

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
October 5, 2010
MINUTES**

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

Newspaper: 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. Pastor Ronnie Brannen of Prospect UMC gave the invocation and Chairman Morgan led the Pledge of Allegiance to our great flag.

GENERAL ADMINISTRATION

Chairman Morgan acknowledged and extended a welcome to the following:

- Alexandra Anderson: School Project - Georgia State University.
- Several members of Leadership Newton County – Attendance is part of LNC criteria for graduation.
- 4-H Newton County: Terri Kimble addressed the board expressing appreciation of support and presented county with a proclamation.
- 1904: Corn Club is born.
- Founder: G.C. Adams, Newton County School Superintendent
- Displayed historic photos of 4-H members
- Her comments and a copy of the proclamation is attached and made part of these minutes.
- A very large group of 4-H members were present and pictures were taken with the board.
- Chairman Morgan recognized Commissioner Mort Ewing who shared some personal memories and kind thoughts about Newton County's long history with the 4-H program. He then read a portion of a proclamation declaring October 3 – 10, 2010 as 4-H Week in Newton County and received a unanimous approval of said proclamation. Proclamation is attached and made part of these minutes.

APPROVAL OF W/S MINUTES DATED SEPTEMBER 21, 2010

APPROVAL OF W/S MINUTES DATED SEPTEMBER 29, 2010

APPROVAL OF BOC MINUTES DATED SEPTEMBER 21, 2010

Motion made by Commissioner Fleming, and seconded by Commissioner Simmons to approve the BOC Minutes as printed in the board packet.

Motion carried unanimously

UNFINISHED BUSINESS:

TAX COMMISSIONER: REQUEST FOR A REFUND – CHONTELLE MARIE MATTHEWS

Newton County Tax Commissioner appeared before the board regarding this request from Ms. Chontelle Marie Matthews. She noted the following:

- Ms. Matthews provided incorrect address.
- 2004-2010 stated she was a resident of Newton County.
- Ms. Matthews's responsibility to provide county correct address.
- No fault on behalf of Newton County.
- County Attorney's office has reviewed information and recommends denial.
- Denial pursuant to O.C.G.A. §48-5-380

Motion made by Commissioner Schulz, and seconded by Commissioner Ewing to uphold the recommendation of the County Attorney's office and deny Ms. Chontelle Marie Matthews request for a tax refund.

Motion carried unanimously

Note: Clerk will notify all parties involved of board action/attached and made part of these minutes.

TAX COMMISSIONER: REQUEST FOR A REFUND – PORTERDALE HYDROELECTRIC ASSOCIATES

Newton County Tax Commissioner appeared before the board regarding this tax refund request from Porterdale Hydroelectric Associates. She noted the following:

- Request falls under same statute.
- County Attorney's office has reviewed information and recommends denial.
- Denial pursuant to O.C.G.A. §48-5-380

Motion made by Commissioner Ewing and seconded by Commissioner Fleming to uphold the recommendation of the County Attorney's office and deny Porterdale Hydroelectric Associates request for a tax refund.

Motion carried unanimously

Note: Clerk will notify all parties involved of board action/attached and made part of these minutes.

GRN COMMUNITY SERVICE BOARD APPOINTMENT

Chairman Morgan asked for affirmation on the approval of Mr. James Johnson to serve as the chairman's appointment to the GRN Community Service Board. The term for this board is indefinite and serves at the pleasure of the chairman of the commission.

Motion made by Commissioner Schulz, and seconded by Commissioner Fleming to uphold the recommendation of the chairman and appoint Mr. James Johnson to serve on the GRN Community Service Board.

Motion carried unanimously

SERVICE AGREEMENT: QUALITY TIRE RECYCLING, LLC

Administrative Officer John Middleton presented service agreement to the board for approval.

- Current cost is \$60.00
- Request increase to \$65.00
- Copy of Service Agreement is made part of these minutes.

Motion made by Commissioner Ewing, and seconded by Commissioner Henderson to approve the Service Agreement between Newton County and Quality Tire Recycling, LLC as outlined in board packet on pages 36-38 with Passenger and Light truck Tires Bulk Rate at \$65.00 per ton, and Heavy Truck and Flotation Tires at \$500.00 per ton. Motion carried unanimously

JUVENILE JUSTICE: ACCEPTANCE OF GRANT FROM COUNCIL OF JUVENILE COURT JUDGES OF GEORGIA PURCHASE OF SERVICES: \$7,500

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

- Grant: Council of Juvenile Court Judges of Georgia Purchase of Services
- Amount: \$7,500.00
- No Matching Funds
- Purpose: The Juvenile Court will use this grant allocation to fund community-based detention alternatives including community service supervision, tutoring, group counseling, drug screening & supervision at the Evening Reporting Center.

Motion by Commissioner Schulz, seconded by Commissioner Fleming to accept the Juvenile Justice Grant from the Council of Juvenile Court Judges of Georgia Purchase of Services in the amount of \$7,500, and on behalf of the Newton County Juvenile Services Department.

Motion carried unanimously

SHERIFF'S OFFICE: ACCEPTANCE OF GRANT FROM BUREAU OF JUSTICE ASSISTANCE: \$14,642.00

Sheriff Ezell Brown and April Jones appeared before the board for approval to accept this grant.

- Grant: Bureau of Justice Assistance
- Amount: \$14,642.00
- No Matching Funds
- Purpose: To purchase items in the "Disaster Preparedness Continuity of Operations for Corrections Facility" category.

FY10 BULLETPROOF VEST PARTNERSHIP

- Grant: Department of Justice
- Grant: 2010 Bulletproof Best Partnership
- Amount: \$43,617.50
- No Matching Funds
- Total reimbursement of 50% of the cost of vests purchased by the Sheriff's Office.

Motion by Commissioner Simmons, seconded by Commissioner Henderson to accept the Bureau of Justice Assistance Grant in the amount of \$14,642.00, and the Department of Justice FY2010 Bulletproof Vest Partnership Grant in the amount of \$43,617.50 on behalf of the Newton County Sheriff's Office.

Motion carried unanimously

RESOLUTION R100510 - NEGRC'S LOCAL AGRICULTURAL PROTECTION GUIDE PILOT PROGRAM

Director of Development Services Scott Sirotkin appeared before the board seeking approval of resolution R100510.

- Pilot Program: NEGRC will prepare a Local Agricultural Protection Guide
- Will work with NEGRC to develop guide
- Cost to County: Staff support
- Resolution is made part of these minutes

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve Resolution R100510 – Local Agricultural Protection Guide Pilot Program participation as presented by Mr. Sirotkin and printed on page 42-43 in board book.

Motion carried unanimously

GDOT CONTRACT: AARA – PI 0009708 NEWTON CR510/GUM CREEK ROAD FROM SR81 TO CR98/ELLIS ROAD

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

- Resurface Gum Creek Road to Ellis Road
- Approved project at last meeting and awarded to Pittman Construction Company for \$380,289.75.
- AARA Funds

Motion by Commissioner Fleming, seconded by Commissioner Schulz to approve the GDOT Construction Agreement: AARA – PI0009708 Newton CR 510/Gum Creek Road from SR 81 to CR 98/Ellis Road as presented.

Motion carried unanimously

PROPOSALS FOR DESIGN OF PERMANENT REPAIR OF CROWELL ROAD

Chairman Morgan presented this proposal to the board for approval.

- Briefly went over proposals
- Received two: MAAI and Hatch McDonald
- Parties understand that it is mandatory for Crowell Road to remain open to traffic.

Motion by Commissioner Schulz, seconded by Commissioner Ewing to approve the Proposal for design of permanent repair of Crowell Road/Crowell Road Culvert Replacement and award to MAAI for a not to exceed amount of \$124,422.00.

Motion carried unanimously

COUNTY CHECKS:

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

Motion Carried

With no further business and a motion from Commissioner Simmons, and a second from Commissioner Henderson the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Jackie Smith, County Clerk

Kathryn G. Morgan, Chairman