

**NEWTON COUNTY BOARD OF COMMISSIONERS  
MINUTES**

**August 1, 2000**

**Newton County Executive Office Board Room  
Chairman Davis C. Morgan presiding**

**Present:** Chairman Davis Morgan, Commissioners Tommy Ballard, Ronnie Dimsdale, Danny Stone, J.C. Henderson, Hubert White; Zoning Planner Lloyd Kerr; Attorney Tommy Craig; Clerk Jackie Smith.

**Also Present** Cindy Tomlin-Covington News; large group of citizens.

**Call To Order:** Chairman Morgan extended welcome and read thought for the day.

**Invocation:** Rev. Bill Gause, First Presbyterian Church

**Pledge of Allegiance:** Led by Chairman Morgan.

**APPROVAL OF MINUTES DATED July 18, 2000**

**Motion:** To approve minutes as submitted.

**Proposed by:** Danny Stone, Commissioner District Three

**Second:** J.C. Henderson, Commissioner District Four

**Motion Carried**

**STEWART VOLUNTEER FIRE DEPARTMENT:**

Chairman Morgan presented a memorandum from finance director John Middleton with suggested financial options for renovation. Mr. Middleton recommends option number one. Mr. Middleton has been in contact with Chief Digby who concurs with option number one. With option number one the board is backing the loan. During the discussion Commissioner Henderson commented that he would like for stations to be uniform throughout the county and thought money would come from fund balance to build a new station. Chairman Morgan commented that a new station is needed in the area and suggested the Lake Jackson area and renovate Stewart. Commissioner Ballard commented that this was the third time for it to be on the agenda and the fire station is not safe and would recommend moving forward with approval and would appreciate the board moving on this. Commissioner White stated if the board was ready to move forward he would go with it, however he would like a new station and a bay in area at some point in time. He stated he would like for the board to consider putting in a bay. Chairman Morgan said we could add a bay to this. Commissioner Ballard suggested we do this option tonight and discuss the bay afterwards. Commissioner Dimsdale commented that the letter told him Stewart could retire the debt and that was a question in his mind. He suggested a work session and invite Randy Vinson and review architect plans to see if possibly the county could put in the balance toward a new station (if it was the best thing to do). He stated he doesn't think we know right now if that is or is not the best thing to do and does not want to rush in in making a decision of this magnitude and regret the decision. Would prefer to be a little slower and more deliberate in making decision. Commissioner Ballard expressed we couldn't get much slower. He stated support of the renovation came from Board of Fire Masters, Fire Chief's, Stewart Volunteer Fire Department endorses this, it's endorsed by Fire Services...concerned they are telling us what they want and this is a conservative method to build fire department. Commissioner Stone said he agrees with Commissioner White that an ambulance bay will be needed at some point, but feels the design of the

building should be such that modifications can be made. Chairman stated adding bay could be done later with relatively few problems. Commissioner Stone felt that we should move forward and Chairman Morgan concurred. Chief Rebie Johnson addressed the board and stated the station is in dire need of repair, commenting during storm two weeks ago that so much water came in they had to pull the plug in the boat to let the water run out. He said everything gets wet. He also stated they planned to build a new station at Campbell Road, which will have an ambulance bay. The Campbell Road station will be 4-1/2 miles from the Stewart Station. Commissioner Ballard stressed the need for this to be renovated expediently. Commissioner Stone commented that less than a month ago we went through the budget and there is not money in our budget this year to do this and would like to proceed with the renovations only. Commissioners Ballard and Stone wanted to proceed with the renovations of facility and move forward as requested. Commissioner's Dimsdale, Henderson and White suggested a work session to see if an ambulance bay could be included in the renovations, or if a new station was the better solution to the problem.

**Motion:** To have a work session to discuss Stewart facility and table till August 15 meeting.

**Proposed by:** Hubert White, Commissioner District Five

**Second:** J.C. Henderson, Commissioner District Four

**Motion Carried Three to Two**

**For Motion:** Commissioners' Dimsdale, Henderson, and White

**Against Motion:** Commissioners' Ballard and Stone

## **FIREFIGHTER DAVID LEDFORD – “GEORGIA’S ROOKIE OF THE YEAR”**

Chairman Morgan introduced David Ledford to audience and expressed congratulations to him on receiving this award. He commented David is one of Newton County's best. Commissioner Stone, a former volunteer firefighter, also voiced his appreciation to the Fire Service Personnel and commended David on this award stating it is quite an honor and reflects well for Newton County. Chairman Morgan stated this was a first in Newton County and stated how proud he and the board was of David. He stated that David comes from a long line of public servants. Chief Johnson expressed his appreciation to David and to the board for support. The board and the audience showed their appreciation by applause.

## **GEORGIA INDIGENT DEFENSE COUNCIL PRESENTATION**

Bill Curtz and Sara Smith from the Georgia Indigent Defense Council presented a grant check in the amount of \$38,000.00 to commissioners to offset startup costs for the Public Defender's office.

## **RESOLUTION R080100 – REGION 5 ADVISORY COUNCIL SUPPORT**

Chairman Morgan commented that this was a formality of showing support to the Advisory Council trying to establish a technology corridor between Athens to Augusta to be anchored by the University of Georgia in Athens and the Medical College of Georgia in August.

**Motion:** To approve resolution R080100 supporting the Region 5 Advisory Council in this endeavor.

**Proposed by:** Ronnie Dimsdale, Commissioner District Two

**Second:** Danny Stone, Commissioner District Three

**Motion Carried**

**Note:** The original resolution is contained in file number R080100, incorporated herein by reference and expressly made a part of these minutes.

## **ADOPTION OF BOND RESOLUTION**

Chairman Morgan introduced Joe Lay from Evensen Dodge who addressed our current general obligation bonds. First he congratulated the team who went to New York to secure the bonds stating they made an excellent presentation. Chairman Davis Morgan, Attorney Tommy Craig, Finance Director John Middleton, Jamie Wilson, Joe Lay) He stated he had good news for Newton County...over 90% of the bonds had been sold as of today. He commended the administration on the county receiving an AA Rating from Moody's. Chairman Morgan stated the purpose of these bonds is to begin the process of our SPLOST projects. The board was pleased to move forward with projects and members expressed thanks to Mr. Lay for his assistance.

**Motion:** To adopt Bond Resolution as presented.

**Proposed by:** Hubert White, Commissioner District Five

**Second:** J.C. Henderson, Commissioner District Four

**Motion Carried with Commissioner Dimsdale abstaining.**

**Note:** The original resolution is contained in file number R0801A00, incorporated herein by reference and expressly made a part of these minutes.

7:30 PM

## **ZONINGS:**

Newton County Planner Lloyd Kerr presented the following zonings.

### **WENDELL MILLER**

### **10887 OLD ATLANTA HIGHWAY**

### **R-40 TO M-1**

**Proposed Zoning:** M-1

**Area:** 6.16 acres

**Current Zoning:** R-40

**Planning Commission recommended approval subject to staff recommendations.**

#### **Staff Recommendations: Approval with conditions:**

- a. No storage of noxious or hazardous materials on site.
- b. No activity on site, or truck traffic to or from the site, between the hours of 10:00 p.m. and 6:15 a.m., so long as residences remain in the area.
- c. Landscaping and exterior lighting must meet staff approval.

In addition to that a 20-foot buffer of vegetation be installed along the right of way and some type of paving be done on the entrance to eliminate dust when trucks are going in and coming out of site.

#### **Points**

- 20 foot buffer
- green belt between storage and road
- ordinance requires buffer already
- Commissioner White: What kind of buffer? Leland Cyprus? Suggest leave it up to staff and architect.
- Ronnie Dimsdale voiced concern of no visual on I-20 side.
- Commissioner White stated he would like to see the buffer the minimum size that would work.
- Mr. Kerr said he felt like a seven foot (7ft.) buffer would work and they were willing to work with Mr. Miller.

**Petitioner:** Wendell Miller (owner)

- Agrees to 20-foot buffer, but does not want it to restrict truck site entering and leaving property, it could be hazardous and requested board to consider this.
- Re: I-20 view...he wants it to be seen from the interstate, stated that's the reason he paid price for property, so he would be seen from interstate.
- He stated he was willing to put whatever he needed to block neighbors view, but doesn't want site view to be blocked for truckers.
- Will work with planning and architect for visual buffer.
- Mrs. Miller spoke to assure neighbors in area that their desire is to improve property location and pledged to do so.

**Opposition:**

- Luke Fuller: He stated he wasn't in opposition, however he wanted to make sure a proper buffer is planted. He would like it to be specified.
- Chairman Morgan suggested Leland Cyprus to be considered.

**Motion:** To uphold Planning Commission's recommendation to approve rezoning with exception that buffer be reduced to seven foot (7 ft) and buffer to be Leland Cyprus or Cryptomear.

**Proposed by:** Danny Stone, Commissioner District Three

**Second:** Hubert White, Commissioner District Five

**Motion Carried**

**GREG MITCHELL**

**INTERSECTION OF SARA DRIVE & COVINGTON BY-PASS**

**R-30 TO C-N**

Petitioner representative Jimmy Alexander addressed the board requesting zoning to be tabled until first meeting in September.

**Motion:** To table request until first meeting in September.

**Proposed by:** Hubert White, Commissioner District Five

**Second:** Danny Stone, Commissioner District Three

**Motion Carried**

**GREG MITCHELL**

**INTERSECTION OF SARA DRIVE & COVINGTON BY-PASS**

**R-30 TO RMF**

Petitioner representative Jimmy Alexander addressed the board requesting zoning to be tabled until first meeting in September. He stated they would like to meet with people in neighborhood to work with community.

**Motion:** To table request until first meeting in September.

**Proposed by:** Hubert White, Commissioner District Five

**Second:** Danny Stone, Commissioner District Three

**Motion Carried**

**C& A DEVELOPMENT**  
**GA HWY. 162 N. NORTH OF COUNTY LINE ROAD, S. OF ROCKY**  
**PLAINS ROAD**  
**A-R TO R-1 (conditional)**

**PROPOSED ZONING:** R-1 (conditional)

**AREA:** 193 acres

**CURRENT ZONING:** A-R

**PLANNING COMMISSION RECOMMENDATION:** Approve

**STAFF RECOMMENDATION:** Approval subject to:

- a) Applicant agrees to collaborate with the planning staff on neighborhood design.
- b) Sidewalks are to be provided along both sides of streets.
- c) Significant trees are to be identified and preserved.

**PETITIONER:** Wayne Cason

- Asking for 193 lots.
- Setting aside 39.72 acres in greenspace.
- Not swamp land.
- Proposing 100-foot buffer on road front. Won't have any houses facing on street.
- Have discussed placing parks in different areas.
- C&A feels this is what the county wants to see and what this board would want to support.
- Stated that if they develop it AR rather than this they would get 23 less lots.

Mr. Kerr stated this would be developed as an R-1 with a conservation overlay. He stated they have talked with petitioners about is allowing the planning department to work with them to refine this design so that we can incorporate a few more of the traditional neighborhood design ideas into the lay out of the property. We support it in concept but there are a few things we would like to work with them on.

Commissioner White asked what does Future Land Use Map call for? Mr. Kerr stated it calls for low density residential in area. He stated one of the reasons the staff does support this, even though it does call for more development than future land use map calls for, we felt with the wide buffer around the development and the preservation of green space, we felt it was support the land use plan in spirit and intent, maybe not necessarily to the exact letter.

Commissioner White stated he was in agreement with this, but in the past we have had two, one under suit right now related to the same attitude of the lower density, but I think as long as it is in the spirit of what the planning department has embraced and then you have control related to the working out, somewhere in the attitude of the number of lots...this is not a final plat...Mr. Kerr said "no" this is conceptual and again stated they had expressed an interest and desire to work with the planning department regarding this. He and Randy Vinson will be meeting with them.

**Opposition:** None

Commissioner Ballard stated he felt this was a hybrid. It doesn't fall directly under the Future Land Use Map, but being a conditional makes it mold in better than AR to R-1.

**Motion:** To approve petition with it being conditional with staff recommendations and planning and zoning recommendations.

**Proposed by:** Tommy Ballard, Commissioner District One

**Second:** Hubert White, Commissioner District Five

**Motion Carried**

**PHILLIP M. SULLIVAN**  
**10977 OLD ATLANTA HIGHWAY**  
**R-40 TO CG**

**PROPOSED ZONING:** CG

**AREA:** 1.50 acres

**CURRENT ZONING:** R-40

**PLANNING COMMISSION RECOMMENDATION:** Approval with staff recommendations.

**STAFF RECOMMENDATION:** Approval with conditions.

- a. Location of towers and satellite dishes must meet setback and landscaping requirements per the zoning ordinance.
- b. Landscaping and exterior building elevations must meet staff approval.

PETITIONER: Phillip Sullivan

- Stated he was new owner of WGFS Radio Station.
- Needed facility more conducive to radio broadcasting.

**OPPOSITION:** None

Commissioner Stone asked why no requirements regarding buffer? Mr. Kerr said because of the use of the property the commission was not as concerned. There would not be considerable changes to property as it presently is.

**Motion:** To uphold Planning & Zoning and Staff recommendations and grant zoning request.

**Proposed by:** Danny Stone, Commissioner District Three

**Second:** J.C. Henderson, Commissioner District Four

**Motion Carried**

Commissioner Henderson asked to amend agenda to discuss environmental issues regarding Bear Creek. Mr. Craig stated that J.C. had asked him if any further environmental investigations should be carried out in respect to the Bear Creek project. He said he had mentioned that at some point Phase I of the Environmental Site Assessment would be in order.

It is a standard practice. Commissioner Henderson asked if Mr. Craig could handle this. He said he would be happy to get proposals. Commissioner Ballard asked if this was his recommendation to move on with it at some point in time. Mr. Craig said he would get some idea as to what it would cost and come back to the board with figures.

**STREETLIGHTS:** None

**ALCOHOL LICENSE:** None

**APPROVAL OF COUNTY CHECKS**

**Motion:** To approve checks as submitted.

**Proposed by:** J.C. Henderson, Commissioner District Four

**Second:** Hubert White, Commissioner District Five

**Motion Carried**

**ADJOURN**

**Motion:** To adjourn – 8:15 PM

**Proposed by:** Tommy Ballard, Commissioner District One

**Second:** J.C. Henderson, Commissioner District Four

**Motion Carried**

**Note: No Executive Session**

**Respectfully Submitted,**

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**Jackie B. Smith, Clerk**

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**Davis C. Morgan, Chairman**