

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

April 5, 2011

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 was led by Dr. Randy Gibson of Second Baptist Church in Forest Park, Georgia. Pledge of allegiance to the flag was led by Chairman Bell.
3. Adopted the agenda, as all commissioners had copies before them. Vote unanimous.
4. Approved the March 15, 2011 Regular Business Meeting minutes. Vote unanimous. Approved the March 28, 2011 Special Called Meeting minutes by a vote of 3-0-2. Commissioners Singleton and Edmondson abstained due to their being absent at the March 28, 2011 Special Called Meeting.
5. PROCLAMATION: "Clayton County Observes National Crime Victims' Rights Week, April 10 – 16, 2011" (presented to Jason Green, Paul Garland, Susan Bass, Dixie Brookins, Coretta Cotton, Charles Brooks, Linda Dumas, and Sheryl Freeman of the Clayton County District Attorney's Office).
6. PROCLAMATION: "Clayton County Website Receives 2011 Sunny Award" (presented to Brett Lavender; Director of Information Technology, Jennifer Brown; Programmer/Analyst, Edgar Vega; Programmer/Analyst, and Thuc Le; Programmer/Analyst).
7. PROCLAMATION: "Clayton County Proclaims April 2011 as "Fair Housing Month – 2011" (presented to Lance Crawford, Director of Clayton County Housing and Community Development and his associates; Peryenthia Hudson, Mickie Williams, and Carol Seaton; Melissa Chapman {CEO} and Minka Bell of Southern Crescent Habitat for Humanity; Foster Corbin {Executive Director}, Marion Thomas, and Sharon Tongue of Metro Fair Housing; and Earlene Gardner {President}, Barbara Dyer, Briane Drake, and Mike Pollicelli of Metro South Board of Realtors).

NOTE: Group photos were taken of the above-mentioned proclamations. Clerk Haywood then read the proclamations for the benefit of the audience.

8. Rod Gray, Director of Central Services, presented the following items which resulted in these actions. (NOTE: The Board voted on all of these items at once.)
 - 1) Approved an Emergency Purchase Request to establish alternate telecommunications and data services located at the Harold R. Banke Center Youth Justice

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Center, as requested by the Clayton County Information Technology Department. The request is to waive the sealed bid requirement and execute an emergency purchase using a quotation from The ComTran Group, Inc., located in Buford, Georgia, at a cost of \$59,450.00. SPLOST funds are available for this purchase. Vote unanimous.

2) Approved a request to amend the current Swim Lesson Provider, Annual Contract (RFP Pkg. #09-40; 11/5/09) by including swim lessons at the Virginia Burton Gray Recreation Center in Riverdale, Georgia. Detrick Stanford, Director of the Parks and Recreation Department, requested this amendment. Tara Tarpons Swim Association (TTSA), located in Jonesboro, Georgia, has agreed to accept the amendment which will include these additional services at the same contract compensation originally awarded, signed, and executed on March 16, 2010. Vote unanimous.

3) Approved the Installation of Carpet for the Clayton County Riverdale Library (RFB Pkg. #11-01; 3/14/11). The recommendation is to award a contract to Southeastern Commercial Flooring, located in Woodstock, Georgia, whose firm is the lowest bidder, at a total cost of \$45,820.77. Funds are available through the General Fund. Vote unanimous.

9. Angela Jackson, Director of Finance, submitted the following budget amendments and refund requests which resulted in these actions. (NOTE: These items were voted on at once.)

1) Approved Budget Amendment #2-30 (FYE 6-30-11), for Parks and Recreation, in the amount of \$35,000.00, to provide funds to repair the Grand Cayman Pavilion and replace the San Juan Pavilion at Clayton County International Park. Vote unanimous.

2) Approved Budget Amendment #2-31 (FYE 6-30-11), for Extension Services, in the amount of \$4,500.00, to convert a part-time Housing Counseling Coordinator position to full-time. The University of Georgia will pay salary and benefits in conjunction with the County supplement. Vote unanimous.

3) Approved Budget Amendment #4-53 (FYE 6-30-11)/Reimposition SPLOST Projects 2009, for \$4,528,000.00, to establish the budget for program management fees, design and construction of a Multi-Purpose Fire Department Training Building. Vote unanimous.

4) Approved a Request for Refund (Building Permit), in the amount of \$170.00, to Pathways to Recovery in Jonesboro, Georgia. Vote unanimous.

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5) Approved a Request for Refund (Business License), in the amount of \$5,933.03, to Larry Ford Construction Co., Inc. in Ellenwood, Georgia. Vote unanimous.

6) Approved a Request for Refund (Lot Clean-up Bond), in the amount of \$500.00, to Service Pros in McDonough, Georgia. Vote unanimous.

7) Approved a Request for Refund (Lot Clean-up Bond), in the amount of \$500.00, to William W. Peek, Sr. (Owner) of Powder Springs, Georgia. Vote unanimous.

8) Approved a Request for Refund (Lot Clean-up Bond), in the amount of \$500.00, to Parker Young (Attention: Wes Shackelford) of Norcross, Georgia. Vote unanimous.

9) Approved a Request for Refund (HVAC Permit), in the amount of \$140.00, to Myers Mechanical in Ellijay, Georgia. Vote unanimous.

10. Renee Bright, Director of Human Resources, presented the following two (2) requests which resulted in these actions:

1) Approved a Personnel Request to increase the Superior and State Court Administrator's salary from a Pay Grade 34 to a Pay Grade 36. The Judges of the Superior and State Court have collectively determined that in order to hire and retain a professional Court Administrator, Clayton County must raise the salary closer to what the market is paying in similar jurisdictions in the Atlanta metro area. This salary increase should be retroactive from January 6, 2011. Vote unanimous.

2) Approved a Personnel Request to fill vacant Assistant Solicitor General positions in the Solicitor's Office. Typically, this position starts at Pay Grade 27/1 ((\$52,893.91). The candidates chosen by the Solicitor's Office have extensive prosecutorial experience and should be rewarded by starting salaries at Pay Grade 27/9 (\$58,420.59). Vote unanimous.

11. Approved Resolution 2011-42 authorizing Clayton County to enter into a new PY-2009 Subrecipient Agreement with the Jonesboro Housing Authority allowing for the continuation of its Down Payment Assistance Program. Vote unanimous.

12. Approved Resolution 2011-47 authorizing Clayton County to accept a donation (\$4,000.00) from the Azalea City Chapter on behalf of the Clayton County Senior Services Aging Department for Kinship Care Resource Center Scholarship Program. Vote unanimous.

13. Approved Resolution 2011-48 authorizing Clayton County to enter into a real property

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agreement, Project No. CSTEE-0009-00(148), PI No. 0009148, with the Department of Transportation, State of Georgia for the landscaping project on S.R. 138; as well as to authorize Clayton County to enter into a right-of-way certification, etc. Vote unanimous.

14. Approved Resolution 2011-49 authorizing Clayton County to enter into a license agreement with American Society of Composers, Authors, and Publishers (ASCAP) providing for the terms and conditions under which the County may legally provide “Live Entertainment” or “Mechanical Music” at its events; etc. Vote unanimous.

15. Approved Resolution 2011-50 authorizing Clayton County, on behalf of the Clayton County Parks and Recreation Department, to grant a Special Facility Use Request for Twirl Girls, Inc. to conduct a camp at the Virginia Burton Gray Recreation Center. Vote unanimous.

16. Approved Resolution 2011-51 authorizing Clayton County to allow Project Haiti Heart, Inc. to sponsor and host a 5K Walk/Run Event which will commence from and finish at the Clayton County International Park; to change the previously approved event via Resolution No. 2011-24 to be held on April 23, 2011 to October 8, 2011. Vote unanimous.

17. Approved Resolution 2011-52 authorizing Clayton County to enter into an Authorized Provider Agreement with the Metropolitan Atlanta Chapter of the American National Red Cross providing for the terms and conditions under which professional aquatic safety and risk management services related to a lifeguard training program will be administered. Vote unanimous.

18. Approved Resolution 2011-53 authorizing Clayton County to allow Project Real Life Youth Occupational Training Corps, Inc. to host and sponsor the “Mama Nem Cook-off” competition at the Clayton County International Park. Vote unanimous.

19. Approved Resolution 2011-54 authorizing Clayton County to amend and renew the Health Services Agreement with CorrectHealth Clayton, LLC which provides for the terms and conditions under which inmate healthcare services are rendered to the Clayton County Prison. Vote unanimous.

20. Approved Resolution 2011-55 authorizing the County to enter into an agreement with Jacobs Engineering Group, Inc. (formerly known as Jordan, Jones and Goulding) to perform additional professional consulting services; to recognize the corporation’s name change; to authorize an extension of the current agreement. Vote unanimous.

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Chief Staff Attorney Michael Smith requested to have an Executive Session following the business meeting to discuss litigation and personnel issues. The Board agreed to do so.

PUBLIC COMMENT:

1. Dr. Joyce Wingate-Sligh, a Clayton County resident for 31 years, expressed that she was part of a seniors group that had been protesting on the streets. Her group was present tonight to voice their concerns about increased senior center membership fees and decisions regarding the operations of the senior centers in Clayton, Fayette, Fulton, Henry, and Cobb Counties. Dr. Wingate-Sligh requested a meeting with the Board to discuss the fee changes. She contended that seniors are on a fixed income and the increased fees will be a challenge to their budgets. A major concern that was brought to her group's attention outside was that one of the persons who is running senior services received a very substantial increase in pay. Dr. Wingate-Sligh wondered if the increased senior center membership fees were tied to this employee's pay increase. She stressed that her group really wanted to have a private meeting with the Board regarding these concerns and reach an agreement so that seniors will not have to be taxed so heavily for their memberships.

2. Ms. Lisa Tinch, a 13-year Clayton County resident, told Chairman Bell that she had been given a chance to accept the county's offer and she had filed it in court. She also had a reply to the offer, and the outside attorney planned to speak with him this afternoon. Ms. Tinch stated, however, that she did not know if this had occurred. She was present tonight to request some information. Per Ms. Tinch, she was not aware that the county had set a mediation date for her to be in court. She, personally, did not set that date and was unaware of it. Chief Staff Attorney Michael Smith was supposed to be coordinating that effort with Mrs. Edward. Ms. Tinch reiterated what had been stated in previous meetings. According to the law, she was supposed to have received documentation she had asked for; however, she has never received it. She wanted to know who was given power of attorney over her home in 2007. Presently, Ms. Tinch said she was requesting some information from Captain Landry Merkison regarding cell phone bills and text messages from 2007 because they are relative to her home issue. Additionally, she had asked for information concerning what Mr. Smith had given to Wells Fargo Bank. Going into mediation, Ms. Tinch emphasized that she would like to have all of these documents. According to Mr. Smith, she was supposed to have received this information by now but she has not yet received it. Ms. Tinch asked if the county had accepted the offer because she wanted this matter

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to be resolved. Too many things had happened to her and her family. The more she has looked into this matter, the more illegal it has become. The county has ironically received an award for practicing the Fair Housing Act, but she has not been treated fairly in the housing program in which she participated.

Chairman Bell relayed to Ms. Tinch that the Board would be discussing her housing issue tonight (in Executive Session), and it would act according to the law in response to her request. Ms. Tinch asked Chairman Bell what he meant by “according to the law.” Chairman Bell replied that he could not answer her question in detail because Ms. Tinch was being represented by an attorney. Ms. Tinch retorted, “Am I being represented by an attorney or are you represented by an attorney?” Chairman Bell responded that he knew the county was being represented by an attorney, but he trusted that Ms. Tinch was being represented by an attorney as well.

3. Jessie Goree, a county resident, thanked the Lord that she had been blessed to become 55 years old and a senior citizen. The first thing she did on her birthday was to join the Frank Bailey Senior Center. She believed that with age comes beauty, wisdom, and earned respect (or so she thought). Recently, however, she has seen that senior citizens are not consulted and have no voice in decisions being made about matters in this county. Seniors are allowed to have a dance in their centers, but they are not allowed to have meetings. Fees have been raised and budgets have been developed, but seniors have no voice. Ms. Goree was appalled to discover that, as a senior, she does not have a voice in this county. She requested that when the county develops a budget for seniors in the future, it should also create a senior citizens budget committee to get direct input as to what seniors need. Lastly, she asked the commissioners to remember their childhood teaching – which is to respect their elders. In this case, it would be to respect the seniors.

4. Barbara Sweaney, a Henry County resident, stated she is a member of the Concerned Seniors Coalition and a current member of both Clayton County senior centers. The coalition requested a meeting with Vice-Chairman Ralph and Commissioner Singleton recently, and the meeting was cancelled. Apparently, they do not want to talk to the coalition. The coalition did talk to Commissioner Hambrick, but she has refused to bring forth a resolution to reduce these fees. In the December 7, 2010 Board of Commissioners’ meeting, she heard that there were 4,000 seniors living in Clayton County. Ms. Sweaney understood that 2012 is an election year, and she wanted the Board to take into consideration that those 4,000 seniors vote and their out-of-county friends will not be able to attend the senior centers.

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5. Almoris Lusby, a Clayton County resident for 25 years, voiced a concern about Evergreen Apartments on Battle Creek Road and Valley Hill Road. The apartments have been abandoned for the past two (2) years and are an eyesore in the community. Mr. Lusby acknowledged he had e-mailed Commissioner Edmondson regarding his concerns about these apartments, and he hoped Commissioner Edmondson would respond to him. He reiterated that the condition of these apartments really makes the community in which he has lived 16 years look bad. He hoped the commissioners would do something to change this situation.

Chairman Bell noted that the county is already working on this matter.

Mr. Lusby requested to meet with Commissioner Edmondson to discuss community problems in District #4. Commissioner Edmondson agreed to talk to Mr. Lusby after this meeting.

6. Chuck Ware, a 25-year county resident, said it appears that the Board is trying to take everything from the seniors. He wondered if seniors had any kind of priority in the county. Mr. Ware was aware that the county had a \$167 million budget, but he guessed that seniors were not included. He asked the Board if it knew that eight (8) legislators from South Georgia introduced House Bill 322 which gave Delta Airlines \$25 million in jet fuel. That bill will affect the senior centers and every other center from which the county could raise monies. Basically, the Board does not have to pick on the seniors and it is pathetic that no one is going down to the Capitol to see about this matter. Mr. Ware affirmed that he goes to the Capitol every day (while the General Assembly is in session) and, if he knew about it, the Board should know about it too. He encouraged the Board to go further than surface streets when it goes downtown. Mr. Ware opined that the Board should find out what is going on at the Capitol. A lot of money is being spent in Clayton County, but it is not going to help the seniors (and the Board knows this). He questioned the Civility Policy which was written for persons who speak before the Board. Several commissioners did not act civil when they issued a press release and accused another commissioner. Mr. Ware reminded the Board that he had brought up this subject before, but the Board did not respond to him. That is a shame because it shows bias.

7. Larry Ford, a 40+-year county resident, asked the Board how it determined the amount of money to be reimbursed for his business license.

Commissioner Singleton suggested that Mr. Ford discuss this matter with Eric Lacefield, Director of Community Development. She told Mr. Ford that the Board had approved the request for refund, but it would be more appropriate to get answers from Mr. Lacefield (instead

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of discussing personal business in the meeting). Mr. Ford agreed to meet with Mr. Lacefield following the business meeting.

8. Senator Gail Davenport was not present when her name was called.

9. Sonja Sleeper, a county citizen and Jonesboro resident, stated that she had been working with some community groups. She discovered that there is a growing problem affecting seniors and anybody else who needs to organize and have a meeting space in this county. Ms. Sleeper emphasized that access to community centers is limited. Activity centers; i.e., Jim Huie, are very busy and occupied by community groups that offer swimming and exercise lessons. Just to rent a room to hold a meeting for an hour is very expensive. Her community groups have been trying to go to municipal centers, but they have become more and more restrictive. The library is reducing its hours, and the fees to rent rooms are getting out of line. No one can pay \$150.00 to rent a room for an hour or two and/or pay \$75.00 to pay for a minimum of two (2) hours. No meeting rooms are available on Saturday mornings; political meetings are not allowed; and no food can be served at the meetings. This is a big issue, and the Board should set a standard policy and allow citizens to pay a reasonable rental fee. Citizens are charged via municipal bonds to pay for construction of those buildings and taxed to maintain/operate the buildings. According to Ms. Sleeper, the county needs to establish a nominal user fee and permit unrestricted access to community groups and individuals who want to use the buildings; i.e., police station (which has really nice meeting rooms, but it recently started charging a fee to meet in them). She added that political groups are not allowed in such buildings, and it should not be that way. These are municipal buildings and they should be available for public use (as long as the public does not do anything offensive).

10. Wayne Madden stressed that his attention tonight was solely directed to Vice-Chairman Ralph. He wanted to know the benefit Clayton County received when Vice-Chairman Ralph visited Amsterdam (Holland). Mr. Madden also wanted to know who signed off on the check to finance this trip. To that end, he was making a general request. If necessary, he would file an order of revenue because he was familiar with several lawyers and could be Vice-Chairman Ralph's "worst nightmare." The citizens of Clayton County deserve better than this, so he urged Vice-Chairman Ralph to "come clean." There is nothing good in Amsterdam; everybody knows it has hookers and is disgraceful to God. Mr. Madden believed this trip Vice-Chairman Ralph made to Amsterdam was an affront to the community, and Vice-Chairman Ralph has ruined his chances to be elected as Chairman.

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Chairman Bell cautioned Mr. Madden about making personal attacks, and Mr. Madden ended his comments. Chairman Bell further stated that this Board passed a resolution on civility and name calling is highly inappropriate, especially since children are present. He wanted any speakers before the Board tonight to respect the commissioners, themselves, and the children. Chairman Bell emphasized that everyone should be careful about calling names and making charges.

11. June Stewart, a county resident, represented her friends in and out of the county. As seniors, she stated they have worked hard all their lives and paid their dues. She felt that seniors should receive better treatment than they have received from the Board. It is actually very frustrating that seniors have reached out to the Board, but it has not listened to them. As a result, seniors feel so empty. Ms. Stewart said she found out today that the seniors are united in numbers. They all have the same fight and desire. In spite of their age, they are able-bodied and can walk door-to-door to do the job that is necessary at the appropriate time. She concluded that they can all shout “remember” because they do not have Alzheimer’s disease.

12. Joseph Williams, a county citizen, was present on behalf of the seniors. Although he is not a senior, his mother is a senior and all of his friends are seniors. For the last few months, the Board has heard that seniors cannot afford to become members of the senior centers due to the fee increase. Senior Centers enhance his mother’s life as well as his friends’ lives. These centers bring them all together and make their lives better as they get older. Mr. Williams added that they all need each other, so he urged the Board to reconsider the rate increase. Seniors simply cannot afford it, and he asked the Board to please do what it could to help them.

The Board next made a motion to go into Executive Session in the Commissioners’ Conference Room to discuss litigation and personnel issues. Following the adjournment of the Executive Session, the Board reconvened the business meeting in the Commissioners’ Boardroom. Upon reconvening, Commissioner Singleton made a motion to name Jeff Hood as permanent Fire Chief for Clayton County Fire and EMS. Chairman Bell seconded that motion (along with Vice-Chairman Ralph). Vote unanimous.