STATE OF GEORGIA
COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting ***in-person*** on Tuesday, January. 7, 2025, 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
Dee Anglyn, III, District 3 Commissioner
Michael T. Price, District 4 Commissioner
Kevin J. Lewis, District 5 Commissioner

Staff Present: Cheri Hobson-Matthews, County Manager; Kevin Johnson, Deputy County Manager; Serena Nowell, County Attorney; Stephanie Braun, County Clerk, and Jasmin Head, Deputy County Clerk

INSTRUCTIONS TO PARTICIPATE

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

Announcement

ANNOUNCEMENT: The following Planning & Zoning item, originally advertised for the January 7, 2025, BOC Meeting, has been postponed by staff:

RZ-22-14 (Public Hearing - POSTPONED)
DRB Group, LLC of Fayetteville, GA requests a rezoning from RA (Residential- Agricultural) to R-1 (Single-Family Residence) for property located at the south of Highway 81 East and west of Keys Ferry Road in Land Lots 145, 176, and 177 of the 8th District. The property consists of 239.40 +/- acres, and the request is for a single-family residential subdivision. District 1

****Chair Harrell announced amendments to the Agenda:**
1. Executive Session, re: Property Acquisition and Personnel Matters.
2. Resolution to authorize the acceptance of a settlement with Target Corporation as part of the National Opioid lawsuit.
3. Resolution terminating the County Attorney contract (Squire, Patton, Boggs)

4. Chair Harrell also called for a motion to table the item listed below:

ITEM IX(A) Home Rule Ordinance by the Henry County Board of Commissioners, Under the Home Rule Provisions for Counties in the Constitution of the State of Georgia, Amending an Act of the General Assembly of 2006 (Ga. L. 2006, p. 4062, et seq.), as Amended, that created the Henry County Board of Elections and Registration. (Presenter: Serena Nowell, County Attorney) (Exhibit 20)

Commissioner Neat Robinson made the motion to table this item until the next regular BOC meeting; **Commissioner Dee Anglyn** seconded. The motion carried 6-0-0.

Presentations

A. Financial Update (Presenter: David Smith, Financial Services/Cluster Lead)

B. Henry County Connected Vehicle Technology Deployment Plan (Presenters: Sam Baker, Transportation Planning Director and Jeremy Ward, P3Mobility)

C. Henry County Comprehensive Transportation Safety Action Plan (Presenters: Sam Baker, Transportation Planning Director and Amber Berg, Modern Mobility Partners)

Appointments

A. Vice Chair: Commissioner Neat Robinson/District II (Term: Effective immediately - 12/31/2025) Resolution #25-4

Chair Harrell made the motion to approve; **Commissioner Kevin J. Lewis** seconded. The motion carried 6-0-0.

B. Board of Assessors: Bertha Brown (Term: 2/4/2025 - 1/6/2027) Resolution #25-5

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

C. Henry County Building & Facilities Authority/District II: Randy Williams (Term: Effective immediately - 7/18/2025 *to fill an unexpired term) Resolution #25-6.

Vice Chair Neat Robinson made the motion to approve; **Commissioner Kevin J. Lewis** seconded. The motion carried 6-0-0.

D. Library Board Appointment: (Term Expiration: 12/31/2028)
• County-at-Large: Sharon Ponder
• District III: Theresa Styles
Resolution #25-7

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

E. Recreation Board (Term Expiration: 12/31/2028)
• County-at-Large: Bridgette L. Foresyth
• District I: John Dewberry, Jr.

• District III: David Wilkerson
Resolution #25-8

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

F. Transportation Advisory Group (Term expiration: 12/31/2026)
• County-at-Large: Jim Risher
• District I: Herman Ryan
• District III: Craig T. Burns
• District V: Timothy Blige
Resolution #25-9

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

G. Henry County Veterans Advisory Board (Term Expiration: 12/31/2028)
• County-at-Large: Denise Gaines-Edmond
• County-at-Large: Daryl Johnson
• District I: Garry McNeil
• District II: Candy Saunders
Resolution #25-10

Vice Chair Neat Robinson made the motion to approve; **Commissioner Michael Price** seconded. The motion carried 6-0-0.

H. Zoning Advisory Board (Term Expiration: 12/31/2026):
• County-at-Large: Dawn Randolph
• District I: Don Veum
• District II: Delander Nelson
• District III: Jim Risher
• District IV: Robert Kolpak
• District V: Kevin Richardson
Resolution #25-11

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

CONSENT AGENDA

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

DOT

A. Resolution Authorizing the Chair to sign a Georgia Department of Transportation Local Maintenance & Improvement Grant (LMIG) Application for fiscal year 2025. (Presenter: Roque Romero/Cluster Lead)(Exhibit 1)
Resolution #25-12

Emergency Management

A. Resolution accepting a donation of miscellaneous food items to Henry County Emergency Management and Homeland Security Community Resources Division for Thanksgiving Food Boxes for Henry County residents living in poverty. (Presenter: Amanda Reeves/Deputy Director of Community Resources)(Exhibit 2)
Resolution #25-13

Facilities Maintenance

A. Resolution awarding contract for emergency replacement of internal gutter system at JP Moseley Rec Center to Garland DBS, via Omnia Partners state contract in the amount of $118,707, due to recurring water intrusion. Funding for said repairs is available in the Facilities Maintenance budget. (Presenter: Hutch Purvis, Cluster Lead)(Exhibit 3) Resolution #25-14

Human Resources

A. Resolution to Terminate the Master Service Agreement with Marathon Health (Presenter: Holly Lafontaine, Human Resources and Risk Management Director)(Exhibit 4) Resolution #25-15

B. Resolution to adopt a Master Service Agreement with CareATC to provide services at the Henry County Employee Onsite Clinic - Henry Cares Wellness Center (Presenter: Holly Lafontaine, Human Resources and Risk Management Director)(Exhibit 5) Resolution #25-16

Parks & Recreation

A. Resolution approving the park WiFi project, via the Texas DIR Contract #DIR-ICC- 243, utilizing ARPA Funds in the amount of $487,928.00. (Presenter: Jonathon Penn, Cluster Lead)(Exhibit 6) Resolution #25-17

B. Resolution approving the purchase of Playground Equipment and Poured Rubber Surfacing for Cochran Park from GameTime in the amount of $138,429.46 through U.S. Communities Contract #2017001134, utilizing impact fees and donated funds from Henry County Kiwanis. District 2 (Presenter: Jonathon Penn, Cluster Lead)(Exhibit 7) Resolution #25-18

C. Resolution of the Board of Commissioners accepting donations and sponsorships for Parks and Recreation from July 2024 until December 2024. (Presenter: Jonathon Penn, Cluster Lead)(Exhibit 8) Resolution #25-19

Planning & Zoning

A. Resolution approving a request for a new streetlight district for Cambria (Phases 1 & 2) Subdivision on Jonesboro Road. District 5 (Presenter: Heidy Liahut, Planner I)(Exhibit 9) Resolution #25-20

B. Resolution approving a request for a new streetlight district for Cooper Park (Phases 1 & 2) Subdivision on Chambers Road. District 5 (Presenter: Heidy Liahut, Planner I)(Exhibit 10) Resolution #25-21

C. Resolution approving a request for a new streetlight district for Echo Glen (Townhomes) Subdivision on East Lake Parkway. District 4 (Presenter: Heidy Liahut, Planner I)(Exhibit 11) Resolution #25-22

D. Resolution approving a request for a new streetlight district for the Estates at Anderson Point (Phase 2) Subdivision on McGarity Road. District 3 (Presenter: Heidy Liahut, Planner I)(Exhibit 12) Resolution #25-23

E. Resolution approving a request for a new streetlight district for Heritage Point (Phases 2 & 3) Subdivision on Dutchtown Road. District 5 (Presenter: Heidy Liahut, Planner I)(Exhibit 13) Resolution #25-24

F. Resolution approving a request for a new streetlight district for The Point at Heron Bay (Phase 2) Subdivision on Louis Drive. District 1 (Presenter: Heidy Liahut, Planner I)(Exhibit 14) Resolution #25-25

Police Department

A. Resolution approving acceptance of an award in the amount of 28,974.00 from the Department of Justice, Bureau of Justice Assistance, FY24 Edward Byrne Memorial Justice Assistance Grant Program - Local Solicitation for the Henry County Police Department. (Presenter: Captain William Powell, HCPD)(Exhibit 15) Resolution #25-26

Sheriff's Office

A. Resolution approving the acceptance of an award in the amount of $3,000.00 from the State of Georgia Emergency Management and Homeland Security Agency EOD K-9 Grant with no matching funds. (Presenter: Major David Cody/HCSO)(Exhibit 16) Resolution #25-27

SPLOST

A. Resolution declaring the election results for SPLOST VI held on November 5, 2024. (Presenter: Serena Nowell, County Attorney)(Exhibit 17) Resolution #25-28

Stormwater

A. Resolution approving the Henry County Water Authority utility relocation estimated cost for Belair Drive in the amount of $3,914.91 utilizing Stormwater Enterprise Funds. District 2. (Presenter: Roque Romero/Cluster Lead)(Exhibit 18) Resolution #25-29

Transportation Planning

A. Resolution accepting an $850,000 Community Project Funding (CPF) award from the U.S. Department of Housing and Urban Development for the resurfacing of East Atlanta Road. (Presenter: Sam Baker, Transportation Planning Director)(Exhibit 19) Resolution #25-30

Added: Board of Commissioners

A. Resolution of the Board of Commissioners to terminate its contract with Squire Patton Boggs (US) LLP for legal services. Resolution #25-31

(This ends the consent agenda)

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

REGULAR AGENDA

County Attorney

A. (TABLED) A Home Rule Ordinance by the Henry County Board of Commissioners, Under the Home Rule Provisions for Counties in the Constitution of the State of Georgia, Amending an Act of the General Assembly of 2006 (Ga. L. 2006, p. 4062, et seq.), as Amended, that created the Henry County Board of Elections and Registration. (Presenter: Serena Nowell, County Attorney)(Exhibit 20)

Vice Chair Neat Robinson made the motion to table the item until the Jan. 21, 2025, regular BOC meeting; **Commissioner Dee Anglyn** seconded. The motion carried 6-0-0.

Walk on Item:
Resolution to authorize the acceptance of a settlement with Target Corporation as part of the national opioid litigation. (Presenter: Serena Nowell, County Attorney) Resolution #25-32

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

B. Resolution Declaring Official Intent to Finance Capital Project Costs Through Tax-Exempt Financing. (Presenter: Serena Nowell, County Attorney)(Exhibit 21) Resolution #25-33

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

C. (First Reading) A Home Rule Ordinance by the Henry County Board of Commissioners under the Home Rule Provisions for Counties of the Constitution of the State of Georgia, to Amend an Act of the General Assembly of 2021, found in Ga. L. 2021, p. 4168, Act No. 123, et seq., as Amended, Amending and Restating the Henry County Development Authority Act. (Presenter: Serena Nowell, County Attorney)(Exhibit 22) Ordinance 25-1(First Reading)

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

County Manager

A. Resolution authorizing the acquisition of approximately 48.3 acres of property, located in Land Lots 113 and 114 of the 8th District in Henry County, Georgia, for a total cost of $1,160,000. The payment will be made using parks and green space impact fees. District 3 (Presenter: Ashley Larrow/Chief of Staff to the County Manager)(Exhibit 23) Resolution #25-34

Chief of Staff to the County Manager Ashely Larrow presented the resolution to acquire 48.3 acres of property off Snapping Shoals Road, next to North Ola Park. The property would serve as an extension of the park as part of the Parks & Recreation Master Plan.

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

Financial Services

A. Resolution for Declaration of Official Intent to Finance Costs of Certain SPLOST VI Projects with Capital Project Fund Financing. (Presenter: David Smith, Financial Services Cluster Lead and Roque Romero, Cluster Lead)(Exhibit 24) Resolution #25-35

Financial Services Cluster Lead David Smith presented the resolution to finance costs of certain SPLOST VI projects using capital project fund financing. SPLOST VI collections do not begin until April 2025. Using the financing will allow the county to begin SPLOST VI projects before collections begin. A total of $1M will be used and reimbursed when collections begin.

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

SPLOST

A. Resolution approving a Budget Amendment to reallocate available SPLOST V County Wide and District project funds to various active SPLOST V County Wide and District projects. (Presenter: Roque Romero, Cluster Lead)(Exhibit 25) Resolution #25-36

Cluster Lead Roque Romero presented the resolution to reallocate available funds from completed SPLOST V projects to other various SPLOST V projects.

Capital Projects Director Lynn Planchon explained moving the funding cleans up completed project accounts to SPLOST projects that are in progress or yet to be started. SPLOST V funding can only be used to complete SPLOST V projects.

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

B. Resolution approving an increase to the existing Aquatic Center construction contingency in the amount of $2,012,473.93, for a total of $3,012,473.93, which equals 6% of the construction contract. (Presenter: Lynn Planchon, Capital Projects Director)(Exhibit 26) Resolution #25-37

Capital Projects Director Lynn Planchon presented the resolution to increase the Aquatic Center construction contingency amount.

Commissioner Kevin J. Lewis made the motion to approve; **Commissioner Michael Price** seconded. The motion carried 5-1-0 with **Commissioner Johnny Wilson** voting in opposition.

C. Resolution approving the bid award for the construction of Dutchtown Road to Backbone Infrastructure in the amount of $2,793,624.00. Funding for this project is available in the SPLOST V project account. District 5. (Presenter: Roque Romero, Cluster Lead)(Exhibit 27) Resolution #25-38

Cluster Lead Roque Romero presented the resolution to award construction of Dutchtown Road to Backbone infrastructure.

Commissioner Kevin J. Lewis made the motion to approve; **Vice Chair Neat Robinson** seconded. The motion carried 6-0-0.

D. Resolution approving a Supplemental Agreement for Heath & Lineback in the amount of $178,185.00 for the design of Flippen Road Extension. Funding for the additional design services are available within the SPLOST V budget. Old District 4, New District 5 (Presenter: Roque Romero, Cluster Lead)(Exhibit 28) Resolution #25-39

Cluster Lead Roque Romero presented the resolution for supplemental funding for the design of the Flippen Road extension.

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

E. Resolution approving a Supplemental Agreement with Moffatt & Nichol in the amount of $28,374.00 on the design of SR81 Widening. Funding is available in the SPLOST V account. District 1, District 3. (Presenter: Roque Romero, Cluster Lead)(Exhibit 29) Resolution #25-40

Cluster Lead Roque Romero presented the resolution for supplemental funding for the design of State Route 81 widening project.

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

F. Resolution approving the funding of stream credits for Burg Road, a SPLOST V project in the amount of $396,000.00 District 1. (Presenter: Bert Bivins, SPLOST Deputy Director)(Exhibit 30) Resolution #25-41

SPLOST Deputy Director Bert Bivins presented the resolution approving the funding of stream credits for Burg Road. The road construction will impact the Little Sandy Creek requiring the county mitigate the impact per the Army Corps of Engineers at a cost of $396,000.

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

G. Resolution approving the bid award for the construction of Burg Road to Backbone Infrastructure in the amount of $5,039,636.00. Funding for this project is available in SPLOST V. District 1. (Presenter: Bert Bivins, SPLOST Deputy Director)(Exhibit 31) Resolution #25-42

SPLOST Deputy Director Bert Bivins presented the resolution for the bid award for the construction of Burg Road to Backbone infrastructure.

Commissioner Johnny Wilson made the motion to approve; **Chair Harrell** seconded. The motion carried 6-0-0.

<u>Parks & Recreation</u>

A. Resolution approving the revised Parks and Recreation Commission bylaws which includes an increase in meeting payments. (Presenter: Jonathon Penn, Cluster Lead)(Exhibit 32) Resolution #25-43

Cluster Lead Jonathon Penn presented the resolution to revise Parks & Recreation Commission bylaws which includes an increase in meeting payments for members from $100 to $300 per meeting.

Chair Harrell stated the board can approve the bylaw changes, but not the increase in payments. She noted the request was not budgeted in the current fiscal year budget. She said the increase request is something that can be looked at during the new budget cycle. She stated that other boards have requested increases and were denied.

Chair Harrell made the motion to approve the bylaw amendments excluding the request for an increase in payments to the board; **Vice Chair Neat Robinson** seconded. The motion carried 6-0-0.

Planning & Zoning

A. ULDC-AM-24-03 (Public Hearing)
   An Ordinance by Henry County, Georgia, to amend Chapter 12 of the Unified Land Development Code of the Henry County Code of Ordinances regarding hearings of amendments to the Comprehensive Plan. Countywide (Presenter: Kamau As-Salaam, Assistant Director)(Exhibit 34)

Assistant Director Kamau As-Salaam presented the ordinance amendment to Chapter 12 of the Unified Land Development Code of the Henry County Code of Ordinances regarding hearings of amendments to the Comprehensive Plan. The change would have the Zoning Advisory Board and the BOC consider amendments to the ULDC bi-annually during the second and fourth quarters - spring and winter.

Chair Harrell asked for a more specific timeframe rather than second and fourth quarters.

Commissioner Kevin J. Lewis said the intent was to stick as best as possible to the Future Land Use Map and Comprehensive Plan and limit the number of applicants requesting and allowing the board to adjust only as needed. He stated the language with a majority vote does not change how things are being considered now.

Kamau As-Salaam said the wording can be adjusted to be stricter.

Commissioner Johnny Wilson said he was concerned how it could affect annexations.

Commissioner Dee Anglyn noted the City of McDonough has a limitation in place. He asked if they could look at rewriting Section D.

Chair Harrell said she would like to see something more specific such as spring or winter.

County Manager Cheri Hobson-Matthews offered suggestions that the county could accept requests throughout the year and hear the requests once per year or continue to receive applications and staff has the ability to deny them if they are not consistent with the Comprehensive Plan or FLUM.

Commissioner Dee Anglyn asked how Master Plans would be affected.

Kamau As-Salaam said the current working allows for such flexibility as needed.

County Manager Cheri Hobson-Matthews also noted that as Master Plans are approved, the resolutions would contain wording that would allow changes to the Master Plan as part of the approval process.

Public Hearing
(In Favor)

(In Opposition)
Jossalyn Williams, Stockbridge resident, is in opposition of changing to hear requests twice per year. The annual language would allow for slowing of excessive growth in the county and helps to ensure a balanced approach and allow to hear from residents and interested parties.

Tina Marie Coria and Conserve Henry member. The FLUM is for unincorporated Henry County. The reason for the plans was a covenant between citizens and commissioners. She said the county would take away the residents ability to stand up (in favor or against) the proposed amendments.

Chair Harrell clarified that changing to hearing amendments requests annually does not take away the public hearing requirement and that residents will have the opportunity to speak.

Commissioner Kevin J. Lewis made the motion to table the resolution to allow for changes to be made; **Vice Chair Neat Robinson** seconded. The motion carried 6-0-0.

ADDED: County Manager Comments (Year-End Video Played)

County Manager Cheri Hobson-Matthews presented the year-end video and acknowledged the work of the Henry County staff throughout the year.

PUBLIC COMMENT
No one signed up for public comment.

Approval of Minutes

A. November 5, 2024 Regular BOC Meeting
B. November 19, 2024 Regular BOC Meeting
C. December 5, 2024 Called BOC Meeting regarding Legislative Priorities

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

Upcoming Meetings and Events

A. January 21, 2025 at 6:30 p.m. is a regularly scheduled BOC meeting.
B. February 4, 2025 at 9:00 a.m. is a regularly scheduled BOC meeting.

Executive Session (Property Acquisition and Personnel Matters) Added

Commissioner Dee Anglyn made the motion to enter into executive session at 10:58 a.m.; **Commissioner Kevin J. Lewis** seconded. The motion carried 6-0-0.

Reconvene from executive session (Added)
Commissioner Dee Anglyn made the motion to reconvene from executive session (11:47 a.m.); **Commissioner Kevin J. Lewis** seconded. The motion carried 6-0-0.

Approval of an affidavit and resolution pertaining to executive session (Added)
Commissioner Dee Anglyn made the motion to approve the affidavit and resolution pertaining to executive session; **Commissioner Kevin J. Lewis** seconded. The motion carried 6-0-0.

ADJOURNMENT
Meeting adjourned at 11:47 a.m.

Carlotta Harrell, Chair

Stephanie Braun, County Clerk