

**MINUTES
PUBLIC HEARING
WARE COUNTY BOARD OF COMMISSIONERS
MONDAY NOVEMBER 10, 2025
5:00 p.m.**

The Ware County Board of Commissioners held a Public Hearing, Monday, November 10, 2025, at 5:00 p.m. in the Ware County Commission Chambers, 305 Oak Street, Suite 201, Waycross, Georgia 31501, with Chairman Elmer Thrift presiding.

CALL TO ORDER	Chairman Elmer Thrift
COMMISSIONERS PRESENT	Commissioner Leonard Burse, Commissioner Barry Cox, Commissioner Jon Tindall
COMMISSIONERS ABSENT	Commissioner Timmy Lucas
STAFF PRESENT	County Manager James Shubert; Assistant County Attorney Jennifer Herzog, County Clerk Melinda Brooks
PRESS	Mittie Vaughan – Ware Press Express
INVOCATION	The invocation was waived from the Work Session
PLEDGE OF ALLEGIANCE	The Pledge of Allegiance was waived from the Work Session

Call to Order:

Chairman Thrift called to order the public hearing for the request to close a 50' x 400' section of Center Street.

Road Closure Request

Interim Planning Director Dustin Minchew presented a recap of the request made at the October 13, 2025, public hearing. Applicant Dale Poole wants to close and abandon a 400-foot (more or less) long section with a 50-foot right-of-way unopened road that runs parallel to South Augusta Avenue from Center Street to a dead end. Mr. Poole owns both sides of the unopened roadway that he wishes to close. He had a culvert installed, cleared the property and made a private driveway that he would like to use as a closed-access private driveway.

Support

Dale Poole – 2040 Carswell Avenue

Mr. Poole stated he paid to have the driveway installed, and his grandchildren love to play outside. Having that section of road open to the public would be a danger to his grandchildren when they are outside.

Oppose

Mr. and Mrs. Lawrence Kirkhart -2432 Carswell Avenue

Both spoke in opposition to the closing of the road because their 30-acre property, which extends from their address to behind Mr. Poole's property, is divided by a 4-foot ditch that makes it harder to access that section of property. They would like to use his driveway to access their property. Other possible points of entry, such as Ketterer Street, were discussed as alternate routes. The Kirkharts stated that the owner at the Ketterer Street entrance has erected a fence that they say he claims was "grandfathered in". Their reason for using Mr. Poole's drive for access to that piece of property is that they have considered having a farmstand on that end of the property, as well as building a couple of houses.

A big question for the Commission was section of land was ever a County road. Assistant County Attorney Jennifer Herzog said some may say this was never a County road. However, the best practice is if there has ever been any evidence that the road was platted and used. Another issue was to ensure the Kirkharts had access to their property. They could have a culvert installed in the ditch to reach the other side, as there is evidence in the aerial photos of logging equipment having crossed the ditch and accessing both sides. There was much discussion regarding County ROW, landlines, alternate access points, and etc. The Commission looked at photos and maps of the properties.

Added to Regular Meeting Agenda

CLOSURE

Commissioner Tindall made a motion to close the public hearing. Commissioner Burse seconded the motion, which passed unanimously.

The public hearing was closed at 6:40 p. m.

Date proposed to be approved: December 8, 2025

ATTEST:



Melinda L. Brooks, County Clerk


Elmer Thrift, Chairman

12-11-2025

Date

