

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
April 20, 2010
MINUTES**

Present: Chairman Kathy Morgan, Commissioner's Mort Ewing, Earnest Simmons, Nancy Schulz, J.C. Henderson, and Tim Fleming; Administrative Officer John Middleton, County Attorney Tommy Craig, & Clerk Jackie Smith
Newspaper: Covington News-Gabe Khouli
Newton Citizen- Crystal Tatum
Citizens

Chairman Morgan called the meeting to order, extended a welcome, and read the thought for the day. Pastor Ronnie Brannen of Prospect UMC gave the invocation and Chairman Morgan led the Pledge of Allegiance to our great flag.

GENERAL ADMINISTRATION

Financial Update

Administrative Officer John Middleton addressed the board regarding the Financial Quarterly Report ending March 31, 2010

- BOC provided report prior to meeting.
- Copy of report is made part of these minutes

APPROVAL OF BOC MINUTES DATED APRIL 6, 2010

Motion by Commissioner Ewing, seconded by Commissioner Fleming to approve the BOC Meeting Minutes dated April 20, 2010.

Motion Carried

**ACCEPTANCE OF RECOVERY ACT GRANT FOR THE NCSO GRANT
#B82-8-066 - \$127,031.00**

Administrative Officer John Middleton presented this request to the board and noted it was a housekeeping measure to accept grant funds previously approved by the board.

Motion by Commissioner Simmons, seconded by Commissioner Henderson to accept the Recovery Act Grant #B82-8-066 in the amount of \$127,031.00 on behalf of the Newton County Sheriff's Office.

Motion Carried

**ACCEPTANCE OF RECOVERY ACT GRANT FOR N.C. JUVENILE
JUSTICE GRANT #B82-8-069 - \$10,626.00**

Administrative Officer John Middleton presented this request to the board and noted, too, that it was a housekeeping measure to accept grant funds previously approved by the board.

Motion by Commissioner Simmons, seconded by Commissioner Henderson to accept the Recovery Act Grant #B82-8-069 in the amount of \$10,626.00 on behalf of the Newton County Juvenile Justice Department.

Motion Carried

TOTAL ORGANIC COMPOUND (TOC) ANALYZER FOR CCWTC

Administrative Officer John Middleton presented this request to the board.

- Information is made part of these minutes

Motion by Commissioner Ewing, seconded by Commissioner Fleming to award the contract to GE Analytical Instruments, Inc. in the amount of \$24,689.00 for a total Organic Compound (TOC) Analyzer for the Cornish Creek Water Treatment Center and presented by Mr. Middleton.

Motion Carried

SCRAP METAL @ RECYCLING CENTERS & LANDFILL

Marcia Allen and James Peters appeared before the board and presented the proposal for Scrap Metal at the Recycling Centers.

- Information is made part of these minutes

Motion by Commissioner Ewing, seconded by Commissioner Henderson to award the contract to Oconee Metal Recovery at the flat rate of \$0.67 per pound with the understanding that Oconee Metal will continue to provide all equipment and hauling including the boxes. Term: March 18, 2010 – March 17, 2011.

Motion Carried

LANDFILL PHASE 3 CONSTRUCTION

Greg Richardson of Richardson Smith Gardner & Associates Engineering & Geological Services and Newton County's Landfill Consultant was on hand to present this request to the board.

- Information is made part of these minutes.

Motion by Commissioner Ewing, seconded by Commissioner Fleming to award the contract to Glover Construction Co., Inc. for a not to exceed amount of \$3,575,485.00 as presented by Mr. Richardson and outlined in board book on pages 102-108 and recommended by engineering firm for the Landfill Phase 3 Construction.

ZONING:

Chairman Morgan advised the audience that 10 minutes would be allocated for those in favor or the zoning as well as 10 minutes for those in opposition of the zoning to address the board. Chairman declared Public Hearing.

Zoning Director Marian Eisenberg sounded the following zonings.

CUP10-001

Proposed Use: Group Home

Existing Zoning: R2 (Single Family Residential)

Watershed: Yellow River

Location: 200 Creekview Blvd. (South Side)

Feet of Frontage: 75

Parcel Size: 0.32 Acres

Tax Parcel: 13D-68

Owner: Jonathan & Carmen Hosley

Petitioner: Fantastic Futures, Inc.

Applicant's Intent: To operate a Group Home for up to 5 children & one caregiver.

Planning Commission denied request.

District Three

Mrs. Carmen Hosley addressed the board and provided a power point presentation regarding her endeavors for a Group Home.

- Request approval for a group home to be located at 200 Creekview Boulevard in Covington, Ga.
- All information presented is made part of these minutes.
- Has 2 car garage that will be sufficient for staff
- Supervision: 24 hours per day
- Children will have a schedule to adhere to/no wandering neighborhood.
- Amount of time to house children: Primary goal is to provide stability of children within 72 hours, but this could vary.
- Ages: 6-18 years old, but will not be in the house at the same time.

Support Petitioner's Request

Ms. Sims

205 Creekview Boulevard

- Lives directly across the street from proposed home for over 15 years.
- No problem with home being opened.
- Has teenagers and would allow them to play and hopefully mentor other children.
- Feels Newton County has much to offer these children.

Mrs. Hosley

- Read letter of support from neighbor

Mr. Hosley

- Owned house for three years
- Wife has good heart and loves children
- Excellent planner and mother

Opposition

Lisa Faulkner, President of Creekview Heights Home Owners Association

- Requested that the large group of neighbors who opposed the petition to stand.

- Concerned about the experience needed to run a Group Home.
- Does not live there.
- Will not come by everyday
- Not against Group Homes
- Does not feel it would fit in their neighborhood
- Goes against covenants
- Quality of life
- Traffic concerns
- Property values
- Parking on street is a concern
- Setting a precedent if approved that says it is okay to violate covenants
- Presented signed petitions against the petition. (made part of minutes)

Ms. Tara Hill

210 Creekview (next door to proposed home)

- Was not aware of a proposed Group Home
- Previous renters stole cable
- Information provided made part of these minutes.
- Concerned about water system

Ms. Perry

570 Creekview

- Children will come from Juvenile Justice and DFACS
- Concerned about impact that these children could have upon other children in the neighborhood.
- Concerned about children who have been sexually, physically or psychology abused acting out.
- Does not oppose Group Homes, but not in subdivision.

District Three Commissioner Nancy Schulz thanked Mrs. Hosley for the detailed information that was provided to the board.

Motion by Commissioner Schulz, seconded by Commissioner Ewing to deny the request for Conditional Use Permit 10-001 for a Group Home to be located at 200 Creekview Boulevard located in District Three based on the following Conditional Use Permit Criteria contained in Section 620-060(B) of the Newton County Zoning Ordinance:

1. Compatibility with adjacent properties and with other properties in the same zoning district.
2. The proposed use will create unreasonable adverse impacts upon adjoining land use by reason of the manner of operation of the proposed use.

Motion carried with Commissioner Simmons and Commissioner Henderson voting in opposition to the motion.

REZ10-001

Existing Land Use Map: MIX (Mixed Use)

Existing Zoning: AR (Agricultural Residential)

Proposed Zoning: CN (Neighborhood Commercial)

Watershed: Alcovy

Location: Ball Ground Road (North Side)

Feet of Frontage: 276.31

GA Hwy. 212 (West Side)

Feet of Frontage: 492.93

Parcel Size: 1.91 Acres

Tax Parcel: 91-55

Owner: Monta Crawford

Petitioner: Linda Crawford

Applicant's Intent: To develop barbershop in an existing residence.

Planning Commission Approved Unanimously

District One

Petitioner: Mrs. Linda Crawford

- Family business/barbershop
- Commissioner Ewing has met with the Crawford's and has received no calls in opposition.

Opposition

None

Motion by Commissioner Ewing, seconded by Commissioner Henderson to approve REZ10-001 and change the zoning from AR (Agricultural Residential) to CN (Neighborhood Commercial with the following conditions as read aloud by Commissioner Ewing.

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

- a. Service commercial and/or office uses, in the existing structure. No material changes to the outside of the structure except for normal maintenance.
- b. The following uses shall not be allowed:
 1. Amphitheatres, Stadiums
 2. Animal Hospitals, Vet Clinics
 3. Major Auto Repair, Auto Sales
 4. Bar, Night Club
 5. Auto Service Station (not excluding fuel centers associated with convenience store) Campground, RV Park
 6. Campground, RV Park
 7. Private Club, Order, Lodge
 8. Electric Station; Gas Pumps not related to Anchor Store
 9. Flea Market

10. Funeral Home
11. Group Home
12. Hospital
13. Manufactured Home Sales, Rental, Repair
14. Kennel
15. Manufactured Home Display
16. Personal Care Home
17. Produce Stand
18. Farm Equipment Sales
19. Dry Cleaning, Institutional (Neighborhood Dry Cleaners that do on-site cleaning shall be allowed if they meet environmental regulations.)
20. Light Manufacturing
21. Commercial Outdoor Recreational Facilities
22. Place of Worship
23. Private Recreation Center or Club
24. Sawmill, Planing Mill
25. Mini-Warehouses
26. Tattoo Parlors
27. Adult Book Store/Entertainment
28. Establishments selling alcoholic beverages

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 February 9, 2010. 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. Obtain all necessary permits from the Department of Planning and Development, which may include a building permit, landscape plan, and business license, and approval from Environmental Health.

Motion Carried

COUNTY CHECKS

Motion by Commissioner Henderson, seconded by Commissioner Ewing to approve the county checks as read aloud by Chairman Morgan and printed in the board book.

Motion Carried

Commissioner Comments:

Commissioner Simmons gave honor to Dr. Dorothy Height who passed away today at the age of 98. Dr. Height was the president of the National Council of Negro Women for 40 years and recipient of the Presidential Medal of Freedom in 1994 as well as the Congressional God Medal in 2004.

With no further business, a motion by Commissioner Simmons, seconded by Commissioner Henderson the meeting adjourned at 8:35 p.m.

Motion carried unanimously

Respectfully submitted,

Jackie Smith, County Clerk

Katherine G. Morgan, Chairman