

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

August 5, 2014

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PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Shana M. Rooks, Commissioner Sonna Gregory, Commissioner Michael Edmondson, Commissioner Gail Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Turner called the meeting to order.
2. Invocation was led by Bishop Marc L. House of Victory City Church International in Forest Park, GA. Pledge of allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by deleting the following subsections under item #7; subsection 2 (**Request to Open Publix Business Account**, as requested by the CFO/Authorized Purchasing Agent) and subsection 4 (**Request for Board of Commissioners' Approval to utilize National Joint Powers Alliance (NJPA) Cooperative, utilizing Staples Advantage as the Countywide Office Supplier** (Funding is available through each department's Office Supply Account), as requested by the Central Services Department and CFO/Authorized Purchasing Agent; deleting subsection 6 under item #8 (Budget Amendment #4-06 – Fund 307 – 2009 Reimposition SPLOST/FYE 6-30-15 – to amend the budget for additional renovations to the front entry gate and rear masonry wall at the Clayton County International Park, in the amount of \$43,686.00); and, per the request of Chief Staff Attorney Christie Barnes, adding an Emergency Request for the Board to approve in order to lock in rates for SPLOST (Resolution 2014-200 – A Resolution declaring the results of a Sales and Use Tax Election held on May 20, 2014; providing notification of the District Attorney; and for other related purposes). The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the following Board of Commissioners' meeting minutes:

July 15, 2014 Public Hearing on the Proposed FY-2015 Millage Rate Increase (6:00 p.m.)

Motion by Vice-Chairman Rooks, second by Chairman Turner, to approve the July 15, 2014 Public Hearing on the Proposed FY-2015 Millage Rate Increase (6:00 p.m.). The motion carried 4-0-1. Commissioner Edmondson abstained.

July 15, 2014 Regular Business Meeting (7:00 p.m.)

Motion by Vice-Chairman Rooks, second by Chairman Turner, to approve the July 15, 2014 Regular Business Meeting (7:00 p.m.). The motion carried 4-0-1. Commissioner Edmondson abstained.

July 22, 2014 Public Hearing on the Proposed FY-2015 Millage Rate Increase (11:00 a.m.)

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Motion by Commissioner Edmondson, second by Chairman Turner, to approve the July 22, 2014 Public Hearing on the Proposed FY-2015 Millage Rate Increase (11:00 a.m.). The motion carried 4-0-1. Vice-Chairman Rooks abstained.

July 22, 2014 Public Hearing/Special Called Meeting to adopt the FY-2015 Millage Rate (6:30 p.m.)

Motion by Vice-Chairman Rooks, second by Chairman Turner, to approve the July 22, 2014 Public Hearing/Special Called Meeting to adopt the FY-2015 Millage Rate (6:30 p.m.). The motion carried 4-0-1. Commissioner Edmondson abstained.

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) Dr. Henry Anderson, a Clayton County resident, greeted the commissioners and expressed his disappointment regarding the non-passage of the millage rate at the July 22, 2014 Special Called Meeting. He voiced his concerns that only four (4) board members attended the July 22, 2014 hearing, and the rate's approval failed to pass after the Board cast a 2-2 vote. Dr. Anderson did not understand why Commissioner Edmondson was not present to vote on an issue that affects the lives of thousands in the County. He understood the commissioners' position on the millage rate increase with Vice-Chairman Shana Rooks and Chairman Jeff Turner voting for the increased millage rate. Commissioners Sonna Singleton Gregory and Gail Hambrick voted against it and yet Commissioner Edmondson, an elected county official was absent. As a result of the 2-2 vote, Tax Commissioner Terry Baskin had to ask the Georgia Department of Revenue for an extension. Dr. Anderson further stated if the DOR rejected that request, it could fine the county 50 cents for every \$1.00 it collects in taxes while the Tax Digest is late, and this is not a good position in which the County should be placed. He noted that the County is in the limelight of other counties and needs to increase the millage rate so that the Fire Department would not have to cut personnel or services that are vital to the County. Dr. Anderson concluded that the leadership of the County ranges in a multitude of areas that require honesty, integrity, and a backbone to do what is right for the good of the county – ranging from its workforce to its residents. He then thanked the Board for its time and attention.

Chairman Turner informed Dr. Anderson that the County applied for the extension, and the County is in good standing until the next meeting.

Since Clayton County commissioners failed to approve the millage rate before Georgia's deadline, Commissioner Gregory wondered if the Clayton News Daily had reported the truth when it said that the State could take fifty percent (50%) of county taxes collected until the property tax rate is approved. Commissioner Gregory wanted to know if there is actually a penalty.

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Tax Commissioner Terry Baskin responded that what had been reported is the worst case scenario and had not the County received the extension (and the County has), after August 1, 2014 the penalty would have been 1/10<sup>th</sup> of commission for each week the County is late. He affirmed that Clayton County has received an extension which is good until September 2, 2014 and, since that time, the Board has called a meeting for August 19, 2014 to adopt the millage rate.

Commissioner Gregory also noted the Clayton News Daily reported the millage rate increase would mean the owner of a \$150,000.00 home in incorporated Clayton County could expect to see about a \$10.40 increase in property taxes. She asked Chief Financial Officer Ramona Thurman to reiterate the proposed millage rate on unincorporated homes valued at \$150,000.00.

Ms. Thurman replied the proposed FY-2015 millage rate of 14.869 for Maintenance and Operations is an increase of .208 mills from the previous year's millage rate of 14.661. It is \$30.40 for the increase in the fire millage rate and \$10.40 for the millage rate. Combined, if people live in unincorporated Clayton County, they would pay an additional \$40.40 which includes the \$10.40.

2) Lakita Patrick, a Clayton County resident, raised her concerns about the lack of job opportunities in the County. Ms. Patrick expressed that she wished the elected officials who run the County could be more positive about creating jobs in the County. She acknowledged that when she seeks employment outside the county, employers ask where she lives. When she mentions Clayton County they frown and express dissatisfaction concerning the County issues. Ms. Patrick stressed she is seeking employment to work and not discuss Clayton County issues. She concluded she is frustrated and concerned about employment in Clayton County and how the County is moving forward.

3) Amy Adams of Partners for Pets greeted the commissioners and thanked retired Captain Mark Thompson of Clayton County Animal Control for allowing Partners for Pets to assist in saving approximately nine thousand animals from being euthanized over the last three (3) years. Ms. Adams stated the trend now at the Animal Control Facility is disturbing. She had been informed that the Clayton County Animal Control was a "No Kill Facility" and, after a week, twenty (20) animals were euthanized without warning. She further stated that among the group of twenty (20) who were euthanized, seven (7) dogs had rescue holds and could have been saved. Ms. Adams acknowledged that Partners for Pets has voluntarily given the County many hours and saved the County thousands of dollars. She expressed since the Clayton County Police Department's Management over Clayton County Animal Control, distrust and division have resulted between the Police Department and Animal Control groups. Ms. Adams strongly encouraged the Board to put the animals first and do what is best for them.

4) Maria Dorough, with Partners for Pets, also greeted the commissioners and thanked retired Captain Mark Thompson of Clayton County Animal Control for allowing Partners for Pets to assist in saving approximately nine thousand animals from being euthanized over the last three (3)

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years. Ms. Dorough stated Partners for Pets has served as a liaison between rescue groups and animal control, but now that group of volunteers was told to sign an agreement and neither party has reached a mutual agreement. She emphasized that although a mutual agreement could not be made, her only issue for the future of these animals is that they are saved and have a second chance. Ms. Dorough stressed that in order to achieve the success of saving the numbers of animals Partners for Pets was able to save, it is going to take more than a Rescue Coordinator to rescue these animals. In the spirit of open and responsive government, it is up to the commission to ensure that the public is treated fairly and invite visitors, volunteers, rescuers, and adopters without the current restrictions the department has. Ms. Dorough suggested several things could be done to assist with less animals being euthanized, such as reducing fees for owners coming to reclaim their animals, allowing unadoptable breeds to be adopted again, and ensuring that the animals are spayed/neutered first. She concluded that Partners for Pets would like to present a PowerPoint presentation to the Board to show its transparency. She then thanked the Board for its time and attention.

5) Lance White of Forsyth, Georgia affirmed that he has been volunteering for the Humane Society in Forsyth, Georgia for ten (10) years and was president for five (5) years. Mr. White acknowledged that he increased the adoption rates in that County from two-hundred fifteen (215) to over eighteen hundred (1800) a year. He also stated that he helped reduce the County's euthanization rate by forty percent (40%). Mr. White explained that his involvement with businesses and the Humane Society put him on the Board to build, design, and implement a \$3.5 million new Animal Control Facility (the largest pet center in the Southeast) which will open in fifteen (15) days. He stated he was here in Clayton County because his rescue group pulls animals from the County's Animal Control Facility and he was alarmed that twenty-two (22) animals were euthanized without warning. Mr. White further stated he was concerned that the County does not immediately care for animals upon intake. This neglect could cause disease and also no immunizations are being given to these animals upon arrival. He noted that Clayton County has a Police Department running an Animal Control Facility without the proper tools, and there is also a need to educate the public on the proper care of animals. Mr. White concluded that this County really needs to have a spayed/neuter program.

6) Lisa Fleming, a Fayette County resident, stated she owns and operates a boarding facility that has assisted Clayton County Animal Control for over two (2) years. Ms. Fleming expressed that she opened the boarding facility for Clayton County and has also assisted Partners for Pets for over two (2) years. She noted that she, too, has provided quarantine for these animals and Partners for Pets has done a great job rescuing these animals. Ms. Fleming recommended that the Clayton County Animal Control Facility hire a staff vet on hand as well as a kennel manager. She asked the Board to not let the Animal Control staff do IP euthanizations and noted that even the American Veterinarian Association does not recommend it to be done that way. She concluded that rescue groups will continue to do what is best for the animals, but Clayton County needs to make a lot of changes.

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7) Jimmie Jenkins, a Rockdale County resident, also concurred with the previous comments. Ms. Jenkins affirmed that she is an animal advocate liaison for rescue animals and read the following comments from the American Veterinary Medical Association. ***“The AMVA encourages careful consideration of the decisions to euthanize and the methods used. The AMVA also has specific guidelines for the euthanization of dogs and cats in rescues at Animal Control. They highly encourage respect for the interest of the animal in the use of the process that is painless, rapid, and distress-free as possible. The AMVA suggests that all Animal Control Officers take the time to evaluate the morality of their decisions and ask themselves if their actions became public would they feel ashamed.”*** Ms. Jenkins informed the Board that she prepared an information packet for each commissioner that discloses a letter she sent to State and Local officials to help bring attention to the treatment of the animals in Clayton County Animal Control. She concluded that she hoped Clayton County Animal Control would improve over time.

8) Karen Kelly waived her right to speak.

9) Jean Claude Bourget, a Clayton County resident, voiced his concerns about the events held at the Clayton County International Park which is adjacent to his subdivision (Waverly Subdivision). Mr. Bourget stated that the activities have caused burglary and prostitution occurrences in his subdivision. He understood that the Clayton County Parks and Recreation Department and the PATH Foundation are planning to use his neighborhood as the main road (Waverly Drive) for the new trail system. Mr. Bourget emphasized that he is not against the trails because he uses them to ride his bike and walk. However, given the significant interest in the criminal activities due to these events, he and his neighbors are highly opposed to the use of a trail system. Mr. Bourget asked the Board to meet with the communities to discuss the locations of where these trails would be constructed.

10) Jeffery Benoit concurred with the previous comments by Dr. Henry Anderson regarding the absence of elected officials at Special Called meetings. Mr. Benoit stated that the Chairman calls meetings for special purposes to benefit the County and, when an individual does not attend, it can affect how the vote goes. Mr. Benoit pointed out that on page 5 of the agenda, the “second read” of Ordinance 2014-167 states any three (3) board members can convene a Special Called meeting (which may include the Chairman). That means Chairman Turner could either call a meeting himself or with two (2) other board members. He further noted that Commissioner Edmondson’s proposal would strip Chairman Turner of his ability to call special meetings himself, and he would be required to have two (2) board members backing him up. Mr. Benoit concluded this is not the time to take Clayton County back to a down turn. This County needs to push forward and get back to the business of improving itself. Preventing Chairman Turner from convening Special Called Meetings on his own would defeat the purpose of his position on the board.

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11) Miyoshi Bourget also concurred with the previous comments by Jeffery Benoit regarding Ordinance 2014-167. Ms. Bourget emphasized that what this proposed change is doing is usurping the authority of the position of the Chairman. There should not be a problem with the Chairman being able to call a Special Called meeting, especially if it is important. She stressed that Chairman Turner must ensure the direction of the Board is right, and he is responsible for the day-to-day operations of the County and its best interest in moving forward. Ms. Bourget noted that limiting the Chairman's power is a vote against the people who voted him in. She asked the Board to deny this resolution.

12) Danny Kirby expressed his concerns over the twenty-two (22) animals euthanized without warning. Mr. Kirby proposed again that the County allocate funds for a free spayed/neutered program for Clayton County residents which will reduce the over-population of animals that results in euthanization.

Chairman Turner stated he had a few questions for Chief Porter. Mr. Turner acknowledged that the County has had issues to address regarding the Animal Control Shelter. He then asked Chief Porter if the Animal Control Shelter had stopped taking pictures of these animals.

Chief Porter replied no, pictures are in the photo gallery on the County's website.

Chairman Turner asked Chief Porter if he had researched the results of having a Vet Technician administer euthanization.

Chief Porter responded the research revealed that Animal Control could have a Vet Technician to oversee the administration of euthanization and mitigate operational issues.

Chairman Turner next questioned where Vet Technicians are being utilized in Animal Control facilities.

Chief Porter answered Vet Technicians are utilized in DeKalb County, Henry County, and other local government entities.

Chairman Turner stated he had no further questions and opened the discussion for Chief Porter to express his concerns.

Chief Porter stated Animal Control belongs to the taxpayers and his department holds everyone accountable. Animal Control needs to have a formalized agreement that would protect Partners for Pets, employees, and the integrity of the shelter. Mr. Porter acknowledged that his department recognized that it needs to be more vigilant in educating and making pet owners more responsible and

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making it fair for everyone to assist in meeting the goals to rescue these animals. Chief Porter reiterated that Clayton County Animal Control needs a formalized agreement and, for two and half years, it has requested a Memorandum of Understanding for due diligence. The County is a governmental entity and it is only fair for it to protect the integrity of how the Animal Control Facility is managed. He concluded that he would be willing to talk to Partners for Pets after the Board meeting to ensure fairness and consistency.

Vice-Chairman Rooks asked Chief Porter to describe the role of the Clayton County Humane Society.

Chief Porter responded that he has talked with the Clayton County Humane Society and it is very proactive. Although there are some internal issues, it wants to do what is right for the animals of Clayton County.

6. PRESENTATION: “Recognition of the 2014 Public Leadership in the Arts Award for County Arts Leadership to Clayton County from Americans for the Arts and the National Association of Counties/NACo” (presented by Commissioner Sonna Gregory).

Clerk Haywood read the presentation for the benefit of the Board and the audience as follows:

**The County is being honored for its ART WORKS program, which unites Arts Clayton, a nonprofit community organization that hosts children’s programs and a public art gallery with Clayton State University, Atlanta Technical College and the Clayton County Public Schools. The public-private partnership trains a modern workforce for the creative jobs of the future. Additionally, as part of Georgia’s “Camera Ready Communities” program, Clayton County was one of the first certified film offices in the state, attracting over thirty (30) television and film projects from 2010-2013 and injecting the weakened local economy with much-needed temporary jobs. Arts Clayton reaches 18,840 students annually through more than 1500 hours of art instruction in schools, community facilities, summer camps, and workshops.**

[NOTE: Group photos were taken of the honorees and Board of Commissioners.]

Linda Summerlin, Executive Director of Arts Clayton, thanked the Board of Commissioners and the Arts Clayton Board of Directors for their attendance. Ms. Summerlin explained that the National Association of Counties in partnership with Americans for the Arts is a great example of the impact of the Clayton County commissioners investing in the vision that students today are the County’s workforce tomorrow. She further explained that Arts Clayton joined in that vision as far back as 1998 when it worked with county officials through a grant to acquire a mobile art van which now travels across the County working alongside educators and community leaders to ensure that students develop strong reading skills and opportunities to use their creative talent that will ultimately help them succeed in school and life. As a member of NACo Arts and Culture Committee, Ms. Summerlin thanked

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Commissioner Gregory for keeping Arts Clayton and the County on the radar. She also thanked Chairman Turner and the other commissioners for supporting Arts Clayton to help showcase Clayton County.

Commissioner Gregory emphasized that annually it is very competitive for counties to be recognized and to receive this award on a national level. She, Chairman Turner, and Commissioner Hambrick were fortunate enough to be in New Orleans to accept the award.

Ms. Summerlin informed the Board that the award would be showcased in the Clayton County Board of Commissioners' lobby.

7. Ramona Thurman, Interim Purchasing Agent of Central Services, presented the following items which resulted in the following 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 a **Request to Sell County Surplus Items, utilizing GovDeals.com** (to dispose of County assets), as requested by the Central Services Department. Vote unanimous.

2) Approved a **Service Agreement for Equipment Maintenance in Finance Department** (Basic Services, Inc., located in Norcross, Georgia; \$1,244.00. Funds are available through the Central Services Repair and Maintenance Account), as requested by the CFO/Authorized Purchasing Agent. Vote unanimous.

3) Approved **RFP Pkg. #13-31 SPLOST Construction Management-At-Risk Services for the Construction of Clayton County Police Precinct, N.E. Guaranteed Maximum Price Approval** (Hogan Construction Group, LLC, located in Norcross, Georgia; 2,432,875.00. Funding is available through the 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. 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.

4) Approved **RFB Pkg. #14-36 Liquid Asphalt Supply Services for Clayton County Transportation & Development – Annual Contract** (Multi-award: Associated Asphalt Conley, LLC

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d/b/a Seaco, located in Conley, Georgia and Blacklidge Emulsions, Inc., located in Douglasville, Georgia. Funding is available through the 2009 SPLOST Funds), as requested by the Transportation and Development Department. Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval. Vote unanimous.

5) Approved an **Annual Contract Renewal – RFB Pkg. #12-17 Miscellaneous Medical Supplies/Annual Contract with Price Increases** (PSS World Medical, Inc., located in Jacksonville, Florida), as requested by Fire and Emergency Services. The final renewal period will be from August 5, 2014 through June 30, 2015. The Board of Commissioners approved this proposal on June 5, 2012. 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. 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.

8. Ramona Thurman, Chief Financial Officer, presented the following items which resulted in these Board actions.

1) Approved Budget Amendment #2-56/Various Departments/FYE 6-30-14 – to cover additional salaries and benefits in the amount of \$2,283,077.00. Vote unanimous.

2) Approved Budget Amendment #2-01/State Court Technology Fund/FYE 6-30-15– to establish a budget of \$194,000.00 for the State Court under the Technology Fund. Vote unanimous.

3) Approved Budget Amendment #2-2/Other General Government/FYE 6-30-15 –to replace two (2) police vehicles where repair cost exceeds the value of the vehicles, in the amount of \$74,000.00. Vote unanimous.

4) Approved Budget Amendment #4-01 – 2009 – Fund 307 – 2009 Reimposition SPLOST /FYE 6-30-15 – to amend the budget for RFP #13-28 Architectural/Engineering Services for the construction of the Clayton County Multi-Purpose Fire Building and Design Development Document approved by the Board of Commissioners at the July 15, 2014 meeting, in the amount of \$433,576.00.

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Vote unanimous.

5) Approved Budget Amendment #4-05 – Fund 306 – 2004 Roads and Recreation SPLOST/FYE 6-30-15 – to amend the budget for RFP #04-59 Widening of Mt. Zion Boulevard and Battle Creek Road for Kimley-Horn & Associates, Inc. change order approved by the Board of Commissioners at the July 15, 2014 meeting, in the amount of \$828,425.00. Vote unanimous.

6) Approved a Request for a Refund of Back Taxes paid by Cathay Pacific Airways, Ltd., in the amount of \$78,452.42. Vote unanimous.

7) Approved a Request for a Business License Fee Refund to Willy's Mexicana Grill, Inc., located at 6000 North Terminal Parkway, Concourse B, in the amount of \$1,435.66, due to this business being located within the City of College Park's jurisdiction. Vote unanimous.

9. Renee Bright, Director of Human Resources, presented the following requests which resulted in these Board actions.

1) Approved a Request from the Police Department for the Board to approve the creation of an Animal Control Rescue Coordinator (PG 15), the creation of an Animal Control Technician (PG 15), and the elimination of an Animal Control Assistant Commander (PG 20). These actions will result in budget increases, but they are absolutely necessary to achieve the County's goal of a "low kill kennel." The motion carried 4-1. Commissioner Edmondson opposed.

From the beginning of this Administration in 2010, Animal Control has increased the number of animals returned to owners or adopted out by 118% and reduced the number of animals euthanized by 66%. Even with this success, Animal Control had to euthanize 1,869 animals in 2013. Animal Control must step up its efforts. The requested personnel will give Animal Control a paid full-time Rescue Coordinator whose primary job will be to place abandoned dogs and cats with licensed rescue groups to avoid the consequence of having to euthanize these animals to prevent overcrowding.

The County has moved toward a Low Kill Kennel for Animal Control. For example, in 2012, Animal Control took in 6,053 animals. Of these, 4,162 were returned to owners or adopted out and 1,869 were euthanized. In 2011, Animal Control took in 6,080 animals. Of these, 3,240 were returned to owners or adopted out and 2,820 were euthanized. In 2011, Animal Control took in 6,430 animals. Of these, 1,707 were returned to owners or adopted out and 4,713 were euthanized. In 2010, Animal Control took in 7,507 animals. Of these, 1,905 were returned to owners or adopted out and 5,596 were euthanized.

The data clearly shows that Animal Control has reduced the number of animals killed by 33% since

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2012 and a staggering reduction of 66% when compared to 2010, and adoptions and returns have increased by 118% since 2010. Animal Control is clearly moving in the right direction, but it must step up its efforts. It also needs to professionalize its rescue coordination efforts and use its own staff to perform euthanasia services under the supervision of a licensed veterinarian. The addition of the supervisor will improve overall functionality at the Kennel and Animal Control operations.

This reorganization will require additional funding. The purpose here is to address immediate needs while moving toward a low kill kennel. Without this additional support, Animal Control faces the consequence of a full kennel with no room to respond to new bite calls, or complaints about stray animals. The need is clear and the need is immediate. These new positions are urgently needed.

Funding is not available in the current year's budget. It will require use of the Fund Balance or reallocation of existing funding. The additional cost amounts to \$35,023.00.

Commissioner Edmondson asked Ms. Bright if these positions were the ones discussed during public comments regarding how dogs would be euthanized (by sticking needles into their stomachs).

Ms. Bright replied she believed the Animal Control Technician would be involved in the euthanization.

Commissioner Edmondson then asked Chairman Turner to amend his motion to delete this request from the agenda.

Chairman Turner replied that he was standing by his motion.

2) Approved a Request from the Police Department for the Board to approve a starting salary of \$64,524.75 (PG 29/Step 9) for the Police Aviation Mechanic. Vote unanimous.

This position has been vacant for a year. The advertised salary of Range 29, Step 1 is too low to attract a qualified mechanic in this market. A study shows that starting pay for an experienced turbine helicopter mechanic in this area ranges from \$66,119.10 to \$72,400.00. To attract and retain a competent and qualified mechanic, the Police Department must offer comparable pay to be competitive in this market. A suitable candidate has been recruited, but the Police Department needs to offer a starting salary of \$64,524.73 to finalize this opportunity.

Without an in-house aviation mechanic, the Police Department is at the mercy of the market place to obtain required maintenance for its helicopters. This increases down time for the aircraft as well as overall cost to the County. Once the Police Department again has an in-house mechanic on board, maintenance will be timely performed in an in-house hanger (saving both time and money).

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Funding is not available in the current year's budget. It will require use of the Fund Balance or reallocation of existing funds. The additional cost amounts to \$7,748.00 (salary/benefits).

Vice-Chairman Rooks asked if there were supporting documents regarding costs associated with the hiring of a prior mechanic, because she understood this position was contracted before.

Chief Porter replied yes, the full-time person retired and the department rehired him as a part-time employee.

Vice-Chairman Rooks recalled that Commissioner Hambrick asked in the pre-meeting if there would be a net savings for the Aviation Mechanic position.

Chief Porter responded yes, the department will pull monies from operating funds.

Chairman Turner asked how long this position has been vacant.

Chief Porter replied that it has been vacant for a year.

3) Approved a Request from Human Resources for the Board to approve the utilization of Consolidated Admin Services, Inc. (CAS) to administer COBRA at a cost of \$4,700.00 a year. Monies to cover this cost are available in the medical fund and will not impact the General Fund. Vote unanimous.

Chief Staff Attorney Christie Barnes informed the Board that she neglected to mention that Ordinance 2014-198 should be deleted from tonight's agenda due to language revisions – (An Ordinance to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 14 “Animals,” Article VI “Responsible Dog Ownership Law” by deleting Code Section 14-137 “Appointment of Dog Control Officer and Animal Control Board” in its entirety and substituting in lieu thereof a new Section 14-137 “Appointment of Dog Control Officer”; by adding a new Section 14-137.1 “Animal Control Board”; by deleting Section 14-139 “Classification; Notice and Hearing” in its entirety and substituting in lieu thereof a new Section 14-139 “Notice to Dangerous or Vicious dog Owners; Hearing”; to repeal conflicting laws, ordinances, and resolutions; to provide severability; to provide an effective date; and for other purposes).

Motion by Commissioner Edmondson, second by Vice-Chairman Rooks, to amend the agenda by deleting Ordinance 2014-198 from the August 5, 2014 Regular Business Meeting. Vote unanimous.

10. Ordinance 2014-167 (**2<sup>nd</sup> Reading**) died due to the lack of a second (following a motion by Commissioner Edmondson to approve it) – An Ordinance adopted under the Home Rule Powers specifically granted to the governing authority of Clayton County pursuant to Article IX, Section 11,

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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 the Clayton County Code of Ordinances, as amended, specifically Part I, Article II, Section 2-4 “Meetings,” and Part II, Chapter 2, Article I, Section 2-4 “Meetings”; to provide an effective date of this ordinance; and for other purposes.

Before the Board voted on Ordinance 2014-167, Chairman Turner stated he was definitely opposing it because this change would usurp the authority of the position of the Chairman. Mr. Turner stressed that government needs to have checks and balances in place and, by changing this position, the Board is doing the Clayton County residents an injustice. Before Chairman Turner called for a motion, he asked Commissioner Edmondson if he would like to modify the ordinance or approve it.

Commissioner Edmondson stated he would like to approve Ordinance 2014-167.

Chairman Turner called for a motion and it died due to lack of a second.

11. Approved Ordinance 2014-183, an Ordinance to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 11 “Businesses,” Article I “In General” by deleting the existing Section 22-1 “Registration of Name of Contractor for Building and Repair Services” and substituting in lieu thereof a new Section 22-1; to repeal conflicting laws, ordinances, and resolutions; to provide severability; to provide an effective date; and for other purposes. The motion carried 4-1. Commissioner Edmondson opposed.

Commissioner Edmondson asked Ms. Barnes to clarify Section 22-1(a) that states “All persons, firms, partnerships, etcetera; consisting of or relating to building, constructing, repairing, renovating structures, fixtures attached thereto, etcetera.” He wondered if this statement meant that it would be illegal according to county ordinance, for example, for his neighbor to install a light on his mailbox unless he applied with the county first.

Ms. Barnes explained Sec. 22-1(a) is asking for the name of the business to be registered with the Clayton County Business License Division.

Commissioner Edmondson reiterated Sec. 22-1(a) states “All persons, firms, partnerships, corporations or other entities who shall undertake, transact, engage in, pursue, or carry on any business.” He then asked if this ordinance pertained to a person who had a business.

Ms. Barnes replied correct, it pertains to a business that has to be registered and eliminates an annual \$35.00 contractor’s registration fee that was not in compliance with the law.

Commissioner Edmondson surmised that this ordinance pertained to a person conducting a business

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incorporated.

Following a lengthy discussion between Commissioner Edmondson and Ms. Barnes, it was determined that the name of the business is required to be registered with the Clayton County Department of Community Development, Business License Division which shall include the name of such business as it appears on the State issued contractor license.

12. Approved Resolution 2014-184, a Resolution to enter into a License Agreement with Constantine Chapter Memorial, LLC to allow Sigma Chi Fraternity to conduct an “Enhancement Project” and host a celebration of the 150<sup>th</sup> Anniversary of the Constantine Chapter of Sigma Chi Fraternity at Sigma Chi Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

13. Approved Resolution 2014-185, a Resolution authorizing Clayton County to enter into a Project Agreement with Path Foundation, Inc. providing for the terms and conditions under which services related to designing greenway trails in and around Clayton County International Park will be administered; to authorize the Chairman to execute the agreement and otherwise 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.

Vice-Chairman Rooks asked if Mr. Jean Claude Bourget’s previous comments about his subdivision and Waverly Drive pertained to this resolution.

Parks and Recreation Director Detrick Stanford explained that the PATH Foundation that is developing a field survey and design that may include a couple of subdivisions adjacent to the park, but Parks and Recreation will contact the citizens for their input before the construction phase.

Chairman Turner asked Mr. Stanford if Parks and Recreation collaborated with the Police Department in the pathway plan discussions.

Mr. Stanford replied yes, and there is a steering committee that consists of the Police Department, Clayton County School System, Clayton County Water Authority, and other stakeholders as well.

Chairman Turner stated that Mr. Bourget brought some serious concerns to light, and he encouraged Chief Porter to meet with Mr. Bourget regarding his concerns about criminal activities at the Clayton County International Park.

14. Approved Resolution 2014-186, a Resolution authorizing Clayton County, on behalf of the Clayton County Parks and Recreation Department, to grant a Special Facility Use Request for the Rotary Club of Clayton County, Inc. to host a series of events for International College Students at the Clayton County International Park; to authorize the Chairman to perform all acts necessary to

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accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes; with an amendment to waive the building fees but to charge for the maintenance fees. Vote unanimous.

Commissioner Edmondson told Chairman Turner this request was reduced by fifty percent (50%), but he recommended that this request be reduced to a one hundred percent (100%) waiver of the rental fees requested. He stressed this has been done traditionally for this particular event in the past, and it is a local charity. Commissioner Edmondson also noted that the next resolution (Resolution 2014-187) recommends a one hundred percent (100%) waiver of costs per request also, and it is only a few hundred dollars.

Chairman Turner asked Mr. Stanford if Parks and Recreation had done a 100% waiver of rental fees before.

Mr. Stanford responded the maintenance cost has been absorbed in the past and the position the Board often takes is if the requestor served as a 501c3, the department's recommendation would be to provide half off for the request. Apparently, the Board has waived those fees. The Rotary Club specifically has not paid the building costs in the past, but it paid for the maintenance of the staff associated with the space.

Chairman Turner asked Mr. Stanford to quote what that percentage might be.

Mr. Stanford answered it has not been 100% off. Parks and Recreation recommends 50% off of the true cost of the building. Commissioner Edmondson added "plus staff"; i.e. lifeguards being paid \$10.00 an hour.

Commissioner Edmondson asked Chairman Turner if he would consider amending the language in this resolution to reduce the rental fee to a 100% waiver, but to include the maintenance costs.

Chairman Turner agreed with Commissioner Edmondson's amendment, and the Board voted unanimously to approve it.

15. Approved Resolution 2014-187, a Resolution to allow State Senator Valencia Seay to host a Town Hall Meeting and Dinner at the Frank Bailey Senior Center; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

16. Approved Resolution 2014-188, a Resolution authorizing Clayton County to enter into a License Agreement with We Need 2 Read, Inc. providing for the terms and conditions under which the "Food Trucks @ The Beach" event will be hosted at the Clayton County International Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an

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effective date of this resolution; and for other purposes. Vote unanimous.

17. Approved Resolution 2014-189, a Resolution authorizing Clayton County to enter into a Memorandum of Understanding (MOU) with the Drug Enforcement Administration to participate in the Atlanta Tactical Diversion Task Force; to authorize the Chairman or the Chief of Police as his designee to execute the MOU; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; all as may be required in the terms of the MOU; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

18. Approved Resolution 2014-190, a Resolution authorizing the acceptance of one (1) condemned vehicle (a 2000 Toyota Camry) to be assigned to the Police Department fleet in a manner as will be in the best interest of the County; to authorize the Directors of Central Services and Fleet Maintenance to perform all acts required by this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

19. Resolution 2014-191 died due to the lack of a second (following Chairman Turner's motion to approve it). A Resolution authorizing Clayton County to enter into an Aging Subgrant Contract with the Atlanta Regional Commission providing for services for the Aging Division of the Clayton County Senior Services Department; to authorize the Chairman to execute the contract and otherwise to perform all acts necessary to accomplish the intent of the resolution; to authorize the Chief Financial Officer to amend the budget to reflect an appropriate revenue source and expense, all as may be required under the terms of the contract; to provide an effective date of this resolution; and for other purposes.

20. Approved Resolution 2014-192, a Resolution authorizing Clayton County to enter into a Traffic Signal Modification Agreement with Church Street Retail Properties, Inc., for traffic signal modifications and for the acceptance of right-of-way associated with Fred's Retail Center Commercial Development on Upper Riverdale Road at Roy Huie Road; to authorize the Chairman to execute the agreement on behalf of the County and otherwise to perform all acts necessary to accomplish the intent of the resolution; to authorize the Chief Financial Officer 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.

Vice-Chairman Rooks asked why Church Street Retail Properties, Inc. is being so benevolent. She understood that it would be covering the cost in this project.

Assistant Transportation and Development Director Keith Rohling responded that the developers are putting in a widened driveway for the retail center, and they will be reimbursing the County for the work that they would normally do as part of their site.

21. Approved Resolution 2014-193, a Resolution authorizing renewal of the Right-of-Entry for

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Environmental Assessment and Response to the United States Army Corps of Engineers upon that certain County right-of-way identified in Exhibit "A" attached hereto; to authorize the Chairman to execute the Right-of-Entry and to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

22. Approved Resolution 2014-194, a Resolution authorizing the execution of two (2) amendments to the Utility Relocation Agreements with CenturyLink Communications, LLC (formally known as Quest Communications, LLC) and MCI Communications Services, Inc. to modify the Technical Scope of Work and costs associated with the C.W. Grant Grade Separation Project; to authorize the Chairman to execute the agreements on behalf of the County and otherwise to perform all acts necessary to accomplish the intent of the resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreements; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

Commissioner Edmondson noticed that the CenturyLink Communications modification is one hundred percent (100%) or close to that percentage, because it increased from \$397,000.00 to \$787,000.00. The original agreements were done just a few months ago. He asked Mr. Rohling to help him understand the change orders, to explain why there was such a disparity with the original RFP, and what the dollar amount of the company would be that bid on it.

Mr. Rohling responded that these utilities are housed on the right-of-way of Southern Railroad. The County is asking this company to move them in order to complete this project. To meet the Georgia Department of Transportation deadlines, an agreement must be in place. Three (3) utilities are going in with CenturyLink, the company that is doing the conduit work for all of these utilities. Additionally, the scope of services has slightly changed.

Commissioner Edmondson asked if this meant that costs would be reduced in future agreements.

Mr. Rohling said yes, that is correct.

23. Approved Resolution 2014-195, a Resolution authorizing Clayton County to fulfill Insurance requirements; to authorize the Chairman to execute all documents necessary to effectuate the transfer, and otherwise to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

Commissioner Gregory asked Ms. Barnes to explain the meaning of the phrase, "to fulfill insurance requirements."

Ms. Barnes replied that the County acquired several easements across property owned by the City of Atlanta. The City of Atlanta is now requiring the County to provide certain motor vehicle insurance to

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be able to effectuate the easements that the County entered into with the City of Atlanta. The County cannot acquire those easements without these insurance provisions being met, and the Board is required to approve a resolution that the County will fulfill those insurance requirements.

24. Approved Resolution 2014-196, 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 Lake Ridge Parkway Subdivision Sidewalk 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 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.

25. Approved Resolution 2014-197, a Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring a certain property for use by the Clayton County Department of Transportation and Development for the Pointe South Parkway Sidewalk 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 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.

26. The Board took no action on Resolution 2014-199, a Resolution providing for and authorizing an increase in Supplemental Compensation of certain elected officials, employees of the State of Georgia, and other persons employed in County offices or performing duties essential to County operations; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date; to repeal conflicting laws; and for other purposes. The motion failed 2-2-1. Commissioners Hambrick and Gregory opposed. Vice-Chairman Rooks abstained.

Vice-Chairman Rooks asked why the County is doing a supplemental compensation via a resolution.

Ms. Barnes stated historically the Board of Commissioners has authorized a supplement on any funds being paid to county employees or people performing a Clayton County government function through a resolution. The Legal Department reviews the statutory requirements for their salary set by State law (O.C.G.A law), local law (Senate or House Bill), or any supplements provided by the Board of Commissioners through resolutions in the past.

Vice-Chairman Rooks stated she needed to recuse herself due to a conflict of interest. This is the first time she has seen a resolution done this way since she has been a board member. She wanted to know

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why the Board is receiving it in this manner.

Ms. Barnes explained that the last time the Board approved an exhibit providing supplements to various county officials, departments, and employees was in 2005, via Resolution 2005-158.

Vice-Chairman Rooks then asked Ms. Barnes if the intent were to increase their salaries because of the three percent (3%) COLA.

Ms. Barnes replied yes.

Vice-Chairman Rooks stated she could not vote on this Resolution.

Commissioner Edmondson asked Vice-Chairman Rooks if she would reconsider and only vote on the part of the budget that includes the operating budget. He also asked Vice-Chairman Rooks if she would consider voting on the Resolution via a piece meal process; i.e., part of the exhibit.

Chairman Turner stated since Resolution 2014-199 was a “no vote,” this resolution should be brought back to the next meeting for a piece meal vote.

27. Approved Resolution 2014-200, a Resolution declaring the results of a Sales and Use Tax Election held on May 20, 2014; providing notification of the District Attorney; and for other related purposes. Vote unanimous.

Chief Staff Attorney Christie Barnes requested an Executive Session to discuss real estate, litigation, and personnel matters. The Board generally consented to have an Executive Session for the aforementioned reasons.

28. Appointment to the Civil Service Board to fill the unexpired term of Lori Favre (**Resigned**). The unexpired term ends on December 31, 2014.

Motion by Chairman Turner, second by Vice-Chairman Rooks, to appoint Dr. Cephus Jackson to the Civil Service Board to fill the unexpired term of Lori Favre (**Resigned**). The unexpired term ends on December 31, 2014. The motion carried 3-2 in favor. Commissioners Hambrick and Gregory opposed.

29. Appointment to the Family and Children Services Board (DFCS). The term of Jewell Lewis expired on June 30, 2014. New term is for five (5) years; expiring on June 30, 2019.

Motion by Vice-Chairman Rooks, second by Chairman Turner, to appoint Tia Simon to the Family and Children Services Board (DFCS). The term of Jewell Lewis expired on June 30, 2014. New term is for

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five (5) years; expiring on June 30, 2019. Vote unanimous.

30. Appointment to the Library Board to fill the unexpired term of Gwen McQueen (***Resigned***). The unexpired term ends on June 30, 2015.

Motion by Commissioner Edmondson, second by Chairman Turner, to appoint Brenda Rayburn to the Library Board to fill the unexpired term of Gwen McQueen (***Resigned***). The unexpired term ends on June 30, 2015. Vote unanimous.

31. Consideration of Streets for Acceptance in the “***Sunset Park***” development; Horizon Court, Headwaters Way, and Solitude Court, located in Land Lot 135 of the 12th District. The Final Plat was recorded on June 18, 2014/Plat Book 42/Page 131(Total Acreage: 13.005; Total Number of Lots: 32) – Commission District 1/Commissioner Sonna Singleton Gregory.

Commissioner Gregory asked Mr. Rohling if it were alright to approve this request.

Mr. Rohling responded the construction met requirements at this time, so the County can move forward with this request.

Motion by Commissioner Gregory, second by Vice-Chairman Rooks, to approve Streets for Acceptance in the “***Sunset Park***” development. Vote unanimous.

Chairman Turner acknowledged the presence of former Clayton County Police Chief Ronnie Clackum in the audience. He added that Chief Clackum was responsible for hiring him as a police officer.

Motion by Vice-Chairman Rooks, second by Chairman Turner, to go into Executive Session in the Commissioners’ Conference Room at 8:52 p.m. to discuss real estate, litigation, and personnel matters. Vote unanimous.

Motion by Vice-Chairman Rooks, second by Chairman Turner, to go out of Executive Session at 9:25 p.m. Vote unanimous.

Motion by Vice-Chairman Rooks, second by Chairman Turner, to reconvene the Regular Business Meeting in the Commissioners’ Boardroom at 9:26 p.m. Vote unanimous.

There being no further business to discuss, motion by Vice-Chairman Rooks, second by Chairman Turner, to adjourn the Regular Business Meeting of August 5, 2014 at 9:26 p.m. Vote unanimous.