STATE OF GEORGIA
COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting ***in-person*** on Tuesday, May 3, 2022, 9:00 a.m., at the Henry County Administration Building (Community Room), 140 Henry Parkway, McDonough GA. HenryTV also streamed this live online at its website, as well as Charter/Spectrum Channel 180 and Facebook Live.

Carlotta Harrell, Chair
Johnny Wilson, District I Commissioner
Dee Clemmons, District II Commissioner
Dee Anglyn, III, District III Commissioner
Vivian Thomas, Vice-Chair/District IV Commissioner
Bruce Holmes, District V Commissioner *(arrived at 10:04 a.m.)*

Also in attendance: Cheri Hobson-Matthews, County Manager; Nancy Rowan, County Attorney; Stephanie Braun, Clerk, Henry County; and Nathifa Cunningham, Deputy County Clerk

HENRY COUNTY CODE OF CONDUCT

(Sec. 2-2-128: Conduct during public meetings)

INVOCATION

The Invocation was given.

PLEDGE OF ALLEGIANCE

The Pledge was recited.

CALL TO ORDER

Carlotta Harrell, Chair, called the Regular Meeting of the Henry County Board of Commissioners for Tuesday, May 3, 2022 at 9:00 a.m. to order.

Announcement from Chair

Chair Harrell announced the following changes to this morning's Agenda, to-wit:

- *Added* Proclamation Recognizing National Small Business Week;
- *Moved* **CONSENT AGENDA** up to be read before **PRESENTATIONS**

PROCLAMATION

Nicholas Ivey, Communications Specialist, read the Proclamation as follows:

PROCLAMATION RECOGNIZING MAY 1-7, 2022
NATIONAL SMALL BUSINESS WEEK

WHEREAS, National Small Business Week celebrates small business owners around the country, recognizing their outstanding service, innovation and development; and

WHEREAS, small businesses account for half of America's workforce and more new jobs come from small businesses than any other source; and

WHEREAS, the 2022 NSBW theme, "Building a Better America through Entrepreneurship", highlights the resilience, ingenuity and creativity of America's 32.5 million small businesses; and

WHEREAS, during National Small Business Week we celebrate our county's small businesses and enormous contributions to daily life and prosperity; and

WHEREAS, Henry County small businesses have shaped and embodied a thriving entrepreneurial spirit which drives our local economy forward; and

WHEREAS, the U.S. Small Business Administration's Georgia District Office announced its 2022 Georgia Award winners on April 29, 2022; and

WHEREAS, retired U.S. Army Lt. Col. Michael Randall was recognized as the 2022 Veterans Small Business Champion of the Year for the State of Georgia; and

WHEREAS, retired Lt. Col. Michael Randall is the President/CEO of Safeguard Security Solutions, LLC, in Stockbridge, Henry County, Georgia; and

WHEREAS, in addition to operating a small business, retired Lt. Col. Randall founded the Share the Dream Foundation, Inc., through which he helped six (6) veterans start their own businesses and non-profit organizations in 2021.

NOW, THEREFORE, BE IT PROCLAIMED THAT, the Henry County Board of Commissioners do hereby join the national celebration by proclaiming May 1-7, 2022 as National Small Business Week and encourages everyone to shop local and small. Small businesses are constantly reinvesting in the local community by donating to school programs and providing aid and assistance to local organizations. When our small businesses thrive, our communities thrive.

PHOTOGRAPHS WERE TAKEN

<u>CONSENT AGENDA</u> *(Moved up at the request of the Chair)*

Cheri Hobson-Matthews, County Manager, presented the Consent Agenda as follows:

Capital Projects

A. Resolution awarding a contract for Architectural Design Services for a Satellite Government Office (Tax & Tag Office in Locust Grove) to Lyman Davidson Dooley, Inc. in the amount of $310,400.00 using Capital Improvement Plan Funds. District 1 (Presenter: Lynn Planchon, Capital Projects Director)(Exhibit 1) *Resolution #22-117*

Facilities Maintenance

A. Resolution awarding Bid # 22-37 to TerraSouth Landcare, LLC. , for grounds keeping, mowing and landscaping services to specified Henry County Facilities locations as indicated in the proposal (Exhibit #1) in the amount of $320,264 annually. Funding will be available using the Facilities Maintenance Budget (Presenter: Hutch Purvis, Cluster Lead)(Exhibit 2) *Resolution #22-118*

Fire Department

A. Resolution to the Board of Commissioners approving the acceptance of the Funds from the Georgia Emergency Management Agency in the amount of $50,000 (Presenter: Jonathan Burnette, Fire Chief and Kevin Johnson, Deputy Director of EMA)(Exhibit 3) *Resolution #22-119*

SPLOST

A. Resolution of the Board of Commissioners awarding Bid #22- 47 for JP Moseley Disc Golf Course Improvements to J.R. Bowman Construction Co. in the amount of $293,206.00 using SPLOST IV funds. District 4 (SP4402)(Presenter: Lynn Planchon, Capital Projects Director)(Exhibit 4) *Resolution #22-120*

Stormwater

A. Resolution to the Board of Commissioners approving the construction of Reeves Road drainage pipe replacement and improvement to Backbone Infrastructure, LLC from Sugar Hill, GA in the amount of $146,601.04. District 4 (Presenter: Alex Mohajer, Stormwater Director)(Exhibit 5) *Resolution #22-121*

Transportation

A. Resolution approving the bid award for engineering design services for Intersection Improvements of Industrial Boulevard @ Henry Parkway to Falcon Design Consultants, LLC, in the amount of up to $109,920.00. District 1 (Presenter: Roque Romero-Muniz, SPLOST Transportation Director)(Exhibit 6) *Resolution #22-122*

****This ends the Consent Agenda****

There being no changes to the Consent Agenda, **Dee Anglyn, III, District III Commissioner,** made a motion to approve; **Johnny Wilson, District I Commissioner,** seconded the motion. The motion carried (5-0-0). *(**Bruce Holmes, District V Commissioner,** was not in attendance for this vote)*

REGULAR AGENDA

PRESENTATIONS

Recognition of Henry County Employee Retirements

Harold Cooper, Human Resources Director, announced the following retirees from Henry County:

- *Gregory Malcom* - *Henry County Fire Department* - *28 years*
- *Gerri Yoder* - *Henry County Animal Control* - *16 years*

Connecting Henry Update

Barbara Coleman, Executive Director, Connecting Henry, presented an update to the Board regarding the Henry County Non-Profit Assistance Program and Community Development Block Grant (CDBG) Funds. She stated that in Henry County, there are no places or infrastructure for the homeless population; there is also no affordable housing. Funds provided by the Henry County Non-Profit were spent on rent/mortgage and utilities and she presented figures by District on how they were disbursed. She further remarked on actions taken to address these issues since the pandemic began, including assistance for utilities. Expenditures and Households Served (by District) through CDBG Funds were also presented for the Board. There is also assistance in employment training programs, and Ms. Coleman provided two (2) individual success examples, through the CDBG, Non-Profit and ESG grant funds.

Vivian Thomas, Vice-Chair/District IV Commissioner, thanked Ms. Coleman for her presentation and asked for a copy of this presentation and report to share with their constituents.

There were no further questions or comments from the Board. ***No action was taken.***

Visit Henry County, Georgia

Laura Luker, Director, Henry County Tourism, presented the mission and the update for the Board and, in part, to celebrate National Travel & Tourism Week. Ms. Luker explained that Henry County Tourism is not a “building” organization; it is a “promotion” organization to attract and advertise tourism to Henry County as a “destination place”. The organization is also 100% funded through the hotel/motel tax revenues, the details of which were presented to the Board.

Ms. Luker continued with the presentation, specifying that as of July 1, 2021, the Georgia General Assembly passed HB317, requiring short-term rentals (i.e., VRBO, AirBnB) to now pay hotel/motel tax. A breakdown of how those funds are spent was also shown for the Board and public viewing. She presented the 2021 Visitors Guide to Henry County; production has since increased with expanded distribution for 2022. Examples of advertising were also shared with the Board and public viewing. The website also provides information and advertising, highlighting spots and activities in Henry County as a destination location. (www.visithenrycountygeorgia.com)

Ms. Luker also presented the programs that partner with other businesses for tourism and development, along with promotions for social media and other forms of media advertising. New initiatives such as coloring sheets developed by local artists have also proven very popular, as well as the "Bushy Tail Art Trail" also designed by local artists is receiving excellent feedback and that continues to develop throughout the county.

Commissioner Thomas asked for a financial review, from 2021 till year-to-date, to be sent to the Commissioners for their review; **Ms. Luker** acknowledged the request and stated she will have that sent.

There were no further questions or comments from the Board. ***No action was taken.***

COVID-19 Update

Jonathan Burnette, Chief, Henry County Fire Department, approached to give an update for the Board. Figures presented during the meeting were obtained from Piedmont Henry Hospital and the Department of Public Health. He also provided information on initiatives targeting the low-vaccinated areas in the County, with a meeting regarding same scheduled later in the week.

Kevin Johnson, Henry County EMA Director, provided testing and vaccine figures for the Board, with a shift in hours at the Red Hawk testing site due to demand and are averaging fourteen (14) tests a day, with a slight increase to 5.9% positivity rate, up from 3% approximately two (2) weeks ago. While the Department of Public Health administered ninety (90) vaccines during the month of April, Henry County is still lower than the State of Georgia for fully vaccinated individuals; however, that is being addressed with the Healthcare Intervention Team to improve said numbers. Under age 35 presents the lowest vaccinated group and therefore prioritized to improve that number to get as many vaccinated as possible. A COVID-19 Testing Machine has been installed where people can receive a test, with the specimen sent a lab; results are given to the user via a phone call. Delivery is expected this month, no later than June 1, 2022. The Omicron BA.2 variant is also being carefully tracked, as it is shown to be highly transmittable but the symptoms are not as severe, which ultimately results in fewer hospitalizations and/or death.

Chair Harrell asked where the machine will be placed upon arrival; **Chief Burnette** responded it will be at 110 S. 2nd Parkway, Police & Fire Headquarters. If that goes well, two (2) more machines will be installed - 1 at the north end and 1 at the south end of the county.

There were no further questions or comments from the Board. ***No action was taken.***

Aquatic Center

Jonathan "J.P." Penn, Cluster Leader, Henry County Leisure & Public Services, presented the update for the Board, which was very brief. The design team was approved at the same time the location for the center was approved, on April 19, 2022. Currently the site is being evaluated and sol boring testing is scheduled, to determine the exact spot on the site to place the center; once that is established, the design process will move forward.

There were no questions or comments from the Board. ***No action was taken.***

Finding a Commission District

Stephanie Braun, Clerk, Henry County, approached with a presentation which provided instruction on how to find your commission district. She explained that when the redistricting maps were drawn after the 2020 Census, the commission lines changed and that they have been receiving calls from residents trying to figure out what district they are in. These step-by-step instructions will be provided on the main page of the County's website (henrycountyga.gov) under the "How Do I" prompt at the top right-hand corner.

Chair Harrell added that the app: GA SOS can be downloaded to determine if a resident is registered to vote and to find their polling location, as well as providing the Commission District.

There were no questions or comments from the Board. ***No action was taken.***

DEPARTMENT OF TRANSPORTATION

Frog Road Right-of-Way (Public Hearing)

Request to abandon and declare surplus a portion of Frog Road Right-of-Way, as shown on Right-of-Way Abandonment Plat. District 1 (Presenter: David Simmons, CE III) (Exhibit 7)

David Simmons, CE III, Henry County Department of Transportation, presented this request to the Board, with the portion's total area of 25,993 square feet (0.597 acres). This is necessary to complete a property transaction, previously approved through Resolution #16-342. This was duly advertised on April 23 and April 27, 2022 in the *Henry Herald*; adjoining property owner was also notified. Appropriate illustrations were displayed for clarification.

Chair Harrell opened the floor for the Public Hearing and called for anyone wishing to speak in to come and make comment, allowing any and each speaker three (3) minutes.

There being no questions or comments from the Board, **Commissioner Wilson** made a motion to approve; **Commissioner Anglyn** seconded the motion. Motion carried 5-0-0. *(**Commissioner Holmes** was not in attendance as of yet)*

Resolution #22-123

Speed Humps

Resolution of the Henry County Board of Commissioners authorizing speed humps to be installed in Brook Hollow Subdivision. District 4 (Presenter: David Simmons, CE III) (Exhibit 8)

Mr. Simmons presented the request and stated that per the current Ordinance, the required number of residents in Brook Hollow Subdivision signed a petition in favor of the speed humps. Henry County Department of Transportation (HCDOT) verified the requirements of the Ordinance to this effect and the approximate location of each proposed hump has been marked. He further stated that 51% of the owners must approve of the speed humps, to which that percentage of total residents have signed the petition in favor of same (1 vote per property). Speed study in two (2) locations and he presented the results of those location studies. He also presented illustrations of the subdivision for the Board and public viewing.

Chair Harrell asked if there was a request to have this done; **Mr. Simmons** responded that there was and it came from the neighborhood. A speed study was conducted when the request was made, which exceeded 36 miles per hour for the 86^{th} percentile in the two locations. After the study, the residents began signing the petition in favor of the request. The Chair asked if this residential area has a lot of children; Mr. Simmons responded that there are 118 lots in that neighborhood so it is likely that there are children living in that area.

Commissioner Thomas remarked that there are a lot of children in the community, with beautiful appearance throughout the neighborhood. Drivers have taken advantage of the hills areas and sped through them; the residents wanted the speed humps installed and she has been working with them in the process, which she supports.

Commissioner Wilson commented that when speed humps are put in to subdivisions, it affects the response of the emergency vehicles if they have to come through that area. **Mr. Simmons** concurred with hearing that concern; he stated that going over the humps at 15 miles per hour is not typically damaging to vehicles, as these humps are not as steep as previous ones in other neighborhoods; however, any large vehicle will have to slow down to travel over these humps.

Chair Harrell asked the County Clerk if anyone signed up for comments on this request. **Ms. Braun** did advise the Board that this was not a Public Hearing but that there would be Public Comments made on this matter; however, if the Board chooses, those comments can be moved up to now and be heard during this portion of the presentation.

Commissioner Thomas stated that there are some residents present to make comment on this request. **Chair Harrell** allowed them to proceed without objection. **Ms. Hobson-Matthews** advised the Chair that the District IV Commissioner would have to make a motion to allow for public comments to be made at this time.

Commissioner Thomas made a motion to approve public comments to be heard on this request; **Commissioner Anglyn** seconded the motion. Motion carried 5-0-0. *(**Commissioner Holmes** was not in attendance as of yet)*

Ms. Braun announced the list of the individuals to make comment on this matter and introduced them each prior to making comment.

<u>In Opposition</u>

Amina Ramsey, 515 Brook Hollow Drive, McDonough GA 30252 stated that she is speaking on behalf of several residents who cannot be in attendance due to work schedules. She stated that when Mr. Leon Nolton presented with the petition, she was told that it was a survey and that the results would be forthcoming. Ms. Ramsey stated that she never saw these results and when Mr. Nolton was asked, she was informed that it was not a survey - that it was a petition. She believes this was conducted in bad faith. She was further told that City of McDonough Police informed her that the average speed of the neighborhood was 26 miles per hour, not the 37 miles per hour stated during presentation. While there is one person who is in favor of the speed humps, Ms. Ramsey stated that no one has been hurt in the neighborhood with regards to excessive speeding and there was no other alternative to speed humps until it was suggested that sidewalks be created instead; she believes that speed humps throughout the neighborhood would decrease the property value of the homes and there is no HOA within the subdivision. Most of the children in the neighborhood are now grown up. In the area that she resides, they would have to go over approximately 12 speed humps to get to her house and that would put unnecessary wear and tear upon her vehicle as well as the vehicles of other residents who live in the same area within the subdivision. Ms. Ramsey further stated that she was in need of an ambulance; that the vehicle had to cross over 12 speed humps to get to her while she was in the midst of an asthma attack. She expressed concern that this would be ongoing for other emergency calls throughout the neighborhood. She opposes this request and that a viable alternative would be to have sidewalks installed.

Sanchez Sherer, 804 Stoneglen Court, McDonough GA 30252, spoke in opposition of this request. He stated that the petition was presented unfairly and that a second petition by the same individual in an effort to persuade the residents that the area needs speed humps. He stated that people have tried to reason and compromise with Mr. Nolton to no avail. Mr. Sherer states that they have lived at the same address for 14 years and have not had any problems with excessive speeding and considers the neighborhood and safe and crime-free.

Keshawana Sherer, 804 Stoneglen Court, McDonough GA 30252, also spoke in opposition of this request and added that the integrity of the data collected through the petition was done through someone who is in favor of the speed humps; the petition should have been distributed by a neutral party. There was someone from DOT who told her that the data did not warrant speed humps in the neighborhood. She alleges that the homeowners never saw a physical document and that the petition is inaccurate and possibly false information. The residents were never informed of the pros and cons of installing speed humps, or given any possible alternatives to the speed humps before voting upon having them; also, they were not aware of any discussions pertaining to speed humps and were not given the opportunity to provide input or a vote. The blueprint presented today was done unbeknownst to the residents who did not agree to 13 speed humps throughout the neighborhood. She believes that a code of conduct regarding this process was violated. She does not support the speed humps for the above reasons. While there is no HOA, there are people within the neighborhood acting as self-appointed leaders making biased decisions instead of hearing all the people within the subdivision. She also stated that there are not a lot of children in the neighborhood and the majority of the residents are of, or approaching, retirement age.

Commissioner Thomas stated she attended a community meeting, which had 35-40 people in attendance, who wanted to go forth and submit application for the speed humps. It appears, after hearing the opposition comments, that perhaps the subdivision does not know what they really want, but the group in attendance at that meeting was all in support of the speed humps.

That said, **Commissioner Thomas** made a motion to <u>*table*</u> this item to allow staff to go back out and present alternatives (reducing the number of speed humps, for example). **Nancy Rowan, County Attorney** advised the Commissioner that the item should be date-specific in the motion to table same. **Chair Harrell** advised that there were some individuals present to speak in favor of the request and called them forward to make comment.

<u>In Favor</u>

Leon N. Nolton, Sr., 600 Brookgreen Place, McDonough GA 30252, stated that he distributed the petition in accordance with the rules in Henry County. This was discussed for several years and he has lived at this address for 22 years. He stated that the meeting was held with the District IV Commissioner in his home and that everything was done in accordance with the rules of Henry County and that nothing was done in an underhanded fashion. He further stated that there is no HOA. He stated that he does not like false information presented and that only 11 speed humps were proposed - 9 on the main street and 2 on a side street. He denied the allegations made against him by the previous speakers and maintained that he broke no rules. He further stated that he did not get paid to do this and that meetings were held on this matter over the course of several years, with flyers placed on each home and several meetings held at his home.

Commissioner Thomas asked Mr. Simmons to clarify the proposed number of speed humps before proceeding. **Mr. Simmons** responded that on Brook Hollow's main road are a total of 9 speed humps, to be placed 500-600 feet apart, as shown on the plat that was displayed earlier. The District IV Commissioner asked if this is the best option and that there is no other alternative; **Mr. Simmons** responded that this was the best option that was initially presented back in either late February or early March at a previous meeting with residents who were in attendance. He stated that after counting the signatures in favor, it came to 53-54% of the residents and missing signatures or signatures from a tenant in a home were not counted as valid. Mr. Simmons believes that this is the best option unless otherwise directed by the Board, perhaps to further reduce the number of speed humps.

COMMISSIONER HOLMES WAS IN ATTENDANCE AT THIS TIME

Dee Clemmons, District II Commissioner, stated that if there is a discrepancy within the community that it should be resolved within the community prior to the Board taking action on this and therefore, supports the District IV Commissioner's motion to table this item. She further stated that there are other alternatives which were presented. If the issue is speeding, there are other things to put in the neighborhood, such as raised bumps in the road. **Mr. Simmons** advised the District II Commissioner that the speed humps would be similar to raised bumps in the road and not the high-sloping speed humps. The District II Commissioner believes that if all the residents of the community were further informed of the details of the proposed speed humps, along with the pros and cons of same, would prove further in their decision to either support or oppose the placement of the humps. Other alternatives to reduce speed throughout that area should also be presented to the residents as well. Mr. Simmons advised that per the County Ordinance, the speed "tables" are the only prescribed option for "speed calming". Stop signs are not used to control traffic because they are largely ignored, which provides a potentially hazardous condition. The Commissioner asked that the residents be given the locations of where these proposed speed humps are placed so that they may have an opportunity to visit the sites themselves and observe the pattern and slope of the humps. Mr. Simmons stated that there are some on Sims Drive, off of Hwy. 138 and just up off Hwy. 155, running between Old Conyers Road and Hwy. 138. The stretch of road posts a speed limit of 25 miles an hour.

Commissioner Clemmons asked the names of the speed humps that are not raised but they have reflectors and make a noise upon crossing them; **Mr. Simmons** responded they are called "rumble strips" and that the noise could keep people up at night. The District II Commissioner stated that they are effective in reducing speed and do not destroy vehicles crossing them.

Chair Harrell asked the District IV Commissioner to complete her motion to table by specifying a date for an upcoming meeting to hear this matter. **Commissioner Thomas** responded that Mr. Simmons has duly clarified that there is no other alternative to the speed humps. She further noted that the process was followed correctly and that the signatures were duly obtained; a community meeting was held, that it was a comprehensive discussion regarding the concerns of the community.

That said, **Commissioner Thomas** made a motion to approve this for the purpose of providing safety to the community and that the process has been correctly followed. **Ms. Rowan** advised that a motion is currently pending and asked if the District IV Commissioner withdraws the pending motion prior to making this motion. Commissioner Thomas duly withdrew her motion to table this item, in deference to the further information provided by Mr. Simmons.

Commissioner Thomas again made a motion to approve this request (after rescinding her earlier motion); **Commissioner Holmes** seconded the motion.

Chair Harrell asked if there is a possibility to reduce the number of speed humps; **Mr. Simmons** responded that it is possible and that the Ordinance states 11+/- speed humps/tables, adding that the presented layout is typically what is done.

Commissioner Clemmons asked how Mr. Nolton would feel about reducing the number of speed humps, since none of the Commissioners live in that area. **Chair Harrell** called Mr. Nolton forward for response, as the petition was signed by a majority of the residents. **Mr. Nolton** stated he has no problem with reducing the number of the speed humps and that he was asked to start this process and then presented same to the Board through proper process. The District II Commissioner further asked Mr. Simmons if they could be spread apart further than what was displayed; **Mr. Simmons** responded they can be placed further apart and that the residents could provide staff with proposed placements and/or reduction in the number of the speed humps; this is a budget-funded project from DOT. The Chair advised that this should be decided by Mr. Simmons since he is the expert and since DOT is paying for them. Mr. Simmons stated he will come back with a revised map and discuss same with the residents. **Commissioner Thomas** agreed and specified that she does not want Mr. Simmons put in a compromised situation that would go against the Ordinance. If Mr. Simmons determines that there is a minimum number and distance between each one, as prescribed in the Ordinance, then it should proceed in the same way.

A motion and second made, and discussion completed, the motion carried 5-1-0.

*(**Chair Harrell, Commissioners Clemmons, Anglyn, Thomas** and **Holmes** voted in favor; **Commissioner Wilson** voted in opposition)*

Resolution #22-124

<u>FINANCIAL SERVICES</u>

FY2023 Proposed Budget (Public Hearing)

Mr. Smith advised that this is the first of two (2) Public Hearings before the adoption of the proposed Fiscal Year 2023 Budget. After presenting the Overview, he went into the key items listed in the Executive Summary presentation. In summary, the proposed General Fund Budget is $216,907,158 - up from 189,644,918 in FY2022, a 14.4% increase. The Fund Balance will be utilized to cover the 8.5% pay increase for County employees approved earlier this year and will include a proposed additional 2% increase for FY2023. This Budget is based on the current millage rate of 12.733 and continues to prioritize personnel for the Police Department, Fire Department and Library Services. The Budget also addresses the investment in compensation and maintaining employee benefits associated costs, with no cost to the employees. Mr. Smith then went through the aspects of the increase and reasons therein.

Mr. Smith then presented the Budget Development Cycle and that there was not a mid-year amendment to the Budget done this year. Budget workshops were held from February through March with the departments to identify their requested needs. The Tax Digest was then finalized in April as well as the meetings with the County Manager, the Chair and the Board of Commissioners (BOC). The second Public Hearing and formal Adoption is scheduled for the second meeting in May.

Mr. Smith then went through the different definitions of the various Funds which will be utilized and where certain revenues will be collected. He noted that the American Rescue Plan Act (ARPA) and Coronavirus Aid, Relief and Economic Security (CARES) funding are included under the category of Special Revenue Fund. The Capital Projects Fund will not be discussed at this particular hearing. The assumptions are based upon revenues coming in, which estimate a local tax increase of 4%; sales tax increase of 6%; and 6% of the Fund Balance will be used to invest in the competitive compensations for the employees. He then went through the Expenditure Assumptions, which highlighted Human Resources, Public Works and Public Safety.

Mr. Smith noted that there are certain positions that are included which are concerning. He went through the list with the Board as was displayed. Of note is under E-911 which is under the Special Revenue Fund, including the addition of fifteen (15) Dispatchers, one (1) Operations Supervisor and Records & Quality Assurance. He then went over the departments which will receive additional funds, including the Library and the Neighborhood Stabilization Program (NSP) (for operational expenses).

An itemized spreadsheet of FY2022-2023 Proposed General Fund Annual Budget was then displayed for the Board and public viewing. This includes the assumptions of a proposed property tax increase, adding Staffing for Adequate Fire and Emergency Response (S.A.F.E.R.) grant employee expenses to the General Fund if a grant expires and the Board of Ethics' Administrative Budget's initial term beginning January 2022, per SB22. A graphic of the FY23 Budget requests (by Group), with Public Safety making up 39% of the chart was presented.

Mr. Smith then moved on to the Budget Recommendations, which were difficult to view upon display but noted that the Board has a copy in their exhibit packet. The second Public Hearing and final Adoption is to be scheduled for Tuesday, May 17, 2022 with the millage rate hearings to be held in July.

Mr. Smith then went through the recommendations made by the Commissioners, including increasing their Training & Travel Budget by $10,000 in an effort to be equivalent between all of the Commissioners. This Budget would reflect said increases as presented. Funds are also proposed to be set aside in Fund Balance for future land and building asset purchases. The Commissioners also recommended that the budget for the Board of Ethics be reduced.

Chair Harrell asked the County Clerk if anyone has signed up for the Public Hearing on this Budget; **Ms. Braun** responded that there were none. The Chair then confirmed that the second Public Hearing on the Budget will be held on May 17, 2022 at 6:30 p.m.; **Mr. Smith** affirmed same and added that the proposed Budget has been posted with the Superior Court for public viewing as well as on the county's website and the Administration building.

Chair Harrell referred to the display featuring the included positions and asked if there were any included for the courts. **Mr. Smith** stated they made several requests but none were listed; however there are several vacancies at the moment. The Chair requested a list of those vacancies and Mr. Smith stated that he will get that list to her. Chair Harrell remarked that as Public Safety increases, it puts an increased workload on the courts and adequate staffing must be provided. **Ms. Hobson-Matthews** added that a copy of the vacancies report is included in the exhibit packet and can be displayed, though it will be difficult to view on the overhead. She gave an explanation of the vacancies in each of the courts for the Board. These were also as updated a report but the County Manager advised that it may not reflect any vacancies or new hires in the last few days. She will gather the information to get as up-to-date as possible for the Board. The Chair called the District Attorney forward for remarks.

Darius Pattillo, District Attorney, Henry County, approached and stated that the last time he met with the Budget team was sometime in March; he currently has one (1) vacancy in the office, for an attorney. The DA's Office had five (5) positions requested, but the vacancy list had shown three (3) and he is stating that there is only one (1) vacant position for an attorney. The original 5 positions requested were for three (3) investigators, one (1) paralegal and one (1) file clerk (admin position). Mr. Pattillo specified that the office does not need any attorneys, but it does need investigators, specifically for investigating the most serious crimes in the community - including homicides and gang violence - which was detailed in the paperwork submitted in February and was told to the Human Resources Department and the Budget team. One of the investigators would be used for cases involving crimes against women and children/domestic violence/aggravated child molestation. The paralegal position is also for homicides and gang violence. There has been an increase in crime within Henry County during the pandemic, specifically in violent crimes, and explained the reasons for the need for these positions. Mr. Pattillo introduced his chief investigator, Russell Moore, to the Board. He stated that the DA's Office is an arm of the criminal justice system – they ARE Public Safety. He does not like the fact that they are lumped in as part of the Courts just because the department works within the courthouse. What they do is an absolute public safety function and he wants to make that clear for the record; something he has been emphasizing for 5 years. He needs the 5 positions, but most critical is the investigator positions.

Chair Harrell asked how much the caseload has gone up in the DA's Office; **Mr. Pattillo** responded that he does not have the numbers but, in general, homicides and violent crimes in the county were up this year 2-3 times from the previous 3 years combined. He praised the efforts of his office in the convictions garnered, some getting media attention, despite the understaffing. Any vacancy requested in this Budget was not vacant at the time that the paperwork was submitted earlier in the year.

Commissioner Holmes advised that the DA's Office should be given the resources needed and thanked Mr. Pattillo for his remarks. The District V Commissioner then asked about future land purchases to the Financial Services Director; he asked why there would be future land purchases as part of this Budget; **Mr. Smith** responded that he did state that funds should be set aside for these purchases and gave the example of the size of the staff for the DA's Office. Mr. Smith stated Mr. Pattillo would be looking for a location to place that staff; therefore, rental space/real estate is being sought to provide said space. The E-911 facility needs to be in a more reinforced building and a location is being sought for that. The District V Commissioner countered that he thought there was a pending acquisition of a building for E-911. Mr. Smith stated that while it is a current purchase, there are also other things to consider for the future purchases.

Commissioner Thomas supports the line item for future land purchases, as the County is running out of land space for Parks & Recreation. With the cost of land increasing, it is becoming more difficult to purchase land for future parks. She thanked the Director for including this in the Budget and **Chair Harrell** echoed her thanks as well, adding that as Henry County continues to grow and build, there will be a need for more senior centers, more parks and the like to provide the quality of life and Public Safety that is needed for the residents of the County.

Commissioner Wilson referred to the Board of Commissioners' Travel & Training; back in January 2022, there was an exhibit on expenditures from the BOC. The majority of the Commissioners were in line with their expenditures halfway through the year. He remarked that if any Commissioner needed additional expenses for Travel & Training, it should come to the Board for the mid-year adjustment with an explanation of why it is needed.

Commissioner Thomas remarked that it would be in line to adjust the Budget forward as Travel & Training expenses have increased and the Board is to serve in the community; investing in the Commissioners, in her opinion, for these training seminars to return with ideas for their constituents is appropriate.

Commissioner Wilson responded that the Travel & Training budget can be maintained and any additional spending can be paid by the Commissioner personally, and then brought to the Board for reimbursement with appropriate documentation.

Mr. Smith clarified that the District Attorney spoke on his needs for the investigators. In consideration of that request, there must be provision made for the Public Defender's office as well. There is budgeting for those vacancies and if there are other departments wanting to give up their vacant positions to provide for these departmental needs in the current budget then it can be done.

Commissioner Clemmons referred to the millage rate and asked how the budget increase will impact the millage rate; **Mr. Smith** responded that the same millage rate is maintained and there will be no recommendation to increase the millage rate this year.

Commissioner Holmes commented that there is speculation that the property assessments are inflated, therefore driving the property taxes up; **Mr. Smith** explained that additional revenue increases come from new building and inflationary value of homes, both of which have been seen - i.e., $250,000 appraised homes are now assessed at $300,000. This is not really seen, since the County exists on 9 months of the Fund Balance and these increases in property values are not seen until the October-November timeframe.

Commissioner Clemmons asked how taxes on property can be lowered for the citizens by increased revenue collections instead of increased county expenditures. Even though property values are increasing, homeowners' incomes are not necessarily increasing as well.

Commissioner Holmes stated that in order to fund the pay increase, there must be higher assessments on properties in order to collect the tax revenue to fund the pay increase. **Commissioner Clemmons** maintained her request to the Financial Services Director to look into how money can be given back to the homeowners, if any, and report back to the Board. **Chair Harrell** believes this would become a problem but directed that Mr. Smith can investigate the request and bring it back to the Board. **Mr. Smith** acknowledged the same but cautioned the Board that he would not recommend a millage rate rollback.

There were no further questions or comments from the Board. ***No action was taken.***

PUBLIC SAFETY

Resolution approving the purchase of Two (2) Command Vehicles from Ten-8 for the Henry County Public Safety Cluster in the amount of $2,730,000 utilizing ARPA Funds for the purchase (Presenter: Fire Chief Jonathan Burnette)(Exhibit 10)

Chief Burnette approached and emphasized that this is not a request for the Fire Department specifically, but he is appearing as a representative for the Public Safety Cluster Lead; however, this request will serve the entire Public Safety Division in Henry County. He gave the overview of the need for this resolution and advised that the quote is attached with the National Purchasing Partners Gov (NPP) Agreement reflecting the total cost, using ARPA funds. He then presented illustrations of the proposed vehicles for purchase and gave some details on them, adding that the County did have three (3) of them but one of them caught on fire and is no longer in service. The other two (2) vehicles are currently used for Fire/EMA Division and E-911. The vehicles are no out of date in service as the cost to maintain them has become excessive and/or the parts for repairs on these vehicles are no longer available for purchase. He explained the proposed interchangeable uses for these two vehicles as well.

Commissioner Wilson remarked that this appears to be an immediate need for Public Safety and asked if there other vehicles within the department that will need to be replaced; **Chief Burnette** responded that there are several vehicles throughout the Public Safety department that will need replacement. He and Chief Amerman discussed what the needs are in the department relating to Public

Safety vehicles and identified six (6) engines that were needed and six (6) ambulances, all of which were purchased last year. Once the priorities are identified, they meet with the Director of Fleet Services to develop the replacement plan and identify those needs; Mr. Swords then prioritizes those needs. The District I Commissioner asked if there is any equipment that needs replacement today, within the PD and FD. Chief Burnette remarked that if it means out-of-service or older style equipment then the answer would be "yes".

Commissioner Wilson then asked the Financial Services Director if Fleet Services can further identify immediately needed vehicles to be paid through the ARPA funds; **Mr. Smith** responded that there is opportunity to pay for vehicles out of ARPA, but this is primarily for the Public Safety vehicles; however, general Government Services' needs can also use those funds. The Commissioner requested a list of needed vehicles from Fleet Services and to come back and see if ARPA funds can be used to replace that vehicles/equipment as well.

Chair Harrell asked the Chief what the needs are in regards to Public Safety vehicles, as far as rotation of the Fleet. The Chair noted that there is record of what is running and what needs to be replaced and she asked what vehicles need to be replaced immediately; **Jody Swords, Fleet Services Director,** approached and explained that a large number of vehicles and/or vehicle parts (some from 22 years old) that need to be replaced. He explained the details of the vehicles needed in the Resolution before the Board and how they are designed. He stated that there will be forthcoming recommendations about leasing options; however, there are a large number of vehicles in Fleet Services over 10 years old, with an average service age of 14 years. **Chief Burnette** added that the requested vehicles are not vehicles not to be in daily use for first-responding vehicles; rather, these are specialty vehicles for specific calls, hopefully to never have to be used. If they do, that means it is a significant emergency event that could possibly take as long as several days to mitigate.

Commissioner Thomas recalled a conversation to look at leasing some of these specialty vehicles for the Fleet Services, to avoid having outdated vehicles/parts/equipment that cannot be returned or is not salvageable; and to spend over $2 million dollars on these vehicles only to have them be out of service in about 5 years would be a problem, even though they may not be used on a regular basis. Since they are labeled as "Command" vehicles, the District IV Commissioner asked if Public Safety should designate an area as a "Command Center" that could be around the County and use them as needed. The Commissioner recalled that the County Manager had brought back numbers regarding leasing programs to update the vehicles and realize some cost-savings through leasing. She believes that this needs to be revisited in an effort to keep the Public Safety departments in current and servicing vehicles moving forward. **Ms. Hobson-Matthews** responded to the lease options and advised that the Board has already authorized and the ladder trucks (or engine trucks) are already being leased. Enterprise Rental has also reached out to the County regarding leasing vehicles on the Administrative divisions as well.

Commissioner Thomas then asked if these two (2) vehicles would be good candidates for lease purchase options. **Chief Burnette** responded that there is a benefit to leasing the ladder trucks and the fire engines and explained the distinction of those vehicles for the Board.

Chair Harrell asked the difference between a "mobile command" and "stationary". **Chief Burnette** responded that mobile command is directly at the scene with the emergency event in real-time and provides shelter from inclement weather and to be away from the emergency event. The Chair asked if this would be utilized by the Police Department, Fire Department and EMS - and then she called for the Police Department Chief and EMS Director to approach, while Chief Burnette responded that the vehicles will be used by the Fire Department, EMA and Police Department; the second vehicle will be specifically used as a specialty vehicle for the E-911 Center.

Chair Harrell asked the Police Chief regarding the department's need for this vehicle. **Chief Mark Amerman, Henry County Police Department,** approached and explained that there is a need for the vehicle for intense emergency events, such as barricaded hostage situations where negotiators can gather for planning, garner Intel on the situation and have discussion; the vehicle for E-911 can operate as a 911 center for the County when needed. Chief Amerman advised the Board that there are several Police and Fire vehicles that are outdated, inoperable or, in one case, burned and they need to be operable; however, upon further checking it was discovered that these vehicles are no longer serviceable or able to be upgraded due to the design from the early 2000s. The equipment could also not be replaced if the vehicles were no longer operable; however, with these vehicles currently before the Board, the equipment within can be moved and replaced should the need to transfer from one like vehicle to another happen. He believes this to be a worthwhile investment, adding that these types of vehicles have the ability to be consistently upgraded, which will meet the needs of the departments. Chief Amerman explained the further benefits of having these specific vehicles for the Board.

Commissioner Thomas maintained that even after hearing Chief Amerman's remarks, that a leasing program is feasible. She remarked that on-site command is important and there are drones that can do that job and report back to the stations. She does not see purchasing these vehicles as advantageous; however, acquiring these vehicles through a lease program and return them when they are outdated is something that she would support. She requested some figures for leasing options be sent for further review, adding that she is aware of Public Safety's needs and wants those needs met. But she is proposing a program that could "redo, renew and update" consistently.

Ms. Hobson-Matthews stated that from a Capital aspect, these would be purchased with ARPA funds and if the funding is available to make this purchase, it should be done. Going through a lease purchase option would place more dependency upon the General Fund. Regarding options using drones, the County Manager advised that there is a drone but permission is needed to use it and consideration on weather conditions must be made as well. Right now there is a need and the needs for Public Safety must be met for them to adequately perform their jobs. She agrees that these vehicles may never have to be used, but they will be available in case they were ever needed; however, if the Board wishes staff to look into lease purchase option, they will comply; however, it would mean taking the ARPA funding out of this, though the Board had stated that it wanted the ARPA funds to focus on general county government, of which these vehicles would be eligible under that heading. Ms. Hobson-Matthews also stated that timing is important and seeks approval of this resolution from the Board to move forward and have it available should the need arise.

Kevin Johnson, Henry County EMA Director, approached and agreed with the Fire Department and Police Department Chiefs. He explained that the mobile command vehicle would be used by all departments in the County as a single decision point for on-scene operations. Public Safety is federally and state mandated to operate with the Command Center and the National Incident Management System, which manages the on-scene operations. The Emergency Operations Center supports the logistical needs created by on-scene command. The needs are identified on-scene by the units in that command post. If there is a large scale event, a vehicle such as this will be on-scene, possibly with the county name on the side. Mr. Johnson recommends getting these vehicles and begins personnel training on them, as the need is there. **Chair Harrell** added that this also presents an opportunity to utilize funds that will not come out of General Fund.

Commissioner Clemmons remarked that the drones cannot provide shelter, logistics, space or planning compartments. With the accidents on I-75 and the presence of 4-5 police cars out there, she believes that this is a worthwhile investment because of the location on the interstate that will have need for them, as well as going on-scene for major crime events. The Command Center is a shelter space for logistics, conferencing and planning during emergency events, with the capability of having the needed technology on-site as well.

Commissioner Wilson supports purchasing these vehicles. He asked if the vehicle has a Pierce Chassis; **Chief Burnette** responded it is. The District I Commissioner suggested bringing the current fleet of vehicles for the Board to see themselves and perhaps even drive some of them to get a better understanding of how those vehicles need to be replaced. He supports moving forward with the purchase and sees what other vehicles will need to be replaced and add them to the ARPA funds if possible.

There being no further questions or comments from the Board, **Commissioner Clemmons** made a motion to approve; **Commissioner Wilson** seconded the motion. The motion carried (6-0-0).

Resolution #22-125

PLANNING & ZONING

Impact Fee Schedule Update (Public Hearing)

The Board of Commissioners will conduct the first of two public hearings for the purpose of adopting an updated impact fee schedule. Countywide (Presenter: Toussaint Kirk, Planning & Economic Development Director)(Exhibit 11)

Toussaint Kirk, Planning & Economic Development Director, advised that the second Public Hearing will be held on May 17, 2022 and will be put to a vote on the first meeting in June (June 7, 2022). He introduced Mr. Ross who is the consultant on this project, as well as Mr. Joseph Santoro with the Council for Quality Growth who will speak as part of the Public Hearing. Mr. Kirk stated that letters were received from the Homebuilders Association and the Council for Quality Growth and is presenting some of those concerns to the Board.

Mr. Kirk then presented a comparison of adopted fees from various cities and counties. While no one wants an increase, it is inevitable because of the need. He then presented the various schedules for impact fees for the Board, which included median rate, inflation rate and services covered. He also presented a schedule with a time frame to phase in the adopted development impact fees for single-family residential homes in a 2-4 year period, as well as for median and inflation rate.

Mr. Kirk then displayed the considerations which were presented in the past, noting that these came from discussions with the Homebuilders Association and the Council for Quality Growth. He outlined the considerations in detail for the Board, noting that he has an issue with the first item (Vesting clause for any project that has filed a zoning application or land disturbance permit application prior to adoption). He explained that there was rezoning that happened back in 2020 that have yet to break ground. If a rezoning was filed and zoned, staff would be asked to vest it in land disturbance. He believes that the building permit is the most objective and it would be 2-3 years before a fee would be imposed. Staff would consider offering a 6-month grace period for building permits approved prior to the start of the new impact fee; right now, the request is for a 1-year grace period for residential and commercial developments that did not account for any increased impact fees. If a building permit is approved prior to the increased fee, the current fee at the time of approval would be paid. If the new adopted impact fee was paid, that amount will stay the same and the fee would not be paid until Certificate of Occupancy is obtained.

Chair Harrell opened the floor for the Public Hearing and called for anyone wishing to speak in favor of this request, to come and make comment, allowing a total of ten (10) minutes. *No one came forward.*

Chair Harrell opened the floor for the Public Hearing and called for anyone wishing to speak in opposition of this request to come and make comment, allowing a total of ten (10) minutes.

<u>In Opposition</u>

Joseph Santoro, Council for Quality Growth, introduced himself and gave a brief overview of what the Council for Quality Growth does. He understands that the impact fees need to cover the growth-related Capital costs to maintain the needed levels of service for Transportation, Parks, Fire and Police facilities. He hopes that the BOC will consider his recommendations on the fee increase and implementation as well as the vesting clause options presented by Mr. Kirk. There is a housing shortage and affordability crisis going on in the metro region and nationwide, with increased demand for housing; impact fees and other regulations contribute to the increased cost of construction which is passed on to the home buyer. The Council would recommend the 18-year inflation number presented and stay in that area to be consistent with neighboring counties with impact fees. He agreed with a 3-year or 25% phase-in approach with existing permits, whichever the Board prefers. He further recommended a 1-year grace period as it is important to consider that the cases from 2020 did not account for any impact fee increase which would make it difficult for the projects to continue.

Chair Harrell asked for the Council's recommendation on whether or not to increase the impact fees; **Mr. Santoro** responded that if the Board moves forward with the increase, the Council would recommend the 18-year inflation number of $3,200 as presented earlier by Mr. Kirk.

Mr. Kirk approached and stated that most of the representatives from the Homebuilders Association are at a conference today and they will be in attendance for the second Public Hearing on this matter. **Chair Harrell** responded that the Board did receive confirmation of same.

Commissioner Clemmons wanted to clarify that the Council for Quality Growth works on behalf of the developers but they have worked in collaboration with the county government and staff, which is needed now. She asked to see their requests alongside the request from staff since there were some things not implemented that Council for Quality Growth wanted. **Chair Harrell** remarked that they must keep up with the rising inflation costs since county services, including Public Safety, still need to be paid; only other option would be to stop building. The District II Commissioner believes that the $3,200 would be fine for this year and go up from there.

Commissioner Anglyn asked if there is way, after the proposed increase, to do this after the 2-5 year period or just do a straight percentage increase moving forward; **Mr. Kirk** deferred to Mr. Ross.

Bill Ross, Ross and Associates, approached and explained that under the current studies, a maximum of $10,000 per house has been projected. As long as there is a fee schedule less than $10,000 there is no need to restudy; however, if the County continues to grow, it may need review from a 10-year outlook to, perhaps, a 20-year outlook. The study is good until that $10,000 cap is reached. **Mr. Kirk** stated that would have to be made part of the resolution. **Commissioner Anglyn** remarked that this has not been done since 2003/2004 (18 years); this would ensure that it would not have that large of a gap again. **Ms. Hobson-Matthews** clarified that 18 years ago was the initial set up of the Impact Fee Ordinance and this would be the first increase that the County has proposed to the Board. Mr. Kirk further commented that Transportation is now being added which was not included in the original schedule.

Commissioner Wilson asked if the Certificate of Occupancy would be issued after collecting the impact fees (on the residential side); **Mr. Kirk** responded they would have that option. The District I Commissioner was concerned about a downturn in the economy and if the banks start owning these homes, if the banks will be required to pay the impact fees when issued the CO. Mr. Kirk affirmed same.

Commissioner Holmes asked if the fees are based on a percentage and as assessments increase, the fees would increase as well; **Mr. Kirk** responded they would not. **Ms. Hobson-Matthews** explained that these are based on a percentage and the fees for a single-family home are flat rates; for commercial and industrial, the fee is based on the International Building Code and the square footage as well as other factors to arrive at their impact fee amounts.

There were no further questions or comments from the Board. ***No action was taken.***

AP-22-01 (Public Hearing)

Melbourne Brown of Stockbridge, GA appeals the denial of a variance request for property located at 120 Saint Marks Drive. The property consists of 1.21+/- acres, and the request is for relief from development standards. District 5 (Presenter: Kenta Lanham, Planner II)(Exhibit 12)

COMMISSIONER CLEMMONS BRIEFLY LEFT THE MEETING

Kenta Lanham, Planner II, presented the appeal before the Board. The property is within the Chapel Hill subdivision. He then presented the Site Plan and explained that the request is for an appeal of a denial to a Variance request for relief from rear yard setback standards. The original deck of the home had encroached into the 40’ rear yard setback and was permitted since it was not enclosed; however, upon enclosing the deck without a permit, it then became non-conforming to standards. Henry County Building & Plan Review requested a Variance to address that issue, to reduce the rear yard setback from 40’ to 20.4’; Zoning Advisory Board denied said request on January 20, 2022. Staff recommends denial to be overturned and approval to be granted for reduction of the rear yard setback from 40’ to 20.4’ with conditions as presented.

Chair Harrell opened the floor for the Public Hearing and called for anyone wishing to speak in favor of this request to come and make comment.

<u>In Favor</u>

Melbourne Brown, 120 Saint Marks Drive, Stockbridge GA 30281 approached and stated that this is his property. He stated that he did not know about the need to get a permit to enclose his back deck due to the rear yard setback standards. He presented an illustration of his house to clarify his comments and stated that he has lived in the house for several years. If this appeal is upheld, Mr. Brown stated it would mean he would have to destroy the back of his house.

Shannon Brown, no address given, stated she is Mr. Melbourne Brown’s wife and asked the Board to approve the request since the deck was built and her husband did not know about the process to enclose the back deck. She offered an apology for the oversight and thanked the Board for allowing them to hear the appeal.

Deborah McClanahan, no address given, asked the Board to approve the Variance in support of their neighbors as the setback had been in place since 2013 and there is no hazard or safety violation present to any of the neighbors, nor does it impede on any adjacent property. She further made comments in favor of this request.

Dexter McClanahan, no address given, spoke in favor of the request and in support of his neighbors seeking the Variance.

Arthur Ward, no address given, spoke in favor of the request and in support of the neighbors seeking the Variance.

Tonio Thomas, no address given, also spoke in favor of this request and in support of Mr. and Mrs. Brown and the work they do within the subdivision.

COMMISSIONER CLEMMONS RETURNED TO THE MEETING

Commissioner Holmes stated that he has passed Mr. Brown's house and finds it to be very beautiful and adds to the community. He apologized to Mr. Brown for having to be initially denied the request.

Chair Harrell opened the floor for the Public Hearing and called for anyone wishing to speak in opposition of this request to come and make comment. *No one came forward.*

Commissioner Holmes made a motion to overturn the denial and to approve the Variance request; **Commissioner Thomas** seconded the motion. The motion carried (6-0-0).

Resolution #22-126

ULDC-AM-22-03 (Public Hearing)

Ordinance by Henry County, Georgia, to amend the Unified Land Development Code of the Henry County Code of Ordinances regarding minor subdivisions and for other purposes. Countywide (Presenter: Stacey Jordan-Rudeseal, Assistant Director)(Exhibit 13)

Stacey Jordan-Rudeseal, Planning & Zoning Assistant Director, presented this request to the Board and advised that this was brought to the Planning & Zoning Department's attention by the District I Commissioner. The Unified Land Development Code (ULDC) allows for lots to be divided but can only be divided into five (5) lots in five (5) years without having to resort to a process for a major subdivision. There is no clear language for a scenario that is between dividing a lot into 5 parcels and developing a major subdivision. Staff recommends that the ULDC be amended to add "minor subdivisions" which would also be limited in its allowances. For now, this would be appropriate for Residential-Agricultural-zoned (RA) properties and large lots just within the rural residential areas of the county as outlined in the Future Land Use Map (FLUM). Some of these might have no access to public water or sewer, might be on unimproved roads or limited access; the property owners would have to then wait for a major developer to approach them to extend the water lines or sewer or pave the roads, etc., in areas that staff wishes to remain rural. The proposed Minor Subdivision Ordinance would comprise of a minimum of 3-acre lots, minimum 200' lot width, a limit of 5% of flag lots, and permit gravel road frontage if the road is unimproved. A minor subdivision would not allow for internal streets or for infrastructure that would have to be extended.

Chair Harrell opened the floor for the Public Hearing and called for anyone wishing to speak in favor of this request, including the applicant, to come and make comment. *No one came forward.*

Chair Harrell opened the floor for the Public Hearing and called for anyone wishing to speak in opposition of this request to come and make comment. *No one came forward.*

Commissioner Wilson stated that once the final plat is recorded for a large tract to be divided, the property cannot be divided again; **Mr. Jordan-Rudeseal** affirmed same.

There being no further questions or comments from the Board, **Commissioner Wilson** made a motion to approve; **Commissioner Holmes** seconded the motion. The motion carried (6-0-0).

PUBLIC COMMENTS

We welcome citizens to voice their county-related concerns and opinions regarding items which are listed on this agenda or on the previous regular meeting agenda. All persons wishing to speak during Public Comment must pre-register with the County Clerk in writing or via email: sbraun@co.henry.ga.us no later than 12:00 p.m. on the day immediately prior to the meeting. Each speaker will have three (3) minutes to speak. No member of the public shall be permitted to make personal, impertinent, slanderous or profane remarks to any member of the board, staff or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any board meeting shall, at the discretion of the chair or a majority of the council, be barred from further audience before the board during that meeting.

There were no Public Comments as they were heard during an earlier Agenda item which allowed for Public Comments regarding the speed humps.

APPROVAL OF MINUTES

Commissioner Clemmons made a motion to approve the Minutes from *April 5, 2022 (Regular BOC Meeting)*; **Commissioner Anglyn** seconded the motion. The motion carried (6-0-0).

UPCOMING MEETINGS & EVENTS

A. Tuesday, May 17, 2022 at 6:30 p.m., Regular BOC Meeting *(Second Public Hearing and Adoption for FY2023 Proposed Budget will be held during this meeting)*;
B. Tuesday, June 7, 2022 at 9:00 a.m., Regular BOC Meeting

EXCESSIVE SESSION

Chair Harrell called for a motion to convene to Executive Session for the purpose of litigation. **Commissioner Clemmons** made a motion to convene to Executive Session; **Commissioner Anglyn** seconded the motion. The motion carried (6-0-0).

COMMISSIONER HOLMES LEFT THE MEETING AT THIS POINT

EXECUTIVE SESSION (11:54 a.m.)

RECONVENE

Commissioner Thomas made a motion to reconvene from Executive Session; **Commissioner Wilson** seconded the motion. Motion carried (4-0-0).

*(**Chair Harrell, Commissioners Wilson, Anglyn** and **Thomas** voted; **Commissioners Clemmons** and **Holmes** left the meeting and did not return)*

MEETING RECONVENED (12:21 p.m.)

APPROVAL OF AFFIDAVIT & RESOLUTION

Commissioner Thomas made a motion to approve the Affidavit & Resolution Pertaining to Executive Session; **Commissioner Anglyn** seconded the motion. Motion carried (4-0-0), with ***Chair Harrell, Commissioner(s) Wilson, Anglyn*** *and* ***Thomas*** *voting in favor).*
Note: ***Commissioners Clemmons*** *and* ***Holmes*** *were not present during the vote)*

ADJOURNMENT

There being no further business to come before the Henry County Board of Commissioners at this time **Chair Harrell** adjourned the meeting. ***Meeting adjourned at 12:22 p.m.***

Carlotta Harrell, Chair

Stephanie Braun, County Clerk