

NEWTON COUNTY BOARD OF COMMISSIONERS
1124 Clark Street
Covington, Georgia
Regular Meeting
MINUTES
February 16, 2021

7:18 p.m.

Present: Chairman Marcello Banes, Commissioners' Stan Edwards, Demond Mason, Alana Sanders, J.C. Henderson, County Manager Lloyd Kerr, Attorney Megan Martin, and County Clerk Jackie Smith

Note: Commissioner Ronnie Cowan was out of town and attended the meeting by phone.

Chairman Banes called the meeting to order, extended a welcome to all present, and read the thought for the day. Our invocation was given by Chairman Banes followed by the Pledge of Allegiance to our great flag led by Commissioner JC Henderson.

AGENDA ADOPTION

Motion by Commissioner Mason, second by Commissioner Edwards, to approve the Agenda dated February 16, 2021.

Motion carried unanimously (5/0)

CITIZEN COMMENTS

Michael

Covington

- Volunteer chair for Boys & Girls Club
- B&G Club have done a lot of good.
- Temporary site is on Brown Bridge Road.
- Helped 125 kids a week
- Awarded several grants i.e. General Mills (\$34,000 a year)
- Explained all that money was leaving our community until the B&G Club was established in Newton County.
- B&G Club has such a trusted name.
- Asked the board to let them take the \$500,000 SPLOST dollars and turn it into \$5 million.

Wendy Rodriguez

Covington

- Read a statement of opposition to the Fairview Community Park.
- Stated she did not feel like the community was part of the conversation and would like for this discussion to be tabled to allow the community an opportunity to be a part.
- Will make a significant change in our neighborhood.
- Noise pollution
- Trash
- Crime

Victoria & Franklin Redding
Covington

- President of Coopers Lake HOA
- We need some type of community facility for the children
- There is nothing for the children to do.
- Would like to see Fairview Estates and other surrounding communities involved in the conversation.

7:31 pm: ZONINGS – 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.

Note: Chairman Banes suggested parties in favor or in opposition to get together and choose a couple of people to speak on their behalf. (for the sake of time)

R021621A - A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS EXTENDING UNTIL JULY 20, 2021 AN EXISTING MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS OF ZONING PETITIONS AND PRELIMINARY PLAT/CONCEPT PLAN PETITIONS FOR NEW RESIDENTIAL DEVELOPMENT.

Presented by director Judy Johnson.

- Resolution R021621A is attached and made part of these minutes.
- The moratorium will give us time to address some existing concerns.
- It will not have any affecton subdivisions with plats and plans that have already been submitted.
- Hope to schedule a work session in April for further discussion.
- Information is attached and made part of these minutes.
- Original was approved on January 19th
- Duly advertised

Chairman Banes opened the public hearing @ 7:33 pm. No one spoke in favor or in opposition of the resolution. Chairman Banes closed the public hearing @ 7:34 pm.

Motion by Commissioner Edwards, second by Commissioner Mason, to approve Resolution R021621A, a resolution of the Newton County Board of Commissioners extending an existing moratorium on the acceptance of applications of zoning petitions and preliminary plat/concept plan petitions for new residential development until July 20, 2021.

Motion carried unanimously (5/0)

R021621B – NEWTON COUNTY OFFICIAL ZONING MAP CORRECTION

Presented by director Judy Johnson.

- Information is made part of these minutes.

Map Correction Case Number MC20-000003.

Applicant: Richard Mulloy

Location: 180 Ellis Trail

Map & Parcel Number: 30-2C

District: 2 (Two)

Zoning: AR (Agricultural Residential) & MSR (Mixed Use Residential)

Acreage: 11 acres

Request: Correct the entire parcel to AR (Agricultural Residential)

Planning Commission recommended approval by a vote of (5-0) at the January 26, 2021 meeting.

Chairman Banes opened the public hearing @ 7:42 pm.

Favor

Richard Mulloy

Covington

- Just requesting a simple map change.

Opposition

None

Chairman Banes closed the public hearing @ 7:43 pm.

Motion by Commissioner Mason, second by Commissioner Edwards, to approve Resolution R021621B, Newton County Official Zoning Map Correction.

Motion carried unanimously (5/0)

REZONING CASE NUMBER REZ20-000009.

Presented by director Judy Johnson.

- Director Johnson read the recommended conditions into the record.
- Information is made part of these minutes.

Applicant: Max Greenwood

Location: 2107 Henderson Mill Rd

Map & Parcel Number: 105-042

District: 1 (One)

FLUM: RR (Rural Residential)

Zoning: A (Agricultural)

Acreage: 8.6 acres

Request: Rezone entire parcel from A to AR to be able to divide the property into two separate parcels.

Planning Commission recommended approval with Staff's conditions by a vote of (5-0) at the January 26, 2021 meeting.

Chairman Banes opened the public hearing @ 7:48 pm.

Favor

Max Greenwood

- Owner of the property
- Two houses on the property.
- Request is to rezone the entire parcel from Agricultural to Agricultural Residential.
- Allows property to be divided into two separate parcels officially.

Opposition

- None

Chairman Banes closed the public hearing @7:50 pm.

Motion by Commissioner Edwards, second by Commissioner Mason, to approve REZ20-000009 with recommended conditions.

Motion failed (4-1) with Commissioners Mason, Sanders, Henderson & Cowan voting in opposition to the motion.

REZONING CASE NUMBER REZ21-000001.

Presented by director Judy Johnson.

- Information is made part of these minutes.

Applicant: Joint Development Authority

Representative: Andrea Gray, Attorney

Location: County Line Rd (Shire Parkway)

Map & Parcel Number: 134-2

District: 1 (One)

FLUM: DN (Development Node)

Zoning: A (Agricultural)

Acreage: 42.23 acres

Request: Rezone entire parcel to Stanton Springs Business Park

Planning Commission recommended approval with Staff's conditions by a vote of (5-0) at the January 26, 2021 meeting.

Attorney Gray addressed the board.

- Presented PowerPoint presentation
- PP is attached and made part of these minutes.
- Uniform zoning throughout the 1600 acres.
- Some benefits of approving this is it is a natural extension of the park.
- Creates opportunity for large companies to build in the park.

Chairman Banes opened the public hearing @ 8:00 pm. No one spoke in opposition to the zoning change and Chairman Banes closed the public hearing @ 8:01 pm.

Motion by Commissioner Edwards, second by Commissioner Mason, to approve Rezoning REZ21-000001 with recommended conditions.

Motion carried unanimously (5/0)

REZONING CASE NUMBER REZ20-000010.

Presented by director Judy Johnson.

- Read site plan analysis
- Read conditions into the record.
- Information is made part of these minutes.

Applicant: Michael & Stephanie Parrot

Location: Henderson Mill Rd

Map & Parcel Number: 86-008F

District: 5 (Five)

FLUM: RR (Rural Residential)

Zoning: A (Agricultural)

Acreage: 30 acres

Request: Rezone entire parcel from A to AR to establish family lots.

Planning Commission recommended approval with Staff's conditions by a vote of (5-0) at the January 26, 2021 meeting.

Chairman Banes opened the public hearing @ 8:04 pm.

Favor

Dr. Marcus Pollard (son)

Mrs. Stephanie Parrott (petitioner & mother)

- Family of public servants
- Requesting the rezoning to allow our children to build on the property.
- Would like to build 5 homes.
- Prepared a concept plan showing where houses will go.
- All the property will be owned by immediate family members.
- To comply with the ordinance, the only way is to rezone the property.

Opposition

Diane Jennings

Covington

- Submitted letter and petition into the record
- 28 residents oppose this rezoning.
- Read the petition

Chairman Banes closed the public hearing @ 8:08 pm.

Motion by Commissioner Cowan, second by Commissioner Henderson, to deny REZ20 -000010.

Substitute Motion:

Motion by Commissioner Edwards to approve REZ20 -000010 with recommended conditions.

Motion failed for lack of support.

Original Motion passed (4-1) with Commissioner Edwards voting in opposition to the motion.

Rezoning Case Number REZ20-000008.

Presented by director Judy Johnson.

- Little River Watershed
- Brick Store Overlay
- Information is made part of these minutes.

Applicant: JPC Design Construction, Representative: Jeremy Crosby & Bill Jones

Location: Hwy 11 & I-20

Map & Parcel Number: 112-017

District: 1 (One)

FLUM: DN (Development Node)

Zoning: AR (Agricultural Residential) & CH (Highway Commercial)

Acreage: 46.12 acres

Request: Rezone entire parcel to CH in order to the develop the property to establish a Travel Center.

Companion Case: CUP20-000004 & DCI 20-000001

Planning Commission recommended denial by a vote of (5-0) at the January 26, 2021 meeting.

Chairman Banes opened the public hearing @ 8:33 pm.

Favor

Bill Jones

- Representing Jones Petroleum
- Company has been here since 1982
- We have developed a number of convenience stores in rural part of county.
- Goal was to build facility on interstate that would attract families.
- Feels there is opposition due to the term “truck stop”
- It will not be your usual convenience store.
- Has a lot of retail components?
- 2500 square feet gift shop.
- 2 large bathroom facilities – 1500 square feet.
- 28 combined toilets
- Around the clock cleaning crew.
- There will be a rear entrance for men and women who drive trucks.
- Separate retail and shower facilities for them.
- Will benefit the county by creating about 150 jobs, create tax revenue of \$3 million dollars or more. This would offset a lot of taxes for property owners.
- Not a lot of noise.
- There will not have be any drugs or prostitution.
- Commended planning staff.

- Feels plan fits the criteria required. He said the CUP is where it seems we part ways.
- Invited board to check out the JP Travel Center on I-75 n Butts County.

Opposition

LeAnne Long

Stanley Long

Social Circle

- River Cove residents
- Real Estate owner, agent, & former Newton County commissioner.
- Visited the Butts County Travel Center.
- The area looks like an industrial area and nothing like this area.
- Many worked hard on the Brick Store Overlay and GPC College and we don't need a truck stop near the college.
- 16 years ago leaders came together to work on the Brick Store Overlay.
- The county has worked hard to create the Salem Overlay, and the Almon Overlay as well. Let's keep what we have.
- More zoning requests are coming.
- Not against growth, but concerned this would set a precedent for future businesses.\
- Ask that you keep with the plan made with the overlays.
- Submitted photos and information into the record.

Wayne Pugh

Social Circle

- River Cove resident
- Submitted petition of those in opposition to rezoning.
- Stated there is no way a travel center or truck stop should be adjacent to a college.
- Potential for crime.
- They do attract drugs and prostitution.
- It will be 46 acres of pavement and concrete
- Pollution concerns.
- Concerned about the fluids coming off of trucks. It will go back into our water system.
- Congested area as traffic already comes to a standstill on Hwy. 11

Ashley McIntosh

Covington

- Deerfield resident
- Treasurer of the Deerfield Homeowners Association
- 72 homes in our subdivision
- Firmly against this rezoning being approved.
- She said, it is a truck stop and a breeding ground for crime.
- Sheriff's Office cannot deal with this.
- Potential for fires – concerned about the affect it will have on our fire department and our sheriff's office.
- Roadway cannot handle more traffic.

- Truck stop 15 miles from his area.
- Submitted a letter of opposition into the record.

Commissioner Edwards

- Ms. Long made mention of the fact that 15/16 years ago leaders in this county got together and created the Brick Store Overlay and other Overlays within the county.
- They put stipulations in plan for a reason...to encourage growth the citizens want.
- This area is a regional education area.
- We discourage mass grading along the interstate.
- Mr. Jones mentioned \$3 million dollars in tax revenue. That revenue would be eaten up by infrastructure early on.
- The DRI report appears inconsistent.
- I echo the sentiments of the people in the area that a truck stop/travel center is just not what we want in an education area.

Motion by Commissioner Edwards, second by Commissioner Mason, to deny REZ20-000008.

Motion carried unanimously (5/0)

CONDITIONAL USE & DCI CASE NUMBERS CUP20-000004 & DCI20-000001.

Applicant: JPC Design Construction, Representative: Jeremy Crosby & Bill Jones
 Location: Hwy 11 & I-20
 Map & Parcel Number: 112-017
 District: 1 (One)
 FLUM: DN (Development Node)
 Zoning: AR (Agricultural Residential) & CH (Highway Commercial)
 Acreage: 46.12 acres
 Request: CUP to allow for a Truck Stop, Parking, Dispatch in the CH (Highway Commercial) zoning district.
 Companion Case: REZ20-000008
 Planning Commission recommended denial by a vote of (5-0) at the January 26, 2021 meeting.

Note: Board did not consider the Conditional Use & DCI since the zoning request was denied.

CITIZEN COMMENTS (continued)

Ronnie Gilbert

Covington

- Community Center
- Children need some place to go....
- Grants available to assist with cost.
- Definitely needed.
- Needs adult supervision

Shakila Henderson-Baker

Oxford

District 3 representative on the NC Board of Education

- Expressed her strong support for the Boys & Girls Club.
- Gave a brief history of how it came together here in Newton County.
- Kids in district needed something to do.
- Largest high school and elementary school in the county.
- We had work sessions with the public at the Potters House, St. Paul AME Church and the Enclave.
- We asked them what they wanted.
- Many kids are already invested in sports and travel teams.
- Requesting that you have a discussion with the Board of Directors and to reach out to the kids before you move forward.

Kerick Foster

Covington

- Moved here 14 years ago & saw there was a need for something the children could participate in.
- Opened a business and we have a relationship with kids in our community.
- Director of B&G Club in Newton County
- Boys & Girls Club is a national organization and I think we can work together.
- When people move in the county they recognize the name Boys & Girls Club. Makes no sense to take away an organization of national level.
- Don't think we should dismantle it.

Bob Mackey

Covington

- President of the B&G Club of North Georgia.
- Deeply rooted in Newton County
- Very successful program.
- Not one of our 129 teens have become parents.
- Over 90% of survey shows there was drug use.
- After bringing them in and giving them programs to help them that number is now almost zero.

Alfreda Duran

Covington

- Seen a lot of growth.
- Worked in school system.

- Seen broken homes and its affect on children.
- Boys & Girls Club is needed.
- Helps nurture relationships.
- It is true that if we don't have something for kids to do they will find something.
- Have seen growth in my daughter who attends the B&G Club.
- Urge you to continue to support and fund the Boys & Girls Club.

Chairman Banes called a recess @ 9:15 pm.

Chairman called the meeting back in session @9:30 pm.

CHAIRMAN'S REPORT:

- No report

COUNTY MANAGER'S REPORT:

- No report

OLD BUSINESS:

- None

CONSENT AGENDA

Sheriff's Office: Seeking approval to apply for the FY2021 Law Enforcement Training Grant.

Funding Source: CJCC

No Additional Funds

Human Resources: Consideration of ICMA-RC – Vantage Broker program for NCBOC 401 and 457 Plan Participants - No Cost.

County Clerk: Approval of Executive Session Minutes dated February 2, 2021.

County Clerk: Approval of BOC Minutes dated August 18, 2020

County Clerk: Approval of BOC Minutes dated December 1, 2020

County Clerk: Approval of BOC Minutes dated February 2, 2021

Motion by Commissioner Sanders, second by Commissioner Mason, to approve the Consent Agenda as printed.

Motion carried unanimously (5/0)

FINANCE: MONTHLY FINANCIALS – JANUARY 2021

Presented by finance director Brittany White

- No action necessary
- Provided a budget calendar.
- Briefly went over the January report.
- Presented PowerPoint presentation
- Information made part of these minutes.

ATTORNEY: DISCUSSION/CONSIDERATION OF FUTURE WESTSIDE YOUTH FACILITY.

Presented by County Attorney Megan Martin.

- 2017 SPLOST committee met and proposed many different projects and the Westside Youth Facility was one of these projects.
- Boys & Girls Club has worked in community.
- There are no MOU's that tie the BOC to this.
- How it works with SPLOST dollars is you partner with/ABC Club and the county builds the building.
- BOC determines how it best serves that part of the county.

Commissioner Sanders

- Stated that she had no idea people would think she would ever try to dismantle the B&G Club.
- Focus group was a group of teenagers and what they wanted. In community.
- B&G Club is a great national club.
- I researched the program.
- Feels it is antiquated.
- They are sponsored by big corporations...Sam's, Coca Cola, WWE, etc.
- We have no say so in the B&G Club.
- Partnering with someone is great.
- Our literacy rate is below average.
- Fairview Park has not been renovated since it was built.

Commissioner Edwards

- Expressed his concern that we would be breaking our word to the citizens who voted for SPLOST since it was sold and advertised that a B&G Club.
- The B&G Club handle the M&O. If we break partnership, then the county will have to absorb that cost.

Lloyd Kerr

- Reiterated that nothing was ever formalize through an agreement, but they were to complete the inside of the building and M&O.
- It was part of SPLOST and the general understanding that it would be the B&C Club during quite a bit of discussion.
- We have been working with the school system on two properties and the Fairview site would be an excellent site.
- School system is putting together their proposal. Spoke with them last in December.

Commissioner Mason

- Questioned if we have performed a survey on all county owned land in the third district. would
- Questioned if this type of youth facility would be able to build at the Fairview Park.
- Mr. Kerr said that we have looked at other properties, but Fairview was not one of them.
- Mr. Kerr said he does believe there is enough ground to build there.

- It was not considered because there is already a park there.

Commissioner Sanders

- Reiterated that she has never said or wanted to dismantle the B&G Club.
- Has been very transparent and all information is on Facebook.
- One of the community mentioned wanting a pool and the B&G Club can't offer that.

Commissioner Mason

- Questioned if we could find a way for the B&G Club to move into the facility.

Lloyd Kerr

- Stated that it has to be on Westside and we have to spend \$495,000 on the Westside facility.

Commissioner Sanders

- Commented that she was told once the B&G Club come in that the county would have no control.

Commissioner Cowan

- Commented that it seemed Judge Johnson had a vision for the west side of the county. He has made a lot of contribution to our community.
- He noted the first year people from Atlanta came down and a lot of resources have gone into the B&G Club here.

After a vigorous, spirited debate Commissioner Sanders made the following motion.

Motion by Commissioner Sanders, second by Commissioner Henderson, for the board to consider the 2017 SPLOST dollars in the amount of \$495,000 be redirected to the Fairview Estates Park.

Motion failed with Commissioner Sanders and Henderson voting in favor of the motion. Commissioner Edwards and Cowan voted in opposition to the motion. Commissioner Mason abstained because he had been affiliated with the Boys and Girls Club and Chairman Banes broke the tie and voted in opposition to the motion.

**IT/PURCHASING: REQUESTING APPROVAL OF SERVER
VIRTUALIZATION UPGRADE'S CONTRACT FOR CAPITAL DATA
CONSTRUCTION WITH A NOT TO EXCEED COST OF \$131,087.21.**

Presented by IT director Greg Mann.

Cost:

- \$124,443.21 (First Year)
- -0- (Second Year)
- \$3,322 (Fourth Year)
- \$3,322 (Fifth Year)
- Total Cost: \$131,087.21
- Funding Source: Capital Improvements
- Budgeted: Yes

- Information is attached and made part of these minutes.

Motion by Commissioner Edwards, second by Commissioner Mason, to approve the contract with Capital Data Construction with a not to exceed amount of \$131,087.21.

Motion carried unanimously (5/0)

SOLID WASTE – RESOLUTION R021621 – A RESOLUTION BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY, GEORGIA TO APPROVE MODIFICATION OF A LOAN AGREEMENT AND PROMISSORY NOTE WITH THE GEORGIA ENVIRONMENTAL FINANCE AUTHORITY. LOAN PROJECT NO: GF2016013

Presented by Kevin Walter, director SWMA.

- Project goes back to the spill we had in 2016.
- Resolution R021621 is attached and made part of these minutes.
- Loan Project NO: GF2016013
- Modification of loan agreement & promissory note
- Information is attached and made part of these minutes.

Motion by Commissioner Edwards, second by Commissioner Cowan, to approve Resolution R021621 – A Resolution by the Board of Commissioners of Newton County, Georgia to approve modification of a loan agreement and promissory note with the Georgia Environmental Finance Authority. (GEFA)

Motion carried unanimously (5/0)

RESOLUTION R021621AA – A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION, DELIVER AND PERFORMANCE OF AN INSTALLMENT SALE AGREEMENT RELATED TO THE NEWTON COUNTY PUBLIC FACILITIES AUTHORITY REVENUE BOND (FIRE STATION AND EQUIPMENT PROJECT), SERIES 2021

Presented by County Attorney Megan Martin.

- Resolution R021621AA is attached and made part of these minutes.
- Information is made part of these minutes.

Motion by Commissioner Henderson, second by Commissioner Edwards, to approve Resolution R021621AA, a resolution authorizing and approving the execution, delivery and performance of an installment sale agreement related to the Newton County Public Facilities Authority revenue bond (fire station and equipment project), Series 2021.

Motion carried unanimously (5/0)

ALCOHOL LICENSE:

First Reading

Peachmart 2534 LLC dba Bailey's Inc.
2536 Hwy. 81 S.
Covington, GA 30016
Owner: Bailey's 76 (Sneha Gilani)
District Two

Note: Chairman Banes read the request into the record.

First Reading

Wadhvaniya USA LLC dba Salem Food Mart
3633 Salem Road
Covington, GA 30016
Owner: Sahil Wadhvaniya
District 2

Note: Chairman Banes read the request into the record.

CITIZEN COMMENTS

Barbara Morgan

Covington

- Thank you for supporting Horace Johnson's dream for the west side Boys & Girls Club.

COMMISSIONER COMMENTS

Commissioner Henderson

- Expressed appreciation to Horace Johnson, Sr. family for their dedication to children in Newton County and the impact they had upon his life.

Commissioner Sanders

- Stated she did not know where it came from, but there was never an intent to dismantle the Boys & Girls Club. It was to build within our community.

Commissioner Mason

- Announced he had partnered with Economic Development team and was holding a Retail Summit on February 24th @ 11:00 a.m. via internet. There will be a virtual round table discussion (brokers, business owns, entrepreneurs). At 2:00 p.m. leaders will join us and answer questions.
- 7:00 pm: Community Conversation (live on Facebook) Mr. Parker (Retail Coach) and Sera Hall (VP Eco Dev) along with Debbie Harper (Chamber President) will have conversational bout what is coming to the community and answer questions. Very excited about the future!

Commissioner Edwards

- Expressed appreciation for board passing the bond resolution regarding the fire station.
- Expressed that he would like to see the board put pressure on people who are "trashing" our roads. He commented, "to dump something on the side of the road is inexcusable."

Chairman Banes

- Complimented the PFA stating they did the right thing.
- Commended the BOC for working together.
- Reiterated that 2021 is Newton County's 200th birthday and this will be a year of celebration.
- Drive-in event on Saturday, February 27th @ Legion Field. The movie "Selma" will be shown, and although you have to register for a ticket, there is no charge. Encouraged everyone to attend and enjoy the movie, along with popcorn and cotton candy!
- Encouraged the board to attend, bring your family and share on social media.
- Visit our Facebook page where you will find lots of information regarding the Bicentennial.

EXECUTIVE SESSION

None

With no further business, a motion by Commissioner Henderson, and second by Commissioner Mason, the meeting adjourned @ 10:48 p.m.

Respectfully submitted,

Jackie Smith, County Clerk

Marcello Banes, Chairman