

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

December 13, 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 Chaplain Stanley Owens of the Clayton County Sheriff's Office. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda by adding a proclamation honoring the Parks and Recreation Department for receiving CAPRA Accreditation; adding Resolution 2011-208 (A Resolution authorizing Clayton County to allow Woodbridge Productions, Inc. to enter upon, use and by means of film, tape or any other method to photograph the property, including interiors and exteriors of all buildings, improvements and structures thereon and the content thereof located at the Clayton County Juvenile Justice Complex now under construction and to park vehicles, trucks and equipment in the parking area surrounding the courthouse); Ordinance 2011-209 (To amend the Clayton County Civil Service Rules and Regulations, as amended, specifically to delete Rule 7.202(f) Provisional Appointments, and to insert in lieu thereof a new Rule 7.202(f) as provided herein); adding Ordinance 2011-210 (A Resolution to provide for the adoption of amendments to the "Clayton County Civil Service Rules and Regulations" as it relates to the Clayton County Police Department Promotional Procedures; to authorize all necessary changes in the Civil Service Rules and Regulations required to reflect and otherwise implement the amendment contemplated in this ordinance); and making an appointment to the Tax Assessors Board. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.

For the record, Clerk Haywood announced that the Executive Session held tonight pertained to personnel matters.

4. Approved the minutes of the December 6, 2011 Regular Business Meeting. The motion carried 4-0-1. Commissioner Edmondson abstained due to his being absent from this meeting.
5. PROCLAMATION: "Clayton County Honors the 2011 Grassroots Leadership Institute Class" (presented by Commissioner Sonna Singleton).
6. PROCLAMATION: "Clayton County Honors Parks and Recreation on Receiving CAPRA Accreditation" (presented by Commissioner Gail Hambrick).

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 everyone present.

Chairman Bell recognized the presence of an ACCG staff member in the audience – Governmental Relations Manager Dave Willis.

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7. PRESENTATION: “Overview on Commission for Accreditation of Park and Recreation Agencies” (presented by Amy Keeney, Marketing & Communications Manager/Parks & Recreation Department).

On behalf of the Clayton County Parks and Recreation Department, Ms. Keeney thanked the Board for allowing it to proceed with the accreditation process. She acknowledged that the process to become a national accredited agency was a two (2)-year process. Clayton County is now a national accredited agency under the National Recreation and Park Association (NRPA). Ms. Keeney then showed the following PowerPoint presentation to the Board that outlined a brief overview on the Commission for Accreditation of Park and Recreation Agencies (CAPRA).

NRPA

The National Recreation and Park Association’s mission is to advance parks, recreation, and environmental conservation efforts that enhance the quality of life for all people.

ACCREDITATION PROCESS

Accreditation is based on an agency’s compliance with the 144 standards for national accreditation.

- Required to meet all 36 Fundamental Standards
- Must meet at least 85% of the remaining 108 Standards

Clayton County only missed six (6) of those required standards. It placed in the 90% percentile and met 96% of the required standards – which is outstanding.

Ms. Keeney noted that each of the commissioners had received a report of the CAPRA on-site visit to Clayton County that explained the standards – sections. There are ten (10) sections within the 144 standards (as listed below):

STANDARDS – SECTIONS

- 1.0 Agency Authority, Role and Responsibility
- 2.0 Planning
- 3.0 Organization and Administration
- 4.0 Human Resources
- 5.0 Financial Management
- 6.0 Programs and Services Management
- 7.0 Facility and Land Use Management
- 8.0 Public Safety, Law Enforcement and Security

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- 9.0 Risk Management
- 10.0 Evaluation and Research

The Clayton County Parks and Recreation Department has almost 700 documents set up in hard copy format as well as electronic format, constituting a CAPRA library. Files will continue to be updated to show that the Clayton County Parks and Recreation Department is maintaining its national accreditation.

CAPRA is a five year cycle that includes three phases:

1. Development of the agency self-assessment report
2. On-site visitation
3. Commission's Review and Decision

** An annual report highlighting that the Clayton County Parks and Recreation Department is maintaining the standards is required.

BENEFITS

The benefits to the department are actually to the County:

- Enhances Agency efficiency
- Recognized as leaders both nationally and locally
- Documentation of actual practices
- Improves and creates quality service
- Created approval and recognition for the community
- Provides long term benefits for the department; i.e., grant funds and federal programs.

**CLAYTON COUNTY PARKS AND RECREATION
Nationally Accredited Agency
Certified on November 2, 2011**

- 1st County in the State of Georgia
- 9th Agency in the State of Georgia
- 102nd Agency to obtain National Certification

** Only 104 agencies are nationally accredited.

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At this time, Ms. Keeney turned over the remainder of the presentation to Parks and Recreation Director Detrick Stanford. Mr. Stanford recognized and thanked the Parks and Recreation Department staff for all of the work they had provided over the last two (2) years during the accreditation process. (Everyone then gave a round of applause). He further stated that this was a collective effort of the entire county, and it would be remissible if he did not mention that this process took the leadership of the Board of Commissioners to give P&R the funding and support to make the accreditation happen. Mr. Stanford reiterated that the accreditation process really entailed the entire county departments, including Central Services and the Police Department, to ensure that all 144 standards were met. He also thanked his counterparts for providing work over the two (2)-year period. Lastly, as a token of appreciation to the Board, Mr. Detrick presented certification shirt, pin, and certificate showing that the Clayton County Parks and Recreation Department is the 102nd accredited agency in the nation and obviously the first in the state. He promised to hold up the banner of the county by continuing to maintain the standards set forth over the last two (2) years.

Chairman Bell thanked Ms. Keeney and Mr. Stanford for the presentation as well as the effort he and his staff made on behalf of this county. He has always believed that the “park is the face of the county,” and the Clayton County Parks and Recreation Department is proving it every day.

Commissioner Singleton agreed with Chairman Bell’s comments. She knew that Mr. Stanford had to deal with parents not wanting their children to wear certain uniform colors, so she just commended him and his staff for resolving these types of problems. Commissioner Singleton also praised Mr. Stanford and his staff for doing a great job with the presentation.

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

1) Approved a request for a contract amendment attached to RFP Pkg. #07-01 (Purchase Order #07005719)/SPLOST Consultant Right-of-Way Acquisition Services for Aviation Boulevard Grade Separation & Conley Road/Aviation Boulevard Extension Projects/Change. Vote unanimous.

The request is to increase the existing contract with Smith Real Estate Services from \$542,725.00 to \$625,679.00 (increase of \$82,954.00). As the project continues to advance, Georgia Department of Transportation has made some modifications that have affected the right-of-way plans for the project. Also, for specific parcels, Georgia DOT has required additional specialty or different appraisal reports than originally identified. As a result of these Georgia DOT modifications, the existing funding included in the right-of-way acquisition contract is insufficient.

2) Approved a request to purchase three (3) 2012 Ford Fusion 4-Cylinder Engine, “S” Style Package Vehicles (Purchase Requisition #00011410), as requested by the District Attorney’s Office. Vote unanimous.

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The recommended vendor is Allan Vigil Ford, located in Morrow, Georgia. This purchase would be made using the GA State Contract #SWC90795, at a total cost of \$50,010.00. Narcotics funds are available.

9. Angela Jackson, Director of Finance, submitted these requests which resulted in the following actions. (NOTE: The Board voted on both of these items at once.)

1) Approved Budget Amendment #4-20/Fund 307/Reimposition SPLOST Projects (FYE 6-30-12), in the amount of \$154,550.00, to establish the budget per Board approval [at the November 1, 2011 business meeting] of consultant services from Silverman Construction Program Management for the development, design and construction of new Animal Control Offices & Kennels. Vote unanimous.

2) Approved Budget Amendment #4-21/Fund 307/Reimposition SPLOST Projects (FYE 6-30-12, in the amount of \$1,300,000.00, to establish the budget for the acquisition, design and construction of the South Police Precinct (as approved by the Board at the August 2, 2011 business meeting). Vote unanimous.

Ms. Jackson alerted the commissioners that copies of the county's Travel Policy would be in their mailboxes tonight to review. If the commissioners had any questions or wished to make any changes, she requested they send her an e-mail.

10. Renee Bright, Director of Human Resources, presented two (2) requests which resulted in these actions. (NOTE: The Board acted on both of these items at once.)

1) Approved a request from the Superior and State Court Administrator to restructure the management of the accountability courts to create an accountability courts coordinator and two (2) case managers; one for the Felony Drug Court and one for the DUI Court. Vote unanimous.

The rationale is to separate the administrative functions from the case management functions for each of the accountability courts. This action will provide for general administrative oversight of budget and finance, grant management, contract and vendor negotiations, judicial support needs, and community outreach in one position serving both the Superior and State Courts of Clayton County. Separation of duties would allow case managers to focus on participant needs, program compliance, and other case related matters.

2) Approved a request to delete the position of Assistant Director of Economic Development (Pay Grade 30) and create an unclassified position of Deputy Economic Development Officer position (Pay Grade 30). Vote unanimous.

The current employee will move from the current position of Assistant Director of Economic Development to Deputy Economic Development Officer without loss of pay or employee benefits. There is no financial impact on the County budget.

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11. Approved Resolution 2011-203 authorizing Clayton County to enter into a statewide contract with the Georgia Department of Administrative Services for the purchase of IBM digital image storage hardware; authorizing the Chairman to execute a contract in connection therewith and to perform any and all acts necessary to accomplish the resolution; and authorizing the Finance Director to provide for the budget appropriate revenue sources and expenses anticipated. Monies will be provided in the 2008 SPLOST Fund. Vote unanimous.

12. Approved Resolution 2011-204 authorizing Clayton County to amend its agreement with SoftChoice Corporation to include the installation of digital image storage hardware; authorizing the Chairman to execute the amended agreement and otherwise to perform all acts necessary to accomplish the intent of the resolution. Vote unanimous.

13. Approved Resolution 2011-205 authorizing Clayton County to acquire a van (upon payment of \$250.00) from the Clayton County Board of Education to be assigned to Clayton County Cooperative Extension Service in a manner as will be in the best interest of the County. Vote unanimous.

14. Approved Resolution 2011-206, a Resolution approving an Agreement between Clayton County and ARINC, Incorporated providing for the terms and conditions under which engineering consulting services to the Clayton County Public Safety Digital Network Committee will be rendered. Vote unanimous.

15. Approved Resolution 2011-207, a Resolution authorizing Clayton County to enter into a subgrant award agreement with the Criminal Justice Coordinating Council of Georgia, by and through the Administrative Office of the Courts of Georgia and, in accordance therewith, accept grant funds (\$11,800.00) on behalf of the Clayton County Magistrate Court for a Stop Violence Against Women Act Criminal Justice Improvements Grant. No local match is required. Vote unanimous.

16. Approved Resolution 2011-208, a Resolution authorizing Clayton County to allow Woodbridge Productions, Inc. to enter upon, use and by means of film, tape or any other method to photograph the property, including interiors and exteriors of all buildings, improvements and structures thereon and the content thereof located at the Clayton County Juvenile Justice Complex now under construction and to park vehicles, trucks and equipment in the parking area surrounding the courthouse. Vote unanimous.

Interim County Attorney Jack Hancock specifically requested that the Board authorize the Chairman to execute the agreement upon its finalization and approval by the Chairman, County Manager, and himself. Mr. Hancock stated he had planned to have an agreement tonight but, due to a short notice, this resolution had to be handled as an emergency. Once the agreement is executed, it will be attached to Resolution 2011-208 (to be spread across the minutes).

17. Approved Ordinance 2011-209, an Ordinance to amend the Clayton County Civil Service Rules and Regulations, as amended, specifically to delete Rule 7.202(f) Provisional Appointments, and to insert in lieu thereof a new Rule 7.202(f) as provided herein; to repeal any and all conflicting laws,

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ordinances, resolutions, rules, and regulations; to provide for severability; to provide an effective date; and for other purposes. Vote unanimous.

18. Approved Ordinance 2011-210, a Resolution to provide for the adoption of amendments to the "Clayton County Civil Service Rules and Regulations" as it relates to the Clayton County Police Department Promotional Procedures; to authorize all necessary changes in the Civil Service Rules and Regulations required to reflect and otherwise implement the amendment contemplated in this resolution. The effect of this ordinance will be to delete Appendix "A" entitled "Police Department Promotional Procedures" in its entirety and to insert, in lieu thereof, the new Police Department Promotional Procedures (attached to this ordinance). Vote unanimous.

Mr. Hancock requested that the Board meet in an Executive Session to discuss personnel matters tonight. The Board generally consented to do so.

19. Approved the reappointment of Dorothy Morris to the Tax Assessors Board. The term of Dorothy Morris expires on December 31, 2011. New term is for three (3) years; expiring on December 31, 2014. Vote unanimous.

20. ZONING PETITION:

1) **BEACON MEDIA, LLC (W. Kelly Shaw) CUP 201101-01/Deferred from the November 8, 2011 Regular Business Meeting**

Beacon Media, LLC is requesting a Conditional Use Permit from Article 3.21 – General Business District to allow for the construction of a billboard sign. The subject property of 0.85 acres is located at 2723 Mt. Zion Road in Jonesboro, Georgia and is otherwise known as parcel numbers 12075A A002 and 12075A A009 (pending final plat approval). This property is currently zoned General Business (GB) and lies in Commission District 4/Michael Edmondson.

Proposed use of property is to allow for the construction of a billboard sign with access off Mt. Zion Road.

Land Use Plan Amendment: NONE.

ZAG recommendation is denial.

Before hearing from the petitioner (Mr. W. Kelly Shaw), Chairman Bell asked if there were any opposition to this zoning petition. There was no response.

Mr. Shaw acknowledged that this petition had been deferred from the November 8, 2011 Regular Business Meeting to this business meeting in order for him to ask the property owner to fill in (or remove) the pool in front of the property, thereby facilitating Board approval for the billboard sign. He admitted that he had made several unsuccessful attempts to get approval from the property owner about filling in the pool.

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Chairman Bell asked Mr. Shaw if he had anything further to say. Mr. Shaw said he had nothing further to say.

Chairman Bell then asked Clerk Haywood to ask if there were a person present who opposed this petition. Sonja Sleeper, a Clayton County resident, wished to speak in opposition. Ms. Sleeper stated that Clayton County is already a “beauty spot” and does not need another giant billboard. There are already too many billboards on Tara Boulevard and I-75. She concluded that it is just too much.

Commissioner Edmondson stated that he wanted to give some background information on this petition as well as offer some ideas to foster Board input. He recalled that the property owners came before the Board in August of this year and asked for a rezoning to expand the property, make improvements, and build a dance studio. A stipulation of that rezoning was that they would bring the front of that property, located near the intersection of Mt. Zion and Fielder Road, up to the current landscaping guidelines consistent with the current code. Commissioner Edmondson believed that the construction of the dance studio would also trigger the requirement of the Transportation and Development Department to sign off on a new site plan which would remove what right now is an abandoned swimming pool in the front of the building. He knew that the Zoning Advisory Group was recommending a denial of this petition, and the Planning and Zoning Office is recommending denial of this application. Commissioner Edmondson noted that there might be an opportunity to clean up the area. Mr. Shaw had explained earlier to him that the intent of the owners is to eventually move that swimming pool to the back of the property anyway. In an effort to clean up the property, Commissioner Edmondson suggested that if the property owners agreed to a stipulation to fill in and remove the pool and bring the property up to the county’s current landscaping codes prior to the issuance of construction permits for the billboard, he would agree to the billboard being there. Should the property owners obtain conditional use for the billboard, this issue will ultimately result in a variance hearing with the Board of Appeals because the property owners were asking for sign and height variances. He was aware that Mr. Shaw represented Beacon Media and inquired if Mr. Shaw would be willing to accept the aforementioned stipulations. Mr. Shaw responded that he did not have a problem with the landscaping stipulations; however, he was not authorized to approve the filling in of the pool. Commissioner Edmondson then asked if anyone else were present to speak on behalf of the property owner (unless the property owners were present). There was no response from the audience.

Chairman Bell asked Commissioner Edmondson if he would allow input from county staff and/or other commissioners regarding this petition. Commissioner Edmondson agreed to do so.

Kc Krzic, Zoning Administrator, alerted the Board that several things would accompany those conditions if the Board approved them. For example, if the pool is never filled back in, then the property owners would never obtain the building permit. She stressed that the property owners would have to meet those conditions in order to get the building permit. Secondly, the Planning and Zoning Office reviews these requests a year after they have been approved. If no building permits are pulled or if no construction is going on, the Planning and Zoning Office can bring back this request to the Board

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for a Conditional Use Permit. Essentially, the property owners (or representative) would have to appear in another public hearing if nothing comes out of this.

Chairman Bell asked Commissioner Edmondson if he would, in addition to his motion, allow Ms. Krzic's response to be spread across the record. Commissioner Edmondson replied, "certainly." He guessed one legal question would be if he would be allowed to make those stipulations if the representative had commented that he was not authorized to agree to the filling in/removal of the swimming pool (since the property owners had not given him that authority).

Mr. Hancock said if the representative has not been given such authority, he would be "uncomfortable" with telling Commissioner Edmondson that the conditions would be required to have signage on the back of the property. It might be a great idea, but the Board has conducted the public hearing; therefore, it would not be necessary to advertise it again. Commissioner Edmondson could defer a vote on this petition to another meeting next month, if he so desired.

Following a lengthy discussion, the Board agreed to defer this petition to the December 20, 2011 Regular Business Meeting. Vote unanimous.

21. ZONING PETITION:

2) **NEW MORNING LIGHT BAPTIST CHURCH (Robert Hodo) REZ/CUP -- 201111-01**

New Morning Light Baptist Church is requesting a rezoning from Article 3.7, Single Family Residential (RS-110) and Single Family Residential with a Conditional Use Permit (CUP) for a place of worship and day care center to Article 3.15, Office Institutional (OI), for the expansion of the existing place of worship, day care center, and afterschool program. The subject properties are located at 1382 Conley Road (Parcel #12241B A002); 1392 Conley Road (Parcel #12241B A003); 1404 Conley Road (Parcel #12241B A004); and 1416 Conley Road (Parcel #12241B A005) in Conley, GA. The subject properties would not qualify to apply for a Conditional Use Permit because of the five (5) acre requirement that accompanies residentially zoned properties. The rezoning to Office Institutional would allow the church properties to come into compliance. All properties combined equal a total of 4.6 acres in Land Lot 241 of the 12th District/Commissioner Sonna Singleton.

Proposed use of property is for the expansion of the existing place of worship, day care center, and afterschool program.

Land Use Plan Amendment: NONE

ZAG recommendation is approval with stipulations.

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Commissioner Singleton asked if anyone were present in opposition to this petition. There was no response from the audience.

Since there was no opposition, Commissioner Singleton stated she was prepared to make a motion to approve this petition. Vice-Chairman Ralph seconded the motion. Vote unanimous.

Mr. Hancock made the Board aware that the approval of this petition did not include a stipulation. The Board and petitioner were satisfied with Mr. Hancock's statement.

PUBLIC COMMENT:

1. James Searcy, a commissioner of the Housing Authority of Clayton County and an Ellenwood, Georgia resident, officially announced his resignation from the Housing Authority of Clayton County. Four years ago, he was appointed to this Authority when it was undergoing some "trying circumstances." Mr. Searcy appreciated receiving on-site leadership training, attending conventions, and networking with other commissioners around the world. He expressed pleasure in serving the citizens of Clayton County and wished the Housing Authority of Clayton County well as it pursued new horizons. Mr. Searcy concluded that he was ready to serve the county in the future in higher levels of leadership.

2. Sonja Sleeper, a Clayton County resident, was present to address the county budget again. After reading the on-line post summary minutes, she noted that the Board had approved nine (9) full-time positions plus three (3) part-time positions. These positions are in addition to 19 positions already approved by the Board since a 35% county-wide property tax increase was imposed. Since some other cities are raising taxes as well (such as Jonesboro's 1% tax mill), county citizens are being burdened even more so – up to an unbelievable 50% tax increase. Ms. Sleeper reiterated her disapproval of county awards; i.e., Parks and Recreation receiving a CAPRA accreditation, and the presentation of various proclamations and resolutions regarding grants. They are of no benefit to the county citizens. Citizens usually end up paying for the grants through their taxes. She stressed that she wanted to see more improvements in the community.

3. Bruce Griggs, a former law enforcement officer and a Clayton County resident (Hampton, Georgia), offered his services as a Violence Prevention Anger Management Specialist to the county. He and a local radio personality founded a youth anger management and violence prevention program in the Bowen Homes Community twelve years ago, and it is the only one of its kind in Georgia. His program treats anger as a disease instead of a social issue. If kids who are affected with social HIV ("Hood Infectious Virus") are not treated, their problems will turn into full-blown AIDS ("Addiction to Incarceration and the Death Syndrome"). Mr. Griggs planned to meet with the Clayton County Police Department to partner with it in this program.

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4. Wayne Madden relinquished his time to speak before the Board.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go into Executive Session in the Commissioners' Conference Room to discuss personnel matters at 7:55 p.m. Vote unanimous.

NOTE: Commissioner Edmondson left the meeting after this vote.

EXECUTIVE SESSION

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go out of Executive Session at 8:15 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 8:15 p.m. The motion carried 4-0.

22. County Manager Wade Starr brought forth the following "requests to fill vacancies" before the Board for approval – as requested by various county department heads:

1. One (1) Library Assistant (Part-time) – Library Headquarters
2. Two (2) Office Assistants (Part-time) – Senior Services
3. One (1) Library Aide (Part-time) – Library Headquarters
4. Juvenile Court Officer (Full-time) – Juvenile Court
5. Police Officer II (Full-time) – Police Department
6. Administrative Secretary (Full-time) – Police Department
7. Desktop Support Specialist (Full-time) – Information Technology
8. Animal Control Officer (Full-time) – Police Department
9. Office Assistant (Temporary) – Transportation and Development

The Board made the following action based on a decision in the Executive Session:

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to approve the aforementioned "requests to fill vacancies." The motion carried 4-0.

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There being no further business to discuss, motion by Vice-Chairman Ralph, second by Commissioner Singleton, to adjourn the Regular Business Meeting of December 13, 2011 at 8:17 p.m. The motion carried 4-0.