

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
DECEMBER 6, 2005
MINUTES**

Newton County Courthouse
1124 Clark Street
Covington, Georgia 30014
Chairman Aaron Varner, Presiding

Present: Chairman Varner, Commissioners' Mort Ewing, Ronnie Dimsdale, Ester Fleming, Jr., J.C. Henderson, and Monty Laster; Attorney Tommy Craig, and Clerk Jackie Smith

Also Present: Brittany Edwards (Covington News)
Crystal Tatum (Newton Citizen)
Large Group of Citizens

Chairman Varner called the meeting to order, welcomed all present, shared a thought for the day and gave the invocation.

APPROVAL OF BOC MINUTES FOR NOVEMBER 15, 2005

Motion: To approve the minutes with a correction on page nine of the attachment book. Should have read "parked" and not part. Duly noted and corrected.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried

**APPROVAL OF BOC WORK SESSION MINUTES FOR
NOVEMBER 17, 2005**

Motion: To approve the minutes as written.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

**APPROVAL OF WORK SESSION MINUTES FOR DECEMBER 1,
2005**

Commissioner Ewing requested these minutes be tabled for major corrections. During the work session he raised several issues that he wanted to be addressed.

Commissioner Fleming noted that since it is not the policy of the board to hear a motion during a work session that he would like for the motion regarding the development

regulations be placed on tonight's agenda for approval during a regularly scheduled meeting. The board concurred.

Motion: To table Work Session Minutes dated December 1, 2005 for corrections. Duly noted and corrected.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

AMEND THE AGENDA

Motion: To amend the agenda regarding Development Regulations motion on December 1st Work Session.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second by: Commissioner Mort Ewing, District One

Motion Carried

“STORM READY COUNTY” – PRESENTATION

Mr. Barry Goodman from the National Weather Service was on hand to make a presentation to the board for Newton County becoming a “Storm Ready County.” A representative of GEMA expressed her appreciation for the county being a storm ready partner with the state. Appreciation was expressed to EMA Director Tray Polk and Deputy Director Jody Nolan for a job well done. Mr. Goodman unveiled the beautiful road sign and presented it to the entire board. The sign will be placed in the county for all to see.

“AFTER SCHOOL PROGRAM” – PRESENTATION

Mr. Keith Daniels appeared before the board and presented his business plan for a new venture in the county, noting it is a noble project for the children. After the presentation and discussion with the board he requested a letter of support that would be used to try and acquire funding with the state and other organizations. He noted the following:

- Plans to build a community center
- Briefly went over project
- Outlined services they will offer
- Daily tutoring and lecturing
- Seminars for GED
- Summer English Institute
- Cooking & Sewing Classes
- Provide meals on Saturday
- Job Training Work Shop
- Career Days
- Cultural Arts
- Fitness Center/Recreation
- Future: Swimming Pool

- Hoping for a fully funded program through grants.
- Does not feel it will take away from other projects i.e. Washington Street Center
- The board decided to table the request for further study and will hear again on December 20th.

Motion: To table any action until December 20th meeting for further review and study.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

BID #06-13 SERVICE TRUCK FOR CORNISH CREEK WTF

Chairman Varner apprised the board of this bid. He noted the following:

- \$45,000 available in current budget for purchase. (Water Fund)
- Akin Ford came in as the low bidder at \$44,928.00
- Truck will replace their current 1985 Service Truck.
- Will be delivered in approximately a month to a month and half.

Commissioner Ewing questioned if local dealers were made aware of the bid? Yes

Commissioner Henderson questioned if any local dealers provided a bid? No

Administrative Officer stated that the bids were public and were on Newton County's website.

Commissioner Ewing asked if that was the only notification? Not sure, but this is a special type of truck.

Commissioner Ewing said he would like to see local companies receive a letter notifying them of the bids. Mr. Middleton indicated he would instruct the purchasing department in the future to make sure they send local dealers a letter of notification.

Motion: To approve Bid #06-13 Service Truck for Cornish Creek Water Treatment Facility and award the bid to the low bidder, Akins Ford, for a not to exceed amount of \$44,928.00

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

TOWING SERVICE CONTRACT WITH B&H WRECKER SERVICE

County Attorney Tommy Craig addressed the board regarding the towing service contract. He noted the following:

- Investigating and exploring this issue

- Will have a proposal for board's consideration in February and hopes it will meet with board's approval.
- Asking for an extension on the current contract with B&H Wrecker for January and February of 2006.

Motion: To uphold the recommendation of the county attorney and extend the current contract held by B&H Wrecker Service until February 28, 2006.

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

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

Motion Carried

TASK ORDERS #3,4,5,6&7 FOR TRANSPORTATION CONSULTANTS J.B. TRIMBLE, INC.

Commissioner Ewing noted that he received his packet late and has not had time to adequately review J.B. Trimble's task orders. He requested this item be tabled until the December 20th meeting.

Motion: To table until December 20th meeting for action.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

R120605 AUTHORIZING CONTRACT W/N.C. INDUSTRIAL DEVELOPMENT AUTHORITY & GPC FOUNDATION

Again, Commissioner Ewing noted he has not time to adequately review this contract, but based on the recommendations of Mr. Middleton and Mr. Craig who would move forward.

Mr. Middleton noted the following:

- Bond attorney requested this resolution be approved tonight.

Mr. Craig noted:

- Scheduled to close before next board meeting.
- Needs to be acted on tonight.

Commissioner Ewing requested that attorney highlight document so that he could have a comfort level before voting.

Mr. Middleton noted

- Went over term sheet (attached and made part of minutes)
- Bond Amount: \$2,550,000
- \$500,000 committed for roads

- Bank qualified rate is significantly less

Commissioner Ewing questioned if the recommendation is for 20 years or option of leaving open for 15 or 20 years.

- Difference annually of \$37,000 in a 15/20 year financing
- Bonding allows for others who will come in later on.
- Net savings of \$483,00 for 15 year bond

Commissioner Dimsdale noted:

- Significant savings if we retire the bond in 15 years and would prefer us to go that way.

Motion: To approve Resolution R120605 Authorizing Contract with the Newton County Industrial Development Authority and Georgia Perimeter College Foundation based on the recommendation of Administrative Officer John Middleton and County Attorney Tommy Craig for Newton County to bond \$2,550,000 for a period not to exceed 15 years and a rate not to exceed 5.50%.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried

Note: The original resolution is contained in file number R12065, incorporated herein by reference and expressly made a part of these minutes.

PUBLIC HEARING CALLED TO ORDER BY CHAIRMAN VARNER

SUBJECT: RE-ADOPTION OF THE MULTI-JURISDICTIONAL SOLID WASTE MANAGEMENT PLAN

- Public Hearing was opened up by the chairman
- Public was invited to address the board with their comments.
- No one came forward to speak
- Closed Public Hearing

R120605A RE-ADOPTION OF THE MULTI-JURISDICTIONAL SOLID WASTE MANAGEMENT PLAN and THE SHORT TERM WORK PROGRAM UPDATES

Attorney Jenny Carter addressed the board and presented the resolution to re-adopt the Multi-Jurisdictional Solid Waste Management Plan.

- Take 1993 Plan and update from 1999 and 2004, and simply package together.
- Nothing has changed in the plan.

Motion: To approve Resolution R120605a Re-adoption of Newton County's Multi-Jurisdictional Solid Waste Management Plan and Short Term Work Updates as and presented by Attorney Jenny Carter.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried

Note: The original resolution is contained in file number R12065a, incorporated herein by reference and expressly made a part of these minutes.

Amended agenda earlier to include the following:

Development Regulations Motion from Previous Work Session (December 1st.)

Commissioner Fleming addressed the board and asked that his motion at the work session be presented at tonight's regular meeting. His concern was that it was not county policy to make motions in a work session and for the official record would like it to be recorded in a regular meeting.

Motion: To send proposed Zoning Ordinance Amendments and Development Regulations back to the Newton County Planning Commission for action at their January 2006 meeting. Also, the Newton County Board of Commissioners will act on this issue at their February 21, 2006 meeting. Conditions as follows:

1. Finished product to be reviewed and approved by the Newton County Planning Commission.
2. Board of Commissioners will schedule a work session after Planning Commission hears ordinance and regulations.
3. Committee of Home Builders Association, Development Community, Smart Growth and staff are to move with haste. Suggest 2 from each community, but no more than a ten-member committee and this does not include staff members. Names will be presented to chairman of BOC and he will name committee members.
4. All additions to be considered are to be turned in to the Director of Planning no later than 5:00 p.m. on Friday, December 9th (**in writing only with no exceptions**).

Proposed by: Commissioner Ester Fleming, Jr., District Three
Second by: Commissioner Monty Laster, District Five
Motion Carried with Commissioner Henderson abstaining.

ALCOHOL LICENSE:

FIRST READING

Shell Gas Station
14656 Brown Bridge Road
Covington, Georgia 30016
Rubina Nagjee (100% Owner)
District Two

FINAL READING

Quick Spot #4
10260 Hwy. 36
Covington, Georgia 30014
William B. Jones (100% Owner)
District Five

Motion: To approve the Alcohol License for Quick Spot #4 located at 10260 Highway 36, Covington, Georgia.

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

Kroger #436
5341 Hwy. 20 South
Covington, Georgia 30016
Kroger Corporation (100% Owner)
District Two

Oak Hill B.P. Station
3300 Hwy. 81 South
Covington, Georgia 30016
Mohammad Iqbal Butt (100% Owner)
District Two

Motion: To approve the Alcohol License for Kroger #436 located at 5341 Highway 20 South, Covington, Georgia and Oak Hill BP Station located at 3300 Highway 81 South, Covington, Georgia.

Proposed by: Commissioner Ronnie Dimsdale, District Two
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried

2006 ALCOHOL LICENSE RENEWALS

Almon Best Buy
66 Almon Road
Covington, Georgia 30014
Licensee: Ameer Ali Pujani

Big D Market
5485 Hwy 81 S
Covington, GA 30014
Licensee: Abdul Hirani

Jolly Good inc. dba BP Food Mart
11260 Brown Bridge Road
Covington, Georgia 30016
Licensee: Hanif Punjani

BP Food Mart
11128 Hwy 36
Covington, GA 30014
Licensee: Nadir Khanmohamed

BP Food Mart
2536 Hwy 81
Covington, GA 30016
Licensee: Varma S Meka

BP Hwy 11
387 B Hwy 11
Social Circle, GA 30025
Licensee: Amjad Nayani

BP Food Mart
2083 Crowell Road
Covington, Georgia 30014
Licensee: Akash Merchant

Bounty Investment Inc dba Chapman's Convenience Store
5590 Hwy 81 S
Covington, GA 30016
Licensee: Naushad Kolsawala

Circle K Stores #2284
10125 Alcovy Road NE
Covington, GA 30014
Licensee: Larry James White

Circle K Stores #2285
2156 Hwy 81 N
Oxford, GA 30054
Licensee: Larry James White

Conyers CVS #8419

4192 Salem Rd
Covington, GA 30016
Licensee: Christopher Todd Packer

Katchamaverick
12708 Highway 278
Social Circle, Georgia 30025
Licensee: Joan Arter

Hyatt Grocery
10378 Hwy. 142 N
Covington, Georgia 30014
Licensee: Haile Selassie Tefera

Phillips 66
10055 Covington Bypass Rd
Covington, GA 30014
Licensee: Mathew Varughese

Petroleum Properties, LLC dba Crowell Road Liberty
2080 Crowell Road
Covington, GA 30016
Licensee: Kevin Price

AKN Enterprises Inc dba Dixie Food Mart
1058 Hwy 142 E
Covington, GA 30014
Licensee: Lamir Ali Charaniya

North Fork Chevron
3078 Hwy 81
Oxford, GA 30054
Licensee: Rafir Farishta

Elks Club Chevron
10946 Hwy 278 E
Covington, GA 30014
Licensee: Shami Dojtmohamed

Dhanani Enterprises Inc dba Ellington Texaco
20 Salem Circle
Covington, GA 30016
Licensee: Iqbal H. Dhanani

Flash Foods #249
4175 Salem Rd
Covington, GA 30016
Licensee: William Glen Bryson

Flash Foods #250
10375 Hwy 142 N
Covington, GA 30014
Licensee: William Glen Bryson

T&H One Stop
14625 Highway 36
Covington, Georgia 30014
Licensee: Bijani Habib

Golden Pantry #26
3538 Salem Road
Covington, GA 30016
Licensee: Calvin Thomas Griffith

Happy Food Mart
15825 Hwy 36
Covington, GA 30014
Licensee: Amirali Babuani

Hub Chevron
12752 Hwy 278
Social Circle, GA 30025
Licensee: Amjad Nayani

J.J.'s Quick Stop
298 Hwy 162 Connector
Covington, GA 30016
Licensee: Sohail Sohani

Sunil Enterprises Inc. dba Lovers Lane Citgo
2527 Hwy 81 S
Covington, GA 30016
Licensee: Nizar Dhanani

Newton BP dba V.J. Enterprises Inc
5343 Hwy 20
Covington, GA 30016
Licensee: Aziz I Vegdani

Pony Express Food Mart

1814 Hwy 11 S
Covington, GA 30014
Licensee: Lee Khana

John J. Potts Store
15524 Hwy 36
Covington, GA 30014
Licensee: John J. Potts

Publix Super Markets, Inc #744
13015 Brown Bridge Rd
Covington, GA 30016
Licensee: Robert H. Moore

Rico Enterprises Inc dba Rocky Plains Grocery
2310 Hwy 212 N
Covington, GA 30016
Licensee: Oscar Roberto Castro

South Fork Chevron
10571 Flat Shoals Rd
Covington, GA 30016
Licensee: Hubert White

The Pit Stop
1313 Hwy 11 N
Social Circle, GA 30025
Licensee: John S. Hardegree III

Wilson's Grocery
2299 Hwy 212
Covington, GA 30016
Licensee: Terry Dwayne Wilson

Foodland dba Shailly Enterprises, Inc
15036 Brown Bridge Rd
Covington, GA 30016
Licensee: Santosh Shailly
Pure Food Mart
50 Morningside Dr
Covington, GA 30016
Licensee: Amirali Babwani

Shell Food Mart
10724 Covington Bypass
Covington, GA 30014
Licensee: Akbar Ali

Shiddhi Inc dba Salem Amoco
3501 Salem Rd
Covington, GA 30016
Licensee: Chaitanya Patel

Salem Shell Food Mart
3633 B Salem Road
Conyers, GA 30013
Licensee: Akbar Ali

Motion: To approve the Alcohol License Renewals for 2006 as read by the chairman.
Proposed by: Commissioner Ester Fleming, Jr., District Three
Second by: Commissioner J.C. Henderson, District Four
Motion Carried

Motion: To table the following Renewals for 2006 for county attorney to review and advise the board at their December 20th meeting.

Alcohol Renewals Tabled until December 20th
Foodland dba Shailly Enterprises, Inc
15036 Brown Bridge Rd
Covington, GA 30016
Licensee: Santosh Shailly

Shell Food Mart
10724 Covington Bypass
Covington, GA 30014
Licensee: Akbar Ali

Shiddhi Inc dba Salem Amoco
3501 Salem Rd
Covington, GA 30016
Licensee: Chaitanya Patel

Salem Shell Food Mart
3633 B Salem Road
Conyers, GA 30013
Licensee: Akbar Ali

Big D
5485 Hwy. 81 South
Covington, GA 30014
Licensee: Abdul Hirani

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner J.C. Henderson, District Four
Motion Carried

COUNTY CHECKS:

Commissioner Ewing asked that the check approval be tabled until December 20th meeting so that he could have time to review them.

Motion: To table the county checks approval until the December 20th meeting.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Ronnie Dimsdale, District Two
Motion Carried

EXECUTIVE SESSION

Time: 8:45 p.m.

Motion: To enter into Executive Session for the purpose of threatened and pending litigation.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried

REGULAR SESSION

Time: 9:30 p.m.

Motion: To enter into Regular Session.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried

ADJOURN

Time: 9:30 P.M.

Motion: To adjourn.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried

Respectfully Submitted,

Jackie Smith
County Clerk

