

**NEWTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
June 21, 2011**

**MINUTES**

**Present:** Chairman Kathy Morgan, Commissioner's Mort Ewing, Lanier Sims, Nancy Schulz, J.C. Henderson, and Tim Fleming; County Attorney Tommy Craig, Attorney Jenny Carter, & Clerk Jackie Smith

**Newspaper:** Covington News-Gabe Khouli  
Newton Citizen- Crystal Tatum  
Small group of citizens

Chairman Morgan called the meeting to order, extended a welcome, and read the thought for the day. Rev. Ronny Brannen, Prospect United Methodist Church gave the invocation and Chairman Morgan led the Pledge of Allegiance to our great flag.

**FINANCIAL REVIEW/MAY 2011**

- Chairman Morgan advised the board that the financial review would be given on July 5<sup>th</sup> by Administrative Officer/CFO John Middleton.
- 2005 SPLOST will exceed projected dollars
- Additional funds will go towards paying off debt
- County will receive final numbers in August

**APPROVAL OF BOC W/S MINUTES DATED JUNE 7, 2011**

**APPROVAL OF BOC MINUTES DATED JUNE 7, 2011**

Motion by Commissioner Ewing, and seconded by Commissioner Sims to approve the BOC WS Minutes dated June 7, 2011, and BOC Minutes dated June 7, 2011 with the addition of the following to the regular meeting minutes:

- Request by Commissioner Schulz for a Quarterly Update on Legal Services by the County Attorney's Office.

Motion carried unanimously

**DISTRICT 4: LIBRARY BOARD APPOINTMENT**

Motion by Commissioner Henderson, and seconded by Commissioner Fleming to appoint Mr. James Melendez to serve on the Newton County Library Board.

Term will expire on June 30, 2014.

Motion carried unanimously

**DISTRICT 5: LIBRARY BOARD APPOINTMENT**

Motion by Commissioner Fleming, and seconded by Commissioner Ewing to re-appoint Mrs. Lee Aldridge to serve on the Newton County Library Board.

Term will expire on June 30, 2014.

Motion carried unanimously

**DISTRICT 1: WATER & SEWERAGE AUTHORITY APPOINTMENT**

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to re-appoint Mr. Keith Ellis to serve on the Newton County Water & Sewerage Authority.

Term will expire on June 30, 2016.

Motion carried unanimously

**DISTRICT 3: WATER & SEWERAGE AUTHORITY APPOINTMENT**

Motion by Commissioner Schulz, and seconded by Commissioner Sims to re-appoint Mr. Jimmy French to serve on the Newton County Water & Sewerage Authority.

Term will expire on June 30, 2016.

Motion carried unanimously

**DISTRICT 5: WATER & SEWERAGE AUTHORITY APPOINTMENT**

Motion by Commissioner Fleming, and seconded by Commissioner Ewing to table the District 5 Water & Sewerage Authority Appointment until the July 5<sup>th</sup> board meeting.

Motion carried unanimously

**SCAAP GRANT APPLICATION FOR SHERIFF'S OFFICE**

Sheriff Ezell Brown appeared before the board to present this request.

- SCAAP provides funding incurred for incarcerating undocumented criminal aliens.
- Grant amount is calculated by the Dept. of Justice based on number of criminal aliens and agency associated cost to provide supervision and care.
- Funds cannot be used for anything other than correctional purposes.
- No matching funds required.

Motion by Commissioner Henderson, and seconded by Commissioner Schulz to approve the SCAAP Grant Application as presented by Sheriff Brown and listed on pages 6-10 in board book.

Motion carried unanimously

**BULLETPROOF VEST GRANT APPLICATION FOR SHERIFF'S OFFICE**

Sheriff Ezell Brown appeared before the board to present this request.

- Application for Bulletproof Vest Grant
- Grant will reimburse half the cost of each vest. Average cost of vest is \$582.
- Balance of funding will be previous reimbursement funds and equipment budget.
- No county match

Motion by Commissioner Henderson, and seconded by Commissioner Fleming to approve the Bulletproof Vest Grant Application as presented by Sheriff Brown and listed on pages 11-19 in board book.

Motion carried unanimously

### **NAPHCARE CONTRACT YEARLY RENEWAL FOR SHERIFF'S OFFICE**

Sheriff Ezell Brown, Captain Sammy Banks and representatives from NAPHCARE were on hand to present contract renewal for board approval.

- Sheriff's Office very pleased with Naphcare services.
- Naphcare provides excellent care and works well with Sheriff's Office.
- Yearly renewal contract for medical services
- Cost: \$133,163 per month for up to 650 inmates.
- \$1.35/inmate/day for each inmate over 650.
- Contract made part of these minutes.

Motion by Commissioner Henderson, and seconded by Commissioner Schulz to approve the yearly contract renewal with Naphcare, Inc., as presented by Sheriff Brown and listed on pages 19-23 in board book.

Motion carried unanimously

### **CIGNA COUNTY EMPLOYEE INSURANCE PROGRAM**

Gary Massey, county insurance consultant appeared before the board regarding the CIGNA Insurance Program.

- Gave a brief synopsis of what was presented at earlier work session
- Recapped his June 13<sup>th</sup> correspondence.
- Keeps rate flat for county.
- New plan eliminates PPO & POS options
- Deductible will increase from \$250 to \$750
- Additional \$150 deductible for each hospital confinement
- Provided the board two options (see attached) Option One, Option Two

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve CIGNA Insurance coverage with Option Two as outlined by Mr. Massey, and which includes moving entire employee insurance plan to an HMO as of July 1, 2011.

Motion carried unanimously

### **O-062111 – ANONYMOUS COMPLAINT POLICY**

Development Services director Scott Sirotkin appeared before the board to present Anonymous Complaint Policy Ordinance for approval.

- Discussed previously at May work session
- Written records are subject to Open Records Act
- Complainants may request anonymity when making the initial complaint.
- Ordinance O-062111 – Anonymous Complaint Policy is made part of these minutes.

Motion by Commissioner Schulz, and seconded by Commissioner Ewing to approve Ordinance O-062111 – Anonymous Complaint Policy as printed in board book and presented by Mr. Sirotkin.

Motion carried unanimously

### **NRCS – YEARLY CONTRACT**

Chairman Morgan addressed the board and noted this is a yearly contract between Newton County and the Natural Resource Conservation Service.

- Assist landowners with farm bill program
- Reviews and approves soil & erosion application maps, & permits

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve the Natural Resources Conservation Service Agreement No. 65-4310-11-XXX as outlined in board book on pages 26-48.

Motion carried unanimously

### **R062111c - AMENDMENTS TO NEWTON COUNTY PERSONNEL POLICY**

Attorney Jenny Carter addressed the board with the amendments to the county personnel policy.

- Copy of Resolution R062111c is made part of these minutes
- Copy of Amendments to Personnel Policy is made part of these minutes

Motion by Commissioner Ewing, and seconded by Commissioner Sims to approve Resolution R062111c - Amendments to the Newton County Personnel Policy as outlined in documents (pages 1-8) and presented by Attorney Jenny Carter.

Motion carried unanimously

### **EMPLOYEE UNPAID JULY 4<sup>TH</sup> HOLIDAY FY2012**

Chairman Morgan presented this request to the board.

- Requesting approval for July 4<sup>th</sup> as an unpaid employee holiday

Motion by Commissioner Schulz, and seconded by Commissioner Fleming to approve July 4<sup>th</sup> as an unpaid employee holiday for FY2012.

Motion carried with Commissioner Henderson abstaining from the vote.

### **GEFA LOAN AGREEMENT NO. 2010-L09SW**

Chairman Morgan addressed the board regarding the GEFA Loan.

- Improvements at the Landfill
- Agreement attached and made part of these minutes.
- Error in cover letter to be corrected. Change from Demorest, GA., to Newton County, Georgia
- Documents all in order and stated Newton County.

Motion by Commissioner Ewing, and seconded by Commissioner Sims to approve GEFA Loan Agreement No. 2010-L09SW as outlined on pages 49-51 in board book.

Motion carried unanimously

### **REMOVAL OF STOP SIGN ON EAGLE DRIVE**

Chairman Morgan presented this request to the board for approval.

- Request approval to remove stop sign on Bypass Road/Eagle Drive @ railroad crossing.
- Sign will be posted stating track is out of service.
- Chairman has made a request to Norfolk Southern for approval to remove signs at other crossings.
- Crossings need to be paved over if budget allows.
- If paved over and Norfolk Southern takes up the rails they will be responsible for repairs.

Motion by Commissioner Fleming, seconded by Commissioner Henderson to approve the removal of Stop Sign at railroad crossing located on Bypass Road/Eagle Drive.

Motion carried unanimously

### **R062111 – TEMPORARY APPROVAL FY2011 BUDGET ITEMS**

Chairman Morgan presented this request to the board for approval.

- Necessary for day to day operation
- Resolution R062111 – Temporary Approval FY2011 Budget Items made part of these minutes.

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve Resolution R062111 – Temporary Approval of FY2011 Budget Items with date change from July 9, 2011 to July 19, 2011.

Motion carried unanimously

### **R062111B - ADOPTION OF THE OFFICIAL ZONING MAP OF NEWTON COUNTY**

Chairman Morgan opened the Public Hearing @ 7:35 p.m.

Scott Sirotkin and Branin Burdette were on hand to present Resolution R062111b to adopt Newton County's Official Zoning Map.

- No public comments
- Public Hearing closed @ 7:38 p.m.
- Advertisement ran in legal organ
- Map displayed in commission board
- Reflects zoning changes from June 2010 to May 2011
- Resolution R062111b – Adoption of Official Zoning Map made part of these minutes
- Official Zoning Map is housed in the Development Services Office

Motion by Commissioner Ewing, seconded by Commissioner Sims to approve Resolution R062111b - Adoption of the Official Zoning District Map of Newton County as presented by staff and outlined in agenda packet on pages 53-54.

Motion carried unanimously

Zoning Administrator Branin Burdette sounded the following petitions, and Chairman Morgan noted the rules regarding speaking in favor or in opposition to the petition.

**CASE NO.: APP11-00009**

Original Case No.: VAR11-000005

Name of Applicant: Jeremy Head

Name of Owner: Kathryn Chestnut

Location: 2486 Hwy. 81 South

Map & Parcel Number: 28A-1

District Two

- Applicant met with Commissioner Sims at the site
- Applicant requested to table request for further information regarding commercial taxes/expenses

Motion by Commissioner Sims, and seconded by Commissioner Schulz to table Case No. APP11-00009 until the July 19<sup>th</sup> board meeting.

Motion carried unanimously

**CASE NO.: APP11-000050**

Original Case No.: VAR11-000026

Name of Applicant: Dale Miller

Location: 11128 Hwy. 36

Map & Parcel Number: 84-34A

District Five

- Received a written request from applicant's attorney to table until the July 19<sup>th</sup> board meeting.

Motion by Commissioner Fleming, and seconded by Commissioner Schulz to table Case No. APP11-000050 until the July 19<sup>th</sup> board meeting.

Motion carried unanimously

**CASE NO.: NTL11-000035**

Name of Applicant: Zach Johnston – Providence Real Estate Consulting, LLC

Owner of Tower: AT&T

Name of Owner: Boy Scouts of America

Location: 2486 Hwy. 218 Boy Scout Road

Map & Parcel Number: 69-3

District One

ATT Representative Samantha Watson appeared before the board to present this request.

- Monopole/similar to light pole
- No opposition

Motion by Commissioner Ewing, and seconded by Commissioner Schulz to approve Case No. NTL11-000035 with the following recommendations by staff and read aloud by Commissioner Ewing.

1. To the owner's agreement to restrict the use of the leased area of the subject property as follows:
  - a. A telecommunications support structure.
  - b. Comply with the standards of Section 510-630 of the Newton County Zoning Ordinance, as applicable.
2. To the owner's agreement to abide by the following:
  - a. To the site plan and legal description received by the Development Services Department on April 1, 2011. Said site plan is conceptual only and shall meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Minor Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first electrical permit.
3. To the owner's agreement to abide by the following development standards:
  - a. Support structure shall be a monopole design.
  - b. Maximum height of the tower shall be 195 feet, with a 4 foot lightning rod.
  - c. Provide for four antennas, three of which are to be used for co-location purposes.
  - d. The monopole shall accommodate equipment for the potential use of Newton County for E-911 and other emergency services.
  - e. A new driveway off of Boy Scout Road shall be required to access the tower location. This driveway shall be constructed to minimum emergency vehicle standards and shall require a locking gate with a Knox lock. Prior to installation of the fence, the applicant shall be required to contact the Newton County Fire Marshal to conduct a site inspection.
  - f. All required landscaping shall be maintained by the applicant, or their assigns, and shall be kept in a healthy manner.
  - g. Upon the transfer of ownership of an interest in the support structure or lot upon which such structure has been erected, the support structure permittee shall notify the Department of the transaction in writing within thirty (30) days.
  - h. The approval of this Conditional Use Permit is for the ability to construct a

transmission support structure only and does not include any approvals for minor site disturbance, electrical work or the physical building of the tower.

Motion carried unanimously

**COUNTY CHECKS:**

Motion made by Commissioner Henderson, seconded by Commissioner Fleming to approve the county checks read aloud by Chairman Morgan and listed in board packet.

Motion carried unanimously.

Duly noted that County Attorney provided the board a Legal Services Update for January – May 2011 and will provide one each quarter hereafter beginning October 2011.

With no further business, a motion by Commissioner Sims, seconded by Commissioner Fleming the meeting adjourned at 8:40 p.m.

Motion carried unanimously.

Respectfully submitted,

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Jackie B. Smith, County Clerk

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Kathryn G. Morgan, Chairman