STATE OF GEORGIA
COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting ***in-person*** on Tuesday, August 1, 2023, 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 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: Cheri Hobson-Matthews, County Manager; Nancy Rowan, County Attorney; Stephanie Braun, Clerk, Henry County and Jasmin Head, Deputy County Clerk, Henry County

HENRY COUNTY CODE OF CONDUCT

(Sec. 2-2-128: Conduct during public meetings)

INVOCATION

The Invocation was given.

PLEDGE OF ALLEGIANCE

The Pledge was recited.

CALL TO ORDER

Carlotta Harrell, Chair, called the Regular Meeting of the Henry County Board of Commissioners for Tuesday, August 1, 2023 at 9:00 a.m. to order.

PROCLAMATION

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

WHEREAS, August 31, 2023 marks a very special occasion as Mr. Johnny C. Mosley, Sr., Hampton resident and World War II veteran, will be celebrating his 100th birthday, reaching a remarkable milestone; and

WHEREAS, Mr. Johnny C. Mosley, Sr. was born in Colquitt, GA, on August 31, 1923 and his service with the military began in 1943, when he went off to serve in the U.S. Army as a longshoreman and cargo checker; and

WHEREAS, Mr. Mosley was inducted into the United States Army at Camp Blenning, Florida, and after completing basic training he was shipped overseas to the South Pacific in New Caledonia and served as Private First Class and was responsible for ensuring the handling and disbursement of military supplies and equipment; and

WHEREAS, while serving honorably for his country, Mr. Mosley was recognized for his service with commendations and citations including the Asiatic-Pacific campaign service medal, the Good Conduct medal and the World War II Victory medal. Additionally, he received marksmanship badges for his excellence in rifle skills; and

WHEREAS, following his honorable discharge from the United States Army in 1946, he returned to Miami, Florida, where he and his wife would raise 9 children and where he embarked on a career as a concrete materials transporter until his retirement in 1985; and

WHEREAS, Mr. Mosley is a proud member of a distinguished group of veterans and he is one of only 248 World War II veterans estimated to be living in Henry County.

NOW, THEREFORE, BE IT PROCLAIMED, that the Henry County Board of Commissioners offers its sincerest appreciation for his military service and wishes Mr. Mosley a very happy birthday and continued good health, and encourages the entire Henry County community to join in celebrating this esteemed World War II veteran and outstanding American.

(Applause)

PHOTOGRAPHS WERE TAKEN

Chair Harrell further recognized and congratulated Mr. and Mrs. Mosley on their 77th wedding anniversary on August 2, 2023. *(Applause)*

MILLAGE RATE – Public Hearing

2023-2024 Millage Rate Presentation/Adoption of Millage Rate

Bernita Campbell, Budget Director approached to give the presentation for the final of the three (3) Public Hearings required for setting of the 2023-2024 Millage Rate. She provided the summary of the budget highlights and that the current millage rate was what set this year's budget. She then yielded the floor to the Tax Commissioner for the discussion.

Michael Harris, Henry County Tax Commissioner, approached to bring the information and background on the millage rate along with how the different homestead exemptions can apply as well as age-related exemptions for eligible senior homeowners. The county proposes to stand with the 12.733 millage rate as has been over the last few years. He did remind everyone that the frozen exemption does not apply to school taxes, property improvements made to the house or additionally acquired land. He then went into the background information on frozen exemption for the public viewing. He then presented a sample actual tax bill to clarify the information given on the method taxation and usage of the millage rate in that calculation for both homesteaded and non-homesteaded property. The frozen exemption also only applies to the county portion of the tax bill.

Chair Harrell referred to the sample of the 2020 tax bill and looking at the net tax amount, and then looking at those amounts on the 2021 and 2022 tax bills, she noted that the county portion stayed the same; however, the School Board increased every year and this is where a lot of the homeowners see the increase in their taxes, with the School Board millage rate charge. **Mr. Harris** acknowledged same and added that the School Board millage was set at 20 mills for 10+ years but with the values going, so do their rates. They do not have a frozen exemption provision in place but they do offer an exemption based on age, beginning at age 62 years. The Chair emphasized that the county taxes remain the same under the frozen homestead exemption; Mr. Harris agreed to same. The Chair then asked how much the county loses with the frozen homestead exemption in place; Mr. Harris stated that Mr. Selfe estimates the loss is roughly $32 million dollars. Mr. Harris also presented other exemptions such as the age-related exemption where a portion of the assessed value is decreased at stated age(s) and provided a chart reflecting same. He then presented the breakdown of the tax revenues collected. He then presented the Tax Digest process to inform the public viewing on how they are calculated, and how those revenue collections fit into the budget each year and the review process. The Georgia Department of Revenue has the final approval of the Tax Digest for the county.

Mr. Harris then presented the distribution of the millage rate throughout the county and because the county opted to reduce its countywide millage rate, it has an impact on some of the other Cities, such as Stockbridge which adopted a new millage rate; McDonough had a millage rate of 37.961 mills and is now reduced to 37.14 mills. He showed a sample of the format of the 2022 Tax Bill which includes the line item of the homestead tax relief grant and will include an explanation of same.

Chair Harrell asked if this is the property tax relief that the Governor passed; **Mr. Harris** responded that was correct. The grant will only apply to those who have homestead on their properties. He explained how the reduction in assessed value applies and that it does not apply to Special Allocation District or Special Service Districts. The credit on the tax bill would be in a rough amount of $500. The first two Public Hearings were held, on July 25th at 10:00 a.m. and 6:00 p.m.; today is the third and final Public Hearing. Upon completion, a vote will be asked on this millage rate.

Chair Harrell called for the Budget Director and asked about 60% of the county budget going to Public Safety and Parks & Recreation; **Ms. Campbell** acknowledged same. The Chair then remarked that the other 40% goes to administration, DOT, Court Services and other departments; Ms. Campbell acknowledged same.

Vivian Thomas, District 4 Commissioner asked about the tax relief offered by the School Board and asked where to file that paperwork; **Mr. Harris** explained that the process is now done online or it can be filed through his office, in Stockbridge or McDonough; that relief can also be filed at the Tax Assessor's Office as well. The age-related homestead exemption does have to be re-applied at age 62 years as it does NOT automatically renew.

Chair Harrell opened the floor for Public Hearing. Persons wishing to speak will have three (3) minutes; each person is asked to state their name. *No one came forward and the Public Hearing was closed.*

Chair Harrell called for a motion for the millage rate to remain at 12.733 mills.

Commissioner Thomas moved to approve; **Dee Anglyn III, District 3 Commissioner,** seconded the motion. Motion carried (6-0-0).

Resolution #23-202

PRESENTATION

I-75 Vehicle Lane Traffic Impact Study Findings

Sam Baker, Transportation Planning Director, approached and explained that the Georgia Department of Transportation is planning to construct two (2) barrier-separated Commercial Vehicle Lanes (Truck-Only Lanes) from north of Macon up to Exit 216 at SR155 in McDonough. He noted that there were concerns on these lanes merging into the general purpose lanes. Last year, the Henry County Board of Commissioners (BOC) authorized staff to conduct Traffic Impact Study to be done by Croy Engineering, LLC. He introduced Aimee Turner with Croy Engineering to provide the findings and recommendations of the completed study.

Aimee Turner, P.E., PTOE, RSP1, Croy Engineering, LLC, approached to present these findings for the Board and public viewing. She went through the concerns of the lanes in Henry County and the impact on the general purpose lanes and to conduct an independent assessment on this project. This is a more detailed study than was done by the Georgia DOT. Three (3) traffic simulation models were also prepared for this area to better understand the impact without the CVL (Commercial Vehicle Lanes), with the CVL and extending the CVL up to I-675 with associated impacts. She gave a background on the study for the projects currently under design with express lanes by the GDOT and where they extend. There would be construction of 2 barrier-separated Commercial Vehicle Lanes, only for commercial trucks entering and exiting these lanes in the northbound direction from the Macon area near I-475 up to the McDonough area. Once it arrives at SR155 it becomes an auxiliary lane extending up to SR20 and an auxiliary lane is also proposed from SR155 up to SR20 with a few other improvements.

Ms. Turner explained that in looking on GDOT's website, there is a full rendering of the full project from Macon up to I-675 available for public viewing and details on what the CVLs would do. The purpose of the project would be to improve travel time reliability for commercial trucks coming out of the port of Savannah and improved safety and operations for the general purpose vehicles by removing the commercial vehicles from the general purpose lanes. Other projects happening in the area include those from the Comprehensive Transportation Plan as listed, notably the Diamond Diversion Interchange recently opened, widening SR155 to a 4-lane road as well. She went through a couple of projects in industrial sites including in the Study to better understand those impacts as well.

Ms. Turner stated that one of the main recommendations would be to encourage Land Use strategies for a balance between non-residential land uses and the opportunity to create public spaces such as Mixed Use and for condensed areas with a lot of industrial land use to consider an additional Overlay District to the Henry County Unified Land Development Code (ULDC) to incentivize the proposed growth of the Bethlehem Road interchange area.

As previously mentioned, **Ms. Turner** presented findings in 3 different scenarios – construction with the CVL, without the CVL and having a road extension. Those findings and travel times were presented for the Board and public viewing. Mr. Baker, staff from GDOT and other key staff were part of the team reviewing the scenarios of the CVL project and they were able to provide input, data sources and feedback. It was found that the CVL project would be the best benefit on I-75 from I-475 up to the McDonough area and beyond and that it would not adversely impact Henry County traffic. With the auxiliary lane added, there would be no chokepoint and capacity would be added. The final meeting was held with GDOT and they were satisfied with the methodology and are currently reviewing the study.

Chair Harrell asked if this is a GDOT project; **Ms. Turner** affirmed same.

Kevin J. Lewis, Vice Chair/District 5 Commissioner, asked if extending to Bethlehem interchange will not create a chokepoint once the CVL stops and the trucks are reintroduced into the general purpose lanes; **Ms. Turner** responded that those trucks never come to a complete stop and south of Bethlehem Road after Bill Gardner goes down from the 2 CVLs to the 1 and then it goes directly into the auxiliary lane; that extends all the way up to SR155. Past 155, there is a new auxiliary lane to go to SR20 and they are not merging; rather, they are going into their own dedicated auxiliary lane. Vice-Chair Lewis stated that it seems there will be a chokepoint during that area and that the time is lengthened to merge and asked if the auxiliary lane would go all the way up to where I-675 and I-75 split. Ms. Turner stated that would not be the auxiliary lane but that would be the CVLs and that the model simulated a split at I-675 and then a lane continuing up to just north of Hwy. 138 on the 75 side and then continuing on Hwy. 138 on the I-675 side. Based on the travel demand model and projections of volume to be in the CVL, there is enough capacity to handle that merge in that section with the proposed auxiliary lane. The travel demand models include proposed annual growth rate used for traffic in general as well as Developments of Regional Impact (DRI).

Commissioner Anglyn remarked that if the additional lanes from SR155 up to I-675 were done, the projected date looked at is about 2050; **Ms. Turner** pointed out that is the design year and the open traffic year is projected to be in 2030. The current build year for the CVL project is at 2030. Commissioner Anglyn then noted that projections were done for growth in the future and he asked if this would provide a direct line for businesses and asked if they looked at even further increased growth on those lanes. Ms. Turner explained that with the original Traffic Impact Study completed by GDOT with their consultant, forecast was done and there is a latent demand taken into account with the regular growth.

Commissioner Thomas asked if there will be a non-crossover barrier between the commercial truck lanes and the general public lanes; **Ms. Turner** stated that from I-475 up to south of Bethlehem Road there will be separation by barrier. The District 4 Commissioner asked if the option will be given to choose whether or not to use a general public lane or the trucker lane and if they were required to do so; Ms. Turner states that from reading on the studies on the CVL projects they would be optional but there is assumption that if the trucks are going from I-475 up to this area and beyond they will use the CVL lanes but there will be stops in between. The Commissioner then brought up the concern of bottlenecking and that possibility happening. She asked if the auxiliary lanes proposed would be for truck travel only; Ms. Turner stated that the general traffic could access same as well.

Commissioner Thomas continued asking for construction if there will be any detour required during that phase; **Ms. Turner** stated she was not sure but does not believe there will be any detours on 75 because it will be parallel to the existing system. This is a GDOT project and Croy is more or less reviewing what they are preparing and then just reviewing their analysis on how it will impact the Henry County area. The actual construction plans will include any potential detour plan.

Chair Harrell asked if this will run at the same time as the new Bethlehem interchange that is being constructed. **Ms. Turner** did not know. **Mr. Baker** stated that the planning for the CVL and construction of the Bethlehem interchange will happen simultaneously; the construction of the CVL will start in 2026 and open to traffic in 2031. The Bethlehem interchange is to start in 2025 and completed in 2-3 years, in 2028. The Chair asked about the widening of SR155 with a start date and if that is widened to 4 lanes prior to the other projects; Mr. Baker responded that the funding for SR155 widening has not been found, so it will start some time in 2029.

David Simmons, CE III, Henry County Department of Transportation, approached and stated that the project is state funded and has already been pushed back to construction in 2030 or beyond, for the widening of SR155 west of I-75. **Chair Harrell** asked if the county is working on a portion of that as well; Mr. Simmons responded that county has no involvement in the SR155 widening. The county has a project on widening of SR155 east of I-75 which is state funded and it is ahead of the west of I-75 project.

Chair Harrell asked if there is evidence that these Commercial Vehicle Lanes work successfully; **Mr. Baker** stated this is the first project of its kind in the country.

Neat Robinson, District 2 Commissioner, commended the intent of lightening the traffic but is concerned over potential bottleneck and asked that GDOT keep that in mind moving forward. **Mr. Baker** stated that GDOT, Henry County and the four Cities meet monthly on Zoom to have ongoing discussions on these matters including the concern of bottleneck. **Chair Harrell** recapped that the study says based on methodology, formulas and simulations that there will be a positive impact in moving trucks through Henry County with the use of CVLs. **Ms. Turner** added that GDOT is currently in the process of performing a larger regional study of I-75 and mobility along that corridor, on a statewide level. The Chair voiced her appreciation for the partnership with GDOT.

Vice-Chair Lewis mentioned northbound-only truck lanes and asked why; **Ms. Turner** stated that research and review of previous plans during this Traffic Impact Study, it was found to be most advantageous to go northbound based on traffic coming out of the port of Savannah and that it was cost-prohibitive to have it in both directions. This could be further explored in a few years but this is the first project of its kind in the country and decided upon the specified section.

Johnny Wilson, District 1 Commissioner, stated that this is a GDOT project and if this Study is overlaid with GDOT's study done on this project, what the differences would be; **Ms. Turner** stated that this was more detailed on the section north of Bill Gardner Parkway and those impacts at the merge points. She stated that spot check done on GDOT's analysis in looking at their method to make sure it made sense based on what was best in traffic operations for the build and design; the merge points were reviewed as well as their capacities in those sections. This study was more micro-level on this section within the Henry County boundary and associated impact; the overall GDOT study was a much larger analysis from I-475 in Macon to the McDonough area. The District 1 Commissioner commented that when this study goes to GDOT, they will give the findings due consideration; **Mr. Baker** explained that GDOT has already been very involved in this study every step of the way and thus far agree with the findings. The difference on GDOT analysis is the focus on traffic flow south of SR155 and where the Commercial Vehicle Lane ends, the analysis stops. In the county Traffic Impact Study, the focus was on traffic flow north of SR155 with Commercial Vehicle Lanes and how the traffic flows. Croy found that there would be a benefit because it adds capacity and traffic would merge from the right rather than the center. Extending the CVLs further north to I-675, traffic flow would be greater improved, as evidenced from the findings on the Henry County study.

There were no further questions.

Tourism Annual Report

Laura Luker, Director of Tourism, approached and presented the annual report. She explained that it is lengthy and welcomed each Commissioner to meet with her to go through this presentation, in an effort to save time. As of July 2021, state law mandated that Airbnb and VRBO places pay hotel/motel taxes. She then presented some of the new amenities which were budgeted for the department, such as a selfie-kiosk and a mobile visitor's center. There are seven (7) billboard locations that are permanent and four (4) of them are rotating advertisements, as well video ads highlighting Henry County and attracting tourism within. Other forms of media have yielded great returns for the department as well. They also have a tracking system with location data and weeds out who visits what destinations and who is simply passing through. While the neighboring states make up most of the traffic coming in to Henry County but 1.2% of the visitors to Henry County have come from the State of New York, at an average stay of 2½ nights. The data also shows the months they are staying (March and July being the highest). Local parks also draw visitors, with Mt. Carmel Park having the highest trip volume and then the 3rd Disc-Golf at Mosley Park.

Commissioner Anglyn referenced the collections by City and remarked that the City of McDonough currently does not make any contributions to the tourism but they are beneficiaries of the rewards from the tourism.

Commissioner Wilson asked how many hotels/motels are located in the unincorporated part of Henry County; **Ms. Luker** responded that 3 hotels were lost with the annexation of Stockbridge. The District 1 Commissioner stated that in collections the hotel/motel tax in unincorporated is at 5% and the cities are at 7.5%; Ms. Luker corrected that they are at 8% except for Hampton, which is still at 5%. Ms. Luker further explained that 3% of that 5% collected is considered unrestricted and goes to the county to be spent for any legal purpose; 2% of that 5% is required by law to go to a private non-profit set up specifically for tourism, in this case, the Convention and Visitors Bureau (CVB). If the decision were to increase that tax from 5% to 8% then the new 3% must be split 50/50. The Commissioner remarked that the unrestricted portion could be used to improve the parks to attract more business. Ms. Luker added that the tourism project development portion could be used for that as well, in order to enhance or create tourism product and experiences as designated by law.

Commissioner Robinson asked to see the slide with the parks breakdown (Arrivalist - POI Example) and asked if the Parks Department should hold more events to get the tourism involved; **Ms. Luker** explained that “Parks” were put there as this is specifically for that area and that this slide shows data by actual percentage of visitors to those particular parks. Baseball, soccer and softball are saturated and Mt. Carmel Park is the #1 most visited park in those sports because of soccer. The District 2 Commissioner asked about Village Park in North Henry. Ms. Luker stated that they have some football and soccer, plus there is a splash pad; opportunities are there to bring in additional tournaments. She noted that family reunions are huge and there is a pavilion. July is the biggest month for family reunions. The data provides the department to begin marketing campaigns for Village Park after determining capacity. She further provided that the data received does not track *residential visits*.

There were no further questions.

Special Department Recognition

Melissa Robinson, Communications Director, approached and formally recognized Kevin Johnson, Director of the Henry County Emergency Management Agency. She recounted how Ms. Janie Redding, the property manager for Indian Creek in Locust Grove, praised EMA on what they did for her, for that community and for the county as well.

VIDEO WAS PLAYED

Chair Harrell called the County Manager forward when the video concluded. She recalled when this happened within Commissioner Wilson’s district and praised the EMA and Fire & Rescue for being the best in the state as well as, in her opinion, the country. She expressed appreciation to Mr. Johnson for his hard work during the tornado that destroyed that part of the county. She then called Mr. Johnson forward.

Cheri Hobson-Matthews, County Manager, also wished to call up Ashley Larrow from the EMA and stated that Mr. Johnson has dealt with a tornado and active shooting in just a year and a half since he has been with the agency. She further praised the EMA team for their presence and their efforts and presented Mr. Johnson and Ms. Larrow with certificates for their efforts. **Chair Harrell** added that the active shooting situation in Hampton was recent and that four (4) residents were lost; however, Mr. Johnson's professionalism in working with Hampton officials was handled in the best way possible for such a tragedy. The Chair expressed her gratitude. **Kevin Johnson, EMA Director,** thanked his team as well as DOT, Fire, Police Department, Stormwater, E911 and all agencies involved in the remediation of the damage from the recent tornado event as well as any emergency calls that require their services.

PHOTOGRAPHS WERE TAKEN

VICE-CHAIR LEWIS LEFT THE MEETING

Opioid Funds (Discussion Only)

David Smith, Financial Services Director, approached to present these settlement funds received to the county. He played a video presented by the National Association of Counties.

VIDEO WAS PLAYED

Mr. Smith stated that in January 2022 the State of Georgia opted to participate in opioid litigation brought by the states against 3 of the largest pharmaceutical distributors. Georgia stands to receive approximately $636 million dollars from the settlement, known as the National Distributor Settlement and the Janssen/J&J Settlement, respectively. Henry County opted to participate and expects to receive, over a 7-year period, approximately $2.8 million dollars. $568,639 in settlement has been received to date, to be used for opioid remediation. None of this money has been spent as of today for the intended uses.

Mr. Smith presented the allocations received thus more and then showed the intended uses – treatment, prevention and other. These funds cannot be used for attorney's fees, investigations or litigations. A more detailed list of eligible uses are included in the Commissioners' packets.

VICE-CHAIR LEWIS RETURNED TO THE MEETING

Mr. Smith stated that counties provide public services that save lives and support recovery during this ongoing opioid epidemic. The E-911 Call Center, the County Crisis Lines receive the calls for help when there is an overdose, with the First Responders to come on to the scene to stabilize the crisis and offer support. The funding now presents an opportunity to sustain and strengthen these responses to the ongoing epidemic. Mr. Smith recommended leverage the settlement funds to use in proven programs and practices with proven successes. A countywide strategic plan should be formed and applicable grantees should be identified to address the abuses of opioid products.

Chair Harrell clarified that the recommendation is to form a strategic plan countywide – **Mr. Smith** added that every department is impacted, from the First Responders to the Court systems, by this epidemic. The Chair asked the County Manager if the Board needs to direct staff to move forward with said plan, in-house. Calling into review the money that is spent because of the opioid epidemic for medical treatment in the jail and the utilization of that as a mental health hospital of sorts, the Chair directed staff to reach out to the departments for a proposal or budget as to what it would take for them to operate and provide some special services to help mitigate these addictions, and to make best efforts to keep it in-house and to reach out to the non-profits as well. The Chair cautioned that this would not pay for salaries. Mr. Smith stated that the funding does allow for administrative costs.

Commissioner Thomas expressed concern over this crisis and agreed that looking at in-house entities to see what they need is in order; she also feels that the community should be involved as it is directly impacted by this crisis, such as doctors, clinics, psychiatrists, psychologists and specialists who work in this particular area. The District 4 Commissioner asked for consideration of a panel to include a specialist in the forming of the strategic plan to ensure the focus on the needs to address the opioid epidemic and help with this sickness and using this money to its best uses.

Chair Harrell stated that she will leave that up to staff to identify qualified individuals to take part in this strategic planning.

There were no further questions.

CONSENT AGENDA

Ms. Matthews read the Consent Agenda as follows:

County Manager (Moved to Regular Agenda)

A. Resolution authorizing support and funding for the Joint Retail Strategy Proposal and Recruitment Services. (Presenters: Cheri Hobson-Matthews, County Manager; and Josh Fenn, HCDA Executive Director)(Exhibit 2)

DOT

A. Resolution of the Board of Commissioners approving the bid award for engineering design services for Intersection Improvements of Oak Grove Road and Willow Lane at Jonesboro Road to Croy Engineering, LLC in the amount of up to $79, 000. District 4 (Presenter: David Simmons, DOT Interim Director)(Exhibit 3) *Resolution #23-204*

B. Resolution of the Board of Commissioners approving the bid award for engineering design services for Intersection Improvements of Oak Grove Road at Jodeco Road to Croy Engineering, LLC in the amount of up to $60,500. District 4 (Presenter: David Simmons, DOT Interim Director)(Exhibit 4) *Resolution #23-205*

Financial Services

A. Resolution of the Board of Commissioners approving to enter into a sub-recipient agreement with Southern Crescent Habitat for Humanity (SCHFH) in the amount of $600,000 of ARP-FRF funding to assist in the homeownership program. (Presenter: Monique Franklin, Grant Administrator)(Exhibit 5) *Resolution #23-206*

B. Resolution of the Board of Commissioners to Approve the Courtrooms' Audio and Video Hardware and Technology Refresh awarded from the Judicial Council Ad Hoc Committee, from CTI in the amount of $1,112,578 for the replacement equipment utilizing ARPA Funds (Presenter: Jamie Pownall, Technology Services Director)(Exhibit 6) *Resolution #23-207*

Parks & Recreation

A. Resolution of the Board of Commissioners to accept a conditional grant award ($30,000), recognize plans to join the National Fitness Campaign, and to fund an outdoor fitness court and community wellness initiative in the amount of $160,000 utilizing impact fees (Presenter: Jonathan Penn, Cluster Lead)(Exhibit 7) *Resolution #23-208*

Senior Services

A. Resolution of the Henry County Board of Commissioners to authorize contracting with the Georgia Department of Human Services (DHS), utilizing the Community Services Block Grant (CSBG) for Federal Fiscal Year 2024 in the amount of $267,134. (Presenter: Shawn Norris, Senior Services Director)(Exhibit 8) *Resolution #23-209*

Stormwater

A. Resolution of the Board of Commissioners awarding a contract for Design/Build Services for a Passive Recreational Park on Butler's Bridge Road located in District 3 (RFP#23-37) to TriScape in the amount of $2,906,443, utilizing Stormwater funds, SPLOST funds (SP5301) and the GOSP grant. (Presenter: Roque Romero-Muñiz, Cluster Lead)(Exhibit 9) *Resolution #23-210*

B. Resolution of the Board of Commissioners awarding a contract for Design/Build Services for Stream Restoration at Butler's Bridge located in District 3 (RFP#23-33) to HGS, LLC dba RES Environmental Operating Company in the amount of $698,841 utilizing Stormwater Enterprise account. (Presenter: Roque Romero-Muñiz, Cluster Lead) *Resolution #23-211*

Transit Department

A. 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 $104,228. (Presenter: Taleim Salters, Transit Director)(Exhibit 11) *Resolution #23-212*

This ends the Consent Agenda

Chair Harrell asked if the funds to be used for **Financial Services** (A) will be used for houses to be built in Henry County. The Chair stated she is aware that they do "cross-county" building but wanted to know if those funds were to be used for homes in Henry County. **Ms. Matthews** responded that per the Resolution, the funds will be to acquire land, build, and rehabilitate homes within Henry County.

Commissioner Thomas asked for clarification on **Stormwater** (A) in that it seems to be a combination between Stormwater, Parks & Recreation and road construction. **Roque Romero-Muñiz, Cluster Lead,** approached to recall the last year, the BOC approved to accept a grant for a passive park; this is the next step, the design/build, for a passive park located in District 3 along Butler's Bridge adjacent with South River. The park will have outdoor educational center and a kayak lounging area. Close to $1.5 million dollars is coming from a grant and the county is matching the rest with Stormwater and SPLOST funds, as well as District 3 impact fees. **Ms. Matthews** clarified that the project listed under Parks & Recreation is in District 4.

Vice-Chair Lewis referenced **County Manager** (A) and asked if any participant(s) was/were identified; **Ms. Matthews** responded that Mr. Fenn from Development Authority has participated in other meetings with the municipalities; as of today, Locust Grove approved joining the Retail Strategy

Agreement; Stockbridge agreed with several changes to the contract as presented today; McDonough has it on its agenda to rehear it; Hampton elected not to participate.

Josh Fenn, Director, Henry County Development Authority, approached and explained that Locust Grove has reaffirmed its commitment; that McDonough had a question which has now been answered to their satisfaction and without commitment from Stockbridge as of yet, two of the cities are ready to move forward.

Chair Harrell asked to discuss the retail strategies. This first started out with the Chair and the mayors meeting quarterly, going through so many requests and comments from constituents requesting businesses such as Whole Foods to come into the county. Considerations such as infrastructure would have to be in place before consideration of these requests to attract such businesses as Whole Foods or Trader Joe's. **Mr. Fenn** stated that the proposal will have retail strategies have done some initial analyses sent to the County Manager and to his office and have already contracted; this will go further into identifying where market sector opportunities can be identified and the consultant would do the marketing for the county. Mr. Fenn also stated that as of right now, the current bandwidth cannot support this strategy. With the new Bethlehem interchange come new opportunities and the retail strategies can help them better understand and plan to get their zoning correct for what would work at that new interchange.

Vice-Chair Lewis asked if this would benefit the entire county and not just one sector; **Mr. Fenn** stated that his job is to provide for the county's economic development, and this has been proven effective over several years.

Nancy Rowan, County Attorney, advised that since this Consent Agenda item has attached to a lengthy discussion, it should be moved from the Consent Agenda to the Regular Agenda to continue discussion. **Chair Harrell** directed that the item be moved from the Consent Agenda and put on the Regular Agenda and thus, called for a motion to approve the Consent Agenda with the stated change.

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

REGULAR AGENDA

COUNTY MANAGER *(Moved from Consent Agenda to Regular Agenda)*

Resolution authorizing support and funding for the Joint Retail Strategy Proposal and Recruitment Services. (Presenters: Cheri Hobson-Matthews, County Manager; and Josh Fenn, HCDA Executive Director)(Exhibit 2)

Chair Harrell continued the discussion by yielding the floor to the District 1 Commissioner for remarks and then to the District 2 Commissioner.

Commissioner Wilson thanked Mr. Fenn and his staff for undergoing this project. He asked the County Manager and Mr. Fenn where the Chamber of Commerce fits into this; **Ms. Matthews** responded that Mr. Fenn and she have discussed this several times; discussions have been had with the city managers, the mayors and administrators within the Development Authority, something like this would normally come out of this with the Chamber of Commerce. Ms. Matthews stated she has not had any discussion with the Chamber regarding this and this has been ongoing over a year but believes that discussion can be had with the Chamber to get this moving and then figure out how to bring them in to this retail strategy plan, and not leave out the small businesses, of which the Chamber has focus. **Mr. Fenn** disclosed that he sits on the Board with the Chamber of Commerce and there are some discussions within the Board membership about the Chamber's possibility of coming in with this planning but it has not been officially proposed as of yet.

Commissioner Robinson agrees to have the Chamber involved and she called for caution in accepting things that the Chamber requests and to get it detailed for clarity. There should be clear communication between the representatives of the Chamber, the Development Authority, and county staff.

Commissioner Anglyn asked what would happen to the city(ies) that elect not to be a part of this plan as far as contribution; or if the city(ies) that make contribution get priority; **Mr. Fenn** responded that anything the Development Authority does is to benefit the county as a whole. Retail strategies will prioritize on who is investing and the goal is to get this successful and get everyone on board. Mr. Fenn was very clear in that not every municipality/representative have given an opportunity to staff or the Chamber Board to have these discussions. **Ms. Matthews** added that the allocation does not increase for the county because the cities initially were counted in the total cost and the Development Authority with Mr. Fenn's Board have taken on those increases as a result of all four cities not participating in the first year only. Mr. Fenn added that the agreement is that those who participate in the first year must be satisfied before moving to year 2.

Chair Harrell reiterated that this started as a simple discussion between the mayors, their city managers, County Manager and herself on what can be done to attract different retail industries to the county, to keep the residents driving within the county and support the amenities that they currently have to seek out-of-county. Just like the county management and staff look for improvement in attracting high-end industry from a county perspective, the cities review what they can do in their jurisdictions. Each party would get a report from which decisions can be made and those who do not wish to participate, the planning would still move forward to further satisfy the residents within the county.

Commissioner Thomas remarked that it is often heard that the cities and county do not work together and that she has been personally accused of same when she would have discussions with representatives of the cities. She views this as a wonderful opportunity to allow for collaboration between cities and county and put a representative at the table for furthering this discussion for planning. Every city sits within the county and every action has a "domino effect" and the Commissioner emphasized that helping to complement growth with each other must be done, ensuring total financial stability, putting employment in place, and bringing retail in place. The District 4 Commissioner believes that the cities should be compelled to take advantage of this opportunity and move forward in working together for the betterment of the county and themselves as a whole.

Chair Harrell called for a motion.

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

Resolution #23-203

ANNEXATION (Not a Public Hearing)

AX-23-05

The City of Locust Grove has received a request for annexation of property located at the southeast corner of the intersection of Highway 42 South and Canup Road, consisting of 6.40+/- acres in Land Lot 130 of the 2nd District - (Parcels 147-01003009 and 163-01001001). District 1 (Presenter: Toussaint Kirk, Cluster Leader)(Exhibit 12)

Toussaint Kirk, Planning & Zoning Director, approached and gave details on this annexation request. He presented map to clarify the area that is requested for annexation, two different parcels, one which is already within the city and the request is to complete the "rectangle" as shown. The Future Land Use Map (FLUM) designates this as Low-Density Residential and the current zoning is M-1 (Light Manufacturing); the City of Locust Grove will have the equivalent zoning for that district. There is no proposed development pending at this time upon the subject property. Staff concludes that the annexation request would not create any significant change in the surrounding land use or the designation of the property.

Commissioner Thomas asked if the annexation includes the roads, ditches and trees within the property lines; **Mr. Kirk** responded that as of right now, it is vacant land and Hwy. 42 is a state route here. **Chair Harrell** stated that if there is a road within, that road has to be taken as well. Referring to the map, the Chair asked about the yellow area; Mr. Kirk specified that the area shown in green is in Locust Grove. He further indicated where Canup Road is located in relation to the green area shown on the map for annexation. There was no proposed use mentioned in the application for annexation, but that the zoning of M-1 would be kept. This opens up the possibility of some type of manufacturing, which means truck traffic, opined the Chair. Chair Harrell asked the County Manager if the county is on one side of the street and the annexed property is on the other, which is responsible for the maintenance of the road in question; **Ms. Matthews** recalled that for any annexation, legislation calls for including the frontage of the roadway which means Locust Grove would be responsible for any improvements; but the other part is because the county has a Service Delivery Strategy, the maintenance agreements in roadway improvements would be based on the Local Maintenance & Improvement Grant (LMIG) mileage reported. Based on the visual presentation, the County Manager remarked that only the parcel of land is showing and not the road and that will need to be confirmed that Locust Grove will be responsible for that road. If the county cannot object to this annexation, a notice could be sent that the city would be responsible for the road mileage and to be put in writing to the respective city(ies). Mr. Kirk stated that will be checked and an answer provided to the Board.

Chair Harrell then asked what this means for today's course of action. **Ms. Rowan** advised that without the issue of the road, the county still does not have a means to object to the annexation at this time. The Chair stated that if legislation dictates that the annexation has to include the roads, then it should be part of the annexation. **Ms. Matthews** countered that the county is only approving the annexation and if there is legislation mandating about the inclusion of the roads relative to the annexation, then any maintenance will be deferred to the city of annexation. **Mr. Kirk** further clarified that only the specified portion of the road on the map is relevant. Ms. Matthews pointed out that there have been instances where proposed county/city joint road improvements have been done and it could apply if needed therein.

Commissioner Wilson remarked that there have been instances of shared costs and that in the past, Locust Grove has paid its portion and the county paid its portion when road project was done. **Ms. Matthews** pointed out that a similar road project was done in Hampton as well, with no issue.

Discussion only; no vote was taken.

PLANNING & ZONING

RZ-23-01 (Public Hearing)

HSHA, LLC of Johns Creek, GA requests a rezoning from RA (Residential-Agricultural) to C-1 (Neighborhood Commercial) for property located at 3818 North Henry Boulevard in Land Lot 64 of the 12th District. The property consists of 1.653+/- acres, and the request is for a gasoline service station. District 2 (Presenter: Kamau As-Salaam, Interim Assistant Director)(Exhibit 13)

Kamau As-Salaam, Interim Assistant Director, Henry County Planning & Zoning, presented the details of the request for the Board and public viewing. Applicant requests rezoning from RA (Residential-Agricultural) to C-1 (Neighborhood Commercial) for a gas station and convenience store. The FLUM is commercial but the current zoning is RA. The Site Plan was shown as well and it showed a 40' buffer from residential properties with a 6' fence installed, as required by Code. The FLUM supports the rezoning request and is also support by the Unified Land Development Code (ULDC) §4.03.09 Supplemental Standards for Gas Stations. The property is located within the Highway Corridor Overlay District and the development is required to comply with the development standards within. Elevations were presented for the Board and public viewing. On February 9, 2023, the Zoning Advisory Board (ZAB) recommended approval of the request; staff also recommends approval with four (4) conditions as presented. Since the property is already located and in compliance with the development standards of the Overlay District and that the property meets the Supplemental Standards for gas stations, there was no need to have an unnecessary number of conditions on this rezoning as most of them are handled through the Code.

Chair Harrell clarified that the area is on North Henry Boulevard and asked about what is along this area; **Mr. As-Salaam** referenced the map and showed a nearby used car lot, the quarry, a city-zoned property and many older businesses zoned M-1. Adding this structure could spur some development in that area.

Commissioner Robinson asked which gas station will be placed; **Mr. As-Salaam** stated the name has not been disclosed. While the visual "colors" would lean towards a BP station, it is not confirmed.

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.

<u>In Favor</u>

Nancy Wasdin, Wasdin Law, LLC & Wasdin Closing Group, LLC, approached on behalf of the developer to speak in favor of this request. As far as the branding of the station, that has not yet been decided and a survey will be conducted to see what would service the community to its best. She gave a history of the previous developments by the applicant/owner that have been successful and relative to community and family-based traffic. The current owner is also present to speak in favor of this request. The site is not conducive to any other type of commercial development due to the placement and shape of the setbacks. There was an underground pond requested that is in the plan and will be done along with any other compliance requirements.

Commissioner Robinson asked what the name of the station will be; **Ms. Wasdin** deferred to the developer/owner. **Chair Harrell** called for both the applicant/owner and the current owner to come forward.

Shaid Ali, no address given, approached and stated he would like to do a site impact study and then pick the branding; whichever has the highest use result is what is developed but this has not yet been decided. **Commissioner Robinson** explained that there are several BP stations in the area; Mr. Ali explained this is why he does the site impact study.

Rod Oglesby, Oglesby Realty, approached and stated that it was difficult to hear. *He was asked to wait until the question presented to Mr. Ali was completed.*

Commissioner Anglyn remarked that District 1 and District 3 have been working with staff on certain boundaries in place for gas stations to improve overall quality. He asked if the pumps are going to be moved to an area that is not as visible; **Mr. As-Salaam** responded that if the pumps were to be moved, the pumps and canopies produce a lot of light and that placement of the pumps from front visibility are done on a case-by-case basis. Putting the pumps on the back could possibly impact the adjacent residences nearby and with the buffers in place, there should not be lights placed in the back to disturb the property owners. The District 3 Commissioner then asked if the canopies such as those in District 1 and District 3 would match the building and asked if the developer would also do the same; Mr. As-Salaam responded that the end user has not been decided as of yet, but when the sign plans and permits are applied for, zoning staff would review that as well to make sure everything blends correctly. The Commissioner then noted that ice machines, propane tank holders and those items are placed in an area not directly seen from the road and asked if that can be done as well. Mr. As-Salaam stated they would be put indoors.

Chair Harrell complimented the architecture of the building rendering shown and stated it would be an upgrade for that area.

Mr. Oglesby commented that if the Board wants to improve the county, that the east side of Stockbridge needs improvement and this would be in the right direction. He spoke in favor of this request.

Evelyn Dockery approached and stated that this was her family's property and that she will be living next door. She is in favor of this request and stated that she is a lifelong Henry County resident and explained that no one will buy her family's property for residential and to have it developed for commercial to improve the area is something that she favors. Ms. Dockery's sister (not identified) echoed the comments and asked for this to be approved.

Commissioner Thomas agreed that this area needs improvement but is concerned that Henry County does not have enough here to protect itself. Two parcels in District 4 were bought years ago; a gas station was put on a property 7 years ago and no policies were put in place at that time on specific building standards or types. Now that there are more progressive buildings, the Commissioner sees this as a second-class structure coming into an area that will bring down the work that she is presently doing. She does not believe that there should be approval without a direct commitment on paper. There should be a specific branding name of this gas station prior to approval and not some verbal description that the station would be "like a QT." The Commissioner expects full disclosure on the branding name as well as the specific type of design in writing so that it cannot be modified to be "like" another gas station. The area does need upgrade but only with a fully signed commitment to what the development will become. If that is not determined and ready to be put in place, then the applicant should return with this information and documentation prior to approval.

Chair Harrell maintained open Public Hearing and those that wish to speak in opposition can come forward to address the Board with a collective total of ten (10) minutes. *No one came forward and the Public Hearing was closed.*

Chair Harrell asked if this is approved, can be approved with the specifically presented plan and then add stipulations which were discussed in review today. **Mr. As-Salaam** referenced Condition #3 which states that it has to be built in a substantial conformity with the presented elevations and site plan and the development must go through review with an architectural design committee to ensure that what is being presented is what will be built. A lot of the legacy zonings, however, do not have conditions and have been zoned with no site plan or building elevation to inspect. Since this is a rezoning, staff can enforce the rules and put it through architectural design review and having what is presented be the actual development if approved. An end user can be difficult to identify since most gas station names do not commit if the zoning approval is not determined.

Chair Harrell asked the applicant when he plans to start construction if this zoning request is approved; **Mr. Ali** responded that the rendering presented is committed on how the building will actually look. The zoning is needed first before they can identify a branding for the structure. The intended start of the construction is in about 3 years and he does the development portion himself which takes about a year. The construction is hoped to be completed a year after start.

Commissioner Thomas asked if that 3-year commitment to start is not kept, would that zoning be lost and come back before the Board. She specified that she has to stick to this and referred to the 2 empty parcels that have problems and wants to make sure those problems do not happen here. **Chair Harrell** advised that this is in District 2 and that the Commissioner has to have a say in what she wants there.

Commissioner Robinson expressed concern and that has gone on for several years. In agreement with Mr. Oglesby, the District 2 Commissioner believes this area needs enhancement and had a concern about so many gas stations; however, this design presented is to the next level and in speaking with the homeowner and seeing the area for herself, she does want to ensure that gas stations saturate this area. There is the possibility of a Community Improvement District to help all the other businesses see the improvements and enhancements. The Commissioner stressed that a top-notch gas station should be placed and branded there in an effort to move the improvement momentum in that area forward. The Commissioner favors the design presented and wants to have that design kept to or even improved. **Mr. Ali** reiterated that he can commit to the design of the structure as presented but he cannot commit to the brand user. This is also economy-related, so if the economy depresses, there is no money to build and he is helpless; however, in the present time, he can move forward.

Commissioner Robinson moved to approve; **Commissioner Wilson** seconded the motion. Motion carried (5-1-0).

*(**Chair Harrell, Commissioners Wilson, Robinson, Anglyn,** and **Vice-Chair Lewis** voted in favor; **Commissioner Thomas** opposed)*

Resolution #23-213

RZ-23-05 (Public Hearing)

Carter & White, Inc., of Jackson, GA requests a rezoning from RA (Residential-Agricultural) to C-1 (Neighborhood Commercial) for property located at 498 and 526 Fairview Road in Land Lot 198 of the 12th District. The property consists of 5.56+/- acres, and the request is for an office/commercial development. District 2 (Presenter: Kamau As-Salaam, Interim Assistant Director)(Exhibit 14)

Mr. As-Salaam presented this request for property requested for rezoning for the purpose of a medical office complex. He displayed map of the property surrounded by various commercial and RA properties. The FLUM designation is Mixed Use, supporting the C-1 requested zoning district. Based on the site plan, the property meets C-1 and Highway Corridor Overlay District zoning standards; this site plan is only a conceptual plan, however, and will need to meet all development standards at the time of permitting. Renderings were presented as examples for architectural review if the rezoning is approved. The subject property currently has single-family residences and any proposed commercial or office use would require a commercial zoning district. This property is within the limits of the Highway Corridor Overlay District and would be required to meet those standards. Staff has therefore outlined conditions for site plan and architectural control to be determined and agreed upon prior to any issuance of permits. On May 25, 2023 the ZAB recommended approval; staff also recommends approval of the request with seven (7) conditions. Mr. As-Salaam specified Conditions #2 and #3, to-wit:

2. An architectural design and site plan review shall be conducted with Henry County Planning and Zoning and Building and Plan Review Departments before the application of any permits for all phases and uses.

3. Architectural design and site plan approval shall be determined by the Board of Commissioners following review with Henry County Planning and Zoning and Building Plan Review departments before the application of any permits for all phases and uses.

Mr. As-Salaam reiterated that in light of previous zonings and more recent zonings, while this does not have an end user identified as of yet, and there is no exact rendering of the site plan (though it will look better than presented), this would still have to come back before the BOC; meaning, that they need the zoning approved now in order to solicit for an end user. Based on the aforementioned conditions, they will have to come back for architectural plan and site plan reviews.

Chair Harrell asked if there is a timeframe on this; **Mr. As-Salaam** stated there is none but that the Board could add one at its discretion. Former District 5 Commissioner Holmes was formerly involved with this project.

Commissioner Robinson spoke in favor of the conditions stated. **Chair Harrell** requested a timeframe to be placed upon this request. **Mr. As-Salaam** suggested 5 years to the date of zoning and that can be made as a condition. The Chair directed this to be done.

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.

<u>In Favor</u>

Eddie Walker, Walker & Associates, approached in representation of the applicant. He stated that he is under several non-disclosure agreements and he cannot discuss end user identities but can state they are brand names. He estimates that generated from the interest in this project they can be done in 3 years' time. These building designs are exactly what have been targeted which will be of benefit to the area.

Commissioner Robinson commented that this development was going on before she came to the Board and she is not going to stop this development; she has specific tastes that she shared with staff that would be attractive to the area and wanted to clear up any confusion.

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.*

Prior to making the motion to approve by the District 2 Commissioner, **Mr. As-Salaam** advised that the motion would have to include the 5-year limit to build from the date of approval or they would have to return before the Board for further discussion; however, this would not revoke the zoning approval. **Commissioner Robinson** made a motion to approve this request with a 5-year time limit from date of approval to build; otherwise, applicant would have to return before the Board for further discussion and recommendation; **Commissioner Wilson** seconded the motion. Motion carried (6-0-0).

Resolution #23-214

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 Wilson moved to approve the Minutes from *Tuesday, June 20, 2023*; **Commissioner Anglyn** seconded the motion. Motion carried (6-0-0).

UPCOMING MEETINGS AND EVENTS

A. 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 and personnel matters; **Commissioner Robinson** seconded the motion. Motion carried (6-0-0).

EXECUTIVE SESSION

RECONVENE

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

Chair Harrell added that property acquisition was also discussed during Executive Session.

AFFIDAVIT & RESOLUTION

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

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 1:35 p.m.***

Carlotta Harrell, Chair

Stephanie Braun, County Clerk