STATE OF GEORGIA
COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting ***in-person*** on Tuesday, June 7, 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

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, June 7, 2022 at 9:00 a.m. to order.

Announcement from Chair

Chair Harrell announced the following changes to this morning's Agenda, would be pulled and placed on an Agenda at a later date:

- **CONSENT AGENDA:** **Facilities Maintenance:** *(A) Awarding a bid for Janitorial Services for County Facilities Annual Contract to American Facility Services, Inc. in the amount of $281,400 for select County Facilities, and to Intercontinental Commercial Services in the amount of $359,700 for select Court and Public Safety Facilities as defined on individual bid sheets. (Presenter: Hutch Purvis, Facilities Maintenance)(Exhibit 6)*
- **COUNTYATTORNEY:** *Resolution repealing Resolution #19-40 regarding impact fees being distributed equally among districts (Presenter: Nancy Rowan, County Attorney)(Exhibit 16)*
- **PLANNING & ZONING:** *Resolution approving Impact Fees (Presenter: Toussaint Kirk, Planning & Economic Development Director/Cluster Lead) (Exhibit #17)*

PRESENTATIONS

Recognition of Henry County Employee Retirements

Harold Cooper, Human Resources Director, announced the following employee retiring from service with Henry County:

- *Lt. Peter Johnson - Henry County Sheriff's Office - 16 years*

Atlanta Regional Commission Partnering with Henry County to Serve Older Adults

Jim Jaquish, Center for Strategic Relations, Local Government Affairs, approached and made remarks on the representation changes on the Atlanta Regional Commission (ARC) Board. This is by state law and advised that Chair Harrell is now on the Board with the ARC, as well as one (1) mayoral representative, namely Anthony Ford, Mayor of Stockbridge, and Murphy Talmadge (appointed by Chair Harrell) to serve as Citizen Member, representing one of fifteen (15) Citizen Districts throughout the region, including Henry County and Rockdale County. The Comprehensive Economic Development Strategy has now started; likewise, the Infrastructure Investment & Jobs Act has started and website links were given. He introduced Ms. Kurtz to present some remarks.

Becky Kurtz, Managing Director, ARC Aging and Independence Group, approached to provide a brief report on the partnership between ARC and Henry County to help senior citizen constituents. She advised that postcards are in the Commissioners' packets to pass to their constituents as needed. She gave some background information on providing services to a rapidly growing number of senior citizens. The branding for these services is called "Empower Line" and she provided information on how to access that. She further added that Federal COVID-Related Aging Services, from ARC to Henry County, have been added totaling more than $250,000 to Henry County. Other services offered through ARC for Henry County were also summarized for the Board and public viewing.

Ms. Kurtz then presented a map which detailed life expectancy statistics throughout the county by District and how that might impact the work in Henry County. ARC has approved this plan to learn of disparities and tracking through the census data. The life expectancy ranges from ages 72 to 81 years, dependent upon in what area of the county citizens live. She gave some details on factors that made up the results of life expectancy ranging by area of county residence.

Upon completion of the presentation, **Chair Harrell** asked that a copy of same be distributed to the Board. There were no questions. ***No action was taken.***

Henry County Transportation Plan 2022 Update

Sam Baker, Director of Transportation Planning, presented an update on the Transportation Plan for the Board. He gave some background on the purpose of the Transportation Plan and what factors impact traffic on the road and how the Plan assesses the infrastructure and makes recommendations to the infrastructure by 2050, breaking the projects down into short-term, mid-term and long-term. He shared the events that were held to get citizen input from the County as well as the Four Cities, to make this a joint effort for the Transportation Plan. He then yielded the floor to Mr. Craig for the Plan update.

Michael Craig, Pond & Company, explained to the Board about thirty-three (33) proposed new projects in the planning process, in addition to forty-one (41) fully funded projects through SPLOST and T-SPLOST, as well as in partnership with the State of Georgia. Among the recommendations there are intersection upgrades, small-to-large scale projects and arterial upgrades/safety improvements, to address the safety concerns and roadways that handle a lot of traffic when they were not originally built for this. A number of sidewalk projects were also identified, representing a significant investment to the walking infrastructure in the county to improve pedestrian safety and quality of life.

Mr. Craig then displayed the different public engagements to present these recommendations for the public and gain their input. Municipal workshops were held and there was participation from all Four Cities to help with transportation issues; these were successful as well. There will be a formal Resolution presented on June 21, 2022 to adopt the 2022 Comprehensive Transportation Plan. At this point, he paused for questions.

Vivian Thomas, Vice-Chair/District IV Commissioner, asked when the financial means to support this plan will be presented; **Mr. Craig** responded that there is a cost estimate that is being reviewed for finalizing, as well as revenue projections out to 2050 to be completed this week and they will be sent to the Commissioners. The District IV Commissioner also noted that there will be funding from SPLOST and T-SPLOST; she wanted to know what expectations the Municipalities would have to contribute to this plan. Mr. Craig responded that it would be broken down between the county and Cities. The Commissioner then remarked about federal funding for sidewalks and securing grants. She asked if his company will participate in the grant process to garner support, or if they will need a grant writer. Mr. Craig responded that the CTP will not include any grant writing; however, it could be set up for that with a prioritized list of projects and cost estimates for submitting to get grant opportunities. **Chair Harrell** added that conversations regarding funding have been done for Transportation - one was in Flovilla with Sens. Ossoff's and Warnock's staff to start the process of federal funding forthcoming; once this is completed, then they will see which projects will fit for the various funding, whether for trails or railroad crossings. The Chair called for Mr. Baker to make further remarks as a follow up.

Mr. Baker mentioned that there is a lot of federal funding, but it requires a 20% local match, and this includes money for sidewalks.

Dee Clemmons, District II Commissioner, remarked that the sidewalks, trails and widening are huge parts of the Plan; however, street lighting is a big part for mobility and safety, which she supported back in 2020 and while they are on Jonesboro Road, she does not see any indications of street lights elsewhere in this Plan. The District II Commissioner asked that this be addressed prior to adoption of this Plan, as this will provide immediate impact for the future Plan. **Mr. Craig** stated that it is not a recommendation in this CTP and it can be put in there, as a policy; specific locations can be identified going forward, but he is not sure what the county's policy is on this. **Cheri Hobson-Matthews, County Manager,** recalled that there was a resolution to award a contract to a consultant to identify those areas. The Board did identify specific locations, but the County Manager recalled that the Board asked them to go further with it and while the preliminary work has already started, this feature can be brought back to the Board for discussion and action. The Commissioner agreed to same as this is a concern. **Chair Harrell** added that it can be brought and not necessarily be part of this Transportation Plan.

Commissioner Thomas stated that connectivity was addressed in this Plan but she noticed that an element of mobility with bicycle transportation is beginning to trend and sees benefit to this; she asked if this would be part of the Plan to have extended sidewalks to encourage bicycling. **Mr. Baker** responded that the next presentation will be the Henry County Trails Plan which will address the bicycling and a countywide trail network. The CTP came up with 200 miles of sidewalks; the Trail Plan will address multi-use paths along the roads that are wide enough for bicycles, rollerblading, walking and jogging. This will be addressed in the next presentation.

Henry County Trails Plan

Mr. Baker continued that in 2016, Henry County had its Comprehensive Transportation Plan which provided a map of ideas for trails countywide. The recommendation was to have Henry County develop a countywide Trails Plan, but this was not acted upon until it was proposed in 2020 to be followed up, to develop this Trails Plan. The Board approved funding to develop this Plan and there is now the Henry County Trails Plan ready for consideration and adoption. He noted that there was much engagement from the citizens and representative from the Municipalities. He yielded the floor to Mr. Craig for further details on the Henry Trails, which also has a logo brand to identify the Trails Network.

Mr. Craig presented the network for the Trails Plan. In addressing the District IV Commissioner's remarks on widening for bicycling, this addresses that and giving it its own right-of-way in various forms. He then presented the trail logo to give a consistent brand throughout the county while still specifying a location for the user of the trail network. Mr. Craig went into some detail on the wayfinding aspects of the signage as well; he then presented the guidelines for the trail network and design guidelines. Renderings of what these trails would look like were also provided for the Board and public viewing.

Chair Harrell referred to the sidewalks with the bicycling and asked if there will be lighting along these trails. **Mr. Craig** responded that there will be safety recommendations including lighting and call boxes.

Commissioner Thomas asked if a security system will be added in the bicycling areas, such as cameras at stated distances. **Mr. Craig** responded those are part of the recommendations for security and will be included in the actual design of these trails.

There being no further questions, **Chair Harrell** directed the County Manager to bring a Resolution back to address the lighting along the various trails and corridors.

Commissioner Thomas thanked the Board, the County Manager and the Human Resources Director for their efforts in bringing this into the Transportation Plan and to Mr. Baker for staying focused on this initiative and bringing the Trails Plan into this as well.

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

CONSENT AGENDA

Ms. Hobson-Matthews presented the Consent Agenda as follows:

County Attorney

A. Resolution to Authorize the Acquisition of 1,751.22 Square Feet of Right of Way and 2005.08 Square Feet of Permanent Easement, More or Less, in Land Lot 62 of the 12th District, Henry County, Georgia, by Negotiated Contract or Condemnation Pursuant to Provisions of O.C.G.A. Section 32-3-4 through Section 32-3-19. Rock Quarry Road (Parcel 74) District 4 (Presenter: Nancy Rowan, County Attorney)(Exhibit 1) *Resolution #22-134*

B. Resolution to Authorize the Acquisition of 1,628.65 Square Feet of Right of Way, 2,552.98 Square Feet of Permanent Easement, More or Less, in Land Lot 13 of the 6th District, Henry

County, Georgia, by Negotiated Contract or Condemnation Pursuant to Provisions of O.C.G.A. Section 32-3-4 Through Section 32-3-19. Rock Quarry Road (Parcel 14) District 4 (Presenter: Nancy Rowan, County Attorney)(Exhibit 2) *Resolution #22-135*

C. Resolution to Authorize the Acquisition of 4,448.87 Square Feet of Right of Way, 2056.79 Square Feet of Permanent Easement, and 1 Square Feet of Drive Way Easement, More or Less, in Land Lot 13 of the 6th District, Henry County, Georgia, by Negotiated Contract or Condemnation Pursuant to Provisions of O.C.G.A. Section 32-3-4 Through Section 32-3-19. Rock Quarry Road (Parcel 7) District 4 (Presenter: Nancy Rowan, County Attorney)(Exhibit 3) *Resolution #22-136*

D. Resolution to Authorize the Acquisition of 1,006 Square Feet of Right of Way, in Land Lot 211 of the 1st District, Henry County, Georgia, by Negotiated Contract or Condemnation Pursuant to Provisions of O.C.G.A. Section 32-3-4 Through Section 32-3-19. Peeksville Road (Parcel 28) District 1 (Presenter: Nancy Rowan, County Attorney)(Exhibit 4) *Resolution #22-137*

E. Resolution to Authorize the Acquisition of 306, 226.80 Square Feet of Property, in Land Lot 209 of the 1st District, Henry County, Georgia, by Negotiated Contract or Condemnation Pursuant to Provisions of O.C.G.A. Section 32-3-4 Through Section 32-3-19. Peeksville Road (Parcel 2) District 1 (Presenter: Nancy Rowan, County Attorney)(Exhibit 5) *Resolution #22-138*

Fire Department

A. Resolution of the Board of Commissioners Appointing Fire Chief Jonathan Burnette, Deputy Fire Chief Stacey Ponder, Assistant Chief Billy Petite and Lieutenant Sam Polk to the Region 4/West Georgia Emergency Medical Services Advisory Council (Presenter: Fire Chief Jonathon Burnette, HCFD)(Exhibit 7) *Resolution #22-139*

Police Department

A. Resolution of the Board of Commissioners authorizing a request by the Henry County Police Department to apply for and accept a grant in the amount of $106,035.00 from the Bureau of Justice Assistance (BJA), United States Department of Justice, Office of Justice Programs, Patrick Leahy Bulletproof Vest Partnership (BVP) program for the purchase of body armor vests for sworn officers (Presenter: Major R. McGlamery, HCPD) (Exhibit 8) *Resolution #22-140*

Planning & Zoning

A. Resolution of the Henry County Board of Commissioners approving an amendment to the Henry County Planning and Zoning fee schedule related to film permit fees (Presenter: Kenta Lanham, Planner II)(Exhibit 9) *Resolution #22-141*

SPLOST

A. Resolution of the Henry County Board of Commissioners approving a Supplemental Agreement for Heath & Lineback Engineers in the amount of $69,141.04 on design of Flippen Road Extension utilizing SPLOST V funds. District 2 (Presenter: Roque Romero-Muniz, SPLOST Transportation Director)(Exhibit 10) *Resolution #22-142*

B. Resolution approving bid award for asphalt patching, crack sealing, and high-density mineral bond application (HA -5) on 25 County Roads to Blount Construction Company, Inc. in the amount of $350,267 (TSPLOST) (Presenter: Roque Romero-Muniz, SPLOST Transportation Director)(Exhibit 11) *Resolution #22-143*

Stormwater

A. Resolution of the Board of Commissioners to approve RFP #22- 19 for an update of the Henry County Flood Plain to House Moran Consulting, Inc. from Kennesaw, GA in the amount of $2,284,000 using ARPA funds (Presenter: Alex Mohajer/DOT)(Exhibit 12) *Resolution #22-144*

Transportation Planning

A. Accept a Georgia Smart Communities Challenge Grant of $30,000 from Partnership for Inclusive Innovation (Presenter: Sam Baker, Transportation Planning Director)(Exhibit 13) *Resolution #22-145*

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

There being no changes to the Consent Agenda, **Commissioner Clemmons** made a motion to approve; **Commissioner Thomas** seconded the motion. The motion carried (6-0-0).

REGULAR AGENDA

SPLOST

Resolution approving the bid award for Resurfacing of Various County Roads to Blount Construction Company, Inc. in the amount of $25,011,802 (Presenter: Ronald Burckhalter, Cluster Lead/Public Works Roque Romero-Muniz, SPLOST Transportation Director)(Exhibit 14)

Ron Burckhalter, Capital Projects Director, approached to give remarks on this item for the Board. During the bid process, four (4) sealed bids were received and reviewed. Funding is available through SPLOST-V, T-SPLOST and LMIG. Staff recommends award to Blount Construction Company, Inc., in the above-stated amount. He presented a list of the roads throughout each of the Districts slated for this project and these are available on the T-SPLOST county website for public viewing.

There being no questions or comments from the Board, **Commissioner Thomas** made a motion to approve; **Dee Anglyn, III, District III Commissioner,** seconded the motion. The motion carried (6-0-0).

Resolution #22-146

STORMWATER

Resolution authorizing staff to enter into a professional service agreement for the development of a feasibility study for a consolidated new Field Operations Building to Goodwyn Mills Cawood, LLC (GMC) in the amount of $159,500 (Presenter: Alex Mohajer/DOT)(Exhibit 15)

Alex Mohajer, DOT Director, approached and explained that this requests approval for a feasibility study on a new consolidated Field Operations Building, bringing all the Field offices into one new office building. These departments include DOT, Stormwater, SPLOST, Fleet and Building

Maintenance Departments. Two (2) proposals were received, reviewed and scored. Goodwyn Mills Carwood received the highest score with the above-stated cost estimate. Staff recommends approval of the study for a future consolidated Field Operations Building. A location has been identified at the intersection of Hwy. 20 and Phillips Drive, with approximately 10.2 acres of land. Mr. Mohajer provided some sustainable features that would be included in the construction of this building which focus on energy efficiency for the purpose of neighborhood revitalization and improve nearby residential property values.

Commissioner Clemmons asked why there is a need for a feasibility study if there is already so much determined for the building project, including the proposed location. **Mr. Mohajer** explained that this is a space need analysis with a 3-D rendering to show what the building would look like, with the estimated cost. The consultant would complete the study and then present results and further the details of the proposed design for approval to proceed. The District II Commissioner asked why a consultant would not be hired to complete this process without spending this money for another consultant. **Ms. Hobson-Matthews** explained that staff needs to first determine the feasibility of the cost and what the initial up-front cost would be, to determine whether or not the county wishes to proceed. This item could be table and the proposal dismissed; a consultant can be obtained to determine the feasibility, the location and the cost in terms of the design. This Resolution would afford everyone to have an opportunity to present bid on this project. Only two (2) proposals were received for the feasibility piece; there will be more received for the construction phase. However, if the Board wishes to entertain an "all-inclusive" package, that can be done at the Board's discretion. The Commissioner added that there is usually one team/consultant who handles the entire process and not broken down. Ms. Hobson-Matthews explained that those are typically for SPLOST projects, where the need had already been determined as well as the property. The purpose of this study would be to determine if it is feasible to use this proposed location and to accommodate the departments that would be impacted by this. Commissioner Clemmons pressed that one consultant/company could do all of that - from design to location; however, the County Manager pointed out that they might not be able to determine its feasibility. **Mr. Mohajer** added that this would be included in the next phase of the project for the full design. Ms. Hobson-Matthews clarified that the Commissioner might be referring to the concept of "design/build", where the design is presented and the contract is awarded to the contractors for construction. This is not a design/build.

Commissioner Clemmons remarked that the feasibility has been determined and that there is a need for this building, with the specifications listed.

Johnny Wilson, District I Commissioner, referred to the slide that shows what is included in the feasibility study. **Mr. Mohajer** pointed out that this building is targeted for platinum LEED features, included but not limited to, solar roof panels, water recycling, native landscaping, green roof, bicycle rack, improved indoor environmental quality and LED fixtures. A space need analysis and a rendering with design layout for building and parking deck, including size of buildings, what the offices would look like and a 3-D animation for presentation. The District I Commissioner asked what would be involved in a "design/build" process. Mr. Mohajer explained that the purpose of this building is to provide a place for the involved departments and staff for the next 10-15 years. The Commissioner expressed concern about spending this money and if the cost was for design/build, he asked what part of that would be absorbed through feasibility. Mr. Mohajer responded that any type of design/build would include reconnaissance and analysis for the first step of this project, to determine if this is tangible for proceeding to design phase. The cost would then be subtracted from the design phase afterward.

There being no further questions or comments, **Commissioner Wilson** made a motion to approve with the understanding that the above-stated cost would also be included in the design phase of the project. **Mr. Mohajer** clarified that this would be attached to the Request for Proposal (RFP) or Request for Quote (RFQ). The District I Commissioner agreed to same. **Commissioner Anglyn** seconded this motion.

Commissioner Thomas asked when this is put out to bid, how it will be ensured that the above-stated cost would be deducted from their bid price, as she sees this as a concern. She understands the need for the feasibility study. If the consultant cannot complete the feasibility study then it is the responsibility of that firm to get its consultant to complete the study. The District IV Commissioner finds it difficult to substantiate that the final/selected bidder is going to pick up from this and move forward without a cost overrun. She believes that this should come with accountability and agrees with the District II Commissioner to have a one-package provider to have a consultant determine the feasibility and move with the design if the study results are accepted. **Ms. Hobson-Matthews** interjected that the challenge in doing that would not give control over what the consultant would have to pay another consultant to determine feasibility. If a proposal is put out for design/build, contractors will get the message that the project is ready for design and funding is allocated to build. This approach would allow a consultant to come in and provide what the cost would be and let the county determine the feasibility of that cost. If the cost is higher than expected, then the study is still completed and can be looked again at a later date. A LEED certified building is going to cost from $8-10 million dollars. The funding source for this building has not been identified and this is very preliminary work but there is a need. The consultant could come back and determine that the proposed location would not be appropriate as well, due to unforeseen issues, and the feasibility study would cover that and provide additional recommendations for options on other locations. The study would be done to determine the project's affordability and to determine that the funds needed would be supported by the Board.

Commissioner Thomas clarified that feasibility would also have to be determined in a design/build. **Ms. Hobson-Matthews** explained that this is similar to what was done with the Judicial Center, wherein a feasibility study was done and the consultants met with the judicial partners to determine space and operational needs. When the study was completed, it was presented to the Board and there were various options presented in terms of affordability. Now this is in the design/construction phase based on the recommendations from the feasibility study. When staff develops the scope of work based on the results of the feasibility study, the consultant would then have to follow that as approved by the Board of Commissioners with the stated intent.

Commissioner Clemmons pointed out that the building could cost $8-10 million dollars (or more), not including the land which would have to be purchased. This causes more concern for the District II Commissioner and she voiced that she cannot support this as the money can be spent on more pressing needs. She would prefer to see an update of the Judicial System Plan or other buildings needed to be improved/upgraded/designed. If this feasibility study were conducted, it would still be years before the money could be gathered to move to the design phase. **Ms. Hobson-Matthews** stated that funding for the construction is available because Stormwater is part of this and depending on other departments, such as SPLOST, funding can be used for it as well. She provided a brief update on the Judicial Center project and a Facilities Plan for that was presented. There is a need for this building as the location presently housing the above-mentioned departments is too open and subject to vehicles being vandalized or stolen. The Commissioner clarified that there is now a need, as stated by the County Manager, and that there is funding; she asked why this cannot be bid out as a design/build and move that way, instead of spending this money on a study when it was already determined that there is a need, the specs are laid out and a location is proposed. **Mr. Mohajer** added that the proposed property is owned by the county. The County Manager further clarified that there are a lot of properties that could be conducive for this project; however, an environmental assessment must be done on this property before any further consideration to location can be determined and this would be presented to the Board through this feasibility study. Mr. Mohajer also clarified that this is a feasibility study and would include environmental assessment.

Commissioner Clemmons echoed the District I Commissioner's question as to what this would include; this would be better for the Board to see exactly what would be involved instead of just approving this without understanding of what the study would include. **Mr. Mohajer** responded that the scope of services can be provided to the Board. **Ms. Hobson-Matthews** referenced an exhibit that spells out the scope of services including an analysis of the existing Field Operation department, their projected space needs, a proposed LEED certified building including green infrastructure, identifying possible building locations and a 3-D animated presentation. The District II Commissioner requested that everything this money would cover for the study should be listed and presented to the Board.

Commissioner Thomas asked if other county-owned areas would be considered for locations, or if this is limited to the referenced property. **Ms. Hobson-Matthews** responded that possible locations will be reviewed. The District IV Commissioner asked if other property locations could be written in as included in this price for the study; the County Manager stated that can be done.

A motion and second presented, **Chair Harrell** asked if the District I Commissioner would withdraw his motion and provide an opportunity for staff to bring this back to the Board with the requested additional information.

Commissioner Wilson withdrew his motion; he then made a motion to *table* this item and to have it come back with an itemized list of what the feasibility study would provide; **Commissioner Clemmons** seconded the motion. The motion carried (6-0-0). ***No action was taken.***

PLANNING & ZONING

AP-21-05 (Public Hearing)

Angel Miller-Dublin of Bear, DE appeals the denial of a variance request for property located on the south side of Stone Road in Land Lots 205 & 212 of the 6th District. The property consists of 14.932+/- acres, and the request is for relief from development standards. District 2 (Presenter: Stacey Jordan-Rudeseal, Assistant Director) (Exhibit 18)

Stacey Jordan-Rudeseal, Planning & Zoning Assistant Director, provided the details of this Variance which stems from a request that was denied by the Zoning Advisory Board in November 2021. This is flag lot on Stone Road and is rather large; however, the frontage is almost exactly sixty (60') feet, which is the minimum allowed by the Unified Land Development Code (ULDC) in Henry County. Applicant seeks to split the flag lot in two for the purpose of having half of the frontage required by the ULDC. This would take a property which is in compliance and place it into non-compliance after the split. Applicant was advised that a proposed second home can be done on this property without splitting, if it is a guest quarters-type house, not available for rent and not having a separate address. Staff recommends *denial* of this appeal.

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, allowing a total of ten (10) minutes.

In Favor

Troy Dublin appeared on behalf of the applicant (his wife). He gave a brief overview of the history of this request and was led to believe that the land could be subdivided, which was not applicable after they had purchased the property. He asked for this to be allowed since this was a misunderstanding and he was led to believe that the property could be divided. He seeks to share the frontage with a joint access requirement for the property after it is split.

No one else approached to speak in favor of this 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, allowing a total of ten (10) minutes.

In Opposition

Terri (last name inaudible) *, appearing on behalf of the Palmer family (her parents), stated that their land was purchased in 1984 and it is also a flag lot. She is concerned that approval of the division would set precedence for other flag lots to request similar approval.

Jean Dykes, **371 Stone Road, McDonough GA 30253**, stated that there can be a shared driveway with easement signed by the homeowner to allow same. She does not see why that cannot be done on this property as a way to acquire a mortgage for a home on that property.

Mr. Jordan-Rudeseal stated that Henry County requires that a split lot, the property have at least 60' of road frontage. It may be possible to deed a piece of the property; it would not have the required frontage to comply with the ULDC.

The Public Hearing was closed.

Commissioner Clemmons asked if the family can build another house on this property; **Mr. Jordan-Rudeseal** explained that the Code allows for a primary house and a secondary house, to be placed on the same parcel; this would not allow a potential resident of that secondary home to acquire a mortgage. The District II Commissioner stated that would be at the bank's discretion on the property inclusion in a mortgage and is not under the jurisdiction of the County. The County is not prohibiting the building of a secondary home - only keeping the property's frontage in compliance with the Code. Mr. Jordan-Rudeseal agreed to same.

Mr. Jordan-Rudeseal clarified that the denial would be sustained or overturned as stated in this request, and the decision is left to the Board.

With brief clarification between the Chair and the County Attorney, **Ms. Hobson-Matthews** added that the motion should be to either overturn the ZAB's decision of denial, or to uphold the ZAB's decision to denial, **Commissioner Clemmons** made a motion to *deny* this appeal and thereby uphold the ZAB's denial of this request; **Commissioner Wilson** seconded the motion. Motion carried (4-2-0).

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

Resolution #22-147

ULDC-AM-22-05 (Public Hearing)

Ordinance by Henry County, Georgia, to amend the Unified Land Development Code of the Henry County Code of Ordinances regarding the prohibited uses within the Highway Corridor Overlay District and for other purposes. Countywide (Presenter: Kamau As-Salaam, Planner III) (Exhibit 19)

Kamau As-Salaam, Planner III, provided details of this item which was staff-initiated. This is an amendment to the Supplemental Standards for self-storage facilities and the Prohibited Uses of the Highway Corridor Overlay District. These were listed for the Board and for public viewing. Staff recommends adoption of these proposed elements.

Commissioner Thomas was concerned about all the inclusions and how it is worded in the Ordinance. She asked the County Attorney if language can be added to prevent future requests from finding any way around or a loophole through what is being proposed; **Mr. As-Salaam** explained that the language presented has proposed amendments in red on the display for the Board and public viewing.

Commissioner Clemmons asked if vehicle sales are allowed; **Mr. As-Salaam** clarified that used vehicle sales are prohibited; new vehicle sales are allowed. The District II Commissioner asked how it will work if a company like Tesla were to build with sales of both used and new cars. Mr. As-Salaam stated that if they sell new cars, they can also sell used cars provided that the primary purpose is new car sales. The intent is to prohibit primarily selling used cars within the Overlay District.

Commissioner Thomas agrees but she turned to the County Attorney for proper wording for future reference. **Nancy Rowan, County Attorney,** asked for specifics in this language to clearly state the allowance of self-storage. **Chair Harrell** read the language in Prohibitive Uses, Section 4.05.06.B.(1) for the Board, as displayed earlier. **Mr. As-Salaam** displayed what the language would like after the "red wording" was taken out.

Commissioner Clemmons asked what will happen to those facilities that do have the office-style appearance; **Mr. As-Salaam** responded that those are vested and grandfathered; likewise, any that are in the process of rezoning or development will be grandfathered. Adoption of this today prohibits any future development of office-style self-storage facilities within the Overlay District.

There being no further questions or comments, **Chair Harrell** made a motion to approve this Amendment; **Commissioner Anglyn** seconded the motion. Motion carried (4-2-0).

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

Ordinance #22-04

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 Thomas made a motion to approve the Minutes from *May 17, 2022 (Regular BOC Meeting)*; **Commissioner Wilson** seconded the motion. The motion carried (6-0-0).

UPCOMING MEETINGS & EVENTS

A. Tuesday, June 21, 2022 at 6:30 p.m., Regular BOC Meeting;
B. Wednesday, July 6, 2022 at 9:00 a.m., Regular BOC Meeting (moved due to holiday)

Added from County Manager

Ms. Hobson-Matthews noted that the Public Hearing was not called for the ULDC Amendment just heard and will need to be done before recording the vote.

Chair Harrell opened the floor for the Public Hearing on **ULDC-AM-22-05** and called for anyone wishing to speak in favor or in opposition of this request to come and make comment. *No one approached and the Public Hearing was duly closed.*

Ms. Hobson-Matthews advised that on May 25, 2022 an email was received from the City Manager of Stockbridge, notifying that beginning July 1, 2022 the City of Stockbridge would transition into its own Police Services; Henry County Police Department will no longer offer services within the municipal boundaries of the City of Stockbridge effective July 1st.

Ms. Hobson-Matthews then advised that the Local Option Sales Tax (L.O.S.T.) is hereby required by law to be renegotiated. A letter has been prepared for the Chair's signature to send to the Cities and all Municipalities must be notified of this no later than June 30, 2022 of plans to renegotiate. There will need to be some Called Meetings held (outside of the regularly scheduled BOC Regular Meetings) prior to July 1st.

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 10:41 a.m.***

Carlotta Harrell, Chair

Stephanie Braun, County Clerk