STATE OF GEORGIA
COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting ***in-person*** on Wednesday, January 3, 2024, at 9 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; Serena Nowell, County Attorney; Stephanie Braun, County Clerk and Jasmin Head, Deputy County Clerk

HENRY COUNTY CODE OF CONDUCT
(Sec. 2-2-128: Conduct during public meetings)

INVOCATION
The Invocation was given by Pastor Leonard Himes of Henry County Fire Rescue.

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 Wednesday, January 3, 2024 at 9:07 a.m., to order.

Announcement

Chair Harrell announced the following changes to the agenda:
1) Adding Executive Session to discuss personnel matter
2) Moved Human Resources' resolution from Consent Agenda to Regular Agenda

In addition, the following item was advertised for the January 3, 2024 Board of Commissioners meeting, but has been postponed by staff:

ULDC-AM-23-13 (POSTPONED) An Ordinance by Henry County, Georgia, to amend various sections of the Unified Land Development Code of the Henry County Code of Ordinances regarding Development Impact Fees and for other purposes. Countywide

APPOINTMENTS

1) **Board of Health Appointment –** Dr. Crystal O. Slade, M.D., Southern Crescent Women's Healthcare (6 year term)
Commissioner Neat Robinson made a motion to approve; Commissioner Dee Anglyn seconded. The motion carried 6-0-0. *Resolution 24-1*

2) **Hospital Authority Nominee Submittals**:
(Note: BOC votes on three nominees for each expired term which are then submitted to the Hospital Authority for due diligence process and final appointment)
   - Dr. Tarsem Gupta (incumbent); Dr. Sam Lorenzo and Dr. Hitesh Chokshi
   - Mike Gasses (incumbent); Lindsey McGarity and Karen Stephens

   Commissioner Dee Anglyn made a motion to approve nominees; Vice Chair Kevin Lewis seconded. The motion carried 6-0-0 *Resolutions 24-2 & 24-3*

CONSENT AGENDA

County Manager Cheri Hobson-Matthews read the consent agenda as follows:

County Manager

A. Resolution approving the purchase of real property at Self Ridge Road, Hampton, GA - 96.633 acres for future expansion of the Atlanta Speedway Airport in the amount of $4,100,000. (Presenter: Cheri Hobson-Matthews, County Manager)(Exhibit 1)
Resolution #24-4

Department of Transportation

A. Resolution of the Board of Commissioners awarding Bid #24-19 to Backbone Infrastructure, LLC for the construction of Jodeco Road Right Turn Lane in the amount of $260,326, to be funded from Developer Escrow and by Henry County DOT Budget. (Presenter: David Simmons, DOT Director)(Exhibit 2)
Resolution #24-5

Emergency Management Agency

A. Resolution of the Board of Commissioners accepting a donation of CPR manikins and equipment from the Elzie family to Henry County Emergency Management and Homeland Security. The manikins and equipment are valued at an estimated $1,270. (Presenter: Kevin Johnson, Director)(Exhibit 3)
Resolution #24-6

Financial Services

A. Resolution of the Board of Commissioners declaring vehicles, furniture and equipment (listed on Exhibit A & B) as surplus, and authorizing the disposal, trade-in or sale of said items. (Presenter: Susan Harris, Purchasing Administrator)(Exhibit 4)
Resolution #24-7

Fire Rescue

A. Resolution of the Board of Commissioners declaring items as surplus and authorizing the disposal of said non-operational/outdated equipment (listed on Exhibit A) from Henry County Fire Rescue Training Ground. (Presenter: Jonathan Burnette, Fire Chief)(Exhibit 5)
Resolution #24-8

Human Resources
(Moved to Regular Agenda)

A. ~~Resolution of the Board of Commissioners to Amend the Adoption Agreement for Association County Commissioners of Georgia (ACCG) Defined Benefit Plan for Henry County Employees as it relates to Cost of Living Adjustment (COLA) for retirees. (Presenter: Holly Lafontaine, HR Director)(Exhibit 6)~~

Planning & Zoning

A. Resolution approving a request for a new streetlight district for Heron Bay Pod L (Phase 1). District 1(Presenter: Kamau As-Salaam, Assistant Director/Planning and Zoning)(Exhibit 7)
Resolution #24-9

B. Resolution approving a request for a new streetlight district for Reserve at Calcutta (Phase 1A) Subdivision on Millers Mill Road. District 4 (Presenter: Kamau As-Salaam, Assistant Director/ Planning and Zoning)(Exhibit 8)
Resolution #24-10

C. Resolution approving a request for a new streetlight district for Reserve at Calcutta (Phase 1B) Subdivision on Millers Mill Road. District 4 (Presenter: Kamau As-Salaam, Assistant Director/ Planning and Zoning)(Exhibit 9)
Resolution #24-11

Police Department

A. Resolution to accept donations from FLETC (Federal Law Enforcement Training Center) to assist the Henry County Police Department with training supplies and equipment. (Presenter: Lt. William Powell, HCPD)(Exhibit 10)
Resolution #24-12

B. Resolution of the Board of Commissioners awarding bid number 24-16 to Bellamy Automotive Group, Inc. for 6 (six) 2024 Chevrolet Silverado 1500 PPV vehicles to be purchased at a cost of $303,474 by the Henry County Police Department, utilizing RedSpeed funds (Presenter: Lt. William Powell, HCPD)(Exhibit 11)
Resolution #24-13

C. Resolution of the Board of Commissioners approving Bid Award #24-15 to Dana Safety Supply, Inc. for the installation of lights and siren equipment for six (6) 2024 Chevrolet Silverado 1500 vehicles in the amount $114,352 for the Henry County Police Department, utilizing RedSpeed Funds. (Presenter: Lt. William Powell, HCPD)(Exhibit 12)
Resolution #24-14

SPLOST

A. Resolution approving Intergovernmental Agreement with the City of Stockbridge for Improvements of Patrick Henry Parkway. This project will utilize TSPLOST Funds, but in addition, the City of Stockbridge will contribute 3/10ths of the project, not to exceed $540,000. (Presenter: Roque Romero, Cluster Lead/ Public Works)(Exhibit 13)
Resolution #24-15

B. Resolution of the Board of Commissioners approving a Lighting Service Agreement with Georgia Power for the installation, maintenance, and energy cost for the lighting of Mill Road. Installation of lights: $151,975, utilizing TSPLOST funds; and maintenance and energy monthly cost of $912.05, utilizing HCDOT streetlight funds. (Presenter: Roque Romero, Cluster Lead/ Public Works)(Exhibit 14)
Resolution #24-16

C. Resolution of the Board of Commissioners approving RFP #24-08 award for design and installation of interstate signs to Rite Lite Signs, Inc. in the amount of $259,443. (Presenter: Roque Romero, Public Works/Cluster Lead)(Exhibit 15)
Resolution #24-17

D. Resolution of the Board of Commissioners approving the bid award for McDonough Parkway @ SR 20 to Backbone Infrastructure in the amount of $2,024,316. (Presenter: Roque Romero, Public Works/Cluster Lead)(Exhibit 16)
Resolution #24-18

Stormwater

A. Resolution approving the bid award for construction services for the Drainage Improvements for South Ola Road to Backbone Infrastructure, LLC, in the amount of $163,012 utilizing Stormwater Enterprise Funds (Presenter: Roque Romero, Cluster Lead)(Exhibit 17)
Resolution #24-19

Technology Services

A. Resolution of the Board of Commissioners to purchase two replacement UPS battery backups for backup site server room location in the amount of 64,900 from Schneider Electric. (Presenter: Jamie Pownall, I.T. Director)(Exhibit 18)
Resolution #24-20

Transit

A. Resolution authorizing consent to apply for the FTA G-DOT 5311 FY 25 Grant Application for Rural Public Transportation Operating and Capital Assistance. Henry County's total amount of operating allocation for this program is $1,874,469, of which $937,234.50 is the 50% federal portion, and the local match portion of 50% is also $937,234.50. The capital allocation for this program is $236,918, of which $189,534 is the 80% federal portion, $23,691.80 is the 10% state portion and the local match portion of 10% is also $23,691.80. (Presenter: Taleim Salters, Transit Director)(Exhibit 19)
Resolution #24-21

(This Ends the Consent Agenda)

Commissioner Thomas made a motion to approve the Consent Agenda; **Commissioner Anglyn** seconded. The motion carried 6-0-0.

REGULAR AGENDA

Department of Transportation

A. **Resolution approving an Outdoor Lighting Agreement with Central Georgia EMC for a non-revenue streetlight at the intersection of State Route 42 and John R. Williams Parkway in the amount of $15.00 per month. (Presenter: David Simmons, DOT Director)(Exhibit 20)**

A non-revenue streetlight is typically a lighting of a particular location (rather than a group of lights within a subdivision) that is placed on an existing pole or new pole (new pole in this case), often near an unsignalized intersection to provide lighting for visibility/safety purposes. Additionally, for a non-revenue light, the lighting is paid for out of DOT's budget without there being any individual assessment on property owners for the lighting. The cost of this non-revenue streetlight is $15/month.

David Simmons, Director of DOT, stated that they have received a request to place a streetlight at this intersection to improve visibility. There are two concrete islands in the intersection and occasionally a car tires find one of the islands, if not both.

Chair Harrell asked if there was a way to develop a priority list of how we are going to do lighting Countywide, and **Mr. Simmons** responded that he has about 50 of these around the county and in the past it has simply been at the request of a citizen and then he goes out and takes a look at the intersection. He stated this request came from the District 1 Commissioner (although the Commissioner may have received the request from one of his constituents), but added that there is no set process at this time.

Cheri Hobson-Matthews, County Manager, stated that staff will bring forth a resolution for consideration to provide authorization to go out and set forth criteria for lighting, but requested 30 days to do so.

Commissioner Robinson stated that Valley Hill Road lighting has been requested since 2016. **Mr. Simmons** clarified that Valley Hill Road would be corridor lighting, which is much more expensive. These non-revenue lights on a particular intersection is about $15/month so they are different items to address. We have consulted with GDOT to identify where to place lights and the cost, but the biggest issue is funding – especially in the corridors.

Commissioner Robinson asked to schedule a time to discuss areas that need attention, and **Chair Harrell** would like to have the lighting placement prioritized.

Commissioner Wilson made a motion to approve; **Commissioner Anglyn** seconded. The motion carried 6-0-0. *Resolution #24-22*

Fire Rescue

A. **Resolution approving a contract with Ten-8 Fire & Safety, LLC to initiate an annual replacement program for all fire rescue vehicles including Engines, Aerial Ladders, Squads, Tankers, and Ambulances utilizing Capital Funds (Presenter: Fire Chief Jonathan Burnette, HCFR)(Exhibit 21)**

Fire Chief Jonathan Burnette, HCFR, stated that they are celebrating 50 years as an established service and thanked present and past employees for paving the road. In 2023, they received an average of 105 calls per day so it is busy which leads us into this request.

An operational need has been identified by Henry County Fire Rescue for an annual replacement program for all fire rescue vehicles including Engines, Aerial Ladders, Squads, Tankers, and Ambulances. Capital Funds will need to be identified each year for the purchases. Ten-8 Fire and Safety Equipment LLC., the local vendor for Fire and Rescue Apparatus, has provided an annual replacement contract for Engines, Aerial Ladders, Squads, Tankers, and Ambulances. The contract was made under National Purchasing Partners Government Division (NPPGOV), a Fire Rescue GPO Contract.

Chief Burnette then provided a five to six year timeline of purchases and what would need to be replaced. He did add that the only thing that will need to be updated are the numbers because it has taken a little while to get this all together -- so the years listed would just be bumped up by one (if it states 2023, it would be 2024, etc.). We have been trying to put into place a true apparatus replacement program for years and that is what this will do so he is happy to get tot his point.

Commissioner Wilson asked the County Manager if overages from SPLOST V funds were available to pay for some of the purchases, and she indicated that because we did not specify "apparatus" in our SPLOST V program it would not be eligible. **Commissioner Wilson** stated that it included "fleet replacement" and asked why that would not cover some of their needs. **Cheri Hobson-Matthews, County Manager,** explained that those monies have already been spent on fleet replacement however, if there was additional funding it could be used to purchase the Fire Rescue vehicles. She also noted that SPLOST VI funding could be available if the correct language is included in the referendum.

Vice Chair Lewis added that this is a program that probably should have been in place a long time for a County this size. HCFR should not have to come before the board every meeting and have to ask for one truck at a time. It actually probably puts the county at a disadvantage because we get put on the back burner over counties that have a contract in place, so he thanked staff for bringing this before the Board.

Commissioner Anglyn stated he was in favor of the contract, but asked about funding sources available upon delivery of the equipment. **Ms. Matthews** stated that whenever we have contracts, they are accounted for in the budget so this will be added to the upcoming budget. She mentioned there is an issue because the County cannot enter into a five year agreement, but the County Attorney can add language in the contract and we may have to do a year-to-year instead. We will also make sure this is listed in our Capital Improvement Plan. This is strictly a timeline and we will have to amend our CIP which means there may be some items that need to come out so we can maintain our millage rate – or we may have to have some conversations about adjusting the millage rate or looking at creating a Public Safety Millage Rate so that we can ensure that these Capital expenses are able to be purchased.

The board inquired about the five year lease being an issue. **Serena Nowell, County Attorney,** stated that the state statute that governs multi-year contracts requires that every term (even if you have multiple years in the term), each year the contract either has to expire at the end of the calendar year in which the contract was entered, or at the end of a fiscal year. The provision is to prevent binding successor commissions. You can still have the multiple terms, but the County as a public body needs to have the flexibility to terminate in case there is a situation where the funds are not available to fulfill a contract. We can do the three year contracts with renewals, but we need to make sure the statutory required language is included.

Commissioner Thomas would like to see language placed in the document to allow for leasing vehicles as well as purchases, but Chief Burnette explained that we can purchase how we would like and that would be our choice. He added that this will simply place us on the priority list for ordering if we have a contract. Currently, there is a 36-40 month extended wait time in ordering an apparatus.

Chair Harrell reiterated two things she would like the County Attorney to make sure is included within the language of the contract: 1) To make sure that lease options are permitted; and 2) to make sure the County has access to all records and files. The County Attorney confirmed she would add the language to the contract.

Commissioner Thomas made a motion to approve with comments and amendments stated by the Chair (regarding lease option and access to all records and files; **Vice Chair Lewis** seconded. The motion carried 6-0-0.
Resolution #24-23

Human Resources *(Moved to Regular Agenda from Consent)*

A. **Resolution of the Board of Commissioners to Amend the Adoption Agreement for Association County Commissioners of Georgia (ACCG) Defined Benefit Plan for Henry County Employees as it relates to Cost of Living Adjustment (COLA) for retirees. (Presenter: Holly Lafontaine, HR Director)(Exhibit 6)**

Holly Lafontaine, HR Director, stated that about a month ago staff brought an item before the Board for discussion only and are now bringing it back for a vote. Inflation has outpaced spending power of the retiree payments and the average rate of inflation was 8% in 2022. It dropped to 4.1% in 2023 and is currently at 2.7%. The cost to provide a 2% COLA to county retirees is $241,000. The proposal will be brought back to the BOC every other year to determine if a retiree COLA is affordable, and the increase will go into effect February 2024. The retiree must have been retired for at least two years so for this first one they would have had to be retired as of December 31, 2023.

Commissioner Robinson made a motion to approve; **Vice Chair Lewis** seconded. The motion carried 5-0-1. Commissioner Wilson recused himself from vote because he is currently a retiree with a pension.
Resolution #24-24

PUBLIC COMMENT

No one signed up for public comment.

UPCOMING MEETINGS AND EVENTS

- November 28, 2023 (fourth Tuesday) is a regularly scheduled BOC Meeting at 6:30 p.m
- December 5, 2023 is a regularly scheduled BOC Meeting at 9:00 a.m.

EXECUTIVE SESSION

VOTE: Commissioner Robinson made a motion to enter into Executive Session (9:53 a.m.) to discuss Personnel Matter; **Vice Chair Lewis** seconded. The motion carried 6-0-0.

RECONVENE FROM EXECUTIVE SESSION

VOTE: **Commissioner Robinson** made a motion to reconvene from executive session (9:58 a.m.);

Commissioner Anglyn seconded. The motion carried 6-0-0.

APPROVAL OF AN AFFIDAVIT AND RESOLUTION PERTAINING TO EXECUTIVE SESSION
VOTE: **Commissioner Robinson** made a motion to approve the Affidavit and Resolution pertaining to Executive Session; **Commissioner Anglyn** seconded. The motion carried 6-0-0.

ADJOURNMENT
Meeting adjourned at 9:59 a.m.

Carlotta Harrell, Chair

Stephanie Braun, County Clerk