

**Upson County Board of Commissioners  
November 22, 2016 Meeting Minutes**

Call to Order

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

Minutes

A motion was made by Comm. Ellington, with a second from Comm. Hudson, to adopt the November 8, 2016 regular meeting minutes. The motion carries.

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

Public Comments

Mr. Donnie Wainwright, 365 Eastside Drive, stated he has lived on this road for 15 years and the population on the road grown and they have more kids. He is concerned that someone is going to get killed because of the high rate of speed people are traveling on the road.

Chairman Blackston stated that the board can address the situation with the Sheriff Department. Mr. Wainwright stated he has already spoken with the Sheriff and was told they only have 2-3 deputies on duty. He would be ok if the county could put a couple of speed bumps on the road.

Matthew Waller stated that he is on the agenda about a sign for his Christmas Tree Farm.

Ann Hoard, 124 Eastside Drive stated that the accidents that occur on this road end in her driveway. She added that it is a gamble when pulling out of her driveway. She would like the boards help with speed bumps.

New Business

- a. Mr. Currier explained the following ordinance to the board on staggering the terms for the Planning Commission.

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF UPSON COUNTY, GEORGIA TO AMEND CHAPTER 66 OF THE CODE OF UPSON COUNTY, EXTENDING ONE PLANNING COMMISSION SEAT'S TERM TO ENHANCE THE STAGGER OF PLANNING COMMISSION APPOINTEE TERMS; PROVIDING FOR REPEAL/CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

\* \* \* \* \*

WHEREAS, OCGA §36-1-20, empowers County governments to protect and preserve the public health, safety and welfare, through the adoption of ordinances, and

WHEREAS, Ordinance 77, adopted June 10, 1995, established the Upson County Planning Commission; and

WHEREAS, Section 66-33 of the Code of Upson County (CUC) lists and directs the Terms of Office for the Upson County Planning Commission, including requiring vacated unexpired terms to be initially filled for only the length of the unexpired term; and

WHEREAS, the Upson County Commission desires that the members of the Upson County Planning Commission have staggered terms of service such that no more than two terms of office will expire in a given calendar year; and

WHEREAS, the current five-member Planning Commission has three Commission seats that expire December 31, 2017 and two seats that expire December 31, 2018; and

WHEREAS, one of the 2017 seats is about to be vacated, therefore providing an opportunity for the Planning Commission terms to be further staggered; therefore

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

**SECTION ONE**

That section 66-33 of the Code of Upson County, Georgia, is hereby amended to read as follows:

The Planning Commissioner who is to be appointed to complete County Commissioner-Elect James Ellington's unexpired term, set to expire December 31, 2017, shall instead be appointed for a full three year term to end December 31, 2019, therefore creating a three year cycle of Planning Commissioner terms, with no more than two Commissioners per year completing their terms.

**SECTION TWO**

The Official Code of Upson County, Georgia is hereby amended by adding the preceding language, and shall be accessible to the public.

**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 13th day of December, 2016.

**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

A motion was made by Commissioner Spraggins with a second from Commissioner Ellington to approve the ordinance. The motion carries.


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

- b. Mr. Currier explained to the board explained to the board the the Planning Commission recommendation to amend the to amend Section 66-32, CUC-Planning Commission Appointments.



**UPSON COUNTY  
PLANNING COMMISSION**

TO: Jim Wheelless, County Manager  
Upson County Board of Commissioners

FROM: Douglas G. Currier II, Secretary, Upson County Planning Commission 

RE: Section 66-32, CUC – Planning Commission Appointments

DATE: October 12, 2016

At its October 10, 2016 meeting, the Upson County Planning Commission discussed and unanimously voted 4-0 to recommend a change to Section 66-32 (b) – Membership and Appointments, Code of Upson County (CUC). With regard to Planning Commission membership, the section in question states:

***“(b) All members must reside within the county, and they shall be appointed by the board of commissioners.”***

The Planning Commission recommends to the Board of Commissioners that the ordinance language be changed to:

***“All members must reside within the unincorporated area of the county....”***

The Planning Commission believes that it is in the best interest of unincorporated Upson County that the people making recommendations and final decisions on land use issues within the unincorporated areas of the County, live in those areas. It is requested that the Board of Commissioners agenda this item for discussion, public hearing and possible adoption at an upcoming Board of Commissioners’ meeting.

Thank you.

A motion was made by Commissioner Ellington with a second from Commissioner Spraggins to approve the amendment to the ordinance. The motion carries.

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

- c. Mr. Matthew Waller explained to the board that he owns a Christmas Tree Farm and he is trying to get a permit to for a permanent sign. The board agreed to give an exception to the moratorium and give a temporary permit for a temporary sign for 45 days.



A motion was made by Commissioner Wilder with a second from Commissioner Ellington to give a special exception to the 90 moratorium. The motion carries.

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

- d. Mr. Alan Landers asked the board for the same special exceptions for as Mr. Waller, for a BBQ place on his property.

A motion was made by Commissioner Spraggins with a second from Commissioner Ellington to give a special exception to the 90 moratorium. The motion carries.

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



County Manager, Commissioners and County Attorney Comments

**County Manager Jim** was not in attendance.

**Commissioner Wilder** wished everyone a Happy Thanksgiving.

**Commissioner Ellington** had no comments.

**Commissioner Hudson** had no comments

**County Attorney Heath English** had no comments.

**Chairman Blackston** stated that he was glad to see Commissioner Spraggins back, and wished everyone a Happy Thanksgiving.

**Commissioner Spraggins** had no comments.

Adjournment

Comm. Spraggins made a motion to adjourn at 6:37 pm, with a second by Comm. Ellington to adjourn the meeting.

\_\_\_\_\_  
Chairman Rusty Blackston

\_\_\_\_\_  
Commissioner Steve Hudson

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Commissioner Frank Spraggins

\_\_\_\_\_  
Commissioner Lorenzo Wilder

\_\_\_\_\_  
Commissioner Ralph Ellington

\_\_\_\_\_  
**NOT IN ATTENDANCE**  
Jim Wheelless, County Manager