

**NEWTON COUNTY BOARD OF COMMISSIONERS**  
**1124 Clark Street**  
**Covington, GA 30014**  
**Regular Meeting**  
**Minutes**

**November 17, 2015**

Present: Chairman Keith Ellis, Commissioners' John Douglas, Lanier Sims, Nancy Schulz, J.C. Henderson, Levie Maddox, Attorney Tommy Craig, Attorney Jenny Carter, and Clerk Jackie Smith  
Large group of citizens  
Covington News, Newton Citizen

Chairman Ellis recognized the Pride of East Side who entertained the audience prior to the meeting, as well as a musical number In the Heat of the Night and our National Anthem. (Applause)

Chairman Ellis called the meeting to order, extended a welcome, and read the thought for the day. The invocation was given by Pastor Ronny Brannen, Prospect United Methodist Church and the Pledge of Allegiance to our great flag was led by a local home school student, Brandon Borg.

**AMEND THE AGENDA**

Motion by Commissioner Maddox, second by Commissioner Sims, to allow for discussion and action items related to personnel and the new charter as items #7a and #7b on the agenda  
Motion carried unanimously (5-0)

Commissioner Maddox requested an executive session related to personnel and potential litigation with the possibility of taking action after the executive session.

**CHAIRMAN'S REPORT:**

- Recognized Teresa Borg who introduced her son Brandon Borg – Young Marines Class.
- Briefly gave an overview of the attached Fact Sheet.
- Congratulations to Katie Beth Fowler who will be a part of the marching band for the annual Macy's Thanksgiving Day Parade. Katie Beth will represent the East Side Band where she attends high school.
- Briefly went over PowerPoint presentation – attached to these minutes.
- Congratulations to Sheriff Brown & the N.C. Sheriff's Office on receiving accreditation with the American Correctional Association.
- ✓ Sheriff Brown recognized his employees, giving them praise and recognition, noting all his success is because of his great employees. He said, "all credit goes to each and every employee...I am who I am today because of them."
- ✓ Three member s of the ACA American Correctional Association conducted a standards compliance audit for 3 days.
- ✓ Assessed the facility through audits, reviews, hearings and evaluations to ensure the agency was in compliance with the nationally established standards. The entire inspection was based upon 383 standards that were thoroughly analyzed by the auditors. The 383 standards consisted of 60

mandatory standards that involved life, health, and safety issues, which had to be passed with a score of 100 percent and 323 non-mandatory standards which had to be passed with a score of 80 percent. The NCSO received a score of 100 percent on mandatory standards and a 100 percent on non-mandatory standards and will officially be awarded the accreditation in January at the American Correctional Association (ACA) winter conference.

- ✓ 6 counties in Georgia achieved this accreditation
- ✓ Law Enforcement and Detention Facility are accredited.
- ✓ Must be recertified in 3 years.

**7:30 PM**

**ZONING/PUBLIC HEARING**

Chairman Ellis read into the record the following statement:

Please Note: The applicant and those in favor of the petition are allowed ten-minutes to address the board. In addition, ten-minutes are allotted for those in opposition to the petition. This ten-minute allotment does not include a response to any questions raised by the commission members.

Development Services director Lloyd Kerr sounded the following zoning.

**CASE NUMBER FLU15-000293 & REZ15-000292**

Existing Land Use Map: RES (Residential)  
Proposed Land Use Map: COM (Commercial)  
Proposed Zoning: CG (General Commercial)  
Existing Zoning: CN (Neighborhood Commercial)  
Watersheds: South River  
Location: Hwy 81 (West Side)  
Feet of Frontage: 744.34  
Oak Hill Road (North Side)  
Feet of Frontage: 148.05  
Parcel Size: 2.57 acres of a 6.138 Acre-tract  
Tax Parcel: 28-100  
Owner: McIntosh State Bank  
Petitioner: Boos Development  
Representative: Eric Flynn  
District Two

Applicant's Intent: To rezone 2.57 acres of the 6.138 acre tract in order to construct a retail development (Family Dollar)

Planning Commission Recommendation: On Tuesday, October 27, 2015 the Planning Commission recommended approval (5-0) for both the Future Land Use Map Amendment and Rezoning request with the recommended conditions.

- Future Land Use Map on display in boardroom
- Mr. Kerr read the conditions into the record.
- Changing so FLUM and zoning is compatible.

Chairman Ellis opened the public hearing @ 7:40 pm

Petitioner: Robert Grice, Smith, Gambrell & Russell

- Requesting change to Future Land Use Map from residential to commercial

- Requesting zoning change from Neighborhood Commercial to General Commercial
- Roughly 2.5 acres
- Family Dollar Store
- Staff & Planning Commission recommended approval
- Agreeable to conditions
- Commercial area

Opposition:

Anthony Salas (Siting in balcony)

(did not provide address)

- Lives in neighborhood
- Dollar store is not needed
- Saturated with dollar stores
- In a 10 mile radius: 2 Dollar Trees, 2 Family Dollar Stores, 6 Dollar General stores
- Lowly populated (more rural area)
- Traffic concerns – vehicles travel 60 mph on road
- Safety concerns

Ginger Lucas (Right hand corner of where the proposed store is to be located)

(did not provide address)

- Area too small
- Traffic concerns
- Safety concerns for children
- Gas station has been broken into a number of times.
- Concerned store will bring more crime into a residential area
- Night traffic coming in and out would be a disturbance

Angela Johnson (house is right behind proposed store)

(did not provide address)

- Concerned it will bring more crime to the area
- Safety concerns

Dennis Baker (house across from proposed store)

Hunting Street

- BP Station has been broken into several times already
- Traffic concerns
- Safety concerns
- Noise concerns
- Area is more residential than commercial

Steve Bray (does not live in area)

Covington

- Grandchildren attend Livingston Elementary School in area
- No room for an entrance or exit other than frontage on Hwy. 81
- Suggest consider stop signs being installed
- Concerned about safety issue
- Question how a portion of a parcel can be rezoned.
- If approved, suggest a buffer to protect homes behind and around the property
- Suggest BOC table for further study

Dennis Taylor (does not live in area)

North Newton

- Property is zoned residential...keep it residential
- Board needs to stop changing zonings.

Chairman Ellis closed the public hearing @ 7:50 pm

Commissioner Sims

- Questioned if a traffic study had been done? GDOT will have to review first. (petitioner)
- Questioned buffer? 75 foot buffer (LK)
- Questioned traffic study been done? Not at this time (petitioner)
- Our regulations require a decal lane and this will have to be determined, approved and permitted by GDOT (LK)

Commissioner Schulz

- Questioned hours of operation?
- Usually 9am to 9pm - worst case scenario would be 8am to 10 pm (petitioner)

Commissioner Douglas

- Voiced his concern that we have a FLUM that calls it residential and zoning that calls it commercial.
- Property is already zoned neighborhood commercial (LK)
- FLUM is used as a guide (LK)

Motion by Commissioner Sims to approve Future Land Use Change FLU15-00293 with staff conditions. Motion died for lack of support.

Commissioner Schulz

- Suggested that applicant meet with community and Commissioner Sims to see if a suitable alternative can be achieved and requested to table the request to the 2nd meeting in January.

Motion by Commissioner Schulz, second by Commissioner Douglas, to table Case Number FLU15-000293 & REZ15-000292 until the second meeting in January (date to be determined). Motion carried 3-1 with Commissioner Sims voting in opposition to the motion  
1 abstention: Commissioner Henderson

### **OLD BUSINESS:**

#### **Nelson Heights Community Center Update**

- Attorney Jenny Carter provided a brief update
- Confirmed with the Secretary of State's office that NHCC 501c3 is currently active.
- Confirmed with IRS they do have a 501c3 and have tax exempt status
- Everything is in order as far as being an entity that the management of the center can be transitioned to.
- Next step is to meet with the NHCC Board to discuss transition process.
- A resolution from this board to turning the management of the facility over to the 501c3
- The 501c3 needs to get prepared to assume the role
- Emphasized there needs to be a new resolution that sets forth the standards.

Commissioner Henderson

- In 2013 when resolution was passed the board said the 501c3 would have nothing to do with NHCC. I believe you can check the minutes to see this.
- When NHCC started the board decided for all monies and checking to be handled by the county.
- Feels there needs to be more discussion – can't be changed overnight.
- 501c3 is used for mostly the Wal-Mart donation to purchase bikes. (past 5 years)
- Since stopping the Bright from the Start program we asked the board to provide funding to feed the children.
- We went step by step what the board asked us to do.

Commissioner Schulz

- Questioned Ms. Carter as to how long it would take to prepare the resolution?
- Ms. Carter stated pretty quick, but it depends on when NHCC Board (501c3) can take over.

Commissioner Henderson

- When the meeting was called about the program we didn't know what was going on. We were feeding the kids and you stopped it.
- We spent the money for two months for the prepackaged meals thinking we were going to be part of the program.
- We think it is only right until we come up with a transition period for this board to provide funding to feed the children.
- Requesting board provide funding to feed the children until they receive the grant.
- Former county manager, Tom Garrett, approved the process and now entire program is being changed.
- Requesting to sit down with board and discuss further.

Commissioner Schulz

- There is a federal feeding program that operates through the school system that these children could participate in.
- The issue is not can the children be fed, but can they be transported to a feeding program that already exists and be in compliance with the federal grant.
- When brought before us before it was explained that if we (NCBOC) were to continue the feeding program we were jeopardizing our federal grants.
- If children need to be fed, there is a program that will feed them. We just need to figure out how to accommodate a transportation system for those children to transport them to the feeding program already in existence....so that we don't jeopardize our federal grant status.
- Asked the board if they wanted a resolution prepared for the December 1st meeting or a January meeting and Commissioner Henderson reiterated again that he wanted and needed a transition period. He said that money has been spent for two months in feeding the children.
- Displayed photos of children at NHCC that he took today...working on their homework.

Chairman Ellis

- Stated that in March the former county manager suggested that the BOC should be the one to apply for this feeding grant as part of the Farm Aid Program (USDA)
- A gentleman, Mr. White, came to us and he was going to provide the services and take care of most of the paper work. It was my understanding that NHCC would have very little paper work to handle.
- Mr. Horace White explained that he would be completing most of the paper work.
- The program was ready to start and the food was ordered.
- At this time, the county manager may have grossly over-stated the fact that we were in danger of losing \$11 million dollars in grants.
- I believe that some of the board members at that time thought we were in jeopardy, when, in fact, there was no violation.
- Since that time Mr. White has tendered his resignation from seeing after the program for us.
- I don't feel like there is anyone in place now to complete the paper work and be the sponsor for the program

Commissioner Henderson

- The only paper that the director @ NHCC had to fill out was alphabetizing the children's names that were being fed and fax to Mr. White who would then complete the paper work for processing. This is something Mr. White does for 16 different entities.
- I researched and found no violations in the Bright from the Start Program

Attorney Carter

- Stated she didn't have anything in writing, but she knew there was discussion at the time that the 501c3 could not apply for the grant because they were not the entity that was managing the community center. The only other entity that could have applied would be Newton County BOC.

Commissioned Sims

- Would like to see something in writing and clerk will provide board a copy of the letter from Mr. Garrett.

Mr. Owens

- Understood this to be a pass-through federal grant
- Understood that board wanted all appropriates to be set up the same.
- County provide appropriation
- Appropriation would have their own checking account and run their own program.

Commissioner Henderson

- Will have to start over from the beginning to apply for the grant
- When Mr. White quit the program was cancelled with Newton County
- Reiterated again that transition time was needed and that the meals should continue to be provided to the children until the transition is completed.
- Concerned about paying for the food for the past two weeks.

Commissioner Sims

- Would like to see the previous motion brought back up.
- Questioned the cost per month: \$2500 month = \$30,000 per year (feeding 50 children for the year)
- NHCC appropriation is \$40,000 per year from county.
- Questioned how the food was funded before applying for the grant and Commissioner Henderson said through donations.

Commissioner Maddox

- Commented that he did not recall the motion suspending the program and agrees with Commissioner Sims and would, too, like to see the motion brought back up.
- Program still in place and can proceed with understanding to allow transition process.

Commissioner Douglas

- Not willing to just close it down.
- It's a very worthwhile program.
- Children will be out for the holidays and will be at the Center
- These children are off the streets, getting help with their homework and being provided a meal.
- Not willing to take the food away from the children.

Commissioner Sims

- Noted that since the board has not made a decision he would make a motion to approve the funding for the month by the BOC.

Motion by Commissioner Sims, second by Commissioner Henderson, to approve \$1,576.00 for the NHCC After School Feeding Program.

Motion carried unanimously (5-0)

### **Solid Waste Committee Member Bob Stafford – Discussion**

Chairman Ellis noted that Commissioner John Douglas requested this be placed on the agenda for an update.

Chairman of the Solid Waste Committee Wayne Haynie along with the first district representative, Bob Stafford addressed the board. Commissioner Douglas noted that Mr. Stafford would like for the committee and the board to engage in another work session.

Wayne Haynie

- SWC would like to commend the board for the small steps being taken.
- Very glad that landfill experts Harbin Engineering was hired.
- Recommendation is to continue on with the corrective action plan.
- Read aloud recommendations provided to the board previously.
- 1)Formation of SWA
- Address Community (Spring Hill) concerns
- All solid waste from unincorporated areas needs to cross scales @ the landfill
- Collection Centers are popular; however there has been discussion of consolidating some of the centers.
- Eventually SWA would look @ geographical franchising of curb side pick-up...voluntary would be the way to proceed.
- SWA would move us down the road toward recycling and a revenue stream from facility.
- Landfill can be transferred into a real community asset. (trails & river)
- Ready to participate with the board in work session
- Board expressed appreciation for Mr. Haynie & Mr. Stafford being present and their comments

Commissioner Douglas

- Feels there is a disconnect on the recycling centers.
- RC's are very popular with the citizens of the county.
- Goal is to figure out how to approve the SWA, keep the recycling centers and find a way to make the recycling centers to become self-supported.
- Would like to see a work session where we can finalize what we would like to do and move forward.

Chairman Ellis

- Will call a work session for December 8th @ 6:30 p.m. for further discussion.

Commissioner Henderson

- Noted that if board decided to cut the number of centers he would request that Cook Road & McGibney Road be removed.
- Stated picking up tires and old furniture off the county roads is going to cost the county

Chairman Ellis

- Staff said that Harbin has not prepared an RFQ and requested clarification.
- Asked Commissioner Sims if he would share his recollection regarding the RFQ?

Commissioner Sims

- RFQ was to get companies to come in and give us their suggestions on what they could do with our recycling centers, curb-side pick-up in conjunction with keeping the recycling centers.
- We need professionals that will service us to come in and tell us what they can offer us.
- My remembrance is we were going to put that out and get their recommendations.

Chairman Ellis

- Read into the record information from November 3rd board meeting.
- Commissioner Sims told the board he had spoken with several companies who offer different solutions regarding curbside pick-up and convenience centers and would like to see an RFQ (request for quote) or RFI (request for information) drafted and have several companies complete (like we do with selecting an engineering firm for projects) and see what they offer. Board concurred.

- Noted that he thought this was for both transportation side (from recycling centers to landfill) as well as anyone who would like to speak to us about a solution to the landfill.
- He told Mr. Wadley he would provide him a copy of information tomorrow.

No official action was taken.

### **UPDATE ON ENABLING LEGISLATION**

Attorney Jenny Carter addressed the board.

- Draft provided in packet
- Started with current enabling legislation.
- Included board's recommendation from work session in this updated version.
- Purpose is to get something before you tonight for feedback.
- Commissioner Douglas asked that pg. 5 g(1) be corrected to read \$25,000 instead of \$15,000
- Commissioner Maddox asked Ms. Carter to read item (e) 2 on page 4.
- Ms. Carter prefaced the reading by stating that currently the first part of this is already in the current legislation and that she simply tweaked it a little to have it read more clearly.  
(e) Limitations: (2) – "Except as otherwise provide in this Act, members of the Board shall not contact employees or personnel of the county in relation to any duty or work habits of said employee, or to request any service or actions on the part of said employee except ;through the County Manager. This limitation shall not limit contact by members of the board as a matter of inquiry to obtain information necessary to allow said members to carry out their duties."
- She noted that the purpose of that is so that one board member can't go to an employee about their job performance or to direct them to carry out certain actions, but any board member can contact an employee for information they may need (zoning). Inquiry type of questions to get information is allowed, but individual board members should not be directing or over-seeing individual employees.
- Commissioner Schulz requested the mechanics of moving forward?
- Ms. Carter stated that would be up to the board, but action will be for board to pass on to legislative delegation to move forward.
- Commissioner Henderson told the board he would like to set up a committee in his district to receive their suggestions and concerns after reviewing the draft. He suggested that draft be on web page for citizens to view. Ms. Carter indicated it is already up.
- Commissioner Maddox noted there are several areas he feels needs more discussion. (ethics section needs to be looked at and page 4, items 12 & 13 & page 4(e) 2
- Commissioner Sims suggested a brief work session to discuss further, following with a special called meeting for action.
- Chairman will set work session; special called meeting and clerk will notify the board and post accordingly.

### **PERSONNEL**

Chairman Ellis recognized Commissioner Maddox who requested this to be added to the agenda.

Commissioner Maddox read the following into the record:

After much discussion with the public and other commissioners and through a great deal of prayer, I believe it is in the best interest of Newton County to create an in-house legal department. With that, he made the following motion:



Motion by Commissioner Maddox, second by Commissioner Douglas, for the County Manager to provide a job description to the Board and post by this Friday, (November 20th) in order to immediately begin transitioning to an in-house legal department. As part of this motion, I believe our County Manager, HR Director and a District commissioner should participate in the interview process.

Commissioner Schulz told Commissioner Maddox that she supported his motion, but asked that he consider amending his motion to include 2 commissioners in the interview process and to transfer all legal files related to Newton County Government to the County Administration Building under the supervision of the County Manager by December 1st. Commissioner Maddox & Douglas agreed.

Commissioner Sims requested amending the motion to allow the delivery of the files no later than December 15th. He noted that with all the holidays that didn't seem to allow enough time to get this done. Commissioner Maddox & Douglas agreed.

### **NEW MOTION**

Motion by Commissioner Maddox, second by Commissioner Douglas, for the County Manager to provide a job description to the Board and post by this Friday, (November 20th) in order to immediately begin transitioning to an in-house legal department. As part of this motion, I believe our County Manager, HR Director and (2) two District commissioners should participate in the interview process. Also, to transfer all legal files related to Newton County Government to the County Administration Building under the supervision of the County Manager by December 15th.

Commissioner Henderson commented that Mr. Craig has been a great county attorney for over 35 years and has not performed any work this board and previous boards had not directed him to do. He voiced his concern over outstanding legal matters and requested that any legal matter that pertained to him he would still ask that the county attorney's office handle.

Chairman Ellis asked the board to consider the tremendous amount of litigation that has to be taken care of.

Commissioner Henderson expressed his appreciation to Mr. Craig for his years of work for Newton County and offered his heartfelt thanks.

Commissioner Douglas questioned a completion date for the transition. He suggested by the close of business on January 4, 2016.

Motion by Commissioner Maddox was carried 4 to 1 with Commissioner Henderson voting in opposition to the motion.

Mr. Craig addressed the board and said,  
"Chairman and Board Members I'd like to say that representing Newton County for nearly four (4) decades has been a distinct pleasure and privilege and I am deeply grateful for the opportunity and for the education and experience that I have got. So, thank you very much."

Commissioner Sims addressed the board regarding pending litigation and duly made the following motion:

Motion by Commissioner Sims, second by Commissioner Schulz, that in the event legal services are required prior to completing the establishment of the in-house legal department, the County Manager will seek the services of legal counsel and report back to the board for approval.

Motion carried unanimously (5-0)

### **FORM OF GOVERNMENT**

Chairman Ellis recognized Commissioner Maddox who addressed the board relating to the Form of Government and Charter update. He asked the board for their consideration removing Section 2-107 from the Charter. He noted that the current Charter calls for the election of the County Attorney by a vote of three. He said this since this Board is moving forward with a strong, professional County Manager and a total legal model he would like to see that section removed and duly made the following motion:

Motion by Commissioner Maddox, second by Commissioner Douglas, to remove from the new Charter Section 2-107 which states, the board of commissioners shall elect the county attorney by affirmative vote of three of the members of the board, and he shall serve at the pleasure of the board.

Motion carried unanimously (5-0)

### **CONSENT AGENDA:**

County Clerk: BOC Meeting dated November 3, 2015

County Clerk: BOC Executive Session Minutes dated November 3, 2015

BOC Appointment: Senior Services Board – District Three – Mr. Curtis Walker (Commissioner Schulz introduced and received a round of applause for his willingness to serve).

R111715 – Resolution Authorizing the Execution and Delivery of a Governmental Equipment Lease With respect To the Acquisition, Purchase, financing and leasing of certain equipment for the public benefit; authorizing the execution and delivery of documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution. **(Removed from consent agenda to be acted on separately)**

Finance: Request approval to make the adjustment for the “deep freeze” line item as budgeted.

Motion by Commissioner Schulz, second by Commissioner Douglas, to approve the consent agenda with the removal of Resolution R111715 which will be acted on separately.

Motion carried unanimously (5-0)

**R111715 – RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A GOVERNMENTAL EQUIPMENT LEASE WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT FOR THE PUBLIC BENEFIT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION. (Removed from consent agenda to be acted on separately)**

Transportation Director Aaron Wadley appeared before the board to present this resolution for approval.

- Lease of four (4) Roll-Off Trucks
- Asked Attorney Carter to tweak the document for processing
- Resolution is made part of these minutes

Motion by Commissioner Maddox, second by Commissioner Douglas, to approve Resolution R111715 with the amendments made by Attorney Carter.  
Motion carried unanimously (5-0)

### **MONTHLY FINANCIAL REPORT**

Interim County Manager Harry Owens and Finance Director Michelle Kelly appeared before the board to present the financial report.

- Final tax collection will be in December

Motion by Commissioner Maddox, second by Commissioner Schulz, to approve the financial report as presented.

Motion carried unanimously (5-0)

### **CHECK REGISTER**

Motion by Commissioner Maddox, second by Commissioner Sims, to approve the check register.

Motion carried unanimously (5-0)

### **REQUEST APPROVAL OF ENERGY SAVINGS PERFORMANCE CONTRACT FOR SHERIFF'S OFFICE**

Sheriff Ezell Brown and representatives from ABM appeared before the board and made an energy savings presentation.

- Information is made part of these minutes
- Noted if county wanted to opt in with the Sheriff's Office that could be done.
- Commissioner Sims stated that at some point after the first of the year he would like for ABM to come back and give us a through performance contract energy savings and how they can assist us. Never won't to go through again what we did with the library system.

Motion by Commissioner Sims, second by Commissioner Henderson, to approve the Energy savings contract with ABM for the Sheriff's Office and to approve Board of Commissioners to opt in and request ABM to look at our buildings for energy savings.

Motion carried unanimously (5-0)

### **REQUEST FOR APPROVAL OF THE 2016 LOCAL MAINTENANCE IMPROVEMENT GRANT PROJECT (LMIG)**

Aaron Wadley presented the 2016 LMIG Grant Project to the board for approval.

- Information is attached and made part of these minutes.
- Total: \$1,191,610.38
- County Match: \$274,987.01
- M&O: Annual General Fund Budget
- Source: \$274,987.01 – 2005 SPLOST; \$916,623.37 - LMIG

Motion by Commissioner Douglas, second by Commissioner Sims, to approve the 2016 Local Maintenance Improvement Grant Project (LMIG) as presented with county's match not to exceed \$274,987.01.

Motion carried unanimously (5-0)

### **REQUEST FOR APPROVAL OF THE 2016 LOCAL MAINTENANCE IMPROVEMENT GRANT OPERATIONAL PROGRAM FUNDING. (Additional Funding)**

Mr. Wadley addressed the board regarding additional LMIG funding.

- These funds are in addition to annual LMIG funding.

- 2 projects and awards
- Brown Bridge @ Salem Road – re-striping - \$123,758.22 - \$85,000 award
- Covington By-pass @ SR36 Turn Lane - \$70,225.50 - \$45,000 award
- Cost: \$194,013.72
- County Match: \$130,000
- Source: \$64,013.72 – 2005 SPLOST; \$130,000 – Operational LMIG

Motion by Commissioner Sims, second by Commissioner Schulz, to approve the Brown Bridge @ Salem Road stripping project application with the additional 2016 LMIG funds as presented.

Motion carried unanimously (5-0)

Motion by Commissioner Sims, second by Commissioner Schulz, to approve the Brown Bridge @ Salem Road stripping project application with the additional 2016 LMIG funds as presented.

Motion carried unanimously (5-0)

Motion by Commissioner Henderson, second by Commissioner Sims, to approve the Covington By-pass @ SR36 – Turn Lane project application with the additional 2016 LMIG funds as presented.

Motion carried unanimously (5-0)

**R111715A - RESOLUTION REGARDING COUNTY ISSUED PURCHASING AND/OR CREDIT CARDS**  
**O111715 - ORDINANCE TO ESTABLISH POLICIES ON THE USE OF PURCHASING CARDS AND CREDIT CARDS BY ELECTED OFFICIALS**

Attorney Carter presented this resolution to the board for action.

- No public hearing required.
- Resolution & Ordinance is based on HB192 passed by legislators this past session for any county elected official that will be using a county purchasing card effective January 1, 2016.
- BOC required to authorize use of card.
- BOC required to set forth policy governing use of card.
- HB192 only applies to county elected officials
- Newton County already has a purchasing policy in place with a Pcard policy that was adopted a few years ago.
- Resolution designates which elected officials are authorized to use cards
- Ordinance sets forth policy
- Both resolution and ordinance are based on the ACCG model – tweaked to fit Newton County.
- Recommendation: If adopted, a few minor changes to the employee policy to be consistent with this ordinance.
- BOC needs to designate the Picard administrator and noted it would likely be the county manager.
- Commissioners Douglas & Henderson stated they did not want a pcard. After this discussion Commissioner Douglas made the following motion.

Motion by Commissioner Douglas, second by Commissioner Maddox, to approve the resolution with the deletion of the District Commissioners receiving a Pcard.

- Commissioner Maddox asked that Commissioner Douglas amend his motion to change the wording in paragraph 4 from “to receive” to “as eligible to receive”.
- Commissioner Douglas amended his motion to reflect “as eligible to receive”.

- Commissioner Schulz requested that the transaction amounts be consistent with elected officials and department heads.

#### **Amended Motion**

Motion by Commissioner Douglas, second by Commissioner Maddox, to approve Resolution R111715A, Changing paragraph 4 to read “as eligible to receive”.

Motion carried 4-1 with Commissioner Henderson voting in opposition to the motion.

Motion by Commissioner Schulz, second by Commissioner Sims, to approve Ordinance O-011715, and to name the County Manager as Card Administrator.

Motion carried 4-0-1 (with Commissioner Henderson abstaining from the vote)

Motion by Commissioner Schulz, second by Commissioner Douglas, to receive recommendation from County Manager as to per transaction amount and per month amount.

Motion carried unanimously (5-0)

#### **REQUEST APPROVAL OF THE PROPOSAL FOR MONITORING @ BEAVER DAM CREEK MITIGATION SITE**

Attorney Carter presented this request to the board for approval.

- Mitigation site next to fire station on Brown Bridge Road
- Must be monitored for 5 years
- Currently in 4th year of monitoring
- Monitoring should be finished within the fiscal year.
- Monitored by Eco-Tech Consultants
- Cost Proposal: \$15,400

Motion by Commissioner Schulz, second by Commissioner Maddox to approve the monitoring services for Beaver Dam Creek Mitigation Site by Eco-Tech Consultants for a not to exceed cost of \$15,400.00.

Motion carried unanimously (5-0)

#### **ALCOHOL LICENSE**

Note: All first readings were read into the record by Chairman Ellis.

##### First Reading

Newton Market

1032 Dixie Road

Covington, GA 30014

Owner: Jawed Lalchani, Gulbano, LLC

District One

##### First Reading

CVS Pharmacy, #8419

4192 Salem Road

Covington, GA 30016

Owner: Carrotnose, LLC & One Eye Charley, LLC

District Three

### First Reading

CVS Pharmacy, #1359

5384 Highway 20

Covington, Ga 30016

Owner: SCP2009 – C34-018, LLC

District Two

### **CITIZEN COMMENTS**

Ruby Burchett

West Newton

- Requesting traffic light @ Jack Neely & Kirkland Road

Barbara Morgan

Covington, GA

- Thank you for what you did tonight regarding the county attorney and putting this issue to rest in the kindest way it could be done.
- Thank you for listening to public.
- Good job tonight

Karen Brooks

Social Circle, GA

- Would like to call for an outside audit (possibly as outside of state)
- Bid process should be for all contracts

Archie Shepherd

Covington, GA

- Concerned over decision made tonight regarding attorney
- Think it would have been wise to keep him on as a consultant.
- Feels issue should have been treated differently

Sandy Spears

Covington, GA

- Good move tonight regarding attorney
- County should be run like a business
- County needs a good strategic plan and succession plan.

Sarah Todd

Covington, GA

- Offended being lectured by the chairman
- Concerned about the poor management

Sarah Dauby

Covington, GA

- Thank you for establishing a legal department
- Should be an in-house attorney

Steve Bray

Covington, GA

- Change made tonight was a long time coming
- Excited to see the progress
- Thank you for listening to the citizens

Scott Jay

Covington, GA

- Thank you for move you made tonight
- Appreciate the transparency

Sam Hay  
Mansfield, GA

- McGiboney Road is still a death trap
- Wasn't happy be admonished by the chairman.
- Appreciate what you did tonight with action taken.

Kathy Morgan  
Covington< GA

- Thank you all for the service you provide every day.
- No one knows the number of hours you put in on a part-time job.
- Thanked Chairman Ellis for his admonishment regarding carrying on the business of the county during a meeting.
- Challenged the board with the new legal department being established to make sure they put in place the types of monitoring needed to move forward.

Thomas Cook  
Covington, GA

- Concerned about speeding on Fincher Road
- Would like to see speed bumps installed.
- Chairman suggested he talk with Aaron Wadley to get the information

#### **COMMISSIONER COMMENTS**

Commissioner Maddox

- Wish everyone a Happy Thanksgiving.

Commissioner Henderson

- Happy Thanksgiving

Commissioner Schulz

- Very thankful for all the blessings and wish everyone a Happy Thanksgiving.

Commissioner Sims

- Happy Thanksgiving and safe traveling

Commissioner Douglas

- Happy Thanksgiving
- Announced he & Susan were going to be grandparents for the first time.

Chairman Ellis

- Appreciate former Chairman Morgan's remarks because she has sat in this seat and knows what goes on.
- Happy Thanksgiving from me and my family

#### **EXECUTIVE SESSION - 10:55 p.m.**

Motion by Commissioner Maddox, second by Commissioner Schulz, to enter into executive session for the purpose of discussing personnel and potential litigation.

Motion carried unanimously

With no further business, a motion by Commissioner Douglas, second by Commissioner Henderson, the meeting adjourned at 11:30 p.m.

Respectfully submitted,

---

Jackie B. Smith, County Clerk

---

William K. Ellis, Chairman