

**NEWTON COUNTY BOARD OF COMMISSIONERS  
MINUTES  
January 16, 2001**

Newton County Executive Office Board Room

**Presiding:** Chairman Aaron Varner

**Present:** Chairman Aaron Varner, Commissioners Mort Ewing, Ronnie Dimsdale, Ester Fleming, J.C. Henderson, and Billy Strickland; Attorneys Tommy Craig and Scott Cole, Clerk Jackie Smith

**Newspaper:** Cindy Tumlin, Covington News; Karen Addy, Rockdale Citizen Small Group of citizens.

**Call To Order:** Chairman Varner extended welcome and read thought for the day.

Chairman Varner addressed the audience stating there are new faces on the board. He congratulated each board member on their election and stated he was looking forward to serving with them for the next four years. He expressed appreciation to the audience for taking time out of their busy schedules to see “their government” in action. He told the audience it was a privilege to be elected their chairman and pledged to be the best chairman he can be and hopes to accomplish the goal he has set for himself. He stated that at times there would be disagreements on issues, but that we can all agree that we are part of the “Newton County Family” and as such, respectfully ask that respect be shown to everybody there and pledged the same respect to them.

**Invocation:** Rev. Roger Vest, Shiloh UMC

**Pledge of Allegiance:** Led by Chairman Varner

**APPROVAL OF MINUTES DATED DECEMBER 27, 2000**

**Motion:** To approve minutes for December 27, 2000 as submitted.

**Proposed by:** Commissioner Ronnie Dimsdale, District Two

**Second:** Commissioner J.C. Henderson, District Four

**Motion Carried Unanimously**

**AMENDMENT TO NEWTON COUNTY SOIL & WATER  
CONSERVATION ORDINANCE**

Chairman Varner asked Attorney Scott Cole to apprise the board of the changes made to ordinance. Mr. Cole said there were three major changes in the ordinance. The board previously discussed these revisions at the work session. This was a request by ACCG to modify the Soil & Erosion Ordinance in accordance with the recent changes passed by

the General Assembly. They are requiring us to do this to retain the ability to issue land disturbance permits in Newton County.

1. Change in how agricultural forestry practices are considered. They are exempt from obtaining a land-disturbing permit to encroaching on the 25-foot buffer maintained around all state waters. The change is that some people have used that exemption and clear the land and then come in directly behind and develop the land for either residential or commercial purposes. They are trying to close that loophole by stating that if you go in on piece of property and clear the land on the forestry exemption you have to wait three years before you can develop the property.
2. In the penalty section the old ordinance had a maximum penalty of \$2500 per day, but did not have a minimum penalty. They changed it to have a minimum penalty of \$250.00 per violation involving the construction of a single-family dwelling by or under contract with the owner for his or her own occupancy; and a minimum penalty of \$1,000 per day for each violation involving land-disturbing activities other than as provide in subsection (a) of this paragraph. (see pg. 14 par. 3 &4)
3. To increase the state required 25-foot buffer to a 35-foot buffer to bring it in line with Newton County's current zoning ordinance. (see pg. 7 par. 15)

Commissioner Henderson questioned how a person who was purchasing property would know if land had been cleared or encroached on buffer? Attorney Cole stated 2 ways:

1. Visual inspection of the property before purchase.
2. The closing attorneys will develop a practice of requiring an affidavit from the current owner before he sells the property stating that he has not cleared or encroached into the buffer in the preceding three years. This would be the responsibility of the closing attorney to require the affidavit or for the purchaser to request it.

**Motion:** To move for the adoption of the ordinance as presented as we discussed at the work session last week.

**Proposed by:** Commissioner Mort Ewing, District One

**Second:** Commissioner Ronnie Dimsdale, District Two

**Motion Carried Unanimously**

Note: The original resolution is contained in file Soil & Water Conservation Ordinance, incorporated herein by reference and expressly made a part of these minutes.

## **APPOINTMENT OF COUNTY ATTORNEY**

Commissioner Dimsdale expressed appreciation to Attorney Craig for his excellent service to the county and asked that he continue on for another year.

Commissioner Henderson, too, expressed appreciation to Attorney Craig for his expertise, knowledge and service to the county and board .

**Motion:** To reappoint Tommy Craig as Newton County's Attorney.

**Proposed by:** Commissioner Ronnie Dimsdale, District Two

**Second:** Commissioner J.C. Henderson, District Four

**Motion Carried Unanimously**

Chairman Varner and board members extended congratulations and Attorney Craig thanked the board for their support.

**APPOINTMENT OF COUNTY CLERK**

Commissioner Henderson duly made motion to reappoint Jackie Smith as clerk and commended her for an excellent job.

**Motion:** To reappoint Jackie Smith as County Clerk.

**Proposed by:** Commissioner J.C. Henderson, District Four

**Second:** Commissioner Ronnie Dimsdale, District Two

**Motion Carried Unanimously**

Chairman Varner and board members expressed congratulations and clerk thanked the board.

**RESOLUTION NUMBER R-01-1601 READI PROGRAM**

Chairman Varner introduced Chamber President Misti Whitfield who defined the resolution and program to the board. READI means Regional Economic Advancement and Development Initiative. This is a regional economic development certification program and having the board act on this resolution is one of the thirteen criteria toward the certification. She said this same resolution will be presented to the City Council of Covington for their approval. She stated the objective is to evaluate, improve and upgrade the regions in rural Georgia for business development and job creation. This certification is required by the Georgia Department of Industry, Trade & Tourism. Commissioner Ewing asked Ms. Whitfield to expand on the statement in the resolution which says, "cities and counties are actively seeking to optimize planned economic development." She told the board this would include planned industrial parks and sites, available buildings, etc. She said this basically says we are prepared for economic growth for which we are with our existing industrial park and spec buildings that we have in Lochridge Industrial Park and our Four County Industrial Park that will come in line sometime in the next few years. It is basically saying this has been a long thought out process and the leaders in our community have been preparing for economic growth. Note: READI Program information is made part of these official minutes.

**Motion:** To approve Resolution R-01-1601 READI Program

**Proposed by:** Commissioner J.C. Henderson, District Four

**Second:** Commissioner Ronnie Dimsdale, District Two

**Motion Carried Unanimously**

Note: The original resolution is contained in file number R-01-1601, incorporated herein by reference and expressly made a part of these minutes.

## **ENVIRONMENTAL PROSECUTOR CONTRACT RENEWAL**

Chairman Varner introduced Attorney Anthony Carter who apprised the board of what the being the Environmental Prosecutor entailed. Mr. Carter stated that approximately a year ago he was asked to take over the Newton County Prosecutor Court and also serves as prosecutor for the Magistrate Court. This entails all Magistrate Court cases on the docket which includes animal control, code enforcement, planning and zoning, anything that goes through the Magistrate Court. Judge Baker provided the board a letter of support for Mr. Carter's service. There are very few environmental courts and we are regarded as a model across the state. Commissioner Fleming expressed appreciation to Mr. Carter for coming to the meeting. He asked him if there was a procedure on property maintenance, for example junky yards or junk vehicles? If not, that is something he would like to work on. He asked if there was a procedure in place if a person called and made a complaint about someone running a business out of their home to notify the property owner and/or the tenant of the violation, stating violation, and giving them x number of days to comply? Mr. Carter answered that under some of the ordinances, specifically sedimentation control, are required to give ten days to rectify the situation. You don't have a criminal violation unless it is not done. Many chances are given by the code enforcement officers. Commissioner Fleming stated he knew it had to be covered in the ordinances, and he was in favor of compliance, however he would like to see the notice of violations processed after two to three times. He commented after the processing of the violations the property owner would know what the consequences were going to be at that time. When they come to court they know a minimum and maximum fine they are subject to. Mr. Carter said that is one of the things he has been able to work on, compliance. He stated we are really looking for compliance and not large fines. He stated he was looking for fewer cases in court, with more cases being settled outside of court. Commissioner Fleming questioned the approximate revenue of fines for the calendar of year. Mr. Carter gave an estimate of revenue to be \$3500 two times per month. Commissioner Dimsdale stated that part of Code Enforcement Rodney Robertson's salary was paid through a state grant (80%). This grant is applied for yearly. Commissioner Ewing commented he assumed, since crating the environmental prosecutor position, that we have better compliance with the ordinances and possibly collecting more fines. Mr. Carter answered that we are collecting more fines and bigger fines as we combine the number of violations. Commissioner Henderson noted that Mr. Carter has done a good job, that the process seemed to run a lot smoother and duly made motion to approve renewal of contract.

**Motion:** To renew contract for Environmental Prosecutor with Attorney Anthony Carter.

**Proposed by:** Commissioner J.C. Henderson, District Four

**Second:** Commissioner Billy Strickland, District Five

**Motion Carried Unanimously**

## **PLANNING COMMISSION APPOINTMENT – DISTRICT TWO**

Commissioner Dimsdale addressed the board regarding appointment to the Planning Commission representing District Two. He commended Mr. Bowen for the excellent job he has done and the expertise he brings to the office. He duly made motion to reappoint Mr. Tom Bowen for a full term on the commission.

**Motion:** To reappoint Tom Bowen to serve a full term on the Planning Commission Board representing District Two. Term will expire January 2003.

**Proposed by:** Commissioner Ronnie Dimsdale, District Two

**Second:** Commissioner Ester Fleming, District Three

**Motion Carried Unanimously**

## **PLANNING COMMISSION APPOINTMENT – DISTRICT FOUR**

Commissioner Henderson expressed appreciation to Mr. Charlie Hardy for his service to the Planning Commission and duly reappointed him to board.

**Motion:** To reappoint Mr. Charlie Hardy to serve a full term on the Planning Commission Board representing District Four. Term will expire January 2003.

**Proposed by:** Commissioner J.C. Henderson, District Four

**Second:** Commissioner Mort Ewing, District One

**Motion Carried Unanimously**

## **PERSONNEL PAY STEP REQUEST FOR COUNTY ENGINEER**

Chairman Varner apprised the board that the previous administration had advertised this position and only received one application. He was interviewed and recommended for the position, but the starting salary was requested to be upgraded from a Grade 18, Step 7 to a Grade 18, Step 9. This would equal a \$2246.00 raise. This upgrade does not mean we are going to hire the applicant. I will be meeting with him and we will look at some of the problems we have been dealing with across the county and get a feel of what his views are regarding that. Commissioner Dimsdale commented that he understood the staff has interviewed and recommended this gentleman. Because of his education and extensive experience he is a unusually well qualified person. This is the reason for the increase request. I feel since we have such a need for an engineer and since this gentleman is so well qualified we need to make an exception in this case to get those qualifications. Commissioner Dimsdale duly made motion to approve increase for this one instance. If we do not hire this applicant then salary will revert back to Grade 18, Step 7. Commissioner Henderson asked if this engineer would be at the Road Department. Chairman Varner answered that he would be the Road Department Engineer, however he will also help with Planning and Zoning. Commissioner Ewing

asked for clarification on motion. He stated he understood that if this applicant is not hired the motion will be null and void. Board concurred.

**Motion:** To approve increase request from a Grade 18, Step 7 to a Grade 18, Step 9 for this applicant only.

**Proposed by:** Commissioner Ronnie Dimsdale, District Two

**Second:** Commissioner J.C. Henderson, District Four

**Motion Carried Unanimously**

### **RESOLUTION NUMBER R-01-1601A MINIMUM COMPENSATION FOR COMMISSIONERS**

Chairman Varner stated this was previously discussed at the work session and asked if there was any further discussion on resolution. Commissioner Dimsdale stated he understood this resolution was initiated by the Association County Commissioners of Georgia to provide support as they introduce this to the Legislature. Chairman Varner stated this would provide leverage for ACCG with the Legislature. He stated, if approved, the resolution will be sent to ACCG who will group together resolutions from other Georgia counties and present them to the Legislature. Commissioner Fleming stated various boards across the state have been hesitant to present legislation of this type to their local delegation. He stated submitting resolutions from all counties would present a stronger package to get passed. Chairman Varner commented that if passed this would give a greater equality across the state. Commissioner Henderson stated if passed, County Commissioners salary would be 20% of the sheriff's minimum salary. Commissioner Fleming commented that compensation packages do exist for the sheriff, probate judges, clerk of court, and tax commissioner. This is nothing different as far as length of service, cost of living and education incentives. He stated he felt that throughout the state this has needed to be looked. This is the governing body of the county. The current salary has been in place for at least the past eight years. Commissioner Ewing stated that he does support the move to have uniformity, but has a problem voting to increase his salary in case it is passed. He voiced his support for the motion and would not want it to effect him during his term of office. He stated he knew what the pay was when he ran and simply felt uncomfortable working for anything other than that.

**Motion:** To approve Resolution R-01-1601A Minimum Compensation for County Commissioners.

**Proposed by:** Commissioner J.C. Henderson, District Four

**Second:** Commissioner Ronnie Dimsdale, District Two

**Motion Carried Unanimously**

Note: The original resolution is contained in file number R-01-1601A, incorporated herein by reference and expressly made a part of these minutes.

**ZONINGS: NONE**

**STREETLIGHTS: Green Valley Phase I and Pebble Brook Phase III**

**Motion:** To approve streetlight requests as submitted.  
**Proposed by:** Commissioner J.C. Henderson, District Four  
**Second:** Commissioner Ronnie Dimsdale, District Two  
**Motion Carried Unanimously**

**ALCOHOL BEVERAGE LICENSE RENEWALS:**

Jolly Good, Inc., d/b/a BP Food Mart  
11260 Brown Bridge Road  
Covington, Georgia 30016  
Owner: Hanif Punjani

Almon Best Buy  
66 Almon Road  
Covington, Georgia 3014  
Owner: Ameer Ali Punjani

**Motion:** To approve license as requested and submitted.  
**Proposed by:** Commissioner Ester Fleming, District Three  
**Second:** Commissioner J.C. Henderson, District Four  
**Motion Carried Unanimously**

**APPROVAL OF COUNTY CHECKS**

**Motion:** To approve county checks as submitted.  
**Proposed by:** Commissioner Ronnie Dimsdale, District Two  
**Second:** Commissioner Billy Strickland, District Five  
**Motion Carried Unanimously**

**CITIZEN COMMENTS:**

**EXECUTIVE SESSION:**

**Time: 7:45 PM**

**Motion:** To enter into Executive Session to discuss pending and/or threatened litigation.

**Proposed by:** Commissioner J.C. Henderson, District Four

**Second:** Commissioner Mort Ewing, District One

**Motion Carried Unanimously**

**Time: 7:55 PM**

**Motion:** To enter into Regular Session.

**Proposed by:** Commissioner J.C. Henderson, District Four

**Second:** Commissioner Mort Ewing, District One

**Motion Carried Unanimously**

**ADJOURN-Time: 7:55 PM**

**Motion:** To adjourn

**Proposed by:** Commissioner Mort Ewing, District One

**Second:** Commissioner Ronnie Dimsdale, District Two

**Motion Carried Unanimously**

**Respectfully Submitted,**

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**Jackie B. Smith, Clerk**

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**Aaron Varner, Chairman**

