

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

November 19, 2013

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

1. Chairman Turner called the meeting to order.
2. Invocation was led Pastor Gerry Anderson of New Macedonia Baptist Church in Riverdale, Georgia. Pledge of allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by adding an emergency request to item #9/Theodis Locke's requests (**Clayton County Facilities Roofing Projects, for First Renewal, First Amendment** [*Garland/DBS, Inc., located in Cleveland, Ohio*]. Per Section 2-114 of the Clayton County Purchasing Ordinance; Cooperative purchasing methods, the County may join with other governmental units in cooperative purchasing plans when the best interests of the county would be served thereby. The Clayton County Board of Commissioners makes the final award for cooperative purchases of \$35,000.00 and greater) and deleting #15 (Resolution 2013-292 – A Resolution authorizing Clayton County to enter into an agreement with Unique Management Services, Inc., providing for the terms and conditions under which overdue Library materials, fines and fees will be recovered; to authorize the Chairman to execute the agreement and to otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget as needed to reflect an appropriate revenue source and expense, to provide an effective date of this resolution; and for other purposes). Clerk Haywood announced that there would be no Executive Session following the meeting. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the November 5, 2013 Regular Business Meeting minutes. Vote unanimous.
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, greeted each commissioner as he came before the Board to give appreciation on behalf of the Hospital Authority Board. Dr. Anderson expressed it has been a privilege and honor to serve Clayton County citizens as a Hospital Authority Board member. He requested that the Board work on the budget for June 2014 to find surplus to increase police officers and code enforcement officers for the county. Dr. Anderson recognized and

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praised Police Chief Greg Porter and emphasized that Chief Porter has been very loyal to the Board. He thanked and expressed appreciation to Sector 3 Captain Commander Brian Danekes and police officers Joe Eckler, Tim Jessup, J. Wells and N. Johnson who patrolled his subdivision and was grateful that Clayton County has this kind of service for Clayton County citizens. In closing, Dr. Anderson stated as a citizen with a high knowledge and expertise of law enforcement, public safety, code enforcement and governmental operations, he will come before the Board in the weeks ahead with more direct proof, evidence, facts and figures of the Clayton County Police Department. He further stated that he would withstand and defeat any challenge from anyone who may want to challenge or refute anything regarding the Clayton County Police Department. Dr. Anderson then thanked the Board for its time and attention.

2) Larry O’Keeffe came on behalf of his interest in a high speed rail system for Clayton County. Mr. O’Keeffe stated that Clayton County has the busiest airport in the world and he cannot get there unless he has car. He emphasized that the County’s future is dependent on transportation and could benefit economically not just with a high speed rail system, but also with buses. Mr. O’Keeffe urged the Board to consider bringing a commuter rail line to Clayton County.

3) William White, a Clayton County resident, thanked the Board and Interim County Attorney Jack Hancock for the assistance he received at the November 5, 2013 Regular Business Meeting. Mr. White expressed the issues and concerns he had regarding Wright’s Crossing Subdivision, where he is a resident, were being solved.

4) Joe Brown voiced his concerns regarding the closing of the Target Retail Store in Morrow, GA as of February 1, 2014. Mr. Brown stated this was the only Target that served Clayton County, and he was very distraught and disappointed. He wanted to know what is going to be done to replace that store to ensure Clayton County citizens receive the same services.

Chairman Turner asked Mr. Brown to get with Economic Development Director Grant Wainscott to receive more information regarding Target.

5) Lisa Tinch came before the Board with a seven (7)-year old issue regarding her house that was demolished mistakenly. Ms. Tinch stated she has been promised a lot of things and wanted to have a meeting with the Board and Interim County Attorney Jack Hancock. She asked the commissioners how they would feel if their possessions had been torn down. Ms. Tinch affirmed that she lived in her house for twelve years, never missed a mortgage payment, and that her children had to finish high school from a motel. She was upset that the Board promoted Landry Merkinson to Fire Chief because he was involved in her house being demolished. Ms. Tinch told Commissioner Hambrick that she lived in her district and Commissioner Hambrick had not lifted one finger regarding

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her case. She concluded that she wanted this information “out on the table” and thought that what has been done to her family was unlawful.

Chairman Turner asked Ms. Tinch to call his office tomorrow and set up a meeting with him.

6. PROCLAMATION: "Clayton County Observes November 2013 as Safe Sleep Awareness Month" (presented by Chairman Jeffrey E. Turner).

7. PROCLAMATION: "Clayton County Recognizes Colonel Raymond King of Mundy's Mill AFJROTC" (presented by Commissioner Shana M. Rooks).

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

8. PRESENTATION: Clayton County's Proposed High Speed Rail System (presented by Henry Whitlow, Business & Systems Analyst for The Hudson Strategic Group in Atlanta, Georgia).

Mr. Clarence Williamson, Jr., an Associate with The Hudson Strategic Group, came on behalf of Mr. Whitlow and presented Clayton County's Proposed High Speed Rail System as an express high speed rail South Metro Atlanta overview, with emphasis on opportunities associated with stimulating economic development. He stated the project includes opportunities to integrate transportation with countywide economic performance, with value added marketing advantages. Express high speed rail is not to be confused with mass/commuter transit. Express high speed rail focuses on passenger trains reaching speeds of 160 mph, and with port-to-port connectivity. For the purposes of this presentation, the primary corridor will link Jacksonville, Florida via Savannah to the Atlanta Aerotropolis area.

Mr. Williamson noted express high-speed rail corridors are listed on the Master Transportation Plan of the Department of Transportation for the State of Georgia. Most of the regional dialogue has been regarding connections between Atlanta and Charlotte, North Carolina because of the links to the eastern seaboard. However, feasibility studies have been completed supporting express high-speed corridors also linking Chattanooga, Tennessee and Birmingham, Alabama and Columbus, Georgia which is currently working on a study. These multiple studies make allowances for express high-speed rail, commuter rail, and rapid rail services. He stated in the case of Clayton County, the Savannah feasibility study serves as a blueprint for mass transit opportunities that the County transportation may be able to use for mass transit strategies. Mr. Williamson pointed out that The Hudson Strategic Group understood the County will soon have advisory consultants for mass transit, so this project will not conflict with this endeavor. It should rather enhance efforts with support from the business community.

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Mr. Williamson noted awareness of the proposed multimodal terminal in downtown Atlanta, but studies also include a high speed line connecting the Atlanta multimodal terminal to a terminal in the HJIA Aerotropolis. This should be of particular interest to Clayton County's economic development. Implementing high-speed rail corridors will integrate and boost the economy with emphasis on supply chain opportunities, and The Hudson Strategic Group is developing plans for public private partnerships with the U.S. Department of Transportation, using qualified private investors and technical service providers required to fund and implement express high speed rail projects. The express high speed rail corridors meet federal initiatives that will utilize dedicated lines following interstate right-of-ways rather than the more costly proposals that focus on existing or abandoned shared use freight corridors. The federal maps reflect the original concepts, and The Hudson Strategic Group is looking to have movement toward implementation within the next three years.

Mr. Williamson explained that the high speed rail system is currently operating in more than 20 countries, and under construction or in development in another twenty-four (24). In the U.S., the AMTRAC Acela line closely resembles high speed by reaching speeds of 160 mph. He expressed it is so popular, that it now constitutes twenty-five percent (25%) of all AMTRAC's ridership. The passenger rail transportation footprint reflected in the Concept 3 ARC 2040 map shows the concentration of activity north of I-20. This will allow the southern areas to be strategic in their planning and become more regional in scope. Again with a focus on economic development, that can take advantage of the supply chain opportunities that will enhance workforce development.

Mr. Williamson affirmed all feasibility studies indicate that there must be a terminal in the Aerotropolis area. It is recognized that passengers must have access to all of the multimodal amenity opportunities that only the southern metro area can provide. The economic development focus will be to make the area a destination rather than a pass-through. Mr. Williamson concluded that The Hudson Strategic Group is looking to use a funding model from federal and private sources. The firm will look to use its expertise in a consultancy role to incorporate the institutional ecosystem and supply chain systems as outlined in the "Anchor Institution Ecosystem Map," by integrating high speed rail with existing and proposed transportation and economic development plans in future sustainable summits and a regional economic dashboard of ROI expectations.

9. Theodis Locke, Director of Central Services/Risk Management, presented four (4) 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>.)

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1) Approved the **Purchase of a Barracuda 850 Email Message Archiver, GSA State Contract, POR #00011195** (InterDev., LLC, located in Alpharetta, Georgia; \$39,056.00. Funding is available through Information Technology's budget), as requested by the Information Technology Department. Per Section 2-136(6) of the Clayton County Purchasing Ordinance, the purchasing agent has the authority to purchase unlimited quantities of goods utilizing active annual contracts. O.C.G.A. § 50-5-100 states, "The Department of Administrative Services is authorized to permit local political subdivisions, on an optional basis, to purchase their supplies through the state." This allows the purchasing agent to utilize statewide contracts when this practice serves the best interest of Clayton County. The Clayton County Board of Commissioners makes the final award for the state contract purchases of \$35,000.00 and greater. Vote unanimous.

Vice-Chairman Edmondson asked Information Technology Director Brett Lavender if there were an email message archiver currently being replaced.

Mr. Lavender replied that the Information Technology requested this item in the past, but it was never funded. The department's goal is to digitally archive email and to also backup all emails in a central archive, even if they are distributed across different computers, programs or mailboxes.

Vice-Chairman Edmondson questioned how this differs from what is being done now with the email system. He wondered if emails were being archived now through the county's service provider.

Mr. Lavender answered no, they are not.

Vice-Chairman Edmondson then asked if the County were going to have access to emails that it currently does not have access to and how this would benefit the County.

Mr. Lavender stated it takes the strain off email servers by moving email storage and user traffic from the email server to the archiver. It will also duplicate and compress email information before storage while stubbing attachments to further minimize storage and costs. Retention policies ensure the archive keeps different types of information for durations needed to comply with regulations.

Vice-Chairman Edmondson asked if the County were not in compliance with retention.

Mr. Lavender responded that emails can be deleted while not in compliance.

Commissioner Rooks wanted to know if an email would be permanently gone if it had been deleted.

Mr. Lavender replied if the email is in backup archive, it can be retrieved. Otherwise, the answer to her question would be no.

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2) Approved **RFB Pkg. #11-23 Clayton County Transportation and Development Aluminum Sign Blanks, Annual Contract, Request for Second Annual Renewal, First Amendment** (Vulcan, Inc., located in Foley, Alabama), as requested by the Transportation and Development Department. 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. Vote unanimous.

Transportation and Development Director Jeff Metarko's recommendation is to renew the contract with Vulcan, Inc. The renewal period will be from December 1, 2013 to December 1, 2014. The remaining renewal on this contract is for two (2) additional one (1)-year periods. The original contract was executed by the former Chairman Eldrin Bell on December 1, 2011.

3) Approved **RFP Pkg. #05-35 Engineering Services for the ITS Bond Implementation Project, Change Order Request, First Amendment** (Gresham Smith & Partners, located in Alpharetta, Georgia; \$32,203.24). 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. All goods and services in excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with the full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

Transportation and Development Director Jeff Metarko's recommendation is amend the contract with Gresham Smith & Partners. The additional amount of \$32,303.24 is 100% reimbursable by GDOT, requiring no additional funds from the County. The original contract was approved by the Board of Commissioners on May 17, 2005.

4) Approved **Clayton County Facilities Roofing Projects, for First Renewal, First Amendment** (*Garland/DBS, Inc., located in Cleveland, Ohio*). Per Section 2-114 of the Clayton County Purchasing Ordinance; Cooperative purchasing methods, the County may join with other governmental units in cooperative purchasing plans when the best interests of the county would be served thereby. The Clayton County Board of Commissioners makes the final award for cooperative purchases of \$35,000.00 and greater. Vote unanimous.

This request is to amend the current contract with Garland/DBS, Inc. The amendment is for the renewal period of November 20, 2013 to November 30, 2014, as requested by Building & Maintenance

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Director Les Markland. The original contract was awarded by the Board of Commissioners on April 17, 2012.

10. Ramona Thurman, Chief Financial Officer, presented six (6) budget amendments which resulted in the following Board actions.

1) Approved Budget Amendment #2-22 – Other General Government/FYE 6-30-14 – to purchase a Medical Transport Unit, in the amount of \$165,000.00. Vote unanimous.

Vice-Chairman Edmondson asked Ms. Thurman to help him get comfortable with monies pulled down from the Other General Government account. He then stated that the Other General Government account has half of a million dollars lying around, and he wondered what is being displaced.

Ms. Thurman replied that Budget Amendment #2-22 is included in one pot in the budget to purchase vehicles.

Vice-Chairman Edmondson asked if this request were being presented differently than in the past.

Ms. Thurman replied no, for vehicle purchases this is how it is done.

Vice-Chairman Edmondson stated he thought it was called a Vehicle Fund.

Ms. Thurman answered this is the Vehicle Fund.

Vice-Chairman Edmondson stated it does not say Vehicle Fund anywhere on the document.

Ms. Thurman responded that it is budgeted under Other General Government, although internally it is called the Vehicle Fund.

Vice-Chairman Edmondson asked under Other General Government in the budget where does it say that.

Ms. Thurman responded it states that under program code 6501 or 620.

Vice-Chairman Edmondson asked Ms. Thurman to show him in the budget what the Finance Department gave him.

Ms. Thurman replied she did not have the document.

Ms. Thurman explained that the \$165,000.00 is already in General Fund and is just being moved from one (1) line to item to pay for ambulance.

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2) Approved Budget Amendment #2-23 – Other General Government/FYE 6-30-14 – to amend the budget for Phase One of the renovation of Annex 3, in the amount of \$250,000.00. Vote unanimous.

Vice-Chairman Edmondson asked where the \$250,000.00 is being pulled down from, because it says Other General Government.

Ms. Thurman answered it is all in Fund 101, coming out of the General Fund balance and being put into Building & Maintenance 6501 program code.

Vice-Chairman Edmondson read that the subject line said Request for Budget Amendment – Other General Government.

Ms. Thurman responded that Other General Government is a category used for budgeting expenses and grants.

Ms. Thurman explained the \$250,000.00 is being appropriated from the General Fund balance. This money was not included in the budget so the Board has to approve it.

Vice-Chairman Edmondson said he understood that concept. He just wanted to know if there were monies in the Fund and if the County were ahead of its goal, year to date in tax collections.

Ms. Thurman replied this money is coming out of the County's Fund Balance (general reserves) because the money was not budgeted.

Commissioner Rooks said she understood that the \$250,000.00 was for Annex 3 and voted on in 2012.

Vice-Chairman Edmondson interjected that it was rescinded in 2013.

Chairman Turner asked who rescinded it.

Vice-Chairman Edmondson responded that the Board did in January 2013. In December, the monies were to be used just for the Probate Court and then the Board rescinded that resolution.

Interim County Attorney Jack Hancock affirmed that it was rescinded as part of a lawsuit and not approved in the form it was before.

Vice-Chairman Edmondson then asked Ms. Thurman if the General Fund is above the budget and can the County afford it.

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Ms. Thurman replied no, we do not have the money budgeted but monies can be taken out of the General Fund Reserve fund balance at the end of the fiscal year.

Vice-Chairman Edmondson asked if the County has excess revenue above budget to fund this and if this will be pulled out of the County savings.

Ms. Thurman replied not right now.

Vice-Chairman Edmondson asked if the Board had blueprints or projections for District Attorney space and Probate space.

Chairman Turner called Building & Maintenance Director Les Markland to the podium.

Vice-Chairman Edmondson wanted to know if all the parties involved were satisfied.

Mr. Markland replied that everyone agreed to the plans for their space and all the work has been done with the IT department. Judge Ferguson and the District Attorney worked it out.

Vice-Chairman Edmondson stated the money was not budgeted and now will be appropriated from savings even though there is no surplus. He then asked Ms. Thurman if her recommendation would be prudent for this to be done.

Ms. Thurman answered the County has \$54,000,000.00 in the savings account. Finance does not know if there is any surplus in the current fiscal year yet. That amount will not be known until the end of the year. The County just started collecting taxes so Finance will not know until December of this year or January 2014 if there is a surplus.

Commissioner Rooks stated that it is more than \$250,000.00; it is \$617,000.00.

Mr. Markland explained that this is Phase I which allows the County to start the infrastructure, and B & M had to bring the building up to code, i.e., sprinkler system and fire alarm system.

Commissioner Rooks asked when the balance would be needed.

Mr. Markland replied February or March 2014 when the County will realize the amount of tax collections.

Chairman Turner stated that six (6) months of work will be needed.

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Commissioner Rooks questioned if everything would be completed before the County has an opportunity to budget.

Mr. Markland replied yes.

Chairman Turner asked how long the second phase will take to complete.

Mr. Markland answered about seven (7) months.

Vice-Chairman Edmondson asked Ms. Thurman if her recommendation would be for the County to spend monies for this project out of the County reserves.

Ms. Thurman replied yes, for this particular project.

For the record, Chairman Turner stated the County is in dire need of space.

3) Approved Budget Amendment #4-24 – Fund 306 – 2004 SPLOST – Roads & Recreation/FYE 6-30-14 – to carry Fiscal Year 2013 project budgets forward and to set up budgets for Fiscal Year 2014, in the amount of \$32,796,722.00. Vote unanimous.

4) Approved Budget Amendment #4-25 – Fund 307 – 2009 SPLOST/FYE 6-30-14 – to carry Fiscal Year 2013 project budgets forward and to set up budgets for Fiscal Year 2014, in the amount of \$41,378,000.00. Vote unanimous.

5) Approved Budget Amendment #4-26 – **Fund 289** – Transportation & Development Grants & Other SPLOST Related Grants/FYE 6-30-14 – to carry forward Fiscal Year 2013 balances and to set up projects for Fiscal Year 2014, in the amount of \$22,283,198.00. Vote unanimous.

6) Approved Budget Amendment #4-27 – Fund 306 – SPLOST Roads & Recreation Projects/FYE 6-30-14 – to amend the budget funds needed for temporary easements for Flint River Road and Godby Road projects, in the amount of \$100,000.00. Vote unanimous.

11. Renee Bright, Director of Human Resources presented one (1) request that resulted in the following Board action.

The motion died due to the lack of a second to approve a request from Senior Services to create new and additional positions which are funded through various grants; two (2) temporary part-time afterschool program aides at 9.00/hr., four (4) part-time tutors at \$15.00/hr. and one (1) Kinship Care Licensed Counselor at \$54.00/hr. for a grant funded Afterschool Program and Behavior Management

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Counseling at Kinship.

12. The Board accepted the *1st Reading* of Ordinance 2013-289, an Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, and specifically relevant sections of the Clayton County Civil Service Act and the Civil Service Rules and Regulations pertaining thereto; to provide for the creation of the unclassified position of Manager of Capital Improvements; to provide an effective date of this ordinance; and for other purposes.

13. The Board accepted the *1st Reading* of Ordinance 2013-290, an Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, and specifically relevant sections of the Clayton County Civil Service Act and the Civil Service Rules and Regulations pertaining thereto; to provide for the creation of the unclassified position of Kinship Care Leader; to provide an effective date of this ordinance; and for other purposes.

14. Approved Ordinance 2013-291, an Ordinance to amend the Clayton County Code of Ordinances, specifically Chapter 86 "Subdivisions," Article II "Tree Protection" so as to amend Section 86-55 "Definitions"; to delete Section 86-56 "Tree Bank and Tree Fund" and insert in lieu thereof a new Section 86-56; to delete Section 86-57 "County Arborist" and insert in lieu thereof a new Section 86-57; to delete Section 86-58 "Greenspace Trust Board" and insert in lieu thereof a new Section 86-58; to provide an effective date of this ordinance; to provide for repeal of conflicting ordinances; to provide for codification; to provide for severability; and for other purposes. Vote unanimous.

Vice-Chairman Edmondson asked Planning and Zoning Administrator Kc Krzic to help him understand the "Tree Bank" and "County Arborist" ordinance change. He also asked if there were a current arborist position and if it were just vacant.

Ms. Krzic replied the position was removed in fiscal year 2011.

Vice-Chairman Edmondson questioned if the position had been deleted or defunded.

Interim County Attorney Jack Hancock interjected the position is not funded, but the County can delegate someone from the Extension Office.

Vice-Chairman Edmondson affirmed that the County does have an arborist position; it is just not funded right now. If the County is not going to fill the arborist position, then he asked if it could delegate/designate an Extension Office person instead.

Ms. Krzic replied yes, that is correct.

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Vice-Chairman Edmondson then asked if Planning and Zoning interoffices submitted plans to Government Circle to be reviewed. If so, he wanted her to explain how the process works.

Ms. Krzic responded that when plans come in, they are routed to Transportation & Development, Clayton County Water Authority and Economic Development (whoever is the first person on the list).

Vice-Chairman Edmondson asked Ms. Krzic to explain how the “Tree Bank” and “Tree Fund” have changed.

Ms. Krzic answered that none of the ordinance has changed, just the designation of a person has changed.

If the County does not fund the existing arborist position and designates a person from the Extension Office instead, Vice-Chairman Edmondson asked if there would be enough time in the current schedule to do this for the entire county.

Chairman Turner replied yes.

Commissioner Rooks asked if the ordinance specifies who the person is.

Ms. Krzic answered it does not state who the person is, just the Extension Services Agricultural and Natural Resource Agency.

Commissioner Rooks understood that would be whoever is in that position.

Ms. Krzic replied yes, whoever is at the Extension Service Office, and Clayton County is not completely removing itself. It is just using the services expertise.

Commissioner Rooks read the following excerpt from the ordinance, “person who holds joint employment with the County and the University of Georgia College of Agriculture and Environmental Sciences.” She then asked if that is more than one person right now.

Ms. Krzic responded that right now it is Winston Easton.

Commissioner Rooks then stated that it is one specific person. If that person is not available and the next person does not have the qualifications, she asked if the ordinance would have to be amended.

Interim County Attorney Jack Hancock interjected that the County could hire someone else.

Vice-Chairman Edmondson asked Ms. Thurman if the arborist is currently defunded under Community Development or if it is just part of the hiring freeze.

Ms. Thurman replied that she did not see the arborist position in the budget at all or even in the last

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three (3) fiscal years.

15. Approved Resolution 2013-293, a Resolution authorizing Clayton County to enter into a Service Agreement with Freegal Music, providing citizens access to music and movies from the Clayton County Library Collections; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

16. Approved Resolution 2013-294, a Resolution to allow Georgia State Senator Gail Davenport to host a senior citizens town hall meeting and dinner at the J. Charley Griswell Senior Center; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

17. Approved Resolution 2013-295, a Resolution to amend Resolution 2013-277 by waiving the facility use cost previously approved by the Board of Commissioners for the Summit at Lake Jodeco Homeowners' Association to host its annual business dinner meeting at the J. Charley Griswell Senior Center; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

18. Approved Resolution 2013-296, a Resolution authorizing Clayton County to amend the agreement with Phoenix-Sullivan Improvement Association, Inc. approved in Resolution 2013-237 to provide for a project termination date of September 1, 2015 instead of September 1, 2014; to authorize the Chairman to execute the amended agreement and 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, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

19. Approved Resolution 2013-297, a Resolution authorizing Clayton County to submit a grant application for the Georgia Transportation Infrastructure Bank and, if awarded, accept such grant funds (\$1,442,500.00 with a required local 20% match of \$288,500.00) for an Advanced Transportation Management System Upgrade Project; to authorize the Chairman to execute the application 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 as needed to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

20. Approved Resolution 2013-298, a Resolution authorizing Clayton County to execute an easement agreement and related documents with Georgia Power Company, in connection with certain underground electrical line construction; to authorize the Chairman to execute the easement agreement, and otherwise to perform all other acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

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21. Approved Resolution 2013-299, a Resolution authorizing Clayton County to enter into a Memorandum of Agreement with the Department of Transportation, State of Georgia for the installation of street lights on S.R. 139, Riverdale Road adjacent to I-285 in Clayton County; to authorize the Chairman to execute the agreement on behalf of the County 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, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

22. Approved Resolution 2013-300, a Resolution authorizing Clayton County to allow for the installation of a street light at the intersection of Creel Drive at Newberry Lane in Clayton County; to authorize the Chairman to execute the agreement on behalf of the County 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, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

23. Approved Resolution 2013-301, a Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring a certain property for use by the Clayton County Department of Transportation and Development for the Flint River Road Widening Improvement Project; to authorize the Chairman to execute any documents relating thereto, and to 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. Vote unanimous.

24. Approved Resolution 2013-302, a Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and Development for the Anvil Block Road Widening Improvement Project; to authorize the Chairman to execute any documents relating thereto, and to 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. Vote unanimous.

25. Approved Resolution 2013-303, a Resolution by the Board of Commissioners directing the termination of all project planning and construction for the District 4 Recreation Center on Stockbridge Road in Jonesboro, Georgia; to authorize the County to retain SG Property Services, LLC to conduct an assessment of a potential site at the Clayton County International Park for the possible relocation of the

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District 4 Recreation Center and, if determined feasible, to serve as the Project Manager for said project in accordance with the terms and conditions of the agreement attached hereto; to authorize the Chairman to execute any necessary documents and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget as needed to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

26. Appointment to the Hospital Authority Board to replace Mr. William McBerry (deceased). New term is for three (3) years, expiring on October 31, 2016.

Motion by Commissioner Hambrick, second by Vice-Chairman Edmondson, to appoint Jeanette Patterson to the Hospital Authority Board to replace Mr. William McBerry (deceased). New term is for three (3) years, expiring on October 31, 2016. Vote unanimous.

27. ZONING PETITION:

SUNSET PARK c/o Cradle Bray/PUD (Conceptual Development Plan)/Case # PUD201310-04

1) The Applicant, Cradle Bray on behalf of Bank of the Ozarks, is requesting acceptance of the Conceptual Development Plan and an amendment to the official zoning map from Article 3.7 Residential (RS-110) to Article 7.2 Planned Unit Development for the construction of 33 single family lots upon the property located at 7348 Homestead Road (12135C A002) and 6270 Homestead Road (12135C A003) in Rex, Georgia. The subject properties are approximately a combined 13.43 acres of land. (Commission District #1 – Commissioner Sonna Singleton).

Attorney Cradle Bray came on behalf of Bank of the Ozarks regarding property located on Homestead Road. This property originally had thirty-five (35) lots zoned, permitted and developed prior to the Comprehensive Plan in 1987. Once the property was developed with all the amenities, Mr. Bray stated Bank of the Ozarks foreclosed on the property and now Mr. Greg Stringer (developer) is planning to develop the property. Mr. Stringer would like to build thirty-three lots on the six thousand (6,000) square foot lots. Originally, these were thirty-five (35) lots but he had to make access for greenspace and the plans were redrawn to comply with PUD requirements. Mr. Bray believed the stipulations called for thirteen hundred (1300) to fourteen hundred (1400) square feet.

Commissioner Singleton said she thought it was fifteen hundred (1500) square feet. She asked Planning and Zoning Administrator Kc Krzic if that were correct.

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Ms. Krzic answered Planning and Zoning did not put any condition on the square footage.

Mr. Bray continued to say that trees will go in as developed along with underground utilities, and a Homeowners' Association will comply with lighting at the entrance due to the darkness on Homestead.

Commissioner Singleton stated she still had concerns about the square footage and asked if it could be taken up to fifteen hundred (1500) square feet.

Mr. Bray replied yes.

Commissioner Singleton told Mr. Bray she knew that he had submitted the renderings. She had asked Ms. Krzic to ensure that the submitted renderings are kept intact. In the past, she has seen renderings change and she wanted to stick with those renderings when building houses.

Ms. Krzic answered that the renderings are in the Planned Unit Development (PUD).

Commissioner Singleton asked Mr. Bray if all of the thirty-five (35) lots were in Clayton County or Henry County.

Mr. Bray replied all lots are in Clayton County.

Regarding the entire subdivision plan, Commissioner Singleton asked how many lots will be in Henry County.

Mr. Bray responded eight (8) or nine (9) lots.

Although the entrance of the subdivision is going to be on the Henry County line, Commissioner Singleton wondered if any changes were going to be made to the lighting on Homestead.

Developer Greg Stringer replied yes.

Commissioner Singleton asked Ms. Krzic to read off the recommendations for the Sunset Park Zoning Petition.

Ms. Krzic read the following recommendations as:

- 1. Remove lot number 1, due to having no interior access.**
- 2. Increase the average lot size to 10,000 square feet.**
- 3. Provide an amenity, such as a pavilion or playground.**
- 4. All homes are to have two (2)-car garages with decorative doors.**
- 5. Front elevations are to be brick, stone or cement fiberboard.**
- 6. Rear and side elevations are to have water-tables installed.**
- 7. Submit landscaping plan with decorative entrance feature.**

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8. Decorative street lighting must be installed.

9. Street trees shall be provided throughout the development.

Mr. Bray commented that they agreed to most of the recommendations, but one of the concerns was regarding the water table. He said it did not make sense to have a water table in a brick house which added extra cost.

Commissioner Singleton asked Ms. Krzic to comment on Mr. Bray's suggestion.

Ms. Krzic stated Planning and Zoning is looking for two different textures and materials on all four sides of the façade, and it will add extra texture to the subdivision especially when the homes are so close.

Commissioner Singleton emphasized she wanted to see water table requirements stay in because they would increase the value of the homes.

Mr. Bray responded, "with an all brick house?"

Ms. Krzic replied none of the elevations were submitted as all brick, and they are all cement based products; i.e., hardi-plank.

Mr. Bray responded it does not make sense to have a water table mandate with all brick homes.

Ms. Krzic answered she did not have any elevations submitted as all brick.

Commissioner Singleton stated she still was going with the recommendation of Planning and Zoning Administrator Kc Krzic.

Chairman Turner asked if there were any opposition to this petition.

Ms. H. Turner came before the Board not to oppose but to ask questions.

Ms. Turner stated she used to own property at 6270 Homestead Road and wanted to know what the price ranges will be. She noted that the plans called for 2000 square feet and now they are down to 1500 square feet and there are residents who have monies invested in their houses.

Greg Stringer replied that marketing studies have not been completed yet. Houses could range from \$120,000.00 to \$150,000.00 each. It all depends on housing amenities.

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Chairman Turner told Ms. Turner that since she was not opposing and just wanted to ask questions, she could get with Mr. Stringer or Mr. Bray to answer her questions later.

Motion by Sonna Singleton, second by Gail Hambirck, to accept this zoning petition with all recommendations specified per Kc Krzic, Planning and Zoning Administrator.

Mr. Bray asked if the Board wanted to increase the average lot size to 10,000 square feet as part of the recommendation.

Commissioner Singleton replied yes, the Zoning Staff recommended that increase.

Mr. Bray stated the subdivision would have to be redone with this increase. It is an existing subdivision and engineers told him that if the lot size is increased, water lines and other utilities will have to be moved. Increasing the lots will change the dimensions and is basically undoable.

Commissioner Singleton responded that she heard Mr. Bray's concerns and one of her concerns was the value these properties are going to bring to other properties as well. She asked Ms. Krzic to elaborate on the recommendation to increase the lot size.

Ms. Krzic replied an engineer would actually have to design it. Lots affected would be in the 6,000 and 7,000 square footage range.

Mr. Bray stressed that the subdivision is already built per permit and lots are already laid out.

Commissioner Singleton emphasized that the Board needs to stick with the Planning and Zoning recommendation to bring quality and value to the community.

Chairman Turner asked if there were any other questions.

Vice-Chairman Edmondson asked if the Board could vote without the petitioner's consent.

After a lengthy discussion between Commissioner Singleton and Mr. Bray, Commissioner Singleton made a motion to accept this zoning petition with all recommendations specified per Kc Krzic, Planning and Zoning Administrator.

The entire motion was as follows:

Motion by Commissioner Singleton, second by Gail Hambrick, to accept this zoning petition with all recommendations specified per Kc Krzic, Planning and Zoning Administrator. Vote unanimous.

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28. ZONING PETITION:

JONES PETROLEUM c/o Ren Anderson/Rezoning from Planned Unit Development (PUD) to Light Industrial (LI) for Diesel Pumps/Case # REZ 201310-01

2) Motion by Commissioner Singleton, second by Commissioner Hambrick, to deny the applicant's requests for rezoning from Article 7.1 Planned Unit Development District to Article 3.31 Heavy Industrial (HI) District for the sale of Diesel Fuel with 4 pumping stations upon property located at 6542 Highway 42 in Rex, Georgia and otherwise known as parcel number 12120B A005. The subject property is approximately 3.75 acres of vacant land, and is currently zoned PUD. (Commission District #1 – Commissioner Sonna Singleton). Vote unanimous.

Mr. Ren Anderson stated he owns property formerly known as Horizon on I-675. There is an empty restaurant space on the property and he has tried to attract franchises and been turned down. He explained that he is attempting to get a Dunkin Doughnuts franchise at this location, but Dunkin Doughnuts has a requirement of having diesel gas pumps on the premises.

Commissioner Singleton stated she believed Dunkin Doughnuts could reside there without a truck stop. She stressed that tractor trailers are already parking in that area. Commissioner Singleton emphasized there are three (3) communities behind that area and the County really needs to get the housing values up. Commissioner Singleton expressed that Dunkin Doughnuts will not have a problem without the County having to bring in big trucks and disturb the communities currently there. She said she would not be happy bringing in diesel pumps and destroying the community's quality of life. She further stated there is a QuikTrip one exit up with truck stops although it is an industrial area, but she would not feel good in tearing down a community.

Mr. Bill Jones of Jones Petroleum stated Commissioner Singleton had mentioned QuikTrip, which is a full-fledged truck stop. He then asked if the commissioners had copies of the plans before them. Mr. Jones showed there were four (4) islands on 3.75 acres which would not qualify as a pure truck stop. This rezoning would give a place of differentiation for fueling motor homes and utility trucks that are always in the area. He recalled Commissioner Singleton mentioned tractor trailers were parking in the rear of this store already, but he would provide several parking spaces for those vehicles that are currently parked there. Mr. Jones stressed that his goal was not fueling but completing the facility with a name brand franchise unit that would bring about forty (40) additional jobs to the complex there. The trucking community is not going to use this location when it has a facility at the next exit up. Mr. Jones further stated that his main goal is on the restaurant side and to convert the 2200 square feet currently vacant into a major franchise. He has tried to attract every franchise to this location, but they all have to be situated one exit down which is in Stockbridge. Dunkin Doughnuts has agreed that by putting these islands in this location, it would qualify with company policies as an Interstate location.

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Mr. Jones emphasized that when he drove around the landscape of the County, he noticed convenience stores that have separate diesel islands are used to fuel other vehicles besides tractor trailers. He stated that is probably the problem as far as the impression people get when they talk about diesel islands. They associate them with tractor trailers when there are other types of vehicles with diesel powered engines that use those facilities. Mr. Jones further stated that this location will not and does not intend to accommodate major tractor trailers. He simply is qualifying the site for a major restaurant, and it will not be a full-fledged trucking stop.

Commissioner Rooks asked if there is a way to forbid those types of vehicles entering in for fuel.

Mr. Jones answered he would try.

Commissioner Rooks said she understood Mr. Anderson to say earlier, "this will be a great spot for tractor trailers."

Commissioner Singleton said that is correct, now Mr. Jones is saying it is not.

Mr. Jones explained he was saying that the diesel islands qualify for a tribal plaza and can be used for different criteria such as food, etc.

For clarification, Vice-Chairman Edmondson asked if there is an existing gas station at this location that serves diesel or if it is vacant and bank owned and being proposed for a gas station.

Mr. Jones answered it is an eight (8)-year old facility.

Vice-Chairman Edmondson understood there is an existing gas station with a Subway and Mr. Jones wanted to expand the adjacent vacant property to put more diesel pumps with anticipation of getting a Dunkin Doughnuts.

Mr. Jones replied yes.

Chairman Turner asked if there were any opposition to this petition.

Ernest Donaldson, a Clayton County resident, voiced his concerns regarding 6542 Highway 42. Mr. Donaldson explained that the side of the road where the building is and where they plan to put the diesel pumps already has eighteen (18) wheelers parked there. He stated that the other side of the road is where Mo-Joes used to be and tractor trailers park there also. Mr. Donaldson said he lives in Crooked Creek Subdivision and expressed that the area is already clogged with too many trucks, and there are a lot of children in his subdivision. Having another business that will bring in more trucks and traffic will be an endangerment to the community. Mr. Donaldson affirmed that he used to own a trailer and he himself would not pull into and park in those stations because it brought in prostitutes,

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and the children in that community do not need to be subject to that quality of life.

Larry O’Keeffe, a Clayton County resident, also expressed his concerns regarding the property located at 6542 Highway 42. Mr. O’Keeffe stated there is a diesel fuel facility at the Chevron on Evans Road and he did not see a need for another utility truck diesel facility. He stressed there are many residential communities surrounding this location and it is just not attractive.

Chairman Turner asked if there were anyone else in opposition.

Chairman Turner asked Mr. Anderson if he had a rebuttal.

Mr. Anderson stated that he does not plan to draw prostitutes to this location, and Dunkin Doughnuts has strict requirements. His goal is to put a franchise in that location, and Dunkin Doughnuts was the only company that agreed with also having the diesel pumps.

29. ZONING PETITION:

Conditional Use Permit (CUP) for a Shingle Processing Facility c/o Greg Hecht and Jon Jordan/6075 Lees Mill Road/Case # CUP201310-06

3) Motion by Commissioner Hambrick, second by Commissioner Singleton, to approve the applicants’ requests, on behalf of The Concrete Company, for a Conditional Use Permit (CUP) from Article 3.31 for a shingle processing facility. The subject property is located at 6075 Lees Mill Road and otherwise known as parcel number 13116A A001. The subject property is identified as approximately 44.26 acres of industrial land and is currently zoned HI. (Commission District #2 – Commissioner Gail Hambrick). Vote unanimous.

Attorney Greg Hecht and Jon Jordan came on behalf of The Concrete Company regarding property located at 6075 Lees Mill Road. Mr. Hecht stated that the proposed shingle processing plant will create eight (8) to ten (10) jobs in the county and produce positive economic tax for the county. The property’s prior use was for a concrete pipe manufacturing company, so it is well in use for the HI use that is being proposed. He noted the property was unanimously supported and approved by the Zoning Advisory Group (ZAG) and recommended by staff. This property is forty-four (44) acres but only ten (10) acres will be used for the facility itself. The facility is already in existence and the building will be a reuse for the processing. Mr. Hecht stated that the area is consistent with comparable properties in the area, such as C.W. Matthews, Action Tire, and Old Shacks Marine. He concluded that they are proposing the Conditional Use Permit and his partner, Jon Jordan, will show the site plans for any questions the Board may have.

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Chairman Turner asked Mr. Jordan if the name had been changed to Dupps on the second page of the plan.

Mr. Jordan replied yes, it was previously owned by Robert Roark and now it is owned by The Concrete Company.

Chairman Turner asked if there were any opposition to this petition. No one responded.

Chairman Turner asked Ms. Krzic to state ZAG's recommendation.

Ms. Krzic replied that the recommendation is to approve.

Commissioner Hambrick recalled there were some suggestions and asked if they had been met.

Ms. Krzic replied yes, if Commissioner Hambrick were speaking of the Technical Review Committee comments.

Since there was no opposition, Commissioner Hambrick made a motion to approve this petition. The motion was then seconded by Commissioner Singleton. Vote unanimous.

30. ZONING PETITION:

Rezoning from Heavy Industrial (HI) to Light Industrial (LI) with a CUP for Truck Sales and Service/2741 East Clayton Drive/Case # REZ/CUP 201310-02&03

4) Motion by Commissioner Singleton, second by Commissioner Rooks, to approve the applicant's request for rezoning from Article 3.31 Heavy Industrial (HI) District to Article 3.29 Light Industrial (LI) with a Conditional Use Permit (CUP) for the sales and service of truck/trailer/tractor sales upon property located at 2741 East Clayton Drive and otherwise known as parcel number 12182C A002. The subject property is approximately 5.8 acres of vacant land, and is currently zoned HI. (Commission District #1 – Commissioner Sonna Singleton). Vote unanimous.

Chairman Turner asked if there were any opposition to this petition. No one responded.

Since there was no opposition, Commissioner Singleton made a motion to approve this petition. The motion was then seconded by Commissioner Rooks. Vote unanimous.

There being no further business to discuss, motion by Commissioner Rooks, second by Vice-Chairman Edmondson, to adjourn the Regular Business Meeting of November 19, 2013 at 8:58 p.m. Vote unanimous.