

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
February 3, 2009
MINUTES**

Present: Chairman Kathy Morgan, Commissioners Mort Ewing, Earnest Simmons, Nancy Schulz, J.C. Henderson, and Tim Fleming. Attorney Jenny Carter Administrative Officer John Middleton & Clerk Jackie Smith

Newspaper: Covington News-Rachel Oswald
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 Ronnie Brannen gave the invocation and Chairman Morgan led the Pledge of Allegiance to the Flag.

GENERAL ADMINISTRATION

John Boothby, Chamber of Commerce

- 2008 Economic Development Report
- Information made part of these minutes

Barbara Dingler, Tax Commissioner

- Discussed returned check collection
- Company: Tiger Trends out of Tennessee
- Company will guarantee payment
- No cost to Newton County
- Requires chairman's signature

Commissioner Henderson

- Read a statement regarding recent article and cartoon that was in the Covington News. Copy of statement is made part of these minutes

Chairman Morgan and board expressed appreciation for the presentations and comments.

AMEND AGENDA

Chairman Morgan told the board that Sheriff Brown had requested the board consider a purchase order to repair a cooling tower at the jail. She asked the board to amend the agenda.

Motion: To amend the agenda as requested.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

APPROVAL OF BOC MINUTES DATED JANUARY 20, 2009

Motion: To approve the BOC Minutes dated January 20, 2009 as printed.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

O-020309 – EMERGENCY MANAGEMENT

EMA Director Tray Polk appeared before the board requesting approval of ordinance.

- State requested all counties to update their ordinance
- Last updated in 2005
- To receive funds from disaster, ordinance has to be in effect.
- County has met all criteria
- Ordinance is made part of these minutes

Motion: To approve O-020309 Emergency Management Ordinance as printed in board book and to also approve chairman's signature on Joint City/County Ordinance as requested and presented by Director Tray Polk.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Nancy Schulz, District Three

Motion Carried Unanimously

R-020209 - N.C. INDUSTRIAL DEVELOPMENT AUTHORITY

Frank Turner, Jr. appeared before the board seeking approval of attached resolution. Mr. Turner noted the following:

- Newton County Industrial Development Authority is seeking local legislation, which will clarify the purposes and powers of the Authority.
- The Authority was created by Constitutional Amendment in 1964 with very broad powers to issue bonds in support of economic development.
- In 1981 and 1991 local legislation was passed in an attempt to expand and clarify the Authority's powers. Those amendments, however, have created confusion as to the powers of the Authority and the purposes for which it can issue debt.
- Bond counsels for Newton County and for the Authority have advised that local legislation would be of benefit in rectifying this situation.
- Local legislative delegation has asked that the Authority obtain resolutions of support from the City of Covington and Newton County.
- The City of Covington unanimously approved such a resolution at its meeting of February 2, 2009 and asked that the Commissioners do the same.
- Resolution is made part of these minutes

Motion: To approve Resolution R020909 Newton County Industrial Development Authority as outlined and explained by Attorney Frank Turner, Jr.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Nancy Schulz, District Three

Motion Carried Unanimously

KCNB CIGARETTE LITTER PREVENTION GRANT

APPLICATION

Laurie Riley of KCNB appeared before the board seeking approval to apply for grant.

- Grant Amount: \$1,500.00
- No match required
- To help fund KCNB's purchase of cigarette butt containers for placement around town.
- To help support a media campaign educating citizens about cigarette litter prevention.

Commissioners expressed appreciation for KCNB seeking ways to fund programs.

Motion: To approve KCNB's request to apply for Cigarette Litter Prevention Grant.

Proposed by: Commissioner Earnest Simmons, District Two

Second by: Commissioner Tim Fleming, District Five

Motion Carried Unanimously

RFP #09-01 DENNY DOBBS PARK

District Two Commissioner Earnest Simmons requested board to table until first meeting in March.

Motion: To table RFP #09-01 Denny Dobbs Park until March 3rd Commission Meeting.

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried Unanimously

DECLARATION OF SURPLUS PROPERTY TO BE SOLD ON

GOVDEALS

Purchasing Director Tina Malone appeared before the board to present the request regarding surplus property.

- Information attached and made part of these minutes.

Motion: To approve the Declaration of Surplus Property to be sold on Gov Deals as presented and outlined on page 45 in board packet.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Nancy Schulz, District Three

Motion Carried Unanimously

PEST CONTROL SERVICE

Purchasing Director Tina Malone appeared before the board to present this contact.

- A work session was held prior to this meeting regarding this service.
- Information is made part of these minutes
- Funding: General Fund, various departments

Motion: To award the Pest Control Service Contract to the low bidder Beyond Exterminating of Covington, Georgia for a not to exceed cost of \$5,602.78 per year.

Proposed by: Commissioner Tim Fleming, District Five

Second by: Commissioner Nancy Schulz, District Three

Motion Carried Unanimously

MODIFICATION OF CONTRACT TO SUNBELT BUILDERS, INC. FOR CONSTRUCTION OF NEWTON COUNTY JUDICIAL CENTER SECURE PARKING

County Engineer Kevin Walter appeared before the board and presented this request.

- Gave background of project
- Noted some of the requested changes have been removed until a later time.
- Can't postpone because Notice to Proceed has been sent to contractor.
- Information made part of these minutes.

Commissioners expressed their concerns over:

- Change orders to a project that was just approved approximately 60 days earlier.
- Spending more money than what was previously approved
- Concerned that request is not a change order from contractor, but a request from the county.
- Appreciate Mr. Walter's work on trimming request to \$38,000 plus, but feels with economic times we are facing it is hard to approve request.
- Needs better communication in the future on what is needed.
- County would be challenged to find an extra \$38,000.00.

Motion: To approve the Modification for Contract To Sunbelt Builders, Inc. for Construction of Newton County Judicial Center Secure Parking as recommended with a not to exceed cost of \$38,150.00.

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

Second by: Commissioner Earnest Simmons, District Two

Motion Denied with Commissioners' Ewing, Schulz and Fleming voting in opposition to the motion.

NEWTON COUNTY LAW ENFORCEMENT CENTER – REPAIRS TO COOLING TOWER

PURCHASING Director Tina Malone presented this request to the board.

- Information made part of minutes
- Sole vendor
- Normally one year warranty
- Cost: \$22,908.23

Motion: To approve the repairs to a Cooling Tower at the Newton County Law Enforcement Center as requested by Sheriff Brown for a not to exceed cost of \$22,08.03.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

ALCOHOL LICENSE

First Reading

Liberty Food Mart
10055 Covington ByPass
Covington, GA 30014
Owner: Maleek Ghulam Virani 82%
Iqhal Surani 9%
Shanaz Surani 9%

COUNTY CHECKS:

Motion: To approve the county checks as printed in the agenda packet and read aloud by the chairman.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Earnest Simmons, District Two
Motion Carried Unanimously

EXECUTIVE SESSION

Time: 8:45 p.m.

Motion: To enter into Executive Session for the purpose of discussing personnel.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

REGULAR SESSION

Time: 9:06 p.m.

Motion: To enter into Regular Session.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Earnest Simmons, District Two
Motion Carried Unanimously

ADJOURN

Time: 9:07 p.m.

Motion: To adjourn the meeting.

Proposed by: Commissioner J.C. Henderson, District Four
Second by: Commissioner Nancy Schulz, District Three
Motion Carried Unanimously

Respectfully submitted,

Jackie B. Smith, County Clerk