

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
March 7, 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, Attorney Scott Cole, Attorney Jenny Carter, James Griffin, & County Clerk Jackie Smith

Also Present: Brittany Edwards, The Covington News
Crystal Tatum, The Newton Citizen
Large group of citizens

Chairman Varner called the meeting to order, extended a welcome and read the thought for the day. Reverend Thomas Stegall, Pastor of St. Paul AME Church gave the invocation and the chairman led the Pledge of Allegiance to our great flag.

AMENDMENT TO MINUTES

Attorney Jenny Carter addressed the board and said the amendment was needed because as originally approved, the increased house size amendments became effective immediately. This did not take into account individual lots of record planning on obtaining building permits. Some of these individuals had gotten construction loan approval or houses designed in reliance on the current house size. The change also did not address subdivisions that were already under construction or already had one phase complete.

Commissioner Fleming read aloud his amendment to the minutes and asked the board for approval.

APPROVAL OF BOC MINUTES DATED FEBRUARY 21, 2006

Motion: To amend the minutes dated February 21, 2006 to include the following: The Amendments to Sections 210-050 E, 215-050 E, 220-050 F, and 230-050F shall not apply to any development with an approved and recorded Final Plat, for any development for which a phase of the development has already been issued building permits, or for which a qualifying Final Plat has been filed on or before March 13, 2006. A qualifying Final Plat application shall be defined as an application which substantially complies with the 2003 Development Regulations, as amended through February 21, 2006.

The Amendments to Sections 210-050 E, 215-050 E, 220-050 F, and 230-050F shall not apply to any residential building permit on property outside of a platted subdivision, for which a qualifying Building Permit has been filed on or before March 13, 2006. A

qualifying Building Permit application shall be defined as an application which substantially complies with the 2003 Development Regulations, as amended through February 21, 006.

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

Second by: Commissioner Monty Laster, District Five

Motion Carried with Commissioner Henderson abstaining from the vote.

MASTER EQUIPMENT LEASE/FINANCING AGREEMENT – E911 PROJECT

Administrative Officer John Middleton noted this agreement was tabled from the last meeting for further evaluation. He said the bank qualifying rate went from 3.49% to 4.8%.

City Capital's rate is 3.625% fixed rate for 60 months. This will be funded through SPLOST dollars. Recommendation: Approve Tax-exempt Municipal Lease/Purchase Agreement with City Capital.

Motion: To approve the financing for M/A-Com Mobile Radio System for E911 through Citi Capital for a fixed interest rate of 3.625% for 60 months. Project Cost: \$4,829,205.00. Funding is available through SPLOST dollars.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second by: Commissioner Mort Ewing, District One

Motion Carried Unanimously

KCNB RIVER OF WORDS CONTEST PRESENTATION

Laurie Riley from Keep Covington/Newton Beautiful appeared before the board with winners from the River of Words contest. There were eleven winners present to receive their honors. Certificates presented by the Newton County Board of Commissioners along with goody bags of county memorabilia. The winners were also presented with savings bonds from Keep Covington/Newton Beautiful. Everyone enjoyed the presentation and the winners had their picture taken with the board.

APPROVAL OF PLANNING & DEVELOPMENT FEES RELATING TO AMENDMENTS TO DEVELOPMENT REGULATIONS (02.21.06)

Director of Planning & Development Marian Eisenberg appeared before the board with a request for approval of fees relating to the amendments the board approved regarding the development regulations on February 21, 2006.

Commissioner Dimsdale clarified the recommended fees would commensurate with time it takes to complete the required work.

Director Eisenberg noted that the fees were all new with the exception of individual lot, clearing and grading. That fee will be increased from \$20.00 to \$175.00 because inspections are now required.

Commissioner Ewing noted that the fees we are addressing is an effort to help the county become in compliance with the Georgia Sedimentation Act. He said these fees will help pay for the inspections and fully supports recommendation.

Motion: To approve the fees outlined in agenda packet, presented by Director Eisenberg and listed below for record.

Exempt Plats: \$125.00

Minor Plats: \$125.00

Individual Lot, Clearing & Grading: \$175.00 per lot

Individual Lot, Clearing & Grubbing: \$125.00 per lot

Driveway Permit: \$85.00

Advertisement/Public Notice: \$75.00

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried

Note: Chairman Varner declared the Public Hearing Opened

O-030706A– ORDINANCE TO ADOPT REPLACEMENT OF OFFICIAL ZONING DISTRICT MAP

Attorney Jenny Carter told the board this ordinance is to replace the official zoning district map. The original map was adopted in 2003 and has been updated monthly reflecting all changes from 2003 until now. She recommended that the map be readopted every year or so reflecting new zoning corrections.

There were no citizen questions or comments.

Motion: To approve O-030706a an Ordinance to Adopt Replacement of Official Zoning District Map.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried Unanimously

Note: The original ordinance is contained in file number O-030706a, incorporated herein by reference and expressly made a part of these minutes.

O-030706 – ORDINANCE TO AMEND THE DEVELOPMENT REGULATIONS, SECTION 505-020 AND SECTION 605-020, REGARDING SUBDIVISION AND STREET NAMES

Attorney Carter noted that the street names would be approved in accordance with the Newton County Addressing Guidelines, administered by the Board of Tax Assessors. She said the Planning Commission had approved this ordinance at an earlier meeting.

No citizen comments or questions.

Motion: To approve O-030706 an ordinance to amend the Development Regulations, Section 505-020 and Section 605-020, regarding subdivision and street names.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

Note: The original ordinance is contained in file number O-030706, incorporated herein by reference and expressly made a part of these minutes.

O-030706B – ORDINANCE TO ADOPT THE NEWTON COUNTY SUBDIVISION, ROAD NAME AND PROPERTY ADDRESSING GUIDELINES.

Attorney Jenny Carter noted the following:

- Page 7 of the Guidelines E911 was added to review the plats.
- Page 9 a new section was added on Posting (Posting Structure Numbers)
- Page 11 sentence deleted about maintaining private streets
- Page 13 (7.02) N.C. Board of Commissioners will address
- Page 14 (9.01) Any action taken by the Board of Tax Assessors can be appealed to the Board of Commissioners

Commissioner Ewing noted that the board made a number of changes at an earlier work session and was very pleased to see them included in the proposal.

No comments or questions from citizens.

Motion: To approve O-030706b an Ordinance to adopt the Newton County Subdivision, Road Name, and Property Addressing Guidelines.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

Note: The original ordinance is contained in file number O-030706b, incorporated herein by reference and expressly made a part of these minutes.

PERSONNEL POLICY UPDATE

Attorney Jenny Carter addressed the board and gave a brief update on the personnel policy. She noted:

- She met with Constitutional Officers
- Everyone ready to move forward with adoption
- Get a copy of policy out to employees next week
- Vote on Personnel Policy @ April 18th meeting
- Timeline made part of minutes
- Outline discussed by Ms. Carter made part of minutes

Commissioner Ewing noted that updating the county personnel policy has been an on-going project since he took office and would like to see the board move forward with what Ms. Carter presented.

Commissioner Henderson voiced his concern that an employee would not be allowed to keep his or her job should they run for an elected office. The policy states the employee would resign their position. He said, we would not have our sheriff, clerk of courts and tax commissioner if this policy had been in place and felt the county had invested dollars and time in employees already who might want to run for an office.

Motion: To move forward with the timeline that Ms. Carter outlined for the adoption of the Personnel Policy.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried with Commissioner Laster voting in favor of the motion and

Commissioner Henderson voting against the motion with Commissioner Dimsdale abstaining from the vote.

R030706b– TEFFRA HEARING – HOSPITAL AUTHORITY

Administrative Officer John Middleton told the board this approval would allow revenue certificates to be tax exempt. He noted the county has received all the information they had requested from the hospital and all issues had been resolved.

Motion: To approve R030706b – A Resolution regarding Teffra Hearing for Newton County Hospital Authority.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

Note: The original resolution contained in file number R-030706b, incorporated herein by reference and expressly made a part of these minutes.

APPOINTMENT TO N.C. WATER & SEWER AUTHORITY BOARD – DISTRICT THREE

Motion: To reappoint Jimmy French to the Newton County Water & Sewerage Authority Board representing the third district. Term will expire on March 31, 2011.

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

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

Motion Carried Unanimously

APPOINTMENT TO N.C. WATER & SEWER AUTHORITY BOARD – DISTRICT FIVE

Motion: To reappoint David Waller to the Newton County Water & Sewerage Authority Board representing the fifth district. Term will expire on March 31, 2011.

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

R030706 – DOT LOCAL STATE ROUTE ACCEPTANCE RESOLUTION FOR SR 212 & CR 8

Chairman Varner told the board this was confusing to begin with, but after talking with DOT staff he understands this is a realignment project GDOT is going to do. (Section of Hwy. 212 from Bethany Road to Oak Hill Road).

Commissioner Ewing questioned if it would affect county roads? It could affect Butler Bridge Road.

Commissioner Dimsdale noted that he understood the state was asking the county to make a commitment to portion of road that will no longer be a part of Hwy. 212.

Motion: To approve R030706 – GDOT Local State Route Acceptance resolution for State Route 212 and County Road 8 as requested and required by the Department of Transportation.

Proposed by: Commissioner Ronnie Dimsdale, District Two
Second by: Commissioner Mort Ewing, District One
Motion Carried Unanimously

HISTORIC JAIL DEMOLITION PHASE

Administrative Officer John Middleton told the board we had one consultant (Dobbs Environmental) provide information and place a bid on this project. He stated, in order to move forward, he would appreciate a motion to approve Dobbs Environmental for the project.

Motion: To approve Dobbs Environmental for a cost not to exceed \$20,000 with understanding that county will supply trash receptacles and inmate labor.

Proposed by: Commissioner Ronnie Dimsdale, District Two
Second by: Commissioner Monty Laster, District Five
Motion Carried Unanimously

ENGINEERING PROPOSAL FOR ADDITIONAL WORK ON BROWN BRIDGE ROAD i.e. Transportation Task Order #2 for county consultants PBS&J

County Engineer Kevin Walter presented the board with packet proposal for this project. Chairman Varner noted the following:

- Brown Bridge (City Limits to Crowell Road)
- 8.8 miles

- Cost: \$49,753.00
- Recommendation: Task awarded to PBS&J

Motion: To approve Transportation Task Order #2 for county consultant PBS&J for a not to exceed amount of \$49,753.00.

Proposed by: Commissioner Ronnie Dimsdale, District Two

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

Motion Carried Unanimously

R030706A – CSBG PROGRAM FFY2006 ADDITIONAL FUNDS

Administrative Officer John Middleton told the board these were additional funds from the CSBG program and requested approval for a resolution to accept the funds. A resolution to accept the funds is required by the Department of Human Resources, Division of Family & Children Services. These funds are utilized through our Senior Services Program.

Motion: To approve Resolution R030706a – CSBG Program FFY 2006 accepting additional funds in the amount of \$2,385.90.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried Unanimously

ALCOHOL LICENSE:

First Reading

Quick Spot 36

10260 Hwy. 36

Covington, GA 30014

Sonika Ahluwalia Mondy (100% owner)

STREETLIGHTS:

Tosceno Estates

District One

Motion: To approve streetlights for Toscano Estates as requested.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

COUNTY CHECKS:

Motion: To approve the county checks as printed and read by the chairman.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

CITIZEN COMMENTS

A large group of senior citizens attended the meeting and presented a package of signatures (over 1000) seeking relief from property taxes. They would like to have seniors exempt from paying school taxes. Frank Davis, Ray Moray, Katherine Bates, Margaret Baxter, Virginia Howard and M.A. Turner addressed the board with their concerns.

Chairman Varner told them the board would take their concerns under consideration and will talk with the legislative delegation to see what could be done.

EXECUTIVE SESSION

TIME: 8:20 p.m.

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

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

REGULAR SESSION

TIME: 10:20 p.m.

Motion: To enter into Regular Session.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

ADJOURN

TIME: 10:25 p.m.

Motion: To adjourn.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

Respectfully Submitted,

Jackie B. Smith
County Clerk