

STATE OF GEORGIA COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting *in-person* on Tuesday, May 7 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, Vice Chair/District 1 Commissioner
Neat Robinson, District 2 Commissioner - joined via telephone
Dee Anglyn, III, District 3 Commissioner
Michael T. Price, District 4 Commissioner
Kevin J. Lewis, District 5 Commissioner

Also in attendance: Cheri Hobson-Matthews, County Manager; Serena Nowell, County Attorney; and Jasmin Head, Deputy County Clerk (not present: 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, May 7, 2024 at 9 a.m., to order.

Announcement

The following amendments were made to the agenda:

1. Amending Ordinance 24-02 Hotel/Motel Tax to become effective July 1, 2024.
County Manager Cheri Hobson-Matthews explained that following a meeting with the **Tax Commissioner, Michael Harris**, he needs 60 days to notify businesses who will be impacted and update his department's software.

Vice Chair Johnny Wilson made the motion to approve; **Commissioner Dee Anglyn** seconded. The motion carried 6-0-0. Ordinance 24-4

2. Executive session was added to discuss personnel matters and litigation.

PROCLAMATIONS/RECOGNITIONS

A. Recognition of Mr. Rusty Strawn, 2022 AGC Senior Player of the Year. (*Presenter: Nicholas Ivey, Public Relations Specialist*)

Nicholas Ivey presented a Certificate of Recognition to Rusty Strawn for amazing accomplishments in amateur golf and celebrating 50 years in the insurance business.

Commissioner Dee Anglyn noted his passion for golf and said he was blessed to have Rusty Strawn in his

life. Strawn was also responsible for teaching the sport to Commissioner Anglyn. A photograph was taken with Rusty Strawn and the BOC.

B. Proclamation designating the week of May 19-25, 2024 as National Emergency Medical Services Week "Honoring our Past - Forging our Future" (*Presenter: Nicholas Ivey, Public Relations Specialist*) **Nicholas Ivey** presented the proclamation designating May 19-25 as National Emergency Medical Services Week in Henry County. A photograph was taken with emergency and fire personnel attending the BOC meeting and commissioners.

C. Proclamation in Recognition of May as Mental Health Awareness Month. (*Presenter: Nicholas Ivey, Public Relations Specialist*)

Nicholas Ivey read the proclamation recognizing May as Mental Health Awareness Month in Henry County.

D. ACCG 2024 Recognition Awards (*Presenter: Melissa Robinson, Director of Communications & Public Information*)

Melissa Robinson announced several awards won by Henry County during the ACCG Annual Conference in April 2024.

- County of Excellence - for the Behavioral Health Initiative at the Henry County Police Department. Director Mark Amerman said in summary an issue was recognized at the police department 10 years ago which started with peer counseling that led to additional mental health training for the department and officers. In addition, it helped officers with their mental health and to help recognize when citizens are in a crisis. A photograph was taken with the peer counselors and mental health professional and the Board of Commission.

- Jerry R. Griffin/Excellence in Public Service Award - Cheri Hobson-Matthews, County Manager. Melissa Robinson announced an ACCG Leadership Award was given to the County Manager, Cheri Hobson-Matthews. It is the highest honor given to an elected or appointed county official who has made significant contributions through public service in local government within the community and/or state level. A photograph was taken with Cheri Hobson-Matthews and the Board of Commission.

- Legislative Advocate of the Year - Chair Carlotta Harrell
Melissa Robinson announced Board Chair Carlotta Harrell earned the Legislative Advocate of the Year from ACCG for her advocacy work on behalf of Henry County at the Georgia State Capitol. The award recognizes individuals who consistently engage in ACCG's policy-making process, demonstrating unwavering dedication to advancing Georgia counties. A photograph of Chair Harrell with the board was taken.

APPOINTMENTS

A. Henry County Veterans Advisory Board Appointments (*to fill two vacancies*) (Resolution 24-128)

- Chair (2 appointments): 1) Denise Gaines, 2) ~~Vacant~~ Dr. Daryl S. Johnson

- Vice Chair/District 1: ~~Vacant~~ Garry McNeill

- District 2: Candy Saunders

- District 3: Dwight Lewis

- District 4: Alicia McCrae

- District 5: Michael Oglesby

Commissioner Neat Robinson made the motion to approve the two additional appointments listed within the resolution: (Chair: Dr. Daryl S. Johnson; and District I: Garry McNeill); **Commissioner Kevin Lewis** seconded. The motion carried 6-0-0

CONSENT AGENDA

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

Courts

- A. Resolution of the Board of Commissioners accepting an emergency grant from the Council of Accountability Courts and the Criminal Justice Coordinating Council in the amount of \$1,271 (with no increase in match required) for the Henry County Veterans Treatment Court to fully cover important drug screens for the remainder of the fiscal year 2024. *(Presenter: Craig Ogilive, Accountability Court Administrator)(Exhibit 1)* Resolution 24-129

DOT

- A. Resolution of the Board of Commissioners Awarding Bid # 24- 36 for Sidewalk Trip Hazard Mitigation and ADA Compliance as an Annual Contract to Georgia Safe Sidewalks, LLC. The expected cost of this service per year is approximately \$90,000, and funds are available in the DOT Budget. *(Presenter: David Simmons, DOT Deputy Director)(Exhibit 2)* Resolution 24-130
- B. Resolution of the Board of Commissioners Awarding Sourcewell Contract Holder (Contract # 032119-JDC) to Ag-Pro Companies Requesting the Purchase of one (1) 2024 John Deere 6015E Cab 4x4 Tractor with 2024 “Alamo 22’ Machete 3 Boom” in the amount of \$180,508.55 and the Purchase of two (2) John Deere 5090E Cab Tractors in the amount of \$127,955.62 using funds from the Henry County Department of Transportation FY 2024 Capital Equipment Budget *(Presenter: David Simmons, DOT Deputy Director)(Exhibit 3)* Resolution 24-131

Financial Services

- A. Resolution of the Board of Commissioners authorizing the disposal of surplus vehicles and equipment listed on attachment A and attachment B. These items no longer maintain a serviceable function to the County. *(Presenter: Susan Harris, Deputy Director of Purchasing)(Exhibit 4)* Resolution 24-132

Fire Rescue

- A. Resolution of the Henry County Board of Commissioners Awarding an Annual Contract (RFP #24-35) to Emergency Billing, LLC for EMS Transport Billing Services. This will be a one year contract, with two mutually agreed upon annual renewals. *(Presenter: Jonathan Burnette, Fire Chief)(Exhibit 5)* Resolution 24-133

SPLOST

- A. Resolution of the Board of Commissioners approving a change order in the amount of \$101,481, and a budget amendment in the amount of \$90,000, for additional construction related costs incurred on the Iris Lake Road @ Racetrack Road Intersection Improvement, which is a shared District 1 and District 3 Transportation Improvement Project. *(Presenter: Roque Romero, Public Works/Cluster Lead)(Exhibit 6)* Resolution 24-134

- B. Resolution of the Board of Commissioners approving the Henry County Water Authority utility relocation estimated cost for McDonough Parkway Extension in the amount of \$29,325.00. (The total cost of the project is estimated at \$29,325.00. McDonough Parkway Extension is TSPLOST District 3 Improvement Project) (*Presenter: Roque Romero, Public Works/Cluster Lead*)(Exhibit 7) Resolution 24-135
- C. Resolution of the Board of Commissioners approving the Henry County Water Authority utility relocation estimated cost for Flippen Road Extension in the amount of \$17,833.63.(The total cost for HCWA relocation is \$17,833.63. Flippen Road Extension in SPLOST V District 3 5(old District 2) improvement project) (*Presenter: Roque Romero, Public Works/Cluster Lead*)(Exhibit 8) Resolution 24-136

(This ends the consent agenda)

Commissioner Kevin Lewis made the motion to approve the consent agenda; **Commissioner Neat Robinson** seconded. The motion carried 6-0-0

REGULAR AGENDA

County Manager

- A. Resolution approving Facility and Road Naming Policy (*Presenter: Chief of Staff/County Manager's Office*) (Exhibit 9)

County Manager Cheri Hobson-Matthews presented a policy pertaining to facility and road naming in the county. The county does not currently have a policy. She said over the last couple of years staff has received requests from citizens and county officials to name roads and buildings. The proposed policy would establish criteria for naming county-owned buildings, fixtures, lands, roads, and bridges. Approvals will be required by the department director and the Board of Commissioners. The policy would only allow honorary markings, not to change the name of roads. The approval would require a unanimous approval from the board.

Chair Carlotta Harrell asked to change from unanimous to a majority vote of approval from the BOC because the county charter states an approval is required by at least four members of the board.

Vice Chair Johnny Wilson asked about renaming a road due to relocating a main road.

County Manager stated that because the county would be making the change, the criteria presented would not need to be followed.

Commissioner Neat Robinson questioned why the cost is being passed on to the applicants.

County Manager said because it is a request for an honorary marker and if the applicant is requesting a particular design they would need to pay for the sign. If it is a sign that can be created by the county, the county will cover the cost.

Commissioner Kevin Lewis asked if it would preclude sponsorships. **County Manager** said it would be a separate process brought to the board for approval.

Commissioner Michael Price asked about the county's previous processes pertaining to naming.

County Manager said there has not been a process or a written policy.

Commissioner Michael Price said he does not agree with applicants paying for the signage and requiring input from the community. He said if they're not contributing to the cost, they should not have input. Therefore, he does not agree with applicants paying for the signage to be made, installed, care and replacement if necessary.

Chair Harrell disagreed with Commissioner Price's statement on cost responsibility.

Commissioner Michael Price also disagreed with the limitation of one name only using the Hartsfield-Jackson airport as an example. In addition, he does not want the board's hands to be tied by requiring the naming to be forever.

Chair Harrell asked to table to issue to allow for further discussion.

Commissioner Dee Anglyn made a motion to not approve, authorize or rename any roads, structures or any other items outlined in the presented resolution until there is a policy in place and to table the item until June 11, 2024; **Chair Harrell** seconded. The motion carried 6-0-0.

Planning & Zoning

A. ULDC-AM-24-01 (Public Hearing) An Ordinance by Terri Lynn Woodall of Stockbridge, GA to amend Chapter 7 of the Unified Land Development Code of the Henry County Code of Ordinances regarding the regulation of front yard fences. Countywide (*Presenter: Kenta Lanham, Planner III*)(*Exhibit 10*)

Kenta Lanham presented the request made to amend the ULDC in how it regulates front yard fences. Currently, homes in subdivision not zoned RA are prohibited from erecting a fence. The requested change allows for homes inside subdivisions to make a request for a front yard fence, provided specific parameters presented during the meeting are met. The Zoning Advisory Board approved the request in March 2024. Allowable height would be changed from six feet to four feet.

Commissioner Kevin Lewis noted the ULDC does not mention HOAs.

Kenta Lanham said as part of the Architectural Review Committee process requires approval from Homeowner Associations.

Chair Harrell said she has a problem with the type of fencing that could take away from the aesthetics of a road and neighborhood.

Commissioner Kevin Lewis asked why we would do an amendment when the ULDC is set to be rewritten.

Kenta Lanham said the whole ULDC would not be rewritten and that the requests are recent.

Chair Harrell asked about fences such as electrical, and hog and wire.

Kenta Lanham said the amendment would not allow for something like a barbed wire fence in a subdivision.

Commissioner Neat Robinson asked about public safety's request to lower from six to four feet.

Kenta Lanham said the request was due to visibility.

Chair Harrell asked if the change would allow for fencing around the entire property.

Kenta Lanham noted, if approved, the amendment would permit eight-foot fencing in side and back yards. Additionally, it would authorize the installation of a four-foot decorative fence, including solid wood fencing, around the front yard. To illustrate, he provided examples of potential front yard fence designs.

Commissioner Dee Anglyn said he has visibility concerns about the type of fencing used.

Commissioner Dee Anglyn made a motion to table the request until June 11, 2024, to allow for further discussion.

Chair Harrell opened the public hearing.

The applicant mentioned owning the property for over 40 years. They specified residing at the junction of Jodeco, Noah's Ark, and Oak Leaf roads for the past two years. They highlighted a substantial rise in traffic near their residence, along with numerous traffic accidents that have impeded their enjoyment of the property. The proposed fence is intended to be decorative, primarily due to their ownership of small pets. They expressed a desire for peaceful enjoyment of their neighborhood, emphasizing the high congestion and noise levels in the area.

Vice Chair Johnny Wilson said he has a concern with a solid fence facing a public road. He said such fences can become an eye sore when they're not maintained.

The applicant said they would be using cedar which does not deteriorate like pine.

Commissioner Michael Price said he was concerned the amendment was countywide.

The applicant said they were advised to take this route, changing the ULDC, rather than a variance.

Kenta Lanham noted the change only pertains to what is presented in the amendment.

Chair Harrell asked if the applicant's request could be separated out and deal only with their request rather than a change countywide. And sometime later look at a countywide change.

County Manager said the only other option would be a variance which are granted for hardships. The county code would not allow for a variance in this instance. The only way would be to change the code.

Commissioner Dee Anglyn stated that he needed time to review how this will impact District 3.

Chair Harrell made the motion to table the matter until the June 11, 2024, meeting. In addition, she is asking that code enforcement issue no citations until the matter comes back to the board. **Commissioner Kevin Lewis seconded.** The motion carried 6-0-0.

Financial Services

(Public Hearing) Regarding FY 2025 Proposed Budget (To participate in Public Hearing, sign up via email required by 12:00 p.m. on May 6, 2024 to sbraun@co.henry.ga.us) (*Presenter: Bernita Campbell, Budget Director*)(*Exhibit 11*)

Bernita Campbell presented an overview of the Henry County FY 2025 proposed general fund budget. Several options were presented to the public and BOC. The \$259.7 million budget proposes to maintain

the millage rate at 12.733 mills. They FY 25 budget has increased 8.7% or \$20.7 million higher than the FY 2024 budget of \$238.9 million. Finance recommended increasing the general millage rate fund.

Comments from residents who signed up to speak.

1. Chief Judge Brian Amero – (signed up, but was not present)

2. **Chief Judge Vinny Lotti** – stated that his purpose in coming was to thank everyone for the support that has been shown to the State Court’s operations. He said they have had a massive increase of cases. Last year between the four judges they cleared almost 30,000 cases and won an award for clearance rates given by the Supreme Court of Georgia. That number will continue to rise as the county grows. Every year there has been an increase in cases of 3,000-4,000 cases. He said they are in desperate need of additional staffing, including probation officers and clerks. They have a committed staff that has taken on extra duties in which they have gone over and above, but they cannot keep up that pace for too much longer without burning out.

Chair Harrell asked if there were any questions for Judge Lotti from the Board and there was not.

Vice Chair Johnny Wilson asked about placing Fire as a tax on a separate line item on the tax bill (not in the Special Service District). **David Smith, Finance Director**, said the tax commissioner would need to answer that. He said the tax increases go to service districts.

Vice Chair Johnny Wilson stated that Fire Rescue is one of the lowest collecting for the impact fees and that needs to be reconsidered. He also stated that he believes we need to take a closer look at the impact fees and start collecting the maximum on newer development so we can take some of the burden off the taxpayers who have resided in the county forever. Vice Chair Wilson talked about the Service Delivery Strategy (SDS) and collecting the McDonough portion of the tax (4.45%) for fire services and asked if any of that had been collected to date. **David Smith, Financial Service Director**, stated that we have not. **Vice Chair Wilson** recommended going through each department, starting with the BOC and consider what can the departments do without before we look at increasing the millage.

Commissioner Neat Robinson said it is unfair constituents would have to bear the tax increase when audits are not caught up and agreed with Vice Chair Wilson that fire should be moved to the top of collections for impact fees.

Commissioner Dee Anglyn stated that this was the best budget presentation he has seen to date. He said the budget presentation was clear and concise and thanked the finance department for their hard work. The greatest duty that this Board has is the fiduciary responsibility to the County, and it is not something that is taken lightly.

Commissioner Kevin Lewis said he appreciated the options shown. He asked the Finance Department to show the savings to taxpayers if the fire ISO increased to 1 mil. He noted impact fees are one time permit fees and goes only to the district where the building permit was issued. We have a fiduciary commitment to our residents and have to consider the future as well. He was also disappointed at the lack of public comment during the hearing and encouraged residents to make their voices heard about the budget.

Commissioner Michael Price reminded all that prices continue to rise for all and that includes the county. He asked about the amount owed for each city about the SDS and impact fees.

Tax Commissioner Michael Harris addressed the question of whether the fire tax would be a separate line item on the tax bill. He explained the bill currently has an item for police and fire special services. An adjustment would be made to those lines. He explained the frozen homestead exemption has not created

an increase in county taxes, but the school board taxes increase. There is not a frozen exemption on school taxes. The frozen exemption has saved citizens approximately \$45 million.

Chair Harrell said impact fees will not make the county sustainable in that they are one-time fees. She said the county departments have been fiscally responsible and have held their budgets steady asking only for increases to items such as postage and contract fees. The levels are almost at a breaking point. She said the board has some tough decisions to make in order to maintain services at a high level.

Chair Harrell asked how much is owed and how long has the county been trying to collect fire service fees from the city of McDonough. She also asked what legal options are available to the county.

Bernita Campbell said the amount is \$2.6 million over 2-3 fiscal years.

Chair Harrell opened the public hearing said staff needs a direction from the BOC to prepare the budget for adoption on May 29, 2024.

Chair Harrell advised to meet with each commissioner before the next meeting/public hearing/adoption and answer any questions, concerning.

Chair Harrell opened the public hearing for those in attendance.

There were no public comments for the FY 2025 budget public hearing.

Public Comments

No one signed up for public comment.

Approval of Minutes

A. April 9, 2024 Called BOC meeting.

Commissioner Kevin Lewis made the motion to approve; **Commissioner Dee Anglyn** seconded. The motion carried 6-0-0.

Planning & Zoning

Added Item: An Ordinance of Henry County, Georgia enacting a Moratorium relating to commercial and residential development and building in the North Ola area; to include rezonings, comprehensive plan amendments, lot modifications (greater than 5 total acres of area), and residential development applications, for an indefinite period not to exceed twelve months. (*Presenter: Kamau As-Salaam, Assistant Director, Planning and Zoning*) Ordinance 24-03

Commissioner Dee Anglyn called for the moratorium presented on the map. He said it will not stop private property owners from building a single-family home or accessory structures but to reject applications for a mass development such as subdivisions or commercial complexes in the area until the north Ola master plan is created by staff and consultants.

Kamau As-Salaam stated the moratorium will include rezoning, comprehensive plan amendments, lot modifications greater than five total acres and residential development modifications not to exceed 12 months. The north Ola area is defined as Highway 20E, East Lake Road, Turner Church Road and Turner Road. There are 443 parcels effected by the moratorium proposal. He said the county is receiving several requests to build subdivisions. He said the master plan will stop piece mill building and guide

development. It's an opportunity for smart growth.

Vice Chair Johnny Wilson said he appreciates Commissioner Anglyn's request. He said it is a better way to control growth in the area.

Commissioner Kevin Lewis asked how much it would cost to use a consultant.

Kamau As-Salaam said the proposals have been around \$50,000.

Chair Harrell asked about the Jonesboro Road corridor consultant.

Kamau As-Salaam said they were able to handle that in-house using previous information from consultants.

Commissioner Dee Anglyn made the motion to approve the moratorium; **Commissioner Neat Robinson** seconded. The motion carried 6-0-0.

ADDED Executive Session

(Added) Executive Session to discuss personnel matters and litigation

Commissioner Kevin Lewis made the motion to go into executive session; **Commissioner Dee Anglyn** seconded. The motion carried 6-0-0.

Reconvene from Executive Session

Commissioner Dee Anglyn made the motion to reconvene from executive session; **Commissioner Kevin Lewis** seconded. The motion carried 6-0-0.

Approval of an Affidavit and Resolution pertaining to Executive Session

Commissioner Kevin Lewis made the motion to approve; **Commissioner Dee Anglyn** seconded. The motion carried 6-0-0.

Upcoming Meetings and Events

A. Notice of date change - the May 21, 2024 regularly scheduled BOC meeting has been reschedule to Wednesday, May 29, 2024 at 6:30 p.m.

ADDED: Special Called Meeting for public hearings and adoption of the FY 2025 proposed budget. May 30, 2024 at 5:30 p.m.

B. June 11, 2024 at 9 a.m. is a regularly scheduled BOC meeting.

ADJOURNMENT

Meeting adjourned at 12:31 p.m.

Carlotta Harrell, Chair

Jasmin Head, Deputy County Clerk