

FRANKLIN COUNTY
BOARD OF COMMISSIONERS
WORK SESSION MINUTES
August 30, 2016
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: Lisa Manus, *Franklin County Citizen*
Buddy Hardigree, *WLHR*

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

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

Item 3: *Items for discussion*

A. Public Comment

1. Jeff Sadler – Chairman Bridges opened the public comment section by asking **Jeff Sadler** to come forward. Mr. Sadler said that **Ken Lewis** will speak on his behalf. Chairman Bridges said that the issue that is being dealt with tonight is under consideration by the Planning and Zoning Commission. Mr. Lewis stated that he is not here to talk about that. Chairman Bridges said that any and all comments are welcome as long as they don't relate to the Planning and Zoning item because the Planning and Zoning Commission is not in attendance. He said that if that item is brought up, the County Attorney will put a stop to it. Mr. Lewis stated that he has talked with the County Attorney and they are on the same page.

Mr. Lewis said that he is not before the Commission Board to talk about the Planning and Zoning item in question. He is before the Board to address some procedural problems that relate to the Planning and Zoning process. Mr. Lewis said that he is advising the Commission about some problems with the process and not the actual application. He said that he will come back before the Board in a few weeks to address that. Mr. Lewis stated that he is an attorney from Winder and he does a fair amount of zoning law and presents before planning boards. He said that it is important for a planning commission to operate by its own rules. When the published rules are not followed it can create problems, not only for individuals but also for attorneys because

people can say that they have been treated unfairly or different from someone else.

At the last Planning Commission meeting which was attended by Mr. Lewis, there was something on the agenda relating to variance and set-back where a house was built too close to the property line. There was opposition to this request. Mr. Lewis said that part of the process is to give people a chance to talk. There is a published procedure for this but at that meeting; the Board did not follow the procedure. He said that this was not his issue, but the Board did not follow the rules. Mr. Lewis said that everyone should have the same opportunity, that the rules should be followed. He then thanked the Commission Board for allowing him to bring this issue to them on Mr. Sadler's behalf.

2. Oakwood Road - Chairman Bridges then asked **Delores Gresham** to come forward and speak about Oakwood Road. Mrs. Gresham said that she has a problem at her home and only the Commissioners can take care of it. She said that she has lived in Stillwater Subdivision for approximately 23 years. There is a huge culvert pipe that comes down to her property and water gushes out of it. Mrs. Gresham stated that the pipe was there when they bought the property. Shortly after moving there, after a big rain, their driveway washed away due to the water coming out of the pipe. A ditch was dug by Mrs. Gresham and her husband to carry the water off.

Mrs. Gresham said that several months ago the Road employees came out to solve a drainage problem for her neighbor. The water was routed into the big culvert pipe. This has caused a greater water problem on her property. Mrs. Gresham stated that she called Commissioner Strickland to tell him if this was done it would cause more of a water problem on her property. She said that Commissioner Strickland said that he would get the County Engineer to come out and look at the situation. Before the County Engineer got to look at the situation, the Road employees put in a ditch. Mrs. Gresham said that after the ditch was put in, there was a deluge of rain. This caused the water to gush more onto her property. A video was provided to each Commissioner as well as the County Engineer showing the water coming out of the pipe and gushing onto her property.

The problem that Mrs. Gresham said that she now is concerned about is county water coming onto her property and washing her driveway out. Mrs. Gresham stated that numerous ditches have been dug on her property as well as putting in a French drain to solve the excess water. She said that at this point she has done all she can. The culvert is the problem with spitting out huge amounts of water onto her property. Mrs. Gresham requested help from the County to resolve the problem. She said that several years ago a man from EPA came and looked at her property and said that the drain is illegal. Mrs. Gresham told him to go talk to the County because she did not put the culvert in. The solution for this problem would be to close the culvert and dig a ditch and route the water into the ditch at Pinehurst.

The solution from the County Engineer per Mrs. Gresham is to put in another pipe on the other side of her property to control the water problem. Mrs. Gresham said that the Engineer said that the County would need for her to give 20 feet of easement along with the next door neighbor giving it also. Mrs. Gresham said that she has already given easement, approximately 50 feet. She said that she cannot give any more property. Mrs. Gresham said that the solution would not cost the County very much

money because the Road employees are already paid and the County owns the equipment. Chairman Bridges thanked Mrs. Gresham for coming before the Commission Board. He suggested getting with the Engineer to study to solve this problem. Mrs. Gresham said that she is glad for this but asked that the County not to wait too long. Chairman Bridges asked when the video of the water gushing was made. The date of the video was August 1st.

Commissioner Strickland asked Mrs. Gresham to talk about the other issue on Oakwood. Mrs. Gresham said that there is a house at the corner of Pinehurst and Oakwood that is a disaster. She said that she has been trying to get help from the County for years to clean it up. After a death at the house Mrs. Gresham contacted the County Marshal and got him to look at the property. The County Marshal told the property owners to clean up the mess. The property owner was in jail for a while. He is now out of jail and has not cleaned up the mess. Commissioner Strickland thanked Mrs. Gresham for her comments.

Bradley Love came forward to speak. He said that he is a full-time paramedic with the EMS department in Franklin County. Mr. Love said that he grew up in the Gumlog area and this is home although he now lives in Jackson County. The concern that Mr. Love brought to the Commission Board is the County health insurance through United Healthcare. He said that at the last open enrollment period, plans were changed. Mr. Love stated that he is a Type 1 diabetic who uses 15 vials of insulin a month. He stated that the cost is over \$200 per vial. He said that insurance is extremely important to him because without the insulin it is possible that he would be in ICU within 24 to 36 hours or dead.

Mr. Love said that last year he had the buy-up plan because it made the most sense because his medication was paid at a deductible cost until the entire deductible was met. Mr. Love said that his wife is a case manager for Northeast Georgia. He said that he and his wife looked over the insurance together. He said that he also attended the open enrollment meeting. Mr. Love stated that somehow he missed that the insurance will not pay for any medication until the deductible is met. He said that he choose the base plan with the \$2,000 deductible which pays at 90% versus 80% on the buy-up plan. On paper the base plan looked like the better plan.

Several weeks ago Mr. Love discovered his mistake when he went to refill his prescriptions. He said that the pharmacist was very concerned and told him that something must be wrong with his insurance as United Healthcare said that \$910 must be paid before the prescription can be filled. Mr. Love said that he did not realize that the deductible applied to medications until this time. He said that he spoke with the insurance broker and the County Manager and was informed that he made the wrong choice. He is not the only one who made this choice. There is at least one other County employee that is aware and has encountered this problem. He also said that there are about three or four employees in the department that he works in who were not aware of this. For these other EMS employees it is not as pressing because they do not take the same kind of medication that Mr. Love does.

Mr. Love met with County Manager Beth Thomas to discuss this issue. He said that after talking with the insurance company as well as the broker, it was stated that a change can be made to go on the buy-up plan outside of open enrollment at no

additional cost to the County other than back premiums be paid. Mr. Love said that his meeting with Mrs. Thomas was not very productive. He said that Mrs. Thomas said that this would cost the County more money if a switch is allowed. Mr. Love said that he is not asking just for himself, he is asking that this be allowed for all employees who may not be aware of the deductible. He asked the Commission Board to consider a one-time change to be allowed for all employees to go on the buy-up option. The medication not being covered was a gray area that was not made clear enough to most employees during open enrollment. Mr. Love said that he is not able to pay this amount of money out of pocket; his only choice will be to find other employment with a different insurance plan. He said that he does not want to leave Franklin County as he loves the people and loves to serve them.

Jeff Love, a Deputy Sheriff said that the reason that his son, Bradley Love takes insulin is because of him. Mr. Love said that he is a Type 1 diabetic since 1991 and is in fairly good health for a diabetic. He also said that he went to a different open enrollment meeting than his son went to. It is important that a co-pay plan for pharmacy is offered to employees. Mr. Love stated that he did not have \$2,000 to pay on medications. He said that he lives from paycheck to paycheck.

Jeff Love said that he and his son, Bradley went to a meeting at the Commissioners' Office and met with Deborah Bufford. Terry Harris, EMS Director sat in on this meeting. It was brought up in this meeting that the easiest thing to do would be to change plans. Mr. Love said that he called Brett Fowler, the County's insurance broker. Emily with the brokerage company called Mr. Love back.

In the different open enrollment meeting that Jeff Love sat in, he thought that he had chosen the plan to cover himself. Mr. Love said that he has talked to Major Chris Looney; Chief Deputy Jimmy LeCroy; Sheriff Stevie Thomas; Commissioner Franklin; Deborah Bufford; United Healthcare; and Emily at the broker company. He said that no one has been able to tell him that it is a problem to change plans. Emily of the brokerage firm stated that it would not be a problem to change plans. The only thing required would be to get Deborah Bufford, the human resources person to write a letter requesting the change. Mr. Love said that when he approached Deborah about making the change, she stopped him and Beth will make the decision.

Mr. Love said that for some reason it is his fault and his son's fault that they missed a presentation by a person when you have a bunch of paperwork in your hand trying to get yourself covered on insurance. He said that he is by no means stupid and has been looking at insurance for a long time. Mr. Love said that for him, prescriptions are a big deal. He said that if a procedure is necessary then payments can be made. Mr. Love stated that he has not been able to find anyone who will finance a prescription. He is not asking for anything special for himself and his son. He is asking that the County make the change available to anyone who may not even realize that they have this problem yet.

Sheriff Stevie Thomas stated that the employees are the only asset that the County has. He said that an advisor is needed to help the employees with the insurance decisions. Sheriff Thomas said that his employees do not make what he makes and he could not afford the \$2,000 up front. He chose the up-grade plan because of medications. Sheriff Thomas said that as employers, this needs to be opened up and

allow the employees a chance to up-grade. He said that he talked with Mrs. Thomas about this situation. Mrs. Thomas gave a form to get \$100 off of medication. Sheriff Thomas stated that \$100 was not a drop in the bucket toward the \$2,000 deductible. He asked the Commission Board to help the employees.

Chairman Bridges said that he knew that the County spends a lot of money on employees and funds the insurance for the employees. Chairman Bridges asked Sheriff Thomas would he suggest that the plan change to co-pays. Mrs. Thomas said that the County does have a co-pay plan. Deputy Sheriff Love said that the paperwork on the base plan had two little words that said Rx deductible. He said on the top line it stated \$2,000 deductible. These two did not tie together which is where the confusion seems to be. Deputy Love stated that he has been told several times that there is no problem with the broker; no problem with United Healthcare; and no cost to the County to allow the change. The only thing needed is for the County to approve this change.

Walter Brown of Aderhold Road came forward to speak. He said that water is coming onto his yard and is washing it out. He has already had to replace the underpinning because of the water. Mr. Brown said that he has talked to County Engineer John Phillips and one of the Road employees. The problem could be fixed by reworking the ditches and reshaping the road. Chairman Bridges said that this issue has been heard several times. He said that this will be referred back to Mr. Phillips. Mr. Brown said that the road is banked in such a way that people cannot see to pull out. He said that this is also causing a problem. Mr. Brown said that he would appreciate help.

Sheriff Thomas said that he would like to make another comment on the insurance. He said that the information needs to be given to the employees before the insurance meeting. Sheriff Thomas said that in the past information had been given to elected officials and department heads so that the employees could make decisions before going to the open enrollment meetings. He stated that this time it was like walking into the dark and no one knew what they had.

Commissioner Jacques stated that through the years with the insurance plans that he has had, there are no exceptions once you make a selection and there is no change unless there is a qualifying event. He said that it does sound like due diligence on the part of the employees has been made regarding the ability to change. Commissioner Jacques asked Mrs. Thomas would United Healthcare allow changes to be made at this juncture. Mrs. Thomas said that the only word that she has on it, is what the employees are saying. She said that she hated that the employees were told this. Mrs. Thomas said that it is a 60 day cut off. She said that the issue could be forced, that the Commission Board would have to make the decision tonight. She also said that if it was offered to one, it should be offered to all.

Mrs. Thomas said that the insurance was one of the toughest decisions. She said that if the decision was made individually it would be one decision. If the decision is made collectively, you would make the decision that she made. Sheriff Thomas is correct about the presentation timeline. The loss run ratios for Franklin County are so poor, bumping up to 160%. Mrs. Thomas said that she waited until the last moment trying to get better loss runs in so that the claims could be reduced. She said that one of the biggest components in the insurance cost is a 40% pharmaceutical charge. This cost does not go away. It is absorbed into the plan pool.

Can the issue be pushed was posed by Mrs. Thomas. She said that she does think that the issue can be pushed to get United Healthcare to change the plan. Mrs. Thomas said that she does not think that this is the right decision collectively. She said that the Commission Board will have to act on this tonight and the communication will have to go out to the employees tomorrow. She stated to the Commission Board that if this decision is made it will unravel the hard decision that was made at renewal. Two plans were offered and they are very distinct. Mrs. Thomas stated that she sat through every meeting and made sure that two things were said – one about everything going toward the deductible and family coverage because it is so bad. She said that a decision to change plans would not be made in private business.

Mrs. Thomas said that she has called two banks to see if there is any banking financing solution. She also called the broker to discuss the legalities of forward funding their health savings accounts. It would be illegal to forward fund the accounts unless forward funding was done for all the accounts. Discount programs have been looked at. Filing hardships on retirement accounts has also been looked at. This is doable but is an individual choice and would have to be looked at with the financial planner. Mrs. Thomas said that this is a tough decision to make to whether to unravel what has been done. She said that no one sitting in the private world would do this.

Commissioner Franklin said that what he does not understand is why an insurance company would tell the employees that they could do it. Mrs. Thomas said she guessed they forced the issue. Commissioner Franklin said that if the insurance company said they could do it, he does not have a problem with it. He said that he has been in the employees place before where he was not told something up front and did not understand the whole situation. Commissioner Franklin said that he does not have a problem letting Bradley Love and Jeff Love change plans or anyone else. Mrs. Thomas said that is correct, for all employees but the County has to accept the financial ramifications. Commissioner Franklin said that he is for the employees of Franklin County and he is for them being treated right. Mrs. Thomas said that there were seven counselors at the all-day meetings. She said that she hated that the message got missed. It was sent out three times, by memo; presentation; and employee handout.

Mrs. Thomas said that she has someone researching employee charities. This would be if the other employees wanted to pool together funds to help these employees. The money would not be given to the employees, it would be given to the County to expend out. Mrs. Thomas stated that maybe the charity would be a good option or filing hardships on retirement. Tax Commissioner Bobby Martin said that is bad. Clerk of Court Missy Holbrook stated that she could not believe Mrs. Thomas said that. Mrs. Thomas said that it would be bad for an individual but the choice is theirs. Sheriff Thomas said that they are County employees and we have to protect our employees. Mrs. Thomas told Sheriff Thomas that she agreed and she would love to take the money that is saved on insurance and give the employees a pay raise. She said that this decision has to be made tonight so that the insurance company can be pushed and information sent to employees.

Commissioner Franklin asked what was to push when the insurance company told the employees it could be done. Mrs. Thomas said that it was the broker who said it not the insurance company. Commissioner Franklin told Mrs. Thomas that the

insurance company told the employees that and not her. Chairman Bridges said that this is an issue that can be considered. He thanked everyone for their comments.

Tax Commissioner Bobby Martin said that the County Manager stated that today is the deadline for this decision. He asked if a vote should be taken on this. If it is a deadline and you wait until tomorrow it is too late. Chairman Bridges said that is a good statement and all the facts need to be looked at. He said that this will be looked at under personnel in executive session tonight. Sheriff Thomas and Clerk of Court Missy Holbrook stated that they will be waiting for the Commission Board to come back out and vote after the executive session.

Roman Strickland stated that he is self-employed and he has no insurance. He said that everyone needs to step back and remember that at the end of the day, we are all going to be citizens; friends; and neighbors. Mr. Strickland said that a Washington, DC decision was what caused this problem. He said that this message needs to get out that the decisions from Washington are causing problems all across the country.

B. Tower Contract – Southern Communication Services, Inc. – Chairman Bridges asked Mrs. Thomas to go over the tower contract item. Mrs. Thomas said that this is an amendment to the agreement between Franklin County and Southern Communication Services. Southern Communication Services wants to add newer equipment to the tower. There is a time period when new equipment and old equipment will be on the tower at the same time. During the time that the new and old equipment is on the tower there will be an increase of \$1,000 per month in rent. When the old equipment is taken down the rent will decrease by \$200 per month. Mrs. Thomas stated that net, net, this is an increase of \$800 per month. She asked the Commission Board to consider approval at the next regular board meeting.

C. Manager's Report

1. Worker's Comp Disbursement – Mrs. Thomas stated that Ross King, Executive Director for ACCG (Association County Commissioners of Georgia) will be delivering a one-time special disbursement check to counties that participated in the worker's comp insurance program. The check will be delivered to Chairman Bridges along with the chairman from Banks County; Stephens County; and Hart County. The portion that will be given to Franklin County is \$30,000. Mrs. Thomas said that ACCG is encouraging that all or a portion of the refund be used toward lessening future worker's comp claims. She recommended that the Commission Board use the money to reinvest in Franklin County's worker's comp by purchasing two power stretchers for the EMS stations. Two of the EMS stations already have power stretchers. The purchase of the additional two stretchers would make all four stations have them. Mrs. Thomas stated that one back injury could be up to \$100,000 in claims.

Mrs. Thomas said that Franklin County also participates in the general property liability program. She said that the County has an opportunity to save 7.5% on premiums by participating in a safety incentive program. Rocky Farrow heads this program up and schedules education for employees. Monday through Wednesday of this week LGRMS (Local Government Risk Management Services) provided driver safety classes for the employees.

2. Surplus Equipment – Mrs. Thomas said that there is a variety of equipment that she would like for the Board to declare as surplus so that it can be cleaned out and to make room. She said currently there are four broken printers; four copiers, and an old green bar printer. Last year when the copiers were switched out, the machines were reviewed by the company to see if anything could be reused.

On the property that was gotten from TruVista on Black Snake Road there is a lot of old satellite equipment. Mrs. Thomas will ask County Attorney Bubba Samuels to review the contract and see if this can be declared surplus. Commissioner Jacques stated that this might be an opportune time to include the structural steel from the abandoned bridge at Payne Road. The County does not have any short-term or long-term goals for reconstructing the bridge as the road dead ends. Commissioner Franklin said that he would like to see this happen as there is someone who would like to build a house there but does not want the yard to be torn up by trucks removing the steel from the bridge. Chairman Bridges said that this could be considered as well.

D. Executive Session – Personnel and Litigation – Chairman Bridges asked for a motion to go into executive session to discuss personnel and litigation. Commissioner Jacques made the motion to close the regular session and go into executive session for the purpose of discussion of personnel and litigation. Chairman Bridges asked for a second. Commissioner Strickland seconded the motion. Chairman Bridges asked for a show of hands. The motion passed by four (4) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin; Commissioner Strickland; Commissioner Jacques; and Commissioner Wester. The regular session closed at 7:10 p.m. to go into executive session.

Chairman Bridges asked for a motion to close the executive session and go back into regular session. Commissioner Jacques made the motion to come out of executive session and go back into regular session and to authorize the Chairman to sign the closed meeting affidavit where personnel and litigation was discussed. Chairman Bridges asked for a second. Commissioner Strickland seconded the motion. Chairman Bridges asked for a show of hands. The motion passed by four (4) YES votes to zero (0) NO votes. The YES votes were Commissioner Wester; Commissioner Jacques; Commissioner Strickland; and Commissioner Franklin. The regular meeting resumed at 8:40 p.m.

Chairman Bridges thanked everyone for being patient and waiting. He said that all the Commissioners and the Manager are concerned about the employees and want to assist them. Chairman Bridges said that he hoped that the employees have been given the correct information by the broker. The proper procedure is for the County to contact the insurance company. Chairman Bridges said that the Commissioners have instructed the Manager to contact the insurance company to see if the opportunity to change insurance plans can be opened up. If so, the opportunity will be given to all employees. The County will go with whatever the decision is from the insurance company. Commissioner Strickland said that at least we will have tried.

Commissioner Jacques announced that the September meeting will on the 12th instead of the 5th due to Labor Day. Chairman Bridges asked for a motion and a second to adjourn. Commissioner Strickland made the motion to adjourn. Commissioner Jacques seconded the motion. Chairman Bridges asked for a show of hands. The

motion passed by four (4) YES votes to zero (0) NO votes. The YES votes were Commissioner Jacques; Commissioner Wester; Commissioner Strickland; and Commissioner Franklin. The meeting adjourned at 8:45 p.m.

Signed on the _____ day of _____, 2016

Chairman J. Thomas Bridges

Robert L. Franklin, District 1 Commissioner

David R. Strickland, District 2 Commissioner

Jeff Jacques, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Elaine H. Evans, County Clerk