

**Habersham County Development Authority**  
**Thursday, August 8, 2024 @ 3:30 pm**  
**Executive Conference Room**  
**130 Jacob's Way, Clarkesville, GA 30523**

The Habersham County Development Authority held a regular meeting on Thursday, August 8, 2024, at 3:30 p.m. in the Executive conference room in the Habersham County Administration Building located at 130 Jacob's Way, Clarkesville, GA, 30523.

**Members Present:** Jim Butterworth, Allen Whitener, Jeff Bruns, Sidney Roland, Gail Thaxton, Bryan Ferguson, Mike Franklin (entered the meeting at 4:00 p.m.)

**Members Not Present:** None

**Others Present:** County staff, Members of the Public and Media

**Call to Order**

The meeting was called to order at 3:30 p.m. by Jim Butterworth.

**Invocation and Pledge of Allegiance**

The invocation was given by Bryan Ferguson and the Pledge of Allegiance was led by Jim Butterworth.

**Approval of Agenda**

A MOTION was made by Gail Thaxton, seconded by Sidney Roland, and voted 6-0 to AMEND the agenda to add b) Partnership Habersham Discussion under New Business and to approve the agenda as amended.

**Approval of Minutes**

A MOTION was made by Gail Thaxton, seconded by Sidney Roland, and voted 6-0 to approve the minutes of the June 13, 2024, Regular Meeting.

**Old Business**

- a) Airport Business Park/Phase II Business Park Update – Charlie Fiveash gave the update. The Don Higgins building is still vacant. Charlie received a prospect call from a company wanting to locate in Habersham County. He has referred them to speak with Mr. Higgins. Charlie feels we are at an impasse, and that the Development Authority will need to take some sort of action. Having a brand-new vacant building in our business park is a detriment for our community, where we could have a tax paying, job producing company in the space. There is not a sign on the building or lot advertising it for lease or sale. Jim Butterworth added that he reached out to D. Higgins, who told him the building is finished, there is not a bathroom in it, but it's ready for business. He stated that they have received calls about the building, and they give information but never hear back. Bryan Ferguson asked if we have any leverage. Jeff Bruns asked if Mr. Higgins is in violation of an agreement. If not, the Development Authority doesn't have any recourse. Charlie said there is nothing in the

covenants regarding having an empty building in the business park. Jeff said if there is nothing in the sale agreement or covenants that state Mr. Higgins must rent it, sell it, or take tenants in. Jeff said it's like owning a house – he doesn't have to live in it, providing as he pays the mortgage and property taxes, it can sit empty. Janney Sanders reiterated that there is nothing in the covenants regarding use of the building. Alicia said she would be interested in seeing the tax appraisal for the property. Charlie said he is trying to maintain a good rapport with Mr. Higgins, but he doesn't have a solution at this point. On a positive front, we have the poultry user under contract for 15 acres in Phase II. Charlie made the introduction between the prospect and Tom Hensley from Fieldale. Charlie thinks the company will build a nice tilt-wall constructed building and will provide about 30 jobs. The prospect's due diligence period ends on September 3<sup>rd</sup>, but Charlie expects it to be extended. Charlie explained that Jim Butterworth had received a call from a City of Baldwin Council member, who was upset that they didn't receive a heads up regarding this new prospect. Jim was asked to let the city as well as city administrator Emily Woodmaster know about prospects before they are contacted directly by the prospect. Jim told her that he did not feel it was our responsibility to do that. He told her that we have a process we follow. Gail Thaxton said that city officials are always welcome to attend our Development Authority meetings to stay informed about upcoming projects or prospects. The property is still in the unincorporated county and has not yet been annexed into Baldwin. Charlie had already advised the prospect to contact the City of Baldwin regarding utilities and annexation, which the prospect did. Charlie reminded the Development Authority that this prospect was the last sale transaction under Wade Rhodes' contract. Marketing and sales from this point forward will be handled through Charlie. The buyer has chosen James Irvin as his engineer based on a long-standing relationship; that decision was not made by the Development Authority.

- b) Business Park Streetlight & Landscaping Billing Update – Patti McLarty gave the update. We have invoiced 3Q23, 4Q23, 1Q24, and 2Q24. We have collected about half of what we have invoiced so far - \$4,667.87 received out of \$8,867.47 invoiced. All the pad owners under the Airport Business Park covenants have begun to pay or have paid in full. Jeff Bruns asked about the companies who have not paid and whether they are obligated to pay. There are business owners on the road that do benefit from the services, but do not seem inclined to participate. Since these businesses are not under the business park covenants, we cannot force them to pay. Patti suggested removing those companies from the calculation of expenses so that the Development Authority can recoup more of their expenses. Alicia Vaughn said typically when the last pad is sold, the owners must form an association and take over the responsibility of receiving and paying the bills. Jim suggested it was time to have Janney Sanders draft a letter to the pad owners and try to help them through forming an association. The Development Authority plans to have the bills put in the association's name by January 2025. Alicia asked if the streetlight infrastructure was paid in full? Bryan Ferguson said there was still a balance remaining. Patti will follow up with HEMC to determine what is still owed. \*\*\* Mike Franklin entered the meeting at 4:00 p.m.\*\*\*
- c) Courthouse Redevelopment Update –see new business item a.

### New Business

- a) Review/Discuss Parkside due diligence extension for old courthouse redevelopment – Charlie mentioned an article in last week's newspaper that raised many questions regarding the due diligence extension for Parkside Partners that stated that the Development Authority had requested an additional \$25,000 to extend their due diligence period. Charlie wanted to remind the authority that the cost and procedure for the developer to extend their due

diligence period was clearly defined in the MOU that was signed by the Development Authority, City of Clarkesville, and BOC, and that procedure was properly followed. Charlie added that Parkside has spent over \$125k on their due diligence efforts thus far and will most likely request a second extension. Mike Franklin asked if any of the earnest money collected is “hard”? Charlie said that much of the earnest money and due diligence fees are not refundable to the developer. Alicia confirmed that \$5k of the \$25k due diligence extension fee is non-refundable. Jim advised the authority members to please reach out to himself or the county’s PIO if they are unsure how to answer questions regarding the redevelopment.

- b) Partnership Habersham discussion – Jim Butterworth opened the conversation by sharing that the BOC had removed \$34,000 per year worth of funding for Partnership Habersham for FY2025, leaving \$1k as their contribution. The Development Authority contributes \$15k annually, and that amount has not changed. Jim emphasized that the Development Authority gets the benefit of the Partnership Habersham relationship in addition to Executive Director services for a total county contribution of \$16k. Jim said that there are many surrounding counties that contribute hundreds of thousands, if not millions of dollars toward economic development. Jim stressed that this discussion is being initiated by him, and that he has received no phone calls or correspondence from Partnership Habersham or from anyone regarding Partnership Habersham. Jim asked the group if there was any interest from the Authority to increase our funding of Partnership Habersham. Mike Franklin spoke up and said he must abstain from any votes regarding Partnership Habersham, as he serves on their executive board and that would be a conflict of interest. He did, however, say that Partnership Habersham does so much for our community and for economic development, and he feels like they deserve our support. Jim also stated that he realizes the Development Authority offering more support could be considered a “poke in the eye” to the BOC, and he does not want that. Alicia Vaughn stated that the main issues the BOC had with supporting Partnership Habersham were the lack of transparency in sharing their financial statements, as well as a lack of representation of the county on the Partnership Habersham board. Alicia said that both these issues have since been resolved, but not in time for the commissioners to vote to fully fund Partnership Habersham for FY2025. Gail Thaxton asked if there could be a larger conversation with the commission about more funding for the Development Authority, which could potentially include up to 1 mill. Charlie pointed out that up to 70% of Partnership Habersham’s funding comes from the private sector, which is a rare but good thing. Jeff Bruns added that we need to have a recurring revenue stream before we start spending any more money. Alicia Vaughn and/or Ty Akins will be serving on Partnership Habersham Executive Committee as county representatives this next year. Alicia recommends the Development Authority work with the BOC to discuss future funding for economic development.

### **Other Reports**

Mike Franklin shared that there are 36.88 acres on Level Grove Road where it crosses Hwy. 365 on the NW side of the road that has a firm contract and is in due diligence. The property will be annexed into the City of Cornelia to provide water and sewer. They will begin breaking ground in December to build 230 townhomes. Mike also added that the day after the contract was signed, a big box store contacted him with an offer for the same property. Mike asked the authority to keep him posted about any other sites that would be good for that prospect, as it is something this community needs.

**Public Comment**


None

**Next Meeting**

The next regular meeting is Thursday, September 12, 2024, at 3:30 p.m.

**Adjourn**

A MOTION was made by Bryan Ferguson, seconded by Jeff Bruns, and voted 7-0 to adjourn the meeting at 4:40 p.m.

  
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Bryan Ferguson, Vice Chair  
Jim Buterworth - Chair

  
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Attest: Charlie Fiveash