

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
June 15, 2010
MINUTES**

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

Newspaper: Covington News-Gabe Khouli
Newton Citizen- Crystal Tatum
Large group of citizens

Chairman Morgan called the meeting to order, extended a welcome, and read the thought for the day. Commissioner J.C. Henderson gave the invocation and Chairman Morgan led the Pledge of Allegiance to our great flag.

APPROVAL OF BOC MINUTES JUNE 1, 2010

Motion by Commissioner Ewing, seconded by Commissioner Fleming to approve the BOC Meeting Minutes dated June 1, 2010.

Motion Carried

LIBRARY APPOINTMENT – DISTRICT ONE

Commissioner Ewing noted that Mrs. Davis has agreed to continue serving on the library board and expressed appreciation for the excellent job she had done representing the first district.

Motion by Commissioner Ewing, seconded by Commissioner Fleming to appoint Mrs. Mellie Davis to the Newton County Library Board for her third term. Mrs. Davis' term will expire on June 30, 2013.

Motion Carried

LIBRARY APPOINTMENT – DISTRICT TWO

Commissioner Simmons expressed appreciation to Dr. Upham (in the audience) for the excellent job she has done representing the second district on the library board and duly made the following motion.

Motion by Commissioner Simmons, seconded by Commissioner Fleming to appoint Dr. Lois Upham to the Newton County Library Board for her second term. Dr. Upham's term will expire on June 30, 2013.

Motion Carried

REPLACEMENT OF AS400 THROUGH KRONOS

IT director Tim McCart appeared before the board seeking approval for replacement of the AS400 through Kronos. This will include all upgrade v4.1-Kronos iSeries Timekeeper, Accruals, History, Terminal Entry, Payroll Interface Bi-directional and iSeries Professional. It also includes 18 hours of Project Management Services, 8 hours of Implementation Services – TTE Upgrade, and 53 hours of Implementational Services. Total Cost: \$14,220.00
Fund: 100

Motion by Commissioner Fleming, seconded by Commissioner Henderson to approve the replacement of the AS400 through Kronos for a not to exceed amount of \$14,220.00.
Motion Carried

REPLACEMENT OF AS400 THROUGH HARRIS COMPUTER SYSTEM

Replacement of AS400 through Harris Computer Systems; Set-up and Implementation of AS400.

Software Products include: 8203-E4A P 520 Server P05 Single Core, Dual Port Integrated Ethernet Card, 2 Port Ethernet Card, SAS drives RAID, Internal DAT320, SATA Slim-line DVD-Ram Drive, Power Ware 9130 UPS, V6r1 Operating System, DB2 Query 400 & SQL, Web Query, Web Sphere Development Studio System I Access, 1 year 24 x 7 Software Agreement, 1 year 8x5 Hardware Agreement and Unlimited User Access-Totals Software and Total Annual Maintenance and Support: \$35,660.00
Professional Services include: Set-up & Implementation of IBM 8203-E4AP 520 Server on & off-site – Total Professional Services: \$3,840.00
Total Cost: \$39,500.00
Fund: 100

Motion by Commissioner Fleming, seconded by Commissioner Schulz to approve the replacement of the AS400 through Harris Computer System for a not to exceed amount of \$39,500.00.
Motion Carried

ESRI YEARLY SOFTWARE MAINTENANCE AGREEMENT

GIS director Lynn Parham appeared before the board seeking approval for the ESRI yearly software Maintenance Agreement. Cost is \$50,000 and the county's portion is 40%. The NCW&SA and the City of Covington will pay 30% each. The county will bill NCW&SA and the City of Covington for their percentage of the agreement. Information Systems budgeted for this agreement in their FY2011 budget.
Fund: 100
Copy of agreement is made part of these minutes.

Motion by Commissioner Schulz, seconded by Commissioner Henderson to approve the yearly Software Maintenance Agreement with ESRI as presented.
Motion Carried

FY2011 COOPERATIVE AGREEMENT BETWEEN GEORGIA FORESTRY COMMISSION AND BOC

Chief Forestry Ranger Mike Sapp appeared before the board seeking approval of the annual agreement between Georgia Forestry and Newton County. He noted this is the first time since 1967 there has been a rate increase. Governor Perdue approved the rate increase for the FY2011 budget throughout the state. The cost per acre increased from .04 cents to 10 cents per acre.

Motion by Commissioner Ewing and seconded by Commissioner Schulz to approve the FY2011 Cooperative Agreement between Georgia Forestry Commission and the Newton County Board of Commissioners for a not to exceed cost of \$6,813.00.

Motion Carried

MOA BETWEEN N.C. SENIOR SERVICES, INC. & BOC

Motion by Commissioner Schulz and seconded by Commissioner Ewing to table the MOA between the N.C. Senior Services, Inc. and the N.C. Board of Commissioners until the July 6th meeting. There will be a work session prior to the meeting with the BOC, the Senior Services board, and the newly proposed chairman of the SSB.

Motion Carried

GRANT APPLICATION CRIMINAL JUSTICE COUNCIL - JUVENILE

Juvenile Judge Lisa Mantz appeared before the board seeking approval to submit an application for the 2010 Sanford Jones Memorial Grant through the Criminal Justice Coordination Council.

Motion by Commissioner Simmons and seconded by Commissioner Henderson to approve the application for the 2010 Judge Sanford Jones Memorial Grant for Juvenile Services as presented.

Motion Carried

PUBLIC HEARING

Chairman Morgan declared the Public Hearing open @ 7:23 p.m. to receive comments or questions regarding the Impact Fee Transmittal Resolution to Northeast Georgia Regional Commission. There were no questions or comments and the public hearing was declared closed @ 7:25 p.m.

R061510A – IMPACT FEE TRANSMITTAL RESOLUTION TO NORTHEAST GEORGIA REGIONAL COMMISSION

Administrative Officer John Middleton presented this to the board for approval.

Motion by Commissioner Ewing and seconded by Commissioner Fleming to approve Resolution R061510a – Impact Fee Transmittal Resolution to Northeast Georgia Regional Commission as outlined by Mr. Middleton and listed on pages 91-102 in board packet.

Motion Carried

ZONING:

Planning & Development director Marian Eisenberg appeared before the board to present the following:

PUBLIC HEARING

Chairman Morgan declared the Public Hearing open @ 7:35p.m. to receive comments or questions regarding Resolution R061510e – Amendments to the 2009 Zoning Ordinance, Newton County Georgia; To Repeal Conflicting Provisions; And For Other Purposes. There were no questions or comments and the public hearing was declared closed @ 7:37 p.m.

R061510e

A RESOLUTION TO ADOPT AMENDMENTS TO THE 2009 ZONING ORDINANCE, NEWTON COUNTY GEORGIA; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES

- Resolution is made part of these minutes.

Motion by Commissioner Ewing, seconded by Commissioner Fleming to approve R061510e - A Resolution to Adopt Amendments to the 2009 Zoning Ordinance, Newton County, Georgia; to Repeal Conflicting Provisions; and for other purposes.
Motion Carried

PUBLIC HEARING

Chairman Morgan declared the Public Hearing open @ 7:40p.m. to receive comments or questions regarding Resolution R061510f – Amendments to the 2003 Development Regulations, Newton County Georgia; To Repeal Conflicting Provisions; And For Other Purposes. There were no questions or comments and the public hearing was declared closed @ 7:41 p.m.

R061510f

A RESOLUTION TO ADOPT AMENDMENTS TO THE 2003 DEVELOPMENT REGULATIONS, NEWTON COUNTY GEORGIA; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES

Motion by Commissioner Simmons, seconded by Commissioner Ewing to table Resolution R061510f until the July 20th commission meeting.
Motion Carried

PUBLIC HEARING

Chairman Morgan declared the Public Hearing open @ 7:42p.m. to receive comments or questions regarding Resolution R061510g– Amendments to the 2009 Zoning Ordinance, Newton County Georgia; To Repeal Conflicting Provisions; And For Other Purposes. There were no questions or comments and the public hearing was declared closed @ 7:43p.m.

R061510g

A RESOLUTION TO ADOPT AMENDMENTS TO THE 2009 ZONING ORDINANCE, NEWTON COUNTY GEORGIA; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES

- No policy changes
- Correction of minor errors
- Resolution is made part of these minutes

Motion by Commissioner Schulz, seconded by Commissioner Ewing to approve R061510g - A Resolution to Adopt Amendments to the 2009 Zoning Ordinance, Newton County, Georgia; to Repeal Conflicting Provisions; and for other purposes.

Motion Carried

R061510B – RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS - AMENDMENTS TO THE NEWTON COUNTY PERSONNEL POLICY AND NEWTON COUNTY AT WILL PERSONNEL POLICY

Administrative Officer John Middleton presented the amendments to the Personnel Policy for board approval.

- Resolution is made part of these minutes

Motion by Commissioner Simmons, seconded by Commissioner Schulz to approve R061510b - A Resolution to Adopt Amendments to the Newton County Personnel Policy and Newton County At Will Personnel Policy listed on pages 103-105 in board packet.

Motion Carried

R061510C – RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS - HOLIDAY OBSERVATION

Administrative Officer John Middleton presented the amendments to the Personnel Policy for board approval.

- Resolution is made part of these minutes

Motion by Commissioner Schulz seconded by Commissioner Ewing to approve R061510c - A Resolution to Adopt the Newton County Personnel Holiday Observation Days as listed on page 106 in board packet.

Motion Carried

EXECUTIVE SESSION

Time: 7:45 p.m.

Motion by Commissioner Simmons and seconded by Commissioner Fleming to enter into Executive Session for the purpose of discussing litigation and personnel.

Motion Carried

REGULAR SESSION

Time: 9:25 p.m.

Motion by Commissioner Fleming and seconded by Commissioner Ewing to enter into Regular Session.

Motion Carried

R061510D – A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS BUDGET ADOPTION FOR FY2011

At the request of Sheriff Brown parts of a letter addressed to the board were read aloud by Chairman Morgan. Sheriff Brown's letter is made part of these minutes. Administrative Officer addressed the board and briefly went over what was advertised in the legal organ as well as the rollback rate for their consideration.

Motion by Commissioner Schulz and seconded by Commissioner Simmons to approve Resolution R061510d – Adoption of the FY2011 Newton County Budget in the amount of \$43,307,275.00 and with a Millage Rate of 10.9%.

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

SET MILLAGE RATE

Administrative Officer addressed the board regarding the 10.9% Millage Rate and noted that according to state law it will have to be re-advertised and placed on the agenda for adoption after a public hearing on July 6th.

Motion by Commissioner Schulz and seconded by Commissioner Simmons to table the Adoption of the Millage Rate until the July 6th board meeting.

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

COUNTY CHECKS:

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

Motion Carried

ALCOHOL LICENSE

Final Reading

Motion by Commissioner Simmons, seconded by Commissioner Henderson to approve the Alcohol License for CVS Pharmacy, LLC located at 5384 Hwy. 20, Covington, GA.

Motion Carried

First Reading

B.P. Food Mart

2083 Crowell Road

Covington, GA 30016

District Three

Note: Chairman read aloud the application and there was no action taken.

With no further business to be brought before the board, a motion by Commissioner Henderson, seconded by Commissioner Fleming the meeting adjourned at 10:00 p.m.
Motion Carried

Respectfully submitted,

Jackie Smith, County Clerk

Kathryn G. Morgan, Chairman