

**NEWTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
April 7, 2009  
MINUTES**

**Present:** Chairman Kathy Morgan, Commissioners Mort Ewing, Earnest Simmons, Nancy Schulz, J.C. Henderson, and Tim Fleming. Attorney Tommy Craig, Attorney Jenny Carter & County Clerk Jackie Smith

**Newspaper:** Covington News-Gabe Khouli  
Newton Citizen- Crystal Tatum  
Small group of citizens

Chairman Morgan called the meeting to order, extended a welcome, and read the thought for the day. Reverend James Russell of the Rising Son Christian Church gave the invocation and Chairman Morgan led the Pledge of Allegiance to the Flag.

**APPROVAL OF BOC W/S MINUTES DATED MARCH 16, 2009**

Motion: To approve the Commission Work Session Minutes dated March 16, 2009 as printed.

Proposed by: Commissioner Mort Ewing, District One  
Second by: Commissioner Tim Fleming, District Five  
Motion Carried

**APPROVAL OF BOC MINUTES DATED MARCH 17, 2009**

Motion: To approve the BOC Minutes dated March 17, 2009 as printed.

Proposed by: Commissioner Mort Ewing, District One  
Second by: Commissioner Tim Fleming, District Five  
Motion Carried

**JOINT EXECUTIVE SESSION W/CITY OF COVINGTON**

Time: 7:06 p.m.

Members of Covington Council present:

Mayor Kim Carter

Council Members: Keith Dalton, Janet Goodman, John Howard, Ocie Franklin and Hawnethia Williams. Absent: Councilman Mike Whatley

Motion: To enter into Executive Session with the City of Covington for the purpose of discussing land acquisition.

Proposed by: Commissioner J.C. Henderson, District Four  
Second by: Commissioner Tim Fleming, District Five  
Motion Carried

## **REGULAR SESSION**

Time: 7:50 p.m.

Motion: To enter into Regular Session.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

## **JUVENILE ACCOUNTABILITY BLOCK GRANT APPLICATION**

Associate Judge Lisa Mantz appeared before the board to request approval to submit grant application.

- Juvenile Accountability Block Grant from Governor's Office
- Grant Amount: \$75,000.00
- No cost to the county.
- Educational program for children who have been suspended or expelled from school.
- Day time program that will compliment the already established evening program.

Motion: To approve the request for application for the Juvenile Accountability Block Grant in the amount of \$75,000.00.

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried

## **P & D PERMITTING SOFTWARE**

Newton County's Senior Planner Scott Sirotkin appeared before the board to make a power point presentation regarding the proposed permitting software.

- Memo to BOC dated April 2, 2009 from Scott Sirotkin
- Copy of PowerPoint Presentation
- Better product @ a better price.
- Money is available through current budget

Motion: To approve the contract with Computer Systems, Inc. (CSI) for Planning & Development Permitting Software Program for a not to exceed amount of \$271,650.00

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Nancy Schulz, District Three

Motion Carried

## **CHANGE ORDER #4 - NELSON HEIGHTS COMMUNITY CENTER**

Administrative Officer John Middleton presented this change order to the board.

- To correct issue with soil (unstable for placement of the slab)

Commissioner Henderson

- Expressed appreciation for everyone's assistance in getting the Center completed.

Motion: To approve Change Order #4 for the District Four Community Center for a not to exceed amount of \$9,328.00

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

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

## **TRANSFER OF CABLE FRANCHISE FROM KLIP, LLC TO BULLDOG CABLE GEORGIA, LLC**

Administrative Officer John Middleton addressed the board noting this is simply a formality required when selling cable franchise.

Note: Commissioner Fleming recused himself from the vote due to affiliation with KLIP.

Motion: To approve the resolution to transfer the Cable Franchise from KLIP, LLC to Bulldog Cable Georgia, LLC as requested.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried with Commissioner Fleming abstaining from the vote.

## **TERMINATION OF DEDICATION OF RAILROAD & RIGHT-OF-WAY AGREEMENTS CONCERNING USE & MAINTENANCE**

Attorney Jenny Carter appeared before the board to present this request. She made some brief comments and invited Russell McKellar from Pattillo to address the board regarding this request.

- 1989 Covington Industrial Park purchased site contemplating sending rail to their property.
- Agreement signed on July 24, 1989 allowing parties to extend rail across Industrial Park property.
- Rail never developed.
- Requesting to terminate agreement
- City of Covington approved termination in October 2008.
- Copy of Right-Of-Way Termination Agreement is made part of these minutes.

Motion: To approve the termination of dedication of railroad and right-of-way agreements concerning use and maintenance as outlined in board packet with the understanding agreement will first be updated and approved by county attorney before executed by county.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Tim Fleming, District Five

Motion Carried

## **COUNTY CHECKS**

Motion: To approve the county checks as printed in board packet and read aloud by Chairman Morgan.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Nancy Schulz, District Three

Motion Carried

## **STREETLIGHTS**

Elby Chase/Joshua Creek

Off Magnet Road

District Two

Motion: To approve the streetlight request for Elby Chase/Joshua Creek located in the second commission district.

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried

## **EXECUTIVE SESSION**

Time: 8:40 p.m.

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

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried

## **REGULAR SESSION**

Time: 9:25 p.m.

Motion: To enter into Regular Session.

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried

## **ADJOURN**

Time: 9:25 p.m.

Motion: To adjourn the meeting.

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried

Respectfully submitted,

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Jackie B. Smith, County Clerk

