

NEWTON COUNTY BOARD OF COMMISSIONERS  
1124 Clark Street  
Covington, Georgia  
Regular Meeting  
Minutes

May 31, 2016

Thought for the day...

"If you live your life without passion, you can go through life without leaving any footprints"

Betty White

Present: Vice Chair, Commissioner Nancy Schulz, Commissioners John Douglas, Lanier Sims, JC Henderson and Levie Maddox  
Lisa Conner in the absence of Jackie Smith  
Megan Martin, Jarrard and Davis  
Absent: Chairman Keith Ellis and County Clerk Jackie Smith

Call to Order: Vice Chair Nancy Schulz 7:00 pm

B. Invocation: Ronny Brannen, Prospect UMC

C. Pledge of Allegiance: Brad Stapp, Deputy Fire Chief

D. General Administration:

1. Adoption of the Agenda

Commissioner Schulz: *I would like to call for a motion to move  
Resolution # R053116a to item #8*

Motion to move discussion/approval of Resolution R053116A to item #8:

Commissioner Douglas

Second: Commissioner Sims

Carried: 5/0

2. Old Business:

Resolution R053116A - Amendments to the 2013 Purchasing Policy - (tabled from April 19, 2016 meeting) *Moved to item #8*

3. Chairman's Report (none)

County Manager Report

County Manager will have financials at the June 7<sup>th</sup> meeting

4. Consent Agenda:
  - a. BOC: Appointment to Library Board – District One – Sarah Dauby
  - b. Approval of annual agreement between N.C. & Board of Regents of UGA System for County Extension Personnel
  - c. Approval of Hold Harmless Agreement between N.C. & View Point Health to repair hole in driveway @ Kirkland Road facility
  - d. Sheriff's Office: Approval to apply for Bulletproof Vest Partnership Grant - \$54,571.00
  - e. Sheriff's Office: Approval to apply for FY16COPS Hiring Grant - \$710,451.27
  - f. County Clerk: Approval of BOC Minutes dated April 19, 2016
  - g. County Clerk: Approval of ES Minutes dated April 19, 2016

Motion to approve: Commissioner Maddox  
Second: Commissioner Douglas  
Carried: 5/0

5. Resolution R053116 regarding use of SPLOST Funds for Juvenile Court Program Space (County Manager Lloyd Kerr)  
Motion: Commissioner Douglas motion to approve and change language from “existing” building to “new” building  
Second: Commissioner Maddox  
Carried: 4/1 Commissioner Henderson opposed
6. Discussion/approval of a hiring freeze (County Manager Lloyd Kerr)  
County Finances are such that we need to request a hiring freeze, with exception Public Safety and Fire Services  
Motion to approve: Commissioner Maddox  
Second: Commissioner Sims  
Carried: 5/0
7. Discussion/approval of Recycling Center contract with Hilliard Services for a Change Order of \$54,000 (Kerr)  
The original contract was in the amount of \$412,000, over the course of time there has been a need to add additional personnel. This was discussed last year, however the contract was never amended  
Motion to table until the June 7<sup>th</sup>, 2016 meeting: Commissioner Maddox  
Second: Commissioner Sims  
Carried: 5/0
8. Discussion/approval of amendments to purchasing policy
  - a. Expenditures in excess of \$1,000,000  
Resolution R053116A - Amendments to the 2013 Purchasing Policy - (tabled from April 19, 2016 meeting)

Commissioner Douglas: This is an amendment that I have asked for. We need two meetings to give the public time to be involved. It is important that we are better stewards of our money. Attorney Martin: This will give good guidelines to get through the end of the year, we need to begin a rewrite for 2017  
Motion to approve Resolution #R053116A: Commissioner Douglas  
Second: Commissioner Maddox  
Carried: 5/0

b. Hiring amendment -Additional procedural requirements

Approval of the BOC is required to fill an executive level position within the County  
Approval considered by the BOC at two consecutive meetings, minimum of four Commissioners vote for the approval in both meetings.

Commissioner Schulz: this is consistent with Human Resources. This is an Amendment in the Code of Ordinance, not the HR Manuel. Appointments by the Board of Commissioners will be recorded in the Code of Ordinances.

Motion to approve: Commissioner Douglas

Second: Commissioner Maddox

Carried: 4/1 Commissioner Henderson opposed

9. Discussion regarding delinquent tax notice  
Attorney Martin stated that it appears we have 3 options:
  1. Pay delinquent taxes
  2. Allow property to go into foreclosure
  3. Sell if you could find a buyerMotion to table until the June 21<sup>st</sup> meeting: Commissioner Schulz  
Second: Commissioner Douglas  
Carried: 5/0
  
10. Discussion/approval of FY2017 insurance carrier (Kerr)  
Mr. Kerr explained that he and Keyra Fray, HR, have been working very hard since Mr. Massey resigned, we now have a direct contact with CIGNA. We can save the county \$15,000 a month. We have negotiated with CIGNA for only a 2% increase in premium. Deductible will increase from \$500 to \$1000, maintained the RX benefit and doubled the Wellness Program  
Motion to continue to use Gary Massey Insurance Agency as our Broker, retroactive from 03/27/16: Commissioner Douglas  
Second: Commissioner Sims  
Carried: 4/1 Commissioner Schulz opposed
  
11. Discussion/approval of the renewal of CIGNA Health Insurance  
Remove from agenda due to the decision on item #10

12. Discussion/approval to begin process for GEFA, SBA & HSI loans for the reclamation of the MSW & C&D cells at the landfill. (Kerr)  
\$15 to \$20 million approved amount for loans and eligible for \$2 million in grants  
Motion to approve: Commissioner Sims  
Second: Commissioner Maddox  
Carried: 5/0
13. Road Department: Resurfacing of Henderson Mill Road -Award bid to Pittman Construction - \$1,159,933.80 (Kerr) funding from 2005 SPLOST  
Motion to approve: Commissioner Douglas  
Second: Commissioner Sims  
Carried: 5/0
14. Road Department: Discussion/ Approval of IA between N. C. & the City of Covington for paving & crack sealing. (Kerr)  
Motion to approve: Commissioner Douglas  
Second: Commissioner Maddox  
Carried: 5/0
15. Road Department: Discussion/ Approval of Roundabout Lighting Agreement between N.C. and GDOT for SR 81 @ SR 162 P.I. No. 0009919; Newton County (Kerr)  
Motion to approve: Commissioner Sims  
Second: Commissioner Henderson  
Carried: 5/0
16. Fire Services: Discussion/Approval of request to transfer remaining FY16 funds for the purchase of 2 Fire Inspector/Investigator pickup trucks and 1 logistics services 1ton truck. Logistics service truck: \$47,603.61; Inspection x 2, \$35,668.563 each.  
(Kerr)  
Motion to approve, but not to exceed the amount of the request by Commissioner Douglas  
Second: Commissioner Sims  
Carried: 5/0
17. Fire Services: Discussion/approval to purchase from capital fire account 75 SCBA's and all necessary accessories for replacement of Firefighter's respiratory protection equipment. Awaiting final quote. (Kerr)  
Motion to table until the June 7<sup>th</sup> meeting awaiting final quote: Commissioner Douglas  
Second: Commissioner Maddox  
Carried: 5/0
18. Discussion/Approval of Pest Control Contract - \$9,702.00 annually (Kerr) and Mike Petroff, Bizzy Bee  
Interior of buildings are included and this will cover all buildings  
Motion to approve: Commissioner Sims  
Second: Commissioner Douglas  
Carried: 5/0

19. Discussion/ Approval of Right of Entry, Indemnification & Maintenance Agreement (Sandy's Dog Park)  
 Motion to approve, Submit project draft/plans within 30 days and then 30 days for the County to approve plans: Commissioner Maddox  
 Second: Commissioner Sims  
 Carried: 5/0

**7:30 PM**

**ZONING/PUBLIC HEARING**

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.

20.	CASE NUMBER: APP16-000036
Original Case Number:	OSPEC16-000015
Name of Applicant:	Century Communities
Address of Property:	40, 50, 70, 75, & 155 Regency Place
Tax Parcel(s):	14C-134, 14C-135, 14C-137, 14C-130, & 14C-122
Purpose of Request:	To appeal the Planning Commission's decision on March 22, 2016 to deny the Special Exception request to a design standard. (4-1) Allow roof material to remain on existing Constructed residential homes
Size of property:	0.24 + 0.23 + 0.23 + 0.27 + 0.23 acres = 1.20 Acres total
Present Zoning:	R-2 Conservation Overlay (Single-family Residential)
Present Use:	The existing lots have newly constructed homes with Shingled roofs that do not meet the requirements of the roof materials of
District 2	Sec. 460-050 I.8.d.

The applicant had constructed five homes with standard shingles, not architect. The builder replaced two roofs and appealed the remaining three. Planning Commission heard the petition on March 27, 2016 and voted 4/1 to deny. The applicant is appealing.

Commissioner Sims: How does staff handle situations when people are applying for permits in different Overlays?

Kerr: In these homes, architect shingles were in the plans. We realized the builder had used regular singles. I don't know how it was missed by inspections, on the final inspection we noticed the regular shingles. There were 19 homes that do not have architectural shingles. We issued 19 CO's with regular shingles.

10 minute allotment:

Applicant: Chad Swain, 1930 Lawson Creek Lane, Cumming  
 We made a mistake, when we realized it we started using architectural shingles. The homeowners choose 3 tab shingles from the Spec packages that the buyers choose from.

Sandy Spears: 5168 N Dearing St  
 I understand that Salem Overlay is architectural shingles. Builders should have been aware of the rules and regulations

Mr. Swain:

It is not our intention to cut corners. We made a mistake

Commissioner Sims:

1. the builder did not build what was required
2. The county did not catch it. Homeowners depend on us to make sure that the builders are doing the right thing

Motion to approve: Commissioner Sims

Second: Commissioner Maddox

Discussion

Commissioner Henderson: The builder should replace the shingles

Commissioner Schulz: Asked Judy Johnson, P&Z, if the homeowners had been notified

Johnson: sent notifications to all homeowners

Kerr: This is for only unoccupied homes

Commissioner Schulz: What provision is in place going forward?

Kerr: We have added "roof" to our checklist

Motion to approve: Commissioner Sims

Second: Commissioner Maddox

Carried: 3/2 Commissioner's Schulz and Henderson in opposition

21.

**CASE NUMBER: CUP16-000001**

Proposed Use:	Expansion of truck terminal/ dispatch
Existing Zoning:	CG (General Commercial)
Watershed:	Bear Creek Hwy
Location:	11S 120 feet of frontage along Hwy 11
Parcel Size:	1.4 Acres
Tax Parcel:	113-138B
Owner:	William & Carol Bradley
Petitioner:	Hub Junction Freight Company, Ricky Bruce
Representative:	Ricky Bruce
Applicant's Intent:	To expand a current Truck Terminal/Dispatch, Hub Junction Freight Company (CUP12-000126), to adjoining lot

#### Planning Commission

Recommendation: On April 26, 2016 the Planning Commission recommended approval (4-0) of the request with an amended condition for Condition 1.c. to strike the following "All fencing installed shall meet the requirements of Sec. 470-020 H.18. (Newton County Zoning Ordinance)." and to replace it with the following Condition: "1.c. Fencing shall match existing fence on adjoining lot at 53 Hwy 11 S with additional plantings to be placed along the exterior of the fence facing Highway 11. Plantings along the fence line shall decrease in height as to not interfere with the site vision of traffic entering Hwy 11 from the site or traffic traveling on Hwy 11." This is reflected in the Conditions of Zoning included in this report on page 5.

Ricky Bruce: 225 Carmel Church Rd, Mansfield

4 ½ years ago I purchased this business, we have grown and provided jobs. We have been Operating a business here, landscape is more than required.

Freight Terminal: contracts like US Food, companies will drop off trailers and another Company them up and take to another location. Planting on Hwy 11, I have agreed to keep Planting low – not to block view of traffic

The new fencing will match existing fencing, not what is required in the Overlay

No comments: Public Hearing Closed

Motion to deny: Commissioner Douglas

Second: Commissioner Maddox

Discussion:

Commissioner Douglas: This is in my district, I hear complaints about the noise, dust and dirt, also this is more traffic for Hwy 11

This does not meet the requirements of the Brick Store Overlay (fencing)

Motion to deny: Commissioner Douglas

Second: Commissioner Maddox

Carried: 4/1 Commissioner Henderson Abstain; this is the first application since the Brick Store Overlay

99-107      22.      **CASE NUMBER:      REZ16-000035**

Proposed Land Use Map:	N/A
Existing Land Use Map:	RR (Rural Residential)
Proposed Zoning:	AR (Agricultural Residential)
Existing Zoning:	A (Agricultural)
Watershed	Alcovy River Creek
Location	501 McDonald Road (South Side) 500+ Feet of Frontage Bates Road (North) Side 775+ Feet of Frontage
Parcel Size:	2.0 Acres (Portion of 48.55 Acres)
Tax Parcel:	106-52
Owner:	Ruby Bates
Petitioner:	Ruby Bates
Representative:	Steve Smallwood
Applicant's Intent:	To subdivide a 2.0 acre lot from existing 48.55 acre property for a family member (granddaughter) to build a house

Planning Commission  
Recommendation

On April 26, 2016 the Planning Commission  
Recommended approval (4-0) with Staff  
Recommended Conditions

Mark Walton, Patrick & Assoc Surveyors, represented Steve Smallwood.  
Mr. Smallwood was out of town.

District One

Motion to approve with stipulations: Commissioner Douglas

Second: Commissioner Sims

Carried: 5/0





Commissioner's Comments

Douglas:

Thank you Nancy, and congratulations to Stan Edwards

Sims:

Congressman Johnson and Representative Dickerson will be attending Trail Blazer between noon and 4, join us for fellowship, fun and plenty of food

Henderson:

I have been accused of stealing money, I do not hold a check book, and everything was dumped on me at once. Give me the opportunity to give my side  
Put on trial week before last, we used to care about people. Why not give me an attorney  
As you did Kathy

Maddox:

None

Schulz:

Saturday evening for Senior Services event

Megan Martin:

We have received criticism of legal fees, our billing is very detailed, down to the penny

Henderson: the billing should be online

Sims: the billing is open to the public at any time

Motion to go into Executive Session by: Commissioner Maddox

Second: Commissioner Douglas

Carried: 5/0

9:47 pm

Back to Regular Session 10:40 pm

No vote

Motion to Adjourn: Commissioner Maddox

Second: Commissioner Douglas

Carried: 4/0 (Commissioner Sims left, did not attend Executive Session)

Meeting adjourned at 10:40 pm

Minutes Submitted By:



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William K. Ellis, Chairman