

**NEWTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
October 18, 2011  
MINUTES**

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

**Newspaper:** Covington News- Gabe Khouli  
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.

**GENERAL ADMINISTRATION**

**Right of Way Entry for the SR 142 Project**

STP-00-1418-00(003) – Parcel 14

STP-00-1418-00(003) – Parcel 14A

Chairman Morgan advised the board of the following:

- Allows GDOT access to county property
- GDOT made an offer of \$18,000 for property.
- Large sign at Sherriff's Office must be moved and replaced
- GDOT will make another offer to include the moving and replacement of sign and then it will be brought to board for action.
- Attorney Carter has reviewed the documents

**Financial Update**

Administrative Officer John Middleton addressed the board regarding the financial update

- Gave a brief synopsis of the report (BOC received a copy last week)
- Provided a breakdown of LOST (Local Option Sales Tax) Commodity Report from July 2010 – June 2011. (copy attached)
- Recognized the Finance Department for their work and told the board that, once again, Newton County received the Certificate of Achievement for Excellence in Financial Reporting. (copy attached)

**APPROVAL OF BOC W/S MINUTES DATED OCTOBER 4, 2011**

**APPROVAL OF BOC MINUTES DATED OCTOBER 4, 2011**

Motion by Commissioner Ewing, and seconded by Commissioner Schulz to approve the BOC Work Session Minutes and the BOC Regular Meeting Minutes dated October 4, 2011 as printed in board book.

Motion carried unanimously

**SHERIFF'S OFFICE: ACCEPTANCE OF THE DOJ, STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) FOR \$15,772.00**

Sheriff Ezell Brown appeared before the board requesting approval to accept DOJ Grant funds in the amount of \$15,772.00.

- To be used for correctional purposes only.
- No matching funds

Motion by Commissioner Henderson, and seconded by Commissioner Ewing to accept, on behalf of the Sheriff's Office, the DOJ State Criminal Alien Assistance Program Grant (SCAAP) in the amount of \$15,772.00.

Motion carried unanimously

**SHERIFF'S OFFICE: ACCEPTANCE OF THE DOJ, BULLETPROOF VEST PROGRAM (BVP) FOR \$7,275.00**

Sheriff Ezell Brown appeared before the board requesting approval to accept DOJ Grant funds in the amount of \$7,275.00.

- To be used to purchase bullet proof vest
- Grant reimburses agency half the cost of each vest up to award amount.
- No matching funds

Motion by Commissioner Sims, and seconded by Commissioner Henderson to accept, on behalf of the Sheriff's Office, the DOJ Bulletproof Vest Program (BVP) Grant in the amount of \$7,275.00.

Motion carried unanimously

**LANDFILL: PURCHASE OF A USED MODULAR BUILDING AT LANDFILL SCALE-HOUSE**

Administrative Officer John Middleton presented this request to the board.

- Noted present scale house aging and very small.
- Researched cost effectiveness to replace current scale house
- Adds additional bathroom
- 17 employees
- Space for break room
- Seeking board approval for a used modular building
- Budgeted through Solid Waste Fund this fiscal year
- Information is attached and made part of these minutes

Motion by Commissioner Ewing, and seconded by Commissioner Sims to approve a 5-year lease purchase of a used modular building from Mod Space of Lake City, Georgia for an amount not to exceed \$66,286.00.

Motion carried with Commissioner Henderson voting in opposition to the motion.

**RECREATION COMMISSION: DECLARE AS SURPLUS PROPERTY**

Administrative Officer John Middleton presented the request on behalf of the Recreation Commission.

Motion by Commissioner Schulz, and seconded by Commissioner Ewing to declare as Surplus Property and to be sold on GovDeals the following items from the Newton County Recreation Commission.

1. 1994 Isuzu Landscape Truck #JALB4B1K5R7001382
2. 1996 Cushman Truckster Model 898543-A #96012713
3. 1997 Try-Cut 22" Reel Mower #802475
4. John Deere turf Gator utility Cart Model WOOTURF005H3
5. Ramsome 725 Frontline Mower Model 946701 #9467010194

Motion carried unanimously

**ENGINEERING: PROFESSIONAL SERVICE CONTRACT WITH TRANSPORTATION CONSULTANT HATCH MOTT MCDONALD FOR DESIGNING REPAIR TO MT. TABOR BRIDGE OVER THE YELLOW RIVER**

Newton County Engineer Tom Garrett appeared before the board seeking approval of this request.

- 2009 floods severely damaged substructure.
- Met with GDOT several times regarding bridge.
- Another flood like 2009 we will lose bridge completely
- Schedule: Close spring/summer of 2012
- Approximate road closure: 6 months
- Design cost: \$133,230.00
- Construction estimate: \$450,000

Motion by Commissioner Schulz, and seconded by Commissioner Sims to approve a Professional Service Contract with Transportation Consultant Hatch Mott McDonald for designing repair to Mt. Tabor Bridge over the Yellow River at a not to exceed cost of \$133,230.00.

Motion carried unanimously

**ENGINEERING: APPROVAL TO REMOVE RESTRICTIVE LOAD LIMIT SIGNS ON VARIOUS COUNTY ROADS.**

Newton County Engineer Tom Garrett appeared before the board seeking approval of this request.

- GDOT report every two years
- Several structures identified with signs that are no longer necessary.

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve the recommendation by GDOT to allow our Public Works Department remove restrictive load limit signs on the following county roads:

1. Alcovy Trestle Road over Alcovy Ricer
2. Davis Ford Road over Gaithers Greek

3. Wehunt Road over Samson Creek  
Motion carried unanimously

**JUVENILE: ACCEPTANCE OF GOVERNOR'S GRANT/OFFICE OF CHILDREN & FAMILIES SYSTEM OF CARE PROGRAM 2012 FOR \$175,000**

Judge Lisa Mantz presented the Governor's Grant System of Care Program to the board for approval to accept the grant funds.

- Allows Juvenile Court to expand current ERC program to include both males and females.
- Expect to serve 100 youth through program
- Application was approved by the BOC the May 7, 2011 meeting
- Amount: \$175,000
- Source: Governor's Office of Children & Families System of care Program

Motion by Commissioner Schulz, and seconded by Commissioner Sims to accept, on behalf of the Juvenile Court, the Governor's Grant/Office of Children & Families System of Care Program 2012 a grant in the amount of \$175,000.

Motion carried unanimously

**R101811A - SPLOST 2011: FINANCING/FLEET VEHICLE PURCHASE**

Administrative Officer John Middleton presented this request to the board.

- Reviewed by county attorney's office
- Seeking approval to adopt the resolution

Motion by Commissioner Schulz, seconded by Commissioner Ewing to approve Resolution R101811a regarding the Financing of the SPLOST 2011 Fleet Vehicle purchase and authorize chairman to execute all documents.

Motion carried unanimously

**R101811 – CSBG GRANT– FY2011 –ADDITIONAL FUNDING - \$17,428.30**

Chairman Morgan presented this resolution to board for approval.

- Housekeeping item - additional money for FY2011
- Will be used through DFACS to serve citizens of Newton County

Motion by Commissioner Schulz, seconded by Commissioner Fleming to approve Resolution R101811 – CSBY Grant FY2011 Additional Funding in the amount of \$17,428.30.

Motion carried unanimously

**LCI PACE STREETSCAPE PROJECT**

Scott Gaither, City of Covington Planner appeared before the board regarding the LCI Pace Street Project.

- Gave brief synopsis of project
- Received grant for \$200,000

- County & City match of \$20,000 each
- City of Covington approved at Council Meeting dated October 17, 2011
- 3 firms submitted RFP's
- Committee recommends Tunnell-Spangler-Walsh & Associates
- Information/criteria is attached

Motion by Commissioner Fleming, seconded by Commissioner Henderson to move forward with project and approve \$20,000 request as presented.

Motion carried unanimously

**PROPOSED MODIFICATION OF THE ADMINISTRATIVE OFFICER JOB DESCRIPTION**

Chairman Morgan read a letter from the Covington News (attached) that she received tonight before the meeting in regards to Open Meetings.

County Attorney Tommy Craig addressed the board regarding proposed modification of the administrative officer's job description.

- All work sessions are open to the public unless it is regarding litigation, land acquisition or personnel. Personnel does not include job descriptions.
  - Prepared PowerPoint, however county laptop was not compatible to open PowerPoint presentation.
  - He has talked with the chairman and all board members and did not receive a consensus as to the modifications.
  - Suggested work session to discuss in greater detail proposed modifications. Board concurred and work session is scheduled for November 7<sup>th</sup> @ 7:00 p.m.

**ZONINGS**

Case Number: CUP11-000116

Proposed Use: Taxidermy with Meat Processing

Existing Zoning: CG (General Commercial)

Watershed: Bear Creek & Little River

Location: 1814 Hwy. 11 South

Parcel Size: 2.48 acres

Tax Parcel: 127-25

Owner: Bridges Riding Equipment, Inc.

Petitioner: Steve Bishop

Applicant's Intent: To incorporate meat processing facilities into a pre-existing taxidermy business.

District One

No opposition

Commissioner Ewing

- Discussed several times before and consensus of board was to move forward with request.

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve CUP11-00016 as outlined on pages 69-84 in board packet with the following conditions read by Commissioner Ewing:

1. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Development Services Department on August 25, 2011 and the survey received by the Development Services Department on August 25, 2011. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, other applicable ordinances or regulations and these conditions prior to the approval of a Land Disturbance Permit or other applicable development/grading permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy or business license (as applicable).
2. The hours of operation are limited to 7:00 am to 7:00 pm.
3. The applicant shall obtain a septic approval from the Newton County Environmental Health Department prior to the business license being issued.
4. All recommendations and requirements set forth by the Newton County Fire Marshall's office shall be implemented and approved prior to issuance of the business license.
5. Any new signage associated with the taxidermy business shall require appropriate permits from the Newton County Development Services Department.
6. Any and/or all required building permits shall be submitted and approved by the Newton County Development Services Department prior to issuance of the business license.

Motion carried unanimously

Case Number: REZ11-000085

Existing Zoning: MSR (Mixed Use Single Family Residential)

Proposed Zoning: AR (Agricultural Residential)

Location: Hampton Place Estates Subdivision

215, 235, 255, 265, 275, 285, 295, 305, 315, 325, 335, 300, 310, & 320 Hampton Court

Parcel #: 30D-1, 30D-2, 30D-3, 30D-4, 30D-5, 30D-6, 30D-7, 30D-8, 30D-9, 30D-10, 30D-11, 30D-57, 30D-21, 30D-22, 30D-23

Owner: Varies

Petitioner: Newton County Department of Development Services

County's Intent: To rezone a portion of, or the entire property of, fifteen (15) lots within the Hampton Place Estates subdivision to be consistent with what was presented to the Planning Commission at the time the subdivision obtained final plat approval in 2006.

District Two

No opposition

Motion by Commissioner Sims, and seconded by Commissioner Ewing to approve REZ11-000085 as outlined on pages 85-88 in board packet and change the zoning to AR (Agricultural Residential) with the following recommendations by the Planning Commission read into the record by Commissioner Sims:

- 1) Allow all of the properties associated with the Hampton Place Estates subdivision to be zoned AR as originally presented.
- 2) MSR zoning allows single family home sizes to begin at 1,250 square feet. AR zoning requires that new homes must meet a minimum square footage of 1,800 square feet. By rezoning, it requires the fifteen affected lots to be compatible with the land use and zoning requirements of their neighboring tracts of land.
- 3) Resolves potential difficult development questions arising from split-zoned lots.
- 4) Allows a property owner to build accessory structures without square footage limitations (impervious surface calculations still apply). Within MSR zoning, a property owner is limited to an accessory structure of 1000 square feet or 50% of the square footage of the principal dwelling.

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.

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

Respectfully submitted,

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Jackie Smith, County Clerk

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Kathy Morgan, Chairman