

**NEWTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
October 2, 2007
MINUTES**

**Newton County Historic Courthouse
1124 Clark Street
Covington, Georgia
Chairman Aaron Varner, Presiding**

Present: Chairman Aaron Varner, Commissioners Mort Ewing, Earnest Simmons, Ester Fleming, Jr., J.C. Henderson, and Monty Laster, Administrative Officer John Middleton, County Attorney Tommy Craig, Attorney Ed Tolley and Clerk Jackie Smith
Newspaper: Covington News
Newton Citizen
A few citizens

Chairman Varner called the meeting to order, extended a welcome and read the thought for the day. Pastor Ronnie Brannen, Canaan Baptist Church, gave the invocation and after expressing thanks to Rev. Brannen for the beautiful prayer, Chairman Varner led the Pledge of Allegiance to our great Flag.

Chairman Varner extended, on behalf of himself, and the commission, a special welcome to members of Leadership Newton County.

WATERING BAN UPDATE

Water Resource Director Karl Kelley appeared before the board to give an update on watering ban.

- Provided Drought Response Information dated October 2, 2007 and made a part of these minutes.
- He commented that Newton County is in a better situation than most metropolitan counties because of the foresight of this board and previous board of commissioners.

APPROVAL OF BOC MINUTES DATED SEPTEMBER 18, 2007

Motion: To approve BOC Minutes dated September 18, 2007 as printed.

Proposed by: Commissioner Monty Laster, District Five

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

Motion Carried

County Attorney Tommy Craig addressed the board regarding the I-20 East, Inc. zoning request, noting this is pending litigation and the board needs to go into Executive Session for information and discussion. If resolved, action will be taken in Open Session. He also took a moment and explained the Executive Session process and legalities to the members of Leadership Newton County.

EXECUTIVE SESSION

Time: 7:05 p.m.

Motion: To enter into Executive Session for the purpose of discussing pending litigation.

Proposed by: Commissioner Ester Fleming, Jr., District Three

Second by: Commissioner Mort Ewing, District One

Motion Carried

REGULAR SESSION

Time: 7:25 p.m.

Motion: To enter into Regular Session.

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Mort Ewing, District One

Motion Carried

Attorney Ed Tolley addressed the board and noted this was remanded back to the board by the courts. He stated his opinion that reconsideration of the requested zoning is appropriate.

FLU06-004, REZ06-012

Proposed Land Use Map: LDR (Low-Density Residential), PRC (Parks/Recreation/Conservation)

Existing Land Use Map: A (Agriculture) PRC (Parks/Recreation/Conservation), LDR (Low-Density Residential)

Proposed Zoning: R1 (Single-Family Residential)

Existing Zoning: AR (Agricultural Residential)

Watershed: Yellow River

Location: On the Newton/Rockdale County line in the vicinity of Griffin Mountain Trail
No road frontage in Newton County (Access through a subdivision in Rockdale County)

Parcel Size: 27.25 Acres (Portion of 68.6 Acres)

Tax Parcel: 23-1

Owner: I-20 East, Inc.

Applicant's Intent: To develop a 37-lot residential open space conservation subdivision on 27.25 acres for a density of 1.43 lots per acre. This is an expansion of an opens pace subdivision in Rockdale County.

Planning Commission Recommendation: FLU06-002 – Denial; REZ06-012 – Denial (May 23, 2006)

BOC Decision on June 20, 2006: Denial of FLU & REZ.

District Three

Petitioner: Robbie Lanier, I-20 East, Inc.

- Property lies on Rockdale/Newton County line
- R1 Open Space Subdivision for 37 lots
- Has meet with homeowners
- Worked out a list of conditions that is agreeable to all parties.

Opposition

Sybil Henderson

- Opposes because it is in the middle of an equestrian subdivision and lots are 2 to 5 acres.

Favor

M.A. Turner

- Previously against request, however has since met with Commissioner Fleming, Mr. Lanier and other homeowners and have worked out conditions that we are satisfied with.
- Feels this is the best possible deal we can get.

Motion: To approve FLU06-004 and change the map from A (Agriculture) PRC (Parks/Recreation/Conservation) to LDR (Low-Density Residential), PRC (Parks/Recreation/Conservation) as requested.

Proposed by: Commissioner Ester Fleming, Jr., District Three

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

Motion Carried

Motion: To approve REZ06-012 and change the zoning from AR (Agricultural Residential) to R1 (Single-Family Residential) with the following conditions as read 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. Single family detached dwellings and accessory uses and structures.
 - b. The minimum lot size shall be 12,750 square feet for sewer and 25,500 for septic.
 - c. No more than 37 total dwelling units, at a maximum density of 1.43 dwelling units per acre, whichever is less based on the total acreage zoned.
 - d. The minimum heated floor area per dwelling unit shall be 2,000__ square feet for one-story homes and 2,200 square feet for two-story homes.
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 April 6, 2006. 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. Stormwater plan to be reviewed and approved by County Engineer.
 - b. All homes shall have a minimum of 2-car garages.
 - c. All homes shall be three-sided brick, stone or stucco from ground to eaves. No vinyl siding allowed.
 - d. Front yard setbacks shall be staggered 25 to 35 feet from right-of-way, except where topographic conditions do not allow.
 - e. Provide sidewalks on both sides of the internal subdivision streets.
 - f. Provide a 20-foot planted buffer with 6-foot Leyland Cypress trees or other material designated by the County Arborist. The trees will be planted 8-foot on center.
 - g. All utilities shall be underground.
 - h. Provide mandatory homeowners association to maintain all common areas and open space.
 - i. Provide copy of inter-governmental agreement between Rockdale and Newton Counties pertaining to provision of emergency services, schools and utilities for the subject site, as applicable, prior to approval of the preliminary plat.
 - j. All front and side yards shall be sodded.

Proposed by: Commissioner Ester Fleming, Jr., District Three

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

R100207 RE GDOT FEDERAL PROJECT STP-0000-00 (842)

S.R. 162/SALEM ROAD & CR 33/SPRING ROAD

Chairman Varner noted this was a housekeeping item required by GDOT for the project.

Motion: To approve Resolution R100207 regarding GDOT Federal Project STP-0000-00 (842) SR162\Salem Road & CR 33 Spring Road.

Proposed by: Commissioner Monty Laster, District Five

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

Note: The original resolution is contained in file number R100207, incorporated herein by reference and expressly made a part of these minutes.

VENDING MACHINE COMPARISONS FOR NEW OFFICE COMPLEX

Administrative Officer John Middleton presented this to the board and noted the following:

- Received four quotes.
- Recommendation based on economy
- True Vending is out of Conyers
- Previous supplier to old annex building
- Lowest bidder is True Vending

Motion: To approve True Vending as vending machine supplier as recommended and outlined in agenda packet.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

KARDVEYER SERIES 80 FILING SYSTEM FOR SURPLUS

Administrative Officer John Middleton presented the Kardveyer Series 80 Filing System to the board to be declared surplus property.

Motion: To declare Kardveyer Series 80 Filing System as surplus and to be sold on line at GovDeals.

Proposed by: Commissioner Ester Fleming, Jr., District Three

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

ALCOHOL LICENSE:

First Reading

Lovers Lane Citgo

2527 Hwy. 81 South

Covington, Georgia 30016

Owners: Dharani Badruddin Abdulla (100%)

District One

COUNTY CHECKS:

Motion: To approve the county checks as read by the chairman.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

STREETLIGHTS:

Iris Brook Subdivision

District Three

Motion: To approve the streetlight request for Iris Brook Subdivision located in the third district.

Proposed by: Commissioner Ester Fleming, Jr., District Three

Second by: Commissioner Earnest Simmons, District Two

Motion Carried

COMMENTS

Commissioner Ewing took a moment to thank the board, staff, and others who have been so kind during his family's time of grief in the loss of his wife's brother, Mr. Dan Greer.

Mr. Dan was well loved by this community and will be missed by all.

ADJOURN

Time: 7:45 p.m.

Motion: To adjourn the meeting.

Proposed by: Commissioner Mort Ewing, District One

Second by: Commissioner Ester Fleming, Jr., District Three

Motion Carried

Respectfully Submitted,

Jackie B. Smith
County Clerk