

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
October 19, 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.

**APPROVAL OF BOC WORK SESSION MINUTES
OCTOBER 5, 2010**

APPROVAL OF BOC MINUTES OCTOBER 5, 2010

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve the BOC Minutes dated October 5, 2010.

Motion carried unanimously

CHAIRMAN'S APPOINTMENT TO SENIOR SERVICES BOARD

Chairman Morgan addressed the board and requested affirmation on her appointment to the Newton County Senior Services Board, Mr. Doug Bolton.

Motion by Commissioner Schulz, and seconded by Commissioner Simmons to uphold the recommendation of the chairman and appoint Mr. Doug Bolton as the Chairman of the Newton County Senior Services Board.

Motion carried unanimously

**NATIONAL FLOOD INSURANCE PROGRAM/COMMUNITY
RATING SYSTEM (CRS) & COOPERATING TECHNICAL
PARTNERS PROGRAM (CTP) – SEEKING APPROVAL TO
SUBMIT APPLICATION & APPOINT COORDINATOR**

Deputy Development Services Director Lynn Parham appeared before the board seeking approval to move forward with the CRS/CTP (National Flood Insurance) Program. She also requested that Mr. Ernie Smith be appointed as coordinator representing Newton County. This program was presented and discussed at a board work session on September 7, 2010.

Motion by Commissioner Simmons, and seconded by Commissioner Henderson to move forward with the National Flood Insurance Program and appoint Mr. Ernie Smith as the coordinator.

Motion carried unanimously

AWARD OF CONTRACT FOR ADAPTIVE REUSE OF HISTORIC JAIL

Special Projects Coordinator Cheryl Delk appeared before the board regarding this contract. She noted the following:

- RFQ were sent out.
- Selected five contractors
- Mandatory pre-bid meeting held.
- Bids opened on October 5th
- Selection committee & architect Ron Dimery unanimously recommends Beatty Construction.
- Bid Amount: \$269,400

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to uphold the recommendation of the committee and award the contract for Adaptive Reuse of the Historic Jail to Beatty Construction Company for a not to exceed amount of \$269,400.00. Motion carried unanimously

SHERIFF'S OFFICE: REQUEST FOR REMOVAL OF OLD INMATE WORKER HOUSING (TRAILERS)

Captain Sammy Banks appeared before the board to present this request.

Motion by Commissioner Ewing, and seconded by Commissioner Schulz to approve the Sheriff's Office request for removal of the old inmate worker housing (trailers) as presented by Captain Banks and outlined on pages 10-11 in board packet.

Motion carried unanimously

PROPOSAL FROM URS FOR 2011 SPLOST/ROAD PROJECTS/HB277

Motion by Commissioner Ewing, and seconded by Commissioner Simmons to accept the recommendation of the chairman and table until further notice.

Motion carried unanimously

ENVIRONMENTAL SERVICE AGREEMENT WITH VEOLIA ENVIROMENTAL SERICES (Landfill)

Administrative Officer John Middleton presented this request to the board.

- Housekeeping item

- Pick-up and dispose of paints
- No price change
- Agreement is made part of these minutes

Motion by Commissioner Simmons, and seconded by Commissioner Henderson to approve the Environmental Service Agreement with VEOLIA Environmental Services as presented by Mr. Middleton and outlined on pages 16-20 in board packet.

Motion carried unanimously

R101905A – GEFA RESOLUTION/2010-L09SW

GEFA Resolution presented by Administrative Officer John Middleton.

- Housekeeping issue
- Requirement from GEFA regarding loan for construction project at the landfill
- Resolution is made part of these minutes

Motion by Commissioner Ewing, and seconded by Commissioner Fleming to approve R101905A – GEFA Resolution/2010-L09SW and Special Conditions D as presented by Mr. Middleton and listed on pages 21-22 in board packet.

Motion carried unanimously

ZONING

MOD10-000044

Proposal: To remove condition 3.b. of REZ09-001 and to waive requirement for decel land per section 605-110 F.5. of Development Regulations.

Existing Zoning: CH (Highway Commercial) approved 5/19/09

Location: 16328 Highway 36 (West side)

Parcel Size: 4.37 Acres

Tax Parcel: 72-22

Owner: Ben Rivers

Petitioner: Ben Rivers

Representative: Attorney Jim Alexander

Applicant's Intent: To remove requirements for providing decel and left-turn lanes.

BOC Deferred August 17, 2010 to September 21, 2010

BOC Deferred September 21, 2010 to October 19, 2010

District One

Commissioner Ewing noted that he had received a call today from Attorney Jimmy Alexander asking that the board table this request until the November 19, 2010 Commission meeting. Mr. Alexander is ill and could not attend tonight's meeting.

Motion by Commissioner Ewing, and seconded by Commissioner Simmons to table MOD10-000044 until the November 19, 2010 BOC meeting.

Motion carried unanimously

**R102110 - ADOPTION OF OFFICIAL ZONING DISTRICT MAP OF
NEWTON COUNTY**

MC10-001

Resolution to correct the 2003 Official Zoning District Map

Parcel 12A-145 to CH

Parcel 12A146 to OI

District Three

Motion by Commissioner Schulz, and seconded by Commissioner Fleming to approve Resolution R102110 to correct the 2003 Official Zoning District Map and change Parcel 12A-145 to CH and Parcel 12A 146 to OI.

Motion carried unanimously

FLU10-00034

REZ10-00033

Existing Land Use Map: RES (Residential)

Proposed Land Use Map: COM (Commercial)

Existing Zoning: R2 (Single-Family Residential)

Proposed Zoning: OI (Office Institutional)

Watershed: Yellow River

Location: 2238 Highway 81 North (East Side)

200.07 Feet of Frontage

Starr Dial Road (north Side)

437.02 Feet of Frontage

Parcel Size: 2.64 Acres

Tax Parcel: 60A-59

Owner: Hall's Property Management (Howard Hall)

Petitioner: Same

Applicant's Intent: To develop a professional office in an existing residential structure.

Planning Commissioner: Approval w/Staff Conditions 09/28/2010

District Five

Petitioner: Howard Hall

- Wants to have a small office
- Does not foresee traffic issue – the public will not be at the site

Opposition: Wayne Mark/Starr Dial Road

- Concerned about traffic
- Dangerous road

Civil Engineer Tom Garrett (Alcovy Surveying & Engineering, Inc) went over report with the board he submitted regarding rezoning request. Attached and made part of these minutes

Motion by Commissioner Fleming, and seconded by Commissioner Ewing to change the Future Land Use Map from RES (Residential) to COM (Commercial).

Motion carried unanimously

Motion by Commissioner Fleming, and seconded by Commissioner Ewing to approve REZ10-00033 and change the zoning from R2 (Single-Family Residential) to OI (Office Institutional) with the following conditions as read aloud by Commissioner Fleming:

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. Professional Office in a residential structure.
 - b. A single family residence (subject to Section 530-010 C.).
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 August 16, 2010 and June 30, 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, or issuance of a business license.
3. To the owner's agreement to abide by the following development standards:
 - a. The structure shall remain residential in appearance. No changes shall be made to the exterior of the structure except normal maintenance.
 - b. Limit the site to no more than one ground sign.
 - c. Obtain any necessary permits from the Department of Planning and Development prior to issuance of a business license. This specifically includes, but is not limited to, obtaining a building permit for any necessary modifications in converting a residential structure to a non-residential structure.
 - d. Instillation of sidewalks along street frontages shall be completed at the time of the first occurrence of one of the following:
 - (1) Any adjacent property is developed non-residentially, or

- (2) A future rezoning or modification is approved by the Board of Commissioners increasing the intensity of the non-residential use on the subject property.
- e. Hours of operation shall be limited to 8:00 am to 5:00 pm.
 - f. Professional office use shall have no more than 3 employees.
 - g. Existing driveway off of Highway 81 shall be closed by having a chain link rope placed across it.
 - h. Driveway off of Starr Dial Road must be located at least 100 feet from the edge of GDOT pavement (Highway 81). A driveway permit must be obtained.

Dedicate, at no cost to Newton County, right-of-way of 25 feet along Starr Dial Road from centerline of road (total of 0.251 acres, per plat of survey dated 9/1/06)
Motion carried unanimously

COUNTY CHECKS

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

EXECUTIVE SESSION

Time: 8:30 p.m.

Motion by Commissioner Ewing, seconded by Commissioner Fleming to enter into Executive Session for the purpose of a personnel update.
Motion carried unanimously

REGULAR SESSION

Time: 8:50 p.m.

Motion by Commissioner Simmons, seconded by Commissioner Henderson to enter into Regular Session.
Motion carried unanimously

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

Respectfully submitted,

Jackie B. Smith, County Clerk

Kathryn G. Morgan, Chairman