

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

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

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

Chairman Morgan called the meeting to order, extended a welcome to all present, and read the thought for the day. Reverend Ronny Brannen, Prospect UMC gave the invocation and Chairman Morgan led the Pledge of Allegiance to our great Flag.

GENERAL ADMINISTRATION

Public Defender: Application to Receive Funds under O.C.G.A. § 17-12-80

Public Defender Anthony Carter appeared before the court to present this information.

- 2008 Legislature set up a program to look beyond the applicant filling out an affidavit. Offers incentive to counties who implements this program.
- Allows counties to recover 50 percent of application and other fees.
- Allows for a more strict application for services.
- Suggest that Law Librarian, Maggie Bradford, be authorized to do more research on request, i.e. call regarding taxes, obtain pay stubs, copies of tax returns, contact child custody, verify employment, and more. No cost to county for time spent by law librarian.
- GA Public Defender's Standards Council meets in November to approve application. If approved county could begin six month trial program.

Chairman Morgan requested that the board move this request to an action item on the agenda and the board concurred.

Chamber of Commerce Quarterly Report

Shannon Davis appeared before the board and gave a quarterly Chamber of Commerce Report.

Excellence in Financial Reporting Award

Administrative Officer/CFO John Middleton addressed the board noting that Newton County is only one of a handful of counties to receive this award. Staff members Marcia Allen and Lorri Smith were on hand to receive the award on behalf of the Finance Department. Appreciation was expressed for the great job the finance department does by Mr. Middleton and board members.

APPROVAL OF BOC MINUTES DATED OCTOBER 6, 2009

Motion made by Commissioner Ewing, and seconded by Commissioner Simmons to approve the BOC Minutes dated October 6, 2009 as printed.

Motion carried unanimously

PROCLAMATION – BREAST CANCER AWARENESS

Chairman Morgan read aloud the proclamation. She noted that she will present the proclamation next week at the breast cancer survivors meeting.

- Proclamation is made part of these minutes

Motion made by Commissioner Henderson, and seconded by Commissioner Schulz to approve the proclamation as read and declare the month of October as Breast Cancer Awareness Month in Newton County.

Motion carried unanimously

AUTHORITY FOR SHERIFF TO SIGN CONTRACT W/PAY-TEL (INMATE PHONE SERVICE)

Sheriff Ezell Brown and Captain Sammy Banks appeared before the board to present this request.

- Very happy with the service Pay-Tel provides
- Provides better service
- Low maintenance
- Cost effective
- Contract made part of these minutes

Motion made by Commissioner Simmons, and seconded by Commissioner Henderson to authorize Sherriff Brown to accept and execute contract that he negotiated with Pay-Tel regarding inmate phone service.

Motion carried unanimously

FY2010 MOU REGIONAL FUGITIVE TASK FORCE

Sheriff Ezell Brown appeared before the board to present this request.

- FY2010 MOU Regional Fugitive Task Force
- Newton County Sheriff's Office, Georgia Sheriff's Office and United State Marshals Service
- Reimbursement for overtime work for Fugitive Task Force
- Allocation: \$16,000
- Can receive one time only.
- Subject to availability of funds.

Motion made by Commissioner Simmons, and seconded by Commissioner Henderson to approve the MOU FY2010 regarding the Regional Fugitive Task Force for the Sheriff's Office with the understanding the Sheriff's Office will receive up to \$16,000.00.

Motion carried unanimously

R102009 – RECOVERY ZONE BOND ALLOCATIONS

County Attorney Tommy Craig presented this resolution to the board for action. IDA Attorney Frank Turner was on hand to present the IDA Agreement portion of the resolution.

- Federal government has given authority to various jurisdictions to issue bonds.
- Newton County is entitled to \$4,478,000 in Recovery Zone Economic Development Bonds and \$6,717,000 in Recovery Zone Facility Bonds
- Economic Development Bonds are public
- Facility Bonds are private
- This is just another tool in our tool box.
- Must approve resolution to keep alive.
- Resolution is made part of these minutes.
- Asking board to accept the allocation for public and private bonds on behalf of the Industrial Development Authority.
- Agreement is made part of these minutes.

Motion made by Commissioner Ewing, and seconded by Commissioner Schulz to approve Resolution R102009 with Exhibits A & B as re relates to the Recovery Zone Economic Bonds and the Recovery Zone Facility Bonds.

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

R102009a – ABANDONMENT OF PRESERVE TRAIL

Commissioner Ewing addressed the board regarding this resolution.

- 2 more steps in process to change a proposed subdivision into a site for a church.
- Request started two weeks ago before this board.
- Read aloud the Resolution to abandon Preserve Trail
- No opposition
- Resolution is made part of these minutes.

Motion made by Commissioner Ewing, and seconded by Commissioner Fleming to approve Resolution R102009a the Abandonment of Preserve Trail.

Motion carried unanimously

R102009b – TO EXCHANGE A PORTION OF PRESERVE TRAIL

- Commissioner Ewing read aloud the resolution
- No opposition
- Resolution is made part of these minutes

Motion made by Commissioner Ewing, and seconded by Commissioner Fleming to approve R102009b to Exchange a Portion of Preserve Trail

Motion carried unanimously

TASK ORDER #14 & 15 FOR PBS&J – FEMA COST ESTIMATES

County Engineer Kevin Walter appeared before the board seeking approval of these task orders.

- Copy of task orders are made part of these minutes.
- TO #14: Proposal to provide construction cost estimating services roadway repair and mitigation.
- TO #15: Proposal to provide construction cost estimating services for bridge replacement.
- Funding Source: Public Works Department

Motion made by Commissioner Schulz, and seconded by Commissioner Simmons to approve Task Order #14 & 15 for PBS&J regarding FEMA Cost Estimates.

Task Order #14 – FEMA Cost Estimate for Sockwell Road for a not to exceed amount of \$5,956.00.

Task Order #15 – FEMA Cost Estimate for Old Sockwell Road Trestle Bridge for a not to exceed amount of \$5,660.00.

Motion carried unanimously

TASK ORDER #16 - #21 FOR HATCH MOTT MCDONALD – FEMA COST ESTIMATES

County Engineer Kevin Walter appeared before the board seeking approval of these task orders.

- Copy of task orders are made part of these minutes.
- Funding Source: Public Works Department

Motion made by Commissioner Schulz, and seconded by Commissioner Ewing to approve Task Order #16-21 for Hatch Mott McDonald regarding FEMA Cost Estimates.

Task Order # 16 & 17: FEMA Cost Estimate for Crowell Road for a not to exceed cost of \$15,400.00.

Task Order #18: FEMA Cost Estimate for Mt. Tabor Road Bridge for a not to exceed amount of \$9,400.00.

Task Order #19: FEMA Cost Estimate for Brown Bridge Road Bridge for a not to exceed amount of \$19,400.00.

Task Order #20: FEMA Cost Estimate for Rocky Plains Road Bridge for a not to exceed amount of \$6,400.00.

Task Order #21 FEMA Cost Estimate for Sewell Road Bridge for a not to exceed amount of \$11,400.00.

Motion carried unanimously

ZONING:

Case No. APP09-001

Original Case No. VAR09-011

Name: Jack Morgan

Address of Property: 10455 Old Atlanta Highway

Tax Parcel: 42-100

District Four

After a lengthy discussion Commissioner Henderson asked the board to table this request so that the parties involved could meet together and see if they could come up with a recommendation that all parties could agree with. It was also noted that the county attorney or a representative from his office should attend the meeting.

Motion made by Commissioner Henderson, and seconded by Commissioner Fleming to table request until November 20th meeting.

Motion carried unanimously

COUNTY CHECKS:

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

Motion carried unanimously.

ADJOURNED

Time: 9:45 p.m.

Motion made by Commissioner Henderson, and seconded by Commissioner Fleming to adjourn the meeting.

Motion carried unanimously.

Respectfully submitted,

Jackie B. Smith, County Clerk

Kathryn G. Morgan, Chairman