



You Are Why We Are Here

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
REGULAR BOARD MEETING MINUTES
November 4, 2019
6:00 P.M.**

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

Media: Shane Scoggins, Franklin County Citizen Leader

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

Item 1: Call meeting to order – Chairman Bridges called the meeting to order at 6:00 p.m. and welcomed everyone in attendance.

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

Item 3: Approval of Minutes

October 7, 2019 public hearing
October 7, 2019 regular meeting
October 29, 2019 work session

Chairman Bridges said the Clerk does a good job of sending the minutes to the Commissioners for review. He asked for a motion to accept the minutes as written. Commissioner Franklin made the motion to accept the minutes as written. Chairman Bridges asked for a second. Commissioner 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, Commissioner Macomson, Chairman Bridges, Commissioner Swails and Commissioner Wester.

Item 4: Items for discussion

A. **Public Comment**
None.

B. **Public Hearing items**
Variance for Stack House for Brian Barnes – Mrs. Thomas said the request from



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*Brian Barnes is for a variance to reduce the setback requirement from 200 feet to 100 feet and to approximately 100 feet from the north/northwestern property line. There was no opposition at the Planning Commission public hearing for the request from Mr. Barnes. The recommendation is to approve the variance request for Brian Barnes. Chairman Bridges asked for a motion to accept the recommendation from Mrs. Thomas and the Planning Commission. Commissioner Franklin made the motion to approve the request for Brian Barnes. Chairman Bridges asked for a second. Commissioner Wester seconded the motion. There was no discussion. The motion passed by five (5) **YES** votes to zero (0) **NO** votes. The **YES** votes were Commissioner Franklin, Commissioner Wester, Commissioner Swails, Commissioner Macomson and Chairman Bridges.*

Conditional Use for Poultry House for Jenny Farm – *Mrs. Thomas said Jenny Farm applied for a conditional use permit for the purpose of constructing six poultry houses. Out of three possible site plans, the applicant chose Site Plan A. Mrs. Thomas stated the applicant has received a GDOT permit for one driveway coming off of Hwy 326 that will be used for the residence and the poultry houses. The recommendation from the Planning Commission is for approval. Chairman Bridges asked for a motion to approve the conditional use for the six chicken houses. Commissioner Wester made the motion to approve with the driveway coming off of Hwy 326 per GDOT approval and if not then the driveway to come off of Neal Little Road. 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 Chairman Bridges, Commissioner Macomson, Commissioner Wester, Commissioner Franklin and Commissioner Swails.*

Conditional Use for Home Occupation for Kelly Hoffman – *Mrs. Thomas said the application from Kelly Hoffman is for a conditional use for a home occupation as a real estate agent. Per the Zoning regulations home occupations require a conditional use permit in residential districts. The recommendation from the Planning Commission is for approval for the request from Mrs. Hoffman. Chairman Bridges asked for a motion to accept. Commissioner Franklin made the motion to approve. Chairman Bridges asked for a second. Commissioner Swails 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 Chairman Bridges, Commissioner Franklin, Commissioner Macomson, Commissioner Wester and Commissioner Swails.*

Rezoning and Conditional Use for Hunting Preserve & Lodge for South Fork Hunting Preserve – *Mrs. Thomas said the application from South Fork Hunting Preserve is for a rezoning from agricultural intensive to agricultural general and a conditional use permit to use the area for recreational purposes. The Zoning regulations allow recreational use development as a conditional use in the agricultural general district. Per the applicants the land will not be altered. Mrs. Thomas gave the recommendation from the Planning Commission as approval for the rezoning and conditional use for South Fork Hunting Preserve. Chairman Bridges asked for a motion to approve. Commissioner Macomson made the motion to approve the rezoning and conditional use for South Fork Hunting Preserve. Chairman Bridges asked for a second. Commissioner Franklin seconded the motion. There was no discussion. Chairman Bridges asked for a show of*



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hands. The motion passed by five (5) **YES** votes to zero (0) **NO** votes. The **YES** votes were Commissioner Macomson, Commissioner Swails, Commissioner Franklin, Commissioner Wester and Chairman Bridges.

C. Sheila Baker – GRP issues

Sheila Baker stated when the GRP came before the Planning Commission on September 17, 2015 the rezoning was denied. At this meeting 10 people spoke in opposition to the request. This issue came before the Board of Commissioners on September 22, 2015 with several people speaking against the GRP request but it was approved. Three of the current Board of Commissioners were on the Board when the request was approved.

GRP has consistently stated that they would not be burning anything except clean biomass, wood chips. Ms. Baker said as soon as the EPA requirements were relaxed, within days GRP applied to burn creosote railroad ties and industrial oil. (Information was obtained through public records). Ms. Baker said the way the industrial oil is burned is the wood chips are soaked in it and then burned. GRP is also permitted to burn C&D industrial waste which can include lead paint among other stuff.

Ms. Baker asked the Commissioners if they know what the power plant was built on. She stated that the hill that the power plant sits on is deteriorated rock. During the construction time, Ms. Baker stated she was rock hunting with permission and was standing in a 35 feet deep pit. This type rock will not absorb anything and liquids will go straight through to the bedrock. The power plant is stabilized by pylons at 80 feet. The white rock at the power plant is covered up by red clay. Ms. Baker said if the toxins from the wood chips go through the red clay to the deteriorated rock the ground water will be contaminated along with the wells in the area. It is wrong for the citizens in the area of GRP to have to suffer so the County can have enough money to expand the water sewer system. Ms. Baker said nothing is getting done but she is sure when the lawsuits start coming the County will begin to do something.

Chairman Bridges told Ms. Baker his recollections are different from hers but he will check his sources before commenting to her. He and the Commission Board will work for the citizens of Franklin County and maybe it is time to see if Senator John Wilkinson can help. He stated it is easy to verify or disprove the information given by Ms. Baker.

D. Morris Sweatman – GRP issues

Morris Sweatman said the dirt that Ms. Baker was talking about is true; he lives right across the road from the power plant. He had to go 85 feet deep for his wells because of the deteriorated rock also known as sugar rock.

On his property Mr. Sweatman has four chicken houses and he is very concerned about the smoke going into them. The smoke goes into the chicken houses and nothing can be seen inside them other than the smoke. A concerned citizen in the audience clarified this is known as vapor density defined as when the chemical content of the air exceeds the capacity of the oxygen. Mr. Sweatman said the racket from the power plant is causing his chickens to pack up causing them to smother. It is not uncommon to pick up 100 dead chickens after the start-up of the plant. The possible contamination to the wells is a big



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concern for Mr. Sweatman as he has four wells for his chicken houses. The smoke from the plant is yellow and stinks. He stated he does not know anyone living in the area who is pleased with it. This is not a good thing for the community. Mr. Sweatman said the people will have to work together to put a stop to it and it can be done.

Commissioner Wester questioned Mrs. Thomas if there have been any updates from the EPD. Mrs. Thomas said she spoke with EPD and they said the investigation was started on the Tuesday after the water pollution. The water division of EPD is now investigating as the wood piles are a component of their permit. The notice of violation has not been issued yet but it is expected so corrective action can take place. Commissioner Wester said he is as frustrated as the citizens and he hates that government moves so slow. He asked the Commission Board to move with a sense of urgency and do what can be done for the citizens. It is time for the Board to do what they can and quit waiting for EPD or anyone else to take care of the problem. Commissioner Macomson said he would like for the decibels to be checked for the loudness of the plant. Commissioner Franklin said the water should be tested from below Ms. Baker's house. Commissioner Macomson said more than one sample needs to be tested for consistency. Ms. Baker questioned if the black stuff in the bottom of the creek could be tested.

E. Public Works

*Mrs. Thomas stated at the work session options were provided regarding the **water system improvements** along with options regarding the GEFA loan. The options are to keep the total project the same at 3.5 million dollars which will yield a loan balance of 2.225 million dollars or adjust the total project to 4.225 million dollars which will yield a loan balance of 3 million dollars as originally projected. Mrs. Thomas gave the recommendation to use the grant funds to the fullest potential and adjust the total project to 4.225 million dollars and use the funds to extend water mains. She asked for a motion to authorize staff to revise the project and request revised documents from GEFA and after the GEFA documents are received authorize the Chairman to execute them. Chairman Bridges asked for a motion to accept the recommendation from Mrs. Thomas. Commissioner Macomson made the motion to accept the option to further expand the water lines as recommended by Mrs. Thomas. 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 Wester, Commissioner Swails, Commissioner Macomson, Commissioner Franklin and Chairman Bridges.*

*Mrs. Thomas said the **LMIG 2020** list was provided at the work session for three roads consisting of deep base patch and to resurface about four miles of roads. Franklin County got an outside company to rate the roads and based on this rating system the roads submitted rated at 17, 18 and 25 out of a scale of 100. The three roads discussed at the work session to possibly replace the LMIG 2020 listing were Ross Place which rated at 53 and Gerrard Road which was broken into two sections that rated at 53 and 74. These roads were still in better condition than the proposed list. There is approximately \$100,000 left over from last year's LMIG funds that will be used to correct and patch some of the other roads that were mentioned. Mrs. Thomas gave the recommendation to move forward with the proposed listing as presented at the work session. Chairman*



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*Bridges asked for a motion to accept the LMIG 2020 list. Commissioner Wester made the motion to accept. Chairman Bridges asked for a second. Commissioner 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, Commissioner Wester, Commissioner Macomson, Commissioner Swails and Chairman Bridges.*

F. FCC Market Modification

*Chairman Bridges said the FCC ruled in Franklin County's favor and then the Carolina stations appealed. He asked Mrs. Thomas to update this further. Mrs. Thomas said a letter was presented to the Commission Board to strongly urge the Federal Communication Commission to uphold the award of Franklin County's market modification. Representative Doug Collins staff is also working on this jointly with Franklin County, Hart County and Stephens County. Elbert County did not receive an appeal so therefore they have won their market modification. Mrs. Thomas asked the Commissioners to approve the letter to send to the FCC and authorize the Chairman to sign on behalf of the Board of Commissioners. Chairman Bridges asked for a motion to accept the recommendation from Mrs. Thomas. He stated a letter will be coming from all four counties. Commissioner Swails made the motion to approve the letter. Chairman Bridges asked for a second. Commissioner 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 Swails, Commissioner Wester, Commissioner Franklin, Commissioner Macomson and Chairman Bridges.*

G. Airport Services

*Commissioner Macomson made a motion to switch to an annual contribution of \$3,500 for the Franklin-Hart Airport Authority and discontinue the current in-kind services arrangement effective January 1, 2020. Franklin County will then give the Airport a prorated contribution to cover the remainder of fiscal year 2020. A budget adjustment will need approval for this adjustment. The coverage for the hangar is minimal therefore it will not be charged although the Airport will be asked to provide a comprehensive list of any and all buildings and property that they would like covered under Franklin County's insurance for consideration. Commissioner Macomson also stated as part of the request is for the Airport Authority to provide a monthly financial summary statement report so the Commissioners continue to have oversight of their finances. Chairman Bridges asked for a second. Commissioner Swails seconded the motion. Commissioner Wester questioned how often the Airport Authority is required to meet. Mrs. Thomas said according to their by-laws they are only required to meet once a year. Any other meetings are called meetings and are required to follow the proper laws the same as other government agencies. Commissioner Wester said the documents should be provided when the Airport Authority has meetings. Chairman Bridges stated the Commissioners do not have any authority over telling the Airport Authority when to meet. Commissioner Swails stated any of the meetings would be public record so anyone would have access to them. 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 Macomson, Commissioner Franklin, Commissioner Swails, Commissioner Wester and Chairman Bridges.*



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H. Declaration of surplus equipment/vehicles

*Mrs. Thomas said there are two vehicles in the Sheriff's Department that are missing major body parts. She gave the recommendation for the Board of Commissioners to declare these two vehicles surplus and authorize the disposal of them. Chairman Bridges asked for a motion to accept the recommendation from Mrs. Thomas. Commissioner Macomson made the motion to accept and move forward with the disposal of the vehicles. 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 Chairman Bridges, Commissioner Wester, Commissioner Macomson, Commissioner Franklin and Commissioner Swails.*

I. Joint Comprehensive Plan

*Mrs. Thomas said there are two documents that need to be considered for approval. The first is an extension of the **Service Delivery Strategy** until June 30, 2020 to accurately account for all of the current infrastructure. This information was provided to the Commissioners at the October work session. The second document for approval is the letter requesting the **County's comprehensive plan** be submitted to the Department of Community Affairs for review.*

*Chairman Bridges asked for a motion to approve the **Service Delivery Strategy** extension request form requesting the extension until June 30, 2020. Commissioner Wester made the motion to accept the recommendation from Mrs. Thomas for an extension. 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 Chairman Bridges, Commissioner Wester, commissioner Franklin, Commissioner Macomson and Commissioner Swails.*

*Chairman Bridges asked for a motion to approve the submission letter to DCA for the County's **Comprehensive Plan** and give him authorization to sign it. Commissioner Macomson made the motion to accept. 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 Chairman Bridges, Commissioner Wester, Commissioner Franklin, Commissioner Swails and Commissioner Macomson.*

J. Request for Letter of Support – Banks County Economic Development

Mrs. Thomas said Banks County is applying for a OneGeorgia grant and have asked for a letter of support from surrounding counties. There is an industry that has committed to locate in Banks County which is projected to create 30 highly skilled jobs. Banks County Economic Development is planning an industrial park and the request is for a roundabout. Mrs. Thomas read the letter stating that the Board of Commissioners support Banks County's application for the OneGeorgia equity funding for the project to build a roundabout on Hwy 59. The recommendation given by Mrs. Thomas is for



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approval of the letter and authorization for the Chairman to sign on behalf of the Board of Commissioners.

*Chairman Bridges stated the roundabout will be on Hwy 59 near Martin Bridge Road for the new industry. Commissioner Swails questioned if the roundabout will be big enough to accommodate 18-wheelers when an accident happens on I-85 and the traffic is routed this way. Mrs. Thomas stated it is to be located on a State highway so she would think so and it is also going to be near a large industrial park. Chairman Bridges said the design should allow for the big rigs. Commissioner Wester clarified if all the letter is stating is that Franklin County agrees for the roundabout. Mrs. Thomas said the letter is in support of Banks County applying for the OneGeorgia funds. Commissioner Wester said he only wants to support the roundabout and not any industry that Franklin County does not have anything to do with. Chairman Bridges asked for a motion to approve the letter for support of the roundabout for Banks County. Commissioner Wester made the motion to approve. Chairman Bridges asked for a second. Commissioner Swails 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 Macomson, Commissioner Franklin, Commissioner Swails and Chairman Bridges.*

K. Subcommittee to Review Land Use/Zoning Regulations

Commissioner Macomson said now is an ideal time to look at the zoning ordinance especially with all the issues with GRP. The part of the zoning ordinance that specifically needs to be reviewed is the industrial section. Commissioner Macomson stated he would like to join with another commissioner and take six months to review the zoning ordinance and make it stronger. The things Commissioner Macomson said needed to be reviewed and possibly changed are buffers for the locating industry consisting of a heavy tree line of 50 to 100 feet all the around that will screen noise and help with the quality of life of the residents living nearby. No matter where an industry is located in the County it will come into contact with residential areas. Another consideration would be for all industrial uses to be conditional uses. Heavy industry needs to be confined to a well-established industrial park away from residential areas. Commissioner Swails volunteered to help Commissioner Macomson with the review because of his prior experience serving on the Planning Commission.

*Chairman Bridges asked for a motion to approve Commissioner Macomson and Commissioner Swails to review the zoning ordinance. Commissioner Wester made the motion to appoint Commissioner Macomson and Commissioner Swails to serve on a subcommittee to review the zoning ordinance beginning December 1, 2019 and ending May 31, 2020. 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 Swails, Commissioner Macomson, Commissioner Franklin, Commissioner Wester and Chairman Bridges.*

L. Announcements

None.



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*Chairman Bridges asked for a motion and second to adjourn the November regular meeting. Commissioner Swails made the motion to adjourn. Commissioner 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 Wester, Commissioner Swails, Chairman Bridges, Commissioner Macomson and Commissioner Franklin. The meeting adjourned at 7:06 p.m.*

Signed on the _____ day of _____, 2019

Chairman J. Thomas Bridges

Robert L. Franklin, District 1 Commissioner

Dr. Jason Macomson, District 2 Commissioner

Ryan Swails, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Elaine H. Evans, County Clerk