

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
January 4, 2011
MINUTES**

Present: Chairman Kathy Morgan, Commissioner's Mort Ewing, Lanier Sims, Nancy Schulz, J.C. Henderson, and Tim Fleming; Administrative Officer John Middleton, Attorney Tommy Craig, Attorney Jenny Carter, & 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. Pastor Ronnie Brannen of Prospect UMC gave the invocation and Chairman Morgan led the Pledge of Allegiance to our great flag.

GENERAL ADMINISTRATION
WORK AUTHORIZATION FOR MORELAND ALTOBELLI
ASSOCIATES, INC.

Chairman Morgan addressed the board regarding a work authorization with Moreland Altobelli. She previously provided the board a copy of the work authorization detailing the scope of services to be provided. This task will be for Professional Services related to maintenance operations at the Public Works Department.

After discussion among the chairman and the board the chairman noted that she would present this for action at the January 18th meeting.

No official action taken.

County Attorney Tommy Craig apprised the board that the law suit filed by East Georgia Land And Development Company, L.L.C. vs Newton County concluded on December 17, 2010 in favor of Newton County.

He noted litigation began in 1997.

APPROVAL OF BOC MINUTES DATED DECEMBER 21, 2010

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve the BOC Meeting Minutes dated December 21, 2010 as printed on pages 1-8 in board packet.

Motion carried unanimously

APPOINTMENT TO TAX ASSESSOR BOARD – DISTRICT ONE

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to appoint Mr. Jim Means to the Newton County Tax Assessor Board.

Term expires on December 31, 2016.

Motion carried unanimously

R010411 – A RESOLUTION TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION TO DETERMINE THE IMPOSITION OR NON-IMPOSITION OF A ONE PERCENT (1%) COUNTY SPECIAL PURPOSE LOCAL OPTION SALES TAX AS AUTHORIZED BY ARTICLE 3 OF CHAPTER 8 OF TITLE 48 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED; SPECIFYING THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH TAX ARE TO BE USED; SPECIFYING THE MAXIMUM PERIOD OF TIME FOR WHICH SUCH TAX MAY BE IMPOSED; SPECIFYING THE ESTIMATED COST OF THE PROJECTS TO BE FUNDED FROM THE PROCEEDS OF SUCH TAX; REQUESTING THE ELECTION SUPERINTENDENT OF NEWTON COUNTY TO CALL AN ELECTION OF THE VOTERS OF NEWTON COUNTY TO APPROVE THE IMPOSITION OF SUCH ONE PERCENT (1%) COUNTY SPECIAL PURPOSE LOCAL OPTION SALES TAX; APPROVING THE FORM OF THE QUESTION ON THE BALLOT TO BE USED IN SUCH ELECTION AND THE NOTICE OF SUCH ELECTION; AND FOR OTHER PURPOSES.

Chairman Morgan addressed the board regarding the SPLOST 2011 Resolution calling for an election.

Commissioner Schulz asked to make a comment and that her comments be made a part of the official minutes. Duly noted by clerk and listed below:

“I will be casting my vote with the understanding that as per the Intergovernmental Agreement:

1. No projects will be bonded.
 2. All money will be collected prior to beginning construction of any projects list on the project list.
 3. Any and all projects will come to the Board of Commissioners for consideration and approval before any project is begun.”
- Attorney Craig noted that her request has always worked that way with previous SPLOST.
 - Commissioner Ewing noted that he supported Commissioner Schulz request and added that in the past ten years serving on commission it has worked that way.

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve Resolution R010411 – A Resolution to Regulate and Provide for the Calling of an Election to Determine the Imposition or Non-Imposition of A One Percent (1%) County Special Purpose Local Option Sales Tax As Authorized By Article 3 Of Chapter 8 Of Title 48 Of The Official Code Of Georgia Annotated; Specifying The Purposes For Which The Proceeds Of Such Tax Are To Be Used; Specifying The Maximum Period Of

Time For Which Such Tax May Be Imposed; Specifying The Estimated Cost Of The Projects To Be Funded From The Proceeds Of Such Tax; Requesting The Election Superintendent Of Newton County To Call An Election Of The Voters Of Newton County To Approve The Imposition Of Such One Percent (1%) County Special Purpose Local Option Sales Tax; Approving The Form Of The Question On The Ballot To Be Used In Such Election And The Notice Of Such Election; And for Other Purposes.
Motion carried unanimously

PUBLIC HEARING: Chairman Morgan declared the public hearing open regarding the abandonment of Towns Lane at 7:17 p.m.

No questions or comments

Chairman Morgan closed the public hearing at 7:20 p.m.

R010411a - ABANDONMENT OF TOWNS LANE

- Owner contacted Commissioner Ewing to request closure.
- One property owner on Towns Lane
- Owner lives in Florida
- Requested closure due to break-ins and property stolen.
- No opposition

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve Resolution R010411a - The Abandonment of Towns Lane as presented.

Motion carried unanimously

APPOINTMENT – PLANNING COMMISSION – CHAIRMAN

Chairman Morgan addressed the board requesting that Landis Stephens be reappointed as Chairman of the Newton County Planning Commission.

Motion by Commissioner Schulz, and seconded by Commissioner Sims to appoint Mr. Landis Stephens as Chairman of the Newton County Planning Commission.

Term expires on December 31, 2012.

Motion carried unanimously

APPOINTMENT – ZONING BD. OF APPEALS – CHAIRMAN

Chairman Morgan addressed the board and requested appointment be tabled until the January 18th meeting allowing her time to speak with Mr. Whitaker.

Motion by Commissioner Henderson, and seconded by Commissioner Fleming to table appointment until the January 18, 2011 board meeting.

Motion carried unanimously

APPOINTMENT - PLANNING COMMISSION – DISTRICT 3

Motion by Commissioner Schulz, and seconded by Commissioner Ewing to appoint Mr. Bob Kitchens to the Newton County Planning Commission.

Term expires on December 31, 2012.

Motion carried unanimously

APPOINTMENT – ZONING BD. OF APPEALS – DISTRICT 3

Motion by Commissioner Schulz, and seconded by Commissioner Ewing to appoint Mr. Charles Woods to the Newton County Zoning Board of Appeals.

Term expires on December 31, 2012.

Motion carried unanimously

APPOINTMENT – PLANNING COMMISSION – DISTRICT 4

Motion by Commissioner Henderson, and seconded by Commissioner Fleming to appoint Ms. Vivian Harris to the Newton County Planning Commission.

Term expires on December 31, 2012.

Motion carried unanimously

APPOINTMENT OF COUNTY ATTORNEY

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to appoint Mr. Tommy Craig as County Attorney for the year 2011.

Motion carried unanimously

Note: Commissioner Schulz requested a consolidated quarterly report (one page). Mr. Craig will meet with Commissioner Schulz to get a better understanding of what she is requesting as he presently provides board a quarterly report.

APPOINTMENT OF COUNTY CLERK

Motion by Commissioner Fleming, and seconded by Commissioner Henderson to appoint Ms. Jackie Smith as County Clerk for the year 2011.

Motion carried unanimously

LAWN MAINTENANCE CONTRACT RENEWAL

Administrative Assistant John Middleton presented contract renewal to the board for action.

- Last year of current contract
- Lawn maintenance sites for 11 Recycling Center sites, Animal Control, Landfill, Community Center in Mansfield, Hilltop Facility, Physical Health/Mental Health Department, Voting Precinct at Dial Mill Road, Courthouse, Judicial Center, Administrative Office and Parking Deck, and Public Defender.
- Recommendation: To continue the contract for \$98,463.00 for one-year with changes as noted in the Agenda Packet.
- Last time contract was bid out was in 2006.

- Total Funding: \$98,463.00 – General Fund: \$30,305.00 – Solid Waste Fund: \$68,158.00
- Commissioners Ewing, Henderson and Fleming noted they were very pleased with Mr. Durden’s work.
- Commissioner Schulz noted that she would like to see the contract bid out by end of year. She stated she felt it was in the best interest of the county to rebid any/all contracts at least every five years.

Motion by Commissioner Schulz to renew contract for one year for \$98,463.00 with changes noted in agenda packet and rebid at end of contract year.

Motion failed for a lack of a second.

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve the Lawn Maintenance Contract Renewal with Durden’s Lawn Maintenance for a one year contract not to exceed \$98,463.00 with the option to renew for four additional years. Also new contract to include 90-day written notice if county decides to terminate contract, 60-day severance penalty, Keep fuel adjustment provision as in current contract, and with the understanding that County Attorney’s Office will draw up the new contract. Motion carried with Commissioner Schulz voting against the motion.

ALCOHOL LICENSE:

Final Reading

Wilson’s Grocery
 2299 Highway 212
 Covington, Georgia 30014
 Owner: Terry Wilson (100% Owner)
 District One

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve the Alcohol License for Wilson’s Grocery located at 2299 Hwy. 212, Covington, GA as requested.

Motion carried unanimously

COUNTY CHECKS:

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve the county checks as read aloud by Chairman Morgan and printed in the board book.

Motion Carried

Chairman Morgan noted that the BOC Annual Retreat has been scheduled for February 25 & 26th @ Burge Plantation.

- Requested board members to provide names of two people each to serve on 2011 SPLOST Committee by Friday, January 7, 2011.
- Requested board members to provide names of two people each to serve on Leadership Collaborative Committee.

With no further business, a motion by Commissioner Fleming, and seconded by Commissioner Ewing the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Jackie B. Smith, County Clerk

Kathryn G. Morgan, Chairman