

September 7, 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 Wednesday, September 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

Announcement

Carlotta Harrell, Chair, called the Regular Meeting of the Henry County Board of Commissioners for Wednesday, September 7, 2022 at 9:00 a.m. to order.

Chair Harrell announced that the following Planning & Zoning item was advertised for this morning's meeting but has since been withdrawn by staff:

HC-CODE-AM-22-03 (Public Hearing) Ordinance by Henry County, Georgia, to amend the Henry County Code of Ordinances regarding the regulation of the parking, keeping, and storing of commercial vehicles in Henry County and for other purposes *Countywide*

APPOINTMENT

McIntosh Trail Appointment: Captain Richard Harned, HCPD (filling unexpired term) Term Expiration: August 21, 2024

Vivian Thomas, Vice-Chair/District IV Commissioner made a motion to approve; **Dee Anglyn, III, District III Commissioner** seconded the motion. The motion carried (6-0-0).

Resolution #22-225

PROCLAMATION (Added)

Proclamation recognizing Childhood Cancer Awareness Month

Prior to the reading of the Proclamation, **Chair Harrell** introduced EMA Specialist, Chris Southerland, along with his wife, Molly, and daughter, Dakota, is present to accept the following Proclamation, and will approach for photographs once the Proclamation is read.

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

***PROCLAMATION IN RECOGNITION OF SEPTEMBER 2022 AS
CHILDHOOD CANCER AWARENESS MONTH***

WHEREAS, September is National Childhood Cancer Awareness Month and we take this opportunity to honor and remember the innocent young lives taken from us too soon because of this terrible disease; and

WHEREAS, according to the National Cancer Institute, childhood cancer is the number 1 cause of death from disease among children with an average age of diagnosis at just 6 years old. The organization estimates that approximately 43 children in the United States are diagnosed with cancer each day and, around the world, 1 child every 2 minutes is diagnosed with cancer; and

WHEREAS, the impact of a childhood cancer diagnosis produces many challenges for families, children and caregivers but there is great hope for the present and the future; and

WHEREAS, because of better research and advanced technology, survival rates for pediatric cancer patients have improved dramatically over the past 50 years and today innovative treatments such as proton therapy and molecular-targeted therapy give doctors even more tools to fight and win the battle against childhood cancers while working to reduce side effects from treatments; and

WHEREAS, throughout the month of September, all are encouraged to wear gold or gold ribbon for Childhood Cancer Awareness as the gold ribbon is the international symbol for all forms of cancer affecting children and adolescents.

NOW THEREFORE, BE IT PROCLAIMED by the Henry County Board of Commissioners that the month of September 2022 is recognized as Childhood Cancer Awareness Month in Henry County and encourages all citizens to join the fight to eradicate pediatric cancer as well as support our families, friends and children, along with medical professionals and researchers who dedicate their lives to caring for our precious children.

PHOTOGRAPHS WERE TAKEN

PRESENTATIONS

Henry County Employee Retirement Recognition

Victoria Hutcheson, Human Resources Generalist III, announced the following retirements:

- *Ronald Burckhalter - Henry County SPLOST Department - 12 years*

(APPLAUSE)

Chair Harrell then asked about the Kaiser Walk.

Ms. Hutcheson then announced that this month features the “September to Remember” for the employees. On September 1st, the Kaiser Permanente Run-Walk-Roll 5K Race was held with about sixty-five (65) employees participated. The race had over 10,000 participants in total at Piedmont Park in Atlanta.

Boys & Girls Club Update

David Jernigan, President/CEO of Boys & Girls Club of Metro Atlanta, introduced Jesse Coltrane joining him in this presentation. He gave a general update on the organization and then gave an update on what is happening locally within the Club. In an environment where other clubs are forced to close due to non-participation, Mr. Jernigan thanked the Henry County community and Board of Commissioners for their continued support and participation and becoming an example of investing in its youth. The local Boys & Girls Club opened here in Henry County in August 2021, with extremely affordable membership fees that are not burdensome to income-stressed families. The former Henry County Middle School now serves as a community center for this club and it is a shared facility site, which is cost-saving. After his presentation, Jesse Coltrane was introduced.

Jesse Coltrane, Executive Director of Shaquille O'Neal Boys & Girls Club of Henry County, shared that the local Boys & Girls Club has recently celebrated its 1-year anniversary. He gave a recap on the opening back in August 2021 and currently serves over 370 members with a strong partnership with the local schools. He further explained the different programs that are now available through this club, along with sports and academic features. He then yielded the floor back to Mr. Jernigan.

Mr. Jernigan reminded that the Board signed a Partnership Agreement early on and that the initial \$300,000 investment was broken down and presented to the Board and for public viewing on how that money was spent.

Dee Clemmons, District II Commissioner, recognized the late **Gary Barham, District III Commissioner**, who was instrumental in finding the present facility where the local club is housed and how the District II Commissioner and he helped to initiate the formation of this club within Henry County. She hopes to push for the investment in this club to facilitate further lives to be positively changed by their involvement. The Commissioner seeks to have further support from the Development Authority, warehouses and industrial businesses to help support this club as well.

There were no questions.

Aquatic Center Update

Jonathan "J.P." Penn, Cluster Leader, Henry County Leisure & Public Services, introduced Lynn Planchon and then gave a recap of how the location of the Aquatic Center at Cotton Fields Golf Course was selected, who the design team is, and meetings with various department heads. He then presented a video of the proposed layout of the Center for the Board.

VIDEO IS PLAYED

Mr. Penn highlighted some of the features of the Center for the Board, which includes the Wave Rider, food trucks/concessions, the 50m competitive pool for tournaments, and other state-of-the-art amenities. He remarked that this will become the "Disney World of the South". The design documents are scheduled to be completed in December; in February 2023, Request for Proposal (RFP) for the construction of the Aquatic Center and Water Park will be sent out; construction is scheduled to start in May 2023 with a goal (barring any delay with materials, weather, etc.) to open on or about Memorial Day 2024.

Commissioner Thomas acknowledged the work of staff on this Center.

Commissioner Clemmons urged the county to be on top of the pending price tag of this project and to be on top of this with funding and to stay transparent that there is not enough money to do all of this but this will be done. **Mr. Penn** yielded to Ms. Planchon for remarks.

Lynn Planchon, Capital Projects Director, confirmed that this is a SPLOST project and there are a couple of options. She remarked that SPLOST has been tracking collections ahead of schedule and there is also the option of utilizing impact fees. **Commissioner Clemmons** added that this facility will need to be staffed as well, so the cost should look at the whole project which would include the personnel to run this facility; it is surmised that the SPLOST funds will not be able to totally fund that. She offered her congratulations to staff for the presentation and update.

Commissioner Thomas asked that when the proposal is done, she asked that the Board be informed of how Cotton Fields will be upgraded surrounding the Center, as this will be included in the plan for the Aquatic Center construction. **Mr. Penn** acknowledged same and added that reworking the golf course, thus far, has three (3) holes which are directly affected by the pending construction and will be worked into the remainder area of the golf course.

There were no further questions.

Henry County Development Authority Update

F.J. "Josh" Fenn, Director, Henry County Development Authority, introduced Mr. Culpeper, and gave an update on the FY22 Annual Report, including a brief overview of the Development Authority and its mission, key industry sectors and why industrial and commercial developments are important to the County's Tax Digest. This will be available on the department's website after the meeting today for public viewing and review. He further presented a year-over-year of the Tax Digest from 2019 to 2022, including the period of the pandemic from COVID-19. He then remarked that the growth projected includes the age demographic as younger which historically will spend more money. Marketing for post-secondary graduated education is to be encouraged, since Henry County is below the state and national averages on these; specifically on attracting enrollments in the local colleges/trade schools. He also highlighted that the film industry is growing within the county as well and would like to get more businesses that deal with day-to-day operations to come to the county.

Mr. Fenn displayed the fiscal year 2022 statistics for the retail sector, noting that Retail Vacancy Rate is *down* to 1.7%, from 3.0% in the 2nd quarter of 2021. In the office sector, Office Vacancy Rate is *up* to 5.8%, from 4.4% in the 2nd quarter of 2021. In the industrial sector, Industrial Vacancy Rate was at 16.1% in the 2nd quarter of 2020 (which was the first FULL quarter of the COVID pandemic); it is currently *down* to 4.2%, from 8.8% in the 2nd quarter of 2021. Median income has now become equivalent to that of Gwinnett County which shows great strength from this time last year. Electric and autonomous vehicle industries are targeted to locate facilities in Henry County and Henry County has achieved 6th in the state for attracting small businesses to start-up within the county.

Mr. Fenn then announced the “Made in Henry” campaign has been launched to educate citizens on career opportunities for manufacturing that is coming to the county, which offers more than just assembling or material handling, such as research and development, positions in accounting, HR and management. Henry County also has a good mix of international companies that are located within Henry County as well as Fortune 500 facilities located here.

In summary, **Mr. Fenn** stated that in FY22, the Development Authority has assisted 14 companies in expanding to the county, creating 2,200-2,300 new jobs moving forward. He also presented the Performance Metrics for 2019, 2020 and 2021 for the Board and public viewing. A Target Industry Study is to be resumed (stopped due to COVID) shortly to look for opportunities in helping people to move to the area for living, but also for working with competitive pay/benefits.

Commissioner Thomas showed appreciation in what the Development Authority is doing as this presentation clearly stated highlights which should be published and advertised publicly as these will attract new industries and retain existing business and industries within the county.

There were no further questions.

CONSENT AGENDA

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

County Manager

- A. Resolution authorizing the purchase, delivery and set-up of six (6) Healthbot Blood Pressure Kiosks for use at six (6) county facilities in the amount of \$43,092 utilizing ARPA funds (Presenter: Cheri Hobson-Matthews, County Manager)(Exhibit 1) *Resolution #22-226*

Leisure Services

- A. Resolution of the Henry County Board of Commissioners accepting the allocation for the Georgia Recreation and Parks Association Building Opportunities in Out-of-School Time (BOOST) Grants Program awarded to Henry County Parks and Recreation Department in the amount of \$25,000 (Presenter: Jonathon Penn, Cluster Lead - Leisure & Public Services)(Exhibit 2) *Resolution #22-227*
- B. Resolution of the Henry County Board of Commissioners authorizing the purchase of four (4) Healthbot Blood Pressure Kiosks for use at the four (4) senior centers, totaling \$28,278. Expenses are reimbursable via the Community Services Block Grant Program (CSBG) CARES Funds.

Federal Fiscal Year 2022 (Presenter: Jonathon Penn, Cluster Lead/Leisure & Public Services)(Exhibit 3) *Resolution #22-228*

- C. Resolution of the Henry County Board of Commissioners to rescind Resolution 22-182 and approve a Sourcewell Contract for the lease of ten mowers to operate and maintain parks in the amount of \$118,318.20 by monthly lease of \$3,128.30 for 36 months using funds from Park Areas 6220 - Rental of Equipment (Presenter: Jonathon Penn, Cluster Lead/Leisure & Public Services)(Exhibit 4) *Resolution #22-229*

Public Works

- A. Resolution declaring items and equipment listed on Exhibit "A" as surplus, and authorizing disposal of said items (Presenter: Roque Romero-Muñiz, Cluster Lead)(Exhibit 5) *Resolution #22-230*

SPLOST

- A. Resolution approving adoption of the GDOT Procurement Policy for the Procurement, Management, and Administration of Engineering and Design Related Consultant Services (Presenter: Roque Romero-Muñiz, Public Works Director/Cluster Lead)(Exhibit 6) *Resolution #22-231*
- B. Resolution approving the purchase of certain real property located at 3000 Highway 42 N, Henry County, Georgia, in the amount of \$2,100,000.00 for use as the District 4 Police Precinct (SP5014) (Parcel No. 069-01008011). (Presenter: Lynn Planchon, Capital Projects Director)(Exhibit 7) *Resolution #22-232*
- C. Resolution approving the disbursement of \$100,000.00 Local Grant Match SPLOST V funds to the Henry County Library Board of Trustees for the State Grant Funded renovation project at the McDonough Public Library (SP5303). (Presenter: Lynn Planchon, Capital Projects Director)(Exhibit 8) *Resolution #22-233*

This ends the Consent Agenda

Commissioner Clemmons made a motion to approve the Consent Agenda, as published; **Commissioner Thomas** seconded the motion. The motion carried (6-0-0).

REGULAR AGENDA

TRANSPORTATION PLANNING (Moved up by Chair Harrell)

Resolution authorizing Henry County to enter into a contract with Croy Engineering to conduct the I-75 Commercial Vehicle Lanes Traffic Impact Study for \$146,540 (Presenter: Sam Baker, Transportation Planning Director)(Exhibit 10)

Sam Baker, Director of Transportation Planning, presented a Resolution to conduct a Traffic Impact Study regarding I-75 Commercial Vehicle Lanes. Two (2) barrier-separated commercial vehicle lanes are going to be constructed by the Georgia Department of Transportation (GDOT) which will run from Macon to McDonough. The lanes will end in a very busy portion of Henry County, at SR 155.

Trucks will be forced to merge into the general lanes just north of this exit which has raised concern from Henry County citizens. Citizen Representatives from the Transportation Advisory Group, Henry County staff and elected officials all wonder what the effects will be of this merger on I-75 north of Exit 216. An open house for the public was held a year ago by GDOT; the County expressed concerns at that time. It is believed that traffic flow will improve once these lanes are completed. This study is to confirm those claims made by GDOT and its consultants. Mr. Baker explained how the study will be performed in a specific area to determine whether or not it should be upgraded, or if traffic movement will be different. He explained how this will be done with three (3) different scenarios, detailed for the Board.

Chair Harrell affirmed that this is much-needed as there are concerns about where the lanes will end the existing traffic and expected traffic once these lanes are completed and the study will provide information for the Board to further deliberate viability of these lanes to GDOT.

Commissioner Clemmons stated that there are absent state representatives who should be participating since those voices will be needed once the results of the study are completed. Once the traffic comes off on that interchange, the only place it can go is through the neighborhoods which will negatively impact the quality of life for the residents in those areas. **Chair Harrell** noted that this could be discussed at the upcoming Legislative Luncheon. The alternative to have the lanes end at I-675 would be more feasible than to have it dumped just north of 155, which already has heavy traffic flow. The District II Commissioner asked what local policies can be put in place to prohibit this impact from going into the roads that are controlled by the County and asked the County Attorney and County Manager to look into this.

Chair Harrell asked if the study would include the impact upon the neighborhoods if the lanes end at 155; **Commissioner Thomas** asked if it is possible to add whether or not land would be available for some form of access roads for local traffic only and no trucks, as part of the study; and if so, if some type of support can be secured from the state. **Mr. Baker** responded this could be discussed with the consultant if the study proceeds forward.

Chair Harrell stated this would impact access roads up to Jonesboro but only on the western side. While she noted that this study would concentrate on a 1-mile radius, the Chair remarked that the study should be able to include any feasibility of having access roads along I-75.

Commissioner Clemmons does not believe that limiting the area of the study to a 1-mile radius is insufficient because off of the exits within 1 mile is industrial; she believes that the perimeter should be a little further to really gather data of impact to the citizens. **Chair Harrell** asked if doing this would impact the cost of the study; **Mr. Baker** responded that the consultant suggested a 2-mile radius; the Chair agreed to same.

Commissioner Anglyn recalled that Mr. Fenn presented earlier and that this would affect growth in the County from an industrial standpoint and the option of extending those lanes up to I-675 might help to disburse the tractor-trailer traffic. He asked what land would be available there if the lanes were extended to that area and if the Development Authority will be involved in working with this opportunity for growth for industrial. **Mr. Baker** responded that Development Authority could be involved and it is an aspect to consider. The District III Commissioner noted that if the lanes exit there, growth will come and the County must be prepared for that and have the lanes in place for incoming industrial businesses. **Ms. Hobson-Matthews** acknowledged the District III Commissioner's point and believes that the Board will ensure that the Future Land Use Map (FLUM) will be followed, as there will be specifically designated areas for industrial property, most of which is around the 155/SR 42 corridor because of accessibility to I-75. The current FLUM may have to be brought back to illustrate where industrial could be maintained within a specific area. The County Manager advised that staff will follow up with the

Development Authority, Planning & Zoning, the City of McDonough and bordering cities, since there will be tracts of land they may have developed for industrial.

Bruce Holmes, District V Commissioner, asked how this would change the new Interchange Plan; **Mr. Baker** responded that it would not change and GDOT is proceeding with the Bethlehem Interchange as currently scheduled; construction is to start sometime in 2025-2026 and would end in 3-4 years. The District V Commissioner asked if it would be designed for the new lanes to exit off of the new interchange; Mr. Baker stated that the lanes' exits will be taken into consideration for design and construction.

Johnny Wilson, District I Commissioner, recalled about 6-8 weeks there was a luncheon with GDOT wherein he expressed concern about turning the Express Lanes into truck lanes to get to I-675; GDOT was open into looking at a study into that. He suggested finding out what GDOT can do for the County before County overlaps what GDOT is doing. Since the Traffic Impact Study would involve a couple of the Cities, the Commissioner asked if the cities would also be involved. **Mr. Baker** responded that the consultant is prepared to make presentation to the Board and they can include the City of Locust Grove and City of McDonough. **Ms. Hobson-Matthews** added that the study is 100% funded by the County, even if it includes roadways that may lie within municipal boundaries. The Commissioner pointed out that there is already a study ongoing for 155 with plans to widen that highway from Keys Ferry all the way over to Hampton-Locust Grove Road, which are two (2) separate projects. He would like to see what GDOT has before a study is done; he would like to see the results of GDOT's study if it is completed. Ms. Hobson-Matthews explained that the challenge there is that the Commercial Vehicle Lane project with GDOT is already in design phase and Mr. Baker wants staff to present viable data to GDOT with a recommendation not to have the lanes end north of 155. The Commissioner remarked that the Cities should be involved.

Commissioner Holmes commented that there has to be a reason why GDOT wanted those truck lanes to end in McDonough. He asked why there are no truck lanes heading south; **Mr. Baker** responded that he understands GDOT is building truck-only lanes on I-75 north because of the growth at the Port of Savannah with additional trucks bringing cargo to Atlanta. The District V Commissioner asked if there would be cargo going to the Port of Savannah also; Mr. Baker surmised that GDOT is not concerned to build truck-only lanes on the south side of I-75. The Commissioner asked if this is a plan to expand local roads to accommodate the truck traffic coming in from Savannah into McDonough. Mr. Baker responded that where the trucks go when the truck-only lane ends at SR 155 is being explored and whether or not something should be done.

Chair Harrell called for a motion.

Commissioner Clemmons made a motion to approve; **Commissioner Thomas** seconded the motion. Motion carried (5-1-0).

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

Resolution #22-234

Commissioner Clemmons remarked that the County needs to be more pro-active instead of reactive and that this growth is coming and the Cities are going to be impacted; however, every citizen is a County citizen and it is the Board's duty to stay ahead of this pending growth and properly prepare for the impact upon the citizens.

PLANNING & ZONING

Public Hearing

Resolution to transmit the State required Capital Improvement Element annual update and CIE Community Work Program to the Atlanta Regional Commission for evaluation by the Georgia Department of Community Affairs. (Presenter: Toussaint Kirk, Planning & Economic Development Director/Cluster Lead)(Exhibit 11)

Toussaint Kirk, Planning & Economic Development Director, explained this is for the Community Work Program which continues to allow the collection of impact fees and this must be done each year.

Chair Harrell opened the floor for the Public Hearing and called for anyone wishing to speak in favor to come and make comment, allowing three (3) minutes. *No one approached.*

Commissioner Clemmons noted that Parks & Recreation is not listed in this Resolution and the Commissioners were not asked to input on how the impact fees are spent in the respective Districts. **Mr. Kirk** explained that this is just the annual update of what was already done.

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

Resolution #22-235

ULDC-AM-22-06 (Public Hearing)

Ordinance by Henry County, Georgia, to amend the Unified Land Development Code (ULDC) of the Henry County Code of Ordinances regarding the regulation of Traffic Impact Studies (TIS), Developments of Regional Impact (DRI), and for other purposes. Countywide (Presenter: Toussaint Kirk, Planning & Economic Development Director/Cluster Lead) (Exhibit 12)

Mr. Kirk explained that this deals with the Traffic Impact Study (TIS) and Development of Regional Impact (DRI). This Ordinance will require non-zoning actions to meet infrastructure improvements and any road improvements for Notice of Decision regarding DRI. Right now, the Ordinance reads that the County is responsible for those road improvements. If a property is already zoned Industrial and a development comes in and goes through DRI, since there are no zoning conditions on that property, developer would not have to make improvements. This Ordinance will require developer to make said improvements, as necessary.

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. Those in opposition of the request will also have a total of 10 minutes to address the Board. *No one approached.*

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

Ordinance #22-06

ULDC-AM-22-07 (Public Hearing)

Ordinance by Henry County, Georgia, to amend the Unified Land Development Code (ULDC) of the Henry County Code of Ordinances regarding roof pitch requirements for single-family dwellings Countywide (Presenter: Kenta Lanham, Planner II)(Exhibit 13)

Kenta Lanham, Planner II, explained that presently, the Unified Land Development Code (ULDC) requires all single-family residential dwellings to have a minimum 4-12 roof pitch. The proposed amendment would revise Chapter 4, Sec. 4-01-07, Design Standards for Single-Family Dwellings, providing more opportunities for diverse architectural styles and ensuring compatibility with existing homes in the immediate area. The proposed amendment would allow the zoning administrator to evaluate requests to modify roof pitch based on that compatibility, with all roofs to meet the Building Code. Staff recommends approval of this request.

Commissioner Holmes asked if there is an alternative to the roof pitches, echoed by **Chair Harrell**; **Mr. Lanham** responded the requests to modify the roof pitch, such as a lesser slope, would be handled on the administrative level to allow for more different styles. **Mr. Kirk** added that a lot of the designs are more modern and this would allow the pitch to be reduced to make it look more modern and compatible with more modern designs of homes, apartment complexes, etc.

Commissioner Clemmons asked if this would impact subdivisions; **Mr. Kirk** responded it would not necessarily have that impact. The District II Commissioner voiced her concern that if it is a subdivision and someone buys the lot next to a neighbor, with the County approving the house that does not conform to the rest of the community and that community has no input. With this decision to be made in-house, this is where she is concerned. The Commissioner suggested there should be something in place where it comes before the Board and the community is allowed to have input and not be left totally in-house. **Mr. Kirk** explained that a stipulation to disallow this within subdivisions can be inserted; however, this is really meant for those who buy outside of a subdivision. The Commissioner advised that it needs to clearly state same as it does not have that currently and leaves it open to interpretation where there should be definition.

Chair Harrell asked if this requirement would include commercial development. **Mr. Lanham** clarified this is only for single-family dwellings. The Chair noted that an example of an apartment complex was given, which is not single-family. **Mr. Kirk** clarified that the intent of the Ordinance is for those who buy scattered lots throughout the County. The use of apartment complexes was meant as a visual example and not to be included in this request. **Ms. Hobson-Matthews** added that when it is part of the zoning code, staff has no authority to grant a waiver and the only option would be to apply for a Variance to come back before the Board. For individuals building custom homes, it might take a while to get on the agenda for a Variance. This is a potential solution, in that the language would be revised to not include subdivisions and only allow this outside of a subdivision. If the Board wishes to further stipulate that there be a 2-acre minimum granting Planning & Zoning and the Building & Plan Review the authority to review it that can be done. Any appeals to those decisions can be made to the Board of Commissioners.

Commissioner Wilson asked that with a 4-12 pitch, or lower, what materials would have to be used, as shingles are not warranted under the 4-12 pitch. **J. Brett Hanes, Assistant Director, Henry County Building & Plan Review Department** added that shingles are permitted on roof slopes from 2-12 up to 11-12. On 2-12 or 3-12, there needs to be two layers of underlayment or synthetic felt which would be ensured through the department's inspection standpoint. Metal, shingle, clay tiles are options and lower sloped roofs are permissible in the state. The District I Commissioner asked how inspectors are

going to know that the roof materials and pitch will be conformed; the representative explained that right now it is not permissible. Documentation can be requested by Plan Review upon building inspection.

Commissioner Holmes asked if there is any example on the type of building proposed for this; **Mr. Lanham** stated that is not available at this time. **Mr. Kirk** added that the plan was submitted, but they do not have it on hand at the moment.

Commissioner Wilson remarked that if single-layer felt is used, it is only warranted on pitch of 4-12 and higher; **Mr. Hanes** affirmed same. **Mr. Kirk** was able to get some form of visual to the proposed style of house displayed for the Board and public viewing. **Chair Harrell** commented that if someone wanted to develop an entire subdivision with that type of rooftop, then that would be different. **Mr. Kirk** noted that most of the rezoning requests have come through the Board and they would see what is proposed; this happens to be an isolated situation and staff is trying to give a level of flexibility as more of these types of houses are coming. The Chair asked if this request is on a 1-acre lot; **Mr. Lanham** responded that it is on a 3-acre lot.

Commissioner Clemmons wanted to ensure that it is not in a platted subdivision; if it is, then it has to have a Public Hearing on the request to get input from the communities. The Resolution needs to reflect that this would not be in a subdivision; if it is, there will have to be a Public Hearing held. **Ms. Hobson-Matthews** corrected herself from an earlier remark in that this would not be a Variance per ULDC. Developer would submit the plan to the Building & Plan Review and that staff could deny same; developer could file an appeal of the decision which would then come to the BOC. The District II Commissioner detailed that if there is denial, the applicant would have the right to come before the BOC; that the home has to be in a non-platted subdivision and if it is in a platted subdivision, there must be a Public Hearing held and duly advertised in the subdivision to inform the residents of that community. **Mr. Kirk** stated that the current Ordinance does not allow for this in a subdivision.

Ms. Hobson-Matthews recapped that (1) the Ordinance would be amended to allow administrative waivers to be granted for lots outside of a subdivision; (2) applicants shall be allowed to apply for waiver and any denials by Building & Plan Review shall be appealed to the BOC; and (3) any lots within a platted subdivision must come before the Board for approval and Planning staff must advertise the Public Hearing to consider the roof pitch. **Chair Harrell** added that the lot must be at least one (1) acre. **Commissioner Clemmons** disagreed with the minimum lot size; if there is a .25 acre lot that is owned and they wish to build upon it with variable roof pitch, it should be allowed if it is outside of a subdivision.

There being no further questions or comments from the Board, **Commissioner Clemmons** made a motion to approve with the above-stated amendments; **Commissioner Thomas** seconded the motion. Motion carried (4-2-0).

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

Ordinance #22-07

(NOTE: See below wherein a Public Hearing was called for the Roof Pitch item. No one came forward to speak)

ULDC-AM-22-05 (Not a Public Hearing)

Clarification of ORD 22-04, an 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 14)

Kamau As-Salaam, Planner III, explained this request. The Highway Corridor Overlay District's Prohibited Uses did not allow self-storage facilities outright. Staff noticed the need for clarifications to make the Ordinance easier to understand. He displayed the original Ordinance for the Board and further explained the request to amend and how it would clear up any confusion in the language.

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

Stephanie Braun, Clerk, Henry County, advised the Chair that the previous item (re: Roof Pitch) was a Public Hearing, but we failed to call for a Public Hearing. **Chair Harrell** called for anyone who wished to make comment on the Agenda item regarding roof pitch to come forward. *No one came forward which concluded the Public Hearing.*

Ordinance #22-08

BOARD OF COMMISSIONERS (Moved within Agenda by Chair Harrell)

Resolution Amending the Fiscal Year 2022-2023 General Fund budget to host a Community Service Day, Appointee Luncheon and the Plug-In Expo in the amount of \$4,500 (Presenter: David Smith, Financial Services Director/Cluster Lead)(Exhibit 9)

David Smith, Director of Financial Services, presented this at the request of the Chair. The Community Service Day would celebrate the work of the First Responders and essential workers; engage communities to support families who are rebuilding from the impact of COVID-19 and sharing information for a more health-conscious Henry County as well as supporting veterans' associations and the community needs. This amendment will adjust for potential variances in costs to host these events. He gave citation of the Georgia code that any revision which alters total expenditures of any departmental fund must be approved by the BOC. Staff recommends approval to amend same.

Commissioner Wilson asked if this is a BOC sponsored event; **Mr. Smith** responded that it is not a sponsored event by the BOC but it is something that the Vice-Chair, District IV Commissioner, would like to do. Mr. Smith stated he participated in the Plug-In Expo which is a Countywide event, and stated he is not familiar with the Community Service Day. **Ms. Hobson-Matthews** advised that this be deferred to the District IV Commissioner for response and remarks.

Commissioner Thomas stated that she has done this yearly to engage the community and this is not the first event. Because of Senate Bill 22, this request has to be made before the BOC. The Plug-In Expo is to bring in small businesses and meet with developers about different projects happening within the County and learning how to do business with the County. She does not see this as an exclusive District IV event, as it is opened to all citizens. Invites were sent to all the Commissioners to participate, and sponsored by herself as a District IV Commissioner. She further explained that the Community Service Day is in remembrance of 9-11, celebrating the First Responders and essential workers who have gone through a globally impacted event. This has been held in partnership with the City of Stockbridge in

the past; this year, she wished to host this on her own as a County event. The budget is far smaller than what was budgeted in prior years; only the process for hosting same has changed in deference to SB22. The Appointee Luncheon is usually held twice a year as they are only given a small stipend for their work in the county; the luncheon is an opportunity to update each other, setting goals for the coming year and working together to achieve the goals.

Chair Harrell clarified that Senate Bill 22 has nothing to do with the funding; **Commissioner Thomas** reiterated that she has to make a request through the BOC for the funding of these events. **Ms. Hobson-Matthews** responded that there was no money budgeted for these items in prior years. When Chair Harrell asked if the county usually funds Commissioner-hosted events, the County Manager responded that Commissioner-hosted events have not been funded which is why this needed to come before the BOC.

Commissioner Wilson commented that the taxpayers do not need to be responsible for any Appointee Luncheon in any of the Districts, nor should they be burdened with paying for any District-specific event. If there is sponsorship for these events, there would be no issue. **Commissioner Thomas** rebutted that these events have been funded before and that the taxpayers were not burdened with the cost of these. This is community engagement to celebrate the work of the First Responders and essential workers. The taxpayers are part of these celebrations and they would enjoy the time and commitment made to host these events.

Commissioner Anglyn voiced his support for community events, but this appears to be District-specific and not countywide inclusive. **Commissioner Thomas** reiterated that these events are for Henry County as a whole, not just for District IV.

Commissioner Clemmons remarked that the event specified “District IV Appointee” Luncheon, not for all appointees. She presented suggestions to make these events more inclusive and this can be reviewed and modified to make it more countywide inclusive. **Commissioner Thomas** stated that this has already been paid by her and if she is not reimbursed she has no issue. She believes that her appointees deserve the time and the luncheon to come together and learn from each other to make sure everyone is on the same page for the objectives of the County moving forward. **Chair Harrell** stated that every year, there is an Employee Appreciation Day where all the employees and several appointees attended events celebrating same about 3 months ago at Heritage Park. It was a countywide event and not District specific. The Chair asked if the Plug-In Expo cost can be taken out of the BOC Budget; **Mr. Smith** responded it can be done.

Regarding the Community Service Day and District IV Appointee Luncheon, **Chair Harrell** agrees that if the appointees are having a luncheon, there should be invitations sent to all appointees within all five Districts. **Commissioner Thomas** stated she has already paid for this event and if this Board does not want to reimburse her, she stated she is fine with that. The District IV Commissioner persisted that this is owed to the communities to have events inviting them out to meet the Commissioners and to participate in activities as a thanks for their services.

Commissioner Wilson noted that this is District sponsored and that the flyer for this event has the District IV Commissioner’s picture on it, not the entire Board of Commissioners. The flyer advertises a Plug-In Expo 2022 on September 24th hosted by the District IV Commissioner and not hosted by the Board of Commissioners. If the BOC is not hosting this collectively, it should not be funded by the BOC. **Commissioner Thomas** responded that she is the host and if the BOC allows her to include their names for this event, she would gladly do so. **Ms. Hobson-Matthews** explained that during every budget cycle, the Board is asked to identify projects they would like to include within the General Fund budget, to allow for such events as this within the respective Districts. She asked that this continue to be done going

forward to the next budget cycle. These events are not just events; they also have to include staff and they have to be budgeted for as well. They would be budgeted, put on a schedule for the Board to approve and thus it would be made public for whatever Commissioner is hosting whatever community event in their respective Districts. The County Manager continued that a couple of Commissioners inquired on the possibility of allocating District funds and added that this Board sets the budget. If the Board wants to identify an amount for the Commissioner(s) to have a certain number of events per year, then that can be set and bringing this before the Board would become unnecessary as it would be adopted as part of the budget with the public's knowledge. This particular event was not approved as expenditure to be included in the recently adopted budget.

Chair Harrell called for motion for this Resolution.

Commissioner Thomas made a motion to approve and to delete the Appointee Luncheon that has already taken place; and to add the Plug-In Expo to be hosted by the BOC and the BOC to host the Community Service Day. The District IV Commissioner remarked that she is dedicated to her community and asked the Board to join her in hosting these events; the \$4,500 is an estimate to submit to the Financial Services Director and may not be that full amount.

Chair Harrell asked if an alternate plan is in place in the case of inclement weather as it is supposed to rain this coming weekend. **Commissioner Thomas** stated that Parks & Recreation has two (2) oversized tents put up in the event of bad weather.

Chair Harrell called for a second to the motion. Motion failed for lack of a second.

Commissioner Clemmons reiterated this is a good idea but it can be done differently and can be made more inclusive and not appear to be District-specified. **Commissioner Thomas** stated that her motion included the amendment to include the Board as hosts; if it is not something the Board wants to support she will go forward on her own. The District II Commissioner explained that this should be for the entire county and should be advertised as such from the start.

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 Anglyn made a motion to approve the Minutes from *August 2, 2022 (Regular BOC Meeting)*; **Commissioner Wilson** seconded the motion. The motion carried (6-0-0).

UPCOMING MEETINGS AND EVENTS

- A. Tuesday, September 20, 2022 at 6:30 p.m. is a regular BOC Meeting

September 7, 2022

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B. Tuesday, October 4, 2022 at 9:00 a.m. is a regular BOC Meeting

EXECUTIVE SESSION

Commissioner Wilson made a motion to convene to Executive Session regarding litigation and real estate; **Commissioner Anglyn** seconded the motion. The motion carried (6-0-0). *Executive Session began at 11:07 a.m.*

EXECUTIVE SESSION

RECONVENE

Commissioner Thomas made a motion to reconvene from Executive Session; **Commissioner Anglyn** seconded the motion. Motion carried (4-0-2).

(Chair Harrell, Commissioners Wilson, Anglyn and Thomas voted in favor; Commissioners Clemmons and Holmes were not present) Executive Session reconvened at 12:41 p.m.

AFFIDAVIT & RESOLUTION PERTAINING TO EXECUTIVE SESSION

Commissioner Wilson made a motion to approve the Affidavit & Resolution pertaining to Executive Session; **Commissioner Thomas** seconded the motion. Motion carried (4-0-2).

(Chair Harrell, Commissioners Wilson, Anglyn and Thomas voted in favor; Commissioners Clemmons and Holmes were not present)

ADJOURNMENT

There being no further business to come before the Henry County Board of Commissioners at this time **Chair Harrell** adjourned the meeting. ***Meeting adjourned at 12:41 p.m.***

Carlotta Harrell, Chair

Stephanie Braun, County Clerk