

**NEWTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
DECEMBER 6, 2005  
MINUTES**

Newton County Courthouse  
1124 Clark Street  
Covington, Georgia 30014  
Chairman Aaron Varner, Presiding

Present: Chairman Varner, Commissioners' Mort Ewing, Ronnie Dimsdale, Ester Fleming, Jr., J.C. Henderson, and Monty Laster; Attorney Tommy Craig, and Clerk Jackie Smith

Also Present: Brittany Edwards (Covington News)  
Crystal Tatum (Newton Citizen)  
Large Group of Citizens

Chairman Varner called the meeting to order, welcomed all present, shared a thought for the day and gave the invocation.

**APPROVAL OF BOC MINUTES FOR NOVEMBER 15, 2005**

**Motion: To approve the minutes with a correction on page nine of the attachment book. Should have read "parked" and not part. Duly noted and corrected.**

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

**Second by:** Commissioner Monty Laster, District Five

**Motion Carried**

**APPROVAL OF BOC WORK SESSION MINUTES FOR  
NOVEMBER 17, 2005**

Motion: To approve the minutes as written.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

**APPROVAL OF WORK SESSION MINUTES FOR DECEMBER 1,  
2005**

Commissioner Ewing requested these minutes be tabled for major corrections. During the work session he raised several issues that he wanted to be addressed.

Commissioner Fleming noted that since it is not the policy of the board to hear a motion during a work session that he would like for the motion regarding the development

regulations be placed on tonight's agenda for approval during a regularly scheduled meeting. The board concurred.

Motion: To table Work Session Minutes dated December 1, 2005 for corrections. Duly noted and corrected.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

### **AMEND THE AGENDA**

Motion: To amend the agenda regarding Development Regulations motion on December 1<sup>st</sup> Work Session.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second by: Commissioner Mort Ewing, District One

Motion Carried

### **“STORM READY COUNTY” – PRESENTATION**

Mr. Barry Goodman from the National Weather Service was on hand to make a presentation to the board for Newton County becoming a “Storm Ready County.” A representative of GEMA expressed her appreciation for the county being a storm ready partner with the state. Appreciation was expressed to EMA Director Tray Polk and Deputy Director Jody Nolan for a job well done. Mr. Goodman unveiled the beautiful road sign and presented it to the entire board. The sign will be placed in the county for all to see.

### **“AFTER SCHOOL PROGRAM” – PRESENTATION**

Mr. Keith Daniels appeared before the board and presented his business plan for a new venture in the county, noting it is a noble project for the children. After the presentation and discussion with the board he requested a letter of support that would be used to try and acquire funding with the state and other organizations. He noted the following:

- Plans to build a community center
- Briefly went over project
- Outlined services they will offer
- Daily tutoring and lecturing
- Seminars for GED
- Summer English Institute
- Cooking & Sewing Classes
- Provide meals on Saturday
- Job Training Work Shop
- Career Days
- Cultural Arts
- Fitness Center/Recreation

- Future: Swimming Pool
- Hoping for a fully funded program through grants.
- Does not feel it will take away from other projects i.e. Washington Street Center
- The board decided to table the request for further study and will hear again on December 20<sup>th</sup>.

Motion: To table any action until December 20<sup>th</sup> meeting for further review and study.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### **BID #06-13 SERVICE TRUCK FOR CORNISH CREEK WTF**

Chairman Varner apprised the board of this bid. He noted the following:

- \$45,000 available in current budget for purchase. (Water Fund)
- Akin Ford came in as the low bidder at \$44,928.00
- Truck will replace their current 1985 Service Truck.
- Will be delivered in approximately a month to a month and half.

Commissioner Ewing questioned if local dealers were made aware of the bid? Yes

Commissioner Henderson questioned if any local dealers provided a bid? No

Administrative Officer stated that the bids were public and were on Newton County's website.

Commissioner Ewing asked if that was the only notification? Not sure, but this is a special type of truck.

Commissioner Ewing said he would like to see local companies receive a letter notifying them of the bids. Mr. Middleton indicated he would instruct the purchasing department in the future to make sure they send local dealers a letter of notification.

Motion: To approve Bid #06-13 Service Truck for Cornish Creek Water Treatment Facility and award the bid to the low bidder, Akins Ford, for a not to exceed amount of \$44,928.00

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

### **TOWING SERVICE CONTRACT WITH B&H WRECKER SERVICE**

County Attorney Tommy Craig addressed the board regarding the towing service contract. He noted the following:

- Investigating and exploring this issue
- Will have a proposal for board's consideration in February and hopes it will meet with board's approval.
- Asking for an extension on the current contract with B&H Wrecker for January and February of 2006.

Motion: To uphold the recommendation of the county attorney and extend the current contract held by B&H Wrecker Service until February 28, 2006.

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

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

Motion Carried

### **TASK ORDERS #3,4,5,6&7 FOR TRANSPORTATION CONSULTANTS J.B. TRIMBLE, INC.**

Commissioner Ewing noted that he received his packet late and has not had time to adequately review J.B. Trimble's task orders. He requested this item be tabled until the December 20<sup>th</sup> meeting.

Motion: To table until December 20<sup>th</sup> meeting for action.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

### **R120605 AUTHORIZING CONTRACT W/N.C. INDUSTRIAL DEVELOPMENT AUTHORITY & GPC FOUNDATION**

Again, Commissioner Ewing noted he has not time to adequately review this contract, but based on the recommendations of Mr. Middleton and Mr. Craig who would move forward.

Mr. Middleton noted the following:

- Bond attorney requested this resolution be approved tonight.

Mr. Craig noted:

- Scheduled to close before next board meeting.
- Needs to be acted on tonight.

Commissioner Ewing requested that attorney highlight document so that he could have a comfort level before voting.

Mr. Middleton noted

- Went over term sheet (attached and made part of minutes)
- Bond Amount: \$2,550,000

- \$500,000 committed for roads
- Bank qualified rate is significantly less

Commissioner Ewing questioned if the recommendation is for 20 years or option of leaving open for 15 or 20 years.

- Difference annually of \$37,000 in a 15/20 year financing
- Bonding allows for others who will come in later on.
- Net savings of \$483,00 for 15 year bond

Commissioner Dimsdale noted:

- Significant savings if we retire the bond in 15 years and would prefer us to go that way.

Motion: To approve Resolution R120605 Authorizing Contract with the Newton County Industrial Development Authority and Georgia Perimeter College Foundation based on the recommendation of Administrative Officer John Middleton and County Attorney Tommy Craig for Newton County to bond \$2,550,000 for a period not to exceed 15 years and a rate not to exceed 5.50%.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried

**Note: The original resolution is contained in file number R12065, incorporated herein by reference and expressly made a part of these minutes.**

## **PUBLIC HEARING CALLED TO ORDER BY CHAIRMAN VARNER**

### **SUBJECT: RE-ADOPTION OF THE MULTI-JURISDICTIONAL SOLID WASTE MANAGEMENT PLAN**

- Public Hearing was opened up by the chairman
- Public was invited to address the board with their comments.
- No one came forward to speak
- Closed Public Hearing

### **R120605A RE-ADOPTION OF THE MULTI-JURISDICTIONAL SOLID WASTE MANAGEMENT PLAN and THE SHORT TERM WORK PROGRAM UPDATES**

Attorney Jenny Carter addressed the board and presented the resolution to re-adopt the Multi-Jurisdictional Solid Waste Management Plan.

- Take 1993 Plan and update from 1999 and 2004, and simply package together.
- Nothing has changed in the plan.

Motion: To approve Resolution R120605a Re-adoption of Newton County's Multi-Jurisdictional Solid Waste Management Plan and Short Term Work Updates as and presented by Attorney Jenny Carter.

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

**Note: The original resolution is contained in file number R12065a, incorporated herein by reference and expressly made a part of these minutes.**

**Amended agenda earlier to include the following:**

**Development Regulations Motion from Previous Work Session (December 1<sup>st</sup>.)**

Commissioner Fleming addressed the board and asked that his motion at the work session be presented at tonight's regular meeting. His concern was that it was not county policy to make motions in a work session and for the official record would like it to be recorded in a regular meeting.

Motion: To send proposed Zoning Ordinance Amendments and Development Regulations back to the Newton County Planning Commission for action at their January 2006 meeting. Also, the Newton County Board of Commissioners will act on this issue at their February 21, 2006 meeting. Conditions as follows:

1. Finished product to be reviewed and approved by the Newton County Planning Commission.
2. Board of Commissioners will schedule a work session after Planning Commission hears ordinance and regulations.
3. Committee of Home Builders Association, Development Community, Smart Growth and staff are to move with haste. Suggest 2 from each community, but no more than a ten-member committee and this does not include staff members. Names will be presented to chairman of BOC and he will name committee members.
4. All additions to be considered are to be turned in to the Director of Planning no later than 5:00 p.m. on Friday, December 9<sup>th</sup> **(in writing only with no exceptions).**

Proposed by: Commissioner Ester Fleming, Jr., District Three  
 Second by: Commissioner Monty Laster, District Five  
 Motion Carried with Commissioner Henderson abstaining.

**ALCOHOL LICENSE:**

**FIRST READING**

Shell Gas Station  
14656 Brown Bridge Road  
Covington, Georgia 30016  
Rubina Nagjee (100% Owner)  
District Two

**FINAL READING**

Quick Spot #4  
10260 Hwy. 36  
Covington, Georgia 30014  
William B. Jones (100% Owner)  
District Five

Motion: To approve the Alcohol License for Quick Spot #4 located at 10260 Highway 36, Covington, Georgia.

Proposed by: Commissioner Monty Laster, District Five  
Second by: Commissioner J.C. Henderson, District Four  
Motion Carried

Kroger #436  
5341 Hwy. 20 South  
Covington, Georgia 30016  
Kroger Corporation (100% Owner)  
District Two

Oak Hill B.P. Station  
3300 Hwy. 81 South  
Covington, Georgia 30016  
Mohammad Iqbal Butt (100% Owner)  
District Two

Motion: To approve the Alcohol License for Kroger #436 located at 5341 Highway 20 South, Covington, Georgia and Oak Hill BP Station located at 3300 Highway 81 South, Covington, Georgia.

Proposed by: Commissioner Ronnie Dimsdale, District Two  
Second by: Commissioner Ester Fleming, Jr., District Three  
Motion Carried

**2006 ALCOHOL LICENSE RENEWALS**

Almon Best Buy  
66 Almon Road  
Covington, Georgia 30014  
Licensee: Ameer Ali Pujani

Big D Market  
5485 Hwy 81 S  
Covington, GA 30014  
Licensee: Abdul Hirani

Jolly Good inc. dba BP Food Mart  
11260 Brown Bridge Road  
Covington, Georgia 30016  
Licensee: Hanif Punjani

BP Food Mart  
11128 Hwy 36  
Covington, GA 30014  
Licensee: Nadir Khanmohamed

BP Food Mart  
2536 Hwy 81  
Covington, GA 30016  
Licensee: Varma S Meka

BP Hwy 11  
387 B Hwy 11  
Social Circle, GA 30025  
Licensee: Amjad Nayani

BP Food Mart  
2083 Crowell Road  
Covington, Georgia 30014  
Licensee: Akash Merchant

Bounty Investment Inc dba Chapman's Convenience Store  
5590 Hwy 81 S  
Covington, GA 30016  
Licensee: Naushad Kolsawala

Circle K Stores #2284  
10125 Alcovy Road NE  
Covington, GA 30014  
Licensee: Larry James White

Circle K Stores #2285  
2156 Hwy 81 N  
Oxford, GA 30054  
Licensee: Larry James White

Conyers CVS #8419  
4192 Salem Rd  
Covington, GA 30016  
Licensee: Christopher Todd Packer

Katchamaverick  
12708 Highway 278  
Social Circle, Georgia 30025  
Licensee: Joan Arter

Hyatt Grocery  
10378 Hwy. 142 N  
Covington, Georgia 30014  
Licensee: Haile Selassie Tefera

Phillips 66  
10055 Covington Bypass Rd  
Covington, GA 30014  
Licensee: Mathew Varughese

Petroleum Properties, LLC dba Crowell Road Liberty  
2080 Crowell Road  
Covington, GA 30016  
Licensee: Kevin Price

AKN Enterprises Inc dba Dixie Food Mart  
1058 Hwy 142 E  
Covington, GA 30014  
Licensee: Lamir Ali Charaniya

North Fork Chevron  
3078 Hwy 81  
Oxford, GA 30054  
Licensee: Rafir Farishta

Elks Club Chevron  
10946 Hwy 278 E  
Covington, GA 30014  
Licensee: Shami Dojtmohamed

Dhanani Enterprises Inc dba Ellington Texaco  
20 Salem Circle  
Covington, GA 30016  
Licensee: Iqbal H. Dhanani

Flash Foods #249  
4175 Salem Rd  
Covington, GA 30016  
Licensee: William Glen Bryson

Flash Foods #250  
10375 Hwy 142 N  
Covington, GA 30014  
Licensee: William Glen Bryson

T&H One Stop  
14625 Highway 36  
Covington, Georgia 30014  
Licensee: Bijani Habib

Golden Pantry #26  
3538 Salem Road  
Covington, GA 30016  
Licensee: Calvin Thomas Griffith

Happy Food Mart  
15825 Hwy 36  
Covington, GA 30014  
Licensee: Amirali Babuani

Hub Chevron  
12752 Hwy 278  
Social Circle, GA 30025  
Licensee: Amjad Nayani

J.J.'s Quick Stop  
298 Hwy 162 Connector  
Covington, GA 30016  
Licensee: Sohail Sohani

Sunil Enterprises Inc. dba Lovers Lane Citgo  
2527 Hwy 81 S  
Covington, GA 30016  
Licensee: Nizar Dhanani

Newton BP dba V.J. Enterprises Inc  
5343 Hwy 20  
Covington, GA 30016  
Licensee: Aziz I Vegdani

Pony Express Food Mart  
1814 Hwy 11 S  
Covington, GA 30014  
Licensee: Lee Khana

John J. Potts Store  
15524 Hwy 36  
Covington, GA 30014  
Licensee: John J. Potts

Publix Super Markets, Inc #744  
13015 Brown Bridge Rd  
Covington, GA 30016  
Licensee: Robert H. Moore

Rico Enterprises Inc dba Rocky Plains Grocery  
2310 Hwy 212 N  
Covington, GA 30016  
Licensee: Oscar Roberto Castro

South Fork Chevron  
10571 Flat Shoals Rd  
Covington, GA 30016  
Licensee: Hubert White

The Pit Stop  
1313 Hwy 11 N  
Social Circle, GA 30025  
Licensee: John S. Hardegree III

Wilson's Grocery  
2299 Hwy 212  
Covington, GA 30016  
Licensee: Terry Dwayne Wilson

Foodland dba Shailly Enterprises, Inc  
15036 Brown Bridge Rd  
Covington, GA 30016  
Licensee: Santosh Shailly  
Pure Food Mart  
50 Morningside Dr  
Covington, GA 30016  
Licensee: Amirali Babwani

Shell Food Mart  
10724 Covington Bypass  
Covington, GA 30014  
Licensee: Akbar Ali

Shiddhi Inc dba Salem Amoco  
3501 Salem Rd  
Covington, GA 30016  
Licensee: Chaitanya Patel

Salem Shell Food Mart  
3633 B Salem Road  
Conyers, GA 30013  
Licensee: Akbar Ali

Motion: To approve the Alcohol License Renewals for 2006 as read by the chairman.  
Proposed by: Commissioner Ester Fleming, Jr., District Three  
Second by: Commissioner J.C. Henderson, District Four  
Motion Carried

Motion: To table the following Renewals for 2006 for county attorney to review and advise the board at their December 20<sup>th</sup> meeting.

Alcohol Renewals Tabled until December 20th  
Foodland dba Shailly Enterprises, Inc  
15036 Brown Bridge Rd  
Covington, GA 30016  
Licensee: Santosh Shailly

Shell Food Mart  
10724 Covington Bypass  
Covington, GA 30014  
Licensee: Akbar Ali

Shiddhi Inc dba Salem Amoco  
3501 Salem Rd  
Covington, GA 30016  
Licensee: Chaitanya Patel

Salem Shell Food Mart  
3633 B Salem Road  
Conyers, GA 30013  
Licensee: Akbar Ali

Big D  
5485 Hwy. 81 South  
Covington, GA 30014  
Licensee: Abdul Hirani

Proposed by: Commissioner Mort Ewing, District One  
Second by: Commissioner J.C. Henderson, District Four  
Motion Carried

### **COUNTY CHECKS:**

Commissioner Ewing asked that the check approval be tabled until December 20<sup>th</sup> meeting so that he could have time to review them.

Motion: To table the county checks approval until the December 20<sup>th</sup> meeting.  
Proposed by: Commissioner Mort Ewing, District One  
Second by: Commissioner Ronnie Dimsdale, District Two  
Motion Carried

### **EXECUTIVE SESSION**

Time: 8:45 p.m.

Motion: To enter into Executive Session for the purpose of threatened and pending litigation.

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

### **REGULAR SESSION**

Time: 9:30 p.m.

Motion: To enter into Regular Session.

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

### **ADJOURN**

Time: 9:30 P.M.

Motion: To adjourn.

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

Respectfully Submitted,

Jackie Smith  
County Clerk

