

NEWTON COUNTY BOARD OF COMMISSIONERS
1124 Clark Street
Covington, Georgia
REGULAR MEETING
August 19, 2014

Present: Chairman Keith Ellis, Commissioners John Douglas, Lanier Sims, Nancy Schulz, J.C. Henderson, Levie Maddox; Assistant County Manager Tom Garrett, Attorney Tommy Craig, Attorney Jenny Carter, & Clerk Jackie Smith

Newspaper: Covington News, Newton Citizen
Citizens

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 was led by Chief Kevin O'Brien-Newton County Fire Services. The board recognized Chief O'Brien for saving his father's life. While having dinner, recently, Mr. O'Brien suffered a heart attack and Chief O'Brien and his wife provided resuscitation until the paramedics arrived. Chief O'Brien received a standing ovation from all in attendance.

CHAIRMAN'S COMMENTS

- Made brief comments about the power point presentation
- Give Burns The Boot – September 11th – 13th
- GDOT reduced speed limit on Hwy. 278 as Peachtree Academy designated a school zone. Flashing lights installed as well as School Zone Signs
- Work on “Square” in progress – expressed appreciation to the City of Covington
- Transportation Projects: Oxford Road Bridge, Sewell Road Bridge, Cook Road, County Road 213 and Waterford Lane. Crowell Road project will be presented at September 2nd meeting.
- Presentation is attached and made part of these minutes

COUNTY MANAGER'S REPORT

- Handout: 2011 SPLOST Collections
- SPLOST – Monthly Collection Comparison Graph
- SPLOST – Cumulative (July 2011 – Current) Graph
- June 30th represented first 36 months of SPLOST collections
- Projected: \$28.8 million; Actual: \$32 million – \$2.5 million ahead through first half of SPLOST Collections.

Commissioner Douglas: Asked to read a press release that he had submitted to the newspaper.

- Attached and made part of these minutes.

CITIZEN COMMENTS

Dennis Taylor
575 Ellington Road
Oxford, GA

- Feels there are some good parts to the 2050 Plan
- Committee needs to be a cross section of the citizenry (people in favor of plan, people against plan, and undecided)

Fred Wheeler
7124 High Lake Trail
Covington, GA

- Spoke in opposition to the 2050 Plan

Barbara Morgan
2158 East Street
Covington, GA

- Spoke in favor of 2050 Plan
- The 2050 Plan is not at issue, but the Ordinance
- Read a statement

Jack Gibbs
11134 Hwy. 278
Covington, GA

- Spoke in opposition to the 2050 Plan
- Urged board to table the plan and defund The Center

Karen Brooks
565 Hinton Circle
Covington, GA

- Read a statement in opposition to the 2050 Plan

Lamar Brown
5131 Dearing Street
Covington, GA

- Spoke in favor of the 2050 Plan
- Must plan for future (Smart Growth, The Center)
- We can find common ground.

Ed Applewhite
83 Old Alcovy Road
Covington, GA

- Spoke in opposition to the 2050 Plan

Sam Hay, III
Newton County

- Spoke in opposition to the 2050 Plan

Gladstone Nicholson

- Spoke in favor of the 2050 Plan

Chairman Ellis closed citizen comments @ 7:50 p.m.
(10 minute recess)

At 8:00 p.m. Chairman Ellis called the meeting back to order.

AMEND AGENDA

Commissioner Maddox addressed the board and requested that the agenda be amended to include discussion and potential action on the following:

1. 2050 BLO Ordinances
2. Vendor Agreements
3. Form of Government.

Motion by Commissioner Maddox, second by Commissioner Sims, to amend the agenda as requested by Commissioner Maddox.

Commissioner Douglas made a substitute motion that each issue be voted on individually.

Commissioner Maddox addressed Commissioner Douglas' request and stated that was his intention and he would modify his motion to include "voted on individually."

Final Motion

Motion by Commissioner Maddox, second by Commissioner Sims, to amend the agenda as requested by Commissioner Maddox and for each item to be voted on individually.

Motion carried unanimously (5-0)

Chairman Ellis told the board he would place the 2050 Ordinance, Vendor Agreements and Form of Government at the end of the agenda after the alcohol request.

OLD BUSINESS:

APPROVAL OF BOC MEETING MINUTES DATED JULY 15, 2014

Motion by Commissioner Schulz, second by Commissioner Maddox, to approve the meeting minutes dated July 15, 2014.

Motion carried unanimously (5-0)

COUNTY CLERK:

APPROVAL OF BOC MEETING MINUTES DATED AUGUST 5, 2014

Motion by Commissioner Schulz, second by Commissioner Maddox, to approve the meeting minutes dated August 5, 2014.

Motion carried unanimously (5-0)

APPROVAL OF EXECUTIVE SESSION MINUTES DATED AUGUST 5, 2014 @ 8:25 PM

Motion by Commissioner Henderson, second by Commissioner Sims, to approve the executive session minutes dated August 5, 2014.

Motion carried unanimously (5-0)

APPROVAL OF EXECUTIVE SESSION MINUTES DATED AUGUST 5, 2014 @ 9:41 PM

Motion by Commissioner Maddox, second by Commissioner Sims, to approve the executive session minutes dated August 5, 2014.

Motion carried unanimously (5-0)

COUNTY ATTORNEY:

PRESENTATION: SCHNABEL-BEAR CREEK RESERVOIR

County Attorney Tommy Craig addressed the board and introduced Joe Monroe, P.E. from Schnabel who presented a power point presentation.

- Summary of evaluation, conceptual design, preliminary subsurface exploration and preliminary geotechnical engineering evaluation of the proposed Bear Creek Reservoir Dam (attached and made part of these minutes)
- Engineering Recommendations
- Engineering Review
- Results: New dam location recommended
- Dam safety and design efficiency
- Storage and yield
- Infrastructure impacts
- Engineering/construction cost savings

Mr. Craig closed out the presentation with an update on the reservoir

- Review
- Total cost savings: \$2.5 million

- 404 Permitting status
- Gaither's UMC: Met with board of directors yesterday and they are very excited about the change in the dam location.
- Change insignificant – Gaither's UMC is only property owner that it affects.
- Project is governed under Federal Law, the Clean Water Act and other laws
- Corp feels the change is so insignificant that they will not require the county to hold a public hearing for the change.

Motion by Commissioner Maddox, second by Commissioner Henderson, to move forward with the new dam location as explained by Schnabel Engineering and the county attorney.

Motion carried unanimously (5-0)

ADMINISTRATIVE SERVICES:

GAITHER PLANTATION: FARM LEASE AGREEMENT

Attorney Jenny Carter went over the Farm Lease Agreement.

- BOC approved lease for pasture in September 2013
- Term: one year
- Lessee has requested that Par. 11 be amended to read as follows: Lessee may assign this Lease Agreement with the written consent of the Lessor. Lessee shall not encumber any portion of the Lease Premises. Lessor may assign this Lease Agreement.
- Addendum to Lease is made part of these minutes.

Motion by Commissioner Douglas, second by Commissioner Henderson, to approve the Gaither Farm Lease Agreement with Addendum as presented.

Motion carried unanimously (5-0)

2050 PLAN/BASELINE ORDINANCE

- Discussion is verbatim from the recording disc.

Chairman Ellis: The next item, actually it may be number 10 on your agenda the 2050 ordinances. Someone like to bring an item?

Commissioner Maddox: Absolutely

Commissioner Maddox: Make a motion to continue work on an updated comprehensive land use plan and zoning develop ordinance for Newton County by asking Development Services staff and the legal team to compile all current Zoning and Development Ordinances and elements of the Draft Baseline Ordinance to produce a draft unified code development code for the county. And to require that, in the event staff request assistance from any consultants, a contractual agreement outlining the scope of work and all services to be performed will be approved by the Board of Commissioners.

Commissioner Schulz: Second

Chairman Ellis: We have a motion and a second.

Commissioner Douglas: I have a question.

Chairman Ellis: Question, yes?

Commissioner Douglas: Let me ask, what's the practical effect of that? What does that do?

Commissioner Maddox: That's a pretty good question Mr. Douglas. In my opinion what this does is allow the conversation to continue on our Future Land Use Map, Development Codes, and our Zoning Ordinances. It allows for the opportunity and the possibility for a compromise by rational people in this county and it protects our future.

Commissioner Douglas: So, does this shift us away from the 2050 plan to what you want?

Commissioner Maddox: Does it shift?

Commissioner Douglas: I mean if we are going to do what you want to do here then there is no point in doing the 2050 plan. I mean there's no point in doing both of these things at the same time.

Commissioner Maddox: I think it allows for rational people an opportunity to come up with a solution and a compromise for the betterment of our community.

Chairman Ellis: Any other questions or comments? Commissioner Henderson.

Commissioner Henderson: Thank you, Mr. Chairman. This is to Commissioner Maddox. Does it allow...do we still have a full committee (inaudible) each commissioner? How does that work?

Chairman Ellis: I'm not sure if that involved the panel or not, you will have to ask the commissioner.

Commissioner Maddox: No mention of the panel in the statement or the motion.

Commissioner Henderson: Reason why I kind of brought that up was that I know that the gentleman that I had recently asked to serve had given me a letter saying that he didn't have the time because he was tied up and I would like to make, (implied-another appointment), when would be the appropriate time let me put it this way.

Chairman Ellis: If there is a panel I think that discussion maybe should be a little later unless the commissioner would like to clarify.

Commissioner Maddox: The notes I have on this is as I mentioned a minute ago, it does allow conversation to continue. I would also, not as part of the motion, but comments... I would recommend a sixty to ninety day quiet time or cooling off period which would allow everyone that cares about this community to educate themselves to discuss matters and to hopefully find a compromise and common ground. I think the very high level here is...I think all sides in the last few months...maybe the last one month, I think we may have lost sight of the goal. The goal in my opinion is to maintain or improve our quality of life within our community...as a county and city through a plan with courage, with compromise, and wide community support. I do believe that the citizens agree with the thought of having some kind of plan. There are some really good things in the proposed draft; there are also some areas that are not acceptable to the citizens. We need to slow down, we need to process these changes as these changes will affect the next generation, but we cannot give up on this conversation. I fundamentally disagree that we need to shut down conversation about our prosperity and about our future. It is my hope, to go to your point, Commissioner Henderson; it's a very good point... I guess I would ask the board or the citizens, is there a committee right now? Is there a panel? I don't think there is. I think there needs to be one, but I don't think politicians need to appoint that committee (applause). I think in sixty days, I tried to recommend that two weeks ago and it kind of failed, but I think as the

political arm spoke up on this thing, myself included, I think it got off track. This is from the citizens, it's about the citizens, and it's about the next generation and then the generation after that. And somehow, some way we've got to come together. Shutting this down will not allow that. It will allow this to fester, it will allow the fight to continue and I just don't think that is healthy. So, Thank you Mr. Chairman.

Chairman Ellis: Commissioner Schulz

Commissioner Schulz: Since I seconded the motion I would just like to discuss why I seconded the motion. In 2010 we affirmed on this board and all of the other entities affirmed that we were in support of a 2050 Plan that looked at four principals. Those four principals were to protect our Clean Water, consolidate our infrastructure, create compact communities, and create corridors. I do not think that any of us would disagree with those four principles. What I think has become confusing is that we have confused a 2050 plan and a vision for 2050 with Baseline Ordinances. What we have in our possession are Baseline Ordinances that we don't fully agree with. And, we also have components of those Baseline Ordinances that we know are objectionable. But we can't abandon the plan because we will grow, we know what happens when communities don't plan for growth and we don't want to be in that situation. We want to continue to look towards our future. You heard tonight that there were individuals that stood up here that said there are components of these Baseline Ordinances that I don't agree with. But I don't want to stop planning and that's what we want to see continue... is that the planning continues and we move forward and we look to the future. You know whether we grow fifty thousand people or four hundred thousand people we have to have a plan in place that addresses that. I never respond to citizen's comments but I do think that in this case when Mr. Taylor says that there needs to be population triggers that's an important discussion that needs to take place. That's the type of dialogue that we need to have. So, Commissioner Maddox proposed that the dialogue continue, that we continue working together, I seconded that because I certainly want to see us not abandon planning because I don't want to see what happens to a community if we don't plan.

Chairman Ellis: Commissioner

Commissioner Douglas: Thank you Mr. Chairman. Certainly we don't, I don't have any opposition to planning for the future, but I don't see it as progress putting more and more Government on the back of our Citizens. And telling our Citizens put more Ordinances and more Regulations and more of this and more of that on the backs of our citizens. We have Ordinances in place that have provided for a great quality of life in Newton County already. Certainly nobody has a problem with them being tweaked or updated or being streamlined for the future obviously. But, it was clear to me what people of this county think of the 2050 Plan I mean I got it. I got the message on what they think of the 2050 Plan. And so, I think there's merit in what Commissioner Maddox wants to do but at the same time like I said earlier if we're going to run on parallel tracks we're going to still have the 2050 Plan running on this track and we're going to have tweaking the ordinances and planning for the future and that sort of thing but just call it something else on the other track I don't see any point in that. I think now we are talking about doubling up on something that's already basically a failure. Double failure is the same thing as single failure. And so only worse only two times worse. Double worse and so I see a lot of merit in what he wants to do I just have a lot of concern that we are looking for ways to say yeah we heard what ya'll said in the Town Hall meetings but at the same time we still need to you know see if we can just keep a little life in this thing and you know keep it going a little bit longer and maybe we will get it right down the road somewhere. In the meantime these people are paying for it you know because we keep sending money over to the Center and they are not getting anything in return.

Chairman Ellis: Further discussion? Yes sir.

Commissioner Henderson: Thanks you Mr. Chairman. Well, One of the reasons that I had requested and wanted a representative, I think the last time we talked about the 2050 Plan, this board, we went around and everybody kind of gave them a representative with the exception of maybe one. I'm sorry. We came around and everyone gave a particular representative. And the one that I gave had called back and said he no longer wanted to be on it. Because there was a certain amount of how he out it arguing and he felt like there was a little bit of dysfunction in that particular board or people that had been assembled. So, But what I wanted and I couldn't myself because some of you may know that I was kind of in a re-election mode trying to go out and talk to my people and ask them to reelect me for another four years and that was something that I was concentrating whole heartedly on. But what I did in between people calling my home and calling my phone in the biggest majority of people that called me they told me they didn't want it. They said JC we just don't want it. They said if you take time and listen to us we'll tell you. And this is something I've always done. Listened to the people. I said well you tell me because I am an extension of you. In other words, you put me in office so I could make decisions on behalf of you. And it's not to me, and I don't say this in district for or anywhere. If I'm going to represent the people I'm going to do what they ask me to do. Regardless of whether it makes me feel whether I like it or dislike it or want it. These are your seats. We are your people whom you sat her behind this desk in order to represent you. And so the people that called me, one thing they told me or two things they told me, and I heard them loud and clear. First thing they said if you're going to put somebody on the board put somebody on the board that knows what they are talking about. Put somebody on the board who will be affected by ya'll decision. So, when I looks at it you know I tried one gentleman and he was recommended and then I looked at and I wanted another gentleman and I just tell you first of all who I wanted on the board if we have one I don't know what direction we are going now. And that was Mr. Phil Johnson because who knew more about the If I had one, which they just didn't want it. Now, I can ignore it, and say well you know, they didn't tell me anything. But I can't ignore it because it's my job and this is what I believe is that it is my job to do the peoples will. I'm telling you right now they called me at home and met me in the streets and told me they didn't want it. So I'm just, I go with the people.

Chairman Ellis: Commissioner

Commissioner Maddox: Thank you Mr. Chairman. To address some of the concerns from Commissioner Henderson and Commissioner Douglas, who I, I consider both of you guys very good friends and I certainly appreciate yall's passion for the community. I think there's nothing in your heart, your mind, or your voice but our prosperity, but to clean up or clarify my comments and my motion it does not mention a parallel path , it does not mention or hint to do double work. That is not what this is. It does allow for an adjustment that includes incorporating the voices that were heard during the public rollout and applying those voices and comments. It should also allow the generation above me to weigh in and to continue to help foster this community's prosperity. That's all it is, it's real simple. It's to allow the community to come together. You can interpret that however you want, but it's just that pure.

Commissioner Douglas: Mr. Chairman

Chairman Ellis: Commissioner Douglas

Commissioner Douglas: Thank you Mr. Chairman. I appreciate what you've said tonight Commissioner Maddox. You're certainly not making it easy on me, that's for sure, and I really do appreciate that.

Commissioner Maddox: I'm riding to South Carolina with it (inaudible)

Commissioner Douglas: I know I'm riding with you. And that's less than two weeks, I mean, Clemson less than two weeks. Would you, I don't know if I can make another substitute motion because one was already made that was not accepted but, let me just ask a generic question then and I don't know the Robert's Rules of Order on this, I should know as long as I've been in office. If this board was willing to go on the record to say tonight that we're going to end the 2050 Plan tonight and then move forward with your proposal I would support that. And certainly we have to keep planning and that sort of thing for the future. But you know that pig just because it's got red lipstick it's still a pig at the 2050 Plan. You can put pink lipstick or purple lipstick, it is still a pig. And so, if we are willing to go on the record tonight and say that's it, we are done with the 2050 Plan, a lot of smart people tried, a lot of people put a lot of effort into it but, it didn't work and we're not so set in our position, and not so adverse to listen to the people of this county that we can't say okay, it wasn't our plan to start with and our job is to gage what the people of this county want and to make a decision based on what they want and what we think is best for the county. If we are not so stuck on our position that we can't, tonight, say the county spent a lot of money on the 2050 Plan, the county put a lot of time and effort into it but it just didn't work and it's time to try something else, then certainly I'll support your motion tonight and be happy to do it because frankly it's got a lot of merit to it. Your motion does and what you want to do. But I cannot support leaving the 2050 Plan on life support and initiating what you want to do at the same time.

Chairman Ellis: Commissioner Sims.

Commissioner Sims: I thank you Mr. Chair. I guess my thoughts on this is you know call it a 2050 Plan call it you know whatever you call it I believe we still need to move forward with planning for our future. The thing is, what I believe, are we happy with Development that has passed in the last fifteen years, are we happy with what Newton County is today? I don't think we are. I think we all deserve a better County a better quality of life. So I believe we need to get back to the roots of the 20 or the plan of making Newton County better and that involves the citizens, that involves getting everybody together. You know what this five said ten years ago is completely different what this five may believe today. Citizens that heard it ten years ago may believe something totally different today than they did ten years ago. And so I believe we need to get more citizen involvement. If we have a citizen panel that's fine if we do not encourage the board to find that average Joe citizen that's going to be affected not the big land owner. Not the person with the big commercial lots not a developer. Some of them do need to be on that board on that committee I agree. But we need to put people on the board that going to be on that committee I'm sorry, that's going to be affected. People that have a stake here, that have generations that have lived here and are going to continue to live here. It needs to be a well mixed board you know it needs to be people with farms that plan on leaving it to their kids. It needs to be people on the western side of the county that has saw development just slammed down their throat. The western side is just as heavily impacted as the eastern side. And I don't think it is fair for one side to prosper and the other side be congested. So I think we need to take a step back, get more input and continue this conversation on building a plan that's going to make it better for everybody in Newton County. Everybody. Thank you.

Commissioner Maddox: Okay, Thank you Mr. Chairman. This may be the last round. I can't find my notes. Commissioner Douglas, I certainly appreciate the thoughts there, I appreciate the consideration to support this, I really do. I think that's a fair suggestion. It's a thoughtful solution, but I don't believe I should change the wording of that motion. I think if I attempt to change the name from 2050 to whatever, personally I could care less what it is called. However, there is a past Commissioner that I talked to last night and this morning, he spent ten years, over 200 meetings at the table working on this program. I feel like if I change the motion, the wording in this motion, I'm afraid it would minimize their care, energy, and their time. But I do agree it's a good suggestion and I certainly hope that the proponents in this room listen to that suggestion. And, I think it is a simple suggestion to rebrand this movement and I'm not sure that I'm the guy to change that... so I would, I'm not sure how this ends but can we call for a vote?

Chairman Ellis: We can. We have a motion and a second I believe I have a copy of the motion, would you mind if I read it again to refresh everybody's memory?

Commissioner Maddox: Thanks fine, yes sir. Thank you.

Chairman Ellis: It is the second on your page is that correct?

Commissioner Maddox: Yes sir.

Chairman Ellis: To continue work on an updated comprehensive land use plan and zoning develop ordinance for Newton County by asking Development Services staff and the legal team to compile all current Zoning and Development Ordinances and elements of the Draft Baseline Ordinance to provide a draft unified code development code for the County. And to require that in the event staff request assistance from any consultants, a contractual agreement outlining the scope of work all services to be performed will be approved by the Board of Commissioners first.

Chairman Ellis: Commissioner Douglas

Commissioner Douglas: Thank you, Mr. Chairman. Let me just surmise this in my mind. We went out and we had five Town Hall meetings. I went to four of them. We had five Town Hall meetings; we got blistered over this thing. I don't know how else to put it. Even though it wasn't our plan we got blistered over this thing. And we listened, you know, Mansfield in particular. Mansfield was like a boiling pot for those of ya'll that was there and for good reason. And then the ones after Mansfield got a little calmer, but it was like a boiling pot down in Mansfield and so we got blistered and the Center got blistered, the Chamber got blistered, everybody that was in any position of authority got blistered. And so now we are going to come right back up here tonight, and after all that, we are going to give it a vote of confidence and say we are going forward with it. That might not be your perception at all, or anybody's perception at all, but that's the idea that I have in my head. Because as long as we are pumping money into this thing, no matter, you know pumping money into this 2050 Plan, like I said, we can call it, we can put any color lipstick on it we want to, but it's still the 2050 Plan, and as long as we're still pumping money into it we are taking it out of their pockets and we are throwing it down the drain.

Chairman Ellis: We had a call for the question and I allowed that one. Would you allow for Mrs. Schulz to make a comment?

Commissioner Schulz: In reading the motion, the motion is about ordinances and about asking Development Services to compile all of the current Zoning and Development Ordinances. That's about what we have on the books today in terms of our ordinances. And, to develop a unified

Draft Baseline Ordinance. That's so all of the Ordinances throughout the County can be unified. This is what this motion is referencing. It's what Development Services has asked us for years to do, to have confusion eliminated between the different entities so that we have a unified draft ordinance that makes it easy when developers come into our county. When builders come, and determine that they want to build in the county that it makes for consistency. I think there is a lot of confusion about what this particular motion is asking for. It's asking for the ability to give Development Services an opportunity to compile all of the current zoning and development ordinances and elements of the current baseline draft and produce a draft unified Development Code for the county. That's what it is asking for.

Chairman Ellis: Commissioner

Commissioner Maddox: Maybe two sentences, I appreciate Commissioner Schulz. Real quick, the next motion, assuming we are about to vote on this, the next motion will also affect the 2050, or the conversation so whatever this vote is don't get up and walk out. At least wait until you hear the next motion.

Chairman Ellis: We have a motion and a second. Any further discussion? All in favor? All opposed.

Final Motion/2050 Plan Baseline Ordinances

Motion by Commissioner Maddox, second by Commissioner Schulz, to continue work on an updated comprehensive land use plan and zoning development ordinances for Newton County by asking Development Services staff and, the legal team, to compile all current zoning and development ordinances and elements of the draft baseline ordinance to provide a draft unified development code for the county, and to require that, in the event staff request assistance from any consultants, a contractual agreement outlining the scope of work of all services to be performed will be approved by the Board of Commissioners.

Motion carried unanimously (3-2) with Commissioners' Douglas and Henderson voting in opposition to the motion

Chairman Ellis: Commissioner are you suggesting that we need to do another Motion?

Commissioner Maddox: Please.

Commissioner Maddox: Relating to the 10-20 acre issue. I would like to make a motion to instruct staff and any consultants that may work on the proposed Baseline Ordinances or Development Code to remove the 10 Acre minimum lot size for the proposed Rural Zoning District and to remove the 20 Acre minimum lot size proposal for the Conservation Zoning District from all future drafts of the Baseline Ordinances.

Commissioner Schulz: Second

Chairman Ellis: We have a Motion and a Second. Any discussion? Seeing none, all in favor. That carries unanimously

Final Motion/10-20 Acre Issue

Motion by Commissioner Maddox, second by Commissioner Schulz, to instruct staff and any consultants that may work on the proposed Baseline Ordinances to remove the 10-acre minimum lot size proposed for the Rural Zoning District and to remove the 20-acre minimum lot size proposed for the Conservation Zoning District from all future drafts of the Baseline Ordinances. Motion carried unanimously (5-0)

Commissioner Maddox: We have, I'm sorry. We have at least one more thing on the agenda.

Chairman Ellis: Are you ready to do that one now Commissioners? Is that okay Vender Agreements next? Who would like to carry out that, Commissioner?

Commissioner Schulz: One of the concerns that I have had with our current arrangement with The Center is that we do not have a scope of work. We do not have a current scope of work. We have asked The Center to engage in different activities with the Leadership Collaborative as well as providing contractual services for us. And, so I believe that it is important that any work that we have with The Center (The Center) provide a scope of work and to do that I would like to make the motion that directs a contractual agreement with The Center for Community Preservation and Planning outlining the scope of work for any and all professional services provided by The Center be prepared for approval by the Board of Commissioners.

Chairman Ellis: We have a Motion and a Second. Any discussion? All in favor? That carries 5-0.

Final Motion- Vendor Agreement

Motion by Commissioner Schulz, second by Commissioner Maddox, to provide a contractual agreement with The Center for Community Preservation and Planning outlining the scope of work for any and all professional services provided by The Center be prepared for approval by the Board of Commissioners. Motion carried unanimously (5-0)

Form of Government

Commissioner Maddox: Thank you, Mr. Chairman. Just a real quick easy Motion and this follows up from the Boards conversation back in the spring and even I guess to last fall and the strategic work sessions. The motion is to request that the Chairman schedule a work session to be held by September 2, 2014 on and related to Newton County's form of government to follow up on the discussions from April 24, 2014 and earlier work sessions.

Commissioner Schulz: Second

Chairman Ellis: We have a motion and a second. May I add, will Tuesday the 26th at 6:00 p.m. meet everyone's schedule? Alright, we have a substitute motion.

..... Inaudible

Chairman Ellis: We can determine the time; we can make arrangements to move it around. We have a substitute motion on the floor which takes precedence over the primary motion. Is there a Second?

....inaudible conversation

Chairman Ellis: We have a motion and a second and that would be, I'm assuming, you are adding to your motion September 2nd. The second meeting in September and I don't have a calendar. So, September the 16th is that what you're saying? Alright, we got a motion; did we get a second JC? We got a motion and a second so that's 1 and 4. Yes Sir absolutely.

Commissioner Sims: With the issue as great as the Form of Government and how we are going to lead this County moving forward, I think we are going to need more than one hour to discuss how we are going, how this County is going to be run for the next however many years. So, I'm not trying to make a third motion, but I think we need to have a work session on a Thursday night or a night that we have more than one hour to discuss it. Thank you.

...Inaudible conversation

Chairman Ellis: Commissioner you seconded that. Will that be fine? We have an amended substitute motion that still has precedence any further discussion and that is September 18th is that correct? Thursday night. We can adjust the time if we need to. 6:30. We have a motion.

Chairman Ellis: Commissioner.

Commissioner Schulz: I guess my concern is that at the April 24th meeting where we instructed Mr. Middleton and Mr. Craig to come up with recommendations for us, they were supposed to be done by September 1st and effectively September 1st Mr. Garrett takes on the role of County Manager. So, if we wait until September 18th we have some limbo time. And I think that we need to be aware that during that time we still have some outstanding issues in terms of who does hiring and firing... what are the issues that are incongruent between the enabling legislation and what the act in 2011 allowed for so we've got some time that we will be in limbo.

Commissioner Douglas: Going back to the original August, what was the original date? August what, 26?

Chairman Ellis: August 16th is that what we had originally? 26th

Commissioner Douglas: I agree with what I think I heard Commissioner Sims say if we are going to change the Form of Government in this County we are going need more than one week to go over it and listen to constituents and that sort of thing. So that's why I would like to stick with the 18th of September.

Chairman Ellis: Commissioner

Commissioner Sims: Thank you, Mr. Chairman. The suggestion is not in my original Motion. The suggestion is not to come in here on that Tuesday night or whatever night that is and change our form of government, but it is a push and a proposal to continue the conversations that were launched back almost a year ago and got heavy into the winter and the fall we've got to continue that conversation. I think there needs to be some clarity within our organization and clarity to the citizens so that's why there is a sense of urgency. Can we call for a vote?

Chairman Ellis: We can.

Commissioner Douglas: But you have a substitute Motion first.

Chairman Ellis: Absolutely, we have a substitute Motion and I believe, correct me if I'm wrong, you would like it to be held September the 18th that's a Thursday night around 6:30. We have a Second for that Motion. We've had some discussion, are there any other discussions on the substitute Motion? All in favor of the Substitute Motion. We have two. All opposed. Okay, you voted. All of those opposed to the Motion. The motion fails. Now we are returning back to the original Motion. Which I believe is the 26th, Is that correct? Tuesday night at 6 o'clock is that the Motion?

Commissioner Douglas: I don't believe you had a date in your Motion.

Chairman Ellis: Well would you like for that to be the 26th, the 28th, what date would you like? 26th is a Tuesday the 28th is a Thursday.

The Motion is to have a meeting prior to ...inaudible

Chairman Ellis: Would you like to add a different date? Let's do the 26th if it's alright with you. Let's try that and see what we get. Everybody if you need to look at your phone I see some people are doing it now. All in favor of having a work session on the Form of Government Tuesday the 26th at 6:00 p.m. all in favor. Is that 3? All opposed. It passes 3-2. Mrs. Schulz

Commissioner Schulz: Could I request that what was entered into the agenda I mean into the minutes from April 24th meeting for the County attorney to develop a scenario for consideration by the BOC who is responsible for hiring and firing as well as the chain of command? That that be available on the 26th?

Attorney Craig: May I respond? When the Board adjourned after that April 26th work session there was a consensus among at least three members of the Board as to the direction in which things should proceed. Shortly after that meeting in my opinion that consensus evaporated. So I don't know how we can craft the Form of Government and the Rules and Regulations until the Board revisits that subject and we understand where folks are. Once we understand where you are we can prepare the Ordinances or whatever is required, in short order, but I think you'd, this board needs to have those deliberations to guide us.

Final Motion/Work Session/Form of Government

Motion by Commissioner Maddox, second by Commissioner Schulz, to hold a work session on Tuesday, August 26th @ 6:30 p.m.

Motion carried unanimously (5-0)

ALCOHOL LICENSE:

Final Reading

Rana's Valero

2299 Hwy. 212

Covington, GA 30016

Owner: Ashar Munawar

District One

Motion by Commissioner Sims, second by Commissioner Maddox, to approve the alcohol license for Rana's Valero, 2299 Hwy. 212, Covington, GA as requested.

Motion carried (4-0 w/Commissioner Douglas' abstention)

COMMISSIONER'S COMMENTS

Chairman Ellis: Okay. Any further business? Commissioner comments. Why don't we start with the Commissioner from the Fifth District? Coming around the table.

Commissioner Henderson: Thank you Mr. Chairman. Eighteen years ago when I was elected... (End of track three)

Commissioner Sims: (beginning of track four) Expressed appreciation to Mr. Middleton for helping me along the way, guiding me, helping me to understand Newton County, our past, our present and our future. I know you don't stay too far away from me so hopefully we can get together from time to time and maybe have some bar-b-cue and talk about old county business. But enjoy your retirement and I wish you well.

Chairman Douglass: Thank you Mr. Chairman. Let me echo that as well John, These last two years that I've been on the county commission you have made it so much easier for all of us and for me particularly. Your expertise and your knowledge... you just didn't know that we were going to replace you with a Georgia Tech Graduate, did you? So, I didn't mean that as a compliment either, but in all seriousness, sorry Tom. You can smile now Tom. In all seriousness John you have done a great, great job for this county and the people of this county. The commission and all of the elected officials owe you a lot and we are going to miss you. Hope you will not be a stranger and having said that I hope you enjoy retired life. I don't know if your wife is going to enjoy having you around all of the time, but she will get used to it. So just as long as you hold the remote control everything will be good at your house. And just let me say one other thing, I don't know if anybody has ever said this since I've been on the commission, but when we come to these commission meetings most of the time we have a pretty big crowd, not this big of a crowd, but a pretty good crowd. And I don't know if anyone has ever said thank you for coming to the commission meetings and thank you for being involved in what goes on in this county. And thank you for taking part and voting cause I know all of you vote. If you take time to come here you take time to vote. Thank you for having an impact. And I wish we had more people that were willing to do that in this county and this country and this state. But, I just wanted to say thank you for being part of the process and having constructive dialogue with us and taking part in what we do. Thank you Mr. Chairman.

Chairman Ellis: Mr. Middleton I would echo on that as well. I would offer to come shoot guns with you sometime, but sometime they might be pointed the wrong direction, but it's been good to work with you and I appreciate what you have done. Hope you enjoy your retirement as well. Commissioners I'm very proud and pleased with the conduct tonight, you all work hard. You know how much work you put in, your families know how much work you put in. Many of your businesses suffer because of the work you're doing for this great county. And so I thank you for what you do. Because there are many times when we want to give up and we want to quit, but the work you do somebody here tonight probably will pat you on the back. If not, here's my pat for you and thank you for conducting business tonight in a way that we can be proud. The folks here we appreciate ya'lls attendance as well and I also want to congratulate the man to my left (Tom Garrett) who has grown in such a way since I've gotten to know him from about a year and a half ago. And although he does wear a gold shirt from time to time I believe that he is a man of integrity, honesty, he's very capable no matter what capacity he turns out to be in. He is an asset to this county. Thank you. Do we need an executive session?

Attorney Craig: Yes Sir at least on the subject of land acquisition. We do.

Chairman Ellis: We stand adjourned. God Bless you. I'm sorry, I'm sorry.

Commissioner Schulz: Also, in Executive Session in the personnel and potential litigation.

Chairman Ellis: So we can combine those two.

Commissioner Douglas: No those three

Chairman Ellis: Three, thank you. We stand adjourned.

EXECUTIVE SESSION MOTION

Time: 9:15 p.m.

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

Motion carried unanimously (5-0)

Time: 10:05 p.m.

Motion by Commissioner Maddox, second by Commissioner Sims, to enter into regular session.

Motion carried unanimously (5-0)

With no further business, motion by Commissioner Maddox, second by Commissioner Sims, the meeting adjourned @ 10:05 p.m.

Respectfully submitted,

Jackie B. Smith, Clerk

William K. Ellis, Chairman