

**NEWTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
July 18, 2006  
AGENDA**

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

**Present:** Chairman Aaron Varner, Commissioners Ronnie Dimsdale, Ester Fleming, Jr., J.C. Henderson, and Monty Laster, Administrative Officer John Middleton, Attorney Scott Cole, Attorney James Griffin, and County Clerk Jackie Smith  
Note: Commissioner Mort Ewing was absent on vacation.

**Newspapers:** None  
**Small group of citizens**

Chairman Varner called the meeting to order, extended a welcome and read the thought for the day. Pastor Rob Raynor from Eastridge Community Church gave the invocation and the Chairman led the Pledge of Allegiance to our great flag.

**Approval of BOC Minutes dated June 20, 2006**

Motion: To approve the minutes as written.

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Ronnie Dimsdale, District Two

Motion Carried

**ISE Stormwater Proposal/Task Order Form 7A**

Administrative Officer John Middleton presented the ISE proposal to the board and noted the following:

- Board met with Ron Felder
- Mapping of stormwater outfalls & detention ponds
- Found three times as many as originally estimated
- Originally proposed 857 structures – cost \$30,000
- So far they have mapped 1001 structures & 65 detention ponds
- Estimate 1350 structures remain to be mapped @ a cost of \$40,500
- ISE offered to train county personnel

Commissioner Dimsdale

- Expressed appreciation for Ron Felder's willingness to help county with training of personnel.

Motion: To approve Task Order Form 7A with ISE for an amount not to exceed \$40,500.00.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second by: Commissioner Monty Laster, District Five

Motion Carried

### **DHR Contract #427-93-733ACJ – Juvenile Department**

Juvenile Court Administrator Angie Sims appeared before the board regarding this grant. The acceptance of the grant is a housekeeping item required by DHR.

Motion: To approve DHR Contract #427-93-733ACJ for Newton County Juvenile Department as requested.

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Ronnie Dimsdale, District Two

Motion Carried

### **Office Complex/Hogan Construction**

Purchasing Director Tina Edmondson and Project Manager Ray McFadden presented the Hogan Construction Contract to board.

Tina Edmondson

- Previously brought board fees for management
- Price came back under budget

Commissioner Fleming

- Questioned if the price included the fee for management? Ms. McDonald said, no, but the price is included in the total price. (\$8,254,072.00)
- Questioned time line for substantial completion of project? Mr. McFadden said we could begin moving in on June 30, 2007 with a punch list to be completed.

Commissioner Dimsdale

- Requested a brief description of process we are in and idea of a not to exceed price?

Ray McFadden

- 5 weeks ago BOC approved a contract for a Construction Manager At Risk
- Worked on drawings
- Sub-Contractors
- Began pricing process of job
- Notified 10 days ago that final drawings were completed by the architect
- Process we are using speeds up project

Motion: To approve the contract with Hogan Construction Company for a not to exceed price of \$8,943,659.00 along with a Notice to Proceed dated July 19, 2006.

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

Second by: Commissioner Monty Laster, District Five

Motion Carried

## **Truck Purchase/Public Works Department**

Chairman Varner presented this purchase to the board and noted the following:

- Purchase is for two trucks for the Public Works Department
- Purchasing a V6 engine which will hold up longer
- Received bids from Covington Ford, Walker Harris and Ginn Motor Company.
- Covington Ford had the lowest bid on both trucks @ \$26,387.00 for the One ton truck and \$10,647 for the small pickup truck for a total cost of \$37,034.00.
- Recommended to award bid to Covington Ford

Motion: To award the bid to Covington Ford for a not to exceed cost of \$37,034.00.

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Ronnie Dimsdale, District Two

Motion Carried

## **RFP#07-01 Grading & Landscaping Mitigation @ 75 Cornish Trace**

Administrative Officer John Middleton presented this to the board and gave a chronological summary of events.

- Summary of events attached and made part of minutes
- Ongoing problem
- Expressed thanks for all the diligent work Reservoir Manager Mike Henderson and Matt Kelly gave on behalf of county.
- Expressed thanks to Ms. Edmondson for getting bid together to help resolve the problem
- Lien placed on property

Commissioner Dimsdale

- Questioned what part in the process would the lien be filed?
- He noted he wanted the record to reflect that a lien would be filed and pursued vigorously.

Tina Edmondson

- Advertised bid in paper
- Contacted grading companies
- Only received one bid
- Only one company attended pre-proposal conference
- Recommended not to exceed price of \$125,423.50.

Motion: To approve and award the contract to Cummings Grading Company for a not to exceed price of \$125,423.50.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### **Real Estate Sales Contract/Auction Hwy. 278 Properties**

Attorney Scott Cole presented item to board and noted the following:

- Mailed out over 3,000 flyers to businesses
- Advertised three times in Covington News
- Four bidders
- Tony Allen bid \$950,000 which was the largest bid
- Appraised price is \$971,000.00
- Board reserves right to not accept bid.

Motion: To approve and accept the bid of \$950,000 from Mr. Tony Allen for properties located on Hwy. 278 known as Newton County Mental and Physical Health Departments.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### **Quit Claim Deed Amendment/Rob Fowler**

Attorney Scott Cole appeared before the board and presented the quitclaim deed.

- Error in mitigation of tract
- Setback will remain the same at 125' from the water.

Motion: To approve the Quit Claim Deed Amendment as outlined by Attorney Scott Cole.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### **Appointments to Senior Services Board**

Chairman Varner presented Mr. Benny Phillips name to the board for his appointment to the Senior Services Board.

Motion: To appoint Benny Phillips to serve on the Senior Services Board.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second by: Commissioner Monty Laster, District Five

Motion Carried

Motion: To appoint Jack Francis to serve on the Senior Services Board representing District Two.

Proposed by: Commissioner Ronnie Dimsdale, District Two

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

Motion Carried

Motion: To appoint Vivian Harris to serve on the Senior Services Board representing District Four.

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

Second by: Commissioner Monty Laster, District Five

Motion Carried

Motion: To appoint Jane Atkinson Hammet to serve on the Senior Services Board representing District Five.

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Ronnie Dimsdale, District Two

Motion Carried

### **R071806 Tax Allocation Districts – Election 2006**

Attorney James Griffin presented the Tax Allocation Districts to the board and after much discussion the board decided to schedule a work session for further study.

Motion: To table the Tax Allocation Districts until discussed further at a work session.

Proposed by: Commissioner Ronnie Dimsdale, District Two

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

Motion Carried

### **R071806a CIE & STWP Program**

Administrative Officer John Middleton noted the following:

- Adopted April 18, 2006
- Forwarded to DCA for approval
- Received notification we could move forward
- Housekeeping item

Motion: To approve Resolution 071806a CIE & Short Term Work Program.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second by: Commissioner Monty Laster, District Five

Motion Carried

### **The “Brant Chesney Memorial Fire & Burn Prevention Grant”**

Fire Marshall Tim Smith appeared before the board regarding the acceptance of this grant and noted the following:

- Fire Safety Education Enhancement
- Clown Costumes
- Education for K-12 grades for public and private schools

Motion: To approve and accept the Brant Chesney Memorial Fire & Burn Prevention Grant.

Proposed by: Commissioner Ronnie Dimsdale, District Two

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

Motion Carried

### **Fireman's Fund Application Grant**

Fire Marshall Tim Smith appeared before the board regarding the acceptance of this grant and noted the following:

- Fireman's Insurance Funds
- 100% funding
- Used for headset equipment in trucks
- Exec rise equipment at three stations

Motion: To approve and accept the Fireman's Fund Application Grant.

Proposed by: Commissioner Ronnie Dimsdale, District Two

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

Motion Carried

### **REZ06-016**

#### **Brad & Douglas Parker**

Planning Director Marian Eisenberg told the board that the petitioner had requested zoning to be tabled until August 15<sup>th</sup> BOC Meeting.

Motion: To defer REZ06-016 to the August 15<sup>th</sup> meeting of the BOC as requested by the petitioner.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### **CUP06-004**

#### **Fred & Erica Lackey**

Proposed Use: Home occupation (beauty salon) with customer contact on property.

Existing Zoning: AR (Agricultural Residential)

Watershed: Alcovy River

Location: Alcovy Circle (North Side)

131.99 Feet of Frontage

Parcel Size: 1.9 Acres

Tax Parcel: 99-239

Commission District One

Applicant's Intent: To allow a home occupation (one-chair beauty salon) with customer contact on property.

Planning Commission Recommendation (June 27, 2006): Approval with changed conditions.

Erica Lackey

- Agrees to comply with all conditions to approve.
- Desire is to work out of the home due to her husband's health issues.

Motion: To approve CUP06-004 for Home Occupation with Customer Contact on Property with the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. A single-family residence with a home occupation (one-chair salon).
  - b. Comply with the standards of section 510-310 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 May 5, 2006. 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. Hours of operation shall be Wednesday through Friday from 9:00 a.m. until 5:00 p.m. and Saturday from 8:00 a.m. until 1:00 p.m.
  - b. Customer access to the garage shall be from inside the house. Garage doors to remain closed during business hours.
  - c. No signage related to home occupation shall be allowed.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### **APR06-003**

### **VAR06-014**

### **Kenneth Brown**

- Commissioner Dimsdale recused himself from voting on this zoning.
- Petitioner requested petition to be tabled.

Motion: To approve the request to defer the petition until the August 15<sup>th</sup> BOC Meeting.

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

Second by: Commissioner Monty Laster, District Five

Motion Carried

### **Streetlights**

### **River Birch Subdivision**

Motion: To approve the streetlights as requested.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### Avonlea Subdivision

Motion: To approve the streetlights as requested.

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

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

Motion Carried

### County Roads Estate Phase II

Motion: To approve the streetlights as requested.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### County Checks

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

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### Executive Session

Time: 8:15 p.m.

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

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second by: Commissioner Monty Laster, District Five

Motion Carried

### Regular Session

Time: 9:25 p.m.

Motion: To enter into Regular Session

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

### Adjourn

Time: 9:25 p.m.

Motion: To adjourn the meeting.

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

Second by: Commissioner Monty Laster, District Five

Motion Carried

Respectfully Submitted,

Jackie B. Smith  
County Clerk

