

**THE NEWTON COUNTY BOARD OF COMMISSIONERS
MINUTES**

MARCH 21, 2000

**Newton County Executive Office Building
Chairman Davis C. Morgan, Presiding**

Present: Chairman Davis Morgan, Commissioners Tommy Ballard, Ronnie Dimsdale, Danny Stone, J.C. Henderson, Hubert White; Zoning Director John Byce; Attorney Tommy Craig, Attorney Scott Cole; Clerk Jackie Smith

Also present: Cindy Tumlin-Covington News; Allyson Floyd – Newton Citizen
Small group of citizens

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

Invocation: Rev. Len Strozier, First Baptist Church of Covington

Pledge of Allegiance: Led by Chairman Morgan

APPROVAL OF MINUTES OF DATED MARCH 7, 2000

Motion: To approve minutes as submitted.
Proposed by: Commissioner Danny Stone, District Three
Second: Commissioner J.C. Henderson, District Four
Motion Carried

00-12 LANDSCAPE MASTER PLAN FOR THE STARRSVILLE RURAL HISTORIC DISTRICT

Commissioner Ballard expressed appreciation to the community for all the work they have accomplished and continue to do in trying to keep a rural atmosphere in this part of the county. Virgil Costley spoke on behalf of the committee and extended appreciation for support of this project. He said the people in the Starrsville Community are delighted to be a part of Newton County's vision.

Motion: To award the bid to Roy Ashley & Associates, Inc. for the low bid of \$16,500.
Note: Roy Ashley & Associates was the recommendation of the committee as well.
Proposed by: Commissioner Tommy Ballard, District One
Second: Commissioner Hubert White, District Five
Motion Carried

**LOCAL GOVERNMENT PROJECT AGREEMENT
PROJECT NO. STP-163-1(15) NEWTON CO. PI #23125-
PASSING LANES SR 81 PASSING LANE SW OF
PORTERDALE FM MP 3.4 TO MP 5.2**

Chairman Morgan stated this is a standard agreement that GDOT requires. Newton County will be responsible for moving utility lines that are in the way of construction. Commissioner Stone asked if the balance of the project was DOT funded and the chairman said it was. Commissioner White asked if this was a consistent lane for that distance (almost 2 miles) and the chairman stated generally it is a consistent lane. Commissioner Stone stated we have done these projects in the past with the DOT and felt we needed to proceed with this project and duly made motion to approve. Commissioner White asked if the construction was scheduled? Chairman stated no that this falls in the GDOT work program and would probably be two to three years out.

Motion: To approve Local Government Project Agreement STP-163-1(15) Newton CO., PI # 231625 Passing Lanes SR 81 Passing Lane SW of Porterdale FM MP 3.4 To MP 5.2.

Proposed by: Commissioner Danny Stone, District Three

Second: Commissioner Tommy Ballard, District One

Motion Carried

ORDINANCE: O-03-21-00 - VIOLENCE AT COUNTY RECREATIONAL FACILITIES

Chairman stated this ordinance is a catalyst from other problems that have occurred in other counties. He introduced Director Tommy Hailey and who addressed the board. Mr. Hailey stated that with all the growth in the county the Recreation Commission would like to send a message that violence will not be tolerated in Newton County recreation. Commissioner White and Commissioner Henderson serve on the Recreation Commission and are in support of this ordinance. The county attorney's office reviewed Coweta County's ordinance and modified it to fit Newton County. Mr. Hailey said they would meet with the teams and parents and explain the ordinance to them as well as make copies of the ordinance available.

Motion: To approve Ordinance #O-03-21-00 Prohibiting Violence at County Recreation Facilities.

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

Second: Commissioner Danny Stone, District Three

Motion Carried

Note: The original ordinance is contained in file number O-03-21-00, incorporated herein by reference and expressly made a part of these minutes.

BREACH OF COVENANT – MARY SHIPKO

Mrs. Shipko's attorney, Mr. Sneed, addressed the board and stated that Mrs. Shipko is in breach and agrees to pay the penalty, but the interest should be waived since there was no demand for payment from the Tax Office until eight months after the sale. Commissioners' White and Ballard felt it was the fair thing to do to waive the interest. Commissioner Ballard stated he did not think someone dropped the ball, but that it took time for the system to catch this. Commissioner Stone commented he thought conservation agreements were serious agreements and that when people enter into them they know what their responsibility is. He didn't understand why the property owner did not realize this, being it is their responsibility. Commissioner Ballard stated he understood Commissioner Stone's feelings; however, in dealing with the Tax Assessors office he knew there were some seven and eight acre tracts that fall under the conservation program. He felt there was too much gray area not to waive the interest and duly made motion.

Motion: To approve the request to waive the interest on Mrs. Shipko's bill.

Proposed by: Commissioner Tommy Ballard, District One

Second: Commissioner Hubert White, District Five

Motion Carried with Commissioner Stone voting against motion.

00-11: PROJECT NUMBER 96970 (200) HAZELBRAND ROAD LETTING

Chairman stated that we had received two bids for this project. Cummings Grading bid \$743,323.97; Gary's Grading & Pipeline bid \$729,716.52. Our project manager, Billy Williams from MAAI, reviewed both bids and recommends the low bidder, Gary's Grading. The bid is 3% higher than the engineers cost estimate, which is very close. Commissioner White asked if we were familiar with Gary's Grading and the chairman stated that they were the successful bidders on approximately six roads from our first dirt road letting and did a good job.

Motion: To award the bid to Gary's Grading & Pipeline Company, Inc. in the amount of \$729,716.52.

Proposed by: Commissioner Hubert White, District Five

Second: Commissioner J.C. Henderson, District Four

Motion Carried

HOMELESS FUNDS APPROVAL LETTER

Action Ministries is applying to DCA for a grant. DCA requires the local authority to issue a letter of approval or disapproval. This is very similar to the endorsement letter that we give to apartments, etc. Commissioner Henderson wanted to know if these grants were available to anyone, example Washington Street Program, and the chairman stated yes, that it is on a competitive basis.

Motion: To endorse requested letter for Homeless Funds Grant.

Proposed by: Commissioner Hubert White, District Five

Second: Commissioner J.C. Henderson, District Four

Motion Carried

ABANDONMENT OF LITTLE RIVER ROAD

Commissioner Ballard stated he felt we needed to look back at the minutes to see if there was any stipulations regarding Little River Road. He suggested this request be tabled until the next meeting, giving the attorneys time to look at the minutes regarding this.

Motion: To table request until first meeting in April for further clarification.

Proposed by: Commissioner Tommy Ballard, District One

Second: Commissioner Hubert White, District Five

Motion Carried

HABITAT FOR HUMANITY PROPERTY

Attorney Scott Cole that we had received a request from Habitat Humanity for this land swap. The county at a tax sale acquired tract B several years ago. Mr. Cole stated both tracts are of equal value.

Motion: To approve land swap for Habitat Humanity property.

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

Second: Commissioner Hubert White, District Five

Motion Carried

Note: Copy of map contained in Minute Attachment file, incorporated herein by reference and expressly and a part of these minutes

PRLOP 51-2 (217) DOT CONTRACT – SOUTH RIVER DRIVE

Bids were received to pave South River Drive. South Drive Drive has been a problem for years due to flooding from Jackson Lake. There is a culvert in a low area and when it floods it rises above the culvert and the people are landlocked. This contract will pave the road, raise the culvert and connect South River Drive to Parker Road. All the right of way has been acquired. Commissioner Ballard asked the bid amount? Chairman Morgan stated he did not have the bid tabulations in front of him, but he remembered it was over half a million.

Motion: To authorize chairman to review the contract and proceed from there.
Proposed by: Commissioner Tommy Ballard, District One
Second: Commissioner J.C. Henderson, District Four
Motion Carried

RESOLUTION R-03-21-00 – GRANT APPLICATION – OAKHILL TRAIL PROJECT

This is a standard request to ask board's approval to apply for grant.

Motion: To approve R-03-21-00 authorizing grant application for Oakhill Trail Project.
Proposed by: Commissioner Danny Stone, District Three
Second: Commissioner Tommy Ballard, District One
Motion Carried

Note: The original resolution is contained in file number R-03-21-00, incorporated herein by reference and expressly made a part of these minutes.

BROWN/KIRPATRICK
THE WEST SIDE OF THE GEORGIA HWY. 20 NORTH OF ITS INTERSECTION WITH GA
HWY. 212 AND WEST OF THE KROGER SHOPPING CENTER
R40 TO C-H (GENERAL COMMERCIAL)

Chairman Morgan stated the petition was withdrawn at the request of the petitioner.

STREET LIGHT PETITONS:

HIGHLANDS FOREST
WOODSTONE PHASE IV

Motion: To approve request as submitted.
Proposed by: Commissioner J.C. Henderson, District Four
Second: Commissioner Hubert White, District Five
Motion Carried

ALCOHOLIC BEVERAGE LICENSE:

FINAL READING – (No violations indicated in sheriff report)
HWY. 11 AMOCO
387 HIGHWAY 11
SOCIAL CIRCLE, GEORGIA 30025
LINDA B. RICE

Motion: To approve license as requested.
Proposed by: Commissioner Tommy Ballard, District One
Second: Commissioner Danny Stone, District Three
Motion Carried

APPROVAL OF COUNTY CHECKS:

Motion: To approve checks as submitted.
Proposed by: Commissioner Tommy Ballard, District One
Second: Commissioner J.C. Henderson, District Four
Motion Carried

CITIZENS COMMENTS:

EXECUTIVE SESSION: 7:55 PM

Motion: To enter into Executive Session to discuss land acquisition.

Proposed by: Commissioner Tommy Ballard, District One

Second: Commissioner Danny Stone, District Three

Motion Carried

Motion: To come out of Executive Session.

Proposed by: Commissioner Tommy Ballard, District One

Second: Commissioner Danny Stone, District Three

Motion Carried

ADJOURN: 8:00 PM

Motion: To adjourn

Proposed by: Commissioner Danny Stone, District Three

Second: Commissioner Hubert White, District Five

Motion Carried

Respectfully Submitted,

Jackie B. Smith, Clerk

Davis C. Morgan, Chairman.