

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
June 2, 2009**

Present: Chairman Kathy Morgan, Commissioners Mort Ewing, Earnest Simmons, Nancy Schulz, J.C. Henderson, and Tim Fleming. County Attorney Tommy Craig, Attorney Andrea Gray, Administrative Officer John Middleton & 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 Ronny Brannen of Prospect Methodist Church gave the invocation and Chairman Morgan led the Pledge of Allegiance to the Flag.

GENERAL ADMINISTRATION

Administrative Officer John Middleton addressed the board regarding water restrictions.

- Letter sent to the EPD requesting a lower level of water restrictions for Newton County.
- Approved
- Press Release attached and made part of these minutes.

APPROVAL OF BOC MINUTES DATED MAY 19, 2009

Motion: To approve the minutes as written with duly noted correction.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Tim Fleming, District Five

Motion Carried

**PROPOSED INTERGOVERNMENTAL AGREEMENT FOR
CLINICAL ROTATIONS WITH DEKALB COUNTY FIRE RESCUE
DEPARTMENT**

Chief Make Satterfield appeared before the board to present this request.

- At the request of the board the county attorney was asked to review the agreement at June 2nd meeting.
- County Attorney's Office (Attorney James Griffin) reviewed and approved agreement.
- Question about providing insurance for students? The county has an umbrella policy for \$1M.
- Changed mailed address to read: 1124 Clark Street, Chairman's office.

Motion: To approve the Intergovernmental Agreement for Clinical Rotations with DeKalb County Fire Rescue Department as explained by Chief Satterfield and reviewed by County Attorney.

Proposed by: Commissioner Earnest Simmons, District Two

Second by: Commissioner Nancy Schulz, District Three

Motion Carried

CHANGE ORDER #4 – CHOATE CONSTRUCTION COMPANY – CORNISH CREEK WTF

Water Resource Director Karl Kelley along with Infratec President Jim Mathis and Engineer Steve Hewitt appeared before the board to present this change order request.

- 3 previous change orders have been deducts.
- Net of \$29,000 increase with all four change orders.
- Money is available from the contingency fund for project.
- Raw Water Pump Station
- Change is due to soil issues
- This will provide the county a much better foundation.
-

Motion: To approve Change Order #4 for Choate Construction Company for the Cornish Creek Water Treatment Facility as outlined in board book on pages 65-68 for a not to exceed amount of \$63,387.00 and to be funded through the Water Fund.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Tim Fleming, District Five

Motion Carried

R060209 – CSBG GRANT STIMULUS FUNDS

- Resolution is made part of these minutes

Motion: To approve Resolution R060209 for CSBG Grant Stimulus Funds in the amount of \$159,673.00.

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

Second by: Commissioner Nancy Schulz, District Three

Motion Carried

R060209A – CSBG FY2010 FUNDS

- Resolution is made part of these minutes

Motion: To approve Resolution R060209a for CSBG Funds FY2010 in the amount of \$106,152.00.

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

Second by: Commissioner Nancy Schulz, District Three

Motion Carried

R060209B – THE HONORABLE JUDGE SAMUEL OZBUR

Attorney Andrea Gray (County Attorney's Office) presented a resolution at the request of the Board of Commissioners to endorse Judge Samuel Ozburn to fill the vacancy on the Georgia Supreme Court. She read the attached resolution out loud for board approval. One by one member of the board as well as the chairman expressed their deep appreciation and respect for Judge Ozburn as a man who, not only brings honor to Newton County, his family and friends, but would bring honor to the Georgia Supreme Court if so appointed.

- Resolution is made part of these minutes

Motion: To approve Resolution R060209b endorsing Judge Samuel Ozburn to be appointed by Governor Sonny Perdue as Justice to the Supreme Court of Georgia.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

FIRE AGREEMENT W/CITY OF OXFORD

Fire Chief Mike Satterfield and Oxford Mayor Jerry Roseberry were on hand to present this agreement.

- Few changes made from draft
- Page 73 – 3.4 (delete)
- Page 73 – 3.5 delete sentence that reads “In addition, Oxford shall pledge an amount equal to the full amount of the annual Insurance Premium tax. Payment shall be made to County by July 1 of each year.”

Mayor Roseberry complimented the county on their first class fire services and was very grateful that Oxford could take part. He also expressed appreciation to Commissioners Henderson and Ewing for their support and assistance with helping to meet their goal.

Motion: To approve the Fire Agreement with the City of Oxford as presented.

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

Second by: Commissioner Mort Ewing, District One

Motion Carried

AMENDMENT TO TIMBER CONTRACT FOR BEAR CREEK RESERVOIR

Chairman Morgan presented this item to the board for their consideration.

- Provided map of area
- Would like to add this on to the original agreement that was approved earlier this year. (BOC Meeting dated February 17, 2009)
- Under same terms as original agreement.
- Funds will go back into the Bear Creek Account to purchase property
- Good forestry practice plans

Commissioner Ewing

- Received calls from area residents regarding road improvements on Gaither's Road.
- Requested, if possible, to have Mr. Barber look into cutting the timber at the power line. Chairman concurred.

Motion: To approve an Amendment to the Timber Contract as it relates to the Bear Creek Reservoir and approved previously by board on February 17, 2009.

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 and read aloud by the chairman.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

EXECUTIVE SESSION

Time: 7:55 p.m.

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

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Tim Fleming, District Five

Motion Carried

REGULAR SESSION

Time: 8:25 p.m.

Motion: To enter into Regular Session.

Proposed by: Commissioner Earnest Simmons, District Two

Second by: Commissioner Mort Ewing, District One

Motion Carried

LAND ACQUISITION

Motion: To direct the county attorney to move forward and negotiate a lease on property with option to purchase.

Proposed by: Commissioner Earnest Simmons, District Two

Second by: Commissioner Mort Ewing, District One

Motion Carried

The meeting adjourned at 8:30 p.m. on a motion by Commissioner Ewing with a second by Commissioner Schulz.

Respectfully submitted,


Jackie B. Smith, County Clerk