

**Upton County Board of Commissioners
October 6, 2015 Work Session Minutes**

Call to Order

Chairman Blackston calls the meeting to order at 9:00 PM. All Commissioners are in attendance except Commissioner Hudson, along with County Attorney Paschal English. The invocation was led by Comm. Ellington.

New Business

- a. The board discussed giving the employees 4 weeks' vacation after 15 years of service. Comm. Spraggins, Comm. Wilder and Comm. Ellington agreed they would like to be able to give the employees the additional time. The board will discuss and vote at the next commissioners meeting.
- b. Paschal English explained to the board that he had been contacted by the employees in Juvenile Court about moving their office to the space that Judge Crawford moved from. The board discussed moving the juvenile office and offering the Judges the space that the juvenile court currently occupies. They discussed closing off the door that is being currently used and using the door in the lobby so everyone would have to go through the metal detectors. Comm. Wilder and Comm. Ellington agreed to go look at the spaces and Chairman Blackston would speak with the Judges about the spaces. Chairman Blackston explained to the board that there is a security system in place that is currently being paid for by the Law Library. If Juvenile Court moves that expense would have to be covered.
- c. Building and Zoning Director Doug Currier explained to the board that they have had problems with businesses not paying the occupational tax. He explained that some businesses have already come in and paid the back occupation taxes that were owed. The board discussed the number of years they should go back on the occupational taxes, Mr. English explained that the state allows for back taxes 3 years, 4years or 7 years but nothing specifically talked about occupational tax. Chairman Blackston recommended going back 5-7 years and reimbursing the people that had already paid back taxes that paid more than for years than the board will require. No discussion was made the number of years they want to go back. Chairman Blackston asked the board to think about it for further discussion.
- d. The board discussed the changes that were made at the last work session for the Beer and Wine ordinance. Chairman Blackston had questions on why the distance was different for churches then it was for schools. County Clerk Jessica Jones explained that at the last work session they discussed the state not requiring any distance from a church, which is why they made the distance different for churches and schools.

The board also discussed the changes for the distilled spirit ordinance. Mr. Currier had changes for both ordinances. The board and the attorney will review the changes and discuss the ordinances again.

Proposed Change to Malt Beverage and Wine Ordinance

ZONING RESTRICTIONS- MALT BEVERAGE AND WINE

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- (a) No premises shall be licensed under this chapter whose location is within the following distances:
 - (1) Within 100 yards of any school building, school ground, college campus, or church
 - (2) Within 100 yards of any alcohol treatment center owned and operated by the State of Georgia or any county or municipal government therein.
 - (b) For the purposes of this section, distances shall be measured by the most direct route of travel on the ground from property line to property line except that distances involving a church shall be the most direct line of travel on the ground from the front door of the licensed premises to the front door of the sanctuary of the church.

Changes from Building & Zoning Director Doug Currier

Malt Beverages

Section 4 –

Typo – December 31st probably – not 21st “Between” v “from”

Section 6 –

Change business license to occupation tax certificate, etc. (Distilled language)

Section 8 –

Same as Distilled – Applicant posts sign? Photo of sign?
Applicant provides copy of ad?

Section 14 (I) – Do we want to add non-payment of occupation tax in with non-payment of ad valorem taxes as an automatic revocation justification?

Section 16 – add in consideration of whether or not the building meets building codes – at least life safety and fire, accessibility codes?

Section 18 –

Non-residential zoning – What about A-R?

Section 19 – Proximity

We mention school “ground” but the measurement is front wall to front wall – inconsistent with distilled draft.

Section 32 –

Are all employees going to have to have these picture IDs? Do we mean this section?

Section 41 –

Does this mean no alcohol sales in the back room like American Pie has?

Proposed Change to Distilled Spirits Ordinance

ZONING RESTRICTIONS- DISTILLED SPIRITS

- (a) No premises shall be licensed under this chapter whose location is within the following distances:
- (1) Within 100 yards of any church building or 200 yards of a school building, school grounds, educational building, or college campus or
 - (2) Within 100 yards of any alcohol treatment center owned and operated by the State of Georgia or any county or municipal government therein.
- (b) For the purposes of this section, distances shall be measured by the most direct route of travel on the ground from property line to property line except that distances involving a church shall be the most direct line of travel on the ground from the front door of the licensed premises to the front door of the sanctuary of the church.

Changes from Building & Zoning Director Doug Currier

**BOARD OF COMMISSIONERS WORKSHOP –
OCTOBER 6, 2015**

NEW DISTILLED SPIRITS AND REVISED MALT BENERAGE ORDINANCES

Comments by D. Currier II

Most of these comments are the same for both ordinances, just different sections.

Distilled Spirits –

Section 4 – Change “between” to “from”

Section 7 – Change “business license” to “A copy of the occupation tax application and receipt for all due occupation taxes, fees, penalties and interest.”

Section 8 – Applicant responsible for posting the notice sign – not staff?
Applicant provides photo of sign?

Applicant provides copy of legal ad that County places?

Section 14 (8) – Do we want to add non-payment of occupation tax in with non-payment of ad valorem taxes as an automatic revocation justification?

Section 15 – add in consideration of whether or not the building meets building codes – at least life safety, accessibility and fire codes?

Section 17 – Non-residentially zoned areas. A-R?

Section 18 – Proximity

We mention school “ground” but the measurement is door to door.
Nearest building – Does that mean that if the church has a shed or garage that the measurement is to that “church building?” Or do we mean church sanctuary building?

Section 30 –

Are all employees going to have to have these picture IDs? Do we mean this section?

Section 36 –

Does this mean no alcohol sales in the back room like American Pie has?

County Manager, Commissioners and County Attorney Comments

County Manager Jim Wheeless was not in attendance.

Commissioner Spraggins asked the board if they had given any consideration about the computer training.

Commissioner Hudson was not in attendance.

Commissioner Wilder asked the commissioners if they were going to participate in the chittlin hoedown parade.

Commissioner Ellington stated that he has seen marked improvements since Dwight has been over the water department.

County Attorney Paschal English had no comments.

County Clerk Jessica Jones told the board that in past years the county offices have closed at 4:00 p.m. for the homecoming parade and asked the board for permission to close Thursday, October 8, 2015. The board agreed to close early for the parade.

She also told the board that some of the volunteer fire departments were inquiring about the equipment list they had submitted for the 2011 SPLOST. Chairman Blackston recommended waiting on the status of the County Manger before submitting the request to Mr. Wayne Driver.

Chairman Blackston invited the board to go the Tax Assessor’s board meetings. He also stated that Dwight was working on ground water withdrawal permit.

Adjournment

A motion was made by Comm. Spraggins with a second from Comm. Ellington to adjourn the meeting at 10:30 am.

Chairman Rusty Blackston

NOT IN ATTENDANCE
Commissioner Steve Hudson

Commissioner Frank Spraggins

Commissioner Lorenzo Wilder

Commissioner Ralph Ellington

NOT IN ATTENDANCE
Jim Wheelless, County Manager