

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 18, 2015

POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Gail Hambrick, Commissioner Sonna Gregory, Commissioner Michael Edmondson, Commissioner Shana M. Rooks, and Clerk Sandra T. Davis.

1. Chairman Turner called the meeting to order.
2. Invocation was given by Chaplain Stan Owen with the Clayton County Sheriff's Office. The Pledge of Allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by amending the amount listed on Item No. 9, Subsection 19, so that the funding amount reflects \$214,811.00. Vote unanimous. Removed Item No. 18, Resolution 2015-218 - A Resolution authorizing Clayton County to enter into a License Agreement with the Southern Crescent Sexual Assault and Child Advocacy Center, Inc., providing for the lease of property located within Clayton County to operate a sexual assault and child advocacy center. Vote unanimous. Motion by Commissioner Edmondson, second by Commissioner Rooks, to adopt the agenda as amended. Vote unanimous.
4. Approved the August 4, 2015 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 to be heard at the next Tuesday business meeting.
 1. Nick Tolbert, a Clayton County resident and Firefighter with Clayton Fire/EMS, stated that he has been with the department for over 31 years. He spoke in regards to the healthcare benefits that are offered by the county. He asked if the penalties that are levied against the employees for leaving county employment before age 55, will be removed after he/she has reached that age requirement. Mr. Tolbert also asked the Board if they would consider other insurance alternatives when researching insurance options. He is partially deaf in his right ear, and a trip to the ear specialist revealed that he needs a hearing aid that would cost him approximately \$7,500.00, of which he expressed he does not have to pay out of pocket.
 2. Reverend Joseph Wheeler, a Clayton County resident, stated that he was present before the Board to call on them to re-instate Greg Porter as the Chief of Police and to issue a public apology. He stated that the voters within the county presented for the Board to ask that Mr.

POST SUMMARY MINUTES

Porter not be removed as the Police Chief and their pleas were ignored. He stated that many of the voters and members of the NAACP stood behind the promotion of several individuals within the county, including Chairman Turner, and would like to see fairness across the board within Clayton County. Reverend Wheeler stated that many years ago, a “fight” took place so that Chairman Turner could be elected into his current position, and all that is expected now is fairness from the Board of Commissioners, and the firing of former Police Chief Porter without cause will not be tolerated.

3. Christina Cummings, a Clayton County resident, a business owner, and an advocate for the community. She spoke in regards to the role that she feels MARTA plays within the community. For the last two months, MARTA Police has used her catering services (six times), and has quickly become her best client. She stated that they (MARTA) go out of their way to contract the local, small, disadvantaged businesses to ensure that those resources are utilized within the community. Small businesses are the backbone of Clayton County, and by doing business with people within our community, our economy thrives and flourishes. Ms. Cummings thanked the citizens of the county and the Board of Commissioners, who work tirelessly to flourish the relationships within the county. Ms. Cummings stated that she understood how critical transportation is for Clayton County in giving the citizens access to jobs and competitiveness. MARTA is not just a bus that the citizens get on; they are a partner, an employer, and a corporate citizen. The relationship with MARTA should be respected, nurtured, and appreciated that MARTA invests in the small businesses.

6. PRESENTATION: "MARTA Update". (Presented by Mr. Keith Parker- MARTA's General Manager / CEO)

Ms. Ryland McClendon, Assistant General Manager for MARTA, began the presentation on behalf of Mr. Keith Parker, MARTA's CEO and General Manager. She stated that MARTA will come out periodically to provide updates on its services provided to the community that it is servicing. MARTA has just adopted its 2016 Annual Budget. The operating budget for the year is \$448.5 million. This is the third consecutive year in a row that MARTA has been able to balance its budget since the 1996 Olympics.

Mr. Keith Parker, MARTA's CEO and General Manager, presented the Board with updates to the train control system and its upgrades including the tunnel ventilation program. There will be new articulated buses that will be running this fall that will be put on the heaviest traveled routes. Mr. Parker presented the board with information on how MARTA's budgetary situation has improved since FY 2011. He stated that in FY 2011, MARTA lost over \$35 million during that fiscal year. Over the last three years,

POST SUMMARY MINUTES

MARTA has added to its budget reserves, and has had three consecutive years of positive results and that hasn't happened since the Olympics.

There are a number of incentives to promote ridership. These are being implemented due to the decline in ridership, as the gas prices continue to drop. A rewards program has been started that incentivizes people to ride the service more and they will be able to earn free passes and other incentives over a given period of time. The first incentive is the "fare free day" on September 7, 2015, Labor Day. This day is usually a slow/low rider day based off of previous years. MARTA passes will be placed on sale toward the end of the year; maybe this will incentivize people to purchase more passes this way as opposed to the usual way that they are purchasing by reducing the cost slightly. Those passes can be used starting in November through the New Year. There are also a number of technological advances that are to be implemented as well including: Wifi services on the buses (currently on 50 buses), mobile ticketing (utilizing your mobile device to pay for MARTA services), and partnering with Uber (scheduling services with Uber from the MARTA app.) and be able to get a free ride with Uber for the first trip if it is under \$20.00.

Mr. Parker also provided an update on services provided to Clayton County. The county currently has two members, who participated in the voting and adoption of the 2016 Annual Budget. MARTA promised to have services up and running within six months of the SPLOST being approved, taxes weren't collected until March 2015, and services were up and running that same month. MARTA said that it would set aside dollars for high capacity transit, and it is in the process of implementation. An advisory committee was to be formed to assist in gathering information as it relates to the high-capacity transit study. A new mini Police Precinct will be in place within Clayton County, as the agreement was signed earlier today. MARTA has also had several community meetings and has held job fairs and has hired as many Clayton County residents as it could and will look to employ more individuals as services are added on. Ridership is extremely better than what was predicted; Route 191 averages over 500 riders daily, Route 193 averages 900 riders daily, and Route 196 averages close to 3,000 riders daily. The newer routes are ranging between 60-115 or more riders daily. Service amenities are to be included as well, which include: bus stops, bus shelters, and trash cans for bus stops. Mr. Parker stated that MARTA is to work with the Planning Department and different city groups within the county to identify where there should be bus stops. There are bus shelters at the highest ridership points throughout the county (four shelters), and there are three more shelters under construction, and more to come based upon ridership. At each bus shelter there are trash cans, which are serviced by MARTA and its contractor. There are also trash cans at the end of each route/line. He stated that if there is a willingness or desire to add more trash cans, then that can be discussed so it can be worked out. Coming in December 2015, the mobility service will be added to Route 192- Tara Boulevard, Route 194- Mount Zion Rd and will continue to add more transit services to those individuals with disabilities.

POST SUMMARY MINUTES

There are a number of public hearings scheduled for the next couple of weeks, to include one in Clayton County to be held on August 27, 2015 in Riverdale, and they are open to the public. The meetings will also be able to be streamed live for the first time. This time can be used for the public to provide their comments, recommend services, and express how they feel about MARTA's presence. There have also been proposals gathered that will aid in determining whether or not MARTA will move forward within the county with a commuter rail system; a high capacity transit study itself, which will take two to three years to conclude and will cost between \$3.5-\$4.5 million and will provide information as to which types of services will best work within the county. Norfolk Southern is studying the cord and looking at how MARTA can fit on the cord, side-by-side with them where MARTA would build a new track. This study will advise of where the pinch points might be and exactly how MARTA would have the flow of the train service. It is expected that this will take anywhere from nine months to one year to get that completed.

Mr. Parker also made mention of a proposed garage to be built within the county. Additional information will be provided to the board at a later date with all the details and the proposed area as to where the garage would be. The goal is to have the garage up and running within a five year period or so.

Commissioner Gregory expressed that she was disappointed in the number of employees that were or weren't hired. She stated that it didn't seem as though there were a lot of individuals hired. Mr. Parker advised that there were around 70 employees or so hired from the job fair. He stated that the goal is to recruit, hire and retain as many people as possible. It is a tough market right now, as Fulton and DeKalb County, as well as the City of Atlanta are all hiring.

Commissioner Gregory asked Mr. Parker at what stage is the MARTA Police precinct that is in process. Mr. Parker stated that a major concern that the citizen expressed that there would be a major influx in crime, and there has only been one incident. Clayton County has the safest services thus far with MARTA. MARTA Police Chief Wanda Dunham stated that their new "home" would be 1115 Mount Zion Rd, across from the Southlake Mall. This will be off of Route 196, located in the City of Morrow.

Commissioner Gregory expressed that in reading articles about how MARTA is expanding its services, there is no mention of Clayton County at all. She stated that she understood that Clayton County is the "new kid on the block" when it comes to MARTA, but it would be nice to have some mention of the county. Mr. Parker expressed that MARTA cannot control what is written/printed. He stated that in every presentation that he has made, including that with the Atlanta Journal Constitution (AJC), he has made mention of Clayton County and how proud MARTA is to do business with Clayton County.

POST SUMMARY MINUTES

Commissioner Rooks stated that she did see Maria Sephor, and she stated that the relationship with Clayton County and MARTA should be examined in how transportation should and could grow regionally. Commissioner Rooks also stated that she is very pleased when she sees a MARTA bus and the MARTA Police. She expressed her thanks for the partnership between Clayton County and MARTA because she knows that there was a great service brought to the county to those who needed it.

Vice-Chairman Hambrick asked if Route 196 ran into Morrow, GA. MARTA Police Chief Dunham advised that the route ends at the Southlake Mall in Morrow. Vice-Chairman Hambrick asked if Riverdale had been considered as a spot for the mini Police precinct for MARTA. MARTA Police Chief Dunham stated that there was quite a bit of consideration for the precinct. They looked at Riverdale, Jonesboro, several locations and recommendations from different individuals. Morrow was found to be the best location because the route ends directly across the street, thus making it easily accessible to the constituents of the county and bus riders.

Vice-Chairman Hambrick stated that she still has concerns in regards to the trash at the bus stops. Mr. Parker explained that MARTA will try their best to get a handle on it. Chairman Turner also explained that county staff has been working with MARTA as well to come up with solutions to that.

7. Consider requests of Debra Brewer, Director of Central Services. (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 the **Recommendation for the Purchase of Kaspersky Software License for End Point Security Advanced and Kaspersky Security for Virtualization utilizing Georgia Technology Contract ES-98000-30/0000524844**. (\$40,225.00 / Resilient Data Inc., located in Peachtree City, Georgia. Funding is available through the FYE 2016 Information Technologies Other Contract Services). As requested by the Information Technology Department. Pursuant to Section 2-114 and 2-136 (6) of the Clayton County Code of Ordinances, General Purchasing Methods. Per Section 2-114 of the Clayton County Code of Ordinances, Cooperative Purchasing Methods; the County may join with other governmental units in cooperative purchasing plans when the best interest of the county would be served thereby. The Clayton County Board of Commissioners makes the final award for cooperative purchases of \$35,000.00 and greater. Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document. Vote unanimous.

POST SUMMARY MINUTES

- 2) Died due to the lack of a motion **Recommendation for the Purchase of Specialty Safety SCBA Respirators, utilizing Statewide Contract #99999-SPD0000088-0088.** (\$41,248.20 / Fisher Scientific Company, LLC, located in Pittsburg, Pennsylvania. Funding is available through the FYE 2016 Fire Department's Other Minor Equipment Fund). As requested by the Fire Department. Pursuant to Section 2-136 (6) of the Clayton County Code of Ordinances, General Purchasing Methods, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.
- 3) **Recommendation for Renewal and/or Amendment of Annual Contracts:**
 - A. The following Annual Contracts are being recommended for renewal and/or amendment pursuant to Section 2-136: (1) and (6) of the Clayton County Code of Ordinances, General Purchasing Methods. 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. Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.
1. Approved **RFB #13-37 Clayton County Print Shop Supplies – (Multi-Award) Annual Contract Renewals and Amendments with: (1) Mac Papers, Inc.,** located in Lithia Spring, Georgia; **(2) Mark Andy Inc.,** located in Des Plaines, Illinois; and **(3) Unisource Worldwide, Inc.,** located in Norcross, Georgia, with a renewal period from September 1, 2015 through August 31, 2016. This is the final renewal on this contract. The Board of Commissioners approved this award on August 20, 2013. Vote unanimous.
2. Approved **RFB #14-45 Aluminum Sign Blanks for Clayton County, Georgia – Annual Contract Renewal with Universal Signs & Accessories, A Division of McCain Sales of Florida, Inc.,** located in Fort Pierce, Florida, with a renewal period from December 1, 2015 through November 30, 2016. There is one remaining renewal on this contract. The Board of Commissioners approved this award on November 4, 2014. Vote unanimous.

POST SUMMARY MINUTES

3. Approved **2014-AA Lighting Systems for Various Parks and Recreational Facilities – Annual Contract Renewal (Statewide Contract KNP-201302-01) with Musco Sports Lighting LLC**, located in Muscatine, Iowa, with a renewal period from November 1, 2015 through October 31, 2016. There is one remaining renewal on this contract. The Board of Commissioners approved this award on October 21, 2014. Vote unanimous.

- B. The following Annual Contracts are being recommended for renewal and/or amendment pursuant to Section 2-136: (2) and (6) of the Clayton County Code of Ordinances, General Purchasing Methods. 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. Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

1. Approved **RFP #13-24 Swim Lesson Provider – Annual Contract Renewal with Tara Tarpons Swim Association**, located in Jonesboro, Georgia, with a renewal period from October 1, 2015 through September 30, 2016. This is the final renewal on this contract. The Board of Commissioners approved this award on August 20, 2013. Vote unanimous.

2. Approved **RFP #13-45 Wrecker Services for Clayton County – (Multi-Award) Annual Contract Renewals with: (1) New Image Towing and Recovery, Inc.**, located in Forest Park, Georgia; and **(2) Tara Wrecker, Inc.**, located in Jonesboro, Georgia, with a renewal period from December 1, 2015 through November 30, 2016. There is one remaining renewal on this contract. The Board of Commissioners approved this award on November 5, 2013. Vote unanimous.

3. Approved **RFP #13-48 Asset Management Team – Neighborhood Stabilization Program – (Multi-Award) Annual Contract Renewals with: (1) National Property Institute, LLC.**, located in Ellenwood, Georgia; and **(2) Southern Crescent Habitat**

POST SUMMARY MINUTES

for Humanity, located in Jonesboro, Georgia, with a renewal period from December 1, 2015 through November 30, 2016. There is one remaining renewal on this contract. The Board of Commissioners approved this award on November 5, 2013. Motion passed 4-1. Commissioner Rooks abstained for cause.

4. Approved **RFP #14-44 Tennis Management Services for Clayton County International Park Tennis Center – Annual Contract Renewal with Premier Sports Facility Management, LLP**, located in Atlanta, Georgia, with a renewal period from December 1, 2015 through November 30, 2016. There is one remaining renewal on this contract. The Board of Commissioners approved this award on October 21, 2014. Vote unanimous.

- 4) Approved the **Recommendation for the Purchase of Microsoft Enterprise Licensing for Windows and Office Software utilizing Dell’s State of Georgia Contract (25AFO)**. (\$371,500.44. Funding is available through the Information Technology’s FYE 2016 Other Contract Services Fund). As requested by the Information Technology Department. Pursuant to Section 2-136 (6) of the Clayton County Code of Ordinances, General Purchasing Methods; Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document. Vote unanimous.

- 5) Approved the **Recommendation to Upgrade Software for OS/400, i5/OS CPU. (Unicom Systems, Inc., located in Mission Hills, California. No additional cost to the County)**. As requested by the Information Technology Department. Pursuant to Section 2-136 (4) of the Clayton County Code of Ordinances, General Purchasing Methods; 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.

8. Considered the request of Renee Bright, Human Resources Director.

Motion died due to the lack of a second.

- 1) 911 Communications Center requests to create three (3) positions:

POST SUMMARY MINUTES

- a) Deputy Director
- b) Career Development Manager
- c) Administrative Secretary

Funding for the positions was discussed with former Police Chief Greg Porter.

9. Considered the request of Ramona Bivins, Chief Financial Officer.
- 1) Approved Budget Amendment #2-45/Forest Park Tax Allocation District/FYE 6-30-15 - To provide for intergovernmental expenses paid to Forest Park, in the amount of \$59,108. Vote unanimous.
 - 2) Approved Budget Amendment #2-46/Vital Records/FYE 6-30-15 - To provide additional funding for excess vital records board member fees, in the amount of \$1,250. Vote unanimous.
 - 3) Approved Budget Amendment #2-47/Superior Court/FYE 6-30-15 - To provide additional funding for excess contract services, court reporter, emeritus and indigent defense expenses, in the amount of \$147,412. Vote unanimous.
 - 4) Approved Budget Amendment #2-48/State Court Admin/FYE 6-30-15 - To provide additional funding for excess bailiff fee expenses, in the amount of \$29,810. Vote unanimous.
 - 5) Approved Budget Amendment #2-49/Clerk of Superior Magistrate Court/FYE 6-30-15 - To provide additional funds for excess jury script expenses, in the amount of \$63,893. Vote unanimous.
 - 6) Approved Budget Amendment #2-50/Prison/FYE 6-30-15 - To provide additional funds for excess electric utilities expenses, in the amount of \$395,637. Vote unanimous.

Commissioner Edmondson stated that the county entered into a contract with Trane years ago to build, methane-welled power, energy at the county landfill specifically to fund the electrical needs of the

POST SUMMARY MINUTES

prison, as well as sell the surplus to Georgia Power. He also stated that this was guaranteed by Trane, and this is the second year in a row since this has been in full capacity that bringing a budget amendment in the hundreds of thousands of dollars for electrical utilities. He wants an explanation as to why the county has to pay, and not getting anything back. Ms. Bivins advised that she and her staff were not involved in the discussion of this plan. She stated that there was a meeting with Trane and Georgia Power to determine how the system would function, and had not come to a determination yet.

Ms. Bivins also advised that Jeff Metarko, Transportation and Development Director, has a meeting scheduled tomorrow with Georgia Power in regards to this and upon discussion there will possibly be a resolution to this matter. There are a couple of things that are impacting this, one being a rate change of 60.7%. Commissioner Edmondson asked if this meant that Georgia Power increased their rates by 60.7%. Ms. Bivins replied this is what appears to have happened, as the tier rate does change. Another factor that has impacted this is before we entered into this contract, there were 11 meters there that were billed individually to different departments in that area, and now they have all been placed on one meter which is at the prison.

Commissioner Edmondson questioned as to where these ad valorem title taxes would have gone if they were not appropriated for this overage. Ms. Bivins advise that they would have just gone to general fund. He asked if this was being pulled from the general fund and Ms. Bivins confirmed that that was correct.

7) Approved Budget Amendment #2-51/Sheriff/FYE 6-30-15 - To provide additional funds for excess overtime expenses, in the amount of \$866,790. Vote unanimous.

Commissioner Edmondson stated that he recalled that there had been several consecutive years of overtime with the Sheriff when Mr. Hill served in this position. He stated that when Mr. Kim Kimbrough was Sheriff, the number of personnel in the Sheriff's Office had been expanded to assist in decreasing the overtime being worked to absorb some of the overages, and the Sheriff's Office was completely on board with that. Commissioner Edmondson stated that in looking at the budget, the Sheriff is over 10% greater than last year's overage and almost an additional \$1 million in overtime. Commissioner Edmondson questioned Chairman Turner as to why Sheriff Hill's office is being paid so much in overtime. Chairman Turner replied that one cannot anticipate every emergency and crisis, so this office will need to be provided with what they must have within their budget for unforeseen incidents; whether or not they are good stewards of that money, that a different issue. The Sheriff is a constitutional officer elected by the citizens of Clayton County, so he would need to be held accountable not only by the Board of Commissioners, but by the citizens of Clayton County.

Deputy Sheriff Shawn Southerland from the Sheriff's Office advised that often times the overtime is in

POST SUMMARY MINUTES

part due to numerous vacancies within the department, handling simple citizen complaints that no other department is assigned to tackle, and sitting with inmates who are taken to the local hospitals for treatment for which 24 hour coverage is required. Commissioner Edmondson stated that currently the funding for overtime is almost double what it was in the 2013 and 2014 Fiscal Years. Deputy Southerland advised that they are currently down to only two vacancies on the side that houses the Deputies, and have approximately 12-14 openings for Correctional Officers. Commissioner Edmondson questioned Ms. Bivins that if a position is vacant, is that budget lapsed back into general fund or does it stay as a budgeted item. She replied that it remains as a budgeted item. Commissioner Edmondson then asked if a vacancy would affect this at all. Ms. Bivins replied that any remaining money for salaries would be used to offset any overages, and then the budget would be amended accordingly as it is done today. Commissioner Rooks asked what the monetary value was for the vacancies that the Sheriff's Office is currently experiencing. Ms. Bivins replied that the value could vary because the vacancy may not have been open for the entire year. Commissioner Rooks questioned if there would be an offset of funding for the period of time that the positions remain vacant. Ms. Bivins replied that the money will be taken and transferred to any overages within that department for overtime.

Commissioner Gregory asked Christie Barnes, Chief Staff Attorney if by law, the county has to fund the overtime. Ms. Barnes replied that the Board of Commissioners is required to set the Sheriff's budget. Chairman Turner also responded by saying that the overtime has already been paid. Ms. Bivins stated that this is to clear up the line items within the Sheriff Office's budget.

Vice-Chairman Hambrick stated that in the future if the Board can meet with the Sheriff like it has done previously, possibly to increase employees again, then it needs to do so. If the overtime payout continues to increase yearly, then this would not be good for the county. Chairman Turner stated that there needs to be a meeting to see where the problem lies, so that it can be addressed properly. Ms. Bivins stated if they are given more positions, the issue may lie in finding qualified individuals to fill those positions, thus still having the same issue of having to pay out overtime.

- 8) Approved Budget Amendment #2-52/Courthouse Security/FYE 6-30-15 - To provide funds for excess part time, FICA and workers compensation expenses, in the amount of \$144,384. Vote unanimous.

Commissioner Edmondson questioned Ms. Bivins as to how many part-time employees work at the courthouse as security. She replied that there are 127 total, of which 97 are active and 30 are inactive. Commissioner Edmondson questioned what the hourly rate of the part-time courthouse security is. Ms. Bivins replied \$10.6996 per hour. Commissioner Edmondson also questioned how many hours per

POST SUMMARY MINUTES

week each part-time employee worked. Ms. Bivins explained that the part-time employees are not to exceed 25 hours per week.

9) Approved Budget Amendment #2-53/Sheriff Special Operations/FYE 6-30-15 - To provide additional funds for prison transport expenses, in the amount of \$76,134. Vote unanimous.

10) Approved Budget Amendment #2-54/Forest Park Library/FYE 6-30-15 - To provide additional funds for salary expenses, in the amount of \$6,185. Vote unanimous.

11) Approved Budget Amendment #2-55/International Park/FYE 6-30-15 - To provide additional funds for excess part time wage expenses, in the amount of \$48,631. Vote unanimous.

12) Approved Budget Amendment #2-56/Building and Maintenance/FYE 6-30-15 - To provide additional funds for contract and repair expenses, in the amount of \$100,615. Vote unanimous.

13) Approved Budget Amendment #2-57/General Government/FYE 6-30-15 - To provide additional funds for maintenance contract and energy system lease expenses, in the amount of \$456,186. Vote unanimous.

14) Approved Budget Amendment #2-58/Sheriff Federal Drug Fund/FYE 6-30-15 - To appropriate funds from fund balance for minor equipment, auto and truck expenses, in the amount of \$1,515. Vote unanimous.

15) Approved Budget Amendment #2-59/Police- Narcotics Unit/FYE 6-30-15 - To appropriate funds from fund balance for building lease, crime prevention and credit card service expenses, in the amount of \$65,885. Vote unanimous.

16) Approved Budget Amendment #2-60/State- Narcotics Unit/FYE 6-30-15 - To appropriate funds from fund balance for crime prevention expenses, in the amount of \$109,726. Vote unanimous.

17) Approved Budget Amendment #4-142/2015 SPLOST and Debt Service Fund/FYE 6-30-15 - To amend the budget to transfer funds from 2015 SPLOST Fund to Debt Services Fund for interest payment for the 2015 SPLOST Bonds A & B Series, in the amount of

POST SUMMARY MINUTES

\$385,060. Vote unanimous.

18) Approved Budget Amendment #4-143/2009 Reimposition SPLOST/FYE 6-30-15 - To amend the budget for payment of road repair and maintenance work by Transportation and Development based on the Service Delivery Agreement with the cities of Forest Park, Jonesboro and Morrow, in the amount of \$145,238. Vote unanimous.

19) Removed Budget Amendment #2-07/Police/E-911/FYE 6-30-16 - To eliminate a Police Training Instructor in the Police Department and transfer the funds to E-911 to add a Deputy Director, Administrative Secretary and a Career Development Manager, in the amount of \$214,811.00.

20) Approved Budget Amendment #4-09/2015 SPLOST/FYE 6-30-16 - To appropriate funds from 2015 SPLOST Fund Balance to carry forward fiscal year 2015 SPLOST project budgets and setup budgets for fiscal year 2016, in the amount of \$24,419,167. Vote unanimous.

21) Approved Budget Amendment #4-10/2015 SPLOST/FYE 6-30-16 - To amend the budget to appropriate funds from the 2015 SPLOST Fund Balance for the Comprehensive Justice Information System (CJIS) Enterprise Email project, in the amount of \$350,001. Vote unanimous.

22) Approved Budget Amendment #4-11/2009 Reimposition SPLOST/FYE 6-30-16 - To amend the budget for additional funds for additional dirt at the Lovejoy Field Renovation project, in the amount of \$21,092. Vote unanimous.

23) Approved Budget Amendment #4-12/2009 Reimposition SPLOST/FYE 6-30-16 - To appropriate funds from fund balance to provide funding for renovation of the building on the Rivers Edge Green Space property, in the amount of \$20,300. Vote unanimous.

24) Approved Budget Amendment #4-13/2015 SPLOST/FYE 6-30-16 - To appropriate funds from fund balance to provide funding for the VoIP phone system, in the amount of \$135,255. Vote unanimous.

POST SUMMARY MINUTES

10. Approved Resolution 2015-210 - A Resolution to enter into a License Agreement with Caribbean Association of Georgia, Inc., to host “The Atlanta Caribbean Cultural Festival” at Clayton County International Park. Vote unanimous.

Synopsis: Caribbean Association of Georgia, Inc. wishes to host a cultural festival entitled “Atlanta Caribbean Cultural Festival” on Saturday, August 22, 2015. The festival will host a variety of health checkups and live entertainment.

11. Approved Resolution 2015-211 - A Resolution to allow State Representative Sandra Scott to host the 5th Annual Senior Citizens Breakfast at the Carl Rhodenizer Recreation Center. Vote unanimous.

Synopsis: State Representative Sandra Scott wishes to host the 5th Annual Senior Citizens Breakfast at the Carl Rhodenizer Recreation Center on September 19, 2015. This event will have no impact on the County staff or programming services and will serve as an opportunity to educate seniors of the county on housing assistance and scams.

12. Approved Resolution 2015-212 - A Resolution to allow State Representative Sandra Scott to host a Veteran’s Fish Fry at the Carl Rhodenizer Recreation Center. Vote unanimous.

Synopsis: State Representative Sandra Scott wishes to host a free Veteran’s Fish Fry at the Carl Rhodenizer Recreation Center on November 14, 2015. This event will have no impact on the County staff or programming services and will honor Veterans residing in House Districts 76 and 77, as well as Senate District 44.

13. Approved Resolution 2015-213 - A Resolution to amend Resolution No. 2015-89, which authorized Clayton County to submit a statement of need grant proposal to Promote Safe and Stable Families on behalf of Clayton County Extension Service and to provide funding for parenting education. Vote unanimous.

Synopsis: A Resolution amending Resolution No. 2015-89 which authorized Clayton County to apply for, and if awarded, accept grant funds from Promoting Safe and Stable Families in the amount of \$60,000.00 with the County matching funds in the amount of \$15,000.00 (\$75,000.00), to provide services for parenting education to prevent child maltreatment. The new amendment would be the grant fund amount of \$56,250.00 with the County providing a match of funds in the amount of \$18,750.00 which include cash as well as in-kind contributions. The county is required to execute a new application and cover form for this change.

Commissioner Rooks asked why the initial resolution was amended. Ms. Barnes stated that the initial resolution contained an error that stated a \$60,000.00 grant amount from PSSF, which is the information that was provided from Extension Services. Ms. Barnes also stated that there were some

POST SUMMARY MINUTES

percentage errors in the calculations as far as matching contributions as well. Commissioner Rooks also asked if the prior resolution mention the county giving them \$7,500.00 cash and \$11,250 in in-kind services for a secretary. Ms. Barnes apologized and stated that she did not have Resolution 2015-89 in front of her at the moment to review those terms.

Kim Riley, Clayton County Extension Coordinator, stated that she increased the amount of the in-kind funds.

14. Approved Resolution 2015-214 - A Resolution authorizing Clayton County to enter into certain Construction Agreements and an easement for the installation of electric service with the Georgia Power Company. Vote unanimous.

Synopsis: The County will enter certain construction agreements for electrical service and easement on certain property located at 7810 Highway 85, Riverdale, GA.

15. Approved Resolution 2015-215 - A Resolution authorizing Clayton County to enter into a Location Agreement with Jetsetter Productions, Inc., providing for the terms and conditions under which land, water and facilities will be used at 2300 Highway 138, SE, Jonesboro, GA for the purpose of photographing, filming and recording. Vote unanimous.

Synopsis: Jetsetter Productions, Inc. wishes to utilize certain property in Clayton County for the purpose of photographing, filming and recording.

Commissioner Rooks questioned if Jetsetter is going to pay the county \$650.00 just to utilize the county to take photographs and use them in any manner that they choose. Ms. Barnes replied that she doesn't think the county has to review or approve of any images that are taken by Jetsetter. Commissioner Edmondson stated that the photos are taken at the Clayton County International Park and Beach.

16. Approved Resolution 2015-216 - 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. Vote unanimous.

Synopsis: The County will enter into a Memorandum of Understanding with the Drug Enforcement Administration of the United States Department of Justice's (Atlanta Diversion Task Force) to allow the Clayton County Police Department to participate in the program.

17. Approved Resolution 2015-217 - A Resolution authorizing Clayton County to accept abandoned property pursuant to O.C.G.A §17-5-54(e) and Superior Court Order 2015CV02915-8 for official use by the Police Department. Vote unanimous.

POST SUMMARY MINUTES

***Synopsis:** The County will accept abandoned property pursuant to O.C.G.A §17-5-54(e) and a Superior Court Order to be officially used by the Police Department.*

18. Approved Resolution 2015-219 - A Resolution authorizing the Tax Commissioner of Clayton County to conduct Judicial In Rem tax foreclosures; authorizing the Tax Commissioner to enter into agreements for legal services. Motion passed 3-2. Commissioner Gregory and Vice-Chairman Hambrick opposed.

***Synopsis:** The Resolution with authorize the Tax Commissioner to conduct Judicial In Rem tax foreclosures and enter into agreement(s) for legal services with the legal counsel of their choice.*

Vice-Chairman Hambrick asked if the county was paying for the Tax Commissioner's attorney. Commissioner Edmondson replied that for the last several years there has been a contract with a local law firm for \$100,000.00 yearly flat fee to complete as many processes that needed to be completed. That amount was budgeted to do approximately 20 per month; however that has been increased to approximately 30-40 monthly, and the county has so many that the attorney's office could be doing 50-60 monthly. Instead of paying this office more, the proposal is to get rid of the \$100,000.00 yearly contract, and in turn there will be a flat per parcel, per case fee for the county, that will pay all of the fees for the county, the lawyers, and the Tax Commissioner. By doing this it will increase the volume of what is being done, and will not cost the county any additional funding.

Commissioner Rooks stated that the resolution says Mr. Terry Baskin, Tax Commissioner, gets to choose his own legal counsel. Ms. Barnes confirmed this.

19. Approved Resolution 2015-220 - A Resolution authorizing Clayton County to apply for and if awarded accept grant funds from the Criminal Justice Coordinating Council for the purpose of reducing recidivist matters within the Clayton County Juvenile Court. Motion passed 3-2. Commissioner Gregory and Vice-Chairman Hambrick opposed.

***Synopsis:** This Resolution will allow Clayton County Juvenile Court to apply for and if awarded accept a grant in an amount up to \$100,000.00 from the Juvenile Justice Coordinating Council for the 2015 Juvenile Justice Delinquency Prevention and Treatment Program.*

Commissioner Rooks asked what the difference was between this particular resolution and the preceding resolution; was it for \$750,000.00. Ms. Barnes stated that it was brought forth previously for the county to accept \$750,000.00 and to enter into service agreements with two vendors. Commissioner Rooks questioned if this goes directly to the Juvenile Court. Ms. Barnes stated that it is a re-imbursable grant and ultimately Juvenile Court will need a service provider to provide grant services as well. Commissioner Edmondson asked if this was within the budget of the grant funds or is this something that will be brought before the Board. Ms. Barnes stated that the money needed to pay

POST SUMMARY MINUTES

the grant would come from the grant. Ashley Martin, with Juvenile Court, stated that this is a separate program from the grant that was discussed previously; two different programs with two different vendors.

Commissioner Edmondson asked what would happen to the grant funded, Grant Coordinator in the future if grants aren't received. Ms. Martin replied that there are no Grant Coordinators funded for these grants.

20. Approved **Order for Remission:** State of Georgia v. Milika Monique Holmes and Anytime Bail Bonding Co., Surety (2013CR10719-FF, \$1,200.00) Vote unanimous.

Ms. Barnes requested an executive session to discuss real estate and litigation matters.

21. Held the Appointment to the Department of Behavioral Health and Developmental Disabilities Region 3 Advisory Council to fill the expired term of Dr. Angelita Howard. The term is for three years expiring on February 29, 2018. (Full-Board Appointment)
22. Held the Appointment to the Department of Behavioral Health and Developmental Disabilities Region 3 Advisory Council to fill the expired term of Ms. Michelle Fuqua. The term is for three years expiring on November 30, 2017. (Full-Board Appointment)
23. Held the Appointment to the Department of Behavioral Health and Developmental Disabilities Region 3 Advisory Council to fill a vacant seat formerly held by Mr. Brent Benedetti. The term is for three years expiring on April 2, 2016. (Full-Board Appointment)
24. Approved the appointment of Victor Lett to the Solid Waste Management Authority to fill the expiring term of Rodney Givens. The term is for four years expiring on August 20, 2019. (Full-Board Appointment) Vote unanimous. [Chairman Turner recommendation]
25. Denied ZONING PETITION: **ELLEN SMITH/ CUP-15/05-16 & BZA-15/06-69**

The Applicant, Ellen Smith on behalf of SBA Towers V, LLC c/o Carter Smith, is requesting a CUP (Conditional Use Permit) from Article 3, Section 3.31 HI (Heavy Industrial) District; a variance from Article 6, Section 6.37 TF-06.A.1 Design Standards for Telecommunication Facilities to reduce the tower height setback and a variance from Article 6, Section 6.37 TF-06.D.1, Landscaping to eliminate ten (10) feet wide landscape buffer requirement to allow for the construction of a new wireless communication facility (cell tower).

POST SUMMARY MINUTES

The subject property is located at 1053 Mt. Zion Road, Morrow, GA 30260 and otherwise known as parcel number 13-145A-E009. The subject property contains approximately 3.963 +/- acres of land and it is currently zoned HI (Heavy Industrial) District. Vote unanimous.

Commissioner District 4 – Michael Edmondson

The Zoning Advisory Group Recommended APPROVAL

Melissa Perignat, representative for the petitioner SBA Towers V, LLC, stated that the applications, if approved will result in the county's issuance of a conditional use permit with two variances. The two variances will allow for the construction, operation and maintenance of a new cell tower and related antennas and equipment, with approximately 1.3 acre portion of a developed industrial property located at 1053 Mount Zion Road. The property at 1053 Mount Zion Road is approximately 3.93 acres and is zoned HI for heavy industrial and is incrued with Gerber Collision and Glass repair shop. It is located to the rear and south of Firestone, which is on Mount Zion Road and is directly across the street from Southlake Mall. The applicant has leased a little over a tenth of an acre and has acquired utility and access easements. The proposed tower is a 150 foot multitenant monopole tower. The tower is designed to support Verizon Wireless (the initial user) as well as other carriers.

Commissioner Edmondson questioned how tall the Verizon Wireless pole that is 1.1 miles away. Ms. Perignat replied that she was not certain; however, most are 150 feet tall.

Commissioner Edmondson stated that he is concerned about the location for which the applicant wants to place this tower, as it is in such close proximity to the Southlake Mall, and an elementary school that is down the street from where it will be potentially placed.

26. Approved ZONING PETITION: **SHILOH BAPIST CHURCH/ CUP-15/05-15**

The Applicant, Shiloh Baptist Church, is requesting a CUP (Conditional Use Permit) from Article 3, Section 3.5 RS-180 (Residential) District to allow for a church to operate a private school on the property. The property is located at 8955 Fayetteville Road, Jonesboro, GA and otherwise known as parcel number 05-242C-A001. The subject property is approximately 8.75+/- acres of land. Motion passed 4-1. Vice-Chairman Hambrick opposed.

Commissioner District 3 – Shana M. Rooks

The Zoning Advisory Group Recommended APPROVAL w/conditions

Barbara Landfair, a Trustee for the applicant, asks that the Board approve this rezoning so that the church is able to expand to be able to provide more services to the community. As it is currently zoned, Shiloh is only able to hold church services. She stated that Shiloh Baptist Church owns the 20 acres that are adjacent to the property. There is a building that is on that property that is going through the

POST SUMMARY MINUTES

process of being refinanced, and the church did not want to tie the two together until the process of refinancing is complete, which should be within the next 90 days.

Commissioner Rooks stated that the recommendation from ZAG is approval based upon the two properties being connected. Ms. Landfair stated that this will be done upon the completion of the refinancing.

Ethelene Meadows, a member of Shiloh Baptist Church, presented before the Board of Commissioners in opposition of this approval. She stated that the pastor and deacons of the church met in a closed door meeting and decided that HOPE Academy would be approved to open up at the west campus. Ms. Meadows stated that they did not include the body, which are the members who pay the salary for the pastor. She stated that several members requested a meeting last Sunday to get more information in regards to what was taking place. Ms. Meadows stated that the meeting was denied. She stated that for this very reason she is asking that the decision be suspended or delayed, because it has not been agreed upon that the two properties would be combined.

Commissioner Edmondson stated that the language in the request says to build a private school; does the county code allow for the building of separate parcels, as the zoning would run with the land and could be possibly sold to another church or subletted to some other organization if this CUP is approved. Ms. Landfair stated that a school is not being built, but the existing church will be used as a school.

Commissioner Rooks advised Ms. Meadows that unfortunately the internal issues within the church has no bearing on the zoning.

Mary Wilson, a member of Shiloh Baptist Church, stated that the members do not agree with this zoning petition. She stated that most members are not aware of what is going on and do not want this school at the church. Ms. Wilson pleaded for the Board not to approve this petition.

Ms. Landfair stated that in regards to Ms. Meadows and Ms. Wilson, the youth church will still continue to be the youth church. There is a contract in place now with a private school that the church voted on, so that the school could come and utilize the facility, with a 57 (for) to 11 (opposed) votes in favor of the school being a part of Shiloh. Ms. Landfair stated that all the church is asking is to be able to use the building so that it can function as being more than just a church, which would bring in additional revenue, which would be good for the church and the community.

Commissioner Rooks stated that the Board is faced with the task of following or opposing the recommendation of what ZAG has proposed and whether or not it fits within the zoning desires. She asked that the Board follow ZAG's recommendation for approval with the previously mentioned condition of combining the two parcels into one parcel.

POST SUMMARY MINUTES

At the request of Chief Staff Attorney Christie Barnes, Commissioner Rooks read into the record the condition as follows: For the applicant who owns the adjacent property to the immediate south of the subject property, combine the two (2) parcels into one parcel to meet the required minimum 200 feet road frontage requirement for private schools.

27. Approved ZONING PETITION: **MOORE BASS CONSULTING, INC./PEZ-15/03-171**

The Applicant, Moore Bass Consulting, Inc., is requesting acceptance and signature of the Replat for Final Plat known as Northbridge Cove Subdivision, to correct errors identified on previously recorded plat. The properties located on lot(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 located at Haley Lane and Pernell Drive. The subject properties are approximately a combined 6.45 +/- acres of land and zoned Residential District. Vote unanimous.

Commissioner District 3 – Shana M. Rooks

The Zoning Advisory Group Recommended APPROVAL

Steve Moore, applicant, presented as a representative for the owner of all the lots that are platted within the Northbridge Cove Subdivision. He stated that after his client acquired the property, it was noted that there were errors on the previously recorded plat; the road that was built was not shown clearly on the map. The right of way that was platted was over the road. His company went in and corrected the issue without losing lots; some got bigger and others smaller, but no lots were lost.

Ms. Barnes stated that according to code for zoning ordinances, this matter has been reviewed by the technical review committee. According to the code, a zoning administrator would sign off on the approved plat that was approved by the technical review committee. Ms. Barnes stated that it is not clear that the Board's position is to approve a final plat, but at a minimum, the Board could designate who it wants to sign the plat. Commissioner Rooks stated that since the county does not have a Zoning Administrator at this time that Patrick Ejike, Director of Community Development, be designated to sign.

28. Approved ZONING PETITION: **SHAWN RILEY/CUP-15/06-14**

The Applicant, Shawn Riley on behalf of Decatur Properties, IV, Inc., is requesting a CUP (Conditional Use Permit) related to Article 3, Section 3.17 NB (Neighborhood Business) District to allow for the use of a child daycare facility. The subject property is located at **6048 West Fayetteville Rd, College Park, GA 30349** and otherwise known as parcel number 13-

POST SUMMARY MINUTES

122A B001. The subject property contains approximately 3.4 +/- acres of land and it is currently zoned NB (Neighborhood Business) District. Vote unanimous.

Commissioner District 2 – Gail Hambrick

The Zoning Advisory Group Recommended APPROVAL

Scott Carter, a representative for the applicant out of Columbus, Georgia stated that this is an existing childcare center that had been out of business for a number of years. The applicant is looking to redevelop and bring services back to the community.

29. Held ZONING PETITION: **BETTY C. DORSEY/RECZ-15/06-17**

The Applicant, Betty C. Dorsey represented by Robert G. Franks, is requesting an amendment to the Official Zoning Map from RS-110 (Single Family Residential) to GB (General Business) to allow for the primary use of an office on the property. The subject property is located at **6008 Old Dixie Highway, Forest Park, GA 30297** and otherwise known as parcel number 13-115A B006. The subject property is approximately 0.40 +/- acres of land. Vote unanimous.

Commissioner District 2 – Gail Hambrick

The Zoning Advisory Group Recommended DENIAL

Robert G. Franks, representative for the applicant, stating that Ms. Dorsey is requesting that the property be rezoned from its current RS-110 to general business. Upon rezoning, the applicant plans to use the space for a business office or travel agency for which there is an existing structure there.

Commissioner Edmondson asked if there were any plans for the existing structure. Mr. Franks explained that it would be brought up to meet code and ADA requirements and compliance as well as landscaping, and whatever else may be required at the time it is acquired.

Vice-Chairman Hambrick stated that she spoke with Community Development and the Legal Department and because ZAG is recommending denial, she would like further explanation on the language set forth. Ms. Barnes stated that the concern was with the general phrasing of the facility being limited to professional office uses. She stated that the Legal Department did consult with ZAG and the recommendation for approval comes if the applicant only uses the property for professional office uses.

Mr. Franks stated that he was unsure if the Board considered a travel agency as a professional office use, because that is what is being proposed to go there. Commissioner Rooks questioned what the

POST SUMMARY MINUTES

definition of a professional office is. Ms. Barnes stated an office used by members of a recognized profession, such as architects, artists, dentists, engineers, lawyers, musicians, physicians, surgeons, or pharmacists, and realtors, or insurance agents and brokers. Commissioner Rooks reiterated that those are just examples.

Vice-Chairman Hambrick requested that this be held until the second Board of Commissioner's Meeting, on September 15, 2015, until Zoning is able to actually discuss with the applicant what this building would be used for.

30. ZONING PETITION: **HECHT WALKER/PHO-15/07-2**

The Applicant, Hecht Walker Attorney at Law on behalf of Dave Avant, a recycling facility is seeking renewal of an EPD permit. Pursuant to the Georgia Department of Natural Resources, Environmental Protection Division public hearing requirements, comments and concerns will be accepted concerning the proposed permit issuance. The subject property is located at **3310 Grant Road in Conley, GA** and otherwise known as parcel number 12-243B-B-005. The property is currently zoned Heavy Industrial (HI) and is located within Land Lot 243 of the 12th District.

Commissioner District 2 – Sonna Gregory

NO Recommendation Required (For Public Hearing Only)

Robert Quinn, presented before the Board on behalf of the applicant.

Motion made by Commissioner Edmondson, second by Chairman Turner, to go into Executive Session to discuss real estate and litigation matters in the Commissioners' Conference Room at 9:13 p.m. Vote unanimous.

Motion made by Commissioner Rooks, second by Commissioner Edmondson, to go out of Executive Session at 9:28 p.m. Vote unanimous.

Motion made by Commissioner Edmondson, second by Commissioner Rooks, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 9:30 p.m.

Approved Resolution 2015-221, A Resolution re-authorizing Clayton County to convey interest in certain property located at 667 South Avenue. Vote unanimous.

POST SUMMARY MINUTES

There being no further business to discuss, motion by Commissioner Edmondson, second by Commissioner Rooks, to adjourn the Regular Business Meeting of August 18, 2015 at 9:32 p.m. Vote unanimous.