The Henry County Board of Commissioners held a Regular Public Meeting at 6:30 p.m. on Tuesday, May 19, 2015 in the Community Room, County Administration Building, 140 Henry Parkway, McDonough, Georgia. Notice of this meeting was posted in the entrance foyer of the County Administration Building. The Daily Herald was notified of this meeting. Those present were:

- Tommy N. Smith, Chairman
- Bruce Holmes, District V Commissioner
- Brian Preston, District II Commissioner
- Gary Barham, District III Commissioner
- Bo Moss, District I Commissioner
- Blake Prince, District IV Commissioner

Also attending was: Patrick Jaugstetter, County Attorney; Cheri Hobson-Matthews, Interim County Manager, and Stephanie Braun, County Clerk.

INVOCATION and PLEDGE OF ALLEGIANCE

Chairman Smith introduced Reverend Dr. Jacqueline Rose-Tucker, pastor of the Red Oak United Methodist Church, to give the invocation. The Pledge of Allegiance was recited by the assembly.

CALL TO ORDER

Chairman Smith called the Regular Public Meeting of the Henry County Board of Commissioners for 6:30 p.m., Tuesday, May 19, 2015, to order.

ANNOUNCEMENTS

The Public Hearing (RZ-14-01) has been postponed at the request of the applicant and will not be heard at this meeting. This will be heard at a future meeting and the property will be duly re-posted.

ACCEPTANCE OF THE AGENDA

Chairman Smith advised that Agenda Item VI regarding the Kensley Grace Aquatic Center has been removed from the agenda.

A Request to Appear (Item VIII) from Jane Eskew-Rutledge was cancelled today, as Ms. Rutledge was stung by a wasp and was seeking medical treatment for same.
A Request to Appear (Item X) from Jim Elkins has been cancelled.

The Public Hearing regarding temporary closing of a portion of River Road would be moved to Agenda Item XII(B).

Commissioner Barham made a motion to accept the Agenda as amended; Commissioner Moss seconded the motion. The motion to accept the Agenda as amended was carried unanimously (6-0-0).

**PROCLAMATION**

Ms. Melissa Robinson, Communications Director, read the Proclamation designating the week, May 18-22, 2015, as National Emergency Medical Services Week:

WHEREAS, Emergency Medical Services are a vital public service; and

WHEREAS, the members of the Henry County Fire Department are ready to provide life-saving care to those in need twenty-four (24) hours a day, seven (7) days a week; and

WHEREAS, access to quality emergency care can dramatically improve the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the Emergency Medical Services team consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of the Henry County Fire Department engage in thousands of hours of specialized training and continuing education in order to enhance their life-saving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical service providers by designating the observance of Emergency Medical Services Week.

NOW THEREFORE, BE IT PROCLAIMED by the Henry County Board of Commissioners that the week of May 18-22, 2015 be known as “Emergency Medical Services Week” with the theme, “EMS Strong” and we encourage the community to observe this week with appropriate ceremonies, programs and activities;

BE IT FURTHER PROCLAIMED that the Board of Commissioners wishes to express its sincerest appreciation for the vital contributions that EMS professionals make in our community each and every day.
Chief Bill Lacy, Henry County Fire Department, thanked the Board for its support of EMS in the community. The Henry County Fire Department provides the Emergency 911 service for their community and nearly 18,000+ each year, ambulances are dispatched to the citizens throughout Henry County in their times of need. Chief Lacy recognized the gentlemen present to come up for photographs.

PHOTOGRAPHS ARE TAKEN

PUBLIC COMMENTS

Chairman Smith advised that citizens are allowed to voice county-related concerns and opinions which are not listed on the Agenda during this portion of the meeting. Anyone wishing to speak must first sign in with the County Clerk prior to the beginning of this meeting. Speakers must first state their name and address prior to making Public Comment and will be given five (5) minutes to speak.

There being no one approaching, the Chairman closed the Public Comments and proceeded with the Agenda.

REQUEST TO APPEAR

Mr. Charles Pierce recalled those fifteen (15) years ago, he helped organize and design the “Handicap Patrol” in California, which are presently eighty (80) members strong for vehicles on the road. Mr. Pierce stated this is needed in the community, as he has witnessed misuses of the handicapped parking spaces in public places. The Handicap Patrol seeks to work with Chief Keith Nichols and the Police Department and Mr. Pierce asks for the Board’s support. The patrol is made up of volunteers and asks for resources outlined in the packet submitted to the Board members. Mr. Pierce gave a brief description of how the patrol will operate and how infractions will be handled.

Chairman Smith suggested letting the Board of Commissioners discuss this and find out how this can be coordinated in conjunction with the Police Department, let the County Attorney work out the details and work to resolution of this matter. Mr. Pierce remarked that he is aware of the expense involved, however, he maintains this is a necessary service for the community, with the understanding that the patrol will consist of volunteers.

CONSENT AGENDA
The following Agenda items shall be considered on a Consent Agenda. Before voting, the Chairman will allow the Commissioners to add or delete any of the items:

**Public Safety**

A. Resolution accepting $1,312.50 from the United States Secret Service Financial Crimes Task Force. **Exhibit #1 (Resolution 15-156)**

B. Resolution authorizing the use of State Seized Funds and Asset Forfeiture Funds to pay the projected costs for four (4) police personnel to attend the International Association of Chiefs of Police (IACP) Women’s Leadership Institute in Branson, Missouri. **Exhibit #2 (Resolution 15-157)**

C. Resolution authorizing the Henry County Police Department to make a donation of $1,000 to the National Law Enforcement Museum using funds in the Federal Asset Forfeiture and Seized Funds account. **Exhibit #3 (Resolution 15-158)**

**Building & Plan Review**

A. Resolution supporting Dream Home Project television show and allow for certain waivers to the Henry County Code of Ordinances. **Exhibit #4 (Resolution 15-159)**

Commissioner Holmes made a motion to accept the Consent Agenda; Commissioner Moss seconded the motion. There being no further discussion, the motion to accept the Consent Agenda was carried by unanimously (6-0-0).

**RESOURCE COURT**

Resolution requesting approval to submit an application to the State of Georgia Office of the Governor/Accountability Court Funding Committee Criminal Justice Coordinating Council (CJCC) for Resource Court for FY2016. **Exhibit #5**

Ms. Debra Brown, Director of Resource Court, explained that the two judges listed as presenters were unable to attend today. Ms. Brown presented highlights from the Executive Summary, which asks for approval to apply for the grant. This transportation grant was added to the annual grant. Extra money was found to put towards specific transportation costs to support the Accountability Courts. This will be added to the annual award and there is no match required. Ms. Brown indicated that a match would improve the look of the application, but Resource Court is not asking for new funding.

Chairman Smith remarked that this was on the Consent Agenda because there was no required match on the funding. There being no further questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Prince seconded the motion. The motion to approve Resolution 15-160 was carried unanimously (6-0-0).
PUBLIC HEARING

River Road

Request for temporary road closing from Henry County Water Authority for a portion of River Road. Exhibit #23

Mr. Terry McMickle, Director of Public Works, explained that the Water Authority is experiencing problems with people hunting, poaching, dumping, trespassing, damaging fences, gates, signs, etc. on property along River Road. The Water Authority owns the property on both sides of the road for approximately 8,706 feet; in addition, the Department of Transportation has problems with 4-wheelers tearing up the gravel/dirt road section of this roadway. The Water Authority has requested that the section of roadway which runs through its property be closed and fences placed across the road to prevent further public vehicular access. The Water Authority will place said fences at the department’s expense and will allow access to citizens who walk along this section of the roadway. Staff at DOT recommends placing a cul-de-sac at each end of the closed section and the Water Authority will pay for the necessary materials to build it, and also furnish any needed right-of-ways. DOT will furnish labor and equipment.

Mr. McMickle indicated that the section of roadway will be closed, but it will not be abandoned on the right-of-way and Henry County will retain ownership of same. The road will remain closed until the Board of Commissioners deems it necessary to reopen it.

There being no questions or comments from the Board, Chairman Smith opened the floor for comment, allowing fifteen (15) minutes for anyone to speak in opposition of the case. Anyone wishing to speak was advised to provide their name and address for the record.

Ms. Diane Collin, a resident of District III, recalled a large Town Hall Meeting attended by Commissioners Barham and Moss, where there was a large turnout with the majority of them opposing the closing of this roadway. She stated the roadway is used quite often by the residents in that area and believes the closing to be a hazard as it would limit the residents to only one exit out of the area. It is a public road and, therefore, needs to remain a public road.

Mr. Bill Medlock, 2105 Post Oak Court, off of River Road, stated that he misunderstood the Agenda, where it said the closing was temporary. He does not believe the road should be closed on the Snapping Shoals side, as it could be dangerous if residents needed to get out quickly. He remarked that the Water Authority had the opportunity to pave that section, but now they want to lock it out. It is a county road and citizens use that road often. He believes that the Water Authority should take measures to stop the hunting along that roadway, but not close the road. Mr. Medlock believes that this will cause more unnecessary traffic on Snapping Shoals.

Chairman Smith then called for anyone wishing to speak in favor of the case to come up and state their name and address for the record, allowing fifteen (15) minutes.
Mr. Alan Benton, 500 River Road, McDonough GA, remarked that he is a lifelong Henry County resident, except for a small time where he moved to Newton County. He stated he lives directly on River Road, approximately three hundred (300) yards from where the dirt road starts. He travels that road at a minimum of twice daily, sometimes more than that. He is a stockholder in the BP gas station at the intersection of Hwy. 212 and Highway 81 and frequently visits there. Mr. Benton stated he has firsthand knowledge of all the activities which take place on the 1.64 mile stretch of dirt road.

Mr. Benton explained he knows the county has received several calls on the problems, but he can explain how this would directly impacts the residents who have property directly on River Road. He has noticed that the Water Authority has done a great job fencing the section off, but those fences have been cut. He has seen gates torn down from a pickup truck simply running through the middle of them. When there is a rainstorm with several inches of rain, a parade of 4-wheel drive pickup trucks can be seen going through there to tear up the road. Mr. Benton admitted that when he was younger, he has gone dirt road riding in a pickup truck, but he has never damaged a county road. Closing that road will stop a lot of that from happening.

Mr. Benton stated that he has seen excessive trash and dumping, including couches, along the side of the road. He brought pictures of the debris and had them on his electronic tablet. With assistance from the County Clerk, he was able to scroll through some of the conditions left by these trucks on the road before the Board. He also showed pictures of the trash and the couches strewn along the side of the road, however, the guilty parties have been identified. He also pointed out that deer are being illegally poached there.

Mr. Benton stated that there is criminal activity happening there, though he has not witnessed any firsthand. He has seen multiple vehicles driving down that road, which is a lone dirt road, in the middle of the night and parking there for 15-20 minutes, then turning around and coming back up the way they came down. While he speculates that there could be criminal activity taking place, he maintained that he sees several vehicles going down that road and parking for a short while before leaving the area. Over the last twelve (12) months, he believed that there were eighty-five (85) calls made just on that road for various complaints of noise and gunshots in Henry County. This does not include the calls made to the Henry County Water Authority. Stolen cars have been recovered in that area. Mr. Benton was in that area about 10:00 p.m. one night when he saw an F-250 truck which was flipped in the ditch. Henry County Police Department was on-scene and the driver of said vehicle had fled the scene. When another resident witnessed the incident, the driver admonished the resident to mind their business before fleeing the scene.

Mr. Benton recalled the Henry County Water Authority hosting several children’s hunts in that area, which he had seen. The property can be used for good things in the county, but if the vandalism and criminal activity persist, that may not be a viable option. He circulated a petition for signatures along River Road and all residents along that River Road signed the petition, when they read it.
(Resident who lives on River Road - name unintelligible): stated that he is in favor of closing River Road. He agreed with Mr. Benton’s remarks on the criminal activity, the illegal hunting and poaching, the dumping of trash and the speeding along River Road.

Mr. Jack Conoly, 250 River Road, McDonough GA, stated that his family (of 7) and he are greatly impacted by this situation on River Road, particularly in regards to the speed limit. He observed vehicles speeding passed his driveway from the paved road to the dirt gravel road, which he considers a hazard.

Mr. Conoly remarked that he walks and runs along that road every other day and he has witnessed two or more cars parked and, after they are noticed, they quickly drive off. He has picked up needles along the side of the road and has had to jump into the ditch to get out of the way for vehicles coming off of that road.

Mr. William (Mickey) McGowan, 274 River Road, McDonough GA, echoed the previous speakers’ comments regarding late night traffic and criminal activity and asked the Board to help it stop.

There being no further public comments, Chairman Smith declared the Public Hearing closed and called the Director of Public Works forward.

Commissioner Barham remarked that the police chief has confirmed that in the past year, there were eighty-five (85) calls for the Police Department and Fire Department on River Road alone, not in the adjoining subdivision. A letter from the Board of Education was received, stating that the school buses do not use that portion of River Road; Mr. McMickle confirmed that Mr. Tony Carnell contacted the supervisor over the school buses, who replied that at this time there are no buses routed to use that section of River Road. The email was dated in December of 2014. The District III Commissioner also stated that it would not interfere any of the Police Department’s or Fire Department’s operations if that section of road was closed down. He remarked that Mr. Benton has called the Commissioner on his cell phone several times with complaints in that area, and the Commissioner has called the police on numerous occasions to get them to investigate and clean up where they could. The Commissioner understands that it is a public road, but it would cost over $2 million dollars to pave that road; Mr. McMickle agreed with the Commissioner’s statement.

Commissioner Barham recalled talking to Mr. Medlock the other day on the phone, wherein he addressed the same concerns he commented on today about Snapping Shoals. The Commissioner assured Mr. Medlock that they will work with the Water Authority, DOT, Police Department and Fire Department, that in the event something happened, the gates will be opened to get people back out on the road to handle whatever the reason was for that. Mr. McMickle remarked that the Water Authority has all of their interior roads mapped out and there will be a way for the Fire Department to get in there if the need arises. The Commissioner sees a problem with not having enough traffic on that road and it is attracting the wrong kind of traffic at times. He believes that when funds become available, the county will pave this section of road.
Commissioner Moss asked if a traffic count was done; the Director of Public Works responded that one was done. The District I Commissioner asked if it is difficult to perform an accurate traffic count where there are a lot of people driving through that area, who are not residents of that area; Mr. McMickle responded that the section to be closed belongs to the Water Authority, so there are no houses in that area. The 24-hour traffic count was 77, including cars going in both directions. Mr. McMickle stated that the count would include any vehicles going down that road (including Water Authority vehicles).

Chairman Smith remarked that this has been looked at for about a year and does not believe that any Board member wants to permanently close that section. Unfortunately, it is very rural with inadequate enforcement to prevent criminal activity and illegal 4-wheeling during rainy season. This is a temporary fix to a significant problem. The road could be paved in the future when funding becomes available. The Chairman stated that he has the petition with signatures from people who want the road closed as well. He would support the temporary closing of the road and have it monitored. He will not support the permanent closing of that road section, however, because it could have serious consequences.

There being no further questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Moss seconded the motion. There being no further discussion, the motion to approve Resolution 15-175 was carried unanimously (6-0-0).

PUBLIC SAFETY

Police Department Equipment

Resolution awarding a bid for vehicle equipment for the Police Department and authorizing the purchase of said equipment from West Chatham Warning Devices. Exhibit #6

Major Keith Going, Henry County Police Department, gave highlights as detailed in the Executive Summary. In February 2015, Henry County Board of Commissioners approved Resolution 15-49, which authorized the funds to equip twenty-seven (27) Dodge Chargers for the Police Department. On April 21, 2015, Henry County Board of Commissioners approved Resolution 15-123, which authorized the purchase of fifteen (15) new police vehicles by using SPLOST-IV funds. He summarized the standard bid process for the Board and asked that the bid be awarded to West Chatham Warning Devices, for the purchase of twenty-seven (27) contracted packages for police vehicles, at a total cost of $158,730.03, using funds from Capital Overlay and Vehicles. SPLOST-IV requests to purchase fifteen (15) of these same contracted packages in the amount of $89,308.35, using SPLOST-IV funds.

There being no questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Prince seconded the motion. The motion to approve Resolution 15-161 was carried unanimously (6-0-0).

ALS Life Simulator for Fire Department
Resolution awarding the purchase of one (1) Advanced Life Support (ALS) Simulator in the amount of $19,467.32 to Southeastern Emergency Equipment for the Henry County Fire Department. **Exhibit #7**

Chief Bill Lacy, Henry County Fire Department, gave highlights from the Executive Summary for the Board of Commissioners, adding that this is used in training for the paramedic program.

There being no questions or comments from the Board, Commissioner Moss made a motion to approve; Commissioner Prince seconded the motion. The motion to approve Resolution 15-162 was carried unanimously (6-0-0).

**SCBA and Bottles**

Resolution awarding the purchase of twenty-one (21) Self-Contained Breathing Apparatus (SCBA) and nineteen (19) SCBA Bottles, in the amount of $111,948.22, to Fisher Safety for the Henry County Fire Department. **Exhibit #8**

Chief Bill Lacy gave highlights as detailed in the Executive Summary for the Board of Commissioners. Staff recommended purchasing from Fisher Safety based on the total price of their quote. This was part of the equipment purchase which was approved on February 17, 2015 with the new apparatus purchased in conjunction with the purchase of the new fire trucks via Resolution 15-49.

There being no questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Moss seconded the motion. The motion to approve Resolution 15-163 was carried unanimously (6-0-0).

**Light and Siren Equipment**

Resolution awarding the purchase of Light and Siren equipment for four (4) F-250 Ford Pickup Trucks in the amount of $35,234.48 to West Chatham Warning Devices for Henry County Fire Department. **Exhibit #9**

Chief Lacy gave highlights as detailed in the Executive Summary, explaining that these are the warning lights for the four (4) battalion vehicles previously purchased. He summarized the bid process for the Board and recommended awarding to West Chatham Warning Devices.

There being no questions or comments from the Board, Commissioner Prince made a motion to approve; Commissioner Barham seconded the motion. The motion to approve Resolution 15-164 was carried unanimously (6-0-0).

**TECHNOLOGY SERVICES**

Resolution approving Networked Digital Video Recorder (DVR) upgrade for the Administration Building. **Exhibit #10**
Mr. Skip Floyd, Technology Services Director, explained that the item will allow IT Services to upgrade a very old network security system and expand the existing DVR server and provide cost-savings, as well as tie the security cameras here into the other cameras which were installed at the jail, the courts and other buildings within the county. Funds are budgeted at a cost of $33,700.

Commissioner Prince asked who the installer would be; Mr. Floyd responded it would be Com-Tech, a sole source provider on an annual contract basis.

There being no further questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Moss seconded the motion. The motion to approve Resolution 15-165 was carried unanimously (6-0-0).

STORMWATER

Resolution awarding bid for the purchase of a Kubota KX080-4R3 Excavator. Exhibit #11

Mr. Wade Stroud, Stormwater Director, explained that the Henry County Stormwater Management Department has four (4) full-time construction crews for the maintenance, replacement and/or installation of all Stormwater ponds, drains and drainage wells located within platted easements as well as assisting Henry County DOT on projects located inside their right-of-ways. Two of these excavators currently in their fleet were purchased back in 2006 and are now close to the end of their functional life expectancy. Mr. Stroud explained that Henry County DOT also borrows their excavators at times for their projects. He summarized the bidding process for the Board. Staff recommended purchasing from Mason Tractor and Equipment, at a cost of $80,948. Mason Tractor is located in McDonough, Georgia. This is a matched overall low bid submitted by this vendor, which met the requirements of the local vendor initiative.

Commissioner Barham commented that Mason Tractor has the contract, recognizing it as a local vendor within the county.

Commissioner Moss asked if Mason will match the total amount of $80,948; Mr. Stroud responded that is correct.

There being no further questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Moss seconded the motion. The motion to approve Resolution 15-166 was carried unanimously (6-0-0).

FACILITIES MAINTENANCE

Resolution requesting authorization to purchase one hundred (100) Salto XS4 Electronic Locks from Atlanta South Safe & Lock, in the amount of $44,000. Exhibit #12

Mr. Mike Keeble, Director of Facilities Maintenance, remarked that Henry County holds the second oldest account at Salto in North America, who currently service over 10,000 accounts. Because
of that, Atlanta South Safe & Lock, the sole source vendor, contacted staff with a sale offer to purchase the above-referenced locks for fifty (50%) percent off the list price. This is an excellent value as there are several existing buildings which are in need of extra access control, as well as new buildings to come online in the near future which will also need this control. Departments within the court system are also relocating, which will also require this type of access control. The purchase of the Salto locks will ensure units for these upcoming needs, as well as stock units for replacement at half off of the regular price. Funds are available in the Facilities Maintenance budget to pay for this. Staff recommends purchase through the sole source vendor.

There being no questions or comments from the Board, Commissioner Preston made a motion to approve; Commissioner Prince seconded the motion. There being no further discussion, the motion to approve Resolution 15-167 was carried unanimously (6-0-0).

COMMUNICATIONS

Resolution requesting authorization to purchase three (3) Sony HXR-NX5U NXCAM Professional Camcorders. Exhibit #13

Ms. Melissa Robinson, Communications Director, gave highlights as outlined in the Executive Summary for the Board of Commissioners. The quote from the Purchasing Department was by National Joint Powers Alliance, in the amount of $11,642.64. Funds are budgeted for this purchase.

There being no questions or comments from the Board, Commissioner Moss made a motion to approve; Commissioner Barham seconded the motion. The motion to approve Resolution 15-168 was carried unanimously (6-0-0).

SPLOST

Lake Dow/Rodgers Road @ Rosser Road

Resolution awarding a bid for engineering design services for Lake Dow/Rodgers Road @ Rosser Road. Exhibit #14

Mr. Roque Romero, Transportation Projects Director, summarized the Resolution, as outlined in the Executive Summary, for the Board, including the sealed bid process and that a traffic study will be conducted at this intersection.

There being no questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Preston seconded the motion. The motion to approve Resolution 15-169 was carried unanimously (6-0-0).

Simpson Mill Road @ Hampton-Locust Grove Road

Resolution awarding a bid for engineering design services for Simpson Mill Road @ Hampton-Locust Grove Road. Exhibit #15
Mr. Romero also summarized this Resolution as outlined in the Executive Summary for the Board, including the sealed bid process and that a traffic study will be conducted at this intersection.

Chairman Smith instructed the County Clerk to record that the Resolution in the book designates the award of the bid for engineering design services for Lake Dow/Rodgers Road @ Rosser Road; the second paragraph, however, names Simpson Mill Road @ Hampton-Locust Grove Road.

With that, Commissioner Preston duly made a motion to approve, with the aforementioned amendment; Commissioner Barham seconded the motion. There being no further discussion, the motion to approve Resolution 15-170, with the amendment, was carried unanimously (6-0-0).

Jodeco Road @ Oak Grove Road AND Jodeco Road @ Dailey Mill Road

Resolution awarding a bid for engineering design services for Jodeco Road @ Oak Grove Road and Jodeco Road @ Dailey Mill Road. Exhibit #16

Mr. Romero explained that these are both approved District III SPLOST-IV projects. These are two different projects but they have been combined since both of them are off of Jodeco Road. Mr. Romero then gave highlights of the bid process, as detailed in the Executive Summary for the Board.

There being no questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Moss seconded the motion. The motion to approve Resolution 15-171 was carried unanimously (6-0-0).

Campground Road @ SR155

Resolution awarding a bid for engineering design services for Campground Road @ SR155. Exhibit #17

Mr. Romero gave highlights for this Resolution as detailed on the Executive Summary for the Board, including the bid process.

There being no questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Holmes seconded the motion. The motion to approve Resolution 15-172 was carried unanimously (6-0-0).

Mt. Carmel Road @ Chambers Road

Resolution awarding a bid for engineering design services for Mt. Carmel Road @ Chambers Road. Exhibit #18

Mr. Romero gave highlights for this Resolution as detailed on the Executive Summary for the Board, including the bid process and that a traffic study will be conducted at this intersection.
There being no questions or comments from the Board, **Commissioner Preston** made a motion to approve; **Commissioner Holmes** seconded the motion. The motion to approve Resolution 15-173 was carried unanimously (6-0-0).

**Commissioner Prince** asked how the short list is working out; the Transportation Projects Director responded that the list is working very well and over eleven (11) projects have been awarded for design. There is a third wave of projects out which will be submitted for design on eight (8) additional projects. In less than a month, the BOC has approved eleven (11) projects.

**PLANNING & ZONING**

Public Hearing – MC-15-04

North Henry Baptist Church, Inc., of Stockbridge GA requests a modification of a zoning condition for the property located at 1093 Flat Rock Road, in Land Lot 96 of the 12th District. The property is zoned C-1 (General Commercial), consisting of 5.03+- acres. The requested modification is to allow monument sign meeting Unified Land Development Code (ULDC) height limitations. **District V. Exhibit #20**

**Commissioner Prince** disclosed to the County Attorney that North Henry Baptist Church is a client of his and that he has a plat in the package for this. He added that he has no vested interest in the outcome of this case and asked if he should recuse himself from hearing this. **Mr. Patrick Jaugstetter**, County Attorney, responded that the rule only requires the Commissioner to recuse himself if he has a financial interest in the project. However, if the Commissioner is uncomfortable regardless, the County Attorney recommended his recusal from hearing this case. The District IV Commissioner has chosen to recuse himself from hearing this case, as he has a plat in this project.

**COMMISSIONER PRINCE RECUSES HIMSELF DURING THIS HEARING**

**Mr. Daunte' Gibbs**, Planning and Zoning Director, explained that as part of the rezoning this property went through in 2009, there were fourteen (14) conditions which were placed on the property. The applicant is specifically requesting a modification to Condition No. 5, which he displayed for the Board to view. The applicant is seeking to comply with the current ULDC regulations with the same architectural design standard, but to change the height limitation. Staff has no objection to the applicant’s request, but suggests a change in language regarding the modification of the condition, which was also displayed for the Board to view.

There being no questions or comments from the Board, **Chairman Smith** called the applicant forward and asked that he make comment, allowing fifteen (15) minutes for presentation.

**Mr. J. Stan Jordan**, North Henry Baptist Church Pastor, remarked those 6-7 years ago, they completed a new Worship Center, which incurred some debt. Since the Future Land Use Plan of Henry County showed the corner would potentially be zoned commercial, the pastor thought it prudent to have it rezoned as C-1, even though the church had no plans of ever selling it. The debt was paid off in
three (3) years; since then, the land was developed into a softball/baseball/soccer field. The pastor stated that the sign will be a church sign and not a business sign and asked that the height limitation be put in place for a church sign.

There being no questions or comments from the Board for the applicant, the Chairman opened the floor up for public comment and called for anyone in favor of the case to come up and make comment.

Hearing none, the Chairman then called for anyone in opposition of the case to come up and make comment.

Since no one came forward, **Chairman Smith** then closed the Public Hearing portion of this case and called the applicant forward.

**Commissioner Holmes** made a motion to approve; **Commissioner Moss** seconded the motion. There being no further discussion, the motion to approve **Resolution 15-174** was carried by a vote of 5-0-0.

**COMMISSIONER PRINCE RETURNED TO THE MEETING**

**PUBLIC WORKS**

**SR81/Snapping Shoals Road**

Resolution authorizing the Chairman to execute a letter of support agreeing to provide electricity and lighting, as needed or required, and all maintenance costs for landscaping of the intersection of State Route 81 and Snapping Shoals Road, after construction of the roundabout is completed. **Exhibit #21**

**Mr. Terry McMickle**, Director of Public Works, gave highlights as detailed in the Executive Summary before the Board. He explained that the Resolution would authorize the Chairman to sign the letter of support which came from Georgia DOT. He added that in this lighting, it has been requested to have LED lights, as the energy use is cut down by about ninety (90%) percent. Staff would support this request and when the actual lighting agreement is received, that will be included.

**Commissioner Barham** remarked that there have been a large amount of accidents in this area, some with fatalities. He stated that Mr. McMickle and himself went to the site and this Resolution moves the project a step closer to getting a roundabout; Mr. McMickle responded that rumble strips were put down, some brush was cleared away as well, to aid in making sure that the stop sign at that intersection was visible. There has been a notable accident history at that location and Georgia DOT proposes a roundabout there. The letter needs to be in DOT’s file so that they can continue their process of working toward the study for a roundabout as an appropriate solution.
There being no further questions or comments from the Board, Commissioner Barham made a motion to approve; Commissioner Moss seconded the motion. The motion to approve Resolution 15-175 was carried unanimously (6-0-0).

SR155/Panola Road

Resolution authorizing the Chairman to execute a letter of support agreeing to provide electricity and lighting, as needed or required, and all maintenance costs for landscaping of the intersection of State Route 155 and Panola Road, after construction of the roundabout is completed. 

Exhibit #22

Mr. McMickle explained that this is the same request aforementioned with SR81 and Snapping Shoals, only this time it is for the intersection at State Route 155 and Panola Road. There has been a lot of interest in improving that location and this is the next step to show that the Board is in favor of this project, to send the letter of support back to Georgia DOT to continue their process.

There being no questions or comments from the Board, Commissioner Holmes made a motion to approve; Commissioner Barham seconded the motion. The motion to approve Resolution 15-176 was carried unanimously (6-0-0).

FINANCE

Fund Balance Policy

Resolution to approve a Fund Balance Policy. Exhibit #24

Mr. Fred Auletta, Finance Director, explained that the Chairman and he had a meeting, during which Mr. Auletta was asked to put together a Fund Balance policy to bring before the BOC for approval. Governmental Accounting Standards Board (GASB), which governs accounting, has a rule (54) which requires that a policy statement be put in place for the county. Mr. Auletta referenced in the Executive Summary a couple of places where recommendations are made by the Association County Commissioners of Georgia (ACCG) and Government Finance Officers Association (GFOA). The Finance Director explained that the GFOA states, at a minimum, there should be two (2) months in the policy for unassigned Fund Balance, instead of three (3) months. Mr. Auletta included several other items for consideration within the Executive Summary and attachments for the Board’s review. In the document, however, that timeframe is left intentionally blank in order for the Board to review, discuss and decide on a number.

Chairman Smith believes that there are no questions or comments from the Board because the issue was debated between twenty (20%) percent Fund Balance and whatever that would equate to on the current budget’s timeline. He knows it would be more than two (2) months but is not sure of that exact time.
Commissioner Preston remarked that twenty-five (25%) percent works out to be three (3) months; the presentation showed that was a good standard. In looking at other districts, he noted that some had five (5) months and some had twenty (20%) percent. However, 3 months/25% seemed to be the standard to keep the county safe. For the Board not to protect the Fund Balance would put the future of the county and its commissioners at risk.

Commissioner Prince commented that there is presently 25%+ in there right now, and he feels it would be wrong to use the five (5%) percent, when any of the past commissioners could have done this and left the county in trouble. Therefore, the District IV Commissioner recommended 25% as well, as it is there already and should be left alone.

There being no further questions or comments from the Board, Mr. Auletta indicated that there are two (2) blank spaces to be filled: one for percentage and the other for months. The Chairman stated that it looks like the majority will recommend 25% and 3 months. Commissioner Holmes made a motion to approve; Commissioner Preston seconded the motion. There being no further discussion, the motion to approve Resolution 15-178 was carried by a vote of 5-1-0, with Commissioners Holmes, Preston, Barham, Moss and Prince in favor; Chairman Smith was in opposition.

Henry County Development Authority

Resolution approving refunding the Henry County Development Authority Series A Revenue Bond dated July 18, 2007 with new bond debt for a term of six (6) years. Exhibit #25

Mr. Auletta explained that on April 21, 2015, he presented to the Board the refunding of these bonds with a potential savings in excess of $3.3 million based on six (6) years. The Board advised him to meet with the County Manager to reach an agreement on the number of years and how the payments should be made. It was agreed to have six (6) years of refunding and an option of two Resolutions for the Board’s decision. One states that it will be refunded based on 6 years in a “straight line”, which basically means about $1,730,000 per year for the 6 years. The Finance Director gave a presentation for the Board to show the two options for the Board.

Commissioner Preston asked if the options are straight line or deferring; Mr. Auletta responded that is correct. The District II Commissioner believes there should be discussion to choose one of those options to vote. Mr. Auletta explained that one is saving more money no matter how it is paid off in 6 years. The District II Commissioner asked if that savings amounted to only $5,000 a year; Mr. Auletta responded that next year (FY16), there will be a $680,000 savings to the budget and $675,000 on the other, but the total overall 6-year savings will be $60,000 (difference between the two).

Chairman Smith remarked that the Resolution before the Board only addresses a 6-year straight line; Mr. Auletta responded that there are two (2) Resolutions in there for the Board to decide upon.

Mr. Auletta addressed the District II Commissioner’s remarks by responding that this was discussed by graduating the payments more to the end means that the county would be paying less in
the earlier years. Presently the budget is roughly $4.7 million for debt and there is debt coming off in the next number of years and next year, there will be a savings of $680,000 to the budget for that at the straight line. That figure continues to be less in the future years than what this year’s budget is, even at a straight line. Even though the payments will be made faster and saving interest, the bottom line is each year, from now forward, there will be less end of debt being paid coming out of the General Fund. The other is that at the end of 6 years, Henry County will be virtually almost totally out of debt. There will be one remaining payment to be made on the jail, which was refunded last year and the last payment is due in 2023. The only other remaining debt is the other Cotton Fields debt of $2.2 million, which will be down to about $1.5 million, which could be paid off and bring the county totally out of debt.

Commissioner Preston clarified that when this was discussed at a previous meeting, the pay off has been accelerated, because the 6 years is the accelerated schedule; Mr. Auletta agreed with the statement. While there has been a significant acceleration in payment, the District II Commissioner reminded the public that many things are coming up for purchase, such as the police vehicles, the fire stations to be opened in 2015 and 2016, the Senior/Rec Center opening in District II and other unique budgetary items that are about to be implemented. The Finance Director indicated that there is a document which shows that if the county does a straight line, in 2017, there will be a $1.3 million reduction to what the county presently has in its FY15 budget.

Commissioner Preston asked if the Finance Director will recommend using the deferred method; Mr. Auletta responded he recommends the straight line, adding that the Interim County Manager agrees with that option.

Commissioner Prince commented that he is excited to read about the county’s potential for getting out of debt, adding that his campaign consisted of fiscal integrity. He is in favor of the straight line.

There being no questions or comments from the Board, Commissioner Moss made a motion to approve with the straight line; Commissioner Barham seconded the motion. There being no further discussion, the motion to approve Resolution 15-179 was carried unanimously (6-0-0).

HUMAN RESOURCES

Resolution to upgrade an Attorney III position to Attorney IV position within the District Attorney’s Office.

Ms. Nedra Swift, Human Resources Director, explained that the District Attorney has a vacant Assistant District Attorney III position to reclassify and upgrade to ADA IV position. There is also a budget amendment for approval. The request is to have this upgrade with associated minimum salary to start. Based on the qualifications set forth in 2007, the ADA IV would have to have six (6) years of experience as an attorney or five (5) years of experience as an Assistant District Attorney. The budget amendment would be in the amount of $8,858.93.
There being no questions or comments from the Board, Commissioner Preston made a motion to approve; Commissioner Holmes seconded the motion. The motion to approve Resolution 15-180 was carried unanimously (6-0-0).

APPROVAL OF THE MINUTES

Commissioner Moss made a motion to approve the Minutes from April 21, 2015; Commissioner Barham seconded the motion. There being no further discussion, the motion to approve the Minutes from April 21, 2015 was carried unanimously (6-0-0).

CHAIRMAN’S & COMMISSIONERS’ COMMENTS

Chairman Smith had no comment.

Commissioner Prince thanked the Henry County Sheriff’s Office and the Henry County Police Department. The Police Department and the Drug Task Force found twenty (20) kilos of cocaine in his district and was able to pull that out of the street. The District IV Commissioner appreciated their efforts and also thanked the Henry County K-9 Unit who also found two (2) pounds of methamphetamine and pulled those off of the street as well.

There were no further comments.

COUNTY MANAGER’S COMMENTS

Ms. Cheri Hobson-Matthews, Interim County Manager, had no comment.

COUNTY ATTORNEY’S COMMENTS

Mr. Patrick Jaugstetter, County Attorney, had no comment.

UPCOMING MEETINGS AND EVENTS

A. Wednesday, May 27, 2015 at 9:00 a.m., Called Meeting to Adopt the Proposed FY2015-2016 Budget
B. Tuesday, June 2, 2015 at 9:00 a.m., Regular Public Meeting
C. Tuesday, June 16, 2015 at 6:30 p.m., Regular Public Meeting

ADJOURNMENT

There being no further business to come before the Henry County Board of Commissioners, Commissioner Barham made a motion to adjourn; Commissioner Moss seconded the motion. There being no further discussion, the motion to adjourn the meeting was carried unanimously (6-0-0).

Tommy N. Smith, Chairman

Stephanie Braun, County Clerk