



You Are Why We Are Here

FRANKLIN COUNTY BOARD OF COMMISSIONERS WORK SESSION - MINUTES

DATE: January 30, 2024

TIME: 6:00 PM

LOCATION: 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

Media: Shane Scoggins, Franklin County Citizen Leader
MJ Kneiser, Radio 92.1 WLHR-Lake Hartwell Radio

Staff: Terry Harris, County Manager
Kandy Bond, County Clerk
Jack Samuels, County Attorney
Robert Ogburn, Planning & Zoning Director/Assistant County Manager

Item 1. Call to Order
Chairman Jacques called the meeting to order and welcomed everyone in attendance.

Item 2. Invocation and Pledge of Allegiance
Invocation and Pledge of Allegiance to the American flag: led by Commissioner Foster

Item 3. Approval of Agenda
Chairman Jacques asked the board for a motion to approve the agenda as presented.
Motion to Approve - Commissioner Foster
Motion Seconded - Commissioner Busby
Discussion: None
Vote: motion carried 5-0 (Agenda approved)

Item 4. Public Comment
A. Carolee Coker 1560 Holbrook: Is there an update on an ordinance to require a plan be tied to any rezones for commercial property?
Chairman Jacques: The existing verbiage inside the UDC allows us to regulate a developmental proposal specifically from the development to our UDC. The existing UDC allows us that latitude and discretion.
Carolee Coker: Are there any updates with the comprehensive plan?
Chairman Jacques: Yes, it is moving forward GMRC is spearheading the efforts. We actually have our two appointees from the county Ms. Sosby and Mr. James. We have provided their contact information to GMRC inclusion into

the monthly meetings that will take place. The comprehensive plan will be ready for adoption in October of this year.

Item 5. New Business

A. Scott O'Barr, County Coroner

Mr. O'Barr introduced the two deputy coroners (Clayton Bryant and Ben White) which are considered part-time even though on call 24/7 – 365 days a year. He and the deputy coroners are committed to a faithful and compassionate duty when dealing with the families they serve. Without this team the office would not be complete. Over the past several years this office has changed greatly and in an extremely positive manner. With the addition of office space and a morgue located in the Lavonia area and a coroner response vehicle. This allows us to have a place to meet with families that is professional, clean and unique to our business. The morgue allows us to house bodies for autopsies, indigent care cases, waiting for the family to decide upon a funeral home. The coroner vehicle frees up ambulances to serve emergencies and not be delayed. The responsibilities of the coroner's office are to be involved in any death in the county that is not under a doctor's immediate care such as hospice, or an extended stay in the hospital. Any death in the county within 24 hours of a reported medical emergency, all death's related to an accidental, suicide, or homicide must be investigated by the coroner's office. We are also responsible for making positive identification of each decedent, determine the cause and manner of death, requesting of autopsies when needed, signing death certificates with the appropriate cause and manner of death based upon the information we find. One of the toughest things we do is make the notifications to families of the deceased victims. When we meet with families, we determine medical histories and such things, the hard question is what funeral home do you want to go. A lot of people have been in that position, but from our standpoint it's hard to ask them that question because the family knows that is the end. We work closely with the medical examiner's office and doctors, in most cases autopsies can take up to 90 days before it is returned to us and we can complete the autopsy report or death certificate. We work with state, local, and federal law enforcement agencies during certain investigations and it is vital that our office work with these offices to ensure an accurate and professional outcome. The time spent depends on each case, but our responsibility doesn't end when we leave the scene. During the FY2023, the coroner's office reported 108 death investigations for a total cost of \$19K for three employees based upon investigative fee set forth by the state. Regardless of the time spent on an investigation that figure will not increase. Whether we spend 3 hours, 3 weeks or 3 months there is no change in our pay. Each of us leave our families, church, special events, and meals to respond to these scenes at all hours no matter the weather or the circumstances. For this, I am thankful for the two men sitting behind me. I started in 2006 as deputy coroner under the previous coroner David Presley. The death investigate fee has not changed any since I was hired as deputy coroner. The fee is the same now as it was in 2006. As it stands, the coroner's budget is just under \$60K and I'm here to request a \$15K increase for the purpose of increasing the salary line item. This will increase the pay on the time spent on each call and maintain the superb and compassionate employees we currently have. I feel that as the elected coroner of this county it is my duty to explain my expenses and maintain efficient and faithful employees.

Commissioner Smith: I know for a fact their work doesn't stop just because it has been 3 months, 6 months or a year. If it takes 3 years to get a case resolved

3 years later you are having to go back and do your homework and testify in that trial. I want to commend you and your office for all the work you do for the county, families, and community. It is very professional and I have never in my career heard of a complaint for the coroner's office. I want to personally tell you, Clayton, and Ben thank you for everything you do.

Chairman Jacques: To reiterate Commissioner Smith – I've never had a complaint and I personally as well as on behalf of this board, thank you for the job you do and the professionalism during the course of serving. For clarification, is this \$15K request for the upcoming budget or a budget amendment for this year? O'Barr: It is a request for next year's budget.

B. John Phillips, County Engineer – GEFA Funding

The county was one of 11 (eleven) communities in the state that was approved yesterday for funding for drinking water. We were approved for \$2.5 million dollars at a 20 (twenty) year loan at 2.34% interest. The best news is that we are also approved for a 50% principal forgiveness which means \$1.25 million dollars of free money. The way this works, we have been approved by the GEFA board and now they ask us for verification that we want to proceed with the financing. Then, they that will put together a loan package with all the terms of the agreement that will have to be executed by the board of commissioners. Please consider this for a vote at your February meeting and if you would like to move forward with the financing package.

Chairman Jacques: I would say we could go ahead and put that on the agenda. I would like to allow my colleagues to be able to ask any questions. This is huge and we appreciate the work that has been done, since basically out of 159 counties and a number municipalities to be able to put forth a needs assessment and to be one of eleven to receive this type of funding. As everyone is aware water is critical for the growth of your community, fire protection, water for consumption. Commissioner Foster and myself spent several hours last Friday in Banks County at a Regional Water Authority meeting with this very subject being discussed. There are many concerns in our area and region for long term water supply. This is very timely.

Commissioner Busby: What can the grant be used for, anything we need water related or anything specific?

John Phillips: I've been involved with several of these throughout my career and what I've learned during those times is when we make an application, we basically throw everything in but the kitchen sink related to drinking water. Even on this one, it went back to the end of 2022 when we actually put this package together. At that time, we were still considering the possibility of a Carnesville water system so that was even included. Since that's gone away, the staff's top priority is water supply and one of the things we really want to work on is with the City of Lavonia. To make one of our connections to them more dependable and move more water from Lavonia. Improvements to our existing wells, development of new wells, and installation of water lines. The way it works- if we move forward, we will get information from GEFA and once that is executed, we will need to define our actual projects and those will go out for competitive bids and the commissioners will be aware of projects as we move forward.

Chairman Jacques: As our water usage increases based on enhanced supply, our revenue also increases. So, I see no issue what so ever where there would be an issue with repayment of the favorable terms and conditions of this loan. We will make sure this is on the agenda for Monday night for action.

C. Mark Hymer – Petition from Blackhorse Community

I live at 333 Stone Cypher Road, I'm here because we have a safety hazard. Right as you enter the neighborhood there a blind curve and the road narrows down. We are asking for some help because it is very dangerous. Since the grading and ditches were cleaned out, we've had bad rains and it is bad again because of the erosion. We would like the narrow road widened because it is a one lane road for about 600 yards. Some neighbors would also like a 25 MPH speed limit sign installed. Also, the gravel creates a dust cloud and granite dust is a health hazard. All the gravel washes away and that is a waste of money. We are asking for help from the county. Another lady from the neighborhood would like to speak.

Erica Rayford 434 Blackhorse Road – A vehicle can be damaged from road conditions and the dust is bad from the gravel. Rain cuts a deep ditch in the road so you can't really see to pass. Also, you have to get in a ditch when you meet someone. Several times I've almost meet the bus or a delivery truck head on. The road should be paved.

Chairman Jacques: We will work with your district commissioner and staff to evaluate for more options.

D. UDC – Changes

Chairman Jacques: Franklin County adopted the UDC code August 1, 2022, and this superseded the planning and zoning regulations which were originally passed in 2005 and updated again in 2016. The UDC was passed with a sense urgency as the county was looking for additional layers of protection given what we would say with potential issues with growth patterns, etc. With that expeditious adoption, the board had stated that it is a large 400-page monstrosity of a document and there were items and issues on there that were not a good fit for the county and the board would review those and make changes accordingly. We were basically a segue from the previous board and were to look and evaluate this document and make changes as needed. Myself and Commissioner Busby met and started looking at potential changes just in the residential section because we have many other sections contained in the UDC that other board members who will be looking at and be responsible for spearheading those efforts like the commercial, industrial, and highway business would be more relegated to Commissioner Smith, etc. So, September of last year, we started meeting on a weekly basis and going through just the residential section looking at issues. Lessons learned, there is a difference between adoption and actual implementations where you start seeing some of the repercussions from the adoption of a major regulatory policy that change to that extent. We decided to basically take the residential section and look at it and promote changes as needed. We also had input from the UDC Citizen Review Committee which did a very thorough job and went around soliciting input from the public. That coupled with direct citizen input that we received, we went through and basically had proposed changes. Just to give you a basic overview of how we handled that, following our completion of recommended changes. Those changes in early October 2023 were transmitted to the board and staff for review and comment. They were then sent to Jerry Weitze who was what we would say is the planning guru that helped the county implement the UDC that we are currently under. We then, following comments from Mr. Weitze, looking at validity, legality, etc. Changes with recommendations from Mr. Weitze to our counsel Mr. Samuels and the Samuels Team to make sure what was being proposed met the legal litmus test. The proposed changes have been advertised in the Franklin County Citizens, placed on our website and were sent to the planning commission for their review. I would like to go over

the planned changes for those in attendance. I'd also ask for additional comment from Commissioner Busby who spent time going through this and then defer to comments and questions from our board colleagues. These proposed changes are relegated just to the residential section: 1.) Lakefront residential land within the lakefront residential district shall not be subdivided into any more than 5 lots that meet dimensional requirements in this section. 2.) Suburban residential zoning is established primarily to provide locations for a single family detached residential uses on individual lots, including subdivision at densities and this is where we are putting two units per acre. It's note worthy to mention that this zoning district requires public water and sanitary sewer. Also, we are adding a proximity requirement. Rezoned this district requires proximity to incorporate city limits. The zoned districts must be contained entirely within a district of 26,400-meter feet from a city limits boundary. We have 5 (five) cities and that half mile radius is specific and succinct. What we have now is a UDC that is ambiguous, you have people looking at it and getting different perspectives because it is not clear and concise. Without some changes to this we are going to continue to have issues with the planning and zoning review and individuals that come to the county wanting to place subdivisions, property owners and the board who ultimately has to make decisions. By more defining where we are going to allow subdivisions and what type of subdivisions, it helps all of us. It helps every part, from the property owner, the developer, the planning commission, our board, our legal and having something clearly defined. 3.) Multi-family Residential District I noticed this when reviewing the document. The UDC density allows 12 units per acre, the prior planning and zoning allowed regulations allowed 8 units per acre of density. So, part of the development lawsuit of which this county spent hundreds of thousands of dollars fighting because it was not consistent with what the county desired. So, if we didn't want a development with 8 units why did we adopt a rezoning category that now allows 12 units. The caveat here is the multi-family residential requires sewer. Well, the county only has two locations where we have sewer, on (106 at 59) and (51 and 59) both of these are interchanges which the sewer was placed there expressly for commercial and industrial development. By continuing to allow a multi-family residential district with a higher threshold for density. It's going to put us right back in a position where we could potentially be sued. The sewer was paid for with tax dollars and grants expressly for the purposes of commercial, industrial, and retail growth. If you are looking at 8-12 units per acre, you are not going to build out so you are going to have to build up, what that tells me -you are looking at multiple stories. I've had discussions with our local fire departments who support these areas and none of them are even closely equipped to provide the fire protection that is necessary to allow for this type of development. Our proposal is to totally strike multi-family residential, there is plenty of opportunities in city limits to support this type of growth. It is needed, but not in the county to be supported by the sewer and other fire services that we cannot offer. That pretty much sums up the changes. I defer to Commissioner Busby.

Commissioner Busby: Thank you, I think you did an excellent job. It defines parameters for everybody involved and eliminates the confusion. It pushes those developments toward the municipalities. We just had the corridor lawsuit and spent a lot of tax payer money on that issue, this will hopefully help to prevent that in the future. I think these changes are needed and it took a lot of hours to come up with this. We considered the feedback from the citizens of the county and think these will be positive changes to the UDC.

Chairman Jacques: In my professional career I worked the first 20 years right out of college in a regulatory capacity with the Georgia Department of

Transportation and the last 17 years working in a highway contracting and engineering firm working under regulations. I can tell you, that having regulations that is more specific are better for all parties. What these do is just to refine and bring in a lot of specifics where there are grey areas and clarity for all parties involved. Hopefully, if these are adopted it will help minimize the potential for lawsuits and will make life much easier for the planning commission, the board, and staff. Gentlemen, I want to defer to you all for comment. Each board member has approximately 25% of the population that you represent. Anything we do I want it to be unified and everybody onboard and in agreement. I'm deferring at this time for comment, each of you have had an opportunity to review this since October and would like to get an understanding of where each of you are regarding these changes.

Commissioner Smith: I'm in complete support of getting rid of multi-family. My biggest concern is the half mile limitation outside of the city. Would that be half a mile of the road or defined by the way a crow flies?

Chairman Jacques: Half a mile directly from the county city limits and that is for major subdivisions. You still have minor subdivisions of 5 residences or more that can basically be supported throughout the remainder of the county. If a city does an annexation, that basically shifts out. It is clear and concise. If road patterns prompt additional changes for the board in the future, it would be something that you could expand it to a mile or whatever deemed appropriate. Again, it is clear and concise and takes the grey area and the ambiguous verbiage and subjective nature of what we have out of it.

Commissioner Smith: Right. Growth patterns of the future were one of my concerns to limiting it to a half a mile. So, it something that could be as a working document to be changed in the future, long after our terms are up here.

Commissioner Franklin: I appreciate y'all work on it and I know you had a lot of hours in it. It sounds good and the best way to handle it.

Chairman Jacques: Do you support the document as it has been provided to you?

Commissioner Franklin: Yes.

Commissioner Foster: Thank you for working on this. I'm okay with most of it, I heard lots of concerns on how much the property can be split up. I want to encourage people to continue to give us feedback so we can get it right.

Chairman Jacques: I would say the county is currently exposed with the additional sewer that has been placed on state route 59 as well as the existing sewer structure. I would like to give the board a little bit of additional time to look and I'll have conversations with each of you within the week or so. If there are no major or substantial changes again since this has been reviewed and legally vetted, it has been reviewed by Mr. Weitze I would like to move forward with adoption of these changes at the earliest opportunity.

Commissioner Busby: I agree with that.

Chairman Jacques: Staff - any questions or comments? Because you will basically administer and implement the regulations.

Robert Ogburn, Planning and Zoning Director: Not at this point, I have read the document and I'm pretty familiar with it. If it's what you put in place, the staff will work with it.

Chairman Jacques: There is still opportunity for discussion and or concerns. This is not a knee jerk reaction, we are trying to take this through a vetting process that allows ample time for all parties and stakeholders to review and provide feedback.

- E. District 2 Planning and Zoning Committee - Appointment
Commissioner Foster: We have received three applications and will be making a recommendation at next week's meeting.

Item 6. Terry Harris – County Manager Report

- A. *FC Family and Children Services Board – 2 Vacancies/Advertise 30 days - will be in the newspaper next week*
- B. *FC Joint Development Authority – 2 Vacancies/Advertise 30 days - will be in the newspaper next week*
- C. *Election Year, Qualifying is March 4th – 8th and ends at noon on the 8th, we encourage anyone wanting to serve the county in that capacity to go on one of those days for qualifying.*
- D. *Budget Worksheets were given out last week to department heads and are due back to the county office on February 15th. So, we will start that process this month of getting the budgets together in a timely manner and it will be happening in February. This is for the 24-25 budget.*
Chairman Jacques: Our auditor is coming to give a presentation next week. We would like to get a status report with a breakdown of our finances based on each different department and line item.
Terry Harris: We hope to have that to you by Monday.
Terry Harris: Chairman Jacques already has discussed the Comprehensive Plan. I spoke with Adam Hazel week before last and he sent out an email last week for representation, Franklin County has chosen Beth Sosby and Brian James. So that process is continuing and will start having some public hearings that Adam will steer for the comprehensive plan.
- E. *Our 2024 LMIG has went out for bid and that bid opening is February 15th at 2:00 PM. We also have a special LMIG with Schokbeton in Lavonia and both of those bids open on February 15th at 2:00 PM.*
- F. *Chairman Jacques:* Read the resignation email from Mayor Umbehant from the Joint Development Authority. Also, Brian James has resigned from the Joint Development Authority. So, the advertisement for the Joint Development Authority is to fill the unexpired terms of Mr. James and Mayor Umbehant.

Item 7. District 1 Report – Commissioner Franklin

Up on 320 where the main comes down near the Eavensons -up the hill it is very rocky. The water department and road department are working as a team and are constantly having to fix that location and Prospect Road where the pipes are in the ground. Over time with it sitting on rock it creates a leak. I'm hoping with John they can figure out how to fix it. It hasn't been 6 (six) weeks since they had fixed it on 320. The road department does a great job in district one and I appreciate it.

District 2 Report – Commissioner Foster

The main complaint I have is the roads in Gumlog.

District 3 Report – Commissioner Busby

I was going to mention the Comprehensive Plan. Also, we are still working on the 911 communication system behind the scenes.

District 4 Report – Commissioner Smith

I want to applaud the road department and water department for the work they do. We greatly appreciate it. The 911 system is still a top priority and we want to make sure we do what is best for Franklin County as a whole and look at all the options that are available and get the best bang for our buck. I feel it's our job as commissioners to make sure we look after citizens and employee's safety.

Item 8. Announcements

Chairman Jacques:

February 5, 2024 – BOC Public Hearing @ 5:30 PM

February 5, 2024 – BOC Regular Meeting @ 6:00 PM

Item 9. Adjourn

Chairman Jacques asked the board for a motion to adjourn.

Motion to Adjourn – Commissioner Foster

Motion Seconded – Commissioner Busby

Discussion: None

Vote: motion carried 5-0 (approved to adjourn)

Upcoming Meetings


February 5, 2024 – BOC Public Hearing @ 5:30 PM


February 5, 2024 – BOC Regular Meeting @ 6:00 PM

February 27, 2024 – BOC Work Session @ 6:00 PM


Signed on the 5th day of February 2024



Jeff Jacques, Chairman

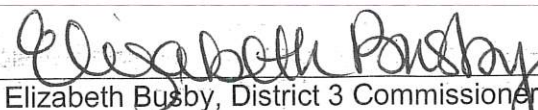

Josh Smith, District 4 Commissioner


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