

NEWTON COUNTY BOARD OF COMMISSIONERS
1124 Clark Street
Covington, Georgia
Regular Meeting
Minutes
May 4, 2021

Present: Chairman Marcello Banes, Commissioners' Stan Edwards, Demond Mason, Alana Sanders, J.C. Henderson, Ronnie Cowan, County Attorney Megan Martin, County Manager Lloyd Kerr and sitting in for County Clerk Jackie Smith was Judy T. Johnson.

Chairman Banes called the meeting to order, extended a welcome, and read the thought for the day. The invocation was given by Commissioner Cowan; and the Pledge of Allegiance to our great flag was led by Commissioner Edwards.

AGENDA ADOPTION

Motion made by Commissioner Mason and a second from Commissioner Sanders to approve the Agenda with the removal of Item #14.

Approved (5-0)

CITIZEN COMMENTS

- Mr. Frederick Johnson commented regarding item #16 requested that while the road work at Mote Rd and Hwy 162 was being done to see if the speed limit could be lowered on Hwy 162 in that area as well.
- Mrs. Victoria Redding spoke in favor of consideration for the Juneteenth Festival.
- Mrs. Mary James spoke in support of the consideration for the Juneteenth Festival and encouraged the Commissioners to make the holiday recognized in Newton County.
- Mr. Charles Johnson asked if the problem at Lower River Rd for throwing garbage out and then mowing over it had been addressed.
- Mr. Brendan Cherry addressed the Board regarding the Variance Appeal and believed it would set a precedence and requested the Board uphold the BZA decision to deny.

CHAIRMAN'S REPORT

- State Representative Dave Belton spoke in celebration of the 200 year Bi-Centennial and presented Chairman Banes a Resolution for the event.
- Serra Hall and Jerry Silvio gave an update for the Stanton Springs JDA and presented the Chairman with a check in the amount of \$2,606,250.00 which made the original investment whole.
- Chairman Banes recognized Commissioner Henderson and former Chairwoman Kathy Morgan and her late husband, former Chairman Davis Morgan, for their contributions from the beginning inception of the Stanton Springs Business Park to where it has come today.

ZONING/PUBLIC HEARING 7:30 p.m.

Appeal Case Number APP21-000001
Applicant: Timothy & Cheryl Bell
Location: 520 Smith Store Rd

Map & Parcel Numbers: 14-250
District: 2 (Two)
FLUM: DN (Development Node)
Zoning: AR (Agricultural Residential)

Request: Appeal to the Board of Zoning Appeals decision (Denied) at the March 25, 2021 meeting to be allowed to park two commercial dump trucks on the property.
Variance Case #VAR21-000003

Board of Zoning Appeals recommended denial by a vote of (4-1) at the March 26, 2021 meeting.

- County Planner, Shena Applewhaite, presented the case and read the conditions into the record.
- Chairman Banes opened the public hearing for those in favor of the request.
- The applicants, Mr. and Mrs. Bell spoke to the Board explaining they had lived in their current home since 2002 and had always parked their truck at their home citing that one of the reasons they had chosen this location out in the county and moved out from a platted subdivision.
- Mr. Wesley Bryan, a next door neighbor, spoke in favor of the request.
- Mr. Greg Dobbs spoke in favor to allow the truck to stay.
- Chairman Banes opened the public hearing for those in opposition to the request.
- Ms. Denise Williams spoke against allowing the truck to stay on the property.
- Ms. Donna Lindsey spoke against allowing the truck to stay.
- Mr. Terry Watson requested a structure or a fence to be built so you could not hear the truck start up.
- Commissioner Mason asked Ms. Applewhaite what the County Ordinance said at the time the Bells moved in. Ms. Applewhaite stated she would need to look up that information as she did not have it available that evening.

Motion made by Commissioner Mason with a second by Commissioner Edwards to table APP21-000001 to the May 18, 2021 Board of Commissioner's meeting.
Approved (5-0)

CHAIRMAN'S REPORT (continued after the zoning public hearings)

- Chairman Banes reminded everyone that it was Child Abuse Awareness Month.
- Chairman Banes also noted that Rapper Lil Durk donated and gave out laptops at the Washington Street Community Center.
- County Manager Lloyd Kerr gave an update to the Board of Commissioners with a PowerPoint presentation. (PowerPoint is attached and made a part of these minutes.)

CONSENT AGENDA

Chairman Banes asked for a motion for the Consent Agenda which included the following:

- District One: Appointment to the Newton County Board of Family & Children Services (DFACS) – Roy Parham

- JDA (DeKalb, Newton, Gwinnett) Appointments. Nominations: Barbara Morgan, Tim Fleming, Mark Ross, Junior Hilliard, and Commissioner Ronnie Cowan
- County Clerk: Approval of BOC Minutes dated March 16, 2021.
- County Clerk: Approval of BOC Minutes dated April 20, 2021
- Fire Services: Requesting approval to apply for the Stop the Bleed Grant. The grant is not monetary just equipment with no match.

Motion made by Commissioner Edwards to approve the Consent Agenda with a second from Commissioner Mason.

Approved (5-0)

AGENDA ITEMS

- Chairman Banes turned the meeting over to County Manager, Lloyd Kerr who presented the agenda items which was seeking approval of Staffing Services Agreement with Wagner Service Solutions for Newton EMA Vaccination Project at GPTC.

Motion made by Commissioner Edwards to approve the Staffing Services Agreement with Wagner Service Solutions for Newton EMA Vaccination Project at GPTC with a second from Commissioner Mason. Approved (5-0)

- Chairman Banes called on County Manager Kerr to present the next item on the agenda. Mr. Kerr explained the Sheriff's Office was seeking approval to award RFB21-18, Nine (9) Chargers to Ginn Motor Company. Cost: \$25,908 each; Total Cost: \$233,163; Funding Source: 2017 SPLOST Funds, Capital Improvements, and Sheriff's Office General Fund.

Motion made by Commissioner Henderson to award RFB21-18, Nine (9) Chargers, to Ginn Motor Company at a cost of \$25,908 each and a total cost of \$233,163 from Funding Source: 2017 SPLOST Funds, Capital Improvements, and Sheriff's Office General Fund. Commissioner Mason made a second to the motion.

Approved (5-0)

- The Chairman again called on County Manager Kerr to present the next item. Mr. Kerr explained the Sheriff's Office request to seek approval of amendment 3 for Barnsley Construction, in the amount of \$97,316.00 with the funding source of SPLOST. Mr. Kerr asked Project Manager, Jeff Prine, to explain the additions and improvements this change would cover.

Motion made by Commissioner Henderson for approval of amendment 3 for Barnsley Construction in the amount of \$97,316.00 with SPLOST as the funding source with a second from Commissioner Sanders.

Approved (5-0)

- Chairman Banes asked County Manager Kerr for the next item. Mr. Kerr Discussion/Consideration for funding Juneteenth Festival.
- Mr. Kerr stated the county had been contacted by the African American Historical Association of Newton County regarding a parade and activities to be held at Legion Field. The request was for Newton County Board of Commissioners to pay

the parade fee of approximately \$1,000.00. Mr. Kerr asked the Board to consider other organizations that could request funding should this be approved.

- The Commissioners entered into discussion weighing the pros and cons of sponsoring the event.

Motion made by Commissioner Henderson for the Board of Commissioners to fund the Juneteenth Celebration in the amount of \$1,500 with a second from Commissioner Sanders.

Approved (5-0)

Motion by Commissioner Henderson to amend the agenda to add for Discussion/Consideration to allow Juneteenth to become a County Holiday. Motion seconded by Commissioner Sanders.

Approved (5-0)

- Chairman Banes stated the agenda would be amended to add discussion/Consideration of County official recognition of Juneteenth as a holiday as Item 13a.

Motion of approval to recognize and name Juneteenth as a County holiday was made by Commissioner Henderson with a second from Commissioner Sanders.

Approved (5-0)

- Chairman Banes called for the next agenda item and asked the Transportation Director, Chester Clegg, to explain the request.
- Mr. Clegg explained that Public Works was seeking approval to purchase Right-of-Way and Easements for the Yellow River Bridge Replacement Project on Brown Bridge Road, Parcels #2 and #5 at a cost of \$45,720.00 with no match required and the funding source of FHWA & 2017 SPLOST.

Motion made by Commissioner Sanders approve to purchase of Right-of-Way and Easements for the Yellow River Bridge Replacement Project on Brown Bridge Road, Parcels #2 and #5 at a cost of \$45,720.00 with the funding source FHWA & 2017 SPLOST. Motion was seconded by Commissioner Henderson.

Approved (5-0)

- Chairman Banes requested Mr. Clegg continue with the next item.
- Mr. Clegg explained Public Works was seeking approval to proceed with a Realignment Project @ Mote Road and SR 162 with the funding source for the PE, ROW, & Construction will be from the 2017 SPLOST.
- Mr. Clegg stated this approval would allow the project to move forward and a future request would come to the Board for funding at a later date.

Commissioner Mason made motion to proceed with a Realignment Project at Mote Road and SR 162 with the PE, ROW, & Construction to be funded from the 2017 SPLOST. A second was made by Commissioner Cowan.

Approved (5-0)

- Chairman Banes ask Mr. Clegg to continue with the next item.

- Mr. Clegg explained Public Works was seeking approval to authorize the Chairman to execute a Right-of-Way acquisition contract with GDOT for the Access Road Bypass @ Crowell Road and I-20.

Commissioner Sanders motioned to approve the contract with GDOT for the Access Road Bypass @ Crowell Road and I-20 and authorize the Chairman to execute the Right-of-Way acquisition contract. A second was made by Commissioner Edwards.
Approved (5-0)

- Chairman Banes asked Mr. Jeff Prine, Project Manager, to present the next item.
- Mr. Prine explained that Public Works along with Purchasing was seeking approval of a contract amendment for Sunbelt Builders for FFA Security Entry. Mr. Prine stated all the funding would be reimbursed back to the County.
- County Manager Kerr stated there was no bond for this request only from Fund 301.

Motion made by Commissioner Edwards and second by Commissioner Henderson to approve the contract amendment for Sunbelt Builders for FFA Security Entry with the funding source from Fund 301 which is 100% reimbursable.
Approved (5-0)

- Chairman Banes asked Transportation Director, Chester Clegg, to present the next item.
- Mr. Clegg explained Public Works was seeking approval to authorize Chairman to execute a contract between Newton County and Pittman Construction Company for the completion of the proposed 2021 resurfacing project funded from the 2017 SPLOST at a cost of \$1,787,286.05.
- Mr. Clegg explained the area would be Flat Shoals Rd, Lower River Rd, and a small part of Crowell Rd from Porterdale city limits to Brown Bridge Rd.

Motion made by Commissioner Edwards and second by Commissioner Henderson to authorize Chairman to execute a contract between Newton County and Pittman Construction Company for the completion of the proposed 2021 resurfacing project at a cost of \$1,787,286.05.
Approved (5-0)

- County Manager: Discussion/ Consideration of Prime Tower Lease with NCWSA for E911 project.

Motion to approve by Commissioner Edwards with a second from Commissioner Henderson.
Approved (5-0)

- County Manager: Discussion/Consideration of WASP Tower Lease with NCWSA for E911 project.

Motion to approve by Commissioner Edwards with a second from Commissioner Henderson.
Approved (5-0)

Citizen Comments

- Mrs. Shirley Palmer expressed concerns over congestion on Brown Bridge Rd
- Mr. Charles Johnson asked the status of the park for Lower River Rd.
- Mrs. Kathy Morgan, Former Chairwoman, thanked the Board for all the work they are doing at Stanton Springs.
- Mrs. Stephanie Lindsey
- Mr. Archie Shepard stated he agreed with Commissioner Sanders. Mr. Shepard also requested that Commissioner Henderson be recognized for all the hard work he has done the last 22 years and suggested to consider renaming Nelson Heights Community Center or to change a road name in his honor.
- Mr. Gladstone Nicholson expressed concerns over a project that was forthcoming in Porterdale at the corner of Crowell Rd and Brown Bridge Rd and felt if approved by the city council of Porterdale it would have negative impacts on the county.
- Mr. Frederick Johnson stated he was glad that Hwy 162 and Mote Rd was going to get some road improvements; however, he asked for the speed limit to be changed to a lower speed and the church would like a decel lane.

Commissioner Comments

- Commissioner Edwards expressed gratitude for everyone who attended the dedication of the pavilion at the Miracle Field in honor of his late father, Mr. Stanley Edwards Sr.
- Commissioner Mason thanked Mr. Johnson for bringing to his attention the major road issue at Mote Rd and Hwy 162. Commissioner Mason also announced the District 2 Cleanup on May 15th and the Splash Pad and Skate Park ribbon cutting on May 20th at Denny Dobbs Park.
- Commissioner Sanders stated she had requested the county provide information regarding the concerns over a rezoning request in the city of Porterdale on Crowell Rd & Brown Bridge Rd. Commissioner Sanders also reminded an online of an event on May 15, 2021 at 3 p.m. for “Kidpreneur Imagination Creation”
- Commissioner Henderson stated he had lived in Newton County his entire life and since he had been on the Board he had stood up what was best for the community.
- Commissioner Cowan stated that there was active work going on to acquire suitable land for the Spring Hill Park.
- Chairman Banes thanks Serra Hall and Shane Short for putting Newton in the best light and also thanked Commissioner Henderson and the late Chairman Davis Morgan for their work in 1998 to forward the Stanton Springs Business Park.

Executive Session

9:34 p.m. Motion made by Commissioner Edwards to enter into Executive Session for the purpose of potential litigation with a second by Commissioner Sanders.
Approved (5-0)

9:58 p.m. Motion made by Commissioner Edwards to enter into Regular Session with a second by Commissioner Sanders.
Approved (5-0)

Adjourn

9:59 p.m. Motion made by Commissioner Edwards to adjourn with a second by Commissioner Sanders.
Approved (5-0)

Respectfully submitted,

Judy T. Johnson for
Jackie B. Smith, County Clerk

Marcello Banes, Chairman