

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

January 12, 2010

POST SUMMARY MINUTES

PRESENT: Chairman Eldrin Bell, Vice-Chairman Wole Ralph, Commissioner Sonna Singleton, Commissioner Michael Edmondson, Commissioner Gail B. Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Bell called the meeting to order.
2. Invocation led by Pastor Bruce Francis of Macedonia A.M.E. Church in Rex, Georgia. Pledge of allegiance to the flag led by Chairman Bell.
3. Amended the agenda by moving Item #18 (Ordinance 2010-14 – Ordinance to amend the Official Zoning Map for Clayton County, Georgia; to provide for the establishment of Districts) to being heard before Item #24 (Zoning Petition for Mildred D. Lowe) and adding a Board Appointment to the Development Authority/Redevelopment Authority Board, as requested by Commissioner Edmondson (prior to the Zoning Petition for Mildred D. Lowe). The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the minutes of the January 5, 2010 Regular Business Meeting. Vote unanimous.
5. PROCLAMATIONS: “Clayton County Honors the Aging Program Advisory Board, the Frank Bailey Senior Advisory Council, and the J. Charley Griswell Senior Center Advisory Council” (presented to board members; Tori Strawter, Senior Services Administrator; Mary Byrd, Director of Senior Services; and various managers). NOTE: Clerk Haywood read a proclamation for the benefit of the audience, and group photos were taken.
6. Rod Gray, Director of Central Services, brought forward these items which resulted in the following actions:
 - 1) Purchase Requisition (#11678) for fifty (50) Laptops and ten (10) Desktop PC's with software, as requested by the Police Department. The purpose of this project is to upgrade and improve the technology of the computers used by the Police Department. This recommendation includes purchasing DELL E5500 Laptops, Optiplex 780 Desktop PC's, and software from DELL Computer Corporation located in Round Rock, Texas, by utilizing the State Contract #SWC90814. The quoted price of the purchase is \$75,481.50, and funds are available through the Federal Narcotics Fund. Vote unanimous.
 - 2) Annual Contract/Bid (RFB Pkg. #09-54; 12/15/09) to purchase Re-Manufactured Training Ammunition for the Clayton County Police Department. The bids for this project were evaluated by Interim Chief Robinson of the Police Department and his staff. The recommendation is to award this contract to Atlanta Arms and Ammo located in Social Circle, Georgia. Atlanta Arms and Ammo was the sole bidder for this requested annual contract. Vote unanimous.

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7. Angela Jackson, Director of Finance, submitted these items for consideration which resulted in the following actions:

1) Approved Budget Amendment #2-22 (Local Assistance Grant Funds) to amend the budget, in the amount of \$75,948.00, to establish funds for Clayton Clean & Beautiful. This amendment will also delete the positions of Clean & Beautiful Manager and Principal Secretary for the Landfill. Vote unanimous.

2) Approved Budget Amendment #2-23 (Professional Services) to amend the budget, in the amount of \$353,946.00, to provide funds for a Disparity Study for the county. Vote unanimous.

3) Approved Budget Amendment #2-24 (Other General Government) to amend the budget, in the amount of \$104,405.00, to provide funds to close the OIG Audit of the Tinch case. Vote unanimous.

8. Approved Resolution 2010-04 – Authorizing Clayton County to enter into a grant agreement with the Office of the Governor Criminal Justice Coordinating Council on behalf of the Clayton County Juvenile Court and, in accordance therewith, accept grant funds (\$29,106.00) for the VOCA Program. A match of \$7,277.00 is required from the county. Vote unanimous.

9. Approved Resolution 2010-05 – Authorizing Clayton County to enter into a contract with the Georgia Department of Human Resources on behalf of the Clayton County Juvenile Court and, in accordance therewith, accept grant funds (\$38,000.10) for the Promoting Safe and Stable Families Program. A match of \$12,666.70 is required from the county. Vote unanimous.

10. Approved Resolution 2010-06 – Authorizing Clayton County to enter into a reimbursable Memorandum of Understanding with the Georgia Department of Human Resources on behalf of the Clayton County Extension Service providing for the terms and conditions under which Parent Aide Services will be rendered to the County. Vote unanimous.

11. Approved Resolution 2010-07 – Authorizing Clayton County to enter into a contract with the Georgia Department of Human Resources on behalf of the Clayton County Extension Service and, in accordance therewith, accept grant funds (\$31,959.90) for the Promoting Safe and Stable Families Program. A match of \$10,653.30 is required from the county. Vote unanimous.

12. Approved Resolution 2010-08 – Authorizing Clayton County to enter into a contract with the Georgia Department of Human Resources on behalf of the Clayton County Aging Department and, in accordance therewith, accept grant funds (\$39,375.00) for the Promoting Safe and Stable Families Program. A match of \$13,125.00 is required from the county. Vote unanimous.

13. Approved Resolution 2010-09 – Authorizing Clayton County to accept a donation

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(\$3,150.00) from the Lake Spivey Seniors Golf Association on behalf of the Clayton County

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Aging Department. Vote unanimous.

14. Approved Resolution 2010-10 – Authorizing a refund of property taxes to NNN Villa Apartments, LLC for the tax year 2009; The Clayton County Board of Commissioners authorizes a refund of an R.E. Tax Credit (\$249,009.48) to NNN Villa Apartments, LLC for the tax year 2009. Vote unanimous.

15. Approved Resolution 2010-11 – Prescribing the depositories of public funds for Clayton County. Vote unanimous.

16. Approved Resolution 2010-12 – Providing for the designation of persons authorized to sign checks on the bank accounts of Clayton County; to authorize the Clerk to furnish the depositories of Clayton County public funds with a copy of this resolution together with the required specimen signatures. Vote unanimous.

17. Approved Resolution 2010-13 – Providing for the authorization of the Director of Finance to deposit Clayton County funds into the local government investment pool. Vote unanimous.

18. Approved Resolution 2010-15 – Approving and authorizing the execution of an Intergovernmental Contract for the designation of a Recovery Zone and allocation of Volume Cap between Clayton County and the Development Authority of Clayton County. Vote unanimous.

Economic Development Director Grant Wainscott explained that under the 2009 American Recovery and Reinvestment Act, the federal government basically issued what is known as “volume cap”; the right to apply for discounted loans and asset bonds. Based on the population of any given community, a certain amount of volume cap is awarded. Clayton County was awarded \$33,000,000.00 (\$19 million in private activity bonds whereby development groups can apply for discounted rates and \$13-14 million for economic development bonds which cities, municipalities, and the county government can take advantage of for public projects; i.e., parking decks, water, sewerage, construction, etc.). The designation of Clayton County as a Recovery Zone allows it to be more competitive in a very tight capital market. Per Mr. Wainscott, this county does not have a lot of public financing whereby small/mid-sized banks are able to loan a lot of funds. It gives the county a very competitive edge for neighboring communities that did and did not in some cases receive recovery zone funds.

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The fact that Chairman Bell suggested that all of the county be designated as a Recovery Zone means many projects can now be considered; therefore, the designation has a positive impact on the county. Chairman Bell added that he asked the government to give this county any additional funds that are not being used by other counties.

19. Approved Resolution 2010-16 – Authorizing an amendment to the HUD Management

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Agreement with W. Frank Newton, Inc. to permit the employment of an inspector for the Minor Home Repair Program. Vote unanimous.

20. Approved Resolution 2010-17 – A Resolution to authorize an amendment of the lease agreement with Executive Aircraft Storage, LLC to permit Executive Storage to enter into a sub-lease with a production company for the purpose of permitting motion picture film production for a period of up to twenty-four (24) months on the premises leased by Executive Aircraft Storage, LLC from Clayton County, Georgia at Tara Field Airport, which use shall not impact or interfere with any aviation or other activity at the airport; and for other purposes. The motion carried 4-1; Chairman Bell opposed.

21. Approved Resolution 2010-18 – A Resolution authorizing Clayton County to enter into a short term lease agreement with Executive Aircraft Storage, LLC for certain unimproved property located at Tara Field; to specify the terms of said lease; and for other purposes. The motion carried 4-1; Chairman Bell opposed.

Mr. Wainscott gave the Board some background information regarding the project detail of Resolutions 2010-17 and 2010-2018. He described this project as a “fantastic” State effort to bring attention to a “burgeoning industry” in Georgia, and that is the location of production studios and other facilities. These resolutions provide for the use of existing hangars which are vacant, and they will be turned into more useful facilities by housing movie production capabilities. Additional land that the county owns adjacent to the hangars as well as a single hangar (currently without a tenant) would be leased to provide more revenue for the county. This additional revenue will maximize the value of the Clayton County Airport at a time when the county is trying to come up with a longer term planning process for Tara Field. Mr. Wainscott informed the Board that the county opened up a film office approximately six (6) weeks ago and there is already a production company in town filming. He assured the Board that the county would continue to work with much larger projects, and this is a great step in the right direction.

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Commissioner Edmondson questioned if this set-up would be similar to a classic Hollywood movie set production or just indoor storage of equipment. Mr. Wainscott deferred Commissioner Edmondson's question to the representatives present from McKenna Long & Aldridge, LLP and Executive Aircraft Storage, LLC. Ms. Rosalind Rubens Newell of McKenna Long & Aldridge identified herself as the attorney representing this project for Executive Aircraft Storage and said she would be working on the agreements for this project. She then introduced Mr. Rick Halbert of Executive Aircraft Storage, LLC who could answer the more technical questions the Board may have about the movie production process. Mr. Halbert noted that this project entails the building of a set inside the hangar. He said nothing will actually be built on the outside perimeter or outside walls. Everything will be "self-contained"

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inside. The other three (3) smaller hangars will be used for a mill shop. Security-wise, Executive Aircraft Storage, LLC will give the same FAA consideration for the fencing as it is now or probably better. Vice-Chairman Ralph asked Mr. Halbert if the planes flying in would be stored in county hangars. Mr. Halbert said that was correct.

22. Approved a permit request to relocate a home into the county: 8818 Fayetteville Road, Jonesboro, GA 30236; Contractor – Mike Hoover; Owner – Mary Huie-Jolly. Vote unanimous.

Mr. Paul Hardy, Chief Building Inspector, stated that Community Development received an application to relocate a home from outside the county to within the county. He listed the home address as 8818 Fayetteville Road in Jonesboro, Georgia and the zoning as RS-110. The structure meets all the requirements for that zoning. Mr. Hardy asked the Board to approve the request for a permit to relocate this home with the following stipulations:

- 1) The location of the structure shall meet the required RS-110 zoning setbacks.
- 2) The structure shall be reconstructed to its original design.
- 3) The structure shall have an exterior finish of brick on all four sides.
- 4) Two off street parking spaces paved with asphalt or concrete shall be provided.
- 5) The structure shall be connected to public sewer and water.
- 6) Permits shall be obtained for the reconstruction of the building, mechanical, plumbing, and electrical systems.
- 7) The reconstruction shall meet the 2006 International Codes with Georgia amendments as adopted by Clayton County.

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- 8) The existing mobile home shall be removed prior to the issuance of a certificate of occupancy for the new structure.
- 9) The structure shall be reconstructed and attain a final inspection within ninety (90) days from the date it is relocated.

There was no opposition to this project. The Board agreed to approve this request with the above-stated stipulations.

23. Approved the nomination of General Steve Stephens (Commissioner Edmondson) to the Development Authority/Redevelopment Authority Board. General Stephens will fill the unexpired term of Dr. Don McMillian, Jr. who resigned from this Board. The term ends on 3-1-13. Vote unanimous.

24. Approved Ordinance 2010-14 – An Ordinance to amend the Official Zoning Map for Clayton County, Georgia; to provide for the establishment of Districts. Vote unanimous.

Kc Krzic, Zoning Administrator, noted that Planning & Zoning had received a parcel and was in the process of verifying all other parcels within the county for correct zoning. Throughout this process, P&Z found some parcels that were mismatched that needed to be in compliance and

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some had received new permits that would normally be retired. The uses are still the same, and those parcels will now be in the proper zoning district.

25. ZONING PETITION:

MILDRED D. LOWE (REZ-200910-03)

Petition of Mildred D. Lowe to rezone property at 11219 Panhandle Road in Land Lot 129 of the 6th District in Clayton County, Georgia (Commission District #3/Wole Ralph).

Petitioner requests a rezoning from RS-180 to CB.

Proposed use of property is for a Convenience Store, having .996 acres.

Land Use Plan amendment – NONE.

Zoning Advisory Group recommendation is denial.

Michael Smith, Chief Staff Attorney, stated that the Board had conducted a hearing and taken the public comments at the last meeting. It had also agreed to make a decision at this meeting.

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Vice Chairman Ralph indicated that the petitioner had presented some new diagrams to the Board to describe what he intended to do with the property. He also stated that a community meeting was held last week where the residents had an opportunity to speak about this particular issue. At this time, Vice-Chairman Ralph stated that he would offer a motion to deny. The motion was seconded by Commissioner Singleton. Vote unanimous.

Vice-Chairman Ralph acknowledged the communities that had taken the time to send thoughtful e-mails to express their concerns regarding this rezoning application. Additionally, he thanked all of the citizens who came out to the public hearing to voice their opinions and thoughts on this project. Vice-Chairman Ralph said this speaks to what a community can achieve when the residents work together. He was glad to see the residents so actively involved in his district.

PUBLIC COMMENT:

1. Lou Passerella
2. Debbie Hemingway
3. Angela Redding

NOTE: None of the above persons spoke because they were present to comment about the aforementioned zoning petition that was denied.