEN NEWTON COUNTY, PIEDMONT-NEWTON HOSPITAL, AND THE HOSPITAL AUTHORITY.
Approved (5-0)
- 41-42
- 7b. DISCUSSION/CONSIDERATION OF RESOLUTION R011618b– A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS MAKING APPOINTMENTS TO THE JOINT DEVELOPMENT AUTHORITY OF DEKALB COUNTY, NEWTON COUNTY AND GWINNETT COUNTY.
Approved (3-2) Commissioner Edwards and Commissioner Schulz voting in opposition.
- 43
8. Consent Agenda
 - 8a. Superior Courts/Newton County Resource Court –
Permission to submit for grant through United Way of Newton county to fund treatment assessments and treatment

transportation for Resource Court Participants in the amount of \$7,308. (There is no cost to the County.)

- 44-52 8b. Juvenile Court (Judge Roberts) – Request approval of Independent Contractor, Carlas Manning for supervision services in connection with the Juvenile Drug Treatment Court. Cost of \$1,950 to be funded by CJCC Grant A18-8-034.
- 53 8c. Requesting approval of Resolution R011618a, A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS NAMNG JUDY T. JOHNSON AS THE NEWTON COUNTY BOARD OF COMMISSIONERS APPOINTMENT AS THE COUNTY LEGISLATIVE COORDINATOR (CLC)
- 54-66 8d. Finance: Request approval of contract for Cathy Garey to provide drug treatment and education services via the Covington Department of Community Supervision in an amount not to exceed \$12,000 per year from funding from the Drug Abuse and Treatment Fund.
- 67 8e. Sheriff's Office – Request approval of independent contractor, Laura Tate, from January 1, 2018 to June 30, 2018 as the Body-Worn Camera Project Manager.
- 67 8f. Sheriff's Office - Permission to accept 2nd Walmart Foundation Grant in the amount of \$1,000 to be used for the CHAMPS & Explorers programs. (No matching funds)
- 68-78 8g. County Clerk: Approval of BOC Minutes dated December 5, 2017
- 79-85 8h. County Clerk: Approval of BOC Minutes January 2, 2018
- 8i. BOC: 2017 SPLOST Appointments
 District 2: Baxter Bouchillon
 District 4: Sammy Banks
 Approved (5-0)
- SP 9. Administrative Services: Monthly Financial Report – December 2017
- 86-87 10. DISCUSSION/CONSIDERATION OF RESOLUTION R011618 – A RESOLUTION BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY SETTING QUALIFYING FEES FOR THE 2018 ELECTION AND AUTHORIZING PUBLICATION OF SAME
 Approved (5-0)

- 88-89 11. CONSIDERATION/DISCUSSION OF RESOLUTION
R011618E REGARDING OPERATION AND MANAGEMENT
OF GAITHER PLANTATION
Removed from Agenda
- 90-102 12. Discussion of Opioids Epidemic
Removed from Agenda
- 103-124 13. R011618D - A RESOLUTION DISPOSING OF THE
ABANDONED COUNTY LINE ROAD EAST BY
CONVEYANCE TO ABUTTING PROPERTY OWNERS
Approved (5-0)
- 125-127 14. Discussion/Consideration of additional employee for the
Clerk of Superior and Magistrate Courts
Approved (5-0)

7:30 PM
ZONING/PUBLIC HEARING

The applicant and those in favor of the petition are allowed ten-minutes to address the board. In addition, ten-minutes are allotted for those in opposition to the petition.

- 128-155 15. OLD BUSINESS:
Case Number: CUP17-000007
Proposed Use: Special Events Facility
Existing Zoning: AR (Agricultural Residential)
Watershed: Yellow River
Location: 1048 W. Macedonia Church Road, Oxford, GA
301 feet of frontage on W. Macedonia Church Road
Parcel Size: 5.91 acres
Tax Parcel: 58-3
Owner: David & Carolin Mafe
Petitioner: David & Carolin Mafe
Representative: David & Carolin Mafe
Applicant's Intent: To operate a Special Event Facility for
weddings, reunions, and other special event gatherings.
Planning Commission: Recommended approval with
conditions on October 24, 2017
District Three
*Request received from applicant to postpone the public
hearing until the February 20, 2018 Board of Commissioners
meeting to complete survey & site plan.
Tabled until February 20, 2018 (5-0)
- 156-160 16. STREETLIGHT PETITION
River Walk Farms Subdivision, Phase 4, Units II & III
Resolution R011618c
A RESOLUTION PROVIDED FOR THE INSTALLATION OF

STREETLIGHTS AND THE ASSESSMENT OF THE ANNUAL COSTS OF MAINTANING AND OPERATING SAID LIGHTS AGAINST PROPERTY SERVED BY THOSE LIGHTS.

Approved (5-0)

17. Citizen Comments
18. Commissioner Comments
19. Executive Session for purpose of discussing litigation and land acquisition
Time: 9:05 p.m.
Regular Session: 10.20 p.m.
20. Adjourn
10.21 p.m.

NEWTON COUNTY BOARD OF COMMISSIONERS
WORK SESSION
Newton County Historic Courthouse
Tuesday, January 16, 2018
MINUTES

Present: Chairman Marcello Banes, Commissioner's Stan Edwards, Lanier Sims, Nancy Schulz, J.C. Henderson, and Ronnie Cowan, Attorney Paul Mitchell, County Manager Lloyd Kerr, and Deputy County Clerk Judy T. Johnson

Covington News, Newton Citizen and a small group of citizens

Chairman Banes call the meeting to order at 6:03 p.m. and extended a welcome to all in attendance. Commissioner Edwards gave the invocation and Commissioner Sims led the Pledge of Allegiance to our flag.

Purpose: a. 911 Fees Recovery
 b. Opioid Class Action Lawsuit

Chairman Banes recognized County Manager Kerr

- Mr. Kerr briefed the Board that due to inclement weather the presenters for the 911 fees could not be in attendance and the presentation would be rescheduled.
- Mr. Kerr moved into the Opioid Class Action Lawsuit discussion and briefed the Board before turning the meeting over to County Coroner Tommy Davis and Dr. Borr with Piedmont/Newton Hospital.
- County Coroner Tommy Davis addressed the Board regarding the Opioid epidemic and went over the 2016 & 2017 Annual Coroner Reports. The reports are attached and made a part of these minutes.
- Dr. Borr with Piedmont/Newton Hospital addressed the Board regarding the Opioid epidemic and went over a PowerPoint presentation (which is made part of these Minutes)

With no further business, a motion by Commissioner Edwards, second by Commissioner Sims, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Judy T. Johnson, Deputy County Clerk

Marcello Banes, Chairman

NEWTON COUNTY BOARD OF COMMISSIONERS
1124 Clark Street
Covington, Georgia
Regular Meeting
Minutes
January 16, 2018

Present: Chairman Marcello Banes, Commissioners' Stan Edwards, Lanier Sims, Nancy Schulz, J.C. Henderson, Ronnie Cowan, County Attorney Paul Mitchell, County Manager Lloyd Kerr and Deputy County Clerk Judy T. Johnson

Large group of citizens Covington News, Newton Citizen

Chairman Banes called the meeting to order at 7:14 p.m., extended a welcome, and read the thought for the day. The invocation was given by Pastor Daniel Thompson, Pathway Community Church and the Pledge of Allegiance to our great flag was led by Gladstone Nicholson.

AGENDA ADOPTION

Chairman Banes requested to remove items 11 and 12 from the Agenda.

Motion by Commissioner Schulz, second by Commissioner Edwards to adopt the January 16, 2018 agenda with changes to remove items 11 and 12.

Motion carried unanimously (5/0)

CITIZEN COMMENTS

- Latonya Marlow spoke on Item #16, Streetlight Petition for River Walk Farms Subdivision, Phase 4, Units II & III, Resolution# R011618c. She stated she was in favor of the petition and it would help with safety concerns in the neighborhood.

CHAIRMAN'S REPORT

- Recognized Fredrick Johnson who gave a report on the cemetery clean-up.
- Mr. Johnson expressed appreciation for all who came out and helped with cleaning up the cemeteries. He noted Commissioner Schulz, Sheriff Brown and citizen Gladstone Nicholson in his thanks.
- Recognized Mr. Jerry Silvio & Serra Phillips-Hall with the Newton County Chamber of Commerce who gave a report on the 4th Quarter for the Chamber

COUNTY MANAGER'S REPORT

County Manager's Report included the following topics:

- Fiscal Year 2018-2019 Budget Calendar
- Special Projects Update
- Permits, Business Licenses, and Development Projects Update
- Notable Current Activities

OLD BUSINESS

DISCUSSION/CONSIDERATION OF SETTLEMENT AGREEMENT AND MUTUAL RELEASE BETWEEN NEWTON COUNTY, PIEDMONT-NEWTON HOSPITAL, AND THE HOSPITAL AUTHORITY.

- County Attorney Paul Mitchell went over the proposed settlement and release.
- Cancellation of all previous EMS & waiver of all claims
- Hospital & hospital authority to provide 24-hr care at no cost to the county
- Commissioner Schulz commended all involved for the cooperative way of working together to negotiate the agreement.

Motion by Commissioner Schulz, second by Commissioner Edwards, to approve the Settlement Agreement.

Motion carried unanimously (5/0)

DISCUSSION/CONSIDERATION OF RESOLUTION R011618b– A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS MAKING APPOINTMENTS TO THE JOINT DEVELOPMENT AUTHORITY OF DEKALB COUNTY, NEWTON COUNTY AND GWINNETT COUNTY.

- County Manager Kerr presented the resolution.
- Commissioner Schulz asked if the 1-year appointment of Commissioner Cowan was to get in the cycle for terms
- County Manager Kerr stated it was to get the term cycle

A motion was made by Commissioner Sims and second by Commissioner Henderson to approve the Resolution.

- Commissioner Edwards expressed concern over having the same appointees serve on multiple County appointed Boards and the length of time serving on a particular Board may be better served by new appointments with fresh ideas.

A substitute motion was made by Commissioner Edwards and second by Commissioner Schulz to remove Mrs. Betsy Morehouse and Mr. Flemmie Pitts from the DeKalb, Newton, Gwinnett JDA.

Motion failed.

Note: See original motion above

Motion carried (3-2) with Commissioner Edwards and Commissioner Schulz voting in opposition.

CONSENT AGENDA

- Superior Courts/Newton County Resource Court – Permission to submit for grant through United Way of Newton county to fund treatment assessments and treatment transportation for Resource Court Participants in the amount of \$7,308. (There is no cost to the County.)

- Juvenile Court (Judge Roberts) – Request approval of Independent Contractor, Carlas Manning for supervision services in connection with the Juvenile Drug Treatment Court. Cost of \$1,950 to be funded by CJCC Grant A18-8-034.
- Requesting approval of Resolution R011618a, A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS NAMNG JUDY T. JOHNSON AS THE NEWTON COUNTY BOARD OF COMMISSIONERS APPOINTMENT AS THE COUNTY LEGISLATIVE COORDINATOR (CLC)
- Finance: Request approval of contract for Cathy Garey to provide drug treatment and education services via the Covington Department of Community Supervision in an amount not to exceed \$12,000 per year from funding from the Drug Abuse and Treatment Fund.
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- Sheriff's Office - Permission to accept 2nd Walmart Foundation Grant in the amount of \$1,000 to be used for the CHAMPS & Explorers programs. (No matching funds)
- County Clerk: Approval of BOC Minutes dated December 5, 2017
- County Clerk: Approval of BOC Minutes January 2, 2018
- BOC: 2017 SPLOST Appointments
District 2: Baxter Bouchillon
District 4: Sammy Banks

Motion by Commissioner Henderson, second by Commissioner Schulz, to adopt the consent agenda.

Motion carried unanimously (5/0)

Administrative Services: Monthly Financial Report – December 2017

- Nicole Cross, Finance Director, presented the monthly report

DISCUSSION/CONSIDERATION OF RESOLUTION R011618 – A RESOLUTION BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY SETTING QUALIFYING FEES FOR THE 2018 ELECTION AND AUTHORIZING PUBLICATION OF SAME

- County Manager Kerr presented the resolution.
- County Manager Kerr noted that Exhibit "A" reflected one for District 1 and two District 3 Board of Education posts when it should reflect one post for District 1, District 3, and District 5

Motion by Commissioner Henderson, second by Commissioner Sims, to approve with the above noted correction for District 5 Board of Education, R011618, a Resolution by the Board of Commissioners of Newton county setting Qualifying Fees for the 2018 Election and Authorizing publication of the same.

Motion carried unanimously (5/0)

R011618D - A RESOLUTION DISPOSING OF THE ABANDONED COUNTY LINE ROAD EAST BY CONVEYANCE TO ABUTTING PROPERTY OWNERS

- Presented by County Manager Kerr

Motion by Commissioner Edwards, second by Commissioner Sims, to approve R011618D, a Resolution disposing of the Abandoned County Line Road East by Conveyance to Abutting Property Owners. Motion carried (5-0)

DISCUSSION/CONSIDERATION OF ADDITIONAL EMPLOYEE FOR THE CLERK OF SUPERIOR AND MAGISTRATE COURTS.

- Presented by County Manager Lloyd Kerr
- Request is for a full time Judicial Services Tech effective February 1, 2018

Motion by Commissioner Schulz, second by Commissioner Henderson, to approve the request to add a position in the Clerk of Superior and Magistrate Courts for a full time Judicial Services Tech with an effective date of February 1, 2018.

Motion carried unanimously (5-0)

7:30 PM

ZONING/PUBLIC HEARING

The applicant and those in favor of the petition are allowed ten-minutes to address the board. In addition, ten-minutes are allotted for those in opposition to the petition.

OLD BUSINESS:

Case Number: CUP17-000007

Proposed Use: Special Events Facility

Existing Zoning: AR (Agricultural Residential)

Watershed: Yellow River

Location: 1048 W. Macedonia Church Road, Oxford, GA

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Owner: David & Carolin Mafe

Petitioner: David & Carolin Mafe

Representative: David & Carolin Mafe

Applicant's Intent: To operate a Special Event Facility for weddings, reunions, and other special event gatherings.

Planning Commission: Recommended approval with conditions on October 24, 2017

District Three

*Request received from applicant to postpone the public hearing until the February 20, 2018 Board of Commissioners meeting to complete survey & site plan.

On a Motion made by Commissioner Schulz to postpone CUP17-000007 until the February 20, 2018 Board of Commissioners meeting, second by Commissioner Sims. Motion carried unanimously (5-0)

STREETLIGHT PETITION

**River Walk Farms Subdivision, Phase 4, Units II & III, Resolution R011618c
A RESOLUTION PROVIDED FOR THE INSTALLATION OF STREETLIGHTS
AND THE ASSESSMENT OF THE ANNUAL COSTS OF MAINTAINING AND
OPERATING SAID LIGHTS AGAINST PROPERTY SERVED BY THOSE LIGHTS.
Approved (5-0)**

Motion by Commissioner Cowan, second by Commissioner Schulz, to approve R011618c as presented.

Motion carried unanimously (5/0)

CITIZEN COMMENTS

- Terry Barnett expressed his frustration that petition CUP17-000007 was tabled until the next month after he had taken the time to come to the meeting.
- William Thompson spoke about traffic concerns at Access Rd and I-20.
- Gladstone Nicholson concurred with Mr. Thompson regarding the traffic situation at the Access Rd and I-20.
- Frederick Johnson reminded the audience that many see Dr. Martin Luther King Jr. Day as a day off, but for the community volunteers it was a “day on”
- Melissa Thompson spoke about the need to for better internet and broadband services in the County. She also expressed concerns for students in the Newton County school district that did not have access to these services if there were available in the area. She encouraged the Board to look for solutions.

COMMISSIONER COMMENTS

Commissioner Edwards spoke briefly about the broadband and internet service area challenges in Newton County; and posed the question if it was time to make highspeed internet a public utility.

Commissioner Sims reminded the public of the GDOT open house event on Thursday, January 25, 2018 from 5 to 8 p.m. at Veterans Middle School

Commissioner Schulz spoke about a recent meeting she had attended at GDOT regarding the Crowell Rd, Access Rd and I-20 exchange. She further offered the public an opportunity to discuss road improvements at her upcoming Fireside Chat on January 23, 2018.

Commissioner Henderson spoke briefly about celebrating Dr. Martin Luther King Jr Day and reminded all that Newton County/Covington Georgia played a big part in the African American movement.

Commissioner Cowan – no comment

EXECUTIVE SESSION

At 9:05 p.m. on a Motion made by Commissioner Henderson, second by Commissioner Sims to enter executive session for the purpose of discussing litigation and land acquisition.
Motion carried unanimously (5-0)

At 10:20 p.m. on a motion made by Commissioner Edwards and second by Commissioner Sims to enter back into regular session.
Motion carried unanimously (5-0)

With no further business, a motion by Commissioner Sims, second by Commissioner Edwards, the meeting adjourned at 10:21 p.m.
Motion carried unanimously (5-0)

Respectfully submitted,

Judy T. Johnson, Deputy County Clerk

Marcello Banes, Chairman