

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

May 21, 2013

POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. 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 Pastor Arlene Williams of the Forest Park Ministers Association. Pledge of allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by deleting item # 6 (PRESENTATION: “Appeal to the Board of Commissioners from the Clayton County NAACP ACT-SO Students”); adding under item #7 an emergency of **Repairs for Brown Road Over Swamp Creek Bridge, Emergency Purchase, Request to Waive the Sealed Bid Process** (McCarthy Improvements/Bellamy Bridge Builders, Atlanta, Georgia – \$23,707.00). Funding is available through the 2009 SPLOST funds. Per Section 2-128 of the Clayton County Purchasing Ordinance, Clayton County utilizes the emergency purchase method when there is an immediate need for any material or supplies, goods, wares or merchandise by any department of the county; deleting 3) under item # 7 (**RFP Pkg. #13-19 Roadway Construction Engineering and Inspection Services for Clayton County Department of Transportation and Development, Annual Contract**, as requested by the Transportation and Development Department. The recommendation is to award the proposal to CDM Smith, Inc. in Atlanta, Georgia. Funding is available through the 2004 and 2009 SPLOST funds. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater); deleting 1) under item # 8 (Budget Amendment #4-88 – **Fund 306** – Roads & Recreation Projects & **Fund 307** – 2009 SPLOST Projects/FYE 6-30-13, in the amount of \$2,800,000.00, for construction, engineering and inspection services on transportation projects); deleting item #13 (Resolution 2013-133 – Authorizing Clayton County to enter into an agreement with Jomaz Network, LLC, providing for the terms and conditions under which automatic teller machine equipment and services will be rendered to Clayton County; to authorize the Chairman to execute the agreement and otherwise to perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required, etc.); and deleting the Executive Session. Clerk Haywood also noted that Carol Rogers, Contract Compliance Manager, would be presenting items to the Board from the Central Services/Risk Management Department tonight instead of Theodis Locke, Director of this same department. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.

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4. Approved the May 14, 2013 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 for public comment to be heard at the next Tuesday business meeting.

1) Dr. Henry Anderson, a Clayton County resident, continued his acknowledgement, recognition, and accolades to the Board. He recognized Commissioners Hambrick and Singleton for their tough decision to implement a five (5)-mill increase on property taxes to deal with and avert a revenue shortfall and furlough days. If the Board ever decided to significantly increase the number of police and code enforcement officers and give a modest cost of living to Clayton County employees, he would fully support their decisions. Dr. Anderson further stated that even if it means having to increase property taxes again (as was done in June 2011) to maintain the essential services of the county, he would support that too. He reiterated that Clayton County needs more police and code enforcement officers due to the drain that the citizens and businesses have put on the county. Dr. Anderson requested that the Board work with Chief Financial Officer Ramona Thurman to find surplus in the budget to increase police officers. He then thanked the Board for its time and attention.

2) Joseph Bell, a resident of 69 Robbie Lane in Riverdale, Georgia, made a complaint about having a Waste Management garbage container in his yard for twelve (12) years. He has made numerous phone calls to Waste Management with no returned phone calls or service. Mr. Bell also commented that he has called District 4 and left phone calls with no success on returned phone calls. He asked the Board to let him know what he needs to do to get assistance with this issue and to get it resolved.

Chairman Turner asked Mr. Bell to leave his information with Interim County Attorney Jack Hancock, who would follow-up with a resolution within the next business day.

3) Miyoshi Bourget, a long-time resident of Waverly Subdivision (off of Walt Stephens and Crane Road), stated that although she is a supporter of concerts held in Clayton County International Park, she was not a supporter of the Funk Fest held in the park this past Saturday. Her reason for not supporting the Funk Fest was due to the extreme loudness of the music. She lives across the street from where the event was being held and her windows rattled from 3:00 p.m. until 11:00 p.m. when the concert ended. As a resident, she does not appreciate being forced to listen to music that she does not listen to all day. She affirmed that The Variety Entertainment Company has had many

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complaints about its loud music. Ms. Bourget acknowledged that concerts have been held in the park before, but the sound decibel was at a manageable level. She called the Police Department to complain about the loud music, but was told there was nothing that could be done because the Board approved it. Ms. Bourget stated that she called Vice-Chairman Edmondson and left him a message and sent him an email concerning the loud music. She finally requested that the Board should consider turning the music down, as she had stated in her email, and informing the community when such events occur.

6. Carol Rogers, Contract Compliance Manager of Central Services/Risk Management, presented three (3) items that resulted in the following Board actions.

(NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

1) Approved **Installation of Fencing at International Park, Retention Pond**, as requested by the Parks and Recreation Department. The recommendation is to award the contract to C&C Fence Company, McDonough, Georgia for a fee of \$4,617.00. Funding is available through the Recreation Area funds. Per Section 2-136 (4) of the Clayton County Purchasing Ordinance, the written quote method is used for all purchases from \$500.00 to \$24,999.99. Buyers are required to solicit quotations and receive written responses from vendors. All reasonable efforts will be made to obtain three written quotations for each item solicited. Awards for written quotations are given strictly on a lowest quote. Vote unanimous.

Parks and Recreation Director Detrick Stanford's recommendation is to award a contract to C & C Fence, Company, located in McDonough, Georgia, whose company has the overall lowest quote. Funding is available through the Recreational Area funds.

2) Approved **Drainage System Survey and Study for Flat Shoals Park Drainage**, as requested by the Parks and Recreation Department. The recommendation is to award the contract to LeCraw Engineering, Inc. in Suwanee, Georgia for a fee of \$9,500.00. Funding is available through the Community Development Block Grant funds. Per Section 2-136 (4) of the Clayton County Purchasing Ordinance, the written quote method is used for all purchases from \$500.00 to \$24,999.99. Buyers are required to solicit quotations and receive written responses from vendors. All reasonable efforts will be made to obtain three written quotations for each item solicited. Awards for written quotations are given strictly on a lowest quote. Vote unanimous.

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Parks and Recreation Director Detrick Stanford's recommendation is to approve this request in the amount of \$9,500.00 and award a contract to LeCraw Engineering, Inc., located in Suwannee, Georgia, whose company has the overall lowest responsive quote. Funding is available through the Community Development Block Grant funds (CDBG).

3) Approved **Repairs for Brown Road Over Swamp Creek Bridge Emergency Purchase, Request to Waive the Sealed Bid Process**, as requested by the Transportation and Development Department. The recommendation is to waive the sealed bid process and contract the necessary repairs from McCarthy Improvements/Bellamy Bridge Builders located in Atlanta, Georgia. The cost for the repair is \$23,707.00. Funding is available through the 2009 SPLOST Program fund. Per Section 2-128 of the Clayton County Purchasing Ordinance, Clayton County utilizes the emergency purchase method when there is an immediate need for any material or supplies, goods, wares or merchandise by any department of the county. Vote unanimous.

Transportation and Development Director Jeff Metarko's recommendation is to waive the sealed bid process and contract the necessary repairs from McCarthy Improvements/Bellamy Bridge Builders located in Atlanta, Georgia. The cost for the repair is \$23,707.00. Funding is available through the 2009 SPLOST Program fund.

7. Ramona Thurman, Chief Financial Officer, presented one (1) Budget Amendment which resulted in the following Board action.

1) Approved Budget Amendment #4-89 – **Fund 307** – 2009 SPLOST Projects/FYE 6-30-13, in the amount of \$25,000.00, for the emergency repair of Brown Road Bridge. Vote unanimous.

8. Renee Bright, Director of Human Resources, presented one (1) request which resulted in the following Board action.

1) Approved a request of an 8.75% salary increase to Deputy Warden Randal Holsey from \$77,741.28 (32/12) to \$85,864.16 (32/20) to place his salary where it is supposed to be. Vote unanimous.

This increase will correct for his three (3) years, nine (9) months serving as a Major – but with a Captain's pay. Back-pay is not being sought.

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Randal Holsey was promoted to Major on 07-01-09 without a pay raise due to the unavailability of sufficient funds incident to the creation of the Corrections Department. This realignment placed the Refuse Control Department, T & D grass-cutting section, and the Prison under the Corrections Department for efficiency and economic reasons. It was expected that his pay increase would come within a year, but it never did. If his pay had been increased, he would now be at the 32/20 level.

It is essential for the county to compensate senior leaders fairly and provide a positive spin-off to subordinates. Funds are available for this increase for this fiscal year in line 4000, 2751. As a matter of fairness, the Board should over-ride technical objections to it not being budgeted in the out years.

9. Approved Ordinance 2013-125 (**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 the State of Georgia of 1983, amending the Clayton County Code of Ordinances, specifically relevant sections of the Clayton County, Georgia Public Employee Retirement System to update the eligible positions constituting the Pension Board responsible for the administration of the Clayton County, Georgia Public Employee Retirement System; to repeal conflicting laws, ordinances, and resolutions; and to provide an effective date of this ordinance. Vote unanimous.

10. Approved Resolution 2013-131, a Resolution authorizing Clayton County to execute an easement agreement with the City of Jonesboro in connection with certain road improvements; to authorize the Chairman to execute the easement agreement and 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. Vote unanimous.

11. Approved Resolution 2013-132, a Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia laws for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and Development for the Anvilblock Road widening improvement project; to authorize the Chairman to execute any documents relating thereto; and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or 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. The motion carried 4-0-1. Vice-Chairman Edmondson abstained.

12. Approved Resolution 2013-134, a Resolution providing for the establishment of the legal holidays to be observed by the government of Clayton County during the period of July 1, 2013 through June 30, 2014; to request that all elected officials of Clayton County observe such legal holidays; to provide for the observance of a personal holiday to be selected by each county employee;

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to repeal conflicting resolutions; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

13. Approved Resolution 2013-135, a Resolution authorizing Clayton County to establish a credit card account with Wells Fargo; 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 authorize the Chief Financial Officer or the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0-1. Vice-Chairman Edmondson abstained.

14. Approved Resolution 2013-136, a Resolution authorizing Clayton County Juvenile Court, on behalf of the Board of Commissioners, to enter into a Letter of Agreement with the Robert Wood Johnson Foundation to accept grant funds, in the amount of \$499,555.00 with no match required from Clayton County, and to set forth the terms and conditions under which the grant funds will be utilized; to authorize the Chairman to execute the agreement and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or the Finance Director to amend the budget as needed to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

15. The Board made the following appointment to fill a vacancy on the Board of Appeals (Zoning). [Commissioner Singleton]

Motion by Commissioner Singleton, second by Commissioner Hambrick, to appoint Earl Randall to the Board of Appeals (Zoning). The motion failed 3-2. Chairman Turner, Commissioner Rooks, and Vice-Chairman Edmondson opposed.

Motion by Chairman Turner, second by Vice-Chairman Edmondson, to appoint Karen Sturdivant to the Board of Appeals (Zoning). The motion carried 3-2. Commissioners Singleton and Hambrick opposed.

There being no further business to discuss, motion by Vice-Chairman Michael Edmondson, second by Commissioner Rooks, to adjourn the Regular Business Meeting of May 21, 2013 at 7:28 p.m. Vote unanimous.