

REGULAR SESSION AGENDA

FRANKLIN COUNTY

BOARD OF COMMISSIONERS

7:00 PM

FRANKLIN COUNTY COURTHOUSE

Monday, January 29, 2024

- | | |
|-------------------------------------|-------------------------------|
| 1) CALL TO ORDER | |
| Opening & Pledge of Allegiance..... | Mayor Chris Guess |
| Invocation | Sheriff Tim Fuller |
| | Commissioner David Kelley |
|
ROLL CALL |
County Clerk Tina Sanders |
| Declaration of Quorum | Mayor Chris Guess |

2) PUBLIC HEARING:

1. Rezoning from A, Agricultural; R-2, General Residential and C, Commercial to R-1, Single Family Residential. 7th Civil District. Franklin County Property Map No. 15, Parcel 44.01. Location — Blue Creek Road and TN State Highway 130. Size — approximately 146 +/- acres. Applicant — Kasi Walls, agent for Daniel Barbeau, owner.

2. Rezoning from A, Agricultural to C-1, Commercial Restricted. 1st Civil District, Franklin County Property Map No. 86, Parcel 7.12. Location - Rowe Gap Road (TN State Highway 16). Size approximately 1.83 +/- acres. Applicant — Thomas Ore, agent for Timmy Smith, owner.

- 3) APPROVAL OF MINUTES: (1-10)**
 Regular Called Session – December 4, 2023

- 4) REPORT OF THE FINANCE DIRECTOR: (11-15)**
- a) Finance Director Report Nov 21, 2023 (R & F)

- 5) RECOMMENDATIONS/COMMUNICATIONS: NONE**

6) COMMITTEE/DEPARTMENT REPORTS: (16-33)

- a) Trustee's Interest Report Nov & Dec 2023 (R & F)
- b) Local Option Sales Tax Report Nov 2023 (R & F)
- c) Finance Committee Minutes Nov 21, 2023 (R & F)
- d) Legislative Committee Minutes Nov 21, 2023 (R & F)
- e) Inter-Category Amendments November – December 2023(R&F)
- e) Department Quarterly/Annual Reports (R & F)
 - i) Chancery Court/Clerk Master
 - ii) County Clerk
 - iii) Franklin County Re-entry
 - iv) Planning & Zoning
 - v) Register of Deeds
 - vi) UT Extension & TN State Cooperative Extension
 - vii) Veteran's Service Office

7) OLD BUSINESS: NONE

8) NEW BUSINESS/RESOLUTIONS: (34-58)

- a) Resolution 1a-0124- Resolution Amending the Franklin CO Board of Education General Fund Budget of Franklin County, Tennessee for the Fiscal Year Ending June 30, 2024.
- b) Resolution 1b-0124- Resolution Amending the Franklin CO Board of Education General Fund Budget of Franklin County, Tennessee for the Fiscal Year Ending June 30, 2024.
- c) Resolution 1c- 0124- Resolution Amending the Franklin CO Board of Education General Fund Budget of Franklin County, Tennessee for the Fiscal Year Ending June 30, 2024.
- d) Resolution 1d-0124- Resolution Amending the General, Library, Solid Waste, Drug Control & Debt Service Budgets of Franklin County, Tennessee for the Fiscal Year Ending June 30, 2024.
- e) Resolution 1e-0124- Resolution Authorizing submission of an application for Juvenile Court State Supplement Funds Grant FY 2025-2029 from the State of Tennessee, Department of Children's Services and authorizing the acceptance of said Grant.
- f) Resolution 1f-0124- Resolution authorizing submission of an application for a Homeland Security Grant for FY 2022-2025 from the Tennessee Emergency Management Agency and authorizing the acceptance of said Grant.
- g) Resolution 1g-0124- Resolution authorizing submission of an application for a Safe Streets for All-Transportation Grant-Safe System Approach Grant Program- from the United States Department of Transportation, and authorizing the acceptance of said Grant.
- h) Resolution 1h-0124- Authorizing a Grant Application to the Tennessee Housing Development Agency for Home Grant Funds.
- i) Resolution 1i-0124 Resolution Authorizing A Multiple Year Contract for the Electronic Monitoring Services for the Franklin County Government.
- j) Resolution 1j-0124 Resolution to Dissolve and Abolish the Consolidated Communications Board and the Emergency Services Committee of the Franklin County Commission and Establishing the Public Safety Committee.
- k) Resolution 1k-0124 Resolution Amending the General, Solid Waste, & Drug Control Fund Budgets of Franklin County, Tennessee for the Fiscal Year Ending June 30, 2024.
- l) Approval of changes to Franklin County Employee Holiday Calendar.
- m) Approval of changes to Employee Sick Leave.

9) ELECTIONS/APPOINTMENTS (59-61)

- a) Appointment of County Attorney
- b) Appointments/Reappointments for January 16, 2024
- c) Approval of (8) Applications for Notary Public (Approve – RC)

Comments
Adjournment
Benediction: Commissioner William Anderson, Jr.

F.C. Planning & Zoning Department

NOTICE OF PUBLIC HEARING

In conformity with TCA-13-7-105, a public hearing will be held by the Franklin County Board of Commissioners on January 16, 2024 at 7:00 P.M. at the Franklin County Courthouse to consider the adoption of amendment(s) to the Zoning Map of Franklin County.

1. Rezoning from A, Agricultural; R-2, General Residential and C, Commercial to R-1, Single Family Residential. 7th Civil District. Franklin County Property Map No. 15, Parcel 44.01. Location – Blue Creek Road and TN State Highway 130. Size – approximately 146 +/- acres. Applicant – Kasi Walls, agent for Daniel Barbeau, owner.
2. Rezoning from A, Agricultural to C-1, Commercial Restricted. 1st Civil District, Franklin County Property Map No. 86, Parcel 7.12. Location – Rowe Gap Road (TN State Highway 16). Size – approximately 1.83 +/- acres. Applicant – Thomas Ore, agent for Timmy Smith, owner.

The proposed amendment(s) may be reviewed in the Planning/Zoning Department, Courthouse Basement Room 109, Winchester TN. All persons affected by the proposed amendment(s) are invited to appear in person or be represented by agent or petition for the purpose of expressing themselves in support of or in opposition to the rezoning and zoning text amendments.

This 22nd day of December, 2023.

Eric Bradford
Director/Building Commissioner
Franklin County Planning and Zoning Department
Winchester, TN 37398
Phone (931) 967-0981 E-mail at ebradford@franklincotn.us

Building Permits are required in Franklin County

Franklin County Planning & Zoning Department

Memo

October 31, 2023

To: Franklin County Board of Commissioners

From: Eric Bradford, Director/Building Commissioner

Re: Rezoning for Kasi Walls, Agent for Daniel Barbeau

THE FRANKLIN COUNTY REGIONAL PLANNING COMMISSION RECOMMENDS THE FOLLOWING ITEM FOR REZONING:

Rezoning from A, Agricultural; R-2, General Residential and C, Commercial to R-1, Single Family Residential. 7th Civil District. Franklin County Property Map No. 15, Parcel 44.01. Location – Blue Creek Road and Highway 130. Size – approximately 146 +/- acres. Applicant – Kasi Walls, agent for Daniel Barbeau, Owner.

STAFF REPORT

Date: October 30, 2023
 To: Franklin County Regional Planning Commission
 From: Staff

General Information

Applicant: Kasi Walls.

Status of Applicant: Agent for Daniel Barbeau, Property Owner.

Requested Action: Rezoning a parcel from A, Agricultural; R-2, General Residential and C, Commercial to R-1, Single Family Residential.

Purpose: To unify the zoning of a parcel and to allow the development of a residential subdivision and/or any other Use Permitted in an R-1, Single Family Residential zoned district.

Existing Zoning: A, Agricultural; R-1, Single Family Residential; R-2, General Residential and C, Commercial

Location: 7th Civil District; Parcel 44.01, Franklin County, TN Property Map No. 15, located on Blue Creek Road and Highway 130 (Old Tullahoma Highway).

Size: Approximately 146 +/- acres.

Existing Land Use: Residential, Agricultural and Open.

Surrounding Land Use/Zoning:

North – Residential, Agricultural, Open/R-2, General Residential and A, Agricultural.

South – Educational, Residential, Open, Wooded/A, Agricultural, R-2, General Residential, C, Commercial.

East – Residential, Open, Wooded/R-1, Single Family Residential and A, Agricultural.

West – Commercial, Residential/A, Agricultural, R-2, General Residential.

Specific Information

Previous Actions: This parcel is a combination of four parcels on Franklin County Tax Map 15; 43.00, 44.00, 46.02 and 47.00. On 3/17/1997 the Franklin County Board of Commissioners approved a request to rezone parcel 47.00 to R-1, Single Family. On 11/17/2009 a Minor Division of Property was approved to create a separate 3.15 +/- acre lot. On 8/5/2014 a Minor Division of Property was approved to create a separate .50 +/- acre lot. On 7/7/2015 a Minor Division of Property was approved creating a non-buildable lot of .17 +/- acres to be added to parcel 44.04 on Franklin County Tax Map No. 15. On 8/2/2016 a Minor Division of Property was approved creating a separate 2.61 +/- acre lot. On 6/25/2020 a Minor Division of Property was approved creating a .13 +/- acre non-buildable lot to be

added to the approved Minor Division from 8/12/2016. On 6/21/23 a Minor Division of Property was approved creating a separate .94+/- acre lot. On 1/20/2010 the Franklin County Board of Commissioners approved a request to rezone a portion of parcel 47.00 to C, Commercial. On 5/5/2015 a Plot Plan and Preliminary/Final Subdivision Plat (2nd Minor Division in a Calendar Year) was approved creating a 1.18+/-acre lot for the Dollar General Store on Highway 130.

- Access:** The subject parcel fronts Blue Creek Road for approximately 659'. Blue Creek Road is a County Road with a 50' ROW and an asphalt surface. The parcel also fronts Highway 130 for 139' feet. Highway 130 is a State Highway with a forty (40) ROW and an asphalt surface.
- Utilities** A six (6) inch water line runs along the west side of Blue Creek Road and a six (6) inch water line runs along the east side of Highway 130, according to David Stafford with Winchester Springs/Center Grove Utilities. Potable water is provided by Winchester Springs/Center Grove Utilities. Power is provided by the Duck River Electric Membership Corporation. Sanitary waste disposal is assumed to be by individual septic tank systems.
- Fire Protection:** Fire protection service is provided by the North Franklin County Volunteer Fire Department. There is a fire hydrant located approximately 836' north and 687' south of the property line on Highway 130. There are no fire hydrants in the general area on Blue Creek Road.
- Other Public Services:** Police protection is provided by the Franklin County Sheriff's Department.
- Drainage/Flood:** Drainage is generalized to the northern center of the parcel where there appears to be a ponding area, according to the USGS Quad Map. The site is not in an identified FEMA flood hazard area per Map No. 47051C0040E.
- Area Characteristics:** The immediate area is characterized by agricultural activities with residential and commercial activities along the roadways. The general area is characterized by residential and commercial activities along the roadways with scattered agricultural activities beyond.
- Comprehensive Growth Plan:** The site is located within the Franklin County Planned Growth Area (PGA).
- Other:** The applicant is proposing the development of a residential subdivision. It is unknown at the time of this writing as to how many lots the applicant is proposing.

Applicable Regulations

Franklin County Zoning Resolution - Article X, Section 3.1(11) (Page 81); Article VI, Section 1 (Page 36); Article VI, Section 2 (Page 38); Article VIII, Section 1 (Page 62) and Article XV (Page 117).

Analysis

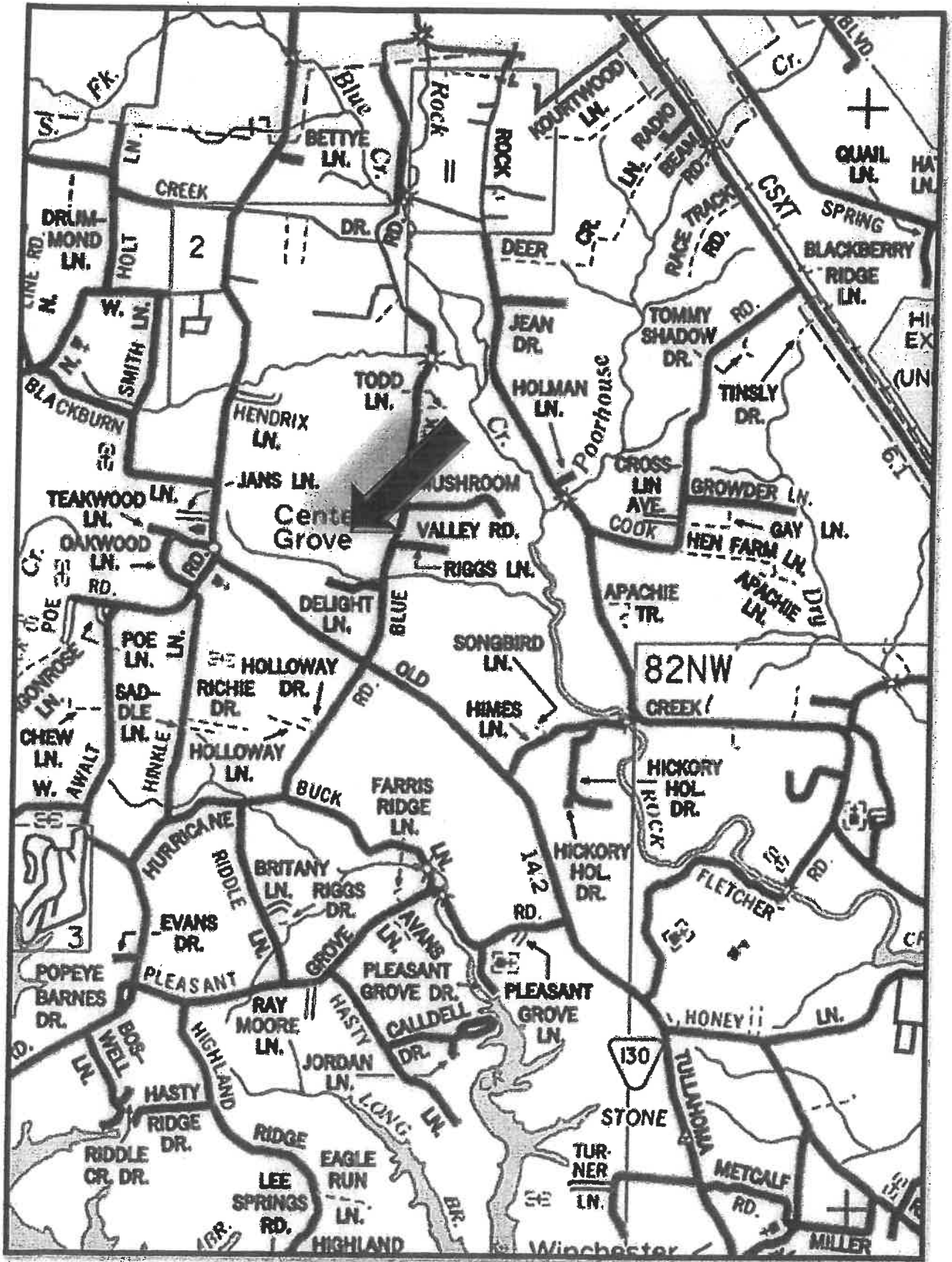
Staff recommends approval of the requested rezoning of the subject parcel from A, Agricultural; R-2, General Residential and C, Commercial to R-1, Single Family Residential.

1. The proposal is generally in compliance with the intent of the R-1, Single Family Residential zoning district provisions of the Franklin County Zoning Resolution.
2. There is R-1, Single Family Residential zoning on the subject parcel and in the general area.
3. The subject parcel is located within the Franklin County Planned Growth Area (PGA).

Attachments

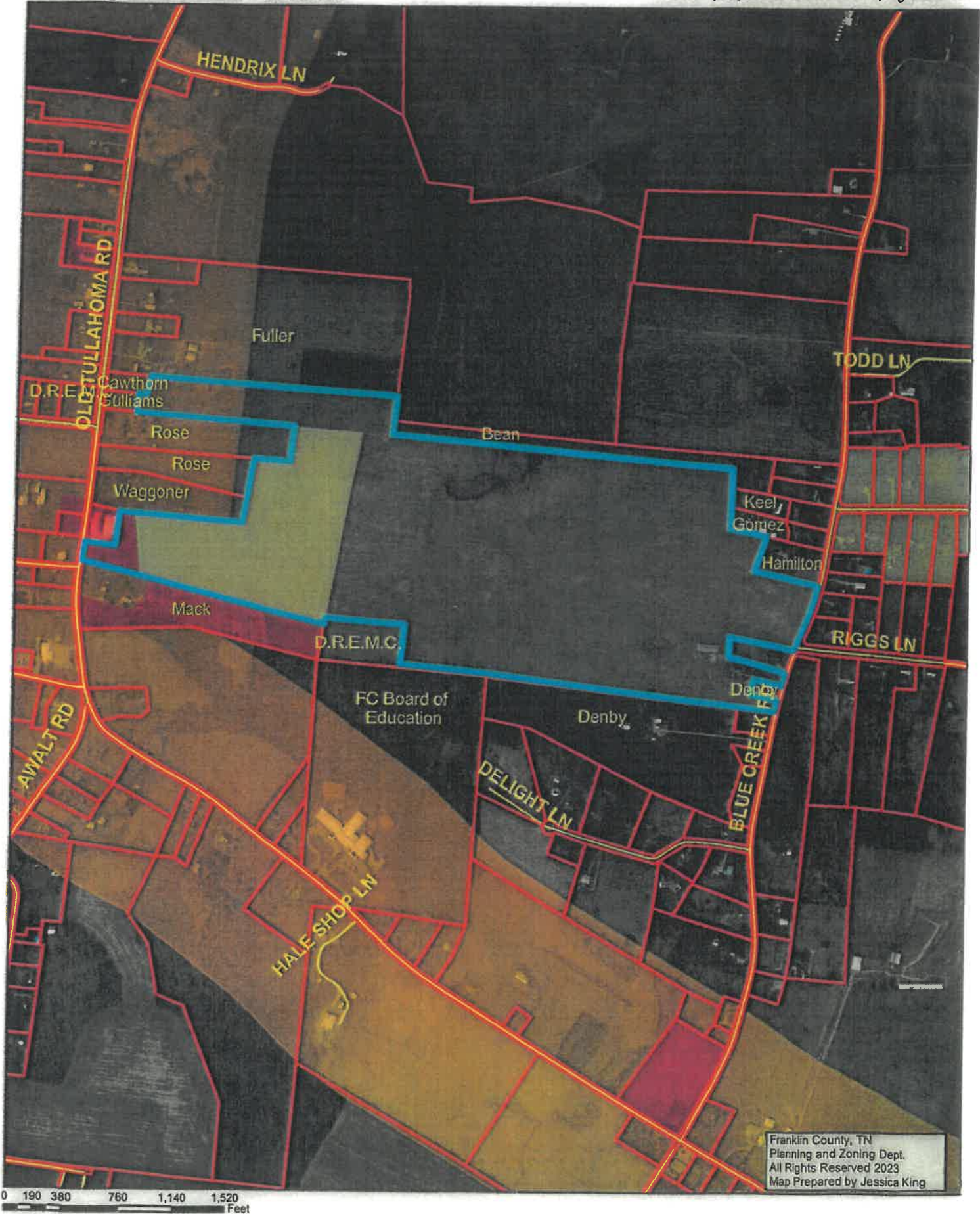
- a) General Location Map.
- b) GIS View.

EB/JK



GIS View - Daniel Barbeau
Map 15, Parcel 44.01
Planning Commission - 10/30/23

zoning:
● C, Commercial
● R-1, Single Family Residential
● R-2, General Residential
All other properties shown are A, Agricultural.



0 190 380 760 1,140 1,520 Feet

Franklin County, TN
Planning and Zoning Dept.
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Map Prepared by Jessica King

The Franklin County Regional Planning Commission – October 30, 2023.

The Franklin County Regional Planning Commission met in a regular session on October 30, 2023 in the Franklin County Courthouse. The meeting started at 6:00PM with a quorum present.

The members present were Chairman Jeremy Price, Secretary Monica Baxter-Jeffers, Joseph Johnson, Luke McCurry, Helen Tinnerman, Kevin Pickett, Mike Stubblefield, Greg Houston and Mayor Chris Guess. Also present was Director/Building Commissioner Eric Bradford and Planning Assistant Jessica King. A Visitors' List is attached.

Jeremy Price introduced himself and gave a brief explanation of the meeting procedures and all the information that is considered when cases come before the Board.

The minutes for the September 26, 2023 meeting were approved with corrections by Jeremy Price.

Jeremy Price introduced the first item on the Agenda, a proposed Fee Schedule Amendment. Eric Bradford gave introduction, an explanation on the need to update the fees and the research that went into the process of coming up with the new fees. A brief discussion was held on conditioned vs non-conditioned. Mike Stubblefield requested that it be stated every re-inspection fee would be additional. Some discussion was held on the Growth Plan. Joey Johnson made a motion to adopt the propose Fee Schedule with a correction to the "Reinspection fee" line, Luke McCurry seconded the motion, all aye.

Jeremy Price introduced Case No. 19-23; Rezoning; Applicant: Kasi Walls, Applicant for Daniel Barbeau, Property Owner. Location – 7th Civil District; Parcel 44.01, Franklin County, TN Property Map No. 15, located on Blue Creek Road and Highway 130. Jessica King read the Staff Report and any returned adjoining property owner notices. Price polled the board for any questions or comments. With no questions or comments from the Board, Price polled the audience. Angie Fuller, adjoining property owner, voiced her concerns including the gas lines, the wet lands, the cave, her cows and the traffic. Fuller additionally offered a petition she had collected signatures of property owners against the proposed rezoning. Tina Rose, adjoining property owner, also echoed the same concerns Ms. Fuller had. With no other questions or comments Price called for a motion. Helen Tinnerman made a motion to recommend for the Rezoning from A, Agricultural; R-2, General Residential and C, Commercial to R-1, Single Family Residential. Monica Baxter-Jeffers seconded the motion, all aye.

Jeremy Price introduced Case No. 20-23; Preliminary/Final Subdivision Plat Review, Second Minor Division in a Calendar Year; Applicant: Thomas Ore, Agent for

The Estate of James W. Magouirk, Property Owner. Location – 8th Civil District; Parcel 21.01, Franklin County, TN Property Map No. 12, located on Jess Duncan Lane. Eric Bradford read the Staff Report and any returned adjoining property owner notices. Price polled the board for any questions or comments. Some discussion was held on how the public is informed on upcoming actions. Price called for a motion. Monica Baxter-Jeffers made a motion to approve the Preliminary/Final Subdivision Plat for Magouirk/Jess Duncan Lane #3 based on the Staff Report and discussions, Luke McCurry seconded the motion, all aye.

Jessica King introduced the De-platting of Blue Bird Farms Subdivision. King gave a description of the history of the property and that the property owner, owning all but one lot of the platted subdivision, would like it de-platted to further divide it. Price called for a motion. Helen made a motion to de-plat Blue Bird Farms Subdivision, Greg Houston seconded the motion, all aye.

Eric Bradford discussed re-certification hours needed and offered that the training materials provided by the Planning and Zoning Department to the Board would satisfy the required four (4) hours of training needed for the calendar year.

There was no Old Business discussed.

The meeting adjourned at 7:05 PM.


MINUTES REVIEWED AND APPROVED
28 NOV 23 DATE

Respectfully submitted



Jeremy Price, Chairman

Greg Houston, Vice Chairman



Monica Baxter Jeffers, Secretary

Helen Tinnerman, Vice Secretary

Franklin County Planning & Zoning Department

Memo

November 29, 2023

To: Franklin County Board of Commissioners

From: Eric Bradford, Director/Building Commissioner

Re: Rezoning for Thomas Ore, Agent for Timmy Smith

THE FRANKLIN COUNTY REGIONAL PLANNING COMMISSION RECOMMENDS THE FOLLOWING ITEM FOR REZONING:

Rezoning from A, Agricultural to C-1, Commercial Restricted. 1st Civil District, Franklin County Property Map No. 86, Parcel 7.12. Location – Rowe Gap Road (TN State Highway 16). Size – approximately 1.83 +/- acres. Applicant – Thomas Ore, agent for Timmy Smith.

STAFF REPORT

Date: November 28, 2023
To: Franklin County Regional Planning Commission
From: Staff

General Information

Applicant: Thomas Ore.

Status of Applicant: Agent for Timmy Smith, Property Owner.

Requested Action: Rezoning a parcel from A, Agricultural to C-1, Commercial Restricted.

Purpose: To allow the establishment of a contractor's garage and business office and/or any other Use Permitted in a C-1, Commercial Restricted zoned district.

Existing Zoning: A, Agricultural.

Location: 1st Civil District; Parcel 7.12, Franklin County, TN Property Map No. 86, located on Rowe Gap Road (TN State Highway 16).

Size: 1.83+/- acres.

Existing Land Use: Open and agricultural.

Surrounding Land Use/ and Zoning:

North – Agricultural/A, Agricultural.

South – Communication Tower, Agricultural/A, Agricultural.

East – Agricultural/A, Agricultural.

West – Agricultural, Wooded/A, Agricultural.

Applicable Regulations: Franklin County Zoning Resolution - Article X, Section 3 (Page 80); Article VIII, Section 2 (Page 64).

Specific Information

Previous Action: The subject property was zoned A, Agricultural with the adoption of Zoning in 1974. A Minor Division of Property was approved on 12/28/2022 creating the subject parcel from parcel 7.12 a second Minor Division of Property was approved on 9/1/2023 adding an additional 1.24+/-acres to the now existing parcel.

Access: The subject property fronts Rowe Gap Road (Tn State Highway 16) for approximately 193'. Rowe Gap Road (Tn State Highway 16) is a State Highway with a hundred (100) ROW and an asphalt surface.

Utilities: A six (6) inch water line runs along the west side of Rowe Gap Road (Tn State Highway) according to Tim Solomon with Winchester Utility Systems. Potable water is provided by Winchester Utility Systems. Power is available to the site and is provided by the Duck River Electric Membership Corporation. Sanitary waste disposal is assumed to be by septic system.

Fire Protection: Fire protection service is provided by the Winchester Fire Department. There is a fire hydrant located five hundred fifty five (555') feet to the south of the subject property.

Other Public Services: Police protection is provided by the Franklin County Sheriff's Department.

Drainage/Flood: Drainage is generalized to the southwest. There does appear to be a low-lying/ponding area just west of the parcel, according to the USGS Quad Map. The site is not in an identified FEMA flood hazard area per Map No. 47051C-0142E.

Site Characteristics: The property is characterized as an open, fairly level lot.

Area Characteristics: The immediate and general areas are characterized by agricultural and scattered residential activities along the roadways with agricultural activities beyond.

Planning Jurisdiction: The site is located in the Franklin County Regional Planning Commission's jurisdiction.

Analysis

Staff recommends approval of the requested rezoning of the subject parcel from A, Agricultural to C-1, Commercial Restricted.

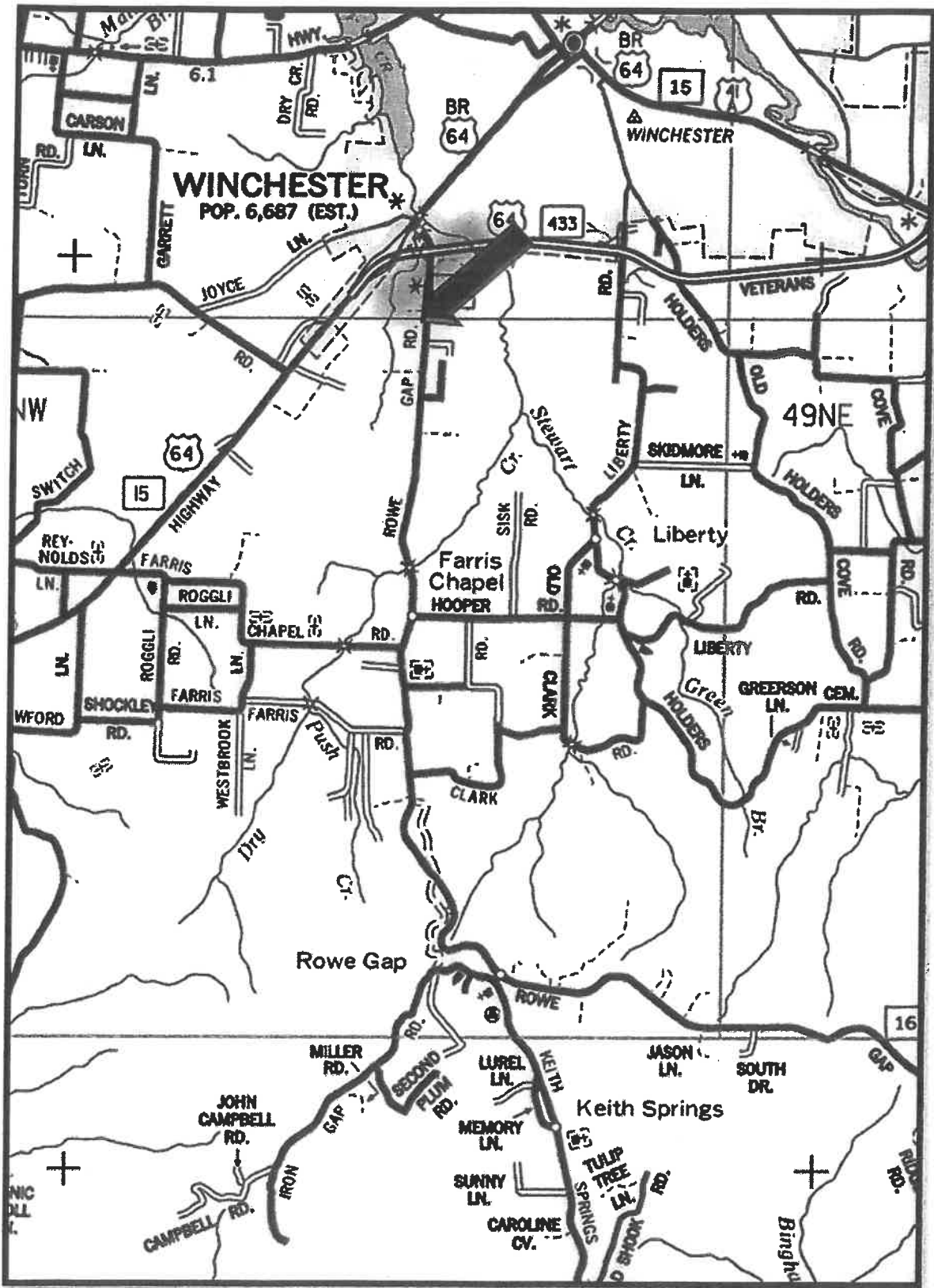
1. The proposal is generally in compliance with the intent of the C, Commercial Restricted zoning district provisions of the Franklin County Zoning Resolution.
2. There is C-1, Commercial Restricted zoned property approximately 3,048' to the south of the subject parcel.

Attachments

- (a) General Location Map.
- (b) GIS View.

EB/JK

General Area Map – Ore for Smith #21-23
Planning Commission 11-28-23
Map 86 Parcel 7.12



GIS View - Ore for Smith #21-23
Planning Commission
Map 86 Parcel 7.12

0 30 60 120 180 240 Feet



Franklin County, TN
Planning and Zoning Dept.
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Map Prepared by Jessica King

The Franklin County Regional Planning Commission – November 28, 2023.

The Franklin County Regional Planning Commission met in a regular session on November 28, 2023 in the Franklin County Courthouse. The meeting started at 6:00PM with a quorum present.

The members present were Vice Chairman Greg Houston, Secretary Monica Baxter-Jeffers, Joseph Johnson, Luke McCurry and Kevin Pickett. Also present was Director/Building Commissioner Eric Bradford and Planning Assistant Jessica King. A Visitors' List is attached.

In Chairman Jeremy Price's absence Vice-Chairman Greg Houston chaired the meeting. Houston introduced himself and gave a brief explanation of the meeting procedures and all the information that is considered when cases come before the Board.

The minutes for the October 30th, 2023 meeting were approved as written by Greg Houston.

Greg Houston introduced Case No. 21-23; Rezoning; Applicant: Thomas Ore, agent for Timmy Smith, owner. Location – 1st Civil District; Parcel 7.12; Franklin County, TN Property Map No. 86, located on Rowe Gap Road (TN State Highway 16). Jessica King read the Staff Report, there were no returned adjoining property owner notices. Houston polled the board members for questions or comments. There were no questions or comments from the board. Houston asked if the audience had any questions or comments. With no members of the audience having questions or comments, Houston called for a motion. Kevin Pickett made a motion to recommend for the Rezoning from A, Agricultural to C-1, Commercial Limited based upon the Staff Report and discussions. Luke McCurry seconded the motion. All aye.

Greg Houston presented the second item on the agenda, the proposed meeting dates for the 2024 calendar year. Luke McCurry made a motion to adopt the proposed 2023 meeting dates. Monica Baxter-Jeffers seconded the motion. All aye

Greg Houston presented the third item on the agenda, election of officers and opened the floor to nominations for Chairman. Greg Houston made a motion for Jeremy Price to continue as Chairman, Monica Baxter-Jeffers seconded the motion, All aye. Kevin Pickett nominated Greg Houston as Vice Chairman, Luke McCurry seconded the motion. All aye. Greg Houston nominated Monica Baxter-Jeffers as Secretary, Pickett seconded the motion. All aye. Pickett nominated Helen Tinnerman as Vice-Secretary Baxter-Jeffers seconded the motion. All aye.

No Old Business was discussed.

The meeting adjourned at 6:13 PM by Chairman Greg Houston.

MINUTES REVIEWED AND APPROVED

DATE

Respectfully submitted,

Jeremy Price, Chairman
Greg Houston, Vice-Chairman

Monica Baxter Jeffers, Secretary
Helen Tinnerman, Vice Secretary