

**Upson County Board of Commissioners
August 11, 2015 Meeting Minutes**

Call to Order

Chairman Blackston calls the meeting to order at 6:00 PM. All Commissioners are in attendance. County Manager Jim Wheelless and County Attorney Heath English were also in attendance. The Invocation was led by Commissioner Ellington and Pledge of Allegiance was led by Chairman Blackston.

Minutes

A motion is made by Comm. Spraggins, with a second from Comm. Wilder, to adopt the July 28, 2015 regular meeting minutes and the August 4, 2015 work session minutes. The motion carries.

Chairman Blackston – Yes Commissioner Ellington – Yes
Commissioner Wilder – Yes Commissioner Hudson – Yes
Commissioner Spraggins – Yes

Public Comments

Dean Hemphill, 1014 South Green Street, stated that for the last several years everything has been ruled against God. He would like to see the Church treated the same as the Schools when measuring the distance for the sale of beer, wine, and distilled spirits. He added that he doesn't want Upson County to be like other counties, and he feels it is important to respect God's house.

New Business

- a. A motion was made by Commissioner Ellington with a second from Comm. Spraggins to amend the agenda to discuss the proposed changes in the zoning ordinance on agriculture. The changes are below.

Commissioner Ellington – Yes Commissioner Wilder – Yes
Commissioner Hudson – Yes Commissioner Spraggins – Yes
Chairman Blackston – Yes

ORDINANCE NO. _____

AN ORDINANCE OF UPSON COUNTY, GEORGIA AMENDING THE UPSON COUNTY ZONING ORDINANCE, SECTIONS 202 AND 504, DEFINING AGRITOURISM AND RECREATION FACILITIES; ADDING A-R ZONING DISTRICT PERMITTED USES TO INCLUDE: DULY PERMITTED/LICENSED, BUT LIMITED, MEAT PROCESSING AND STORAGE FACILITIES, THE RAISING OF GAME BIRDS, AGRITOURISM, SHOOTING PRESERVES AND AGRICULTURE-RELATED AUCTIONS; ADDING INDOOR AND OUTDOOR SPECIAL EVENT VENUES BY SPECIAL EXCEPTION; DELETING LANGUAGE RELATED TO HOME OCCUPATIONS AS ACCESSORY USE SPECIAL EXCEPTIONS; PROVIDING FOR REPEAL OF CONFLICTING LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

* * * * *

WHEREAS, the 1983 Constitution of the State of Georgia, Article 9, Section 2, Paragraph 4 and OCGA §36-66, authorize county governments to exercise zoning power within their territorial boundaries, and

WHEREAS, Upson County adopted Ordinance No 79, the Upson County Zoning Ordinance, February 15, 1995; and

WHEREAS, Section 410 of the Upson County Zoning Ordinance (UCZO) lists the procedures by which the zoning ordinance may be amended; and

WHEREAS, the Board of Commissioners of Upson County, Georgia, did consider such below described amendments to the Zoning Ordinance of Upson County, Georgia, at a public meeting; and

WHEREAS, the Upson County Board of Commissioners has determined that the proposed amendments meet the required review standards and serve to enhance the public health, safety, morality or general welfare of Upson County, Georgia, therefore:

BE IT ORDAINED by the Board of Commissioners of Upson County, Georgia, as follows:

SECTION ONE

That Sections 202 and 504 of the Upson County Zoning Ordinance, Appendix A of the Upson County, Georgia, Code of Ordinances are hereby amended to read as follows:

**Article 2. Definitions of Terms Used
Section 202. General Definitions**

Add new letter "BBB." and "C." definitions and re-letter accordingly.

C. Agritourism – any agricultural related activity, on a minimum lot size of five acres, consistent and in conjunction with a bona fide farm or ranch or in a working forest which allows members

of the general public, for recreational, entertainment or educational purposes to view or enjoy activities including farming ranching, historical, cultural or "harvest your own" activities and attractions. Such activities may include, but are not be limited to farmers' markets, rodeos, cornfield mazes, pumpkin patches, Christmas tree farms, vineyards/wineries, petting zoos, camping and similar uses and activities.

BBB. Recreation facility or use – a public or private structure, building, complex, field, range, course, trail, athletic court, playground, pool, location or use related to participation in activities conducted for enjoyment, health, active leisure, athletics and/or sport rather than primarily for business, commerce, trade, transport, production or manufacturing. Multiple principle buildings per lot may be permitted. Recreational facilities and uses do not include fairs, carnivals, games of chance, arcades, amusement rides or the like.

Article 5. A-R Agricultural-Residential
Section 504. A.: Permitted Uses

Renumber current Permitted Uses "9" and "10" to "15" and "16."
Insert new Permitted Uses "9" through "14" as follows:

9. Legally permitted (Georgia Department of Natural Resources, its successors and assigns) Wildlife Storage, limited to processors and cold-storage houses, not to include grocery stores, hotels, markets, restaurants, etc.
10. Legally permitted (Georgia Department of Agriculture, its successors and assigns) Custom Feral Swine and Custom License (cattle, sheep, swine, ratites, goats, etc.), slaughter and processing facilities, not to include slaughter houses
11. Raising of quail, pheasant, partridge and other game birds (Permitted only, when game-holding permit required. OCGA §27-2-11)
12. Agriculture-related auctions, such as livestock, horse, produce and farm equipment auctions. (Permitted only, when permit required.)
13. Agritourism
14. Licensed Hunting/Shooting Preserves

Section 504.B. Permitted Uses by Special Exception

Add:

18. Indoor and outdoor special event venues, on a minimum lot size of five acres

Section 504. D. Accessory Uses by Special Exception

Delete: 1. Home occupation, excluding public garage and repair garage.

SECTION TWO

All other provisions of said Zoning Ordinance as amended shall remain in full force and effect.

SECTION THREE

All ordinances or parts thereof in conflict with the terms and provisions of this Ordinance are, and the same hereby, are repealed.

SECTION FOUR

Should any sentence, paragraph or section of this Ordinance be declared to be invalid, for any reason, such declaration shall not affect the validity of any other sentence, paragraph or section of this Ordinance and all such remaining sentences, paragraphs and sections hereof shall remain valid and of full force and effect, and the Board of Commissioners of Upson County, Georgia, hereby declares that such continuing validity of the remaining portions hereof is its intent as of the date of the enactment hereof.

The foregoing ordinance this day adopted by the Board of Commissioners of Upson County, Georgia, and effective, this Xth day of MONTH, 2015.

**BOARD OF COMMISSIONERS
OF UPSON COUNTY**

BY: _____
RUSTY BLACKSTON, Chairman

BY: _____
FRANK SPRAGGINS, Vice Chairman

BY: _____
STEVE HUDSON, Commissioner

BY: _____
RALPH ELLINGTON, Commissioner

BY: _____
LORENZO WILDER, Commissioner

ATTEST:

Upson County Clerk

- b. Chairman Blackston advised the board that the position for the DFCS had been advertised and one application was received from Mr. Thomas Craig.

A motion was made by Comm. Spraggins with a second from Comm. Ellington to appoint Mr. Thomas Craig to the DFCS board.

Commissioner Wilder – Yes Commissioner Hudson – Yes
Commissioner Spraggins – Yes Chairman Blackston – Yes
Commissioner Ellington – Yes

- c. Chairman Blackston advised the board that he had some concerns with the distilled spirits ordinance. He stated that there are some things that the state has outlined that has not been considered in the county's ordinance.

A motion was made by Chairman Blackston with a second from Comm. Hudson to table the first reading of the distilled spirits ordinance.

Commissioner Hudson – Yes Commissioner Spraggins – Yes
Chairman Blackston – Yes Commissioner Ellington – Yes
Commissioner Wilder – Yes

- d. Chairman Blackston advised the board that he had he had some concerns with the beer and wine ordinance. He stated that there are some things that the state has outlined that has not been considered in the county's ordinance.

A motion was made by Chairman Blackston with a second from Comm. Spraggins to table the first reading of the beer and ordinance.

Commissioner Spraggins – Yes Chairman Blackston – Yes
Commissioner Ellington – Yes Commissioner Wilder – Yes
Commissioner Hudson – Yes

County Manager, Commissioners and County Attorney Comments

County Manager Jim Wheeless told the board that Penny Cliff resigned because she had received a fulltime position to teach at Gordon College, adding that she will truly be missed. He stated that he spoke with Kay Hightower about setting up a search committee to fill the position.

On August 25, 2015 DOS will be having a road show in Villa Rica and if any of the Commissioners would like to attend they could.

Precision Planning is wrapping up and should have a report soon to present to the board.

Joint Project budgets are in and he will be meeting with Patrick Comiskey soon to review them.

Mr. Berry Cook turned in the preliminary tax digest, there is a roll back needed for the general county millage rate because it went from 11.13 to 11.02. If they wish for it to remain 11.13 a public hearing is required. He hopes to have the budget ready soon because the millage rate has to be given to Mr. Berry by the end of the month.

Commissioner Spraggins had no comments

Commissioner Wilder stated that he spoke with Carol Southard about the CDBG housing grant and work should start on Prater Street soon.

Commissioner Hudson asked if there is any way the customers can be notified that there is a surcharge from the merchant for paying their waste and water bill by credit card. He also asked if a shooting range was allowed at a deer camp. Mr. Doug Currier told him that they were not allowed in that zoning.

Commissioner Ellington had no comments.

County Attorney Heath English had no comments.

Chairman Blackston stated that he has been asked by several citizens about a shooting range in the county and he thinks this is something they should look into. He added that GA Asphalt is working on the resurfacing of Delray Road and it looks really good.

Adjournment

Comm. Spraggins made a motion to adjourn at 6:30 pm, with a second by Comm. Ellington to adjourn the meeting. The motion carries.

Chairman Rusty Blackston

Commissioner Steve Hudson

Commissioner Frank Spraggins

Commissioner Lorenzo Wilder

Commissioner Ralph Ellington

Jim Wheeless, County Manager