

Present were, Chairman Banes, Commissioners; Stan Edwards, Demond Mason, Alana Sanders, J.C. Henderson and Ronnie Cowan, Interim County Manager Jarvis Sims, Attorney Patrick Jaugstetter and Deputy Clerk Susan Nolley, other administrative staff and the media staff.

1. **Call to Order:** Chairman Banes
2. **Invocation:** Commissioner Mason
3. **Pledge:** led by Commissioner Henderson
4. **Adoption of the Agenda:**

Commissioner Edwards motioned to approve adoption of the agenda, seconded by Commissioner Mason and was passed unanimously.

5. **Citizen Comments:**

Ms. Ann Neuhierl – Item #17/Westside Youth Facility

Ms. Wendy Gonzalez – Item #18 Westside Youth Facility

Ms. McDowell – Item #18 Westside Youth Facility

Mr. Gladstone Nicholson – Item #18 Westside Youth Facility/ Zoning-REZ22-000003

Ms. Carla Hooper – Item #18 Westside Youth Facility/ Zoning-REZ22-000003

6. **Reports from Chairman Banes:**

Commissioner Edwards expressed appreciation to Eagle Scouts Garrison King / Wyatt King on behalf of the Commissioners and thanked them for their service provided at Factory Shoals Chairman Banes presented them with a certificate.

7. **Reports from ICM Jarvis Sims:**

8. **Unfinished Business:** None to consider

9. **Consent Agenda**

Chairman Banes called for a motion to add item 9b to the agenda.

Commissioner Edwards motioned to add item 9b to the agenda, seconded by Commissioner Henderson and was passed unanimously.

9a) Approval of the Minutes: 06/07/2022 Regular Meeting

9b) Newton County Adult Felony Drug Court Independent Contractor Agreement for Treatment Services.

Chairman Banes called for a motion to approve the consent agenda.

Commissioner Henderson motioned to approve the consent agenda, seconded by Commissioner Mason and was passed unanimously.

Agenda Items for Board Discussion/Consideration

10. Approval of the FY 2023 annual contract with Newton County Family Connection and the Department of Human Services.

Commissioner Mason motioned to approve, seconded by Commissioner Henderson and was passed unanimously.

11. Finance Director Brittany White presented a PowerPoint of the May 2022 Financial Report

7:30 Public Zoning Hearing(s)

Shena Applewhaite, Interim Director Department of Development Services presented 4 zoning cases. Public Hearing(s) after each case to allow 10 minutes for those to speak in support /or opposition of the petition.

1. FLUM Case Number FLU22-000001

Applicant: Loretta Lynn-Buice

Applicant's intent to designate a Future Land Use to Rural Residential in order to seek a rezoning to subdivide the property into 5 lots.

Location: Henderson Mill Rd

Map & Parcel Number(s): 88-012C

District: 1 (One) FLUM: AF (Agriculture/Forestry) Zoning: A (Agricultural)

Acreage: 15 acres

The Planning Commission voted to recommend approval May 24, 2022 with staff conditions. Ms. Loretta Lynn Buice and Ms. Lynn Smith spoke in favor of the petition.

There was no opposition.

Chairman Banes called for a motion.

Commissioner Edwards motioned to approve Case # FLU22-000001 with staff conditions, seconded by Commissioner Mason was passed unanimously.

Discussion

Commissioner Edwards asked if the property meets the minimum road frontage requirements. Commissioner Cowan questioned the current lot size requirement.

Ms. Applewhaite said a minimum of 2 acre lots would be required.

Commissioner Edwards restated his motion to add with a minimum of 2acre lots, seconded by Commissioner Mason and was passed unanimously.

2. Conditional Use Permit Case Number CUP22-000004

Applicant: Cheryl Freeman

Applicant's intent is to establish a commercial Dog Training Facility/Kennel

Location: 11188 Hwy 36 Map & Parcel Number(s): 84-34C District: 5 (Five)

FLUM: MXC (Mixed Use Commercial) Zoning: M-1 (Light Industrial)

Acreage: .58 acre

Staff recommends approval of the Conditional Use request to establish a dog training center with the recommended conditions. The Planning Commission voted to recommend approval May 24, 2022 with staff conditions.

Ms. Cheryl Freeman representing the petitioner, Demond Clemons, spoke in support of the petition and there was no opposition.

Chairman Banes called for a motion.

Commissioner Cowan motioned to approve Case # CUP22-000004 with staff conditions, seconded by Commissioner Sanders and was approved unanimously.

3. Rezoning Case Number REZ22-000003

Applicant: Steven L Jones, Taylor English Duma, LLP

Applicant's intent to establish a convenience store with gas pumps.

Location: 12862 Brown Bridge Rd

Map & Parcel Number(s): 13-86 District: 3 (Three)

FLUM: DN (Development Node) Zoning: R-2 (Single-Family Residential)

Acreage: 2.3 acres

May 24, 2022 the Planning Commission voted to recommend approval with staff conditions.

Steven Jones spoke in support of the petition representing the applicant and asked to reserve the remaining time for rebuttal.

Opposed

Ms. Carla Hooper

Ms. Ann Neuhierl

Ms. Teresa Waters

Ms. Mia Johnson

Mr. Gladstone Nicholson

Chairman Banes opened the floor to Steven L. Jones to use his remaining time for rebuttal.

Mr. Jones made reference to the community meeting and the request. He stated they offered a restaurant to the adhere to the concerns and made reference to staff analysis and the future land use map, and the Salem overlay map stating the applicants zoning request is appropriate and concluded asking the board to consider the recommendation of the Planning Commission to approve the request.

Chairman Banes called for a motion.

Commissioner Sanders made a motion to deny Case # REZ22-000003, seconded by Commissioner Henderson.

Discussion

Commissioner Cowan questioned the site plan and the design of the entrance, easements and the truck turnaround and said he feels if the board approved the rezoning it could create more problems.

Mr. Jones said the plan that is presented is just a conceptual site plan.

Chairman Banes called for the vote.

Vote 5-0. Denied.

4. Appeal Case Number APP22-000001

Applicant: Steven L Jones, Taylor English Duma, LLP

Request: Appeal to the Planning Commission's decision to allow more than 66-feet of pavement between the frontage landscape and primary structure in the Salem Overlay District. Sec. 460-050 (J) (2) (b) (i).

Planning Commission denied the petition by a vote of (3-0) at the May 24, 2022.

Location: 12862 Brown Bridge Rd

Map & Parcel Number(s): 13-86 District: 3 (Three)

FLUM: DN (Development Node) Zoning: R-2 (Single-Family Residential)

Acreage: 2.3 acres

Steven Jones representing the petitioner, spoke in support of the request and stated this is a companion application to the prior request and doesn't feel the need for much discussion.

Opposed

Ms. Carla Hooper

Ms. Teresa Waters

Ms. Mia Johnson

Mr. Gladstone Nicholson

Chairman Banes opened the floor to Mr. Jones to use the remainder of his time for rebuttal

Mr. Jones said the application is an appeal from the Planning Commissions denial of a request to allow more than 66 feet of pavement from the back of curb to the extension of the structure. He said approval of the appeal could have alleviated a lot of the concerns expressed by the citizens regarding traffic and maneuverability.

Mr. Jones stated he still stands behind their letter of intent and the staff's analysis, and because of the evidence shown he asks for approval of the request to alleviate the hardship, assuming the prior request had been approved.

Chairman Banes called for a motion.

Commissioner Sanders motioned to deny Case # APP22-000001, seconded by Commissioner Henderson and was denied unanimously.

12. Approval of Animal Services budget amendment request to move a \$7,124.00 donation from the General Fund account to the Capital Improvements account.

Commissioner Edwards motioned to approve the Animal Services budget amendment request, seconded by Commissioner Mason and was passed unanimously.

13. Requesting approval of Professional Services Agreement RFP 22-13(B) ARPA Consulting Services for Oversight and Compliance for Iparametrics, LLC for ARPA Consultant.

Brittany White, Finance Director said there were eight bids received for the ARPA Consultant.

A committee was appointed to review the bids and the selection process to conduct interviews

which was narrowed down to three.

Committee members; James Brown, Newton County Water Director, Chester Clegg Director of Public Works, Cathy Davis and Brittany White, Finance Director selected and recommends the Board of Commissioners award the bid of Iparametrics, LLC *not to exceed \$420,000.00.

*This was the lowest cost of the three finalist.

Services to be provided: Program management, federal guidelines and reporting, design apps, and various services as needed.

Commissioner Sanders motioned to table this item, seconded by Commissioner Edwards.
Vote 5-0. Tabled until the next board meeting.

14. Approval of Change Order #1 Professional Service Agreement for A Better Court, LLC for resurfacing @ City Pond Park for 4 Pickle Ball courts.

Chairman Banes called for a motion.

Commissioner Edwards motioned to approve Change Order #1 Professional Service Agreement for A Better Court resurfacing @ City Pond Park for 4 Pickle Ball Courts, seconded by Commissioner Henderson

Discussion

Commissioner Cowan asked for an explanation of Pickle Ball.

ICM Sims commended Dwayne Mask for doing a great job.

Commissioner Henderson commented and questioned the timeline for completion of existing projects to include kickball fields, scoreboards and restroom facilities at the community centers.

Chairman Banes called for the vote. Vote 5-0. Passed

15. Approval of Sunbelt Builders, Inc. Design-Build contract for \$72,200.00 for Parks and Recreation facilities to include: Turner Lake guest restroom renovation, renovate and expand the Stone Road Park concession/restroom/score keeper building and new maintenance facility @ City Pond.

Chairman Banes called for a motion.

Commissioner Edwards motioned to approve Sunbelt Builders, Inc. Design Build contract in the amount of \$72,200.00, seconded by Commissioner Cowan and was passed unanimously.

16. Approval of Amendment #4 for Sunbelt Builders, Inc. Design Build contract for \$62,244.00 for additional items requested for the Washington Street Community Center.

Chairman Banes called for a motion.

Commissioner Mason motioned to approve Amendment #4 for Sunbelt Builders, Inc. Design Build contract for \$62,244.00 for additional items requested for the Washington Street Community Center, seconded by Commissioner Cowan.

Discussion

Commissioner Henderson asked what projects would be covered.

Jeff Prine said it would be a series of items to include doors, door stops and renovation of the floors.

Chairman Banes called for the vote. Vote 5-0. Passed

17. Request for approval of Jericho Design Group, Design Services contract cost of \$204,750.00 for Springhill Community Park.

Chairman Banes called for a motion.

Commissioner Cowan motioned to approve Jericho Design Group contract for \$204,750.00 for Springhill Community Park, seconded by Commissioner Henderson.

Discussion

Commissioner Henderson asked what all is included in the design services contract.

Jeff Prine said it would include all design phase services, civil, utilities and the building designs.
Chairman Banes called for the vote. Vote 5-0. Passed

18. Request for approval for Jericho Design Group, Design Services contract amount of \$217,00.00 for the Westside Youth Facility.

Jeff Prine said currently there is only a solicitation of an RFP for this project and a design consultant will be needed for this project to determine the elements that make up the building and site features.

Commissioner Sanders stated that she has an option for a potential site location.

Chairman Banes called for a motion.

Commissioner Sanders made a motion that the Board move forward with the design of the Westside Youth Facility, seconded by Commissioner Henderson

Discussion

Commissioner Henderson commented on the cost of the playground equipment, and said the Parks and Recreation Department was not used to build the park but they were responsible for the upkeep.

Commissioner Mason asked what is the process of the project and has it been used here before.

Jeff said that he recommends a process that he's used multiple times to where the size of the building is determined, and the characteristics of the site that best serves the building and then analysis is done for potential sites, and that information is brought back to the board to make a decision.

Commissioner Sanders asked what has the land selection process been in the past.

Commissioner Cowan said with Springhill Park, several sites were looked and involved the citizens and they selected the location.

Chairman Banes said that he believes the board did vote on it, and that could be confirmed in the minutes.

Commissioner Cowan said the board did vote and there was an additional appropriation out of the budget for Springhill Park,

Commissioner Edwards asked for clarity to whether a site location has to be in place for the vote tonight.

Jeff answered no, but there does need to be some direction if the board wants to move forward to whether the site will be listed in the RFP or with the selection process.

Patrick Jaugstetter said as of this date the board has not dedicated a specific location for the Westside Youth Facility nor have they made a decision to what the facility is.

There has been no board action to approve a site and no action to complete the steps.

The board had substantial discussion regarding the site location and design phase of this project.

Chairman Banes called for the vote.

Commissioner Mason said that he would like to make a substitute motion to table this item until a location is solidified, seconded by Commissioner Edwards. Vote 3-2.

19. Approval of Sunbelt Builders, Inc. Design Build contract in the amount of \$51,500.00 for renovation and expansion of Phase 2 of the Senior Services Facility @ Turner Lake.

Chairman Banes called for a motion.

Commissioner Edwards motioned to approve the Sunbelt Builders, Inc. Design Build contract in the amount of \$51,500.00, seconded by Commissioner Mason and was passed unanimously.

20. Approval of Public Works request to purchase Right-of-Way and easements for the Access Road @ I-20 realignment and intersection improvements.
Total Cost: \$330,568.00/ Funding Source: 80% ARC (Atlanta Regional Commission) 20% SPLOST

Chairman Banes called for a motion.

Commissioner Mason motioned to approve, seconded by Commissioner Cowan and was passed unanimously.

Discussion

Location (Access Rd./Crowell Rd)

Match (20% SPLOST)

21. Approval for City of Covington to annex approximately 35.45 acres @ Hazelbrand Road.
Tax Map Parcel #s 009-039, 00970-050, 00970-051

Attorney Jaugstetter said this annexation meets all laws and standards that Georgia requires and legally the county has no bases to object.

Chairman Banes called for a motion not to object.

Commissioner Cowan made a motion not to object, seconded by Commissioner Henderson and was passed unanimously.

22. Approval for the City of Covington to annex approximately 38.20 acres @ 233 Williams Road. Tax Map Parcel #s 0061-014, 0061-015, 0061-016

Attorney Jaugstetter said this annexation meets all laws and standards that Georgia requires and legally the county has no bases to object.

Chairman Banes called for a motion not to object.

Commissioner Cowan motioned not to object the annexation request, seconded by Commissioner Mason and was passed unanimously.

23. Approval to adopt Resolution R062122

RESOLUTION AMENDING ASCENSION PROGRAM MANAGEMENT, LLC TASK ORDER #C.14 PROPOSAL FOR PROJECT MANAGEMENT SERVICES

WHEREAS, on April 5, 2022, the Newton County Board of Commissioners ("Board") approved Ascension Program Management, LLC Task Order #C.14 Proposal for Project Management Services ("Task Order");

WHEREAS, the approval of the Task Order specified that the services were for the Westside Youth Facility at Fairview Community Park;

WHEREAS, in approving the Task Order, the Board did not intend to designate Fairview Community Park as the location of the Westside Youth Facility;

WHEREAS, Newton County has received concerns from communities surrounding Fairview Community Park expressing that the proposed Westside Youth Facility should not be built at the Fairview Community Park;

WHEREAS, the work authorized under the Task Order is not "site specific";

WHEREAS, it is the desire of the Board to amend the approval of the Task Order to reflect that the location of the Westside Youth Facility is not at Fairview Community Park, but will be at a location to be determined;

NOW THEREFORE BE IT RESOLVED, that the approval of the Task Order be amended to provide for Project Management Services for Westside Youth Facility at a location to be determined.

So resolved, this 21st day of June, 2022.

Chairman Banes called for a motion.

Commissioner Sanders motioned to approve adoption of Resolution R062122, seconded by Commissioner Henderson and was passed unanimously.

24. Approval of annual renewal for KnowBe4 cybersecurity training and testing program. Cost: \$11,322.00/Funding Source: FY 23 Information Services Budget

Commissioner Cowan motioned to approve the annual renewal for KnowBe4, seconded by Commissioner Edwards and was passed unanimously.

25. **Citizen Comments**

Teresa Waters-Thanked the Board for approval for the Amendment, expressed concerns of crime and location of the park.

Noel Wallace-Expressed concerns regarding location of the park

Mia Johnson-Expressed concerns regarding location of the park, lack of youth activity on the western side of the county.

26. **Board Comments**

27. **Executive Session** Discussion of land acquisition * 10:14 p.m.

28. **Adjourn** 10:40 p.m.

Newton County Board of Commissioners
Regular Meeting
Minutes
Tuesday, June 21, 2022 at 7:00 P.M.
Historic Courthouse – 1124 Clark Street
Covington, Georgia 30014
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Chairman

ATTEST:

Susan G. Nolley, Deputy Clerk