

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

July 5, 2016

POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Sonna Gregory, Commissioner Gail Hambrick, 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 Pastor Emmett L. McCord, Jr. For Christ Sake Church, Jonesboro, Georgia. The Pledge of Allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by Removing Resolution 2016-136- A Resolution authorizing Clayton County to enter into a professional services agreement with Georgia Public Affairs, LLC providing for the terms and conditions under which lobbyist services will be rendered to the County. Vote unanimous. Amended the agenda by Removing Resolution 2016-130- A Resolution authorizing Clayton County to enter into an Intergovernmental Agreement with the City of Morrow, Georgia concerning the use of the countywide 700 MHZ Communications System. Vote unanimous. Amended the agenda by removing Central Services Item #1: Recommendation for Award: RFB #16-01 2016 SPLOST Milling and Resurfacing of Various Streets in Clayton County, Georgia (Transportation & Development). Vote unanimous. Amended the agenda by Removing **VARIANCE REQUEST: STEVEN ELLIS/ BZA-16/04-91 (Deferred from June 21, 2016 Meeting for Decision ONLY)**. Vote unanimous. Motion by Commissioner Rooks, second by Chairman Turner, to adopt the agenda as amended. Vote unanimous.
4. Approved the June 21, 2016 Regular Business Meeting minutes. Vote unanimous. Motion passed 3-2. Chairman Turner and Commissioner Edmondson abstained due to their absence from the meeting.
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. Mr. Ken Braden of Henry County, Georgia stated that he is a Facilities and Capital Improvement Manager for Jamco Properties. He stated that we own and manage twenty-one (21) complexes around Atlanta-including Clayton County. We are downsizing our portfolio and we are different than a lot of other property owners in that we invest in our communities to make them a better place while providing affordable living. He stated that in his fifteen

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- (15) years in this business he has seen Jamco Properties take properties and turn them around, and he has also seen owners walk away and let properties fall into such bad shape that the county has to come in and demolish them. It takes a lot of time and money to keep properties running at the quality standards that we have in place. We could easily sell these properties to several interested parties because we have invested so much in them. We worked very hard to take care of our residents; we have a social conscience- enough to see them taken care of. The new owners will be able to use the bond money- investing properties- in ways that we could not. In conclusion, Mr. Braden stated that he really does not understand why the county does not want to go along with this because it will not cost the county anything and will benefit everyone and the multi-family housing in Clayton County needs to be revitalized.
2. Mr. Richard de Gorter, a resident of Aldie, Virginia stated that he is Executive Director of the Linked Economic Development and Affordable Housing Foundation which is a twenty-two (22) year old non-profit that has three (3) missions: promote economic development and prosperity, promote the availability of affordable housing, and to otherwise relieve the burdens of government. We are the purchasers of these 1,085 units; today there are about 2,500 citizens- when we get full occupancy it will be closer to 3,000 citizens. This is a very meaningful thing to the board's constituents. We are going to preserve this housing for a minimum of fifteen (15) years we are going to improve the housing- so the disabled, disadvantaged, and seniors who live there will have higher quality lives. He stated that he is here tonight because we support good government. We have worked very hard with governments across the country and in other jurisdictions and we have tremendous open arm support from the local government for what we do. We've built animal shelters, elementary schools, public parks, senior housing, anything the government needs, it is our mission to re-facilitate good government. He would like the affirmative support of the board and he is asking for the board not to forge, tamper or impede their efforts and what they are trying to do for the citizens of Clayton County. In conclusion, he stated he does not understand why someone would not be in favor of doing things that promote economic development, which raises the tax base, which raises the quality of life of the citizens-both their social wellbeing and health and wellness. Clayton County's Economic Development Authority and the Chairman were both in favor of what we are doing, and for the board to put a Resolution on the agenda (Resolution 2016-141), we were shocked to not have the support of the county.

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- The citizens need to understand why the board is not in favor of preservation, renovation and having a non-profit come in to support good government.
3. Mr. Steve Wasserman of Cobb County, Georgia stated that his firm represents the purchaser (Linked Economic Development and Affordable Housing Foundation) of the properties as the Financial and Structuring Consultant. He stated that this is a really strange situation. It started out a routine and simple process but has gotten very complicated for some reason that none of us can understand. The board has heard from the seller who is very passionate about providing the highest quality of housing to his residents and a buyer as equally passionate about preserving housing for the long term. He stated he knows the board does not owe him nor the buyer any answers or explanations, but they do owe the owner- who pays over \$1 million in real-estate taxes to this community- and the people who live there an explanation. He asked anyone in the audience who either lives or works in these communities to please stand up in recognition. He pointed out that the people who stood up in recognition are just a small portion of those affected by this. The whole financing that was going to be issued by the Development Authority and these funds were at no cost or no risk to the county. In fact, the county would have made a fee in excess of \$150,000 on this transaction and an annual fee as well. For some reason, it was declined and he is curious as to why and maybe someone can give an answer as to why. So because the buyer felt that maybe there was a chance that there would be some issues, now that issuer is being prohibited from operating in this state or that is the proposal. These communities are occupied by families- many with children- there are seniors, veterans and handicapped. In conclusion, Mr. Wasserman asked the board is their refusal based on some type of discrimination against these groups or is it discrimination against people who may receive government support in their rent? We cannot figure it out, but we would sure like to hear why. So what we are seeing now is a situation where the U.S. Government is going to get involved; both HUD (Department of Housing and Urban Development) and the Attorney General's office for violations of the Fair Housing Act.
 4. Dr. Henry Anderson of Hampton, Georgia spoke of the crime in Clayton County in the unincorporated areas which is under the jurisdiction of the Clayton County Police Department during the years of 2013, 2014 and 2015. As stated in the last two (2) Regular Business Meetings that Category Number One (#1) of burglaries there was a significant decrease in burglaries, and a slight increase in Category Number Two (#2) of robberies. In

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- terms of Category Number Three (#3) larcenies-including stealing and shoplifting- there was a significant increase. In Category Four (#4) of Motor Vehicle Thefts there was a decrease. In terms of Category Five (#5) of aggravated assaults- in 2013, there were 572 reported cases of aggravated assaults in unincorporated Clayton County. In 2014, there were 661 cases of aggravated assaults and in 2015 there were 546 cases of aggravated assaults. His final analysis is that in a three (3) year period between 2013, 2014 and 2015, the number of aggravated assaults has decreased by 26. In terms of Category Six (6) of simple assault- in 2013, there were 2,989 reported cases of simple assaults in unincorporated Clayton County. In 2014, there were 3,103 cases of simple assaults and in 2015, there were 3,204 cases of simple assaults. His final analysis is that in a three (3) year period between 2013, 2014 and 2015, the number of simple assaults has significantly increased by 215. In conclusion, Dr. Anderson stated he will continue this presentation of crime statistics and information in unincorporated Clayton County during the next meeting to continue the purpose of showing that even though crime is slightly down to approximately three to five percent, there were categories where crime increased; the next two categories will be done at the next meeting.
5. Ms. Cyndi Hankins stated she is a resident of Henry County, Georgia but that she has been employed with Clayton County's 911 Center for nineteen (19) years. In an interview with WSB-TV two (2) weeks ago, a statement was made that the Police Departments and Fire Departments were getting 5.5% because the county was losing too many personnel to other agencies with higher salaries. We are a small department and nowhere near the size of the Police Department and Fire Department; however, in the last year we have lost twenty-three (23) people to higher salary jurisdictions. We have been on mandatory overtime for over four (4) years and in the last two (2) years we have been on twelve (12) hour shifts. She stated that too many times she has answered the phone and heard that it took longer than it should have for her to answer the phone. The call volume in 2015 was a total of 654,000 calls; so far this year we are at 332,155 calls. More money would help us hire and keep personnel. Ms. Hankins stated she was here when the county was good and she wants to see it that way again.

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6. Ms. Devorah Lane, a resident of Fulton County stated that she is employed at Clayton County's 911 Center. She thanked the board for the raise that employees are receiving and it has been about ten (10) years since there has been a raise and now she just needs to board to make it right. She stated that currently there are three (3) centers that have submitted a bi-partisan letter to the Board of Management in reference to correctly categorizing dispatchers as public safety telecommunicators. We have the support of senators in Washington, D.C. now we just need the 100% support of our very own local government. Those senators seem to know what it truly means to put your life on the line and they have even been privy to a study done by two (2) northern Illinois professors where they studied 171 dispatchers and they found that all of them displayed a wide range of symptoms of PTSD (Post-Traumatic Stress Disorder). As first responders, we live with flashbacks, nightmares, situational voidance, and hyper arousal, which mean that we have a hard time sleeping or concentrating. Those elected officials in Washington, D.C. may get that we don't see the carnage, but they understand that we visualize that carnage or wreckage. Those images and those sounds are seared into our psyche and branded onto our hearts forever. It is true, the dispatchers sit at a telephone console behind a radio, but it is behind the radio that impacts everything else. Allow us the honor once and for all of being considered public safety officials; we already came before the Board of Commissioners back in 2003 but shamefully we are back again, thus taking a step backwards. She stated we shouldn't have to fight the same fights every ten (10) or fifteen (15) years. In conclusion, she stated that currently we only have 43 full time employees and our average salary is under \$40,000.00. This means we are asking for an additional \$1,000.00 per year, per employee, inside of the Clayton County 911 Center. Our long time dispatchers are leaving to go to Fayette County, Fulton County, even as far north as the city of Chamblee in Dekalb County. In these counties, their dispatchers are already considered to be public safety. In conclusion, she stated her full support for the Board of Commissioners, especially Chairman Turner.

7. Mr. Paul Nally of Bartow County, Georgia stated that a little while ago we all stood and said the Pledge of Allegiance on liberty and justice for all. Unfortunately, rather than a speech this will be a demonstration. He turned around and addressed Clayton County's District Attorney Ms. Tracy Lawson in the audience, stating that she is under arrest... At this time Chairman Turner stated that Mr. Nally must address the board and not the audience... Mr. Nally turned back around and stated to the board that District Attorney Lawson is charged

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with three (3) federal felonies. He stated he is turning custody of her over to the law enforcement officer over to the left. We will then proceed on to the Magistrate Judge. This is what happens unfortunately when public officials ignore the rights, privileges and immunities of citizens.

8. Mr. Carl Swensson of Henry County, Georgia stated that he is a member of the Clayton County Citizens Oversight Committee. He stated he is here to invoke his absolute right to also affect a citizen's arrest using Title 17, Chapter 4, Article 4, Subsection 17; 460, 461 and 462; the crimes being committed are Title 45, Chapter 3, Article 1, 45-3-1 and 45-11-1. These crimes have been committed by three (3) people: Commissioner Rooks, Commissioner Edmondson and Commissioner Hambrick. He stated that it is our absolute right as citizens of the state to affect these arrests and it is incumbent upon the peace officers here to now take them into custody. This meeting should officially be over because the said board members are in violation by virtue of the fact that they still hold State money and have been in violation of their oaths when they took it this go around. He stated to Chairman Turner that he will not be putting him under arrest, because he has to have some continuity in the government in the meantime to make sure things get paid, but that he is also in violation of this as is Sheriff Victor Hill; two years of owing the State. He pointed out that in the first sentence of the oath that it clearly states that you are not in possession of any State owned funds. He addressed the peace officers and commanded that they come and take possession of the commissioners and if they do not; then, they are in violation of their oath of office and violation of all that is sacred to everybody here in this county. Chairman Turner asked Mr. Swensson to address the board. Mr. Swensson reiterated his command "please do not hesitate, please do your job, please take custody right now... we need resolution". Chairman Turner asked Mr. Swensson if he had finished his comments, at which time, Mr. Swensson replied that he is finished.

9. Mr. Joseph Earl Dabney stated that he has been a resident of Clayton County for the past sixteen (16) years. He stated that recently he paid forty dollars (\$40.00) to unload his trailer with 100 pounds of material. Another trailer from Fayetteville came through, which had literally twenty (20) times the amount of material than his, and still paid the same forty dollar (\$40.00) fee that he paid. Clayton County residents are paying twice the amount. We

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pay for the landfill; then, we pay again to use the landfill. He stated that raises the following questions: why there is a flat rate up to 2,000 pounds, why was the yard debris area closed off so that the tree limbs and recyclables are going into the same place as the regular trash in the landfill, and most importantly, why are Clayton County residents subsidizing the residents and businesses from other counties; they do not pay taxes here or vote here; therefore, why are they paying the same rate at the landfill that Clayton County residents are paying?

Chairman Turner stated that we will have a presentation about the landfill so we can give additional information. The Solid Waste Authority Board has a meeting on Thursday, July 7, 2016 at 10AM. He encourages Mr. Dabney to attend the meeting and at that time he will be asking the board to come up with some other options.

10. Mr. Nick Tolbert of Clayton County declined to speak when called on to address the board.

11. Ms. Valerie Henderson a resident of Clayton County is speaking on behalf of Trinity Park Subdivision. She stated she is here for three (3) reasons: we have a lot of teenagers that are racing down our street, Warren Drive, and it is very dark and when they hit the cul-de-sac they go into the trees. She stated that she has been there for thirty-two (32) years and has to sit on her porch in the morning and listen to the screams of these kids; she has called 911 several times. Bruce Mercer is one of the people from the Transportation and Development Department and he did hear her cry and put diamonds down in the cul-de-sac so hopefully the lights would hit the diamonds to let you know the street ends. The only thing she would like to see is that they get better lighting down there in her subdivision on Warren Drive and Trinity Park Drive, because it is pitch dark down there.

Chairman Turner pointed out that the Transportation and Development Department Director is Jeff Mertako, who is seated in the audience, and suggested that she meet with him to discuss the process of applying for streetlights in her subdivision. Commissioner Rooks pointed out that Mr. Mertako stated that we have a Streetlight Petition for this subdivision listed on the agenda.

6. PRESENTATION: "Landfill Status and Fees". (Presented by Mr. Jeff Metarko, Director of Transportation and Development)

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Mr. Jeff Metarko, Director of Transportation and Development provided a Powerpoint presentation about the Landfill update. He began by showing the Site 3 area, where we are disposing of trash right now and, both Sites 1 and 2 which are our old closed landfills. He continued his presentation by showing visuals of the entrance road where most citizens do not see, views from the closed landfills, views of the gas extraction well which shows how it looks installed in a finished landfill, and of the disposed debris behind the extraction well. He also discussed the tons disposed and average tons per day disposed over the years (2008-present). Of course when the economy went down, it can be seen that we had lower disposal rates. Also per day disposal rate is illustrated, showing that our intake has drastically gone up. He illustrated the current fill level cross section for the current landfill, showing that Cell Five (5) and Cell Six (6) have not been developed yet and there is no trash coming into there. This is idealistically the height that we would be able to install debris.

Mr. Mertako points out a limit shown on the cross section illustration which is our current guess as to how high we are and how much space we have left to dispose of waste. He pointed out the area that has already been filled as well as the area that is permitted by EPD but has yet to be developed to receive waste. He continued his illustration by showing the gas extraction wells and the piping of the wells. If something does not give, we will begin to have safety and capacity issues around these wells. He stated that looking at the big picture of the landfill, this data is about one (1) year old and is an updating cycle. He illustrated the estimated remaining disposal time frames of the landfill.

Mr. Mertako stated that if looking at the whole capacity of the whole landfill, there is about twenty-five (25) years, which does not consider the development of Cell Five (5) and Cell Six (6). Not including Cell Five (5) and Cell Six (6) we are at about twelve and a half (12.5) years. This total before factoring in the huge increased disposal rate in the intake we have been seeing and the inert site impact. If this is taken into consideration, we are looking at about six and a half (6.5) years' worth of capacity given our current intake. Our gas extraction wells, which are essentially in the way of putting out trash then this could step down to one and a half to two (1.5 - 2) years' worth of capacity. If something does not change in one and a half to two (1.5 - 2) years then we will be closing the landfill. He stated that a simple solution to this problem would be to remove the wells, but there could be conflict to other county operations and other aspects of the county's government.

Mr. Mertako stated the landfill issues including the Landfill County Service versus Enterprise Operation, the true cost of disposal which went from eighty-four dollars (\$84.00) per ton to one-hundred eight dollars (\$108.00) per ton, transfers from the General Fund-the last couple of years it has been around one-million dollars, Revenue versus disposal volumes, Cell Five (5) and Cell Six (6)

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development costs which several years ago was about \$7.5 million to make that area ready to receive trash, the gas to energy plant/inert waste and other internal county operations, which totaled to around \$600,000.

He stated that the potential next steps for the landfill project is to develop Cell Five (5) and Cell Six (6) which will cost around \$7.5 million; to have a Waste Transfer Station; budget the closure and post closure expenses which is pushing around \$8 million; Waste Collection Service Regulation; internal county government usage only; and disposal fees: which include county versus non-county, business versus residential, property owners versus citizens, volume limits (which is counterintuitive to a landfill), and tonnage rate versus minimum. There is a possible \$10 million to \$12 million that we might be facing to deal with the landfill over the next couple of years.

In conclusion, he talked about the landfill disposal fee increase timeline. He stated that there was a SWMA (Solid Waste Management Authority) Vote on May 26, 2016 and the Board of Commissioner Meeting on June 7, 2016 in which this project was discussed. Website notification of upcoming increase and handouts at the landfill were released on June 8, 2016. On June 9, 2016, signs were posted at the landfill; its effective date was published as of July 1, 2016. On the same day of July 1, 2016, website pages were updated with the new fees and news articles like the Clayton County News Daily and Atlanta Journal Constitution were updated with the information.

Commissioner Hambrick asked do we still have an effective date and price increase. Chairman Turner and Mr. Mertako stated that it went into effect on July 1, 2016. Commissioner Edmondson stated that he had a couple questions on the financing. He recalled there were some bonds issued several years ago for the purchase development closure and post closure costs and is there is a service that is current on that right now. Mr. Mertako answered that yes, the landfill pays for that service on bonding. Commissioner Edmondson then stated that in regards to the proceeds for those bonds is there an amount set aside for the closure and post closure costs. Mr. Mertako stated he does not know if it is in a trust fund or not, but that most of the closure monetary comes from the yearly budget. Ramona Bivins, Chief Financial Officer stated that it is about \$3.5 million.

Commissioner Edmondson asked if the landfill closes in about a year or two (2) where does the revenues come from to continue the service that bond and would the SWMA default; are these bonds revenue bonds or were they collateralized by the county. Chief Financial Officer Bivins responded that they are revenue bonds. Commissioner Edmondson also asked do we have any idea what the outstanding principal is- and estimated about \$10 million to \$15 million. So we have \$10 million to \$15 million or more in bonded debt, how much was the approximate sell proceeds with the portion of

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the landfill that was sold a few years ago. Mr. Mertako answered that he believes it was around \$1.6 million. In response to another question from Commissioner Edmondson, Chief Financial Officer Bivins advised that she would have to check the financial records to determine if the money was put in a reserve. Commissioner Edmondson stated that money may or may not be set aside for this. In regards to the \$3.5 million, Chief Financial Officer Bivins advised that some of that may be for Site One (1), but we need to check to confirm that as well. Therefore, we may not have the full \$3.5 million for the current site for closure, but we need to check the bond documents. Commissioner Edmondson stated that there is a chance we might be \$10 million to \$15 million more in bonded debt that does not have a revenue source to fund, in addition to \$10 million in closure and post closure costs; so about \$20 million to \$30 million of costs in a landfill that might close in a year or two. Mr. Mertako confirmed that it could be if the financials are on that side.

Commissioner Rooks asked Interim Chief Staff Attorney Jack Hancock that when she looked at our Ordinance as provided in Code Section 78-1(1), it reads that “all who deposit solid waste, garbage, refuse on other similar materials in the county landfill shall pay a fee. This fee is established and may be modified as needed by the Board of Commissioners of the county”. She asked why is the board not in charge of modifying or determining what the fee is. Mr. Hancock answered that once the SWMA was created it is governed by State Law. State Law, which is found in O.C.G.A. 12-8-50 specifically O.C.G.A. 12-8-56 which is the powers, duties and authorities; Subsection 10 indicates that authority has the right to fix the charges; so State Law just trumps Ordinance 95-44 and once the board created that authority, it lost the right to set the rates. Commissioner Rooks asked do we need to appeal it and Mr. Hancock stated that they could appeal it or could dissolve the authority but would have to account for the debt and the operations. After further questions from Commissioner Rooks, Interim Chief Staff Attorney Hancock then recommended appealing it.

Commissioner Hambrick stated that this is a board made up of citizens, so she encourages all citizens that have concerns to attend the SWMA board meetings. Chairman Turner stated that at the end of the day, something still has to be done and that we will have a meeting on Thursday, July 7, 2016 to discuss that very matter.

Commissioner Rooks asked what the percentage is of people who use the landfill who are from outside the county. Mr. Mertako answered about forty percent (40%) - which are customers with non-county internal operations- are Clayton County citizens and the majority are coming from Henry County. Commissioner Rooks asked is there a way to get a higher rate for those who live outside the county that use the landfill. Chairman Turner stated that is one of the issues that will be discussed at the July 7,

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2016 SWMA Board Meeting. Commissioner Hambrick asked what is the total percentage used by the county. Mr. Mertako answered in terms of internal operations we are at about twenty percent (20%) of how much is being disposed and historically in the last four to five (4-5) years it has been closer to thirty percent (30%); there are a lot of repeat customers and we have never had a problem. Commissioner Hambrick asked do we have any large companies and commercial businesses that use the landfill. Mr. Mertako answered that a couple at times do but, most of the industry is structured to where one's collection agency has their own landfill; therefore, their business model is to go deposit the refuse, trash and debris in their own landfill.

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 Award: RFP #16-32 Brokerage Services for Property and Casualty Insurance for Clayton County, Georgia – Annual Contract** (Edgewood Partners Insurance Center dba EPIC Insurance Brokers & Consultants, located in Duluth, Georgia. Funding is available through the County's General Fund). 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. Vote unanimous.

- 2) Approved the **Recommendation to Amend: RFB #14-36 CRS-2H Liquid Asphalt Supply Services for the Department of Transportation and Development – Annual Contract**. (Accept the Assignment of Contract from the awarded vendor, Associated Asphalt Conley, LLC d/b/a Seaco Asphalt Emulsions, to Ergon Asphalt & Emulsions Inc.) As requested by the Department of Transportation and Development. Vote unanimous.

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3) **Recommendation for Renewal and/or Amendment of Annual Contracts:**

1. 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. Pursuant to Section 2-136: (1) of the Clayton County Code of Ordinances, General Purchasing Methods; 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. 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.

A. Approved **RFB #14-20 Clayton County Janitorial Supplies - Annual Contract Renewals and Amendments to adjust items, and cost due to manufacturer's increase (Multi-Award) with: (1) Break-Thru Solutions Janitorial**, located in Snellville, Georgia; **(2) Dade Paper Co.**, located in Austell, Georgia; **(3) GA Correctional Industries**, located in Decatur, Georgia; **(4) Interboro Packaging Corp.**, located in Montgomery, New York; **(5) KACO Supply Company**, located in Smyrna, Georgia; **(6) People's Janitorial Supply**, located in Forest Park, Georgia; and **(7) Pyramid School Products**, located in Tampa, Florida. The renewal period is from July 16, 2016 through July 15, 2017. There are no remaining renewals on this contract. The Board of Commissioners approved this award on July 15, 2014. Vote unanimous.

4) Approved the **Request for a Sole Source Award: SS # 2016-29 for the Support and Maintenance of the Clayton County Public Safety 700 MHz Project 25 Radio Communications System (Information Technology)**. (\$438,374.00 / Motorola Solutions Inc., located in Schaumburg, IL. Funding is available through the Information Technology FYE 2017 budget). As requested by the Department of Information Technology. 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

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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.

5) Approved the **Request for Change Order No. 25 Amendment: RFP #13-40 SPLOST Construction Management at Risk Services for the Construction of Clayton County Fire Department Multipurpose Building.** (Credit to be returned to the SPLOST Undesignated Fund for reallocation). As Pursuant to Section 2-136 (2) of the Clayton County Code of Ordinances, General Purchasing Method; 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.

Commissioner Edmondson asked in relation to RFP #13-40 SPLOST Construction Management at Risk Services for the Construction of Clayton County Fire Department Multipurpose Building, there was a conversation a year or so ago about the costs associated with this project and he is wondering if this is an acknowledgment, settlement, or other issues being pursued regarding the cost incurred. Debra Brewer, Director of Central Services answered that we added contingency for unknowns and this is just the return of those contingencies. Commissioner Edmondson asked is this specific to the fund and nothing to do with the police precinct and some of those issues? Ms. Brewer stated no, just with the Clayton County Fire Department Multipurpose Building.

8. Consider requests of Nella Cooper, Human Resources Manager.

1) Approved The District Attorney's request for reclassification of its Executive Secretary from grade 20 to grade 23 and Legal Assistant II position from grade 18 to grade 20. Vote

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unanimous.

**Savings of \$6,699.00*

- 2) Held the Recommendation for the Zoning Administrator position.
9. Approved Resolution 2016-131 - A Resolution authorizing Clayton County to accept a donation from Systems and Methods, Inc. of a five thousand gallon aviation fuel truck. Vote unanimous.

Synopsis: This Resolution allows the County to accept a donation of a 1977 International Harvester Model CO1950B 5,000 gallon aviation fuel truck (VIN D1045HCA11844) from Systems & Methods, Inc. of Carrollton, Georgia.

10. Approved Resolution 2016-132 - A Resolution authorizing Clayton County to reimburse a sterilization fee paid by Sharon Renee Dochin. Vote unanimous.

Synopsis: This Resolution allows the County to reimburse Sharon Renee Dochin for a sterilization fee in the amount of Forty Dollars and 00/100s (\$40.00).

11. Approved Resolution 2016-133 - A Resolution authorizing Clayton County to accept a vehicle seized for forfeiture by the Clayton County Police Department Drug Task Force. Vote unanimous.

Synopsis: This Resolution allows the County to accept title to a 2006 Saturn Ion Level 3, VIN 1G8AW15B66Z114537 seized during a drug investigation and to assign said vehicle to the Clayton County Police Department for the purpose of enhancing law enforcement.

12. Approved Resolution 2016-134- A Resolution authorizing Clayton County to accept a vehicle seized for forfeiture by the Clayton County Police Department Drug Task Force. Vote unanimous.

Synopsis: This Resolution allows the County to accept title to a 2007 Chevrolet Silverado C150, VIN 2GCEC190471733057 seized during a drug investigation and to assign said vehicle to the Clayton County Police Department for the purpose of enhancing law enforcement.

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13. Approved Resolution 2016-135 - A Resolution authorizing Clayton County to convey an easement to Georgia Power for the purpose of installing electric distribution service to the Clayton County Animal Shelter. Vote unanimous.

Synopsis: This Resolution allows the County to convey Georgia Power an easement to the Clayton County Animal Shelter located at 3199 Anvilblock Road, Ellenwood, Georgia.

14. Approved Resolution 2016-137 - A Resolution authorizing Clayton County to convey a permanent easement and a temporary construction easement to the Clayton County Water Authority associated with construction of a new sanitary sewer force main. Vote unanimous.

Synopsis: This Resolution allows the County to convey to the Clayton County Water Authority a permanent easement and a temporary construction easement for the property identified by tax map parcel number 12048A I007 located at 102 Cecilia Circle, in Jonesboro, Georgia.

15. Approved Resolution 2016-139 - A Resolution authorizing Clayton County to enter into an Aging Subgrant Contract with Atlanta Regional Commission providing for the terms and conditions under which the County will receive grant funds to render services in connection with older adult programs. Vote unanimous.

Synopsis: This Resolution allows the County to enter into an Aging Subgrant Contract with Atlanta Regional Commission in order to receive a grant in the amount of \$600,280.92, with a match of local funds in the amount of \$530,000.00, which will be allocated to Home Delivered Meals, Medical Transportation, Direct Route Transportation, Congregate Meals, Senior Recreation, Alzheimer's Respite Care, Homemaker, and Kinship Care.

16. Approved Resolution 2016-140 - A Resolution authorizing Clayton County Corrections Department to enter into an intergovernmental agreement to receive financial incentive awards through a fund administered by the Georgia Department of Corrections for establishing GED classrooms or learning centers and expanding learning time and access to resources in County Correctional Institutes. Vote unanimous.

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Synopsis: This Resolution allows the County to enter into an Intergovernmental Agreement with Georgia Department of Corrections for establishing GED classrooms or learning centers in county correctional institutes.

17. Approved Resolution 2016-141 - A Resolution disapproving the financing by the Public Finance Authority of a capital improvement project to be located within Clayton County, Georgia. Motion passed 3-2. Chairman Turner and Commissioner Rooks opposed.

Synopsis: This Resolution establishes that the Board of Commissioners does not approve or authorize the operation of the Finance Authority, the issuance of bonds, undertaking of obligations, or other financing by the Finance Authority for or in connection with any project located within the boundaries of Clayton County, Georgia.

Chairman Turner stated that he has a question for the board because he is confused. The Clayton County Housing Authority does exactly what these gentlemen are asking us to do in reference to this bond. The Clayton County Housing Authority provides for affordable housing through the apartment complex, they work with individual investors to provide bonds; matter of fact, since 1982 when the Clayton County Board of Commissioners created the Clayton County Housing Authority, the Clayton County Housing Authority has entered into roughly fifteen (15) deals with affordable housing apartment complexes within Clayton County; he asked how this is any different from anything else we have been doing within our county board. He stated he poses this question to Commissioner Edmondson, since he is the author of this legislation but at the same time, he stated that he does believe like the rest of the people he has asked that Commissioner Edmondson owes the citizens of Clayton County an explanation.

Commissioner Edmondson stated in response that he cannot speak as to the history of the Clayton County Housing Authority, but as Chairman Turner has said countless times let us put it to the board. He stated he has added this to the agenda, and he simply does not think it is in the best interest of the county and so he put it to the board.

Chairman Turner stated to Commissioner Edmondson that when he said it is not in the best interest of the county, these apartment complexes are ninety plus percent (90+%) occupied. This affects the livelihood of the men and women both young and old that live in these apartment complexes. Chairman Turner stated that he would think that when we were elected as elected officials to represent

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Clayton County citizens, that their best interest is to provide them with the best quality of life that is affordable. These gentlemen are putting up money to renovate and beautify the properties in which they are living in; how is that not in their best interest?

Commissioner Edmondson answered that he does not want to debate it with him and if he feels that it is his job to provide the best quality of affordable living that is certainly is his prerogative. He stated he simply does not think it is in the best interest of the county. Chairman Turner stated that he still feels that is not sufficient but if that is his answer; then, he guesses we just have to accept that.

Interim Chief Staff Attorney Jack Hancock requested an executive session on litigation.

18. Accepted a Street Light Petition Addition to Existing Street Light District Trinity Park Subdivision in District 3 - Commissioner Shana Rooks. Vote unanimous.
19. Approved the Appointment of Kenneth Gilmore to the Veterans' Advisory Board to serve in a new seat. The term is four years expiring on June 6, 2020. (*Vice Chairman Gregory's Appointment- District One*). Vote unanimous.
20. Held Appointment to the Veterans' Advisory Board to serve in a new seat. The term is four years expiring on June 6, 2020. (*Commissioner Edmondson's Appointment- District Four*)

Motion made by Commissioner Rooks, second by Chairman Turner, to go into Executive Session to discuss litigation at 8:19 p.m. Vote unanimous.

Motion made by Commissioner Rooks, second by Chairman Turner, to go out of Executive Session at 8:53 p.m. Vote unanimous.

Motion made by Commissioner Rooks, second by Chairman Turner, to reconvene the Regular Business Meeting at 8:55 p.m. Vote unanimous.

Attorney Jack Hancock presented two (2) items before the Board for their consideration from the executive session:

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Approved the first item, which is Resolution 2016-142- A Resolution authorizing Clayton County to enter into a Settlement Agreement, release of all claims, and indemnity agreement with Shalonca Hendrix in the amount of sixty-five thousand dollars (\$65,000.00). Vote unanimous.

Synopsis: This Resolution allows the County to enter into a “Settlement Agreement, Release of All Claims, and Indemnity Agreement” (hereinafter “Settlement Agreement”) to settle all matters involving Shalonca Hendrix.

Attorney Jack Hancock stated the record is to reflect the Executive Session was held for litigation and in addition to that, personnel matters.

Approved the Recommendation of Chief Operating Officer Detrick Stanford to appoint Ms. Carol Rogers as the Interim Director of Central Services. Also, the caveat to that would be that Risk Management Division of Central Services would also answer to the Legal Department. In response to Chairman Turner, COO Stanford advised that the effective date would be Saturday, July 9, 2016. Vote unanimous.

There being no further business to discuss, motion by Commissioner Rooks, second by Chairman Turner, to adjourn the Regular Business Meeting of July 5, 2016 at 8:57 p.m.