

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
June 1, 2004**

MINUTES

Newton County Historic Courthouse
Covington, Georgia
Chairman Aaron Varner Presiding

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

Also Present: Robert Horne, The Covington News
Crystal Tatum, The Newton Citizen
Small group of citizens

Chairman Varner called the meeting to order, read the thought for the day and welcomed everyone to the meeting. County Clerk Jackie Smith gave the invocation, and the chairman led the Pledge of Allegiance to our great country.

APPROVAL OF MINUTES DATED MAY 18, 2004

Motion: To approve the minutes as written.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

**NEWTON COUNTY WATER & SEWERAGE AUTHORITY
PRESENTATION**

Mike Hopkins appeared before the board and requested approval of an intergovernmental agreement to purchase water from Rockdale County for the Salem Road area in emergency situations. He noted the following:

- Unable to keep water in tanks on Salem Road
- Rockdale would waive all connection fees
- Would like to put connection in place, as this would be beneficial to county.
- Seeking approval to proceed with a request for an Intergovernmental Agreement with Rockdale County.
- Enter into a "short term" agreement

Attorney Craig

- Reserve capacity?
- Will they provide water as long as water is available?

- Meter belongs to Newton County W&SA? Yes – N.C. has a similar set up with Henry County
- Would like to review agreement
- Make sure everyone is taken care of on a wholesale basis

Commissioner Fleming

- Questioned if this would eliminate problem in that area? Mr. Hopkins said problem already taken care of...this would be a back up.

Commissioner Ewing

- Move forward with concept pending review by county attorney

Mr. Middleton

- Rockdale will provide Intergovernmental Agreement for Newton County to review

Motion: To move forward with the concept (Intergovernmental Agreement with Rockdale County) pending review by County Attorney.

Proposed by: Commissioner Ester Fleming, District Three

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

RESOLUTION R060104 ABANDON A PORTION OF SALEM COVE DRIVE

Attorney James Griffin appeared before the board regarding the abandonment of a portion of Salem Cove Drive.

- Superior Court Order of April 14, 2004 to re-abandon road.
- Resolution made part of these minutes

Petitioner Representative: Attorney Doug Dillard

- Offered support of the road abandonment conditioned upon board signing attached Development Agreement.
- Without attached Development Agreement Cliftwood Development would oppose the abandonment on the grounds that the Salem Cove Stub would serve the purpose of ingress and egress to Cliftwood's land.

County Attorney Tommy Craig:

- Accomplished objective of protecting residents, and the developer gets to develop his land with second means of emergency egress and ingress.

Motion: To adopt Resolution R060104 to abandon that part of Salem Cove Drive known as the 'Salem Cove Stub,' which is described in the attached Resolution, in order to comply with the Order of the Newton County Superior Court dated April 14, 2004 in the case of Cliftwood Development, Inc. v. Newton County."

Proposed by: Commissioner Ester Fleming, Jr., District Three
Second by: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

Note: The original resolution is contained in file number R060104, incorporated herein by reference and expressly made a part of these minutes.

THOMAS BROTHERS HYDRO, INC. PRESENTATION

Mr. Hoke Thomas from Thomas Brothers Hydro, Inc. appeared before the board to give a presentation regarding drinking water filtration plant.

- Electrical Engineer
- Lived in Newton County for over 30 years.
- Customized major power companies across state.
- Met with EPD (copy of memo from Kevin Farrell attached to these minutes)
- Snapping Shoals Creek/South River could yield 30 million gallons of water per day
- Bear Creek expected to yield 28 million gallons
- Plan calls for an ultra filtration system with membrane-type filters
- State has spent a lot of money to clean up the river
- EPD has stated they would recognize and deal with interbasin transfer
- 3 different sections of permit address water quality
- Applied for permit with no cost to Newton County
- Provided a copy of permit to board before board meeting to review
- Copy of permit is made part of these minutes

After Mr. Thomas made his presentation he offered to answer any questions the board might have.

Commissioner Ewing

- Spent several hours studying permit application
- Present board as well as previous board have studied this idea and feels this would not be a reliable source of water.
- Takes duty very seriously to try and be sure that present and future citizens have adequate water supply.
- There was a very long discussion with Commissioner Ewing asking many questions regarding Thomas Brothers proposal and information provided by them to the board. Some of Commissioner Ewing's questions and concerns noted below.
- Why different application dates? Application dated January 9, 2002 and amended on April 14, 2004. -
- Permit Dates: October 1998 – Industrial Surface Water Permit Application.
- Raw water storage – 90 mg capacity 30 mgd?
- How much of the water in the stream comes from Fulton and DeKalb Sewerage Treatment Plants? Chattahoochee River – 48 million gallons per day.

- 170 Kilowatts generating capacity at Snapping Shoals Plant?
- High Risk Supply?
- 1954 Tables are 50 years old?
- Raw water quality?
- Cost: \$41,250,000
- 3 day supply: 90,000 gallons contained in existing lake
- Re: water supply – withdrawal permit is for the purpose of producing hydropower only?
- Tri-State Water Problems – Interbasin transfer in the future?
- Cost of water per 1,000 gallons?
- Quality of raw water (pg. 13)
- Current permit is for electricity?
- Applied for surface water withdrawal permit
- Price of plant May 2003?
- Who will control the price?
- How long will price be at the low projected rate?
- Concerned about water quality and future availability
- South River contains a high percent of wastewater
- Concerned about pollution coming from South River
- Withdrawals would not meet EMD standards
- More treatment would be necessary and required
- Georgia, Florida, and Alabama are in “water war” currently on who controls the Chattahoochee River.

Commissioner Dimsdale

- Concerned about quality and availability
- South River is source of water.
- Water wars on-going
- Atlanta withdraws from the Chattahoochee River and the water is released as wastewater in the South River.
- Courts could limit Georgia’s withdrawal
- Courts could direct state to pump water back into the Chattahoochee and this would affect the flow of the South River.
- The water that is available today might not be there in the future.
- Interbasin Transfer from Chattahoochee – challenged in federal courts between Florida, Georgia and Alabama
- Reluctant to lean on something that has many weaknesses.
- Concerned that taking water out before it comes into Georgia could affect a change in the ecology of ocean life.
- Water would be better guaranteed with Bear Creek because the reservoir would have a storage capacity that could be used in the event of a drought.

Commissioner Fleming

- Concerned about cleaner water
- Studies have already been done regarding the capacity
- Feels Bear Creek is the best way to move forward for Newton County.

After a very long discussion, comments, and questions by Mr. Thomas and members of the board, appreciation was expressed by the board to Mr. Thomas and his brother for their presentation, efforts and energy put into this project, and genuine concern for water in Newton County.

No official action was taken.

APPOINTMENT TO PLANNING COMMISSION – DISTRICT FIVE

Commissioner Monty Laster addressed the board and asked that Jody Smith be reappointed to the Planning Commission representing District Five. Mr. Smith has done an excellent job and desires to continue to serve. His term will expire on December 31, 2005.

Motion: To reappoint Jody Smith to the Newton County Planning Commission with his term expiring on December 31, 2005.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried Unanimously

APPOINTMENT TO ZONING BOARD OF APPEALS – DISTRICT FIVE

Commissioner Monty Laster addressed the board and asked that Jack Christian be reappointed to the Zoning Board of Appeals representing District Five. Mr. Christian has done an excellent job and desires to continue to serve. His term will expire on December 31, 2005.

Motion: To reappoint Jack Christian to the Newton County Zoning Board of Appeals with his term expiring on December 31, 2005.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried Unanimously

APPOINTMENT TO TAX ASSESSOR BOARD – DISTRICT FIVE

Commissioner Monty Laster addressed the board and asked that Kevin Mitchem be appointed to the Newton County Tax Assessor Board representing District Five. He has met with Mr. Mitchem who desires to serve. His term will expire on December 31, 2009.

Motion: To appoint Kevin Mitchem to the Newton County Tax Assessor Board with his term expiring on December 31, 2009.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried Unanimously

APPOINTMENT TO NEWTON COUNTY ELECTION BOARD

Commissioner Mort Ewing addressed the board and asked that Stanley Edwards, Jr. be appointed to serve on the Election Board replacing Doug Holt who resigned to run for political office. Mr. Edwards's term will expire on December 31, 2006.

Commissioner Dimsdale requested appointment tabled until next meeting due to short notice.

Motion: To table appointment until June 15th meeting.

Proposed by: Commissioner Ronnie Dimsdale, District Two

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

Motion failed with Commissioners Ewing, Fleming and Laster in opposition to motion.

Motion: To appoint Stanley Edwards, Jr. to the Newton County Election Board serving the unexpired term of Doug Holt. Mr. Edwards's term will expire on December 31, 2006.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried with Commissioners Dimsdale and Henderson abstaining.

COUNTY CHECKS

Motion: To approve county checks as read.

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

Second by: Commissioner Mort Ewing, District One

Motion Carried Unanimously

COMMENTS

Commissioner Henderson questioned if detainees from the Sheriff Department could be used to help cut the grass and clean up the roadways. Chairman Varner said that he was presently looking into that possibility and trying to work through the problems that could arise.

EXECUTIVE SESSION

Time: 8:25 P.M.

Motion: To enter into Executive Session for purpose of discussing personnel, land acquisition.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

REGULAR SESSION

Time: 8:40 P.M.

Motion: To enter into Regular Session.

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

Second by: Commissioner Mort Ewing, District One

Motion Carried Unanimously

ADJOURN

Time: 8:40 P.M.

Motion: To adjourn.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

Respectfully Submitted,

Jackie B. Smith
County Clerk