STATE OF GEORGIA
COUNTY OF HENRY

The Henry County Board of Commissioners held a Special Called Meeting ***in-person*** on Tuesday, January 16, 2023, at 3:00 p.m., at the Henry County Administration Building (Community Room), 140 Henry Parkway, McDonough GA. Henry TV also streamed this live online at its website, as well as Charter/Spectrum Channel 180 and Facebook Live. The *Henry Daily Herald* was notified of this meeting. Those present were:

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

Also attending: 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)

PLEDGE OF ALLEGIANCE

The Pledge was recited.

CALL TO ORDER

Carlotta Harrell, Chair, called the Special Called Meeting of the Henry County Board of Commissioners for Tuesday, January 16, 2023, at 3:00 p.m. to order.

Discussion Only

Ordinance Amendment, re: Purchasing Policy (Presenter: Susan Harris, Purchasing Administrator)

David Smith, Cluster Lead, came forward to introduce Susan Harris the Purchasing Administrator for Henry County. He informed the Board that she will be presenting several items regarding recommendations from the recent disparity study, priorities that we will begin to work on here in Henry County, and the recommended changes to our purchasing ordinance. Before Ms. Harris presented, a video was played for the Board.

Susan Harris, Purchasing Administrator presented a PowerPower explaining the Disparity Study Identified Relevant Market. Ms. Harris explained the relevant market is the Atlanta

Metropolitan statistical area, which is the primary market where businesses have demonstrated interest in doing business with the County. It is the same geographic market (31 counties) chosen for the disparity study representing approximately 84% of the County spend. The County Manager has the discretion to add or delete other counties that do not have a geographic border with Henry County. The recommendation made by the Disparity Study is to establish a specific Small Business Reserve, such as the Local Shelter Market Program. This aims to enhance the Supplier Inclusion Policy, providing more competitive opportunities for small businesses, veteran-owned businesses, and DBEs. Additionally, there is a proposal to establish aspirational goals by contract, differentiating between utilization and availability.

Ms. Harris explained that because of the Disparity study presented in November 2023, one of the recommendations made was to develop a Small Business Reserve. The Local Sheltered Market Program was adopted by the Henry County Water Authority in June 2020. The Clayton County Board of Commissioners and Clayton County Water Authority have a similar program in place. The Local Sheltered Market Program should be a procurement process wherein certain contracts for goods or services are reserved for bidding by businesses certified to participate in the program. The LSMP should identify supply and service contract opportunities with an estimated annual value less than $100,000 and reserve these opportunities for certified participants. The highlights and requirements apply to certified small businesses or veteran-owned businesses located in the geographically based area of (19) counties. Revenue must be less than $10 million annually, and certification of small businesses or veteran-owned businesses will be accepted from Federal, State, or entities located within the geographically based area. An individual must register as a vendor with Henry County; if already registered, provide the vendor number, and a copy of the current business license showing that the company is located in the geographical area.

Ms. Harris explained some contracts will be exempt from the Local Sheltered Market Program. These exemptions include Public Works Construction contracts exceeding $100,000, as defined by O.C.G.A. § 36-91. Additionally, Professional Services of a highly specialized, complex, or technical nature fall under this exemption. This category encompasses a range of services, including but not limited to professional engineering, architectural, legal, accounting/auditing, bond placement/underwriting, insurance brokerage, administration of employee benefit plans, banking, project management, construction administration, informational technology ("IT") systems administration, IT database administration, IT business analysis, IT programming, and IT network administration. The emergency purchases and providers of goods or services that can only be legally or practically provided by a sole source are also exempt. Furthermore, maintenance, supply, support, repair, extended warranties, and licenses provided by the original equipment manufacturer (OEM) or one of the OEM's distributors, retailers, or authorized service providers fall within this exemption. Lastly, Federal and State Grant-funded projects are exempt to ensure fair and open competitions are not restricted. In the Local Shelter Market Program a participant may be removed or suspended. If they are removed that could be up to two years and if suspended would be no less than 3 months but no longer than 6 months and the participants would have the opportunity to appeal.

The recommended ordinance change is motivated by the factual basis provided by the disparity study, highlighting the need for improvements. This change is crucial to maintaining our thresholds, implementing relevant market recommendations, and aligning with the growth of Henry County. The strategy behind the ordinance adjustment aims to introduce greater flexibility in sourcing smaller-dollar purchases, enhance departmental effectiveness and efficiency, and increase authority for reviewing and approving purchases under $100,000. The proposed tactics include elevating informal quotation thresholds to $100,000, modifying thresholds for requests for proposal (RFP) and invitations to bid, and establishing a Local Sheltered Market in line with the current Relevant Market. The overarching goal is to create more equitable opportunities for small businesses, reduce the administrative burden associated with socializations and the review of RFP and bid documents, and boost the utilization of under-utilized businesses to meet aspirational MWBE goals. This strategic approach seeks to foster fair competition, streamline processes, and promote the inclusion of diverse businesses in line with the county's objectives.

The proposed ordinance changes encompass several key adjustments. The Purchasing agent threshold would increase from $50,000 to the recommended $100,000. Competitive sealed bids (requests for proposals/invitation to bid) and competitive sealed proposals would see an increase from $50,000 to $100,000. Informal written quotations would range from $7,500 to $99,999.99, up from $5,000 to $49,999.99. Informal quotations (single source) would now range from $.01 to $7,499.99, compared to the previous range of $.01 to $4,999.99. Contract purchases would increase from 10% to 20%, emergency purchases from $50,000 to $100,000, and sole sources from $50,000 to $100,000.These changes offer several advantages, including concentrating purchasing staff time on high-priority, strategic purchases and expediting the process for a larger volume of smaller purchases. The adjustments aim to shorten approval processes and award times. Additionally, it is proposed to list exemptions for Constitutional officers and Professional Services (1.2.3.1 exempt from the State Purchasing Act) in the new policy.

The County is committed to making every effort to engage minority-owned businesses and women's business enterprises to meet aspirational contract goals with an Enhanced Inclusion Plan. Notably, the current policy lacks a procedure governing protests, and it is suggested to add this to the new policy.

Concluding the presentation, Ms. Harris invited any questions from the Board regarding her presentation.

Chair Harrell inquired about the County's practice of holding pre-bid workshops or meetings. Ms. Harris explained that the County conducts site visits when required, but formal workshops are not currently offered. Chair Harrell questioned why the County does not provide pre-bid workshops, to which Ms. Harris responded that it is a practice the county has never adopted. She mentioned that site visits are conducted, especially for highly technical projects, and written questions are submitted by prospective bidders, which the County then addresses.

Chair Harrell then asked about the percentage of contracts based on the new policy, specifically in terms of prime contractors and the representation of minority-owned, women-owned, and veteran-owned businesses. **Ms. Harris** clarified that the county has aspirational goals, and they assess each contract individually. They determine the availability of minority-owned, women-owned, and veteran-owned businesses for inclusion in the bidding process, arriving at a percentage that contractors are required to include in their bids or proposals. This approach allows for a tailored evaluation for each contract to promote diversity and inclusion.

Chair Harrell expressed that an aspirational goal is not a requirement. **Ms. Harris** clarified that an aspirational goal is set for the County and evolves over time. Each year, the goal increases to promote continuous improvement. However, due to limited staff resources, the County cannot mandate a comprehensive goal implementation. The staff of six in the purchasing department faces challenges in overseeing subcontractor payments and tracking subcontractors.

Chair Harrell inquired about the local shelter market program application process, and Ms. Harris explained that the purchasing department's staff would review the applications. Chair Harrell then asked if there would be a list for prime contractors to choose from regarding minority businesses, and **Ms. Harris** confirmed that the list would be posted on the Henry County website.

Chair Harrell expressed the view that a pre-workshop bid would allow prime contractors to meet small businesses and explore potential partnerships. Ms. Harris agreed, acknowledging the benefits of such workshops. Chair Harrell inquired about the small business reserve, and **Ms. Harris** clarified that vendors participating in the smaller local shelter reserve would have the first opportunity to provide quotes.

Chair Harrell voiced concerns about the need for an inclusive policy to provide opportunities for small businesses in the County. She then opened the floor for questions from the Board.

Commissioner Thomas raised concerns about the County's ability to track General Contractors (GC) in implementing the policies being established. Ms. Harris acknowledged the current limitation but expressed the intent to take on the responsibility of tracking GC activities.

Commissioner Thomas inquired about the services provided by Ms. Donna Stevenson to the County, particularly regarding software that traces contracts and ensures timely payments to subcontractors. David Smith explained that Ms. Stevenson's company is a vendor for the American Rescue Plan Act (ARPA) contract, and the software is capable of tracking ARPA contracts, but the County does not currently utilize it for the purchasing process. Commissioner Thomas asked if the County could expand Ms. Stevenson's services, and Ms. Smith confirmed that it is possible to expand the contract with Ms. Stevenson to include those services.

Commissioner Thomas expressed the desire to mandate that contractors follow the County's established policies. Mr. Smith explained that while the aspirational goal is something the County aims to achieve, implementing it poses a challenge as it is a new endeavor. The County can include specific participation goals in contracts, but monitoring subcontractors, which is not currently done, requires additional staffing. Mr. Smith emphasized the need for a monitoring mechanism for subcontractors and reiterated the aspirational goal mentioned in Ms. Harris's presentation.

Commissioner Wilson inquired about the significance of raising the limits in the categories presented by Ms. Harris in the ordinance change and how Henry County would benefit. Ms. Harris responded that raising the limits would keep the County consistent with the Local Sheltered Market program.

Commissioner Thomas sought clarification on how emergencies are defined under the purchasing guidelines. **Ms. Harris e**xplained that emergencies are typically defined as situations involving death, loss of limb, or property.

Commissioner Thomas then inquired about annual contracts and the renewal process. **Ms. Harris** clarified that annual contracts brought to the Board include two optional, mutually agreed-upon renewals. In the first year, the contract is in place, and in the second year, if the department wishes to renew, purchasing contacts the vendor. If the vendor agrees but proposes an increase of less than 10 percent, the County Manager has the authority, per the current policy, to approve the increase for another year.

Commissioner Thomas asked about the evaluation process before renewals, and **Ms. Harris** explained that the purchasing department contacts departments to ensure satisfaction with the vendor's service and performance. Additionally, new vendors are brought in every six months, and departments receive a vendor survey to assess service and performance.

Commissioner Thomas further inquired if there's a limit on the number of automatic renewals. Ms. Harris clarified that it's not an automatic renewal but an annual award with two additional mutually agreed-upon renewals, totaling three years. After three years, the contract is placed back out for bid.

Commissioner Lewis noted the similarity between the information presented and what the Governor is proposing with the state legislature to increase contracts awarded to minorities, women-owned businesses, and veterans' businesses. He highlighted that only 5 percent of state-awarded contracts currently go to minorities and expressed appreciation for Henry County's efforts to bring about change. **Commissioner Lewis** emphasized the need for requirements, stating that without them, people may not follow the County's requests. He stressed the importance of making the initiative effective by imposing requirements and ensuring compliance.

Chair Harrell invited **Ms. Danielle Crow**, a citizen and business owner in Henry County residing in District 5, to share her perspective. Ms. Crow emphasized the importance of Henry County recognizing and supporting small and local businesses, many of which are minority, women, or veteran-owned. She highlighted the mutual benefit of a prosperous ecosystem when small businesses succeed. Successful small businesses contribute to the tax digest, hire and nurture local talent, and make a positive impact on the county. Ms. Crow advocated for pre-bid meetings, especially for small businesses that may not be primes on larger contracts. These meetings would facilitate essential networking between primes pursuing projects and local minority businesses, providing them with opportunities. She cited the best practices of organizations like the Atlanta Regional Commission and MARTA, which include their philosophy on business inclusion and state goals in their RFPs. Additionally, these organizations provide specific links to resources. Ms. Crow emphasized the need for various steps to create a culture in Henry County that supports these initiatives.

Chair Harrell expressed hope that the County can find a way to be inclusive to small businesses, women-owned, and veteran-owned enterprises. She mentioned upcoming projects and expressed a desire to see local businesses or individuals fitting within the inclusionary policy to have opportunities to connect with prime contractors and contribute to the initiatives the county has in store.

The American Rescue Plan Act (ARPA) presented by David Smith, Financial Director)

David Smith, Financial Director, presented the allocation recommendation, indicating that $4.2 million will be allocated towards community development, and $4.5 million will be allocated in the economic opportunity sector. Notably, the economic opportunity funds were recently utilized at the Henry County Airport.

Chair Harrell asked **Shannan Sagnot, Cluster Lead** to come forward and discuss how the $4.2 million will be used.

Shannan Sagnot, Cluster Lead, explained that the Community Development department will collaborate with area nonprofits to ensure that the funds are made available to individuals in the community with the greatest needs. She further clarified that all households receiving funds must meet the County's minimum requirements regarding income and the number of persons in the household.

Commissioner Lewis inquired about assistance provided to nonprofits, specifically whether they would be guided through the application process for the funds. Ms. Sagnot responded that her department would offer technical assistance and administrative support to help nonprofits navigate the process and cover their internal costs associated with the administration of the funds. This approach aims to facilitate the effective use of the allocated funds by nonprofits in the community.

Opioid Committee Update presented by Ashley Larrow, Chief of Staff/County Managers Office.

Ashley Larrow, Chief of Staff, presented a Powerpoint explaining the Opioid funds must be directed toward patient-related initiatives. For the year 2024, the County has received $621,500.88 in Opioid funds. The allocated funds are subject to specific restrictions, including utilization for training first responders, treating incarcerated individuals with Opioid Use Disorder (OUD), supporting treatment and recovery courts (in a supportive, non-punitive manner), community outreach, and treatment.

A committee was formed to provide recommendations for the use of opioid funds. The recommendations for first responders include a total of $331,500. $500 will be allocated to the police department for purchasing CPR training manikins. Henry County Fire Rescue will receive $331,000, with $200,000 for simulation mannequins, $111,000 for AEDs, Narcan, and training. For corrective action/detox, $205,000 was recommended, with $100,000 going to the Henry

County Sheriff's Office for detox medication and staff training, and $45,000 each for accountability courts and juvenile courts. In accountability court, funds will be used for medication and surveillance, while in juvenile court, funds will support training, evaluations, and community-based treatment.

The final category, prevention/treatment, amounts to $100,000. These funds will be allocated to the Henry County Emergency Management and Homeland Security as part of their startup costs for the Mobile Care Unit. This collaborative effort involves multiple community partners aiming to proactively address the issue. The funds will be used to renovate the current mobile command vehicle, addressing mechanical issues, and providing medication and equipment to establish the Mobile Care Unit.

Ms. Larrow mentioned that in the resolution for the 6:30 pm session, adjustments are needed in sections three and four regarding the monetary numbers. There will be slight modifications to ensure accuracy and alignment with the intended figures.

Chair Harrell asked **Chief Billy Petite** from the Fire Department to come forward and explain how they would be using the funds.

Chief Petite, Henry County Fire Rescue, explained that the request is for two ALS (Advanced Life Support) simulation mannequins that are lifelike. These mannequins are designed to simulate physiological and anatomical changes that occur during an overdose or cardiac arrest. They exhibit realistic features such as sweating, pupillary responses, fluctuating heart rates, and respiratory rate changes, mimicking a genuine opioid response. The mannequins can also be administered Narcan for training purposes.

Colonel Tina Daniels, Jail Operations Commander, from the Henry County Sheriff's Office stepped forward to explain the financial implications of providing medication for opioid use to inmates. She stated that each inmate receiving medication for opioids costs the jail $144 per inmate per day. Even after the initial seven days of treatment, the jail continues to oversee the inmates to ensure they receive proper care. This cost does not include inmates who may require hospitalization or additional medical care. In 2023, there were over 2,111 individuals needing treatment, marking a 10 percent increase from the previous year. Colonel Daniels emphasized the critical need for funds to address the needs of the jail in handling opioid-related issues.

Craig Ogilvie, Henry County Accountability Courts, came forward and explained that the use of opioid use disorder has doubled in the County courts among individuals with substance abuse disorder. The funds would be utilized for a curriculum specific to opioid use disorder and the training of the providers on staff. Additionally, the funds would support surveillance officers from the Sheriff's Department.

Monyato Tolbert, Henry County Juvenile Court, came forward and explained that the funds would be utilized for training probation officers, court staff, and attorneys in the courtroom. Additionally, the funds will support training for clinical staff. One of the programs they are considering is the Seven Challenges Program, where evaluations cost $850 per hour, and licensed therapists in that program are priced at $125 per hour. The funds will be allocated to cover the various training needs mentioned above, aiming to enhance the skills and knowledge of the professionals involved in dealing with opioid-related cases in the court system.

Kevin Johnson, EMA Director, came forward to explain the plans for the funds. The intention is to transition the current mobile command vehicle into a mobile care unit. They are looking to convert the bus into a two-hospital bed environment and collaborate with nonprofit organizations and in-house public safety departments to provide mobile healthcare to the community. The goal is to lessen the impact on individuals who may face challenges in accessing medical treatment on their own. This initiative reflects a commitment to expanding healthcare services and reaching those who may have difficulty accessing traditional healthcare facilities.

Chair Harrell expressed gratitude to the committee for devising a plan on how to utilize the funds and then opened the floor for questions from the Board.

Commissioner Thomas expressed concern that a significant portion of the funds is being absorbed internally for training at various departments such as the police department, fire rescue, juvenile court, and first responders. She suggested the possibility of consolidating training efforts to allocate more funds directly to the community. Commissioner Thomas emphasized a desire to allocate more funds toward the jail and the mobile unit, as these areas directly impact and help the public. Her suggestion is to reduce some of the training expenses and explore ways to allocate more funds to initiatives that have a direct impact on the community.

Chair Harrell responded to Commissioner Thomas's concerns, explaining that the use of opioid funds is highly restrictive. The funds cannot be used for salaries or administration; they must be directed toward training, medication, or education. The county is partnering with McIntosh Trial and the Accountability Courts are involving clinicians, therapists, and psychologists. External entities are also engaged in these partnerships. Chair Harrell emphasized the importance of proper training, especially when dealing with individuals in an opioid crisis, and the need for expertise in handling such situations. The nature of the funds limits their use to specific areas directly related to addressing the opioid crisis within the community.

Ashley Larrow states that the County has to account for every single dollar and how it is spent and very specific reasoning for it going to patients that are suffering from opioid use disorder. Once the funds are allocated outside of the county it becomes difficult for the count to provide that documentation. The Fire Recuse is to receive $331,000 and out of that 111,000 will be for community outreach. The goal is to target the hotspots in the communities like our business and hotels where they are taking the AED and Narcan out and stationing them there and training their admin staff because they are going to be there before anyone from the Fire Rescue team arrives.

Chair Harrell challenged all board members to review the resolution, as the item would be on the 6:30 pm meeting for the Board to take action. Chair Harrell then asked Ms. Larrow for a brief breakdown of the restrictions regarding the funds, as she had been made aware that the funds could not be used for mental health. Ms. Larrow clarified that the funds must be used for opioid use, specifically for treatment, training, and education. The county is limited in how it can utilize the funds, and she mentioned that the resolution will be adjusted based on Judge Amero's request, which could not meet the strict requirements.

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 4:29 p.m.***

Carlotta Harrell, Chair

Stephanie Braun, County Clerk