

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

November 15, 2011

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 Rev. Wilbert Jordan of the Clayton County Ministers Conference. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda to include item #18 (Consideration of the renewal of the Frank Newton & Associates, Inc. contract). The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the minutes of the November 8, 2011 Regular Business Meeting. Vote unanimous.
5. PROCLAMATION: "Clayton County Proclaims November 14-19, 2011 Work Ready Week in Clayton County" (presented by Chairman Eldrin Bell).
6. PROCLAMATION: "Clayton County Recognizes Southern Crescent Habitat for Humanity and CEO Melissa Chapman" (presented by Chairman Eldrin Bell).

NOTE: Group photos were taken of the honorees receiving proclamations (along with co-workers, family, and friends). Clerk Haywood read the proclamations for the benefit of the honorees and audience.

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

- 1) Approved Budget Amendment #2-58 (Federal Narcotics Fund)/FYE 6-30-11, in the amount of \$424,312.00, to transfer funds from the Federal Narcotics Fund to the Debt Service Fund to provide for debt service payments on the Police/E-911 building. Vote unanimous.
- 2) Approved Budget Amendment #2-59 (Parks and Recreation Fund)/FYE 6-30-11, in the amount of \$464,939.00, to close the Parks and Recreation Fund. Vote unanimous.
- 3) Approved Budget Amendment #2-10 (Sheriff)/FYE 6-30-12, in the amount of \$700.00, to recognize Federal Equitable Sharing funds received and allow for the purchase of equipment for new vehicles. Vote unanimous.
- 4) Approved Budget Amendment #2-11 (State Narcotics Condemnation Fund)/FYE 6-30-12, in the amount of \$50,010.00, to recognize State Condemned Funds received by the District Attorney and purchase three (3) new vehicles. Vote unanimous.

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5) Approved a Request for Refund – Clean-up Bond, in the amount of \$500.00, for Charles A. Hayes & Associates (Mr. John White) of Fayetteville, Georgia. The property was inspected and approved on August 10, 2011. Vote unanimous.

8. Approved Resolution 2011-188, a Resolution authorizing Clayton County to enter into a grant award agreement with the Criminal Justice Coordinating Council and, in accordance therewith, accept grant funds in the amount of \$29,106.00, with a local match of \$7,277.00, to be used in connection with the Victims of Crime Act (VOCA) and Clayton County Juvenile Court’s Victim Assistance Project. Vote unanimous.

9. Approved Resolution 2011-189, a Resolution authorizing Clayton County to enter into a contract with the Georgia Department of Human Resources on behalf of the Clayton County Juvenile Court and, in accordance therewith, accept grant funds in the amount of \$42,333.00, with a local match of \$14,111.00, for the Promoting Safe and Stable Families Program. Vote unanimous.

10. Approved Resolution 2011-190, a Resolution authorizing Clayton County to enter into a contract with the Georgia Department of Human Resources on behalf of the Clayton County Kinship Care Resource Center and, in accordance therewith, accept grant funds in the amount of \$75,000.00, with a local match of \$25,000.00, for the Promoting Safe and Stable Families Program. Vote unanimous.

11. Approved Resolution 2011-191, a Resolution authorizing Clayton County to amend the agreement approved under Resolution 2011-149 for professional services with Forensic Photography, Inc., providing for the terms in which photographic and related services will be provided. (NOTE: The agreement will be redrafted to transfer vehicles back to Forensic Photography, Inc. to insure at its own additional cost.) Vote unanimous.

12. Approved Resolution 2011-192, a Resolution to authorize Clayton County to enter into an agreement with WorkTrain for the provision of part-time employees. Vote unanimous.

13. Approved Ordinance 2011-193, an Ordinance to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Part II, Chapter 22 “Businesses,” Article II “Occupational Licenses,” Division 1 “Generally,” by deleting the existing Section 22-34 “Revocation,” and substituting in lieu thereof a new Section 22-34 “Revocation.” (NOTE: This ordinance is amended to reflect a change from the Chief of Staff to act as a hearing officer in business license revocations to an administrative law judge chosen by panel and approved by this Board to act in that capacity.) Vote unanimous.

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14. Approved Resolution 2011-194, a Resolution authorizing the acceptance of one (1) condemned vehicle to be assigned to the Police Department fleet in a manner as will be in the best interest of the County (1999 Honda Accord; VIN #1HGCG1652XA066833). Vote unanimous.

15. Approved Resolution 2011-195, a Resolution authorizing Clayton County to accept a forfeited vehicle from Clayton County Police Department investigations (1968 Plymouth Fury; VIN #PS23G8D280613); to authorize the sale of such property in a manner as will be in the best interest of the County; to provide for the disbursement of sale proceeds, etc. Vote unanimous.

16. Approved Resolution 2011-196, a Resolution authorizing Clayton County to execute an easement for stormwater and surface drainage in connection with the County landfill. Vote unanimous.

Chairman Bell affirmed that all of the previously approved grants had budgeted amounts for local matches. He asked Interim Chief Staff Attorney Jack Hancock if any of these budgeted grants were impacted by House Bill #489 (Service Delivery Strategy). Mr. Hancock replied, "Yes, sir. All of them will be." The county will not receive any funds until the matter of getting the cities to agree upon and execute the Service Delivery Strategy is resolved. Chairman Bell informed County Manager Wade Starr that the new staffing company (WorkTrain) will be coming in, and several employees have already raised monies. He directed Mr. Starr to meet with Mary Byrd (Director of Senior Services) and Detrick Stanford (Director of Parks and Recreation) to ensure a smooth transition on behalf of the Board of Commissioners.

PUBLIC COMMENT:

1. John Marxen, a county resident, noted he had to seek the help of county employees to obtain a permit. Glitches appear to be the norm in government and no supervisor was present to answer any of his questions regarding the permit. He also questioned the accountability of the County Manager and felt that this person should be accountable to county citizens.

2. Carl Swenson, a county resident, stated all he hears now is that more positions are unaccountable in the county; i.e., a bus parked outside that is funded by an agency that no one sees. He felt that funding from federal sources was not a windfall for the county because the citizens are paying for those windfall monies to come to the county. This feeding frenzy must stop because these agencies are eking out the county's substance. High taxes are killing the economy and businesses. Mr. Swenson urged the Board to lower property taxes to attract newcomers and businesses.

3. Karen Kelly, a county resident, stressed that the Board needs to consider the hardship of the 34% property tax increase on citizens. She believed that such an increase was intolerable in the midst

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of county foreclosures and unemployment. (NOTE: Ms. Kelly submitted two [2] pages of prepared statements to the Clerk and requested that they be included in the minutes. These statements will be listed verbatim in the Regular Business Meeting minutes of November 15, 2011 instead of in this post summary.)

4. Sonja Sleeper, a county resident, questioned if the county's hiring/pay freeze were still in effect. To her knowledge, the Board had not voted to amend it. After reading the post summary minutes of the regular business meetings on the county website, she discovered that the Board had approved 19 new positions in the span of five weeks and promoted 4 individuals. Open positions posted on the website equaled \$946,000.00 in salaries only (not including benefits and taxes). Ms. Sleeper also noted that all of these positions were added and approved in Executive Session (when persons would not be aware of these positions unless they read the post summary minutes). Lastly, she believed that budget amendments should be itemized on the agenda and public comment should not be summarized. All comments from the public should be listed verbatim in the minutes. (NOTE: Ms. Sleeper submitted to the Clerk a 2011 Budget Document on Clayton County, Georgia Strategic Planning Parameters that will be listed verbatim in the Regular Business Meeting minutes of November 15, 2011 instead of in this post summary.)

5. Wayne Madden, a Rivers Edge Subdivision resident, relinquished his two (2) minutes to speak before the Board. He stated that the persons who had spoken before him had addressed what he wanted to say.

6. Chuck Ware, a county resident, implored the Board to support the 100 million dollar project to bring transportation back to Clayton County. He would continue coming back to the Board like Moses came to Pharaoh to ensure that transportation will be on the Board's agenda. Mr. Ware stressed that it was too dangerous for people to walk to the grocery store in the rain and walk down a busy thoroughfare such as Tara Boulevard.

7. Dale Millican, a county resident, emphasized that he and his neighbors are being deprived of their net worth due to the commercialization of the property at Panhandle and McDonough Roads (despite the Board's denial of this property being rezoned to commercial). Apparently, a predatory developer went to the Lovejoy City Council and persuaded it to annex and commercialize this property without the community's knowledge. Presently, Mr. Millican said his community has no representation and it needed the Board's help to fight this commercialization which is destroying the homeowners' net worth.

For the benefit of the public, Chairman Bell stated that the Clerk calls for the Public Comment sheet

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and it is supposed to have the speaker's address and phone number on it. In many instances, the Board attempts to direct certain people to respond to the public's requests. He requested the public to fill out this sheet completely in the future. At this point, Mr. Millican submitted his name, address, and telephone number to Interim Chief Staff Attorney Jack Hancock. This information was subsequently forwarded to Chairman Bell.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go into Executive Session in the Commissioners' Conference Room at 7:36 p.m. to discuss litigation matters. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go out of Executive Session at 7:50 p.m. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to reconvene in the Commissioners' Boardroom at 7:51 p.m. Vote unanimous.

17. [NOTE: No action was necessary based on Board decision(s) in the Executive Session.]

18. Clerk Haywood stated that the Board would now consider the renewal of the Frank Newton & Associates, Inc. contract.

Attorney Hancock stated that as the Board is aware, the county contract with Frank Newton & Associates, Inc. provides for a renewal to occur on December 31st of each year. The Board is required to give Frank Newton & Associates, Inc. notice one way or the other thirty days in advance. Attorney Hancock pointed out that this is the last Board meeting before that December 31st date (in advance). At this time, the Board would need to make a motion to either renew or not renew the contract. This motion then ensued:

Motion by Chairman Bell, second by Vice-Chairman Ralph, to not renew the county contract with Frank Newton & Associates, Inc. Vote unanimous.

For the record, Vice-Chairman Ralph stated that the renewal of the county contract with Frank Newton & Associates, Inc. was not discussed in Executive Session.

Commissioner Edmondson asked Attorney Hancock to elaborate on why the Board is not renewing the county contract with Frank Newton and Associates, Inc. Attorney Hancock responded that the discussion with Chairman Bell has been to go out with another Request for Proposal (RFP) to determine the market. Commissioner Edmondson rebutted that the county had never had an RFP before for these services. Attorney Hancock stated he had talked to Frank Newton (President) this afternoon and advised him that this contract would be considered and an RFP would be an option. Mr.

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Newton agreed to continue to provide contractual services on a short term basis until the county sends out an RFP. Attorney Hancock reiterated that the county is just trying to comply with the terms of this contract since the notice to Frank Newton and Associates, Inc. has to be thirty days in advance (by December 31st).

There being no further business to discuss, motion by Vice-Chairman Ralph, second by Commissioner Edmondson, to adjourn the Regular Business Meeting of November 15, 2011 at 7:53 p.m. Vote unanimous.