

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

July 17, 2012

POST SUMMARY MINUTES

PRESENT: Chairman Eldrin Bell, Vice-Chairman Wole Ralph, Commissioner Sonna Singleton, Commissioner Michael Edmondson, Commissioner Gail Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Bell called the meeting to order.
2. Invocation was led by Chaplain Sandy Mitchell of the Clayton County Sheriff's Office. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda by deleting item #5 until after the upcoming election (BRIEFING: "Re-establishment of a Transit {Bus} System in Clayton County" {presented by Dr. Yvette G. Taylor, Regional Administrator of the Federal Transit Administration – Region 4}); adding a public hearing for citizen input regarding the issuance of a Solid Waste Handling Permit to MCF Environmental Services for a proposed Solid Waste Handling Facility located at 4319 Tanners Church Road, Ellenwood, Georgia 30394; deleting item #15 (Resolution 2012-153 – Authorizing The Clayton County Department of Parks and Recreation to host the Atlanta Contemporary Jazz & Neo-Soul Festival, produced by Close Up 2 Contemporary Jazz Nightclubs, Commissioner Sonna Singleton, the Board of Commissioners, and the Clayton County Council of PTA's; to authorize the Chairman to execute any necessary documents and to otherwise perform all other acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes); adding Resolution 2012-155 (Authorizing Clayton County, on behalf of the Parks and Recreation Department, to enter into an intergovernmental agreement with the city of Riverdale providing terms/conditions under which the Clayton County Football League will be conducted at the Riverdale Park); adding Resolution 2012-156 (Approving a Special Facility Use Request to allow Commissioner Gail Hambrick to host a "Back to School Bash" for Clayton County students at the Flat Shoals Park on July 29, 2012 from 4:00 p.m. to 7:00 p.m.); and adding an Executive Session on real estate and personnel matters. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the July 10, 2012 Regular Business Meeting minutes. Vote unanimous.
5. PUBLIC HEARING: To allow citizen input regarding the issuance of a Solid Waste Handling Permit for MCF Environmental Services, Inc.'s proposed Solid Waste Handling Facility located at 4319 Tanners Church Road in Ellenwood, Georgia. (NOTE: For the record, Chairman Bell stated that this hearing has been appropriately advertised and the Board gave general consensus to conduct this hearing tonight.)

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Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go into a public hearing regarding the aforementioned subject.

Clerk Haywood noted that three (3) individuals had signed up for public comment. The first person called was Charles Mendez, who identified himself as one of the owners of MCF Environmental Services, Inc. He stated that he had only placed his name on the sign-up sheet in case citizens had any questions he could answer. Chairman Bell replied that the Board would call Mr. Mendez again in the event there were questions. Mr. Mendez informed the Board that the second person who had signed his name on the sign-up sheet was another owner of the company (Robert Losurdo). When Chairman Bell called the third person to make comments, he discovered that Ms. Lisa Tinch had inadvertently signed her name under the public hearing instead of the public comment section generally heard at the end of the business meeting. He asked Ms. Tinch to come back at the appropriate time and share her comments on another matter with the Board. Ms. Tinch agreed to do so.

Vice-Chairman Ralph stated that since the list had been exhausted and no one had any questions/comments, he would make a motion to adjourn the public hearing at this time. His motion was seconded by Commissioner Singleton. Vote unanimous.

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

1) Approved a proposal (RFP Pkg. #12-19; 6/26/12) for Fiber Optic Cabling and Splicing Services/Annual Contract, as requested by the Clayton County Information Technology Department. The request is for installation of fiber optic cable extending from the newly constructed Justice Center to the Lovejoy Recreation Center and Police Precinct. This proposal also included unit prices for future optic services. Vote unanimous.

County representatives from the County's Information Technology Department and the Transportation and Development Department reviewed this proposal and recommended awarding a contract to The ComTran Group, Inc., located in Buford, Georgia. This contract would be renewable for three (3) additional one (1)-year periods. The ComTran Group, Inc. was the only responsive bidder, with a score of 495. Costs amount to \$101,564.00 for the Justice Center to Lovejoy Recreation and Police Precinct project, and funding is available through the 2004 SPLOST Fund.

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7. Angela Jackson, Director of Finance, submitted one (1) budget amendment and one (1) telephone request for approval. (NOTE: Chairman Bell stated he would appreciate the Board's consideration of the telephone request which was just added to the agenda tonight.) These requests resulted in the following Board actions:

1) Approved Budget Amendment #2-36/Parks & Recreation/FYE 6-30-12, in the amount of \$283,394.00, to recognize revenue collected in excess of the revenue budget and cover the cost of extra wages and benefits, supplies, service fees, program expenses, and trophies. Vote unanimous.

2) Approved a cell phone request, from the Solicitor General's Office, for a Senior Investigator who is responsible for contacting witnesses, police officers, etc. to prepare for trials. Vote unanimous.

8. Approved Resolution 2012-146 to provide for the establishment of the net mill rates after credit (rollback) for values added by reassessment for Clayton County's Fiscal Year 2012-2013; to authorize the levy and collection of property taxes at such rate required by the State of Georgia, to cover expenditures associated with the maintenance and operation of the county and activities necessary and incidental thereto, to cover expenditures associated with the provision of fire services; to authorize the mill rate credit (rollback) equal to taxes collected from the one percent Local Option Sales Tax distribution; to authorize the Chairman to execute the certification of official rates together with any other document pertaining to such rates; etc. Mill rates were listed as follows: State Tax Mill Rate = 0.250 (incorporated and unincorporated areas). **NOTE: This figure was later discovered to be inaccurate. A Special Called Meeting has been scheduled on Tuesday, July 24, 2012, to correct this figure by resolution to reflect a mill rate of 0.200.** General Maintenance & Operation of the County Gross Millage Rate = 20.953 (incorporated and unincorporated areas); Maintenance and Operation of the Fire District Gross Millage = 4.40 (applicable to all properties subject to the fire tax district); and a Sales Tax Credit from the one percent Local Option Sales Tax in the amount of (6.041) mills will be applied to all taxable property lying within the county [for the General M&O Funds]. Vote unanimous.

9. Approved Resolution 2012-147 to acknowledge receipt of the permanent and final net mill rate after credit (rollback) for values added by reassessment for 2012-2013 adopted by the Clayton County School District; to provide for the proposed levy and collection of property taxes at such certified rate for the support and maintenance of public schools, public education and activities necessary and

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incidental thereto; to provide an effective date of this resolution; etc. The mill rate established by the School Board is 20.00 mills. Vote unanimous.

10. Approved Resolution 2012-148 authorizing Clayton County to amend an Agreement with Professional Technology Integration, providing for the terms and conditions under which consulting services will be provided; to authorize the Chairman to execute the agreement and otherwise to perform all other acts necessary to accomplish the intent of the resolution; 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.

11. Approved Resolution 2012-149 to allow State Senator Valencia Seay to host a Town Hall Meeting at the Frank Bailey Senior Center; to authorize the Chairman to perform all acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

12. Approved Resolution 2012-150 authorizing Clayton County to enter into an Agreement with VH-1/NFGTV providing for the terms and conditions under which filming will take place at the Clayton County International Park, located in Jonesboro, Georgia, for a filming project associated with the production of "Love and Hip Hop Atlanta, Season 1"; to authorize the Chairman to execute the agreement and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; etc. Vote unanimous.

13. Approved Resolution 2012-151 authorizing Clayton County to enter into a Consultant Agreement with The Collaborative Firm, LLC, providing for the terms and conditions under which professional planning services will be provided; to authorize the Chairman to execute the agreement along with any other documents necessary to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be necessary under the terms of the agreement; etc. Vote unanimous.

Commissioner Edmondson asked Patrick Ejike, Community Development Director, for clarification about the \$120,000.00 a year full-time planner position. He wanted to know how that position would relate to the current and last year services that The Collaborative Firm provided to the county at an hourly rate. This resolution apparently reflected something different. Per Commissioner Edmondson,

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this was an exorbitant figure compared to what the county's Zoning Administrator and department heads are presently making. He noted that this figure was for one (1) year of a two (2)-year contract and questioned if this would be the last year that Community Development would receive services from The Collaborative Firm other than the Comprehensive Plan Updates. Commissioner Edmondson opined that the costs associated with these services were just too expensive.

Mr. Ejike replied that he had heard a number of questions in Commissioner Edmondson's query. A decision has not been made concerning whether or not this will be the last year that The Collaborative Firm will provide services to Community Development. Regarding the fee for professional services, Mr. Ejike emphasized that consultants are billed at a different rate compared to county staff. He acknowledged that last year the county had contracted with The Collaborative Firm at an hourly rate. Since this resolution pertains to professional pricing, an hourly rate would be inappropriate at this time. Hourly rates expose the county to cost over-runs. Everything done now is on a current planning basis, and Community Development is using all resources of this firm; i.e., planning experts at an agreeable rate.

Commissioner Edmondson asked how much of this cost related to the services that the county paid hourly over the last year or so. He wondered if it would be a cost savings or a premium, even though the model did not fit what was expected.

Mr. Ejike stated that it is approximately the same. There were some exceptions in certain areas last year that appeared to be somewhat contentious. Bills were sent to the county for different services done on behalf of Community Development. The short answer to Commissioner Edmondson's question, however, was that the cost is roughly about the same.

Commissioner Edmondson recalled that several full-time planner positions were created when the county reorganized the Planning & Zoning Division and updated ordinances and maps under the former Chief of Staff. Those positions, however, were not funded because the county wanted to complete the transition period where everyone was trained. During that transition phase, the county contracted with The Collaborative Firm. He did not know if the contract with this firm would be terminated this year or next year, but the question still remained if the county planned on that same transition to an in-house staff or if Mr. Ejike had made a decision or recommendation regarding this question. Commissioner Edmondson also inquired about the cost of an in-house planner relative to this \$120,000.00 a year rate.

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Mr. Ejike admitted that he really did not know and had not reviewed what had happened in the past. In terms of what it would cost to fund the planning department, the services being provided by The Collaborative Firm are relatively low compared to hiring in-house staff.

Commissioner Edmondson said he was reviewing the seven points on the current daily planning activities at the \$120,000.00 a year rate. There appears to be a lot of overlapping with what the Zoning Administrator and her staff already do; i.e., attend staff/board meetings, review requests, answer inquiries, etc. The amount of \$120,000.00 seems to be costly for the types of services being delivered. He then asked Mr. Ejike to explain the type of resources that the county planned to get from The Collaborative Firm because he knew that the Comprehensive Plan items were separately itemized.

To prepare what is known as “line items,” Mr. Ejike stated that they appear to be simplistic when they actually entail a lot of work behind the scenes. This is the work that The Collaborative Firm now provides for the county. The Zoning Administrator is currently the only planner that the County has, so this firm really supports the staff. When the Comprehensive Plan Updates are determined, the costs associated with the \$120,000.00 will come into fruition because The Collaborative Firm will be doing much of the work required. Additionally, any in-house support service costs will come from the \$120,000.00 figure.

14. Approved Resolution 2012-152 authorizing Clayton County to enter into a Grant Agreement with the Council of Juvenile Court Judges of Georgia and, in accordance therewith, accept grant funds in the amount of \$7,500.00 with no local match required, on behalf of the Clayton County Juvenile Court associated with the purchase of services for Juvenile Offenders Program; to authorize the Chairman to execute the agreement, and otherwise perform all acts necessary to accomplish the intent of this resolution; 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 2012-154 appointing an Acting Clerk (Ashley Patterson) for the Clayton County Board of Commissioners until such time the position of Assistant Clerk is permanently filled; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

16. Approved Resolution 2012-155 authorizing Clayton County, on behalf of the Clayton County Parks and Recreation Department, to enter into an intergovernmental agreement with the city of

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Riverdale providing for the terms and conditions under which the Clayton County Football League will be conducted at the Riverdale Park. Vote unanimous.

17. Approved Resolution 2012-156 to grant a Special Facility Use Request to allow Commissioner Gail Hambrick to host a “Back to School Bash” for Clayton County students at the Flat Shoals Park. Vote unanimous.

Interim County Attorney Jack Hancock requested an Executive Session on real estate and personnel matters. The Board generally consented to conduct an Executive Session for the aforementioned reasons.

PUBLIC COMMENT:

1. Lisa Tinch of Riverdale, Georgia stated she had requested a jury trial regarding her ongoing housing dilemma, and she was still waiting on Attorney Hancock and his staff to make a decision. Ms. Tinch was dissatisfied that a county judge had dismissed her attempts to have the county’s former Chief of Staff arrested for demolishing her home. She questioned why the judge never reviewed her case and just wanted justice from the Board in terms of giving her home back to her.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go into Executive Session in the Commissioners’ Conference Room to discuss real estate and personnel matters at 7:32 p.m. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go out of Executive Session at 7:47 p.m. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to reconvene the Regular Business Meeting in the Commissioners’ Boardroom at 7:49 p.m. Vote unanimous.

Commissioner Singleton requested to make a motion at this time as follows (**verbatim**):

**Based upon information received by members of this Board, which I would ask be made a part of the record of this meeting, it appears that there is sufficient reason to believe that there is a plan for the relocation of the boundary line between Henry**

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**County and Clayton County that would move some or all of the Lake Spivey Community from Clayton County to Henry County. This plan, if brought to fruition, would cause harm to Clayton County by a removal from the Tax Digest of residential and possibly commercial property of significant value. I move that this commission direct the county attorney to locate and employ counsel to investigate this plan and report back to this commission the findings of the investigation.**

Vice-Chairman Ralph seconded Commissioner Singleton's motion. Vote unanimous.

There being no further business to discuss, motion by Vice-Chairman Ralph, second by Commissioner Singleton, to adjourn the Regular Business Meeting of July 17, 2012 at 7:50 p.m. Vote unanimous.