

**NEWTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
December 1, 2009  
MINUTES**

**Present:** Chairman Kathy Morgan, Commissioners Mort Ewing, Earnest Simmons, Nancy Schulz, J.C. Henderson, and Tim Fleming. Administrative Officer/CFO John Middleton, Attorney Tommy Craig, Attorney Jenny Carter & Clerk Jackie Smith

**Newspapers:** Covington News-Gabe Khouli  
Newton Citizen- Crystal Tatum  
Small 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.

**APPROVAL OF BOC MINUTES DATED NOVEMBER 17, 2009**

Motion made by Commissioner Ewing, and seconded by Commissioner Fleming to approve the Minutes dated November 17, 2009 as printed.

Motion carried unanimously

**R120109 – CORRECTION OF CSBG FUNDS**

Administrative Officer John Middleton presented this resolution to the board.

- Housekeeping measure to correct the dollar amount of CSBG funds.
- Old amount: \$25,799.00; New Amount: \$28,260.00
- Resolution is made part of these minutes.

Motion made by Commissioner Ewing, and seconded by Commissioner Fleming to approve Resolution R120109 regarding CSBG Funds in the amount of \$28,260.00

Motion carried unanimously

**R120109A – CORRECTION OF 2003 ZONING DISTRICT MAP**

Senior Planner Scott Sirotkin presented this resolution for approval.

- Housekeeping item
- Hanley Mills Subdivision
- Conditions to approval
- Resolution made part of these minutes

Motion made by Commissioner Ewing, and seconded by Commissioner Fleming to approve Resolution R120109a Correction of the 2003 Zoning District Map as it relates to the Hanley Mills Subdivision with the following conditions as read aloud by Commissioner Ewing.

1. To the owners agreement to restrict the use of the subject property as follows:
  - a. Single family detached dwellings and accessory uses and structures.
  - b. The minimum lot size shall be 25,500 square feet.
  - c. No more than 119 total dwelling units at a maximum density of 1.0 dwelling units per acre whichever is less based on the total acreage zoned.
  - d. The minimum heated floor area per dwelling unit shall be 1,800 square feet.
2. To the owners agreement to abide by the following:
  - a. To the site plan received by the Department of Environment and Community Development on August 19, 2004. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution 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 abide by the following standards for development:
  - a. All lots shall be accessed from the internal subdivision street.
  - b. All houses shall have two (2) car attached garages.
  - c. Accents of stone, masonry or stucco required.
  - d. Underground utilities.
  - e. Sodded front yards.
  - f. Curb and gutter.
  - g. Elimination of lot 120 fronting of Highway 212.
  - h. Fifty foot undisturbed buffer (planted).
  - i. Fifty foot buffer (planted) on eastern boundary with limited disturbance must be developed on a retention area.
  - j. Cemetery protection applicant complies with standards regarding protection of the cemetery. The limits of the cemetery must be determined by an archeologist and the cemetery and the protective buffers and fencing should be shown on the preliminary plat.
  - k. Will have a play ground lot.

Motion carried unanimously

### **TURNER LAKE PARK-TURKEY CREEK TRAIL IMPROVEMENTS – AWARD BID**

Recreation Director Tommy Hailey presented this bid to the board for their approval.

He noted the following:

- Information made part of these minutes
- Recommendation is to pave with asphalt
- Award to lowest bidder/Steelco
- Amount: \$191,695.00
- Railings will be replaced on boardwalk

Motion made by Commissioner Simmons, and seconded by Commissioner Schulz to award the Turner Lake Park-Turkey Creek Trail Improvements to the low bidder, Steelco for a not to exceed amount of \$191,695.00.

Motion carried unanimously

### **WATERLINE EASEMENT/LUCILLE DRIVE**

Attorney James Griffin appeared before the board to present this request.

- Request came from homeowners
- Lucille Drive
- Extensive research done. County has maintained road since 1973.
- Road has become public road by prescriptive. (maintained more than seven years)
- This easement will allow the Water & Sewerage Authority to correct the water line issue.
- Copy of Easement Agreement is made part of these minutes

Motion made by Commissioner Simmons, and seconded by Commissioner Henderson to grant the waterline easement as presented by Attorney James Griffin as it relates to Lucille Drive.

Motion carried unanimously

### **TREE GRANT APPLICATION/UPPER OCMULGEE RDC**

Administrative Office John Middleton presented this grant application to the board for approval.

- Upper Ocmulgee RC&D & GA Forestry Commissioner sponsors grant
- Purpose is to plant more trees in North Georgia.
- Must plant on government owned properties or ROW
- No matching funds or labor required
- Plan is to plant trees at Harris Springs Fire Station and Almon Community Center

Motion made by Commissioner Ewing, seconded by Commissioner Simmons to approve the Tree Grant Application as presented.

Motion carried unanimously.

### **R120109B – AMENDMENTS TO SOLID WASTE MANAGEMENT PLAN**

Motion made by Commissioner Simmons, seconded by Commissioner Henderson to table R120109b Amendments to the Solid Waste Management Plan until the December 15<sup>th</sup> meeting for further review.

Motion carried unanimously.

### **R120109C – TURNER LAKE ROAD PROPERTY/NC PUBLIC FACILITIES LEASE/PURCHASE AGREEMENT**

Attorney Jenny Carter presented this resolution.

- Resolution is attached and made part of these minutes.

Motion made by Commissioner Ewing, seconded by Commissioner Simmons to approve Resolution R120109c – Turner Lake Road Property/Newton County Public Facilities Lease/Purchase Agreement as outlined by Attorney Jenny Carter and made part of these minutes.

Motion carried unanimously.

### **CHAMBER OF COMMERCE/ECONOMIC DEVELOPMENT**

Motion made by Commissioner Fleming, seconded by Commissioner Ewing to table the Chamber of Commerce Contract until the December 15<sup>th</sup> meeting for further review.

Motion carried unanimously.

### **COUNTY CHECKS:**

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

Motion carried unanimously.

### **ALCOHOL LICENSE**

First Reading

The Pit Stop

1313 Hwy. 11 North

Social Circle, GA 30025

Owner: Perry Franklin Garner (100%)

District One

First Reading

Pony Express Food Mart, Inc.

1814 Hwy. 22 South

Covington, GA 30014

Owner: Shahzada S Khan (100%)

District One

### **ALCOHOL LICENSE RENEWALS**

Chairman Morgan read aloud the 2010 Alcohol License Renewal requests. A copy of the applicants is made part of these minutes.

Motion made by Commissioner Simmons, seconded by Commissioner Fleming to approve the 2010 Alcohol License Renewal requests as read aloud by Chairman Morgan, with a list of the applicants being made part of these minutes.

### **EXECUTIVE SESSION**

Time: 8:30 p.m.

Motion by Commissioner Ewing, seconded by Commissioner Simmons to enter into Executive Session for the purpose of discussing land acquisition.

Motion carried unanimously.

**REGULAR SESSION**

Time: 8:45 p.m.

Motion by Commissioner Simmons, seconded by Commissioner Fleming to enter into Regular Session.

Motion carried unanimously.

With no further business, a motion by Commissioner Henderson, seconded by Commissioner Simmons the meeting adjourned at 8:50 p.m.

Motion carried unanimously.

Respectfully submitted,

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Jackie B. Smith, County Clerk

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Kathryn G. Morgan, Chairman