



GORDON COUNTY BOARD OF COMMISSIONERS

February 17, 2026

Judicial Building Assembly Room

Work Session - 5:00 PM

Regular Session - 6:00 PM

PRESENT: Commissioners M.L. “Bud” Owens, Chair, Kevin Cunningham, Vice-Chair, Chad Steward, Randy Abernathy, and Kurt Sutherland; County Administrator Jim Ledbetter, County Clerk Hollis Barton, Assistant Administrator Keith King, County Attorney Chris Jackson; Andrea Bramlett, Regan Bell, Autumn Gibson, Tony Ross, Angie Gillman, Heath Derryberry, Blake Silvers, Brandi Owczarz

WORK SESSION

Mr. Ledbetter gave an overview of the agenda items. Zoning Administrator Tony Ross presented the Public Hearing items. E 9-1-1 Director Angie Gillman and Training Director Macey Silvers recognized Corporal Jalynn Wyatt, Sgt. Sami Jones, Communications Officer Anna Evans and Communications Officer Kaitlyn Yancey for their efforts on a recent call involving the railroad. Finance Director Andrea Bramlett presented the department report to the Commission.

REGULAR SESSION

- I. **Invocation and Pledge of Allegiance** - Commissioner Steward; Vice-Chair Cunningham
- II. **Call To Order** - Chair Owens called the meeting to order.
- III. **Approval of the Agenda** - Vice-Chair Cunningham made a motion to approve the agenda with the removal of item 4 under New Business, seconded by Commissioner Abernathy. The motion carried 5-0.
- IV. **Approval of Minutes** - Commissioner Steward made a motion to approve the minutes as submitted, seconded by Commissioner Abernathy. The motion carried 5-0.
 1. **Adopt minutes of Work, Executive, and Regular Session of February 3, 2026.**
- V. **Special Recognition**
- VI. **Administrator’s Report**

Mr. Ledbetter presented the report to the Commission.
- VII. **Commissioner’s Report**
 1. **Vice-Chair Cunningham**

Stated he spoke with several citizens, Mr. Ledbetter, and recently met with Starr Mathews for an insurance update.

2. Commissioner Steward

Stated on 2/9 attended the Resaca City Council meeting; 2/12 met with Mr. Ledbetter, Ms. Bramlett, Mr. King, and Starr Mathews regarding healthcare; 2/13 met with Brent Jones and Brandi Owczarz to speak with them on various issues on behalf of the County; met with Mr. King at the Administration building to watch the latest ACCG webinar on property tax bills being proposed at the State.

3. Chair Owens

Stated on 2/4 met with Mayor Palmer and City Administrator Paul Worley; EMS QRC and Public Safety Committee were held on 2/10 but was unable to attend; attended weekly legislative discussions as a member of the ACCG Policy Council and gave a special thank you to Todd Edwards and ACCG legislative team; attended Georgia Emergency Services Council today.

4. Commissioner Abernathy

No report.

5. Commissioner Sutherland

Regular calls and site visits; 2/12 visited Multi-Purpose building site, visited Public Works; Jeff Champion stated ACCG did site visits and the County passed inspections.

VIII. First Reading

IX. Public Hearing

Chair Owens asked Mr. Ledbetter to go over the procedures of the Public Hearing. Mr. Ledbetter gave an overview of the procedures including roll call and stated the applicant or their representative is allowed the opportunity to address the Commission if they choose first and rebuttal if necessary.

Chair Owens then asked for a motion to enter into the public hearing. Commissioner Sutherland made a motion to enter into public hearing, seconded by Commissioner Steward. The motion carried 5-0.

1. Application CUP-2026-01 requesting a Conditional Use Permit located at 670 Hyde Road, Resaca, GA 30735; Gordon County Tax Parcels 029-183, 029-029, 029-162, and 029-021. The Planning Staff recommends approval. The Planning Commission voted 4-1 to approve. - Chair Owens presented the item to the Commission.

Tyler Knauss, Brumlow, Corwin & Delashmit, P.C.: Addressed the Commission on behalf of the applicant giving an overview of the request and intent of the applicant.

Claude Baker, 921 Hyde Road, Resaca: Addressed the Commission in opposition of the request with concerns regarding the water supply and potential contamination from Dalton Utilities and chemical company Nancy Springs crossing over into Gordon County as well as jobs and the types of employees that would be hired.

Mr. Ledbetter asked Mr. Baker to clarify where his property was located in proximity to the proposed rezoning.

Quang Nguyen, 120 Sexton Road, Resaca: Addressed the Commission in response to Mr. Baker's comments on behalf of the applicant regarding American citizenship stating he was an American citizen.

Chair Owens asked how many employees Mr. Nguyen had at this time. Mr. Knauss stated the applicant, Mr. Nguyen, was out of town at this time and was not aware of what his employment needs looked like at this time, as Mr. Roger Thomas would be taking care of the plans. No concrete plans or finalized number, but would be happy to obtain that information once available.

Commissioner Steward asked if the property ran on City water. Mr. Knauss stated at this time yes, but they are looking to switch to well water and are looking at options such as reverse osmosis. Chair Owens asked Mr. Baker if he had City water as well. Mr. Baker confirmed that it did.

Mr. Ledbetter stated he believed that Mr. Knauss stated it was a permissible requirement that the road expansion is going to be done to increase the frontage to 150 feet. Mr. Knauss confirmed that was correct and did not know if that drive was going to be expanded at all, but that it was existing and working currently. The plan is to purchase a small portion to the south to ensure there was sufficient frontage leading up to the larger parcel. Mr. Jackson wanted to confirm the parcels they would be pulling from. Commissioner Steward then asked if he was understanding correctly that updates were planned for the four (4) existing houses. Mr. Knauss stated that was correct and the applicant was willing to demolish those and build new if that was the requirement. Chair Owens asked if the new ones constructed would be the same size. Mr. Knauss stated yes if it was required to fully update them.

Commissioner Sutherland made a motion to enter the diagram from MR. Knauss into the record, seconded by Vice-Chair Cunningham. The motion carried 5-0.

Chair Owens then asked for a motion. Commissioner Abernathy made a motion to approve the Conditional Use Permit with conditions to purchase the additional road frontage and to point the fans cardinal North, seconded by Vice-Chair Cunningham. Commissioner Steward noted there were sixteen (16) chicken houses to the north and twenty-three (23) to the south within a mile and a half radius of the considered property. The motion carried 3-2, with Commissioner Steward and Chair Owens being the nay votes.

2. **Application RZ-2026-01 requesting rezoning from Agricultural (A-1) to Residential Agricultural (RA-1) located at 803 Newtown Road, Calhoun, GA 30701; Gordon County Tax Parcel 055A-117. The Planning Staff recommends approval. The Planning Commission voted 5-0 to approve.** - Chair Owens presented the item to the Commission. Seeing no one to speak in favor or opposition, Chair Owens asked for a motion. Commissioner Sutherland made a motion to approve, seconded by Commissioner Abernathy. The motion carried 5-0.
3. **Application RZ-2026-03 requesting rezoning from Agricultural (A-1) to Residential Agricultural (RA-1) located at 245 Forest Drive, Plainville, GA 30733; Gordon County Tax Parcels 026B-148B and 026B-140. The Planning Staff recommends approval. The Planning Commission voted 5-0 to approve.** - Chair Owens presented the item to the Commission.

Ben Gibson, Applicant: Addressed the Commission regarding the intent of the application. Stated he has had a dispute with his neighbor regarding a property line.

Mr. Ledbetter stated the Board is not in a position to determine property lines, and riparian rights were especially complicated. Mr. Ledbetter asked Mr. Gibson if any of the property on this rezoning request is within a floodplain, Mr. Gibson stated it was. Mr. Ledbetter then addressed Ms. Brenda Allen, who signed up to speak, regarding the purpose of her statement. Stating tonight's rezoning would not have an adjudication on tonight's decision.

Mr. Ledbetter then asked Ms. Allen if she had any objections to tonight's hearing and the subdividing of the property. Ms. Allen stated her concern was if the applicant were to get the zoning approved and move to sell the property, it would affect her property, as she has not had it surveyed yet.

Mr. Ledbetter stated while he understood, that would be within Mr. Gibson's rights of his property. Mr. Jackson then stated essentially there is no pending litigation that would prevent the Commission from moving forward with a decision and however the property is zoned, there would still be a dispute and everyone would need to reach an agreement or have it declared by a Superior Court in Gordon County, the issue will still be there tomorrow no matter the Board's ruling of the rezoning. Chair Owens asked Mr. Jackson if the decision would neither harm nor help either party or their situation, it would be conducive to what they determine separately about the property lines. Mr. Jackson stated that was correct. Mr. Ledbetter then stated if Mr. Gibson were looking to resell the property, this matter would need to be disclosed to the buyer beforehand, so it would behoove both parties to resolve the matter before any sale took place.

Chair Owens then asked for a motion. Vice-Chair Cunningham made a motion to approve, seconded by Commissioner Steward. The motion carried 5-0.

4. **Application RZ-2026-04 requesting rezoning from Agricultural (A-1) to Crossroads Commercial (C-C) located at Folsom Rd, Fairmount, GA 30139; Gordon County Tax Parcel 088-067. The Planning Staff recommends approval with conditions. The Planning Commission voted 3-2 to deny. - Chair Owens presented the item to the Commission. - Chair Owens presented the item to the Commission.**

Leslie Simmons, Leslie Simmons Law Office: Addressed the Commission on behalf of the applicant regarding the intent of the request, noting on the tax map where the parcel to the south, lying perpendicular to Folsom Road, stating he owns the parcel to the north that was previously approved for storage units, clarifying this application only applies to the parcel to the south. Stated when the applicant was approved for the storage units, he obtained a land disturbance permit that was issued in September of 2025. Stated he began clearing and then was asked to stop by the Zoning office because they determined the property was necessary to rezone also, which is the purpose of this application being brought for consideration.

Mr. Ledbetter asked if the driveway was the only thing being proposed this evening, Ms. Simmons confirmed that was correct. Mr. Ledbetter stated that on the adjoining property storage units have already been approved, and on the property tonight, all the applicant is seeking to do is build an access driveway and asked if the applicant does not want to develop the remainder of the property as commercial. Ms. Simmons stated the only purpose of this was for the driveway to access all the storage units and the security and fencing would all be on the fourth parcel that is approved for storage units. Mr. Ledbetter asked Mr. Ross if we were requiring the whole parcel to be rezoning. Mr. Ross stated that was correct. Mr. Jackson stated conditions could be put on the request should the Board choose to do so. Mr. Ledbetter asked Ms. Simmons if that would be a fair result with the applicant. Ms. Simmons stated that would be exactly what they were looking for.

Ms. Simmons added she would like to note one of the concerns from the last rezoning was the traffic. The national standard is seven (7) trips per day per 100 storage units, and given the math, it is less than most households would have.

Sheri West, 151 Folsom Road SE, Fairmount: Addressed the Commission in opposition to the request with concerns with the location of the driveway and potential decrease in property values.

Elijah West, 139 Folsom Road SE, Fairmount: Addressed the Commission in opposition to the request with traffic concerns.

Kevin West, 151 Folsom Road SE, Fairmount: Addressed the Commission in opposition to the request.

Vonda Champion Miller, 206 Folsom Road SE, Fairmount: Addressed the Commission in opposition to the request and asked if there had been any traffic studies.

Joseph Ray, 157 Folsom Road SE, Fairmount: Addressed the Commission in opposition to the request with concerns on the location of the entrance.

Mr. Ledbetter asked the applicant if he described to the Board at the time of the previous application the location of the access of the entrance being off of Highway 53. Mr. Washington stated he dealt with the previous Zoning Administrator on that application who gave permission at a Zoning meeting prior to obtaining the permit on September 15, 2025. Mr. Washington clarified that no work has been done since the stop work order and stated his driveway is 150 feet wide and there would be 150 feet before you approach the gate and thirty (30) wide which he believed to be plenty for room for two (2) cars to pass through at the same time.

Mr. Ledbetter asked if the proposed driveway had been drawn by Mr. Washington's engineer for commercial standards. Mr. Washington stated yes and everything had been approved by the State of Georgia. Mr. Ledbetter asked if when Mr. Washington previously came before the Board, if he was hoping to come in off of Highway 53, but then the engineer was not able to make the retention pond and the driveway on [Highway] 53 work at the same time. Mr. Washington confirmed that was correct.

Chair Owens asked Mr. Washington if that was the only place the retention pond could be located. Mr. Washington confirmed that was correct and it would actually take two (2) retention ponds, one being on Folsom Road and one on the [Highway] 53 side, though he was not sure of the logistics in regards to the engineering reasons. Stated he would prefer to have it the other way, as he did not think a retention pond was a good use of his property. Commissioner Abernathy asked Mr. Washington if he owned the property he referred to as the Old Fashioned store. Mr. Washington stated he did not and clarified it was an adjoining property.

Mr. Ledbetter asked if GDOT was requiring an accel and decel lane. Mr. Washington stated GDOT stated it was not feasible. Vice-Chair Cunningham asked when the driveway permit was approved. Ms. Simms stated September 15, 2025. Mr. Ledbetter stated Ms. Richardson was retired during that time, Mr. Ross responded he believed they were referring to a 2023 permit. Ms. Simms stated the land disturbance permit is dated September 15, 2025. Mr. Ledbetter stated that was separate from the driveway permit. Commissioner Steward asked that when the Board approved the previous application, if there was a driveway coming off of that road. Mr. Ledbetter responded there was no connectivity or connection into Folsom Road and Mr. Ross was able to pull up a sketch but no engineered plans. Mr. Washington stated the drawing is what he preferred to have done, however, when engineers became involved that is when the plans changed. Mr. Ledbetter asked the date on that drawing, Mr. Ross stated October 31, 2023.

Commissioner Sutherland addressed the applicant stating his understanding was when the engineer responded with plans and Mr. Washington had to go back to Zoning, and then they said he would have to come in on Folsom, everything was supposed to be finalized but when Mr. Washington started,

he received a stop work order, so he had to rezone that to get approved for the driveway to come out. Mr. Washington stated he was asked to stop because he was informed by the County that he did not obtain a land disturbance permit, which he was unaware of at the time, and then went to obtain to show he was not doing anything illegal and was asked to draw up some plans. Stated he would like to come in off of [Highway] 53 due to the decel lane in front of the old store, however the DOT did not approve it. Stated he has done everything in his power to satisfy this issue but has to go by what the engineer and the other parties say. Chair Owens asked if the applicant had any of this paperwork from DOT. Ms. Simms then went over several documents in their possession, including documents from GDOT. Mr. Washington stated he did not believe traffic would be an issue with the growth that the area is seeing, there is an increase in traffic regardless. Commissioner Sutherland made a motion to submit the documents from Ms. Simms to the record, seconded by Vice-Chair Cunningham. The motion carried 5-0.

Commissioner Sutherland made a motion to approve, with no second, the motion died.

Vice-Chair Cunningham then made a motion to deny the request, seconded by Commissioner Steward. The motion carried 4-1, with Commissioner Sutherland being the nay vote.

Chair Owens then asked for a motion to close the public hearing. Commissioner Steward made a motion to close, seconded by Commissioner Abernathy. The motion carried 5-0.

X. Unfinished Business

XI. New Business

- 1. Consideration of request from Finance to deem certain equipment as surplus from Public Works.** - Chair Owens presented the item to the Commission. Commissioner Steward made a motion to approve, seconded by Vice-Chair Cunningham. The motion carried 5-0.
- 2. Consideration of request from Finance to approve FY 26 Budget amendments.** - Chair Owens presented the item to the Commission. Commissioner Steward made a motion to approve, seconded by Commissioner Abernathy. The motion carried 5-0.
- 3. Consideration of request from Sheriff's Office to deem certain items as surplus.** - Chair Owens presented the item to the Commission. Vice-Chair Cunningham made a motion to approve, seconded by Commissioner Abernathy. The motion carried 5-0.

XII. Adjourn

Commissioner Sutherland made a motion to adjourn, seconded by Commissioner Steward. The motion carried 5-0.