

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

March 17, 2015

POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Gail Hambrick, Commissioner Sonna Gregory, Commissioner Michael Edmondson, Commissioner Shana M. Rooks, and Clerk Sandra T. Davis.

1. Chairman Turner called the meeting to order.
 2. Invocation was given by Reverend Hosea Clay from Fountain of life Christian Church, of Ellenwood, Georgia. Pledge of Allegiance to the flag was led by Chairman Turner.
 3. Amended the agenda by amending the Memorandum of Understanding (MOU) with MARTA pertaining to Resolution 2015-71 and amended the Performance agreement with Freestyle Productions, LLC pertaining to Resolution 2015-61. Approved the motion for the adoption of the agenda as amended. Vote unanimous.
 4. Amended the March 3, 2015 Regular Business Meeting minutes. Amendment made on Page 3, with the Public Comment dialogue with Ms. Kimberly Kirby, should state that Per the county code, vicious dogs are not adoptable; Page 9, (Commissioner Rooks stated that she understood that, however, the MOU should clearly outline who the Chief Law Enforcement Officer is and not just a general statement.), and should read Commissioner Rooks stated that she understood, however, the MOU should clearly outline who the Chief Law Enforcement Officer is. Approved the motion for the approval of the March 3, 2015 Regular Business Meeting minutes with amendments. 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, thanked Chairman Turner for reaching out to him after the last meeting concerning MARTA and public safety. He stated that the Commissioners have power throughout the entire county, and when he brings issue to the Board, it is because of the power that the Commissioners possess. He stated that MARTA is “using” Clayton County. Dr. Anderson stated that in an article that he had in his possession stated that only five (5) counties had the right to join MARTA: Clayton, Dekalb, Fulton, Cobb and Gwinnett. Clayton is the only county in 42 years of MARTA to join, as the other counties

do not have the same rights. He stated that Clayton County people have a need for MARTA. Dr. Anderson stated that it is his hope that the Board of Commissioners ensures that MARTA does right by this county and that they give the county the value of what is paid for and even more.

2. Jeff Brandon, a Clayton County employee and Spalding County resident, spoke in reference to the Pension Plan proposal. He stated he is a 34 year Clayton County employee as well as his wife. Mr. Brandon stated that the revisions that are being proposed will negatively affect the income and quality of life of every County and Water Authority employee and it is unacceptable as it is being proposed. He stated that similar increases were encouraged in 2006 of employee contributions to the plan in which general employees did not want. Employees who retired prior to having to contribute are receiving annual COLA increases that they did not help to fund, and those who likely will not benefit from this have to fund it. He requested that the Board go back and look at other options to keep the plan healthy.
3. Nick Tolbert, a Clayton County resident and employee, stated that he is piggy backing off of what was stated by Mr. Brandon. He stated that the younger people within the Water Authority Department are not looking at this issue as a big picture. Mr. Tolbert stated that if this plan is accepted, he would end up paying the county once it is time for him to retire since he would be maxed out if he were to retire at age 55. He requested that the plan be reevaluated especially for those who were hired at the age of 18 fresh out of high school.
4. Freddie Johnson, a Clayton County resident, expressed her concerns regarding Southern Regional Hospital. She stated that she copied the Commissioners via an email that was sent to Southern Regional and addressed To Whom It May Concern. The email outlined how customer service at the hospital is horrible and how Riverdale, Clayton County and the hospital is not a desirable community. She is asking for assistance from the Commissioners to correct the issue of poor customer service at the hospital.
5. Quen Howard, a Clayton County resident, stated that she is a Volunteer Income Tax Assistant (VITA) Coordinator and has been at the Public Library Headquarters for the last 10 years. She stated that this past year they have not been able to go there and they have had elderly people that need their taxes done. She is asking the Board of Commissioners if they would approve for the VITA program to be able to go there for 10 Saturdays during the tax season (the last Saturday in January until April 15) to assist with this.

Commissioner Rooks questioned if there was any issue prior to this tax year with going into the library to assist with taxes. Ms. Howard replied that there had been no issues prior to this year.

Chairman Turner stated that there were policy issues that had been addressed. Ms. Howard stated that she was not aware of the issues with policy.

6. Miyoshi Bourget, a Clayton County resident, spoke before the Board in regards to economic development. She stated that economic development translates into tax development for this county that funds salaries, pension, services for the county, transportation and contributes to the quality of life. She questioned if a new Economic Development Director had been hired. Chairman Turner advised that would be addressed at the next Regular Business Meeting.
6. PRESENTATION: "Clayton County Greenway Trail Master Plan revisions". (Presented by representatives of PATH Foundation) Presented by Nathan Perry with Parks and Recreation.

Greta deMayo, with the PATH Foundation, presented an overview of the master plan for all the districts. Vice-Chairman Hambrick stated that in the proposed implementation she would like to see a trail from Flat Shoals Park, a proposed library over near the Frank Bailey Center. Ms. deMayo added that the overview given to the Board was just suggestions and that the time would be taken to sit down with each commissioned district to ensure that everything is and stays on track.

Commissioner Rooks questioned Detrick Stanford, Parks and Recreation Director, if the requirement from the county is for District 3 to acquire more green space, and how would that be factored into the plan and the cost. Mr. Stanford advised that a total assessment would be done, make adjustments, and see where the money will be allocated. Commissioner Rooks questioned if there would be delays if the green space is not able to be acquired as suggested due to funding. Ms. deMayo stated that she did not believe it would, but is recommending that each district have alternate options.

7. PRESENTATION: "Clayton County Pension Plan revisions". (Presented by Tim Bowen, with Buck Consultants)

Presented proposed changes that would happen under the Pension Plan as of July 1, 2015.

Commissioner Edmondson asked if Mr. Bowen would elaborate on the second tier benefits for those hired after January 1, 2016. Mr. Bowen explained that the multiplier will be reduced from two and one half percent (2.5%) to two (2%), and the benefits would be two percent (2%) times the service, times the final average earnings. The final average earnings will be based upon the last five (5) years, rather than the highest three (3) years now, thus contributions for all members are increased to seven and one half percent (7.5%). There have also been some adjustments made to the retirement ages. The vesting year period has also increased from a seven (7) year period to a ten (10) year period.

Commissioner Rooks confirmed that employees are vested after a 10 year period and not seven (7) years. Mr. Bowen confirmed that current employee benefits are unaffected. Commissioner

Edmondson stated that this applied to new employees. Commissioner Rooks then asked Mr. Bowen what his position was on the comments made by the two (2) Clayton County employees during Public Comment. He stated that he understood the position that the employees are in, and knowing that they have paid a lot into the pension plan and the benefits are being paid far off into the future, but that he also understands what has happened across the nation in reference to pension plans. He stated if the private sector were looked at, pension plans have disappeared, because they are not affordable. Mr. Bowen also stated that he felt like the Pension Board was in a hard place, because it really did not want to increase contributions, and they do not mind changing the benefit structure, but they want to protect the defined benefit plan for the long term.

Commissioner Rooks questioned Mr. Bowen what the impact would be in switching from a pension plan to a defined contribution plan. Mr. Bowen stated that the pension plan offers benefits for a lifetime, as opposed to a defined contribution plan where everyone has their own investments and must manage their own “pot of money” upon retirement.

Commissioner Rooks asked if the county hypothetically switched over to a defined contribution plan, would that just be for new employees starting after January 1, 2016. Mr. Bowen stated that he assumed that would be the case. Mr. Bowen stated that the impact on the employees has been very poor. He stated that those who have contributed into the defined contribution plan have lost a lot of their money and retirement earnings and do not have enough money to retire now. Commissioner Edmondson stated that the county already has a defined contribution plan.

Commissioner Edmondson asked Mr. Bowen hypothetically speaking if the county went from a pension plan to a defined contribution plan and the plan terminated on or after January 1, 2016, would all current benefited employees’ benefits remain unchanged. Mr. Bowen confirmed that this is correct and current employees would not be affected, however, there would still be an unfunded liability.

Chairman Turner asked if this was the best solution for this. Mr. Bowen confirmed that it was based upon what the Pension Board requested.

Vice-Chairman Hambrick asked how this plan would affect current employees. Mr. Bowen advised that current members’ benefits received from the pension fund will go un-changed when they retire; however, the current contribution rate will go from five and one half percent (5.5%) of their pay, to seven and one half percent (7.5%) of their pay. Vice-Chairman Hambrick questioned if this was the only change for current employees and Mr. Bowen replied that it was. She also asked if there were other options. Mr. Bowen stated that he was sure that there were others based upon the different plan designs.

Commissioner Edmondson asked what would be the next step if the Board decided not to approve these recommendations by the Pension Board. Mr. Bowen confirmed that new recommendations would have

to be brought forward and presented because ultimately there is a funding issue that needs to be addressed.

Commissioner Rooks asked Mr. Bowen if he worked with other municipalities. He replied yes. Commissioner Rooks asked if Clayton County was using similar formulas as other municipalities that he has worked with. Mr. Bowen replied, yes, and that the new proposal for the plan seemed to be very competitive in light of what he has seen in other municipalities.

Vice-Chairman Hambrick asked how the county pension plan compared to that of the State of Georgia. Mr. Bowen stated that he was not familiar with the State Retirement System.

Chairman Turner asked if there was any reason why the Board would have to move on this issue of the proposed changes today or can this be looked at during a future meeting with other options being presented. Mr. Bowen stated that from a funding stand point that it is not necessary to act on it right now; however, the Pension Board, Water Department or County may have concerns with budgeting. Commissioner Turner asked Ramona Bivins, Chief Financial Officer, if there were any reasons that she may know of that would cause immediate action, and she stated that there was nothing that she knew of at this time.

Vice-Chairman Hambrick and Chairman Turner asked if there were other options that could be presented to the Board of Commissioners in reference to the Pension Plan. Mr. Bowen advised that regardless of what options were brought forward, there would be an increase in the contributions made and/or decreases in benefits.

Commissioner Edmondson asked if future hires' benefits were brought to zero (0) after January 2016, what would be the contribution required to pay off the pension in 30 years. Mr. Bowen advised that there is still \$133.6 million in underfunding for current members which has to be paid off and current contributions are not sufficient to pay it off even with the changes to new members. He stated that there would be some changes to contributions, however, he did not have those numbers with him to advise.

In conclusion, Vice-Chairman Hambrick asked how close the county was to bringing the figures up to where they needed to be. She was advised by Mr. Bowen that what needs to be done is for the "equation to be balanced" so that there is enough money coming in over the long run to pay the unfunded liability down to zero (0), and with the \$133.6 million deficit, it cannot be done overnight.

Chairman Turner then recognized MARTA Chief Executive Officer (CEO), Keith Parker was in the audience. Mr. Parker introduced Mr. Edward Johnson, MARTA Chief Administrative Officer, and Wanda Dunham, Chief of MARTA Police. Mr. Johnson explained that on Saturday, March 21, 2015,

there will be three (3) new routes that will roll out within Clayton County. The first is Route 196, which will start at South Lake Mall traverse through the county and end at the College Park Rail Station in College Park, Georgia. The second is Route 15, which will start at Forest Parkway and Jonesboro Road which will traverse through the county and end at the Five Points Station in Downtown Atlanta. The last is Route 55, which will start near the Ellenwood Industrial Center and traverse through the county and will end at the Decatur Station in DeKalb County. Mr. Johnson stated that it is expected that there will be a great demand, and that MARTA is willing to roll out extra buses and manpower to assist in accommodating that demand.

Vice-Chairman Hambrick asked what time will the buses start and what time will they end for the night. She was advised by Mr. Johnson that typically the services run from 6:00 a.m. until 1:00 a.m. the following morning. Route 196 will be on a 30 minute frequency, Route 15 is on a 20 minute frequency and Route 55 is on a 30 minute frequency as well.

Commissioner Gregory asked if all issues had been resolved with South Lake Mall so that there would be no issues. Mr. Johnson advised that all issues with South Lake Mall had been resolved.

Commissioner Gregory also addressed that there may be issues with where the patrons would have to stand and wait for services along the Bouldercrest Road area once the temperatures rise and the grass begins to grow. Mr. Parker advised that MARTA recognizes that this will be a dynamic process and that it will assess the areas and make adjustments as needed.

Commissioner Gregory questioned what the plan is if there is a low ridership. Mr. Parker advised that there is not a need to adjust the routes quickly as it will take time to determine which will need to be adjusted in the long run. He stated that when new services are added throughout the county, that is where there may be a change that MARTA will have to look at.

Commissioner Gregory asked when the next phase would roll out. Mr. Parker advised that it would be in August 2015 and then in December 2015. He stated that thus far things are going well, and that millions of dollars of merchandise had been purchased and dozens of new people have been hired from Clayton County who will be working throughout the MARTA system.

Commissioner Rooks questioned if MARTA has an app that can be used. Mr. Johnson stated that each time the public is addressed; the MARTA-on-the-go app is marketed for public use.

Vice-Chairman Hambrick asked if the MOU with MARTA could be addressed before any of the MARTA representatives left the meeting. Chief Dunham advised that the MOU is a standard document for law enforcement agencies, not a legal document that sets forth the rules and responsibilities for law enforcement agencies. She stated that it is more of a CLIA accreditation process since MARTA and

Clayton County are CLIA certified, which outlines clear responsibilities of both departments when dealing with other law enforcement agencies. It simply outlines which agency will handle particular incidents based upon where they occur.

Chairman Turner asked Chief Dunham if the MOU was the same MOU that MARTA has with the City of Atlanta, DeKalb, and Fulton County that outlines duties and responsibilities. Chief Dunham replied that it is the same, standard MOU. She also stated that there have been eight (8) jurisdictions within Clayton County who have signed the same MOU.

Vice-Chairman Hambrick questioned if Clayton County Officers were “okay”. Police Chief Greg Porter stated that there were some challenges with inoperability of technical equipment. He also stated that the IT technicians and the Chief Operating Officer were working on getting those issue corrected.

Commissioner Gregory asked if there was any particular area in which Phase Two (2) will begin. Mr. Johnson explained that Phase Two (2) would be the August 2015 services that will run up to the College Park Station, as well as a route from the Justice Center that will terminate at the East Point Station in Downtown Atlanta, and possible placement of flex services down in the Lovejoy area.

Commissioner Gregory asked Mr. Johnson what is the possibility of services being expanded down Highway 42. She was advised that this would be part of Phase three (3). He stated that before new services are brought forward, there is always a public hearing so that MARTA can share its vision and receive feedback from the community.

8. Debra Brewer, Director of Central Services, presented the Board with the following items which 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>.)

- 1) **Recommendation for Renewal of Annual Contracts:** (Section 2-136: (1) and (6) of the Clayton County Code of Ordinances). Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners’ approval. 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.

Commissioner Rooks asked how many contractors are there that the county utilizes with services budgeted for less than \$35,000.00 that the Board does not see. Ms. Brewer replied that there may be approximately 10% of contracts that are done this way; however, contracts are not entered into unless they are brought before the Board for approval. Commissioner Rooks asked if \$35,000.00 was used as an arbitrary number that the county does not adhere to or are things contracted for a lesser amount.

Chairman Turner provided clarification in Commissioner Rooks' question by stating that if a department wanted to purchase an item for less than \$35,000.00, that the item could be purchased through Central Services. Ms. Brewer advised that it would still have to come to the Board for their approval.

Commissioner Rooks questioned if that particular verbiage should be used. Ms. Brewer advised that the code is not particularly clear with regards to this. Ms. Brewer also stated that if an agreement is attached to the request, then it is brought before the Board.

Commissioner Rooks also asked if there were purchase orders less than \$35,000.00. Ms. Brewer replied, yes. Commissioner Rooks questioned if the Board would ever see those. Ms. Brewer replied that yes the Board would see those that were over \$25,000.00, and advised that the Board may not see those that are less than \$25,000.00. Commissioner Rooks asked Ms. Brewer approximately how many purchase orders are done for the amount less than \$25,000.00. Ms. Brewer replied approximately 10%. Commissioner Rooks stated that she is asking these questions because she is curious as to how much money does the county spend that the commissioners do not get to see. Ms. Brewer advised that she did not have that information in front of her, and she could provide a report on that.

- a. Approved **RFB #13-08 Clayton County Pest Control Services for Various Locations – with ClemTech Pest Control & Termite Inc. Technologies, LLC, located in Atlanta, Georgia.** This final renewal period is from May 1, 2015 through April 30, 2016. The Board of Commissioners approved this award on April 2, 2013. Vote unanimous
- b. Approved **RFB #13-12 Clayton County EMS Medication Supplies - Annual Contract with Wilson Pharmacy, Inc., located in Forest Park, Georgia.** This final renewal period is from May 1, 2015 through April 30, 2016. The Board of Commissioners approved this award on April 9, 2013. Vote unanimous.
- c. Approved **RFB #13-76 Land Boundary and Topographical Surveys for Various Clayton County Projects -Annual Contract with Falcon Design Consultants, LLC.,**

- located in Stockbridge, Georgia.** This renewal period is from May 1, 2015 through April 30, 2016. There is one remaining renewal on this contract. The Board of Commissioners approved this award on April 1, 2014. Vote unanimous.
- d. Approved **RFB #14-14 Clayton County Transportation & Development Guardrails – Annual Contract with Martin-Robbins Fence Co., Inc. located in Snellville, Georgia.** This renewal period is from April 1, 2015 thru March 30, 2016. There is one remaining renewal on this contract. The Board of Commissioners approved this award on March 4, 2014. Vote unanimous.
- e. Approved **#2014-I Bread Products for the Clayton County Prison - Annual Contract utilizing State Wide Contract #99999-SPD-SPD0000091-0002 with Earthgrains Baking Companies, LLC, located in Horsham, Pennsylvania.** This final renewal period is from May 1, 2015 through April 30, 2016. The Board of Commissioners approved this award on February 18, 2014. Vote unanimous.
- 2) **Recommendation for Renewal of Annual Contracts:** (Section 2-136: (2) and (6) of the Clayton County Code of Ordinances). 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 the excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with 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. 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.
- a. Died for the lack of a motion. **RFP #12-30 Clayton County Brokerage Services for Voluntary Employee Benefits – Annual Contract with Alexander & Company, located in Woodstock, Georgia.** This renewal period is from May 1, 2015 through April 30, 2016. There is one remaining renewal on this contract. The Board of Commissioners approved this award on November 20, 2012.
- 3) Approved **Recommendation to Amend: RFB PKG: #13-51 Widening and Overlay of Norman Drive from SR 314/W. Fayetteville Road to SR 139/Riverdale Road, Clayton County, Georgia, Change Order Request, Second Contract Amendment.** (\$245,535.67 / C.W. Matthews Contracting Co. Inc., located in Marietta, Georgia. Funding is available through

the 2004 SPLOST funds). As requested by the Transportation & Development Department. Section 2-136 (1) of the Clayton County Code of Ordinances. Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval. Vote unanimous.

Commissioner Rooks questioned as to why there is an additional request to complete this project. Ms. Brewer advised this is being requested due to the additional deterioration in the road and the request for additional asphalt, in addition to issues with the utility schedules with Georgia Power and Atlanta Gas light.

Commissioner Rooks also confirmed with Ms. Brewer that when the county does bids on projects that need to be completed, that the county utilizes the person with the lowest bid. Ms. Brewer confirmed this. Commissioner Rooks asked that once additional bids are taken on, does that not exceed the next lowest bid. Jeff Metarko, Transportation and Development Director, stated that the increase due to the change in an uncontrolled condition or circumstance may cause this to happen.

9. Consider the requests of Ramona Bivins, Chief Financial Officer.

1) Approved Budget Amendment #2-20/Buildings and Maintenance/FYE 6-30-15 – To provide additional funds for asbestos testing and removal, in the amount of \$35,000. Vote unanimous.

Commissioner Edmondson questioned what the location was where the testing and removal of the asbestos being done. He was advised that this is to be done on condemned houses within the county.

2) Approved Budget Amendment #2-21/Federal Narcotics Condemnation Fund/FYE 6-30-15 – To establish a budget from seized drug funds to purchase a vehicle for the Sheriff's Office, in the amount of \$40,921. Vote unanimous.

3) Approved Budget Amendment #2-22/Other General Government/FYE 6-30-15 – To amend in excess revenue to provide for fees associated with School Bus Traffic Violations and GovDeals.com, in the amount of \$237,779. Vote unanimous.

Commissioner Edmondson asked Ms. Bivins to please provide clarification on this item. Ms. Bivins stated this is in relation to the cameras on the school buses and the fees associated with

GovDeals.com providing the services to the county.

4) Approved Budget Amendment #4-106/2009 Reimposition SPLOST/FYE 6-30-15 – To amend the budget to provide funding for project engineering services. The annual contract with Moreland Altobelli Associates, Inc. was approved by the Board of Commissioners at the December 16, 2014 Regular Business Meeting, in the amount of \$578,360. Vote unanimous.

5) Approved Request for Refund to Richard Peden d/b/a U. S. General Construction, Inc. for the purpose of releasing a Demolition Bond posted to clean-up the lot at the property located at 7882 Tara Boulevard, Jonesboro, Georgia 30236, in the amount of \$500. Vote unanimous.

10. Removed Ordinance 2015-60 - 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, specifically, relevant sections of the Clayton County, Georgia Public Employee Retirement System. **(First Read)** Vote unanimous.

Synopsis: *This Ordinance will amend and restate the Georgia Public Employee Retirement System plan primarily to amend the pension benefit formula and increase the level of funding for the Plan.*

Commissioner Edmondson questioned that if this item were removed, is the Board saying to the Pension Board that it would like to speak with them in regards to any changes that could take place or to receive an alternative plan. If the item is taken off the agenda, is it to discuss any provisions to be made, or is it not to be brought before the Board to be heard again.

Chairman Turner advised that if it were taken off the agenda, then the Pension Board would have to present either the same information or with other options for the Board to consider.

11. Approved Resolution 2015-61 - A Resolution authorizing Clayton County to enter into a Performance Agreement with Freestyle Productions, LLC providing for the terms and conditions under which live entertainment will be performed at Clayton County International Park. Vote unanimous.

Synopsis: *This Resolution will allow Freestyle Productions, LLC to provide live entertainment at Clayton County International Park, "The Beach" during Memorial Day weekend (May 23, 2015) and Fourth of July weekend (July 4, 2015).*

Commissioner Edmondson asked Detrick Stanford, Parks and Recreation Director, who would be monitoring the noise levels. Mr. Stanford replied that Michael Burrell with FreeStyle Productions, LLC would be on site working with the Parks and Recreation Department and IT

Department to check the decibel levels and for monitoring.

Commissioner Edmondson questioned as to who would be doing the actual monitoring. Mr. Stanford advised that the Parks and Recreation Department would be there, in addition to IT, but the event planner would be responsible for ensuring compliance.

12. Approved Resolution 2015-62 - A Resolution authorizing Clayton County to enter into an Agreement with Six Flags Over Georgia on behalf of the Clayton County Human Resources Department providing for the terms and conditions under which Six Flags Over Georgia park admission tickets will be provided to the County on a consignment basis. Vote unanimous.

Synopsis: *This Resolution will allow Six Flags Over Georgia to provide the County's Human Resources Department with consigned tickets that will then be sold to employees at discounted rates.*

Commissioner Rooks stated that she is aware of the benefits to the county for Six Flags Over Georgia, however, has this been considered for the aquarium, Coke or other venues. Renee Bright, Human Resources Director, advised that Six Flags approached the county in regards to assigning tickets to the county, and the county has offered various discounts to various attractions and activities, however, the county has not been approached by the aquarium or Coke in reference to consignment tickets. Commissioner Rooks asked if the county could reach out to those businesses to see if that is available. Ms. Bright stated that she would look into that.

13. Approved Resolution 2015-63 - A Resolution providing for the Amendment of Clayton County's Flexible Spending Account Summary Plan Description. Vote unanimous.

Synopsis: *This Resolution will update Clayton County's Flexible Spending Account Summary Plan Description in order to remain compliant with IRS Cafeteria 125 guidelines.*

14. Approved Resolution 2015-64 - A Resolution authorizing Clayton County to accept the Greenway Trail Master Plan, created by Path Foundation, Inc., as the County's guiding document for trail development. Vote unanimous.

Synopsis: *This Resolution will assist the County in meeting the goals and objectives of trail development within Clayton County through acceptance of the Greenway Trail Master Plan.*

Vice-Chairman Hambrick questioned if the Parks and Recreation Department would make the changes to the North Clayton Area. Mr. Stanford advised that the department would, and once the implementation side is to be explored, the Board would be presented with a project plan.

15. Approved Resolution 2015-65 - A Resolution authorizing Clayton County to apply for, and, if awarded, accept grant funds from the 2015 Federal Transportation Alternatives Program (TAP) through the Atlanta Regional Commission for Clayton County to receive funding to support

future trail development in Clayton County. Vote unanimous.

Synopsis: *This Resolution will allow funding that will maximize trail development for the citizens of Clayton County.*

16. Approved Resolution 2015-66 - A Resolution authorizing Clayton County to accept seized vehicles from Clayton County Police Department drug investigations. Vote unanimous.

Synopsis: *This Resolution will allow seized vehicles to be sold at auction as stipulated in Court Orders in case numbers 2014-CV-04817-9 and 2014-CV-03074-6.*

17. Approved Resolution 2015-67 - A Resolution authorizing Clayton County to accept a boat and trailer from a Clayton County Police Department drug investigation. Vote unanimous.

Synopsis: *This Resolution will allow the Clayton County Police Department to retain a boat and boat trailer to be used by the department's Dive Team for the benefit of the County.*

18. Approved Resolution 2015-68 - A Resolution authorizing Clayton County to accept abandoned property pursuant O.C.G.A. § 17-5-54(A)(1) and Superior Court Orders 2014-CV-05135-8 and 2014-CV-05136-5 for official use by the Clayton County Police Department. Vote unanimous.

Synopsis: *This Resolution will allow the Clayton County Police Department to retain certain abandoned property for official use.*

19. Approved Resolution 2015-69 - 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 property for use by the Clayton County Department of Transportation and Development for a bridge maintenance project. Vote unanimous.

Synopsis: *This Resolution allows the County to exercise its powers of eminent domain for three parcels for a bridge maintenance project.*

20. Approved Resolution 2015-70 - A Resolution authorizing Clayton County to enter into an Agreement with the Board of Education of Clayton County providing for the terms and conditions under which Clayton County will be compensated for services provided during a special election. Vote unanimous.

Synopsis: *This Resolution will authorize a special election to be called and held on Tuesday, June 16, 2015 and any required runoff on Tuesday, July 14, 2015, for the purpose of filling a vacancy in the District 9 post on the Clayton County Board of Education.*

Commissioner Gregory questioned how much the special called election cost. She was advised by Annie C. Bright, Director of Elections and Registration, that it costs approximately \$13,000.00 to \$14,000.00.

Commissioner Edmondson asked Ms. Bright if the county was being paid \$1.00 to provide that

service and to run those precincts and to pay all actual cost to be assumed by the county. She replied that the \$1.00 amount is the consideration for the county entering into the contract with the Board of Education.

21. Approved Resolution 2015-71 - A Resolution authorizing Clayton County to enter into a Memorandum of Understanding (M.O.U.) with the Metropolitan Atlanta Rapid Transit Authority Police Department to establish protocol and procedures for rendering law enforcement services within unincorporated Clayton County. Motion passed 4-1. Commissioner Edmondson opposed.

Synopsis: *This Resolution will establish protocol and procedures for rendering law enforcement services within unincorporated Clayton County.*

Christie Barnes, Chief Staff Attorney, requested an executive session for litigation and personnel matters.

22. Held Appointment to the Development Authority Board / Redevelopment Authority Board to fill the unexpired term of Kenneth Stackhouse (*No longer a resident of Clayton County*). The term is for four years expiring on March 1, 2017. (Full-Board Appointment) Vote unanimous.
23. Held Appointment to the Urban Redevelopment Agency of Clayton County to fill the unexpired term of Kenneth Stackhouse (*No longer a resident of Clayton County*). The term is for four years expiring on March 1, 2017. (Full-Board Appointment) Vote unanimous.
24. Approved the reappointment of Linda Summerlin to the Tourism Authority Board to fill the expiring term of Linda Summerlin. The term is for four years expiring on April 30, 2019. (Full-Board Appointment) Vote unanimous.
25. Denied ZONING PETITION: **DARNELL PHILLIPS/CUP-14/11-12**

The Applicant, Darnell Phillips, is requesting a conditional use permit (CUP) from Article 6.12 Personal Care Homes, Boarding Homes and Group Home Standards to allow for a group home for six youths. The subject property is located at 4606 Westminster Drive, Ellenwood, Georgia 30294 and otherwise known as parcel number 12-217B-A014. The subject property contains approximately 0.58 +/- acres of land and it is currently zoned Residential District (RS-180). Vote unanimous.

Commission District # 1 – Commissioner Sonna Gregory

The Zoning Advisory Group Recommended DENIAL

Mr. Phillips spoke before the Board in reference to offering the services of a group home. He stated that he received a notice with a recommendation of a denial from the Zoning Advisory Group. Mr. Phillips also stated that he has reviewed the owner deeds and them stating that a business is not allowed to be operated within the area. He stated that his deed does not read this language. He requested that the board reconsider.

The following individuals were present and in opposition of the group home coming into the Stratford Lane Subdivision for the following reasons, to include but not limited to: Safety and Crime, Decrease in property value, Homeowners Insurance increases, and the lack of new home sales.

Those in opposition, who addressed the Board are: Addie Whitaker, James Bryant, Moneka Winn, Sandra Cutting, Debra Coleman, Elsie Adamson, and David Tookes.

There was one individual that was present to address the Board and in favor of the group home-Stephanie Nelson.

Mr. Phillips stated that he is a licensed clinicians and he visits with a lot of families on a daily basis. He stated that the children that need help are some of the same children of the constituents that are in opposition. He stated that the children that he will provide services for are those that are without parents, run-away children, children whose parents do not want to parent them. Mr. Phillips stated that the children just simply need guidance and that is what his group home would provide.

In conclusion, Commissioner Gregory stated that she has received several letters and petitions stating opposition of the group home.

Commissioner Rooks asked about the liquor license in regards to Chipotle. She was advised by Patrick Ejike, Director of Community Development, that an amendment would need to be drafted first. Commissioner Rooks stated that this has been addressed for approximately a year now, and wanted to know if a proposal could be obtained for it. Mr. Ejike advised that a formal request would be sent to the legal department. Commissioner Rooks expressed that the county does not want to lose the restaurant.

Commissioner Gregory stated that the last two Regular Business Meetings where zoning issues are heard, there have been two individuals to propose group homes in her district. She asked where the county was in ensuring that Clayton County is less attractive for businesses as such to be formed. Mr. Ejike advised that Community Development is in the process of changing Clayton County code, and observing surrounding counties to see what steps they have taken to prevent this as well.

7:00 P.M.

Motion by Commissioner Edmondson, second by Commissioner Rooks, to go into Executive Session to discuss litigation and personnel matters in the Commissioner's Conference Room at 9:21 p.m. Vote unanimous.

Motion by Commissioner Edmondson, second by Commissioner Rooks, to go out of Executive Session at 9:51 p.m. Vote unanimous.

Motion by Commissioner Edmondson, second by Chairman Turner, to reconvene the Regular Business Meeting in the Commissioner's Boardroom at 9:52 p.m. Vote unanimous.

Ms. Barnes presented one item after the reconvening of the Regular Business Meeting.

26. Approved Resolution 2015-72- A Resolution authorizing Clayton County to enter into a settlement agreement and release with Concessions International Taxpayers. Vote unanimous.

Motion by Commissioner Rooks, second by Commissioner Edmondson, to adjourn the Regular Business Meeting of March 17, 2015 at 9:54 p.m. Vote unanimous.