

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Commissioner Sonna Singleton, Commissioner Gail Hambrick, Commissioner Shana M. Rooks, and Clerk Shelby D. Haywood. [NOTE: Vice-Chairman Michael Edmondson was absent].

1. Chairman Turner called the meeting to order.
 2. Invocation was led by Minister Norine Odom, Associate Pastor of the Greater Solid Rock Baptist Church in Riverdale, Georgia. Pledge of allegiance to the flag was led by Chairman Turner.
 3. Amended the agenda by adding Resolution 2013-164 deferred from the July 2, 2013 Regular Business Meeting (Authorizing Clayton County to enter into a contract with The Collaborative Firm, LLC providing for the terms and conditions under which stand-by and other planning services will be rendered to the County; to authorize the Chairman to execute the agreement and to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes); adding Resolution 2013-189 (Authorizing Clayton County to enter into a Memorandum of Understanding with the Board of Regents of the University System of Georgia, by and on behalf of Clayton State University, providing for the terms and conditions under which students in the School of Nursing will acquire applied learning experience by working with senior adults through the Clayton County Senior Services Department; to authorize the Chairman to execute the Memorandum of Understanding and otherwise to perform other acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; and for other purposes); and deleting item #5 (**RFB PKG. #12-32 Clayton County Air Filters Annual Contract. Request to add item to contract, First Amendment**, as requested by the Central Services Department [Pure Air, located in Greenwood, MS]. Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document). Clerk Haywood announced that an Executive Session would be held to discuss litigation and personnel matters and that Resolution 2013-189 will be held for a Board vote until after the Executive Session. The agenda was adopted, as amended, as all commissioners had copies before them. The motion carried 4-0.
 4. Approved the June 4, 2013 Public Hearing on the County's Proposed FY-2014 Annual Operating Budget. The motion carried 4-0.
- Approved the June 27, 2013 Special Called Meeting on the Adoption of the County's FY-2014 Annual Operating Budget. The motion carried 3-0-1. Commissioner Singleton abstained.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

Approved the July 2, 2013 Regular Business Meeting minutes. The motion carried 4-0.

Clerk Haywood noted that Interim County Attorney Jack Hancock had brought to her attention an inaccurate statement he made in the July 2, 2013 Regular Business Meeting minutes.

Mr. Hancock stated that there was a question in that meeting regarding the Motorola E-911 contract funding in which he and Police Chief Porter affirmed that the funding came from the SPLOST Fund. After further investigation, however, he discovered that the Motorola E-911 funding was from the General Fund. He requested to reflect this correction for the record.

5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting.

1) Dr. Henry Anderson, a Clayton County resident, expressed appreciation to Commissioner Rooks for her invitation to meet with him to hear his issues and concerns regarding Tara Boulevard. The meeting included Community Development Director Patrick Ejike, Planning and Zoning Administrator Kc Krzic and Michael Woodman from The Collaborative Firm, LLC. Dr. Anderson stressed that the meeting was productive and informative, and future county initiatives were discussed. He reiterated his concerns for code enforcement and requested that the Board make this a top priority going forward.

2) David and Linda Zvonar, were upset over the sixty (60)-acre deforestation of Walt Stephens Road in their community. Mr. Zvonar stated that Moore & Crowell Company, Inc. of Jackson, Georgia hauled away the community woodlands. He emphasized that the negative impact from the timber harvesting in his community of twenty-three years has led to a loss of habitat for some wildlife species and an unattractive environment. He now wanted to know how the Board is going to restore the long-term value and health of the community woodlands.

3) Amparo Gardiner, a resident of 8353 Pima Court, also expressed concerns regarding the devastating effects of timber harvesting in the community. She stressed that a once-beautiful forest behind her home now resembles a wasteland. As a consequence, this clear-cutting method has imposed detrimental side effects such as wildlife destruction and climate change. In closing, Ms. Gardiner questioned why the provisions of Clayton County's Tree Protection Ordinance are not being enforced, where the County Arborist is, and who is responsible for this authorization.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

Chairman Turner told Ms. Gardiner and the other residents to give their information to Community Development Director Patrick Ejike, and he and area commissioners would follow-up with a status report.

4) Joanne Foster, a resident of 1956 Lullwater Circle, expressed concerns about nine (9) trees cut down on her property. Ms. Foster stated that Moore & Crowell Company, Inc. said that it would give her the value of those trees and pay her three times the value. She further stated that no County Arborist was involved and she did not understand why the people who issued the Tree Harvesting permit did not know about the Tree Protection Ordinance. Lastly, Ms. Foster asked who is responsible for this harvesting being allowed on her property.

5) Miyoshi Bourget, a long-time resident of Waverly Subdivision, also expressed concerns regarding Clayton County's Tree Protection Ordinance adopted May 22, 2008. Ms. Bourget stated that this ordinance is being violated and not one provision of this ordinance is being enforced. Additionally, this clear-cutting method is strictly prohibited by the ordinance and she is distressed by the destruction of wildlife.

6. PROCLAMATION: "Clayton County Recognizes the Rex Team Braves for Winning Runner-Up in the World Series" (presented by Commissioner Sonna Singleton).

[NOTE: Group photos were taken of the honorees and Board. Clerk Haywood read the proclamation for the benefits of the honorees, Board, and audience.]

Coach Kevin Webb thanked the Board for this opportunity. He recognized Commissioner Singleton and Parks and Recreation Director Detrick Stanford for supporting the team and providing a facility for it to practice. In closing, he dedicated the Rex Team Braves finals plat and a team picture to the Clayton County Board of Commissioners.

Chairman Turner recognized Fire Chief Jeff Hood in the audience for his retirement on July 19, 2013 and thanked him for years of professional and dedicated service to Clayton County.

7. Theodis Locke, Director of Central Services/Risk Management, presented six (6) items that resulted in the following Board actions.

(NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

1) Approved **RFP PKG. #13-06 Alcohol and Drug Treatment Services for Clayton County Adult Felony Drug Court, Annual Contract**, as requested by the Court Administrator for Superior and State Courts (\$55.00/weekly; Associated Counseling, Inc., located in Jonesboro, Georgia). Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. The motion carried 4-0.

Court Administrator Matt Sorensen's recommendation is to award a contract to Associated Counseling Inc., with the highest score of 274.25.

2) Approved **RFB PKG. #13-09 Public Safety Uniforms, Annual Contract**, as requested by Building & Maintenance, Fire/EMS and Sheriff's Department (T&T Uniforms, located in Jonesboro, Georgia). Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document. The motion carried 4-0.

Fire Chief Hood, Building & Maintenance Director Les Markland, and Sheriff Victor Hill's recommendation is to award a contract to T&T Uniforms, whose firm is the lowest responsive bidder. The contract would be renewable for two (2) additional one (1)-year periods.

3) Approved **RFP PKG. #13-25 Provision of Congregate and Home Delivered Meals for the Clayton County Senior Services Department, Annual Contract**, as requested by the Senior Services Department (Project Open Hand/Atlanta, Inc. DBA Open Hand, located in Atlanta, Georgia). Funding is available through the Atlanta Regional Commission Grant. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. The motion carried 4-0.

Senior Services Director Mary Byrd and Parks and Recreation Director Detrick Stanford's recommendation is to award a contract to Project Open Hand/Atlanta, Inc. (d/b/a Open/Hand) with the highest score of 441.25 and a fee cost of \$3.21 for each picnic/shelf stable meal, \$3.46 for each

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

therapeutic and home delivered meal and \$3.50 for each congregate meal.

4) Approved **RFB PKG. #12-02 Electrical Services and Maintenance Annual Contract, Request for Annual Contract Renewal, First Amendment**, as requested by the Parks and Recreation Department (Deco, Inc. DBA Davidson Electric Co., located in Covington, Georgia). Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document. The motion carried 4-0.

Parks and Recreation Director Detrick Stanford's recommendation is to request the renewal of the contract with Deco, Inc. d/b/a Davidson Electric Company for one (1) additional one (1)-year period. The original contract was executed by former Chairman Eldrin Bell on July 25, 2012.

5) Approved **RFP PKG. #09-27 Clayton County Neighborhood Stabilization Program (NSP) Asset Management Team, Contract Amendment**, as requested by the Director of Community Development (Patrick Ejike). This request is to amend the current contract with Strategic Holding Group, LLC, located in Stockbridge, Georgia; National Property Institute, LLC, located in Ellenwood, Georgia; and Southern Crescent Habitat for Humanity, located in Jonesboro, Georgia. The amendment is for a 120-day extension for the rebid process for the rehabilitation of homes (NSP Project) in Clayton County. Strategic Holding Group, LLC, National Property Institute, LLC and Southern Crescent Habitat for Humanity were awarded this contract by the Board of Commissioners on October 20, 2009. Funding is available through the HUD NSP funds. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. The motion carried 4-0.

Commissioner Singleton questioned whether Strategic Holding Group, LLC and National Property Institute, LLC were still viable companies.

Patrick Ejike, Director of Community Development, replied that they were.

6) Approved **RFP PKG. #09-43 Real Estate Attorney Services Related to the Purchase and**

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

Sale of Foreclosed Real Estate, Contract Amendment, as requested by the Director of Community Development (Patrick Ejike). This request is to amend the current contract with William A. Miller, P.C., located in College Park, Georgia, and Brochstein & Bantley, P.C., located in Stockbridge, Georgia. The amendment is for a 120-day extension for the rebid process for real estate attorney services. William A. Miller, P.C. and Brochstein & Bantley, P.C. were awarded this contract by the Board of Commissioners on April 6, 2010. Funding is available through HUD NSP funds. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. The motion carried 3-0-1. Commissioner Rooks abstained because she sits on the Habitat for Humanity Board.

8. Ramona Thurman, Chief Financial Officer, presented two (2) Budget Amendments and one (1) Request for Release which resulted in the following Board actions.

1) Approved Budget Amendment #4-01 – Fund 306 – Roads & Recreation Projects/FYE 6-30-14, in the amount of \$80,000.00, to facilitate additional environmental studies required by Georgia Department of Transportation for Federal regulation compliance on the Anvilblock Road project. The motion carried 4-0.

2) Approved Budget Amendment #4-02 – Fund 307 – 2009 SPLOST Projects/FYE 6-30-14, in the amount of \$22,000.00, for sidewalk construction on the Cheryl Leigh Drive Sidewalk project. The motion carried 4-0.

3) Approved a Request for Release of Demolition Bond, in the amount of \$500.00, for Griffin Renovations, C/O Shawn Griffin, in Stockbridge, Georgia. The motion carried 4-0.

9. Approved Resolution 2013-164, a Resolution authorizing Clayton County to enter into a contract with The Collaborative Firm, LLC providing for the terms and conditions under which stand-by and other planning services will be rendered to the County; to authorize the Chairman to execute the agreement and to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

10. Approved Resolution 2013-175, a Resolution to acknowledge receipt of the permanent and final net rate after credit (rollback) for values added by reassessment for 2013-2014 adopted by the Clayton County School District; to provide for the proposed levy and collection of property taxes at such certified rate for the support and maintenance of public schools, public education and activities necessary and incidental thereto; to provide for an effective date of this resolution; and for other purposes. The motion carried 4-0.

11. Approved Resolution 2013-176, a Resolution to provide for the establishment of the net mill rates after credit (rollback) for values added by reassessment for Clayton County's Fiscal Year 2013-2014; to authorize the levy and collection of property taxes at such rate required by the State of Georgia; to cover expenditures associated with the maintenance and operation of the County and activities necessary and incidental thereto; to cover expenditures associated with the provision of fire services; to authorize the mill rate credit (rollback) equal to taxes collected from the one percent Local Option Sales Tax Distribution; to authorize the Chairman to execute the certification of official rates together with any other document pertaining to such mill rates; to provide for an effective date of this resolution; and for other purposes. The motion carried 4-0.

12. Approved Resolution 2013-177, a Resolution delaying the effective date of Ordinance 2013-150; to repeal any and all conflicting laws, ordinances, resolutions, rules and regulations; to provide for severability; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

13. Approved Resolution 2013-178, a Resolution authorizing Clayton County to enter into an agreement for general engineering and consulting services with Jacobs Engineering Group, Inc. to perform additional consulting services; to authorize the Chairman to execute the agreement and otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

14. The Board failed to approve Resolution 2013-179, a Resolution requesting an opinion from the Georgia Attorney General's Office regarding Clayton County's actions taken pursuant to O.C.G.A. §15-18-1 Et Seq.; to provide an effective date of this resolution; and for other purposes. The motion failed due to a 2-2 vote. Chairman Turner and Commissioner Rooks opposed.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

15. Approved Resolution 2013-180, a Resolution authorizing a restructure of the emergency medical service fees charged to the recipient of such services; to authorize the Chairman to execute any necessary documents and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

16. Approved Resolution 2013-181, a Resolution authorizing Clayton County to accept a forfeited vehicle (1999 Chevrolet Monte Carlo LS) from a Clayton County Police Department drug investigation; to authorize the sale of such property in a manner as will be in the best interest of the County; to provide for the disbursal of sale proceeds; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

17. Approved Resolution 2013-182, a Resolution authorizing Clayton County to enter into a Memorandum of Understanding (MOU) and to accept grant funds from the United States Department of Homeland Security, Metro Atlanta Urban Area Security Initiative (UASI) providing for the payment of \$1,286,064.62 with no matching funds to purchase equipment which will improve the Police Department's ability to respond to threats of and acts of terrorism; to authorize the Chairman to execute the agreement, and otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

18. Approved Resolution 2013-183, a Resolution authorizing Clayton County to apply for and, if awarded, accept grant funds from the Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant 2013-CFDA #16.738, in the amount of \$93,871.00 with no matching county funds; to authorize the Chairman to execute the agreement, and otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

19. Approved Resolution 2013-184, a Resolution authorizing Clayton County to enter into an Aging Subgrant Contract with the Atlanta Regional Commission providing for services to be rendered

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

in connection with Older Adult programs; to authorize the Chairman to execute the Aging Subgrant Agreement and otherwise to perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; and to transfer any required match of local funds, all as may be required under the terms of the amendment; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

20. Approved Resolution 2013-185, a Resolution authorizing Clayton County to accept a seized vehicle (2008 Nissan Altima) pursuant to a Clayton County Superior Court Judgment and Order of Forfeiture and Disposition of Property; to authorize assignment of such vehicle to the Sheriff's Office fleet; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

21. Approved Resolution 2013-186, a Resolution authorizing Clayton County to amend an existing agreement with Moreland Altobelli Associates, Inc., providing for the terms and conditions under which additional professional services will be rendered; to authorize the Chairman to execute the agreement and otherwise to perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

22. Approved Resolution 2013-187, a Resolution authorizing the extension of the Clayton County Ethics Advisory Committee's findings and recommendations for ninety (90) days; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

23. Approved Resolution 2013-188, a Resolution authorizing Clayton County to enter into a Membership Terms and Conditions Agreement with USA Football, Inc. providing for the terms and conditions under which the Parks and Recreation Department will participate in the Heads Up Football Coaching Education Program; to authorize the Chairman to execute the agreement and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

24. Held Resolution 2013-189 for a vote until after the Executive Session, a Resolution authorizing Clayton County to enter into a Memorandum of Understanding with the Board of Regents of the University System of Georgia, by and on behalf of Clayton State University, providing for the terms and conditions under which students in the School of Nursing will acquire applied learning experience by working with senior adults through the Clayton County Senior Services Department; to authorize the Chairman to execute the Memorandum of Understanding and otherwise to perform other acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; and for other purposes.

Mr. Hancock requested an Executive Session regarding litigation and personnel matters. The Board generally consented to have an Executive Session for the aforementioned reasons.

25. Motion by Chairman Turner, second by Commissioner Rooks, to appoint Earl Randall of Morrow, Georgia to the Solid Waste Management Authority Board to fill the new member seat approved by the Board of Commissioners on June 18, 2013 (per Resolution 2013-158). The term is for four (4) years, expiring on July 31, 2017. The motion carried 4-0.

Motion by Commissioner Rooks, second by Chairman Turner, to go into Executive Session in the Commissioners' Conference Room to discuss litigation and personnel matters at 7:50 p.m. The motion carried 4-0.

Motion by Commissioner Rooks, second by Chairman Turner, to go out of Executive Session in the Commissioners' Conference Room at 8:30 p.m. The motion carried 4-0.

Motion by Commissioner Rooks, second by Chairman Turner, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:32 p.m. The motion carried 4-0.

Interim County Attorney Jack Hancock read the purpose of Resolution 2013-189, **a Resolution authorizing Clayton County to enter into a Memorandum of Understanding with the Board of Regents of the University System of Georgia, by and on behalf of Clayton State University, providing for the terms and conditions under which students in the School of Nursing will acquire applied learning experience by working with senior adults through the Clayton County Senior Services Department; to authorize the Chairman to execute the Memorandum of Understanding and otherwise to perform other acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; and for other purposes.** The motion carried 4-0.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 16, 2013

POST SUMMARY MINUTES

Per Mr. Hancock, modifications were made in the second “WHEREAS” of Resolution 2013-189 by deleting the words **Interim Director** and inserting the words **County’s Senior Services Department**.

Motion by Chairman Turner, second by Commissioner Rooks, to appoint Dwayne Jackson as Interim Chief of Fire and EMS. The motion carried 4-0.

There being no further business to discuss, motion by Commissioner Rooks, second by Chairman Turner, to adjourn the Regular Business Meeting of July 16, 2013 at 8:34 p.m. The motion carried 4-0.