

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 8, 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 by Chaplain (Major) Wally Woodcock of the Clayton County Police Department. Pledge of allegiance to the flag led by Chairman Bell.
3. Amended the agenda to reflect that there would be a slight change from two (2) requests to one (1) request under Item #7 (Consider requests of Rod Gray, Director of Central Services). The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the minutes of the June 1, 2010 Regular Business Meeting. Vote unanimous.
5. PRESENTATION: Recognition of the Kids Outdoor Initiative Scholarship recipients by the Parks and Recreation Department (presented by Detrick Stanford, Director of Parks and Recreation).

Mr. Stanford stated that the county was fortunate to recognize the children who participated in the Kids Outdoor Initiative and are scholarship recipients. The recipients who stood for recognition were as follows:

Zahdia Battick (Sequoyah Middle School)
Devin Boyd (Rex Middle School)
Celynna Dimaranan (Mundy's Mill Middle School)
Taylor Carlington (Strategic Academic Solutions)
Nateria Harbor (Pointe South Middle School)
Clarke Martin (Strategic Academic Solutions)
Destiny Mays (Morrow Middle School)
Joanne Rabauliman (Rex Middle School)
Damola Sanni (Rex Mill Middle School)
Myky Truong (Morrow Middle School)

Following was applause from the audience.

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Mr. Stanford explained that these children were the ten (10) winners who participated in a Kids Outdoor Initiative essay contest for 7th and 8th grade Clayton County School students. This event was spearheaded by Georgia State Representative Glenn Baker, along with the assistance of Commissioner Edmondson. The support of the Board of Commissioners, however, played an integral role in this event. This upcoming Friday, he will accompany all of the scholarship recipients on a three-day educational trip to Jekyll Island which will consist of a variety of outdoor activities. Donations of \$3,273.54 received from the event provided scholarships to fund this trip. Again, Mr. Stanford thanked all the supporters of this event and expressed gratitude to the children who participated in the first Kids Outdoor Initiative in the state. (NOTE: Group photos were taken following Mr. Stanford's presentation.)

Chairman Bell noted that one of the winners is the daughter of Jamie Carlington, Public Relations Specialist for Clayton County.

6. PROCLAMATION: "Clayton County Recognizes 12 and Under White Sox Baseball Team for Winning the 2009 World Series Championship." (NOTE: Clerk Haywood read the proclamation for the benefit of the audience, and group photos were taken.)

7. Rod Gray, Director of Central Services, presented the following item which resulted in this action:

1) Approved Deferred Prosecution Programs (RFP Pkg. #08-65). The Board of Commissioners approved the award of a contract to Turning Point Recovery Resources, LLC for the Deferred Prosecution Programs on May 19, 2009. Turning Point Recovery Resources, LLC, which conducts Substance Abuse and Theft courses for the Deferred Prosecution Programs, has reorganized under the name of Georgia LifeWorks, Inc. with its principal office located in Colbert, Georgia and its regional office is located in Jonesboro, Georgia. Under its agreement with Clayton County, notification of its reorganization must be approved for its services to continue. Central Services recommends the approval of this firm's reorganization and to allow it to continue its services. This firm has satisfactorily performed its services and has been an asset to the success of the Deferred Prosecution Programs. The Board of Commissioners agreed with Central Services' recommendation. Vote unanimous.

8. Angela Jackson, Director of Finance, submitted this item for consideration which resulted in the following action:

1) Approved Budget Amendment #2-52/Sheriff, in the amount of \$1,260,002.00, to reflect the collection of revenue in excess of the revenue budget and cover the cost of part-time wages, overtime, and allow for the payment of invoices submitted to Finance. Vote unanimous.

9. Renee Bright, Director of Human Resources, brought forward the following items which

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resulted in these actions:

1) Approved a request to renew the County's Employment Practices Liability insurance with the current carrier for the period July 1, 2010 through July 1, 2011 and to grant approval to the Finance Director to amend the budget as necessary. There will be no change in the premium. Vote unanimous.

The Employment Practices Liability insurance provides insurance coverage for claims against the County alleging discrimination, sexual harassment or wrongful termination to employees, former employees, or applicants by the County.

The County has faced large claims in recent years against the Employment Practices Liability insurance coverage that have resulted in large settlements paid by the insurance carrier. This has left the County in an undesirable position with insurers resulting in an increase in premiums and fewer insurers willing to give the county quotes for renewal. Only one company (the county's current carrier) was willing to provide a quote this year.

The financial impact to the County is illustrated in a level premium of \$284,000.00. Risk Management was able to negotiate with the carrier, who originally proposed a 2% increase over last year's premium.

2) Approved a request made by Warden Frank Taylor Smith, Director of the Corrections Department. Warden Smith, in support of Option 3 to Force Clean proposals presented by Chief of Staff Alex Cohilas, requests that a Corrections Officer II, Pay Grade 20, Step 1 (\$37,454.00 + \$14,970.00), and a Truck Driver, Pay Grade 11, Step 1 (\$23,884.00 + \$11,839.00) be authorized. Additionally, a Prison van, F-350 (\$23,356), and Trailer, 6X10 (\$2,300.00) must be purchased. Vote unanimous.

It is believed that better economies and efficiencies can be achieved by turning the actual clean-up of forced cleans over to the Corrections Department, working in conjunction with the Code Enforcement Office of the Clayton County Police Department.

Currently, the budget for Forced Clean operations has been reduced from \$250,000.00 to \$200,000.00. Quality of operations has not been good or fully responsive to the need. A detail with inmates furnishing the labor, led by a certified corrections officer, will be more effective. The County can field one team for \$113,702.00 and evaluate whether it can shoulder the load for the first year. Any shortfalls can be made up by diversion of other details and adding a dedicated second force clean team a year later.

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Even with start-up costs of \$113,702.00, eliminating commercial companies from the current manner of handling forced cleans and using inmate labor will significantly improve costs and efficiency. The financial impact to the budget will be \$86,298.00 to the better.

10. Approved Ordinance 2010-122, an Ordinance to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County Georgia, Part II, Chapter 18 "Buildings and Building Code Regulations," to enforce the Georgia State Minimum Standard Code for Construction and to adopt and enforce the International Property Maintenance Code and International Existing Building Code as adopted and amended by the State of Georgia; and to dissolve the four existing construction boards to be replaced by one board known as the Construction Board of Adjustment and Appeals; to repeal conflicting laws, ordinances, and resolutions; to provide severability; to provide an effective date; and for other purposes. The motion carried 3-2 due to a concern about the requests being heard by a board that only has one expert in each of the technical fields. The opinion of that board will ultimately rest on the expertise of one person representing all of the cases in the respective fields of Building, Electrical, Plumbing, and Mechanical (HVAC). Since the make-up and construction of this board will result in truncating the number of board members from 20 to 7, Chairman Bell and Commissioner Edmondson opposed.

11. Approved Resolution 2010-123 authorizing Clayton County to amend the Consultant Agreement for HUD Planning and Program Management Services with W. Frank Newton, Inc., for Clayton County, to include management of the Energy Efficiency and Conservation Block Grant (in the amount of \$2,545,900.00) pursuant to the American Recovery and Reinvestment Act of 2009 referred to as the Energy Efficiency and Conservation Block Grant. Compensation for Management of the Energy and Conservation Block Grant shall be in an amount not to exceed \$120,000.00 (over a three year period) of the total grant authorized for administrative cost pursuant to the program guidelines. Vote unanimous.

12. Approved Resolution 2010-124 to provide for a change in the name of a portion of the public road right-of-way of Mill Street to Tiffany Beddingfield Drive. Vote unanimous.

Commissioner Edmondson asked Commissioner Singleton if this resolution had been reviewed by 911 Emergency Services to identify calls with street changes relative to other streets with similar names. He wondered if that would pose an issue with 911 service.

Commissioner Singleton deferred Commissioner Edmondson's question to Jeff Metarko, Director of Transportation and Development, since his department handled the matter.

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Mr. Metarko replied that he did not think his department reviewed that specific point. Tiffany Beddingfill Drive is a unique name. He felt fairly confident that no other street in the county has a similar name.

Chief Cohilas affirmed that there will be no problem with this street name in the event 911 services become necessary.

(NOTE: Commissioner Singleton recognized the presence of the Beddingfill family – Jerry, Gail, and their daughter – in the audience tonight. This renaming of a portion of Mill Drive is in memory of their daughter, Tiffany, who was killed a few years ago.)

13. Approved Resolution 2010-125 authorizing Clayton County to enter into a lease agreement with the City of Jonesboro, Georgia for the lease of property located at 264 Main Street in Jonesboro, Georgia, for the provision of fire and emergency services in the City. This lease is on an “as is” basis at a rent in the amount of \$70,000.00 per year for an initial term of three (3) years with a right to purchase. Vote unanimous.

14. Approved Resolution 2010-126 approving and authorizing the execution of an amended and restated Intergovernmental Contract for the designation of a Recovery Zone and allocation of Volume Cap between Clayton County and the Development Authority of Clayton County to cover Economic Development bonds (for public facility) as well as Facility Bonds (for private activity). Vote unanimous.

15. Denied approval of a Special Facility Use request submitted by Representative Roberta Abdul-Salaam for use of the Virginia Burton Gray Recreation Center on July 10, 2010 from 12:00 noon to 7:00 p.m. The purpose is to hold a *Peace and Unity Block Party* and to request approval for the Parks and Recreation Department to serve as a co-sponsor for the event. Vote unanimous.

(NOTE: Representative Abdul-Salaam will still be welcome to use the facility, but the Board denied her the Special Facility use status.)

16. Approved the reappointments of Priscilla “Pat” Schmidt, Ericka Brown Davis, and Michael Gilliam to the Clayton County Community Service Board. New terms are for three (3) years; expiring on 6-30-13. Vote unanimous.

17. By general consensus, the Board held the appointment to the DFACS Board. The term of

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Frances Sellars expires on 6-30-10. New term is for five (5) years; expiring on 6-30-15.

18. By general consensus, the Board held the appointments to the Clayton County Library Board. The terms of Patricia Shepherd, Brenda Morant, Beth Holcomb, and Marilyn Mitchell expire on 6-30-10. New terms are for three (3) years; expiring on 6-30-13. Vote unanimous.

(NOTE: For the record, Commissioner Edmondson made a motion to reappoint Ms. Beth Holcomb to the Library Board. Upon reading a letter stating that she did not wish to continue to serve, he withdrew his motion. Following Commissioner Edmondson's withdrawal, the Board decided to hold all of the appointments to the Library Board.

19. ZONING PETITIONS:

WILLIAM GARCIA (REZ /CUP 201005-01)

- 1) Approved the petition of William Garcia for a conditional use permit to construct two (2) Soccer Fields at 5885 Old Dixie Road, Forest Park, Georgia in Land Lot 110 of the 13th District in Clayton County, Georgia (Commission District 2/Commissioner Hambrick), with the stipulation to erect a minimum of 20 feet tall netting around the fields to secure all sports equipment.

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

Proposed use of property is to construct two (2) Soccer Fields.

Land Use Plan Amendment – NONE.

Zoning Advisory Group recommendation is approval with a stipulation.

Vote unanimous. (NOTE: There was no opposition to this petition.)

Before the Board could act on the second petition, Commissioner Edmondson said he thought that the second issue tonight was supposed to be the Larry Adams special waiver for a sidewalk. Clerk Haywood responded that the Planning and Zoning Division informed her that this request would not be heard tonight, and that is why it was not on the agenda.

Kc Krzic, Zoning Administrator, added that this request would appear later before the Board for a final plat approval.

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EDDIE WALKER (MODIFICATION OF A ZONING STIPULATION)

- 2) Denied the Petition of Eddie Walker for a modification of a current RS-110 Zoning Stipulation at Homestead Road located in Land Lot 135 of the 12th District in Clayton County, Georgia (Commission District 1/Commissioner Singleton). Vote unanimous.

Petitioner requests a modification of a current RS-110 Zoning Stipulation. Proposed use of property is to reduce the heated square footage from 2,000 square feet to 1,600 square feet.

Commissioner Singleton asked if the above-listed petition from Eddie Walker would be for a vote only or if Mr. Walker would have to make a presentation before the Board.

Ms. Krzic replied that this petition had been notified for a public hearing. Chairman Bell advised that if it had been notified as a petition to be conducted in a public hearing, Commissioner Singleton might want to at least hear from Mr. Walker.

Commissioner Singleton stated that she first wanted to see if there were any opposition to this petition. There was no response from the audience; therefore, there was no opposition.

Chairman Bell noted that the public probably had not heard about the case yet. If the Board gave Mr. Walker an opportunity to present his petition tonight, that would be on the advice of the county's legal counsel.

Attorney Christie Barnes stated that if this petition had already been notified for a public hearing just like any other rezoning request, the Board would handle it the same way. Opposition could be heard first or vice-versa but, if there is no opposition, the Board can handle the petition the same way as it has handled any other rezoning.

Clerk Haywood pointed out that all of the commissioners had received an opposition letter, and it had been placed in their binders for tonight's meeting. Commissioner Singleton acknowledged that she had seen the opposition letter and, on that note, she made a motion to deny the petition of Eddie Walker. Commissioner Edmondson seconded the motion.

Chairman Bell acknowledged that Mr. Walker had raised his hand to ask a question. He asked Commissioner Singleton if she wished to hear from Mr. Walker.

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Commissioner Singleton voiced that she just was asking for denial of this petition because the county's new zoning ordinance calls for a heated space of 2,000 square footage with the RS-110 zoning. She wanted to stick with the guidelines that the Board has adopted.

Chairman Bell then asked for the ayes and nays. The ayes were unanimous.

Mr. Walker commented that he had never been denied the right to speak on his own behalf.

Chairman Bell assured Mr. Walker that he would be able to speak with Commissioner Singleton regarding this petition (after the meeting) since it was in her district.

PUBLIC COMMENT:

1. Robert Dozpain was not present when his name was called.

2. Josephine Slaton read an excerpt that she had printed from ajc.com as follows: "Recently Governor Sonny Perdue signed Senate Bill 84 initiating school board reform which will allow the State to step in when the local school system accreditation is threatened." Unfortunately, Ms. Slaton stated that the Clayton County Public School system was a template to get this bill passed. Ericka Davis, whom the Board just approved to be reappointed for a three (3)-year term on the Clayton County Community Service Board, was the chairperson of the Clayton County Board of Education when the school system lost its accreditation (and if she were wrong, she wanted to be corrected). Ms. Slaton reiterated that Senate Bill 84 was passed due to this county's loss of public school accreditation. In 2008, Chairman Bell had called for the resignation of the School Board members which included Ericka Davis. It is very disappointing that the Board approved tonight a person who was the forerunner for Clayton County Public Schools losing accreditation. She expressed that it is not fair for the Board to put the county in this kind of position, and it is clearly not in the best interest of its citizens.