

UPSON COUNTY BOARD OF COMMISSIONERS
6:00 P.M. – Regular Commission Meeting
City/County Meeting Room – August 8, 2017

AGENDA

Attendance: Chairman Allen, Commissioner Spraggins, Commissioner R. Ellington, Commissioner J. Ellington, Commissioner Wilder, County Manager Jim Wheelless, Attorney Heath English and County Clerk Jessica Jones

I. **CALL TO ORDER**

Chairman Norman Allen

II. **INVOCATION**

Pastor Michael Birdsong

III. **PLEDGE**

IV. **PUBLIC HEARING**

REZ2017-05 - The owners are Cathy S. Corley & Kevin Corley of Thomaston, GA. The applicant is Kyle McGee of Thomaston, Georgia. The applicant has requested a rezoning of 3.42 acres MOL from C-2 to A-R. The property, located at 1516 Barnesville Highway/SR 36, is more referred to as being in Land Lot 181 of the 10th Land District and found on Tax Map 052 Parcel 031. The purpose for the rezoning is to permit the on-site structure to be returned to use as a single family residential unit.

Chairman Allen opened the public hearing.

In the staff report Mr. Doug Currier explained that this property had been rezoned in 2014 from A-R to C-2. He added that the property meets all the requirements except the min. front yard. The staff and planning commission recommends approval.

The applicant Kyle McGee, 385 Quail Run, spoke for the rezoning. He stated that he has moved back to Thomaston, and his family would like to turn the house back into a residential home.

The public hearing was closed.

A motion was made approve rezoning.

Motion: Commissioner Wilder **Second:** Commissioner Spraggins

Commissioner J. Ellington – Yes
Commissioner Wilder – Yes

Commissioner R. Ellington – Yes
Commissioner Spraggins – Yes

REZ2017-06 - The applicant/owner is Thomaston Mennonite Church of Molena, Georgia. The applicant/owner has requested a rezoning of 15.59 acres MOL from A-R

to C-2. The property, located between McCard Road and Crest Highway/SR 74, is more referred to as being in Land Lot 146 of the 15th Land District and found on Tax Map 014 Parcel 053B. The purpose for the rezoning is to permit commercial development which would include used car sales, furniture, antique and household furnishings sales.

In the staff report Mr. Doug Currier explained that most of the zoning in this area is A-R. He added the following.

C. Infrastructure and Services

The property fronts Crest Highway/SR 74 for approximately 1,508 ft./.28 miles. Crest Highway in this area is two lanes and serves as a major arterial roadway. The property also lies along McCard Road, a local street. The impact on the roadway network of this rezoning will depend upon the volume of traffic attracted to the businesses at the location. Deceleration and acceleration lanes may be required by the GDOT if driveways are applied for accessing Crest Highway. According to the application, potable water will be supplied by a well or Upson County. There is no information on sanitary sewage handling which would most likely be supplied by septic tanks. Emergency services would be provided by the Upson County Sheriff's Office, Community Ambulance and the Thurston Volunteer Fire Department.

D. Minimum District Requirements and Pertinent Review Standards:

-District Standards

The property is currently zoned A-R with a request to zone the property C-2.

A-R zoning districts are intended to establish and preserve quiet areas where the primary activities are those of farming, agriculture, livestock, timber cultivation and related uses consistent with maintaining the land resources of Upson County reserved for these purposes. Residences of a low density nature which are incidental to these activities are also permitted. These districts are free from other uses which are incompatible with a low density agricultural-residential neighborhood. Churches are permitted as principal uses by special exception.

C-2 districts are intended to establish and preserve business areas, which are motor vehicle-oriented rather than pedestrian-oriented. C-2 districts provide areas that are convenient and attractive for retail activities, business transactions, and services to the public designed primarily

to meet the day-to-day shopping and service needs not only of residents of Upson County, but of surrounding communities as well.

According to Section 410, UCZO, whenever the County exercises its zoning power, the following standards are considered relevant and shall be considered in balancing the County's interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property:

- 1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent or nearby property.
- 2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
- 3) Whether the property affected by the zoning decision has a reasonable economic use as currently zoned.
- 4) Whether the zoning proposal is in conformity with the policy and intent of any adopted land use plan.
- 5) Whether there are other existing conditions affecting the use and the development of the property which give supporting grounds for either approval or disapproval of a zoning proposal.
- 6) The length of time the property has been vacant.
- 7) The threat to the public health, safety and welfare if rezoned.

Would the rezoning:

- 1) Have an adverse effect on the insurance rating of the County;
- 2) Overtax the public utilities and streets presently existing to serve the site;
- 3) Have a substantial adverse impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality and quantity?
- 3) Have a substantial adverse impact on the environment, including, but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality and water quality and quantity.

The Planning Commission and County Commission must apply these standards when considering zoning changes per OCGA § 36-66-5(b).

-Conditional Zoning

According to Section 408, UCZO, when a parcel of property is placed in a certain zoning district, all of the permitted uses for that zoning district are permitted in accordance with the specified requirements. However, in certain circumstances, it may be felt that only one of the permitted uses for a district may be appropriate or certain design, location, aesthetic, or other standards may be needed to mask otherwise undesirable effects of the permitted use. In such cases, conditional zoning may be recommended by the Planning Commission and/or granted by the Board of Commissioners.

The following actions are permitted under conditional zoning:

- 1) The use of land may be specifically limited to any one or more of the Permitted Uses for the zoning district in which the land is placed, and/or
- 2) Special requirements of design, location, aesthetics, or other considerations may be imposed for the uses permitted on the land.

IV. Staff Recommendation

Staff recommends **APPROVAL** of the rezoning request. The reasons for the recommendation of approval are:

- 1) The location of C-2 property to the west, located at a significant intersection;
- 2) The location as a logical commercial node along Crest Highway/SR 74, a major arterial roadway;
- 3) The economic benefit of new jobs and increased taxes to support the County.

Conditions of approval may be appropriate, pertaining to access points and methods, to protect the integrity of Crest Highway/SR 74 as a major arterial. Additionally, landscaping and other buffering conditions would also be appropriate, absent a county landscape and buffing ordinance. The following conditions of approval are recommended by staff to mitigate the impacts of the proposed and future development of this site:

- 1) A minimum 30 foot wide buffer strip shall be maintained by the property owners or their designees along Crest Highway/SR 74, except where the project frontage road intersects Crest Highway or McCard Road. A minimum twenty-foot wide, paved frontage road shall be maintained parallel to SR 74, adjacent to the buffer strip for the length of the property.
- 2) The project frontage road shall have a maximum of three ingress/egress points. One each at the northern and southern ends of the property and one approximately midpoint of the property.
- 3) Project lighting shall be oriented, designed and shielded so as not to illuminate the McCard Road residentially-zoned areas, including any A-R zoned property.
- 4) A minimum ten foot wide, solid, landscape buffer area shall be maintained along the McCard Road frontage, with vegetation reaching a minimum six feet tall. A solid six foot tall wall or fence buffer may be constructed and maintained in lieu of or in combination with the McCard Road frontage landscape buffer.

V. Planning Commission Recommendation

Amendments to the Official Zoning Map of Upson County must be reviewed by the Upson County Planning Commission per Sections 410 B. and E., UCZO and Section 66-36, Code of Upson County (CUC). At its July 10 meeting, the Planning Commission recommended **APPROVAL** of the rezoning on a 5-0 vote, conditioned with requirement that all access points be off Crest Highway/SR 74.

Attachments:

- | | |
|--|--|
| A. Application | E. Notice Sign Photos |
| B-1. Zoning Map | F. Site and Area Photos |
| B-2. Firetower Rd/Crest Hwy Zoning Map | G. Proposed Crest Highway Commercial Nodes |
| C. Aerial Photo | |
| D. Legal Ad | |

Mr. Ed Trice 2355 Crest Highway, the representing attorney spoke for the rezoning stating that the property would be used for a used car lot and an antique store. He added that this would be an 8-5 business operation and could increase taxes and have a limited employment opportunity.

Jeremy Coleman, P.O. Box 132 Haralson, GA 30229, the applicant stated that he only wanted to start a small business and he is not trying to cause harm to anyone.

The following people spoke against the rezoning with concern of the traffic and how it would affect the property values. They were also concerned with future of the property if the proposed business closed.

Daray Reinagel – 4755 Crest Highway
Tim Reinagel - 4755 Crest Highway
Kim Watola – 50 McCard Rd
Aprille Oxenford – 39 Crest Lane
Sue Woodall – 4680 Crest Highway
Lee Woodall – 4680 Crest Highway
Janice Garnto – 68 McCard Road
Andrew Garnto – 68 McCard Road
Stanley T. Elliott – 5131 Highway 74

The below petition was submitted before the meeting against the rezoning.

Petition

We are Against Zoning Change for 15 acre parcel on Hwy 74 and McCard Rd in Crest

We, the residents of Crest, object to the zoning change from AR to C2 for the 15 acre parcel that lies between Hwy 74 West and McCard Rd.

We are a quiet, rural community and this change threatens the character of our peaceful neighborhood. Some of our property values will be negatively affected. The bright lights will rob us of our quality of life. Businesses come and go at a rapid rate in this county. It is very likely this will become like so many other abandoned ever-changing, or rundown rural commercial areas in this county, while forever altering our rural community. The cost to our neighborhood is too high. Place these businesses in areas already zoned for commercial use.

	Name	Address	Signature
1	Darcy Reinagel	4755 Crest Hwy	Darcy Reinagel
2	Kimberly Wataha	50 McCard Rd	Kimberly Wataha
3	Charles Wataha	50 McCard Rd	Charles Wataha
4	Cody Crawley	4725 Crest Hwy	Cody Crawley
5	Peggi Dixon	4715 Crest Hwy	Peggi Dixon
6	Jane Belles	4695 Crest Hwy	Jane Belles
7	Ronald Probst	4649 Crest Hwy	Ronald Probst
8	Melissa Kent	4543 Crest Hwy	Melissa Kent
9	DOZAN GRIFFIN	102 FERGUSON RD	Dozan Griffin
10	Theresa Washburn	24 Ferguson Rd	Theresa Washburn
11	Shana Jordan	499 Ferguson Rd	Shana Jordan
12	Janice Garoto	68 McCard Rd	Janice Garoto
13	Zin Reinagel	4755 Crest Hwy	Zin Reinagel
14	Brandye E. Daugherty	4605 Crest Hwy	Brandye E. Daugherty
15	Karen Holmes	200 Ferguson Rd	Karen Holmes
16	Mary B. Pollard	233 Ferguson Rd	Mary B. Pollard
17	Stephanie Elliott	5131 Crest Hwy	Stephanie Elliott

18	Stanley T. Elliott	5731 Crest Hwy	Stanley T. Elliott
19	Marcia S. Fisher	599 Ellerbetown Rd	Marcia S. Fisher
20	Keith Keith Waddell	245 Ellerbetown Rd	Keith Waddell
21			

The public hearing was closed.

Comm. Wilder stated that he would like to see a drawing of the final product of the business would look like. He wanted to know if repairs on the cars would be done on the property and how would the fluids be handled from the vehicles. He asked if D.O.T has had any input on the traffic flow.

Comm. J. Ellington stated that it concerns him that so many people came out with concerns about the rezoning. Also speaking as a former planning commission member sometimes decisions are made because it looks like a potential benefit to the county before thoroughly researching the outcome of the decision. He asked the other Commissioners if they wanted to continue to approve these requests without any regard of the impact it will have on the community.

A motion was made deny rezoning.

Motion: Commissioner J. Ellington **Second:** There was no second

After the motion was made Attorney Ed Trice asked to rescind their application.

The application was withdrawn.

V. ADOPTION OF MINUTES

July 25, 2017 Regular Meeting Minutes

Motion: Commissioner Wilder **Second:** Commissioner Spraggins

Commissioner J. Ellington – Yes
Commissioner Wilder – Yes

Commissioner R. Ellington – Yes
Commissioner Spraggins – Yes

VI. PUBLIC COMMENTS

There were public comments.

VII. NEW BUSINESS

a. Discussion and approval for purchase of payroll software

I.T. Director Robert Haney told the board that a time and attendance software that will integrate with the current payroll software, it was put in the 2016 SPLOST. This software will automate the way department heads turn in their employee's time.

Mr. Haney requested \$24,865 to purchase the Time Clock Plus software.

A motion was made to purchase the software for \$24,865.

Motion: Commissioner R. Ellington **Second:** Commissioner Spraggins

Commissioner J. Ellington – Yes
Commissioner Wilder – Yes

Commissioner R. Ellington – Yes
Commissioner Spraggins – Yes

b. Discussion and approval of Purchasing Specialist position

Mr. Wheelless told the board that the changes that they requested had been made on the purchasing specialist position.

Chairman Allen stated that he understands that the county is adding another position, but he believes it will be beneficial. With the right person and the right experience the position will pay for itself in.

Comm. Spraggins added that he would like to see this person save their salary.

Job Title: Contract/Procurement Specialist
Department: Finance & Administration
FLSA: Exempt
Reports To: County Financial Officer

Job Summary:

Under direct supervision of the County Financial Officer and limited direction from the County Manager, the Contract/Procurement Specialist will be responsible for performing various purchasing functions, contract functions and accounting functions which support the specific needs of the County. The incumbent will be responsible for planning, organizing and directing all phases of purchasing to include the acquisition of all goods and services, analyzing and recommending awards, and performing administrative and professional work. This position may supervise other employees.

Major Responsibilities:

The following duties are normal for this position. The omission of specific statements of the duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.

- Plans, organizes, coordinates and supervises the procurement of goods and services, professional services, construction and public works projects, and other contractual agreements on behalf of Upson County within the guidelines and requirements outlined by federal, state, and local laws.
- Initiates and manages the bid-proposal process from advertisement to award, administration of the purchasing system, contract management and all related processes.
- Provides purchasing information and reports.
- Confers with departmental personnel on procurement needs.
- Tracks the fixed assets of Upson County.
- Conducts research involving purchase and invoice problems.
- Coordinates the County's surplus property programs.
- Serves as the authorizing agent for employee use of purchase cards; interacts with Human Resources Department and the County Financial Officer to maintain database for cards issued to employees.
- Maintains a database and filing system for monitoring contracts.
- Develops recommendations for improvements or amendments to the County's purchasing policies.
- Assists the Finance Department in performing accounting tasks for periodic and year-end reporting.
- Performs other related duties as assigned.

Desired Knowledge, Skills and Abilities:

- Working knowledge of the principles and practices of governmental purchasing
- Working knowledge of familiarity with goods and services purchased in the local government setting
- Ability to master and explain the County's purchasing policies and procedures
- Skill with Smart Fusion software preferred
- Skill in the use of hardware and software associated with purchasing activities
- Ability to accurately and efficiently maintain records
- Ability to read and generate reports including budgets, price quotes, correspondence, vouchers, etc.
- Ability to perform duties independently with minimal supervision
- Ability to establish and maintain effective working relationships with employees, supervisors, other departments, officials and the public
- Ability to maintain sensitive and confidential information
- Ability to communicate effectively with internal and external customers
- Must possess a strong work ethic and a positive team player attitude

Material and Equipment Used:

Computer	Fax Machine	Word processing, spreadsheet and database software
Calculator	Photocopier	Scanner
Telephone		

Minimum Qualifications:

- Bachelor's Degree from an accredited college or with major coursework in public or business administration, preferred. Minimum of five (5) years of professional level experience, preferably in public sector purchasing.
- Associate's Degree may be acceptable with minimum of seven (7) years of professional level experience, preferably in public sector purchasing.

Physical Demand/Work Environment:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is frequently required to sit and talk or hear, use hands to feel or operate objects, tools or controls and reach with hands and arms. The employee is occasionally required to walk, stand and sit. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

Work is usually done in an office setting and sometimes at a county facility or job site.

A motion was made to add the Purchasing Specialist position.

Motion: Commissioner Spraggins **Second:** Commissioner R. Ellington

Commissioner J. Ellington – Yes Commissioner R. Ellington – Yes

Commissioner Wilder – Yes

Commissioner Spraggins – Yes

County Manager, Commissioners and County Attorney Comments

County Manager Jim stated that they will be setting up Joint Project budgets soon. Comm. J. Ellington, Comm. R. Ellington and Chairman Allen will be attending the SDA training on Aug. 31. The county will receive funds from the tornado damage relief grant.

Commissioner Spraggins thanked everyone for the open communication.

Commissioner J. Ellington thanked everyone that came to the town hall meeting. He is going to start working on a priority list for the ordinances.

Commissioner R. Ellington had no comments.

Commissioner Wilder had no comments.

County Attorney Heath English stated that he met with Gary Self on the property on Andrews Chapel Road and they should have something to present to the board soon.

Chairman Allen stated that there will be a called meeting on Aug 30 with to discuss economic development and a public hearing for the appeal on the chicken house.

ADJOURMENT

Comm. R. Ellington made a motion to adjourn, with a second by Comm. Spraggins to adjourn the meeting at.

Chairman Norman Allen

Commissioner James Ellington

Commissioner Frank Spraggins

Commissioner Lorenzo Wilder

Commissioner Ralph Ellington

Jim Wheelless, County Manager