

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
February 17, 2009
MINUTES**

Present: Chairman Kathy Morgan, Commissioners Mort Ewing, Earnest Simmons, Nancy Schulz, J.C. Henderson, and Tim Fleming. Attorney Tommy Craig, Administrative Officer John Middleton & Clerk Jackie Smith

Newspaper: Covington News-Jennifer Long
Newton Citizen- Crystal Tatum
Large Group of Citizens

Chairman Morgan called the meeting to order, extended a welcome, and read the thought for the day. Commissioner J.C. Henderson gave the invocation and Chairman Morgan led the Pledge of Allegiance to the Flag.

GENERAL ADMINISTRATION

Maurice Carter of the Covington-Conyers Cycling Club appeared before the board and provided information regarding the cycling club. The board expressed appreciation to Mr. Carter for his information.

APPROVAL OF BOC MINUTES DATED FEBRUARY 3, 2009

Motion: To approve the BOC Minutes dated February 3, 2009 with two duly noted typographical errors corrected.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Tim Fleming, District Five

Motion Carried

DISTRICT TWO APPOINTMENT TO ZONING APPEALS BOARD

Motion: To appoint Dr. Nick Hathorn of 265 Providence Drive, Covington, GA 30016 to fill the unexpired term of Mr. Lanier Sims on the N.C. Zoning Appeals Board. Term will expire on December 31, 2009

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried

CHOATE CONSTRUCTION-CHANGE ORDER #3 – CORNISH CREEK WTF EXPANSION

Purchasing Director Tina Malone appeared before the board and presented change order #3 and deduct for the Cornish Creek Water Treatment Plant Expansion.

- Add an additional 36” x 36” aluminum hatch
- Increase size of stop plate at Rapid Mix
- Delete aluminum ladders in 5 new filters

- Funding: Water Fund (\$2,150.00)

Motion: To approve Change Order #3 - Cornish Creek WTF Expansion.

Note: Deduct total of \$2,150.00.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Nancy Schulz, District Two

Motion Carried

DECLARATION OF SURPLUS PROPERTY/SOLD ON GOVDEALS

Purchasing Director Tina Malone appeared before the board and presented surplus property.

- Sheriff's Office
- 50 Stratton hats without the gold band

Motion: To declare as surplus property to be sold on Gov Deals as requested.

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried

TIMBER CONTRACT/MACK BARBER

Chairman Morgan addressed the board regarding the timber contract with Mack Barber.

- 291 acres @ Gaither Plantation
- Timber needs thinning

Commissioner Ewing

- Board adopted a timber management program several years ago.
- Worked with Chief Ranger Beryl Budd at the time to come up with a good program.
- Timber sale goes back into the Water Fund to purchase property.

Motion: To approve the Timber Contract with Mack Barber as presented and made part of these minutes.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

FY 2009 BUDGET AMENDMENTS

Administrative Officer John Middleton addressed the board regarding the proposed budget amendments.

- Reported a reduction of \$3.8 million dollars.
- Presented three (3) options for consideration.
- Option #3 is in two phases.
- Phase One of option 3 is to implement the \$3.8 million dollar cuts that have been proposed.
- Information is attached and made part of these minutes.

Chairman Morgan

- Requested that the board approve Phase I of Option 3 that would allow the proposed \$3.8 million dollar cuts. She also requested the board allow them another week to meet further with department heads and constitutional officers to find other budget cuts that would not affect the employee jobs with a lay-off.

Commissioners

- Voiced their concerns over public safety and Chairman Morgan told the board that discussions continue with the sheriff's office, fire service and E911 to find ways of cutting their budget without it having an affect on service and safety of the citizens.
- Each commissioner made comments, first expressing appreciation to everyone who has worked so hard on finding these budget cuts. Also, voicing their concerns for the FY 2010 budget indicating that even deeper cuts will have to made at that time.
- Commissioners noted they are looking at every way possible to find funding so that no employee would lose their job, but 65% of our budget is made up with personnel costs. They noted it is going to be a "tough" 2010 budget.
- A web site has been setup to receive suggestions from employees on how to reduce spending. Employees are encouraged to submit their suggestions over the next several days.
- A special called meeting will be held next week and will be posted accordingly.
- The board chose Option #3/Phase I with the understanding that the chairman and administrative officer would continue to work with the constitutional officers, department heads and staff to come up with further reductions and suggestions to be considered.

Motion: To accept the recommendation of the chairman and approve Option #3/Phase I with the understanding that one week would be extended to find other budget cuts. At that time the board will call a Special Called Meeting for further action.

Proposed by: Commissioner Nancy Schulz, District Three

Second by: Commissioner Mort Ewing, District One

Motion Carried with Commissioners Simmons and Henderson voting against the motion.

EMPLOYEE LIFE INSURANCE

Administrative Officer John Middleton presented this change to the board for their consideration.

- Received two quotes - Colonial Life & Nu Vision
- Commissioner Ewing reviewed information from an insurance point of view.
- Savings to county: \$18,855.00 with same coverage
- 3-year rate is guaranteed (Commissioner Ewing noted this is highly unusual)
- Change of companies will not affect employee benefits

Motion: To approve the Employee Life Insurance Proposal as outlined by Mr. Middleton and accept proposal by Mutual of Omaha with a savings to the county of \$18,855.00, noting that a 3-year rate is guaranteed.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two
Motion Carried

ZONING:

R021709 TO ADOPT THE 2009 NEWTON COUNTY ZONING ORDINANCE

Planning Director Marian Eisenberg appeared before the board to present a resolution to adopt the 2009 Newton County Zoning Ordinance.

- Planning Commission recommended approval on January 27th at their meeting.
- Zoning Map adopted on May 20, 2008
- Incorporates all previously approved amendments to the 2003 Zoning Ordinance
- Corrects typographical, stylistic, capitalization, punctuation and similar errors and omissions.

Motion: To approve Resolution R021709 to Adopt the 2009 Newton County Zoning Ordinance as presented by Planning Director Marian Eisenberg with resolution and copy of official zoning map being made part of these minutes.

Proposed by: Commissioner Earnest Simmons, District Two

Second by: Commissioner Mort Ewing, District One

Motion Carried Unanimously

Planning Director Marian Eisenberg sounded Conditional Use Permit NTL08-002.

NTL08-002

Conditional Use Permit

Proposed Use: Telecommunication Tower

Location: Seabolt Road (North Side)

Map & Parcel: 17-14C

Frontage: 24 ft.

Parcel Size: 1 acre

Owner: Cloyd D. Seabolt

Watershed: South River

Existing Zoning: AR (Agricultural Residential)

Request: Increase Cell Tower Height to 184 feet

Planning Commission Recommendation: Approval with recommended conditions.

Petitioner Representative: Yanisa Buice for T-Mobile South, LLC

- Existing tower is 150 feet
- Petition is to increase the height of the existing tower from 150 feet to 184 feet.
- Will extend tower by 34 feet
- Will include a 4-foot lightning rod.
- This is a co-locate tower already in existence.
- Facility will be unmanned and will not require county water or sewer facilities
- Will have little impact upon local traffic, if any, on Hwy 81 South.
- Growing area has required a need for wireless coverage for T-Mobile customers.

- E911 calls will be serviced more quickly.

After hearing all the information and discussion by the commissioners and Ms. Buice, Commissioner Ewing made the following motion.

Motion: To follow the recommendation of the Planning Commission and approve NTL08-002 Conditional Use Permit to increase Cell Tower Height to 184 feet with the following conditions as 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 tower.
 - 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 Department of Planning and Development on December 5, 2008. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
3. To the owner's agreement to abide by the following development standards:
 - a. Maximum height of tower to be 184 feet
 - b. Tower shall accommodate equipment for potential use by Newton County for E-911 and other emergency services below third antenna.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Tim Fleming, District Five

Motion Carried

ALCOHOL LICENSE:

Final Reading

Liberty Food Mart

10055 Covington ByPass

Covington, GA 30014

Owner: Maleek Ghulam Virani 82%

Iqhal Surani 9%

Shanaz Surani 9%

District Five

Motion: To approve the Alcohol License for Liberty Food Mart located at 10055 Covington ByPass Road, Covington, Georgia and located in District Five.

Proposed by: Commissioner Tim Fleming, District Five

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

COUNTY CHECKS:

Motion: To approve the county checks as read aloud by the chairman and printed in the board packet.

Proposed by: Commissioner Earnest Simmons, District Two

Second by: Commissioner Mort Ewing, District One

Motion Carried

EXECUTIVE SESSION

Time: 8:40 p.m.

Motion: To enter into Executive Session for the purpose of Personnel issue.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

REGULAR SESSION

Time: 9:10 p.m.

Motion: To enter into Regular Session.

Proposed by: Commissioner Earnest Simmons, District Two

Second by: Commissioner Tim Fleming, District Five

Motion Carried

Motion: To amend the agenda to consider voting on the termination of an employee in open session.

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

Second by: Commissioner Earnest Simmons, District Two

Substitute Motion

Motion: Move that the Board of Commissioner's not have a public vote on any county employee termination.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Nancy Schulz, District Three

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

ADJOURN

Time: 9:13 p.m.

Motion: To adjourn the meeting.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Tim Fleming, District Five

Motion Carried Unanimously

Respectfully submitted,

Jackie B. Smith
County Clerk

