

NEWTON COUNTY BOARD OF COMMISSIONERS

MINUTES

November 21, 2000

Newton County Executive Office
Chairman Davis C. Morgan, Presiding

Present: Chairman Davis Morgan, Commissioners Tommy Ballard, Ronnie Dimsdale, Danny Stone, J.C. Henderson, Hubert White, Attorney's Tommy Craig, Scott Cole, Planning & Zoning Administrator Shawanna Qawiy, Clerk Jackie Smith

Also present: Cindy Tumlin-Covington News; Karen Addy-Newton Citizen; small group of citizens

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

Invocation: Rev. Jim Moore, Caanan Baptist Church

Pledge of Allegiance: Led by Chairman Morgan

APPROVAL OF MINUTES OF DATED November 7, 2000

Motion: To approve minutes as submitted with correction on page five (approval of county checks) changing motion second from Commissioner Stone to Commissioner Dimsdale.

Proposed by: Commissioner Tommy Ballard, District One

Second: Commissioner J.C. Henderson, District Four

Motion Carried

GEORGIA FORESTRY COMMISSION ANNUAL REPORT

Chairman Morgan introduced Beryl Budd who gave an overview of annual report that commissioners had received in their agenda packets. While presenting report Beryl expressed appreciation to his staff for all of their hard work and commitment to forestry. He also expressed appreciation to the chairman and the board for their support of the commission. Commissioner Stone expressed congratulations to Beryl for receiving the 1999 Outstanding Individual Achievement Award from the Georgia Urban Forest Council. Beryl mentioned that Turner Lake had also received this award a couple years back. The chairman and board members expressed appreciation to Beryl, his staff, and the Georgia Forestry Commission for all they do for Newton County.

RECYCLING CENTERS

Chairman stated that the county has been looking at taking the recycling centers in-house. There was a work session on Thursday night and the centers were discussed at that time. The board is asked to consider re-bidding the centers or consider taking them in house. Commissioner Dimsdale commented the consensus taken at the work session was to vote on taking them in house and if not, then to address re-bidding the centers. Commissioner White stated he didn't feel it was decided to vote on taking them in house, that both ideas should be looked at thoroughly. Commissioner Ballard asked if the board would object to extending the contract for sixty (60) days and let the new board take this up for consideration. Commissioner White stated he would not have a problem with that, but he felt this board needed to come to a decision. He would like to see it re-bid from a contractors perspective. Commissioner Stone stated that if we do put it back out for bid or proposals (see recommendation correspondence from Tina Edmondson, Purchasing Department) that if when the bid or proposals came back in and it was viewed that it could be done more cost effective and more advantageous to the county that those bid/proposals could all be rejected and at that time the board could determine to bring it back in house. Commissioner Ballard stated out of due respect to the incoming board that the new board should have the opportunity to get with Connie and Jerry and review the program, and what it will be in future. Commissioner Henderson stated he felt that Mr. Hilliard has done a good job and the only thing that proposes a problem is that he sticks up for his employees. He stated he felt it should be left up to the new board. Commissioner Dimsdale commented that the opportunity was extended to the new commissioners to come to the work session last Thursday and his view on the present board or the new board making the decision, is that this sitting board is the board with the experience in the process. The new board will have so much going on, that he didn't expect them to be up to speed and have insight as to what is going on here to make a decision in sixty days. He stated if we transfer the burden to the new board, they would need six months to work with this. Commissioner Henderson stated when he came on board he had to make decisions right off the bat. Commissioner White commented he would like to see it re-bid. Commissioner Dimsdale read from purchasing letter that the purchasing department could have the proposals back for board to act on by the last meeting in December. Commissioner White stated since this is the board that has dealt with this for so long that he would like to make a motion to re-bid or proposals. Commissioner Henderson stated he wanted to make sure that Mr. Hilliard's bid would be considered just like anyone else. Board concurred that it would.

Motion: To bid out or request proposals on managing the recycling centers.
Proposed by: Commissioner Hubert White, District Five
Second: Commissioner Danny Stone, District Three
Motion Fails
Against: Commissioners Ballard, Dimsdale and Henderson

ZONINGS:

Chairman Morgan introduced Zoning Administrator Shawanna Qawiy who presented the zonings. He also advised the audience there would be ten minutes allocated for the petitioner as well as those in opposition of the petition to address the board.

LYNN EDGE

20 Greers Dairy Road

R-30 TO M-1

Proposed Zoning: M-1
Area:
Current Zoning: R-30

Planning Commission Recommendation: That staff was to meet with the petitioners and specifically state what the property will be used for. A conditional approval would be given by the Planning & Zoning

Commission only if the petitioners came to an agreement with staff of the use of the property before the Board of Commissioners meeting.

Staff Recommendation: Approval with the following conditions:

1. Landscaping to meet the staff approval.
2. Lighting and exterior elevation must meet staff approval.
3. The following are **excluded** as permitted uses for the property.

#6 Air terminal

#8 Private Airstrip

#10 Alternative Tower Structure

#12 Amphitheater/Stadium/Concert Hall

#14 Antenna, Amateur Radio

#15 Antenna Satellite TV

#29 Night Club Bar

#36 Bus Terminal

#41 Club/Order/Lodge, Private

#42 Cold Storage Plant

#60 Electric, petroleum or Gas Substation

#70 Flea market

#79 Guest Houses, Tenant Dwelling, Caretakers Dwelling

#95 Light Manufacturing

#126 Recycling Station

#132 Planing Mill

#139 Soft Drink Bottling/Distribution Plant

#140 Solid Waste transfer Station

#142 Storage Tank, Bulk, Flammable

#150 Telecommunications Tower

Petitioner: Lynn Edge

- complies with future land use plan
- staff approved with conditions
- family lives in area

Opposition:

- None

Discussion Points

- Commissioner Stone asked petitioner if she was comfortable with the staff recommendations and willing to accept those? She replied that she was. Commissioner Dimsdale asked petitioner if she would be comfortable with the preliminary plat coming back to the board of commissioners for approval. She agreed to this request.

Motion: To uphold planning commission recommendation to approve with staff recommendations as well as preliminary plat coming back to board of commissioners for approval.

Proposed by: Commissioner Hubert White, District Five

Second: Commissioner Danny Stone, District Three

Motion Carried

HUBERT WHITE
HWY. 142 & COVINGTON BYPASS ROAD
R-30 and A-R to C.O.R.D.

Note: Commissioner White recused himself and left the room

Current Zoning: R-30 and A-R
Proposed Zoning: C.O.R.D.
Acres: 83.25 (1.8 commercial area) (6.6 lake area) (24 open space acres)
Purpose: Said property owner is requesting property to be rezoned to develop a Community Oriented Residential District.

Planning Commission Recommendation: Approval

Staff Recommendation: Staff recommends to approve the rezoning as drawn, with compliance to Division 300 of the Newton County Zoning Ordinance for C.O.R.D. (pg.3-1) with the following condition:

1. If the property is sold, the buyer will be subject to the conditions of the rezoning and must execute the plan as drawn and approved by the Newton County Board of Commissioners as per plan presented tonight.

Discussion:

- Shawanna Qawiy stated the project does not comply with our Future Land Use Map, but because of the area which is low density residential, supports the project because a major percentage of the project is reserved for open space which does support the goals we have in our Comprehensive Plan. It also supports our housing section in the comprehensive plan.
- If property is sold the buyer would be subject to the conditions of the rezoning and must execute the plans as drawn and approved by the Newton County Board of Commissioners.

Petitioner Representative: Mr. Peter Drey

- Provided hand out on project. (part of these minutes)
- Project consists of 208 single family homes
- About 37 town homes
- Reviewed drawing of project with board.
- Goal is to create a moderate income housing community in the range of \$100,000 to \$130,000.
- Modest density

Discussion:

- Commissioner Stone asked if town homes were owner occupied and Mr. Drey said everything is owner occupied.
- Commissioner Henderson asked what were some of the commercial uses? Mr. Drey said they are targeting neighborhood commercial services.
- Commissioner Stone asked if the residential property above the commercial was tenants of who occupied the business below? Mr. Drey said they are not tied together. They will be owner occupied. No rental proposals in here. The only opportunity is like a granny flat over a garage and that would be very little.
- Commissioner Stone commented that the recommendation from the staff is that plan must be executed as drawn. He clarified that staff was talking about the plan board was reviewing tonight and Mr. Drey concurred. He asked if they were willing to say if plan is not executed like what is before them that zoning reverts back to present zoning. Mr. Drey said we have to execute it as is.
- Commissioner Dimsdale asked how many entrances on Hwy. 142? 3
- Commissioner Dimsdale asked Mr. Drey to comment on the assurance that the unoccupied land would not be built on. He said through a mandatory Home Owners Association.

Opposition:

- No one who lived in area.
- Mr. Mark Harrah (who lives in Salem area) objected to it not meeting the Future Land Use Plan.

Motion: To uphold Planning Commissions recommendation for approval with staff recommendations. Also, that should property be sold, it must continue to adhere to approved drawing or revert back to prior zoning.

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

Second: Commissioner Ronnie Dimsdale, District Three

Abstained: Commissioner Hubert White

Motion Carried

Commissioner Dimsdale asked for clarification on recycling center decision. Chairman said he thought they wanted to leave it for new board. Commissioner White said this board should handle this because of all the time put in to this. Commissioner Ballard said let new board deal with this. Commissioner Dimsdale said Tina said we could let it out by end of December. Commissioner White stated again that we could re-bid it or accept proposals and then if not satisfied with bid/proposals we could let next board handle. Commissioner Dimsdale said at that time then we could address if we wanted to bring it in house or not, that he would be alright with that. Let new board address it.

STREET LIGHT PETITIONS: None

ALCOHOLIC BEVERAGE LICENSE:

Final Reading:

Foodland

15036 Brown Bridge Road

Covington, Georgia 30016

Owner: Sanjeev Sethi

Attorney Jim Stokes represented Sanjeev Sethi, new owner of Foodland. He is the brother in law of the former owner. He is the sole owner of the operation. Commissioner Dimsdale asked if Attorney Stokes could assure board that the previous owner, Mr. Gulati, would have no power in corporation, no part in business, no contact with business, no financial interest. Attorney Stokes said he will not have any interest at all. Commissioner Dimsdale asked if they could assure board that Secretary of State has on record the transfer of ownership. Mr. Stokes said he would guarantee that. Commissioner Stone stated that he was not comfortable with this request because there has been numerous violations at this store. How is Mr. Sethi going to handle this business with the job he has now. Mr. Stokes said he will hire and train employees and work himself much of the time on the weekend. Commissioner Henderson stated he felt before that Foodland received a slap on the wrist and was disappointed that more penalty was not given, and suggested schooling for employees. Commissioner Dimsdale stated a class would be held later on this month for training.

Motion: To approve license as requested.

Proposed by: Commissioner Ronnie Dimsdale, District Two

Second: Commissioner Hubert White, District Five

Motion Carried with Commissioner Stone voting against motion.

APPROVAL OF COUNTY CHECKS:

Motion: To approve checks as submitted.
Proposed by: Commissioner J.C. Henderson, District Four
Second: Commissioner Tommy Ballard, District One
Motion Carried

CITIZENS COMMENTS: None

EXECUTIVE SESSION: None

ADJOURN:

Time: 8:30 PM

Motion: To adjourn
Proposed by: Commissioner Tommy Ballard, District One
Second: Commissioner Danny Stone, District Three
Motion Carried

Respectfully Submitted,

Jackie B. Smith, Clerk

Davis C. Morgan, Chairman