

August 16, 2022

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**STATE OF GEORGIA
COUNTY OF HENRY**

The Henry County Board of Commissioners held a Regular Public Meeting *in-person* on Tuesday, August 16, 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 (*via teleconference*)
Dee Anglyn, III, District III Commissioner
Vivian Thomas, Vice-Chair/District IV Commissioner (*arrived at 6:40 p.m.*)
Bruce Holmes, District V Commissioner

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

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, August 16, 2022 at 6:30 p.m. to order.

PROCLAMATION

Proclamation recognizing the month of August as Black Business and Black Philanthropic Month

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

***PROCLAMATION IN RECOGNITION OF NATIONAL BLACK BUSINESS AND
PHILANTHROPY MONTH***

WHEREAS, Black Business month, observed in the month of August each year, was founded by John William Templeton, a historian, and Frederick E. Jordan, Sr., a civil engineer, in 2004, in an effort to drive policy agenda affecting the 2.6 million Black-owned businesses across the nation to recognize and highlight the economic impact in their respective communities; and

WHEREAS, Black Philanthropy month, also observed in August of each year, is a global celebration and concerted campaign created by Dr. Jackie Bouvier Copeland and the Pan-

African Women's Philanthropy Network in 2011, to illuminate the ingenuity and transformative impact of Black generosity and to promote increased investment in Black communities; and

WHEREAS, the U.S. Minority Business Development Agency estimates that there are 2.6 million Black-owned businesses in the United States generating approximately \$150 billion each year; and

WHEREAS, Black-owned businesses account for 10% of U.S. businesses and approximately 30% of all Minority-owned businesses, according to the U.S. Census Bureau; and

WHEREAS, National Black Business month and Black Philanthropy month is particularly important to continue to address the historical systematic barriers, disproportionate impacts of COVID-19 and the current inflationary economic conditions along with higher interest rates and lack of economic resources in starting, running, growing and financing Black-owned entities; and

WHEREAS, the Black Chamber of Commerce will help stimulate the local economic, education, workforce development, commerce and non-profits host events, spotlight businesses and promote resources to support small business owners, entrepreneurs, all while encouraging the entire community to join us in the celebration and support of Black-owned businesses and non-profits this month and beyond;

NOW THEREFORE, BE IT PROCLAIMED that the Henry County Board of Commissioners recognizes and celebrates August 2022 as Black Business and Philanthropy Month in Henry County and honors the achievements of minority businesses and their importance to the economy.

Markee Tate, President & CEO, Atlanta Black Chambers, approached to make some remarks to the Board of Commissioners (BOC). He introduced some other individuals, including Miguel Lloyd, and remarked on the focus and commitment of the Atlanta Black Chambers. He gave the history of the Chambers for the Board and how it got started and moving forward in Henry County.

PHOTOGRAPHS WERE TAKEN

APPOINTMENT

Reappointment to the Department of Families & Children Services (DFCS): Jessica Stormer - Term: 5 years (expiring August 16, 2027)

Dee Anglyn, III, District III Commissioner made a motion to approve; **Johnny Wilson, District I Commissioner**, seconded the motion. Motion carried (4-0-2).

(Chair Harrell, Commissioners Wilson, Anglyn and Bruce Holmes, District V Commissioner, voted in favor; Dee Clemmons, District II Commissioner, and Vivian Thomas, Vice-Chair/District IV Commissioner, were not present)

Resolution #22-216

PRESENTATIONS

Monkeypox Update

Kevin Johnson, Henry County EMA Director, approached to give an update on the Monkeypox and COVID-19 outbreak within Henry County. He stated that there has been a decrease in COVID-19 cases, with a current positive rate of 25.3% (2% decrease). Hospitalizations are averaging between 20-25 patients admitted at this time. Testing continues at Red Hawk Park, at 40 tests per day (average) on Monday, Wednesday and Friday from 9:00 a.m. to 3:00 p.m. The 24-hour COVID testing vending machine is at the Public Safety Headquarters and has been utilized 26 times by citizens. Current vaccination status is 51% countywide and promoting vaccines and boosters will continue throughout the County. He introduced Mr. Crockett with the Department of Public Health.

Xavier Crockett, Director, Emergency Preparedness, Henry County Department of Public Health, approached and stated that there is a surge in Monkeypox cases throughout the state. He updated the Board on finding cause of origin, setting up vaccine clinics in Henry County and ramping up communications through media. He then introduced Donovan Stephens.

Donovan Stephens, Lead Epidemiologist, Department of Public Health, approached and affirmed Mr. Johnson's statements regarding COVID-19 cases. He stated that surges have occurred every fourteen (14) days after July 4th and Halloween holidays over the last 2 years and it is expected to be seen again; however, those surges are predicted to be smaller since increase in vaccinations over the past year. He noted that as of Monday, 11,117 cases of Monkeypox have been reported in the United States, up from 886 cases a month ago. Currently, 856 cases are in Georgia and thirty-six (36) of those are in District 4, which includes Henry County. He gave a brief explanation of Monkeypox for the Board and that vaccines are effective. Information on the vaccine sites are posted on the county website and noted that this virus is not a sexually transmitted disease but is spread through direct and prolonged intimate contact. He went through the testing protocol and that there are five (5) labs nationally; Georgia uses the Department of Public Health lab, taking approximately 2-3 days to get results. The JYNNEOS vaccine is currently available to the Department of Public Health as a response to the PEP (Post-Exposure Prophylaxis) and is specific to those who are most severely affected.

Mr. Crockett returned and explained that there is an opportunity to get ahead of this virus and to educate the community on what Mr. Stephens just stated will provide valuable information in educating the public; the Communications Department will put forth efforts into outreaching to the communities in the coming weeks to address this latest virus.

Mr. Johnson returned and explained that the information and a copy of the presentations are in the Board's packet and that he will work with the Department of Public Health to track the virus throughout the Henry County community. He further explained that the Monkeypox vaccine is available at the local DPH office as well.

There were no further questions.

Budget Update

David Smith, Director of Financial Services, approached to give the update for the Board. Revenue collections are up 7%, with property taxes up by 5% and sales taxes up by 10%. Of note, 217 positions were added to Public Safety over the last 5 years and expenses are reflecting same. An 8.5% pay raise was handed out and a 2% COLA and longevity increase was also paid out. In regards to SPLOST, Mr. Smith stated that collections average about \$200,000 better than what was budgeted.

There being no questions from the Board, **Mr. Smith** introduced Mr. Edwards to address FY21 financials.

Miller Edwards, Mauldin & Jenkins, approached with a presentation and audit summary from June 30, 2021. He noted that Henry County had an awarded Comprehensive Annual Financial Report (CAFR) for the last eighteen (18) years, which was commendable. Mr. Edwards corrected the Entry-Wide Financial Statements slide by stating that the primary government assets are 1.104 *billion* and not *million*. The numbers presented reflect that the county is in a position to spend money where it is needed and they have the capacity to do so in a growing environment. Overall, the General Fund is made up, in part, by nearly 50% property tax revenues; likewise, in expenditures, 58% of that is to Public Safety, which is expected. Mr. Edwards further noted that Henry County has had healthy year-over-year revenues/expenditures/transfers for the last six (6) years. He noted that the county is in strong financial health.

Mr. Edwards pointed out that in audits, compliances with laws and regulations, internal controls, segregation of duties are factors that must be reported; there were a couple of findings of note. The first was the Grants program where timely requests for reimbursements were not done on some of the grants. The Scheduled Expenditures of Federal Awards (SEFA) had some errors within to cause the audit to be issued later than the usual deadline. Adjustments were made to revenues due to over-accruing of about \$7.5 million dollars. Adjustments of about \$2.2 million to reduce property tax revenue had to be done, primarily due to the misunderstanding with the BOC and the Tax Commissioner about some collections made in July and August; once this was fixed, it was fine. There were some concerns about non-accounting experienced officials performing accounting duties and these had to be examined to determine if the right people are in the right places. He recommended working with the constitutional officers do better with segregation of duties to safeguard the assets of the county in all areas. In the Capital Improvements Program (CIP) there were construction projects which should have been deleted due to inactivity. Mr. Edwards then explained that there are several constitutional officers who have a surplus of cash, which is not a good thing because if there is a lot of money to be paid to others, there has to be tight accountability. For example, the Tax Commissioner collects for other people and the money does not belong to his office; it belongs to the Board of Education, the BOC, the cities and the State, etc. It is important to have strong accountability and to keep the collections and expenditures airtight. He voiced concern over there being excess of cash and segregation of duties issues.

Mr. Edwards explained that there are many new standards to be implemented in the county for financial reporting, which could be overly complicated.

There were no questions from the Board.

*Prior to moving forward with the Consent Agenda, **Chair Harrell** acknowledged the District II Commissioner is present via telephone.*

CONSENT AGENDA

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

Department of Transportation

- A. Resolution of the Board of Commissioners Awarding Bid #22-67 to E.R. Snell (with a secondary award to C.W. Matthews in the event of availability issues) for the Purchase of Plant Mix Asphalt for the Henry County Department of Transportation (Presenter: David Simmons, CE III)(Exhibit 1) *Resolution #22-217*

Fire Department

- A. Resolution approving the purchase of Zoll AutoPulse Extended Warranty from Zoll Medical Corporation in the amount of \$67,200 (Presenter: Jonathan Burnette, Fire Chief)(Exhibit 2) *Resolution #22-218*

Leisure Services

- A. Resolution to award Bid #22-64 to Georgia Umpires Association for Adult Softball Umpires at Heritage Park in the amount of \$51,000, with no fixed quantities for (1) year with two (2) mutually agreed upon annual renewals using funds from the Department's budget (Presenter: Jonathon Penn, Cluster Lead - Leisure Services & Public Services)(Exhibit 3) *Resolution #22-219*

Police Department

- A. Resolution of the Board of Commissioners awarding Bid #22-66 to Mobile Communications America, Inc. (unit price: \$50/each) for the annual contract for the Re-certification and Repair of LIDAR and RADAR Speed Detection Devices (Presenter: Major R. McGlamery, HCPD)(Exhibit 4) *Resolution #22-220*

Technology Services

- A. Resolution approving payment for the Microsoft Volume License Agreement in the amount of \$561,551.95 (Presenter: Jamie Pownall, Technology Service Director)(Exhibit 5) *Resolution #22-221*

Planning & Zoning (Annexation)

- A. **AX-22-04 (Not a Public Hearing)** The City of McDonough has received a request for annexation of property located at 419 Parker Road - (Parcel 122-02041000) consisting of 4.96+/- acres. District 3 (Presenter: Toussaint Kirk, Planning & Zoning Director/Cluster Lead)(Exhibit 6)

This ends the Consent Agenda

Commissioner Anglyn made a motion to approve the Consent Agenda, as published; **Commissioner Wilson** seconded the motion.

Commissioner Thomas referred to the Consent Agenda item regarding the unit pricing for the RADAR and LIDAR Speed Detection Devices for the Police Department, asking if there is a total price

for this purchase. **Ms. Hobson-Matthews** responded that there is not a total price but it will be based on the number of units and deferred to a representative from the Police Department.

Randall McGlamery, Major, Henry County Police Department, approached and responded that currently there are 110 RADAR and LIDAR devices, at \$50 each totals \$5,500; the Police Department has a budget of \$8,000. The surplus will be for any repairs on current systems with the Police Department.

There being no further discussion, the motion to accept the Consent Agenda was carried (6-0-0).

REGULAR AGENDA

TRANSIT

Resolution Awarding RFP #22-57 for Micro-Transit Software to VIA Mobility in the amount of \$156,800 utilizing the FTA 5307 Fund (Presenter: Taleim Salters, Transit Director)(Exhibit 7)

Taleim Salters, Transit Director, approached and presented the Board with the new logo for Henry County Transit along with an overview about the department. The Henry County Transit Master Plan was adopted in January 2022 by this Board and includes future projects which were displayed for the Board. He introduced Mr. McPherson to provide remarks regarding VIA Mobility.

Terence McPherson, Partnerships Lead, VIA Mobility, explained that VIA is a transportation technology company hoping to work with Henry County to improve Transit options for availability and making it more convenient for citizens. The company specializes in “Micro” or “On-demand” Transit. The concept allows for a citizen to hail a ride, either through a Smartphone app or through calling at a contact center, either for immediate transit or within 15-20 minutes of the request. The rides can now be serviced in real-time and the technology puts the process in order to offer convenient, flexible rides as well as pre-scheduled rides using the same software platform. He also explained how this technology has improved transit needs in three (3) different jurisdictions within the State of Georgia.

Commissioner Thomas asked that upon awarding of this contract, when this technology is scheduled to be in place for use in Henry County; **Mr. McPherson** responded that with all facets needed to put the service in place once the contract is enforced, traditionally it would take around 8-12 weeks for the software to be installed and for practical use toward the end of this year or very early next year.

Commissioner Wilson asked who would maintain the vehicles; **Mr. Salters** responded that Henry County would be responsible for the maintenance and operations of the vehicles; VIA Mobility is the company that will handle the scheduling and the software. The District I Commissioner asked if more vehicles would be needed; Mr. Salters responded that there would be no need for vehicles immediately but in the future there will be a need. The Commissioner remarked that the software is to dispatch to the current Transit system and vehicles in place now; Mr. Salters affirmed same and added that as the Microtransit trends upward, the fleet will increase as well.

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

Resolution #22-222

PLANNING & ZONING

HC-CODE-AM-22-04 (*Discussion Only*)

Ordinance by Henry County, Georgia, to amend the Henry County Code of Ordinances regarding the regulation of short-term rental properties in Henry County and for other purposes Countywide (Presenter: Kamau As-Salaam, Planner III)(Exhibit 8)

Prior to discussion, **Chair Harrell** advised that there are people signed up for Public Comment with regards to this matter. Once this presentation, instead of going to Public Comments at the end of the meeting, it will be held after this presentation. She yielded the floor to Mr. Kirk.

Toussaint Kirk, Planning & Zoning Director, approached and thanked everyone for participating in this project, including Building & Plan Review, Code Enforcement, Occupational Tax and the Fire Department. A Town Hall was held on August 11, 2022 with Commissioner Anglyn and the residents of District III to get input on this as well. This is a fluid document and the content can change. He yielded the floor to Mr. Lanham.

Kenta Lanham, Planner II, presented this request to the Board and noted that currently there is no Ordinance in place which would regulate short-term rentals; this Amendment would seek to change that. Some other jurisdictions, such as City of Atlanta, City of East Point and City of Stockbridge have adopted this Ordinance regulating short-term rentals already. The Ordinance would establish definition of short-term rental, application requirements, standards, restrictions, license terms and fees and the establishment of penalties for violations. He went through the process for applications for short-term rentals for the Board, as well as the standards of designating short-term rentals and their compliance requirements. In regards to the violations and penalties for said violations, they will be handled by Code Enforcement and Police Department, if necessary. With comments to be heard tonight, Planning & Zoning hopes to modify where needed and bring it back before the Board at a future meeting for a vote.

Chair Harrell asked if AirBnb is defined as short-term rentals; **Mr. Lanham** responded that it is. The Chair clarified this is for short-term rentals and not long-term rentals. Mr. Lanham affirmed same and defined short-term rentals as having a term of no more than thirty (30) days occupancy. The Chair then asked about the noise ordinance, which would need to be updated to get in compliance with the terms of this Ordinance. **Ms. Hobson-Matthews** explained that would be separate and it would have to be brought back to the Board and the hours and how the noise is measured would be discussed. Once this Ordinance is approved, the noise ordinance would apply and not need to be added to this.

Commissioner Wilson asked what the limit is on number of vehicles allowed; **Mr. Lanham** responded that proposed Sec. 3-3-206(2) would allow a maximum of one (1) vehicle per bedroom, or the number of cars that can be accommodated in a garage, carport or driveway with some additional language.

Chair Harrell stated that if someone wanted to have a party at the short-term rental, they would have to apply for a permit to have one; **Mr. Lanham** clarified that the proposed Ordinance would prohibit parties in short-term rentals. As part of the standards for applying for short-term rental, the owner of the property would have to provide a report of the occupants' intent in utilizing the property.

Chair Harrell called for Public Comments at this time. **Stephanie Braun, Clerk, Henry County**, advised that there are six (6) individuals who have signed up: *John Blue, Carl Chapman, Gary Field, Kyia Clark, Kosal Chan and Jeff Warmann.*

Chair Harrell advised that each person come and they each have three (3) minutes to make comment.

John Blue, 421 Warren Way, McDonough, GA 30252, expressed concern about allowing short-term rentals in neighborhoods. There are so many ordinances already in effect that control what residents can and cannot do/have. There are no guidelines on how a Henry County property owner can rent out their single-family home to 25-100 strangers. They invade the neighborhood with drugs, lewdness, free-for-all parties, late-night noise and disruption of the safety and security of the neighborhood. He strongly urged the Board to adopt a very strict ordinance to stop these activities from going on. While AirBnb homes have started publicly posting “No parties allowed”, this is not being enforced because there is no personnel to enforce this rule. He asks the Board to give much consideration to adopting a countywide ordinance to stop short-term rental participants’ bad behaviors, protect the neighborhoods and resident children.

Carl Chapman, no address given, stated that he lives next door to an AirBnb. He had planned to refinance his home and add a pool this year; however, the AirBnb next door went live and took a 5-bedroom home and turned it into a 7-bedroom mansion. He recalled that the first guest was shooting music videos in the front yard; the second guest left after the first night because a makeshift sliding door in one of the extra bedrooms collapsed and the guest suffered a broken foot; the third guests were loud and blocked the street while attending a pool party, despite AirBnb’s restrictions against same. He attempted to contact the host/owner of the property but was unable to get in touch with him and further stated that this property listing was dropped from his portfolio. That house went vacant for a couple of months and then people started coming into the house in April. The new host assured the residents/neighbors that this was for a corporate event and not a party. A red carpet was rolled out onto the driveway and security checkpoint was set up, with shuttles dropping off new people every 15 minutes. The occupants were wearing very little clothing, standing in the driveway and patted down for weapons by security. The music was loud, the visuals were obscene, there was loud profanity spoken and this was not a corporate event. The host was contacted regarding this and nothing was done about it. Upon contacting the Police, Mr. Chapman was told that they could do nothing because there was no regulated ordinance in place prohibiting this. When they left, there were piles of trash throughout the front of the property and on any given weekend, more parties continued and vehicles were blocking the street or parked in other residents’ driveways -- even blocking the driveways or driving across the yards. Mr. Chapman stated that he and his family had to move from their residence in Henry County and now live in Forsyth County, where AirBnb homes are banned in residential areas. *(Applause)*

Gary Field, 308 Noah Place, McDonough, GA 30252, stated that his house is across the street and one (1) lot east of an AirBnb. He has witnessed the same activities as listed by the previous speaker. He voiced concern on traffic and safety in the subdivision. He recalled that on July 9, 2022 a large party was held at the above-mentioned AirBnb and during that day, over forty (40) vehicles were parked on Enfield Lane and Noah Place. Those vehicles were blocking the fire hydrants on the street. The Police Department was called on several occasions during this party but no citations were issued. The on-street parking created a hazard because the party attendees had to walk in the street. He further recalled that on June 11, 2022 Atlanta Motor Speedway conducted the Atlanta Truck Invasion 2022. On Friday night, June 10, 2022 a large number of pickup trucks belonging to attendees at that event arrived in the neighborhood at the AirBnb and at approximately 10:00 p.m., Enfield Lane was blocked by these trucks. Mr. Field asked that the Board consider ensuring residents that they can live in a safe and peaceful neighborhood by not allowing AirBnb homes/short-term rentals be established within. *(Applause)*

Kyia Clark, no address given, joins the other speakers in asking the Board to regulate short-term rentals before this becomes more pervasive and destructive in the county. The large parties hosted by these AirBnb hosts have been advertised publicly on social media sites. Neighborhood children are being exposed to lewd behavior and pictures appear on social media sites boasting of illegal activities within the neighborhood. Because of the large number of strangers committing illicit and lewd activities within this neighborhood, the children cannot ride their bikes or play outside for fear of witnessing this behavior. Once the party is over, there is so much trash left behind on the property that it will not fit in the dumpsters in the neighborhood and the residents of Fairhaven are responsible for cleaning up someone else's mess and they feel their space has been invaded. *(Applause)*

Kosal Chan, no address given, stated that he teaches at Locust Grove Middle School and a lot of those teachers have left, largely due to there being short-term rentals in their neighborhoods and they are moving away. A nearby subdivision, Bunn Farm, supposedly have several short-term rentals within; this produces a lot of transient students coming in and out. There are more teachers who are planning to move in the next couple of years for the same reason.

Jeff Warmann, no address given, stated that he has used AirBnb and VRBO homes in the past to house his family when hotel rooms were not available; these were mostly in residential areas because they wanted some peace and quiet. He believes that Planning & Zoning came up with some great guidelines allowing for AirBnb/short-term rentals, with adherence to the existing ones; however, they are not enforced, too many people in one place. There are safety issues. He believes that the proposed guidelines are ideal for AirBnb but the standards and restrictions must be maintained and enforced when not in compliance. He echoed the concerns of previous speakers regarding safety issues, having parties in residential neighborhoods. *(Applause)*

Chair Harrell asked if there is a limit to number of people who can rent/occupy these short-term rentals; **Mr. Lanham** stated the Ordinance requires a certain number of bedrooms and square footage and that will be cross-referenced for consideration of granting a permit from the Building & Plan Review. The Chair thanked everyone who spoke about their opinions on the proposed Ordinance. The Chair asked that when the legislative session starts, with a bill coming which will strip local governments from being able to include and enforce ordinances such as the one pending before the Board, that residents who oppose this reach out to their legislators in the county and voice their opposition to that bill. The BOC can put this Ordinance in place but if the bill is passed at the Capitol, the Board's power to place these type Ordinances will be taken away. **Commissioner Clemmons** concurred with the Chair's remarks via phone.

Chair Harrell directed staff to take this and modify it to be compatible with the concerns expressed and bring it back by the 2nd BOC meeting in September, in a resolution form to take action.

Commissioner Thomas remarked that lobbyists working against local government have included consequences for trying to put forth a local ordinance to protect the citizens. She asked that this Amendment be strengthened up a bit, such as the 30-day limit in a short-term rental. If there is a 31st day, she wanted to know what happens and that it needs to be a bit better defined. The District IV Commissioner asked who will submit the applications -- be it a corporation host/owner of the short-term rental (in-state or out-of-state) or an individual would be required to submit an application. If there is a stipulation on regulating exactly who would be eligible to submit an application and who would be accountable to come to court in their absence, this may be helpful in locating the responsible party if there is a violation of the ordinance. The Commissioner then referred to the fine in the amount of \$1,000 and added that it is a low figure since the revenue potential from a short-term rental is well in excess of \$1,000; the fee would have to be impactful to be effective.

Commissioner Thomas then brought up a 12-month period if there is a violation; she suggested making that a twenty-four (24) month waiting period, to make short-term rental hosts/owners aware that violations will carry strict consequences. The District IV Commissioner then noted that the County Manager will determine who will receive these applications and review them; during the vetting process, the Commissioner suggested imposing an application fee, preferably something that is more than just \$25. These suggestions might deter short-term rentals from coming to Henry County and while she is unsure of whether or not banning short-term rentals is legal, she did hear that they are banned in another county. She believes that short-term rentals should not be used to determine who stays in Henry County. *(Applause)*

Commissioner Wilson explained that the ordinances placing standards and restrictions on these short-term rentals are useless without the personnel to enforce them, which takes a lot of man hours. He would support banning short-term rentals within Henry County altogether and there would be no issue of qualifying or applying, or enforcing restrictions. *(Applause)*

Chair Harrell added that there should still be something in place which would give law enforcement the authority to enforce the ordinance with rigid consequences for violation. She would like to see how Forsyth County handles this issue, whether it includes jail time, a fine, or both. *(Applause)*

Chair Harrell stated that this will be brought back at a future meeting (2nd meeting in September) to take action upon.

RZ-21-27 (Public Hearing)

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 in Land Lots 98 & 127 of the 7th District. The property consists of 2.62+/- acres, and the request is for an indoor self-service storage facility. District 3 (Presenter: Kamau As-Salaam, Planner III) (Exhibit 9)

Kamau As-Salaam, Planner III, presented this request for the Board. The Future Land Use Map (FLUM) classifies this property as commercial and the applicant requests rezoning from RA to C-3 for an indoor self-storage facility. The property lies within the boundary of the Highway Corridor Overlay District and will be required to comply with their development standards. This property *can* meet the development standards for commercial properties as established under the Overlay District. The architecture of the building does meet Highway Corridor Overlay District standards. Staff recommends approval with the following conditions:

1. *C-3 uses may be permitted, except the following: boat sales, RV parks and campgrounds, extended stay hotels, car lots, heavy consumer goods sales/ service, and uses prohibited within the Highway Corridor Overlay District.*
2. *The owner/developer shall install a privacy fence, at least eight feet (8') in height, along the eastern, western, and southern property lines inside of the forty-foot (40') buffer.*
3. *(ADDED) Any buffers adjacent to residential uses shall remain undisturbed or vegetated and landscaped subject to approval of Henry County Planning & Zoning.*

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:

Andrew J. Welch, III, Manager, Smith Welch Webb & White, LLC, representing the applicant, approached and stated that Mr. Goldstein is also present for the company. Included in his remarks, he stated that the intent of the design of the building is to look like an office building and less like a “storage facility” building and would also have to comply with the sidewalk, landscaping and lighting requirements of the Highway Corridor Overlay District. There will be small parking spaces as this is a storage facility and long-term parking is not necessary. Staff’s conditions are acceptable to the developer. The Zoning Advisory Board heard this request and voted to approve unanimously. It is poised to stimulate re-development in this area and to commercial uses; this project has been on the books for a year and he asks for approval of this rezoning. He then introduced Mr. Goldstein.

Adam Goldstein, Director, Turnstone Group, LLC, provided a couple of remarks, mainly that the ZAB had voted unanimously to approve this project. He noted that it is unlikely that residential development will happen in that corridor due to the proximity of large power lines in that area. There will be minimal jobs at the development but it will also have very minimal traffic impact as well, from a commercial standpoint. This development will most likely attract tenants who are non-profits, schools, businesses and/or individuals with products sold on sites such as Etsy who need the space for storage in a climate-controlled environment.

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:

Jamaal Avery, 504 Shades Walk, McDonough, GA 30253, is opposed to this development and added that within a 1.5 miles of this development are two (2) other storage facilities, one climate-controlled and the other a Public Storage facility that replaced Ashley Furniture. The type of commercial development that should be approved would be medical/office, such as dental, physician, etc., within that neighborhood. The nearest medical provider office is about 4 blocks away and Eagles Landing Family Medical Center is located up the street.

Joshua Echhoff, no address given, approached and argued that no one can afford storage units and presented a photo of assorted items and debris located outside a residence. He explained that this is what it looks like when renters move out. He asked why staff would recommend a development that does not provide turn/in-turn/out lanes into the property. He opposes this development and believes that there could be better use for this property other than a storage facility.

(Name inaudible) approached and stated that she has lived in Henry County for 22 years and since the growth in the area where she lives has been ongoing, with a new school and apartment complexes coming in, the road is not getting improved or widened to prepare for this. She does not support a storage facility and suggested that a place for the youth be developed for activities where they can engage and be safe.

There being no one else approaching, **Chair Harrell** closed the Public Hearing.

Commissioner Wilson commented that the climate-controlled storage facility with an office complex appearance is good for the community and has no impact on County Services or Schools as well as traffic. He believes that this is a better way of generating tax dollars for the county and supports this development.

Commissioner Wilson made a motion to approve. Motion *died* for lack of second.

Nancy Rowan, County Attorney, advised that since there is no motion, the request can be sent back or the Board can vote to deny this request.

Chair Harrell made a motion to *deny* this request. Motion *died* for lack of second.

Commissioner Anglyn made a motion to send this back to the Zoning Advisory Board. Motion *died* for lack of second.

Ms. Rowan advised that there can be no movement or action on this request. **Ms. Hobson-Matthews** further advised that action must be taken on this item as it remains open and suggested that it either be tabled to date-specific or the Board has to take specific action. The ZAB has already rendered its decision on this matter and the Board has the option to approve or deny this request. The alternative is to table this item and give staff the opportunity to work further with the applicant.

Commissioner Anglyn made a motion to *table* this item to September 20, 2022 for the Regular BOC meeting; **Commissioner Wilson** seconded.

Commissioner Wilson asked if tabling this item and giving staff the opportunity to refine this or revise this would mean that when it comes back, if the Board will take action at that time. **Ms. Rowan** responded it would give staff further time to work with the developer on possible information gathering to help in the Board's deliberation at a later date. Motion to *table* was carried (4-1-1).

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

COMP-AM-21-08 (Public Hearing)

Blue River Development, LLC of Cumming, GA requests an amendment to the Comprehensive Plan for property located on the south side of Mt. Carmel Road south of the intersection of North Bridges Road in Land Lots 113 & 144 of the 6th District and 128 & 129 of the 7th District. The property consists of 38.90+/- acres, and the request is to amend the Future Land Use Map designation from High & Medium Density Residential to High Density Residential. District 3 (Presenter: Kamau As-Salaam, Planner III) (Exhibit 10)

Mr. As-Salaam gave an overview of the request. He noted that the property currently has a land use designation of Industrial, High-Density Residential and Medium-Density Residential; the request is to change the FLUM to completely High-Density Residential. The applicant's request is to support a concurrent rezoning request, from M-1 (Light Manufacturing) and C-2 (Neighborhood Commercial), to RM (Residential Multi-Family) for the development of a multi-family townhome development consisting of 127 lots. Staff recommends approval of the change to the FLUM to all High-Density Residential.

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

Steve Moore, Moore Bass Consulting, 1350 Keys Ferry Court, McDonough GA, 30253, approached to represent Blue River in this case and in the associated rezoning case. He stated briefly that

with the multiple tracts and multiple zonings, the applicant hopes to have one comprehensive land use designation and then one comprehensive zoning designation for the purpose of constructing 127 units of horizontal apartment communities, laid out like townhomes, but they are rentals in a gated, high-end luxury community with rear access and highly amenitized with high price points. The request supports 16 units per acre and the rezoning request is closer to 6 units per acre with designation of a good portion of the property to be passive recreation areas in addition to the highly amenitized center at the entry of this development.

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

Joshua Echhoff, no address given, opposes the designation of High-Density and asked why Medium-Density or Low-Density could not be used as alternatives. He remarked that “rear access” would only mean maybe 2 cars in a driveway and could mean that four (4) people would have to live in one of these high-end apartments to be able to afford the rent. He asked if this is going to go as they are presenting because, if not, he will return with photos to show that they are detouring from their presentation.

Jamaal Avery, address previously given, returned and indicated where he lives in proximity to the subject property. While he does not oppose the development, he does not support that they will be rental units. In general, he has noted that renters do not take care of the property in the same manner as a homeowner would and if that happens, this would directly impact his property value. He does not want to be put in a position to sell his house because the neighborhood becomes undesirable or overcrowded. He stated that the residents in this area cannot leave their homes on a Saturday without waiting at the stop sign in their neighborhood to exit because the traffic is backed up past the newly installed roundabout. He asks that the Board seriously reconsider this forceful approval of these low-budget developments that are hurting the residents in the immediate area.

There being no one else approaching, **Chair Harrell** closed the Public Hearing.

Chair Harrell asked if there has been any Traffic Impact Study conducted in this area; **Mr. As-Salaam** stated that it is part of the conditions if approved. The Chair asked if there is some road widening forthcoming in the Jonesboro and Mill Road areas; Mr. As-Salaam responded in the affirmative.

Commissioner Anglyn made a motion to approve as staff and ZAB recommends; **Commissioner Thomas** seconded the motion.

Commissioner Wilson remarked about the High-Density aspect and asked for a comparison of the High-Density and Medium-Density. The High-Density allows for 127 units. **Mr. As-Salaam** pointed to the FLUM area which allows for up to 16 dwelling units per acre. Medium-Density Residential only allows for 6 units per acre. This particular development will only have a Net Density of 6.18 units per acre and asked for High-Density since there is nothing between 6 units in Medium-Density and 16 units in High-Density on the land use designation.

There being no further discussion, the motion carried (5-1-0).

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

RZ-21-31 (Public Hearing)

Blue River Development, LLC of Cumming, GA request a rezoning from M-1 (Light Manufacturing) and C-2 (General Commercial) to RM (Multifamily Residential) for property located on the south side of Mt. Carmel Road south of the intersection of North Bridges Road in Land Lots 113 & 144 of the 6th District and 128 & 129 of the 7th District. The property consists of 38.90+/- acres, and the request is for a multi-family townhome development. District 3 (Presenter: Kamau As-Salaam, Planner III) (Exhibit 11)

Mr. As-Salaam explained that this is the concurrent request for rezoning to the just approved land use amendment that was approved. This is a request to rezone from M-1 (Light Manufacturing) and C-2 (Neighborhood Commercial) to RM (Residential Multi-Family) for the subject property. This is for townhome development. The property is surrounded by various zoning districts and the subject property now has a land use designation of High-Density Residential which allows for up to 16 dwelling units per acre. The orange portion of the displayed survey is *not* to be considered in this rezoning request. The Site Plan consists of 127 townhome lots and rear-entry alleys. Applicant requests to rezone the subject property to RM designation. This would be a rental community with a Net Density of 6.18 dwelling units per net acre. Applicant has submitted the concurrent Comprehensive Plan Amendment to request to amend the FLUM designation to High-Density Residential (in total). A large portion of the property is within the boundary of a 100-year flood plain which will be dedicated to open space. Applicant reserves 80' of right-of-way for possible Bridges Road extension to Sterling Place. The subject property is not within the boundaries of the Highway Corridor Overlay District and the property is within the Walnut Creek Watershed Protected Area and no development is allowed to happen in that area. Sanitary sewer services are available to the subject property. Transportation Department recommends long-term improvements in the general area of Mill Road, Jonesboro Road and Mt. Carmel. On January 13, 2022, the ZAB recommended approval of this request with conditions. Upon further evaluation, staff recommends approval with eighteen (18) conditions and two (2) changes - to Condition #6 (*For townhome units, the developer shall install a sprinkler system approved by the Henry County Fire Department and Henry County Building & Plan Review Department*) and Condition #12 (*The number of total dwelling units shall not exceed one hundred and twenty-seven (127) units. Compliance with zoning conditions and development standards may further limit the number of dwelling units*).

Chair Harrell asked about the 18 conditions and requested that they be displayed; **Mr. As-Salaam** indicated that the only modifications are to #6 and #12 as stated above.

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

Mr. Moore returned as representative for the applicant. He presented a better picture of the Site Plan for the Board and public viewing. There is a 30' buffer at the perimeter of the property and indicated where the reserved section of right-of-way was located as well as the open space area in the back. Mr. Moore also pointed out the two (2) accesses to the property, both gated. A 5' wide sidewalk is to be run along the entire frontage of Mt. Carmel Road. He presented a rendering of the front gate/main entry with the fencing, signage and sidewalks. He further presented renderings of the amenities area and stated that there is an organization to keep up the maintenance of the buildings, the yards and that there are day-to-day processes they would go through; no homeowners are here, only renters. He pointed out the access to the nature trail area and potential recreation field area outside of the flood plain. The rear alleyways are compliant with the Fire Department standards as well. The community seeks to engage young

professionals, millennials, commuters and the rental rates are estimated between \$2400 and \$2600 a month, making it a high-end project. Mr. Moore also pointed out that there is adequate guest parking onsite as well as 2-car garages and 2-car driveways throughout the development as well.

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

Joshua Echhoff, no address given, returned and pointed out that there is so much overcrowding and previously approved subdivisions like Walnut Creek are now deteriorating. There are enough apartments, the roads are full of trash and there are no raised pavement markers or striping. He asked where the money is going that is coming in with all these new taxpayers and adamantly opposes this request.

Jamaal Avery, address previously given, added that this same development was approved on Foster Drive recently, similar in size and in all facets; this is essentially “copying and pasting” of the same type of development on Foster Drive. He states that this is ridiculous and is opposed to this request.

(No name provided) returned and stated this is way too high density of a project and showed a photograph of traffic on Jonesboro Road from two years ago and stated that this will be doubled now.

Robert Kolpak, no address given, stated that the amenities are bare at best, the pool will not accommodate 127 units and if this is what the Board wants, they should make the developer go back and present a better amenities package that would be more suited for that number of townhomes.

Robyn Coles, 205 Labrea Boulevard, McDonough GA 30253, opposes this request and states she has to commute through this traffic to get to Sam’s. She states that N. Bridges Road has not been accessed for years and when the wetlands flooded, there was no rebuilding of that area and it is still graveled with 3-4 houses down that road. She states that she sees developers and owners do not live here but they are still developing property here and she opposes that.

There being no one else approaching, **Chair Harrell** closed the Public Hearing.

Chair Harrell asked about the Traffic Impact Study in this area; **Mr. As-Salaam** responded it is part of the zoning conditions and staff’s recommendations. The study would designate where any improvements or widening would have to be made, or other things such as posted speed limits or minimal spacing requirements, and the developer would be responsible for making those improvements, and then goes to review with the Henry County Department of Transportation (HCDOT).

Ms. Rowan stated that there may be an issue with ownership of the property that is being discussed with the County Manager, developer and its representative; the County Attorney called for a short recess. **Chair Harrell** called for a 10-minute recess.

A SHORT RECESS IS TAKEN

RZ-21-36 (Public Hearing)

Hecht Walker Jordan, P.C. of Stockbridge, GA requests a rezoning from C-2 (General Commercial) and OI (Office-Institutional) to MU (Mixed-Use) for property located on Jonesboro Road east of Chambers Road in Land Lot 109 of the 6th District. The property consists of 21.5+/- acres, and the request is for a mixed townhome, apartment, and commercial development. District 2 (Presenter: Kamau As-Salaam, Planner III) (Exhibit 12)

Mr. As-Salaam explained that the property has a land use designation of MU (Mixed-Use) and that this is the last bit of MU and High-Density use on the western side of Jonesboro Road, in the corner of Chambers and Jonesboro. Applicant requests a rezoning to MU for a 21.62+/- acres of mixed use developments, which are required to comply with the Unified Land Development Code (ULDC) requirements including open space and public space requirements. The proposed residential uses include a 78-unit townhome pod and a 265-unit multi-family apartment pod with a density of 15.5 units per acre. The FLUM allows multiple uses within a development with a Net Density of up to 16 dwelling units. This property is within the Highway Corridor Overlay District and will be required to comply with their standards. Mr. As-Salaam highlighted the different developments proposed for this Mixed-Use development for the Board and public viewing. Staff recommends approval with forty-two (42) conditions, with a change to Condition #25: *For townhome units, developer shall install a sprinkler system as approved by the Henry County Fire Department and Henry County Building & Plan Review Department.*

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

Greg Hecht, Hecht, Walker, Jordan, 205 Corporate Center Drive, Stockbridge GA 30281, stated that he was asked to bring “top in class”; this development will bring just that. This is exactly what was suggested for the FLUM. This would have the type of look like Brookhaven, activating the green space in the middle. He stated that the Mixed-Use in the front would have the commercial at the bottom and the residential at the top. He also gave an overview of the amenities featured with the development. As well as having staff approval and ZAB approval, Mr. Hecht advised the Board that they do have constitutional notice to protect the property rights and due process.

Charles Moore, TPA Residential, 1776 Peachtree St., NW, Atlanta, GA 30309, explained that they are a high-end developer with a number of projects and look forward to bringing the same high-end project to the Chambers/Jonesboro area.

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

(No name provided) returned to speak in opposition of this request. She supports the green space but is concerned on the 3-story renderings which will not match the surrounding areas. She suggested that there may be more 2-story buildings. There is also a big issue with rental properties in the community that are being bought up; she asked if a 10% cap could be put in place with the HOA. She expressed concern whether or not there is an HOA, how the property intends to be maintained, onsite rental maintenance for the rental upkeep and interior upkeep.

Joshua Echhoff, no address given, returned to speak and stated that while he supports the green space, he appreciates the sidewalks as well; but with Walnut Creek deteriorating and the Water Authority not present, he asked if staff is going to start recommending land bridges, etc. He stated that the development plan should look exactly like they are being presented and that the maintenance firm of this property should be made known since the renters are not going to take care of the exterior of the property.

Jamaal Avery, address previously given, asked that the Board strongly consider a moratorium in regards to building along Jonesboro Road. Traffic is a huge problem and these developments keep going up to attract millennials when in actuality there is a large family living in a 1-bedroom family household because it is the only way they can afford the rent.

There being no one else approaching, **Chair Harrell** closed the Public Hearing.

Commissioner Anglyn remarked that he does not see what the townhomes would look like. **Mr. Hecht** apologized for not sending an additional packet. The District III Commissioner stated that he found it. The Commissioner then asked when Jonesboro is going to be widened to 4 lanes to match the rest of the roadway. **Mr. As-Salaam** responded that DOT has plans to widen Jonesboro to stop at Chambers and up to that development there was a plan for 4 lanes. The Commissioner asked when that would happen.

Roque Romero-Muñiz, SPLOST Transportation Director, approached and explained that the design is being worked on and will take about a year and acquiring right-of-way will take another year; starting construction may happen in 2024.

Commissioner Anglyn asked if there is a rental percentage listed in the Conditions; **Mr. As-Salaam** stated there is none but he will add one at the Board's discretion. **Chair Harrell** asked if the townhomes are all for sale; **Mr. Hecht** confirmed they are for sale. The Chair asked if the apartments are for sale. Mr. Hecht affirmed same. The Chair asked if the townhomes will have an HOA; Mr. Hecht stated there will be an HOA and there will be private streets. The Chair asked if the retail portion will be on the apartment side; Mr. Hecht affirmed same and pulled the rendering up and stated that there is a mandate of 2/3 of the square footage facing the Jonesboro Road right-of-way must be retail commercial.

Commissioner Clemmons made a motion to *table* this item to September 20, 2022 so the developer meets with the homeowners to review this more in detail and to address the concerns on the height of the buildings. **Mr. As-Salaam** added that staff would prefer that the townhomes and the apartments match. Applicant agreed to same. **Chair Harrell** seconded the motion. Motion to *table* carried (6-0-0).

Chair Harrell then called the matter that was unresolved; **Ms. Hobson-Matthews** suggested modifying the zoning conditions as it pertains to the right-of-way.

Ms. Rowan approached regarding **RZ-21-31**. She stated that the county proposed adding two (2) conditions prior to approving the matter; the developer has been made aware of the conditions and developer agrees, as follows:

19. The owner/developer shall design and construct a roadway within Henry County's existing right-of-way, as illustrated in Exhibit A (sheet 2 of 3 prepared by Moore Bass Consulting, Inc., dated September 7, 2021) labeled "#19", to Henry County Department of Transportation standards.

20. The owner/developer shall preserve and donate that land to the east of the existing Henry County right-of-way as set out in Exhibit A and labeled “#20”.

Ms. Rowan clarified that Exhibit A would be added to the Resolution and made part of the record. **Chair Harrell** advised the County Attorney to make sure that the County Clerk has it as well. **Ms. Hobson-Matthews** further stated that Condition #18 shall be stricken, since they will no longer be bound by the Site Plan. However, the applicant will be bound to the presented style, type and other conditions asserted this evening. The Chair wished to ensure that what was shown on the 3D rendering will be what is built, regardless of how it is split. **Ms. Hobson-Matthews** affirmed same and added that the changes specifically had to do with right-of-way which falls within the county’s boundaries; however, the design presented tonight should be the same. If the Board would feel better in staff coming back with a Site Plan, the rezoning could be approved by the Board and then the applicant can come back with the Site Plan for the next meeting to review and be voted upon by the Board.

Commissioner Thomas asked for clarification on donating the land for the right-of-way. **Ms. Rowan** explained that the area outlined in #19 is owned by the county; **Mr. Romero-Muñiz** explained that #19 is for the developer to design and construct within the existing county right-of-way as shown on this sheet, which was prepared by Moore Bass; the right-of-way is per Deed Book 3473, Page 43, consisting of 1.66 acres. He stated that the county owns that strip, marked #19. For #20, the developer is to preserve that segment which is highlighted for the future road. There is no land exchange; developer will design and build on #19 and in #20 they will preserve the right-of-way; in the future, the county will build that road which will go back to Willow Lane. The county is working to buy right-of-way for a roundabout at Willow Lane and Bridges Road. The District IV Commissioner clarified that developer will build #19, preserve #20 and then the county will build on #20; **Mr. Romero-Muñiz** affirmed same.

Mr. Moore assured the Board that it will be to specifications and will follow all zoning conditions and looks as presented tonight; the Site Plan will change based on that road.

Commissioner Thomas noted that there were other things discussed as well; **Mr. As-Salaam** recalled the parking around the development which is included in the updated Site Plan and it can be made a condition. The District IV Commissioner asked that it be made part of the condition, and that will replace Condition #18 as follows:

18. Guest parking shall be provided.

Commissioner Thomas then wanted the sidewalks exterior; **Mr. As-Salaam** recalled the Commissioner wanting Highway Corridor 10’ sidewalks on the outside of the development, 5’ sidewalks on the inside. The District IV Commissioner recalled the buffer that is there is sufficient for any type of expansion of the road; **Mr. As-Salaam** affirmed same. **Mr. Romero-Muñiz** affirmed same.

Commissioner Thomas asked if applicant is willing to comply with landscaping requests for that area, since she is putting together a Master Landscaping Plan for the Mt. Carmel area; **Mr. Moore** stated that he does not know the details on that, but applicant is willing to work on creating a consistent landscape pattern in the area and will comply with any rules in place. **Mr. Moore** asked if the sidewalks are to be 10’ along Mt. Carmel Road; the District IV Commissioner responded it is.

Commissioner Anglyn made a motion to approve with the added Conditions #19, #20 and associated changes for the sidewalk requirements as well as enhanced landscape, and that the actual build will be the same as the renderings presented; **Commissioner Thomas** seconded the motion.

Commissioner Wilson recapped his thoughts, stating that townhomes over the last five (5) years have issues that come with them, such as number of bedrooms versus the length of the driveway versus the width of the streets; street parking to where Public Safety equipment cannot get in or out. With the current Code, the District I Commissioner believes that townhomes can present a lot of safety concerns, yet townhomes keep getting approved. He does not support the townhomes.

Commissioner Thomas remarked that sprinkler systems are added to these townhomes to make them safer; staying within 127 units is being met as well. Constituents are constantly asking for amenities throughout the community which will come with some growth in the area. Having higher-end retail must have communities like this set in first and that can support those higher-end industries, as part of a process to be put in select areas. Steps are taken to ensure Public Safety can have easy access in and out of the community.

Chair Harrell asked if bringing the Site Plan back should be made as part of the motion; **Ms. Hobson-Matthews** recommended it and the District III Commissioner thought it was included in his motion and requested that it be made part of his motion.

Motion carried (5-1-0).

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

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. *No one signed up for Public Comments.*

APPROVAL OF MINUTES

Commissioner Thomas made a motion to approve the Minutes from *July 26, 2022 (Called BOC Meeting re: 2022-2023 Millage Rate)* and *July 19, 2022 (Regular BOC Meeting)*; **Commissioner Wilson** seconded the motion. The motion carried (6-0-0).

UPCOMING MEETINGS AND EVENTS

- A. Wednesday, September 7, 2022 at 9:00 a.m. (due to holiday) is a regular BOC Meeting
- B. Tuesday, September 20, 2022 at 6:30 p.m. is a 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 9:51 p.m.*