

**A RESOLUTION OF THE NEWTON COUNTY BOARD
OF COMMISSIONERS REGARDING APPOINTMENT OF MEMBERS TO THE
BOARD OF DIRECTORS FOR THE NEWTON COUNTY
SOLID WASTE MANAGEMENT AUTHORITY**

WHEREAS, the Newton County Board of Commissioners pursuant to O.C.G.A. § 12-8-50 *et seq.* did adopt a Solid Waste Management Authority Resolution on the 17th day of October, 1995 which is attached hereto as Exhibit 1; and

WHEREAS, the Newton County Solid Waste Management Authority has become inactive since its initial creation in 1995 and is not currently identified by the State Department of Community Affairs as being an “active” authority; and

WHEREAS, it was determined by the Newton County Board of Commissioners that there is a need in Newton County, Georgia to develop and promote more efficient and environmentally sound management and storage of solid waste by various means including the recovery and utilization of resources contained in solid waste for the purpose of protecting the public health, safety and well being of the citizens of Newton County and protecting and enhancing the quality of the environment in the County through the establishment of programs for solid waste management which will assure that solid waste facilities do not adversely affect the health, safety and well-being of the public; and

WHEREAS, the Newton County Board of Commissioners reactivated the Newton County Solid Waste Management Authority on January 21, 2016 via Resolution which is attached hereto as Exhibit 2; and

WHEREAS, the Newton County Board of Commissioners, after much deliberation has selected eight (8) individuals to serve on the Board of Directors for the reactivated Newton County Solid Waste Management Authority.

NOW, THEREFORE, BE IT RESOLVED, that the Newton County Board of Commissioners does hereby appoint as Directors of the recently reactivated Newton County Solid Waste Authority the following eight (8) individuals, three (3) of which are Newton County elected officials who are Newton County residents and five (5) of which that are Newton County residents who do not hold any elected County office:

- Mr. Bob Stafford
- Chairman Keith Ellis,
Newton County Board of
Commissioners
- Mrs. Sharon Sawyer
- Mr. Wayne Haynie
- Commissioner Lanier Sims
- Commissioner Nancy Schulz
- Mayor Ronnie Johnston
- Mr. Phillip Wise

BE IT FURTHER RESOLVED, by the authority aforesaid, and it is hereby resolved by authority of the same, that commencing with the date hereof, each of the persons named above as a Director shall serve, at the pleasure of the Newton County Board of Commissioners, in such capacity for four years, except that the term of office for any Director who is an elected official shall end upon the end of such elected official's term of elected office;

BE IT FURTHER RESOLVED, by the authority aforesaid, and it is hereby resolved by authority of the same, that Directors of the Authority shall be appointed, and may be reappointed, by the Commission for terms of four years, to serve at the pleasure of the Commission, subject to the limitation that the term of office for any Director who is an elected official of the County shall end upon the end of such elected official's term of elected office;

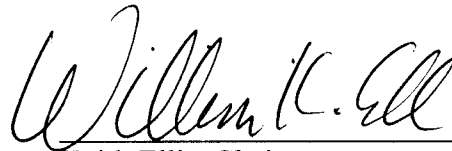
BE IT FURTHER RESOLVED, by the authority aforesaid, and it is hereby resolved by authority of the same, that the Board shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Regional Solid Waste Management Authorities Act as it now exists and as it may hereafter be amended or modified;

BE IT FURTHER RESOLVED, by the authority aforesaid, and it is hereby resolved by authority of the same, that any and all resolutions in conflict with this resolution be and the same are hereby repealed; and

BE IT FURTHER RESOLVED, by the authority aforesaid, and it is hereby resolved by authority of the same, that this resolution shall be effective immediately upon its adoption by the Commission and the Authority shall be deemed to be fully created and activated.

So resolved this 15 day of March 2016.

NEWTON COUNTY BOARD OF COMMISSIONERS



Keith Ellis, Chairman

Attest:



Clerk to the Board



RESOLUTION

A RESOLUTION TO DECLARE THE NEED FOR A SOLID WASTE MANAGEMENT AUTHORITY TO FUNCTION IN NEWTON COUNTY, GEORGIA, PURSUANT TO THE PROVISIONS OF THE REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES ACT; TO APPOINT DIRECTORS FOR THE AUTHORITY; TO REPEAL CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES:

WHEREAS, it has been determined by the Board of Commissioners of Newton County (the "Commission") that there is a need in Newton County, Georgia (the "County") to develop and promote more efficient and environmentally safe management and storage of solid waste by various means including the recovery and utilization of resources contained in solid waste for the purpose of protecting the public health, safety and well-being of the citizens of the County and protecting and enhancing the quality of the environment in the County through the establishment of programs for solid waste management which will assure that solid waste facilities do not adversely affect the health, safety and well-being of the public; and

WHEREAS, it has been determined by the Commission that the financing of projects as provided by the Regional Solid Waste Management Authorities Act (O.C.G.A. § 12-8-50, et seq.) will develop, promote and assure safe, efficient and environmentally sound methods of collecting, transporting, treating and disposing of solid waste for the health, safety and well-being of the citizens of the County and to promote the public good and general welfare of the citizens of the State of Georgia; and

WHEREAS, it has been determined by the Commission that it is in the public interest and vital to the health, safety and welfare of the citizens of the County and the citizens of the State of Georgia to promote safe, efficient and environmentally sound methods of collecting, transporting, treating and disposing of solid waste and to recover and utilize resources contained in solid waste, thereby promoting the public good and general welfare in furtherance of its responsibility to protect the public health, safety and well-being of the citizens of the County; and

WHEREAS, the Regional Solid Waste Management Authorities Act creates in and for each county and municipal corporation in the State of Georgia, a solid waste management authority for the purpose of collecting, transportation, treatment, management and disposal of solid waste including recovering and utilizing resources contained in solid waste in furtherance of protecting the public health, safety and well-being of the citizens of the State of Georgia; and

WHEREAS, the Commission, after thorough investigation, has determined that it is desirable and necessary that a solid waste management authority for the County be activated immediately, pursuant to the Regional Solid Waste Management Authorities Act, in order to fulfill the needs expressed herein.

NOW, THEREFORE, BE IT RESOLVED by the Commission, and it is hereby



resolved by authority of the same, that there is hereby determined and declared to be a need for a solid waste management authority to function in the County, all as more fully described and defined in the Regional Solid Waste Management Authorities Act.

BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that there shall be and there is hereby activated within the County the public body corporate and politic known as the "Newton County Solid Waste Management Authority" (the "Authority") which was created by the Regional Solid Waste Management Authorities Act which shall be and is hereby fully activated.

BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that there are hereby appointed as members of the first Board of Directors of the Newton County Solid Waste Management Authority (the "Board") the following named five persons, each of whom is a resident of the County.

NAMES

Davis Morgan

Tommy Ballard

Ester Fleming

Danny Stone

Harold Cobb

Hubert White

BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that commencing with the date hereof, each of the persons named above as a director shall serve, at the pleasure of the Commission, in such capacity for four years, except that the term of office for any director who is an elected official shall end upon the end of such elected official's term of elected office.

BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that directors of the Authority shall be appointed, and may be reappointed, by the Commission for terms of four years, to serve at the pleasure of the Commission, subject to the limitation that the term of office for any director who is an elected official of the County shall end upon the end of such elected official's term of elected office.

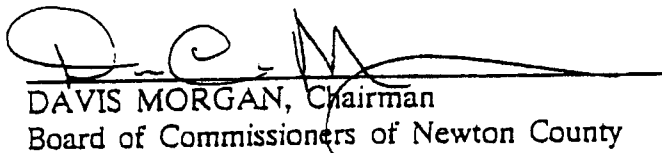
BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that the Board shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Regional Solid Waste Management Authorities Act as it now exists and as it may hereafter be amended or modified.

BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that the action taken by the Commission as herein specified is not intended in any way to affect any public corporation, industrial development or other authority previously created by legislative act or a constitutional amendment including, without limitation, its existence, purpose, organization, powers or function.

BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that this resolution shall be effective immediately upon its adoption by the Commission and the Authority shall be deemed to be fully created and activated.

ADOPTED AND APPROVED this 17 day of October, 1995.


DAVIS MORGAN, Chairman
Board of Commissioners of Newton County

CLERK'S CERTIFICATE

NEWTON COUNTY, GEORGIA

I, Mildred M. Johnson, Clerk of the Newton County Board of Commissioners, DO HEREBY CERTIFY that the foregoing pages constitute a true and correct copy of the Resolution adopted by the Board of Commissioners at an open public meeting duly called and lawfully assembled at 9 :00.m. on the 17 day of October, 1995, to declare the need for and to activate a solid waste management authority within Newton County, the original of said Resolution being duly recorded in the Minute Book of said Commission, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Board of Commissioners were present at said meeting.

<u>Ester Fleming</u>	<u>Tommy Ballard</u>
<u>Danny Stone</u>	<u>Harold Cobb</u>
<u>Hubert White</u>	

and the following members were absent:

<u>-0-</u>	<u>-0-</u>
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and that the Resolution was duly adopted by a vote of:

<u>5</u> Aye	<u> </u> Nay
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WITNESS my hand and the official seal of the Newton County Board of Commissioners, this 17 day of October, 1995.

(S E A L)

Mildred M. Johnson
Clerk

**A RESOLUTION OF THE NEWTON COUNTY BOARD
OF COMMISSIONERS REGARDING THE NEED FOR A SOLID WASTE
MANAGEMENT AUTHORITY AND TO PROVIDE FOR REACTIVATION OF THE
NEWTON COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

WHEREAS, the Newton County Board of Commissioners pursuant to O.C.G.A. § 12-8-50 *et seq.* did adopt a Solid Waste Management Authority Resolution on the 17th day of October, 1995 which is attached hereto as Exhibit A; and

WHEREAS, the Newton County Solid Waste Management Authority has become inactive since its initial creation in 1995 and is not currently identified by the State Department of Community Affairs as being an “active” authority; and

WHEREAS, it has been determined by the Newton County Board of Commissioners that there is a need in Newton County, Georgia to develop and promote more efficient and environmentally sound management and storage of solid waste by various means including the recovery and utilization of resources contained in solid waste for the purpose of protecting the public health, safety and well being of the citizens of Newton County and protecting and enhancing the quality of the environment in the County through the establishment of programs for solid waste management which will assure that solid waste facilities do not adversely affect the health, safety and well-being of the public; and

WHEREAS, it has been determined by the Newton County Board of Commissioners that reactivation of the Newton County Solid Waste Management Authority will develop, promote and assure safe, efficient, and environmentally sound methods of collecting, transporting, treating, and disposing of solid waste and to recover and utilize resources contained in solid waste, thereby promoting the public good and general welfare in furtherance of its responsibility to protect the public health, safety and well-being of the citizens of the State of Georgia; and

WHEREAS, the Newton County Board of Commissioners, after thorough investigation, has determined that the reactivation of the Newton County Solid Waste Management Authority will be in the best interests of the County.

NOW, THEREFORE, BE IT RESOLVED, that the Newton County Board of Commissioners does hereby exercise its powers and reactivates the Newton County Solid Waste Management Authority which shall have all the powers enumerated in O.C.G.A. § 12-8-56 or any future amendments thereto; and

BE IT FURTHER RESOLVED, that the Newton County Board of Commissioners shall within thirty (30) days of adoption of this Resolution appoint nine (9) members as the Board of Directors of the Newton County Solid Waste Management Authority, all of whom must be residents of Newton County, Georgia, and at least three of whom shall be elected officials of Newton County, Georgia; and



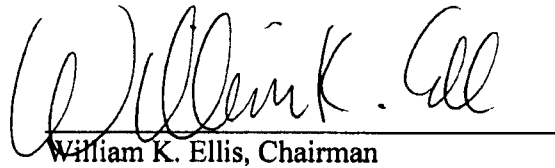
BE IT FURTHER RESOLVED, that the Newton County Board of Commissioners seeks to appoint Newton County citizens to the Board of Directors for input as to the better provision of solid waste management services to the residents and businesses located in Newton County; and

BE IT FURTHER RESOLVED, that any and all resolutions in conflict with this resolution be and the same are hereby repealed; and

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately upon its adoption by the Newton County Board of Commissioners and the Newton County Solid Waste Management Authority shall be deemed to be fully reactivated.

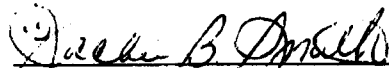
So resolved this 21st day of January 2016.

NEWTON COUNTY BOARD OF COMMISSIONERS



William K. Ellis, Chairman

Attest:



Jackie B. Smith, County Clerk

RESOLUTION

A RESOLUTION TO DECLARE THE NEED FOR A SOLID WASTE MANAGEMENT AUTHORITY TO FUNCTION IN NEWTON COUNTY, GEORGIA, PURSUANT TO THE PROVISIONS OF THE REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES ACT; TO APPOINT DIRECTORS FOR THE AUTHORITY; TO REPEAL CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES:

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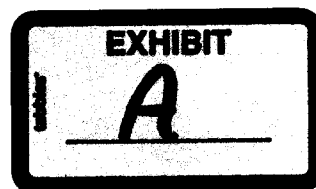
WHEREAS, it has been determined by the Commission that the financing of projects as provided by the Regional Solid Waste Management Authorities Act (O.C.G.A. § 12-8-50, et seq.) will develop, promote and assure safe, efficient and environmentally sound methods of collecting, transporting, treating and disposing of solid waste for the health, safety and well-being of the citizens of the County and to promote the public good and general welfare of the citizens of the State of Georgia; and

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WHEREAS, the Commission, after thorough investigation, has determined that it is desirable and necessary that a solid waste management authority for the County be activated immediately, pursuant to the Regional Solid Waste Management Authorities Act, in order to fulfill the needs expressed herein.

NOW, THEREFORE, BE IT RESOLVED by the Commission, and it is hereby



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ADOPTED AND APPROVED this 17 day of October, 1995.


DAVIS MORGAN, Chairman
Board of Commissioners of Newton County

CLERK'S CERTIFICATE

NEWTON COUNTY, GEORGIA

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I do hereby further certify that the following members of the Board of Commissioners were present at said meeting.

<u>Ester Fleming</u>	<u>Tommy Ballard</u>
<u>Danny Stone</u>	<u>Harold Cobb</u>
<u>Hubert White</u>	

and the following members were absent:

<u>-0-</u>	<u>-0-</u>
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and that the Resolution was duly adopted by a vote of:

<u>5</u> Aye	<u> </u> Nay
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WITNESS my hand and the official seal of the Newton County Board of Commissioners, this 17 day of October, 1995.

(S E A L)

Mildred M. Johnson
Clerk