

HEARD COUNTY BOARD OF COMMISSIONERS MEETING
June 17, 2025 - 6:30 P.M.

The Heard County Board of Commissioners held a regular Commissioners Meeting on June 17, 2025, at 6:30 p.m. in the Commission Chamber of the Heard County Administration Building. In attendance at the meeting were Chairman Tracy McCormick, District 1 Commissioner Curtis Mock, District 2 Commissioner James Perry, District 3 Commissioner Iris Harris, District 4 Commissioner Larry Hammond, District 5 Commissioner David Walls, and County Attorney Michael Hill.

Agenda Item # 2 - Welcome, Invocation, and Pledge to the American Flag

Chairman Tracy McCormick called the meeting to order and welcomed everyone present. Commissioner James Perry gave the invocation.

Agenda Item # 3 – Public Hearing

a) Rezoning Application – Natalie Mulkey

On a motion (Walls), and second (Mock), the Board voted unanimously to open the public hearing. On behalf of the Planning Commission, Dustin Pate presented a rezoning application requesting a change from Agricultural (AG) to Rural Development zoning. The applicant seeks to rezone the property to split off a portion for a second residence. The Planning Commission reviewed the request and recommended approval.

During discussion, the Board clarified that a minimum of 5 acres is required for a residence in AG zoning, while Rural Development zoning requires a minimum of 2 acres. It was noted that the applicant intends to place a mobile home on the newly created lot, though it could potentially be a traditional home. The applicant was not present, and no one was in attendance to represent them. On a motion (Harris), and second (Hammond), the Board voted unanimously to close the public hearing.

b) Rezoning Application – James Kittrell

On a motion (Perry), and second (Hammond), the Board voted unanimously to open the public hearing. On behalf of the Planning Commission, Dustin Pate presented a rezoning application to change a 3.45-acre parcel from Rural Development to Single Family Residential. The applicant, James Kittrell, requested the rezoning to divide the property into three tracts for construction of single-family homes. The Planning Commission recommended approval, noting the application met all current ordinance requirements. The property is located at the corner of Beavis Road and Brush Creek Park Road. Mr. Kittrell, the property owner, spoke in support of the application and provided background on his long-term ownership of the land. He noted that previous plans for commercial development on the site had not materialized, and he believes the proposed homes will enhance the area, which is near the entrance to the state park.

David Pickett, representing the development group, also addressed the Board. He described their goal to construct modest, high-quality homes designed for first-time homebuyers and young families. The proposed homes will be approximately 1,600 to 2,000 square feet, with traditional country-style designs and garages. Pickett emphasized that the homes would not be rental properties or part of a subdivision, but owner-occupied residences that contribute positively to the community and local school system. Estimated pricing is expected to range from \$250,000 to \$350,000, depending on final designs and market conditions. The Board discussed road frontage and confirmed that each tract would meet zoning and access requirements. No objections were raised during the discussion. On a motion (Perry), and second (Mock), the Board voted unanimously to close the public hearing.

c) Rezoning Application – Joy Driskell

On a motion (Hammond), and second (Harris), the Board voted unanimously to open the public hearing. On behalf of the Planning Commission, Dustin Pate presented a rezoning application to rezone a 5-acre property owned by Joy Driscoll from Rural Development (RD) to Single Family Residential (R1). The intent is to divide the property into three tracts: retain one acre with the existing home (rezoned to R1), and create two additional 2-acre tracts to be sold for new home construction. The Planning Commission reviewed the request and recommended approval, noting that it complies with current ordinances and development standards.

Brandon Larry, speaking on behalf of Ms. Driscoll, addressed the Board. He explained that Ms. Driscoll, a longtime resident and widow, can no longer maintain the full five-acre property or afford necessary repairs to her existing manufactured home. Rezoning and subdividing the property would allow her to downsize while enabling the sale of two buildable lots for new homes. Mr. Larry provided the Board with a packet including zoning maps, the county's future land use plan, a site plan, and a level-three soil analysis. He emphasized that the proposal aligns with the county's Unified Development Ordinance (UDO) and future land use plans.

The proposed new homes—"The Bradford" and "The Neely"—will be approximately 1,625 to 1,725 square feet, built on two-acre lots, and priced between \$325,000 and \$350,000. All lots meet road frontage and setback requirements. The homes will be served by public water and located near Centralhatchee Elementary School. The Board discussed site conditions, power line placement, and confirmed that there are no utility easements or right-of-way issues affecting the development. No objections were raised during the

discussion. On a motion (Perry), and second (Harris), the Board voted unanimously to close the public hearing.

d) Rezoning Application – Shane White

On a motion (Harris), and second (Walls), the Board voted unanimously to open the public hearing. On behalf of the Planning Commission, Dustin Pate presented a rezoning request for the creation of an Estate Lot Amendment (ELA) subdivision on a 138-acre parcel off Highway 100, submitted by applicants Ryan Maddox and Shane White. The property was divided into two applications. The applicants missed the Planning Commission meeting due to a time zone mix-up.

The current application proposes eight estate lots, averaging approximately 8 acres each, accessed via a gravel loop road built to ELA standards. The road will include:

- A 30-foot ingress/egress and utility easement
- A 15-foot cleared width
- 18-foot paved entrances
- Load-bearing design suitable for emergency vehicles

The road will remain private and maintained by the lot owners through a recorded maintenance agreement, not an HOA. The county will have no responsibility for road upkeep.

Utilities and Services:

- Water: A main line will be installed within the easement at the developer's expense, in coordination with the county water department. Buyers will add taps.
- Power: Underground power will be extended to each lot.
- Mailboxes: Grouped clusters will be placed at the entrances.

- School Buses: Buses will pick up and drop off along Highway 100, not on the private road, per safety regulations.

Development Standards and Restrictions:

- Minimum home size: 1,800 sq. ft.
- No vinyl siding, no chain-link fences
- No future subdivision of the lots
- Setback requirement: 250 feet from the edge of pavement for homes along Highway 100
- Lots were designed with topography in mind and offer buildable sites

Applicants stated they are not building homes but will sell the improved lots. Their prior ELA development had minor issues with water access that have since been resolved with a new installation plan and stronger coordination with utilities.

Board members discussed ensuring setbacks are enforceable, whether minor lot line shifts would be permitted, and emphasized that approval could be conditioned upon the layout and acreage as presented. No objections were raised during the discussion. On a motion (Walls), and second (Hammond), the Board voted unanimously to close the public hearing.

e) Rezoning Application – Shane White

On a motion (Hammond), and second (Walls), the Board voted unanimously to open the public hearing. On behalf of the Planning Commission, Dustin Pate presented the second Estate Lot Arrangement (ELA) application submitted by Shane White. During the public hearing, Mr. White explained that the intention behind the proposal was to maintain a rural aesthetic with large lots and a looped private road, similar to a previous ELA development he completed known as Central View.

A key concern from the Board involved whether the proposed lots, particularly one narrower lot along Highway 100, met the required 250-foot front setback from public roads, as mandated by ELA guidelines. Mr. White acknowledged this and said the lot lines could be adjusted, or lots combined if necessary, to meet the requirement. Commissioners also discussed the possibility of placing conditions on the approval to lock in the presented design or require that any homes built along Highway 100 observe a minimum 100-foot setback from the road, consistent with existing rural development standards. Mr. White expressed no objection and assured the Board that his lots had sufficient depth to meet that setback.

The discussion clarified that only actual public roads trigger the ELA's 250-foot front setback requirement; private easement roads do not. However, standard A-1 zoning setbacks still apply—20 feet for side yards and 25 feet for rear yards. One of the lots had to be adjusted to meet the ELA's required 7.5-acre average, which Mr. White addressed by shifting an acre from an adjoining parcel.

While the precise lot lines may be subject to slight adjustments following surveying, Mr. White stated that the overall number of lots and the intent of the development would remain unchanged. Commissioners noted that final layout adjustments would be reviewed and approved by the planning or zoning director as needed. Mr. White emphasized his willingness to work transparently with the county and reiterated his intent to comply with all regulations. No public comments were made for or against the application.

On a motion (Hammond), and second (Harris), the Board voted unanimously to close the public hearing.

f) Special Use Application – Gary Thrasher

On a motion (Hammond), and second (Mock), the Board voted unanimously to open the public hearing. The public meeting focused on a proposed solar farm project on Dr. Fisher Road near a residential area that had previously been denied due to zoning regulations restricting installations within 600 feet of homes. This sparked considerable concern among local residents.

Applicant Gary Thrasher was present and spoke during the meeting, addressing some concerns and providing his perspective on the project.

Several community members—including Nolan McKinney, Lilly Cole, and Rich Pike—spoke out against the solar farm. Nolan McKinney criticized the lack of communication from the applicant and highlighted that residents nearby would not benefit from the project. Lilly Cole emphasized the quiet, residential nature of the area, concerns about wildlife such as an eagle nesting nearby, and the potential negative impact on property values. Rich Pike raised questions about the long-term maintenance and sustainability of the solar farm, the environmental effects on local water sources, and whether the community would gain real benefits beyond tax revenue, especially if the solar company were to go out of business.

On behalf of the Planning Commission, Dustin Pate spoke during the meeting, clarifying procedural points and offering to provide technical answers to outstanding questions if the public hearing was continued. Overall, the meeting revealed strong opposition from residents concerned about environmental impacts, property values, and the project's long-term viability. On a motion (Perry), and second (Harris), the Board voted unanimously to close the public hearing.

Agenda Item # 4 – Approval of Minutes

The minutes from the May 19, 2025, Work Session, the May 20, 2025, Regular Commissioner's Meeting, the June 3, 2025, Public Hearing, and the June 11, 2025, Work Session were presented to the Board for approval. On a motion (Perry) and second (Walls), the Board voted unanimously to approve the minutes from the May 19, 2025, Work Session, the May 20, 2025, Regular Commissioner's Meeting, the June 3, 2025, Public Hearing, and the June 11, 2025, Work Session as written.

Agenda Item # 5– Amend Agenda

None.

Agenda Item # 6 – New Business

a. Approve 2025-2026 FY Budget

On a motion (Perry) and second (Mock), the Board voted unanimously to approve the 2025-2026 FY Budget.

b. Adopt Transit Development Plan

On a motion (Perry) and second (Hammond), the Board voted unanimously to adopt the Transit Development Plan.

c. Appointment To DFCS Board

On a motion (Harris) and second (Hammond), the Board voted unanimously to appoint Marti Caputa to the DFCS Board.

d. Discuss Appointment to the 20/27 Regional Joint Development Authority

On a motion (Hammond) and second (Mock), the Board voted unanimously to postpone until the next regularly scheduled meeting on July 15, 2025, at 6:30 p.m.

e. Discuss/Award Bid on Asphalt Resurfacing

On a motion (Hammond) and second (Harris), the Board voted unanimously to award the Asphalt Resurfacing bid to C.W. Matthews in the amount of \$636,060.00.

f. Discuss/Decision Rezoning Application – Natalie Mulkey

On a motion (Harris) and second (Perry), the Board voted unanimously to deny the application.

g. Discuss/Decision Rezoning Application – James Kittrell

On a motion (Walls) and second (Hammond), the Board voted unanimously to deny the application.

h. Discuss/Decision Rezoning Application – Joy Driskell

Commissioner Perry made a motion to approve the application; however, the motion failed due to the lack of a second. On a motion (Harris) and second (Hammond), Commissioners Mock and Walls voted to deny the application, Perry voted in favor.

i. Discuss/Decision Rezoning Application – Shane White (Blue Map)

On a motion (Harris) and second (Hammond), the Board voted unanimously to approve the application with the stipulation that any home bordering a public roadway must be set back at least 100 feet from the edge of the pavement, not the center line.

j. Discuss/Decision Rezoning Application – Shane White (Red Map)

On a motion (Harris) and second (Hammond), the Board voted unanimously to approve the application with the stipulation that any home bordering a public roadway must be set back at least 100 feet from the edge of the pavement, not the center line.

k. Special Use Application – Gary Thrasher

On a motion (Perry) and second (Hammond), the Board voted unanimously to deny the application.

I. Discuss/Decision Property Liability Limits

The Board discussed the ACCG property liability insurance coverage, following a previous work session conversation about adjusting the coverage limits. On a motion (Perry) and second (Mock), the Board voted unanimously to reduce the liability coverage from \$3 million to \$1 million.

Agenda Item # 7 – Old Business

a. Discuss/Adopt Timber Ordinance

On a motion (Harris) and second (Walls), the Board voted unanimously to adopt the Timber Ordinance.

Agenda Item # 8 – Public Comments

None.

Item # 9 – Executive Session

None.

Item # 10 – Adjourn

There being no further business, on a motion (Harris) and second (Hammond), the Board voted unanimously to adjourn the meeting.

Adjourned 8:35 p.m.

Katrina Billingsley

County Clerk

Date: 07/15/25

Seacy M^oCormick

Chairman

