

The Newton County Board of Commissioners regular board meeting was held on Tuesday, May 16, 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 **Link:**
<https://www.youtube.com/channel/UCaelYAOMGdiPaiqUz7SdTfQ>

Present were, Chairman Marcello 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. Also present were the media staff and other administrative personnel.

Chairman Banes called the meeting to order and read the thought for the day. Pastor William H. Gaither of New Growth Baptist Church gave the invocation and led the Pledge of Allegiance.

Chairman Banes presented a plaque to Pastor Gaither and thanked him for his years of service to the community.

Chairman Banes called for a motion to adopt the agenda.

Motion: Commissioner Edwards motioned to approve adoption of the agenda, seconded by Commissioner Mason and was passed unanimously.

Reports from Chairman Banes

The floor was opened to the Newton Chamber of Commerce.

Debbie Harper, President/Jay Bailey, Chair and Lanier Sims, Vice Chair.

Jay spoke on behalf of the Chamber and expressed gratitude to the board, welcomed County Manager Harold Cooper and gave an update on the current progress of the Chamber.

Reports from County Manager Harold Cooper

Mr. Cooper thanked the board and the community for granting him the opportunity to serve as County Manager. During his first week he met with all of the department directors and posed them each with five fundamental questions. Mr. Cooper added, we are going to operate on the 3 “P” principles; People, Purpose and Processes.

In closing, Mr. Cooper said he wants to be the bridge and the bridge builder between the work force and the service delivery with the most valuable resources; the citizens.

Mr. Cooper said he is scheduled to meet with the remaining board members later this week.

9. Consent Agenda

a) Approval of the Minutes-May 2,2023 Regular Meeting

b) Newton County Sheriff's Office - Requests to apply for Patrick Leahy Bulletproof Vest Partnership Program grant to purchase ballistic vest for deputies. The grant will reimburse

1/2 the cost of vests.

Deadline Requirement: June 23, 2023/Funding Source: Bureau of Justice Assistance

c) Newton County Juvenile Court is requesting permission to apply for FY'23 Enhancing Family

Treatment Court grant (OJJDP) Deadline Requirement: June 1, 2023

Cost: \$850,000.00 for 36 months (funds to be released October 1, 2023)

Funding Source: OJJDP/Budgeted: No/Match: 25%

Motion: Commissioner Mason motioned to approve the consent agenda as presented, seconded by Commissioner Edwards and was passed unanimously.

Board Discussion/Consideration

10. Relief of property tax penalties & fees in the amount of \$729.62 - Ms. Margret Smith of the Newton County Tax Commissioners Office presented the request of Ms. Renee Ranney. Supporting documents were submitted and are officially a part of the minutes.

Discussion

Commissioner Edwards expressed the probability of setting a precedent by approving the request.

Commissioner Mason inquired about the prior payment plan and options allowed.

Motion: Commissioner Cowan motioned to approve relief of the delinquent property tax penalties and interest fees in the amount of \$729.62 (seven hundred twenty-nine dollars, and sixty-two cents) for Ms. Renee Ranney, seconded by Commissioner Edwards and was passed unanimously.

11. Steelco Builders, Inc. Construction Services Agreement to construct a Horse Pole Barn @ the FFA Camp. Cost: \$499,800.00 and the funding is provided by a state grant and no match is required.

Motion: Commissioner Edwards motioned to approve the Steelco Builders, Inc. Construction Services Agreement to construct a horse pole barn @ the FFA Camp, Cost: \$499,800.00 (Four hundred ninety-nine thousand, eight hundred dollars) is provided by a state grant, seconded by Commissioner Mason. Vote 3-0. Passed

Abstained - Commissioner Sanders said she was not comfortable to make a decision on the agreement.

Abstained - Commissioner Henderson stated he was not comfortable and feels that it should have been tabled.

7:30 P.M. PUBLIC ZONING HEARING S

Shena Applewhaite, Director of Development Services presented the following cases.

1. FLU23-000003 Future Land Use Amendment Case (FLUM)

Location: 2094 Hwy 81, Hwy 81

Applicant: Maria Alves

Map & Parcel Number: 0045 060 & 0045 049A

FLUM: PUB (Public Institution)

Proposed FLUM: COM (Commercial)

District: 4

Zoning: R3 (Single Family Residential)

Acreage of Property: 2.5ac & 1ac

Request: To amend the Future Land Use Map (FLUM) to Commercial in order to locate a special events facility .

7:34 p.m. Public Hearing opened
In support - Maria Alves
No opposition

7:36 p.m. Public Hearing closed
Chairman Banes called for the vote.

Motion: Commissioner Henderson motioned to approve FLU23-000003 Future Land Use Amendment Case (FLUM), seconded by Commissioner Mason and was passed unanimously.

2. UDOAMD23-001. O-05162023. AN ORDINANCE TO AMEND THE NEWTON COUNTY UNIFIED DEVELOPEMNT ORDINANCE, CHAPTER 1 ZONING ORDINANCE, ARTICLE 5, DIVISION 515; TO REPEAL CONFLICTING PROVISIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR FURTHER PURPOSES.

7:44 p.m. Public Hearing opened

In support - Debbie Harper, Newton Chamber of Commerce, President

In opposition - Nikki Church

7:46 p.m. Public Hearing closed

DIVISION 515: OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 515-010 GENERAL REQUIREMENTS Newton County Zoning Ordinance.

SEC 515-010 B. (5)

Commercial Vehicle Restrictions Table

On 03-28-2023 The proposed amendments for Division 515-010 (B) (5) of the Newton County Zoning Ordinance were presented to the Planning Commission. This item was tabled by the Planning Commission for 30 days and staff was directed to revise the requirement for type two vehicles with regard to what type would be allowed in the restricted areas (front yard).

On 04-25-23 The revised proposed amendments were presented to the Planning Commission.

Restricted locations

Vehicles weighing 6,100lbs or less with no more than two ladders may park within the buildable area but shall not block any pedestrian paths or park in the Right of Way.

The Commission recommended to raise the vehicle weight limit from 6,100 lbs. to 12,000 lbs.

DIVISION 515: OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 515-010 GENERAL REQUIREMENTS

Proposed amendment from the Sheriff 's Office

6. Exceptions. These provisions do not apply to law enforcement vehicles, vehicles certified by the Sheriff to be on the Newton County Wrecker Rotation Program, vehicles temporarily engaged in moving household goods, making deliveries, or construction vehicles or equipment being used in conjunction with an active building permit.

7:55 p.m. Public Hearing opened

In support - Sheriff Ezell Brown

No opposition

7:59 p.m. Public Hearing closed

Chairman Banes called for the vote.

Motion: Commissioner Sanders motioned to approve UDOAMD23-001. O-5162023, seconded by Commissioner Mason and was passed unanimously.

3. Approval of Transmittal Resolution, R05162023, and report for the FY22 CIE/STWP to send to DCA for review and approval.

The report was displayed via PowerPoint and a copy of the report is a part of the official records.

8:04 p.m. Public Hearing opened

No one to speak in support or opposition.

8:05 p.m. Public Hearing closed

Discussion

Commissioner Sanders questioned the status of the sidewalk and trail project @ Fairview Road and the grant funds that have been awarded for the project. Chester Clegg, Transportation Director came forward.

Chester said the Office of Congressman Hank Johnson has awarded \$800,000.00 (eight hundred thousand dollars) of grant funds for a trail project, and an additional \$200,000.00 (two hundred thousand dollars) will be added to total \$1,000,000.00 (one million dollars) for a trail project to extend from Ginn Motors to Fairview Road at the Rockdale County line.

The grant funds were turned over to the GDOT (Georgia Department of Transportation) to administer. Due to environmental and developmental process requirements, it will take several years to develop and construct the trail project.

Chester stated, at this point the funds can only be used for engineering.

Chairman Banes called for the vote.

Motion: Commissioner Mason motioned to approve the Transmittal Resolution, R05162023, and report for the FY22 CIE/STWP to send to DCA for review and approval, seconded by Commissioner Edwards. Vote 3-1. Passed
Abstained-Commissioner Sanders stated funds are not being disseminated for all projects.

Transmittal Resolution R051623

Whereas, Newton County, Georgia has prepared an annual update to a Capital Improvements Element and Short Term Work Program; and

Whereas, the annual update of the Capital Improvements Element and Short Term Work

Program was prepared in accordance with the Development Impact Fee Compliance

Requirements and the Minimum Planning Standards and Procedures for Local

Comprehensive Planning established by the Georgia Planning Act of 1989, and a Public

Hearing was held on May 16th, 2023 at the Newton County Historic Courthouse, Commission Meeting Room.

Be It Therefore Resolved , that the Newton County Board of Commissioners does hereby submit the annual update of the Capital Improvements Element and Short Term Work Program covering the five-year period of 2021-2025 to the Northeast Georgia Regional Commission for regional review, as per the requirements of the Georgia Planning Act of 1989, specifically including rule 110-12-1.04(2)(b)1. ("Annual Update Option").

12. Brittany White, Finance Director gave an update of the April 2023 Financial report.

13. Approval of Amendment #1 to the agreement for American Rescue Plan Act (ARPA) Consulting Services of iParametrics, LLC. This Amendment authorizes an expansion in the scope of services to be rendered, which includes the creation, design, development, implementation, and administration of the following programs:

- Youth Commission
- Youth Engagement Grant Program
- Rental and Mortgage Assistance
- Utility Assistance Program
- Low Income Senior Home Repair
- Sewer to Septic Grant Program
- COVID-19 Non-Profit Assistance Grants
- Food Pantry Grant Program
- COVID-19 Small Business Assistance Grants

The administrative costs associated with these additional services are estimated at 10% of the total program costs \$8,400,000.00, amounting to \$840,000.00. This requires a proposed increase to the total contract price of \$420,000.00, bringing the total contract not to exceed \$840,000.00. These services will be valid through December 31, 2026. Any additional program creation and administration will be subject to a 10% administrative cost rate and must receive advance approval from the Board of Commissioners.

Motion: Commissioner Edwards motioned to approve Amendment #1 to the agreement for American Rescue Plan Act (ARPA) Consulting Services of iParametrics, LLC., seconded by Commissioner Mason. Vote 3-1. Passed

Abstained- Commissioner Henderson said his reason to abstain is a change in the allotment of ARPA funds.

14. Approval of Change Order for Amendment #1 of Colliers Engineering & Design, Inc. Professional Services Agreement for the Yellow River Trail System Easement Appraisals.

Cost: \$72,300.00/Funding Source: 2017 SPLOST (100%). Match: No

Chester Clegg, Director of Transportation asked Jeff Prine, Project Manager to address the board.

Jeff said this amendment is to allow Colliers Engineering to conduct appraisal services on the approximate fourteen parcels that have been identified as part of the project process.

Jeff stated Attorney Patrick Jaugstetter was a part of the evaluating process for this project to his opinion.

Motion: Commissioner Edwards motioned to approve Change Order for Amendment #1 of Colliers Engineering & Design, Inc. Professional Services Agreement for the Yellow River Trail System Easement Appraisals, seconded by Commissioner Mason and was passed unanimously.

15. Approval for Public Works to contract with Peach State Construction Company, LLC. for the replacement of a culvert @ 630 River Cove Road. Cost: \$99,450.00
Funding Source: 2017 SPLOST (100%)/Budgeted: Yes/Match: No

Motion: Commissioner Henderson motioned to approve the contract of Peach State Construction Company, LLC. for culvert replacement @ 630 River Cove Road, seconded by Commissioner Edwards and was passed unanimously.

16. Approval for Public Works to contract with Summit Construction & Development, LLC. for the construction of the Access Road @ I-20 from east of Crowell Road and to west of Harold Dobbs Road. Realignment & Intersection Improvement Project #PI 0015095. Construction to be funded with Federal Highway Administration (FHWA) (80%) & 20% 2017 SPLOST. Cost: \$7,540,672.64

Motion: Commissioner Edwards motioned to approve the contract Summit Construction & Development, LLC. Realignment & Intersection Improvement Project #PI 0015095, seconded by Commissioner Cowan and was passed unanimously.

17. District 4 Commissioner J.C. Henderson requested approval to authorize the County Manager to work with the City of Covington to identify funding opportunity for the trail system.

The trail would extend from Nelson Heights Community Center to Central Park, Walker Bend, Washington Street Community Center to possibly farther.

Motion: Commissioner Henderson motioned to approve, seconded by Commissioner Sanders and was passed unanimously.

Citizen Comments

Rosie Crawford - commented on an in-house attorney/in-house grant writer.

Tanisha Dailey - expressed concerns of District 3 and the conditions/spending of funds.

Annette Alston - commented on legal fees/grant writer/lack of the in-house attorney position.

Nikki Church - expressed concerns of safety @ single entry/exit of subdivision/increase in residential developments.

Denise Durant - expressed concerns of safety @ single entry/exit of subdivision.

Archie Shepherd - expressed opinion in regards to legal matters, fees and legal representation.

Fred Johnson - announced there will be a Town Hall meeting @ Good Hope Baptist Church - May 25th 6:00 p.m./American Legion Post 32 Memorial Day Service on the square
May 29th @ 10:00 a.m./assistance with cemetery cleanup.

Thelma Nolley - expressed concerns of amount allotted for the Senior Repair Program and suggested there should be additional assistance with the application process.

Board Comments

Commissioner Edwards - Welcomed the County Manager, looking forward to working with him, checked on Poplar Hill Church, urged all to take pride in their communities regarding litter.

Commissioner Sanders - has been appointed to serve @ Local Progress organization/received a scholarship to attend the convention in September

Commissioner Cowan - Welcomed the County Manager, commented there have been no applicants for the in-house attorney position.

Newton County Board of Commissioners
Regular Meeting Minutes
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Historic Courthouse-1124 Clark Street
Covington, GA 30014
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Commissioner Mason - Welcomed the County Manager,
June 17th - Atlanta Masters Classics & Care Source Health Fair 9:00 a.m. - 3:00 p.m. @
Savage Society CrossFit Health 14500 Lochridge Blvd. Suite E Covington, GA 30014
*Yoga @ 7:45 a.m.

Commissioner Henderson - Commented on the Nelson Heights Community Center,
youth,
gun violence, May 25th - Town Hall Meeting @ Good Hope Baptist Church

Executive Session 9:18 p.m. (Purpose - to discuss land acquisition)
Commissioner Henderson motioned to enter into Executive Session, seconded by
Commissioner Mason.

Adjournment 9:50 p.m
Commissioner Edwards motioned to reconvene and to adjourn, seconded by
Commissioner Cowan

Chairman

Respectfully Submitted:

Susan G. Nolley Deputy Clerk