

NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
June 6, 2006
MINUTES

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

Present: Chairman Aaron Varner, Commissioners Mort Ewing, Ronnie Dimsdale, Ester Fleming, Jr., J.C. Henderson, and Monty Laster, Administrative Officer John Middleton, County Attorney Tommy Craig, Attorney Scott Cole, Attorney James Griffin, and Acting County Clerk Kellie Lundy.

Newspapers: None
Moderate group of citizens

Chairman Aaron Varner called the meeting together, extended a welcome and read the thought for the day. Commissioner Ronnie Dimsdale gave the invocation, and the Chairman led the Pledge of Allegiance to our great flag.

APPROVAL OF BOC MINUTES DATED MAY 16, 2006

Motion: To approve the minutes as written.

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Mort Ewing, District One

Motion carried 4 to 0 (Commissioner Henderson was not present for the vote)

FY 2005 AUDIT REVIEW – TREADWELL, TAMPLIN & CO

- Wayne Tamplin presented the information to the Board.
 - County is working toward qualifying for the Certificate of Reporting Achievement by the GFOA (Government Finance Officers Association), thus more schedules, etc. in the report.
 - Only reportable condition was the Tax Commissioners' office not timely remitting collections to County Office as required by state law.
 - This has been addressed and corrected.
- Commissioner Ewing asked:
 - Mr. Tamplin to expand on the Board's responsibility for the items listed on pages 16-17 of the audit report.
 - Mr. Tamplin stated that the items (library, recreation, etc.) are a moral responsibility of the Board.
 - Clarified that the only recommendation is the Tax Commissioners' office not timely remitting collections to County Office as required by state law
 - He stated that they made management comments but that was the only reportable condition listed.

- Commissioner Dimsdale asked:
 - Why the hospital authority and EMS were not listed in the report even though the County provides significant amount of money to them through the EMS and Hospital indigent jurisdiction and suggested he would like to see them included.
 - Mr. Tamplin replied that they were not component units of the County, but that could change and he could look at it. There is a list of criteria to determine if it is a component unit.
 - Where do the funds listed on page 45 of the audit reside?
 - The ACCG (Association County Commissioners of Georgia) manages those accounts (pensions, etc.).

Motion: To approve the Comprehensive Annual Financial Report for FY Ending June 30, 2005, as presented by Mr. Wayne Tamplin.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion carried unanimously.

RFP #06-14A – OFFICE COMPLEX CONSTRUCTION MANAGER AT RISK

- Purchasing Director Tina McDonald presented this to the Board.
 - Six proposals were submitted by six firms.
 - All six firms were interviewed by the Evaluation Committee
 - Committee came to a unanimous decision to recommend Hogan Construction Group.
- Commissioner Dimsdale asked if the project was expanded to the Civic Center and/or Hotel would a new RFP be issued for the additional construction project. The answer was yes.
- Project Manager Ray McFadden explained that the site for the parking deck would hopefully be determined soon, and he is hoping to have the parking deck completed either at the same time or shortly after the completion of the office complex.

Motion: To approve RFP #06-14A – Office Complex Construction Manager at Risk be awarded to Hogan Construction Group, LLC for an amount not to exceed \$276,000.00 to be divided as follows: \$207,000.00 for the Office Complex and \$69,000.00 for the parking deck once the site is selected.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion carried unanimously.

TIMBER SALE AT GAITHERS PLANTATION

- Purchasing Director Tina McDonald presented this to the Board.

- Received two bids and both were lower than projected by Consultant Mack Barber, Barber Forest Consultants.
- Recommendation is to reject all bids and wait until later, possibly in the Fall, when market conditions are better and request new bids.
- Commissioner Henderson asked if the pine beetle infestation would jeopardize the timber.
 - Chairman responded by stating that the situation with the pine beetles was dealt with earlier, and Mr. Barber feels it would be okay for the timber to wait.

Motion: To accept the recommendation of Mack Barber of Barber Forest Consultants and reject all bids for Timber Sale at Gaithers Plantation.

Proposed by: Commissioner Mort Ewing, District One

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

Motion carried unanimously.

RESOLUTION TO AMEND SERVICE DELIVERY STRATEGY FOR NEWTON COUNTY

- County Attorney Tommy Craig asked the Board to postpone this until the Executive Session.

Motion: To postpone discussion until the Executive Session due to pending litigation.

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

Second by: Commissioner Mort Ewing, District One

Motion carried unanimously.

RIGHT-OF-WAY ENCROACHMENT – RIVERSTONE S/D

- Attorney Scott Cole presented this to the Board.
 - Encroachment is 9 feet into the right-of-way.
- Attorney Robert “Mo” Tally represented the developer, Thompson Builders, Inc.
 - Currently the relocation of the signage would cost @ \$10,000.00.
 - Proposed the following:
 - If Brown Bridge Rd is expanded while Thompson Builders, Inc. is still in possession of the Greenspace, Thompson Builders, Inc. will pay the cost of relocating the signage.
 - After 75% of the homes are sold, a homeowners association is created. At that time, the association will be financially responsible. This would be added to the covenants.
- County Attorney Tommy Craig clarified the financial responsible roles of the developer and the homeowners and expressed that although it may be legal, he did not think it was fair for the homeowners.
- Chairman expresses his concerns about immediate safety issues that the encroachment creates.

- Commissioner Ewing expressed concerns with the possibility of the Board having to deal with a homeowners association instead of the developer to get the sign moved.
- Commissioner Fleming stated that this is in district three, and he is appalled. Most homeowners do not look at the covenants, and it is unfair to pass that cost along to them. His main concern is safety and liability. Nine feet is a gross encroachment, and there is no excuse. The developer should move, at his own cost, the sign.
- Commissioner Dimsdale suggested maybe the option of the developer putting \$10,000.00 in escrow with the County for the cost of moving the sign in the future. This would take the responsibility off of the homeowners when the road is widened.
 - Mr. Tally said he was not at liberty to commit Mr. Thompson to this, but it sounded like a good option.
 - Commissioner Fleming respectfully disagreed. He is very worried about safety issues and the liability.

Motion: To disallow the request for the right-of-way encroachment as it relates to the Riverstone Subdivision.

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

Second by: Commissioner Monty Laster, District Five

Motion carried unanimously.

UGA EXTENSION SERVICE AGREEMENT

- Administrative Officer John Middleton presented this to the Board.
- Contract with UGA and the Cooperative Extension services for 4-H and youth programs.
- \$38,232.10 total budget

Motion: To approve Newton County Contract # 26-31-RE687-051 between the Newton County Board of Commissioners and the UGA cooperative extension services in association with the Educational Program Specialist for another year for an amount not to exceed \$38,232.10.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion carried unanimously.

STREETLIGHTS

None

ALCOHOL LICENSE

FIRST READING

None

FINAL HEARING

BIBI Food Mart 3
3633 B Salem Rd
Covington, Georgia 30016
District Two
Gordon Smith (100% Owner)

Motion: To approve the alcohol license for BIBI Food Mart 3.
Proposed by: Commissioner Ronnie Dimsdale, District Two
Second by: Commissioner Monty Laster, District Five
Motion carried unanimously.

COUNTY CHECKS

Motion: To approve county checks as printed and read by the Chairman.
Proposed by: Commissioner Monty Laster, District Five
Second by: Commissioner J.C. Henderson, District Four
Motion carried unanimously.

ROBINHOOD RESIDENTS - NEIGHBORHOOD CONCERNS

- Ms. Yvonne Wicka presented this to the Board.
 - Dirt roads in the subdivision are in poor condition
 - Wants Robin Hood Road paved
 - Requests that the dangerous intersections be fixed
 - Correct high embankments from ditch clearing that reduces visibility
 - Road runoff into Jackson Lake
 - Possible water line before paving
- The Chairman responded that they were not being ignored.
 - It takes a long time to get a project off the ground.
 - The County has limited funds to meet the road needs for the whole county.
 - Will send the County Engineer out
 - Residents will need to commit to dedicate right-of-way for the paving of the road.
- Commissioner Ewing asked the County Attorney to draw up a petition for the residents to sign donating right-of-way.

CITIZEN COMMENTS/COMMISSIONER'S COMMENTS

- Don Gresham addressed the Board.
- Jim Carter addressed the Board.

EXECUTIVE SESSION

TIME: 8:35 PM

Motion: To approve entering into Executive Session to discuss land acquisition, pending litigation and threatened litigation.

Proposed by: Commissioner Mort Ewing, District One

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

Motion carried unanimously.

REGULAR SESSION

TIME: 11:18 PM

Motion: To approve entering into Regular Session.

Proposed by: Commissioner Mort Ewing, District One

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

Motion carried unanimously.

RESOLUTION TO AMEND SERVICE DELIVERY STRATEGY FOR NEWTON COUNTY

A special called meeting was scheduled for Tuesday, June 13, 2006 at 11:30 AM to discuss this matter further and allow adequate time to review the proposed resolutions.

AJOURN

TIME: 11:22 PM

Motion: To adjourn.

Proposed by: Commissioner Mort Ewing, District One

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

Motion carried unanimously.

Respectfully submitted,

Kellie L. Lundy
Acting County Clerk