



You Are Why We Are Here

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
REGULAR BOARD MEETING MINUTES
February 3, 2020
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
MJ Kneiser, WLHR

Staff: County Manager Beth Thomas
Interim County Clerk Gina Kesler
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.

Commissioner Wester made a motion that the agenda be amended to include an Executive Session for Litigation on item K. 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 Chairman Bridges, Commissioner Wester, Commissioner Macomson, Commissioner Franklin and Commissioner Swails.

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

Item 3: Approval of Minutes

January 6, 2020 Public Hearing
January 6, 2020 Information meeting
January 7, 2020 Special Called meeting
January 14, 2020 Regular meeting
January 28, 2020 Work Session

Chairman Bridges asked for a motion to approve the meeting minutes for January. Commissioner Franklin made the motion to approve the January minutes as written. 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.



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Item 4: Public Comment

Dave Dorsa, of 95 Stillwater Road, addressed the Board and thanked them for considering the 2nd Amendment Sanctuary Resolution tonight. He stated he moved from Connecticut 3 years ago and is proud to call Franklin County home now.

Stacy Hall, Chairman of the Habersham Board of Commissioners, expressed his gratitude and thanks for the Board's consideration of the 2nd Amendment Sanctuary Resolution. He stated he was proud of the fact that we are standing together in North Georgia to shed light on the issue. Mr. Hall said he hopes many other counties across the state will join our cause.

Jim Guill spoke to the Board. He recently moved to Franklin County from Nashville, Tennessee and is a relative of David Phillips. He said he and his family appreciates all that the Board is doing by standing up for the Constitution.

Item 5: Items for Discussion

A. Public Hearing items

Variance and Conditional Use for Home Based Business – Tyson Cash

Mrs. Thomas said Mr. Cash had applied for a variance and conditional use permit for a home-based business. The permit would be for a dog kennel operation from his home. The zoning ordinances and regulations do not address kennels outside of the commercial general district therefore he is asking for a variance from our zoning regulations to allow this at his home which is currently zoned Agriculture. At the Planning commission public hearing there was no opposition. The Planning Commission has recommended that the Board approve the variance and conditional use permit with the condition that any expansion to footprint, kennel and operations would require an amendment to the conditional use permit. Chairman Bridges asked for a motion to accept. Commissioner Franklin made the motion to accept based on the recommendation from the Planning Commission. 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 Commissioner Wester, Commissioner Swails, Chairman Bridges, Commissioner Macomson and Commissioner Franklin.

B. 2nd Amendment Sanctuary Resolution

Mr. Jody Pyles from southwestern Virginia addressed the Board in favor of the passage of the 2nd Amendment Sanctuary Resolution. He is a business owner, pastor and citizen in southwest Virginia. He stated that Mike Bloomberg had spent millions of dollars buying the Virginia Governor and state house. The legislature is now considering to pass or are passing the following:

- A number of gun control and confiscation measures



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- Ban of karate, self-defense and firearms safety because they do not want the population to have training that might overthrow the government.
- Ban on speech that criticizes state leaders.
- Ban on Christian counseling
- Legalize abortion up to and immediately after birth

Mr. Pyles stated that most Virginia have passed 2nd Amendment Sanctuary Resolutions. He thanked the Board for considering the passage of the 2nd Amendment Sanctuary Resolution and for taking a stand for freedom.

Commissioner Swails spoke in favor of the 2nd Amendment Sanctuary Resolution. He quoted many of our founding fathers who had spoke or wrote in support of the right of individuals to bear arms. Commissioner Swails read the resolution and made a motion that the Board adopt the resolution and declare Franklin County, Georgia a 2nd Amendment Sanctuary. 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.

C. Tami Black – GRP

Chairman Bridges welcomed Mrs. Black. Mrs. Black asked the Board where the \$100,000 was that was promised the county. She wanted to know if the county had contacted GRP about the donation.

Chairman Bridges said that the county doesn't have any information about the donation. It was a verbal commitment and that the county is in constant communication with GRP. He stated that GRP had paid the taxes in full and have paid the water bill.

Mrs. Black asked if the county had received testing results from the noise and air quality testing. County Manager Beth Thomas stated that the plant had not shared any of their testing results but the preliminary results had been received. She said she would be glad to share those results with Mrs. Black.

Mrs. Black stated that there was an ongoing problem with trucks from the plant speeding on Highway 198. She stated that the previous week on her way home from work, she met a truck coming from the plant, straddling the yellow line and said it was traveling at least 70 mph and almost ran her off the road. Another neighbor has a video of another truck with all material blowing out and speeding. She wanted to know what can be done about it.

Chairman Bridges said that the county needed the state patrol and sheriff's office help with this problem. Sheriff Thomas said they haven't caught anyone speeding yet, but are monitoring the situation. He stated that he would be in a meeting on Tuesday with the MCCD. Mrs. Black said that if something isn't done, someone will get hurt.



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D. House Bill 857

Chairman Bridges stated that State Representative has coauthored House Bill 857. Commissioner Wester said that at the meeting this past Sunday with the Madison Clean Power Coalition and the Franklin Fallout Group there were three scientists who gave information on the cross ties. Representative Powell spoke about the issues with the creosote and railroad ties and that he was doing what he could at the state level to see what kind of help he could get to us. Commissioner Wester read a copy of the proposed bill that stated House Bill 857 would prevent the burning of certain chemically treated wood products for purposes of commercial energy generation. Commissioner Wester said this was an effort of our citizens reaching out to the Board and to State Representatives in the House and Senate. He said this is an example of how government is supposed to work, that the representatives listen to their constituents and take their issues, try to make amends and make things right. He said he wanted to commend our citizens and the Board for the efforts they have made.

Chairman Bridges asked for a motion to send a message that the Board supports House Bill 857. Commissioner Wester made the motion to draw up a resolution in support of House Bill 857. 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 Chairman Bridges, Commissioner Wester, Commissioner Macomson, Commissioner Franklin and Commissioner Swails.

Chairman Bridges also thanked MJ Kneiser with WLHR for the report on the radio. He stated it was very important that we communicate with the citizens about issues like this. He also commended Shane Scoggins with the Franklin County Citizen.

E. Colston Drive

Chairman Bridges stated this was a tough situation but assured the public that the Board was not going to leave the citizens of Colston Drive stranded. County Attorney Bubba Samuels gave an update on the title search that is ongoing. Preliminary information stated there are four title certificates of who owns the property where the dam is. Commissioner Franklin made a motion that the Board adopt Colston Drive from end to end and perform maintenance on the dam. Commissioner Macomson seconded the motion. Commissioner Macomson said he agreed with Commissioner Franklin, this has been going on a long time. Normally we have to think carefully about adopting private roads, but we also have to look at the public good. There are over 18 families and they don't have some basic services because of the road conditions. The longer we wait, the worse the conditions of the dam are going to be. County manager Beth Thomas said that equipment can be moved in the next few days, but with the rain moving in, it may be several days before the work can begin. She also stated that she will be asking the Board for a budget adjustment to account for the maintenance of the road and mostly the repair of the dam. We are estimating between \$100,000 to \$200,000 to repair the dam. Commissioner Swails asked about emergency funding once it's adopted. Mrs. Thomas stated the county had reached out to GEMA multiple



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times, but would like to get with Mrs. Ervin about the research she had done and the grants that might be available. Chairman Bridges said that he is in favor for fixing the road from end to end, but there is an easement that goes across the dam now and that he doesn't see the need to adopt the dam when there is an easement in place.

Chairman Bridges asked all in favor of the road being taken care of from end to end raise your hand. The motion passed by four (4) **YES** votes from Commissioner Wester, Commissioner Macomson, Commissioner Franklin and Commissioner Swails. Chairman Bridges abstained from the vote.

F. Recognition of Mayor Ralph Owens

Chairman Bridges asked for former mayor Ralph Owens to come forward. Commissioner Macomson said that the Board wanted to join with the City of Lavonia in honoring Mayor Ralph Owens for his many years of dedicated service to Lavonia. He and I share something special in common and that's a deep love for the City of Lavonia. Over the last three decades he has worked tirelessly to recruit industry, broaden the tax base, bring new jobs to the area and to improve the quality of life for everyone, not just citizens of Lavonia. Commissioner Macomson read the resolution.

Chairman Bridges asked for a motion that the resolution be approved. Commissioner Macomson made a motion to approve the resolution. 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 Wester, Commissioner Macomson, Commissioner Franklin and Commissioner Swails.

The Board presented Mayor Owens with a proclamation and a framed photograph by the late Reverend Richard Bielski depicting the Lavonia Depot.

G. GEMA Memo of Understanding

County Manager Beth Thomas stated this was an agreement between GEMA (Georgia Emergency Management Association) and Franklin County EMA. She asked for the Board to approve this MOU.

Chairman Bridges asked for a motion to accept the recommendation. Commissioner Wester made a motion to accept the Memo of Understanding. 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 Macomson, Commissioner Franklin and Commissioner Swails.

H. Statewide Mutual Aid Agreement

Chairman Bridges called on Mrs. Thomas to give an update. Mrs. Thomas stated the other municipalities within the county had already approved this. It is an agreement between us and other counties and municipalities in the state to provide and receive mutual aid. She recommended for the Board to consider this item.



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Chairman Bridges asked for a motion to accept the recommendation. Commissioner Franklin made a motion to accept the statewide Mutual Aid Agreement. 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 Chairman Bridges, Commissioner Wester, Commissioner Macomson, Commissioner Franklin and Commissioner Swails.

I. Comprehensive Plan Update

Mrs. Thomas stated the plan has been completed and sent to the Georgia Department of Community Affairs and was approved. The Board just needs to approve the resolution to adopt the 2019 Franklin County Joint Comprehensive Plan. She recommended that the Board approve this so that Franklin County can continue our status as a local qualified government.

Chairman Bridges asked for a motion to accept the recommendation. Commissioner Swails made a motion to accept the Joint Comprehensive Plan. 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.

J. Announcements

The County Manager announced the passing of County Marshal Chris Ayers. Chris dedicated his life to public service by serving in the military, as a sheriff's deputy, and as the first and only appointed Marshall for Franklin County. He was recognized for the service, passion, and love for Franklin County.

Commissioner Wester asked for the Board to hold a moment of silence in remembrance of the late Mr. Chris Ayers.

Commissioner Franklin said a tornado came through the Red Hill area 6-7 years ago, and it hit his house causing the loss of his roof. He stated that the first person to arrive at his house was Chris Ayers, wanting to know if the family was ok. He said that Chris offered to help cover the roof with tarps until it could be repaired.

Chairman Bridges said he was in attendance at the Franklin-Hart Basketball game this past Friday night. He said he witnessed the circling of the two basketball teams and the officials and coaches in prayer before the game. The crowd was silent and it was heartwarming to see that take place.



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K. Executive Session

Chairman Bridges asked for a motion to go into executive session. Commissioner Swails made the motion to close the regular session and go into executive session for the purpose of discussing litigation. 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 Swails and Commissioner Macomson. The regular session closed at 7:52 p.m.

Chairman Bridges asked for a motion to close the executive session and go back into regular session. Commissioner Wester made the motion to close the executive session and give the Chairman the authorization to sign the affidavit where litigation was discussed. 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 Chairman Bridges, Commissioner Franklin, Commissioner Wester, Commissioner Swails and Commissioner Macomson.

Chairman Bridges asked for a motion to adjourn. Commissioner Macomson made the motion to adjourn. 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 Swails, Commissioner Macomson, Commissioner Franklin and Commissioner Wester. The meeting adjourned at 7:55 p.m.



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Signed on the _____ day of _____, 2020

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

Gina L. Kesler, Interim County Clerk

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