

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

December 18, 2012

POST SUMMARY MINUTES

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

1. Chairman Bell called the meeting to order. After doing so, he asked for a moment of silence in honor of the 26 children and women killed in a mass shooting in an elementary school in Newtown, Connecticut on December 14, 2012, and for Clayton County Police Officer Sean Louis Callahan, who died December 18, 2012, from injuries he suffered in the line of duty when responding to a call on December 17, 2012.

2. Invocation was led by Chaplain Wally Woodcock of the Clayton County Police Department. Pledge of allegiance to the flag was led by Chairman Bell.

3. Adopted the agenda with the following additions: 1) RFB Pkg. #12-38, Clayton County Transportation and Development Backhoe Loader with Attachments Vendor Name Change; 2) RFB Pkg. #12-39 Clayton County Transportation and Development Skid Steer Loader with Attachments Vendor Name Change; 3) a request to purchase Technology Equipment for the Voter Registration Department; 4) Resolution 2012-272 authorizing the County to enter into an agreement for the exchange of real property with Stephens MDS, LP; 5) Resolution 2012-273 authorizing the County to enter into a settlement agreement with Jerald Parks; and 6) Board appointments to the Board of Elections and Registration, the Regional Mental Health Developmental Disabilities and Addictive Diseases Board, the Tax Assessors Board, and three appointments to the Zoning Advisory Group (ZAG) Board. Additionally, Clerk Haywood noted that the Executive Session would pertain to personnel and litigation matters. Vote unanimous.

Also, as a point of information, Chairman Bell informed the Board that Sheriff-Elect Victor Hill, who met with County Manager Wade Starr at the Board's direction, responded with an email sent Tuesday, December 18, 2012, at 5:02 p.m. Chairman Bell noted that in the letter Sheriff-Elect Hill thanked the Board for allowing Mr. Starr to assist him with his transition, expressed condolences to the family and friends of fallen Clayton County Police Officer Callahan, and stated that Clayton County Sheriff Deputies will remain in Clayton County public schools until the end of the school year.

Commissioner Hambrick asked for the letter to be read aloud in the meeting, which was done by Clerk Haywood.

4. Approved the minutes of the December 11, 2012 Regular Business Meeting minutes. Vote unanimous.

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5. Theodis Locke, Director of Central Services/Risk Management, presented nine (9) items which resulted in the following Board actions:

1) Approved Statewide Contract SWC60748, as requested by the Parks and Recreation Department, for the purchase and installation of Furniture, Fixtures and Equipment for the new Wole Ralph Recreation Center Complex, from the Georgia Department of Administrative Services, State Purchasing Division. Carter Goble Lee and The Facility Group recommended awarding the contract to Contract Business Interiors, located in East Point, Georgia, in the amount of \$72,091.22. Vote unanimous.

2) Approved Statewide Contract SWC60748, as requested by the Clayton County Police Department, for the purchase and installation of Furniture, Fixtures and Equipment for the new South Police Precinct, from the Georgia Department of Administrative Services, State Purchasing Division. Carter Goble Lee and The Facility Group recommended awarding the contract to Contract Business Interiors, located in East Point, Georgia, in the amount of \$46,892.08. Vote unanimous.

3) Approved RFB Pkg. #12-47, an Annual Contract for Preventative Full Service Maintenance of Uninterruptible Power Systems, as requested by the Director of Building and Maintenance. The Director's recommendation is to award a contract to AC & DC Power Technologies, LLC, located in Fayetteville, Georgia. The contract would be renewable for two (2) additional one (1)-year periods. Vote unanimous.

4) Approved RFB Pkg. #12-50, for a contractor for the realignment of Flat Shoals Road, Clayton County Commission District 2, as requested by the Director of Transportation and Development. The Director's recommendation is to award a contract to Baldwin Paving Company, located in Marietta, Georgia, in the amount of \$565,453.42 and a 6.4 percent DBE participation. Vote unanimous.

5) Approved a request from the Administrator of the Office of Superior and State Court to purchase Technology Equipment for Wireless Access Points for the Harold R. Banke Justice Center. The Court Administrator's recommendation is to approve this purchase in the amount of \$51,480.00 and purchase the Technology Equipment from Softchoice Optimus Solution, located in Norcross,

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Georgia, by utilizing the Georgia Statewide Contract #99999-SPD-T20120501-0006, with funding available through the Edward Byrne Memorial Justice Assistance Grant. Vote unanimous.

6) Approved a request to renew the County's Fiduciary Liability Insurance for the period of December 22, 2012 to December 21, 2013, and to grant approval to the Finance Director to amend the budget as necessary. Vote unanimous.

7) Approved RFB Pkg. #12-38, a request to change the name of the vendor awarded the County's purchase of a Backhoe Loader with changeable attachments for the Transportation and Development Department. The vendor, JCB of Georgia, located in Kennesaw, Georgia, was recently acquired by KMH Systems, Inc., a division of Tuff Equipment. This award was originally approved by the Board during the Regular Business Meeting of November 6, 2012. The Department of Central Services learned of the acquisition on or about December 10, 2012. Vote unanimous.

8) Approved RFB Pkg. #12-39, a request to change the name of the vendor awarded the County's purchase of a Skid Steer Loader with Attachments for the Transportation and Development Department. The vendor, JCB of Georgia, located in Kennesaw, Georgia, was recently acquired by KMH Systems, Inc., a division of Tuff Equipment. This award was originally approved by the Board during the Regular Business Meeting of November 6, 2012. The Department of Central Services learned of the acquisition on or about December 10, 2012. Vote unanimous.

9) Approved a request from the Director of the Board of Elections and Registration to purchase Technology Equipment for the Voter Registration Department. The recommendation from the Director of the Board of Elections and Registration is to approve this purchase in the amount of \$47,877.70 from Dell Marketing, L.P., located in Norcross, Georgia, by utilizing the Georgia Statewide Contract #99999-SPD-T20120501-0006, and from CDW-G, located in Vernon Hills, Illinois, by utilizing the National IPA Cooperative Technology Contract #083052-01. Vote unanimous.

6. Dennis Johnson, Budget Manager/Financial Analyst/Grants, standing in for Angela Jackson, Director of Finance, presented two (2) budget amendment items which resulted in the following Board actions:

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1) Approved Budget Amendment #2-31 – Information Technology/FYE 6-30-13, in the amount of \$46,800.00, to appropriate funds for consulting fees. Vote unanimous.

2) Approved Budget Amendment #2-32 – Sheriff/FYE 6-30-13, in the amount of \$101,859.00, to amend the budget to reflect SCAP grant monies that have been received by the Clayton County Jail to care and support the inmate population. Vote unanimous.

(NOTE: Budget Amendment #2-33 – Prison/FYE 6-30-2013, in the amount of \$728.00, to amend the budget to cover the cost of bus tickets and inmate release clothing, was withdrawn at the request of Warden Frank Smith in the Regular Business Pre-Meeting.)

7. Renee Bright, Director of Human Resources, presented two (2) items which resulted in the following Board actions:

1) Approved a request from Mary Byrd, Director of Senior Services, to combine two (2) part-time positions into one (1) full-time position (Administrative Coordinator), at a Pay Grade 13 – Step 1, at \$26,380.55. The Administrative Coordinator will have the responsibility of managing the new Senior Services Rec-Trac software throughout the entire department, managing the Web-Trac registration via the internet, and monitoring the software throughout the senior services buildings. There will be no additional cost to the County. Vote unanimous.

2) Approved a request to create a full-time position in Extension Services that will be funded 50 percent by Extension Services and 50 percent by the Neighborhood Stabilization Program. This collaboration between the County Community Development Department – HUD Division and the County Extension Services Department will help ensure direct program delivery to a greater percentage of low-to-moderate income households in the County in the areas of home buyer education workshops, financial literacy education, housing counseling, credit education and foreclosure prevention. The goal is to reduce the number of foreclosures in the County (currently 700 per month) by decreasing duplication of services, and allowing for collaboration between county departments and more effective service delivery. Vote unanimous.

8. Approved Ordinance 2012-266 (*Second Reading*), an Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of

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the State of Georgia of 1983, amending the Clayton County Code of Ordinances, specifically the Clayton County Public Employee Eligible Deferred Compensation Plan. Vote unanimous.

9. Approved Resolution 2012-268 authorizing Clayton County to enter into a grant award agreement with the Criminal Justice Coordinating Council and, in accordance therewith, to accept grant funds (\$10,000.00 with a local match of \$3,333.00) to be used in connection with the 2013 Stop Violence Against Women Act Grant (VAWA) Program associated with the District Attorney's VWAP Project for the period of January 1, 2013 – April 30, 2013; to authorize the Chairman to execute the grant 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, and to transfer any required match of local funds, all as may be required under the terms of the grant agreement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

10. Approved Resolution 2012-269 authorizing Clayton County to enter into a grant award agreement with the Criminal Justice Coordinating Council and, in accordance therewith, accept grant funds (\$70,000.00 with a local match of \$23,333.00) to be used in connection with the 2013 Stop Violence Against Women Act Grant (VAWA) Program associated with the District Attorney's VWAP Project for the period of January 1, 2013 – December 31, 2013; to authorize the Chairman to execute the grant 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, and to transfer any required match of local funds, all as may be required under the terms of the grant agreement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

11. Approved Resolution 2012-270 authorizing Clayton County to approve certain annual contracts in compliance with State Law; to authorize the Chairman to 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; to provide an effective date of this resolution; and for other purposes. Vote unanimous. (NOTE: Complete contracts will be loaded onto flash drives or discs, and placed with the accompanying resolution in the Regular Business Meeting file.)

12. Approved Resolution 2012-271 authorizing Clayton County to amend an existing contract with The Collaborative Firm, LLC., to extend the contract term; to provide for costs, terms and conditions

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under which professional planning services will be provided; to authorize the Chairman to execute any 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; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

13. Approved Resolution 2012-272 authorizing Clayton County to enter into an agreement for the exchange of real property with Stephens MDS, LP, providing for the terms and conditions under which certain properties will be accepted and conveyed. Vote unanimous.

Prior to the vote, Commissioner Edmondson sought clarification on Resolution 2012-272. He said the contract did not accompany the Resolution and therefore, no Board members were able to read the contract. He asked if the contract were available in the Clerk's office. Interim County Attorney Jack Hancock said that it was.

Commissioner Edmondson asked more specifically, in the case of contracts dealing with the construction of recreation centers with 2004 SPLOST funds, if the Board were voting on the original contract or a contract with amendments, because it was crafted prior to the tenure of any of the current Board members.

Mr. Hancock said the Board was voting on the contract in its current form, which included changes and amendments, all of which would have required prior Board approval. However, Mr. Hancock said there is no evidence in the County Clerk's office that the changes/amendments were approved by the Board, though that evidence does exist with the State.

Vice-Chairman Ralph wanted to make sure that the Board was voting on the original number of recreation centers (6) that were ratified by the citizens when they approved the 2004 SPLOST. Mr. Hancock said that was correct.

Vice-Chairman Ralph asked a follow-up question. If someone voted against the resolutions when they were originally presented, he wanted to know if that would impact the current Board's approval of the contracts wholesale. Mr. Hancock said that it would not.

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Chairman Bell provided further clarification. He said the current Board was not approving the contracts but, rather, approving them to be spread across the record as they have been voted on and passed by previous Boards. Any no votes or abstentions would be noted in the record.

Due to this fact, Commissioner Edmondson asked if the current proceedings on this matter were merely a technicality. Mr. Hancock said that is correct.

Commissioner Edmondson then asked what would happen if the current Board did not approve the contracts. Mr. Hancock replied that the contracts would at that point be subject to challenge. However, he noted that the awards had already been made by previous Boards and the vote taken by the current Board would not change that fact.

14. Approved Resolution 2012-273 authorizing Clayton County to enter into a settlement agreement settling all claims set forth in the employment matters involving Jerald Parks. Vote unanimous.

15. Approved appointments to the Clayton County Board of Health to fill two (2) vacancies – one (1) for the Physician seat and one (1) for the Consumer Advocate seat that focuses on the Needy, Underprivileged, and Elderly. The term for the Physician seat is six (6) years (commencing on January 1, 2013 and expiring on December 31, 2019), while the person appointed to fill the Consumer Advocate seat for the Needy, Underprivileged, and Elderly will complete an unexpired term of Lloyd Joiner (Deceased) ending on December 31, 2015.

Chairman Bell brought forth candidates to be approved as Dr. Willie Cochran, Jr. (Physician seat) and Dr. Aundria D. Cheever (Consumer Advocate seat for the Needy, Underprivileged, and Elderly). Vote unanimous.

16. Affirmed/Ratified an appointment to the Civil Service Board. Constitutional Officers have approved the reappointment of Ms. Troyce Lancaster to the Civil Service Board for a term of three (3) years. Ms. Lancaster's new term expires on 12-31-15. Vote unanimous.

17. Approved the reappointment of George Sligh, brought forth by Commissioner Hambrick, to the Board of Elections and Registration. Vote unanimous.

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18. Approved the appointments of Mary Moen and Deborah Lazarus, brought forth by Vice-Chairman Ralph, to the Regional Mental Health Developmental Disabilities and Addictive Diseases Board. Vote unanimous.
19. Approved the reappointment of Synamon Baldwin, brought forth by Commissioner Singleton, to the Tax Assessors Board. Vote unanimous.
20. Approved the reappointments of Kevin Lewis and K.C. Watts, brought forth by Commissioner Singleton, as well as the appointment of Keith Parker, brought forth by Commissioner Hambrick, to the Zoning Advisory Group (ZAG) Board. Vote unanimous.
21. Accepted a street light petition for (4) additional street lights within the Park Forest Subdivision along Pineglen Court and Pinecrest Court in District 2. Vote unanimous.

PUBLIC COMMENT

- 1) Danielle Hillman, a Clayton County resident, thanked Chairman Bell, Commissioner Singleton, and Commissioner Hambrick for their role in naming the new recreation center after Vice-Chairman Ralph. As a concerned constituent, Ms. Hillman urged the Board to uphold that decision.
- 2) Wayne Clarke Jr., a Clayton County resident and senior at Lovejoy High School, said no persons deserved to have the recreation center named after them more than Vice-Chairman Ralph.
- 3) Ivan Pitts presented the Board with a petition with 300 signatures supporting the decision to name the new recreation center after Vice-Chairman Ralph.
- 4) Keisha Barnett, a Clayton County resident, who was one of the petition signees, spoke in favor of the new recreation center being named after Vice-Chairman Ralph.
- 5) Vickie Warren, a Clayton County resident, said that she organized an empowerment conference at another recreation center in response to the Trevon Martin shooting in Florida.
- 6) Synamon Baldwin, a Clayton County and Morrow resident, expressed her sympathy for the death of Officer Callahan, as well as the deaths of the 26 women and children killed in the mass

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shooting in Newton, Connecticut. She echoed the sentiments of the previous speakers, and thanked Vice-Chairman Ralph for his service on behalf of the NAACP.

7) Earlene Gardner, from Henry County, spoke on behalf of the Metro South Association of Realtors Education Foundation. She requested the Board to reconsider a previous vote against a lease for property located at 1671 Adamson Parkway.

Prior to adjourning for Executive Session, Vice-Chairman Ralph noted that this was his last Board meeting. He thanked the County staff for working long and diligent hours, and thanked the men and women of Clayton County who took part in the process of government by starting homeowners' associations, neighborhood associations, and watch groups. He said he appreciated the efforts of the young people in the County, and hoped the Board would continue the work it had begun. He added that he could not have found a better way to spend eight years, and urged everyone to give Commissioner-Elect Shana Rooks the same support as had been extended to him because the goal was to move the County forward.

Chairman Bell said he would not make a speech because he was not going anywhere. He planned to continue to live in Clayton County and would be supportive of Chairman-Elect Turner, if the Chairman-Elect needs him. Chairman Bell said he would continue his work with senior citizens in the County; particularly, he would continue raising money for those grandparents raising their grandchildren.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go into Executive Session in the Commissioners' Conference Room to discuss real estate and litigation matters at 8:00 p.m. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go out of Executive Session at 8:45 p.m. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Edmondson, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:46 p.m. Vote unanimous.

Motion by Commissioner Edmondson, second by Vice-Chairman Ralph, to approve a request by Mr. Starr asking the Board to consider transferring Adah Silver, Office Manager and Assistant to the County Manager, to the Senior Services Department as a Senior Services Program Coordinator at Pay

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Grade 18 Step 9 (salary will remain the same). It was also noted that any other Board of Commissioners' Office personnel matters will be reconciled later. Vote unanimous.

Motion by Commissioner Singleton, second by Commissioner Hambrick, to approve a measure calling for all outstanding travel expenses incurred by County employees to be resolved by the end of the year. The motion carried 4-1. Chairman Bell opposed.

There being no further business to discuss, motion by Vice-Chairman Ralph, second by Commissioner Singleton, to adjourn the Regular Business Meeting of December 18, 2012 at 8:50 p.m. Vote unanimous.