

April 15, 2025

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**STATE OF GEORGIA
COUNTY OF HENRY**

The Henry County Board of Commissioners held a Regular Public Meeting *in-person* on Tuesday, April 15, 2025, 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, District 1 Commissioner
Neat Robinson, Vice Chair/District 2 Commissioner
Dee Anglyn, III, District 3 Commissioner (Absent)
Michael T. Price, District 4 Commissioner
Kevin J. Lewis, District 5 Commissioner

BOC Absent: Commissioner Dee Anglyn III

Staff Present: Cheri Hobson-Matthews, County Manager; Kevin Johnson, Deputy County Manager; Rachel Mack, 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

Chair Harrell made the following announcements:

1. **(Removed)** Resolution approving the award for design services of Jonesboro Road Widening (Phase II) (District 2 and District 5, SPLOST VI) to Kimley- Horn and Associates, Inc. (Exhibit 18)
2. **(Added)** Executive Session, re: Property Acquisition

Proclamation

Proclamation Declaring April 13, 2025 – April 19, 2025 as Public Safety Telecommunications Week in Henry County. (Presenter: Amber Smith, Public Relations Specialist)

Presentations

- A. Presentation by RightSite Health in collaboration with Henry County Fire Rescue and E911 on innovative telehealth solutions to enhance emergency response efficiency and community healthcare access. (Presenter: Tamika Kendrick, E911 Director)
- B. Presentation recognizing Parks & Recreation's Homeschool Programs (Presenter: Jonathon Penn, Executive Director)

CONSENT AGENDA

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

County Attorney

- A. Resolution to approve the Memorandum of Understanding between Henry County and the City of Hampton to exchange property owned by Henry County located at West Main Street (Tax ID 021-01002001) for property owned by the City of Hampton located at Highway 20 and McDonough Street (Tax ID 040- 01048000) for the purpose of establishing Henry County Fire Station #5 (Presenter: Rachel Mack, County Attorney)(Exhibit 1) Resolution #25-133

DOT

- A. Resolution awarding RFQ 25-35 to Roadway Asset Services, LLC (RAS) as Consultants for a Pavement Management Program Study, in the amount of \$197 per mile of specified roadway surface for roadway data collection fee; and a \$29,950 lump sum for production of deliverables. (Presenter: Steven Cariola, Engineer II/HCDOT)(Exhibit 2) Resolution #25-134
- B. Resolution authorizing speed humps to be installed in Fairfield Lakes Subdivision. (Presenter: Steven Cariola, Engineer II/HCDOT)(Exhibit 3) Resolution #25-135

Emergency Management Agency

- A. Resolution accepting FY 2024 Emergency Management Performance Grant (EMPG) funding in the amount of \$50,000 from the Georgia Emergency Management & Homeland Security Agency (GEMA). (Presenter: Ryan Morrison, EMA Director)(Exhibit 4) Resolution #25-136
- B. Resolution adopting the Updated 2024-2029 Henry County Hazard Mitigation Plan (Presenter: Ryan Morrison, EMA Director)(Exhibit 5) Resolution #25-137

E-911

- A. Resolution authorizing execution of a Memorandum of Understanding between Rockdale E-911 Communications Services and Henry County for continuity of E- 911 communications services. (Presenter: Tamika Kendrick, E-911 Director)(Exhibit 6) Resolution #25-138

Parks & Recreation

- A. Resolution approving a contract between Henry County Government and Atlanta Motor Speedway, LLC for the Hot Summer Fest Fireworks Event and the Henry Night Out/Trunk or Treat Event for the next three (3) years at an annual rate of \$238,000. (Presenter: Jonathon Penn, Executive Director (Exhibit 7) Resolution #25-139

Planning & Zoning

- A. Resolution approving a request for a new streetlight district for Newberry (Phase 3) Subdivision on Mount Carmel Road. District 5 (Presenter: Heidy Liahut, Planner I)(Exhibit 8) Resolution #25-140

SPLOST

- A. Resolution to authorize the acquisition of 2,695.50 square feet of Right-of-Way, a Temporary Easement of 4,662.92 square feet, and a Driveway Easement of 328.46 square feet, more or less, in Land Lot 153 of the 7th District, Henry County, Georgia by negotiated contract or condemnation pursuant to provisions of O.C.G.A. Section 32-3-4 through 32-3-19 (SR 81 Widening Project - Parcel 30), TSPLOST. (Presenter: Roque Romero, SPLOST Director)(Exhibit 9) Resolution #25-141
- B. Resolution to authorize the acquisition of 3,815.68 square feet of right of way, a temporary easement of 1,188.22 square feet, and a driveway easement of 1,306.8 square feet, more or less, in Land Lot 170 of the 7th District, Henry County, Georgia, by negotiated contract or condemnation pursuant to provisions of O.C.G.A. Section 32-3-4 through 32-3-19 (SR 81 Widening Project - Parcel 71), TSPLOST. (Presenter: Roque Romero, SPLOST Director)(Exhibit 10) Resolution #25-142
- C. Resolution to authorize the acquisition of 6,540.43 square feet of right of way, and permanent easement of 3,103.50 square feet, more or less, in Land Lot 170 of the 7th District, Henry County Georgia, by negotiated contract or condemnation pursuant to provisions of O.C.G.A. Section 32-3-4 through 32-3- 19 (SR 81 Widening - Parcel 72), TSPLOST. (Presenter: Roque Romero, SPLOST Director)(Exhibit 11) Resolution #25-143
- D. Resolution to authorize the acquisition of 1,159.58 square feet of Permanent Easement and 415.24 square feet of Driveway easement, more or less, in Land Lot 108 of the 6th District, Henry County Georgia, by negotiated contract or condemnation pursuant to provisions of O.C.G.A. Section 32-2-4 through 32-3- 19. (Jonesboro Road Widening Project - Parcel 28), TSPLOST. (Presenter: Roque Romero, SPLOST Director)(Exhibit 12) Resolution #25-144
- E. Resolution to authorize the acquisition of 1,870.72 square feet of Right of Way, and Permanent Easement of 5,257.01 square feet, more or less, in Land Lot 109 of the 6th District, Henry County Georgia, by negotiated contract or condemnation pursuant to provisions of O.C.G.A. Section 32-3-4 through 32-2- 19 (Jonesboro Road Widening Project - Parcel 37), TSPLOST. (Presenter: Roque Romero, SPLOST Director) (Exhibit 13) Resolution #25-145
- F. Resolution authorizing execution and delivery of Electrical Distribution Easement in favor of Georgia Power Company located In Land Lot 91 of the 7th District of Henry County, Georgia (McDonough Parkway Extension Construction Project), TSPLOST. (Presenter: Roque Romero, SPLOST Director (Exhibit 14) Resolution #25-146

Transportation Planning

- A. **(Moved to Regular Agenda)** Resolution requesting \$300,000 Freight Cluster Plan Grant from the Atlanta Regional Commission and Committing to Provide \$75,000 Local Match in Fiscal Year 2026. (Presenter: Sam Baker, Transportation Director)(Exhibit 15)

Landfill

- A. Resolution authorizing the execution of an Agreement Governing Expenditures for State & Local Government Costs for reimbursement of costs spent investigating and cleaning up the closed Henry County Solid Waste Landfill (West Asbury Road Phase II MSWLF). (Presenter: Lynn Planchon, Capital Projects Director)(Exhibit 16) Resolution #25-148

(This ends the consent agenda)

Commissioner Kevin J. Lewis made the motion to approve the consent agenda (with the Transportation Planning Item being removed to regular agenda); **Commissioner Johnny Wilson** seconded. The motion carried 5-0-0

REGULAR AGENDA

Transportation Planning

- A. **(Moved from Consent Agenda)** Resolution requesting \$300,000 Freight Cluster Plan Grant from the Atlanta Regional Commission and Committing to Provide \$75,000 Local Match in Fiscal Year 2026. (Presenter: Sam Baker, Transportation Director)(Exhibit 15) Resolution #25-147

Transportation Director Sam Baker presented the Freight Cluster Plan Grant to the board and community, outlining its focus on the I-75 corridor from McDonough to Locust Grove. The plan aims to address freight-related traffic congestion and truck parking challenges in Henry County, while providing recommendations for potential solutions. Mr. Baker noted that the cost of the project will be shared equally by the cities of McDonough and Locust Grove, with each contributing \$25,000.

Commissioner Johnny Wilson made the motion to approve; **Commissioner Kevin J. Lewis** seconded. The motion carried 5-0-0.

SPLOST

- A. Resolution approving the award for design services of Willow Lane Widening (District 4, SPLOST VI) to Transystems in the amount of \$967,269.00. (Roque Romero, SPLOST Director)(Exhibit 17) Resolution #25-149

SPLOST Director Roque Romero presented a resolution to award the design services for the Willow Lane widening project to Transystems. The project will expand Willow Lane to four lanes, extending from Bridges Road to Jonesboro Road. A concept drawing of the proposed design was also shared during the presentation.

Vice Chair Neat Robinson made the motion to approve; **Commissioner Michael Price** seconded. The motion carried 5-0-0.

Planning and Zoning

A. RZ-24-21 (Public Hearing)

Pulte Homes Company, LLC of Alpharetta, GA requests a rezoning from C-2 (General Commercial) and OI (Office Institutional) to R-5 (Single-Family Residence) for property located at the southeast corner of the intersection of Jonesboro Road and Chambers Road in Land Lot 109 of the 6th District. The property consists of 21.50 +/- acres and the request is for a townhome development. District 5 (Presenter: Kamau As-Salaam, Assistant Director)(Exhibit 19) Resolution #25-150

Assistant Director Kamau As-Salaam presented a rezoning request for 25 acres at the intersection of Jonesboro Road and Chambers Road to allow for a townhome development. The request, heard by the Zoning Advisory Board on October 10, 2024, was recommended for denial; however, staff recommended approval with specific conditions. The proposed development includes a total of 174 townhome units 63 rear-loaded and 111 front-loaded all 24 feet wide and designed with modern farmhouse-style elevations. The project reflects a proposed gross density of 8.1 units per acre and a net density of 10.21 units per acre, aligning with the area's high-density mixed-use land use designation.

Public Hearing

(In Favor)

Garren Smith, representing the Pulte Group, provided additional details regarding the proposed townhome development, including design styles, unit sizes and anticipated price points.

(In Opposition)

Connie Snow of Conserve Henry spoke in opposition to the proposed development, stating she had collected over 2,000 signatures against the project. She raised concerns about Pam Powers and Sarah Schrick, who she said are employees of the Henry County Board of Education and also served as notaries for the rezoning application. Snow questioned why county employees were notarizing documents for development applicants, claiming it constitutes a legal violation and renders the application null and void. She urged the board not to approve the rezoning request.

Brooke Winfrey, a resident of Lara Lane in McDonough, spoke in opposition to the proposed rezoning. Living diagonally across from the site, she stated her preference for the property would be to remain commercial. However, if the rezoning is approved, she expressed support only for single-family homes, conservation subdivisions or senior housing. She questioned whether the development would be gated and if flock cameras would be installed for security. Ms. Winfrey also voiced concerns about the lack of amenities within the proposed development and criticized the landscaping buffers as inadequate and disrespectful to neighboring homeowners. She emphasized the need for improvements to the detention and retention ponds and cited serious traffic concerns, noting that Jonesboro Road has received a failing grade and Chambers Road is already over capacity. She warned that continued unchecked growth in the area is contributing to a public safety crisis, listing multiple factors that highlight the unsafe nature of current development patterns.

Angie Collins, a resident of Crystal Lake Golf and Country Club, expressed her hope that the property would remain designated for commercial use. She shared her frustration that the proposal had not been revised since its initial presentation in October, despite input from the community. Ms. Collins stated that the developer had not addressed key concerns, including the community's request to remove the entrance on Jonesboro Road. She also criticized the proposed amenities as lacking appeal and pointed out that reviews of another community built by the same developer were poor.

Mark Larue, of Turner Church Road in McDonough, representing the Walnut Creek Watershed Commission, stated the commission's opposition to high-density development proposals. He emphasized

the group's commitment to promoting conservation-focused land use and protecting the natural resources within the watershed area.

Malachi McCormick, a resident of Himalaya Way in McDonough, spoke in opposition to the proposed development. He highlighted concerns about increased traffic, citing Georgia DOT data indicating that Jonesboro Road is designed to accommodate approximately 30,000 vehicles per day and currently operates at a level of service D or F during rush hours. He also pointed out that Dutchtown Elementary, Middle and High Schools are already over capacity, with trailers in use, and warned that additional students from the development would further strain educators already facing low CCRPI scores. Mr. McCormick expressed concern that local medical services would also be impacted. Additionally, he criticized the proposed dog park and green space, noting that at just 10 square feet, it is no larger than a closet in his home. He urged the board to deny the rezoning request.

During the rebuttal period, with 6 minutes and 42 seconds remaining, Garen Smith, Pulte Homes, responded to concerns raised by the public. He clarified that the notary in question is an employee of his engineering firm, not a county employee. He stated that the proposed development would be enclosed with fencing, and the inclusion of a Flock camera system would be determined by the HOA. Smith noted that updates to the plan had been made based on community feedback, including enhanced landscaping and the addition of a gate. He confirmed that the detention pond would be landscaped in compliance with county code. He also emphasized the high quality of the townhome product, referencing similar homes in Johns Creek selling for \$700,000.

Assistant Director Kamau As-Salaam also addressed the concerns regarding notary involvement. He clarified that Sarah Shirk is employed by Falcon Designs and Pam Powers by Moore Bass Consulting—both firms that submitted the rezoning applications. He confirmed that neither individual is a county employee and that their signatures appear on multiple documents because their firms are responsible for the application submissions on behalf of the developer.

Commissioner Kevin J. Lewis addressed the community's concerns, providing context about the development's evolution. He noted that the original proposal included 324 apartments and townhomes, but the apartments were removed in response to community requests. The proposal has undergone multiple revisions, reflecting the feedback from residents. Commissioner Lewis emphasized his forward-thinking approach, looking at the future needs of the area. He stated that any development along Jonesboro Road would be tied to road widening efforts, a condition that has not always been tied to previous developments. He highlighted that the widening of Jonesboro Road would occur in two phases: the first phase extending to Mt. Carmel and the second phase reaching the county line. Commissioner Lewis explained that other approved developments have included conditions for the county to secure the right-of-way for future road expansion, which would streamline the design and acquisition process when it begins.

Additionally, he reflected on the feedback he received when he first became commissioner about the "cookie-cutter" appearance of some developments. Over the past two years, the board has worked to address this concern and encourage developers to create more thoughtful, diverse designs. He assured the community that the board is listening to their concerns and is committed to thoughtful planning. Regarding the townhome development, Commissioner Lewis described the homes as high-end and emphasized that traffic concerns are being carefully planned for as part of the project.

Vice Chair Neat Robinson addressed the community, urging caution when speaking at the mic and sharing information that could harm others' lives. She emphasized the importance of ensuring facts are accurate before making statements about individuals or issues. Vice Chair Robinson expressed disappointment in hearing negative comments about education, particularly when educators are working hard to support students. She encouraged residents to attend Board of Education meetings to better understand how data is compiled and to speak directly with BOE members to get the correct information.

She stressed that residents should not continue to spread untruths, urging them to verify their facts before speaking out in a way that could potentially harm someone's reputation or livelihood.

Chair Harrell asked if the schools provided a letter about capacity.

Assistant Director Kamau As-Salaam clarified that the county receives letters outlining the number of students a development is expected to generate, but these letters do not indicate the capacity of local schools. He explained that the Board of Education and the county work together to coordinate and plan for student needs in response to new developments. **Chair Harrell** added that she would invite the school superintendent to address concerns about schools being labeled as "failing." She explained that one criterion could sometimes make a school appear to be failing, even though it does not reflect the overall performance of the school. **Chair Harrell** emphasized that schools and students are accomplishing great things and that the situation should not be viewed in a negative light based on limited metrics.

Commissioner Kevin J. Lewis made the motion to approve; **Commissioner Michael Price** seconded. The motion carried 4-1-0 with **Commissioner Johnny Wilson** voting in opposition.

B. Moratorium for Residential Zoning Applications (Public Hearing)

For the consideration of a 180-day moratorium prohibiting the acceptance of conditional uses for conservation subdivisions and residential rezoning applications to run from April 15, 2025 through midnight on October 12, 2025. This proposed moratorium is being considered to allow the Board of Commissioners sufficient time to receive, review, and implement forthcoming land use recommendations regarding changes to the Unified Land Use Development Code to ensure the zoning code is aligned with the County's 2045 Comprehensive Plan. Countywide (Presenter: Toussaint Kirk, Executive Director)(Exhibit 20) Ordinance #25-6

Executive Director Toussaint Kirk presented a proposal for a countywide moratorium on residential rezoning applications and conservation subdivisions for 180 days. The purpose of this moratorium is to allow the county time to receive, review and implement forthcoming land use recommendations regarding revisions to the Unified Land Use Development Code. This process will ensure that the zoning code aligns with the county's 2045 Comprehensive Plan. Mr. Kirk also clarified that any applications already submitted will continue to be processed and considered through the system during the moratorium period.

**Public Hearing
(In Favor)**

Mark Larue expressed concerns about the environmental impact of ongoing development in the county, particularly in relation to degraded lakes and streams. He stated that the county has failed to recognize or act on information he has provided, which highlights these issues. Larue pointed to several resources where such data can be found, including the Atlanta Regional Commission (ARC) and the Georgia Department of Wildlife Resources. He emphasized that the Walnut Creek is a priority watershed and urged the county to stop approving development projects on a piecemeal basis. Instead, he called for a comprehensive approach that incorporates all available data to develop real wildlife corridors and enforce regulatory stormwater management plans. Larue argued that local governments must embrace this information and take action to protect the environment. He warned that documents indicate that by 2050, 82% of Henry County will be developed, which he described as both unacceptable and unsustainable.

(In Opposition)

No speakers

Commissioner Johnny Wilson made the motion to approve; **Commissioner Kevin J. Lewis** seconded. The motion carried 5-0-0.

County Manager Comments

- On Monday, April 21st, there will be a ribbon-cutting ceremony for the North Mt. Carmel Recreation Center. She expressed gratitude to the Parks & Recreation team for delivering the project on budget and ahead of schedule.
- A town hall meeting will be held at the new center on April 21st to provide legislative updates.
- On April 19th, the opening day and ribbon-cutting ceremony for updates at Cochran Park will take place. Additionally, there will be a jazz concert at Village Park starting at 6 p.m.
- Public Safety Director Mark Amerman is retiring, with his last day being April 17th. She thanked him for his service to the county.
- The Emergency Management Agency (EMA) is encouraging residents to download the Regroup app, which will be used to notify the public about severe weather.

PUBLIC COMMENT

No speakers

Approval of Minutes

- A. March 11, 2025 Regular BOC meeting
- B. March 18, 2025 Called BOC minutes

Commissioner Michael Price made the motion to approve; **Commissioner Kevin J. Lewis** seconded. The motion carried 5-0-0.

Upcoming Meetings and Events

- A. May 6, 2025 at 9:00 a.m. is a regularly-scheduled BOC Meeting
- B. May 28, 2025 at 6:30 p.m. is a regularly-scheduled BOC Meeting (Note: the May 20, 2025 BOC Meeting was changed to May 28, 2025 due to scheduling conflicts)

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Added

ADDED: Executive Session (Re: Property Acquisition AND Litigation added)

Commissioner Kevin J. Lewis made the motion to enter into Executive Session 8:05 p.m.);

Commissioner Michael Price seconded. The motion carried 5-0-0.

Commissioner Michael Price made the motion to reconvene from Executive Session (8:35 p.m.);

Commissioner Kevin J. Lewis seconded. The motion carried 5-0-0.

Vice Chair Neat Robinson made the motion to approve the affidavit and resolution pertaining to

Executive Session; **Commissioner Kevin J. Lewis** seconded. The motion carried 5-0-0.

ADJOURNMENT

Meeting adjourned at 8:37 p.m.

Carlotta Harrell, Chair

Stephanie Braun, County Clerk