

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
January 20, 2009
MINUTES**

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

Newspaper: None present
Small group of citizens

Chairman Morgan called the meeting to order, extended a welcome, and read the thought for the day. Reverend David Payne of the Church at Covington gave the invocation and Chairman Morgan led the Pledge of Allegiance to the Flag.

APPROVAL OF BOC MINUTES DATED JANUARY 6, 2009

Motion: To approve the motion with duly noted addition of adding time of adjournment for last meeting (11:04 P.M.).

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

**INTERGOVERNMENTAL AGREEMENT W/CITY OF OXFORD
REGARDING FIRE SERVICES (TABLED FROM DECEMBER
16, 2008 MEETING)**

Motion: To table the Intergovernmental Agreement with the City of Oxford regarding fire services until such time county attorney's office brings agreement back to board for further consideration.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried Unanimously

APPOINTMENT OF VICE CHAIRMAN

Note: This is a rotating position on the board by district.

Motion: To appoint Commissioner Mort Ewing to serve as Vice Chairman for the year 2009.

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

Second by: Commissioner Nancy Schulz, District Three

Motion Carried Unanimously

WATER RESOURCE UPDATE

Water Resources Director Karl Kelley appeared before the board to give an update on Water Resources.

- A copy of Director Kelley's presentation is made part of these minutes.

FINANCIAL UPDATE

Finance Director Marcia Allen appeared before the board to provide a financial update. Commissioner Ewing noted that the board had agreed to have an update and discuss at the upcoming retreat (January 30, 31st) and duly made a motion to table until said retreat. Commissioner Schulz gave a second, but motion was defeated three to two with Commissioners' Simmons, Henderson and Fleming voting in opposition to the motion.

Director Allen gave an update and noted the following:

- Downward turn on revenue trend
- Recommends not taking on new projects
- Get Constitutional Officers and Department Heads involved.
- Mentioned four goals
 1. Improve odds of success
 2. Protect the value of our government
 3. Outwit high cost w/demand
 4. Find the best plan for Newton County & put it into action
- She provided the following figures:
 - Budget 2009: \$55,106,581.00
 - Less Homestead Grant: (\$1,851,000.00)
 - Less Fund Balance for Capital: (\$1,416,700.00)
 - Total: \$51,838,881.00
- Currently we spend \$2.2 million a month for payroll
- \$1.8 million in purchase services and supplies
- Estimated amount to run the county each month is \$4 million
- Suggested BOC hold a work session

No action taken

CHANGE ORDER FOR NELSON HEIGHTS COMMUNITY CENTER

Commissioner Henderson addressed the board regarding the Nelson Heights Community Center. He also requested that the community center be discussed at the upcoming retreat.

- Information regarding Change Order is made part of these minutes.

Motion: To approve the Change Order for the Nelson Heights Community Center for Contractor Tommy Gibson for a not to exceed amount of \$3,800.00.

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

Second by: Commissioner Earnest Simmons, District Two

Motion Carried Unanimously

TASK ORDER FOR LIVINGSTON LANE/VEAL ROAD

Commissioner Simmons requested this to be presented to the board tonight for consideration, noting it has been a long time coming. He also expressed appreciation to the citizens from that area that were in attendance and had been so patient regarding their roads. Engineer Kevin Walter addressed the board and recommended approval for this project.

- Information regarding task order is made part of these minutes

Motion: To approve Task Order ##15 for Transportation Consultant Hatch Mott Macdonald (formerly J.B. Trimble) for design of road improvements for Livingston Lane. Task Order not to exceed \$196,899.91.

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried Unanimously

TAHOE FOR SHERIFF'S OFFICE

Purchasing Director Tina Malone presented this request to the board.

- Information regarding Tahoe is made part of these minutes.

Commissioner Fleming

- Questioned if Tahoe was rated as a Pursuit Vehicle?
- If not, would it be covered by insurance?

Motion: To approve the purchase of a Tahoe for the Newton County Sheriff Office from Hardy Fleet Group for a not to exceed cost of \$\$27,390.00.

Proposed by: Commissioner Earnest Simmons, District Two

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

Motion Carried with Commissioner Fleming voting in opposition to the motion.

CHANGE ORDER #2 FOR CHOATE CONSTRUCTION COMPANY

Purchasing Director Tina Malone presented this request to the board.

- Information regarding change order is made part of these minutes.
- Deduct for project in the amount of \$10,943.00
- Jim Mathis from Infratec was on hand and Commissioners expressed appreciation to him for the great job he continues to do for Newton County and for saving the county dollars.

Motion: To approve Change Order #2 for Choate Construction Company with \$10,943.00 to go back into Water Fund.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried Unanimously

HIRING FREEZE

Commissioner Henderson requested this to be placed on the agenda and noted the following:

- Voiced his concern over the current state of the economy.
- County needs to tighten county belt, as any citizen might have to do.

Commissioner Ewing

- County has been in an unofficial hiring freeze since July 1, 2008.
- Doesn't feel it is necessary and hopes to talk about this at the retreat.

Human Resource Director Becky Heisten was on hand to answer questions.

- 683 employees
- If approved instead of hiring coming before Human Resource Director it will automatically come before BOC for approval/denial.
- Personnel Policy does not address a hiring freeze

After discussion among the board Commissioner Henderson duly made the following motion.

Motion: To place an official hiring freeze on all positions except Public Safety until June 30, 2009. This is with the understanding that if a vacancy occurs in any other department under the BOC and deemed essential, it will be brought before the board for discussion and action.

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

Second by: Commissioner Earnest Simmons, District Two

Motion Carried with Commissioners Ewing and Schulz voting in opposition to the motion.

SPENDING FREEZE

Commissioner Henderson requested this to be placed on the agenda.

Commissioner Fleming

- Requesting that departments come before BOC for all large items.
- After a lengthy discussion Commissioner Fleming duly made the following motion:

Motion: To implement a spending freeze until Jun 30, 2009 on all expenditures over \$10,000 pertaining to large capital expenditures, capital improvement items, furniture, fixtures, vehicles, machinery and equipment with the exception of the funding of the day to day operations of the county, legal services, emergency services, law enforcement, fire services, special projects and constitutional officers. Any expenditure can come before the Board of Commissioners for funding approval with the majority of the Board of Commissioners approval.

Proposed by: Commissioner Tim Fleming, District Five

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

Motion Carried with Commissioners Ewing and Schulz voting in opposition to the motion.

LIAISON FOR PLANNING & DEVELOPMENT, LANDFILL AND RECYCLING

Commissioner Henderson requested this to be placed on the agenda and noted the following:

- Only requesting liaison for the recycling centers
- Very beneficial
- Feels it is necessary
- Would improve communication problems
- Any problems – come to liaison who in turn will report to BOC.

Motion: To establish the position of a liaison between the BOC and Contractor Jr. Hilliard regarding recycling centers. Commissioner J.C. Henderson to serve as liaison to the board.

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

Second by: Commissioner Earnest Simmons, District Two

Motion Carried with Commissioners Ewing and Schulz voting in opposition to the Motion.

BOARD APPOINTMENTS

Chairman Morgan stated that board appointees had been submitted to her office for board consideration. She requested the clerk to read aloud the boards/committees, name of appointees and terms for board action.

- List of board appointments is made part of these minutes.

Motion: To approve the board appointments submitted by the commission and read aloud by the clerk.

Proposed by: Commissioner Nancy Schulz, District Three

Second by: Commissioner Earnest Simmons, District Two

Motion Carried Unanimously

ZONING:

Resolution R012009

MC09-001

MAP CORRECTION FROM R2 TO CN WITH CONDITIONS

LOCATION: 3251 HIGHWAY 81 SOUTH

MAP & PARCEL NUMBER: 29-2

DISTRICT TWO

Chairman Morgan declared a Public Hearing and asked for questions and/or comments.

Motion: to approve Resolution R012009, MC09-001 Map Correction from R2 to CN with the following conditions as read aloud by Commissioner Simmons.

1. Site Plan must be approved by the Planning Commission before construction commences.
2. Staff will work closely with petitioner to eliminate light and noise pollution. Staff must agree on type of lighting intensity, height, and location, etc. before a building permit is pulled.

Proposed by: Commissioner Earnest Simmons, District Two

Second by: Commissioner Mort Ewing, District One

Motion Carried Unanimously

COUNTY CHECKS:

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

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

ADJOURN

TIME: 9:15 p.m.

Motion: To adjourn the meeting.

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

Second by: Commissioner Tim Fleming, District Five

Motion Carried Unanimously

Respectfully submitted,

Jackie B. Smith, County Clerk

Kathryn G. Morgan, Chairman