

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

January 5, 2016

POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Gail Hambrick, Commissioner Michael Edmondson, Commissioner Sonna Gregory, Commissioner Shana M. Rooks, and Clerk Sandra T. Davis. (NOTE: Sonna Gregory will be referred to as the "Vice-Chairman" in these minutes after the Board unanimously voted her in for this title per Resolution 2016-5. Any reference to the Vice-Chairman before that time will be noted as Vice-Chairman Gail Hambrick.)

1. Chairman Turner called the meeting to order.
2. Invocation was given by Carla Davis of Center of Prayer, Fayetteville, Georgia. The Pledge of Allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by Removing Resolution 2016-13 - A Resolution authorizing Clayton County to trade five (5) Glock Model 42, .380 Caliber handguns for the purpose of upgrading to five (5) Glock Generation 4 Model 43, 9 MM handguns for a net cost of \$1,047.50. Vote unanimous. Removing Item No. 9 (2) - Senior Services requests to delete the position of Health and Wellness Coordinator (grade 18) and add the position of Program Coordinator (grade 18). Vote unanimous. Motion by Commissioner Rooks, second by Chairman Turner, to adopt the agenda as amended. Vote unanimous.
4. Approved the December 15, 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) Superior Court Judge Albert Collier came forward to express his support for Resolution 2016-7 that is currently pending in the State Senate. He recalled the chronology of details leading to the request for approval of the resolution. He said the legislatures have requested that the Board of Commissioners send their support of HB 646, which would increase the salary supplement for Clayton County Superior Court Judges by \$10,000. He recalled that it has been ten years since they have received a supplement increase. He pointed out that several years ago, county employees received an increase, but they did not. He said this is the reason why he is asking for the board's support of this resolution.

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- 2) Carl Swensson, a member of Clayton County Citizens Oversight Committee (CCCOC) and resident of Henry County. He spoke of the date March 15, 2015, which is the day a young Officer Wallace was killed in an automobile accident while in the line of duty. He said there was a problem as to what was issued in the form of a death certificate and the reason being is the insurance policy this county has. He then spoke of his research in settlement offers by the county and how it relates to the insurance. He said other young officers could face the same fate, which means that their families would be unprotected, because there is no insurance coverage. He maintained that the county has no insurance on a fleet of 1,395 vehicles. If this is true and accurate, that means that none of the county vehicles are covered.

- 3) Quen Howard, Clayton County resident, approached the rostrum to announce the beginning of the volunteer tax service program. She asked that the board allow them to be back in the Clayton County Headquarter Library this year. If she is unable to continue to be in that location, she asked the board to find another location for the service. She said that it would only be on Saturdays beginning with the last Saturday in January until April 16, 2016, from 9:00 a.m. to 4:00 p.m. In conclusion, she thanked the board for their support.

6. PROCLAMATION: “Clayton County Recognizes Ms. Yulonda Darden Beauford for her service to Clayton County”. (Presented by Chairman Turner)

7. PRESENTATION: “Severe Weather Task Force Update”. (Presented by Fire Chief / EMA Director Landry Merkison)

Fire Chief / EMA Director Landry Merkison provided an update on the Severe Weather Task Force. With regards to the last Severe Weather Task Force Meeting held in the county, he pointed out that the task force came together to discuss what challenges we are facing based off of the weather patterns that are being predicted for the upcoming severe weather season. He said this year, in particular, is interesting as we are facing one of the biggest El Niño that we have ever seen, and it continues to grow in size. He briefly explained that El Niño is when the sea surface temperatures out of the Pacific gets warmer than usual and that’s what we are facing right now, and that’s what is causing the severe weather. He recalled the severe rains and flooding that we have experienced. This storm continues to grow month by month. Using an illustration, he pointed out the largest El Niño on record, which occurred back in 1997, as well as, an image of the El Niño that is currently developing. He described in details the effects of an El Niño, the damage that it causes and how this would impact the weather

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moving forward. All of the models coming out of the Climate Center predict that it will be wetter than normal in the southeastern United States.

He explained that the Georgia Department of Transportation (GDOT) has made several changes on how they are preparing to handle the upcoming winter weather. An Interstate map was included in the presentation to display the Winter Weather Brine Teams for road de-icing. Fire Chief Merkison maintained that GDOT would touch nothing but the main interstates; therefore, any of the state thoroughfares such as; Tara Boulevard, Highway 138, Highway 54 and other main roadways that run through Clayton County would not be touched. He pointed out that the responsibility would fall back on the county to keep those open and passable. Once the weather event hits and the brine is not working, the next image shows the Winter Weather Interstate Teams for de-icing, which is the sand, salt and gravel. In addition, he mentioned the Multi-Agency Traffic Strike Teams, which are the teams that would be sent out to clear traffic jams caused by stalled motorist, etc. He outlined the challenges to include the expanded responsibilities for handling icy road conditions and the need for a bulk product storage facility.

In conclusion, Fire Chief Merkison requested a consensus from the board to try and locate some temporary warehousing so that we can start to order bulk sand, gravel and salt from the suppliers to get it in here ahead of the winter storm. In the future, he said we would like to construct a facility for long term storage of bulk ice, salt and sand.

Vice Chairman Hambrick asked if the county has any of the brine that the State is using for the interstates, at which time, Chief Merkison replied that we do not. He determined that the process of making it is not complicated; however, the machinery is expensive.

In response to Vice Chairman Hambrick on what the time table is for what needs to be done in order to be ahead of the storm, Chief Merkison replied that it's kind of what we are asking permission to do, which is to locate some temporary warehouse spaces that we could bring back to the board. This would provide a temporary storage location for bulk sand, gravel and salt.

Chairman Turner asked if there was any opposition from the board to give Chief Merkison and his staff consensus to go forward with looking for temporary housing.

Commissioner Edmondson said with the consensus to move forward, this means that if one is located, he would be coming back before the board and ask for the financing. He then asked is there an expediency of time with the storms coming upon us, is there a budget that the board should consider

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from general fund or some sort of emergency pool. Chief Financial Officer Ramona Bivins advised that there is money that the county has to take care of the facility cost and if there is a consensus, we could do an emergency purchase. He then asked if the board needed to give consensus to move forward with the site location, material purchase, as well as, an emergency purchase authorization.

Commissioner Rooks asked what is the budget, at which time, Chief Financial Officer Bivins replied that we had discussed approximately \$100,000 for everything.

Chairman Turner reiterated that just to move forward with doing the research on it, would the members of the board be amenable to that. The members then gave their consensus, with no one expressing any objections.

Commissioner Edmondson called attention to the large amount of sand that is located at Clayton County International Park and asked if that was something that we could use now. Transportation and Development Director Jeff Metarko recalled that it has been discussed, and a couple of years ago, we did take a couple of loads out of there, but sand would only get you so far because you would need the salt to go with it. He explained that in order to be spread, the sand has to be dry.

8. Considered the 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 Sole Source Award: SS#2015-15-28 Purchase of X26P Tasers and Accessories for the Police Department**. (\$66,616.73 / Taser International, located in Scottsdale, Arizona. Funding is available through the Police Department Other Minor Equipment Funds). As requested by the Police Department. Pursuant to Section 2-136 (7) of the Clayton County Code of Ordinances, General Purchasing Methods; Central Services must determine if other products or service providers can satisfy the procurement requirements before making a determination of sole source procurement. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The Purchasing Agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source

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purchases will be clearly defined when presented to the Clayton County Board of Commissioners. Vote unanimous.

2) Approved the **Recommendation for a Sole Source Award: SS#2015-25 Annual Subscription from Power DMS for the Police Department.** (\$11,878.17 / Power DMS, located in Orlando, Florida. Funding is available through the Police Department's General Funds). As requested by the Police Department. Pursuant to Section 2-136 (7) of the Clayton County Code of Ordinances, General Purchasing Methods; Central Services must determine if other products or service providers can satisfy the procurement requirements before making a determination of sole source procurement. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The Purchasing Agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners. Vote unanimous.

3) Denied the **Request for First Contract Amendment: RFP #14-61 Clayton County Juvenile Court Diversion Program, Clayton County, Georgia.** (\$100,000.00 / ENA, Inc. dba Necco, located in Jonesboro, Georgia. Funding is available through the Juvenile Court Services Juvenile Justice and Delinquency Prevention (JJDP) Grant). As requested by the Department of Juvenile Court. Pursuant to Section 2-136 (2) of the Clayton County Code of Ordinances, General Purchasing Methods; 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. Motion to approve failed 2 – 3. Vice Chairman Hambrick and Commissioners Edmondson and Gregory opposed.

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

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1) Approved Sheriff's Office requests to delete the Work Release Coordinator position (grade 26) in lieu of the Lieutenant position (grade 26) that was requested and approved on November 3, 2015. Vote unanimous.

10. Approved Resolution 2016-1 - A Resolution providing for the designation of persons authorized to sign checks on the bank accounts of Clayton County. Vote unanimous.

Synopsis: This Resolution is a restatement of provisions contained in the Code of Clayton County regarding certain officials authorized to sign checks, drafts or other orders on accounts of Clayton County.

11. Approved Resolution 2016-2 - A Resolution prescribing the depositories of public funds for Clayton County. Vote unanimous.

Synopsis: A Resolution that authorizes the Board of Commissioners to prescribe the depositories of public funds for Clayton County.

12. Approved Resolution 2016-3 - A Resolution providing for the authorization of the Chief Financial Officer to deposit Clayton County funds into the Local Government Investment Pool. Vote unanimous.

Synopsis: This Resolution authorizes the Chief Financial Officer to make deposits or withdrawals of funds in the local government pool.

13. Approved Resolution 2016-4 - A Resolution providing for the designation of persons authorized to sign checks on a bank account of Clayton County. Vote unanimous.

Synopsis: This Resolution is a restatement of applicable provisions contained within the Code of Clayton County regarding officials and those additional individuals within the District Attorney's Office authorized to sign checks on the Witness Transportation Arrangements Account.

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14. Approved Resolution 2016-5 - A Resolution providing for the designation of the Vice-Chairman for the Board of Commissioners.

Synopsis: This Resolution will appoint a new Vice-Chairman as required at the start of each New Year.

Chairman Turner made a motion for Commissioner Sonna Gregory to be designated as the Vice Chairman for the Board of Commissioners, second by Vice Chairman Hambrick. Vote unanimous.

15. Approved Resolution 2016-6 - A Resolution providing for the establishment and publication of qualifying fees for each county office to be filled in the upcoming primary and general election. Vote unanimous.

Synopsis: A Resolution providing for the establishment and publication of qualifying fees for each county office to be filled in the upcoming primary and general election by February 1, 2016.

16. Dies due to the lack of a Motion for Resolution 2016-7 - A Resolution to establish Clayton County's support of House Bill 646.

Synopsis: House Bill 646 seeks to increase the Clayton County Superior Court Judges' salary by \$10,000.00.

17. Approved Resolution 2016-8 - A Resolution authorizing Clayton County to accept forfeited vehicles from Clayton County Police Department Drug Investigations. Vote unanimous.

Synopsis: A Resolution allowing acceptance of a 2002 GMC Denali Truck and a 1994 Lincoln Town Car.

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18. Approved Resolution 2016-9 - A Resolution authorizing Clayton County to accept forfeited property pursuant to Superior Court Order 2014CV003889-5 for official use by the Clayton County Police Department. Vote unanimous.

Synopsis: A Resolution allowing acceptance of 27 chainsaws, 9 leaf blowers, 9 weed eaters, 2 generators, 7 air compressors, 3 trimmers, 1 impact wrench, 1 air hammer, 1 ratchet driver, 1 welder, 1 towpower, 11 pressure washers, 7 lawn mowers, 2 battery chargers, 7 saws, 2 edgers, 4 drills, 1 Hilti ramset, 1 Bosch blue box, 1 sander, 1 tiller, 1 wagon, and 1 scooter granted to the County pursuant to Court Order.

19. Approved Resolution 2016-10 - A Resolution authorizing Clayton County to accept grant funds for tuition costs for attending National Drug Coordinator Training. Vote unanimous.

Synopsis: To accept grant funds from the State Justice Institute (SJI) in the amount of \$1,000.00 for Ms. Deborah Boddie to attend National Drug Court Coordinator Training, presented by the National Drug Court Institute (NDCI).

20. Approved Resolution 2016-11 - A Resolution authorizing the acceptance of one condemned vehicle to be assigned to the Police Department Fleet in a manner as will be in the best interest of the County. Vote unanimous.

Synopsis: A Resolution allowing acceptance of a 2001 Dodge Caravan Van.

21. Approved Resolution 2016-12 - A Resolution authorizing Clayton County to accept a donation of mattresses on behalf of the Clayton County Fire and Emergency Services Department. Vote unanimous.

Synopsis: A Resolution allowing acceptance of a donation of (175) Drive 15006 Inner Spring Mattresses from Mr. Kenneth J. McDaniel, Jr.

22. Approved Order for Remission: State of Georgia vs. Jacquez Harris and Free At Last Bail Bonds. Vote unanimous.

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Synopsis: An Order to pay Surety 95% of the bond amount under O.C.G.A § 17-6-72(e) (2) which will be 20,472.50.

Chief Staff Attorney Barnes requested an executive session on litigation and real estate.

23. Approved the reappointment of Lashonda Dillard to the Library Board to fill the expiring term for which she is currently serving. The term is for three years expiring on February 1, 2019. (Full-Board Appointment) [Commissioner Rooks' recommendation] Vote unanimous.

Motion made by Chairman Turner, second by Commissioner Rooks, to go into Executive Session to discuss litigation and real estate matters in the Commissioners' Conference Room 7:46 p.m. Vote unanimous.

Motion made by Chairman Turner, second by Commissioner Rooks, to go out of Executive Session at 8:12 p.m. Vote unanimous.

Motion made by Commissioner Rooks, second by Chairman Turner, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:15 p.m. Vote unanimous.

Chief Staff Attorney Barnes presented the following two resolutions as listed below for the board's consideration:

Approved Resolution 2016-14 - A Resolution authorizing Clayton County to enter into a settlement agreement settling all claims set forth in the matters involving Brenda P. Allen. Vote unanimous.

Approved Resolution 2016-15 - A Resolution authorizing Clayton County to enter into a settlement agreement and general release settling all claims set forth in the matters involving Marvin Davis. Vote unanimous.

There being no further business to discuss, motion by Commissioner Rooks, second by Chairman Turner, to adjourn the Regular Business Meeting of January 5, 2016 at 8:16 p.m. Vote unanimous.