

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

January 15, 2013

POST SUMMARY MINUTES

PRESENT: Chairman Jeff 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 by Chaplain Fred Shillow of the Clayton County Sheriff's Office. Pledge of allegiance to the flag was led by Chairman Turner.
3. Agenda was adopted with the following amendments: Adding Resolution 2013-34 – A Resolution to approve a special facility use request to allow Commissioner Sonna Singleton and State Representative Sandra Scott to host a reception to honor Clayton County Water Authority Chairman Marie Barber at the J. Charley Griswell Senior Center (NOTE: This item had been discussed in a prior agenda meeting and was time-sensitive.); and deleting Resolution 2013-26 (Item No. 16 on the agenda) – A Resolution by the Board of Commissioners to update its policy for amending existing class specifications; to repeal conflicting resolutions. Additionally, Clerk Haywood announced that an Executive Session would be held to discuss litigation and personnel matters. Vote unanimous.
4. Approved the January 8, 2013 Regular Business Meeting minutes. Vote unanimous.

Prior to Public Comment, Chairman Turner recognized State Senator Gail Davenport and members of the Alpha Kappa Alpha Sorority, Inc., who were in attendance for the reading of a proclamation honoring the organization's National Founders' Day 2013.

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 for public comment to be heard at the next Tuesday business meeting.

1) Stanley Scott of Ellenwood said he was looking forward to working with the Board for improvements in the County.

2) Raymond Baggarly of Jonesboro and president of Lake Spivey Community, Inc., asked for assistance from the County in improving the landscaping in the Lake Spivey community.

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3) Dave Murphy, president of the Spivey Cove Homeowners Association and a member of the Lake Spivey Community, Inc., asked for the Board's support in an ongoing improvement project for Lake Spivey Parkway, which is a major thoroughfare into Clayton County off of Interstate 75.

4) Chuck Ware asked the Board to focus on the wellbeing of the County's seniors.

6. PROCLAMATION: "Clayton County Recognizes Alpha Kappa Alpha Sorority, Inc. National Founders' Day 2013 through its local chapter Psi Alpha Omega Chapter" (presented by Commissioner Shana M. Rooks). [NOTE: Group photos were taken of the honorees and the Board of Commissioners. Clerk Haywood read the proclamation for the benefit of the honorees and audience.]

7. PROCLAMATION: "Clayton County recognizes the 22nd Martin Luther King, Jr. Prayer Breakfast" (presented by Commissioner Gail B. Hambrick). [NOTE: Group photos were taken of Senator Gail Davenport and the Board of Commissioners. Clerk Haywood read the proclamation for the benefit of the honoree and audience.]

8. Theodis Locke, Director of Central Services/Risk Management, presented one (1) item which resulted in the following Board action:

1) Approved RFB #12-12, a bid requested by the Director of Transportation and Development for median landscaping services of Service Road 138 from County Road/Walt Stephens Road to the Henry County Line in Clayton County, Georgia. The Director's recommendation is to award a contract to Tri Scapes, Inc., located in Cumming, Georgia, based upon the lowest responsive bidder that meets the specifications of Transportation and Development in the amount of \$326,825.50 and a 9 percent Disadvantage Business Enterprise (DBE) participation, as established by the Georgia Department of Transportation (GDOT). Funding is available through GDOT Contract #CSTEE-009-00 (148) PI No. 0009148, with a required County match of \$13,000.00. Vote unanimous.

As a point of personal privilege, Vice-Chairman Edmondson commended GDOT for its work and commitment to the landscaping project.

9. Dennis Johnson, Budget Manager/Finance Department, presented five (5) items which resulted in the following Board actions:

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1) Approved Budget Amendment #2-33 – Prison/FYE 6-30-13, in the amount of \$728.00, to cover the cost of bus tickets and inmate release clothing. Vote unanimous.

2) Approved Budget Amendment #2-35 – Commissioners/FYE 6-30-13, in the amount of \$51,320.00, to add two (2) Constituent Aide positions approved in the January 8, 2013 Board of Commissioners’ Meeting. Vote unanimous.

3) Approved Budget Amendment #4-54 – Fund 289 – Other County Grants/FYE 6-30-13, in the amount of \$13,000.00, to complete the 20 percent local match required for the Service Road 138 Transportation Enhancement Grant Project from Walt Stephens Road to the Henry County Line. Vote unanimous.

4) Approved a request for an Electrical Permit Refund for Jeffrey Horne (221 A Williamson Mill Road, Jonesboro, Georgia 30236) in the amount of \$50.00. Vote unanimous.

5) Approved a request for a Clean-Up Cash Bond refund for Dwight D. Jackson (3429 Jones Road, Jonesboro, Georgia 30236) in the amount of \$500.00. Vote unanimous.

10. Read Ordinance 2013-19 (**1st Reading**), an Ordinance adopted under the Home Rule Powers specifically granted to the governing authority of Clayton County pursuant to Article IX Section II, Paragraph I (b)(1) of the Constitution of the State of Georgia of 1983, amending the Local Act of the General Assembly creating and composing the Clayton County Board of Commissioners and setting forth the general provisions governing Clayton County Government; to amend Part I, Article II, Section 2-12 “Director of Finance/Comptroller;” to provide an effective date of this ordinance; and for other purposes.

11. Approved Resolution 2013-20, a Resolution to provide for the general oversight of employees in the Office of the Board of Commissioners; to repeal conflicting resolutions; to provide an effective date of this resolution; and for other purposes. Interim County Attorney Jack Hancock read this resolution as follows into the record:

WHEREAS, the Clayton County Board of Commissioners desires to provide for the supervision and oversight of employees within the Office of the Board of Commissioners; and

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WHEREAS, the Board of Commissioners believes it is in the best interest of the County to repeal all conflicting Resolutions which provided for the general oversight of the employees within the Office of the Board of Commissioners.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED.

Section 1. The Chairman of the Board of Commissioners is hereby established as the “Department Head” as that term is defined in the Civil Service Rules and Regulations as to the following positions in the Office of the Board of Commissioners: Office Manager, Assistant to the Chairman, Administrative Secretary/Receptionist, Constituent Services Manager, Clerk and Assistant Clerk. The oversight of these employees may be provided by the Chief Operating Officer as directed by the Chairman. The Chief Operating Officer may sign any request for Personnel Action (“PA”) forms related to those positions as the Department Head. In the absence of a Chief Operating Officer, such oversight shall be provided by the Chairman of the Board of Commissioners.

Section 2. The District Commissioners shall be designated as the Department Directors for their Constituent Aide. The District Commissioner may designate the Constituent Services Manager as the supervisor for the Constituent Aides on day-to-day operations. Decisions regarding hiring, firing and discipline shall be made by the District Commissioner to whom the Aide reports. The Constituent Services Manager may be authorized by any District Commissioner to execute PA forms regarding their Aide.

Vice-Chairman Edmondson asked to hold over the resolution. Commissioner Singleton agreed, but asked if, in the interim, Renee Bright, Director of Human Resources, would be allowed to proceed. Interim County Attorney Jack Hancock said the Board could vote to allow Ms. Bright to move forward with posting the positions and accepting applications while postponing a vote until a future meeting.

Vice-Chairman Edmondson asked if the current rules would apply once the resolution was held over. Mr. Hancock said they would.

Commissioner Singleton asked if the Board could move forward with voting to approve the hiring of the one Constituent Aide position that had already been approved. Mr. Hancock answered the Board could do so.

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Commissioner Hambrick wanted to know if the Clerk and Assistant Clerk positions, as discussed in the pre-meeting, were included. Mr. Hancock said no, this vote would not amend the County Code, which states that the Clerk and Assistant Clerk are hired and fired by the Board.

Commissioner Rooks asked about the Office Manager and Assistant to the Chairman positions. Mr. Hancock said those positions were still under the direction of the Board of Commissioners. He suggested that the Board could delete Section 2 or hold Section 2. With that being said, the following motion ensued:

Motion by Commissioner Rooks, second by Vice-Chairman Edmondson, to approve the Resolution with the deletion of Section 2. For clarification prior to the vote, Commissioner Singleton asked if the Board still had authority to hire and fire Constituent Aides. Mr. Hancock said that was correct.

Commissioner Hambrick asked about the hiring and firing of the Office Manager. Mr. Hancock said with the abolishment of the County Manager position, that responsibility reverts to the Board. Commissioner Hambrick asked about the Office Manager position that had been filled without Board approval. Chairman Turner acknowledged he approved the hiring and apologized if he did so in error. He suggested discussing a correction to the matter in Executive Session.

Commissioner Hambrick said that was agreeable to her. Vote unanimous.

12. Approved Resolution 2013-21, a Resolution to amend the classification specification for the position of Director of the Clayton County Department of Parks and Recreation; to provide a source of funding for a salary increase for the position; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. The motion passed 3-2. Commissioners Singleton and Hambrick opposed.

Prior to the vote, Commissioner Hambrick said the County has a number of directors and leaders who deserve extra compensation as well. She also said adding the responsibility of grants to the position is not unlike that of the other directors. Commissioner Hambrick concluded that she did not want to hurt the morale of the other directors by approving the resolution.

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Commissioner Rooks asked if the Parks and Recreation Director had received an award recently. Chairman Turner said that he had and added that it was a national award which brought national notoriety to Clayton County. He further stated that the additional responsibilities being assigned to the Parks and Recreation Director included grants, as well as policy and planning.

Commissioner Singleton said she agreed with Commissioner Hambrick. The Parks and Recreation Director has done a yeoman's job, but she could not vote to approve the resolution when other directors have taken on additional duties as well without added compensation.

Commissioner Hambrick added that the County's Fire Department gets national recognition, as well as Senior Services, the Chief Appraiser, the Police Chief and Information Technology. She asked for six (6) months to review what the department heads have done and act accordingly.

Commissioner Singleton said former County Manager Wade Star instituted a performance evaluation procedure that the directors liked. Chairman Turner noted that a study was done that would give a considerable raise to County employees, but it was never acted upon.

13. Approved Resolution 2013-22, a Resolution authorizing Clayton County to approve certain annual contracts in compliance with State Law; to authorize the Finance Director 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.

14. Approved Resolution 2013-24, a Resolution authorizing Clayton County to enter into a Memorandum of Understanding with the Department of Homeland Security, Metro Atlanta Urban Area Security Initiative (UASI) in the amount of \$119,881.00 to formally receive equipment and training to expand community volunteer organizations in support of a continual regional effort with no matching county funds; to authorize the Finance Director 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.

15. Approved Resolution 2013-25, a Resolution authorizing Clayton County to enter into a license agreement with Variety Entertainment, Inc., providing for the terms and conditions under which a concert entitled "2013 Funk Fest" will be conducted at the Clayton County International Park; to

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authorize the Finance Director 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.

16. Approved Resolution 2013-27, a Resolution authorizing Clayton County to apply for a grant from the National Recreation and Parks Association (NRPA) on behalf of the Clayton County Parks and Recreation Department to expand environmental enhancement; to authorize the Finance Director 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.

17. Approved Resolution 2013-28, a Resolution authorizing Clayton County to allow Kiwanis Club of Lovejoy to sponsor and host a 5K scholarship run/walk at the Gerald Matthews Complex; to authorize the Finance Director 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.

18. Approved Resolution 2013-29, a Resolution to recognize the years of service of police canine Bojar, to grant a conditional gift for his remaining years, and to provide for his retirement from active service; to authorize the Finance Director 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 2013-30, a Resolution authorizing Clayton County to accept a forfeited vehicle (1998 Pontiac Bonneville SE) from a Clayton County Police Department Drug Investigation; to authorize the sale of such property in a manner as will be in the best interest of the County; to authorize the Finance Director 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.

20. Approved Resolution 2013-31, a Resolution authorizing Clayton County to accept a forfeited vehicle (1993 Chevrolet Monte Carlo) from a Clayton County Police Department Drug Investigation; to authorize the sale of such property in a manner as well be in the best interest of the County; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue

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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.

21. Approved Resolution 2013-32, a Resolution authorizing the acceptance of an abandoned vehicle (2001 Black Haulmark Trailer) to be assigned to the Police Department fleet in a manner as will be in the best interest of the County; to authorize the Finance Director 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 2013-34, a Resolution to approve a special facility use request to allow Commissioner Sonna Singleton and State Representative Sandra Scott to host a reception to honor Clayton County Water Authority Chairman Marie Barber at the J. Charley Griswell Senior Center. Vote unanimous.

Mr. Hancock concluded his presentation by noting that an Executive Session following the meeting would be needed for the purpose of discussing litigation and personnel matters.

23. Approved the reappointment of Herman Turner, brought forth by Commissioner Hambrick, to the Zoning Advisory Group Board (ZAG). Mr. Turner's term expired on 9-2-12. New term is for three (3) years, expiring on 9-2-15. Vote unanimous.

24. Denied the appointment of Keith Parker, brought forth by Commissioner Hambrick, to replace Toney Griffin (Resigned), to the Board of Appeals (Zoning). New term expires on December 31, 2015. The motion failed 3-2. Chairman Turner, Vice-Chairman Edmondson, and Commissioner Rooks opposed.

Approved the reappointment of Dr. Don McMillian, Jr., brought forth by Vice-Chairman Edmondson, to the Board of Appeals (Zoning). The motion passed 3-2. Commissioners Singleton and Hambrick opposed.

Approved the appointment of Joe Hamilton, brought forth by Vice-Chairman Edmondson, to replace Rodney Standifer on the Board of Appeals (Zoning). The motion passed 3-2. Commissioners Singleton and Hambrick opposed.

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Denied the appointment of Harry Osborne, brought forth by Vice-Chairman Edmondson, to an alternate position on the Board of Appeals (Zoning). The motion failed 3-2. Commissioners Singleton, Hambrick and Rooks opposed.

Approved the appointment of Dr. William Hill, brought forth by Commissioner Rooks, to replace Toney Griffin (Resigned) on the Board of Appeals (Zoning). The motion passed 3-2. Commissioners Singleton and Hambrick opposed.

Approved the appointment of Keith Parker, brought forth by Commissioner Rooks, to an alternate position on the Board of Appeals (Zoning). Vote unanimous.

Approved the reappointment of DeMont Davis, brought forth by Chairman Turner, to the Board of Appeals (Zoning). Vote unanimous.

Motion by Vice-Chairman Edmondson, second by Commissioner Rooks, to go into Executive Session in the Commissioners' Conference Room to discuss litigation and personnel matters at 8:10 p.m. Vote unanimous.

Motion by Vice-Chairman Edmondson, second by Commissioner Rooks, to go out of Executive Session at 8:36 p.m. Vote unanimous.

Motion by Vice-Chairman Edmondson, second by Commissioner Singleton, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:49 p.m. Vote unanimous.

Motion by Vice-Chairman Edmondson, second by Commissioner Singleton, to approve Seth Coleman as Constituent Aide for District #1 (Commissioner Sonna Singleton) effective January 23, 2013. Vote unanimous.

Motion by Vice-Chairman Edmondson, second by Commissioner Rooks, to hire Jackie Woods as the County Office Manager and ratify the hire date of January 14, 2013. Vote unanimous.

There being no further business to discuss, motion by Vice-Chairman Edmondson, second by Chairman Turner, to adjourn the Regular Business Meeting of January 15, 2013 at 8:40 p.m. Vote unanimous.