

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

December 6, 2011

POST SUMMARY MINUTES

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

1. Chairman Bell called the meeting to order.
2. Invocation was led by Rev. William Hill of the Higher Living Christian Church in Jonesboro, Georgia. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda by adding an Executive Session on personnel matters. The agenda was adopted, as amended, as all commissioners had copies before them. The motion carried 4-0.
4. Approved the minutes of the November 15, 2011 Regular Business Meeting. The motion carried 4-0.
5. PROCLAMATION: "Clayton County Board of Commissioners Honors Good Samaritan Principal Marcus Fuller" (presented by Chairman Eldrin Bell).
6. PRESENTATION: Board of Commissioners' Awards to "P.U.P. Day" (Pick Up Paper Day) Winning Teams/Kinship Care Program – Grandparents Raising Grandchildren and the Normandy Neighborhood Subdivision.

NOTE: Honorees for the proclamation and awards presentation took group photos with co-workers, family, and friends. Clerk Haywood read the proclamation and presented the awards.

7. Rod Gray, Director of Central Services, presented the following four (4) requests which resulted in these actions. (NOTE: The Board voted on all of these items at once.)

- 1) Approved an Annual Contract for Clayton County Deceased Body Removal Services (RFB #11-27; 9/20/11), as requested by the Central Services Department. The motion carried 4-0.

The bids for this project were evaluated by Jack Hancock, Interim County Attorney. This project was recommended to be awarded to Harris Ward and Webb Ellison Funeral Home, located in Lake City, Georgia, whose firm was the lowest responsive bidder.

- 2) Approved a bid for Clayton County Police Package Motorcycles (RFB Pkg. #11-35; 11/7/11). The motion carried 4-0.

The bids for this project were evaluated by Police Chief Greg Porter. This project was recommended to be awarded to Harley Davidson of Clayton County, located in Morrow, Georgia, whose firm was the lowest responsive bidder at a total cost of \$95,111.58 for six (6) motorcycles. Funding is available through the Edward G. Byrne Grant.

- 3) Approved rescinding the Clayton County Telecommunications and Data Services, AT&T Rescind Award (RFB Pkg. 11-08; 4/4/11). This revised recommendation is to rescind the award with AT&T, located in Atlanta, Georgia, as presented to and approved by the Clayton County Board of

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Commissioners during a Regular Business Meeting on July 19, 2011. After the award, AT&T and the County could not obtain a successful executed contract. The motion carried 4-0.

4) Approved amending the above-listed Clayton County Telecommunications and Data Services Annual Contract (RFB Pkg. 11-08; 4/4/11) with WindStream/Nuvox, located in Atlanta, Georgia, as presented to and approved by the Clayton County Board of Commissioners on July 19, 2011. This amendment is at the request of Brett Lavender, Director of Information Technology. The recommendation is to award the entire contract to WindStream/Nuvox (second lowest bidder). The motion carried 4-0.

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

1) Approved Budget Amendment #2-13/Other General Government (FYE 6-30-12), in the amount of \$5,884.00, to appropriate revenue collected from the sale of salvage vehicles to pay the invoices related to the sale. The motion carried 4-0.

2) Approved Budget Amendment #2-14/Other General Government (FYE 6-30-12), in the amount of \$165,000.00, to transfer funds to replace two (2) Police vehicles where the repair cost exceeds the value of the vehicle and to replace three (3) vehicles that were totaled. The motion carried 4-0.

3) Approved the following Fund Balance Policy to be in compliance with Governmental Accounting Standards Board Statement 54 (which enhances the usefulness of fund balance information by clarifying fund type definitions); i.e., the language "reserved" and "unreserved" will be replaced by "restricted," "permitted," "assigned," and "unassigned." The motion carried 4-0.

Fund Balance Policy

Classification of fund balance will be made in accordance with accounting and financial reporting standards as established by the Governmental Accounting Board.

Clayton County Board of Commissioners may commit fund balance to be used for a specific purpose as established by a majority vote. These committed fund balances cannot be used for any other purpose unless the Board of Commissioners rescinds or changes the specified use by majority vote. The action to commit fund balance must be done no later than the close of the fiscal year end; however, there is no requirement that the specific amount committed be determined at that time.

The Finance Director and his or her designee may assign fund balance, without Board approval, to reflect funds the County intends to be used for a specific purpose. Assignment of fund balance may not be made if the assignment results in a deficit in unassigned fund balances.

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Fund balance of special revenue funds which is not otherwise classified as non-spendable, restricted, or committed should be assigned for the intended purpose of that special revenue fund.

Fund balance of the debt service fund that is not otherwise classified as restricted should be assigned for the intended purpose of making debt service payments.

Fund balance of the capital project funds which is not otherwise classified as restricted should be assigned for the purpose of future capital project needs.

The approval of the funds specified above will stay in effect from year to year, unless changed by the Finance Director or his or her designee.

When restricted and unrestricted fund balances are both available for expenditures when the expenditure is incurred, the restricted fund balance is considered to be expended first.

When an expenditure is incurred for purposes for which amounts in any other unrestricted fund balance classifications (committed, assigned or unassigned) could be used, the County will utilize committed funds first, followed by assigned funds, and then by unassigned funds.

9. Renee Bright, Director of Human Resources, brought forth these requests which resulted in the following actions. (NOTE: The Board voted on all of these items at once.)

1) Approved a request to renew the Public Entity Excess Liability Insurance coverage for the period December 31, 2011 to December 31, 2012, and to grant approval to the Finance Director to amend the budget as necessary. The motion carried 4-0.

The Public Entity Excess Liability Insurance provides coverage for claims against the County alleging bodily injury, property damage, public officials' liability, law enforcement liability, errors and omissions, employment practices liability, and employee benefits liability.

Risk Management recommends moving from the County's current carrier, Everett National Insurance Company, to Starr Indemnity & Liability Company (no relation to County Manager Wade Starr). A decrease in the premium cost will result from this change. The financial impact to the County is \$453,900.00. This is a decrease of \$5,100.00 from last year's policy due to the change in insurance carriers from previous years.

2) Approved a request to renew the County's Fiduciary Liability Insurance for the period December 22, 2011 to December 31, 2012, and to grant approval to the Finance Director to amend the budget as necessary. The motion carried 4-0.

3) Approved a request to renew Airport Owners and Operators general liability coverage for the period January 1, 2012 to January 1, 2013, and to grant approval to the Finance Director to amend the budget as necessary. The motion carried 4-0.

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This insurance provides Airport Owners and Operators general liability coverage for the County's Heliport (41GA). Risk Management recommends moving coverage from the current carrier, Old Republic Insurance Company, to Westchester Fire Insurance Company/ACE USA. The premium will be \$3,991.00, which is a savings of \$18,625.00 from last year's premium, due to the change in carrier as well as the sale of Tara Field.

4) Approved a request to purchase Aircraft Liability and Hull Aviation Insurance coverage for the period January 1, 2012 to January 1, 2013, and to grant approval to the Finance Director to amend the budget as necessary. The motion carried 4-0.

The aviation insurance will provide coverage for Clayton County's Aircraft Liability and Hull. Risk Management advises to move coverage from Old Republic Insurance Company to Westchester Fire Insurance Company/ACE USA. A decrease in the premium cost will result from this change. The financial impact to the County is \$26,264.00. This is a decrease of \$8,729.00 from last year's policy due to the change in insurance carriers from previous years.

5) Approved a request to renew the Property and Boiler & Machinery Insurance coverage for the period January 1, 2012 through December 31, 2012, and to grant approval to the Finance Director to amend the budget as necessary. The motion carried 4-0.

The Property and Boiler & Machinery insurance provides coverage on County owned and leased buildings, contents, owned and leased vehicles, and equipment. Risk Management recommends renewing the policy with Travelers (incumbent carrier) with a policy limit of \$200,000,000.00 (deductible of \$100,000.00 per occurrence) with a premium of \$161,867.00. Travelers has carried this insurance for the County for six years and its rates have decreased between 2-12% each year. This year, many catastrophic events (storms, etc.) have triggered higher property insurance rates throughout the nation. The County has experienced two (2) major claims within the last five (5) years triggering payments from the carrier of \$370,000.00 and the possibility of another claim of \$151,000.00 (Parks and Recreation building) to be paid.

10. Approved Resolution 2011-197 authorizing Clayton County to execute a Right-of-Way Mowing and Maintenance Agreement with the Georgia Department of Transportation for the Transportation Enhancement (TE) Project CSTE-0009-00(148) Highway 138. The motion carried 4-0.

Per Interim County Attorney Jack Hancock, this resolution is a pre-requisite in the landscaping plan for the area between Walt Stephens Road and Highway 138 Spur (traveling east to the Henry County line).

11. Approved Resolution 2011-198 authorizing Clayton County to enter into an Agreement for Off System Safety, Project P.I. Number 0010449, with the Department of Transportation, State of Georgia for the Off System Safety Program to install approximately 67,702 raised pavement markers on 243.8 miles of roadway (181 streets) within unincorporated Clayton County at an estimated total cost of \$236,957.00, with GDOT funding 100% of the project up to a maximum of \$236,957.00 and the

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County funding any excess above \$236,957.00. The County's portion, if any, will come from the 2009 SPLOST Program. The motion carried 4-0.

12. Approved Resolution 2011-199 authorizing Clayton County to enter into a Contract with the Georgia Department of Human Services and, in accordance therewith, accept grant funds (\$23,963.90) on behalf of the Clayton County Cooperative Extension Service for the Promoting Safe and Stable Families Program. A local match of \$7,987.96 is required (budgeted). The motion carried 4-0.

13. Approved Resolution 2011-200 authorizing Clayton County to enter into a Memorandum of Understanding with Southern Regional Medical Center providing for the terms and conditions under which high quality applied learning experiences will be made available to employees of Clayton County Fire and Emergency Services (at no cost to the County). The motion carried 4-0.

14. Approved Resolution 2011-201 authorizing Clayton County to enter into an Agreement with Georgia Housing Consultants, Inc. providing for the terms and conditions under which consulting services will be provided in the transition of various grants previously administered by W. Frank Newton and Associates. This is a short term agreement of six (6) weeks. The motion carried 4-0.

15. Approved Resolution 2011-202 authorizing Clayton County to enter into a Transportation Enhancement Memorandum of Understanding with the Georgia Department of Transportation, Project Identification #0010640, providing for the terms and conditions of a landscaping project at the Charles W. Grant Parkway exit. Clayton County was awarded \$300,000.00 in Transportation Enhancement funding for landscaping beautification and enhancement for the ramp from I-75 to C. W. Grant Parkway. A 20% local match is required which can be achieved through a combination of in-kind services and work completed by County departments. The motion carried 4-0.

Interim County Attorney Hancock requested an Executive Session on personnel matters following the business meeting. Additionally, he requested to give the Board a brief update on a pending litigation matter and to conclude some court negotiations.

16. Accepted a street light petition for Jamestown Square (Jamestown Way/Jamestown Crossing) in District 3/Vice-Chairman Wole Ralph. The motion carried 4-0.

PUBLIC COMMENT:

1. Arthur Hughes, a Clayton County resident, asked for the Board's support on the campaign to denounce celebratory gunfire behavior; i.e., shooting on holidays, especially New Year's Eve. There have been two (2) deaths in the last two (2) years resulting from such gunfire behavior. He planned to have a New Year's Eve "Have Fun, Don't Shoot Your Gun Rally" on December 31, 2011 at the Riverdale Walmart on Highway 85 along with V-103 and 104.1 radio stations. Commissioner Michael Edmondson will present a resolution to the campaign committee at this rally that will be forwarded to Governor Nathan Deal for his support/consideration. Sheriff Kem Kimbrough is supporting the

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campaign committee along with Riverdale police and Clayton County police. Mr. Hughes urged the Board to let the campaign committee know its thoughts and plan of action.

2. Sandra Griffin, a Clayton County resident, voiced that she had intended to vent before the Board. After speaking to Police Chief Greg Porter and Chief Chris Butler about a safety concern she had, they assured her that the matter would be handled. If nothing transpires, Ms. Griffin stated she would be back before the Board.

3. Wayne Madden requested Vice-Chairman Ralph to specifically respond to how he would increase the revenue and attract businesses in the county before the election year of 2012. Mr. Madden noted that he had some ideas in mind also and wanted something concrete from Vice-Chairman Ralph to avoid communicating in "the abstract."

Vice-Chairman Ralph alerted everyone that he had received an e-mail from a community resident that he wished to read publicly. This e-mail read as follows:

Commissioner Ralph,

I want to take this opportunity to inform you of the outstanding police support we've received from the Clayton County Police Department. Over the last 18 months, I have seen this neighborhood change into a peaceful community.

Chief Porter (and) Captain Roberts of Sector Three have ensured that our concerns have been heard and resolved. Even today Captain Roberts and his officers caught two young men who were casing houses on Misty Meadows Lane. Because of their efforts and attention to detail, Misty Meadows is a safe place to live.

Roger E. Quillings

Misty Meadows N.W.

Vice-Chairman Ralph thanked Clayton County police officers who wear the badge and uniform every day for their outstanding support. He also thanked the residents, homeowner associations, and neighborhood watch programs for working in collaboration to make communities and streets safer and better.

Chairman Bell expressed appreciation for Vice-Chairman Ralph's comments and stated every Board member joined him in that praise.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go into Executive Session in the Commissioners' Conference Room to discuss personnel matters and receive an update on pending litigation/court negotiations at 7:33 p.m. The motion carried 4-0.

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Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go out of Executive Session at 7:56 p.m. The motion carried 4-0.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 7:58 p.m. The motion carried 4-0.

The following actions were taken based on personnel matters discussed in the Executive Session:

1. County Manager Wade Starr noted that State Court Clerk Gail Carnes had requested to allow an individual to be hired in at an advanced step. An explanation of this request was next presented by Renee Bright, Director of Human Resources.

Ms. Bright explained that the Clerk of State Court is requesting to hire an individual who has a number of years of county experience working for Judge Harold Benefield, who is retiring at the end of this year. The request is to hire this individual in at Pay Grade 12, Step 34.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to approve the above-mentioned personnel request. The motion carried 4-0.

2. County Manager Starr asked the Board to consider the following "requests to fill."

Juvenile Court – Request for one (1) full-time Juvenile Court Officer

Human Resources – Request for two (2) full-time Human Resources Analysts (Pay Grade 16) and one (1) part-time Human Resources Clerk

Library Services – Request for one (1) part-time Library Assistant at the Forest Park Library and one (1) part-time Custodian at Library Headquarters

Finance – Request for one full-time (1) Grants Analyst

Police Department – Request for one (1) full-time Police Officer, one full-time (1) Principal Secretary (Pay Grade 13) for the Drug Task Force, and three (3) full-time Police Officers I (Pay Grade 19)

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to approve the above-mentioned personnel requests. The motion carried 4-0.

There being no further business to discuss, motion by Vice-Chairman Ralph, second by Commissioner Singleton, to adjourn the Regular Business Meeting of December 6, 2011 at 8:00 p.m. The motion carried 4-0.