

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

April 17, 2012

POST SUMMARY MINUTES

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

1. Chairman Bell called the meeting to order.
2. Invocation was led by Dr. Leon Beeler of the Forest Park Ministers Association in Clayton County. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda by adding Resolution 2012-79 (Authorizing Clayton County to enter into an interconnection agreement for distributed generation with Georgia Power Company providing terms and conditions under which electric power will be provided to the Clayton County Landfill Power Plant). Clerk Haywood also noted that the Executive Session held tonight pertained to a litigation matter. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the April 10, 2012 Regular Business Meeting minutes. Vote unanimous.
5. PROCLAMATION: "Clayton County Recognizes 2011-2012 Forest Park High School Wrestling Champions" (presented by Commissioner Gail Hambrick). The honorees were wrestling team members Freddy Bejar, Cameron Grier, Blake Kennedy, Devonte Nance, Nichols Vasquez, Tavarez Clark, Jessie Cross, Aking Ford, Demetrius Huff, Daryl Nunnally, Anthony Vasta, Anthony Davis, C. J. Dixon, Tiracl McLemore, Ronnie Thompson, Tyrik Ball, Kyle Ball, Kyle Booker, Leon Butts, Devontae Carter, Jarius Leavy, Kyle Nelson, and Kevin Villalta. Also represented were Head Coach Don Williams; Assistant Coaches Daniel Helena and John Ball; Club Coaches Joe Paz and Jarrod Gray; Assistant Forest Park High School Principal Derrick C. Manning; and Athletic Director Larry Mortonson.

NOTE: A group photo was taken of the honorees. Clerk Haywood read the proclamation for the benefit of the honorees and audience.

6. PRESENTATION of the "Energy Efficiency Leader Award" to Clayton County by Trane representatives Doug Hennen; Account Executive/Comprehensive Solutions and Steve Miclette; Georgia/Alabama District Manager.

Mr. Hennen expressed excitement about being here tonight and noted that he had some great information for the Clayton County Board of Commissioners and public. He stated that approximately two (2) years ago, the Clayton County Board of Commissioners decided to move forward with an energy conservation project that partnered with Trane. Mr. Hennen then presented the positive results of this project via the following PowerPoint presentation:

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TRANE BUILDING SERVICES/ACHIEVING PREMIER PERFORMANCE:

**CLAYTON COUNTY GOVERNMENT
SCOPE OVERVIEW**

Facilities Addressed

- H. R. Banke Justice Complex
- Annex III
- Health Department/Archives
- DFACS Complex
- Behavioral Health
- Central Library
- Senior Center
- Landfill

Work Performed

- Lighting Renovations
- Lighting Controls
- Water Conservation
- Building Automation
- Building Envelop Improvements (2 Entrances at the Central Library)
- Mechanical Redesign and Replacement (Added approximately 60 tons of new heating and cooling equipment to greatly improve comfort level)
- Landfill Methane Extraction System

Results from Energy Conservation Program Completed a Year Ago (Inception of January 2011)

- Construction Electric Savings just over \$220,000.00 (while putting the project in)
- First Year Savings of over \$420,000.00 plus (first full year)
- Carbon Credit valuation of \$200,000.00
- Total 1st Year Savings > \$620,000.00 (Guarantee – \$589,000.00)
- **Total project benefit from construction and first year energy savings: > \$840,000.00**
- Eliminated over 40,000 tons of CO₂ = electricity use of 4,525 homes

Results – Phase I

Based on actual Utility Bills

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- Carbon Credits – Projected 35,000; Realized 35,709 metric tons CO₂
NOTE: Clayton County will be receiving a check back from its carbon credit broker/subcontractor in the near future.

- Carbon Credits sold at ~ \$5.70/credit for roughly \$200,000.00 (1st year)
NOTE: In 2008 and 2009, the county was using almost 19 million kilowatt hours per year. That figure is now down to 15 million kilowatt hours per year.

- Clayton County kWh Usage (Guarantee – 3,325,253 kWh) – Construction Savings of 2,710,383 kWh – 1st year Savings of 4,070,645 kWh – 22% better than guarantee

Per Mr. Hennen, Clayton County staff members have been doing a phenomenal job in ensuring the execution and follow-up of this project. In fact, the results are about 20% better than what Trane projected. Mr. Hennen concluded his presentation by thanking everyone for his/her time and input into this project. He next introduced Steve Miclette, Trane's Georgia/Alabama District Manager, who would present the county with the Trane "Energy Efficiency Leader Award."

Mr. Miclette noted that Clayton County had made an impressive list of energy saving improvements, and it demonstrated the county's outstanding commitment to energy, fiscal, and environmental stewardship. He was present tonight to recognize Clayton County with the Trane "Energy Efficiency Leader Award" (based on project results). According to Mr. Miclette, Clayton County is providing a leading example of best practices for county governments nationwide. Trane hoped that the county will continue to serve as an inspiration to other government leaders in the state of Georgia and across the country to get them involved in the energy savings process. Mr. Miclette stressed that Trane was really proud of the county's results and its hardworking staff. He also thanked Chairman Bell for the terrific job he did in getting this project done. Mr. Miclette then presented this award to the Clayton County Board of Commissioners for its contributions to "environmental sustainability and energy and operational efficiency."

NOTE: A group photo was taken of the Board with Trane representatives as well as a photo of Chairman Bell, Vice-Chairman, and Mr. Hennen for the county's news organ.

Chairman Bell commented that a lot of outdated equipment has now been replaced without a direct cost to the county's budget.

7. Theodis Locke, Interim Director of Central Services/Risk Management, presented the following items which resulted in these actions. (NOTE: The Board voted on all of these items at once.)

- 1) Approved a Request for a Roof Replacement of the Transportation and Development

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Administration Building "A," as requested by the Building and Maintenance Department. Vote unanimous.

The recommendation is to purchase the materials and services utilizing the Master Intergovernmental Cooperative Purchasing Agreement with Cobb County, Georgia and U.S. Communities, from Garland/DBS, inc., located in Cleveland, Ohio. This project has a total cost of \$46,926.00, as listed in Garland/DBS' quote for Building "A." Funds are available in the Building and Maintenance General Fund.

2) Approved a bid (RFB Pkg. #11-02; 3/21/11) for Clayton County Resurfacing of Tennis Courts at Independence Park/Community Development Block Grant, Contract Amendment. Vote unanimous.

This request is to amend the current resurfacing of tennis courts at Independence Park contract with Court Makers, Inc. by adding the resurfacing of the tennis courts and installation of black VCP 8 gauge fencing mesh at Independence Park, as requested by the Parks and Recreation Department.

The recommendation is to amend the current contract with Court Makers, Inc., located in Marietta, Georgia, in the amount of \$44,350.00. Community Development Block Grant funds are available in the amount of \$39,450.00 for the resurfacing project, and general funds are available in the amount of \$4,900.00 for the fencing mesh project.

3) Approved a bid (RFB Pkg. #12-02; 3/6/12) for the Electrical Service and Maintenance at Clayton County Parks/Annual Contract. Vote unanimous.

The recommendation is to award a contract to Deco, Inc., d/b/a Davidson Electric Company, located in Covington, Georgia, with a renewable contract for two (2) additional one (1)-year periods. This recommendation is based upon the lowest responsive bidder due to the multiple numbers of exemptions provided by the alternate bidder.

4) Approved a Request for Design, Installation, and Surfacing of Playground Equipment for Shelnett Intergenerational Center in Clayton County. Vote unanimous.

The recommendation is to purchase the materials and services by utilizing the Master Intergovernmental Cooperative Purchasing Agreement with Mecklenburg County, North Carolina and U.S. Communities, from GameTime/Dominica Recreation Products, Inc., a representative for PlayCore Wisconsin, Inc., located in Fort Payne, Alabama. This project has a total cost of \$122,855.63, as listed in GameTime quote. Monies are available through Community Development Block Grant funds.

8. Pamela Ambles, Human Resources Trainer, presented one request which resulted in the following action.

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- 1) Approved a Request to Fill Vacancies for these positions –

POSITION TITLE	DEPARTMENT	FT/PT	SALARY GRADE	SALARY
Case Manager/Child Support	DA/Child Support	P/T	212/01	\$10.18/hr.
Library Aide	Library	P/T	203/08	\$7.76/hr.
Center Maintenance Worker	Senior Services	P/T	207/01	\$7.95/hr.
Sheriff Services Clerk	Sheriff	F/T	12/1	\$25,101.74

9. Approved Resolution 2012-75, a Resolution authorizing Clayton County to enter into a Memorandum of Understanding with the Department of Homeland Security, Metro Atlanta Urban Area Security Initiative (UASI) in the amount of \$454,365.00 to formally receive chemical, biological, radiological and nuclear detection equipment and training to build upon the capabilities of the Type III Hazardous Materials Response Team in support of a continual regional effort with no County matching funds; to authorize the Chairman to execute the agreement, and otherwise perform all acts necessary to accomplish the intent of this resolution; etc. Vote unanimous.

10. Approved Resolution 2012-76, a Resolution authorizing Clayton County to enter into an agreement with Georgia Emergency Management Agency/Homeland Security providing for the terms and conditions under which FY-2009 Homeland Security Grant Program Funds will be used to equip county ambulances with GPS-Based Automatic Vehicle Location Systems; to authorize the Chairman to execute the agreement and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense; etc.. Vote unanimous.

11. Approved Resolution 2012-77, a Resolution authorizing Clayton County to submit a substantial amendment of the County's 2010 Consolidated Plan for the Neighborhood Stabilization Program 3 to the U.S. Department of Housing and Urban Development; to authorize the Chairman to execute all necessary documents and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget as necessary to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

12. Approved Resolution 2012-78 authorizing Clayton County to terminate its contractual relationship with B&E Jackson and Associates, Inc. for the provision of professional consulting services. At the request of B&E, the parties wish to terminate any existing contractual relationship upon the County's payment of \$89,689.00 and the provision by B&E of lien waivers from all subcontractors working under B&E. Clayton County and Right-of-Way Partners, who served as a subcontractor for the Project, wish to enter into an agreement for the completion of the right-of-way acquisition portion of the Project. The Board of Commissioners believes it is in the best interest of the County and the County will best be served by terminating its existing Agreement for Consulting

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Services with B&E Jackson and Associates, Inc., and entering into an Agreement with Right-Of-Way Partners for the stated reasons. Vote unanimous.

13. Approved Resolution 2012-79 authorizing Clayton County to enter into an interconnection agreement for distributed generation with Georgia Power Company providing for the terms and conditions under which electric power will be provided to the Clayton County Landfill Power Plant; to authorize the Chairman to execute the agreement and otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget where necessary to reflect the appropriations and expenditures relating thereto; etc. Vote unanimous.

Per Interim Attorney Jack Hancock, this resolution is required in order for the county to complete service to provide power to county buildings located in the Landfill area and to also provide excess power to be sold to Georgia Power. An agreement, therefore, is necessary to get a connection to the Georgia Power system.

Mr. Hancock requested an Executive Session to discuss a litigation matter. The Board generally consented to honor his request.

PUBLIC COMMENT:

1. Lisa Tinch, a county resident, emphasized that it has been six (6) years since her housing issue ensued. As of this date, nothing has been resolved regarding her home. She recently received some shocking news that her son tried to commit suicide as a result of this housing dilemma. Ms. Tinch opined that the Board's non-response to her housing situation has really damaged her children's lives. As a result, Ms. Tinch said she wanted to announce tonight her intention to run for the District 2 Commission seat because she felt Commissioner Gail Hambrick had never offered her any assistance or solution. Although the commissioners advocate that citizens should come to them to discuss concerns, Ms. Tinch stated she had come to them numerous times and received no resolution. She questioned when there would be a jury trial, and she wanted each individual commissioner to put in writing (via a letter format) why her case has not been resolved.

2. David Clark, a concerned county resident, recalled that one year ago this month (on April 15, 2011), Finance Director Angela Jackson's appearance before Superior Court Judge Deborah Benefield was widely reported. Also reported in court was the presence of Wade Starr (then employed as the county's Fleet Maintenance Director). According to Mr. Clark, written records indicate that Mr. Starr was not only in the courtroom but he deliberated with Ms. Jackson and her attorneys extensively after the hearing. An Open Records Request was done asking for Mr. Starr's job description and employment status during the weeks of April 4 -15, 2011. Records received from County Attorney Christie Barnes show that Mr. Starr was at his place of duty at this time and during the time of the Finance Director's court appearance. Mr. Clark stressed that nowhere in Mr. Starr's employment agreement did it state that he was to attend court and provide legal counsel for individuals or to be at any other location besides his contractual place of employment at the motor pool. It was asked through

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Open Records if Mr. Starr had been excused from work that day, had called in sick, had taken vacation or compensatory time, and/or had received supervisory approval. Mr. Clark stated that the answer to that question is “no.” He believed Mr. Starr chose to be absent from work that day and yet charged eight (8) hours of labor to the county when he was indeed not at his appointed place of duty. Based upon Mr. Starr’s salary at that time, Mr. Clark asked the Board to direct Mr. Starr to reimburse the county \$394.00 and to place a letter of reprimand in his permanent employment file. If the Board does not see fit to demand these actions, then Mr. Clark recommended that it extend to all county employees the ability to be absent from work whenever they desire. Regardless of the Board’s decision, Mr. Clark promised to do another Open Records Request within the next two (2) weeks to ensure corrective action has been taken.

3. Yvette N. Gates, a county resident and representative of Therapeutic Foster Care Agency, stated that her agency is relocating to this area. She just wanted an opportunity to present her program to generate foster parents in this community. Chairman Bell noted that Ms. Gates had signed up to set a meeting date with the appropriate district commissioner to discuss her agency’s program. He directed Ms. Gates to call the Board of Commissioners’ Office during regular business hours to set up such a meeting.

4. Jeffery Benoit waived his right to speak before the Board tonight.

5. Cynthia Freeman also waived her right to speak before the Board tonight. She had just written on the public comment sign-up sheet that she was available to volunteer in the county where needed.

6. Sonja Sleeper, a county resident, indicated that the county is still doing “business as usual.” She did not understand how the county could justify raising taxes 35% to fill a budget shortfall when it was obviously spending money on new landscaping, a new mobile stage for the Parks & Recreation Department, hiring new employees, doling out pay raises, and purchasing the latest technological gadgets. On the other side of the coin, county residents are losing their homes, jobs, and having to depend on food stamps. Ms. Sleeper believed that the county should be making an effort to reduce costs, raise resources to help community services, and to be concerned about the hardships citizens are enduring as a result of higher taxes. She reminded the Board that citizens have to “make do” with what they have by not purchasing the latest technological gadgets and taking care of home repairs themselves. Ms. Sleeper concluded that county improvements are raising costs and, since it is getting worse and worse for the citizens, the Board should show some type of effort to help the citizens in any way that it can.

7. James Leavy did not appear/respond when his name was called.

8. Carl Swenson, a resident of 6553 Pleasant Valley Drive in Morrow, Georgia, gave the Board his telephone number and reminded everyone that he had made an Open Records Request the last time he was here (March 13, 2012). Since there was no follow-up to his first request, he wanted the Board to have his telephone number for this second request. On another issue, Mr. Swenson questioned why the Parks and Recreation Department had requested a tennis court resurfacing and why the Board would

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even consider this “ludicrous request” when Lake City had repeatedly asked the county to repair simple potholes. He requested that the county prioritize its requests because taking care of roads is very important, and monies are in the budget to take care of such needs. Mr. Swenson next made a second Open Records Request for the balance of the county’s SPLOST Funds (in total). SPLOST monies are referenced regularly in business meetings, but the general public has no idea where the money is coming from or what it is intended for in the county. Lastly, Mr. Swenson stated there was a specific part of the county’s contract with Trane that dealt with carbon credits and how much the county would be getting back from the exchange. He recalled seeing a figure of over \$900,000.00; however, that figure was not indicated tonight in Trane’s presentation and award to the county.