

The Newton County Board of Commissioners regular board meeting was held on Tuesday, July 18, 2023 at 7:00 p.m. in the Commissioners meeting room on the 3rd floor in the Historic Courthouse. This meeting was open to the public and live streamed on the Newton County YouTube Channel. <https://www.youtube.com/NewtonCountyGovernment>

Present were Chairman Banes, Commissioners Stan Edwards, Demond Mason, Alana Sanders, J.C. Henderson, Ronnie Cowan, County Manager Harold Cooper, Attorney Patrick Jaugstetter and Deputy Clerk Susan Nolley. The media staff and other administrative personnel were also present.

Chairman Banes called the meeting to order and read the thought for the day. Pastor O. Quintodd Bryant, Sims Chapel Baptist Church gave the invocation and led the Pledge of Allegiance.

Chairman Banes presented a plaque to Pastor O. Quintodd Bryant and thank him for his committed service to the community.

Chairman Banes amended the agenda to add items 11a and 11b. Commissioner Mason motioned to approve the agenda as amended, seconded by Commissioner Edwards and the motion passed. Vote 4-0. * Commissioner Henderson was not in attendance.

Citizen Comments (Agenda items only)

Archie Shepherd commented on the Senior Home Repair Program.
Rosie Crawford commented on the Senior Home Repair Program.

Commissioner Henderson entered the boardroom at 7:08 p.m.

Reports from Chairman Banes None to report.

Reports from County Manager Harold Cooper

Mr. Cooper presented a PowerPoint with information of the current ARPA funded services and programs provided for the citizens of Newton County.

- ERAP – Emergency Rental Assistance Program
- Non-profit Assistance Grant Program
- Low Income Senior Home Repair Program
- Youth Commission
- Small Business Relief Grant Program – *launched on July 10th.

Notify Newton - launched on May 24th to allow citizens to report illegal dumping, road maintenance, potholes, residential properties and subdivisions, code enforcement complaints, abandoned vehicles, etc.

A copy of the PowerPoint presentation is made a part of the official records.

Mr. Cooper opened the floor to Ms. Kennedy Shannon of iParametrics.

Ms. Shannon addressed the board and gave updates on the ARPA funded programs.

Ms. Shannon stated she needed to do a record correction regarding the Qualified Census Tracts of Newton County. **Correction:** The Qualified Census Tracts are located in Districts 2, 4 and 5.

Commissioner Sanders asked Ms. Shannon to explain what Qualified Census Tract means.

Ms. Shannon stated Qualified Census Tracts is a term that is used in the final rules of the ARPA funding by the Department of Treasury. These census tracts represent low income communities which also presumes eligibility for all of the programs offered by ARPA.

The Emergency Rental Assistance was discussed and a map displaying the areas of distribution was presented to the board.

Ms. Shannon proposed a request and asked for a motion from the board to allow the County Manager to make operational decisions as it relates to the ARPA programs.

Chairman Baner announced it is 7:30 and the Zoning Cases are to be heard at this time.

Ms. Shannon will proceed after the zoning cases.

7:30 PM PUBLIC ZONING HEARINGS

Shena Applewhite, Director of Dept. of Development Services presented the zoning cases.

REZ23-000010- Rezoning

Location: 2094 Hwy 81, Hwy 81

Applicant: Maria Alves

Map & Parcel Number: 0045 060 & 0045 049A

FLUM: COM (Commercial)

Zoning: R3 (Single Family Residential)

Proposed zoning: CH (Highway Commercial)

Acreage: Total = 2.5ac & 1ac

District: 4 (Four)

Request: To Rezone to Commercial in order to locate a special events facility.

7:35 PM Public Hearing opened for citizens to speak in support of the petition

Maria Alves spoke in support of the rezoning. Public Hearing closed.

7:36 PM Public Hearing opened for citizens to speak in opposition - No one spoke in opposition.

Public Hearing closed.

Motion: Commissioner Henderson motioned to approve Rezoning Case# REZ23-000010 as recommended with staff conditions and the use of the facility will be limited to special events, seconded by Commissioner Mason and was passed unanimously.

CUP23-000004 – Conditional Use Permit

Location: 13161 Brown Bridge Rd

Applicant: Dawn Delegal (Benjamin Academy)

Map & Parcel Number: 0013 130D / **FLUM:** DN (Development Node)

Zoning: CN (Neighborhood Commercial)

District: 2 (Two) **Acreage:** 1

Request: To allow education center to operate.

Application was withdrawn by the owner of the property - Baxter Bouchillon.

Motion: Commissioner Mason motioned to approve the request to withdraw Case# CUP23-000004-Conditional Use Permit, seconded by Commissioner Edwards and was passed unanimously.

Approval of text Amendment to the Newton County Zoning Ordinance codified at Appendix A- Zoning to amend procedures to ensure consistency with the Zoning Procedures Law of the State of Georgia.

UDOAMD23-002. O-07182023.

AN ORDINANCE TO AMEND THE NEWTON COUNTY UNIFIED DEVELOPEMNT ORDINANCE, CHAPTER 6 ZONING ORDINANCE, ARTICLE 6, DIVISION 600.

These records are officially a part of the minutes.

Motion: Commissioner Mason motioned to approve Amendment UDOAMD23-002. O-0718203, seconded by Commissioner Edwards. Approved Vote 3-1.
Commissioner Sanders opposed.
Commissioner Henderson abstained

Approval of STREET LIGHT RESOLUTION NO. R-07182023

A RESOLUTION PROVIDED FOR THE INSTALLATION OF STREET LIGHTS AND THE ASSESSMENT OF THE ANNUAL COSTS OF MAINTAINING AND OPERATING SAID LIGHTS AGAINST PROPERTY SERVED BY THOSE LIGHTS.

WHEREAS, Resolution #R-07182023 was adopted by the Board of Commissioners of Newton County, Georgia on the 18th day of July, 2023, providing for the establishment of street light districts in Newton County; and

WHEREAS, the required number of owners, as provided for in said resolution of the property affected by the hereinafter described Street Light District have petitioned the Board of Commissioners of Newton County, Georgia for the installation of street lights.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Newton County, as governing body of said county, that there is hereby created and established within Newton County Street Light District The Meadows at Rivertrace Subdivision for the purpose of building, erecting, establishing, maintaining, and operating street lights and lamps for the illumination of the public streets, roads, sidewalks and ways therein, as more particularly shown and delineated on the map entitled "Street Light District The Meadows at Rivertrace Subdivision" which map is attached hereto and made a part of this resolution by reference; and

BE IT FURTHER RESOLVED, that the boundaries of said district as enumerated on said map, are hereby established as shown and delineated on said map, as full and complete as if the legal description of the courses, distances and boundaries of said district were fully set forth herein.

Motion: Commissioner Mason motioned to approve Street Light Resolution R07182023, seconded by Commissioner Edwards and was passed unanimously.

Chairman Banes opened the floor to Ms. Shannon.

Approval for the County Manager to make operational decisions to the ARPA Programs

Ms. Shannon requested a motion for the board to approve the proposed request to authorize the County Manager to make operational decisions as it relates to the ARPA programs.

Motion: Commissioner Mason motioned to approve the request to authorize the County Manager to make operational decisions as it relates to the ARPA programs as presented by Ms. Kennedy Shannon of iParametrics, seconded by Commissioner Edwards. Passed. Vote 3-2. Commissioners Sanders and Henderson opposed.

Discussion

Emails or phone calls to get consensus from the board regarding the decision making
Give elected officials opportunity to make decisions/Giving power away/Transparency concerns

Favorable to streamline the current process/currently slows the process

Authorization does not allow to reduce/reallocate/change or increase an allocation.
Process to be more efficient /Does not preclude polling of the board

Approval of van use

Ms. Shannon requested motion seeking clarity for the use of the vans that were purchased. The vans may be used for youth in any district of Newton County as long as it is a youth function.

Motion: Commissioner Edwards made a motion to approve the use of the vans to be used for youth in any district of Newton County as long as it is a youth function, seconded by Commissioner Cowan.

Discussion

Response time to emails

Stipulations of drivers/availability of drivers/Cancellation of trips

Suggestion for Sheriff's Office Outreach Dept. deputies be considered to drive

Assumed cost concerns / Pre-Scheduling

Mr. Cooper stated he would like to work in collaboration and unity with the board and the community.

Substitute motion: Commissioner Henderson motioned to look at the Sheriff's Office Outreach Dept. as drivers for the vans for the youth, seconded by Commissioner Sanders.

Motion **Failed**. Vote 2-3. Commissioners Edwards, Mason and Cowan opposed.

The original motion now stands.

Commissioner Edwards made a motion to approve the use of the vans to be used for youth in any district of Newton County as long as it is a youth function, seconded by Commissioner Cowan.

Chairman Banes called for the vote.

Motion Passed. Vote 3-2. Commissioners Sanders and Henderson opposed.

Approval of an Appeals Committee

Ms. Shannon requested a motion for board approval to establish an Appeals Committee. This will allow for people that are not happy with their decisions to have the right to appeal. The committee will review the appeals of all ARPA funded programs.

The Appeals Committee: Ms. Kennedy Shannon, County Manager Harold Cooper, Attorney Patrick Jaugstetter and a member of the community.

Commissioner Sanders suggested there be more than one citizen on the committee for transparency purposes and each commissioner be allowed to appoint someone from their district.

Ms. Shannon explained the reason for selecting one member of the community was for transparency purposes.

Motion: Commissioner Sanders made a motion in regards to allow at least two residents to serve on the committee in addition to the County Manager, seconded by Commissioner Henderson.
Motion Failed. Vote 2-3. Commissioners Edwards, Mason and Cowan opposed.

Chairman Banes called for a motion.

Motion: Commissioner Cowan motioned to approve establishment of the Appeals Committee as requested by Ms. Kennedy Shannon of iParametrics, seconded by Commissioner Edwards.
Motion Passed. Vote 3-2. Commissioners Sanders and Henderson opposed.

Discussion

What hourly rates would be invoiced?

Ms. Shannon said her contract for services states for an amount “not to exceed”.

Patrick stated his hourly rate is \$250.00.

Ms. Shannon said the committee would meet once a month for about an hour, and reiterated that appeals are rarely received.

Program updates

Ms. Shannon gave updates of the Non-Profit Assistance Grant allocations.

This program is now closed.

An approximate of \$3.1 million dollars was allocated for non-profits.

\$1.1 million has been spent, leaving an approximate of \$1.9 million.

There is one applicant waiting for Youth Services Program funding, they were approved for \$50,000.00 and currently there is only \$22,000.00 remaining in the youth allocation.

Approval to transfer funds

Ms. Shannon requested a motion for board approval to transfer \$28,000.00 of the approximate \$390,000.00 remaining allocated for the Food Pantry Program to the Youth Services Program.

This will bring the Youth Services Program allocation to total \$50,000.00 to allow an applicant to receive \$50,000.00 as they are approved eligible.

Motion: Commissioner Edwards motioned to approve the request to transfer \$28,000.00 of allocated funds for the Food Pantry Program to the Youth Services Program allocated funds, seconded by Commissioner Mason and was passed unanimously.

Discussion

Underserved non-profits

Reimbursement Grants

Ms. Shannon said the calculation to how the non-profits received funding assistance was based on revenue loss. This is a requirement of the federal government.

There is one lump sum generated for reimbursement. The Youth Service and Food Pantry Programs are required to submit a monthly report as stated in the contract. A signature is required prior to distribution of any checks.

Adoption of the Youth Engagement Grant Program Monthly Report Template

Ms. Shannon requested a motion for the board to adopt the monthly report template for the Youth Engagement Grant Program and the Newton County Food Pantry Grant Program.

Motion: Commissioner Edwards motion to approve the monthly report template for the Youth Engagement Grant Program and the Newton County Food Pantry Grant Program as presented, seconded by Commissioner Mason. Motion Passed. Vote 3-1.

Commissioner Henderson opposed
Commissioner Sanders - abstained

Approval to transfer funds to the Newton County Low Income Senior Repair Program

Ms. Shannon requested a motion for board approval to transfer remaining funds of the Emergency Rental Assistance Program (ERAP) and the Non-Profit Assistance Grant Program to the Newton County Low Income Senior Repair Program.

Motion: Commissioner Edwards motioned to approve the request to transfer remaining funds of ERAP and the Non-Profit Assistance Grant Program to the Newton County Low Income Senior Repair Program, seconded by Commissioner Mason.

Discussion

Remaining amount of ARPA funds

Ms. Shannon stated there is roughly \$3.5 million that has not been allocated.

Substitute Motion: Commissioner Henderson motioned to transfer the excess funds of ERAP and the Non-Profit Assistance Grant Program in addition to \$1million from the unallocated funds to the Low Income Senior Home Repair Program, seconded by Commissioner Sanders and was passed unanimously.

Discussion

What amount will be left in reserve for miscellaneous programs?

Ms. Shannon stated there will be an approximate of \$2.5 million remaining.

Newton County Low Income Senior Home Repair Grant Eligibility Policy

Ms. Shannon requested a motion for the board to approve the Newton County Low Income Senior Home Repair Grant Eligibility Policy. The policy provides a list of eligible and ineligible repairs with the inclusion of handicap accessibility, inclusion of gutters with roofing and siding repair when deemed necessary. The grant is designed to take care of repairs that threatens health hazards and safety. This grant is not for cosmetic repairs.

Motion: Commissioner Mason motioned to approve the Newton County Low Income Senior Home Repair Grant Eligibility Policy, seconded by Commissioner Cowan. Motion Passed. Vote 3-2. Commissioners Sanders and Henderson opposed.

Discussion

Proof of ownership/can changes be made?
Length of time to process a Probate
Can ARPA funds be placed in an escrow account?

Ms. Shannon said there has to be a final Probate Will of established ownership. ARPA will only allow funds for home repairs to the homeowner and precludes acceptance of any other affidavits.

Patrick asked if a legal assistance program could be authorized.

Ms. Shannon said she feels this is a good recommendation and she will work on creating a legal assistance program.

Newton County Small Business Assistance Program Policy

Ms. Shannon requested a motion for the board to adopt the Newton County Small Business Assistance Program Policy process. This program is now in effect and if eligible small businesses can receive up to \$20,000.00. The focus is for businesses with twenty-five or less employees. The policy provides a list of eligible and ineligible criteria. The grant has to be reasonable and proportionate to the loss incurred.

Motion: Commissioner Mason motioned to adopt the Newton County Small Business Assistance Program Policy process, seconded by Commissioner Edwards and was passed unanimously.

Discussion

List the assistance programs that will exclude eligibility.

Grants

Ms. Shannon gave an update on grants and grant related projects.

Discussion

Grant cost concerns
In house grant writer
Concern of salary for house grant writer

Consent Agenda

- a) Correction of BOC June 6, 2023 minutes
- b) Approval of June 20, 2023 Public Hearing Minutes
- c) Approval of June 27, 2023 Special Called Meeting Minutes
- d) Aging Services Contract Amendment between Northeast Georgia Regional Commission and Newton County Board of Commissioners.
- e) Juvenile Court - Professional Services Contract for dependency Court appointed attorney for children and qualified low-income parents in dependency proceedings. (Atty. Weston Maffit)
Time Sensitive: Yes/Services Start Date: August 1, 2023/Cost: \$46,200.00
Funding: Juvenile Court Annual Budget/Budgeted: Yes/Match: No

Motion: Commissioner Mason motioned to approve all items on the consent agenda as listed, seconded by Commissioner Sanders and was passed unanimously.

Regular Agenda Items

10. **KnowBe4 Annual Contract - Security Awareness Training /Phisher Subscription**

Contract Date: 7/24/2023 to 7/23/2024. Cost: \$12,467.80/Funding Source: FY24 Information Services Budget.

Motion: Commissioner Edwards motioned to approve the KnowBe4 Annual Contract Security Awareness Training Subscription/KnowBe4 Phisher Subscription, seconded by Commissioner Mason and was passed unanimously.

11. **WatchGuard Firewall Hardware**

Firewall cluster with 3-year term of hardware and software support needed for added security features and implementation of network segmentation project. Cost: \$39,217.56/Funding Source: FY24 Information Services Budget

Motion: Commissioner Edwards motioned to approve WatchGuard Firewall Hardware – 3year term, seconded by Commissioner Mason and was passed unanimously.

11a **Ascension Program Management, LLC - Task Order #C.23 – Proposal for Project Management Services – R.L. Cousins Community Center**

Motion: Commissioner Edwards motioned to approve Task Order #C.23 Proposal for Project Management Services – R.L. Cousins Community Center, seconded by Commissioner Mason. Motion Passed. Vote 3-2. Commissioners Sanders and Henderson opposed.

11b **Ascension Program Management – Task Order #C.18 – Proposal for Project Management Services – Administration Building Reutilization & Centralized Storage/Maintenance Building**

Motion: Commissioner Edwards motioned to approve Task Order #C.18 Proposal for Project Management Services – Administration Building Reutilization & Centralized Storage/Maint. Bldg., seconded by Commissioner Mason and was passed unanimously.

12. **Proposal RFP 23-28 Property & Casualty Insurance Services/McGriff Insurance Srvs., LLC.**

Proposed price for brokerage fee: \$78,500.00/Funding Source: General Fund Budgeted: Yes.

Motion: Commissioner Edwards motioned to approve price proposal RFP 23-28 – McGriff Ins. Srvs., LLC., seconded by Commissioner Mason.

Discussion

Who will represent Newton County

Consider the possibly of hiring an independent insurance consultant to work directly with the board
Local broker should be considered

Substitute motion: Commissioner Henderson motioned to make Gary Massey the independent insurance broker for Newton County, seconded by Commissioner Cowan. Motion **Failed**. Vote 2-3. Commissioners Edwards, Mason and Sanders opposed.

Discussion

The vote to hire an independent broker should be of a separate vote.

Clarification of the substitute motion

Brokerage fees/consultation fees/Bid out independent consultant fees

Original motion now stands: Commissioner Edwards motioned to approve price proposal RFP 23-28 – McGriff Ins. Srvs., LLC., seconded by Commissioner Mason. Motion Passed. Vote 4-1.

Commissioner Henderson opposed.

Discussion

Follow the bid process to seek independent consultants to prevent possible legal issues.

Hire someone in house.

Amendment to the agenda

Motion: Commissioner Cowan made a motion to amend the agenda to add item #17a – Discussion of an RFP for Independent Insurance Consultant, seconded by Commissioner Henderson and was passed unanimously.

13. **Approval to increase the total 2017 SPLOST Transportation Budget**

Increase SPLOST Transportation Project Budget by \$3,000,000.00 of SPLOST Overage Collections to be utilized for the 2017 SPLOST projects.

Motion: Commissioner Edwards motioned to approve to increase the 2017 SPLOST Transportation Project Budget by \$3,000,000.00 of SPLOST Overage Collections, seconded by Commissioner Mason and was passed unanimously.

14. **Bid #23-29 to Pittman Construction Company - Alcovy Road Resurfacing Project**

Cost: \$1,372,287.50/Funding Source: 2017 SPLOST 100%/Budgeted: No

Motion: Commissioner Edwards motioned to approve Bid #23-29 to Pittman Construction Company for the Alcovy Road Resurfacing Project, seconded by Commissioner Mason and was passed unanimously.

15. **Project Framework Agreement with GDOT for the preliminary engineering phase of the Fairview Road Multi-Use Path Project (PI 0019621)** Cost: \$200,000.00.

Funding Source: FHWA (Federal Highway Administration) 80%/2023 SPLOST 20%

Motion: Commissioner Sanders motioned to approve Project Framework Agreement w/GDOT for preliminary phase of the Fairview Road Multi-Use Path Project (PI0019621), seconded by Commissioner Henderson and was passed unanimously.

Discussion

What is the timeline

Preliminary engineering timeline estimate 2-5 years

16. **Addendum to MOU (Memorandum of Understanding) for Newton Family Connection**

Amend the MOU for Newton Family Connection to allow a total of eight (8) part-time employees to provide application support for the Senior Home Repair Program and to include a monthly cleaning fee. This program has received an extensive volume of applicants and additional cleaning is needed due to increase of public use of the facilities @ the R.L. Cousins Community Center. MOU to include payroll, taxes, and a \$500.00 reimbursement for plumbing repair.

Motion: Commissioner Edwards motioned to approve addendum to MOU for Newton Family Connection as requested, seconded by Commissioner Mason. Motion Passed. Vote 3-1.

Commissioner Henderson opposed. Commissioner Sanders abstained.

Discussion

Funding/renovation plans

Budget for maintenance service

Non-profits are responsible for the upkeep of the building.

17. **Newton County Travel Policy and Procedures**

This policy is intended to establish uniform standards and regulations governing official travel and to furnish guidelines to those who incur, authorize, approve and/or process travel expenses.

Motion: Commissioner Mason motioned to approve the Newton County Travel Policy and Procedures as presented, seconded by Commissioner Cowan.

Discussion

The policy is to determine how the travel is authorized and designed to ensure reimbursements and establish procedures of determination to whether travel is or is not on behalf of the county.

The County Manager authorizes approval of the staff.

Commissioner Sanders stated she would like make a substitute motion for the policy to be amended to state the Chairs' travel has to be approved by the board. **Motion not seconded.**

Chairman Banes called for the vote.

Original motion: Commissioner Mason motioned to approve The Newton County Travel Policy and Procedures as presented, seconded by Commissioner Cowan and was passed unanimously.

17a **RFP for Independent Insurance Consultant**

Motion: Commission Cowan made a motion to approve an RFP for Independent Insurance Consultant that will report directly to the Board of Commissioners, seconded by Commissioner Henderson.

Substitute motion: Commissioner Edwards motioned to table for 30 days to allow for preparation of the RFP, seconded by Commissioner Mason. Motion **Failed**. Vote 2-3. Commissioners Sanders, Henderson and Cowan opposed.

Original motion now stands. Motion Passed. Vote 5-0.

10:49 PM Commissioner Cowan exited the meeting.

1st Readings of Alcohol and Beverage License were read into record by LaTonja Hamp.

Alcohol Beverage License

18. Venture Management 14656 Brown Bridge Rd. Covington, Ga 30016

Applicant: Yousef Aleemuddin District:2

Alcohol license for off-premises consumption application. 1st Reading

19. Fox Vineyard Inc. 225 Hwy 11 South, Social Circle, Ga 30025

Applicant: Kenneth R. Fuchs District:1

Alcohol license for off-premises consumption application. 1st Reading

20. TMN Enterprises /World of Wings 5350 Hwy 20 South, Covington, Ga 30016

Applicant: Christopher Thomas

District:2

On-premise consumption license application. 1st Reading

21. **Citizen Comments**

Archie Shepherd expressed opinion to hire an in house attorney and in regards to the board.

22. **Board Comments**

Commissioner Mason – Back to school Movie @ Denny Dobbs Park Friday, July 28th 7:00 p.m.

Commissioner Sanders – appointed to NACo panel to represent Newton County

Newton County Ladies Retreat – October 6, 2023

Commissioner Henderson - expressed opinion regarding R.L. Cousins Community Center.

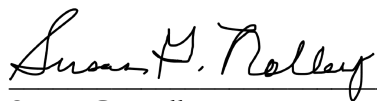
Adjournment 10:52 PM

There being no further business to consider, Chairman Banes called the meeting to adjourn.

Commissioner Henderson motioned to adjourn, seconded by Commissioner Sanders and was passed unanimously.

Marcello Banes Chairman

Respectfully submitted:



Susan G. Nolley Deputy Clerk