HEARD COUNTY BOARD OF COMMISSIONERS MEETING
September 15, 2026 - 6:00 P.M.

The Heard County Board of Commissioners held a regular Commissioners Meeting on September 15, 2026, at 6:00 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, and 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 David Walls gave the invocation.

Agenda Item # 3 – Public Hearings

a. ELA Amendments

On a motion (Perry) and second (Hammond), the Board voted unanimously to open the public hearing. The Board reviewed the primary amendments, including the requirement that parcels created through an ELA development may not be smaller than 7.5 acres, with larger lot sizes permitted. The setback requirement was also reviewed, requiring a minimum setback of 250 feet measured from the right-of-way line of any public street. Additionally, applicants seeking access from a state highway would be required to obtain a driveway permit from the Georgia Department of Transportation prior to seeking approval through the ELA process.

During discussion of the proposed amendments, Commissioner Harris recommended removing the provision that allowed the Planning Commission to reduce the required setback by up to 50 percent. Commissioner Walls agreed with the recommendation. County Attorney

Michael Hill advised that the change could be incorporated into the ordinance through the motion adopting the amendments.

Commissioner Harris also proposed clarifying the minimum residential square footage requirement by specifying that the required 1,750 square feet must consist of finished and heated living space, thereby excluding unfinished areas from the calculation. Mr. Hill confirmed that the language could be revised accordingly.

During public comment, citizen Brian Ledford sought clarification regarding the applicability of the 1,750-square-foot minimum home size requirement. It was explained that the requirement applies only to developments utilizing the Estate Lot Averaging ordinance and is not a countywide requirement. The Board further discussed that ELA developments require a minimum tract size of 30 acres and prohibit the creation of lots smaller than 7.5 acres. On a motion (Walls) and second (Perry), the Board voted unanimously to close the public hearing.

b. Rezone, Special Use, Variance – Cayla Ledford of Gum Creek Kennels

On a motion (Hammond) and second (Harris), the Board voted unanimously to open the public hearing. The purpose of the public hearing is to consider a Special Use Permit request submitted by Kayla Ledford for the operation of a dog and cat boarding facility on agricultural property located in Heard County. Building and Zoning Director, Erin Parmer, reported that the applicant owns approximately 148 acres in Heard County and an additional 90 acres in Carroll County, with access to the property provided through the Carroll County parcel. The proposed facility would be located more than 2,000 feet from the nearest residence. Mrs. Parmer further advised that the Planning Commission reviewed the application on September 8, 2026, and voted to recommend approval of the request.

Ms. Ledford addressed the Board and explained that the property was purchased from a timber company following timber harvesting operations and is currently being converted into pastureland. She stated that the proposed boarding facility would provide an opportunity to operate a home-based business while remaining on the property with her family. Ms. Ledford noted that she had identified a need for local pet boarding services and envisioned a small-scale operation located near her residence, allowing for direct supervision and care of the animals.

During Board discussion, questions were raised regarding the property's participation in a Conservation Use covenant and whether the proposed commercial activity would impact that status. Commissioner Walls expressed concern that the property's conservation designation could restrict certain uses and suggested the applicant research those requirements further before proceeding. County Attorney Michael Hill stated that some agricultural and related activities may be permissible under a conservation covenant, but the specific circumstances would require additional review. He further explained that withdrawing property from conservation status could result in financial consequences, including the repayment of tax benefits previously received under the covenant.

The Board also discussed elements of the application that appeared to reference retail sales associated with the business. Mr. Hill stated that he believed those components had been withdrawn during Planning Commission review. Ms. Ledford confirmed that her primary objective was to operate a boarding facility and that any merchandise sales would be incidental and could be removed from consideration if necessary.

Discussion continued regarding the operational aspects of the proposed facility. Ms. Ledford stated that the boarding operation would be located closer to her residence than any

neighboring property and indicated that monitoring systems, including cameras throughout the facility, would be utilized to oversee the animals and ensure their well-being. She advised that the closest neighboring property owner had attended the Planning Commission meeting and expressed support for the proposal.

Board members inquired about veterinary care, grooming services, boarding durations, and procedures for handling abandoned animals. Ms. Ledford explained that she has an established relationship with a local veterinarian but had not finalized operational details because she first wished to determine whether the project could receive county approval. She stated that grooming services were not included in the original business plan but could be considered in the future. The applicant further explained that boarding durations would vary based on customer needs and acknowledged the importance of establishing procedures for handling animals that are not retrieved by their owners.

Additional discussion focused on regulatory oversight and licensing requirements. Ms. Ledford stated that she would welcome inspections by animal control or other authorized officials and intended to operate the facility in full compliance with applicable regulations. She further advised that she had obtained information from the Georgia Department of Agriculture but had not yet completed a comprehensive review of all licensing and operational requirements. Consultation with the Department of Agriculture would be among the next steps should the project move forward.

Several Board members expressed support for the concept, noting the potential benefit of providing local pet boarding services within the county. Discussion then returned to the property's conservation-use status and the potential implications of operating a commercial business on land receiving conservation-use tax benefits.

Mr. Hill reported that his review of the applicable conservation-use provisions did not identify kennels or boarding facilities as specifically permitted uses under a conservation covenant. However, he noted that the acreage occupied by a residence is generally excluded from the conservation-use designation and that if the proposed facility were located within that excluded area, additional conservation-use concerns could potentially be avoided. He emphasized that questions related to conservation-use status and potential tax consequences were separate from the Board's consideration of the Special Use Permit and would ultimately be the responsibility of the property owner to resolve before commencing operations.

The Board discussed the possibility of approving the Special Use Permit while allowing the applicant to determine whether modifications to the conservation covenant would be necessary. Mr. Hill advised that the Board could impose reasonable conditions, including timelines for commencement of operations or requirements for coordination with county animal control. He further stated that the applicant could either pursue any necessary changes to the conservation covenant or determine whether an exemption existed that would allow the project to proceed without affecting the property's conservation status.

Questions were also raised regarding the property's location across two counties. Ms. Ledford explained that the driveway serving the residence is located on the Carroll County portion of the property, while the proposed boarding facility would be located on the Heard County tract. Mr. Hill advised that business licensing and permitting requirements would generally be determined by the location of the business itself and did not anticipate any dual-county licensing concerns.

Commissioners discussed conservation-use covenants and outlined several areas for consideration, including verification of the recorded covenant, determination of the acreage

covered by the covenant, establishment of the covenant's term and expiration date, identification of the acreage proposed for removal from conservation use, evaluation of potential tax consequences by the Board of Tax Assessors, and review of the proposed site by county planning staff. The Board stated that obtaining additional information would provide greater clarity regarding the project's compliance with conservation-use requirements.

Ms. Ledford responded that the proposed facility would occupy a relatively small area, estimated at one to two acres depending on the final site layout. Discussion followed regarding whether the proposed location might already fall within the acreage excluded from conservation use because of its proximity to the residence. Mr. Hill advised the applicant to consult with the Tax Assessor's Office and other qualified professionals to verify the property's status and any related obligations before proceeding.

Ryan Ledford addressed the Board and stated that information obtained from the Georgia Department of Agriculture indicated that state licensing requirements do not supersede local zoning regulations, making local approval a prerequisite to obtaining state approval. He further explained that the primary concern discussed by the Board involved the potential tax consequences of violating or modifying a conservation-use covenant rather than any state regulatory issue. Mr. Ledford emphasized the importance of conducting the necessary research and understanding any financial obligations before development of the proposed facility. The Chairman invited comments from anyone wishing to speak in opposition to the request. No opposition was presented. On a motion (Perry) and second (Mock), the Board voted unanimously to close the public hearing.

Agenda Item # 4 – Approval of Minutes

The minutes from the August 18, 2026, regular Commissioner's meeting were presented to the Board for approval. On a motion (Perry) and second (Walls), the Board voted unanimously to approve the minutes from the August 18, 2026, regular Commissioner's meeting as written.

Agenda Item # 5 – Amend Agenda

Commissioner Harris requested that under Old Business item "a", *Resolution Approval and Ratification of Real Estate*, be removed from the current agenda and placed under New Business for the next regular meeting. Commissioner Harris stated that, in her opinion, the matter should be considered new business because it had not previously been presented in an open meeting. Discussion followed regarding the motion and the requirements for approval of real estate transactions in an open meeting. It was clarified that the motion was to remove item "a" under Old Business from the current agenda and place it on the agenda for the next regular meeting under New Business. Commissioner Hammond seconded the motion.

Additional discussion followed concerning the ratification of property acquired for Fire Station No. 7 in Frolona and the legal requirement that the transaction be approved in an open meeting and entered into the meeting minutes. It was noted that a public hearing was not required; however, approval must occur during an open meeting to satisfy statutory requirements.

The Chairman stated that the property for Fire Station No. 7 had been purchased the previous year and that, although the acquisition had been completed legally, the ratification had not yet been presented to the Board for approval in an open meeting. The purpose of the agenda item was to bring the matter before the Board for formal ratification.

The Chairman called for a vote on the motion to remove item "a" under Old Business from the current agenda and place it under New Business on the agenda for the next regular meeting. The

motion passed **4-1**, with Commissioners Hammond, Walls, Harris, and Perry voting in favor and Commissioner Mock voting opposed. As a result, under Old Business item "a", *Resolution Approval and Ratification of Real Estate* was removed from the current agenda and will be considered under New Business at the next regular meeting.

Agenda Item # 6 – New Business

a. Honor Darlene Shoemake for 35 years of service

Chairman McCormick recognized 911 Director, Mrs. Darlene Shoemake, for 35 years of dedicated service to Heard County. The Board expressed appreciation for her commitment and contributions to the county and presented her with a plaque in recognition of her 35 years of service. The Board and audience congratulated Mrs. Shoemake on this significant milestone.

b. Honor Samantha McKinney for 20 years of service

Chairman McCormick recognized Transit Director, Mrs. Samantha McKinney, for 20 years of dedicated and loyal service with Heard County Transit. He thanked Ms. McKinney for her commitment to serving the citizens of Heard County and presented her with a plaque commemorating her years of service.

Chairman McCormick expressed appreciation to both employees for their dedication and years of service to Heard County, noting the important role long-term employees play in the success of county operations. Following the presentations, photographs were taken of the award recipients with their plaques.

c. Discuss/Approve West Georgia Judicial Circuit Resolution

The Chairman discussed the resolution regarding the West Georgia Judicial Circuit. The Chairman explained that the resolution would allow the District Attorney's Office to utilize funds already allocated by the county to support the hiring of an additional full-time Assistant District

Attorney. The position would serve Heard County approximately three days per week and Carroll County approximately two days per week.

A commissioner requested clarification as to whether the resolution would result in any increase to the county's current financial obligation. The Chairman confirmed that there would be no increase and that the funding would come from the amount already budgeted by the county. County Attorney Michael Hill further explained that, under the enabling legislation for the West Georgia Judicial Circuit, Heard County is responsible for 10 percent of the circuit's budget, with Carroll County responsible for the remaining 90 percent. He stated that the resolution authorizes the District Attorney to hire additional personnel classified as county employees and is limited to the amount the county is already obligated to contribute. He also noted that safeguards within the resolution prevent expenditures from exceeding the county's authorized contribution and allow the county to terminate the authority if the applicable credit provisions were no longer available.

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

d. Discuss/Decision Rezone, Special Use, Variance – Cayla Ledford of Gum Creek Kennels

The Board considered the special use request submitted by Ms. Ledford for Gum Creek Kennels. Based on the recommendation of the Planning Commission and presented findings, Commissioner Perry made a motion to approve the special use request subject to specific conditions.

The conditions included obtaining all required state and local licenses and permits, complying with any applicable conservation and environmental requirements, and securing all necessary regulatory approvals before commencing operations. The approval was granted for the kennel operation only and did not authorize a retail or storefront business. It was noted that should the applicant seek to operate a storefront facility in the future, additional approval from the Board

would be required. An additional condition of approval provided that County Animal Control personnel would be permitted to inspect the facility as needed to ensure sanitary conditions were maintained and that the animals were being properly cared for.

On a motion (Perry) and second (Walls), the Board voted unanimously to approve the special use request for Gum Creek Kennels subject to the stated conditions and the requirement that all applicable state and local licensing and approval requirements be met.

e. Discuss/Approve ELA Amendments

The Board considered the proposed amendments to the ELA Ordinance. Commissioner Harris asked for clarification regarding the approval process and whether the amendments should be approved contingent upon the discussed revisions.

Attorney Hill outlined the modifications to be included with the ordinance approval. The first amendment involved Section 46-102, Subparagraph 2D, removing the provision that allowed the Planning Commission to reduce setback requirements by up to 50 percent. The second amendment involved Section 46-102, Subsection 2E, replacing the minimum dwelling size requirement of "1,750 square feet" with "1,750 finished square feet."

Commissioners briefly discussed whether the term "finished" should be amended to "finished/heated." Attorney Hill advised that "finished" was the more appropriate technical real estate term and adequately addressed the Board's intent. Following the discussion, Commissioner Harris agreed that the term "finished" was sufficient.

On a motion (Harris) and second (Hammond), the Board voted unanimously to approve the ELA Ordinance amendments with the specified revisions: removal of the setback reduction language in Section 46-102(2)(D) and replacement of "1,750 square feet" with "1,750 finished square feet" in Section 46-102(2)(E)

f. Discuss/Award Asphalt Resurfacing Road Bids

The Board discussed bids received for the county's road asphalt resurfacing project. E.R. Snell Contractor, Inc. submitted the lowest responsive bid in the amount of $872,670.40 for the project. On a motion (Hammond) and second (Mock), the Board voted unanimously to award the asphalt resurfacing project to E.R. Snell Contractor, Inc. in the amount of $872,670.40.

Agenda Item # 8 – Old Business

None.

Agenda Item # 9 – Public Comments

During the public comment portion of the meeting, citizen, Eric Larson addressed the Board regarding concerns about the use of non-disclosure agreements (NDAs) in county government, particularly in relation to discussions surrounding data center development. Mr. Larson, a retired employee of the U.S. Government Accountability Office (GAO), stated that based on his experience investigating fraud, waste, and abuse in federal programs, he believes NDAs can reduce public accountability and transparency. He asked each commissioner two questions: whether they had ever signed an NDA with any individual or organization doing business in Heard County, and whether they would support prohibiting the establishment of such agreements. The commissioners responded that they had not signed any NDAs related to county business. Several commissioners indicated they would not oppose a prohibition on such agreements, while Commissioner Walls stated he would want legal guidance before providing an opinion. County Attorney Hill commented that local governments are generally subject to Georgia's Open Records Act and are not permitted to withhold material information except in limited circumstances specifically exempted by law. Mr. Larson thanked the Board for the opportunity to address the issue and stated that his comments were solely focused on nondisclosure agreements.

Following public comments, Commissioner Perry announced that the county appears likely to receive grant funding for its next tire recycling event, planned for October 24, which could allow for the removal of approximately 2,000 tires from the county. Volunteers will be needed to assist with loading tires. Additional comments from the Chairman noted that grant funding for the county's cardboard baler project had been increased to account for rising equipment costs, with approximately $15,000 in additional funding approved to cover the difference. No further public comments were offered.

Item # 10 – Adjourn

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

Adjourned 6:57 p.m.

Katrina Billingsley

County Clerk

Tracy McCord

Chairman

Date: 10/20/2026