

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

March 2, 2010

POST SUMMARY MINUTES

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

1. Chairman Bell called the meeting to order.
2. Invocation led by Rev. Philip Williams of Traveler's Rest Missionary Baptist Church in Morrow, Georgia. Pledge of allegiance to the flag led by Chairman Bell.
3. Amended the agenda by deleting Item #11 (Resolution 2010-64 – Authorizing Clayton County to enter into a letter of agreement with the Atlanta Regional Commission providing for a framework for regional transit planning coordination and cooperation in the Atlanta Metropolitan Planning Area); deleting Item #12 (Resolution 2010-65 – Authorizing creation of a citizens committee for the purpose of providing the public with periodic reports and other information regarding the status of the Special Purpose Local Option Sales Tax ["SPLOST"] projects approved in the 2008 SPLOST election); deleting Item #13 (Water Authority Appointment – per Vice-Chairman Ralph's request); and adding a resolution (Resolution 2010-66 – Authorizing the County to seek the support of Congressman David Scott to overturn the Federal Transit Administration's decision to deny expansion of three (3) bus routes by GRTA into the County – per Vice-Chairman Ralph's request). The motion carried 4-0.
4. Approved the February 16, 2010 Regular Business Meeting minutes. The motion carried 4-0.
5. PROCLAMATION: "Clayton County Supports Keep America Beautiful, Inc.'s Great American Cleanup 2010" (presented to Edie Yongue, Director of Keep Clayton County Beautiful, Inc.). (NOTE: Clerk Haywood read the proclamation for the benefit of the audience. A group photo was also taken.)
6. Rod Gray, Director of Central Services, presented the following items which resulted in these actions: (NOTE: The Board voted on all of the items at once.)
 - 1) Approved a bid (RFB Pkg. #09-52; 10/10/09) for an EMS Medication Supplies Annual Contract to purchase an indefinite quantity of medical supplies for Fire and Emergency Services. Chief Alex Cohilas of Fire and Emergency Services and his staff reviewed and evaluated the bids and recommended to issue multi-award contracts to the lowest, responsive bidders who met the bid specifications of the various supplies. Both vendors have the ability to

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provide all of the medications should the situation arise. This provides a margin of protection in the event one or the other vendor has difficulty providing adequate services.

Central Services has reviewed all bids and recommends a multi-award contract based on the lowest responsive bid per item as listed below:

<u>VENDORS</u>	<u>PRIMARY ITEMS</u>	<u>SECONDARY ITEMS</u>
<i>Henry Schein, Inc.</i> Irmo, SC	#3; 5; 8; 9; 10; 12; 13; 14; 15; 16; #18; 23; 26; 28; 30; 31; 32; 33	#1; 2; 4; 6; 7; 11; 17; 19; 20; 21; 22; #24; 25; 27; 29; 34
<i>Wilson's Pharmacy</i> Forest Park, GA	#1; 2; 4; 6; 7; 11; 17; 19; 20; 21; 22; #24; 25; 27; 29; 34	#3; 5; 8; 9; 10; 12; 13; 14; 15; 16; #18; 23; 26; 28; 30; 31; 32; 33

The motion carried 4-0.

2) Approved a bid (RFB #09-56; 10/21/09) to purchase Radio & GPS equipment for a police helicopter, as requested by the Clayton County Police Department. Interim Police Chief Tim Robinson and his staff evaluated the bids for this project and recommended to award this project to Precision Avionics Specialist located in Griffin, Georgia. This firm had the lowest and most responsive bid, with a total purchase price of \$52,700.00. Funds are available through the Department of Justice Edward Byrne Memorial Equipment Grant #289-3001-10000-1JU10. The motion carried 4-0.

3) Approved a bid (RFB Pkg. #09-59; 1/19/10) for the Clayton County Print Shop Annual Contract to cover a variety of indefinite quantity of supplies used by departments county-wide.

Central Services has reviewed all bids and recommends a multi-award contract based on the lowest responsive bid per item as listed below:

<u>VENDORS</u>	<u>ITEMS</u>
<i>Mac Papers, Inc.</i> Lithia Springs, GA	#1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21; 22; #23; 24; 25; 26; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; #42; 43; 44; 45; 46; 47; 48; 49; 50; 51; 52; 53; 54; 63; 66; 68; 69; 71; 82; #84; 85; 86; 87; 88; 89; 90

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Presstek, Inc. #55; 57; 58; 59; 60; 61; 62; 64; 65; 67; 70; 72; 73; 74; 75; 76; 77; 78; 79;
Des Plaines, IL #80; 81; 83; 91

The motion carried 4-0.

4) Approved a request to rescind the Professional Services Agreement with Diamond W. Auctions, Inc., located in Talking Rock, Georgia, as presented and approved by the Clayton County Board of Commissioners during the November 10, 2009 Regular Business Meeting. After the award, Clayton County entered into contract negotiations with this firm. Diamond W. Auctions, Inc. requested to withdraw its proposal as it could not conduct the auction services. The motion carried 4-0.

7. Angela Jackson, Director of Finance, presented these items for consideration which resulted in the following actions: (NOTE: The Board voted on all of the items at once.)

1) Approved Budget Amendment #2-33 (Other General Government) for FYE 6-30-10, in the amount of \$99,000.00, to transfer funds to cover the cost of replacing vehicles whose repair cost exceeds their value. All of these replacements are requested by the Clayton County Police Department. The motion carried 4-0.

2) Approved Budget Amendment #2-35 (Fire Department) for FYE 6-30-10, in the amount of \$8,000.00, to provide funds to cover the cost for replacement items used during hazardous materials operations. The motion carried 4-0.

3) Approved a Request for Refund – Lot Cleanup Bond, in the amount of \$500.00, from Metro Interior Demolition, LLC in Fayetteville, Georgia. The motion carried 4-0.

8. Approved Ordinance 2010-49 (***SECOND READING & ADOPTION***) adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, specifically relevant sections of the Clayton County, Georgia Public Employee Retirement System to allow married participants to name a beneficiary other than the participant's spouse for death benefits under the Plan. The motion carried 4-0.

9. Approved Resolution 2010-62 authorizing Clayton County to enter into a Memorandum of Understanding (MOU) with the U.S. Marshal's Office to participate in a Regional

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Fugitive Task Force. The motion carried 4-0.

10. Approved Resolution 2010-63 authorizing Clayton County to accept grant funds through the Georgia Association of Emergency Medical Services, Inc. on behalf of the Clayton County Fire and Emergency Services Department, and to provide for the terms and conditions under which laptop computers (three [3] standard model laptop computers to be reimbursed at \$1,445.42 each) will be awarded from the Enhancement of Patient Care Reporting Grant. The motion carried 4-0.

11. Approved Resolution 2010-66 authorizing the County to seek the support of Congressman David Scott to overturn the Federal Transit Administration's decision to deny expansion of three (3) bus routes by GRTA into the County. The motion carried 4-0.

12. Chief Staff Attorney Michael Smith requested an Executive Session following the business meeting to discuss litigation.

PUBLIC COMMENT:

1. Representative Roberta Abdul-Salaam urged the Board of Commissioners to reconsider its decision to terminate C-Tran (public transit) services effective March 31, 2010 in the county. She stated that it saddened her heart to see notices posted in the bus shelters about the impending cessation of service. Representative Abdul-Salaam reminded the commissioners that for Clayton County to be seen as a progressive county, public transportation is one of the cornerstones of what the county ought to be able to say that it offers. Per Representative Abdul-Salaam, she serves on the state's Economic Development and Tourism Committee. This committee is presently communicating with companies from China, Germany, and France about doing business in Clayton County. She acknowledged that this committee has worked with Grant Wainscott (Director of Economic Development) and Randall Touissant (Assistant Director of Economic Development) and will continue to work with them to improve the county's economic status. Efforts are currently being made at the state level to address the bio-technology future in which President Barack Obama has invested \$144 billion. There is also an interest in establishing a "green corridor." It is absolutely appropriate for the county because of the airport, which is already an international trade zone. Beyond all of the future projects, Representative Abdul-Salaam stated that the commissioners should please reconsider the thousands of families who will lose their jobs because they have no transportation. Statistically, Georgia has a 10.3% unemployment rate and Clayton County is already higher than that rate. With no means of

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transportation (for those who already have no other transportation), people will lose their jobs. As a domino effect, Representative Abdul-Salaam stressed that these people will lose their homes. Presently, Clayton County has one of the highest foreclosure rates in the nation. A loss of public transportation will result in more foreclosures and evictions. She felt that the termination of public transportation in the county would literally endanger the lives of citizens. There are those with health needs who have no way to get to the doctor or to appointments. More importantly, crime will escalate in the county. (NOTE: At this point, Chairman Bell told Representative Abdul-Salaam that her speaking time limit had expired. She responded that she knew she was over her time limit, but this subject deserved some attention and an invitation had been extended to the Clayton County Legislation as well regarding this issue.)

2. Ed Hicks noted that his comments concerned Item #12 which the Board had deleted from the agenda (Resolution 2010-65 – creation of a SPLOST citizens committee to provide the public with periodic reports/information regarding the status of the Special Purpose Local Option Sales Tax [SPLOST] projects approved in the 2008 SPLOST election). He alerted the Board that Chairman Bell visited his neighborhood a few years ago and had measurements taken of the roads. Mr. Hicks emphasized that the creation of a SPLOST citizens committee would have been a good idea, especially in his residential area, to get a report on how the SPLOST projects are developing and roads are being maintained. He questioned why it was taken off the agenda because it would have been a great idea.

For the record, Vice-Chairman Ralph voiced the Board's position on the termination of C-Tran as follows (verbatim):

Again, let me just reiterate, the position of this Board is that we are supporting public transit. We'd like to see it...we want to see it continue. We've asked the State to step up to its responsibility to fund public transit as it has the responsibility to every other state but in Georgia. If we look at public transit systems that work, public transit systems that are growing, public transit systems that are respectable and you see that...you can imagine the State always has that obligation. If you look at the transit in Chicago, you look at the transit in New York City, you look at the transit in Florida or South Carolina, if you look at the transit in Tennessee or North Carolina or California for that matter, you constantly see that the State has accepted its responsibility. It is not the responsibility of a single county to pay for the public transit needs of the citizens of the State of Georgia. It's just not. When we look at the federal government...this Board has recently taken on the responsibility to ask the federal government to acquire some

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dollars to expand the GRTA (Greater Regional Transit Authority's) routes which provide for commuter services to people – to continue to connect people to jobs and to families – to continue to make sure that the people who are most disadvantaged by the loss of C-Tran have an opportunity to get to work – to make sure that we still have public transit that's available. (And) the FTA (Federal Transit Administration) sent us a message which they are sending throughout the entire state which is that unless the State of Georgia comes up with a plan for funding thirty years of transit, then they are not going to be supportive of us – continuing to send federal dollars down here in support of that. I mean...that's the State's responsibility. When you look at the Congestion Mitigation Air Quality (CMAQ), those are the State's roles and that is what public transit is designed to address. (And) the federal government is asking for this State to step up. Now, as a county, we've done our part. We've provided C-Tran as long as we could provide it at a terrible cost to this county and an extreme cost to the budget...and we've tried to do it as long as we could deal with it. (But) with hundred million dollar deficits in Dekalb County, hundred plus million dollar deficits in Fulton County, hundred plus million (dollar) deficits in Atlanta where MARTA itself has a hundred million dollar deficit, the smallest county in the region can't afford it. (And) when you look at Fulton, Dekalb, and Atlanta, they're paying for it on a sales tax. They can't even begin to pay for it out of the costs...out of their General Fund...which is what this county attempted to do for all the years that we provided C-Tran service. This is the challenge that we've had. This county...this Board has gone on record as supporting a sales tax for public transit several times. We asked...we asked...we did it in a resolution and sent it to the State. The State told us that we exceeded the cap and so we couldn't have it. So that's the reason why we're in the situation that we're in. (And) if the federal...and if the State government...[NOTE: At this point, Representative Roberta Abdul-Salaam interrupted Vice-Chairman Ralph with opposing comments. Vice-Chairman Ralph then asked Chairman Bell to bring the meeting to order and Chairman Bell did so.]

Vice-Chairman Ralph resumed his statements as follows:

If the State government would accept its responsibility and fund public transit, then it would be done. Now, the other issue that we have is this regional penny which J. Bookman in his article in *The AJC* today...if you read it...he'll tell you that this penny tax on...the penny tax does not meet the federal government's requirements because they want thirty years, not eight years of funding. (And) that's J. Bookman that's saying it and that's what transportation experts are saying. (And) so we need the State to step up. We need the State...instead of coming to our meetings...what we need the State to do is to pass resolutions...I'm not a State

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representative...I'm not going to the State...but I'm going to ask our state legislators to do that. Now, if the State of Georgia would pass a resolution...would pass funding for public transportation, then we'll have it and we'll all be happy. So, I mean it is a State responsibility. It is not a local government responsibility – we can't fund it. (And) with that Mr. Chairman, I ask that we move into Executive Session. [NOTE: At this point, Representative Roberta Abdul-Salaam responded that Vice-Chairman Ralph was "misleading the citizens." Chairman Bell called for order in the meeting.]

Commissioner Singleton asked Mr. Smith if the Board could add a real estate discussion to the Executive Session, and Mr. Smith said yes. [NOTE: At this point, Representative Abdul-Salaam reiterated that Vice-Chairman Ralph was "misrepresenting." She started to address the plight of other counties in the State of Georgia, but Chairman Bell brought the meeting to order.] Chairman Bell stated that a motion needed to be made to add a real estate discussion to the Executive Session. The motion carried 4-0.

Having no further business to discuss, the Board then went into Executive Session to discuss litigation and real estate.