

1. Agenda

Documents:

[FEBRUARY 6 2018 AGENDA.PDF](#)

2. Agenda Summary

Documents:

[FEBRUARY 6, 2018 AGENDA SUMMARY.PDF](#)

3. Minutes

Documents:

[FEBRUARY 6 2018 \(1\).PDF](#)
[FEBRUARY 6, 2018 \(2\).PDF](#)

NEWTON COUNTY BOARD OF COMMISSIONERS
1124 Clark Street
Covington, Georgia
Regular Meeting
Agenda
February 6, 2018

Thought for the day...

"Kindness is the language which the deaf can hear and the blind can see."

~ Mark Twain

7:00 p.m.

1. Call to Order: Chairman Marcello Banes
2. Invocation: Pastor Justin Adams, New Life Praise Center
3. Pledge of Allegiance
4. Agenda Adoption
5. Citizen Comments
6. Chairman's Report:
 - Recognition and Appreciation of Mr. Sam Ramsey
- 1 7. County Manager's Report:
8. Consent Agenda
- 2-10 8a. IT via Finance – Request to sell Lot of seven Kronos 4500 Touch ID Terminals that has been replaced by TimeClock Plus System.
- 11-16 8b. Superior Court/Law Library via Finance - Request to sell Toshiba E202L Digital copier with Jamex Coin-Op that does not perform consistently to meet with demand and does not communicate with new machine that replaced it.
- 8c. Appointment: Chairman's Appointment to the Recreation Board: John Anglin
- 8d. Appointment: Chairman's Appointment to the Recreation Board: Mike McCrorey
- 11-22 8e. Ratification of Settlement Agreement and Mutual Release between Newton County, Piedmont-Newton Hospital and the Hospital Authority.
- SP 8f. District Attorney's Office – Emergency request to use SPLOST to replace an Investigator's vehicle that was totaled on December 29, 2017.
- SP(Book) 9. Public Works – Presentation and request for approval of updated Comprehensive Transportation Plan (CTP)
- 23-29 10. Public Works – Request approval for the purchase of one (1) Petersen TL-3 Lightning Loader Truck from Environmental Products of Georgia with funding from 2017 SPLOST, Vehicles & Equipment at a cost of \$154,387.00

- 30-31 11. GDOT request approval a list of roadways for the use of radar speed detection devices.
- 32-40 11a. GDOT request to lower speed limit on the Newton County portion of State Hwy 81 (aka Washington Street) between the city limits of Covington and the city limits of Porterdale from 45 mph to 40 mph
- 41-42 12. DISCUSSION/CONSIDERATION OF RESOLUTION R020618 REGARDING OPERATION AND MANAGEMENT OF GAITHERS
- SP 13. DISCUSSION/CONSIDERATION OF RESOLUTION R020618a REGARDING THE OPIOID EPIDEMIC
14. DISCUSSION/CONSIDERATION OF NEW MEMBER TO THE IDA (COUNTY ATTORNEY)
- 43-47 15. DISCUSSION/CONSIDERATION OF WATER MAIN EASEMENT WITH THE CITY OF COVINGTON, STEVE W. GOFF & LORRI L. GOFF.
- 48-52 16. R020618b - A RESOLUTION OF NEWTON COUNTY, GEORGIA CONSENTING TO THE DEANNEXATION BY THE CITY OF COVINGTON OF PROPERTY COMMONLY KNOWN AS 695 MOORE STREET, COVINGTON, GEORGIA
- 53 17. R020618c - A RESOLUTION OF NEWTON COUNTY, GEORGIA ENACTING A MORATORIUM FOR 120 DAYS TO BAR THE ACCEPTANCE OF APPLICATIONS FOR LAND DISTURBANCE AND DEVELOPMENT PERMITS WITH RESPECT TO PROPERTY COMMONLY KNOWN AS 695 MOORE STREET, COVINGTON, GEORGIA
- 54-65 18. Alcohol License
First Reading
Kayden Enterprises LLC
DBA Magnet Shell
5343 Hwy 20 S
Covington, Georgia 30016
District Two
19. Citizen Comments
20. Commissioner Comments
21. Executive Session
22. Adjourn

NEWTON COUNTY BOARD OF COMMISSIONERS
1124 Clark Street
Covington, Georgia
Regular Meeting
February 6, 2018

AGENDA SUMMARY

Thought for the day...

"Kindness is the language which the deaf can hear and the blind can see."

~ Mark Twain

7:11 p.m.

1. Call to Order: Chairman Marcello Banes
2. Invocation: Pastor Justin Adams, New Life Praise Center
3. Pledge of Allegiance – Dr. Brunson, Principal of Fairview Elementary School
4. Agenda Adoption - **Approved with removal of item #12 (5-0)**
5. Citizen Comments
6. Chairman's Report:
 - Recognition and Appreciation of Mr. Sam Ramsey
7. County Manager's Report: Employee Policy & Procedures Manual presentation
8. Consent Agenda
 - 8a. IT via Finance – Request to sell Lot of seven Kronos 4500 Touch ID Terminals that has been replaced by TimeClock Plus System.
 - 8b. Superior Court/Law Library via Finance - Request to sell Toshiba E202L Digital copier with Jamex Coin-Op that does not perform consistently to meet with demand and does not communicate with new machine that replaced it.
 - 8c. Appointment: Chairman's Appointment to the Recreation Board: John Anglin
 - 8d. Appointment: Chairman's Appointment to the Recreation Board: Mike McCrorey
 - 8e. Ratification of Settlement Agreement and Mutual Release between Newton County, Piedmont-Newton Hospital and the Hospital Authority.
 - 8f. District Attorney's Office – Emergency request to use SPLOST to replace an Investigator's vehicle that was totaled on December 29, 2017 for \$27,644.50.
Approved (5-0)

9. Public Works – Presentation and request for approval of updated Comprehensive Transportation Plan (CTP)
Approved (5-0)
10. Public Works – Request approval for the purchase of one (1) Petersen TL-3 Lightning Loader Truck from Environmental Products of Georgia with funding from 2017 SPLOST, Vehicles & Equipment at a cost of \$154,387.00
Approved (5-0)
11. GDOT request to lower speed limit on the Newton County portion of State Hwy 81 (aka Washington Street) between the city limits of Covington and the city limits of Porterdale from 45 mph to 40 mph
Approved (5-0)
- 11a. GDOT request approval a list of roadways for the use of radar speed detection devices.
Approved (5-0)
12. DISCUSSION/CONSIDERATION OF RESOLUTION R020618 REGARDING OPERATION AND MANAGEMENT OF GAITHERS
Removed from Agenda
13. DISCUSSION/CONSIDERATION OF RESOLUTION R020618a REGARDING THE OPIOID EPIDEMIC
Approved (5-0)
14. DISCUSSION/CONSIDERATION OF NEW MEMBER TO THE IDA (COUNTY ATTORNEY)
Approved (5-0)
15. DISCUSSION/CONSIDERATION OF WATER MAIN EASEMENT WITH THE CITY OF COVINGTON, STEVE W. GOFF & LORRI L. GOFF.
Approved (4-0-1) Commissioner Cowan abstained due to possible conflict of interest
16. R020618b - A RESOLUTION OF NEWTON COUNTY, GEORGIA CONSENTING TO THE DEANNEXATION BY THE CITY OF COVINGTON OF PROPERTY COMMONLY KNOWN AS 695 MOORE STREET, COVINGTON, GEORGIA
Approved (5-0)
17. R020618c - A RESOLUTION OF NEWTON COUNTY, GEORGIA ENACTING A MORATORIUM FOR 120 DAYS TO BAR THE ACCEPTANCE OF APPLICATIONS FOR LAND DISTURBANCE AND DEVELOPMENT PERMITS WITH RESPECT TO PROPERTY COMMONLY KNOWN AS 695 MOORE STREET, COVINGTON, GEORGIA
Approved (5-0)

18. Alcohol License
First Reading
Kayden Enterprises LLC
DBA Magnet Shell
5343 Hwy 20 S
Covington, Georgia 30016
District Two
19. Citizen Comments
20. Commissioner Comments
21. Executive Session for the purpose of Land Acquisition and Disposal
Time: 9:00 p.m.
Regular Session: 9:35 p.m.
22. Adjourn
9:36 p.m.

NEWTON COUNTY BOARD OF COMMISSIONERS
1124 Clark Street
Covington, Georgia
Regular Meeting
Minutes
February 6, 2018

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

Large group of citizens, the Covington News, and the Newton Citizen

Chairman Banes called the meeting to order, extended a welcome, and read the thought for the day. The invocation was given by Pastor Justin Adams, New Life Praise Center and the Pledge of Allegiance to our great flag was led by Dr. Brunson, Principal of Fairview Elementary School.

AGENDA ADOPTION

Chairman Banes requested to remove item 12 from the Agenda. County Attorney, Megan Martin, stated the County Manager Report would be replaced by the 6 p.m. Work Session topic, Discussion of the Employee Policy & Procedures Manual

Motion by Commissioner Sims, second by Commissioner Schulz to adopt the February 6, 2018 agenda as stated.

Motion carried unanimously (5/0)

CITIZEN COMMENTS

No comments

CHAIRMAN'S REPORT

Chairman Banes recognized Mr. Sam Ramsey, former Mayor of Covington, for his years of service to the community. Mr. Ramsey spoke for a few minutes sharing the honor with his wife of 47 years, Becky.

Upon Chairman Banes' request Commissioner Cowan presented a Proclamation to Mr. Ramsey honoring the many accomplishments throughout the years. Chairman Banes expressed his personal thanks to Mr. Ramsey and concluded the presentation by proclaiming February 6, 2018 as "Mayor Sam Ramsey Day".

COUNTY MANAGER'S REPORT

Discussion of the Employee Policy & Procedures Manual

- Presented by Mark Sperry, Attorney with Jarrard & Davis, LLP, and Keyra Fray, Newton County Human Resource Director.
- Mr. Sperry went over the various changes to be incorporated into the new handbook including incorporating the new form of government with the County Manager.
- Commissioner Cowan asked to add an Organizational Chart, to confirm procedures for Grievances or appealing employee classification will be heard by the County

Manager and would not come before the Board of Commissioners; allow for Appeals to have an Independent Hearing Officer; and to add Whistleblower protection.

- Mr. Sperry noted there was a Resolution was pending to be presented to the Board of Commissioners at the meeting on March 6, 2018.

CONSENT AGENDA

Chairman Baner recognized the two appointees to the Recreation Department who were present and asked them to stand.

County Manager Kerr noted item 8.f. was proposed

- IT via Finance – Request to sell Lot of seven Kronos 4500 Touch ID Terminals that has been replaced by TimeClock Plus System.
- Superior Court/Law Library via Finance - Request to sell Toshiba E202L Digital copier with Jamex Coin-Op that does not perform consistently to meet with demand and does not communicate with new machine that replaced it.
- Appointment: Chairman's Appointment to the Recreation Board: John Anglin
- Appointment: Chairman's Appointment to the Recreation Board: Mike McCrorey
- Ratification of Settlement Agreement and Mutual Release between Newton County, Piedmont-Newton Hospital and the Hospital Authority.
- District Attorney's Office – Emergency request to use SPLOST to replace an Investigator's vehicle that was totaled on December 29, 2017 for a not to exceed amount of \$27,644.50. This vehicle will be purchased from Ginn Motors in Covington.

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

Motion carried unanimously (5/0)

PRESENTATION AND REQUEST FOR APPROVAL OF UPDATED COMPREHENSIVE TRANSPORTATION PLAN (CTP) - Public Works

Chester Clegg, Newton County Transportation Engineer, introduced AEOCOM and turn the meeting over to Elizabeth Yarnel & Scott Brown.

- Ms. Yarnel went over a PowerPoint Presentation explaining the updates from the last adopted plan in 2008.
- Ms. Yarnel explained the updated CTP addresses the needs of the County for the next 20 years.

Motion by Commissioner Schulz, second by Commissioner Cowan, to accept and approve the 2018 Newton County Comprehensive Transportation Plan update.

Motion carried unanimously (5/0)

REQUEST APPROVAL FOR THE PURCHASE OF ONE (1) PETERSEN TL-3 LIGHTNING LOADER TRUCK FROM ENVIRONMENTAL PRODUCTS OF

GEORGIA WITH FUNDING FROM 2017 SPLOST, VEHICLE & EQUIPMENT AT A COST OF \$154,387.00 - Public Works

County Manager Kerr presented the request to purchase a Petersen TL-3 Lightning Loader Truck from Environmental Products of Georgia in an amount not to exceed \$154,387.00 with funding from 2017 SPLOST, Vehicles & Equipment.

Motion by Commissioner Henderson, second by Commissioner Sims, to approve the request as stated by the County Manager.

Motion carried unanimously (5/0)

GDOT REQUEST APPROVAL OF A LIST OF ROADWAYS FOR THE USE OF RADAR SPEED DETECTION DEVICES

Motion by Commissioner Cowan, second by Commissioner Sims, to approve the list of roadways for the use of radar speed detection devices.

Motion carried unanimously (5/0)

GDOT REQUEST TO LOWER THE SPEED LIMIT ON THE NEWTON COUNTY PORTION OF STATE HWY 81 (aka WASHINGTON STREET) BETWEEN THE CITY LIMITS OF COVINGTON AND THE CITY LIMITS OF PORTERDALE FROM 45 MPH TO 40 MPH

Motion by Commissioner Henderson, second by Commissioner Sims, to approve the speed limit change.

Motion carried unanimously (5-0)

DISCUSSION/CONSIDERATION OF RESOLUTION R020618a REGARDING THE OPIOID EPIDEMIC

The proposed resolution was presented by County Attorney Megan Martin

- Resolution R010218a is attached and made part of these minutes
- Mrs. Martin explained the national lawsuit and the impact to Newton County.
- Mrs. Martin noted there were multiple national, regional, and local law firms with interest to represent local governments
- Mrs. Martin stated the resolution would allow the County Attorney's office and the County Manager to meet with these different law firms and be able to come back to the Board of Commissioners with a recommendation.

Motion by Commissioner Schulz, second by Commissioner Sims, to approve Resolution R020618a.

Motion carried unanimously (5-0)

DISCUSSION/CONSIDERATION OF NEW MEMBER TO THE IDA

Presented by County Attorney, Megan Martin

- Mrs. Martin noted there was a current vacancy on the IDA
- Commissioner Sims stated he sits on the IDA board along with the Mayor of Covington and the President of the Chamber of Commerce.

- Commissioner Sims stated the IDA board discussed the growth Newton County was undergoing and wanted to recommend an appointment that would bring experience to the table. The candidate they would like to recommend is Mr. Bill Dobbs who worked 31 years for the State Department of Economic Development.
- Commissioner Schulz expressed concern that the makeup of the current IDA board did not include any females.
- Commissioner Sims reminded that both former Mayor of Covington Kim Carter and former Newton County Chairperson Kathy Morgan served at the same time and the overall makeup would continue to change, but the IDA board's concern at this time was to appoint the most experienced person to serve.

Motion by Commissioner Sims, second by Commissioner Cowan, to appoint Mr. Bill Dobbs to the IDA Board.

Motion carried unanimously (5-0)

DISCUSSION/CONSIDERATION OF WATER MAIN EASEMENT WITH THE CITY OF COVINGTON, STEVE W. GOFF & LORRI L. GOFF

- County Attorney Megan Martin gave a synopsis of the item.
- Commissioner Cowan discussed his affiliation with law office of Mr. Henderson, representative of Steve & Lorri Goff and recused himself from the vote.

Motion by Commissioner Edwards, second by Commissioner Henderson, to approve the water main easement with the City of Covington and Steve & Lorri Goff. Motion carried (4-1-0) with Commissioner Cowan abstaining.

R020618b - A RESOLUTION OF NEWTON COUNTY, GEORGIA CONSENTING TO THE DEANNEXATION BY THE CITY OF COVINGTON OF PROPERTY COMMONLY KNOWN AS 695 MOORE STREET, COVINGTON, GEORGIA

- Zachary Montgomery, Director of Development Services, stated the owner's request to deannex the property at 695 Moore Street.
- Commissioner Henderson asked if this was where the new concrete plant was.
- Mr. Montgomery confirmed it was.

Motion by Commissioner Henderson, second by Commissioner Cowan, to approve R020618b.

Motion carried unanimously (5-0)

R020618c - A RESOLUTION OF NEWTON COUNTY, GEORGIA ENACTING A MORATORIUM FOR 120 DAYS TO BAR THE ACCEPTANCE OF APPLICATIONS FOR LAND DISTURBANCE AND DEVELOPMENT PERMITS WITH RESPECT TO PROPERTY COMMONLY KNOWN AS 695 MOORE STREET, COVINGTON, GEORGIA

- Zachary Montgomery, Director of Development Services, told the Board the moratorium would be placed on the property for 120 days while it went through a zoning process to establish the zoning on the property.

- Commissioner Henderson expressed concern for his community in the area and asked if they would have to get it zoned to have the plant
- Mr. Montgomery confirmed they would have to go through the zoning procedures.

Motion by Commissioner Henderson, second by Commissioner Schulz, to approve R020618c.

Motion carried unanimously (5-0)

CITIZEN COMMENTS

- Alisha Brown addressed the Board regarding the need for more signage (ie. No Speeding and No Littering or signs indicating fines for breaking these laws) at Kirkland Rd and Salem Rd. Ms. Brown went on to say there was a need throughout the county for better signage

COMMISSIONER COMMENTS

Commissioner Edwards: None

Commissioner Sims: None

Commissioner Schulz: Thanked County Manager Lloyd Kerr and County Transportation Engineer Chester Clegg for attending the Fireside Chat and answering questions her district had regarding road needs. Commissioner Schulz also recognized Congressman Hank Johnson for attending as well.

Commissioner Henderson: Recognized Black History Month and stated he hoped we could all come together as a community.

Commissioner Cowan: None

EXECUTIVE SESSION

Entered Executive Session at 9:00 p.m. for the purpose of Land Acquisition and Disposal.

Motion made by Commissioner Edwards, second by Commissioner Sims, to enter back into the regular session at 9:35 p.m.

Motion carried unanimously (5-0)

With no further business, a motion by Commissioner Edwards, second by Commissioner Sims, the meeting adjourned at 9:36 p.m.

Motion carried unanimously (5-0)

Respectfully submitted,

Judy T. Johnson, Deputy County Clerk

Marcello Banes, Chairman

NEWTON COUNTY BOARD OF COMMISSIONERS

**Historic Courthouse
1124 Clark Street
Covington, Georgia
February 6, 2018
3:00 p.m.
Special Called Meeting
Minutes**

Present: Vice Chairman Ronnie Cowan, Commissioners' Stan Edwards, Lanier Sims, Nancy Schulz, J.C. Henderson, Attorney Megan Martin, Attorney Sam VanVolkenburg, and Clerk Jackie Smith

Note: Chairman Banes did not preside over the board meeting due to being a called witness at the Hearing.

Others Present: Citizens, Covington News, Newton Citizen

Vice Chairman Cowan advised the board and attendees that the hearing is being delayed to wait on the arrival of a court reporter.

Purpose: To conduct an Appeals Hearing on removal of Recreation Commission Members.

At 4:01 p.m. Vice Chairman Cowan called the meeting to order, apologized for the delay and extended a welcome to all present. Commissioner Henderson gave the invocation and Commissioner Sims led the Pledge of Allegiance to our great flag.

Vice Chairman Cowan recognized Attorney Robert Stansfield and Attorney Sam Van Volkenburg. Attorney Stansfield requested that Commissioner Henderson recuse himself from the hearing as he is a sitting member of the Newton County Recreation Commission. Commissioner Henderson recused himself and left the meeting.

Court Reporter: Kelly O. Fryer, CCR

- Report is attached and made part of these minutes

Motion by Commissioner Sims, second by Commissioner Edwards, to enter into Executive Session for the purpose of discussing pending litigation.

Motion carried unanimously. (3/0)

Vice Chairman Cowan called the meeting back to order @ 6:59 p.m.

Attorney Comment:

Upon consideration, the Board of Commissioners has chosen to suspend review of the chairman's decision to remove Council Member McKelvey and Mr. Stephen Rhodes while the feasibility of continuing under the recreation commission

model is reviewed by county stakeholders. The decision will be forthcoming in the future.

Motion by Commissioner Sims, second by Commissioner Schulz, to approve as stated above by the county attorney.

Motion carried unanimously (4/0)

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

Respectfully submitted,

Jackie Smith, County Clerk

Ronnie Cowan, Vice Chairman