

Board of Commissioners

Carlotta Harrell, Chair
Johnny Wilson, District I
Neat Robinson, District II
Dee Anglyn III, District III
Vivian Thomas, District IV
Kevin J. Lewis, District V



Henry County Government

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

Henry County Board of Commissioners

6:30 PM, Tuesday, July 18, 2023

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

BOC Present: Chair Carlotta Harrell, Vice Chair Kevin J. Lewis, Commissioner(s) Johnny Wilson, Neat Robinson, Dee Anglyn III, and Vivian Thomas

Staff Present: Shannan Sagnet, Cluster Lead; Nancy Rowan, County Attorney; Stephanie Braun, County Clerk and Jasmin Head, Deputy County Clerk

Not Present: Cheri Hobson-Matthews, County Manager

I. Instructions to Participate

A. Instructions to Participate

II. Henry County Code of Conduct during public meetings

II. Invocation

IV. Pledge of Allegiance

Moment of Silence to Honor Victims and their families (City of Hampton)

V. Call to Order

A. ANNOUNCEMENTS:

(1) During the June 20, 2023 BOC Meeting, the following Planning & Zoning case was tabled to July 18, 2023, but the applicant and staff have postponed said matter: **AP-23-02 (Appeal Hearing)** TPA Residential, LLC of Atlanta, GA requests an appeal to Ordinance 23-2 for property located to the west of North Bridges Road and east of Interstate 75 in Land Lots 113 & 144 of the 6th District. The property consists of 53.85 +/- acres, and the request is for relief from the constraints of the multi-family moratorium. **District 4**

(2) The following Planning & Zoning Items have been tabled at the request of the applicants:

- COMP-AM-22-12 (Public Hearing) KUNJ Atlanta, LLC of McDonough, GA requests an amendment to the Comprehensive Plan for property located at 2348 Jonesboro Road in Land Lot 109 of the 6th District. The property consists of 1.19 +/- acres, and the request is to amend the Future Land Use Map designation from Mixed Use to Commercial. District 5
- RZ-22-20 (Public Hearing) KUNJ Atlanta, LLC of McDonough, GA requests a rezoning from C-1 (Neighborhood Commercial) to C-2 (General Commercial) for property located at 2348 Jonesboro Road in Land Lot 109 of the 6th district. The property consists of 1.19 +/- acres, and the request is for a car wash. District 5
- AP-23-04 (Appeal Hearing) Kelleytown Senior, LP of Atlanta, GA requests an appeal to an administrative decision for property located on the east side of Highway 155 North, south of Kelleytown Road in Land Lot 58 of the 11th District. The property consists of 22.32 +/- acres, and the request is regarding a denied administrative waiver request. District 3

VI. Presentations

- A. (Presentation removed prior to meeting) ~~Henry Heroes Recognition (Presenter: Melissa Robinson, Communications Director)~~
- B. SPLOST/TSPLOST Update (Presenter: Roque Romero-Muniz, Cluster Lead)

VII. Appointments

- A. Henry County Building and Facilities Authority
VOTE: Commissioner Anglyn made a motion to approve appointments as read into the record; Vice Chair Lewis seconded. The motion carried 6-0-0.
[Resolution #23-181](#)

Appointments

Chair: Chris Williams

District I: Don Mason

District II: Richard J. Sylvia, Jr.

District III: David Curry

District IV: George Patterson

District V: Kenyatta Bush

B. Henry County Airport Authority

VOTE: Commissioner Anglyn made a motion to approve appointment of John Means; Vice Chair Lewis seconded. The motion carried 6-0-0.

VOTE: Vice Chair Lewis made a motion to approve appointment of Art Christian; Commissioner Anglyn seconded. The motion carried 6-0-0.

Chair Harrell announced her appointment to the Airport Authority: Dr. Shatequa Hamilton

Commissioner Anglyn made a motion to approve the delegation appointments for the Airport Authority (Kyle Pope and Brandon Hutchison); Commissioner Robinson seconded. The motion carried 6-0-0.

Resolution #23-182

BOC Appointments: Dr. Shatequa Hamilton (made by Chair Harrell); John Means; Art Christian; Kyle Pope (nominated by State Senate and appointed by BOC); Brandon Hutchison (nominated by House of Representatives and appointed by BOC)

C. District II Appointment to Council on Aging: Teresa Elaine Mosley (to fill unexpired term: July 18, 2023 - September 21, 2025*)**

Commissioner Robinson made a motion to approve the appointment to the Council on Aging; Commissioner Anglyn seconded. The motion carried 6-0-0.

Resolution #23-183

VIII. CONSENT AGENDA

Community Development Block Grant

A. Resolution for the Urban County qualification for participation in the Community Development Block Grant (CDBG) program for the federal fiscal years (FFYS) 2024-2026. (*Presenter: Shannan Sagnet, Cluster Leader*) (*Exhibit 1*)

Resolution #23-184

Courts

- A. **(Juvenile Court)** Resolution to Accept a grant award in the amount of \$200,000 from the Criminal Justice Coordinating Council to fund the Functional Family Therapy program from July 1, 2023 through June 30, 2024. *(Presenter: Angela Craig, Director) (Exhibit 2)*
[Resolution #23-185](#)

Facilities Maintenance

- A. Resolution awarding Bid #23-49 for On-Call Electrical Services to Brown Electrical Services, LLC for the emergency and routine electrical service and maintenance needs in all County facilities when in-house service is limited due to time constraints.
(Presenter: Hutch Purvis, Cluster Leader/Assets Management) (Exhibit 3)
[Resolution #23-186](#)

Financial Services

- A. Resolution approving Letter of Engagement for Fiscal Year 2022 audit services with Mauldin & Jenkins CPA(s) and Advisor(s)
(Presenter: David Smith, Cluster Lead/Financial Services)(Exhibit 4)
[Resolution #23-187](#)

Fire Rescue

- A. Resolution of the Henry County Board of Commissioners amending the permitting fee schedule in use by Henry County Fire Rescue *(Presenter: Fire Chief Jonathan Burnette & Assistant Chief Michael Black)(Exhibit 5)*
[Resolution #23-188](#)

- B. Resolution of the Board of Commissioners Reappointing Fire Chief Jonathan Burnette and Battalion Chief Frank Robinson to the Region 4/West Georgia Emergency Medical Services Advisory Council (*Presenter: Fire Chief Jonathan Burnette, HCFR*)(Exhibit 6)
[Resolution #23-189](#)

Henry County, GA

- A. Resolution approving Spalding County Inmate Work Detail Agreement (*Presenter: Roque Romero-Muniz, Public Works Director/Cluster Lead*)(Exhibit 7)
[Resolution #23-190](#)

Parks & Recreation

- A. Resolution to submit the Land and Water Conservation Fund (LWCF) grant pre-application through the Department of Natural Resources for conservation and enhancements at Nash Farm Park. (*Presenter: Jonathon Penn, Cluster Lead - Leisure & Public Services*)(Exhibit 8)
[Resolution #23-191](#)

Police Department

- A. Resolution accepting funds in the amount of \$3,000 from the United States Secret Service for the Henry County Police Department's participation in the Cyber Fraud Task Force, Digital Evidence Forensics Lab. (*Presenter: Lt. W. Powell, HCPD*)(Exhibit 9)
[Resolution #23-192](#)

Public Safety

- A. Resolution of the Board of Commissioners approving the purchase of mobile radio equipment from Loudoun Communications, for the two (2) Mobile Command Vehicles currently in production with Ten-8 for the Henry County Public Safety Cluster in the amount of \$204,238.78 utilizing Red Speed Funds for the purchase. *(Presenter: Tamika Kendrick, E911 Director)(Exhibit 10)*
[Resolution #23-23-193](#)

Sheriff's Office

- A. Resolution of the Board of Commissioners approving the acceptance of the Public Safety and Community Violence Reduction Grant (PSCVRG) for ballistic equipment in the amount of \$128,471 from the Governor's Office of Planning and Budget with no matching funds. *(Presenter: Captain Marc Johnson, Training Unit Commander/HCSO)(Exhibit 11)*
[Resolution #23-194](#)

SPLOST

- A. Resolution to Authorize the Acquisition of 200,286.61 Square Feet of Right of Way, More or Less, in Land Lot 83 of the 6th District, Henry County, Georgia, by Negotiated Contract or Condemnation Pursuant to Provisions of O.C.G.A. Section 32-3-4 Through Section 32-3-19 Western Parallel Connector **(Parcel 11)** *(Presenter: Nancy Rowan, County Attorney)(Exhibit 12)*
[Resolution #23-195](#)
- B. Resolution to Authorize the Acquisition of 63,344.77 Square Feet of Right of Way, and 5,202.18 Square Feet of Driveway Easement, More or Less, in Land Lot 83 of the 6th District, Henry County, Georgia, by Negotiated Contract or Condemnation Pursuant to Provisions of O.C.G.A. Section 32-3-4 Through Section 32-3-19 Western Parallel Connector **(Parcel 13)** *(Presenter: Nancy Rowan, County Attorney)(Exhibit 13)*
[Resolution #23-196](#)

Transit Department

- A. (Note: Item removed prior to Meeting) ~~Resolution of the Board of Commissioners authorizing the purchase of (2) 2022 Ford F-250 Trucks utilizing the FTA CARES ACT grant in the amount of \$121,446. (Presenter: Taleim Salters, Transit Director)(Exhibit 14)~~

(This Ends The Consent Agenda)

VOTE: Vice Chair Lewis made a motion to approve consent agenda; Commissioner Anglyn seconded. The motion carried 6-0-0.

REGULAR AGENDA

IX. Police Department

- A. Resolution of the Board of Commissioners to accept an award from the Georgia Governor's Office of Planning and Budget, American Rescue Plan Act, Public Safety and Community Violence Reduction Grant Program, in the amount of \$1,650,000.00 for the Henry County Police Department, Gunshot Detection Technology Project. (Presenter, Lt. W. Powell, HCPD)(Exhibit 15)

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

Resolution #23-197

X. Community Development Block Grant

- A. **Public Hearing (note: pre-registration required via email to sbraun@co.henry.ga.us by July 17, 2023)** Resolution to approve the DRAFT FFY 2023 Annual Action Plan in the amount of \$1,135,458 in CDBG and \$539,724 in HOME Funds and Resolution of the Henry County Board of Commissioners delegating the role of certifying officer and heroes local administrator of the HUD related environmental review process to director of community development (*Presenter: Shannan Sagnet*)(*Exhibit 16*)**This Item includes (2) Resolutions**
VOTE: Commissioner Thomas made a motion to approve both Resolutions presented; Commissioner Robinson seconded. The motion carried 6-0-0.
[Resolution #23-198](#)
[Resolution #23-199](#)

XI. Planning & Zoning

- A. **(ITEM TABLED PRIOR TO MEETING) COMP-AM-22-12 (Public Hearing)**
~~KUNJ Atlanta, LLC of McDonough, GA requests an amendment to the Comprehensive Plan for property located at 2348 Jonesboro Road in Land Lot 109 of the 6th District. The property consists of 1.19 +/- acres, and the request is to amend the Future Land Use Map designation from Mixed Use to Commercial. **District 5** (Presenter: Kamau As-Salaam, Interim Assistant Director)(Exhibit 17)~~
- B. **(ITEM TABLED PRIOR TO MEETING) RZ-22-20 (Public Hearing)**
~~KUNJ Atlanta, LLC of McDonough, GA requests a rezoning from C-1 (Neighborhood Commercial) to C-2 (General Commercial) for property located at 2348 Jonesboro Road in Land Lot 109 of the 6th district. The property consists of 1.19 +/- acres, and the request is for a car wash. **District 5** (Presenter: Kamau As-Salaam, Interim Assistant Director)(Exhibit 18)~~

C. RZ-23-04 (Public Hearing)

Meredith Homes, Inc. of McDonough, GA requests a rezoning from RA (Residential-Agricultural) to R-2 (Single-Family Residence) for property located at 1800 McGarity Road in Land Lot 117 of the 7th District. The property consists of 1.984 +/- acres, and the request is for two single-family residential lots served by individual septic systems. **District 3** (*Presenter: Kenta Lanham, Planner II*)(*Exhibit 19*)

VOTE: Commissioner Anglyn made a motion to approve item with added language to item three: "all homes shall have a minimum two car, side entry garage"; Vice Chair Lewis seconded. The motion carried 6-0-0.

Resolution# 23-200

D. (ITEM TABLED PRIOR TO MEETING) AP-23-04 (Appeal Hearing)

~~Kelleytown Senior, LP of Atlanta, GA requests an appeal to an administrative decision for property located on the east side of Highway 155 North, south of Kelleytown Road in Land Lot 58 of the 11th District. The property consists of 22.32 +/- acres, and the request is regarding a denied administrative waiver request. **District 3** (*Presenter: Toussaint Kirk, Cluster Leader, and Nancy Rowan, County Attorney*)(*Exhibit 20*)~~

ADDED PRESENTATION TO AGENDA BY CHAIR:

Nancy Rowan, County Attorney, provided presentation regarding Senate Bill 22 as it pertains to "Board of Commission Vacancies"

XII. 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 sign-up(s) for public comment.

XIII. Approval of Minutes

A. June 6, 2023 Regular BOC Meeting

VOTE: Commissioner Anglyn made a motion to approve minutes; Vice Chair Lewis seconded. The motion carried 6-0-0.

XIV. Upcoming Meetings and Events

A. Millage Rate - Public Hearings & Adoption

- Tuesday, July 25, 2023 at 10:00 a.m.
(Called BOC Meeting -Public Hearing)
- Tuesday, July 25, 2023 at 6:00 p.m.
(Called BOC Meeting-Public Hearing)
- Tuesday, August 1, 2023 at 9:00 a.m.

B. August 14, 2023 (Monday) at 6:30 p.m. is a regularly scheduled BOC Meeting.

XV. Executive Session (Re: Real Estate and Litigation)

VOTE: Commissioner Anglyn made a motion to approve commencement into executive session to discuss litigation only; Vice Chair Lewis seconded. The motion carried 6-0-0.

XVI. Reconvene from Executive Session

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

XVII. Approval of an Affidavit and Resolution pertaining to Executive Session

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

ADDED: **The County Attorney, Nancy Rowan, asked the Henry County Board of Commissioners to approve a settlement agreement in the case of Henry County v. 0.84 Acres of Right of Way (Patricia Richardson Duffey); Case Number SUCV2022002710, along with the authority of the Chair to sign the deed.

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

Resolution #23-201

XVIII. Adjournment

Meeting adjourned 7:55 p.m.