

**FRANKLIN COUNTY  
BOARD OF COMMISSIONERS  
WORK SESSION MINUTES  
November 24, 2015  
6:00 P.M.**

Present: Commission Chairman Thomas Bridges  
District 1 Commissioner Robert Franklin  
District 2 Commissioner David Strickland  
District 3 Commissioner Jeff Jacques  
District 4 Commissioner Eddie Wester

Media: Shane Scoggins, Franklin County Citizen  
MJ Kneiser, WLHR

Staff: County Manager, Beth Thomas  
County Clerk, Elaine Evans  
County Attorney, Bubba Samuels

**Item 1 & 2: Invocation and Pledge of Allegiance** – Chairman Bridges welcomed everyone and called the work session to order. He asked Commissioner Strickland to lead the invocation and pledge to the American flag.

**Item 3: *Items for discussion:***

**A. Public Comment** – Chairman Bridges asked if anyone had any public comments. There were not any public comments.

**B. Presentations**

**1. Stone Bridge Cove Way, Gloria Wehunt** - Chairman Bridges said that he had talked with Ms. Wehunt prior to the start of tonight's meeting and she decided not to come before the Commission Board. Ms. Wehunt is working on a road issue and she does not have all of the necessary signatures. Commissioner Strickland said that he spoke with Ms. Wehunt and the biggest hold up is the owner of the property at the beginning of the road. Commissioner Strickland said that the road is bad but Ms. Wehunt still has to get all the signatures before the road can be worked.

**2. Ethics Committee, Diane Toney** – Chairman Bridges said that Mrs. Toney is not present to speak about the Ethics Committee. He asked County Manager Beth Thomas to comment on this agenda item. Mrs. Thomas said that she and County Attorney Bubba Samuels both spoke with Mrs. Toney. Mrs. Toney had two concerns about the Ethics Ordinance which were resolved by speaking with Mr. Samuels. Mrs. Thomas said that Mrs. Toney was also concerned about the appointment

dates for committee members. This issue will be resolved by the County Clerk, who acts as Clerk to the Ethics Committee, sending notice to the nominating parties in advance of term dates for committee members so that appointments can be made. Mrs. Thomas asked Mr. Samuels to clarify Mrs. Toney's other concern. Mr. Samuels said that he spoke with Mrs. Toney and clarified the Open Meeting Act and Open Records Act as pertaining to the Ethics Committee. Mrs. Toney's main concern was if a complaint is filed are the proceedings open to the public. Mr. Samuels said if a quorum is present at the meeting then the meeting is open to the public. The Ethics Committee can always go into Executive Session for the discussion of stated reasons that are covered in the Acts. Chairman Bridges asked if Mrs. Toney just wanted clarification. Mr. Samuels said yes and that after discussion with him and Mrs. Thomas, Mrs. Toney was satisfied that there is not a need to change the ordinance.

Mrs. Thomas thanked Mrs. Toney for her service and diligence serving as the Chairperson of the Ethics Committee. Mr. Samuels said that Mrs. Toney is very proactive, looking for ways to do the process better and more efficient. Commissioner Strickland asked if two members were appointed by the Democratic Party and two members by the Republican Party and one by the Superior Court Judge. Mrs. Thomas clarified that it is the two parties with the top votes in the election for Governor along with the Judge appointing the fifth member and naming the chairperson out of the five. Commissioner Strickland asked about the frequency of meetings. Mrs. Thomas said that the Ethics Committee is required to meet annually unless a complaint is received. In the event of a complaint the Ethics Committee will have the necessary meetings. So far the Ethics Committee has met once a year because no complaints have been received. Jackie Payne, a member of the Ethics Committee said that fortunately the Ethics Committee has only had to meet once a year.

Chairman Bridges said that the Commission Board is appreciative of Mrs. Toney serving as the Chairperson of the Ethics Committee. He said that Mrs. Toney's position will need to be filled. Mrs. Thomas said yes, at the end of Mrs. Toney's term, the Senior Judge will appoint a new member. Commissioner Strickland said all of the people who serve on the Ethics Committee are appreciated.

**3. Courthouse Security, Sheriff Steve Thomas** – Chairman Bridges asked Sheriff Thomas to come forward and give his information. Sheriff Thomas said that the Georgia Sheriff's Association came and toured the courthouse with him. The recommendation from the Georgia Sheriff's Association was for three of the four doors at the courthouse to stay locked and use only one entrance for security reasons. The door that was left open is handicap accessible. At this door an x-ray machine, purchased by the Law Library Committee for approximately \$26,000 will be used for screening people entering the courthouse. By closing three of the four doors and screening, the courthouse security is updated. Sheriff Thomas does not want anyone coming into the courthouse and causing problems like what has happened in Fulton County and Forsyth County.

Sheriff Thomas said that two people will be needed to run the scanner. One of

these two people will be a deputy, who will work five days a week – Monday through Friday, anytime that court is going on. He said that his reason for the update on the security at the courthouse is to protect law enforcement personnel along with courthouse staff and the citizens of Franklin County. Sheriff Thomas stated that the annual combined salaries for these two new positions will be approximately \$52,800. He said that this process has already been started and if it has to continue out of budget it will. He said that he is not going to let something happen. Next week a murder trial will begin and he has extra security in place.

In 2014, Sheriff Thomas said that there were 15,382 calls. In 2015, from January to the present there are 15,727 calls. The arrests through the jail for 2014 were 16,006. The arrests at the jail from January 2015 to present are 16,668. Sheriff Thomas said that November and December are typically very busy months for law enforcement. Commissioner Strickland asked Sheriff Thomas how many deputies provided security at the courthouse before the scanner was put in. Sheriff Thomas said that when all four doors were open a deputy stood in the center of the courthouse at the bell. Now with the scanner it will take two people to operate the scanner and keyboard. All bags, briefcases, etc. will be scanned upon entering the courthouse. Bags containing guns and knives will warrant an arrest for the people bringing them into the courthouse. The walk through body scanner will also be used. One of the two people using the scanners has to be certified, therefore the need for a deputy.

Commissioner Jacques asked Sheriff Thomas if he was bringing this to the Commission Board for informational purposes or as a budget amendment request. Sheriff Thomas said that he would like a budget amendment if the money is available. He said that this will still have to be done because if something happens his head is on the chopping block. Sheriff Thomas said that he is still on the chopping block if he is over budget because of this being an election year. Commissioner Jacques said that the budget for the Sheriff's department has increased over \$500,000 each year. He said that from looking over financials with the County Manager he is aware that there is no money. Commissioner Jacques asked Sheriff Thomas to look at ways to prioritize this with the budget he has. He also said that this would be evaluated by the Commission Board. Sheriff Thomas said to remember that when he pulls deputies off the Interstate that is money that the County is not getting.

Commissioner Strickland said that he was not questioning the need for security; his question was if the deputies from the courtroom could help with this. Sheriff Thomas said that there has to be two deputies and a bailiff in the courtroom. There also has to be a bailiff with the jury and judge if court is in session. Mrs. Thomas asked what studies have been done on this type of security. Sheriff Thomas said that the scanner will save time and it was purchased with \$26,000 of Law Library funds. Mrs. Thomas said that layoffs have been done to make this fiscal year's budget work. She said that funding is always an issue. It is a matter of prioritizing – who is laid off to make additional hires. Chairman Bridges thanked Sheriff Thomas for his presentation.

#### **4. State Court, District Attorney Parks White – Chairman**

Bridges asked Mr. White to come forward and speak. Mr. White said that all five counties in the District have gotten away with really cheaply providing services for felony prosecutions. He said that he does appreciate that an administrative assistant is provided. Mr. White said that all five counties collectively provide \$140,000 per year to prosecute all felonies and misdemeanors with the exception of those in Elbert County. In the last three years almost 8,000 cases have been moved by five assistant district attorneys and now six assistant district attorneys. He said that public safety is not supposed to be a money maker. Mr. White said that with all the misdemeanors it is hard to move them because of the amount.

Mr. White said that he and his staff have turned a dangerous situation in Franklin County around. He said that they are zealous about representing Franklin County. Mr. White said that all misdemeanor cases can possibly be referred to Superior Court. When these misdemeanors reach Superior Court the docket is clogged which causes the delay in felony cases. Mr. White said that the part time state court in Elbert County costs \$98,000 per year to operate with a part time judge and a part time solicitor. Additional staff was needed in Elbert County when this was started in Elbert County. If state court were to be started in Franklin County all matters that are pending unrelated to fish and game and park offences would be moved.

With the new Georgia State Patrol post in Hart County, Mr. White said citations will increase. This could potentially cause a backlog of cases. He said that this request is proactive so that the cases do not become backlogged. Mr. White said the pending cases have decreased to 2,300 from 3,200 with 8,000 cases being closed. Less than twenty-four percent of the cases are pending for more than a year.

Chairman Bridges asked Mr. White if the State of Georgia provided any assistance to the district attorney's office. Mr. White said that assistance was provided for drug court. He said that he would love to be able to expand drug court in the other counties and not just be in Elbert County. He said that the caseload in his district is twice as much as any other district attorney's office in the State. The resources are not there to do everything that is needed. Mr. White said that the goal of drug court is to allow people to work through drug abuse outside of the prison system.

Commissioner Strickland asked if there was a way to raise the cost. Mr. White said that anyone who wanted a jury trial has that right. Chairman Bridges asked Mr. White if he had hardcore numbers of what he is asking for. Mrs. Thomas said that \$98,000 had previously been sent to her. Mr. White said that he has talked with the Clerk of Court and she is in support of this. He said that misdemeanors clog the courts. Misdemeanors go through the courts fairly quickly. He said that \$98,000 would be for a part time judge and part time solicitor. Mrs. Thomas asked Mr. White the process of how this would work. Mr. White said that it requires local legislation and could either be appointed or elected. The first time around would probably be appointed and then elected unless a special election was called. Mrs. Thomas asked if this would completely be a Franklin County court and not a joint court. Mr. White said that it doesn't matter to him; it is up to the Commission Board. Commissioner Jacques asked if

this could be done by cost sharing with other entities. Mrs. Thomas said that she is not in favor of that because the revenues generated would have to be shared as well. Commissioner Strickland said that he thought the pros would more than outweigh the cons. Mrs. Thomas said that her understanding is that state court would be independent of the district attorney's office. This would allow the district attorney's office to spend more time on the felony cases.

Mrs. Thomas asked would the start of this court address the burnout from the assistant district attorneys and the salary issue. She said that creating the new court would not correct salaries but would this compensate the assistant district attorneys enough for them to stay. Mr. White said that he would like for Franklin County to be able to increase the salaries of the assistant district attorneys. Commissioner Jacques asked would state court get people out of jail and into court quicker. Mr. White said that the goal is to reduce the number of days that people spend in the jail. Commissioner Strickland asked on misdemeanors could some of the people get community service instead of jail time. Mr. White said that is definitely possible. Chairman Bridges said that all the information needs to be collected so that a wise decision can be made for Franklin County. He thanked Mr. White for his dedication to his job.

Chairman Bridges clarified that a state court would not overlap with the Probate Judge's duties. Mr. White said that actually this would take traffic court away from the Probate Judge. Commissioner Strickland said that this would open the Probate Judge up to do other things. He and the other Commission Board members asked Probate Judge Ken Eavenson to give his thoughts on the creation of a state court. Judge Eavenson said that what should be done is what is best for Franklin County. He said that he does not have an opinion either way – he just wants the best for Franklin County. Judge Eavenson said that the Probate Judicial Council has asked the probate judges in the State to fight this. He said that he will support the decision made by the Commission Board concerning state court.

Mrs. Thomas said that with tonight's meeting more information has been provided. Chairman Bridges said that this is a fact finding meeting. All of the information will be looked at so that an informed decision can be made for the citizens of Franklin County. Chairman Bridges thanked Mr. White for coming before the Commission.

**C. Committee/Board Positions** - Chairman Bridges asked Mrs. Thomas to go over the open committee/board positions. Mrs. Thomas said that three open board positions were advertised in the *Franklin County Citizen Leader* for two weeks. One person is interested in the Tax Assessor Board and two people are interested in the Airport Authority. She asked the Commission Board to look over the applications for these positions and make the appointments at the December regular meeting. No applications were received for the Joint Tri-County Development Authority. Commissioner Strickland asked if a commissioner can serve on this board. Mrs. Thomas said that she would ask the Director of Economic Development, Frank Ginn what the requirements are for this board position and get the information to him. Chairman Bridges said that this would be voted on at the December meeting.

**D. Tank Removal** – Chairman Bridges said that a search was put out to see if anyone was interested in buying and removing the water tank on Hwy 59. He asked Mrs. Thomas if there was interest in this project. Mrs. Thomas said that the bids did not come for anyone to purchase the tank. One bid was received by the County and they want over \$18,000 to remove the tank. Mrs. Thomas recommended leaving the tank as is until scrap metal prices possibly increase. This tank has nothing to do with the current water system and is only an eyesore, not a hazard. The County Engineer also recommended leaving the tank as is for now.

**E. Legal Services Selection Committee** – Chairman Bridges asked Mrs. Thomas to explain this agenda item further. Mrs. Thomas said that the RFP's are due on December 3<sup>rd</sup>. In the RFP it was stated that would be a selection committee to score based on the matrix. There is no voting by the subcommittee. Mrs. Thomas recommended that Chairman Bridges; Commissioner Wester; the Planning Director along with herself be on the selection committee. She said that if a fifth member is included she would like them to come from either ACCG; GMRC or the Center for Government at UGA. This subcommittee will rank the applicants. From the ranking of the subcommittee the top applications will be brought forward for either interviews or questioning before the Commission Board. Mrs. Thomas said that if everyone is in agreement with this that she will move forward to try to gain the fifth person or if necessary go with the four person subcommittee for ranking.

Commissioner Strickland said he thought Sheriff Thomas should be on the subcommittee to pick an attorney and maybe the Tax Commissioner Bobby Martin. Mrs. Thomas said that in the RFP it is stated that the attorney is for the Board of Commissioners and for certain other groups. The attorney will only be allowed to do work for constitutional officers if approved by the Commission Board. Commissioner Strickland said that he thought these people should be included because they do a lot of talking. He also said that he thought that he and Commissioner Jacques would be a better selection because they ask more questions than other Board members. Commissioner Jacques said that he is fine with the recommendation of Commissioner Wester. Commissioner Wester told Commissioner Strickland that if he wanted his seat he was more than welcome to have it. Commissioner Strickland said that when you are new you are new. He said that he has only been on the Board almost three years and it is a big learning time. Mrs. Thomas said that sometimes new has its benefits. Commissioner Strickland said a lot of things have benefits. He then said that he did not know why the County is looking because it has a good attorney at \$100 an hour. He said ACCG said that most attorneys will charge \$150 an hour. Mrs. Thomas said that the RFP has been sent out and that responses will come in from the RFP and a subcommittee is needed to look at them. She said that these people are her recommendation but if the Commission Board would like to change them to please do so. These people on the subcommittee were selected to score the applications; they will not make the hiring decision.

Chairman Bridges said that the constitutional officers were left off because of the

work. Mrs. Thomas said that she did not include the constitutional officers because all of them work with a lot of attorneys. Interest has already come from several local attorneys. No RFP's have been received yet. She said that she did not want to include anyone on the subcommittee who would have prejudice one way or the other and there are five constitutional officers and it would be difficult to pick one out of the five. Chairman Bridges said that was a good point as we don't want to offend anyone. He said that he liked the idea of reaching out to ACCG and GMRC for the independent person for the committee. He also stated that the subcommittee does not hire, they only score. Chairman Bridges asked for other comments about the subcommittee. Commissioner Strickland said that knowing how things have been for the almost past three years of the Chairman being more toward trying to do away with the current county attorney, he thinks that there would be prejudice. Chairman Bridges told Commissioner Strickland to hold on for a minute. He said that the only thing he has done as Chairman is to ask questions of why the previous Commission had the county attorney on a \$10,000 per month retainer. Commissioner Strickland said that he did not think that was the thing. Chairman Bridges said that he questioned how the money was being spent. He is not prejudiced toward the current attorney; the County may end up with the same attorney. Commissioner Strickland said that when someone says that they are not prejudiced, they usually are.

Commissioner Jacques said that he is a big advocate of the current attorney and has worked hand in hand with him. He said that Franklin County has been represented well by him. Commissioner Jacques told Commissioner Strickland that he needed to be forthcoming on his reason for not voting on the county attorney appointment for the past several years because of having a personal business relationship with him. Commissioner Jacques told Commissioner Strickland that his opinion is that he does not need to have comment related to this specific issue. Commissioner Strickland said that he didn't care what was said because he did not vote on the county attorney because it would have been unethical. He said that yes, it is true and he hasn't and won't. He said that Mr. Samuels no longer rents office space from him therefore he does not have any tie. Commissioner Jacques told Commissioner Strickland that he should have let the Board know. Commissioner Strickland said that it just happened. Chairman Bridges told Commissioner Strickland that he is not trying to get rid of the county attorney. If the Commission does not put an RFP out every so often then justice is not done for the public. He also told Commissioner Strickland that he is the one who has favoritism as he is one who is talking about hanging onto him. Commissioner Strickland said that the county attorney is a good attorney for a \$100 an hour. Anybody who is smart would like a good attorney he would think.

Chairman Bridges thanked Commissioner Strickland for his comments and asked if anyone else would like to comment. Commissioner Strickland said that no one in his family says anything about the county attorney. He asked Chairman Bridges if he could say that. Chairman Bridges said that he talks positive about the county attorney and appreciates the job that he has done for the County but the proper thing is to put this out for bid. Commissioner Strickland said that he doesn't disagree with that. He disagrees with Chairman Bridges being on the subcommittee. Chairman Bridges said

that he is the chairperson. Commissioner Strickland said that is right and everyone saw what mess there was with the clerk when he was on that committee and all that happened. Chairman Bridges thanked Commissioner Strickland for his comments. Commissioner Strickland if you want to get your panties in a wad, he is sorry. Commissioner Jacques called for a point of order. Chairman Bridges said that it is done and said and moved on to the next item.

## **F. New Policies**

**1. HB 192 Credit Cards** – Chairman Bridges asked Mrs. Thomas to explain the new policy. Mrs. Thomas said that this is a new policy for the State of Georgia. This was passed at the 2015 Legislative Session by the General Assembly. This bill impacts county officials; county elected officials and credit cards. Currently there are three credit cards that are used in the County. Under HB 192 three things have to happen – the Board has to publicly vote to allow elected officials to use credit cards; adopt a policy for credit card usage; and enter into a contract with the elected official and the credit card. ACCG provided a sample resolution and agreement. Mrs. Thomas modified this policy to Franklin County. A threshold per transaction had to be set, therefore Mrs. Thomas set this at \$500. This policy has also been reviewed by the county attorney. There is only one constitutional officer with a credit card and this information will be given to the Sherriff. The card for the Recreation Department will be canceled as all bills are paid by the BOC staff. A card administrator has to be named and the recommendation is for the County Clerk to be the administrator of the card. The duties for the card administrator are already being done by the County Clerk. Chairman Bridges asked for the Commission Board to review this policy.

**G. Election Results** – Chairman Bridges asked Mrs. Thomas to go over the election results. Mrs. Thomas said that the special election related to the General Obligation Bonds as well as the SPLOST passed. Two resolutions have to be passed by the Commission Board in order for the County Attorney to be able to take the process further. Mr. Samuels said that these will be exhibits to two lawsuits that will be filed tomorrow morning. This has to take place within 20 days. The hearing for the validation is December 14<sup>th</sup> at 9:15 a.m. This date is set and this has to be published in the legal organ of the County for two weeks prior to the hearing. This will give anyone with an objection to the bonds to give voice.

**1. SPLOST Resolution** – Chairman Bridges asked for a motion to move forward with the SPLOST Resolution. Commissioner Strickland made the motion to move forward. Commissioner Jacques seconded the motion. There was no discussion. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin; Commissioner Strickland; Chairman Bridges; Commissioner Jacques; and Commissioner Wester.

**2. GO Resolution** – Chairman Bridges asked for a motion to move with the GO Resolution. Commissioner Strickland made the motion to move forward.

Commissioner Franklin seconded the motion. Chairman Bridges asked for discussion. Commissioner Strickland asked for clarification. Mr. Samuels said that this is general obligation debt to pay the hospital. There was no further discussion. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Wester; Commissioner Jacques; Chairman Bridges; Commissioner Strickland; and Commissioner Franklin.

**H. SPLOST and Related Financing Update** – Chairman Bridges asked Mrs. Thomas to give the update on this item. Mrs. Thomas said that there are timelines to follow for the SPLOST borrowing and the general obligation debt. Discussions have taken place with the bond attorney; financial advisor; and County attorney and financing will have to be done in steps in order to have a bank qualified note for tax exemption to save money. SPLOST financing for key projects should be done by the end of this year so that it will be in the County's bank account to begin projects beginning in 2016. The hospital refinancing will be done in 2016 at the beginning of the year. Additional financing if necessary for SPLOST will be done in 2017. Financing in phases is the most cost effective way. Chairman Bridges thanked Mrs. Thomas for the update.

**I. December Hospital Payment** – Chairman Bridges said that a vote is needed to make the December hospital payment. He asked for a motion to move forward with the payment. Commissioner Strickland made the motion to move forward. Commissioner Jacques seconded the motion for the purposes of discussion and clarification. Chairman Bridges asked for discussion. Commissioner Jacques confirmed that this payment would be reimbursed back to the County with proceeds from the refinancing. Mrs. Thomas said that yes, the mechanism for reimbursement is already in place with the financial advisor to know that this money will be included in the borrowing. Commissioner Strickland asked if this payment was due on November 28<sup>th</sup> instead of December 1<sup>st</sup>. Mrs. Thomas said that interest and principal are due on December 1<sup>st</sup>. This payment will be wired on December 1<sup>st</sup>. There was no further discussion. Chairman Bridges asked for a show of hands. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Wester; Commissioner Jacques; Chairman Bridges; Commissioner Strickland; and Commissioner Franklin.

**J. 2016 Election Qualifying Fees** – Chairman Bridges said that it is mandated that the Commission sets the qualifying fees. Mrs. Thomas said that the qualifying fees have to be advertised in January for March qualifying for the May primaries. The amounts for the last elections were three percent of the salaries. She recommended that the fees stay at three percent for the sake of competition. Commissioner Strickland asked if the salaries for elected officials be placed in the newspaper for transparency. Mrs. Thomas said that salaries were open records. She said that the Board of Commissioners is open door, open records. Commissioner Strickland asked Shane Scoggins, publisher of the *Franklin County Citizen Leader* if this information could be published in the newspaper. Mr. Scoggins said that he would consider it. He also said that he would run what the Commission is willing to pay for.

**K. Strategic Planning Session** – Chairman Bridges said that the strategic planning session in the past has been done in December. He asked Mrs. Thomas to give her thoughts on when this should be done. Mrs. Thomas said that she would like to have this done in two parts. Her recommendation is for the December work session to be moved up a week to December 22<sup>nd</sup> instead of December 29<sup>th</sup> to only discuss employment rules. She said that she would like to change the strategic planning session to January. She asked the Commission Board to look at their calendars and give date suggestions at the next meeting. Commissioner Strickland asked Mrs. Thomas if she was looking at the first week of January. Mrs. Thomas said that she does not want the planning session to interfere with the regular board meeting in January. Chairman Bridges said that the date for the December work session will be looked at and decided on at the next meeting.

Chairman Bridges asked if anyone had any other concerns or comments before adjourning the work session. There were no other issues or concerns. The meeting adjourned at 7:25 p.m.

Signed on the \_\_\_\_\_ day of \_\_\_\_\_, 2015

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Chairman J. Thomas Bridges

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Robert L. Franklin, District 1 Commissioner

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David R. Strickland, District 2 Commissioner

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Jeff Jacques, District 3 Commissioner

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Eddie Wester, District 4 Commissioner

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Elaine H. Evans, County Clerk