



## AGENDA ITEM

### Other Business - County Attorney

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**REPORT TO:** Work Session (05/11/26)

**REPORT TO:** Voting Meeting (05/14/26)

**ITEM NO:** 289/2026

**SUBJECT:** Approve the withdrawal of Hall County's objection to the City of Flowery Branch's annexation of the property of S.P. McKibbon Sr., LLLP, located at 0 Sasser Road, Flowery Branch, GA 30542, and bearing Hall County Tax Parcel 15044 000040, following the applicant's withdrawal of the annexation application on or about May 6, 2026.

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#### Meetings:

**Work Session Date:** 05/11/26

**Voting Meeting Date:** 05/14/26

#### Executive Summary:

**Presenter:** JL

**Recommendation:**

Approve

#### Purpose of Request:

Approve the withdrawal of Hall County's objection to the City of Flowery Branch's annexation of the property of S.P. McKibbon Sr., LLLP, located at 0 Sasser Road, Flowery Branch, GA 30542, and bearing Hall County Tax Parcel 15044 000040, following the applicant's withdrawal of the annexation application on or about May 6, 2026.

#### History:

On April 6, 2026, the Hall County Board of Commissioners by unanimous vote approved a Resolution Objecting to the City of Flowery Branch's Annexation of the Property of JS.P. McKibbon Sr., LLLP, Known as Hall County Tax Parcel 15044 000040. On April 22, 2026, Hall County timely served notice of its objection to the City of Flowery Branch and the Department of Community Affairs. The applicant, Tellus Holdings, LLC, subsequently withdrew the annexation application on or about May 6, 2026, per its attorney, Ethan Underwood, which was confirmed by Flowery Branch's counsel.

#### Facts and Issues:

The Department of Community Affairs, by its adopted rules, requires that the Hall County Board of Commissioners vote to withdraw its annexation objection to the subject property for Hall County's request for an arbitration panel to be rendered moot in accordance with Ga. Comp. R. & Regs. R. 110-12-8-.03(9)(e).

#### Options:

Hall County, by a majority vote of its elected body, is permitted under the rules and regulations of the Department of Community Affairs to withdraw its annexation objection at any time for any reason during the arbitration process.

**Funding Requested**

\$ 0.00

**Are funds within current budget?** No  
**Source of Funds**  
**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?** No  
**Has it been reviewed by the County Attorney?** Yes  
**Is there a deadline for this item?** 2025-07-10

**Approvals:**

<b>Submit</b>	<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>
JL	JL	CR	JR

**Attachments:**