

STATE OF GEORGIA

COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting *in-person* on Tuesday, February 17, 2026 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, District 2 Commissioner
Dee W. Anglyn III, Vice Chair / 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; 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 presented by Pastor Leonard Himes

PLEDGE OF ALLEGIANCE

The Pledge was recited by Pastor Leonard Himes

CALL TO ORDER

PROCLAMATIONS / RECOGNITIONS

- A. (ADDED ITEM) Proclamation recognizing Unity Grove Rosenwald School (*Presenter: Amber Smith, Public Relations Specialist*)
- B. Proclamation recognizing Government Communicator's Day (*Presenter: Cheri Hobson-Matthews, County Manager*)
- C. Proclamation recognizing February as Spay/Neuter Awareness Month (*Presenter: Amber Smith, Public Relations Specialist*)

APPOINTMENTS:

A. Hospital Authority Submittals:

District I: Brian Andrews; Shannan Brown; and Gwen Presley

District II: Brenda "Nish" Willis; Dr. James Barlow; and Anthony Ford

Commissioner Robinson made a motion to approve; **Commissioner Price** seconded. The motion carried 6-0-0. *Resolution 26-52*

B. Library Board/District I: Nancy Wallace (*4-Year Term: 2/17/26 - 12/31/30*)

Resolution 26-24

Commissioner Wilson made a motion to approve; **Commissioner Robinson** seconded. The motion carried 6-0-0. *Resolution 26-53*

CONSENT AGENDA

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

Courts

- A. Resolution granting approval for 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 FY2027. (*Presenter: Craig Ogilvie, Director/Accountability Court*)(*Exhibit 1*)

Resolution 26-54

- B. Resolution granting approval for the Henry County Resource Court to apply for a grant from the State of Georgia Office of the Governor/Criminal Justice Coordinating Council for FY2027. (*Presenter: Craig Ogilvie, Director/Accountability Court*)(*Exhibit 2*)

Resolution 26-55

- C. Resolution granting approval for 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 FY2027. (*Presenter: Craig Ogilvie, Director/Accountability Court*)(*Exhibit 3*)

Resolution 26-56

- D. Resolution granting approval for the Henry County Juvenile Mental Health Court to apply for a grant from the State of Georgia Office of the Governor/Criminal Justice Coordinating Council for FY2027. (*Presenter: Angela Craig, Director; and Monyato Tolbert, Deputy Director*)(*Exhibit 4*)

Resolution 26-57

- E. Resolution granting approval for the Henry County Misdemeanor DUI/Drug Court to apply for a grant from the State of Georgia Office of the Governor/Criminal Justice Coordinating Council for FY2027. *(Presenter: Lisa King, Director)(Exhibit 5)*

Resolution 26-58

DOT

- A. Resolution to approve additional roadway sign inventory services through Roadway Asset Services (RAS), under the existing Pavement Management Program (Resolution 25-134), in the amount of \$116,358.00 .*(Presenter: Steven Cariola, DOT Engineer II)(Exhibit 6)*

Resolution 26-59

- B. Resolution awarding RFP #26-17 for annual on-call pavement marking and striping services to Peek Pavement Marking, LLC in the estimated annual amount of \$402,016.00. *(Presenter: Steven Cariola, DOT Engineer II)(Exhibit 7)*

Resolution 26-60

Financial Services

- A. Resolution approving a Letter of Engagement for Fiscal Year 2025 Audit Services between Henry County, GA and Mauldin & Jenkins CPA(s) and Advisor(s). *(Presenter: Joy Robinson, Deputy CFO)(Exhibit 8)*

Resolution 26-61

Parks & Recreation

- A. Resolution awarding Bid #26-16 to EdTech Group, LLC, for a portable toilet rental services annual contract in the amount of \$32,685.60. *(Presenter: Jonathon Penn, Executive Director)(Exhibit 9)*

Resolution 26-62

SPLOST

- A. Resolution to authorize the acquisition of 3,312.80 square feet of Permanent Easement, 938.50 square feet of Temporary Easement, and 2,817.26 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 provision of O.C.G.A. Section 32-3-4 through Section 32-3-19. (Jonesboro Road Widening, Parcel 36, TSPLOST) **District 5** (*Presenter: Bert Bivins, SPLOST Interim Director*)(Exhibit 10)

Resolution 26-63

- B. Resolution to authorize the acquisition of 554.73 square feet of Right of Way, 4,081.51 square feet of Permanent Easement, and 997.97 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 provision of O.C.G.A. Section 32-3-4 through Section 32-3-19. (Jonesboro Road Widening, Parcel 36a, TSPLOST) **District 5** (*Presenter: Bert Bivins, SPLOST Interim Director*)(Exhibit 11)

Resolution 26-64

- C. Resolution to authorize the acquisition of 1,111.51 square feet of Permanent Easement, more or less, in Land Lot 108 of the 6th District, Henry County, Georgia, by negotiated contract or condemnation pursuant to provision of O.C.G.A. Section 32-3-4 through Section 32-3-19. (Jonesboro Road Widening, Parcel 36d, TSPLOST) **District 5** (*Presenter: Bert Bivins, SPLOST Interim Director*)(Exhibit 12)

Resolution 26-65

- D. Resolution to authorize the acquisition of 2,223.35 square feet of Right of Way, 2,751.12 square feet of Permanent Easement, and 1,484.94 square feet of Driveway Easement, more or less, in Land Lot 110 of the 6th District, Henry County, Georgia, by negotiated contract or condemnation pursuant to provision of O.C.G.A. Section 32-3-4 through Section 32-3-19. (Jonesboro Road Widening, Parcel 44, TSPLOST) **District 5** (*Presenter: Bert Bivins, SPLOST Interim Director*)(Exhibit 13)

Resolution 26-66

- E. Resolution to authorize the acquisition of 4,844.25 square feet of Right of Way, 4,584.70 square feet of Permanent Easement, and 1,306.8 square feet of Driveway Easement, more or less, in Land Lot 109 of the 6th District, Henry County, Georgia, by negotiated contract or condemnation pursuant to provision of O.C.G.A. Section 32-3-4 through Section 32-3-19. (Jonesboro Road Widening, Parcel 45, TSPLOST) **District 5** (*Presenter: Bert Bivins, SPLOST Interim Director*)(Exhibit 14)

Resolution 26-67

- F. Resolution to authorize the acquisition of 5,945.37 square feet of Right of Way, 3,779.95 square feet of Permanent Easement, and 417.73 square feet of Temporary Easement, more or less, in Land Lot 110 of the 6th District, Henry County, Georgia, by negotiated contract or condemnation pursuant to provision of O.C.G.A. Section 32-3-4 through Section 32-3-19. (Jonesboro Road Widening, Parcel 68, TSPLOST) **District 5** (*Presenter: Bert Bivins, SPLOST Interim Director*)(*Exhibit 15*)

Resolution 26-68

- G. Resolution approving a Change Order from GFT, Inc. to include a single-span, 80-ft long bridge over Pates Creek for Jodeco Road Widening, SPLOST VI major transportation project in the amount of \$215,000. **Districts 2, 4, and 5** (*Presenter: Bert Bivins, SPLOST Transportation Director*)(*Exhibit 16*)

Resolution 26-69

(This Ends the Consent Agenda)

Commissioner Lewis made a motion to approve the Consent Agenda; **Commissioner Robinson** seconded. The motion carried 6-0-0.

Chair Harrell announced that Craig Ogilvie, Director of Accountability Court, would be providing a brief presentation on “What is Accountability Court?”

Craig Ogilvie, Director of Accountability Court, came forward to present, thanking the Board for its many years of support and expressing his sincere appreciation for the opportunity to partner with them in serving the citizens of our community.

Accountability Courts began as a response to the growing number of individuals cycling repeatedly through the criminal justice system, starting with the first Drug Court in 1989 in Miami. As Georgia adopted stricter sentencing laws in the 1990s, prison populations and correctional costs rose sharply, prompting the need for reform. In 2011, Georgia enacted major criminal justice reforms that formalized and expanded accountability courts as an alternative approach. At the time, correctional spending had reached \$1 billion, with additional prison construction planned, and a significant portion of the population was under court supervision, highlighting the urgency for change.

Accountability Courts were designed to address the root causes of criminal behavior rather than relying solely on incarceration. These courts focus on underlying issues such as substance use disorders, severe mental illness, and trauma experienced by veterans. The model emphasizes habilitation, individualized treatment, close supervision, and structured behavior modification. Participants receive tailored services based on their unique needs, with ongoing monitoring by judges, law enforcement, and supervision officers. The system uses graduated sanctions to address poor decisions and incentives to reinforce positive behavior, encouraging long-term change and accountability.

In Henry County, several specialized programs operate under the Accountability Courts umbrella, including Adult Felony Drug Court, Resource Court for mental health, Veterans Treatment Court, DUI/Drug Court, Juvenile Mental Health Court, Misdemeanor Diversion Court, and Parental Accountability Court. These courts involve a collaborative team of Superior, State, and Juvenile Court judges, coordinators, case managers, clinicians, law enforcement agencies, attorneys, veteran mentors, and community partners. The county's approach prioritizes evidence-based practices, with research showing that direct judicial interaction and coordinated supervision significantly reduce recidivism compared to traditional incarceration.

Henry County's programs have earned statewide recognition as Mentor Courts, exceeding required standards and serving as models for other jurisdictions. Since 2009, more than 1,000 participants have been served across several programs, with an approximate 12 percent recidivism rate and a 60 percent graduation rate. Research from the Carl Vinson Institute of Government in 2025 estimates an economic benefit of nearly \$26,000 per graduate. Beyond statistics, the courts have contributed to measurable community improvements, including educational achievements, stable housing, employment creation, family reunification, and long-term positive change for participants and their families.

At the conclusion of his presentation, the Board of Commissioners commended Mr. Ogilvie and the Accountability Court team for their work. Several Board members shared that they had attended graduation ceremonies and were deeply moved by the testimonies of participants. They remarked on how powerful it was to witness lives being transformed and how meaningful it is to see individuals turn their lives around when given the opportunity.

REGULAR AGENDA

Planning & Zoning

ULDC-AM-24-04 (Not a Public Hearing) – Discussion Only

An Ordinance by Henry County, Georgia, to amend various sections of the Unified Land Development Code (ULDC) to provide for new definitions and regulating standards for data centers. Countywide (*Presenter: Kamau As-Salaam, Deputy Director*)(*Exhibit 17*)

Kamau As-Salaam, Deputy Director, stated that the proposed amendment to the Unified Land Development Code (ULDC-AM-24-04) establishes specific standards for data centers in Henry County.

The ordinance is not an approval of any project, but a framework designed to prevent the County from remaining reactive and unprotected as proposals are submitted. Currently, there are no data center specific regulations, leaving staff to rely on general industrial standards that were not written for facilities of this scale. The ordinance creates a three-layer structure: (1) zoning standards addressing land use compatibility such as setbacks, buffers and environmental performance; (2) mandatory Conditional Use approval by the Board for every data center proposal, ensuring a public process and case-by-case review; and (3) a required, project-specific Development Agreement to govern technical, environmental and operational details. Projects already submitted under the 2009 ULDC would not retroactively require Conditional Use approval, but the Board would retain the ability to apply applicable standards through zoning conditions.

Baseline site standards include a 20-acre minimum site area, 200-foot setbacks from public rights-of-way, 500-foot setbacks from nonindustrial uses, a 1,000-foot setback from existing residential dwellings, extensive buffering requirements, residential noise limits of 55 dBA daytime and 45 dBA nighttime, prohibition of open evaporative cooling systems, stormwater controls and environmental performance measures.

During the meeting, commissioners discussed whether the 1,000-foot setback should instead be measured from the residential property line rather than the dwelling, and whether it should be increased to approximately a quarter mile (1,350 feet). Staff cautioned that increasing setbacks to that degree could eliminate most viable parcels and potentially render the ordinance ineffective, while the County Attorney noted that overly restrictive standards could expose the County to legal challenges related to property rights and due process. These discussions underscored the Board's effort to balance strong protections with legal defensibility and practical enforceability.

Following the January public hearing, the draft was refined to incorporate community input, consultant review and Board feedback. Revisions strengthened financial accountability through performance, security and decommissioning bonds and escrow accounts; clarified that setbacks apply to primary operational components; enhanced noise standards to apply during both operations and testing; required on-site noise monitoring and acoustical barriers; strengthened coordination with electric and water providers; and expanded environmental review requirements. The Development Agreement would require third-party environmental studies, air and water impact analysis, noise modeling, generator testing parameters, long-term monitoring, infrastructure capacity evaluation, cost allocation to ensure upgrades are borne by the applicant rather than residents and decommissioning plans.

Commissioners also emphasized that utility rate regulation remains under the Georgia Public Service Commission, though the County can require that project-related infrastructure costs not be shifted to existing customers.

Board members stressed that adopting an ordinance is a protective measure, not a guarantee that data centers will be built. Without standards in place, facilities could potentially develop by right under existing industrial zoning as has occurred in other jurisdictions. Comparisons were made to surrounding communities and to Loudoun County, Virginia, where numerous data centers were established before regulations were adopted. The Board highlighted that the Conditional Use structure allows additional conditions to be imposed beyond minimum standards and that Development Agreements can include enforcement mechanisms, monitoring requirements and coordination with Code Enforcement. Public engagement has been ongoing for more than a year through town halls, direct email correspondence and consultant input, and comments continue to be accepted prior to final adoption. The ordinance is scheduled to return with the broader ULDC update for consideration, with the stated goal of ensuring Henry County retains control, authority and defensible tools to regulate data centers in a manner that protects residents, infrastructure and environmental resources while preserving flexibility for informed decision-making.

This Ordinance Amendment will be brought back as part of the full ULDC re-write on March 17, 2026.

Public Comments

There were no public comments.

Approval of Minutes

A. January 20, 2026 Regular BOC Meeting

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

Upcoming Meetings and Events

B. March 3, 2026 is a Regularly-scheduled BOC Meeting at 9:00AM

Chair Harrell adjourned the meeting at 7:35 p.m.

*Carlotta Harrell, Chair
Henry County Board of Commissioners*

*Stephanie Braun
County Clerk*