

NEWTON COUNTY BOARD OF COMMISSIONERS

**1124 Clark Street
Covington, Georgia
Regular Meeting**

August 16, 2016

MINUTES

Present: Chairman Keith Ellis, Commissioner's John Douglas, Lanier Sims, Nancy Schulz, J.C. Henderson, Levie Maddox, County Attorney Megan Martin, and Clerk Jackie Smith

Capacity plus crowd of citizens
Covington News, Newton Citizen

Chairman Ellis called the meeting to order, extended a welcome, and read the thought for the day. The invocation was given by Rev. Ronny Brannen, Prospect United Methodist Church and the Pledge of Allegiance was led by County Attorney, Megan Martin.

Chairman Ellis recognized District One Commissioner John Douglas.

ADOPTION OF AGENDA

Commissioner Douglas read the following statement into the record.

“Mr. Chairman, there has been a lot of talk in the last few days about our zoning ordinance’s treatment of places of worship. I believe that it is important that this Board consider this issue at the earliest convenience. In order to preserve the status quo until such time as that can happen, it is my intention tonight to propose a moratorium related to this topic and therefore I move that the Board add a new agenda item as item #1 under New Business: “Consideration of a limited moratorium on permits for places of worship.”

Motion by Commissioner Douglas, second by Commissioner Maddox, to amend the agenda and add under new business, “consideration of a limited moratorium on permits for places of worship with adoption of the agenda.

Motion carried unanimously (5/0)

CHAIRMAN’S REPORT

In consideration of time Chairman Ellis did not present a report, however his PowerPoint is attached and made part of these minutes.

COUNTY MANAGER’S REPORT

County Manager Lloyd Kerr drew the board’s attention to the reports he had provided in the agenda packet and offered to answer any questions.

- Permit Report is attached and made part of the minutes
- HR Monthly Staffing Report is attached and made part of the minutes

AUP15-000235

County Manager Lloyd Kerr read the following into the record:

Statement Regarding the Administrative Use Permit Issued for Proposed Mosque Project

In June of 2015, Newton County Development Services staff met with a private local attorney to discuss the possible development of a place of worship on a 135-acre tract of land located at GA Highway 162 and County Line Road. Additionally, a follow-up meeting was held to further discuss zoning requirements and development regulations. Much like the initial meeting, the second meeting served as a working meeting for staff and representatives of the owners to discuss the possible development.

Currently, places of worship are permitted in every zoning category provided the site meets the minimum requirements of the Newton County Zoning Ordinance, and the applicant obtains an Administrative Use Permit. Although this type of approval does not require public notice or public hearings, Newton County Development Services followed correct procedures and protocol and has not attempted to withhold information from the public. Similar project inquiries are routine and applicants typically do not move forward to submit plans or obtain development permits.

To date, the applicant has not submitted plans to Newton County Development Services for review. Once an applicant submits plans, they are reviewed by various county departments and division such as Engineering, transportation, Planning and Zoning, Fire Services and applicable state agencies. The review process ensures the County meets federal and state requirements and follows local ordinances and laws. Once plans are approved, the County issues permits and construction begins.

As a county, we understand the public's concern regarding a deployment of this size and the impact it may have on surrounding neighborhoods. The right to practice one's faith is protected by the Religious Land Use and Institutionalized Persons Act, which prohibits local governments from burdening citizens desiring to use land for purposes of worship with regulations not required of other similar land uses. Should this project move forward, the County pledges to work with the developers to protect the interests of our citizens to the best extent possible.

Discussion

- Must adhere to Noise Ordinance
- Measure noise by an instrument similar to a radar gun
- County engineer will review for highway congestion
- GDOT (accel/decel lanes)
- Construct a school: CUP (Conditional Use Permit) 2 public hearings required (1 w/PC & 1 w/BOC)

Commissioner Douglas read the following statement into the record.

Let me preface my comments by saying that I have a history on this board of opposing excessive development in the first district. Opposing this project is not the first time I have taken this stand. I opposed the effort to put 1500 houses around Stanton Springs, I opposed the Autumn Trace subdivision on US 278, I opposed the expansion of the trucking facility at the Hum Junction, I held back on the Ag Center until the neighbors of that facility came on board with their approval and I voted with Commissioner Schulz to deny a subdivision in her district on the access road.

I have made it a point to work to keep the 1st District mostly rural and small town because the people who live in east and south Newton came here for that reason. They love the quality of life we have in that area, the low crime rate, the lack of congestion and traffic and the ability to just get away from the big citizen whey they go home.

I asked to add this to the agenda tonight because it has recently come to my attention that the County has approved approximately 135 acres at the intersection of Hwy. 161 and County Line Road for a place of worship.

Before proceeding further I have some questions for the county manager:
When did this project first come to the attention of our zoning office? It was first presented in June 2015.

What was it called at that time? Avery Community Church & Cemetery

Who brought it to our zoning office under that name? Attorney Phil Johnson

When did we first learn this was not actually a church? A week ago Monday.

How did we learn that? Engineer who was putting together the conceptual plan. There was a meeting with the zoning administrator, planning engineer, traffic engineer, fire services and architect.

Let me say that it is absolutely legal to call the project anything they want to call it but I will leave it up to individuals in the community to decide for themselves why it was called Avery Community Church and cemetery until last week. For the record, Avery Place is a subdivision across Hwy. 162 from this development site.

Clearly this has gotten the attention of the citizens of Newton County and beyond.

My concern tonight is for the fact that our Zoning Ordinance allowed this project, with its attendant proposals for significant development beyond simply a worship hall, to advance as far as it has without any requirement that it be brought before this Board for review. Given the trend toward larger and larger, "campus style", multi-service facilities for places of worship, I believe as a Board need to ask our planning professionals to take a look at the Zoning Ordinance and see if the current procedural and substantive requirements for places of worship are sufficient for the reality of these types of developments.

In order to do that without allowing any new developments to become grandfathered, I ask this Board to consider imposing a moratorium while staff's analysis is performed and any recommendations are brought back to us. Such a moratorium is by no means intended to be a permanent hindrance to expansion of worship in general or any specific religion in Newton County in particular. Instead it is to be focused on good planning practice for the protection of the public health, safety and welfare.

I have asked for the County Attorney to prepare a resolution, which has been circulated to you, imposing a moratorium for 5 weeks during which time no permit applications shall be accepted for property to be used as a place of worship. During this time staff will review current ordinance provisions on the topic. We will come back on September 20 with either an ordinance amendment to consider, or we will extend the moratorium if more time is needed, or we will let the moratorium expire.

At this time, I would ask the County Attorney to run through the Resolution to make sure that it is clear for the Board.

Attorney Martin summarized the resolution.

Enacting a limited, moratorium to give the Development Services department time to analyze the current trends, how the County's planning and zoning strategies are impacted by these trends and how the Zoning Ordinance might be amended to bring the zoning ordinance in alignment with the trends while protecting the County's interests in its planning and zoning functions is something I think needs to be done.

At our September 20 meeting, then, we will either consider amendment of our zoning ordinance or an extension of the moratorium if the amendment is not ready. In either case, we should conduct a public hearing at which we allow the citizens of Newton County to speak to use in this forum to express their thoughts on the zoning ordinances regulation of places of worship. If we have to sit here all night, we owe it to them to hear their words.

So Mr. Chairman, at this point I would like to make a motion to approve the resolution imposing a moratorium until September 21, 2016 permits for places of worship as distributed tonight.

Second by Commissioner Maddox
Motion carried unanimously (5/0)

Motion by Commissioner Douglas, second by Commissioner Maddox, to hold a public hearing/town hall meeting on August 22nd to allow our citizens to speak to this board.
Motion carried unanimously (5/0)

CONSIDERATION OF DISTRICT FOUR SPLOST PROJECTS (TABLED APRIL 19, 2016)

Motion by Commissioner Schulz, second by Commissioner Douglas, to approve the District Four 2011 SPLOST projects as presented.

Motion carried unanimously (5/0)

CONSIDERATION OF A RESOLUTION R080216B – RESOLUTION OF THE NCBOC APPROVING THE DEANNEXATION OF PROPERTY BY THE CITY OF COVINGTON (TABLED AUGUST 2, 2016)

- Resolution R080216b is attached and made part of these minutes.

Motion by Commissioner Henderson, second by Commissioner Sims, to approve Resolution R080216b, the deannexation of property by the City of Covington that was previously tabled on August 2, 2016.

Motion carried unanimously (5/0)

CONSIDERATION OF ROAD LIST SHOWN IN THE 2011 SPLOST RESURFACING/PAVING PROJECT #1 FOR DISTRICT 1 AND DISTRICT 5 (TABLED AUGUST 2, 2016)

Motion by Commissioner Douglas, second by Commissioner Maddox, to table and bring back to the board for consideration at the September 6th meeting.

Motion carried unanimously (5/0)

CONSIDERATION OF KIOSK, A SELF-SERVICE TERMINAL FOR RENEWAL OF TAG REGISTRATIONS ONLY FOR TAX COMMISSIONER

The Honorable Barbara Dingler, Newton County Tax Commissioner appeared before the board regarding this request.

- Discussed with each of you individually
- Short video of Kiosk in use
- 16 counties have this currently
- Made an application in May of 2015 for Newton County
- July 2016 approved by the State
- Location: Kroger/Salem Road
- Tag renewals
- J&D has revised the contract and has been sent for review by ITI
- Contract is attached and made part of these minutes
- Request approval and authorize execution with approved changes

Motion by Commissioner Henderson, second by Commissioner Sims, to authorize changes to the contract by J & D and execution of the contract with ITI as presented.

Motion carried unanimously (5/0)

ADMINISTRATIVE SERVICES: MONTHLY FINANCIAL REPORT

Motion by Commissioner Schulz, second by Commissioner Maddox, to approve the monthly financial report as presented in board packet.

Motion carried unanimously (5/0)

ADMINISTRATIVE SERVICES: APPROVAL OF CHECK REGISTER

Motion by Commissioner Maddox, second by Commissioner Sims, to approve the check register as presented in board packet.

Motion carried unanimously (4-1) with Commissioner Douglas voting in opposition to the motion.

CONSENT AGENDA

Motion by Commissioner Douglas, second by Commissioner Sims, to add item 13, 14, 15, and 19 to the Consent Agenda.

Commissioner Maddox asked that the motion be amended to remove item #19.

Motion by Commissioner Douglas, second by Commissioner Sims, to strike item #19 from previous motion and approve.

Motion carried unanimously (5/0)

County Clerk: BOC Public Hearing Minutes dated August 1, 2016

County Clerk: BOC Special Called Meeting Minutes dated August 1, 2016

County Clerk: BOC Regular Meeting Minutes dated August 2, 2016

Juvenile: Independent Contractor – Wood & Wood

Juvenile: Independent Contractor – Devona Roseberry

Juvenile: Independent Contractor – Giget Johnson

Sheriff's Office: Independent Contractor – Yvonne McMullen

Consideration of A Resolution To Support The South River Water Trail For The County Of Newton, Georgia Consideration Of A Resolution To Support The Yellow River Water Trail For The County Of Newton, Georgia

Consideration of Fire Protection Systems Inspection and Testing Contract for Sheriff's Office Consideration of Contract with the Board of Regents of the University Of Georgia – County Extension Service

Consideration of County Extension Personnel Contract/ Memorandum of

Understanding Between the Board of Regents of the University System of Georgia On Behalf Of The University Of Georgia Cooperative Extension And The Newton County Board Of Commissioners

Motion by Commissioner Maddox, second by Commissioner Schulz, to approve the consent agenda after moving Consideration of Fire Protection Systems Inspection and Testing Contract for Sheriff's Office, Consideration of Contract with the Board of Regents of the University Of Georgia – County Extension Service, and Consideration of County Extension Personnel Contract/ Memorandum of Understanding Between the Board of Regents of the University System of Georgia on behalf of the University of Georgia Cooperative Extension and the Newton County Board of Commissioners from the regular agenda items to the consent agenda.

Motion carried unanimously (5/0)

R081616 – REGARDING APPLICATION TO EXTEND THE LET DATE FOR THE FLAT SHOALS ROAD PROJECT

Attorney Megan Martin addressed the board.

- Requesting consideration of Flat Shoals project timeline and alternative proposals to request extension of the construction let date established by the Georgia Department of Transportation.
- Met and revised Flat Shoals Project to make sure we were on target with project.
- Handout attached and made part of these minutes.
- Resolution R081616 is attached and made part of these minutes

Motion by Commissioner Douglas, second by Commissioner Maddox, to approve Resolution R081616 regarding the application to extend the Let date for the Flat Shoals Road Project.

Motion carried unanimously (5/0)

RECONSIDERATION OF THE HOURS OF OPERATION FOR THE CONVENIENCE CENTERS

Chairman Ellis recognized Commissioner Douglas who requested this issue be brought back to the board regarding operation hours at the recycling centers.

- Would like to see other days than Sunday and Monday to be closed.
- Would also like the hours to be more convenient for the citizens.
- SWA has operational authority.
- Would urge SWA to reconsider closing the centers on Sunday.

Motion by Commissioner Douglas, second by Commissioner Schulz, to urge SWA to close the recycling centers on Wednesday and Thursday instead of Sunday and Monday. Also to take a look at the hours that is most convenient for the citizens.

Commissioner Henderson

- Feels the board should be in control of the recycling centers and not a committee.
- Questioned when bids would be open regarding landfill and centers.

Commissioner Schulz

- Will pass this concern along to the SWA.
- Has concerns about hours...could stagger to accommodate the citizens
- Keep opening to 45 hours a week.

Chairman Ellis

- Centers are set to close at the end of February 2017.
- Approved IGA
- Budget has been set to cover 45 hours per week.

Motion carried unanimously (5/0)

CONSIDERATION OF LETTER OF ENGAGEMENT BETWEEN NCBOC & TREADWELL, TAMPLIN & COMPANY

Commissioner Schulz noted that last year when board considered the letter of engagement for auditing services she requested that an RFP be utilized for this service and it didn't happen.

She expressed appreciation to Treadwell & Tamplin for their excellent service, but would like to see all contracts in compliance with our procurement policy.

Motion by Commissioner Schulz, second by Commissioner Maddox, to approve the Letter of Engagement between Newton County Board of Commissioners and Treadwell, Tamplin & Company for professional auditing services.

Motion carried unanimously (5/0)

Motion by Commissioner Schulz, second by Commissioner Maddox, to instruct staff to seek competitive procurement for audit services in FY2018.

Motion carried unanimously (5/0)

CONSIDERATION OF PROPOSAL FOR MONITORING SERVICES FOR BEAVER DAM CREEK MITIGATION SITE BY ECO-TECH CONSULTANTS

Count Manager Lloyd Kerr presented this to the board.

- 5th year of monitoring
- Completes the finance phase of monitoring
- Information attached and made part of these minutes

Motion by Commissioner Maddox, second by Commissioner Sims, to terminate relationship with Eco-Tech Consultants and approve contract with Carter Sloope.

Motion carried unanimously (5/0)

CONSIDERATION OF CONTRACT WITH JARRARD & DAVIS FOR COUNTY ATTORNEY

Before the board took action on the contract board members expressed their personal and professional appreciation to Ms. Martin and Jarrard & Davis for their service to Newton County.

Motion by Commissioner Douglas, second by Commissioner Sims, to approve the County Attorney Contract between Newton County Board of Commissioners and Jarrard & Davis as presented.

Motion carried unanimously (5/0)

CONSIDERATION OF VERIFICATION & IMPROVEMENTS TO THE CORNISH CREEK & WILLIAMS STREET WATER TREATMENT FACILITIES BY CARTER & SLOOPE

James Brown director of Water Resources appeared before the board and presented this request.

- Verify capacity for Williams Street and Cornish Creek facility.
- Interview four qualified engineering firms.

- Cost: \$100,000 (\$50,000 from N.C. Water Resources and \$50,000 from N.C. Water & Sewer Authority)
- Budgeted: Yes
- Carter & Sloope selected through interview process.
- They will perform verification and improvements to the Cornish Creek & Williams Street Water Treatment facilities.
- Contract made part of these minutes.

Motion by Commissioner Henderson, second by Commissioner Sims, to award the Verification and Improvements to the Cornish Creek & Williams Street Water Treatment Facilities to Carter & Sloope as recommended.

Motion carried unanimously (5/0)

DISCUSSION OF WALKER'S BEND WORK FORCE DEVELOPMENT

Chairman Ellis recognized Commissioner Henderson who requested this discussion to be placed on the agenda.

- 2011 SPLOST \$500,000 was approved toward project (Walker's Bend)
- Over a period of time this was turned over to the City of Covington Housing Authority
- Requested this to be placed on the agenda for board to act on county receiving a key to the building.

Chairman Ellis

- \$500,000 was turned over to the City of Covington for construction and equipment.
- Walker's Bend: 3 rooms were built for training.
- The Work Force Development training goes through the Covington Housing Authority.
- He noted that he and Mr. Kerr would make an appointment to see Jimmy Alexander (Housing Authority Attorney) and to obtain a key. The key will be housed by Jason Johnson.

Commissioner Schulz

- Suggested that board invite Shamica Redding to come before the board to give an updated report.
- Stated it was voted on by the citizens to have a Work Force Development in that building.

Motion by Commissioner Henderson, second by Commissioner Sims, to request that a key be provided to Chairman Ellis and a key for Jason Johnson, Facilities Manager.

Motion carried unanimously (4/1) with Commissioner Maddox voting in opposition to the motion

DISCUSSION/CONSIDERATION - RECREATION COMMISSION

Commissioner Maddox addressed the board.

- Relates to the resolution R-06G-99
- Reviewed notes from Attorney Jenny Carter (2013) to modernize and update the Recreation Charter.

- Antiquated and needs to be updated. Would like to see it enhanced.
- Would like to see a meeting with Danny Stone, Anthony Avery, Recreation Commission, Chairman Ellis, Legal representation and County Manager to discuss updating the Charter.
- Would like to see it brought before this board by the second meeting in October. (October 18th)
- Requested a work session prior to the meeting.

Motion by Commissioner Maddox, second by Commissioner Sims, to ask legal to take a look at the 2013 documents and work with Mr. Avery, the Recreation Commission, Mr. Kerr and Chairman Ellis and bring back to this body @ second meeting in October. (October 18, 2016)

Motion carried (3/2) with Commissioner Douglas & Henderson voting in opposition to the motion.

Commissioner Maddox advised the board that he would like to replace the current recreation commission member representing the fifth district.

- He noted that appointments had been changed during mid-term before.
- Commissioner Douglas questioned if Mr. Fleming was stepping down? No
- Commissioner Douglas asked for legal opinion on replacing a member.
- Attorney Martin advised the board this could be done with cause.
- Commissioner Maddox chose not to provide a cause.

Motion by Commissioner Maddox, second by Commissioner Sims, to remove Tim Fleming from the Recreation Commission representing the 5th district and to appoint Jarrard Rutberg to represent district five.

Motion carried (3/2) with Commissioner Douglas & Henderson voting in opposition to the motion

Further Discussion

Chairman Ellis asked Ms. Martin who has the authority to make appointments to the Rec Commission.

Ms. Martin said that under the current ordinance the chairman makes the appointment.

Chairman Ellis advised the board that he was re-appointing Tim Fleming to the Recreation Commission until his term expires.

DISCUSSION/CONSIDERATION OF DELINQUENT TAX AND APPROPRIATION COMMUNITY CENTER

Tax Commissioner Barbara Dingler addressed the board.

- Property sold as tax sale.
- Did not pay taxes.
- Abetment lien was 2009
- Liens was not recorded until 2012
- Warranty deed recorded in 2014 going to NCBOC
- Total now due if board chooses to relieve penalty & interest is \$8,313.30
- Commissioner Henderson suggested that County Attorney perform a title search

Motion by Commissioner Henderson authorizing county attorney to perform a title search.

Motion died for lack of a second.

Commissioner Maddox read the following into the record.

Back in May 2016 this Board was notified by our Tax Commissioner that a County owned property had a delinquency notice.

Specifically, that notice indicated that the County owes more than \$11,000 in back taxes, penalties, interest and liabilities for a 0.63 acre parcel of land located on Lassiter Street. The vast majority of this delinquency is owed to the City of Covington for a judgment in favor of the City that was not cleared prior to the County's purchase of the property.

To provide some background:

Before the county bought the property, the City forced a demolition of a structure and placed a lien on the property. So that the public understands why this parcel was somewhat attractive, it is part of the Nelson Heights Community Center campus.

Twice, in open session, Our Legal Team presented this Board with three options for addressing this matter. Those options were as follows:

- 1. The County could pay the amounts owed on the property – amounts that in fact may exceed the value of the land;**
- 2. The County could attempt to sell the land, in which case the Tax Commissioner would use the funds generated from the sale to pay the taxes, penalties, and interest and then distribute the excess funds (if any) to the City, or**
- 3. The County could attempt to reduce the amount owed by (1) making the decision to waive our own taxes and penalties and/or (2) approach the City of Covington and simply ask them to release the \$7,000 demolition lien on the property leaving a small amount of taxes, penalties and interest owed.**

The City of Covington has informed the County that they will not waive the lien and advised that offers had previously been made to the Chairman and previous legal counsel regarding the City's taking over operations of the Nelson Heights Community Center as part of the City's youth outreach initiatives. To be clear, this Board was not advised of the City's offer. To also be clear, there is NO RECORD of this Board even approving the purchase of this land.

At this point the Board must make a decision. We could pay the past due bill and continue investing in a project that has had substantial challenges. Or, we could show courage and make an adjustment that allows these assets and programs to move forward & prosper for the greater good of our community.

The City is prepared to assume operations of both the Nelson Heights Community Center and the Washington Street Community Center. The City is committed to continuing the services offered at Washington Street under the direction of Miss Bea Jackson and to using the Nelson Heights facility as part of the City's Youth Outreach programming.

In return for such a negotiation the City will build a splash pad or other youth oriented activity for the benefit of the County's residents. This would alleviate the County's continuing financial burden relating to the operation of the Community Centers. It is no secret that the County's finances are in bad shape and cuts have been ordered across the board. This proposal was not an attempt to keep anything in secret. It was just a simple conversation that brought us here tonight.

Having said this, I would like to make a motion to approve the County Attorney to negotiate with the City of Covington on operations of the NHCC and Washington Street Community Center and bring back a contract within 60 days or the second meeting in October.

Comments on Intent:

These negotiations could involve an IGA, an outright sale or other. We need to move forward and allow the children to have the proper opportunities.

Commissioner Henderson voiced his strong concern that an open meetings violation had taken place. He said he was very disappointed that being the fourth district commissioner he was not given the respect of knowing about what was going on regarding NHCC.

He said he spoke to some of the council members and they told they would not vote in favor of taking over NHCC.

Mayor Johnston told the board that the city was willing, at this point, to have further discussions on this issue.

Commissioner Henderson asked if there was a violation in the open meetings act and Ms. Martin said only if a quorum was present. He asked that she draft a letter to the Attorney General regarding this issue.

Motion by Commissioner Maddox, second by Commissioner Sims, to authorize the County Attorney to negotiate with the City of Covington on operations of the NHCC and Washington Street Community Center and bring back a contract within 60 days or the second meeting in October. (October 18, 2016)

Commissioner Douglas stated that he did not have a problem with the motion, but he did have a problem doing something in a commissioner's district and the commissioner not being part of it. He said that it concerned him that Commissioner Henderson was not included in the conversation.

Chairman Ellis said that he had no knowledge of this and that Commissioner Henderson birthed the idea of the center and for him not to be involved in some of the conversations was outrageous.

Commissioner Henderson said that it disturbs him that his mayor would entertain this without even telling him. He said it was very disrespectful to him and his district.

Substitute Motion

Motion by Commissioner Douglas, second by Commissioner Henderson to go back and start discussion over again and include the district commissioner in the discussion. Motion carried (4/1) with Commissioner Maddox voting in opposition to the motion.

Commissioner Henderson told the board and Ms. Martin that there would be no reason for a letter to the Attorney General and rescinded his request.

SHERIFF'S OFFICE: CONSIDERATION OF REQUEST FOR FIVE (5) ADDITIONAL FULL-TIME DETENTION OFFICER POSITIONS TO MEET ACA COMPLIANCE

The Honorable Sheriff Ezell Brown addressed the board regarding this request.

- Serious issue at the jail
- Previously sent each of you a letter regarding situation
- We want to retain our compliance with the American Correctional Association (ACA)
- Went over letter with board (attached and made part of these minutes)
- Jail overcrowded and we have inmates sleeping on floor
- \$250,000 would allow us to open up a 72 bed pod and eliminate overcrowding in the female unit.
- Short staffing has become a liability.
- We are charged \$45.00 a day to keep inmates in other jails.
- Request that you do what is right for Newton County and Sheriff's Office

Commissioner Sims

- Asked Mr. Kerr where would we get the funds and he replied that he did not know, that the budget was extremely tight with just \$60,000 in the contingency fund this fiscal year.

Commissioner Schulz

- Questioned Mr. Kerr and Ms. Martin about selling some assets and use some of that money.
- Attorney Martin told the board that J&D provided the county manager a templet for this process.

Motion by Commissioner Henderson, second by Commissioner Sims, to approve \$250,000 for five (5) additional full-time detention officer positions as requested by Sheriff Brown.

Motion carried (3/2) with Commissioners Schulz and Maddox voting in opposition to the motion.

7:30 PM- ZONING/PUBLIC HEARING

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.

O-081616 – AN ORDINANCE OF THE NEWTON COUNTY BOARD OF COMMISSIONERS TO AMEND THE ALCOHOLIC BEVERAGE ORDINANCE; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES

- Work Session prior to regular meeting on September 6, 2016

Motion by Commissioner Douglas, second by Commissioner Schulz, to table Ordinance O-081616 –

An Ordinance of the Newton County Board of Commissioners to Amend the Alcoholic Beverage Ordinance; to provide for an effective date; To Repeal Conflicting Provisions; and for other purposes until the September 6, 2016 board meeting.

Motion carried unanimously (5/0)

O-081616A – AN ORDINANCE OF THE NEWTON COUNTY BOARD OF COMMISSIONERS TO AMEND THE NEWTON COUNTY ZONING ORDINANCE; TO REPEAL CONFLICTING PROVISIONS; TO PROVIDE FOR EFFECTIVE DATE; AND FOR FURTHER PURPOSES

- Work Session prior to regular meeting on September 6, 2016

Motion by Commissioner Schulz, second by Commissioner Douglas, to table Ordinance O-081616a –

An Ordinance of the Newton County Board of Commissioners to Amend the Newton County Zoning Ordinance; to repeal conflicting provisions; to provide for an effective date; and for other purposes until the September 6, 2016 board meeting.

Motion carried unanimously (5/0)

O-081616B – ORDINANCE OF THE NEWTON COUNTY BOARD OF COMMISSISONERS TO AMEND THE ZONING ORDINANCE OF NEWTON COUNTY, GEORGIA (GROUP HOMES)

County Manager Lloyd Kerr presented this ordinance to the board for action.

- Revised ordinance to be more in keeping with what is best for county.
- Planning Commissioner recommended approval.
- Information is attached and made part of these minutes
- Ordinance O-081616b is attached and made part of these minutes.

Chairman Ellis opened the public hearing @ 8:07 p.m.

In Favor

Dr. Cathryn Lafayette
Covington, GA

- Supports ordinance

Gladstone Nicholson
Covington, GA

- Supports ordinance

Opposition

None

Chairman Ellis closed the public hearing @ 8:10 p.m.

Motion by Commissioner Schulz, second by Commissioner Maddox, to approve Ordinance O-081616b – of the Newton County Board of Commissioners to amend the Zoning Ordinance of Newton County, Georgia.

Motion carried unanimously (5/0)

CITIZEN COMMENTS

Sarah Dauby
Covington, GA

- Happy that a Mosque was going to be built in Newton County.

Fred Wheeler
Covington, GA

- Opposition to the mosque.
- Not a mosque, but an Islamic Center
- Expect county to treat them the way other religious organizations have been treated in the past.
- Noted 6 years ago a church sponsored school came before BOC because they were turned down by P/C.
- Requesting that you apply the same rules and regulations that have to all churches and schools.

Dr. Cathryn Lafayette
Covington, GA

- Need to embrace all people of all religions
- Read a statement regarding the Salem Overlay (attached and made part of these minutes)
- Houses are sub-par

Bill Lee

Covington, GA

- Requested that public comments be placed back at the beginning of the meeting.
- Recycling Centers: Drove by @ 10:00 a.m. on Sunday and dumpsters were already three-fourths full.
- Centers are not large enough to handle the amount of trash they receive.
- If county is going to charge a \$50 fee then there needs to be some improvements to the centers and service.
- Concerned that trash is going to end of on the roads.

Scott Young

Covington, GA

- 20 year veteran
- Believes board has swept Mosque issue under the carpet.
- Reminded board they work for the citizens.
- Citizens are against the mosque.
- Local law enforcement will be prohibited from entering their premises.

Sonya Foster

Covington, GA

- Disappointed in what seen here tonight.
- Tit for tat among members
- Recycling Centers should be included in our taxes
- Seems there is something shady going on with the mosque

Archie Shepherd

Covington, GA

- Questioned conflict of interest regarding hauling service at the recycling centers.

Ronnie Johnston

Covington, GA

- Regarding SWA – Studying and working hard to solve real problems.
- Suggested board do whatever they want to do with the recycling centers.
- Regarding NHCC – approached by a couple of commissioners. One has a \$200,000 budget because they raise their own funds and the other has a \$40,000 budget/appropriation from county.
- Got excited ...would like to see NHCC and Washington Street Center do well.
- Thought it would be great opportunity for the children

Flemmie Pitts

Covington, GA

- Served on recreation commission since 1999 and the resolution is still the same.
- In 2005 Mr. Varner said he would all the board members to make a district appointment.
- Several changes in board members...this board removed the chairman of the rec commission to make a new appointment.

Sandi Spears
Mansfield, GA

- Expressed appreciation for what Commissioner Henderson has done for NHCC, but would suggest that h listen to what the City of Covington has to say and work together.
- Words can't express how grateful we are for County Attorney Megan Martin & Jarrard & Davis.
- Thank you for approving contract with David Sawyer

Gladstone Nicholson
Lakeside Circle

- Concurs with Dr. Lafayette's comment regarding improving housing in area.
- Concerned that board talks about saving money in legal fees, but continues to them to handle issues

COMMISSIONER COMMENTS

Commissioner Henderson

- Appreciate the Mayor mentioning that I have passion for NHCC
- The mayor had three years of opportunities to serve, but he got off the NHCC board.
- No one came forward and said they wanted to help the kids.
- I believe you shouldn't just talk about it...you need to do something.
- No commissioner knows district four better than me.
- Served district four for 19 years

Commissioner Schulz

- Reminder: SWA meeting on Thursday @ 5:30 – Historic Courthouse
- Echo what Mayor Johnston said about working diligently together to find a solution.
- We want to improve on the model we now have.

Commissioner Sims

- Feel that we need a work session on water summit and invite someone from WS&A to come and address the board. Hopefully within the next 30 days.

Commissioner Maddox

- Huge step voting on water consultant
- Would like to see a joint work session with W&SA

With no further business, a motion by Commissioner Sims, second by Commissioner Maddox, the meeting adjourned at 11:24 p.m.

Respectfully submitted,

Jackie B. Smith, County Clerk

William K. Ellis, Chairman