

**NEWTON COUNTY BOARD OF COMMISSIONERS
MINUTES
May 1, 2001
Newton County Executive Office Building**

Presiding: Chairman Aaron Varner

Present: Chairman Aaron Varner, Commissioners Mort Ewing, Ronnie Dimsdale, Ester Fleming, J.C. Henderson; and Billy Strickland, Attorney Jenny Carter; Clerk Jackie Smith

Newspaper: Cindy Tumlin, Covington News-Josh Puckett, Newton Citizen
Large group of citizens.

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

Invocation: Father John Howren – Saint Augustine Church

Pledge of Allegiance: Led by Chairman Varner

APPROVAL OF MINUTES DATED April 17, 2001

Motion: To adopt minutes for April 17, 2001 meeting as presented.

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

Second: Commissioner Ronnie Dimsdale, District Two

Motion Carried Unanimously

CSBG CARRY OVER FUNDS

Administrative Assistant John Middleton recapped CSBG contract for Senior Services Food Program and stated these funds will carry over from last year. The total amount to be amended into current contract is \$10,970.21.

Motion: To accept and approve as presented and discussed.

Proposed by: Commissioner Mort Ewing, District One

Second: Commissioner Billy Strickland, District Five

Motion Carried Unanimously

**BID #01-15 TRUCK PURCHASE FOR PUBLIC WORKS
DEPARTMENT**

Chairman Varner recapped the bids for said trucks.

Truck #1, Two each ¾ ton pickups: Low bidder is Walker Harris at \$21,960 each.
Truck #2, Sign Truck: Low bidder is Walker Harris at 24,864.
Truck #3, Cab & Chassis only: Low bidder is Walker Harris at \$22,392.
Truck #4, Mowing Crew trucks: Second low bid is Covington Ford, \$26,956.
Note: Walker Harris is the low bidder, however the specs called for a Crew Cab which is four full size doors and Dodge only has ½ size doors.
Truck #5, Dump Truck: Low bidder is with the State Contractor Bill Heard Chevrolet at \$62,912.
Truck #6, Road Tractor: Low bidder is Peach State Ford at \$71,002.

Total Cost: \$252,046.

Motion: To approve bid #01-15 Truck Purchase for Public Works Department as presented.

Proposed by: Commissioner Mort Ewing, District One

Second: Commissioner J.C. Henderson, District Four

Motion Carried Unanimously

RANDY PAGE
NW Corner of Oakhill Road & GA Hwy. 212
Covington, Georgia 30014

Chairman Varner apprised the audience that ten minutes will be allocated for support as well as opposition to petition and introduced Zoning Administrator Shawanna Qwairy who presented zoning.

Current Zoning: C-N/R-1 with conditions

Proposed Zoning: C-N without conditions

Acres: 2 acres

Purpose: To rezone the remaining portion of the parcel C-N and to remove the conditions on the currently zoned portion and to construct a convenience store.

Background: Randy Page is requesting to remove conditions on the current parcel of 1.5 acres on the east and to rezone the entire parcel including the remaining ¾ acres on the west that is currently zoned R-1. (130 x 256 west). The property is located at the Northwest Corner of Oakhill Road and GA Hwy. 212. The parcel is located in the development node, being consistent with the future land use map that are areas which are growing or are communities that are expected to grow in the near future. Currently an old antique store is located on the C-N portion of the tract. The petition states that the store building isolated to close to the intersection of Oakhill Road

and GA Hwy. 212. The allowable square footage on the lot is a 30 x 60-sq. ft (1800). The old antique building will be either moved to another spot on the lot or torn down. The petition plans to construct a convenience store with Gas Island and new space to operate the antique store. To construct a convenience store was a condition that the Board of Commissioners (April 25, 1989) put as a stipulation that was not to be constructed on the property. Also, as stated in the minutes from the Board of Commissioners meeting, it was amended that the request includes that the existing building is removed prior to issuance of a certificate of occupancy on the new building.

Staff Recommendation: Staff recommends approving the rezoning with the condition that parking on the east side is reduced for landscaping purposes. The petitioner would set up neighborhood meeting to discuss the proposed development including lights and signage. Acceleration and deceleration lanes will have to have DOT approval. Staff will have to have DOT approval in writing before construction plans are approved. Petition will comply with Section 520-020: Transitional buffers.

Planning Commission Recommendation: To deny – unanimous vote 3-0.

Petitioner: Randy Page
Rev. Paul Standard
Representative: Attorney Dan Greer

Discussion:

Petitioner is requesting that 2 conditions be lifted.

- Whole lot consist of 1.89 acres
- Old store has been there number of year's sits partly in the ROW of Hwy. 212. Store presents blind intersection.
- ¾ acre is still zoned residential
- Precluded site being used for food stores including convenience stores, not withstanding the fact that grocery stores have been built for years at location.
- Property has always been commercial.
- Relocation of old store out of ROW or store would have to be torn down, this would depend on condition of store.
- New store could not be built on spot unless old store is torn down.
- Petitioner is sensitive to the fact that this is a historic area and presented a picture of proposed store.

Ren Anderson:

- Owner of competitive stores and spoke on behalf of the type of store Mr. Page runs.
- Request was approved by staff and complies with Future Land Use Map.

Randy Page:

- The questions raised about feasibility of moving building. We will move it unless termites have infested building.
- Noted again that part of store is in r.o.w.

Questions:

- Chairman Varner asked if alcohol would be sold at store? Mr. Page said yes, but Mr. Greer said possible that all permits had to be approved from state and county for alcohol sale, however zoning request is independent of alcohol sale.
- Commissioner Henderson questioned as to why Planning Commission denied request. Shawanna said their decision was based on information from previous board minutes.

Opposition:

John Gulick

Property owner on both sides of property in question.

- Presented petition with 77+ signatures and a petition with 105 + signatures opposing request. (made part of these minutes)
- Area of store not maintained, lots of junk
- Kills rats and snakes that come from area in question.
- Concerned it will have negative effect on neighborhood.
- Enough stations now.
- Hazard to community.

Dr. Rosemary Shostock

Property owner

- Concerned about environmental issues
- Presented pictures of her house...trying to get on historic registry.
- Concerned about natural resources
- 9 gas stations between Oakhill & I-20. (8 mile span)
- 2 giant grocery stores within ½ mile
- 3 drycleaners within mile
- 15+ for sale signs for potential commercial
- Community does not want this.
- Lives in 120 year old house
- Her house would be 15 years from gas station
- One of largest pollutants is gas station
- #1 source of ground water contamination
- Concerned about wells in area
- Over 30,000 spills annually
- Wetlands would be endangered
- Air quality...can't burn from May 1 – October 1

Rev. Lawrence Lockett
Pastor Prospect Methodist Church

- 87 feet from flag pole to proposed station.
- 150 feet from front door of church.
- Traffic: 9 accidents in area last year
- School right down the road
- Church Growth
- Can't handle traffic coming out of station
- Alcohol being sold...kids coming in...brings other things
- Church is opposed.

Attorney Dan Greer

- All agree it is a hazard.
- Convenience Stores do not create traffic; they draw from existing traffic.
- Acel & Decel lands will have to be provided.
- Question is whether to keep Rev. Standard in straight jacket with property or give him relief.
- BOC placed Oakhill in development node...
- All requirements will naturally have to be met.

Motion: To deny petition.
Proposed by: Commissioner Ronnie Dimsdale, District Two
Second: Commissioner Ester Fleming, District Three
Motion Carried Unanimously

STREETLIGHTS:

Lyndhurst Unit II

Motion: To approve streetlight request as submitted.
Proposed by: Commissioner Ester Fleming, District Three
Second: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

ALCOHOL BEVERAGE LICENSE: None

APPROVAL OF COUNTY CHECKS

Motion: To approve county checks as submitted.
Proposed by: Commissioner J.C. Henderson, District Four
Second: Commissioner Mort Ewing, District One
Motion Carried Unanimously

CITIZEN COMMENTS:

EXECUTIVE SESSION:

Motion: To enter into Executive Session to discuss personnel.
Time: 8:00 PM
Proposed by: Commissioner Ester Fleming, District Three
Second: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

Motion: To enter into Regular Session.
Time: 8:20 PM
Proposed by: Commissioner Ester Fleming, District Three
Second: Commissioner J.C. Henderson, District Four
Motion Carried Unanimously

Project Manager for New Detention Facility

Motion: To hire Mr. Ray McFadden as Project Manager for new Detention Facility at \$85.00 per hour with a cap of \$200,000. There will be no county benefits other than county will be responsible for ½ social security.
Proposed by: Commissioner Ronnie Dimsdale, District Two
Second: Commissioner Billy Strickland, District Five
Motion Carried Unanimously

ADJOURNED

Chairman Varner adjourned the meeting at 8:30 PM.

Respectfully Submitted,

Jackie Smith, Clerk

Aaron Varner, Chairman

