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**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
REGULAR BOARD MEETING MINUTES
July 13, 2020
6:50 P.M.**

Present: 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
MJ Kneiser, *WLHR*

Staff: County Manager, Beth Thomas
Planning Director, Scott DeLozier
County Clerk, Kayla Finger

Item 1 & 2: Call Meeting to Order, Invocation, and Pledge of Allegiance – Chairman Bridges called the July Regular Business Meeting to order at 6:50 pm and welcomed everyone. He asked that everyone take a look at the agenda as an adjustment needed to be made. Commissioner Macomson motioned to add Airport Authority Appointments to the agenda as item 5K. Commissioner Swails gave the second. No discussion. The motion passed by five (5) **YES** votes to zero (0) **NO** votes. The **YES** votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges. Chairman Bridges asked Commissioner Swails to lead the invocation and the Pledge of Allegiance to the American flag.

Item 3: Approval of Minutes – Commissioner Macomson made a motion to approve the collection of minutes from: June 1, 2020 Public Hearing, June 1, 2020 Regular Board Meeting, June 9, 2020 Special Called Meeting, June 15, 2020 Special Called Meeting, June 18, 2020 Public Hearing, June 30, 2020 Public Hearing, and the June 30, 2020 Work Session. Commissioner Franklin seconded the motion. The motion passed by five (5) **YES** votes to zero (0) **NO** votes. The **YES** votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.

Item 4: Public Comment – None

Item 5: Items for Discussion

a. **FY21 Contracts & Agreements**



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- i. **Memorandum of Understanding -UGA Extension Office:** Manager Thomas presented the agreement for approval, as previously discussed in the work session. The only change was in the University's non-discrimination statement, which was previously emailed out to the board for review. Manager Thomas recommended the board to approve this agreement. Commissioner Wester made the motion to approve the UGA Memorandum of Understanding. Commissioner Macomson seconded the motion. Chairman Bridges asked if there were any questions. Commissioner Macomson asked if there had been any further discussion on salary raises. Manager Thomas recommended addressing that at a later time with a budget amendment. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.
- ii. **FY21 District Attorney State Paid County Reimbursed Personnel MOU/Contract:** Manager Thomas presented the contract for approval as previously discussed in the work session. Franklin County's portion of the of the state paid county reimbursement covers the District Attorney's secretary at \$51,748.66 with all benefits and the 1% administrative fee included. Manager Thomas recommended the board approve the agreement for FY21. Commissioner Swails made a motion to accept the contract. Commissioner Macomson seconded the motion. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.
- iii. **Landfill Compliance Task Order 31 - Jacobs FY21:** Manager Thomas reviewed the task order agreement as discussed in the previous work session and recommended the board approve. The cost for this is \$22,300.00 for monitoring with an owner-controlled contingency that is the same as the prior year. Commissioner Wester made a motion to approve the agreement. Commissioner Franklin seconded the motion. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.

B. Disposition of Property

- a. **Surplus Equipment:** Chairman Bridges explained that this matter had been previously discussed in the work session and asked County Manager Beth Thomas to give a brief overview. Manager Thomas stated that through the



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recodification process, it was discovered that the manager can dispose of property as long as it is not in excess of \$5,000.00 and the board needs to be made aware ahead of time, which they have. Manager Thomas stated she would use a provider who would certify the computer equipment would be properly wiped clean and no further action is required by the board. Chairman Bridges clarified that no vote was needed for Manager Thomas to proceed.

C. Speed Zone Ordinance: Manager Thomas stated that the Georgia Department of Transportation had completed their speed zone ordinance update for Franklin County and requested the board approve. Commissioner Franklin made a motion to accept. Commissioner Wester gave the second. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.

D. Public Works Update:

- i. GEFA Loan Modifications for Deferred Interest (COVID19) *DW09043; *DW12002; *DW2018005; *DW98003:** Manager Thomas explained Governor Kemp is providing GEFA relief in the form of payment deferral and the county currently has four loans with GEFA. Manager Thomas recommended the board approve to accept the payment deferral and approve the Chairman sign the appropriate documents to proceed. Commissioner Swails made the motion to approve. Commissioner Macomson gave the second. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.
- ii. Water System Improvements - Portable Generator Bid:** Manager Thomas explained that the low bid, as previously discussed in the work session, came from J & T Service Center in the amount of \$106,558.00, which she recommended for approval from the board. This project will be funded by GEFA. Commissioner Franklin made the motion to approve. Commissioner Macomson gave the second. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.
- iii. Water System Improvements - Pump Installation Bid:** Manager Thomas stated that as discussed in the work session, the only bid received was from Fortson Well Drilling \$50,406.75. Manager Thomas noted this would also be funded by GEFA and recommended the board approve. Commissioner Wester made the motion to approve. Commissioner Swails gave the second. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.



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E. Planning & Zoning – Second Reading of Building Inspection Proposal: Manager Thomas introduced into record the second reading of the proposed Building Inspections Ordinance and the intent of the ordinance is to enforce the state minimum building codes and asked the board to approve the proposed ordinance tonight and in addition asked that the board approve for the county to enter into the contract with Bureau Veritas to provide the inspection services in accordance with the inspections ordinance. Chairman Bridges asked if there was a motion to accept. Commissioner Wester asked to discuss the matter further before making a motion. Chairman Thomas asked if that was permissible. Manager Thomas stated she was not the parliamentarian but she thought that there had to be a motion and a second made before they could have discussion. Commissioner Swails stated for the sake of discussion he would make the motion to approve the proposed Building Inspections Ordinance. Commissioner Wester gave the second. The board entered into discussion of the proposed ordinance. Commissioner Wester stated after seeing the amount of interested people that came to the meeting with questions, he felt that there should be at least one more Q&A session and surrounding counties building community should be invited. Commissioner Wester noted that they had not had this type of turnout at the last few meetings but felt that there were more questions out there that need answers and suggested having one more public hearing next week to help keep Dir. DeLozier on track. Commissioner Macomson agreed and stated he was in favor of a limited inspections program and expressed concerns over the possible cost and growth of this program into something beyond what Franklin County needs or wants. Commissioner Macomson motioned to postpone the meeting for a month stating that would give time for two more training sessions. County Manager Thomas stated that training can't be done until the inspections program is approved and that the board has changed the schedule several times now. Manager Thomas also stated how this has been a work in progress and they have had several public meetings and how no one showed up. She asked the board to provide a list of concerns/questions for the staff to work with them on and review. Commissioner Wester stated that he thinks there are more questions from the public that should be explored. Commissioner Swails agreed with him and that is seemed that these sessions were productive because once the program was explained to them, they understood better, but stated he did not want to delay the process indefinitely. Manager Thomas stated that it was personal but neither she nor Scott would be in town next week and it was pre-planned. Commissioner Macomson suggesting picking a later time in August. Chairman Bridges asked about the 27th of August. Manager Thomas and Commissioner Swails counted up and estimated about 5 meetings have been held so far to discuss this issue. Commissioner Macomson stated that had been a year ago and they didn't do anything and it doesn't matter how many they have had and should not be a factor. Chairman Bridges suggested utilizing the work session on Tuesday July 28th for another public hearing. Manager Thomas addressed Commissioner Wester asking if that would be enough time to notify the builders organizations and asked if any of them were present tonight. Commissioner Wester stated that it would be enough time and he could get



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them to send an email out with the time and date. Manager Thomas asked was an email sent out for this meeting and could she get the contact information so they can ensure notification is sent out. Commissioner Wester stated he could send the contact information over and that he had not sent an email out about tonight's meeting. Manager Thomas stated she just wanted to make sure the meetings were fruitful and productive. She noted Dir. DeLozier was also actively reaching out to the local building community and sharing information. Commissioner Macomson noted that the post work permit should be added. Dir. DeLozier stated that it is already part of the state building code, but we can add it. Commissioner Macomson amended his motion to postpone until the work session on the 28th which will be preceded by a public hearing for planning and zoning. Commissioner Franklin gave the second. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.

- F. Solid Waste and Public Works Rate Schedule:** Manager Thomas asked for approval of the following rates: animal burial - \$200.00, residential single axel \$45.00, residential double axel \$55.00, non-residential single axel - \$125, non-residential double axel - \$150.00. Commissioner Macomson asked how often the county is called out to bury animals. Manager Thomas stated they've had at least 4 in the last month, but the issue is when they call those things have to be taken care of quick so the workers have to drop what they are doing and drive out and haul the equipment. Commissioner Macomson stated he just worried about going from \$50 to \$200 and asked were there any occasions of burying multiple animals or just single large animals. Manager Thomas stated it is typically a single animal, and reminded the board that the rate hasn't changed in 20 years. Commissioner Macomson motioned to approve the rate changes with \$125.00 instead of \$200.00 for the animal burial fee. Commissioner Swails gave the second. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.
- G. Broadband Subcommittee:** Chairman Bridges thanked Commissioner Macomson for bringing this item up because of its importance to our area and invited him to speak. Commissioner Macomson stated he would like to form a subcommittee inviting members from the school board, and the industrial building authority to help look at ways to expand broadband services to the underserved parts of our community. Chairman Bridges gave acknowledgement to Verizon for their recently placed tower. Commissioner Macomson spoke about the need for 5G and talked about the offerings from Verizon to personal households which may be an easy alternative to running more landlines. Chairman Bridges stated there was a mutual agreement to move forward and stay in touch with ACCG on any advancements or updates.
- H. Personnel Evaluations: discussion/planning** – Chairman Bridges explained that the board of commissioners are responsible for the clerk and county manager evaluations and evaluations are normally once a year. Commissioner Macomson noted that the board did not do one earlier this year and since they have a new clerk there is no



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reason to evaluate her yet. Commissioner Macomson requested an executive session at next month's meeting to discuss the County Manager's & County Attorney's evaluation. Chairman Bridges asked if he was meaning the August meeting. Commissioner Macomson clarified that he meant the regular monthly meeting in August. Chairman Bridges stated he had a list of the evaluation forms and suggested the other board members take a look at them. Commissioner Macomson stated he thought the forms were fine for the county manager but thought they had some questions about the one for the county clerk and noted that he did not think they had ever done one for the county attorney. Commissioner Macomson asked for copies of the existing evaluation forms. County Clerk Kayla Finger stated she would email copies out to them for review.

- I. **Tax Digest Submission Calendar:** Manager Thomas stated this was a proposed calendar for submitting the county's information to the tax commissioner by the internal deadline of the 11th. She asked for a special called meeting on August 10th to approve the tax millage rate. This timeline would allow us to have one public hearing on the night of our regular meeting Aug. 3rd and still get approval by Aug. 10th and meet our internal deadline. She also asked that the board be cognizant of the meetings of the board of education and the IBA to approve the millage rate. Manager Thomas recommended utilizing the rollback rate which will show a zero-tax increase and allow the board to have one public hearing. Her calculations show the rate being 10.788 & 10.935. She noted that she always sends her work to Mr. Bobby Martin for review. Manager Thomas provided a millage rate analysis sheet to the board which showed the FY21 adjusted collection rate, this adjusted rate is for the unexpected drop in revenue for sales tax in the judicial system as we navigate the pandemic. She also noted the senior tax exemption and the potential changes and implications. She continued that the county can advertise the rollback rate and drop it lower, but can't go higher. She recommended advertising the one public hearing and advertising the rollback rate. No action was required as these are just suggested dates. Manager Thomas & Dir. DeLozier discussed scheduling with the existing hearing items.
- J. **Waiver of Attorney-Client Privilege: Airport Authority Opinion:** Chairman Bridges stated that there had been a request to release the county attorney's legal opinion on the Airport Authority situation. Commissioner Macomson explained that we had received an open records request from Mr. David Syfan and the County Attorney, Bubba Samuels said it could not be released until the board voted to waive it, but since a copy was already given to the paper Commissioner Macomson made a motion to waive their right's to attorney client privilege and release the legal opinion regarding the Airport Authority conflict of interest. Commissioner Wester gave the second. The motion passed by five (5) YES votes to zero (0) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, Commissioner Swails and Chairman Bridges.
- K. **Airport Authority Appointments:** Chairman Bridges announced the two current appointees: Mr. Eddie Addison & Mr. Bill Flowers, and further stated that the board has been mandated to take action through the Georgia Bureau of Investigation and the District Attorney's office regarding the conflict of interest involving Mr. Addison. The board has been reviewing applications since the two appointees' terms ran out



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on June 1, 2020. Chairman Bridges asked for a recommendation for Mr. Addison's spot. No recommendation was made. Commissioner Macomson added that there are 3 new applications and they are all clients at Lavonia Animal Hospital. Commissioner Macomson requested not to participate for the sake of impropriety if any of the 3 clients were recommended. Chairman Bridges asked again for a motion and noted that the most qualified applicant of the group would be Mr. Jonathan Rowland who has experience as a pilot but does not have a hangar at the airport. Chairman Bridges asked for a recommendation for Mr. Bill Flowers position. None were given. Commissioner Swails stated that the Airport Authority is very valuable to Franklin County and Hart County, but there has been so much politization behind the scenes and involvement of the GBI in an airport hangar switch situation and all of it seems very ridiculous to him to be at this point now. Commissioner Swails spoke about the county attorney's statements regarding the conflict of interest and the District Attorney being involved as well. Commissioner Macomson stated he wanted to do what is best for Franklin County and as a board we had decided to wait and make those appointments after we found out the verdict of the GBI investigation and we have gotten all the information we are going to get and the D.A. is taking it to the grand jury. Commissioner Macomson stated that the board has to make a decision and he has honest confusion about the Airport Authority and why the conflict of interest is happening with several individuals but the GBI investigation is focused on this one person, but the board needs to move forward with appointments. Chairman Bridges stated there were two different items to look at, number one being that the county attorney, GBI, and D.A. deemed it a conflict of interest and then the GBI investigation who has the authority to investigate. Chairman Bridges stated that the results were not yet known of the GBI investigation but that the D.A. contacted him that previous Friday to let him know the investigation was over and sent a letter to the board stating the board needs to remove the person with a conflict of interest and it makes him very nervous not to act on the D.A.'s instructions. Commissioner Macomson stated his concern of being perceived as having a conflict of interest with the applicants and asked if the board had any objections to him participating. None of the board had an issue with Commissioner Macomson participating. Commissioner Wester asked how many of the board members owned land within Franklin County and stated all 5 of them do and made the argument that this fact could be argued as a conflict of interest. Chairman Bridges stated that they were dealing strictly with the legislation as it is written. Commissioner Wester disagreed and stated that the board was going forward without a ruling. He further expressed his feelings that if the board wants to move forward with new appointments, that is fine, but doing things without justification is an issue with him. Chairman Bridges restated his stance of following the legislation as it is written. Commissioner Wester asked why one person was being singled out. Chairman Bridges stated that it was because they had been instructed to do so because that individual has the conflict of interest. Commissioner Wester asked what about Hart County and expressed his feelings that it should be treated the same way across the board. Chairman Bridges stated they only had one person on their side and Hart County would have to deal with their side. Discussion ensued on appointees of the airport authority.



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Commissioner Wester stated one person was being singled out and it seemed to be personally and politically driven. Commissioner Macomson shares Commissioner Wester's concerns but stated that not taking action would implicate the board and he wants to avoid that. Commissioner Macomson made a motion to replace Eddie Addison whose term expired June 1st with Jonathan Rowland. Commissioner Franklin gave the second. The motion passed by three (3) YES votes to two (2) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, and Chairman Bridges. The NO votes were Commissioner Wester, and Commissioner Swails. Chairman Bridges asked if there were any recommendations for Mr. Bill Flower's position. Commissioner Macomson made a motion for Martha Long to replace Mr. Bill Flowers. Commissioner Wester gave the second. Chairman Bridges spoke very highly of Mr. Flowers years of experience and qualifications. Commissioner Macomson stated he appreciated Mr. Flower's service and hoped he would consider serving in the future on other boards but it is time for new people on this board. The motion passed by four (4) YES votes to one (1) NO votes. The YES votes were Commissioner Franklin, Commissioner Macomson, Commissioner Wester, and Commissioner Swails. The NO vote was Chairman Bridges. Commissioner Macomson asked for clarification of the appointee's terms expiring June 1, 2024. Manager Thomas confirmed that was correct.

Item 6. Announcements: None

Item 7. Adjourn:



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Chairman Bridges thanked everyone for attending. Commissioner Swails made a motion to adjourn, Commissioner Macomson seconded the motion. Chairman Bridges adjourned the meeting.

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

Kayla Finger, Clerk