

NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
August 19, 2008
MINUTES

Present: Chairman Aaron Varner, Commissioners' Mort Ewing, Earnest Simmons, Ester Fleming, Jr., J.C. Henderson, and Monty Laster. Administrative Officer John Middleton, County Attorney Tommy Craig, Attorney James Griffin, and County Clerk Jackie Smith

Newspaper: Rachel Oswald, Covington News
Crystal Tatum, Newton Citizen
Small group of citizens

Chairman Varner called the meeting to order, extended a welcome, and read the Thought for the Day. Pastor Matt Murphy of Greater Love Church gave the invocation and Chairman Varner led the Pledge of Allegiance to our great Flag.

APPROVAL OF BOC W/S MINUTES DATED AUGUST 5, 2008

Motion: To approve the minutes dated August 5, 2008 as printed.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried Unanimously

“CRY OUT AMERICA” PRESENTATION

Mr. Tom Davis appeared before the board and extended an invitation to take part in “Cry Out America” on September 11, 2008 @ Noon on the Square. He said elected officials and civic leaders are asked to read a quote from one of our forefathers at the gathering. This will take place around the country on this day.

EXCELLENCE IN FINANCIAL REPORTING AWARD

Administrative Officer John Middleton told the board that once again our Finance Department had received the Excellence in Financial Reporting Award. This is a coveted award that Newton County has received for three years in a row. Only 28 out of 159 Georgia Counties received this level of achievement.

Finance Director Marcia Allen and staff members were on hand to be recognized and congratulated by the Board of Commissioners for the excellent job they do for Newton County.

SPECIAL PROJECTS UPDATE

Special Projects Coordinator Cheryl Delk appeared before the board and gave an update on several projects. A copy of her presentation is made part of these minutes. Special thanks for a job well done was given to Cheryl for her hard work.

WATER RESOURCE UPDATE

Water Resource Director Karl Kelley appeared before the board and gave a PowerPoint presentation and update on water resources. A copy of his presentation is made part of these minutes. Appreciation was also expressed to Mr. Kelley for the job he and his department does for the county.

GSWCC EROSION & SEDIMENT CONTROL PROGRAM OVERVIEW REPORT

Chris Groskreutz, Regional Representative for Georgia Soil & Water Conservation Commission appeared before the board and gave a brief update. He expressed his appreciation for the job Newton County is doing regarding soil and water, erosion and sediment control program. Board thanked Chris for the report and the work he does for Newton County.

A copy of his report is made part of these minutes.

NEWTON COUNTY PUBLIC FACILITIES, INC.

County Attorney Tommy Craig addressed the board regarding updating this committee. Requested board to make appointment to this committee at next board meeting (September 2nd). Members will serve on this committee until the appointing commissioner is no longer in office. Board expressed appreciation to Mr. Craig for bringing this to their attention.

ZONINGS

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

Planning Director Marian Eisenberg addressed the Board and sounded the following zonings:

CASE NUMBER: MOD 08-005

Proposal: modification of conditions 1,2,3, and 4

Existing zoning: m1 (light industrial) approved august 20, 2002

Location: marble drive (west side)

178.1 feet of frontage

Parcel size: 8.12 acres

Tax parcel: 42-19m, 42-190

Owner: Future Development, LLC

Representative: Geoff Griffith

Applicant's Intent: to delete all conditions and substitute a tree service as primary use.

BOC: July 15, 2008 deferred to August 19, 2008

District Four

No opposition

Motion: To approve Case Number MOD 08-005 with the following conditions as read aloud by Planning Director Marian Eisenberg.

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

Commercial Tree Service and office, including a tree cultivation facility, plant nursery and accessory uses.

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

To the legal description received on June 6, 2008, and the revised site plan received on June 30, 2008 by the Department of Planning and Development. 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.

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

Stormwater plan to be reviewed and approved by Planning and Development Engineer.

Provide downcast lighting.

Fleet Parking to be located on the western side of the accessory structure not visible from the road.

No tree service related activity may occur within 100 feet of the property lines without an approved variance.

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

Second by: Commissioner Mort Ewing, District One

Motion Carried Unanimously

CASE NUMBER: FLU08-009 & REZ08-006

Existing land use map: res (residential)

Proposed land use map: com (commercial)

Existing zoning: ar (agriculture residential)

Proposed zoning: ch (highway commercial)

Watershed: Alcovy River

Location: highway 278 (south side)

410.40 feet of frontage

Mason Drive (east side)

576.80 feet of frontage

Parcel size: 5 acres

Tax parcel: 82a-1

Owner: Anderson Home Builders

Representative: Denise Anderson

Applicant's intent: to develop a commercial, retail, and office complex.

Planning Commission recommendation: June 24, 2008
Deferred to allow staff time to review new site plan and revised GDOT plans.
Planning Commission recommendation: July 22, 2008
FLU08-009 – denial; REZ08-006 - denial
District Five

Note: Received a letter from the applicant requesting withdrawal of petition. Letter is made part of these minutes.

Motion: To accept the applicant' request to withdraw petition pending copy of letter.
Proposed by: Commissioner Monty Laster, District Five
Second by: Commissioner Ester Fleming, Jr., District Three
Motion Carried Unanimously

CASE NUMBER: CUP08-009

Proposed use: Cabinet Shop
Existing zoning: ar (agricultural residential)
Watershed: Yellow River
Location: 737 Georgia Highway 212 (west side)
286.8 feet of frontage
Parcel size: 3.35 acres
Tax parcel: 71-60
Owner: Woody & Donna Grainger
Petitioner: Woody Grainger
Applicant's intent: to allow an accessory structure to be used in a home occupation (cabinet shop).
Planning commission recommendation: June 24, 2008
Deferred per the applicant's request.
Planning commission recommendation: July 22, 2008
Approval with staff conditions.
District One

Petitioner: Woody Grainer

- Home
- Checked with all the neighbors and they have no problem with board approving this request.

No opposition

Commissioner Ewing

- Called board's attention to the two pages of signatures from people who favor petition. These people live in the area with the Grainger family. The Grainger family has an excellent reputation for their work.

Motion: To approve CUP 08-009 with the following conditions as read by Commissioner Ewing:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. A single-family residence and accessory structures with a Home Occupation (Cabinet Shop)
 - b. Comply with the standards of Sec. 510-120 of the Newton County Zoning Ordinance, as applicable.
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 May 9, 2008. 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. Use shall be conducted indoors only.
 - b. All conditions per approval of VAR08-018.

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

ALCOHOL LICENSE:

FIRST READING
PIT STOP CONVENIENCE STORE
1313 HWY. 11
SOCIAL CIRCLE, GEORGIA 30025
OWNER: DANIEL PAUL BEARDEN (100%)
DISTRICT ONE

COUNTY CHECKS:

Motion: To approve the county checks as read by the chairman.

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

EXECUTIVE SESSION

Time: 8:00 p.m.

Motion: To enter into Executive Session for the purpose of discussing land acquisition.

Proposed by: Commissioner Mort Ewing, District One

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

Motion Carried Unanimously

REGULAR SESSION

Time: 8:20 p.m.

Motion: To enter into Regular Session.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Monty Laster, District Five

Motion Carried Unanimously

ADJOURN

Time: 8:20 p.m.

Motion: To adjourn the meeting.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried Unanimously

Respectfully submitted,

Jackie B. Smith, County Clerk