

## CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

December 15, 2015

### POST SUMMARY MINUTES

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

1. Chairman Turner called the meeting to order.
2. Invocation was given by Sgt. Gazzara Hill- Clayton County Police Department. Pledge of Allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by Removing Resolution 2015-309 - A Resolution to establish Clayton County's support of House Bill 646. Vote unanimous. Removed Ordinance 2015-310 - An Ordinance to amend the *Code of Clayton County, Georgia*, as amended, specifically Part II, Appendix A "Zoning", Article 1 "Basic Provisions", Section 1.5 "Defined Words" so as to insert the definition for the term "Building Frontage," so as to modify the definition and to insert an illustration for the term "Freestanding Sign," "Ground Sign," so as to modify the definition for the term "Sign, Awning," so as to insert the definition for the term "Sign, Internal," and so as to insert an illustration for the term "Sign, Mansard" and Removed Ordinance 2015-311 - An Ordinance to amend the *Code of Clayton County, Georgia*, as amended, specifically Part II, Appendix A "Zoning", Article 8 "Sign Regulations (SS)"; to amend the Code of Clayton County, Georgia, as amended, specifically Part II, Appendix A "Zoning", Article 9 "Nonconforming Structures, Lots and Uses", Section 9.6 "Nonconforming Signs". Vote unanimous. Adopted the agenda as amended. Vote unanimous.
4. Approved the December 1, 2015 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) Reverend Joseph Wheeler came forward to speak on the transfer of Mr. Gregory Porter as the Chief of Police to the position of 911 Director. He then advised of the peaceful demonstration that was being held. He said they were exercising their first amendment rights when approached by the Clayton County Police that say they were sent by Chairman

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Turner, along with two deputies from the Sheriff's Department. He explained that they were told they needed a permit to hold the demonstration. He said there is no ordinance that requires a citizen to have a permit to exercise their first amendment right. He then expressed the sentiment of some officers who he says disagree with how Mr. Porter was treated. He said this was bad for Clayton County, and we will continue to let our voices be heard.

Chairman Turner asked that Reverend Wheeler get with Mr. Patrick Ejike- Director of Community Development as it relates to the State Law or county ordinance.

- 2) Mr. Charleton Bivins, a Jonesboro resident, shared that he is a member of the Library Board. He called attention to the differences of the libraries of the past to the modern libraries of today. He spoke of the highly sophisticated internet base classification system that has replaced the Dewey Decimal System. He said engagement and interaction are now welcomed at the library. He noted that we have a financial literacy class, fitness and craft workshops and even movie nights. He pointed out that the library is open seven (7) days a week, twelve (12) hours a day, while other counties are open five (5) or maybe six (6) days a week with eight (8) hour days. The board is to be acknowledged for providing exemplary library services that Clayton County gives. The board is responsible for the medical database program that our library houses; the doctors are now coming to us. He concluded that the trained staff makes the library even better.
  
- 3) Ms. Gail Beddingfield, a Rex resident, thanked the residents of the county for supporting her and her husband's Annual Christmas Bizarre that was held this past Saturday, December 12, 2015. She then thanked the Clayton County Fire Department, Clayton County Sheriff Victor Hill, the Clayton County Police Department and CCTV. They collected over 200 unwrapped toys for the Angel Tree Mission that was delivered to their church- Community Bible. She recalled there were over 24 large boxes of winter apparel collected that went to Community Bible for the homeless outreach that the church does. She reiterated her thanks to everyone for the support.
  
- 4) Mr. Jerry Beddingfield, a Rex resident, spoke of the organizations that he and his wife have been able to assist; Kinship Care, Rainbow House and others. He recalled that some of their facebook friends donated jerseys that would be going to Africa. He said that we want to thank Clayton County. He noted that next year, he would be trying to push, in a

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constructive way, our ADA laws for handicap parking. He pointed out that the tourists are starting to increase, and it is harder for the older people to get out and walk.

- 5) Mr. Daniel Small, a resident of Jonesboro and member of the Library Board, came forward to express support for the library training. He asked the board to allow the library to close for two days to ensure that the library staff is well trained.
  
6. Considered requests of Debra Brewer, Director of Central Services. (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) Approved the **Recommendation for Award: RFP #15-26 Consulting and Insurance Brokerage Services for Clayton County, Georgia – Annual Contract for the Human Resources Department.** (Edgewood Partners Insurance Center (EPIC), located in Duluth, Georgia. Funding is available through Human Resources Medical Fund/Other Contract Services). As requested by the Department of Human Resources. Pursuant to Section 2-136 (2) of the Clayton County Code of Ordinances, General Purchasing Methods; 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. Vote unanimous.
  
  - 2) Approved the **Recommendation for Sole Source Award for the purchase of a Subscription to Accurant for Clayton County Fire and Emergency Services.** (\$1,500.00 / Lexis Nexis, located in Alpharetta, Georgia. Funding is available through the Fire and Emergency Services General Funds). As requested by the Department of Fire and Emergency Services. Pursuant to Section 2-136 (7) of the Clayton County Code of Ordinances, General Purchasing Methods; Central Services must determine if other products or service providers can satisfy the procurement requirements before making a determination of sole source procurement. Sound procurement practice requires that sole source purchases be used when it is

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the only option and not as an attempt to contract with a favored service provider for a favored product. The Purchasing Agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners. Vote unanimous.

3) Approved the **Recommendation for Rescission of Award: Public Entity Excess Liability Insurance Policy**. (\$580,528.00 / Edgewood Partners Insurance Center (EPIC) Insurance Brokers and Consultants, utilizing Old Republic Insurance Company. Renewal period of December 31, 2015 through December 31, 2016. Funding is available through the County's General Fund). Vote unanimous.

4) Approved the **Recommendation for Renewal: Public Entity Excess Liability Insurance Policy**. (\$572,000.00 / Edgewood Partners Insurance Center (EPIC) Insurance Brokers and Consultants, utilizing Lexington Insurance Company. Renewal period of December 31, 2015 through December 31, 2016. Funding is available through the County's General Fund). Vote unanimous.

7. Considered a request of Ramona Bivins, Chief Financial Officer.

1) Approved the Budget Amendment #2-21/Circuit Public Defenders/FYE 6-30-16 - To amend the budget to recognize a refund check from Georgia Public Defenders Standard Council to reinvest in the Clayton County Public Defender's Office to continue to hire the services of local lawyers, in the amount of \$42,990. Vote unanimous.

8. Considered requests of Renee Bright, Human Resources Director.

1) Approved the Request to renew the self-funded dental plan with Delta Dental effective June 1, 2016 with no increase in premium or plan design. Vote unanimous.

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- 2) Approved the Request to renew the self-funded medical plan with Aetna effective June 1, 2016 with no increase in premium. The recommendation includes amending the plan to add a Basic Benefit Option which is a high deductible plan. Vote unanimous.

Human Resources Director Renee Bright called attention to the Basic Benefit Option and further expounded on the details of this option. In addition, she requested to implement a \$50.00 per month tobacco surcharge for an employee or covered spouse. She recalled on last year, when the renewal request was presented, she mentioned this because we wanted to give the employees that may use tobacco a full year before a surcharge was implemented. Therefore, she would ask that the board consider a \$50.00 per month surcharge maximum per family that would be applicable to the Aetna and Kaiser Plans. She determined that for 2017, she would be back before the board to ask for a surcharge for both the employee and covered spouse if they are tobacco users.

Commissioner Rooks asked is the amount \$50 per month or per year, at which time, Human Resources Director Bright responded per month. Vice Chairman Hambrick then asked if it could be taken off. Human Resources Director Bright responded yes, there would be tobacco testing and they would have the opportunity to quit using tobacco.

Commissioner Edmondson expressed concerns in that when a group policy has a pool of covered persons, the idea is that the risk is distributed evenly amongst that pool. By adding a surcharge to someone, this effectively is removing them from the pool or making them pay more with the philosophical concept; therefore, he is fundamentally and philosophically opposed to the whole concept. He added that since tobacco is not an illegal drug, how can testing be mandated. Human Resources Director Bright recalled that in the Healthcare Reform Act, there is a provision that allows for tobacco surcharge.

Commissioner Rooks asked if there was some kind of study or report that says insurance costs are rising for any other reasons other than tobacco users; such as, diabetes, hypertension or something other than tobacco users. Human Resources Director Bright explained this is just a recommendation; however, there are studies that show that tobacco users do cost the medical plans more than non-users. Commissioner Rooks then asked is there any data that shows that our plan has increased because of it. Human Resources Director Bright explained that we have not tested for tobacco usage nor required self-reporting until 2015; therefore, she has no data to present to the board on the number that the county has spent on tobacco related claims.

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Commissioner Edmondson, referring back to the question raised by Commissioner Rooks, asked how much does obese plan participants cost the county in terms of additional claim costs. Human Resources Director Bright informed that she does not have any claim cost specific to one condition. Commissioner Edmondson then asked for the additional claim costs for diabetes or cancer participants, to which Human Resources Director Bright reiterated that she does not have any claim cost information specific to one particular condition; however, she can state that over the years, we have improved our diabetes costs.

The motion to approve the recommendation for the tobacco surcharge was defeated 1 to 4. Chairman Turner and Commissioners Edmondson, Gregory and Rooks opposed.

Commissioner Edmondson made a motion to approve the recommendation to renew the self-funded medical plan with Aetna effective June 1, 2016 with no increase in premium and with the third option minus the surcharge, second by Chairman Turner. Vote unanimous.

- 3) Approved the Request to renew the Kaiser Permanente HMO medical plan effective June 1, 2016. The recommendation includes a 5% increase in premium and the following plan design changes: Motion passed 4 to 1. Commissioner Gregory opposed.
  - a. Change coinsurance from 90% to 80%
  - b. Increase the maximum out-of-pocket amount from \$1,500/person to \$2,500/person and \$3,000/family to \$5,000/family

Human Resources Director Bright responded to questions from Commissioner Gregory regarding the 5% increase in premium. She advised the increase would equate to an additional \$4.70 per month for the employee only Lifestyle Plan.

In response to a question of Commissioner Edmondson, Human Resources Director Bright explained that the county would pay the 80% and the employee would pay the 20% with the increase being to the claimant.

9. Approved Resolution 2015-300 - A Resolution authorizing Clayton County, on the behalf of the Clayton County Parks and Recreation Department, to execute a License Agreement with Carrie Lynn Grazette Cancer Foundation, Inc. to host a fundraiser at the Clayton County International Park. Vote unanimous.

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***Synopsis:** This Resolution allows Carrie Lynn Grazette Cancer Foundation, Inc. the use of the Bermuda Pavilion and the Upperfield at the Clayton County International Park for the purpose of hosting a fundraiser between the hours of 9:00 a.m. to 8:00 p.m. on May 29, 2016.*

10. Approved Resolution 2015-301 - A Resolution authorizing Commissioner Sonna Singleton Gregory to partner with Community Outreach in Action and Alpha Phi Alpha Fraternity to host a Toys for Tots event at the Carl Rhodenizer Recreation Center. Vote unanimous.

***Synopsis:** This Resolution allows Commissioner Sonna Singleton Gregory to partner with Community Outreach in Action and Alpha Phi Alpha Fraternity to host a Toys for Tots event at the Carl Rhodenizer Recreation Center on Saturday, December 19, 2015 from 9:00 a.m. to 12:00 p.m.*

11. Approved Resolution 2015-302 - A Resolution authorizing Commissioner Shana M. Rooks to partner with Community Outreach in Action to host a Toys for Tots event and food giveaway at the South Clayton Recreation Center. Vote unanimous.

***Synopsis:** This Resolution allows Commissioner Shana M. Rooks to partner with Community Outreach in Action to host a Toys for Tots event and food giveaway at the South Clayton Recreation Center on Saturday, December 19, 2015 from 2:30 p.m. to 4:00 p.m.*

12. Approved Resolution 2015-303 - A Resolution authorizing Clayton County, on behalf of the Clayton County Parks and Recreation Department, to execute a License Agreement with American Cancer Society, South Atlantic Division, Inc., to host a fundraiser walk at the Clayton County International Park. Vote unanimous.

***Synopsis:** This Resolution allows American Cancer Society, South Atlantic Division, Inc., the use of the Clayton County International Park for the purpose of hosting a fundraiser walk on April 30, 2016 at 10:00 a.m. until May 1, 2016 at 1:00 a.m.*

13. Approved Resolution 2015-304 - A Resolution authorizing the disposition of an unserviceable 1994 Ford F450 Air & Light Fire Truck, VIN# 1FDLF47M1REA37095 from the Clayton County Board of Commissioners, previously used by the Fire Department, to be donated to the City of Jonesboro, Georgia, Police Department. Vote unanimous.

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***Synopsis:** The County wishes to donate a 1994 Ford 450 Air & Light Truck, VIN# 1FDLF47M1REA37095 to the City of Jonesboro, Georgia, in exchange for a pole camera of comparable value to the County.*

14. Approved Resolution 2015-305 - A Resolution authorizing Clayton County to enter into a Memorandum of Understanding with the Board of Regents of the University of Georgia for the continued operation of a Cooperative Extension Program in Clayton County. Vote unanimous.

***Synopsis:** This Resolution allows both parties to update the 2006 MOU to reflect changes in administration and staff.*

Commissioner Gregory asked if there were any changes in staff for the Cooperative Extension Office, at which time, Ms. Kim Siebert- Extension Coordinator, advised that there is not.

15. Approved Resolution 2015-306 - A Resolution authorizing Clayton County to collect franchise and PEG Fees pursuant to the State's Franchise Agreement with AT&T. Vote unanimous.

***Synopsis:** A Resolution authorizing Clayton County to collect franchise fees and Public Educational and Government (PEG) fees from AT&T's customers for cable television.*

16. Approved Resolution 2015-307 - A joint resolution by the Board of Commissioners of Clayton County, Georgia and the City Council of Lake City creating a special district for the purpose of funding fire and EMS Services. Vote unanimous.

***Synopsis:** Compensation for the delivery of fire services and emergency management services agreed under the intergovernmental agreement, Lake City agrees to remit to the County a monthly fee for these services.*

17. Approved Resolution 2015-308 - A Resolution authorizing Clayton County to amend an existing contract with Dr. Elizabeth Perry providing for the terms and conditions under which services will be provided to the Clayton County Police Department's Animal Control Division. Vote unanimous.

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*Synopsis: This Resolution will allow Dr. Perry to provide services until February 29, 2016.*

18. Approved Ordinance 2015-312 - An Ordinance to amend the official Zoning Map for Clayton County, Georgia. Vote unanimous.

*Synopsis: This Ordinance will amend the Zoning Map for 2549 Old Rex Morrow Road and 2495 Old Rex Morrow Road.*

Commissioner Gregory asked exactly what are we doing with Old Rex Morrow Road. Ms. Kimberly Smith- Planning Consultant explained that the zoning map amendment was initiated by staff to correct an error on the zoning map for property that had been zoned General Business and Agriculture for approximately the last twenty or thirty years prior to the 2008 zoning revision. The two properties are as follows: 2549 Old Rex Morrow and 2495 Old Rex Morrow Road. She explained that at the particular piece of property, there is an automobile repair service that has been located there for the past thirty years, and this particular case is also associated with a conditional use permit that would be coming forward during this meeting.

Chief Staff Attorney Barnes requested an executive session on litigation and real estate.

19. ITEM FOR DISCUSSION: Held the Request for Library Services closing dates: February 15, 2016 and October 10, 2016.

Ms. Rosalind Lett- Library Services Director, came forward to explain to the board the request to close the library on February 15, 2016 and October 10, 2016 for training purposes. She first noted that the hours of operation for the library in comparison to other county libraries, which have delayed opening hours. She explained the importance of staff training with there being over 100 databases. She highlighted some of the databases that are available to the patrons of the library and she wants to ensure that the staff receives updated training to assist the citizens. She shared some of the training principles that occur for the full day of training. She said the dates chosen are February 15, 2016 (President's Day) and October 10, 2016 (Columbus Day) and explained the rationale for choosing the two dates by indicating that most people think the library is closed on dates.

Ms. Lett responded to questions from Commissioner Rooks on the number of staff available on Sundays, which is four or five staff members. When Commissioner Rooks questioned the library being open on Sunday, Ms. Lett informed that the library is open on Sunday during the school year.

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Commissioner Gregory pointed out that the children are out of school on those days requested and do not have access to the school library.

Vice Chairman Hambrick said she is sure that other departments want to take off to train their staff and believes it is unfair to give the library staff two holidays off for training.

In conclusion, Chairman Turner suggested that Ms. Lett bring to the board two more days that are not on holidays for the board to consider. Commissioner Rooks said she is not opposed to the two days that were requested.

20. Approved to accept a New Street Light Petition to add to the Street Light District Alden Woods Unit 3 Subdivision in District 4 - Commissioner Michael Edmondson. Vote unanimous.
21. Approved to accept a New Street Light Petition to add to the Street Light District Bethsaida Woods Unit 2 Subdivision in District 2 - Vice Chairman Gail Hambrick. Vote unanimous.
22. Approved to accept a New Street Light Petition to add to the Street Light District Brentwood Manor Subdivision in District 2 - Vice Chairman Gail Hambrick. Vote unanimous.
23. Approved to accept a Street Light Petition Addition to Existing Street Light District Semaphore Crossing Subdivision in District 1 - Commissioner Sonna Gregory. Vote unanimous.
24. Deferred ZONING PETITION: **LEMUEL WARD/MOD-15/09-7** (*Deferred from November 17, 2015 Meeting*) until the January 19, 2016 Regular Business Meeting. Vote unanimous.

The Applicant, Lemuel Ward, on behalf of Anvil Block Land Partners, LLC, is requesting a Major Modification to the Villages of Ellenwood Planned Unit Development (PUD) Conceptual Site Plan to change an existing 189 lot single-family residential subdivision use to Light Industrial use for proposed warehouse distribution center. The subject property is located at **4503 Bouldercrest Road, Ellenwood, GA 30294** and otherwise known as 12-234B-A001. The subject property is approximately 54.98+/- acres of land and currently has a PUD zoning district classification designated as Single-Family Residential on the approved Conceptual Site Plan. Vote unanimous.

**Commissioner District 1 – Sonna Gregory**

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**The Zoning Advisory Group Recommended APPROVAL**

25. Deferred ZONING PETITION: **LEMUEL WARD/RECZ-15/09-21** (*Deferred from November 17, 2015 Meeting*) until the January 19, 2016 Regular Business Meeting. Vote unanimous.

The Applicant, Lemuel Ward, on behalf of Anvil Block Land Partners, LLC, is requesting a rezoning from Article 3, Section 3.5 Residential District Standards to Article 7, Section 7.2 Planned Unit Development Standards to allow for property to be combined with 4503 Bouldercrest Road, for a Light Industrial warehouse distribution center use. The subject property is located at **4371 Bouldercrest Road, Ellenwood, GA 30294** and otherwise known as 12-234B-A007. The subject property is approximately 2.0+/- acres of land. Vote unanimous.

**Commissioner District 1 – Sonna Gregory**

**The Zoning Advisory Group Recommended APPROVAL**

26. Approved ZONING PETITION: **ROBERT ADAMSON/CUP-15/10-20**

The Applicant, Robert Adamson on behalf of Maria Adamson, is requesting a *Conditional Use Permit* from Article 3, Section 3.21 General Business (GB) District, Intent, Permitted Uses and Conditional Uses to allow for *used dealership automobile sales*. The property is located at 2549 Old Rex Morrow Road, Ellenwood, GA located in Land Lot 172 of the 12<sup>th</sup> District of Clayton County further described as parcel number 12-172C-B001. The subject property is approximately 3.6 +/- acres of land. Vote unanimous.

**Commissioner District 1 – Sonna Gregory**

**The Zoning Advisory Group Recommended DENIAL**

Mr. Robert Adamson, applicant, advised that we are not wanting to change our business; however, he does have a couple of cars that he wants to sell; therefore, he wants to obtain a dealer's license to do that. He maintained that he is not looking to have a car lot and does not foresee having more than a couple of cars for sell at a time.

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Commissioner Gregory said that she is going against the recommendation of the Zoning Advisory Group and wanted to explain why. She said Mr. Adamson has been running a great business, and it is not your typical auto shop. It is clean and there are never any junk cars. She commended him for properly going through the process. She called attention to cars that are for sale in the community that are parked in a driveway with a different car for sale each time you drive by and just keep switching them out. She then made the motion to approve, second by Vice Chairman Hambrick.

Commissioner Rooks asked staff for the reason for denial. Ms. Kimberly Smith advised that the used auto sales was not compatible with the current land use or future land use map at this time. Commissioner Rooks then asked is there a mechanism in place to prevent it from becoming a used auto lot. Ms. Smith pointed out that the board could put in a condition that that there would be no more than three cars for sale, as well as, some other type condition.

Commissioner Edmondson recalled that a CUP follows the property and eventhough Mr. Adamson has no intent to become a full car dealership, the CUP would provide for that even if it was a future owner. He suggested a stipulation would help prevent that from happening. He then recommended putting in a limited number of cars.

Ms. Smith said that since the property was just rezoned to have the General Business (GB) land use classification, does the board want to limit the type of use, if for some reason the property is sold. She asked if there is a land use under GB that the board would not like to see on this property. She further explained that General Business classification has dozens of types of land uses. When Commissioner Rooks asked if she had a recommendation, Ms. Smith responded that she did not but did not know if the board has any.

Commissioner Gregory then proposed no more than five cars for sale. Mr. Adamson agreed with this stipulation. Commissioner Gregory then amended her motion to approve the petition for a Conditional Use Permit (CUP) with the stipulation of no more than five (5) cars for sell on the lot at any time, second by Commissioner Rooks. Vote unanimous.

Commissioner Gregory requested that staff crack down on people who are selling cars out of their driveway with every two days there being different cars for sale. Vice Chairman Hambrick added to also check into businesses that were denied but are still operating or still have cars on their lots.

27. Approved ZONING PETITION: **JULIE SELLERS/CUP-15/10-21**

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The Applicant, Julie Sellers, Esq. on behalf of Atlanta Recovery Center, LLC, is requesting a *Conditional Use Permit* from Article 3, Section 3.11 Multiple Family Residential (RM) District, Intent, Permitted Uses and Conditional Uses to allow for a *Residential Treatment Facility for Eating Disorder Recovery*. The property is located at 7264 Southlake Parkway, Morrow, GA located in Land Lot 79 of the 12<sup>th</sup> District of Clayton County further described as parcel number 12-079A-A009. The subject property is approximately 2.52 +/- acres of land. Vote unanimous.

**Commissioner District 4 – Michael Edmondson**

**The Zoning Advisory Group Recommended APPROVAL**

Commissioner Edmondson asked if there were any stipulations on this zoning petition, to which Ms. Smith responded no.

Ms. Elizabeth Story was present on behalf of the applicant, Julie Sellers, Esq. on behalf of Atlanta Recovery Center, LLC.

28. Approved ZONING PETITION: **PATRICK JAUGSTETTER/RECZ-15/10-23**

The Applicant, Patrick Jaugstetter on behalf of Reese-Taite Enterprises, LLC, is requesting a *Rezoning* from Article 3.15 Office Institutional (OI) District to Article 3.27 Regional Mixed Use (RMX) District for a *retail strip shopping center* located at 7139 Mt. Zion Blvd, Jonesboro, GA. The property is located in Land Lot 83 of the 12<sup>th</sup> District and further described as parcel number 12-083D-D012. The subject property is approximately 3.7+/- acres of land. Vote unanimous.

**Commissioner District 4 – Michael Edmondson**

**The Zoning Advisory Group Recommended APPROVAL**

Mr. Warren Power with the law firm Jaugstetter Power was present for the applicant Patrick Jaugstetter on behalf of Reese-Taite Enterprises, LLC. Commissioner Edmondson asked if there were any recommendations for stipulations on this zoning petition, to which Ms. Smith responded no.

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29. Approved ZONING PETITION: **MICHELE BATTLE/RECZ-15/10-24**

The Applicant, Michele Battle on behalf of The Success Learning Academy, Inc., is requesting a *Rezoning* from Article 3, Section 3.9 Residential District (RG-75) to Article 3.15 Office Institutional (OI) District to allow for a *daycare center* located at 699 Pointe South Parkway, Jonesboro, GA. The property is located in Land Lot 247 of the 5<sup>th</sup> District of Clayton County further described as parcel number 05247B-A002. The subject property is approximately 0.90+/- acres of land. Vote unanimous.

**Commissioner District 3 – Shanna M. Rooks**

**The Zoning Advisory Group Recommended APPROVAL FOR A DAYCARE ONLY**

The Applicant, Michele Battle on behalf of The Success Learning Academy, Inc., was present. Commissioner Edmondson asked if there were any recommendations for stipulations on this zoning petition for Office Institutional (OI), to which Ms. Smith responded that the recommendation is approval for a daycare only. Commissioner Rooks advised that the permitted use is for a daycare only. Chief Staff Attorney Barnes advised that she does not believe the board could limit a permitted use. Commissioner Rooks pointed out that Ms. Battle agrees with the permitted use being limited to a daycare only, to which, Ms. Battle confirmed.

30. INTERVIEWS: Chief of Police position.

Chief Staff Attorney Barnes advised that in accordance with the Open Meetings Act, the board could discuss and deliberate the appointment of the chief of police position in executive session. However, if the board chooses to do so, the board would have to wait fourteen (14) calendar days to vote on an appointment to allow time for the records pertaining to the top candidates to become available for public view. Chairman Turner clarified that as opposed to going into executive session, the board could just make the decision here.

Chief Operating Officer Detrick Stanford approached the rostrum to provide an overview of the posting and interviewing process for the chief of police position. He recommended three applicants to the board for consideration: Interim Chief of Police Michael Register, Deputy Chief of Police Gina Hawkins and Ms. Wenda Killings.

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Human Resources Director Renee Bright asked each candidate the same five questions and are listed as follows with the responses:

*Deputy Chief of Police Gina Hawkins-*

1. Succinctly describe your experience and education.

She first described her 27 years in law enforcement that began as a patrol officer in the City of Atlanta. She was promoted to Police Investigator in the Gang Unit. Then, she was moved to the Weed & Seed Unit, which was a strategy that was initiated by the Federal Government to address community relations. She said she assisted with setting up the “Spring Break Camp” Program. She called attention to her accomplishments after being promoted to sergeant and then working with the Police Departments of the City of Atlanta, City of Sandy Springs and currently as Deputy Chief of Police for the Clayton County Police Department. She then provided her educational background as a Bachelor of Science Degree in Criminal Justice and Master of Science in Management from John Hopkins University. She also provided a listing of other training and certifications received.

2. There are a number of challenges facing police departments nationwide. One challenge is whether officers should wear body cameras. What is your position on body cameras and why? Describe another challenge and how you will address it.

Deputy Chief of Police Hawkins said definitely an issue related to challenges now-a-days in this time period for law enforcement with the main issue being trust. Does the community trust the officers that are out there to protect them and serve as guardians. My position on body cameras is that it is a must; it is an expectation now in our society. One of the main challenges of bridging that gap in trust is with community policing. She said to build that trust, we have to train our officers to address the issues that are going on in society regarding healthcare issues, drugs and all types of things. Therefore, we have to understand the needs of the community.

3. Describe your community involvement implementation plan.

She suggested establishing a means for the community to tell us what the issues are that we can help them resolve with the understanding that we do not have all of the answers. Therefore, she would first

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set up a survey for the citizens to check off their area of priority and train officers to understand what is going on in their beats and how to address it. How to make it long term is to constantly receive feedback from the community.

4. How will you ensure all Police Department personnel receive adequate and ongoing diversity or sensitivity training?

She responded by stating that it is not an option, we have to not only ensure that training is occurring but we have to go off of seeking what other options are available. She explained that she knows what it is like to be a police officer, but she also knows what it is like to be a person of color. The perception of the community is that there is a heightened issue of being targeted. It is an utmost that my officers have safety. With training on diversity and training on sensitivity, she wants to ensure that they are not only physically strong but emotionally strong and prepared to become engaged with the community.

5. What role does the Police Chief and the Police Department have in attracting businesses and development to the County?

She explained that the role is to work together. The law enforcement has to address issues dealing with crime and traffic. The more options for officers to engage in the community shows that communication with public safety, as it relates to the businesses, encourages them to know that they are safe and protecting them; therefore, the role of the police chief and police department is crucial as it relates to dealing with everyone in the community.

*Ms. Wenda Killings-*

1. Succinctly describe your experience and education.

She advised that she is currently employed with the Fulton County Police Department. She said she has a Master's Degree in Public Administration, Bachelor's Degree in Criminal Justice from Alabama State University, first female in the Fulton County Police Department to attend the FBI Academy, as well as, being a graduate of other academies and completing certifications. She offered a chronology of work experience leading up to her current position of Major with the Fulton County Police Department.

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2. There are a number of challenges facing police departments nationwide. One challenge is whether officers should wear body cameras. What is your position on body cameras and why? Describe another challenge and how you will address it.

She said that in looking at body cameras, you would certainly look at sample policy. As law enforcement, we would have to make sure that we are engaging the community. We would have to determine what kind of policies to put in place as it relates to body cameras and how law enforcement is going to engage anyone so as to not violate someone's constitutional rights. We need to develop a partnership to put together that policy and to make sure there is training on that policy.

3. Describe your community involvement implementation plan.

She responded the first pillar is to build trust by engaging with our citizens. She pointed out that she cannot do it by herself and the police cannot do it alone; it takes everyone to make it work. She maintained that her plan is having Code Enforcement, the community and commitment from not just the officers but a partnership.

4. How will you ensure all Police Department personnel receive adequate and ongoing diversity or sensitivity training?

Ms. Killings said she understands diversity. She then spoke of the training she has received. She maintained the importance of developing officers to make sure they get the training. She described a training program that she designed for criminal investigation and certification. She reiterated the importance that we diversify and identify the needs so we can continue to grow.

5. What role does the Police Chief and the Police Department have in attracting businesses and development to the County?

She determined that perception is reality. We need to make sure that we are doing our part to play a role in providing public safety. She pledges to provide public safety to everyone to create a safe environment. She said it's about perception and how people are treated.

*Interim Chief of Police Michael Register-*

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1. Succinctly describe your experience and education.

Interim Chief of Police Michael Register stated that you want someone that is competent. He spoke of his 28 years of law enforcement to include his roles as an instructor for SWAT related courses, as well as, various law enforcement subjects at agencies with the New York Police Department and Philadelphia Police Department. He recalled one of his proudest moment when he was awarded the Medal of Valor for the rescue of a nine month old infant who was drowning. He spoke of his work at the Pentagon in Washington, D.C. He also referred to his military career in working with Special Forces. With regards to his educational background, Interim Chief Register noted that he holds a Bachelor of Science Degree in Accounting and International Finance, Masters of Public Administration and working to complete a second Master's program at George Mason University and currently enrolled in a Doctorate program with Walden University in Public Administration. He said he expects to complete his Doctorate before the end of 2016.

2. There are a number of challenges facing police departments nationwide. One challenge is whether officers should wear body cameras. What is your position on body cameras and why? Describe another challenge and how you will address it.

Interim Chief of Police Michael Register responded that he agrees with having body cameras. If we are doing our job the way it is suppose to be, the camera will be our best friend. If not, the camera is a means of accountability. He maintains that a police officer should be conducting themselves in the same way whether he or she has a camera on or not, and he does not believe that anyone should fear that.

3. Describe your community involvement implementation plan.

He said that it starts with the type of people we have; it starts with training. He said we want to make sure that when a recruit finishes the academy and comes out as a police officer, that they are truly the type of person we want representing the Clayton County Police Department. He noted that we moved Ethics and Professionalism from the middle of the course to the beginning. This is how they should interact with the public and to treat people how we want to be treated. He then shared that we have the Explorer Program where we are trying to reach the young people. The program is designed to bring these young people in and get them to be leaders in their communities.

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4. How will you ensure all Police Department personnel receive adequate and ongoing diversity or sensitivity training?

He responded that it begins with the academy to ensure that they are receiving diversity and sensitivity training at an adequate level. As a department, we should look at what issues we are having, and try to tailor our yearly training to those issues or issues that we see occurring across the country; so, we can mitigate them before they happen. As police officers, it's so important that we understand the diversity of the society, because there is diversity internally and externally.

5. What role does the Police Chief and the Police Department have in attracting businesses and development to the County?

Interim Chief of Police Michael Register pointed out that a business does not want to come to a county that they believe is not safe and stable. It takes the business people coming in and seeing that. He said when we talk about community policing, we have to include businesses.

After Human Resources Director Renee Bright announced the conclusion of the interviews, Chairman Turner asked that the three candidates return to the board room. After thanking each of the candidates and recognizing some of the panelist seated in the audience, he then made a motion to appoint Michael Register as the Chief of Police for Clayton County, second by Commissioner Edmondson. Motion passed 3 - 2. Vice Chairman Hambrick and Commissioner Gregory opposed.

Motion made by Commissioner Edmondson, second by Commissioner Rooks, to go into Executive Session to discuss real estate and litigation matters in the Commissioners' Conference Room at 9:49 p.m. Vote unanimous.

Motion made by Commissioner Edmondson, second by Commissioner Rooks, to go out of Executive Session at 10:22 p.m. Vote unanimous.

Motion made by Commissioner Edmondson, second by Commissioner Rooks, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 10:23 p.m. Vote unanimous.

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Approved Resolution 2015-313- A Resolution authorizing Clayton County to enter into a settlement agreement and general release settling all claims set forth in the matters involving Jorge Pimentel-Gomez. Vote unanimous.

Approved the update of a previous objection to the proposed annexation from the City of Lovejoy of property owned by Evelyn Stapp at 1684 Lovejoy Road to reflect an objection based on the creation of an unincorporated island in violation of O.C.G.A 36-36-4(a)(1). Vote unanimous.

Approved intergovernmental agreement between Clayton County and the Development Authority regarding the acquisition of property presently owned by the Post Office and the board previously authorized its negotiation. One of the conditions of the closing of this would be the proposed developer evidencing to the Development Authority and Clayton County their ability to provide the investment necessary for the project. In addition to the execution of the intergovernmental agreement, we asked for authority for the Chairman and Larry Vincent- Development Authority Chairman to execute a letter advising them of that fact. Vote unanimous.

County Attorney Hancock stated this involves Lovejoy Station. He recalled that Publix has given notice of their intent to vacate that property, and the owner of the property has asked Clayton County and the Development Authority certain assistance with regards to the re-leasing of that property. Therefore, he said we have a draft of a letter to be sent to the owner indicating the willingness of the county and the Development Authority to assist. There are certain things that the board would like to see modified in this letter; however, in the essence of time, we would recommend that the board authorize the Chairman to execute a letter similar to the one tonight with the context being approved by Commissioner Rooks and Chairman Turner, legal counsel and the Development Authority in order to get this letter out before December 31, 2015.

Approved the Chairman authorization to execute a letter with the content being approved by Commissioner Rooks, Chairman Turner, legal counsel and the Development Authority in order to get this letter out before December 31, 2015 as it relates to the notice from Publix to vacate the property at Lovejoy Station. Vote unanimous.

There being no further business to discuss, motion by Commissioner Rooks, second by Commissioner Edmondson, to adjourn the Regular Business Meeting of December 15, 2015 at 10:27 p.m. Vote unanimous.