

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 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 Yolanda Thompson of Riverside Presbyterian Church in Riverdale, GA. Pledge of allegiance to the flag led by Chairman Bell.
  3. Amended the agenda by adding a budget amendment for Parks and Recreation under item #9: Consider requests of Angela Jackson, Director of Finance (Budget Amendment #2-48/Authorizing Clayton County to accept a donation from Clayton Collaborative which represents donations received in support of the 2009 Kids Outdoor Initiative sponsored by Representative Glenn Baker. The funds will be used for the young naturalist program); adding a presentation of the aforementioned donation (\$3,273.00) in the form of a check by Representative Glenn Baker; adding Resolution 2010-115 (A Resolution authorizing the federal interest in three L-Vans from the Metropolitan Atlanta Rapid Transit Authority ["MARTA"] to Clayton County, GA); holding item #10 (Consider a request of Renee Bright, Director of Human Resources); and deleting item #11 (Resolution 2010-64/Authorizing Clayton County to enter into a Memorandum Agreement with the Atlanta Regional Commission providing for a framework for regional transit planning coordination and cooperation in the Atlanta metropolitan planning area). The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
  4. Approved the May 4, 2010 Work Session/Briefing with The Collaborative Firm, LLC on the Highway 138 Design Guidelines and the May 4, 2010 Regular Business Meeting minutes. The motion carried 4-0-1. Vice-Chairman Ralph abstained due to being absent from the May 4, 2010 Work Session/Briefing with The Collaborative Firm, LLC on the Highway 138 Design Guidelines.
  5. PROCLAMATION: "Clayton County Congratulates Abigail "Abby" Dixon for her Acceptance into the C5 Youth Foundation Leadership Program." (NOTE: Clerk Haywood read the proclamation for the benefit of the audience, and group photos were taken.)
  6. PRESENTATION: Community Choices Grant/Highway 42 Corridor (presented by Stephen Causby, Principal Program Specialist; Local Government Services Division of the Atlanta Regional Commission).
- Mr. Causby thanked the commissioners for the opportunity to speak to them this evening. He

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 2010

POST SUMMARY MINUTES

explained that he was present to congratulate the county for being selected as one of seven (7) communities that will be working with the Community Choices program. The Atlanta Regional Commission (ARC) received some great applications from various parts of the region, and it is excited to work with Clayton County. Community Choices is a quality growth initiative of the ARC that brings staff together across divisions to work on planning projects that have regional importance. Essentially, Community Choices will be working with the county in the coming months to identify parcels that are possibly slated for redevelopment or in-fill development within the Highway 42 overlay district. Mr. Causby concluded that ARC will be working with the Planning and Zoning staff on this effort, and it will hopefully have a report ready for the Board within six (6) to nine (9) months. He then opened the floor for direction and input from the Board as ARC starts this process. Mr. Causby welcomed any comments on items that needed attention.

Commissioner Edmondson asked Mr. Causby to explain in “layman’s terms” what “in-fill development” means. Mr. Causby replied that “in-fill development” basically refers to an undeveloped parcel; i.e., raw land or a parking lot.

Commissioner Singleton stated that she had met with Kc Krzic, the Zoning Administrator, about this project, but she wanted to hear Mr. Causby’s explanation of what the project entails.

Mr. Causby explained that the actual application submitted to ARC included several components, such as community meetings to establish guidelines for this area. He added that Community Choices works with graduate student interns and some staff; therefore, it is somewhat limited in providing assistance. ARC thought that it would be a great first step to look at parcels along the corridor to determine the ownership, acreage, land values, etc. that are key in the redevelopment region.

Commissioner Singleton next inquired about the starting and ending point of this project along the Highway 42 corridor. Mr. Causby responded that ARC plans to look at the entire overlay district. Chairman Bell thanked Mr. Causby for his presentation and stated that the county looked forward to working with him.

7. UPDATE: Justice Center Kitchen & Shower Repairs (presented by Interim Chief of Staff Alex Cohilas).

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 2010

POST SUMMARY MINUTES

Per Chief Cohilas, the county staff has worked with Sheriff Kem Kimbrough's staff on various maintenance contracts to identify the problems at the Jail kitchen and to lay out a plan to present to the Board tonight for a decision on how best to proceed. The major problems that have occurred stem from a roof leak over the Jail kitchen which contributed to ceiling damage. Repairs include removing and replacing all of the ceiling tiles in the kitchen area and removing the tile floor that was originally installed – 6 X 6 tiles now have grout mold from moisture and tearing from repetitive rolling of food carts over them. A permanent solution to these problems would be to pour on a floor with a seal (an epoxy resin), and this type of floor would be easier to maintain. Chief Cohilas also mentioned that county staff would be addressing some issues with the coolers in the Jail kitchen and plumbing repairs (which cover most of the kitchen problems). While the kitchen is being addressed, an operational plan has been put in motion to set up a temporary kitchen in the parking lot so that the Jail can continue to serve hot meals. The plan is to get all of this work done before the new appliances are delivered. New energy grant funds have been identified to purchase some of these new appliances because the facility is more than ten (10) years old. He assured the Board that the county has sought out the highest energy efficient appliances that can be used in this kitchen setting. Another major component to this repair project is the identification of leaks in the Jail shower areas. There are 144 showers that need waterproofing and replacements, so the best approach would be to use the same flooring system in the showers that is being used in the kitchen area. Pouring the floors all at once is more prudent and economic because it drives the square footage price down. It is estimated that these repairs will total approximately \$500,000.00. The addition of a 10% contingency for any unforeseen problems and a 5% Program Management fee would raise the total to \$575,000.00. Chief Cohilas proposed that the Board approve a budget amendment tonight of \$250,000.00 that would come out of this fiscal year's budget so that the repair work can begin within two (2) weeks from today. The overall time line for the work to be done is close to four (4) months, so it would span from this fiscal year to the next fiscal year. This means that the rest of the monies for these repairs could come out of next year's fiscal budget. Chief Cohilas reiterated that the county is only asking for \$250,000.00 out of this year's fiscal budget to address these much needed repairs at the Jail.

Commissioner Edmondson commended Chief Cohilas for the work he had done on this repair project and for working with the Sheriff to get it done. He had personally been on a tour of the Jail and agreed that these were necessary repairs. Commissioner Edmondson finally stated that he felt it was prudent to use some of this fiscal year's budget to start working on these much needed repairs.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 2010

POST SUMMARY MINUTES

8. Rod Gray, Director of Central Services, presented the following items which resulted in these actions: (NOTE: The Board voted on these items at once.)

1) Approved a bid (RFB Pkg. #10-03; 3/16/10) to cover an annual contract for County Uniforms. The recommendation is to establish multi-award contracts with the following firms: T & T Uniforms located in Jonesboro, Georgia and Tactical Gear and Supply, located in Forest Park, Georgia. Vote unanimous.

2) Approved a bid (RFB Pkg. #10-10; 4/19/10) to cover an annual contract for County Rental Uniforms. The recommendation is to award a contract to Riverside Uniforms, located in Griffin, Georgia, whose firm is the lowest bidder. Vote unanimous.

9. Angela Jackson, Director of Finance, presented these items which resulted in the following actions:

1) Approved Budget Amendment #2-48 (Parks & Recreation). This budget amendment authorizes the county to accept a donation of \$3,273.00 from Clayton Collaborative. These monies represent donations received in support of the 2009 Kids Outdoor Initiative sponsored by Representative Glenn Baker. The funds will be used for the young naturalist program. Vote unanimous.

Representative Glenn Baker expressed his extreme pleasure in presenting a check for \$3,273.00 to the Board tonight from the Georgia Kids Outdoor initiative. He reminded the Board that this was the money he helped raised on a Saturday last fall in a Kids Outdoor Festival at the Clayton County International Park. According to Representative Baker, over 3,500 people came to the park; over 500 kids performed; and approximately 1200 – 1500 kids attended the park events with their parents. He was looking forward to bigger and better events of this nature in the county. Through the tremendous assistance of Parks and Recreation and its director, Detrick Stanford, ten (10) kids will be going to camp in St. Simons for a weekend. These kids were chosen as the winners in an essay contest as a part of this initiative, and 180 essays were submitted. The Department of Natural Resources and 4-H partnered this event, and the essays were fantastic. From St. Simons, the kids will go to Jekyll Island and spend the night. Activities will include riding on a shrimp troller and hunting for turtles. Representative Baker said he hoped to double the raising of monies next year. He thanked the Board of Commissioners, Clayton County School Board, Commissioner Edmondson, and Parks and Recreation for their invaluable assistance and participation in this event. As far as he was concerned, the kids in Clayton County are incredible and their talents are truly amazing.

2) Approved Budget Amendment #2-50 (Other General Government) to provide funds

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 2010

POST SUMMARY MINUTES

for the repair of the kitchen floor at the Jail. Vote unanimous.

- 3) Approved the 2010 CDBG Action Plan to include the following items:
- a. Proposed Action Plan 2010 (Listing of Recommended Funding CDBG, HOME and ESG funded Projects), in the amount of \$2,251,938.00 for the CDBG Program (on page 3 of the Revised FY-2010 HUD Grants Final Funding Recommendations Report for the Clayton County Housing and Community Development Program); \$1,060,585.00 for the Home Program (on page 5 of the above-mentioned report; and \$91,522.00 for the Emergency Shelter Grants Program (on page 7 of this report).
  - b. Proposed Amendments to Action Plan 2007, Action Plan 2008, and Action Plan 2009 [Recommitment of \$310.00 in FY 2007 unexpended funds for Calvary Refuge bathroom reconstruction and transfer of \$104,891.00 from Unprogrammed Funds [\$53,939.00 FY 2008 & \$50,952.00 FY 2009] to provide Para-transit services to frail elderly and dialysis patients for medical services].
  - c. Authority for the Chairman to execute all HUD required documents, including all Subrecipient and CHDO Agreements to implement Action Plan 2010 and Amended Action Plans 2007, 2008 and 2009.

Vote unanimous.

10. Approved Ordinance 2010-107, an Ordinance to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 54 "Law Enforcement," Article I "In General," by adding a new Section 54-4 "Retention of Badge and Weapon by Retired Law Enforcement Officers." Vote unanimous.

11. Approved Resolution 2010-108 authorizing Clayton County to submit a formal application to the Georgia Department of Natural Resources for grant funding under the Land and Water Conservation Fund in connection with the Clayton County Parks and Recreation Department to accept the grant funds (\$90,000.00), if awarded, and provide matching funds (\$90,000.00). Vote unanimous.

12. Approved Resolution 2010-109 authorizing Clayton County to accept a donation (\$1,250.00) from the Wal-Mart Foundation on behalf of the Clayton County Parks and Recreation department. Vote unanimous.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 2010

POST SUMMARY MINUTES

13. Approved Resolution 2010-110 authorizing Clayton County to accept a donation (\$1,000.00) from the Wal-Mart Foundation and the Clayton County Master Gardeners (\$100.00) on behalf of the Clayton County Library. Vote unanimous.

14. Approved Resolution 2010-111 authorizing Clayton County to accept grant funds (\$3,000.00) associated with the Library Services and Technology Act Grant on behalf of the Clayton County Library System from the Board of Regents of the University System of Georgia. Vote unanimous.

15. Approved Ordinance 2010-112, an Ordinance to Amend the Official Zoning Map for Clayton County, Georgia; to amend the Highway 138 Overlay District. Vote unanimous.

16. Approved Ordinance 2010-113, an Ordinance to amend the Clayton County Zoning Ordinance, specifically Article 4 "Special Districts"; so as to delete language contained in Sections 4.7, 4.10, 4.12 and 4.13 and insert in lieu thereof new language; to adopt new language pertaining to the Highway 138 Overlay District. Vote unanimous.

17. Approved Resolution 2010-114 to provide for the adoption of the Highway 138 design guidelines. Vote unanimous.

18. Approved Resolution 2010-115 authorizing the transfer of the federal interest in three (3) L-Vans from the Metropolitan Atlanta Rapid Transit Authority ("MARTA") to Clayton County, Georgia; to authorize the Chairman to execute all documents necessary, and to otherwise perform all other acts necessary to accomplish the intent of the resolution; to authorize the Finance Director to amend the budget where necessary to reflect appropriations and expenditures relating thereto; to provide an effective date of this resolution; etc. Vote unanimous.

At this time in the meeting, Vice-Chairman Ralph asked Commissioner Hambrick to allow the Board a courtesy to delay the upcoming discussion item on the Clayton County Housing Authority's feasibility requests and expenditure of funds for certain projects until after the board appointments and street light petition were addressed. Commissioner Hambrick graciously consented to Vice-Chairman Ralph's request.

19. Approved the appointment of Joe Hamilton as an alternate on the Board of Appeals (Zoning). Vote unanimous.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 2010

POST SUMMARY MINUTES

20. Denied the reappointment of Robert Walker to the Clayton County Housing Authority. The motion failed due to three (3) nays from Vice-Chairman Ralph and Commissioners Hambrick and Singleton and two (2) ayes from Chairman Bell and Commissioner Edmondson.

Approved the appointment of Curtis Green of Jonesboro, GA to the Housing Authority Board. New term is for five (5) years and commences immediately. Term expiration is 5-11-15. The motion carried 3-2. Chairman Bell and Commissioner Edmondson opposed.

21. Accepted a street light petition for Stagecoach Road @ Elizabeth Terrace (AG, 250w hps lights) in District 1/Commissioner Singleton. Vote unanimous.

22. DISCUSSION ITEM:

- 1) Clayton County Housing Authority's Feasibility Study Request for Veterans Home/Work Release Center and Expenditure of Funds for the "Boots on the Ground" agreement.

Commissioner Hambrick voiced that this was not a discussion item since all of the Board members had received a copy of a letter composed by the Legal Department that will be sent back to the Housing Authority. She made a motion to send this letter back to the Housing Authority which advises the Authority not to proceed with the two recommendations of feasibility studies and the "Boots on the Ground" program. Vice-Chairman Ralph seconded that motion.

Commissioner Edmondson stated that he had a question. The draft letter that Commissioner Hambrick proposed to send back to the Housing Authority suggested that the Board has reviewed the feasibility study. He, however, was not familiar with this Board giving anybody direction to review the study nor had he seen the results of the study. The only thing that he had was a memorandum from the staff attorney in which he suggests nothing is wrong with it.

Commissioner Hambrick rebutted that the Board is making a decision based on the mission statement of the Housing Authority. These proposed studies do not comply with the mission statement of the Housing Authority which she served on for more than seven (7) or eight (8) years.

Commissioner Edmondson replied that he appreciated her work, but he just wanted to understand

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 2010

POST SUMMARY MINUTES

this draft letter. The mission statement is that there exists in the County a shortage of safe and sanitary dwelling accommodations available to persons of low income. What Chief Staff Attorney Michael Smith said on page 2 of the memorandum he gave to the Board a few weeks ago (specifically referencing “Boots on the Ground”) was that the purpose of the agreement was to identify those homeowners with a need for assistance in the area of foreclosures, etc. He did not understand the inconsistencies with these programs based on what the Board has received from the Chief Staff Attorney. Commissioner Edmondson affirmed that he has not received any other information about this matter at all.

Commissioner Hambrick responded that her biggest concern is the amount of money that is being spent by the Housing Authority on these types of programs. To conduct a feasibility study and promote “Boots on the Ground” is in excess. The county has too many homeless people as it is. She stated that she had attended a Housing Authority presentation where the School Superintendent informed everyone that many of the students enrolled in the school system are homeless. Commissioner Hambrick stressed that those monies could be better spent on something else instead of a “Boots on the Ground” program and a feasibility study that could cost more than \$50,000.00.

Vice-Chairman Ralph expressed his desire to move this issue forward to the culmination of the vote process that had already begun. Chairman Bell said if there were no further questions, he would ask for the ayes and nays. The motion carried 3-2 to send a letter back to the Housing Authority to advise the Authority not to proceed with the two recommendations of feasibility studies and the “Boots on the Ground” program. Chairman Bell and Commissioner Edmondson opposed.

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23. ZONING PETITION: T-Mobile South, LLC REZ /CUP 201004-01

1. Petition of T-Mobile South, LLC for 3.6 acres at 2549 Old Rex Morrow Road, Ellenwood, GA in Land Lot 172 of the 12<sup>th</sup> District in Clayton County, Georgia (Commission District 1/Commissioner Singleton).

Petitioner requests a rezoning from HI to HI w/CUP.

Proposed use of property is for a Telecommunication Tower.

Land Use Plan Amendment – NONE.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 2010

POST SUMMARY MINUTES

Zoning Advisory Group recommendation is approval.

Commissioner Singleton questioned if anyone were present in opposition to this petition. No one responded. She then stated that she had met extensively with the petitioners and was prepared to make a motion to approve this zoning petition. Commissioner Singleton's motion was seconded by Commissioner Hambrick. Vote unanimous.

PUBLIC COMMENT:

***Chairman Bell requested that Clerk Haywood announce the rule for public comment. Clerk Haywood announced that each person who wished to speak before the Board had a time limit of two (2) minutes.***

1. Wayne Madden affirmed that caring for the homeless is admirable. He further stated that he has lived in the Rivers Edge Subdivision for ten (10) years. For the past two (2) years, he has been burglarized twice. Two (2) weeks ago, Mr. Madden stated that his house was vandalized with his car in the driveway. His neighbor, who is a former football player, has had to put his Escalade on blocks. Mr. Madden said he wanted to see the Board help the people who have homes. He asked the Board what it was going to do about the burglars who continue to plague the people in his neighborhood. Mr. Madden urged the Board to help him get these criminals off the street.

2. Jesse Jackson, American civil rights activist and Baptist minister, expressed his utmost respect for each of the commissioners and the difficult role they play in the national public transportation crisis. He believed that essential access is a matter of being morally right and necessary for being cost efficient. The nation needs green jobs, but the trend has been to cut green jobs and essential services. Mr. Jackson noted that he was in Clayton County a month ago and met dialysis patients who have no means to get to hospitals, students who cannot get to school, and workers who cannot get to work. This constitutes a crisis in the county. With subsidies being cut at the federal level by Congress and legislators, everyone is in a bind. If there were more green jobs, the nation could build more highways. Right now, there are more cars which contribute to the gas/oil crisis, more pollution (carcinogens), and more traffic. On the other hand, if everyone reasons together, this nation can build more rails, make more steel, lay the rails, and build trains and buses to put America back to work. He emphasized that this county should consider it an emergency matter to get people back to work and dialysis patients transported to hospitals/treatment centers. His appeal to the Board was to reason and think

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 11, 2010

POST SUMMARY MINUTES

through a plan that is even bigger than raising a 1¢ sales tax for public transit funding. It was strange to him that with the presence of MARTA, rails, and the five arteries in this metro area...(NOTE: At this point, Clerk Haywood had no choice but to tell Mr. Jackson that his speaking time limit had expired.) Mr. Jackson beseeched the Board to allow him an extension on his speaking time. Chairman Bell asked if there were a consensus of the Board to permit Mr. Jackson to speak beyond the two (2)-minute time limit.

Vice-Chairman Ralph stated that the most appropriate venue for this type of conversation would be individually with members of the Board. He further stated that the Board has a long standing policy that denotes it does not respond to people who appear before it to speak. Vice-Chairman Ralph commented that even though he agreed with many of Mr. Jackson's points, he believed this topic deserved a more sensitive dialogue. If the Board could set a time to speak, that would probably be a better use of its time and this would be his motion tonight. Commissioner Singleton seconded the motion.

Mr. Jackson reminded the Board that there is a sense of urgency to this matter.

Chairman Bell said he thought the motion was to extend the time. Vice-Chairman Ralph replied no, the motion was to reschedule the opportunity for individual members of the Board to meet with Mr. Jackson to talk through this issue.

Chairman Bell rephrased the motion to be "*not to extend Mr. Jackson's speaking time tonight.*" The vote stood as before with Vice-Chairman Ralph and Commissioner Singleton, respectively. The motion carried 4-1. Chairman Bell opposed not giving Mr. Jackson an extension on his speaking time tonight.

There being no further business to discuss, Vice-Chairman Ralph made a motion to adjourn the Regular Business Meeting of May 11, 2010. Commissioner Singleton seconded the motion. The motion carried 4-1. Chairman Bell opposed.