



**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
REGULAR BOARD MEETING MINUTES
December 5, 2016
6:00 P.M.**

BOC: *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 Engineer John Phillips
 County Attorney Bubba Samuels

Item 1 & 2: Invocation and Pledge of Allegiance – *Chairman Bridges* called the December regular board meeting to order. He thanked everyone for coming out and showing interest in their local government. Chairman Bridges asked Commissioner Jacques to lead the invocation and pledge to the American flag.

Commissioner Strickland asked that an amendment be made to the agenda. He made a motion to add alcohol sales as Item D1 to be discussed and possibly voted on. Chairman Bridges asked for a second. The motion died for lack of a second.

Item 3: Approval of Minutes:

November 7, 2016 Regular Board Meeting
November 29, 2016 Work Session

Chairman Bridges skipped this item and went directly into public comment. He stated that anyone wishing to speak, come to the podium and state your name for the records.

Item 4: Items for discussion:

A. Public Comment – *George Butler* gave a rebuttal to the comments made by Stanley Whitsitt in the public hearing. He said that the Planning and Zoning Board did make it up as they went pertaining to a conditional use permit. Mr. Butler said that



maybe that this was a little rigged in the direction of what they felt subjectively. He said that this is not appropriate in this context as the Planning Board does not have the desecration that they think they have. Mr. Butler said that the Commission Board has the law. He said that the Planning Board was a government of men and not of laws and they listened to the people. Mr. Butler said that as to this applicant the horse is out of the barn even if a moratorium is started.

Mike Barrett said that the Planning and Zoning Board does not make stuff up as they go. They make recommendations. Mr. Barrett told the Commission Board to not let someone scare them into doing something, to do what they know they need to do.

Cline Carson came forward to speak. He said that he is a former school teacher and a lifelong resident of Franklin County. He said that there is talk about the money that will be lost if these chicken houses are not built. Mr. Carson said that Franklin County already has more chicken houses than they need. He told the Commission Board that the attorney will go back to Dahlonega but they have to live with everyone. Mr. Carson said that he is concerned about where the kids play.

Missy Holbrook said that she does not have anything against chicken farmers or chicken growers. She read Section 1607, criteria to consider for conditional uses from the Planning and Zoning Ordinance. She said that she had attended the Planning meeting and heard this read by Daphne Farmer. This is the information that the Planning Board uses to make their recommendations.

Stanley Whatsitt asked Mike Ward to speak about how much water is used for chicken houses. Mr. Ward said that all he had to say is that chicken houses are the heaviest load for the fire departments.

B. Planning and Zoning Items

1. Conditional Use – U. Le – North Fairview Road – Chairman Bridges asked John Phillips to report on this item. Mr. Phillips said that the Commission Board was provided the information from the Planning Board. He said that this is for a conditional use permit for a poultry farm on North Fairview Road. After review of this application, the recommendation from the Planning Board is approval. Chairman Bridges asked for a motion to accept the recommendation from the Planning Board. Commissioner Franklin made the motion to accept. Chairman Bridges asked for a second. 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 Wester; Commissioner Jacques; Chairman Bridges; Commissioner Strickland; and Commissioner Franklin.

2. Conditional Use – H. A. Dinh & N. H Dinh – South Fairview Road – Chairman Bridges asked Mr. Phillips to give a review of this item. Mr. Phillips said the Planning Board reviewed the request for South Fairview Road for a poultry farm and the



recommendation is for approval. Chairman Bridges asked for a motion to accept the recommendation from the Planning Board. Commissioner Jacques made the motion to accept the recommendation in accordance with the Planning Board recommendation. Chairman Bridges asked for a second. Commissioner Franklin 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.

3. *Conditional Use – A. D. Pham – Athens Road* – Chairman Bridges asked Mr. Phillips for a review of this item. Mr. Phillips said that this is for the property located at the intersection of Athens Road and Harrison Bridge Road for a conditional use for a poultry farm. The Planning Board reviewed this application and recommends denial. Chairman Bridges asked for a motion to accept the recommendation from the Planning Board. Commissioner Wester made the motion to accept the recommendation from the Planning and Zoning Board. Chairman Bridges asked for a second. Commissioner Franklin seconded the motion. Chairman Bridges asked for discussion. Commissioner Jacques said that he was not aware of the potential litigation that the Commission Board was served with until just prior to the meeting and he has not had an opportunity to review the information with counsel. He said that he would like to proceed with caution and not put the County in a precarious legal position. Commissioner Jacques said that if that was not the wishes of his colleagues, he is ready to vote.

Commissioner Strickland asked if this was something that the attorney could answer right now. Mr. Samuels said that he has not had a chance to read the information from Mr. Butler as it was just received. He told the Commission Board that the contents of the letter should not dictate the vote on this matter. Mr. Samuels said that it would not be inappropriate to table the matter to do further investigation. The worst that would happen would be that the decision would be delayed for one month. Commissioner Jacques said that he would yield to the pleasure of the Board. Chairman Bridges said that there is already a motion and a second to deny this poultry farm. He asked for a show of hands. The motion passed by five (5) **YES** votes to zero (0) **NO** votes to deny the poultry farm. The **YES** votes were Chairman Bridges; Commissioner Strickland; Commissioner Jacques; Commissioner Franklin; and Commissioner Wester.

C. Planning and Zoning Moratorium – *Chairman Bridges* asked Mr. Phillips to give an update on the moratorium item. Mr. Phillips said that the Planning Board has had quite a few requests for poultry houses particularly during this past year which was highlighted by the 32 conditional use requests before the Commission Board tonight. The Planning Board has asked for a moratorium on the acceptance of applications for poultry farms. The meaning of the moratorium is that Franklin County would not accept applications for poultry farms during the timeframe that the moratorium is in place. Mr. Phillips said that originally the Planning Board looked at a six month time period going through the end of the fiscal year. He said that based on public comment; discussions with the poultry integrators and lenders; the Planning Board would be comfortable with a



moratorium going through the end of March 2017.

Mr. Phillips said that the Planning Board is asking that the Commission Board approve a moratorium through the end of March for poultry farm applications with the option to extend if needed. He said that the Planning Board feels comfortable with the requested frame for a review of the zoning regulations and to make suggestions for potential changes. Chairman Bridges asked for a motion to accept the recommendation for a moratorium. Commissioner Strickland made the motion. Chairman Bridges asked for a second. Commissioner Jacques seconded the motion but questioned the process of how the transitional period will be handled until the Commission Board votes for the moratorium to go into effect. He asked if there would be a grace period for those applications already in process. Mr. Phillips said that there are two applications that have already been submitted and they should be able to move forward under the current guidelines.

In answer to *Commissioner Jacques* about the process of the moratorium, Mr. Phillips said that a written moratorium would need to be prepared for execution by the Commission Chairman. This will take time to complete. Mr. Phillips deferred to Mr. Samuels as to how long this will take. Commissioner Jacques said that he wanted a complete understanding before the vote. Mr. Phillips said that the Planning Board is envisioning using as many experts as possible to look at the current regulations. After this review, there may be suggested changes to the regulations. If changes are needed then there would be a public hearing to allow public comment regarding the proposed changes. The Planning Board would then make a recommendation regarding the proposed changes to the Commission Board. Then a second public hearing would take place before the Commission Board. The final vote would come from the Commission Board as to adopting or leaving the regulations as they currently stand. 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 Franklin; Commissioner Strickland; Chairman Bridges; Commissioner Jacques; and Commissioner Wester.

D. Old Highway 17 – Road Name – *Chairman Bridges* asked Mrs. Thomas to give an update on the road name change. Mrs. Thomas said that in a previous work session it was discussed about renaming a section of Old Highway 17. This section is near the completed Hwy 17 Bypass. The road sign for this section is posted as either Main Street or East Main Street. Mrs. Thomas said that there is already a Main Street in the E911 system and this poses a problem. She said that she is asking the Commission Board to approve beginning the process of renaming that section of road as Old Hwy 17. Chairman Bridges asked for a motion to accept the recommendation to rename the road. Commissioner Jacques made the motion based on information from the county manager. Chairman Bridges asked for a second. Commissioner Strickland 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 Wester; Commissioner Jacques; Chairman Bridges; Commissioner



Strickland; and Commissioner Franklin.

E. Executive Session – *Chairman Bridges* said that the next item is executive session. He said that it was advertised previously that the purpose of the executive session was to deal personnel, the evaluations of the county manager and county clerk.

Commissioner Jacques asked Chairman Bridges to approve the November meeting minutes before going into executive session. Chairman Bridges asked for a motion to accept the minutes. Commissioner Jacques made the motion to accept based on review as written and distributed by Elaine. Chairman Bridges asked for a second. Commissioner Wester 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.

Chairman Bridges asked for a motion to go into executive session. Commissioner Jacques made a motion to close the regular session and go into executive session for discussion of personnel only. Chairman Bridges asked for a second. Commissioner Franklin seconded the motion. There was no discussion. The motion passed by five (5) **YES** votes to zero (0) **NO** votes. The **YES** votes were Chairman Bridges; Commissioner Wester; Commissioner Jacques; Commissioner Strickland; and Commissioner Franklin. The regular session closed at 6:33 p.m.

Chairman Bridges asked for a motion to close executive session and to go back into regular session. Commissioner Jacques made the motion to come out of executive session and go into regular session and give the Chairman authorization to sign the closed meeting affidavit in which personnel items were discussed. Chairman Bridges asked for a second. Commissioner Franklin seconded the motion. The motion passed by five (5) **YES** votes to zero (0) **NO** votes. The **YES** votes were Chairman Bridges; Commissioner Strickland; Commissioner Franklin; Commissioner Jacques; and Commissioner Wester. The regular session resumed at 8:48 p.m.

F. Presentation to Commissioner Strickland – *Chairman Bridges* presented Commissioner Strickland with a plaque thanking him for his service on the Commission Board from January 1, 2013 through December 31, 2016. Commissioner Strickland thanked the Chairman and the Commission Board for the plaque.

Chairman Bridges asked for a motion to adjourn the meeting. Commissioner Jacques made the motion. Commissioner Strickland seconded the motion. 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; Commissioner Strickland; Commissioner Franklin; and Chairman Bridges. The meeting adjourned at 8:52 p.m.



Signed on the _____ day of _____, 2017

Chairman J. Thomas Bridges

Robert L. Franklin, District 1 Commissioner

Jason Macomson, District 2 Commissioner

Jeff Jacques, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Elaine H. Evans, County Clerk