

July 18, 2023

Page 1 of 10

STATE OF GEORGIA COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting *in-person* on Tuesday, July 18, 2023, 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 1 Commissioner
Neat Robinson, District 2 Commissioner
Dee Anglyn, III, District 3 Commissioner
Vivian Thomas, District 4 Commissioner
Kevin J. Lewis, Vice Chair/District 5 Commissioner

Also in attendance: Shannan Sagnet, Cluster Lead; Nancy Rowan, County Attorney; Stephanie Braun, Clerk, Henry County and Jasmin Head, Deputy County Clerk, Henry County

NOT PRESENT: Cheri Hobson-Matthews, County Manager

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.

A moment of silence was observed in memory of the victims and their families from the City of Hampton.

CALL TO ORDER

Carlotta Harrell, Chair, called the Regular Meeting of the Henry County Board of Commissioners for Tuesday, July 18, 2023 at 6:30 p.m. to order.

Chair Harrell announced that the following Planning & Zoning item was tabled from the meeting on June 20, 2023 to today's meeting; however, this item has now been postponed by applicant and staff:

- 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

The following Planning & Zoning items have been tabled at the request of the applicant:

- 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

PRESENTATION

SPLOST/T-SPLOST Update

Roque Romero-Muñiz, Cluster Lead, stated that the active projects are the projects currently under construction, numbering about six (6) including the resurfacing. He presented slides from each of these projects and provided the updates for the Board. Regarding the resurfacing of Jonesboro Road, this was not a SPLOST project and funding was received from Atlanta Regional Commission (ARC) and SPLOST managed that project which was needed.

Chair Harrell asked that the presentation be sent to the Commissioners for further review. There were no further questions or comments.

APPOINTMENT

Henry County Building and Facilities Authority

Chair Harrell explained the make-up of the Authority and that this is a *voluntary* Board but they can be reimbursed for certain expenses, as allowed by the state legislation. The Chair announced the appointments as follows:

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

Dee Anglyn III, District 3 Commissioner moved to approve; **Kevin J. Lewis, Vice Chair/District 5 Commissioner**, seconded the motion. Motion carried (6-0-0).

Resolution #23-181

Henry County Airport Authority

Chair Harrell explained that the Authority will be made up of five (5) members and the Chair explained the qualifications for four of those members for the Board; with one member not required to reside in Henry County.

Dr. Shatequa Hamilton (made by Chair Harrell)

John Means, Art Christian and Kyle Pope (nominated by State Senate and appointed by BOC);

Brandon Hutchison (nominated by House of Representatives and appointed by BOC)

Commissioner Anglyn moved to approve John Means; **Vice-Chair Lewis** seconded. Motion carried (6-0-0).

Vice-Chair Lewis moved to approve Art Christian; **Commissioner Anglyn** seconded. Motion carried (6-0-0).

Chair Harrell announced her appointment of Dr. Shatequa Hamilton.

For the delegation appointments, **Commissioner Anglyn** moved to approve Kyle Pope and Brandon Hutchison; **Neat Robinson, District 2 Commissioner**, seconded. Motion carried (6-0-0).

Resolution #23-182

District 2 Appointment to Council on Aging

Commissioner Robinson moved to approve the appointment of Teresa Elaine Mosely, to fill the unexpired term from July 18, 2023 to September 21, 2025; **Commissioner Anglyn** seconded the motion. Motion carried (6-0-0).

Resolution #23-183

CONSENT AGENDA

Shannan Sagnet, Cluster Lead, read the Consent Agenda as follows:

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 #23-193*

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*

This ends the Consent Agenda

Vice-Chair Lewis moved to approve the Consent Agenda; **Commissioner Anglyn** seconded the motion. Motion carried (6-0-0).

REGULAR AGENDA

POLICE DEPARTMENT

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)

William Powell, Lieutenant, Henry County Police Department, provided details of the Resolution for the Board. The grant would cover all costs for the next three (3) years with no match from the County. He then yielded to Sgt. Turner for further remarks.

Glenn Turner, Sergeant, Henry County Police Department, gave a presentation to explain what the gunshot technology is for the Board. He further explained that the grant would provide 20 square miles (in 1-square mile increments) with higher population and higher crime rates with the "Ravens" technology sending alerts to officers in the field and the Real Time Crime Center at 911. He presented feedback from Cobb County on the use of this technology and that it will be managed by the Police Department's Special Operations Division. He further stated that there is no cost to the Henry County residents. He then played a video for the public and the Board.

VIDEO IS PLAYED

There being no questions or comments from the Board, **Commissioner Robinson** moved to approve; **Vivian Thomas, District 4 Commissioner**, seconded. Motion carried (6-0-0).

Resolution #23-197

COMMUNITY DEVELOPMENT BLOCK GRANT (Public Hearing)

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)

Note: This item includes two (2) Resolutions

Ms. Sagnet explained that the Department of Housing and Urban Development (HUD) has announced that Henry County is eligible for \$1.1 million dollars (for CDBG funding) and just over \$539,000 (for HOME funds). She explained what the plans for those funds are in presentation for the Board. The CDBG funding includes water systems in underserved areas and improved systems where needed, also street improvements. Small businesses will continue to get assistance with façade improvements; numerous non-profit organizations will get assistance. CDBG funds not spent will be reprogrammed to the People's Health Exchange and administrative costs. On the HOME funding, items were shown for the Board on how that is proposed to be spent.

Ms. Sagnet reiterated that the 2nd Resolution is authorizing her for environmental reviews, signing off and representing the county in any proceedings in which the funds' expenditures are to be reviewed.

Chair Harrell asked about the Community Housing Development Organizations; **Ms. Sagnet** explained they are to further affordable housing and assist those in need within the community through non-profit organizations. Such matters as housing rehab, housing redevelopment, conversion from commercial to residential would fall under this funding.

Chair Harrell then asked about the Down Payment Assistance program, to which **Ms. Sagnet** stated that it is currently not available through Henry County outside of the Neighborhood Stabilization Program.

Chair Harrell asked about the Tenant Based Rental Assistance. **Ms. Sagnet** explained that it will be similar to the Section 8 voucher program. The funding can be used for those types of programs here and is not limited to public housing, but also to renters who meet income and other eligibility requirements.

Commissioner Thomas asked if there is a deadline to spend these funds; **Ms. Sagnet** responded that the deadline is sixty (60) days prior to the end of a program year, typically around the 1st or 2nd of May. The District 4 Commissioner asked if seniors could apply for the Tenant Rental Assistance program; **Ms. Sagnet** stated they can and there is no age restrictions, only income needs. The Commissioner asked if there will be programs and assistance available to the seniors for getting that type of funding; **Ms. Sagnet** explained that they have scheduled times to go to senior centers and hold workshops to bring the information and to assist with applications. Anyone who calls can also have staff come to their homes to provide assistance in application process and answer questions or concerns.

Commissioner Thomas asked if there was a communication set up to advise the Board on any adjustments in the application process. **Ms. Sagnet** explained that the Board will be made aware of changes and modifications in the program.

Chair Harrell opened the floor for Public Hearing. Persons wishing to speak will have three (3) minutes to speak on this item as presented. *No one came forward. The Public Hearing was closed.*

Commissioner Thomas moved to approve both Resolutions; **Commissioner Robinson** seconded the motion. Motion carried (6-0-0).

Resolution #23-198

Resolution #23-199

PLANNING & ZONING

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)

Kenta Lanham, Planner II, presented the request for the subject property currently zoned Residential-Agricultural (RA) and asking to be rezoned to allow for two (2) single-family lots served by individual septic systems. The Future Land Use Map (FLUM) is designated for Low Density and the property is in compliance with same. On June 8, 2023 the Zoning Advisory Board (ZAB) recommended approval with conditions (shown on screen). Mr. Lanham clarified Condition #3 should also include language to require minimum 2-car side-entry garages for all homes.

Chair Harrell opened the floor for Public Hearing. Persons wishing to speak in favor of the request, including the applicant, will have a collective total of ten (10) minutes to address the Board. Anyone wishing to speak in favor of this request is to come forward and state their name. *No one came forward.*

Chair Harrell then called for persons wishing to speak in opposition of the request, to be given a collective total of ten (10) minutes to address the Board. Anyone wishing to speak in opposition of this request is to come forward and state their name. *No one came forward.*

The Public Hearing was closed.

Commissioner Anglyn moved to approve with the stated amendment to Condition #3; **Vice-Chair Lewis** seconded. Motion carried (6-0-0).

Resolution #23-200

COUNTY ATTORNEY PRESENTATION (Added to the Agenda)

Nancy Rowan, County Attorney, presented information regarding the appointment of the District 2 Commissioner, in response to questions from the community. On May 19, 2023, the Chief Judge of Henry County Superior Court signed an order declaring a vacancy of the District 2 Commissioner seat; that order was filed with the Clerk of Court and is public record. She displayed the part of the order of a District 2 temporary vacancy seat and in compliance with SB22, appointed an interim successor from a list of nominees from the county executive committee of the political party of which the last District 2 Commissioner belonged at the last General Election. The length of the vacancy shall not exceed ninety (90) days and a qualified interim successor from the District 2 where the vacancy occurred shall be appointed no later than fourteen (14) days from the date of declaration of the vacancy. Since the former District 2 Commissioner was from the Democratic party, the list of nominees had to be of the same party. Ms. Rowan then presented the letter from the Henry County Democratic Committee and was received on June 6, 2023; the letter contained the name of Neat Robinson, District 2 Commissioner, moved for approval by the District 5 Commissioner and seconded by the District 3 Commissioner and passed with majority vote, all in compliance with SB22. The qualifying fees were approved by the county and a special election will be held on November 7, 2023 for the District 2 Commissioner.

No further action was taken.

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 Comment

APPROVAL OF MINUTES

Commissioner Anglyn moved to approve the Minutes from *Tuesday, June 6, 2023*; **Vice-Chair Lewis** seconded the motion. Motion carried (6-0-0).

UPCOMING MEETINGS AND EVENTS

A. Millage Rate – Public Hearings & Adoption

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

B. Monday, August 14, 2023 at 6:30 p.m. – Regular BOC Meeting

EXECUTIVE SESSION

Commissioner Anglyn moved to convene to Executive Session for the purpose of discussion of litigation; **Vice-Chair Lewis** seconded the motion. Motion carried (6-0-0).

EXECUTIVE SESSION

RECONVENE

Commissioner Anglyn moved to reconvene from Executive Session; **Commissioner Robinson** seconded the motion. Motion carried (6-0-0).

AFFIDAVIT & RESOLUTION

Commissioner Anglyn moved to approve the Affidavit & Resolution pertaining to Executive Session; **Vice-Chair Lewis** seconded the motion. Motion carried (6-0-0).

COUNTY ATTORNEY (Added to the Agenda)

Ms. Rowan presented a settlement agreement in the matter of *Henry County v 0.84 Acres of Right-of-Way (Patricia Richardson Duffy): Case No. SUCV2022002710* as well as giving the Chair authority to sign the deed.

Commissioner Anglyn moved to approve; **Vice-Chair Lewis** seconded the motion. Motion carried (6-0-0).

Resolution #23-201

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 7:55 p.m.***

Carlotta Harrell, Chair

Stephanie Braun, County Clerk

