STATE OF GEORGIA
COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting ***in-person*** on Tuesday, May 17, 2022, 6:30 p.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

Also in attendance: Cheri Hobson-Matthews, County Manager; Nancy Rowan, County Attorney; and Stephanie Braun, 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

Prior to calling the meeting to order, **Carlotta Harrell, Chair,** called for a moment of silence in remembrance of the four (4) students from Eagles Landing High School who were killed in a motor vehicle accident last week and to lift their families in prayer.

MOMENT OF SILENCE

Chair Harrell called the Regular Meeting of the Henry County Board of Commissioners for Tuesday, May 17, 2022 at 6:30 p.m. . to order.

Announcement from Chair

Chair Harrell announced the following changes to this evening's Agenda, specifically items in Planning & Zoning which were advertised for Public Hearing, but have since been tabled by **Dee Anglyn, III, District III Commissioner**, as follows:

- ***RZ-21-14 (Public Hearing - Tabled)*** *The Reservoir Group, LLC of Madison, GA requests a rezoning from C-2 (General Commercial) to RS (Residential Suburban) for property located on the west side of Willow Lane south of Bridges Road in Land Lots 129, 130, 159, and 160 of the*

7th District. The property consists of 102.00+/- acres, and the request is for a single-family residential and townhome development. District 3

- ***COMP-AM-21-07 (Public Hearing - Tabled)*** *The Reservoir Group, LLC of Madison, GA requests an amendment to the Comprehensive Plan for property on Jonesboro Road to the north of Heritage Way in Land Lot 98 of the 7th District. The property consists of 72.1+/- acres, and the request is to amend the Future Land Use Map designation from Low Density Residential to Mixed Use. District 3*
- ***RZ-21-23 (Public Hearing - Tabled)*** *The Reservoir Group, LLC of Madison, GA requests a rezoning from RA (Residential-Agricultural) to MU (Mixed Use) for property located on Jonesboro Road to the north of Heritage Way in Land Lot 98 of the 7th District. The property consists of 72.1+/- acres, and the request is for a mixed single-family residential, multi-family residential and commercial development. District 3*

Chair Harrell also announced the following item for Planning & Zoning, posted at the property site for a Public Meeting, but has since been tabled by the applicant:

- ***RZ-21-27 (Public Hearing - Tabled)*** *Turnstone Group, LLC of Atlanta, GA requests a rezoning from RA (Residential Agricultural) to C-3 (Highway Commercial) for property located at 813 Jonesboro Road. The property consists of 2.62+/- acres, and the request is for an indoor self-service storage facility. District 3*

PROCLAMATIONS

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

NATIONAL EMERGENCY MEDICAL SERVICES WEEK
"RISING TO THE CHALLENGE"
May 15-21, 2022

WHEREAS, emergency medical services are a vital public service; and

WHEREAS, the members of the Henry County Fire Department are ready to provide life-saving care to those in need 24 hours a day, 7 days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the Emergency Medical Services system consists of emergency physicians, nurses, medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of the Henry County Fire Department engage in thousands of hours of specialized training and continuing education to enhance their life-saving skills; and

WHEREAS, it is appropriate to recognize the value and accomplishments of emergency medical service providers by designating Emergency Medical Services Week; and

THEREFORE, the Henry County Board of Commissioners that May 15-21, 2022 shall be known as Emergency Medical Services Week in Henry County and encourage the community to observe this week with appropriate programs, ceremonies and activities.

PHOTOGRAPHS WERE TAKEN

PROCLAMATION IN RECOGNITION OF JUNETEENTH 2022

WHEREAS, Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States, dating back to June 19, 1865, two and a half years (2½) years after the Emancipation Proclamation was signed by President Abraham Lincoln, when Union soldiers led by Major General Gordon Granger, landed in Galveston, Texas with the news that the war had ended and that the enslaved were now free; and

WHEREAS, Juneteenth is a time for reflection and acknowledgement of a period in American history that shaped and continues to influence our society as well as a time for rejoicing in the great strides African-Americans have made, and continue to make; and

WHEREAS, it is a time for assessment, self-improvement and for planning for the future, and its growing popularity signifies a level of maturity and progress in America; and

WHEREAS, Henry County acknowledges this shared history and commits itself to the principles of equality and is actively dedicated to diversity and inclusion initiatives in the community;

NOW THEREFORE, BE IT PROCLAIMED by the Henry County Board of Commissioners that June 19, 2022 is recognized as Juneteenth and encourages citizens to observe the day in a respectful and celebratory manner.

PHOTOGRAPHS WERE TAKEN

Chair Harrell thanked representative from the Henry County NAACP's Youth Council for appearing at today's meeting to accept the Proclamation for Juneteenth; she also announced that there will be a celebration on June 18, 2022 at Alexander Park, McDonough, Georgia.

CONSENT AGENDA

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

Fire Department

A. Resolution of the Board of Commissioners Approving the Purchase of Seven (7) X Series Zoll Cardiac Monitors and Supporting Cardiac Resuscitation Supplies in the amount of $240,661 (which includes an equipment trade-in amount of $49,000) from Zoll Medical Corporation utilizing Capital Improvement Funds (and/or ARPA funds). (Presenter: Chief Jonathan Burnette, HCFD)(Exhibit 1) *Resolution #22-127*

B. Resolution of the Board of Commissioners Approving the purchase of 70 Replacement Air-Pak X3 PRO Self Contained Breathing Apparatus (SCBA) Systems in the amount of $638,050 from Municipal Emergency Services utilizing Capital Improvement Funds (Presenter: Chief Jonathan Burnette, HCFD)(Exhibit 2) *Resolution #22-128*

Leisure Services

A. Resolution of the Board of Commissioners accepting the allocation for the Georgia Recreation and Parks Association Building Opportunities in Out-of-School Time (BOOST) Grants Program awarded to Henry County Parks and Recreation Department in the amount of $25,000 to operate comprehensive Summer Programming in our community (Presenter: Jonathon Penn, Cluster Lead - Leisure & Public Services)(Exhibit 3) *Resolution #22-129*

SPLOST

A. Resolution of the Henry County Board of Commissioners approving award for design services of Jonesboro Road Widening to American Engineers, Inc. in the amount of $1,578,690 (Presenter: Roque Romero-Muniz, SPLOST Transportation Director)(Exhibit 4) *Resolution #22-130*

B. Resolution of the Board of Commissioners awarding Bid #22- 51 for Construction of a Corporate/Wedding Pavilion at Nash Farm Park (per Nash Farm Master Plan) to Sayer Construction Group, LLC of Marietta, Georgia in the amount of $1,160,000.00 using SPLOST V funds. District 2 (SP5201)(Presenter: Lynn Planchon, Capital Projects Director)(Exhibit 5) *Resolution #22-131*

Technology Services

A. Resolution approving purchase of technology equipment, via Georgia State Contract #99999-SP-T20120501-0006, utilizing the Capital Improvement Plan Funds in the amount of $69,954 (Presenter: Jamie Pownall, Technology Services Director)(Exhibit 6) *Resolution #22-132*

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

There being no changes to the Consent Agenda, **Dee Anglyn, III, District III Commissioner,** made a motion to approve; **Vivian Thomas, Vice-Chair/District IV Commissioner,** seconded the motion.

Dee Clemmons, District II Commissioner, referred to the Jonesboro Road widening project (Consent Agenda, SPLOST, A). She asked if the funds were coming from SPLOST-V or from T-SPLOST. That design had already been done by Georgia Department of Transportation (GDOT). **Ms. Hobson-Matthews** responded this is a T-SPLOST project. She asked what was happening with the design since the design had been completed. **Roque Romero-Muniz, SPLOST Transportation Director,** responded that GDOT had never finalized this design and only got through the preliminary design. The consultant was then contacted and was reported to have quoted a higher price and a longer timeframe to complete; thus, the original design firm was contacted with a better deal for the County, with the funds coming out of T-SPLOST.

Johnny Wilson, District I Commissioner, asked if the first item under the Consent Agenda was in regards to the Fire Department equipment (Consent Agenda, Fire Department, A) and that the funds could come from either Capital Improvement or from American Rescue Plan Act (ARPA) funds; **Ms. Hobson-Matthews** affirmed same and confirmed for the Commissioner that it could be under the ARPA allocation the County has received. The project was initially identified under the Capital Improvements Plan as was identified as a critical item and is now eligible for funding under ARPA as well.

There being no further discussion, the motion carried (6-0-0).

REGULAR AGENDA

FINANCIAL SERVICES - FY2023 PROPOSED BUDGET

FY2023 Proposed Budget (2nd Public Hearing)

David Smith, Director of Financial Services, advised that this is the second of two (2) Public Hearings before the adoption of the proposed Fiscal Year 2023 Budget. He presented the Fund Overview with Budget recommendation therein and advised that the presentation will include requests from the Board with department recommendations made in conjunction with those requests.

Mr. Smith then presented the Executive Summary for the Board and public viewing, stating that the FY2023 General Fund Proposed Budget is in the amount of $216,907,158, up from the FY2022 Budget of $189,644,918. He went through the other points of the Executive Summary for the Board, highlighting how Fund Balance is to be used. He advised that this Budget is based on a millage rate of 12.733, with no increase to same. Mr. Smith advised that the $27.3 million increase is largely due to the growth of the Tax Digest and continued collections of the sales tax, which will cover the approved 8.5% pay increase for county employees and the proposed additional 2% cost-of-living adjustment (COLA) for the coming fiscal year.

Mr. Smith then presented the Budget Development Cycle and Timing of Key Input Drivers, which was previously shown at the May 3, 2022 BOC meeting. He highlighted the steps taken and the timeline of those steps from December of last year to tonight's meeting for the 2nd hearing and adoption.

Mr. Smith again went through the different definitions of the various Funds which will be utilized and where certain revenues will be collected. These were previously detailed at the May 3, 2022 meeting and he summarized same for the Board. He did the same summarization for the General Fund Revenue Assumptions.

Mr. Smith noted that at the last meeting there was much discussion about included personnel, noting that this is not final because some of the positions that were added would minimally impact the overall Budget; however, he pointed out the key changes made - such as the District Attorney's Office adding a Court Investigator; Public Defender's Office adding a Court Investigator and an Attorney; Solicitor's Office adding a Legal Assistant and an Attorney. To add these positions will mean using vacancies from other departments impacted, such as the Financial Services Department, Police Department, Department of Transportation, and some in the Fire Department, to account for these adjustments.

Mr. Smith then reviewed the Additional Funding needed for the Board of Ethics, Purchasing Department, Sheriff's Office, Facilities Maintenance, Libraries and the Neighborhood Stabilization Program (NSP).

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.

A spreadsheet display of the Proposed General Fund Budget was then presented to the Board and public viewing, with Assumption notes including increase to property taxes by 4%, adding Staffing for Adequate Fire and Emergency Response (S.A.F.E.R.) grant employees to the General Fund and the administrative budget for the Board of Ethics addition, per SB22, which began in January 2022.

Mr. Smith then presented the pie chart display of the Total Requests (by Group), 37% of which were made by Public Safety and 23% made by General Government.

Mr. Smith then moved on to the Budget Recommendations, which was posted at Superior Court, and in the Human Resources Department window for public viewing. These cover the Grant Fund, Enterprise Fund and Debt Service Fund. The first Public Hearing was held on May 3rd; today is the second Public Hearing and (hopefully) adoption, with the millage rate to be set in July/August.

Mr. Smith again went through the recommendations made by the Commissioners, including increasing their Training & Travel Budget by $10,000 with a financial impact of $40,000. It is proposed that all six (6) Commissioners will have a Training & Travel Budget of $10,000. Funds would also proposed 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; however, that budget is up to $200,000 per law.

Mr. Smith then presented the questions that were asked by the BOC at the first Public Hearing (May 3, 2022). One question addressed revenue loss if the millage rate was rolled back. He explained same as displayed in the presentation before the Board and public viewing. He added that this addresses only the General Fund millage rate reduction, not the Special Service District rates, which would remain the same. Mr. Smith also reminded the Board about the homestead frozen exemption, which was impacted in the amount of $10 million dollars not collected last year. This fiscal year also could realize a loss in the amount of $21.2 million dollars because of frozen exemptions. He then addressed the components of the projected 2022 Tax Digest increase.

Mr. Smith thus concluded his presentation.

Chair Harrell called for anyone wishing to speak during this Public Hearing. **Stephanie Braun, Clerk, Henry County** advised no one signed up for Public Hearing.

Commissioner Thomas asked the question on funding increase to the Library for restoration of Saturday hours for services, noting that they just got a $900,000 grant and wanted to know if that was taken into account for budget purposes. **Chair Harrell** responded that the grant was for renovations only and not for anything else. The District IV Commissioner then asked if access to the library components available online for the citizens, to go online and access the reading materials; **Kathy Pillatzki, Henry County Library System Director,** approached and advised that a Capital Outlay Grant from the legislature administered by the Georgia Public Library Service was sought about three (3) years ago. The grant is a 90/10 split, with Henry County needing to provide the 10% and would make the county eligible for the 90% from the State. Former District III Commissioner, Gary Barham, as well as SPLOST committee were able to get $100,000 allocated in SPLOST-V for the renovation of the McDonough Library; the matching funds from the State of $900,000 give a total of $1 million dollars for this project. The McDonough building is 22 years old and is in need of repair, as it counts in an average of 75,000 visitors a year. Ms. Pillatzki added other needs under the renovation umbrella that the grant funding will cover as well, to meet safety and security priorities and to better service public use and public needs. There is a full set of online services available as well to the citizens and Ms. Pillatzki explained how citizens were able to obtain a digital library card through online services during the pandemic. A live tutoring service was also added, on a daily basis, 365/7. She went through other services that the Library

System now offers in the wake of the pandemic and funding availability to better serve the citizens during the COVID response. Commissioner Thomas thanked Ms. Pillatzki for her response and explanation. She then asked why the Library System needs the $300,000 (as budgeted). Ms. Pillatzki responded that there used to be Saturday hours at all locations, which were opened 6 days a week. During the 2010 recession, funding was reduced which left the Library struggling to get the funding back to pre-recession levels to provide expected levels of service. The last increase for the Library System was in 2016; the cost of everything has gone up but has escalated since inflation recently. This $300,000 increase will allow the system to restore Saturday hours at all five (5) locations, hire a full-time Programming and Outreach Librarian and will allow services to be sent to the underserviced parts of the county.

Commissioner Thomas asked if there are any mobile services for the Library available right now; **Ms. Pillatzki** responded that there is a van for outreach activities during community events but there is no dedicated outreach library vehicle.

Commissioner Clemmons requested to see some funding for job increases with more employees instead of the same amount of employees, in order to better create job opportunities. Due to the lack of daytime attendance, she asked how attendance can increase now that the hours are increasing. **Ms. Pillatzki** responded that there are early childhood literacy programs active, along with family literacy programs, based on research results. There is still good attendance into the library during the day; however, in terms of material circulation, seven (7) print items are circulated for every one (1) digital item accessed, showing that there is a demand for in-person library services. The District II Commissioner clarified that there needs to be “hard numbers” on physical attendance during the day into the buildings, as they are low across the nation in light of the pandemic, and more people are utilizing technology to access library services. Ms. Pillatzki explained that those numbers are presented to the Library Board of Trustees monthly and the annual report submitted to the State is available, which makes them eligible for grants and funding. The in-person attendance has drastically increased in the last two (2) months and near pre-pandemic attendance levels throughout the services. **Chair Harrell** added that the libraries are also used for job searching opportunities as well. Ms. Pillatzki added that they also partner with other agencies to come in and do job searches/computer skills classes/resume writing.

Commissioner Thomas referred to the Special Revenue Fund and asked if money was allotted for someone to manage that fund; **Mr. Smith** responded that the money for that individual has been taken and moved to help fund the position needed in the D.A.’s Office. The former position (managing the Special Revenue Fund) will come back before the Board at mid-year as this is a necessity.

Commissioner Thomas then referenced Public Works, $2.5 million dollars for countywide pavement intersection improvements, sidewalk cuts; she believes that the figure seems very low for this type of project particularly the number of sidewalks that are needed. She asked if there is any other funding available for this to add in; **Mr. Smith** explained that a request for $20 million dollars be moved from General Fund to help fund the Capital Improvements Plan, which included sidewalk improvements. SPLOST also has sidewalk improvements for each District and if necessary, it will be brought back to the Board with the Mr. Burckhalter for additional funding. He further explained that ARPA funding is also available for sidewalk improvements, but he would not recommend using the funds for that. **Chair Harrell** added that the sidewalks are also included in T-SPLOST; Mr. Smith affirmed same.

Commissioner Wilson referenced that the Sheriff's Office had $421,000 allocated for overtime; **Mr. Smith** affirmed same. The District I Commissioner asked how many positions are currently vacant in the Sheriff's Office. **Chair Harrell** called for the Human Resources Director to respond to the question. **Harold Cooper, Human Resources Director,** approached and stated that at this time, a total of sixty (60) vacancies are in the Sheriff's Office, but this figure is unverified as of today. The District I Commissioner commented with the vacancies, the salary savings should take care of the $421,000 overtime amount; **Mr. Smith** explained that the Sheriff is also trying to fill all the vacancies going forward and there will be required overtime while that is being completed, until those vacancies are filled. The Sheriff had mentioned that they wanted to increase their medical contract for inmates as well as food contract for inmates, which will increase those costs with the inflationary cost of over 40% which will impact the amount in the Sheriff's Office. Mr. Cooper verified that as of May 3, 2022, there were fifty-seven (57) vacancies but he will verify same, as it may have increased to approximately 60.

Commissioner Clemmons requested that the $421,000 used for overtime be used for administration of the jail; if it is not being used for that, then its intent must be made known for transparency; **Mr. Smith** affirmed same. **Ms. Hobson-Matthews** remarked that because the Sheriff is a constitutional officer, his budget is set and he can move those funds around but he can be told what the intent is. The District II Commissioner stated that the amount can then come off because it is at the Sheriff's discretion on spending and this is not for admin/jail staff due to increase in jail population, as it is not determined by county. The Sheriff can appear and give an accounting of how that money will be spent. Ms. Hobson-Matthews clarified that the District II Commissioner wants to allocate the funding but wants the Sheriff to appear and explain. Commissioner Clemmons said it is not necessary but the Board noted that the money was for salaries as stated. The County Manager clarified that the Sheriff asked for that amount for overtime in salary due to staff shortage, but he is not limited to having it just for that.

Chair Harrell advised that this not discussion-only and that action is to be taken today. If there are questions, now is the time to ask them and the Board has had time to meet with staff, and the Budget hearings have been held. If there are no more questions, the Chair directed for vote on the Budget.

Commissioner Thomas noted that the Commissioner recommendations were presented and asked what was actually put forth in the proposed Budget; **Mr. Smith** responded that $10,000 for each Commissioner was put into the Budget so that everyone has equal Training & Travel budget. The District IV Commissioner then directed attention to the funds set aside for Land & Building Asset purchases and asked for explanation. Mr. Smith responded that funds will be transferred, as needed, out of Fund Balance into the Capital Projects Fund for that purpose.

Commissioner Wilson noted that there is no increase in Training & Travel, and that it goes back to the same as last year ($10,000); **Mr. Smith** affirmed same.

Commissioner Clemmons noted that the changes noted today are not reflected on what the Board has in its possession; **Mr. Smith** explained that they are not entirely reflected because of the changes made to the D.A.'s Office, Public Defender's Office and Solicitor General's Office and those amounts will change but not the total overall for General Fund or any of the other funds.

Commissioner Thomas asked for clarification on Public Relations, with the amount of $763,339; **Mr. Smith** responded that is for the Communications area.

Commissioner Clemmons asked where the line item for contracts awarded that have not come before the Board; **Mr. Smith** responded that there is no specific line item that designates that; however, there are several professional service contracts which are under $50,000 and can be approved by the County Manager and do not have to come before the Board. These are not separately identified in each Department, as they go through Purchasing. He then explained that process on how the quotes are reached, reviewed and the contracts going to the County Manager for signature. The District II Commissioner asked where it was on the Budget; Mr. Smith stated it could fall under Professional Services or Supplies - in Facilities Maintenance there is Janitorial Service which would fall under $50,000 and budget fund used for landscaping maintenance, and would not be just in one item. The Commissioner then asked where the heading "Professional Services" is located. **Ms. Hobson-Matthews** explained that is based on each individual department and would have been in the packet provided during the one-on-one meetings. She gave an example for the Commissioner. Further clarification dialogue ensued between the District II Commissioner and the County Manager in locating the contracts in question and that any contract under $50,000 will be spread throughout the departments.

Commissioner Clemmons then asked if there is a deadline in approving the Budget today; **Ms. Hobson-Matthews** advised that today is the deadline for approval as per County Code, so that it can be sent to the State not later than thirty (30) days prior to the beginning of each fiscal year. This is the 2nd hearing and to meet the deadline, this Budget needs approval for the fiscal year start date of July 1, 2022. If the Board does not take action tonight, it needs to be advertised by 10:00 a.m. tomorrow to get it on the next available agenda.

Bruce Holmes, District V Commissioner, asked for the total amount of future property acquisitions set aside; **Mr. Smith** asked to set aside another $20 million dollars but it has not been brought back yet because a Public Facility Authority is in the works to properly fund the Judicial Center across the street and he wishes to make sure that enough is set aside to pay off the debt for the Public Facilities Authority moving forward. Because of the need for space, a suitable location is needed for the D.A.'s Office and other offices, such as Probate Court, with enough funding available to either lease or purchase that space. The District V Commissioner thought that areas already owned by the county were being explored for future construction; he asked if there are any such areas identified for land purchases. **Ms. Hobson-Matthews** responded that there are areas specifically for some facilities, but future areas are now being sought (greater than 20 acres) for future need. The same thing is being done for Fire Services but those properties can be purchased through SPLOST. The Commissioner recalled that it was not good to just purchase properties and just own them with no future building goal and asked why this has changed; Ms. Hobson-Matthews responded that there is now a Facilities Plan about 4-5 years old and based on the current population growth, there would be some immediate needs. Part of that Facilities Plan identified needs for additional space. The Commissioner suggested making those needed facilities as a line item and put a dollar amount on them, to do an accounting for the $20 million dollars. Ms. Hobson-Matthews clarified that this would strictly be for government facilities and she will bring all of those purchases back before the Board when they are identified, along with the asking price and the purpose for the request - this would be for future governmental services. **Mr. Smith** added that the $20 million-dollar figure is rounded up to have enough for Debt Services as well as purchasing property, the needs for the community of which this Budget seeks to address going forward.

Commissioner Thomas remarked that she did not see any trends to know what the Budgets were in past years and to see where the increases were happening on a year-to-year basis. She asked for information on some of the trends in past years; **Ms. Hobson-Matthews** responded that the information was emailed to the District IV Commissioner yesterday.

The County Manager advised the Chair that the Public Hearing will have to be closed out prior to taking action on the Budget.

Adoption of the FY2023 Budget

Mr. Smith announced that this is the Resolution pursuant to Title 36, Chapter 81 of the Official Code of Georgia Annotated, that this Board shall adopt an annual balanced Budget. He read the paragraphs of the Resolution for the Board and asked that this Board, as a governing authority of Henry County, adopt by approval the Resolution, with the listed twenty-five (25) sections included therein. He added that attached are the fiscal policies to go with the language presented within the Resolution.

Commissioner Wilson made a motion to approve; **Commissioner Anglyn** seconded the motion. The motion carried (6-0-0). *Resolution #22-133*

PLANNING & ZONING

Impact Fee Schedule Update (Public Hearing)

The Board of Commissioners will conduct the second 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 this is the second Public Hearing. He noted that there are representatives from various organizations to speak and a vote is hoping to be taken at the morning meeting on June 7, 2022.

Mr. Kirk remarked that a couple of years ago, Transportation was added as a category to the Impact Fee Schedule. Ross & Associates were hired in July 2020. The first update on this was in February 2021 and they had hoped to have it completed by December 2021; however, that did not happen so they are here today to provide more information in assisting with a final decision to be made in June. He noted that there had not been an increase in impact fees in roughly 18 years. Various organizations such as Homebuilders Association, Apartment Association and Council for Quality Growth, were consulted to give input on impact fees and the level of services to provide throughout the county. He went through what the impact fees can be used for, with presentation for the Board and public viewing, as first outlined in the first Public Hearing held on May 3, 2022.

Mr. Kirk then reviewed the information initially presented at the May 3rd meeting with a few remarks for the Board. It is requested that the impact fees are increased every two (2) years until 100% is reached ($10,000). Impact fees can either be collected at the end of the phased project before the Certificate of Occupancy is issued, or they can be paid up front. He gave the impact fees and impending increases through June 2026, amounting to the full $10,442 identified by the consultant, Ross & Associates.

Mr. Kirk stated that the recommendation is for $3,544 to take effect immediately, with permits issued prior to June 7 to be grandfathered, along with increasing every 2 years until they reach the 100% outlined.

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.

<u>In Favor</u>

Clayton Carte, no address given, approached to speak in favor of this increase, stating that over the last 19 years there have been new homes and commercial businesses constructed throughout Henry County with no increase in impact fee and no impact fees collected for transportation the entire time. These increases will greatly affect the transportation problems in the county and thanked Planning staff for getting this to the point of taking action and further asked the Board to approve this on June 7, 2022.

No one else 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.

In Opposition

Joseph Santoro, Council for Quality Growth, appeared as he had done at the previous hearing, in opposition of this updated schedule. While it is agreed that the growth-related costs need to be covered, he stated that there are concerns of affordability and workforce housing across the country and throughout Henry County. Any increase will negatively impact affordability and will ultimately get passed on to the homebuyer. The Council is in favor of the inflation rate, should the Board choose to approve the increase of the impact fee. The Council would recommend a 2-3 year phase-in of that inflation rate instead of what was presented by Mr. Kirk. He further recommended a 1-year phase-in approach to give some smaller builders the opportunity to account for the increased cost. Any applications for zoning or land disturbance permits should be vested under the current impact fee as well.

Garrett Wiley, Government Affairs Director, Atlanta Homebuilders Association, approached to speak in opposition of this schedule and remarked that housing affordability and availability are in crisis mode right now, including land, material and associated labor costs. Mortgage payments are up 50% with unfortunate timing during this crisis and it is heading towards Henry County. They are in favor of the inflationary rate and anything over 100% would be unprecedented. He agreed with the remarks made by Mr. Santoro regarding grandfathering.

No one else approached.

Commissioner Clemmons clarified that the recommendations by the Homebuilders Association presented were different from those given by Mr. Kirk and asked if the displayed recommendations are accurate as displayed. **Mr. Kirk** explained that he copied and pasted from the Homebuilders Association for presentation. **Chair Harrell** asked the County Attorney if the Board is allowed to ask these representatives any questions during this time. **Nancy Rowan, County Attorney,** responded that the Public Hearing is closed and if the Chair allows them to return for answering questions that would be fine. The District II Commissioner noted the differences and that the Homebuilders Association are not in agreement with Mr. Kirk's recommendations; **Mr. Wiley** affirmed that they are not in agreement with the schedule as presented by Mr. Kirk. **Chair Harrell** asked if Mr. Wiley approves of the increase to $3,544; Mr. Wiley stated they would support the increase if the Board chooses to have an increase, based on inflationary rate. The District II Commissioner understood the amount but asked about the grace periods and other criteria; Mr. Wiley stated they would not be in agreement with same. The Chair clarified that the representatives would be in favor of the inflationary increase.

Commissioner Clemmons reiterated that the increase would have to come in an agreed-upon amount, but was concerned that if the county recommendations were imposed, there would be a negative impact on affordability and availability. **Mr. Wiley** stated that developers are asking for the grace period as they already applied for their permits and that the grace period be based on the developers being prepared for when they purchase land and start to file for the permits, within one (1) year. The District II Commissioner asked Mr. Kirk to discuss this with them as it is not what the county recommendations were presented. **Mr. Kirk** stated that rezoning are taking 6-8 months and if that is what is filed, they are asked to be grandfathered in at that point.

Commissioner Holmes asked if the increase would have a negative impact on both commercial and residential development in the county; **Mr. Wiley** responded that on the homebuilder side, in working through the process of acquiring the land and going through environmental requirements, all of these costs add up and caution should be taken during this process that the costs go into the value of the home, which is a concern. **Mr. Santoro** added that in the past year, other jurisdictions have adopted an increase in their impact fees with a grace period as well as the ability to have the vesting option.

Ms. Hobson-Matthews asked the Board to consider a less than 2% increase on a home spread out over the course of the fee and that the Budget was just adopted; part of that Budget is to provide services to the residents. This is another funding mechanism for impacts that the additional homes are having on the County Budget, and not for operational costs. She went through what the impact fees would be spent upon. An available fee to collect would be for the purpose of expanding the parks or expanding the libraries or Public Safety and providing a resource to do them. This fee is paid separately and not at the time they obtain a building permit. She would not recommend grandfathering applications that are pending. **Chair Harrell** remarked that the Board is not approving any affordable housing, either. **Mr. Wiley** further explained that the proposal shows an increase to the 100% every 2 years, with $10,000 to be reached by 2026, which was not agreed upon. Ms. Hobson-Matthews affirmed same but the $10,000 figure is what should be collected in order to provide the level of services for these homes. Another consideration would be that as the county continues to grow and add more services, this Board may have to come back and revisit the impact fee amount.

Chair Harrell asked if the Board could consider what is before it today and not look at the phase-in option; **Ms. Hobson-Matthews** responded it would at the Board's discretion and if the Board only wants to look at the amount that can be done. The recommendations tried to capture every Commissioner's comments and this Board can act on setting the fee and revisit same in two (2) years if the Board desires to do so.

Chair Harrell remarked that she would like to see what they have to currently deal with and move forward.

Commissioner Clemmons further remarked that this deals with residential but in the impact fees for the warehouses that there would be an increase on the warehouses to help with funding for infrastructure; but she stated that she does not see that in the presentation. **Mr. Kirk** displayed the projects for which the impact fees could be used. The District II Commissioner recommended an increase on the warehouse portion to go directly towards the roads and address the citizens' complaints on the truck traffic. Mr. Kirk told the Commissioner it will be done that way. The Commissioner pressed that the warehouse impact fee is based on square feet which is not a lot. The Commissioner stated that the number can be adjusted for warehouse without impacting any other zoning class.

Ms. Hobson-Matthews stated that the Board will have an example of impact fees that were paid for existing industrial and comparisons to recommendations at the June 7th meeting to view the differences. **Commissioner Clemmons** asked that it also include the percentage which goes to Transportation and not Parks. **Chair Harrell** directed the County Manager to have that packet ready for the Board to examine before the next meeting.

Commissioner Wilson remarked that he supports staff's recommendations as staff knows the needs of the county and the costs associated and needed to provide those services. These costs will continue to go up but he supports staff recommendations as presented today.

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

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.

APPROVAL OF MINUTES

Commissioner Anglyn made a motion to approve the Minutes from *April 19, 2022 (Regular BOC Meeting)* and *May 3, 2022 (Regular BOC Meeting*; **Commissioner Thomas** seconded the motion. The motion carried (6-0-0).

UPCOMING MEETINGS & EVENTS

A. Tuesday, June 7, 2022 at 9:00 a.m., Regular BOC Meeting;
B. Tuesday, June 21, 2022 at 6:30 p.m., Regular BOC Meeting

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 08:01 p.m.***

Carlotta Harrell, Chair

Stephanie Braun, County Clerk