

**NEWTON COUNTY BOARD OF COMMISSIONERS**

**MINUTES**

**November 7, 2000**

**Newton County Executive Office**  
**Chairman Davis C. Morgan, Presiding**

**Present:** Chairman Davis Morgan, Commissioners Tommy Ballard, Ronnie Dimsdale, J.C. Henderson, Hubert White, Attorney Scott Cole, Planning & Zoning Administrator Shawanna Qawiy, Clerk Jackie Smith  
**Absent:** Commissioner Danny Stone (vacation)

**Also present:** Cindy Tumlin-Covington News; small group of citizens

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

**Invocation:** Rev. Dickie Johnson, Porterdale Baptist Church

**Pledge of Allegiance:** Led by Chairman Morgan

**APPROVAL OF MINUTES OF DATED October 17, 2000**

**Motion:** To approve minutes as submitted.  
**Proposed by:** Commissioner Hubert White, District Five  
**Second:** Commissioner Ronnie Dimsdale, District Two  
**Motion Carried**

**PROCLAMATION P-11-0700 NATIONAL RECYCLING MONTH**

**Motion:** To approve Proclamation P-11-0700 National Recycling Month for Newton County.  
**Proposed by:** Commissioner Tommy Ballard, District One  
**Second:** Commissioner Hubert White, District Five  
**Motion Carried**

**APPROVAL FOR SPEED DETECTION DEVICES (List of Roadways in Newton County)**

**Motion:** To approve proposed Speed Detection Devices as submitted with correction on Brown Bridge Road to read 45 mph.  
**Proposed by:** Commissioner Tommy Ballard, District One  
**Second:** Commissioner Hubert White, District Five  
**Motion Carried**

## **AMENDMENTS TO THE EROSION & SEDIMENTATION CONTROL ORDINANCE – AMENDED 2000**

After some discussion the board decided to table this item until December 19, 2000. They requested a staff member to address the board at a work session regarding this amendment.

**Motion:** To table until December 19, 2000 meeting.  
**Proposed by:** Commissioner Ronnie Dimsdale, District Two  
**Second:** Commissioner Tommy Ballard, District One  
**Motion Carried**

**Board adjourned for a ten minute break before time for zonings to begin.**

### **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.

**Petitioner:** Lynn Edge

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

#### **Opposition:**

- None

#### **Discussion Points**

- Commissioners asked for non-permitted uses. Shawanna Qawiy read the non-permitted uses as listed in the zoning ordinance. They are:  
#6, #8, #10, #12, #14, #15, #21, #36, #41, #42, #60, #70, #79, #95, #126, #132, #139, #140, #142, #150
- If petitioner wants a conditional use then petitioner will go back before planning and zoning to make request.

**Motion:** To uphold planning & zoning recommendation for petitioner to meet with staff prior to approval.  
**Proposed by:** Commissioner J.C. Henderson, District Four  
**Second:** Commissioner Hubert White, District Five  
**Abstained:** Commissioner Tommy Ballard, District One

Scott Cole gave an opinion that the zoning should be tabled until the next meeting when a majority board would be in session. Commissioner Henderson requested that Scott Cole give him a copy of this information.

Motion was withdrawn and new motion made.

**Motion:** To table until November 21, 2000 meeting.  
**Proposed by:** Commissioner Ronnie Dimsdale, District Two  
**Second:** Commissioner J.C. Henderson, District Four  
**Abstained:** Commissioner Tommy Ballard, District One  
**Motion Carried**

**ALLEN RICHARDSON, AGENT**  
**2110 DIXIE ROAD**  
**A-R to CONDITIONAL USE**

Note: Petitioner ask for request to be tabled.

**Area:** 38 acres  
**Current Zoning:** A-R

**Planning Commission Recommendation:** Planning & Zoning Commission denied the petition based on information submitted by residents in reference to hazardous rays that may come from the telecommunication tower. Also residents were concerned about the school in the area that would be effected by the use of the telecommunication tower.

**Staff Recommendation:** Staff recommends approval with the condition that the applicant shall comply with Section 510-030 of the Newton County Zoning Ordinance.

1. The owner shall submit documentation from the Federal Aviation Administration (FAA) that the lighting is the minimal required by the Administration.
2. The tower will be landscaped or buffered in accordance to the Newton County zoning ordinance (See Newton County Planner for details for approval).
3. Output power levels from the tower and or associated antennas shall not exceed the current federally approved levels of exposure to electromagnetic radiation.
4. Contractor shall n notify the inspector a minimum of 24 hours prior to beginning of construction.
5. Contractor shall display all permits on site during construction and in plain view from a public street or road.
6. Contractor must comply with all bu9ilding codes and regulations, which are presently in effect at date of, permit issuance.
7. Contractor shall assure that all final inspections are made.
8. No certificate of occupancy will be issued until all site improvements have been completed.
9. Contractor shall notify utility protection prior to excavation, which is required by law.
10. All towers shall be set back a distance of at least equal to the height of the tower form all property lines of residentially zoned property.
11. No advertising sign or logo is permitted.

**Motion:** To table request until December 5, 2000 meeting.  
**Proposed by:** Commissioner Tommy Ballard, District One  
**Second:** Commissioner Ronnie Dimsdale, District Two  
**Motion Carried**

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

Petitioner ask for request to be tabled until November 21, 2000 meeting.

**Motion:** To table request until November 21, 2000 meeting as requested.  
**Proposed by:** Commissioner Tommy Ballard, District One  
**Second:** Commissioner J.C. Henderson, District Two  
**Abstained:** Commissioner Hubert White  
**Motion Carried**

**CHUCK SANFORD, DRS INVESTMENT**  
**10300 INDUSTRIAL BOULEVARD**  
**M-I Light Industrial to CH Highway Commercial**

**Area:** 10.89 acres  
**Current Zoning:** M-I Light Industrial  
**Planning Commission Recommendation:** Approval  
**Staff Recommendation:** Approval with conditions as follows:  
1. Submission of development plans stating adjacent protection against soil, erosion sedimentation and water quality.  
2. Shall comply with buffer section of Newton County Development Regulations for zoning.

**Petitioner:** Representative Attorney Dan Greer

**Opposition:** None

**Discussion Points**

- M-I doesn't permit a restaurant.
- Asking to reduce zoning to Highway Commercial
- Plans to improve area

**Motion:** . To uphold Planning Commission Recommendation to approve request with Staff Recommendations.  
**Proposed by:** Commissioner J.C. Henderson, District Four  
**Second:** Commissioner Hubert White, District Five  
**Motion Carried**

**STREET LIGHT PETITONS:** None

**ALCOHOLIC BEVERAGE LICENSE:** None

## **APPROVAL OF COUNTY CHECKS:**

**Motion:** To approve checks as submitted.  
**Proposed by:** Commissioner J.C. Henderson, District Four  
**Second:** Commissioner Ronnie Dimsdale, District Two  
**Motion Carried**

## **CITIZENS COMMENTS:**

## **EXECUTIVE SESSION:**

**Time:** 7:50 pm  
**Motion:** To enter into executive session.  
**Proposed by:** Commissioner Hubert White, District Five  
**Second:** Commissioner J.C. Henderson, District Four  
**Motion Carried**

**Time:** 8:00 pm  
**Motion:** To enter into regular session.  
**Proposed by:** Commissioner Tommy Ballard, District One  
**Second:** Commissioner J.C. Henderson, District Four  
**Motion Carried**

## **ADJOURN: 8:00 PM**

**Motion:** To adjourn  
**Proposed by:** Commissioner Tommy Ballard, District One  
**Second:** Commissioner J.C. Henderson, District Four  
**Motion Carried**

Respectfully Submitted,

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**Jackie B. Smith, Clerk**

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**Davis C. Morgan, Chairman**