

**NEWTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
March 16, 2010  
MINUTES**

**Present:** Chairman Kathy Morgan, Commissioner's Mort Ewing, Earnest Simmons, Nancy Schulz, J.C. Henderson, and Tim Fleming. Administrative Officer John Middleton, Attorney Jenny Carter & Clerk Jackie Smith

**Newspaper:** Covington News-Gabe Khouli  
Newton Citizen- Crystal Tatum  
Citizens

Chairman Morgan called the meeting to order, extended a welcome, and read the thought for the day. Pastor Ronnie Brannen of Prospect UMC gave the invocation and Chairman Morgan led the Pledge of Allegiance to our great flag.

**GENERAL ADMINISTRATION**

KCNB: River of Words Poetry & Art Contest Winners

Laurie Riley, Program Education Specialist for Keep Covington/Newton Beautiful appeared before the board to present the winners of the River of Words Poetry & Art Contest. There was standing room only as parents and well wishers joined in to recognize the winners. Winners received certificates and savings bonds (provided by the Service Guild) as they were congratulated by the Board of Commissioners. Afterwards a group picture was taken of winners with the BOC.

Terri Kimble, Newton County 4-H Educator appeared before the board to recognize twelve students in the 7<sup>th</sup> through 12<sup>th</sup> grades for completion of project work, leadership, and community service as well as demonstrations at Rock Eagle as part of Project Achievement for 4-H. Two Newton County students received first place awards from the State.

- A copy of the information presented is attached and made part of these minutes

Once again the board extended congratulations to all the 4-H participants.

Chairman Morgan recognized members of Newton County Youth Leadership who were also on hand to observe a government meeting required as part of their criteria.

**GIS UPDATE/OVERVIEW OF THE FLOOD EVENT IN SEPTEMBER**

Lynn Parham and Ernie Smith, Newton County GIS Department appeared before the board.

Ernie Smith gave PowerPoint presentation regarding the Flood Event in September. He titled it "Why Worry About Water?"

- A copy of the information presented is attached and made part of these minutes.
- Maps: State agencies came to us and used our maps because their maps were so out of date.

The board expressed appreciation for the outstanding presentation and all the hard work they do for the county. Chairman Morgan noted that our GIS Department is one in the state that other city/counties pattern themselves after.

#### **APPROVAL OF BOC MINUTES DATED MARCH 2, 2010**

Motion made by Commissioner Ewing, and seconded by Commissioner Fleming to approve the Minutes dated March 2, 2010 as presented.

Motion Carried

#### **NEWTON COUNTY FIRE SERVICES OFFICE FURNITURE BIDS**

Chief Satterfield and Marcia Allen appeared before the board to present this request.

- This request was tabled from February 16, 2010 meeting
- Total Expense: \$10,298.42
- Fund: 271
- A copy of the information presented is made part of these minutes.

Motion made by Commissioner Simmons and seconded by Commissioner Ewing to award the furniture bid for the Newton County Fire Services as follows:

Reception & Break Area Furniture:

Ramsey Furniture for an amount not to exceed \$5,245.00.

Office Furniture:

Mike Cash Office Supply for an amount not to exceed \$5,053.42.

Motion Carried

#### **OFFICE FURNITURE FOR 5<sup>TH</sup> JUDGE'S STAFF**

Administrative Officer John Middleton appeared before the board to present this request.

- Newton County's 5<sup>th</sup> Judge
- Furniture for Administrative Assistant & Law Clerk
- Received two quotes
- Note: State will purchase the Judge's furniture.
- Wood's Office/Indoff, Covington, GA: \$11,428.00
- Office Depot, Lawrenceville, GA: \$10,458.55
- Recommendation: Approve purchase from Wood's Office in the amount of \$11,428.00.
- Fund: General Fund 100
- Commissioner Schulz requested that an audit be made of all county furniture so that it can be used in county offices as needed.

Motion by Commissioner Ewing and a second by Commissioner Simmons to approve the Office Furniture proposal as outlined by Mr. Middleton and award to Wood's Office Supply Company in Covington, Georgia for a not to exceed amount of \$11,428.00 funded thorough the General Fund 100.

Motion Carried.

### **TIMBER SALES @ NEWTON COUNTY LANDFILL**

Administrative Officer John Middleton appeared before the board to present this request.

- Clear area for future phase 4 construction
- Provide fill dirt for construction of phase 3 as needed
- Received two proposals/summary attached and made part of these minutes
- Recommendation: Award to Wilson Land & Timber

Motion by Commissioner Ewing and seconded by Commissioner Fleming to award the timber sales at the Newton County Landfill to Wilson Land & Timber as outlined by Mr. Middleton, printed on page 28 in board packet, and made part of these minutes.

Motion Carried

### **RENEWAL OF PEST CONTROL CONTRACT**

Administrative Officer John Middleton appeared before the board to present this request.

- Same prices as last year
- Recommendation to approve for one year
- Term: March 1, 2010 – February 28, 2011
- Fund: General Fund, various departments

Motion by Commissioner Simmons and seconded by Commissioner Schulz to approve the renewal of the Pest Control Contract between Newton County Board of Commissioners and Beyond Exterminating for a not to exceed amount of \$5,602.78 for one year. Contract term will expire on February 28, 2011.

Motion Carried

### **EXTENSION OF CONTRACT FOR SCRAP METAL @ RECYCLING CENTERS & LANDFILL**

Administrative Officer John Middleton appeared before the board to present this request.

- Recommendation to extend contract until April 30, 2010
- Give staff opportunity to do research and come back to BOC with recommendation.

Motion by Commissioner Ewing and seconded by Commissioner Simmons to extend the contract between the Newton County Board of Commissioners and Oconee Metal Recycling to April 30, 2010 @ \$.06 per pound.

Motion Carried

### **SHERIFF'S OFFICE: MOU BETWEEN THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA & NEWTON COUNTY, GEORGIA PURSUANT TO THE GEORGIA MUTUAL AID ACT**

Sheriff Ezell Brown and Attorney James Griffin appeared before the board to present this request.

- Sheriff has met with Ron Carruth, Executive Vice-President of Finance and Administrative Affairs
- Agreement follows State Statute

- Simply renders aid to GPC on campus.

Motion by Commissioner Ewing and seconded by Commissioner Fleming to approve the Memorandum of Understanding between the Board of Regents of the University System of Georgia and Newton County Board of Commissioners Pursuant to the Georgia Mutual Aid Act as it relates to Georgia Perimeter College and the Newton County Sheriff's Office.

Motion Carried

**SAVE PROGRAM – MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF HOMELAND SECURITY, U.S. CITIZENSHIP & IMMIGRATION SERVICES, & NEWTON COUNTY, GEORGIA**

Attorney Jenny Carter addressed the board regarding the SAVE Program.

- A copy of the information is made part of these minutes.
- Voluntary Federal Program; however State has mandated counties to participate
- This takes the verification process one step further
- Will help to prohibit benefits to people who are here illegally.

Motion by Commissioner Simmons and seconded by Commissioner Ewing to approve the Memorandum of Agreement between the Department of Homeland Security, U.S. Citizenship & Immigration Services and the Newton County Board of Commissioners as it relates to the SAVE Program presented by Attorney Carter and made part of these minutes.

Motion Carried

**REQUEST TO JOIN THE REGIONAL TRANSIT COMMITTEE (RTC)**

Chairman Morgan addressed the board regarding this request.

- Discussed at recent retreat
- Commitment is for one year with an option to opt out yearly
- Deadline to join is March 31, 2010
- By becoming a member it assures you a vote and representation on Transit Committee
- No fee for January, February, March 2010
- First year fee: \$10,000
- Funding: Professional Services
- Chairman will provide BOC a copy of minutes from Transit Committee meetings

Motion by Commissioner Ewing and seconded by Commissioner Schulz to approve the request to become a member of the Regional Transit Committee (RTC) as presented by Chairman Morgan with the understanding this is for one year only. Membership will be presented annually back to the BOC for further action.

Motion Carried

## **AWARD OF CONTRACT FOR EMERGENCY REPAIRS TO RICHARDS CHAPEL ROAD**

County Engineer Kevin Walter appeared before the board to present this request.

- Road closed due to flooding
- Solicited bids from 3 pre-qualified local contractors
- Recommendation: Award to low-bidder, Sunbelt Builders of Covington, GA

Motion by Commissioner Simmons and seconded by Commissioner Henderson to approve the emergency repairs to Richards Chapel Road and award bid to Sunbelt Builders, Covington, Georgia for a not to exceed cost of \$164,000.00.

Motion Carried

## **ZONINGS**

### **R031610 – A RESOLUTION TO ADOPT AMENDMENTS TO THE 2009 ZONING ORDINANCE, NEWTON COUNTY, GEORGIA; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES**

- Chairman Morgan opened Public Hearing
- Consistent with 20/50 Plan
- Began process in April 2009 w/series of community meetings; however property owners have requested this for many years.
- Worked w/staff and stakeholders to finalize draft.
- Planning Commission recommended approval on February 23, 2010
- Mailed out over 900 letters to property owners in area.
- Over 60 residents present at last meeting.
- Will provide higher quality development in Almon/Crowell District
- Resident Lou Passarella' addressed the board and applauded the efforts of everyone who worked on getting this done. Endorses 100%.
- No opposition
- Chairman Morgan closed the Public Hearing
- Commissioner Schulz took a minute to echo Mr. Passarella's comments and to thank Ms. Eisenberg, Mr. Sirotkin, Attorney Carter, the Chairman and all board members for their support and for attending many meetings helping to create a document we can all be proud of and protecting this corridor.

Motion by Commissioner Schulz and seconded by Commissioner Ewing to approve Resolution R031610 – A Resolution to Adopt Amendments to the 2009 Zoning Ordinance, Newton County, Georgia; to Repeal Conflicting Provision; and for other purposes as read aloud by Commissioner Schulz and made part of these minutes, and with addendum read into the record by Director Marian Eisenberg.

**Addendum to Almon/Crowell Road Overlay District – amend as follows:  
Sec. 450-060 DEVELOPMENT STANDARDS – NON RESIDENTIAL**

#### **C. Orientation**

**3. Drive-throughs, service windrows, and drive-in facilities shall not be located between the building and the street. If the site fronts two or more streets the drive through, service window may be allowed between the building and the road if screened. Screening requires 100% spatial coverage, with 75% evergreen plant materials which grow to six feet height in two years. The screening location, whether incorporated in the required landscape strip or other location, is subject to the County Landscape Architect. Outside speakers must be located at least 250 feet from any single family residential district, and meet the Newton County Noise Ordinance.**

**Sec. 450-160 LIGHTING**

- A. Lighting must be controlled in height, direction, and intensity for traffic safety and to maintain desired character.**
  
- B. Streetlights utilizing decorative fixtures and poles shall be provided along all internal streets and along all public rights-of-way. Streetlights shall be staggered along both sides of the internal streets with placement on alternating property lines. Lighting plans shall indicate lighting at approximately every 150 feet, however when impractical considering property lines, intersecting streets, driveways, storefronts or other features, and light dispersion patterns for the fixture style, flexibility in spacing may be approved by the Director. Fixtures shall be full cut-off type and designed to accommodate a house-side shield.**

**Sec. 450-180 UTILITIES**

**All new utilities that are part of a common development and installed for the sole purpose of service for that common development shall be underground. This provision is not intended to regulate public utilities. Existing overhead utilities and new utilities along the rights-of-way of primary and secondary roadways or on adjacent private property of these roadways will be exempt from the underground requirements.**

Motion Carried

**COUNTY CHECKS**

Motion by Commissioner Ewing and seconded by Commissioner Fleming to approve the county checks as read aloud by Chairman Morgan and printed in board book.

Motion Carried

**EXECUTIVE SESSION**

Time: 9:00 p.m.

Motion by Commissioner Ewing and seconded by Commissioner Fleming to enter into Executive Session for the purpose of discussing land acquisition.

Motion Carried

**REGULAR SESSION**

Time: 9:35 p.m.

Motion by Commissioner Simmons and seconded by Commissioner Fleming to enter into Regular Session.

Motion Carried

With no further business, the meeting adjourned at 9:36 p.m. on a motion by Commissioner Ewing and a second by Commissioner Schulz.

Motion carried

Respectfully submitted,

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Jackie B. Smith, County Clerk

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Katherine G. Morgan, Chairman