NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
December 18, 2007

MINUTES

Newton County Historic Courthouse
1124 Clark Street
Covington, Georgia
Chairman Aaron Varner, Presiding

Present: Chairman Aaron Varner, Commissioners Mort Ewing, Earnest Simmons, Ester Fleming, Jr., J.C. Henderson, and Monty Laster, Administrative Officer John Middleton, Attorney's Jenny Carter, Scott Cole, Clerk Jackie Smith

Newspaper: Covington News – Rachel Osborn
Small group of citizens

Chairman Varner called the meeting to order, extended a welcome and read the thought for the day. Reverend Ronnie Brannen of Prospect Methodist Church gave the invocation and Chairman Varner led the Pledge of Allegiance to our great Flag.

APPROVAL OF WORK SESSION MINUTES FOR NOVEMBER 20, 2007

Motion: To approve the Work Session Minutes dated November 20, 2007 as printed.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried

APPROVAL OF WORK SESSION MINUTES FOR DECEMBER 4, 2007

Motion: To approve the Work Session Minutes dated December 4, 2007 as printed.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Earnest Simmons, District Two
Motion Carried

APPROVAL OF BOC MINUTES FOR DECEMBER 4, 2007

Motion: To approve the Minutes dated December 4, 2007 as printed.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried

TRASH TO TREASURE ART CONTEST AWARDS

Laurie Riley from Keep Covington-Newton Beautiful appeared before the board to recognize the winners of the Trash to Treasure Art Contest and to present the awards. The winners had their picture taken with the commissioners as well as receiving gifts from them.

PROCLAMATION – SAM RAMSEY DAY IN NEWTON COUNTY

The Board of Commissioners honored City of Covington Mayor Sam Ramsey with a proclamation declaring Sunday, December 23rd as Sam Ramsey Day in Newton County. Chairman Varner noted that Mayo Ramsey would be missed for his wisdom, resolve and leadership. A copy of the proclamation is made part of these minutes. Mayor Ramsey responded with appreciation, well wishes and high hopes for a continued cooperation between the city and the county.

TRACTOR W/BOOM MOWER FOR PUBLIC WORKS

Chairman Varner presented this to the board for approval.

- Will cut off the row where the regular mower cannot mow.
- Received three bids.
- Equipment in stock, ready for pickup
- Hays Tractor low bidder
- Funding: General Fund-Public Works Department

Motion: To approve the purchase of a Kubota M105SDSCS Tractor w/Boom Mower for the Public Works Department from the low bidder, Hays Tractor & Equipment, in Mansfield, Georgia for a not to exceed cost of $63,699.00.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried

FIREFIGHTING TURNOUT GEAR, BOOTS, AND HELMETS

APPOINTMENT: N.C. BOARD OF TAX ASSESSORS – DISTRICT ONE

Chairman Varner noted the following:

- Bids were taken in April 2007.
- Bid awarded to Bennett Fire Products
- This request is for additional sets
- Same price as before
- Funding: Grant Fund, $30,000.00

Motion: To approve the purchase of the turnout gear, boots, and helmets for the Fire Department from Bennett Fire Products in Woodstock, Georgia for a not to exceed cost of $29,519.00.
Proposed by: Commissioner Ester Fleming, Jr., District Three
Second by: Commissioner Monty Laster, District Five
Motion Carried

APPOINTMENT: N.C. ZONING BOARD OF APPEALS – DISTRICT ONE

Motion: To appoint Mr. James Brooks of 880 Hwy. 11, Social Circle to the Newton County Zoning Board of Appeals representing district one. Term will expire on December 31, 2009.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried

APPOINTMENT: N.C. BOARD OF TAX ASSESSORS – DISTRICT One

Motion: To reappoint Mr. Jim Means of 80 Skyview Road, Social Circle to the Newton County Tax Assessor Board representing district one. Term will expire on December 31, 2013.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried

APPOINTMENT: N.C. ZONING BOARD OF APPEALS – DISTRICT TWO

Motion: To appoint Mr. Lanier Sims of 255 Sims Road, Covington to the Newton County Zoning Board of Appeals representing district two. Term will expire on December 31, 2009.
Proposed by: Commissioner Earnest Simmons, District Two
Second by: Commissioner J.C. Henderson, District Four
Motion Carried

APPOINTMENT: N.C. BOARD OF TAX ASSESSORS – DISTRICT TWO

Motion: To appoint Reverend Vernon Bell of 100 Usher Road, Covington to the Newton County Board of Tax Assessor representing district two. Term will expire on December 31, 2013.
Proposed by: Commissioner Earnest Simmons, District Two
Second by: Commissioner Monty Laster, District Five
Motion Carried

APPOINTMENT: N.C. PLANNING COMMISSION – DISTRICT FIVE

Motion: To reappoint Mr. Jody Smith to the Newton County Zoning Planning Commission representing district five. Term will expire on December 31, 2009.
Proposed by: Commissioner Monty Laster, District Five
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried

APPOINTMENT: N.C. ZONING BOARD OF APPEALS – DISTRICT FIVE

Motion: To reappoint Mr. Jack Christian of 6131 Crestview Drive, Covington to the Newton County Zoning Board of Appeals representing district five. Term will expire on December 31, 2009.
Proposed by: Commissioner Monty Laster, District Five
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried

WATER RESOURCES WATER LOGO & UPDATE

Water Resource Director Karl Kelley appeared before the board to present a logo for his department. He noted:

- Pat Gazzaway (Public Works) created the logo
- Request approval to use as department logo
- Request to use on signs throughout the county

Chairman Varner noted

- He would be meeting with KCNB Director Connie Waller about a contest to name the water drop logo.

Director Kelly also gave a water status update to the board noting that Newton County is meeting the 10% reduction & more that Governor Perdue has requested regarding water use. A copy is attached and made part of these minutes.

Motion: To approve the Water Resources Logo as provided to the board and proposed by Director Kelley. A copy is made part of these minutes.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried

R121807 – HAZARDOUS WASTE TRUST FUND

Administrative Officer John Middleton presented this request to the board.

- Resolution of adoption required by the state
- Commissioner Ewing read for the record the following sentence in the letter from the director Carol Couch. "The remaining balance of $61,064.70 will be paid as additional funding becomes available" This is an IOU.
- Commissioner Fleming noted that the state likes to pass down mandates to the counties and they county has no recourse but to comply.

Motion: To approve Resolution R121807 – Hazardous Waste Trust Fund as presented.
Proposed by: Commissioner Monty Laster, District Five
Second by: Commissioner Earnest Simmons, District Two
Motion Carried

TO#10 – CONSTRUCTION MANAGEMENT – HIGHTOWER TRAIL BRIDGE

County Engineer Kevin Walter appeared before the board and presented this request.

- Assist in preparation of specifications, bidding, contractor selection & construction management
- Daily construction inspection of work & verification of quantities during construction
- Assist in billing approval of only those quantities actually necessary and utilized

Motion: To approve Task Order #10 for Consultants PBS&J regarding Construction Management for Hightower Trail Bridge with a not to exceed cost of $84,385.00.
Proposed by: Commissioner Ester Fleming, Jr., District Three
Second by: Commissioner J.C. Henderson, District Four
Motion Carried

R121807a - APPROVAL TO PURSUE ABANDONMENT OF HALE DRIVE–DISTRICT FIVE

Attorney Scott Cole presented this request to pursue abandonment of a portion of Hale Drive to the board for approval.

- Letters will be sent to all surrounding property owners

Commissioner Laster

- Property owner (Mr. Glass) made request for abandonment.
- Problems with 4-wheelers and trail bikes in area
- The portion in question is not in use by the public.
- This resolution gives authority to pursue the abandonment
- Will come back to this board for approval in January

Motion: To authorize the county attorney's office to pursue the abandonment of Hale Drive located in the fifth district.
Proposed by: Commissioner Monty Laster, District Five
Second by: Commissioner J.C. Henderson, District Four
Motion Carried

PR HOSPITALITY PROPOSAL (Hotel/Civic Center)

Attorney Andrea Gray appeared before the board to present this proposal.

- Discussed at previous joint work session between the county and City of Covington.
- Proposal is to do a feasibility study

Commissioner Simmons

- Concerned about parking
- Ms. Gray said they would have a better idea of parking after feasibility study is done.

Commissioner Ewing

- Very pleased that committee is moving forward with next step of completing what citizens requested this board to do in 2005.

- Thanked committee for all their hard work. Would like to see board move forward to next step.

Commissioner Fleming

- Echoed what Commissioner Ewing said and, too, expressed thanks and desire to move forward to next step.

Commissioner Henderson

- Questioned where money would come from? Mr. Middleton said SPLOST Funds
- Excited about project and looking forward to getting this completed as quickly as possible.

Chairman Varner

- Probably one of the most complex projects we've worked on.
- Taking it step by step and this is just another step forward
- Everything takes time and money.
- This board has to make sure we can afford it, make sure engineering is done on it and that it is legal.

Motion: To approve the PR Hospitality proposal permitting us to move forward with project including hotel, restaurant and civic center. Copy of proposal is made part of these minutes.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried

ZONINGS

Chairman Varner noted that each side would have ten minutes to present their issues that would not include board discussion.

Senior Planner Scott Sirotkin addressed the Board and sounded the following zonings:

R121807a
MC07-006

Location: 10574 Dinah Pace Road
Tax Parcel: 43-26
Correction From: R3 to CG
District Four

Director Marian Eisenberg told the board this resolution is to correct zoning map.

Motion: To approve Resolution 121807a correcting MC07-006, Tax Parcel 43-26 located at 10574 Dinah Pace Road in District Four changing the zoning district from R3 to CG.
Proposed by: Commissioner J.C. Henderson, District Four
Second by: Commissioner Monty Laster, District Five
Motion Carried

FLU07-015
REZ07-031
Existing Land Use Map: A (Agricultural)
Proposed Land Use Map: RR (Rural Residential)
Existing Zoning: R3 (Single-Family Residential)
Proposed Zoning: AR (Agricultural Residential)
Watershed: Yellow River
Location: 248 Fincher Road (North Side)
25 Feet of Frontage
Parcel Size: 10.21 Acres
Tax Parcel: 71-79
Petitioner: Salvatore R. Castellana
Applicant's Intent: To develop one single-family dwelling and allow livestock (horses) and livestock quarters on property
Planning Commission Recommendation: FLU07-015 – Approval
REZ07-031 – Approval with Staff Conditions (November 28, 2007)
District One

Petitioner: Salvatore R. Castellana

- Wants to build house for family member

No opposition

Commissioner Ewing

- Noted this is the kind of zoning he appreciates most – going from single-family residential to agricultural residential.

Motion: To approve FLU07-015, Future Land Use Map change from A (Agricultural) to RR (Rural Residential).
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried

Motion: To approve REZ07-031 and changed from R3 (Single-Family Residential) to AR (Agricultural Residential) with the following conditions as read by Commissioner Ewing. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:

    a. One Single-family detached dwelling and accessory uses and structures including livestock quarters and enclosures.

b. The minimum heated floor area per dwelling unit shall be 1,800 heated square feet.

2. To the owner's agreement to abide by the following:

a. To the site plan and legal description received by the Department of Planning and Development on October 4, 2007. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

3. To the owner's agreement to abide by the following development standards:

a. Driveway must be permitted and developed to Newton County driveway standards. Said driveway shall be constructed such that it may be shared with adjoining property owner of Map and Parcel (71-88).

b. All structures and fencing for livestock shall meet or exceed the requirements of Section 510-380 of the Newton County Zoning Ordinance.

Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner Monty Laster, District Five
Motion Carried

FOR DISCUSSION ONLY
AMD07-003

Proposed Amendments to Zoning Ordinance
Conditional Zoning and Disturbance in the Floodplain

- Reviewed and discussed proposed changes
- Attached and made part of minutes
- Final draft will come back to board before it goes to the Planning Commission.

ALCOHOL LICENSE:

Final Reading
Salem Shell
3633 Salem Road
Covington, Georgia 30016
Owner: Gisele Farrell (92%) and Andrew Farrell (8%)
District Three

Motion: To approve the Alcohol License for Salem Shell located at 3633 Salem Road, Covington, GA as requested.
Proposed by: Commissioner Ester Fleming, Jr., District Three
Second by: Commissioner Monty Laster, District Five
Motion Carried

Pure Food Mart
50 Morningside Drive
Covington, GA 30016
Owner: Jehanara Aslam (100%)
District Five

Motion: To approve the Alcohol License for Pure Food Mart located at 50 Morningside Drive, Covington as requested.
Proposed by: Commissioner Monty Laster, District Five
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried

North Fork Chevron
3078 Hwy. 81
Oxford, GA 30054
Owner: Anahita H. Ramodiya (100%)
District Five

Motion: To approve the Alcohol License for North Fork Chevron located at 3078 Highway 81, Covington, GA as requested.
Proposed by: Commissioner Monty Laster, District Five
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried

Alcohol Renewals
Elks Club Chevron
10946 Hwy. 278
Covington, GA 30014
Owner: Sadruddin Lakhani (100%)
District One

Motion: To approve the Alcohol License renewal for Elks Club Road Chevron located at 10946 Highway 278, Covington, GA as requested.
Proposed by: Commissioner Mort Ewing, District One
Second by: Commissioner J.C. Henderson, District Four
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

ADJOURN

Time: 8:35 p.m.
Motion: To adjourn the meeting.
Proposed by: Commissioner Ester Fleming, Jr., District Three
Second by: Commissioner J.C. Henderson, District Four
Motion Carried

Respectfully Submitted,

_____
Jackie B. Smith, County Clerk