



HENRY COUNTY BOARD OF COMMISSIONERS

CHAIR

Carlotta Harrell

DISTRICT I COMMISSIONER

Johnny Wilson

DISTRICT II COMMISSIONER

Dee Clemmons

DISTRICT III COMMISSIONER

Dee Anglyn III

DISTRICT IV COMMISSIONER

Vivian Thomas

DISTRICT V COMMISSIONER

Bruce Holmes



COUNTY MANAGER

Cheri Hobson-Matthews

COUNTY CLERK

Stephanie Braun

COUNTY ATTORNEY

Nancy Rowan

BOC MEETING AGENDA

**Henry County Government Administration
140 Henry Parkway McDonough, GA 30253**

Website: co.henry.ga.us

Phone: 770-288-6000

Board of Commissioners

Carlotta Harrell, Chair
Johnny Wilson, District I
Dee Clemmons, District II
Dee Anglyn III, District III
Vivian Thomas, District IV
Bruce Holmes, District V

**Henry County Government**

140 Henry Parkway
McDonough, GA 30253
(770) 288-6000
www.henrycounty-ga.org

Henry County Board of Commissioners

9:00 AM, Tuesday, November 29, 2022

BOC Present: Chair Carlotta Harrell, Commissioner(s) Johnny Wilson, Dee Clemmons, Dee Anglyn III, Vivian Thomas, and Bruce Holmes

Staff Present: Cheri Hobson-Matthews, County Manager; Nancy Rowan, County Attorney; Stephanie Braun, County Clerk; and Nathifa Cunningham, Deputy County Clerk

NOTICE: This is a public in-person meeting held at the Henry County Administration Building (Community Room), 140 Henry Parkway, McDonough, GA. HenryTV will also be streaming live online at <https://www.co.henry.ga.us/Government/Agenda-Minutes> on Charter/Spectrum Channel 180, and Facebook Live. See attachment in order "to participate" in Public Hearings and Public Comments

I. Henry County Code of Conduct during public meetings:

- A. Sec. 2-2-128. Conduct during public meetings. During the public portions of the public meetings and public hearings members of the board of commissioners shall not: (1) Speak without first being recognized by the chair; (2) Interrupt anyone who has the floor; (3) Use profanity during the public meeting; (4) Refuse to yield the floor, or to argue with the chair, if he or she is ruled out of order by the chair; (5) Make disparaging remarks about another's character during the public portion of any meeting; (6) Represent their personal opinion and beliefs as the position of the board as a whole; (7) Refuse to recognize the validity of the actions approved by a majority vote of the board; and (8) Divulge the subject matter of any confidential matter, legal advice, legal strategy, or the content of discussions held during executive session. (Ord. No. 03-01, 1-2-2003)

II. Instructions to Participate

- A. Instructions to Participate

III. Invocation

IV. Pledge of Allegiance

V. Call to Order

Announcement: The following Planning & Zoning item was advertised for the November 29, 2022 BOC Meeting, but has been postponed by the applicant:

AP-22-03 (POSTPONED)

(Public Hearing, re: Appeal) South Battery Capital, LLC of Sugar Hill, GA appeals the administrative interpretation and/or decision of the Planning and Zoning Department regarding the permitted uses for property located at 2787 East Atlanta Road in Land Lot 198 of the 12th District. The property consists of 2.633 +/- acres, and the request is for a self-service storage facility. District 5

VI. Presentations

- A. Henry County Employee Retirement Recognition (*Presenter: Harold Cooper, Human Resources Director*)
- B. Recognition of Parks and Recreation Department for receiving GRPA District and State Awards, and the American Association of Adapted Sports Award (*Presenter: Jonathon Penn, Cluster Lead*)
- C. Georgia Smart Communities Challenge Project (*Presenter: Sam Baker: Transportation Planning Director*)
- D. Recognition from National Safety Council (*Presenter: Holly Lafontaine, Risk Manager*)

VII. Appointment

- A. McIntosh Trail Community Service Board Appointment Thelvie Winston, Sr. *(to fill unexpired term of 8/21/2024)*

VOTE: Commissioner Clemmons made a motion to approve; Commissioner Anglyn seconded. The motion carried 6-0-0.

[Resolution #22-286](#)

VIII. Consent Agenda

Airport

- A. A Resolution approving Croy Engineering Task Order #16 in the amount of \$279,962.00 for Engineering Design Services for T-Hangar and Corporate Hangar Development at the Atlanta Speedway Airport using Capital Improvement Plan Funds (CIP). *(Presenter: Lynn Planchon, Airport Manager)(Exhibit 1)*

[Resolution #22-287](#)

- B. A Resolution approving Michael Baker International, Inc. Scope and Fee for Airport Master Planning Services to update the Airport Layout Plan (ALP) in the amount of \$239,520.00 and the associated GDOT Contract for Reimbursement in the amount of \$235,877.34 and Local Match in the amount of \$3,642.66 using Airport funds. *(Presenter: Lynn Planchon, Airport Manager)(Exhibit 2)*

[Resolution #22-288](#)

Courts

- A. A Resolution to Approve the Appointment of the Associate Judges of the Magistrate Court of Henry County for the new term commencing January 23, 2023 and expiring December 31, 2026 *(Presenter: Chief Magistrate Martin C. Jones)(Exhibit 3)*

[Resolution #22-289](#)

- B. A Resolution of the Board of Commissioners to Approve the Appointment of Robert L. Godwin as Senior Judge of the Magistrate Court which expires December 31, 2022. The new term will commence January 1, 2023 and expire on December 31, 2026 (*Presenter: Chief Magistrate Martin C. Jones*)(Exhibit 4)
[Resolution #22-290](#)

E911

- A. A Resolution of the Board of Commissioners authorizing execution of a Memorandum of Understanding with Chatham 911 Communications Services, for Henry County 911 to act as their backup PSAP (*Presenter: Tamika Kendrick, E911 Director*)(Exhibit 5)
[Resolution #22-291](#)

Facilities Maintenance

- A. Resolution awarding Sealed Bid # 23-17 to Hortman & Sons Enterprises of McDonough, GA to complete exterior renovations at 30 Atlanta Street in the amount of \$58,575 (*Presenter: Hutch Purvis, Cluster Lead/Facilities Maintenance Director*)(Exhibit 6)
[Resolution #22-292](#)
- B. Resolution awarding Sealed Bid # 23-18 for CGS Waterproofing to complete exterior renovations at 40 Atlanta St. in the amount of \$106,851 (*Presenter: Hutch Purvis, Cluster Lead/Facilities Maintenance Director*)(Exhibit 7)
[Resolution #22-293](#)
- C. Resolution awarding a Sealed Bid # 23-19 for CGS Waterproofing to complete exterior renovations at 40 Atlanta St.-Modular Bldg. in the amount of \$64,502.00 (*Presenter: Hutch Purvis, Cluster Lead/Facilities Maintenance Director*)(Exhibit 8)
[Resolution #22-294](#)

Financial Services

- A. Resolution authorizing the Disposal of Various Surplus Items listed on Attachment A (*Presenter: Susan Harris, Purchasing Director*)(*Exhibit 9*)
[Resolution #22-295](#)

Fire Rescue

- A. Resolution for the emergency purchase of One (1) Pierce Custom Aerial from Ten-8 Fire & Safety, LLC in the amount of \$1,275,000. Funding will be from Capital Funds (*Presenter: Jonathan Burnette, Fire Chief*)(*Exhibit 10*)
[Resolution #22-296](#)
- B. Resolution for the emergency purchase of Three (3) Type 1 Custom Works Ambulance Boxes from Custom Truck and Body Works, Inc. in the amount of \$799,983. Capital Funding will be utilized for this purchase. (*Presenter: Jonathan Burnette, Fire Chief*)(*Exhibit 11*)
[Resolution #22-297](#)
- C. Resolution for the emergency purchase of One (1) 2023 Dodge 4500 Ambulance Prep Chassis from Reliant Emergency Specialties in the amount of \$68,057. Funding will be from ARPA Funds (*Presenter: Jonathan Burnette, Fire Chief*)(*Exhibit 12*)
[Resolution #22-298](#)
- D. Resolution for the emergency purchase of Two (2) 2023 Chevy Express Vans from Hardy Chevrolet in the amount of \$68,920. ARPA Funds have been identified for this purchase. (*Presenter: Jonathan Burnette, Fire Chief*)(*Exhibit 13*)
[Resolution #22-299](#)

Police Department

- A. Resolution approving purchase of an ICOR Mini Caliber modular one-person robot for the Henry County Police Department SWAT Team in the amount of \$57,592.86. ICOR is a GSA approved vendor (GA-07F-0430V). This purchase will be made using RedSpeed Small Equipment Funds. *(Presenter: Lt. W. Powell/HCPD)(Exhibit 14)*
[Resolution #22-300](#)
- B. Resolution of the Board of Commissioners requesting the approval to utilize a Peer Support Canine (Mac) for First Responders at the Henry County Police Department from the Tails of Hope Facility *(Presenter: Sgt. M. Rommelman/HCPD)(Exhibit 15)*
[Resolution #22-301](#)
- C. A Resolution approving the purchase of twenty (20) 2022 Ford Police Interceptor AWD V6 SUV from Brannen Motor Company of Unadilla, Georgia in the amount of \$724,000.00 for the School Resource Officer (SRO) program using Capital Improvement Plan (CIP) Funds (*Note: Said funds to be reimbursed by the Board of Education per the MOU/Resolution 22-190). *(Presenter: Lt. W. Powell/HCPD)(Exhibit 16)*
[Resolution #22-302](#)
- D. Resolution approving the purchase of twenty (20) Stalker Lidar RLR speed measurement devices including six (6) Harley Davidson motorcycle holsters with locks for the amount of \$48,325.00. This purchase will be from Stalker Applied Concepts, Inc, a sole source vendor, using State Seized Funds for use by Henry County Police Department *(Presenter: Lt. W. Powell/HCPD)(Exhibit 17)*
[Resolution #22-303](#)

Sheriff's Office

- A. A Resolution of the Board of Commissioners Approving the acceptance of the State Criminal Alien Assistance Program (SCAAP) grant award from BJA in the amount of \$82,866
(Presenter: Chief Billi Akins, HCSO)(Exhibit 18)
[Resolution #22-304](#)

SPLOST

- A. Resolution approving Intergovernmental Agreement with the City of McDonough regarding Racetrack Road @ Iris Lake highway improvements *(Presenters: Nancy Rowan, County Attorney; and Roque Romero-Muniz, Public Works/Cluster Lead)(Exhibit 19)*
[Resolution #22-305](#)
- B. Resolution approving a Budget Amendment and bid award for construction of Racetrack Road @ Iris Lake Road to Wilson Construction Management in the amount of \$1,510,084.
SPLOST V *(Presenter: Roque Romero-Muniz, Public Works/Cluster Lead)(Exhibit 20)*
[Resolution #22-306](#)
- C. A Resolution of the Board of Commissioners approving award for design services of Fairview Road Widening to NV5 Engineers and Consultants, Inc. in the amount of \$1,634,852.44. **TSPLOST** *(Presenter: Roque Romero-Muniz, Public Works/Cluster Lead)(Exhibit 21)*
[Resolution #22-307](#)

Tax Assessor

- A. A Resolution of the Board of Commissioners awarding Bid #23-24 for printing and mailing services for the Henry County Tax Assessor's Office to Diversified Companies, LLC (dba Divcodata) from Chattanooga, TN, in the amount of \$62,366; with a secondary award going to the Master's Touch, LLC from Spokane, WA in the amount of \$68,146. *(Presenter: John Selfe, Chief Appraiser; and Cooper Keller, Deputy Chief Appraiser)(Exhibit 22)*
[Resolution #22-308](#)

Technology Services

- A. Resolution approving Security Cameras for 911, Transit, Elections, Sandy Ridge Park and Richard Craig Park utilizing ARPA Funding *(Presenter: Jamie Pownall, Chief Information Officer/Technology Services Director)(Exhibit 23)*
[Resolution #22-309](#)

Transit Department

- A. Resolution authorizing consent to apply for the FTA G-DOT 5311 FY 24 Grant Application for Rural Public Transportation Operating and Capital Assistance. Henry County's total amount of operating allocation for this program is \$1,577,466, of which \$788,733 is the 50% federal portion, and the local match portion of 50% is also \$788,733. The capital allocation for this program is \$1,485,000, of which \$1,180,000 is the 80% federal portion, \$148,500 is the 10% state portion and the local match portion of 10% is also \$148,500. *(Presenter: Taleim Salters, Transit Director)(Exhibit 24)*
[Resolution #22-310](#)

- B. Resolution of the Board of Commissioners approving RFQ #23-12 to Vanasse Hangen Brustlin (VHB) for on-call consultant services for Transit (*Presenter: Taleim Salters, Transit Director*)(*Exhibit 25*)
[Resolution #22-311](#)

(This Ends The Consent Agenda)

VOTE: Commissioner Wilson made a motion to approve items listed on Consent Agenda; Commissioner Anglyn seconded. The motion carried 5-1-0 with Commissioner Holmes voting in opposition.

Regular Agenda

IX. Annexations

- A. Resolution rescinding objection to City of Stockbridge
Annexation re: AX-22-05 (*Presenter: Toussaint Kirk, Planning & Zoning Director/Cluster Lead*)(*Exhibit 26*)

VOTE: Commissioner Clemmons made a motion to approve; Commissioner Holmes seconded. The motion failed 3-3-0. Chair Harrell, Commissioner(s) Clemmons and Holmes voted in favor. Commissioner(s) Wilson, Anglyn and Thomas voted in opposition.

Later in the meeting, following Executive Session, a motion was made to reconsider motion for an objection to City of Stockbridge Annexation (NOTE: see vote taken after Executive Session below on agenda).

X. Department of Transportation

- A. (***Public Hearing***) Request to abandon a portion of Bridges Road. **District 3** (*Presenter: David Simmons, CE III*)(*Exhibit 27*)
VOTE: Commissioner Clemmons made a motion to approve with amendment that the property owner will obtain and execute an access easement; Commissioner Holmes seconded. The motion carried 6-0-0.
Resolution #22-312

- B. (***Public Hearing***) Request to abandon and declare surplus a portion of Loop Road & Loop Road Right of Way.
District 2 (*Presenter: David Simmons, CE III*)(*Exhibit 28*)
VOTE: Commissioner Anglyn made a motion to approve; Commissioner Thomas seconded. The motion carried 6-0-0.
Resolution #22-313

- C. Request to approve sale of portion of abandoned & declared surplus Loop Road & Loop Road Right of Way (*Presenter: David Simmons, CE III*)(*Exhibit 29*)
VOTE: Commissioner Anglyn made a motion to approve; Commissioner Thomas seconded. The motion carried 6-0-0.
Resolution #22-314

XI. Financial Services

- A. Resolution authorizing allocation of additional program and administrative funding in the amount of \$2,000,000 from Fund Balance to Henry ERAP while awaiting response from Treasury and approving transfer of funds in order to continue providing rental assistance in Henry County (*Presenter: David Smith, Director, Financial Services*)(*Exhibit 30*)

VOTE: Commissioner Anglyn made a motion to approve; Commissioner Thomas seconded. The motion carried 4-2-0 with Commissioner(s) Clemmons and Holmes voting in opposition.

Resolution #22-315

- B. A Resolution to request the Board of Commissioners' approval to enter into a sub recipient agreement with Henry County Water Authority in the amount of \$8,300,000 utilizing ARPA funds for water and sewer infrastructure improvements. (*Presenter: David Smith, Financial Director*)(*Exhibit 31*)

VOTE: Commissioner Clemmons made a motion to approve with changes to resolution as read into the record; Commissioner Thomas seconded. The motion carried 6-0-0.

Resolution #22-316

ADDED:

Executive Session (Re: Litigation)

VOTE: Commissioner Thomas made a motion to approve entering into Executive Session to discuss litigation; Commissioner Clemmons seconded. The motion carried 6-0-0.

(Executive Session began @ 11:29 am)

Reconvene from Executive Session

VOTE: Commissioner Anglyn made a motion to reconvene from Executive Session; Commissioner Clemmons seconded. The motion carried 6-0-0.

(Executive Session reconvened @ 12:02 pm)

Approval of an Affidavit and Resolution pertaining to executive session

VOTE: Commissioner Anglyn made a motion to approve; Commissioner Wilson seconded. The motion carried 5-0-1 (Commissioner Thomas did not vote).

VOTE: Commissioner Clemmons made a motion to reconsider motion for an objection to City of Stockbridge Annexation; Commissioner Anglyn seconded; The motion carried 4-2-0 with Commissioner(s) Thomas and Wilson voting in opposition.

Commissioner Clemmons made a motion to rescind the objection to City of Stockbridge Annexation. Commissioner Holmes seconded. The motion carried 4-2-0 with Commissioner(s) Thomas and Wilson voting in opposition.

Resolution #22-321

XII. Planning & Zoning

A. ULDC-AM-22-10 (*Public Hearing*)

An Ordinance by Henry County, Georgia, to amend the Unified Land Development Code of the Henry County Code of Ordinances regulating building standards for structures and buildings within the floodplain and for other purposes. **Countywide** (*Presenter: Roque Romero-Muniz, Public Works/Cluster Lead*)(*Exhibit 32*)

VOTE: Commissioner Clemmons made a motion to approve; Commissioner Anglyn seconded. The motion carried 6-0-0.

Ordinance #22-12

B. ULDC-AM-22-08 (*Public Hearing*)

An Ordinance by Henry County, Georgia, to amend the Unified Land Development Code of the Henry County Code of Ordinances to provide for new and/or amended definitions, regulating standards for special events facilities/special events, vineyards, and for other purposes. **Countywide** (*Presenter: Kamau As-Salaam, Planner III*)(*Exhibit 33*)

VOTE: Commissioner Clemmons made a motion to table to the February 21st BOC meeting; Commissioner Thomas seconded. The motion carried 6-0-0.

C. (POSTPONED) AP-22-03 (Public Hearing, re: Appeal)

~~South Battery Capital, LLC of Sugar Hill, GA appeals the administrative interpretation and/or decision of the Planning and Zoning Department regarding the permitted uses for property located at 2787 East Atlanta Road in Land Lot 198 of the 12th District. The property consists of 2.633 +/- acres, and the request is for a self-service storage facility. **District 5** (Presenter: Kamau As-Salaam, Planner III)(Exhibit 34)~~

D. RZ-21-16 (Not a Public hearing)

Halpern Enterprises, Inc. of Atlanta, GA requests a rezoning from C-2 (General Commercial) to MU (Mixed Use) for property located at 5855-5905 East Lake Parkway and 38 Oak Valley Road. The property consists of 20.26 +/- acres, and the request is for a mixed multifamily residential and commercial development. **District 4** (Presenter: Kenta Lanham, Planner II)(Exhibit 35)

VOTE: Commissioner Thomas made a motion to approve with conditions stated during discussion; Commissioner Holmes seconded. The motion carried 4-2-0 with Commissioner(s) Wilson and Anglyn voting in opposition.

Resolution #22-317

E. COMP-AM-22-03 (Public Hearing)

Lake Dow North Corporation of Atlanta, GA requests an amendment to the Comprehensive Plan for property located at 1700 Lake Dow Road in Land Lot 141 of the 7th District. The property consists of 4.621 +/- acres, and the request is to amend the Future Land Use Map designation from Low Density Residential to Mixed Use. **District 3** (Presenter: Kenta Lanham, Planner II)(Exhibit 36)

VOTE: Commissioner Anglyn made a motion to approve; Commissioner Clemmons seconded. The motion carried 6-0-0.

Resolution #22-318

F. RZ-22-07 (Public Hearing)

Lake Dow North Corporation of Atlanta, GA requests a rezoning from RA (Residential-Agricultural) to C-1 (Neighborhood Commercial) for property located at 1700 Lake Dow Road in Land Lot 141 of the 7th District. The property consists of 4.621 +/- acres, and the request is for office uses. **District 3** (*Presenter: Kenta Lanham, Planner II*)(*Exhibit 37*)

VOTE: Commissioner Anglyn made a motion to approve with amendment read into the record; Commissioner Clemmons seconded. The motion carried 6-0-0.
[Resolution #22-319](#)

G. RZ-22-06 (Public Hearing)

Marketplace Storefronts, LLC of Brookhaven, GA requests a rezoning from C-2 (General Commercial) to RM (Multifamily Residential) for property located at 2206 and 2250 Jodeco Road in Land Lot 78 of the 6th District. The property consists of 14.568 +/- acres, and the request is for a multifamily residential apartment development. **District 2** (*Presenter: Kamau As-Salaam, Planner III*)(*Exhibit 38*)

VOTE: Commissioner Clemmons made a motion to approve with stated conditions; Commissioner Thomas seconded. The motion carried 6-0-0.
[Resolution #22-320](#)

XIII. 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.

Robert Kolpak

Randy Bradberry (Not in attendance)

XIV. Approval of Minutes

A. October 18, 2022 Regular BOC Meeting

VOTE: Commissioner Anglyn made a motion to approve; Commissioner Clemmons seconded. The motion carried 6-0-0.

XV. County Manager Comments

XVI. Upcoming Meetings and Events

A. December 13, 2022 at 6:30 p.m. is a regular BOC Meeting

XVII. Adjournment

(Meeting adjourned @ 01:39pm)