

HABERSHAM COUNTY BOARD OF COMMISSIONERS MEETING
6:00 P.M., MONDAY, FEBRUARY 16, 2026
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN ST, CLARKESVILLE, GA 30523

The Habersham County Board of Commissioners held a regularly scheduled meeting on Monday, February 16, 2026 at 6:00 p.m. in the Jury Assembly Room of the Habersham County Courthouse located at 295 Llewellyn St., Clarkesville, GA 30523.

Present was Chairman Bruce Harkness, Vice Chairman Dustin Mealor, Commissioner Ty Akins, Commissioner Kelly Woodall, County Manager Tim Sims, County Attorney Angela Davis, County Clerk Brandalin Carnes, staff, members of the media, and members of the public.

Chairman Harkness called the meeting to order at 6:02 p.m.

Commissioner Woodall led the Invocation.

Commissioner Mealor led the Pledge of Allegiance.

ADOPTION OF AGENDA

Motion by Commissioner Woodall, seconded by Commissioner Akins, and voted unanimously (4-0) to adopt the agenda as presented.

PRESENTATIONS/ANNOUNCEMENTS:

a. Citizen Recognition: Abby Jackson

Chairman Harkness recognized Ms. Abby Sutton Jackson for her recent induction into the Habersham County Agriculture Hall of Fame at the annual Farm City Breakfast hosted by the Habersham County Farm Bureau. Chairman Harkness provided a detailed overview of Ms. Jackson's lifelong contributions to agriculture, conservation, entrepreneurship, and community service within Habersham County. He highlighted her upbringing in a farming family, her professional career, and her return to Habersham County where she and her husband established Blackhawk Fly Fishing on the Soque River. He noted the business' statewide and national recognitions, including the Georgia Rock Star Business Award and Best of Georgia honors. He further recognized her environmental stewardship efforts, including preservation of more than 2,400 hemlock trees along the Soque River, her Georgia Environmental Award recognition, and her commitment to growing and donating food to the Food Bank of Northeast Georgia. The Board congratulated Ms. Jackson and thanked her for her dedication to preserving and strengthening Habersham County's agricultural heritage.

b. Employee Spotlight: Andra Townsend (Sheriff's Office)

Sheriff Robin Krockum addressed the Commission to recognize Deputy Andra Townsend for her actions on January 11, 2026 during a domestic violence hostage situation near Baldwin. Sheriff Krockum explained that upon arrival, Deputy Townsend encountered a situation in which an armed individual was holding his spouse at gunpoint. Through calm and professional negotiation, Deputy Townsend was able to establish communication, de-escalate the situation, and secure the safe surrender of the individual without injury to the victim or officers. Sheriff Krockum emphasized the high-risk nature of domestic violence calls and commended Deputy Townsend's professionalism and composure under pressure. The Board expressed appreciation for her service and dedication to public safety.

c. Employee Spotlight: Josh Garrett (EMS/Fire Services)

Commissioner Akins recognized Mr. Josh Garrett for his actions during Winter Storm Fern on January 25, 2026. Mr. Garrett responded to a call involving an elderly resident dependent upon oxygen whose residence was inaccessible due to downed trees and power lines. After clearing debris with a chainsaw and determining that his vehicle could not proceed further, Mr. Garrett continued approximately one and one-half miles on foot through hazardous winter conditions carrying equipment, oxygen tanks, and a pulse oximeter to reach the resident. He evaluated her oxygen supply and assisted in arranging relocation to a location with power. The Board commended Mr. Garrett for his dedication and commitment to service during extreme weather conditions.

a. Winter Storm Fern and Winter Storm Gianna Response Recognitions

County Manager Tim Sims reported that Habersham County had received recognition from the Habersham County Rotary Club for the extraordinary efforts of county personnel during recent winter storm events. Mr. Sims recognized the EMS Department, Road Department, and Fleet Services for working extended hours over multiple consecutive days in freezing temperatures to clear roadways, respond to emergencies, and maintain equipment. Representatives of the departments were recognized and presented plaques in appreciation of their service.

PUBLIC COMMENTS:

a. Ms. Alice Venter addressed the Commission regarding the Cook annexation petition into the City of Baldwin. She expressed concerns related to infrastructure capacity and long-term fiscal impact, citing her familiarity with municipal operations. She encouraged the Commission to carefully consider the potential implications to Habersham County citizens.

b. Mr. David Stover addressed the Commission regarding school tax obligations and potential exemptions for senior citizens. County Manager Sims explained the school tax exemption process administered through the Tax Assessor's Office and advised Mr. Stover regarding income qualification requirements. Mr. Sims offered to meet personally to review his eligibility and provide assistance.

CONSENT AGENDA:

Motion by Commissioner Meador, seconded by Commissioner Woodall, and voted unanimously (4-0) to approve the consent agenda as presented:

- a. Consider/Approve Minutes of January 20, 2026 Board of Commissioners Meeting
- b. Consider/Approve Minutes of January 20, 2026 Board of Commissioners Executive Session
- c. Consider/Approve Contracted Instructor Agreement with Tonya Jones for Provision of One-on-One Adaptive Aquatic Classes and Group Water Aerobics Fitness & Strength Classes
- d. Consider/Approve Contract to Provide Building Inspection and Plan Review Services to the City of Demorest
- e. Consider/Approve Ratifying Memorandum of Agreement with PACGA for FY 2026 Victims Crime Act Grant Program Funding for the Mountain Judicial Circuits District Attorney's Office and Designation of Signing Authority

- f. Consider/Approve Resolution 2026-02-001 Providing for an Increase to the Salary Supplement for the Mountain Judicial Circuits Senior Staff Attorney and Associated Budget Adjustment
- g. Consider/Approve Creation of One (1) New Staff Attorney Position for the Mountain Judicial Circuit and Associated Budget Adjustment
- h. Consider/Approve GEMA Homeland Security Grant for K-9 and K-9 Vehicle Purchase for Sheriff's Office
- i. Consider/Approve Renewal of Governor's Office of Highway Safety HEAT Grant and Traffic Enforcement Network Grant for Sheriff's Office

APPOINTMENTS:

BOARD OF HEALTH

6-Year Term Ending 12/31/2028

At-Large Appointment (Vacancy due to resignation of Nora Almazan)

Motion by Commissioner Mealor, seconded by Commissioner Woodall, and voted unanimously (4-0) to appoint Stephanie Bennett to the Board of Health to fill the At-Large position.

OLD BUSINESS: None

NEW BUSINESS:

- a. Discussion of Limited Moratorium on Acceptance of Applications for Preliminary Plat Approval for Residential Developments of Five Lots or More and Rezoning to the Residential Single Family (LI-R), Residential Multi Family (MI-R), and Planned Development (PD) Land Use Districts and Possible Extension of Same

County Attorney Angela Davis addressed the Commission regarding the previously adopted limited moratorium on acceptance of applications for preliminary plat approval for residential developments of five (5) lots or more and rezoning to the Residential Single Family (LI-R), Residential Multi Family (MI-R), and Planned Development (PD) land use districts.

Ms. Davis explained that the moratorium was originally enacted to allow time for completion and consideration of the County's Unified Development Code revisions. While substantial progress has been made, staff determined that additional time was necessary prior to final adoption and implementation. She advised that the extension before the Board would continue the moratorium through March 17, 2026, allowing sufficient time to advertise and conduct a public hearing at the next meeting if further extension is deemed necessary.

She clarified that the moratorium remains limited in scope, does not apply to smaller subdivisions of fewer than five lots, does not apply to other zoning classifications, and does not impact applications already approved or currently under review.

Motion by Commissioner Akins, seconded by Commissioner Mealor, and voted unanimously (4-0) to approve Resolution 2026-02-002 extending the limited moratorium on the acceptance of applications for preliminary plat approval for residential developments of five lots or more and rezoning to the Residential Single Family (LI-R), Residential Multi Family (MI-R), and Planned Development (PD) Land Use Districts through March 17, 2026.

Chairman Harkness commented that the action reflects the Board's responsibility to manage growth responsibly and preserve the character and infrastructure integrity of Habersham County.

- b. Discussion Regarding Annexation Petition Filed by Cook Construction and Real Estate for Annexation of 88.44 Acres (Parcel 048 022, Parcel 050 047B, Parcel 048 023, Parcel 048 023A, Parcel 048 024) into the City of Baldwin

Planning Director Mike Beecham addressed the Commission regarding a proposed annexation petition submitted by Cook Construction and Real Estate for approximately 88.44 acres located near the intersection of Duncan Bridge Road and Highway 365, identified as Parcel 048 022, Parcel 050 047B, Parcel 048 023, Parcel 048 023A, and Parcel 048 024, into the City of Baldwin. Mr. Beecham explained that the County had received formal notice of the proposed annexation by certified mail on January 20, 2026. He clarified for the public and the Commission that under Georgia law, the County does not possess authority to simply approve or deny a municipal annexation request. Instead, the County may either object or not object, and any objection must be based upon statutory criteria, specifically whether the annexation and related zoning or land use change would create a material increase in burden upon the County.

Mr. Beecham explained that staff reviewed the proposal in light of the current County land use classification and the zoning category proposed by the City of Baldwin. He stated that the current County designation for the property is Low Intensity, while the City of Baldwin is proposing Highway Business zoning. He advised that this represents a substantial change in the intensity and character of development that could occur on the property. Mr. Beecham explained that under the County's current Low Intensity designation, the property would generally be limited to lower-scale uses such as small offices, barber or beauty shops, and similar low-impact commercial or office activities. By contrast, the proposed Highway Business zoning would allow a much more intensive range of commercial development, including higher-traffic retail, drive-in and drive-through restaurants, banks, grocery stores, and other uses typically associated with heavy commercial corridors.

Mr. Beecham informed the Commission that in evaluating whether the proposed annexation would materially increase the burden on the County, staff considered transportation impacts, accident history, and effects on county service delivery. Based upon the conceptual information available, local engineer Jason Smith assisted in reviewing trip generation estimates using the Institute of Transportation Engineers standards. Mr. Beecham reported that the projected shopping center development reflected in the concept plan would generate approximately 24,000 vehicle trips per day. He noted that this estimate is based only on a portion of the total acreage proposed for annexation and does not even account for potential activity on the remaining property. For context, he stated that the current traffic count on Highway 365 just north of the property is approximately 28,000 vehicles per day, meaning the proposed development could create an extremely significant increase in traffic volume in the area.

Mr. Beecham further explained that although not all of the generated traffic would travel in a single direction, a substantial portion would be expected to impact Duncan Bridge Road and other county-maintained roads. He stated that increased traffic on those roads would naturally result in greater wear on county infrastructure and would also increase the demand for county emergency services. He pointed out that the intersection of Duncan Bridge Road and Highway 365 already experiences a high number of accidents, with approximately 200 accidents having occurred there in the last year. He also referenced additional accident activity further north at Level Grove Road and Duncan

Bridge Road, where approximately 41 accidents were reported in the last year. Based on those existing conditions, Mr. Beecham stated that staff believes increased commercial intensity and traffic volume at this location would materially increase the burden on county roads and county emergency responders, particularly since Habersham County provides countywide ambulance service and would be the first responder for many incidents in the area.

Commissioner Woodall thanked Mr. Beecham and staff for their work in reviewing the annexation petition and compiling the analysis.

County Attorney Angela Davis then addressed the Commission regarding the legal procedure available to the County. She explained that if the Commission wished to object, the appropriate action would be adoption of the resolution prepared for consideration at the meeting. She stated that the resolution tracks the annexation statute and sets forth the legal basis for objection under the statutory criteria. If adopted, the resolution would authorize the County Attorney to file a formal objection with the Georgia Department of Community Affairs and to continue working with staff to prepare a detailed objection letter documenting the burdens expected to result from the proposed annexation and rezoning. Ms. Davis explained that the County's submission deadline for the objection falls in the first week of March, so timely action by the Board was necessary in order to preserve the County's rights under the statute.

Ms. Davis also advised the Commission that an additional procedural issue had arisen regarding whether the annexation process had been properly commenced by the City. She explained that in addition to notice being provided to the County, notice is also required to be provided to the Board of Education within the statutory timeframe. She stated that the County had requested confirmation from the City Attorney's Office on multiple occasions as to whether such notice had been properly and timely given, but no answer had yet been received. She further advised that even though a defect in the notice process could potentially result in the Department of Community Affairs determining that the annexation proceeding was not properly commenced, the County nevertheless needed to proceed with its objection within the statutory deadline so as not to risk waiving its position. She explained that if the annexation was found to have been properly commenced, the County's objection would trigger an arbitration process through the state, during which the County, the City, and the developer would each have the opportunity to present their positions before a panel. Ms. Davis emphasized that although the County cannot simply stop the annexation outright, the objection process is the strongest legal mechanism available to the County to protect its interests and present evidence regarding increased burden.

Motion by Commissioner Woodall, seconded by Commissioner Meador, to adopt the resolution objecting to the annexation application pursuant to O.C.G.A. § 36-36-113 and authorizing the County Attorney to provide timely notice of objection to the City of Baldwin and the Georgia Department of Community Affairs and to continue working with County staff to fully document the burden resulting from the proposal in the formal objection letter. Motion carries unanimously (4-0).

- c. Consider/Approve Resolution 2026-02-003 Calling for Special Election for District 3 County Commissioner Unexpired Term (Term Ending December 31, 2026)

County Clerk Brandalin Carnes addressed the Commission regarding Resolution 2026-02-003, which calls for a special election to fill the unexpired District 3 County Commissioner term ending December 31, 2026. Ms. Carnes explained that the need for the special election arose due to the resignation of Commissioner Jimmy

Tench, and that under the Habersham County Charter, the vacancy must be filled through a special election for the remainder of the unexpired term.

Ms. Carnes informed the Commission that this special election can be conducted in conjunction with the May 19, 2026 General Primary Election and therefore would not require additional election costs beyond those already associated with that election cycle. She explained that individuals interested in seeking the District 3 seat would need to coordinate with the Elections and Registration Office regarding qualifying requirements. She further clarified that any candidate wishing to run for both the unexpired term and the next full term may do so, but must complete separate qualifying paperwork and pay separate qualifying fees for each race because they are legally distinct offices appearing on the same election date.

Ms. Carnes stated that because the unexpired term ends on December 31, 2026, the ballot will include both the race to fill the remainder of the current term and the race for the next regular term beginning January 1, 2027. She explained that while this may appear unusual to the public, it is the procedure required under the County Charter and election law. She encouraged any interested persons to contact Laurel Ellison in the Elections and Registration Office for qualifying details and deadlines.

Chairman Harkness expanded on Ms. Carnes' explanation for the benefit of those in attendance, noting that the election situation is somewhat unique because a candidate may choose to qualify only for the remainder of the current term, only for the upcoming full term, or for both if they wish to serve continuously. He stated that the County is required to follow the process set forth in local law and wanted the public to understand why the same seat would appear in two separate races.

Motion by Commissioner Meador, seconded by Commissioner Woodall, to approve Resolution 2026-02-003 calling for a special election to fill the District 3 Commissioner unexpired term through December 31, 2026. Motion carries unanimously (4-0).

ADDITIONAL COMMENTS

County Manager Tim Sims reminded those in attendance about the upcoming "Meet Your Government" forum, which is scheduled to be held on February 26 from 10:00 a.m. to 1:00 p.m. at the Habersham County Aquatic Center. Mr. Sims explained that the event will provide citizens with an opportunity to learn more about the services provided by various county departments. He stated that several departments will have informational displays and staff present to answer questions and interact with citizens regarding county operations. Mr. Sims noted that the County's theme for the year is "You're the Reason," emphasizing that the purpose of the event is to highlight the services provided to citizens and to increase engagement between county government and the community.

Mr. Sims also reminded the public that the County's budget hearings are scheduled to take place March 10 through March 12. He explained that these hearings allow department heads to present their operational needs and funding requests to the Board of Commissioners as part of the annual budget development process. Mr. Sims encouraged members of the public who are interested in learning more about county operations or the budget process to attend these meetings.

Chairman Harkness also informed those present that the Commission would be holding a County retreat at Piedmont University on the following Tuesday from 9:00 a.m. until approximately 4:00 p.m. He stated that the retreat would be open to the public and encouraged anyone interested in observing the Commission's discussions regarding county planning and priorities to attend.

Commissioner Woodall thanked those in attendance for their participation in the meeting and expressed appreciation for citizens who advocate for their communities and for the future of Habersham County. He stated that serving on the Board of Commissioners is a significant responsibility that requires careful

consideration, research, and discussion. Commissioner Woodall emphasized that the Commission strives to make decisions that represent the best interests of the County and its citizens.

Commissioner Akins stated that he had no additional comments.

Vice Chairman Mealor stated that he had no additional comments.

Chairman Harkness thanked those in attendance for coming to the meeting and expressed appreciation for the strong public turnout. He also welcomed members of the local media in attendance and acknowledged local reporters present at the meeting. Chairman Harkness encouraged citizens who wish to speak at future meetings to contact the County Clerk in advance to be placed on the agenda for public comment or to sign up prior to the meeting if they wish to address the Commission.

EXECUTIVE SESSION: Litigation, pursuant to O.C.G.A §50-14-2; Personnel, pursuant to O.C.G.A § 50-14-3(b)(2);

Motion by Commissioner Mealor, seconded by Commissioner Akins, and voted unanimously (4-0) to go into executive session for the purpose of discussing Litigation, pursuant to O.C.G.A §50-14-2; and Personnel, pursuant to O.C.G.A § 50-14-3(b)(2).

ROLL CALL VOTE:

Commissioner Woodall- aye
Commissioner Harkness- aye
Commissioner Akins- aye
Commissioner Mealor- aye

Motion carries to enter executive session at 6:50 p.m.

Motion by Commissioner Mealor, seconded by Commissioner Woodall, and voted unanimously (4-0) to leave executive session at 7:18 p.m.

County Attorney Angela Davis attested that the matters discussed in executive session were those allow under state law as exceptions to the open meetings act and authorizing the Chairman to sign an affidavit attesting to this.

Motion by Commissioner Akins, seconded by Commissioner Mealor, and voted unanimously (4-0) to authorize the Chairman to sign the executive session affidavit.

ADJOURN

Motion by Commissioner Akins, seconded by Commissioner Mealor, and voted unanimously (4-0) to adjourn the meeting at 7:19 p.m.

Respectfully Submitted,
By: Bruce Harkness
Bruce Harkness, Commission Chairman
Attest: Brandalin D. Carnes
Brandalin Carnes, County Clerk

