

HABERSHAM COUNTY BOARD OF COMMISSIONERS MEETING
6:00 P.M., MONDAY, JULY 21, 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, July 21, 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 Angela Davis, County Clerk Brandalin Carnes, staff, members of the media and the public.

Commissioner Tench called the meeting to order at 6:02 p.m.

Commissioner Mealor lead the Invocation.

Commissioner Woodall lead the Pledge of Allegiance.

ADOPTION OF AGENDA

Motion by Commissioner Akins, seconded by Commissioner Mealor, and voted unanimously (5-0) to adopt the agenda with the following changes:

1. Remove of consent agenda item “t. Consider/Approve Agreement for Provision of Clinical Experiences for Students of Piedmont University’s College of Nursing and Health Sciences with Habersham County Emergency Services” from the agenda.
2. Addition of executive session to the agenda after “Additional Comments” for purpose of discussing Litigation, pursuant to O.C.G.A §50-14-2.

PRESENTATIONS/ANNOUNCEMENTS:

- a. Employee Spotlight: Mari Silva, Planning & Development
- b. Proclamation Designating Habersham County as a Purple Heart County and Recognizing August 7th as Purple Heart Day in Habersham County

PUBLIC COMMENTS:

Mr. Seth Herrin addressed the Commission regarding a concern that he has with the City of Cornelia having annexed a property on Level Grove Rd that has since been zoned for a public use development that will consist of several apartments, town houses and retail spaces. This property is near Mr. Herrin’s home at 614 Jay Warren Rd, and he is concerned about the effects that the development of this property will have on the traffic on Level Grove Rd. He informed the Commission that he went to a City of Cornelia Commission meeting that occurred at the end of June in which this was approved, and the City Commission informed him that they had already contacted the County Commissioners about this and that the traffic on Level Grove Rd would be a County issue. He wanted to let the Commission know that they need go ahead and start making plans now, as he feels that the increased traffic is safety concern given the school buses that come down Level Grove Rd. Mr. Herrin stated that his biggest fear is for a wreck involving the school buses and the children. He suggested that the Commission needs to go ahead and start considering the possibility of a four-way stop light, a roundabout, or some other safety measures.

CONSENT AGENDA:

Motion by Commissioner Woodall, seconded by Commissioner Mealor and voted unanimously (5-0) to approve the consent agenda with the amendments requested during the adoption of the agenda.

- a. Consider/Approve Minutes of May 19, 2025 Executive Session
- b. Consider/Approve Minutes of June 16, 2025 Work Session
- c. Consider/Approve Minutes of June 16, 2025 Regular Meeting
- d. Consider/Approve Minutes of June 23, 2025 Special Called Meeting
- e. Consider/Approve Minutes of June 30, 2025 Special Called Meeting
- f. Consider/Approve Addendum #1 to the FY 2024 Contract with Legacy Link for the Funding of Nutritional, Wellness and Transportation Services for the Senior Center
- g. Consider/Approve Addendum #3 to the FY 2025 Contract with Legacy Link for Additional Funding for Nutritional Services for the Senior Center
- h. Consider/Approve FY 2026 DHS Coordinated Transportation Services Grant Agreement
- i. Consider/Approve Ratifying Acceptance of FY 2026 CJCC Council of Accountability Courts Judges State of Georgia Subgrant AW-ACFP-26-375-068
- j. Consider/Approve Ratifying Acceptance of FY 2026 CJCC Council of Accountability Courts Judges State of Georgia Subgrant AW-ACFP-26-395-093
- k. Consider/Approve Ratifying Acceptance of FY 2026 CJCC Council of Accountability Courts Judges State of Georgia Subgrant AW-ACFP-26-392-092
- l. Consider/Approve Award of RFP 2025-27 for Low Voltage Cabling and Access Control for New Animal Control Facility
- m. Consider/Approve Alcohol License for Adhya LLC (dba Speed Way) located at 4753 Hwy 115, Clarkesville for Malt Beverage and Wine Package Sales
- n. Consider/Approve Purchase of one (1) 2023 Ford F-150 for the Sheriff's Office
- o. Consider/Approve Award of Bid for Project LMIG 2025-25
- p. Consider/Approve 2026 LMIG Grant Application and Authorize Chairman to Sign Related Documents
- q. Consider/Approve Contracted Instructor Agreement with Amy Hood for Provision of Semi-Private and Group Swim Lessons for Parks and Recreation
- r. Consider/Approve Contracted Instructor Agreement with Eugenia Almand for Aikido Instruction for Parks and Recreation

- s. Consider/Approve Renewal of Facility Use Agreement with Piedmont University for Use of Lap Pool at Ruby C. Fulbright Aquatic Center for their Competitive Swim Team
- ~~t. Consider/Approve Agreement for Provision of Clinical Experiences for Students of Piedmont University's College of Nursing and Health Sciences with Habersham County Emergency Services~~
- u. Consider/Approve Resolution 2025-07-001 Raising the Annual Vital Records Income Retention Cap for the Honorable Pamela F. Wooley, Judge of the Probate Court for Habersham County
- v. Consider/Approve Resolution 2025-07-002 Appointing Jarrard and Davis, LLP as County Attorney
- w. Consider/Approve Authorizing Chairman to Sign Subdivision Participation Form and All Other Documents Necessary for Participation in the Sandoz Settlement as Part of the National Prescription Opioid Litigation

REPORTS:

- a. County Manager's Report: Tim Sims, County Manager

APPOINTMENTS:

Motion by Commissioner Akins, seconded by Commissioner Harkness, and voted unanimously (5-0) to table all of the following appointments listed on the agenda:

Joint Development Authority

4-Year Term Expiring 6/30/2029

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

Hospital Authority

3-Year Term Expiring 6/30/2028

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

Library Board

3-Year Term Expiring 6/30/2028

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

Georgia Mountains Regional Commission

1-Year Term Expiring 6/30/2026

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

OLD BUSINESS: None

NEW BUSINESS:

- a. Consider/Approve Request from Airport Commission to Extend the Term Length of the Ground Leases for the Construction of the New 60' x 60' Box Hangars at the Airport From a 20-Year Term to a 30-Year Term

Airport Commission member Spencer Carr addressed the Board of Commissioners. There have been a lot of great projects completed at the airport, including the runway obstruction free area project which allowed an expansion of the ramp of the parking area near the fuel pump, which made way for some new hangar space in addition to new hangar space available at the east end of the ramp. Building more hangars at the airport increases the number of airplanes housed there, which is a source of increased tax revenue to the county without putting a burden on property owners. While he feels that it was a noble effort to try to issue the request for proposals for the ground leases for the construction of the box hangars under a 20-year term, they have only received two proposals after several rounds of issuing the RFP. The remaining two hangar ground leases have received no interest. This is telling, as there are multi-year waitlist for hangars at most airports in Georgia, including the Habersham County Airport where there are over 50 people on the waitlist. The topic of building more hangars came up around 14 years ago, and if the county had acted at that time they would be halfway to owning them today. He fears that if no action is taken now, they will be having this same conversation three or four years down the road. There are currently over 60 planes based at Habersham County Airport. Once the airport has over 100 based aircraft, they become categorized as an airport of regional significance which opens more funding opportunities. Building these new hangars would put Habersham County right on the edge of meeting these criteria. Mr. Carr further explained that becoming an airport of regional significance changes the FAA project scoring formula, which gives priority funding and approval for federal funds. Additionally, the periodic spending levels and spending programs for airports of regional significance are usually double. An example of this is the recent bipartisan infrastructure bill, where airports with at least 100 based aircraft over a 5-year period received double the funding of other airports. He reminded the Commission that the way these ground leases are set up, private funds are used to build the hangars and at the end of the lease term the hangars become the property of the county. He realizes that there have been some rumors about the Habersham County Airport being a “Good Ol’ Boys Club” and that hangars get swapped around, however he wants to assure everyone that there is a waitlist and that when hangars become available, they are offered according to the order of the waitlist. He feels that this is an easy “yes” for the Commissioners, as growing the airport is great for economic development. He remembers a quote from his airport 101 training that said, “the CEO’s and the decision makers don’t arrive on the bus”. Those individuals are arriving in their jets looking for corporate expansion. The inland port that is being built is going to bring a lot of opportunity for expanding economic development, and he feels that this is the time to get the ball rolling to be able to get additional tax revenue and fuel sale revenue. It is with all of this in mind and the full support of the Airport Commission and county airport consultants Lead Edge that he comes before the Board of Commissioners to ask that they extend the term of the ground leases from 20-years to 30-years to get increased interest in the two remaining ground leases.

Commissioner Harkness asked how many more hangars can be built at the airport? Mr. Carr informed him that this is dependent on how the airport is developed. On the east end of the ramp there is room for four box hangars. Beyond the Lifeflight parking area there is room for two facilities that could hold ten t-hangars each. On the new ramp area, there is a spot for four jet sized hangars around the edge of the ramp, however if they decided to build a little passageway of the south end of the ramp by the fuel it would open up the next field to allow for the construction of more box hangars. These new ground leases would increase the available hangars at the airport by twenty, putting them extremely close to the goal of at least 100 based aircraft. Commissioner Woodall stated that the majority of property owners in Habersham County don’t own planes and don’t understand the benefit of investing in the airport. He wanted to clarify for voters that the airport is run under an enterprise fund, meaning that the airport’s expenses are all paid from the revenue it generates from fuel sales. While the revenue from these fuel sales are required to go back into the airport, the revenue from ad valorem taxes on the planes themselves can go into the general fund. Mr. Carr agreed, stating that the ad valorem taxes on a single engine plane are around \$2,000 to \$5,000 per year while a single jet can generate as much as \$500,000 in ad valorem tax revenue.

Commissioner Akins asked if there was changes to anything other than the term length of the ground leases? He wanted to know specifically if the RFP’s were still going to be graded on the value of the planes they

would hold, the estimated fuel sales, etc? Mr. Carr stated that his understanding is that the only change that is being requested is to go from a 20-year term to a 30-year term.

Motion by Commissioner Mealor, seconded by Commissioner Woodall, and voted unanimously (5-0) to approve revising the current 60' x 60' box hangar ground lease from a 20-year term to a 30-year term to include the two ground leases that were already awarded.

b. Consider/Approve County SPLOST VIII Project List

Mr. Sims addressed the Commission. The proposed project list for SPLOST VIII was presented to the Commission during the work session held prior to the meeting. Mr. Sims needs approval from the Commission to use this project list to draft the intergovernmental agreement for SPLOST VIII. After they get approval of the IGA from the cities, it will be brought back before the Commission at a special called meeting next Monday, July 28th for a vote on approval as well as a vote on issuing a call for the election. Commissioner Woodall wanted to clarify for those present that this is the continuation of the current 1% sales tax, not a new sales tax, and that it offsets the cost of the projects listed with a consumption tax that is shared with those visiting and shopping in the county rather than placing the entire burden on property taxes. Commissioner Woodall stated that the items on the list are not frivolous, they are mostly public safety projects that are intangibly important to the community and essential parts of the government.

Motion by Commissioner Woodall, seconded by Commissioner Mealor, and voted 4-1 to approve the SPLOST VIII project list as presented with Commissioner Tench dissenting.

ADDITIONAL COMMENTS

Commissioner Harkness wished to thank the public, the employees and the media for attending the meeting. He thanked the Airport Commissioners for all that they do for the public, emphasizing that they “pay their own way” without the taxpayers footing the bill.

There were no additional comments from the other Commissioners.

EXECUTIVE SESSION: Litigation, pursuant to O.C.G.A §50-14-2

Motion by Commissioner Mealor, seconded by Commissioner Akins, and voted unanimously 5-0 to go into executive session for the purpose of discussing litigation, pursuant to O.C.G.A §50-14-2.

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 into executive session at 6:46 p.m.

Motion by Commissioner Akins, seconded by Commissioner Mealor, and voted unanimously (5-0) to leave executive session at 7:28 p.m.

County Attorney Angela Davis 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 Tench, and voted unanimously (5-0) to adopt the representation authorizing such an affidavit as per the Attorney's recommendations.

ADJOURN

Motion by Commissioner Akins, seconded by Commissioner Mealor, and voted unanimously (5-0) to adjourn the work session at 7:29 p.m.

Respectfully Submitted,

By: _____
Jimmy Tench, Commission Chairman

Attest: _____
Brandalin Carnes, County Clerk