

HABERSHAM COUNTY BOARD OF COMMISSIONERS MEETING
6:00 P.M., MONDAY, JUNE 16, 2025
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, June 16, 2025 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 Jimmy Tench, Vice Chairman Bruce Harkness, Commissioner Dustin Mealor, Commissioner Ty Akins, Commissioner Kelly Woodall, County Manager Tim Sims, County Attorney Donnie Hunt, County Clerk Brandalin Carnes, staff, members of the media and the public.

Commissioner Tench called the meeting to order at 6:03 p.m.

Commissioner Harkness lead the Invocation.

Commissioner Mealor lead the Pledge of Allegiance.

ADOPTION OF AGENDA

Motion by Commissioner Akins, seconded by Commissioner Harkness, and voted unanimously (5-0) to adopt the agenda as presented.

PRESENTATIONS/ANNOUNCEMENTS:

- a. Special Recognition: Lynn Smith, E911/EMA Director
- b. Special Recognition: Donnie Hunt, County Attorney
- c. Monday, June 23, 2025 at 6:00 p.m.: The proposed Fiscal Year 2026 Budget will be presented and a public hearing will be held during a special called meeting of the Habersham County Board of Commissioners located in the Jury Assembly Room of the Habersham County Courthouse
- d. Monday, June 30, 2025 at 6:00 p.m.: A Special Called Meeting of the Habersham County Board of Commission will be held for the purpose of presenting the proposed Fiscal Year 2026 Budget at a second public hearing with adoption of the budget to follow the public hearing. The meeting will be held in the Jury Assembly Room of the Habersham County Courthouse.

PUBLIC HEARINGS:

- a. Conditional Use Application CU-25-02: Applicants David & Leah MacNellis Seeking Conditional Use of Property Located at 3001 Pea Ridge Road (2.0 Acre Parcel 026 101A, 17.42 Acre Parcel 014 002, and 3.0 Acre Parcel 014 002D) in the LI, Low Intensity District for the Purpose of an Event Center.

Planning Director Mike Beecham addressed the Commission. Applicants David MacNellis and Leah MacNellis are seeking a conditional use for an event center to be located at 3001 Pea Ridge Rd on map parcel 026 101A (2.0 acres), parcel 014 002 (17.42 acres) and 014 002D (3.0 acres) in the LI, Low Intensity District. There is a 100 year old school house located at this property that they wish to restore, however to fund this project they would need to be able to use the school house as an event center once it is restored. This event center would be rented out for various functions such as weddings, anniversary celebrations, birthday parties, etc. Should the conditional use be approved, they plan to add a parking area in front of the school house,

ADA compliant bathrooms, a kitchen for meal prep and catering, new siding, roof, and interior walls/ceiling. They want to keep the existing buildings footprint and feel that the school house can safely hold 150 people which is within the allowable occupant load according to the building codes. The applicant would like for the individuals who rent the facility to have the ability to serve alcohol. This would require the individuals renting the site to acquire an alcohol special event license if they choose to do so. The Planning Commission had a number of questions regarding the use of music and the applicant stated that they intend for events at the center to end by 10 p.m. The applicants live behind the schoolhouse and feel that they would be able to regulate the noise levels. There were several individuals who showed up to the Planning Commission meeting in favor of the application, though no one chose to speak. There were no individuals that spoke against the application. The Planning Commission is recommending approval with the condition that the event center must close at 10:00 p.m. Commissioner Harkness inquired as to how many of the people who showed up to the Planning Commission meeting lived adjacent to the property in question? Mr. Beecham stated that there were a couple of them who lived nearby, and that the residents most adjacent to the schoolhouse are relatives of the applicants. Commissioner Woodall asked how granting this conditional use would align with the future development codes that are being drafted? Mr. Beecham informed him that he feels that there is a need for event centers such as this in Habersham County, and that it is not realistic that they would be able to zone a district devoted to this purpose. He feels that it is important to keep decisions on situations like this one in the hands of the elected officials. Commissioner Harkness asked if the Planning Commission's vote to recommend approval with conditions was unanimous? Mr. Beecham informed him that it was a unanimous recommendation. Commissioner Woodall stated that he was excited to see a historic building being preserved rather than lost to the deterioration of time, to which Mr. Beecham agreed. Commissioner Harkness stated he felt that the proposed use would be a good fit for the area.

County Attorney Donnie Hunt provided an opportunity for the applicants for conditional use application CU-25-02 to address the Commission. The applicants did not wish to speak unless the Commissioners had any further questions that they could address.

County Attorney Hunt provided an opportunity for those present who were in favor of conditional use application CU-25-02 to address the Commission. There were none present who wished to do so.

County Attorney Hunt provided an opportunity for those present who were in opposition of conditional use application CU-25-02 to address the Commission. There were none present who wished to do so.

Motion by Commissioner Woodall, seconded by Commissioner Mealor, and voted unanimously (5-0) to approve conditional use application CU-25-02 with the conditions set forth by the Planning Commission.

- b. Map Amendment Application Z-25-03: Applicant Judy Haney Seeking Map Amendment to Rezone 1.0 Acres (Parcel 040 078G) Located at 1650 Fred Pitts Road from AG, Agricultural District to LI, Light Intensity District.

Planning Director Mike Beecham addressed the Commission. Applicant Judy Haney is seeking a map amendment to rezone 1.0 acres of her 10.0 acre property (Parcel 040 078G) located at 1650 Fred Pitts Rd from AG, agricultural district to LI, light intensity district for the purpose of allowing one of her children to build a future single-family home. Properties zoned as agricultural require a minimum lot size of three acres, however she is only wanting to separate out 1 acre to her child a home. The surrounding area is largely comprised of single-family homes, agricultural and undeveloped properties. The Planning Commission did not have any concerns about the map amendment itself for the intended purpose, however they did express concerns regarding the few other commercial uses that are allowed in an LI District. They do not wish to inadvertently allow small commercial uses on the property. There were none others present at the Planning Commission meeting who wished to speak either in favor or in opposition to map amendment Z-25-03. The Planning Commission is recommending approval with the condition of restricting the use of the property to

the residential uses allowed in the LI District as listed in the Comprehensive Land Development Ordinance (CLDO).

County Attorney Donnie Hunt provided an opportunity for the applicants for map amendment Z-25-03 to address the Commission. Applicant Judy Haney addressed the Commission. She informed them that the reason she is making this request is that she is trying to help her daughter, who is the single mother of three children, with securing a home. Her daughter would be unable to take care of more than one acre of land. Commissioner Harkness inquired as to whether Ms. Haney intends to gift the parcel to her daughter? Ms. Haney informed him that she is unsure at this time if she would gift the 1-acre property to her daughter, as her daughter may have difficulty with securing the financing needed to build a house or purchase a double wide trailer. Ms. Haney stated she may have to leave the 1-acre parcel in her name to finance the house herself and then just allow her daughter to live there.

County Attorney Hunt provided an opportunity for those present who were in favor of map amendment Z-25-03 to address the Commission. There were none present who wished to do so.

County Attorney Hunt provided an opportunity for those present who were in opposition of map amendment Z-25-03 to address the Commission. There were none present who wished to do so.

Motion by Commissioner Mealor, seconded by Commissioner Akins, and voted unanimously (5-0) to approve with the conditions set forth by the planning Commission.

PUBLIC COMMENTS:

There were none present who signed up to speak either prior to or at the meeting.

CONSENT AGENDA:

Motion by Commissioner Mealor, seconded by Commissioner Woodall, and voted unanimously (5-0) to approve the consent agenda as presented.

- a. Consider/Approve Minutes of April 21, 2025 Executive Session
- b. Consider/Approve Minutes of May 19, 2025 Work Session
- c. Consider/Approve Minutes of May 19, 2025 Regular Meeting
- d. Consider/Approve Resolution #2025-06-001 Establishing the Safety Coordinator/Risk Manager Position for Habersham County for Purpose of ACCG Safety Grant and ACCG Safety Discount
- e. Consider/Approve Addendum #2 to Fiscal Year 2025 Contract with Legacy Link for Senior Center's Nutritional Services & Transportation
- f. Consider/Approve GEMA HS Vulnerable Population Evacuation and Transportation Contract
- g. Consider/Approve Lease Agreement with Greg Wyatt for Hangar B-3 at Habersham County Airport
- h. Consider/Approve Clerical Revisions to Ground Lease Agreements for 60' x 60' Box Hangars at Habersham County Airport
- i. Consider/Approve Ratifying the Purchase of Jet Vac for Public Works

- j. Consider/Approve Purchase of One (1) 2025 Chevrolet Silverado 1500 4WD Crew Cab Truck and Two (2) 2024 Chevrolet Silverado 2500HD 4WD Crew Cab Trucks for Public Works
- k. Consider/Approve Employment Agreement with Tim Sims for County Manager Position
- l. Consider/Approve Settlement Agreement between Habersham County and TMHD Enterprises, LLC d/b/a HD Construction for the Amount of \$125,000.00.
- m. Consider/Approve Using Previous Years Millage Rate as Estimated Rollback Rate for Tax Assessment Notices in Compliance with HB 581
- n. Consider/Approve Contract with GEPD for FY 23 319(h) Funding for Soque River Watershed Protection Plan Data and Assessment Update and Roadmap Re-Write
- o. Consider/Approve Resolution #2025-06-002 Naming the Honorable George Christian, District Attorney for the Mountain Judicial Circuit, for the Purposes of Contracting with the State of Georgia Prosecuting Attorneys Council for the Transfer of Funds for State Paid County Reimbursed Employees and Authorizing Him to Sign Necessary Related Documents

REPORTS:

- a. County Manager's Report: Tim Sims, Interim County Manager
- b. Departmental Report: Mike Beecham, Planning Director

APPOINTMENTS:

Joint Development Authority *4-Year Term Expiring 6/30/2029*

- 1. Ty Akins (Term Expires 6/30/2025): At-Large Appointment

Commissioner Akins informed the rest of the Commission that neither he nor Mr. Beecham are seeking reappointment, as they would like to give new individuals an opportunity to serve. He would like to table both appointments to allow time for the Development Authority to be contacted to suggest individuals they feel would be a good fit for these appointments.

Motion by Commissioner Akins, seconded by Commissioner Harkness, and voted unanimously to table this appointment until the July 21, 2025 Board of Commissioners meeting.

- 2. Mike Beecham (Term Expires 6/30/2025): At-Large Appointment

Motion by Commissioner Woodall, seconded by Commissioner Harknes, and voted unanimously to table this appointment until the July 21, 2025 Board of Commissioners meeting.

Department of Family and Children's Services *5-Year Term Expiring 6/30/2010*

- 1. Fran Chastain (Term Expires 6/30/2025): Commissioner Harkness' Appointment

Motion by Commissioner Harkness, seconded by Commissioner Akins, and voted unanimously (5-0) to appoint Tim Jarrells to the Department of Family and Children's Services Board for a 5-year term expiring June 30, 2010.

Hospital Authority

3-Year Term Expiring 6/30/2028

1. Dr. Josh Garrett (Term Expires 6/30/2025): Commissioner Tench's Appointment

Motion by Commissioner Tench, seconded by Commissioner Harkness, and voted unanimously (5-0) to table this appointment until the July 21, 2025 Board of Commissioners meeting.

2. Dolly Ritchie (Term Expires 6/30/2025): Commissioner Harkness' Appointment

Motion by Commissioner Harkness, seconded by Commissioner Akins, and voted unanimously (5-0) to nominate the following slate for consideration by the Hospital Authority for a final decision on appointment:

Marty Meighan
Dolly Ritchie
Tim Jarrell

Library Board

3-Year Term Expiring 6/30/2028

1. Gisela McGugan (Term Expires 6/30/2025): At-Large Appointment

No applicants at this time for the Library Board.

Motion by Commissioner Akins, seconded by Commissioner Harkness and voted unanimously (5-0) to table.

Georgia Mountains Regional Commission

1-Year Term Expiring 6/30/2026

1. Ken Schubring (Term Expires 6/30/2025): At-Large Appointment

Motion by Commissioner Akins, seconded by Commissioner Meador and voted unanimously (5-0) to table this appointment until the July 21, 2025 Board of Commissioners meeting.

Recreation Advisory Board

(Habersham County School System Representative)

Term Expires 12/31/25

1. Matt Shirley (Resignation)- At-Large Appointment

Motion by Commissioner Woodall, seconded by Commissioner Meador and voted unanimously (5-0) to appoint Jonathan Long to the Recreation Advisory Board as the Habersham County School System Representative.

OLD BUSINESS: None

NEW BUSINESS:

a. Consider/Approve Updates to Habersham County Fleet Policy

Financial Administrator Kiani Holden addressed the Commission. She informed them that the current fleet policy for the County has not been updated since 2013. While she doesn't feel that it was necessarily a bad policy, it needed to be updated to reflect operational and organizational position changes. Staff had performed a full evaluation of the current take-home vehicle assignments and feel that this policy will optimize the use of take-home vehicles based on operational needs, allow for enhanced oversight and reporting, and make sure that the condition of the fleet is well maintained. The lifecycle of the current fleet was factored into this policy as well. If the approved, staff is recommending that the updated policy take effect as of July 1st to allow the individual Departments time to prepare their staff for any changes that may occur. Commissioner Woodall inquired as to how many county vehicles would be taken off the road as the result of this policy? Ms. Holden informed him that they had somewhere around 30 take-home vehicles overall for the County, and that their recommendations would lower this down to somewhere between 15 to 20. Commissioner Woodall asked if there was a lot of redundancy with the take-home vehicles? Ms. Holden informed him that they are recommending a vehicle rotation that involves the take home vehicles only being assigned to an individual while they are on call if possible. Commissioner Woodall asked if the take-home vehicles would be considered a taxable benefit? Ms. Holden informed him that this is supposed to be a taxable benefit and that they would start enacting this as of July 1st. Commissioner Harkness asked who would be over the decisions regarding who is assigned take-home vehicles? Ms. Holden stated that this would be the decision of the County Manager or his designee.

Motion by Commissioner Woodall, seconded by Commissioner Harkness, and voted unanimously (5-0) to approve adoption of the fleet policy updates effective July 1, 2025.

b. Consider/Approve IGA between Habersham County, Rabun County, Stephens County and Banks County for Mountain Judicial Circuit Billing

Financial Administrator Kiani Holden addressed the Commission. She reminded them that Habersham County is the Administrative County for the Mountain Judicial Circuit, which means that Habersham County is responsible for processing payments for all circuit related expenses and billing those expenses back out to Stephens, Rabun and Banks County based on the Intergovernmental Agreement (IGA). Currently, the IGA uses population figures as the method of sharing costs incurred for circuit wide expenses. These population figures are updated every 5 years based on census numbers; however they plan to have meetings with the other Counties in the circuit each budget cycle to make them aware of requested changes in expenses for the upcoming fiscal year. Commissioner Harkness inquired as to whether the distribution of these expenses is done by population in other circuits? County Manager Sims informed him that the calculations are either done by caseload or by census, however they have run the numbers and using the census method is more advantageous. He informed them that in the past, the expenses for the circuit were covered by a patchwork of agreements, however this IGA simplifies things by lumping the expenses together and then billing out to each county based on the percentages in the IGA.

Motion by Commissioner Meador, seconded by Commissioner Akins and voted unanimously (5-0) to approve the Intergovernmental Agreement (IGA) between Habersham County and the other counties in the Mountain Judicial Circuit (Stephens County, Rabun County, and Banks County) for the FY 2026 budget year.

c. Consider/Approve Renewal of Property & Liability Insurance Renewal for FY 2026 with ACCG

Human Resources Director Ann Cain addressed the Commission. Habersham County has carried its liability insurance with ACCG-IRMA for around 31 years, mostly due to the fact that they specialize in coverages

associated with all the areas of local government. Staff completed the annual renewal paperwork and have received the renewal quote. Staff felt that it would be beneficial to increase the deductible to \$10,000, as there were only two claims that occurred last year that fell between the range of the current \$5,000 and the proposed \$10,000 deductible. Increasing the deductible to \$10,000 would save the County \$41,7278 on the renewal. Additionally, she wanted to let the Commission know that staff continues to be diligent in completing all the requirements necessary to receive the 7% safety discount, which this year resulted in a savings of \$39,679.

Commissioner Harkness stated that there had been conversations about increasing the cyber security coverage to at least \$100,000, however he noticed it appears that the coverage has remained the same at \$25,000. Ms. Cain informed Commissioner Harkness that it was her understanding that IT Director Tracy Williamson had gone through the process of having this coverage increased. She asked County Clerk Brandalin Carnes if she had any additional information to share. Clerk Carnes informed them that Ms. Williamson had completed a questionnaire prior to the last renewal and that the County had been approved for increased coverage. She does not remember off the cuff what level of coverage Habersham County had been approved for. There was discussion and confusion among the Commission regarding the varying cyber security limits. Commissioner Harkness expressed concern over this coverage not being increased and asked if it was possible to go ahead and approve the renewal with the change to the deductible as requested, but have staff review the cyber security coverage to make sure that it had been increased to 10,000? The Commission agreed moving forward with this

Motion by Commissioner Akins, seconded by Commissioner Woodall, and voted unanimously (5-0) to approve the renewal of Habersham County's property, vehicle and liability coverage with ACCG-IRMA for FY 2026 with an increased deductible of \$10,000 with a directive to staff review the cyber security coverage to assess if an increase is needed.

ADDITIONAL COMMENTS

Commissioner Woodall thanked Mr. Sims, Ms. Holden and all of the staff who worked hard to take a long look at the budget needs and requests. There is a lot of work that goes into balancing the needs of the staff and Departments with the needs of the citizens while trying to keep the tax burden low. He feels that they overcame a lot of obstacles to present a very healthy and conservative budget.

Commissioner Harkness thanked staff for the work that they had done and wished County Manager Sims a Happy Birthday. He expressed his appreciation to Attorney Hunt for 13 years of extremely hard work, stating that essentially Mr. Hunt's firm has been on-call 24/7 for Habersham County and that it was a difficult job. He is a good man and he is proud to call him a friend.

Commissioner Akins thanked Mr. Hunt for advice and guidance, especially during the two years that he served as Chairman. He felt that Mr. Hunt was always very patient and kind and he learned a lot for him. He wishes him well and hopes that he enjoys his time with his family. He also expressed his appreciation for E911/EMA Director Lynn Smith, stating that it is apparent from the conferences that he has been to that she is very well known and respected through the state of Georgia.

Commissioner Meador echoed Commissioner Akins sentiments, stating that Lynn Smith was a huge asset to Habersham County. He expressed his appreciation for Attorney Hunt as well, stating that he has always stood ready to quickly answer any questions that he may have, no matter the level of complexity. Commissioner Meador went on to say that he has worked with other attorneys in local government and he is by far one of the best.

Commissioner Tench joked with Attorney Hunt would have to go work with Mr. Hunt's brother-in-law Milton now.

EXECUTIVE SESSION: Litigation, pursuant to O.C.G.A §50-14-2; Personnel, pursuant to O.C.G.A § 50-14-3(b)(2); and Property Disposal, pursuant to O.C.G.A. 50-14-3§ (b)(1)

Motion by Commissioner Mealor, seconded by Commissioner Woodall, to enter into executive session for the purpose of discussing Litigation, pursuant to O.C.G.A §50-14-2; Personnel, pursuant to O.C.G.A § 50-14-3(b)(2); and Property Disposal, pursuant to O.C.G.A. 50-14-3§ (b)(1).

ROLL CALL VOTE:

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

Motion carries unanimously (5-0) to enter executive session at 7:21 p.m.

Motion by Commissioner Harkness, seconded by Commissioner Akins, and voted unanimously (5-0) to leave executive session at 8:23 p.m.

County Attorney Donnie Hunt reported that all matters discussed in executive session were limited to those matters allowed by the laws of the State of Georgia and asked for a motion authorizing the Chairman to make such a representation under oath on the affidavit.

Motion by Commissioner Akins, seconded by Commissioner Harkness, and voted unanimously (5-0) to adopt the representation authorizing such an affidavit as per the Attorney's recommendations.

Motion by Commissioner Akins, seconded by Commissioner Woodall, to accept the proposal from Jarrard and Davis to provide legal services to Habersham County effective July 1st. Motion carries 4-1 with Commissioner Tench dissenting.

County Attorney Hunt informed that once County Manager Sims notifies Jarrard and Davis that they have been selected, he will reach out to start the transition process. He can still be available after July 1st to assist with anything that is needed to ensure this smooth transition. Mr. Hunt is currently assisting with getting some things together for the SPLOST VIII referendum, however he should have this finished up prior to Jarrard and Davis taking over.

ADJOURN

Motion by Commissioner Akins, seconded by Commissioner Harkness, and voted unanimously (5-0) to adjourn the work session at 8:24 p.m.

Respectfully Submitted,

By: _____
Jimmy Tench, Commission Chairman

Attest: _____
Brandalin Carnes, County Clerk

DRAFT