



You Are Why We Are Here

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
REGULAR BOARD MEETING MINUTES
August 6, 2018
6:00 P.M.**

BOC: *Commission Chairman Thomas Bridges
District 1 Commissioner Robert Franklin
District 2 Commissioner Dr. Jason Macomson
District 3 Commissioner Jeff Jacques
District 4 Commissioner Eddie Wester*

Media: *Shane Scoggins, Franklin County Citizen
Mark Berryman, WLHR*

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

Item 1: **Call meeting to order** – *Chairman Bridges called the August regular board meeting to order at 6:04 p.m. and welcomed everyone.*

Item 2: **Invocation and Pledge of Allegiance** – *Commissioner Jacques led the invocation and pledge of allegiance to the American flag.*

Item 3: **Approval of Minutes**

*July 2, 2018 public hearing
July 2, 2018 regular board meeting
July 31, 2018 work session*

*Chairman Bridges said the Clerk sends the minutes to the Commissioners and they have an opportunity to review and adjust if needed. He asked for a motion to approve the minutes. Commissioner Jacques made the motion to approve the minutes as written and transmitted collectively. 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, Dr. Macomson, Chairman Bridges, Commissioner Jacques and Commissioner Wester.*

Item 4: **Items for discussion**

- A. **Public Comment** – *There was no public comment.*
- B. **Public Hearing items**



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Rezone for Charity Mackenzie – Chairman Bridges asked Mrs. Thomas to give an update on the request for Charity Mackenzie. Mrs. Thomas said Ms. Mackenzie applied for rezoning of a .85-acre lot off of Hwy 106 (Athens Road) to move from Agricultural Intensive to Commercial General. Ms. Mackenzie stated her request to the Planning Commission as well as in today's public hearing. Mrs. Thomas gave the recommendation from the Planning Commission to approve the rezone request for Ms. Mackenzie. Chairman Bridges asked for a motion to accept the recommendation from the Planning Commission for approval. Dr. Macomson made the motion to grant approval. 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 Franklin, Commissioner Jacques, Dr. Macomson and Chairman Bridges.

Rezone and conditional use for Best Propane Gas, LLC – Chairman Bridges stated there were pros and cons heard at the Planning Commission meeting as well as at tonight's public hearing. He asked Mrs. Thomas to give the information from the Planning Commission. Mrs. Thomas said this is a request to rezone from Commercial General to Commercial Industrial for the purpose of a propane gas storage. She said the CI zoning requires a conditional use permit for this type of operation. The application from Best Propane Gas includes the conditional use. Mrs. Thomas said after her review of the application she recommended approval with the condition of a buffer per Section 1416 of the Zoning Ordinance. The Planning Commission after their public hearing recommended denial of the application as written.

Chairman Bridges asked for a recommendation from any Commissioner on what direction is needed for this item. Commissioner Wester made the motion to table the request from Best Propane Gas to gain more clarity on the entrance from Hwy 51 and receive information on the safety of the project. Chairman Bridges asked for a second. Commissioner Jacques seconded the motion.

Dr. Macomson asked what the objections were from the Planning Commission. Mrs. Thomas read the Planning Commission minutes "the business is not unique to our County but the situation is unique in that it is a shared county road with a lot of residential access. For us to put all of these stipulations on it that no can guarantee (the entrance) at this point is kicking the can down the road". Mrs. Thomas said the motion was to deny the application for those reasons. Additional reasons included the statements from the community as a nuisance business, no added benefit, traffic concerns and safety concerns for children.

Mrs. Thomas clarified the motion is to table and send back to the Planning Commission to work out additional details and resend to the Commissioners. Chairman Bridges said this is correct. Commissioner Jacques said to be specific that the site plan will include ingress/egress of the property. Dr. Macomson asked if Best



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Propane Gas has spoken with GDOT about an entrance off of Hwy 51. Mrs. Thomas said she has not received any information on this. She said the applicant stated in the public hearing they are willing to do this. Dr. Macomson asked if there were any fire safety issues. Mrs. Thomas said there were no identified fire safety issues by the local fire department (Sandy Cross VFD) as required by the State Fire Marshal. Mrs. Thomas said she spoke with the State Fire Marshal before she gave her recommendation and he stated he did not think this is a fire safety issue as these types of operations are permitted throughout the State. He is willing to look at the plan if asked to do so.

*Commissioner Franklin questioned how far would the entrance be off of Hwy 51 to Argo Road. Commissioner Jacques said it would be contingent on GDOT policy. Mrs. Thomas said the County zone is 100 feet off the intersection but would follow the requirements from GDOT. Chairman Bridges asked for a show of hands for the motion to table. The motion to table passed by five (5) **YES** to zero (0) **NO** votes. The **YES** votes were Commissioner Franklin, Commissioner Wester, Dr. Macomson, Commissioner Jacques and Chairman Bridges.*

C. Foxy Lane

Chairman Bridges asked Mrs. Thomas to give information on Foxy Lane. Mrs. Thomas said the agenda item Foxy Lane is specific to the residents on the dirt road portion for the County to accept. She said the requesting party was given a copy of the Road policy and four of the six easements were obtained. The other two easements are in process of being transferred to surviving family members and a problem is not anticipated. Mrs. Thomas said the actual road, policy and logistics was reviewed by County staff. The area of Foxy Lane is unique due to the creation of Lake Hartwell. It is across a cove from Franklin County by water and by land into Stephens County then back into Franklin County.

Mrs. Thomas said there are two roads in this area maintained by the County; the paved portion of Foxy Lane and Holcomb Bridge. To effectively provide service to this area, Franklin County entered into an agreement with Stephens County for maintenance. There are also mutual aid agreements in place with the surrounding counties for public safety. The dirt road maintenance requires a different set of equipment than the paved portion.

Property taxes are the major funding for the County. Mrs. Thomas said the services are delivered to the taxpayers by the County as best as possible. Property taxes are not a mechanism that taxpayers automatically get the amount of services they have paid in taxes. Mrs. Thomas stated the acceptance of Foxy Lane is in the best interest of the property owners and not in the best interest of the public. Foxy Lane was developed by property owners to access the lake. The road would require a lot of work before it could be accepted by the County.

Mrs. Thomas said the Road policy states the Board of Commissioners has the



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right to decline the acceptance of any road that is determined not to be in the best interest of the public. Private access roads are not uncommon in Franklin County and it is not uncommon for the County to not accept them. Mrs. Thomas said the staff individually came up with recommendations and collectively discussed and all came to the same conclusion of not accepting the dirt portion of Foxy Lane for County maintenance.

Commissioner Jacques said if this portion of Foxy Lane was accepted it would place a real burden on County forces because of the logistics. Mrs. Thomas said from the County seat to this section is 52 miles round trip and equipment would have to be transported for this. Dr. Macomson questioned if this road is wide enough for the equipment. Mrs. Thomas said there would have to be a dedicated turn around. She said this road has not been maintained to the standard of the County forces. If this road is accepted a culvert pipe would need to be replaced, ditches dug out and loads of gravel would be needed. Commissioner Jacques said were this section of road accepted the drainage issues on neighboring properties would have to be looked at.

Chairman Bridges asked for a motion regarding Foxy Lane. Dr. Macomson said based on the information the motion is to not accept Foxy Lane until all easements are signed and the road is better maintained. Chairman Bridges asked for a second. Commissioner Franklin seconded the motion. He said he looked at that road twice and it would cost the County a considerable amount to maintain and he is not for spending money. Commissioner Jacques said Foxy Lane is a dead-end at a carport. The easements would have to grant adequate room for equipment to turn around without encroaching on private property. 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, Dr. Macomson, Chairman Bridges, Commissioner Jacques and Commissioner Wester.

D. IBA Millage Rate

Chairman Bridges said the IBA millage rate was tabled at last week's work session. He asked for a motion to leave the IBA millage rate at .25 mil. Dr. Macomson made the motion to leave it at .25. Chairman Bridges asked for a second. Commissioner Wester seconded the motion. Commissioner Jacques said after last week's discussion there were some concerns that were alleviated by talking with IBA members. He said after these responses and assures from the members he is 100% supportive of the .25 levy and wanted to be on record of this. Chairman Bridges thanked the mayors of the five cities and the two members appointed by the Board of Commissioners; Cary Bennett and John Hylton for all the work they do. He also thanked IBA Director, Senator Frank Ginn for pulling anything out of Atlanta that he can for Franklin County. Chairman Bridges asked for a show of hands. The motion passed by five (5) **YES** votes to zero (0) **NO** votes. The **YES** votes are Commissioner Wester, Commissioner Jacques, Commissioner Franklin, Chairman Bridges and Dr. Macomson.



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E. Water/GRP MOU

Chairman Bridges asked Mrs. Thomas to give an update on the Water/GRP MOU item. Mrs. Thomas said this has been worked on for some time by a lot of people. At the work session a draft memorandum of understanding between Franklin County Water System and Georgia Renewable Power was presented. The MOU states how much water will be purchased by GRP, dates of connection and service delivery and water sales agreement. Mrs. Thomas said the MOU has been approved by GRP and the notarized copy has been received. She asked County Attorney Bubba Samuels to give further information on this.

Mr. Samuels said an appropriate motion is to authorize the Chairman to execute the memorandum of understanding that has already been executed by GRP as well as the associated water sales agreement subject to County Attorney review of that document. The water sales agreement document is not in final form but the August 15 deadline is approaching for this to be in place. Mr. Samuels asked for approval for the Chairman to execute the water sales agreement contingent on the finalization.

*Chairman Bridges asked for a motion. Commissioner Jacques made the motion to authorize Chairman Bridges to sign the MOU and water sales agreement contingent on review by County Attorney Bubba Samuels. Chairman Bridges asked for a second. Commissioner Wester seconded the motion. Commissioner Jacques clarified that there have been no changes to the documents. Mrs. Thomas stated no changes from the documents presented at the July work session. 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, Dr. Macomson, Chairman Bridges, Commissioner Jacques and Commissioner Wester.*

F. GEFA Loan Documents

*Chairman Bridges asked Mrs. Thomas to give an update on the GEFA loan documents. Mrs. Thomas said with a commitment for water purchases in place, system improvements are needed. The improvements include an elevated tank, waterline expansion and development of wells. Grants have been applied for along with a GEFA note. Franklin County received a 3.5 million dollars GEFA note with a \$500,000 loan forgiveness. Mrs. Thomas said based on the water sales agreement the County is able to support this amount of debt. She gave her recommendation for approval of the GEFA note in the amount of 3.5 million dollars and to authorize the Chairman to sign all appropriate related debt documents. Chairman Bridges asked for a motion to accept the recommendation from Mrs. Thomas. Commissioner Jacques made the motion to accept. Chairman Bridges asked for a second. Dr. Macomson seconded the motion. There was no discussion. The motion passed by five (5) **YES** votes to zero (0) **NO** votes. The **YES** votes were Dr. Macomson, Commissioner Wester, Chairman Bridges, Commissioner Jacques and Commissioner Franklin.*

Mayor Harris Little of the City of Carnesville asked to be recognized. He



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expressed thanks to the Commissioners, Mrs. Thomas, Mr. Samuels and Mr. Ginn for their work on the GRP project. Mayor Little said this has been a long time coming and it is the single largest investment in Franklin County. He stated GRP will be a great thing for the water sales and business.

G. Executive Session

Chairman Bridges asked for a motion to go into executive session. Commissioner Jacques made the motion to go out of the regular session and go into executive session for the purpose of potential litigation. 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 Wester, Commissioner Jacques, Commissioner Franklin, Dr. Macomson and Chairman Bridges. The regular session ended at 6:35 p.m.

Chairman Bridges asked for a motion to come out of 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 give the Chairman authorization to sign the closed meeting affidavit in which potential litigation was discussed. 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 Jacques, Dr. Macomson, Commissioner Wester, Commissioner Franklin and Chairman Bridges. The regular session resumed at 7:04 p.m.

H. Announcements

Mrs. Thomas said invitations have been extended by the Clerk to Recreation, Coroner, Extension and Senior Center. These invitations were issued because the Commissioners expressed having better communication with the departments, boards and constitutional offices for FY19. Chairman Bridges said this is a good announcement.

Chairman Bridges asked for a motion to adjourn. Commissioner Wester made the motion to adjourn. Chairman Bridges asked for a second. Dr. Macomson 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, Dr. Macomson, Chairman Bridges, Commissioner Jacques and Commissioner Wester. The regular board meeting adjourned at 7:07 p.m.



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Signed on the _____ day of _____, 2018

Chairman J. Thomas Bridges

Robert L. Franklin, District 1 Commissioner

Dr. Jason Macomson, District 2 Commissioner

Jeff Jacques, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Elaine H. Evans, County Clerk