

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
PUBLIC HEARING/WORK SESSION MINUTES
September 22, 2015
6:00 P.M.**

Present: Commission Chairman Thomas Bridges
District 1 Commissioner Robert Franklin
District 2 Commissioner David Strickland
District 3 Commissioner Jeff Jacques
District 4 Commissioner Eddie Wester

Media: Denise Matthews, Franklin County Citizen Leader
MJ Kneiser, WLHR

Staff: County Manager, Beth Thomas
County Clerk, Elaine Evans
County Engineer, John Phillips

Chairman Bridges called the combined public hearing/work session to order at 6:00 p.m. He asked Commissioner Wester to lead the invocation and pledge to the American flag. Chairman Bridges thanked everyone for their attendance. He said that there is one item on the agenda – GRP Franklin, LLC. He also asked anyone who wished to speak for or against the item to please sign up.

Chairman Bridges said that Terry Williams will speak first on the zoning request for GRP Franklin, LLC. He said that after Mr. Williams speaks that a chance will be given for others to speak for or against the issue.

Terry Williams came forward and introduced himself. He said that he is the vice president of construction for Georgia Renewable Power for the Georgia Division. He also thanked the Commission Board as well as County Manager Beth Thomas and County Engineer John Phillips for the meeting. He said that he has over 35 years in power plant construction. Mr. Williams said that his purpose in coming before the Commission Board is to request rezoning for two parcels of land adjoining a parcel of land that is already zoned commercial industrial.

Mr. Williams said that GRP Franklin, LLC has purchased the two parcels next to the entry way of the proposed power plant. These parcels are approximately 10 acres each. GRP Franklin, LLC would like for these parcels to be rezoned to commercial industrial from agricultural intensive. Mr. Williams said that the reason behind the request is safety. He said that the rezoning would allow for parking lanes for semi-trucks

until the unloading/reloading process is completed. This will keep the trucks off the highway. The land will also be used for wood storage that will be used in the plant. Mr. Williams said that this would allow GRP an opportunity to maximize the design build of the plant. He also said that the new market tax credit people have asked that all the properties be zoned the same – commercial industrial. The basis for the rezoning request is safety and for all the properties to have the same zoning. This is for the plant safety, truck safety and neighborhood safety.

John NeSmith asked Mr. Williams what the megawatts of the plant are. Mr. Williams said that the plant will be a 78 megawatt wood burning plant. Mr. NeSmith asked what megawatts were proposed by the previous owners. Mr. Williams said that he did not know and it was irrelevant to what he is asking for. He said that his request is for rezoning only. The rest of the location is already permitted. GRP has the proper permitting from the Georgia DOT as well as the federal permitting. The power plant has been designed and proper permits are in place with regards to the safety of animals; land; neighborhood and air quality. The plant is not a chicken litter plant; it is strictly a clean wood plant. This plant will burn untreated wood products. All permits are in place including those issued by Georgia PSC and Georgia Power.

Chairman Bridges thanked Mr. Williams for his presentation. Commissioner Strickland asked why the need to change zoning if the land will be used for parking and storage. Mr. Williams said that the new market tax credit people asked GRP to have all the land zoned commercial industrial if possible. He also said that Commissioner Strickland is correct, that this does not affect what will be done on the land. It would be nice to have everything the same. Commissioner Strickland said for the land to be unison. Mr. Williams said correct. Commissioner Strickland then asked Mr. Williams if what they were planning on doing was going to be done. Mr. Williams said yes, sir.

Commissioner Franklin asked Mr. Williams to show the sample of what will be burned at the plant. Mr. Williams said it is clean wood. He passed the sample around to all the Commission Board as well as the members of the audience. Mr. Williams said that this will not be made at the plant. It is wood scraps that will be burned. This material is the fuel for the boiler to create steam and make electricity.

Diane Holmes asked if the project was going to happen regardless of the zoning change. Mr. Williams affirmed that it would move forward. Shelby NeSmith asked how this could be done if the zoning was incorrect. Mr. Williams said that everything that is going on the land is agricultural management of the wood. Mr. Dan Sherman, the attorney for GRP spoke to clarify the question from Ms. NeSmith. Mr. Sherman said that the two parcels of land are zoned agricultural intensive which includes anything from jails to sewage plants to any number of public uses. He said that the reasoning to grant the rezone request is for the ease of use for GRP as well as code enforcement for the County. He said that the commercial classification on land is more restrictive in use than the agricultural classification. He also said that GRP wants to have standards for land use that are applicable to what they are building. He said that the Ag standards are not applicable to the plant.

Diane Holmes asked Mr. Williams how many trucks would travel the road and park there each day. Mr. Williams answered about 90 to 95 trucks. Mrs. Holmes said that the trucks would deteriorate the roads. She asked would GRP give taxes to repair the roads or was his company getting initiatives back. Mr. Williams said that GRP is not getting initiatives from anyone. He said that an article came out in the Athens paper that was incorrect. The article said that the Franklin County Building Authority was helping finance this project. He said that there is not one dime of Franklin County's money going toward this plant. Mrs. Holmes said that the money would go toward the destruction of the roads from the 90 trucks on the road. Mr. Williams said that the trucks that they will use are not any more than the chicken trucks that are already using the roads. Commissioner Strickland clarified that Hwy 198 is a state road not a county road. Chairman Bridges asked Senator Frank Ginn if he thought the State of Georgia would keep Hwy 198 in good shape. Senator Ginn said that as with any state highway there are minimum standards. If any repairs are needed it will be the responsibility of the State and not the County. Mr. Williams stated that at a previous meeting the president of the company, Dave Schafer agreed that \$100,000 will be donated to Franklin County each year once the plant is operational. This donation will be spent in any way that Franklin County chooses.

Mr. NeSmith asked if there is a problem getting enough wood for the plant, could agricultural waste be used. Mr. Williams said no. Mr. NeSmith asked if the boilers would handle it. Mr. Williams said no, that the boilers are designed for wood burning only. Mr. NeSmith asked what type of boilers would be used. Mr. Williams said that the brand is Foster Wheeler boilers. Mr. NeSmith said that he understood that they were liquid and that they could burn either or. Mr. Williams said they can burn either or. He said that he would have to add at least 20 million dollars to modify the boilers to be able to burn that stuff as well as refiling permits. He said that they are not going to do that. Chairman Bridges thanked Mr. Williams for the information and reminded the public that the issue is the zoning request not the building of the plant. Commissioner Strickland asked Mr. Williams if the standards that they have to meet are stricter. Mr. Williams said that the permits under commercial industrial are very strict.

Chairman Bridges asked Mrs. Judy Hulseley to come forward to speak. She said that she has no personal interest in the plant. Mrs. Hulseley said that her main concern is for the air quality and the children of Franklin County. She asked that the Commission Board follow the recommendation of the Planning Commission and deny the request. Mrs. Hulseley presented as her first criteria to deny rezoning that existing farms; cattle businesses; bee operations; pre-schools; homes; and churches will be adversely affected. She said that the plant will put toxic chemicals into the air and will be noisy. Her second criterion was that property values would be diminished. She said that she thought that the property values of honey bee operations and cattle farms would go down because of this plant. Mrs. Hulseley said that there is a 106 acre site located behind the plant location that she fears will be rezoned to commercial if GRP is rezoned. Her third criterion was for the health, safety, and general welfare of the public.

Mrs. Hulsey presented extensive information on wood pellet producing plants. She said that there is a wood pellet plant in Lamar County. She said that she called one of the commissioners in Lamar County. This commissioner told Mrs. Hulsey to do everything in her power to keep this out of her county. This commissioner told Mrs. Hulsey that the plant did not keep their promises. Mrs. Hulsey then read from a letter from the American Lung Association regarding pollution and air quality. She said that the requirements and restrictions are less in the rural areas. The health and safety of the citizens of Franklin County does not need to be sold out. Mrs. Hulsey also stated that elected officials have an obligation to the citizens to do what is best.

Mrs. Hulsey said that in an online September 12th article it was stated that the Franklin County Industrial Building Authority helped GRP with financing. She said that she did not know how the financing came out but that in the article she read it said that Chairman Bridges said that the County is helping. Chairman Bridges corrected Mrs. Hulsey and told her that he did not say anything about the County helping finance GRP. Mrs. Hulsey asked that the Commission Board vote no. She said that 28 jobs are not worth this. It would be better to recruit for a good grocery store to come to Lavonia and it would have more than 28 jobs. Chairman Bridges clarified that tonight's decision is for rezoning and not deciding on whether the plant will be built or not. Mrs. Hulsey said that she understood this but if the Commission Board will vote no, then maybe GRP will decide not to build the plant. Chairman Bridges asked Mrs. Hulsey if she thought the Commission Board should not rezone even if it made the property safer for the citizens of the County. Mrs. Hulsey said that she just thought they needed to rethink it. That maybe GRP would decide to not locate here.

Chairman Bridges asked John NeSmith to come forward and make his comments. Mr. NeSmith said that he is not necessarily for or against this. He said that his property borders the GRP property and that if the trees were not there he could throw a rock from his back porch and hit the plant. Mr. NeSmith said that the original plans were from Sterling Industries. It was passed and zoned but not built. GRP purchased this property to build a plant with plans to relocate some employees from West Virginia. He does not think that there is enough room to build the plant.

Mr. NeSmith said that the plant will be built, that everything is in place. He does not understand the reason for request at this time for rezoning. He said that if the extra land is not needed for the plant that they should wait until the plant is up and running and see how things go. Mr. NeSmith also said that there is not any more pollution from wood burning chips than from someone burning wood in their fireplace. He said that property values will be affected but commercial is worth more than agricultural. He said that he thinks that now is not the best time to rezone. The plant needs to be in operation for a few years and then rezone if the land is needed for expansion.

Chairman Bridges recognized Diane Holmes to speak. Mrs. Holmes said that fourteen years ago she came before the Commission Board and asked for rezoning on Hwy 17 from agricultural to commercial for her flower business. She said that she does not want Franklin County to have issues with smell like what has happened in Stephens

County. Mrs. Holmes said that she uses natural pesticides in her business. She does not harm the environment. She does not want the wood burning plant to harm the environment or air quality. Mrs. Holmes said that she thinks that GRP should have a solar panel business instead of a wood burning business. Mr. Williams asked permission to answer Mrs. Holmes. Chairman Bridges said to go ahead. Mr. Williams said that in order to manufacture 78 megawatts of solar power, 780 acres of land would be needed. It is not feasible in this part of the country for this type of plant. Mrs. Holmes said that she thought solar panels would be better for the environment. She asked the Commission Board to remember that they were elected officials and to not make things easy for GRP. Chairman Bridges told Mrs. Holmes that she had addressed the facility and not the rezoning request. He asked her to address the zoning changes. Mrs. Holmes said don't make things easy for GRP. To let the State of Georgia widen the road like they did near The Flower Depot in Lavonia.

Chairman Bridges welcomed Robert Albright. Mr. Albright said that he thought that rezoning the land would not be a good thing. It is in the middle of the heartland. He said that with the rezoning he thinks that people will begin to move out of the area. And he thinks that this is just the beginning, that an industrial park will be the next thing. He said that you cannot take a bad thing and make it work. Mr. Albright said that he thought rezoning at a later time would better.

Chairman Bridges asked Senator Frank Ginn to come forward to speak. Senator Ginn said that he was not wearing his Senate hat tonight that he is speaking as the Director of the Franklin County Industrial Building Authority. He said that he has seen articles online but Senator Ginn clarified that the Industrial Building Authority has not given any financing toward the GRP project. GRP has not asked for a favorable tax break or anything else from the Industrial Building Authority. Senator Ginn said that his understanding is that GRP is putting around a 150 million investment into the County for this project. He said that this project will help grow the County; add jobs; and help to build the economy. Senator Ginn asked the Commission Board to give GRP a favorable answer to their rezoning request.

There were no other comments or concerns from the public. Chairman Bridges gave Mr. Williams an opportunity to address the concerns that were stated by the citizens. Mr. Williams addressed Mrs. Hulse. He told her that he appreciated her research. He said that he respected the opinion of Mrs. Hulse as well as everyone else who spoke. Mr. Williams clarified for everyone that Green Energy Partners was who sold the land to GRP. Green Fuels is the parent company of GRP. Georgia Renewable Power is the owner of the Carnesville power plant. The plant that is in operation in North Carolina is listed as Carolina Renewable Power. The power plant in Carnesville will be known as Franklin Renewable Power. The plants are named this way for tax and liability reasons. GRP is not trying to hide anything. The funds for these companies are placed in a trust that the new market tax credit money goes into.

Mr. Williams next talked about some advantages of bringing the company to Franklin County. He said that during the construction of the plant, 200 to 300 people will

be employed for 18 months to two years while building it. This will impact restaurants and gasoline usage for this time period. Mr. Williams said that he has talked with a lot of people in Franklin County who are welcoming the business. After the plant is built, there will be approximately 50 jobs. During the outage time frame once a year for maintenance, local people will be used, such as welders; electrical contractors; maintenance contractors; etc. There will also be truck drivers who are constant employees. Mr. Williams once again reinforced that pellets will not be manufactured. He said that GRP has met all of the requirements for emission standards to burn wood. This is some of the cleanest technology available. He said that wood burning is safer than coal and nuclear plants. Timber is not being cut for the plant. The scraps that are left from the timber cutting are what will be used at this plant. That is clean wood, nothing treated. GRP has enough wood under contract currently for the 20 year contract with Georgia Power. Mr. Williams once again stated that the reason for the rezoning request is for all of the property owned by GRP to be zoned the same. He also said that the restriction for commercial zoning is much stricter than agricultural.

Chairman Bridges asked the Commission Board if anyone had any questions for Mr. Williams. Commissioner Wester asked Mr. Williams since the hours of operation will be 24 hours a day will the trucks be delivering 24 hours a day. Mr. Williams said no. The trucks will be running during daylight hours, usually within a 10 to 12 hour timeframe. As the days get shorter, the timeframe should go to eight hours. He also said that no deliveries would be made on weekends. Chairman Bridges asked Mr. Williams to explain further the financial benefit to Franklin County. Mr. Williams said the construction cost for the plant is 150 million along with the cost of a new boiler. He said that 100 million has already been spent on this project and it has not broken ground yet. Investor and company money is all that is being used in this project. Chairman Bridges said that the tax base for Franklin County is 150 million construction cost along with another 100 million that has already been spent on the project. Mr. Williams said that is true. He also said that the company has promised to donate \$100,000 each year to Franklin County. Commissioner Jacques asked if there was a time limit on the donation. Mr. Williams said that as long as the plant is in operation that this amount will come to Franklin County.

Commissioner Strickland asked would the company still give the donation to Franklin County if the company name changed. Mr. Williams said absolutely. Mr. Albright asked if the trucks could come in and out now with the proper logistics. Mr. Williams said that the design is to go out on the Ag intensive side and come in on the commercial side. He said that this will not stop the operations but the investors and creditors want the zoning uniform. Commissioner Strickland said that it is more efficient to have trucks loading and unloading on different sides. Mr. Williams said that he did not want the trucks loading and unloading on the same side for safety reasons. Mr. NeSmith asked which way the trucks would be coming. Mr. Williams said that would be dictated by where the wood was picked up. He also said that this would be set up per DOT standards.

Chairman Bridges asked Mr. Sherman to come forward to speak for GRP. Mr.

Sherman said that the plant property is irrelevant to the discussion. It was rezoned by the previous owners of the property. The plant has already been permitted by 15 federal and state jurisdictions. Everything is in proper place for the plant. The adjoining two parcels are the issue. Mr. Sherman said that the plant can start up tomorrow; the rezoning is not needed for the plant to be operational. He restated what Mr. Williams said that the lenders asked that all three pieces of land match for certainty, for enforcement of the County and for certainty of GRP with setbacks. Mr. Sherman said that they would like a favorable ruling so that the plant engineers can get started on how to develop the property by County rules. He also said that he filed documents with the Planning Department of the obligatory requirement under Georgia law to voice constitutional objections if the denial is forthcoming. He said that this is on record. Commissioner Strickland asked if County Attorney Bubba Samuels has looked at the documents that Mr. Sherman referenced. County Manager Beth Thomas said that this was received today and Mr. Samuels has not looked at it yet.

Chairman Bridges said that the steps for rezoning are that the item goes first to the Planning and Zoning Commission which consists of five county residents. He said that these individuals study the issue and then make a recommendation to the Commission Board. The Planning and Zoning Commission held a meeting with GRP last week. Three of the five Planning and Zoning members were in attendance. At this meeting additional information was requested. Chairman Bridges asked County Manager Beth Thomas to give her recommendation to the Commission Board.

Mrs. Thomas said that it was reiterated by the Planning Commission last Thursday and multiple times at this meeting, this decision to be made by the Commission Board is for the rezoning of two parcels of land and not for the plant itself. The applicant came before the Planning Commission last week and the first hearing was held. Mrs. Thomas said that the recommendations from the Planning Commission are respected as they know the ordinances and make recommendations based on them. The Planning Commission recommended denial of the rezoning request by GRP based on the lack of information. No supporting documents including site plans or drawings, GDOT and Georgia Power were presented to the Planning Commission. Mrs. Thomas said that the applicant presented more information at this meeting than was provided at the Planning meeting. An addendum to the application was received this afternoon which needs to be reviewed by the County Attorney. Mrs. Thomas said that it is always best to make an educated decision. Her recommendation is to table the vote for tonight and vote at the October meeting. She said to take the information that has been presented tonight and make sure that all questions are answered to each Commissioner's satisfaction. It was stated again that the issue is for the two parcels of land for rezoning not the operations of the plant.

Chairman Bridges said that the recommendation has been heard from County Manager Beth Thomas. He said for each Commissioner to look at the issues and come back either for a called meeting or for the October meeting. Mrs. Thomas said that there is a regular board meeting on October 5th. It is standard practice to vote on items at the regular board meetings although votes can be taken at other meetings. Chairman

Bridges said that the company needs an answer. He asked the pleasure of the Board.

Commissioner Strickland made a motion to table the rezoning request and vote on it at the October 5th regular board meeting. He said that the County Attorney needs to review this before the Commission Board votes on it. Chairman Bridges asked for a second. Commissioner Jacques seconded the motion. Chairman Bridges asked for discussion. Commissioner Jacques said that he is prepared to vote but he will table if that is what the majority of the Board wish to do. Commissioner Franklin said that this request is in his district and that he is ready to vote. He said that people burn wood in their homes and that this will not be any worse than that. There was no further discussion. Chairman Bridges asked for a vote on the motion to table the vote until October 5th. The motion passed by three (3) YES votes to two (2) NO votes. The YES votes were Chairman Bridges; Commissioner Strickland; and Commissioner Wester. The NO votes were Commissioner Jacques and Commissioner Franklin.

There was no further discussion. The meeting adjourned at 7:35 p.m.

Signed on the _____ day of _____, 2015

Chairman J. Thomas Bridges

Robert L. Franklin, District 1 Commissioner

David R. Strickland, District 2 Commissioner

Jeff Jacques, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Elaine H. Evans, County Clerk