

**NEWTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
December 2, 2008  
MINUTES**

**Present:** Chairman Aaron Varner, Commissioners' Mort Ewing, Earnest Simmons, Ester Fleming, Jr., J.C. Henderson, and Monty Laster. Administrative Officer John Middleton, Attorney Jenny Carter, Attorney James Griffin, and County Clerk Jackie Smith

**Newspaper:** Rachel Oswald, Covington News  
Crystal Tatum, Newton Citizen  
Small Group of Citizens

Chairman Varner called the meeting to order, extended a welcome, and read the Thought for the Day. Pastor Ronny Brannen, Prospect Methodist Church, gave the invocation and Chairman Varner led the Pledge of Allegiance to our great Flag.

**GENERAL ADMINISTRATION**

Administrative Officer John Middleton addressed the board and noted the following:

- Reception for Sheriff Nichols – December 5
- Recreation Christmas Dinner – December 9<sup>th</sup>
- Department Head Christmas Breakfast – December 18<sup>th</sup>
- Senior Service Christmas Luncheon – December 18<sup>th</sup>
- Employee Christmas Luncheon – December 19<sup>th</sup>
- Retirement Program Update – Information should be completed soon and board will receive information as soon as we get it. Working with Mr. Craig & Ms. Carter. This is just to let you know where we stand as present time.

**APPROVAL OF BOC MINUTES DATED NOVEMBER 18, 2008**

Motion: To approve the minutes dated November 18, 2008 with the correction of two technical errors.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

**COUSINS COMMUNITY CENTER, INC. GYM LEASE AGREEMENT**

Administrative Officer John Middleton and Recreation Director Tommy Hailey presented this agreement to the board for approval.

- Recreation members Flemmie Pitts & Ronny Brannen were on hand to offer their support of agreement.
- Reviewed by county attorney's office
- Agreement has been worked on for over a year.

- Thank you to Attorney Jenny Carter for working on this.
- Agreement has been approved by the Recreation Commission
- Lease is for “gym” only
- Mr. Hailey noted the great partnership they have with Project Adventure whom utilizes facility.
- Copy of Lease Agreement made part of these minutes.

Motion: To approve the Cousins Community Center Gym Lease Agreement as presented by Mr. Hailey with copy of lease being made part of these minutes.

Proposed by: Commissioner Ester Fleming, Jr., District Three

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

Motion Carried Unanimously

Director Tommy Hailey requested opportunity to publicly say “thank you” to Chairman Varner and Commissioners’ Fleming and Laster for their support given to him and the department over the years.

### **JUDICIAL CENTER PARKING LOT IMPROVEMENTS**

Purchasing Director Tina Malone presented this request for approval.

- Eight bidders
- Low bidder: Sunbelt Builders
- Cost: \$228,972.10
- 20 Parking spaces (16 secured) 4 handicap spaces
- Judge Ozburn was on hand and expressed appreciation to the board for their support and for being proactive, noting it is becoming more crucial to be proactive in the times we are living in.

Motion: To approve the Judicial Center Parking Lot Improvements and award the bid to low bidder Sunbelt Builders, Inc. for a not to exceed cost of \$228,972.10.

Proposed by: Commissioner Mort Ewing, District Two

Second by: Commissioner Earnest Simmons, District Three

Motion Carried Unanimously

### **NEIGHBORHOOD STABILIZATION PROGRAM (NSP)**

Senior Planner Scott Sirotkin appeared before board and presented his findings regarding the Neighborhood Stabilization Program.

- Following up on discussion from last meeting.
- Highlighted memo in packed (attached and made part of minutes)

No action taken.

### **LANDFILL EQUIPMENT: D6TXL CATERPILLAR TRACK-TYPE DOZER**

Financing Director Marcia Allen and Purchasing Director Tina Malone made presentation to board.

- Yancey Brothers
- Cost: \$162,423.00
- Funding: Landfill budget

Motion: To approve the purchase of a D6TXL Caterpillar Track Dozer from Yancey Brothers with cost not to exceed \$162,423.00 after trade-in.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

### **R120208 DECLARATION OF OFFICIAL INTENT TO FINANCE THE COSTS OF THE ACQUISITION OF EQUIPMENT WITH TAX-EXEMPT FINANCING**

- Requirement by Yancey Brothers
- Secured financing from bank with less interest rate.
- Copy of resolution made part of these minutes

Motion: To approve R120208 declaration of official intent to finance the costs of the acquisition of equipment with tax-exempt financing.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

### **RENEWAL OF LAWN MAINTENANCE CONTRACT**

Administrative Officer John Middleton appeared before the board and presented the renewal of the Lawn Maintenance Contract.

- Two sites deleted from previous contract. (Cornish Creek WTP & Williams Street WTP)
- In-house personnel will serve these two sites.
- Lawn Maintenance Coordinator for county is Jason Johnson who does a very good job for us.
- Previously requested increase due to high gas prices.
- Cost: \$113,380.00
- Terms: January 1, 2009 – December 31, 2009

Motion: To approve the renewal of contract with Durden's Lawn Maintenance for a not to exceed cost of \$113,380.00. Term: January 1, 2009 through December 31, 2009.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Ester Fleming, Jr., District Three

Motion Carried Unanimously

### **APPLICATION FOR FEDERAL GRANT UNDER THE SAFE ROUTES TO SCHOOL (SRTS) PROGRAM**

Administrative Officer John Middleton presented this to board for approval.

- Requesting approval to submit grant application.
- Grant Amount: \$500,000
- 100% funded under Transportation Act
- Assists children who walk and ride bikes to school.
- Requires no matching funds
- Must be built on publicly owned right-of-way or school property

- GDOT's consultants will design, advertise, and award a construction contract as well as supervise construction.
- Pedestrian bridge will be constructed over Brown Bridge Road /Veteran's Middle School and West Newton Elementary School.
- Will include sidewalks on both sides of road
- Application must be submitted by December 12<sup>th</sup>

Motion: To approve the submission of application for Federal Grant under the Safe Routes to School (SRTS) Program.

Proposed by: Commissioner Earnest Simmons, District Two

Second by: Commissioner Mort Ewing, District One

Motion Carried Unanimously

**MOU BETWEEN NC & THE CITY OF COVINGTON FOR THE MANAGEMENT OF THE GEOGRAPHIC INFORMATION SYSTEM (GIS)**

Administrative Officer John Middleton presented this to board for approval.

- Housekeeping item
- Cost is split between county and city
- MOU outlines who does what...
- Copy of MOU made part of these minutes.

Motion: To approve the MOU between Newton County and The City of Covington for the Management of the Geographic Information System (GIS).

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Mort Ewing, District One

Motion Carried Unanimously

**R120108 – RESOLUTION TO APPROVE AN AMENDMENT TO THE INTERGOVERNMENTAL CONTRACT WITH THE JOINT DEVELOPMENT AUTHORITY (JDA) (JASPER, MORGAN, NEWTON & WALTON COUNTY**

Attorney James Griffin appeared before the board to present this resolution.

- Mr. Griffin provided board a brief summary of a memo from Woodrow Vaughan, King & Spalding (counsel for the JDA) regarding restructuring of revenue bonds.
- The insurer of the bonds, Ambac Assurance Corp, has lost confidence of Wall Street and its AAA rating.
- To avoid soaring interest costs and accelerated amortization, NC needs to amend its intergovernmental agreement with JDA, allowing JDA to substitute a letter of credit with Bank of American for the now inadequate Ambac policy.
- Amendment allows JDA to substitute a letter of credit from Bank of America for its current bond insurance policy with Ambac (no longer a AAA insurer), and cut its interest costs from about 7.5 to 3.5%.
- Resolution is made part of these minutes

Commissioner Ewing

- JDA has been working on this since February.
- Expressed appreciation for Mr. Griffin's assistance

- Noted that on January 1<sup>st</sup> there were at least 15 bonding companies in US with AAA rating and willing to do business on a daily basis...regrettably not so today.

Motion: To approve R120108 to approve an Amendment to the Intergovernmental Contract with the Joint Development Authority (JDA) (Jasper, Morgan, Newton & Walton County as presented by Attorney James Griffin

Proposed by: Commissioner Mort Ewing, District One  
Second by: Commissioner Monty Laster, District Five  
Motion Carried Unanimously

### **ALCOHOL LICENSE:**

#### **Final Reading**

Shell Food Mart  
3633-B Salem Road  
Covington, Georgia 30016  
Owner: Jawahar Chugh (50%) & Kamlesh Chugh (50%)  
District Two

Motion: To approve the Alcohol License for Shell Food Mart, 3633-B Salem Road, Covington, GA 30016 which is in the second commission district.

Proposed by: Commissioner Earnest Simmons, District Two  
Second by: Commissioner J.C. Henderson, District Four  
Motion Carried Unanimously

Pure Food Mart  
50 Morningside Drive  
Covington, Georgia 30016  
Owner: Barkat Ali (100%)  
District Five

Motion: To approve the Alcohol License for Pure Food Mart, 50 Morningside Drive, Covington, GA 30016 which is in the fifth commission district.

Proposed by: Commissioner Monty Laster, District Five  
Second by: Commissioner J.C. Henderson, District Four  
Motion Carried Unanimously

### **ALCOHOL RENEWALS**

Chairman Varner read aloud the 2009 Alcohol Renewal lists for approval. List is attached and made part of these minutes.

Motion: To approve the 2009 Alcohol License Renewal list as read aloud by the chairman.

Proposed by: Commissioner J.C. Henderson, District Four  
Second by: Commissioner Earnest Simmons, District Two  
Motion Carried Unanimously

**COUNTY CHECKS**

Motion: To approve the county checks as read aloud by the chairman.

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Earnest Simmons, District Two

Motion Carried Unanimously

There being no further items of business, the meeting was adjourned at 8:10 p.m. on a motion by Commissioner Fleming and a second by Commissioner Ewing.

**Respectfully submitted,**

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**Jackie B. Smith, County Clerk**

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**Aaron Varner, Chairman**