



Hart County Board of Commissioners
Tuesday January 13, 2025
6:00 p.m.

Emergency Services and Administration Building

1. PRAYER
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
Election of Officers for 2026
4. WELCOME
5. APPROVE AGENDA
6. APPROVE MINUTES OF PREVIOUS MEETING(S)
 - 12/09/2025 Regular Meeting
7. REMARKS BY INVITED GUESTS, COMMITTEES, AUTHORITIES
Terri Partain, IBA Director - Rosanna Cruz-Bibb, Archway Professional
8. REPORTS BY CONSTITUTIONAL OFFICERS & DEPARTMENT HEADS
Mike Adams, EMS Director
9. COUNTY ADMINISTRATOR'S REPORT
10. CHAIRMAN'S REPORT
11. COMMISSIONERS' REPORTS
12. OLD BUSINESS
 - a) Board and Authority Advertising for 2026
 - b) Adding Orchard Road (RR tracks to Hwy 17 <.5 mile) and Walters Road Pt.1 (Griffin Rd. to Rocksprings approx.. 1 mile) to Current Paving Contract
 - c) GMRC Agreement For 2026 Flyover
 - d) LMIG FY26 preliminary list of Roads
13. NEW BUSINESS
 - a) 2026 Election Qualifying Fees
 - b) ADA (Americans with Disability Act) Policy Approval
 - c) His Vision Inc. Setback Variance Request
14. PUBLIC COMMENT
15. EXECUTIVE SESSION – Personnel – Litigation – Real Estate
16. ADJOURNMENT



Hart County Board of Commissioners
Tuesday December 9, 2025
6:00 p.m.
Emergency Services and Administration Building

1. PRAYER
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. WELCOME
5. APPROVE AGENDA
6. APPROVE MINUTES OF PREVIOUS MEETING(S)
11/25/25 Regular Minutes
7. REMARKS BY INVITED GUESTS, COMMITTEES, AUTHORITIES
8. REPORTS BY CONSTITUTIONAL OFFICERS & DEPARTMENT HEADS
9. COUNTY ADMINISTRATOR'S REPORT
10. CHAIRMAN'S REPORT
11. COMMISSIONERS' REPORTS
12. OLD BUSINESS
 - a) Extension of Solar Moratorium
 - b) Bid Award Recreation Department Batting Cage Cover
 - c) Cancellation of 2nd BOC December (12/23/2025) Meeting
 - d) Correction of Rec Board Appointment
13. NEW BUSINESS
 - a) 2026 County Fee Schedule Resolution
 - b) Transfer Station Christmas Holiday Hours
 - c) Beer and Wine License Class A: (Restaurants / Private Clubs on premises) Renewal for James R McCurley DBA, Hartwell Golf Club Inc, Charles A Findley DBA El Parian Mexican Parilla & Bar Inc., John Thomas Eagan DBA Hartwell VFW Post 8076 Inc., Catharine Graham Gem 5 Hospitality LLC DBA The Beacon Bed and Breakfast, Scott Barfield DBA Boat House Grill, LLC
 - d) Beer and Wine License Class A: (Restaurants / Private Clubs on premises) John Robinson/DBA TT Hartwell LC d/b/a, Tilly's Tiki Bar & Grill
 - e) Beer and Wine License Class B: (Convenience Stores off premises) Renewal for Subrin Mostofa /DBA 29 Royal Food, Talat Solaiman /DBA Royal Food Mart #8742, Khurram Balagam /DBA Vanna Country Store, Jarnail Singh /DBA 17 Liberty Hill Church Road Chevron, Raheel Nicholas Lakhani /DBA Mini Mart, Malik Babwani /DBA Diamond Jubilee Royal Food & Tobacco, Hirenkumar Patel /DBA Dewy Rose Mart Inc., Zanir Keshawani /DBA SNS National LLC Sip N Smoke, Bikash Rai /DBA Airline Store LLC
 - f) Distilled Spirits License: (Restaurants) renewal for Charles A Findley – El Parian Mexican Parilla & Bar LLC, , Scott Barfield /DBA Boat House Grill, LLC
 - g) Distilled Spirits License: John Robinson/DBA TT Hartwell LLC d/b/a Tilly's Tiki Bar & Grill
 - h) UGA Extension Service MOU

- i) City of Hartwell Annexation Parcels c70B 096 and C70B 095, Approximately 35.53 acres on Parkdale Dr.

14. PUBLIC COMMENT

15. EXECUTIVE SESSION – Litigation – Personnel – Real Estate

16. ADJOURNMENT

DRAFT

Hart County Board of Commissioners
December 9, 2025
6:00 p.m.

Hart County Board of Commissioners met December 9, 2025 at 6:00 p.m. at the Hart County Administrative & Emergency Services Center.

Chairman Marshall Sayer presided with Commissioners Michael Bennett, Frankie Teasley, Jeff Brown and Joey Dorsey in attendance.

1. PRAYER

Chairman Sayer offered prayer.

2. PLEDGE OF ALLEGIANCE

Everyone stood in observance of the Pledge of Allegiance.

3. CALL TO ORDER

Chairman Sayer called the meeting to order.

4. WELCOME

Chairman Sayer welcomed all those in attendance via in person, HTC Channel 3 and Board of Commissioners YouTube site.

5. APPROVE AGENDA

Commissioner Teasley moved to approve the agenda. Commissioner Brown provided a second to the motion. The motion carried 5-0.

6. APPROVE MINUTES OF PREVIOUS MEETING(S)
11/25/2025 Regular Minutes

Commissioner Bennett moved to approve the 11/25/2025 Regular Meeting Minutes. Commissioner Brown provided a second to the motion. The motion carried 5-0.

7. REMARKS BY INVITED GUESTS, COMMITTEES, AUTHORITIES

None

8. REPORTS BY CONSTITUTIONAL OFFICERS & DEPARTMENT HEADS

None

9. COUNTY ADMINISTRATOR'S REPORT

County Administrator Terrell Partain stated that DOT will be having a meeting on January 22, 2026 at Carnesville to discuss projects for the upcoming year. The BOC asked County Administrator to contact DOT to reserve the 1:00 time slot for them.

10. CHAIRMAN'S REPORT

Chairman Sayer announced that Terri Partain, Director of the IBA, requested he inform everyone about an upcoming dinner hosted by the IBA for the BOC, BOE, Hartwell City Council, and IBA members on January 22, 2026, from 5:30 to 7:00 PM. He noted that Hart County Public Safety expressed their gratitude by sending a thank you card to the Board for providing both a meal and complimentary camping at Paynes Creek. Additionally, Chairman Sayer extended special recognition to Jacob Keese, John Moore, Kayla Gabriel, Michael Evans, and Christy Zollner for successfully passing their Paramedic exam.

11. COMMISSIONERS' REPORTS

Commissioner Bennett thanked all employees for a great year; wished everyone a Merry Christmas and Happy New Year.

Commissioner Teasley expressed appreciation to all members of Public Safety and congratulations to those who passed the Paramedic exam; welcomed Randy Clark, newly elected City of Hartwell Council Member.

Commissioner Brown wished everyone a Merry Christmas and Happy New Year.

Commissioner Dorsey congratulated Randy Clark, newly elected City of Hartwell Council member; wished everyone a Merry Christmas and Happy New Year; asked that those who maybe having financial troubles or lost loved ones be remembered at this time of the year; congratulated those who passed their Paramedic exam; Fire Appreciation Supper will be Saturday night at Jamie Todd's; keep the Roper family in you thoughts and prayers for their loss.

Chairman Sayer and the BOC members recognized Solid Waste Superintendent Greg Howell for his years of service and presented him with a plaque upon his retirement.

12. OLD BUSINESS

a) Extension of Solar Moratorium

Commissioner Teasley moved to extend the Solar Moratorium for 90 days. Commissioner Bennett provided a second to the motion. The motion carried 5-0.

b) Bid Award Recreation Department Batting Cage Cover

Commissioner Dorsey moved to award the Batting Cage Cover bid to the Recreation Advisory Boards recommendation Rocking R Trailers/Joey Roberts. Commissioner Brown provided a second to the motion. The motion carried 5-0.

c) Cancellation of 2nd BOC December (12/23/2025) Meeting

Commissioner Dorsey moved to cancel the 2nd BOC December meeting. Commissioner Brown provided a second. The motion carried 5-0.

d) Correction of Rec Board Appointment

Commissioner Bennett moved to amend the 11/25/2025 minutes to show that Mason Bowers not Easy Powell was re-appointed to the Recreation Advisory Board with a term expiring 12/31/2027. Commissioner Teasley provided a second. The motion carried 5-0.

13. NEW BUSINESS

a) 2026 County Fee Schedule Resolution

Commissioner Bennett moved to adopt the 2026 County Fee Schedule Resolution. Commissioner Teasley provided a second. The motion carried 5-0.

Transfer Station Christmas Holiday Hours

Commissioner Bennett moved to approve the Transfer Station Christmas Holiday Hours. Commissioner Brown provided a second to the motion. The motion carried 5-0.

c) Beer and Wine License Class A: (Restaurants / Private Clubs on premises) Renewal for James R McCurley DBA, Hartwell Golf Club Inc, Charles A Findley DBA El Parian Mexican Parilla & Bar Inc., John Thomas Eagan DBA Hartwell VFW Post 8076 Inc., Catharine Graham Gem 5 Hospitality LLC DBA The Beacon Bed and Breakfast, Scott Barfield DBA Boat House Grill, LLC

Commissioner Dorsey moved to approve the renewals as listed above for 2026. Commissioner Brown provided a second to the motion. The motion carried 5-0.

d) Beer and Wine License Class A: (Restaurants / Private Clubs on premises) John Robinson/DBA TT Hartwell LC d/b/a, Tilly's Tiki Bar & Grill.

Commissioner Brown moved to deny the renewal listed above for 2026. Commissioner Bennett provided a second. The motion carried 5-0.

e) Beer and Wine License Class B: (Convenience Stores off premises) Renewal for Subrin Mostofa /DBA 29 Royal Food, Talat Solaiman /DBA Royal Food Mart #8742, Khurram Balagam /DBA Vanna Country Store, Jarnail Singh /DBA 17 Liberty Hill Church Road Chevron, Raheel Nicholas Lakhani /DBA Mini Mart, Malik Babwani /DBA Diamond Jubilee Royal Food & Tobacco, Hirenkumar Patel /DBA Dewy Rose Mart Inc., Zanir Keshawani /DBA SNS National LLC Sip N Smoke, Bikash Rai /DBA Airline Store LLC

Commissioner Dorsey moved to approve the renewals as listed above for 2026. Commissioner Teasley provided a second to the motion. The motion carried 5-0.

f) Distilled Spirits License: (Restaurants) renewal for Charles A Findley – El Parian Mexican Parilla & Bar LLC, , Scott Barfield /DBA Boat House Grill, LLC

Commissioner Teasley moved to approve the renewals as listed above for 2026. Commissioner Bennett provided a second to the motion. The motion carried 5-0.

g) Distilled Spirits License: John Robinson/DBA TT Hartwell LLC d/b/a Tilly's Tiki Bar & Grill

Commissioner Bennett moved to deny the renewal listed above for 2026. Commissioner Brown provided a second. The motion carried 5-0.

h) UGA Extension Service MOU

Commissioner Teasley moved to approve the UGA Extension Service MOU. Commissioner Brown provided a second. The motion carried 5-0.

- i) City of Hartwell Annexation Parcels C70B 096 and C70B 095, Approximately 35.52 acres on Parkdale Dr.

Chairman Sayer moved to send the Annexation of parcels C70B 096 and C70B 095 to Arbitration based on material burden upon the County due to a substantial change in land use, a substantial change in density, and resulting in an increase in infrastructure demands upon the County pursuant to OCGA 36-36-113 and to allow Chairman Sayer to sign the resolution. Commissioner Dorsey provided a second. The motion carried 5-0.

14. PUBLIC COMMENT

David Leard requested that the Board not treat their annexation request differently from previous requests. Chairman Sayer responded that by referring the request to arbitration, the Board is acting consistently with prior cases and considering what serves the best interests of the County. Mr. Leard further noted that traffic resulting from this annexation would primarily impact Parkdale.

15. EXECUTIVE SESSION – Litigation – Personnel – Real Estate

Commissioner Teasley moved to exit into Executive Session Litigation – Personnel – Real Estate. Commissioner Dorsey provided a second to the motion. The motion carried 5-0.

Commissioner Bennett moved to reconvene the regular meeting session. Commissioner Brown provided a second to the motion. The motion carried 5-0.

16. Adjournment

Commissioner Bennett moved to adjourn the meeting. Commissioner Brown provided a second to the motion. The motion carried 5-0.

Marshall Sayer, Chairman

Lisa Evans, County Clerk



MEMORANDUM

Terrell Partain,
County Administrator
January 8, 2026

RE: Item 12 A Board and Authority Advertising for 2026

As we normally do request permission to send out advertisements for all Boards applications for any terms that expires this calendar year.



MEMORANDUM

Terrell Partain,
County Administrator
January 9, 2026

RE: Item 12 B Adding Orchard Road (RR tracks to Hwy 17 <.5 mile) and Walters Road Pt.1 (Griffin Rd. to Rocksprings approx. 1 mile) to Current Paving Contract

The Orchard Road situation has been discussed and investigated for several months. I and Shannon have met with the property owners on several occasions, and they have agreed to sign the ROW paperwork as required by the Board. The road department has checked the depth of the base on the road in several locations, and it ranges from 12" to 17" along the length of the road being discussed. In discussions with the paving contractor to support the weight of the daily feed truck traffic it will require a total of 4" of asphalt to be laid. If the Board wishes to approve, the road department will do the preparation work cutting down, crowning, and packing. The current paving contractor will add this to his current contract at the same tonnage pricing as the awarded bid.

Walters Rd. Pt 1; Parts 2 and 3 (Rocky Ford Rd. to Griffin Rd.) is being patched and re-paved now underway. Shannon has suggested that since the initial decision to re-pave the other sections of the road the part 1 section has deteriorated and suggest that while they are there paving to continue to the Rocksprings Intersection.



MEMORANDUM

Terrell Partain,
County Administrator
January 9, 2026

RE: Item 12 C GMRC Agreement For 2026 Flyover

The Board voted for the Chairman to sign the letter of intent to participate in the multicounty arial photography program through GMRC. The contract is ready for the Chairman to sign.



December 12, 2025

Mr. Marshall Sayer, Chairman
Hart County Board of Commissioners
800 Chandler Street
Hartwell, Georgia 30643

Re: 2026 GMRC Orthoimagery and LiDAR Project

Dear Mr. Sayer,

Enclosed please find the executed copy of the Letter of Intent and two copies of the contract for services to acquire Digital Orthoimagery for Hart County during GMRC's 2026 project. Both copies of the contract need to be signed and returned to us for final execution. We will return one fully executed copy to you for your records.

We are looking forward to working with Hart County on this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Faith D. Bryan", is written over a faint, larger version of the same signature.

Faith D. Bryan, GISP
Director of Information Services

Enclosures

LETTER OF INTENT

It is Hart County's intention to purchase the following digital products through the 2026 GMRC Orthoimagery and LiDAR Project:

Hart County – 257 Square Miles

6" Pixel Resolution 4-Band Color Infrared Digital Orthophotography \$ 22,875.00

GMRC Project Administration \$ 1,500.00

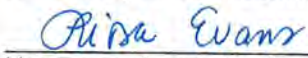
Total Hart County Project Cost - \$ 24,375.00



Marshall Sayer, Chairman
Hart County Board of Commissioners

11-12-25

Date



Lisa Evans, County Clerk
WITNESSED

11/12/2025

Date

Seal

Georgia Mountains Regional Commission



Heather Feldman, Executive Director

12/2/25

Date

PARTIES: Georgia Mountains Regional Commission;
Hart County, Georgia

SUBJECT: Digital Orthoimagery Acquisition and Delivery

TERM: December 15, 2025 to October 31, 2026

AGREEMENT

THIS AGREEMENT entered into this ____ day of December, 2025 between the GEORGIA MOUNTAINS REGIONAL COMMISSION, hereinafter referred to as the "Commission", and HART COUNTY, hereinafter referred to as the "County".

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto do hereby agree as follows:

1. Description of Services The Commission shall provide the following:

Digital Orthoimagery Acquisition and Delivery
6" Pixel Resolution 4-band Color Infrared Digital Orthoimagery
Hart County – 257 Square Miles

Per the County's submitted area of interest (AOI), NV5 Geospatial, hereinafter referred to as the "Vendor", will acquire digital aerial photography during the collection window beginning late December 2025 and ending no later than February 28, 2026. Imagery will be acquired under typical and standard climate and environmental specifications, including, and specifically, leaf-off conditions when the sky is sufficiently clear, deciduous foliage is dormant, and when the ground is not obscured by snow, haze, smoke, dust, cloud shadows or other ground cover. There shall be less than 5% cloud cover and/or shadows in the imagery. During the above referenced flight dates, shadows caused by topographic relief and low sun angle shall be avoided. Aerial imagery capture shall not be undertaken when the sun angle is less than thirty (30) degrees above the horizon.

Vendor will deploy the UltraCam Eagle Mark 3 (M3) sensor to capture the above-mentioned imagery at a scale sufficient for producing 1" = 100' planimetric mapping meeting the ASPRS Positional Accuracy Standards for Digital Geospatial Data Edition 2, Version 2 2024, and for production of four-band (R, G, B, IR) six-inch (6") ground sample distance (GSD) digitally orthorectified imagery deliverables in GeoTIFF format. Airborne GPS (ABGPS), inertial measurement unit (IMU) technologies, will be used during acquisition to enable direct geo-referencing of the acquired imagery for the project. Ground control point locations are distributed to verify all planned flight blocks are consistently tested to meet or exceed ASPRS Positional Accuracy Standards for Digital Geospatial Data Edition 2, Version 2 2024.

County's existing tiling structure/grid will be used if submitted to the Commission prior to acquisition.

Upon completion of acquisition and post processing of aerial photography, the Vendor will provide to the Commission, "draft" deliverables for the County. Upon checking for completeness, the Commission will forward the "draft" data set to the County to complete their QA/QC process on the deliverables. The County's QA/QC process must be completed within 30 days of receipt of "draft" data.

Upon the Commission's receipt of final approval from the County, the Commission will accept the deliverables for the County. The final deliverables will be transferred to the County upon receipt of all deliverables mentioned in Section 3 from the Vendor. The County will maintain ownership of the data deliverables for the project.

2. Term of Agreement: The term of this Agreement shall be from December 15, 2025 to October 31, 2026.

3. Products to be Submitted:

Final data delivery shall consist of a complete set of digital orthophoto files, for each tile in the area of interest submitted by the County, in GeoTIFF image format on portable HDD. A full mosaic image shall also be included in MrSID™ format. The orthophoto files will be produced directly from digital data with no modifications. Additionally, the County will receive a GEN 2, 3-band MrSID™ image for use with older Computer Aided Dispatch (CAD) systems. All orthophoto files will be georeferenced by the Vendor prior to delivery. World coordinate files (.tfw) files for each orthophoto file shall also be delivered. Additionally, a full set of MrSID™ format files, representing each tile and organized optimally for each county and city in the project area, and created with a 20:1 compression ratio, shall be provided. All digital orthophoto products shall be referenced horizontally to the Georgia State Plane Coordinate System NAD83. Images shall be delivered in uncompressed GeoTIFF file format with no internal tiling or overviews.

4. Compensation The County shall pay the following:

6" Pixel Resolution Digital Orthoimagery – \$22,875.00
GMRC Administrative Fee – \$1,500.00
Total County Project Costs - \$24,375.00

10% Due Upon Contract Execution - \$2,437.50
40% Due Upon Completion of Acquisition - \$9,750.00
40% Due Upon Completion of Processing/Deliverables - \$9,750.00
10% Due Upon Final Acceptance/Approval - \$2,437.50

The County will be invoiced by the Commission for compensation.

5. Termination: This Agreement may be terminated by either party upon thirty (30) days prior written notice to the other party. The Commission shall be compensated for all services rendered to and including the date of termination.
6. Entire Agreement; Modification: (a) This writing constitutes the entire agreement of the parties, and no representations are made or relied upon by either party other than those expressly set forth. (b) No modification, amendment waiver, termination or discharge hereof shall be binding upon either party unless executed in writing by the parties.

7. Execution in Duplicate: This Agreement is executed in duplicate, and each of the duplicates shall be deemed to be an original and shall have the same force and effect as if it alone had been executed by the parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and affixed their seals the day and year first above written.

GEORGIA MOUNTAINS REGIONAL
COMMISSION

By: _____
Heather Feldman, Executive Director

By: _____
Courtney Umbehant, Council Chairman

Subscribed and sworn to
in our presence:

Notary Public

HART COUNTY

By: _____
Marshall Sayer, Chairman
Hart County Board of Commissioners

Subscribed and sworn to
in our presence

Notary Public



MEMORANDUM

Terrell Partain,
County Administrator
January 9, 2026

RE: Item 12 D LMIG FY26 preliminary list of Roads

It is time to turn in a preliminary list of roads to secure the FY26 LMIG funds. Again, this is a preliminary list and can and will be updated and or changed before bids go out in FY27. If any of you have any roads you want to have on the list give them to me in the next few days.

Resolution 2026 # 001

WHEREAS, O.C.G.A. § 21-2-131(a)(1) requires the county governing authority to fix and publish the qualifying fees that must be paid by individuals seeking to run for election to county office;

WHEREAS, the qualifying fee is required to be 3% of the base salary (excluding supplements, cost of living adjustments and longevity increases) for the offices shown below;

NOW, THEREFORE, BE IT RESOLVED, that the Hart County Board of Commissioners hereby fixes the qualifying fees for the election of the following county offices as follows:

Board of Commissioners	\$ 162.00
Board of Education	\$ 72.00

BE IT FURTHER RESOLVED, these qualifying fees shall be published in the legal organ of the county as required by law.

Adopted this 13th day of January 2026.

Michael Bennett
Commissioner District 1

Marshall Sayer
Commissioner District 3

Joey Dorsey
Commissioner District 5

Frankie Teasley
Commissioner District 2

Jeff Brown
Commissioner District 4

Lisa Evans, County Clerk



MEMORANDUM

Terrell Partain,
County Administrator
January 9, 2026

RE: Item 13 B ADA (Americans with Disability Act) Policy Approval

Attached is an ADA policy developed by the County Attorney for the County. It must be approved by the Board.



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), Hart County, Georgia will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Hart County, Georgia does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: Hart County, Georgia will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Hart County's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Hart County, Georgia will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Hart County, Georgia offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Hart County, Georgia, should contact the office of the County Administrator (currently Terrell Partain) at (706) 376-2024 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Hart County, Georgia to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Hart County, Georgia is not accessible to persons with disabilities should be directed to the County Administrator at (706) 376-2024.

Hart County, Georgia will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Hart County, Georgia
Grievance Procedure under
The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Hart County, Georgia. The County's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Terrell Partain
County Administrator/ADA Coordinator
800 Chandler Street
Hartwell, Georgia 30643

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his designee will meet with the Complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the Complainant, such as large print, Braille, or audio tape. The response will explain the position of the Hart County, Georgia and offer options for substantive resolution of the complaint.

If the response the ADA Coordinator or his designee does not satisfactorily resolve the issue, the Complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Chair of the Hart County Board of Commissioners.

Within 15 calendar days after receipt of the appeal, the Chair of the Hart County Board of Commissioners or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the the Chair of the Hart County Board of Commissioners or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Terrell Partain as the ADA Coordinator or his designee, appeals to the the Chair of the Hart County Board of Commissioners or his designee, and responses from these two offices will be retained by Hart County for at least three years.



MEMORANDUM

Terrell Partain,
County Administrator
January 9, 2026

RE: Item 13 C His Vision Inc. Setback Variance Request

His Vision Inc. has two houses under construction that have been under a stop work order for several weeks /months for setback violations. They have requested to appear before the Board with a possible corrective plan and request for a possible variance for one of them. Their request and information are attached.

1215 South Elm Street
Commerce, Georgia 30529
T: (706) 510-0000
F: (706) 243-6464



Dylan E. Wilbanks
Margaret Uhler

dylan@wilbankslawfirm.com
margaret@wilbankslawfirm.com

To: Terrell Partain
From: Dylan Wilbanks on behalf of His Vision, Inc.
Date: January 8, 2026
RE: Application for variance from setback requirement Article VI, section 46-191
60 Melody Point Road, parcel no. C69D 025 003, permit no. 9188
304 Melody Lane, parcel C69D 025 002, permit no. 9191

His Vision, Inc., hereby applies for a hardship variance pursuant to Article VIII, section 46-261 from the forty-foot setback requirement for its parcel at 60 Melody Point Road, Hartwell, Georgia.

Background: His Vision, Inc., owns sixteen parcels along Melody Lane in Hart County, currently zoned R-3 per the tax assessor's website. These lots are generally between one and one-and-a-half acres in size. In 2025, His Vision applied for building permits for 60 Melody Point Road (parcel no. C69D 025 003, permit no. 9188) and 304 Melody Lane (parcel C69D 025 002, permit no. 9191). 60 Melody Point Road's home is planned to be approximately 2,100 square feet and 304 Melody Lane is planned to be 2,419 square feet, significantly exceeding the minimum requirements. They are planned to both have premium finishes such as stone countertops and LVP flooring and expect to be marketed in the \$550,000 to \$625,000 price range. During planning, His Vision originally proposed home locations based on a setback from the centerline of the adjacent road. As shown in the attached email pertaining to 304 Melody Lane, Bureau Veritas stated, "Setbacks need to be measured from the property line to the house. The front setback must be 40' from the front property line to the front of the house."¹

Based upon this direction, His Vision re-calculated the setback for 304 Melody Lane using the property line, but *not* the right-of-way as the Hart County code requires. Bureau Veritas did not offer the same feedback as to 60 Melody Point Road, and His Vision made no alterations. The submittal to Bureau Veritas for 60 Melody Point Road is attached here. Though the proposed home locations were approved on both lots, they were later discovered to violate the county's setback requirements.

On October 1, 2025, Hart County issued stop work orders on both properties until His Vision provides a plan to remedy the setback encroachment violations. His Vision has engaged with a contractor to move the residence at 304 Melody Lane, and will ensure that the lot and any residence on it satisfies the setback requirement.

With respect to 60 Melody Point Road, His Vision requests a variance to allow the small encroachment of the setback. That encroachment is presently less than five feet. The circumstances that lead to this request are unique. Granting this variance will not lead to a wide-scale entitlement to a variance for other applicants. Likewise, it is within the range of previous variances granted in other instances.

¹ "1174 Melody Ln" in the subject line is a reference to an earlier street number for 304 Melody Lane that Bureau Veritas had given His Vision. There is no separate permit for a property with that address, and this email refers to the home under construction at 304 Melody Lane.

Hart County's hardship variance code states that the board may vary regulations to do substantial justice and secure the public interest where extraordinary hardship may result from requiring strict compliance. Here, the variance sought is minimal, and enforcing strict compliance will not materially change or improve any condition present at the lot. The cost of strict compliance, on the other hand is great: the cost to engineer and move the house will by itself be greater than \$75,000, and His Vision anticipates that the operation may ultimately affect the sales price of the home.

Based on the facts and circumstances above, His Vision respectfully requests a variance as to the front setback for its property at 60 Melody Point Road.

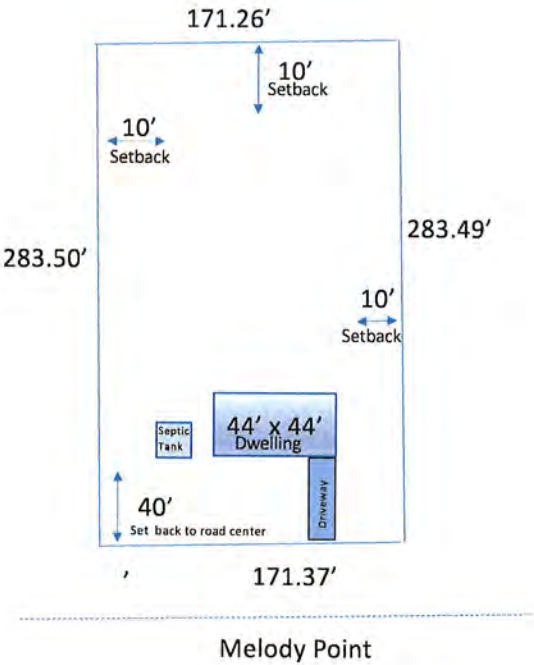
Melody Farms Lot 9
Hartwell, GA
Scale 1/64" = 1'

..... Road
—— Property Line



His Vision, Inc.

PO BOX 324
Homer, GA 30547
706-658-6037



Fwd: 1174 Melody Ln



Jon Breedlove

To: Dylan Wilbanks

Jan 7, 2026 at 4:14 PM

Please see the email below...Let me know what else you need from me.

----- Forwarded message -----

From: **Jennifer Rhodes** <jennifer.rhodes@bureauveritas.com>

Date: Fri, Jul 11, 2025 at 4:50 PM

Subject: 1174 Melody Ln

To: jbreedlove20@gmail.com <jbreedlove20@gmail.com>

Cc: Department Hart County Code <jlunsford@hartcountyga.gov>

Good afternoon,

Your permit documents have been reviewed and the following needs to be addressed:

- Your application indicates the lot is 1.114 acres. Will you be disturbing more or less than an acre?
- The unheated SF is missing from the plans. Your application says your unheated SF is 4000. What does this include? Please provide the SF for the garage and the front covered porch.
- Your septic permit only allows 4 bedrooms. We qualify a room as a bedroom when it has a closet. The bonus room having a closet makes it a fifth bedroom. You would need to remove the closet from the bonus on the plans to stay within the allowed limits of the septic permit.
- Please clarify the front setback. Setbacks need to be measured from the property line to the house. The front setback must be 40' from the front property line to the front of the house.

Thank you,



**BUREAU
VERITAS**

Jennifer RHODES

Permit Technician

☎ 972-571-3338

📍 **BUREAU VERITAS**

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