

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
December 16, 2008
MINUTES**

Present: Chairman Aaron Varner, Commissioners' Mort Ewing, Earnest Simmons, Ester Fleming, Jr., J.C. Henderson, and Monty Laster. Attorney Jenny Carter, Attorney James Griffin, and County Clerk Jackie Smith

Newspaper: Rachel Oswald, Covington News
Crystal Tatum, Newton Citizen
Small Group of Citizens

Chairman Varner called the meeting to order, extended a welcome, and read the Thought for the Day. Pastor Ronny Brannen, Prospect Methodist Church, gave the invocation and Chairman Varner led the Pledge of Allegiance to our great Flag.

TRASH TO TREASURES CONTEST AWARDS (KCNB)

Laurie Riley from KCNB appeared before the board to present the winners of the Trash to Treasures Contest. The winners were presented savings bonds along with certificates and gifts from the commission. After shaking the commissioners hands a group picture was taken of the children and commissioners for memories.

RETIREMENT COMMITTEE RECOMMENDATIONS

Attorney Jenny Carter addressed the board regarding the committee's recommendation. Committee formed a year ago

- Committee looked at several plans
- Explored different types of retirement plans
- Liberty County is one plan the committee is very interested in and recommends.

Ms. Carter introduced attorney Nedom Haley.

- Attorney Nedom Haley of Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C. was retained for the benefit of the county because of his experience in the retirement area.
- Mr. Haley went over summary sheet that he presented to board.
- Mr. Haley said that Mr. Ben Upchurch (Actuary with Trans America) could answer questions that he could not answer. Mr. Upchurch is the gentleman that ran all the numbers, but because of a prior commitment, he could not attend tonight's meeting.
- Newton County Defined Benefit Pension Plan Summary is made part of these minutes.

Human Resource Director Becky Heisten and Clerk of Superior Court (Committee members) addressed the board regarding the retirement issue.

The commission had many questions that could not be answered and requested work sessions to be held and more information to be provided to the new board.

The commissioners expressed appreciation to the committee members for their work and voiced their support of moving forward to new board to review and evaluate, bring back for action in the New Year.

Commissioner Henderson made a motion to approve but withdrew his motion after further discussion.

Motion: To forward issue to new board for their consideration and recommending work sessions to be held with more information to be provided from actuary and retirement companies, with an effective date of December 31, 2008.

Proposed by: Commissioner Ester Fleming, Jr., District Three

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

Motion Carried Unanimously

APPROVAL OF BOC MINUTES DATED DECEMBER 2, 2008

Motion: To approve the BOC Minutes dated December 2, 2008 as printed.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

PROPOSAL – RE-EVALUATION OF HISTORIC RESOURCES & VIEWSHED BEAR CREEK RESERVOIR

Attorney Jenny Carter presented the proposal for the board's approval.

- R.S. Webb & Associates is same company who did original study ten years ago.
- Proposal is to re-evaluate historic properties and viewshed.
- Historic properties within and around the proposed Bear Creek reservoir site.
- Historic Preservation looking at Gaither's in more detail.
- Study that was done ten years ago needs to be updated.
- Standards used to assess historic resources have changed significantly since the original survey was performed.
- Primary purpose of study is to determine what effects the proposed reservoir project may have on historic properties in and around the reservoir site.
- Webb indicated work could begin five days after approval.
- Copy of proposal is made part of these minutes.
- Financed through Water Fund

Motion: To approve the proposal, with R.S. Webb & Associates, for the re-evaluation of Historic Resource & Viewshed Bear Creek Reservoir for a not to exceed cost of \$11,534.00.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

**TASK ORDER #1 FOR TRANSPORTATION CONSULTANT LPA GROUP -
REDESIGN OF INTERSECTION IMPROVEMENTS FOR GA SR 81 &
CROWELL ROAD**

Chairman Varner presented this task order to the board for their consideration.

- Met with Harold Linnenkohl (former GDOT Commissioner), now with LPA Group. (Transportation consultants)
- Task is for redesign of intersection improvements to the GASR 81 & Crowell Road Intersection.
- Project was designed by GDOT
- GDOT stopped project earlier this year due to withdrawal of funding for both construction and the completion of the design.
- Design was significantly complete.
- Documents will be requested from GDOT and reviewed by the LPA Group under this task.
- LPA will assist the county in the review of the design of these intersection improvements, and in application for new funding for construction of the project from State & Federal sources.
- Timeline: July of 2009
- Cost: \$165,260.00
- Funded: SPLOST

Motion: To approve Task Order #1 for Transportation Consultant LPA Group for Redesign of Intersection Improvements for GASR 81 & Crowell Road for a not to exceed amount of \$165,2690.00.

Proposed by: Commissioner Ester Fleming, Jr., District Three

Second by: Commissioner Earnest Simmons, District Two

Motion Carried Unanimously

**TASK ORDER #13 FOR OUR TRANSPORTATION CONSULTANT PBS&J FOR
CONSTRUCTION MANAGEMENT ASSISTANCE FOR THE
RECONSTRUCTION AND SIGNALIZATION OF THE INTERSECTION AT GA
SR 20/212 & BROWN BRIDGE ROAD**

County Engineer Kevin Walter presented this task order to board for their consideration.

- Assist county in construction management and inspection of the reconstruction and signalization of the intersection at GASR20/212 & Brown Bridge Road.
- Project has been awarded by GDOT to Pittman Construction Company
- Newton County is funding over 50% of the project costs.
- Project is scheduled to begin in mid-January and to be completed by mid-summer or early fall.
- PBS&J will assist in the daily construction inspection of the work & verification of quantities during construction to assist in billing approval of only those quantities actually necessary & utilized in the course of the work.
- GDOT inspectors will also be on site.
- County funding: SPLOST

Motion: To approve Task Order #13 for PBS&J for Construction Management Assistance for the Reconstruction & Signalization of the Intersection at GASR 20/212 & Brown Bridge Road for a not to exceed cost of \$67,840.00 to be funded through SPLOST.

Proposed by: Commissioner Earnest Simmons, District Two
Second by: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

TASK ORDER #14 FOR OUR TRANSPORTATION CONSULTANT HATCH MOTT MACDONALD (FORMERLY J.B. TRIMBLE) - COMPLETION OF DESIGN OF GAITHERS ROAD IMPROVEMENTS

County Engineer Kevin Walter presented this task order to board for their consideration.

- Completion of design of Gaither's Road Improvements
- Cost: \$148,700.00
- Survey, concept design, right-of-way staking & utility relocation coordination have already been completed.
- County has cleared r-o-w and acquired all property necessary for project.
- Task is for completion of final design and get ready to bid out for construction.
- Also presented request for cost to relocate power poles at an estimated cost of \$71,124.00
- Timeline: 12 months due to the fact they will be crossing a major creek and it takes several months to get Federal Permits.

Commissioner Ewing expressed appreciation for this project coming to fruition. He noted the people have been very understanding and good to the county for over eight years regarding the upgrade of this road.

Motion: To approve Task Order #14 for Hatch Mott MacDonald (formerly J.B. Trimble) for completion of Design of Gaither's Road Improvements for a not to exceed cost of \$148,700.00.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried Unanimously

Motion: To approve the request to proceed with the two electric utilities (Snapping Shoals EMC & Central of Georgia EMC) to move 25 power poles along the route of improvements for an amount not to exceed \$71,124.00.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried Unanimously

R121608A – RESOLUTION REGARDING NAMING & NUMBERING STREETS

Attorney James Griffin presented this resolution to the board for approval and Chief Assessor Tommy Knight was on hand to offer support and answer any questions from the board.

- City of Covington approved their resolution at council meeting last night.
- This becomes a safety issue when you have more than one body naming and numbering streets.
- Has presented problems for E911.
- Tax Assessors office will be pass though for name and numbering.
- Commissioners expressed appreciation for work done on this and gave their approval.

Motion: To approve Resolution R121608a regarding the Naming and Numbering of Streets in Newton County.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried Unanimously

INTERGOVERNMENTAL AGREEMENT W/CITY OF OXFORD REGARDING FIRE SERVICES

After a lengthy discussion the board chose to table this agreement until January 20th meeting, and for further review and comments by county finance department.

Motion: To table the Intergovernmental Agreement with the City of Oxford regarding Fire Services until January 20, 2009 allowing time for review and comments by county finance department. Newton County Fire Service will provide service to the City of Oxford until such time action is taken on agreement.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried with Commissioners Simmons and Henderson voting in opposition to motion.

ZONINGS

Planning & Development Director Marian Eisenberg presented the following resolutions.

R121608 – To correct 2003 Zoning District Map

Location: Highgrove Subdivision off of the Covington Bypass Road
District Five

Motion: To approve Resolution R121608 to correct 2003 Zoning District Map, MC08-004 from R3 to CORD-PRD/R3 Open Space Overlay with the following conditions as read by Ms. Eisenberg:

1. Each house will be between 1,200 and 3,000
- 2.
- 3.
4. sq. ft of heated area
5. Sidewalks in front of every unit
6. Club House operated and maintained by the Home owners Association
7. To the site plan submitted on June 8, 2005

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Mort Ewing, District One

Motion Carried Unanimously

R121608b – To correct 2003 Zoning District Map

Location: 5241 Highway 20
District Two

Motion: To approve Resolution R121608b to correct 2003 Zoning District Map, MC08-005 from R2 to CN without conditions.

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried Unanimously

ALCOHOL LICENSE:

First Reading

Mountain Express #198

1032 Dixie Road

Covington, Georgia 30014

Owner: Barry Bierenboum (50%)&Gail Bierenboum (50%)

District One

Alcohol Renewal

Liberty Food Mart

10055 Covington Bypass

Covington, GA 30014

District 5

Motion: To approve the Alcohol Renewal License for Liberty Food Mart located at 10055 Covington Bypass in Covington, GA located in District Five.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried Unanimously

COUNTY CHECKS:

Motion: To approve the county checks as read aloud by the chairman.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

COMMISSIONER COMMENTS

Commissioner Ester Fleming addressed the board and audience stating his heartfelt appreciation for the honor of serving the great people of this county for fourteen years. He thanked the board and staff for their service over the years and was grateful to be a part of the many wonderful things that have taken place. He also expressed appreciation to his family for their encouragement and support during his tenure.

Commissioner Laster echoed Commissioner Fleming's comments noting what a tremendous experience it has been to serve with this board, and to serve the citizens of, not just the fifth district, but also all of Newton County. He, too, thanked his family for their love and support...couldn't make it without them.

Chairman Varner thanked the board for their service and noted it was an honor to serve with them and serve the people of Newton County.

Commissioners Ewing, Simmons, and Henderson expressed appreciation to the outgoing board for their service to the people of Newton County. They also acknowledged with deep appreciation the hard work and accomplishments over the past eight years, noting the honor and privilege of serving with each member of the board.

Executive Session

Motion: To enter into Executive Session for the purpose of discussing land acquisition.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

Regular Session

Motion: To enter into Regular Session.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

CONDEMNATIONS

Motion: To authorize the county attorney's office to begin condemnation proceedings on 0.056 acres and 0.052 acres shown as Flood Area being in Land Lot 39 of the Eighteenth Land District for the purpose of the Bear Creek Reservoir.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

Motion: To authorize the county attorney's office to begin condemnation proceedings on 4.086 acres being in Land Lot 296 of the First Land District for the purpose of the Bear Creek Reservoir.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Commissioner Henderson voting in opposition to the motion.

ADJOURN

Time: 9:10 p.m.

Motion: To adjourn the meeting.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

Respectfully submitted,

Jackie B. Smith, County Clerk

Aaron Varner, Chairman