

**STATE OF GEORGIA
COUNTY OF HENRY**

The Henry County Board of Commissioners held a Regular Public Meeting *in-person* on Tuesday, February 20, 2024, at 6:30 p.m. at the Henry County Administration Building (Community Room), 140 Henry Parkway, McDonough GA. HenryTV also streamed this live online at its website, as well as Charter/Spectrum Channel 180 and Facebook Live.

Carlotta Harrell, Chair
Johnny Wilson, Vice Chair/District 1 Commissioner
Neat Robinson, District 2 Commissioner
Dee Anglyn, III, District 3 Commissioner
Vivian Thomas, District 4 Commissioner
Kevin J. Lewis, District 5 Commissioner

Also in attendance: Cheri Hobson-Matthews, County Manager; Serena Nowell, County Attorney; and Stephanie Braun, County Clerk

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, February 20, 2024 at 6:36 p.m., to order.

A. Announcement

The following Planning and Zoning items were advertised for the February 20, 2024, Board of Commissioners meeting, but have been postponed by the applicant:

1. COMP-AM-23-03 (Postponed) Tushar Patel of McDonough, GA requests an amendment to the Comprehensive Plan for property located east of Jake Lewis Drive, south of the intersection of Highway 81 East and Jake Lewis Drive, in Land Lot 174 of the 7th District. The property consists of 0.62 +/- acres, and the request is to amend the Future Land Use Map designation from Rural Residential to Commercial. **District 1**

2. RZ-23-07 (Postponed) Tushar Patel of McDonough, GA requests a rezoning from RA (Residential-Agricultural) to C-2 (General Commercial) for property located east of Jake Lewis Drive, south of the intersection of Highway 81 East and Jake Lewis Drive, in Land Lot 174 of the 7th District. The property consists of 0.62 +/- acres, and the request is for a commercial development. **District 1**

3. RZ-23-08 (Postponed) Tushar Patel of McDonough, GA requests a rezoning from RA (Residential-Agricultural) to C-2 (General Commercial) for property located south of Highway 81 East, east of the intersection of Highway 81 East and Jake Lewis Drive, in Land Lot 174 of the 7th District. The property consists of 2.92 +/- acres, and the request is for a commercial development. **District 1**

Recognition

A. Recognition of Henry County Emergency Management Specialist, Karla Richter, for receiving the 2023 Georgia Fire Inspector of the Year Award (*Presenter: Kevin Johnson, EMA Director*)

Karla Richter was recognized and celebrated for receiving the 2023 George M. Lanier Memorial Fire Inspector of the Year award. Photos were taken with the Board of Commission.

Presentation

A. Pavement Evaluation Presentation (*Presenter: Roque Romero, Public Works/Cluster Lead*)

Roque Romero, Cluster Lead, provided the community and Board of Commissioners with an overview of how the Henry County Department of Transportation evaluates roads based on various factors including cracks, rutting, roughness, and pavement conditions such as raveling, patching, potholes, bleeding, and distortions. In 2020, a rating system was established in collaboration with Infrastructure Management Services to assess the County's 1,159 miles of roads. The rating scale ranges from 85 to 100 for excellent, 70 to 85 for very good, 60 to 70 for good, 50 to 60 for fair, 40 to 50 for marginal, 25 to 40 for poor, and 0 to 25 for very poor.

Commissioner Robinson commented that some roads are being widened and others are near the interstates. There is a lot of wear and tear on those roads.

Commissioner Thomas asked if the cities are using a similar type of rating system? **Mr. Romero** did not know but noted the Georgia Department of Transportation uses a similar rating system. Nearly 1,200 miles is County roads only. Mr. Romero added that residents can visit the Henry County DOT website to see the rating system alphabetically by street. **Commissioner Thomas** also noted that different funding sources are used to fund road work throughout the County. **Mr. Romero** said in the last three years, the County has spent over \$50 million from different funding sources to repair the roads.

Appointments

A. McIntosh Trail Appointment: Lt. Steven Rotella, HCPD (**to fill unexpired term: 8/21/24*)

Commissioner Anglyn made a motion to approve item; **Commissioner Lewis** seconded. The motion carried 6-0-0. Resolution 24-49

PUBLIC COMMENT (this portion of the meeting was moved up by Chair Harrell)

Coltyn White was given three minutes to address the board. Colton White is a graduate of the Accountability Court. He thanked the board for the funding and support given to the program. He explained that after going through the program, himself and several others, give back to their community. "We're giving back to our community instead of taking from it," White said. It all started with the program.

Chair Harrell in response said there is proof that these programs work.

CONSENT AGENDA

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

Courts

- A. Juvenile Court: Resolution authorizing Henry County Juvenile Court to apply for a Grant from the Criminal Justice Coordinating Council to Fund the Juvenile Mental Health Court for FY 2025 (Presenter: Angela Craig, Coordinator) (Exhibit 1) Resolution 24-50
- B. Veterans Treatment Court: Resolution authorizing the Henry County Veterans Treatment Court to apply for a grant from the State of Georgia Office of the Governor/Criminal Justice Coordinating Council for FY2025 (Presenter: Craig Ogilvie, Director Accountability Court)(Exhibit 2) Resolution 24-51
- C. Resource Court: Resolution authorizing the Henry County Resource Court to apply for a grant from the State of Georgia Office of the Governor/Criminal Justice Coordinating Council for FY2025 (Presenter: Craig Ogilvie, Director/Accountability Court)(Exhibit 3) Resolution 24-52
- D. Adult Felony Drug Court: Resolution authorizing the Henry County Adult Felony Drug Court to apply for a grant from the State of Georgia Office of the Governor/Criminal Justice Coordinating Council for FY2025 (Presenter: Craig Ogilvie, Director/Accountability Court) (Exhibit 4) Resolution 24-53

DOT

- A. Resolution of the Board of Commissioners approving an application to the EPD Hazardous Waste Trust Fund for reimbursement for costs (or a portion thereof) associated with the closed Henry County Solid Waste Landfill (West Asbury Road Phase II MSWLF). (Presenter: Roque Romero, Public Works Director) (Exhibit 5) Resolution 24-54

Financial Services

- A. Resolution requesting the Board of Commissioners' approval to accept a one-time payment of \$1,000 from the Henry County Board of Education to the Henry County School Resource Officers. (Presenter: David Smith, Cluster Lead) (Exhibit 6) Resolution 24-55

SPLOST

- A. Resolution of the Board of Commissioners approving the Henry County Water Authority utility relocation estimated cost for McDonough Parkway in the amount of \$164,744 utilizing SPLOST V funding. (Roque Romero, Public Works/Cluster Lead) (Exhibit 7) Resolution 24-56 ^[1]_{SEP}
- B. Condemnation for the Western Parallel Connector - Parcel 11 (Presenter: Serena Nowell, County Attorney) (Exhibit 8) Resolution 24-57
- C. Condemnation for the Western Parallel Connector - Parcel 13 (Presenter: Serena Nowell, County Attorney) (Exhibit 9) Resolution 24-58

Stormwater

- A. Resolution of the Board of Commissioners approving the purchase of a Caterpillar 309 Hydraulic Excavator in the amount of \$158,824.00 from Yancey Bros. Co. utilizing Stormwater Enterprise Funds. *(Presenter: Roque Romero/Cluster Lead) (Exhibit 10)* Resolution 24-59

(This ends the consent agenda)

Commissioner Lewis asked the County Manager about Resolution 24-55 and if the payment was total payment or per Resource Officer. The County manager said it's per resource officer.

Commissioner Anglyn made a motion to approve the consent agenda; **Commissioner Lewis** seconded. The motion carried 6-0-0

REGULAR AGENDA

Financial Services

- A. Resolution amending Resolution #24-46 regarding FY24 Mid- Year Budget Adjustment for clarification purposes *(Presenter: Bernita Campbell, Budget Director) (Exhibit 11)*

David Smith, Financial Services Director presented a resolution to provide specifics on how \$3.7 million that was designated for commissioners and chair from projected amended FY 2024 budget fund balance will be used. Staff recommends that Henry DOT budget to be increased by \$3.7 million to be managed by DOT for identified road projects to be spent by 6/30/2024 for road improvements (immediate repairs). In addition, staff will prepare and present a list of failing roads in each district and type of repair needed.

Commissioner Lewis asked about the unexpended balance that does not roll forward. He asked if the projects could be identified only. If we identify a project, but the money hasn't been spent by June 30?

Mr. Smith said his intent is for the money to be spent by the end of the new fiscal year. There will be no rollover in my proposal.

Commissioner Lewis said it is problematic in a way because if a project is identified but the money does not get spent then it takes away the point of this.

Mr. Smith stated his understanding was to address immediate needs, noting he thinks that goal can be accomplished.

Commissioner Robinson said she's looking at inclement weather that could push back work. What is the consideration if that was to happen?

County Manager Hobson-Matthews said once a contract is in place it will obligate the funds.

Vice Chair Wilson asked about the upcoming LMIG contract and if there was time to add to that contract.

Mr. Romero stated we have a list of projects; they can amend the contract with a change order. It

shouldn't be an issue spending the funds.

Chair Harrell offered an option to put the \$3.75 million into the Henry DOT budget and put the projects out for bid right away and follow the road rating plan and process and hold the County Manager and DOT accountable to get these projects done which will allow the board to address the immediate needs identified by the commissioners and work with city partners to make a comprehensive list of road projects for SPLOST VI.

Chair Harrell asked for a motion with the terms stated above. **Commissioner Neat Robinson** made the motion; **Commissioner Kevin Lewis** seconded. The motion carried 6-0-0. Resolution 24-60

Parks and Recreation

A. Resolution of the Board of Commissioners supporting the Unity Grove Rosenwald School Preservation Initiative (*Presenter: Jonathon Penn, Cluster Lead*) (*Exhibit 12*)

Jonathon Penn, Cluster Lead presented the resolution to support the preservation initiative. He gave a background on the Rosenwald Schools history, noting that six were built in Henry County and only one remains in Locust Grove. The Henry County Arts Alliance has come together to preserve the treasure in Henry County. The idea is to restore and potentially moved. With the support of the County and cities, the alliance will be able to apply for grants.

Chair Harrell acknowledged and thanked Vice Chair Johnny Wilson in his instrumental work to preserve the school.

Ms. June Wood, chair of the alliance, thanked the Board for entertaining the resolution and help to preserve the building and gave additional history. They are in contact with former students at the school.

Vice Chair Wilson said the committee raised the money to purchase the school last year. Now we own it, but we have to raise enough money to move and preserve it.

Vice Chair Wilson made a motion to approve the resolution; **Commissioner Robinson** seconded. The motion carried 6-0-0. Resolution 24-61

Planning & Zoning

A. **RZ-23-17 (Public Hearing)** Allen Grant of Stockbridge, GA requests a rezoning from RA (Residential-Agricultural) to C-2 (General Commercial) for property located at 13 Reagan Road and 3565 Highway 155 North in Land Lots 59 & 70 of the 11th District. The property consists of 23.951 +/- acres, and the request is for a commercial development. **District 3** (*Presenter: Kamau As-Salaam, Assistant Director*) (*Exhibit 13*)

Kamau As-Salaam, Assistant Director presented the request to rezone property at 13 Reagan Road and 3565 Highway 155 North from RA (Residential-Agriculture) to C-2 (General Commercial) consisting of 33.82 acres to allow for a commercial complex. The property is across from the Kelletown Publix. The Future Land Use Map designates the property as village and is in the Highway Corridor overlay. The Zoning Advisory Board recommended approval with 10 conditions incorporated into the resolution.

Chair Harrell asked about Dollar Stores and pawn shops.

Mr. As-Salaam said they are already covered in the ULDC and cannot be included (Unified Land Development Code).

In addition, **Chair Harrell** asked about the exits on Highway 155. There are 2 exits and another on the side. She also asked how the traffic will be impacted during school hours since there is a school at the intersection. She's concerned that kids will be crossing the street. It's going to create a lot of traffic in the school zone.

Mr. As-Salaam stated it will be similar to traffic seen on a commercial development on a highway.

Chair Harrell opened the public hearing.

In Favor

Steve Moore with Moore Bass Consulting representing Allen Grant. Yule Forest has been a fixture for 30 plus years. Mr. Grant is ready to retire and move on. He has been very instrumental in the process trying to fine-tune this area of the County.

Allen Grant said they worked for most of last year working with the developer. He said they did not want to see a high-density residential development come into the area. He said it is a perfect fit. We really did like the village aspect, and we think it's a good fit.

A vicinity map was shown of the proposed development. The entrances and exits will be the same size as the development across the street. Steve Moore also showed an overview of the peak times at Yule Forest consisting of 3,000-4,000 cars per day during peak times.

Sheridan McGhee lives on Kelleytown Road with family. We have enjoyed the newly developed Publix and looking forward to new development. We have not had to travel far for groceries and something to eat and stated that they were looking forward to this development.

Priscilla Beirola lives at 105 Reagan Road. Ms. Beirola admitted they were quite nervous at first about the new development. She stated her family can't ride bikes or walk as of now. The new developed area will protect our kids from traffic, and they will be able to ride their bikes. She stated she also enjoys the new Publix. She is fully supportive of the Grants.

Stephanie (no last name provided), lives on 1220 Millers Mill Road with four children and they are excited about the new development. She is in supportive of the development.

In Opposition

Steve Robinson stated he lives directly behind this development. This area is increasing with traffic. He stated he understand progress, but sometimes it has to stop. He is not against progress, or a person making money, but some things have to be stopped.

Raquita Thornhill wanted to bring attention to one of the slides because she saw a proposal for vapes shops.

Chair Harrell responded that it said "no" vape shops would be permitted and asked staff to pull up the slide again.

Chair Harrell asked to revisit the entrance/exit slide. Does it align with the school entrance?

Mr. As-Salaam answered **yes**, noting a traffic impact study will be performed.

Chair Harrell asked to see the study when it is completed. She said she is concerned with the children at the school.

Commissioner Anglyn said working with the applicant was a breath of fresh air. They truly do care about the surrounding community. They were willing to make amendments including preserving the greenspace and larger walking paths. The community did support the FLUM and the village areas.

Commissioner Robinson asked about the trees.

Mr. As-Salaam referenced condition No. 6 to craft a new berm with new trees and 6-foot fence. There will be undisturbed trees there as well.

Commissioner Robinson thanked Mr. As-Salaam for taking that information into consideration.

Commissioner Anglyn noted the applicant went through the proposed development and noted concerns he had that the trees were not thick enough where more vegetation needed to be.

Commissioner Thomas commented on the Highway 155 buffers, and asked if they had considered the expansion planned for Highway 155?

Mr. As-Salaam answered yes, the plan is outside of the right-of-way.

Commissioner Anglyn made a motion to approve; **Commissioner Robinson** seconded. The motion carried 6-0-0. Resolution 24-62

SPLOST

A. Resolution of the Board of Commissioners approving a proposal from Architecture Unlimited for additional services in the amount of \$168,750.00 for Construction Administration and Construction Inspection (CA/CI) services for the Aquatic Center and Outdoor Water Park using SPLOST V funds (SP5001). (*Presenter: Lynn Planchon, Capital Projects Director*) (*Exhibit 14*)

Lynn Planchon, Capital Projects Director presented a resolution requesting approval for additional services from Architecture Unlimited in the amount of \$168,750 for the Aquatic Center and Outdoor Water Park. The work will include construction administration and construction inspection services. Architecture Unlimited is the architect for the project. It will be for the duration of the two-year project.

Chair Harrell asked are these additional services something we have to do for code?

Ms. Planchon answered yes.

Commissioner Anglyn made a motion to approve; **Commissioner Lewis** seconded. The motion carried 5-1-0. **Vice Chair Wilson** voted in opposition. Resolution 24-63

UPCOMING MEETINGS AND EVENTS

A. March 5, 2024, at 9:00 a.m. is a regularly scheduled BOC Meeting

B. March 19, 2024, at 6:30 p.m. is a regularly scheduled BOC Meeting

APPROVAL OF MINUTES

A. January 16, 2024, regular BOC meeting.

B. January 16, 2024, called BOC meeting.

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

ADJOURNMENT

Meeting adjourned at 7:45 p.m.

Carlotta Harrell, Chair

Stephanie Braun, County Clerk