



**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING - MINUTES**
You Are Why We Are Here

APPROVED
1-8-2024

DATE: August 7, 2023

TIME: 6:00 p.m.

PLACE: Franklin County Justice Center

Present: **Chairman, Jeff Jacques**
 District 1 Commissioner – Robert Franklin
 District 2 Commissioner – Kyle Foster
 District 3 Commissioner – Elizabeth Busby
 District 4 Commissioner – Josh Smith

Staff: **Derrick Turner, County Manager**
 Jane Brown, County Clerk

1. **Call meeting to order** – Chairman @ 6:52 PM
 -Technical issue at the Public Hearing meeting. The meeting was hacked with inappropriate content and there is no video or audio for that meeting.
2. **Invocation and Pledge of Allegiance to the American flag** –
 Commissioner Franklin
3. **Approval of Agenda**
 -Commissioner Smith made a motion to approve, Commission Franklin seconded the motion. No discussion. Vote 5-0 approved
4. **Approval of Minutes:** April 3, 2023 Public Hearing; April 3, 2023 Regular Meeting; June 27, 2023 Work Session; July 10, 2023 Public Hearing; July 10, 2023 Regular Meeting; July 25, 2023 Work Session
 – Commissioner Busby made a motion to approve collectively, Commissioner Foster seconded the motion. No Discussion. Vote 5-0 approved
5. **Public Comment**

Amy Hanley – Carnesville – My way of life, rural small house, dirt road, garden, nature and children. I want to protect it. IBA was asked if they would allow citizen input for concerns. Possible sewer lines will affect our way of life. The mayors control IBA board 70% which is rural area is not represented with two at large members verses five city mayors. I want to preserve my way of life. Restructure Franklin County IBA with better representation.



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Bill Greenwood 1307 Grady School Road – IBA line item -tax dollars funding IBA we should have more say in IBA. We are paying for IBA with tax dollars. Our interests should be protected first not someone else's interests.

Allen Martin 2656 Brays Lake Road Royston – last year I got an IBA distribution report – 44% of money in general funds was from Franklin County.

Jason Boyce 540 Carson Farm Road Carnesville – Quality of life should trump greed. FC citizens are not represented fairly. Voting in GA is ripe with proven misuse around our nation and right here. I will not ever let that go! Corruption in the county, looking beyond this board. Quality of life trumps property value and greed every time. I appeal to the BOC to have true forensic audits and citizens are not represented fairly. Guidelines for people to be appointed or elected (some people are bias).

Speaker Request

Helen and Wayne Poole – Helen: Poole Road was county road in 2011; then made private; the road needs to be repaired – services won't come up (several residents on Poole Road in favor – perhaps county take the road back?) There are three residences on the road which is a mile long, off Christy Lane. BOC will review the request. Commissioner Franklin represents your district and can assist you if needed.

Speaker Request

Robert Brown – Pittman Drive in Toccoa – gravel road; county has neglected; it is almost impossible to navigate, especially during/after rains
-Not present at the meeting

Items for discussion:

New Business

1. Changes to building permit Fee Schedule.

Planning and Zoning Commission recommends item return to Board of Commissioners, no recommendation 4-0

- Robert Ogburn reported the draft version has been posted on the website for two months. They will post the formal version on the website tomorrow.

2. V-2023-003 Variance: Donald Hartman, has filed an application for a



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variance to the Franklin County Unified Development Code, Chapter 3, "Specific Use Provisions," Article 3-1, "Specific Uses," Section 3-101, "accessory building, structure or use generally"; to construct a 3-car garage in the required front yard on a +/- 5.01-acre tract (Map/Parcel 040 049G) located at 392 Jim Grizzle Rd Royston, GA 30662 (RR, Rural Residential zoning district).

Planning and Zoning Commission recommends approval 4-0

-Commissioner Busby made a motion to approve, Smith seconded. No discussion. Vote 5-0 approved

3. RZ-2023-008 Rezone: Brian Pierce, has filed an application for an Amendment to the Franklin County Zoning Map from Agricultural (AG) District to Rural Residential (RR) District for +/- 24.01 acres located on Highway 326 (Map/Parcel 014 045C). Proposed use: Residential housing.

Planning and Zoning Commission recommends item be tabled, no recommendation

-Application Withdrawn 8/7/2023

4. RZ-2023-009 Rezone: Michael Williams, has filed an application for an Amendment to the Franklin County Zoning Map from Agricultural Intensive (AI) District to Institutional (INST) District for a +/- 1.5-acre tract located at 9367 Highway 320 Toccoa, GA 30577 (Map/Parcel 008/ 077A). Proposed use: Build a church.

Planning and Zoning Commission recommends approval 4-0

-Commissioner Franklin made motion to approve, Commissioner Busby seconded. No discussion. Vote 5-0 approved

5. V-2023-004 Variance: Maximillian Forster, has filed an application for a Variance to the Unified Development Code, Chapter 3, "Specific Use Provisions," Article 3-1, "Specific Uses," Section 3-101, "accessory building, structure or use generally"; to construct a garage, carport, and swimming pool in the front yard of a Lakefront Residential (LR) zoning district. The property consists of a +/- 0.59 acre tract located at 172 Lake View Court, Lavonia, GA30557 (Map/Parcel 060C/ 124).

Planning and Zoning Commission recommends approval 4-0

-Commissioner Foster approved the motion, Commissioner Smith seconded. No discussion. Vote 5-0 approved

6. RZ-2023-007 Rezone: Dave H. Davis (Represented by W. Charles Ross, Esquire), has filed an application for an Amendment to the Franklin County



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Zoning Map from Highway Business (HB) District to Heavy Industrial (HI) District for a +/- 15.31-acre tract located at 50 Grady School Rd (Map/Parcel 064 086). Proposed use: Recycle collection center.

Planning and Zoning Commission recommends denial, 4-0

-BOC attorney said it is okay for BOC to down zone request to light industrial from heavy industrial. Commissioner Foster made motion to down zone to light industrial classification, Commissioner Franklin seconded. No discussion. Vote 5-0 approved

7. RZ-2023-010: Rezone: James Seymour (Represented by Barry Lord) has filed an application for an Amendment to the Franklin County Zoning Map from Rural Residential (RR) District to Highway Business (HB) District for a +/- 3.78-acre tract located on Highway 51 (Map/Parcel 021/022C). Proposed use: Construct commercial building

Planning and Zoning Commission recommends approval 4-0

-Commissioner Smith made a motion to approve, Commission Franklin seconded the motion. No discussion. Vote 5-0 approved

8. RZ-2023-011 Rezone: Wayne Ertzberger, has filed an application for an Amendment to the Franklin County Zoning Map from Agricultural (AG) District to Rural Residential (RR) District for a +/- 51.77-acre tract located at 2985 Jackson Bridge Road Carnesville, GA 30521 (Map/Parcel 045/066). Proposed use: Subdivision.

Planning and Zoning Commission has no recommendation, 2-2

-Commissioner Busby made a motion to deny the request, motion fails for a lack of a second. Motion made to Approve by Commissioner Smith and seconded by Commissioner Franklin. No discussion. Vote 4-1 (Commissioner Busby against)

9. Planning and Zoning Appointment

-Commissioner Foster motioned to appoint Lyndon Burgess as District 2 Planning and Zoning member. Commissioner Busby seconded. No discussion. Vote 5-0 approved

10. Rice Creek Road Culvert Replacement

Derrick Turner gave bid results. Turner recommended the low bid of Stratton & Sons and additional funds of \$147K from GDOT emergency funds. Motion to approve by Commissioner Foster, Seconded by Commissioner Smith. No discussion. Vote 5-0 approved



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11. Carnesville Water

-BOC still reviewing and analyzing historical financial data. We will thoroughly vet from financial stand point, structural integrity standpoint, and revenue stand point and every other aspect. Still in the review process in regard to this matter. Been contacted by people who formally intend to run for office in November. We think it prudent to wait until those people have been duly seated and see if they want to be in the discussion. Other municipalities may want to purchase. Commissioner Smith wants to look into the numbers to see if it works out and feels the newly elected officials should have input.

12. UDC Discussion

-Commissioner Busby working toward amendments to make it a better fit for the county. Looking at dates to discuss. Might meet an hour earlier on August 10 to discuss before the Millage Rate meeting.

13. 2023 Millage Rate

-Millage rate of 9.0820 Unincorporated and 9.6630 Incorporated
Commissioner Busby motioned to approve and Commissioner Foster seconded the motion. Chairman Jacques thanked the staff and board for the revenue neutral budget that did not include a tax increase. Vote 5-0 approved

14. Executive Session (Litigation/Personnel)

-Chairman Jacques motioned to close the regular session meeting to go into executive session for Litigation and Personnel.
-Derrick Turner reported that the IBA's millage rate has to be adopted tonight which is the same as before. Tax Commissioner Bobby Martin said it needs to be done tonight.
-Chairman Jacques withdrew his motion in regard to executive session and asked for a motion to approve IBA millage rate of .25 -Commissioner Foster motioned to approve Commissioner Smith seconded. No discussion. Vote 5-0 approved
-Chairman Jacques asked for a motion to close regular meeting session to go into executive session for the purpose to discuss litigation and personnel. Commissioner Busby made the motion, Commissioner Foster seconded the motion. No discussion. Vote 5-0 approved
-Chairman Jacques asked for a motion to come out of executive session back into the regular session meeting with approval for signing of the closed meeting authorization affidavit. Commissioner Busby made the motion and Commissioner Smith seconded. No discussion. Vote 5-0 approved



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-Chairman Jacques asked to amend the agenda to add item 14a. Settlement Agreement Corridor Development v. Franklin County. Commissioner Foster made motion to amend the agenda and Commissioner Busby seconded. No discussion – Vote 5-0 approved

14a. Settlement Agreement – Corridor Development v. Franklin County
Chairman Jacques asked for legal counsel for clarification in regard to the settlement and required actions by the board. Bubba – Foster/Mediation - court ordered. Commissioner made motion to approve and Commissioner Busby seconded. No discussion. Vote 5-0 approved

15. Announcements

-Upcoming meeting August 10, 2023

16. Adjourn

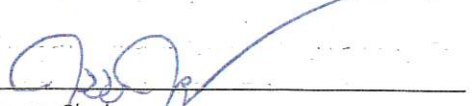
-Motion to adjourn was made by Commissioner Busby and seconded by Commissioner Foster. No discussion. Vote 5-0 approved

Upcoming meetings

August 29, 2023 Work Session 6:00 PM @ Franklin County Justice Center
September 11, 2023 Public Hearing 5:30 PM @ Franklin County Justice Center
September 11, 2023 Regular Meeting 6:00 PM @ Franklin County Justice Center
September 26, 2023 Work Session 6:00 PM @ Franklin County Justice Center
October 2, 2023 Public Hearing 5:30 PM @ Franklin County Justice Center
October 2, 2023 Regular Meeting 6:00 PM @ Franklin County Justice Center
October 31, 2023 Work Session 6:00 PM @ Franklin County Justice Center

All meetings are held at the Franklin County Justice Center unless indicated. Please visit the County's website www.franklincountyga.gov for more information. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities should call the Office of the County Clerk at 706-384-2483 to allow the County to make reasonable accommodations for those persons.


Signed on the 8th day of January, 2023 ²⁴


Jeff Jacques, Chairman

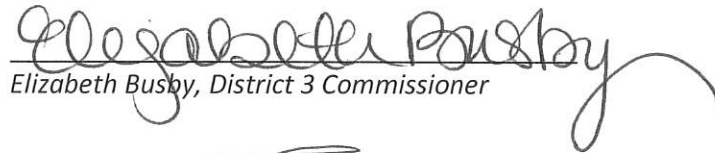


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Robert L. Franklin, District 1 Commissioner


Kyle Foster, District 2 Commissioner


Elizabeth Busby, District 3 Commissioner


Josh Smith, District 4 Commissioner