

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

September 14, 2010

POST SUMMARY MINUTES

PRESENT: Chairman Eldrin Bell, Commissioner Sonna Singleton, Commissioner Michael Edmondson, Commissioner Gail B. Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Bell called the meeting to order. He apologized for starting the meeting approximately ten minutes later due to some lengthy discussions concerning matters presented to the Board in the pre-meeting. Hopefully, the meeting tonight would be conducted in such a way that everyone would be able to get out on time.

2. Invocation was led by Pastor Karen Fisher of Forest Park United Methodist Church in Forest Park, GA. Pledge of allegiance to the flag was led by Chairman Bell.

3. Amended the agenda by changing item #5 from “Consider requests of Barbara Whitton, Central Services Purchasing Administrator” to “Consider requests of Rod Gray, Director of Central Services”; holding item #11 (Resolution 2010-188 – Authorizing Clayton County to apply for a grant from the Georgia Recreational Trails Program under which Clayton County will receive assistance in the amount of \$100,000.00 for the maintenance of certain trails located within Clayton County/Rex Village Revitalization Project); and deleting subsection 4) under item #13 (Zoning Petitions: Jamie Oden – Request to modify an existing zoning condition/site plan placed upon the property consisting of 4.64 acres at 11421 Panhandle Road, Hampton, GA in Land Lot 160 of the 6<sup>th</sup> District in Clayton County, Georgia; Commission District 3/Vice-Chairman Ralph. Jamie Oden notified Planning and Zoning that she wished to withdraw her petition). The agenda was adopted, as amended, as all commissioners had copies before them, by a vote of 4-0.

4. Approved the September 7, 2010 Regular Business Meeting minutes. The motion carried 4-0.

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

1) Approved a Purchase Request for roof replacement of five (5) County Departments, as requested by the Building and Maintenance Department:

**Alzheimers Services Center (Riverdale)**

Proposal based upon market experience – \$115,210.00

**Behavioral Health**

Proposal based upon market experience – \$179,517.00

Wet Insulation replacement, up to 500 SF – \$ 3,575.00

**Courthouse Annex 3**

Proposal based upon market experience – \$210,637.00

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

September 14, 2010

POST SUMMARY MINUTES

**Department of Family & Children's Services**

Proposal based upon market experience –	\$513,064.00
Wet Insulation replacement, up to 500 SF –	\$ 3,575.00

**Morrow Library**

Proposal based upon market experience –	\$180,906.00
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The recommendation is to purchase the material and services by utilizing the Master Intergovernmental Cooperative Purchasing Agreement with Cobb County, GA and U.S. Communities, from Garland/DBS, Inc. located in Cleveland, OH. The total cost of the roof replacement is \$1,206,484.00. Funds are available through the Energy Efficiency and Conservation Block Grant (stimulus monies). The motion carried 4-0.

Mr. Gray noted that this recommendation needed to be amended. It should also include that the Finance Director will be authorized to amend the budget accordingly. The Board agreed, and the motion carried 4-0.

6. Angela Jackson, Director of Finance, presented the following budget amendments for FYE 6-30-10 and FYE 6-30-11 which resulted in these actions. (NOTE: The Board voted on all of these items at once.)

1) Approved Budget Amendment Request #2-59 for Other General Government (FYE 6-30-10), in the amount of \$1,665,123.00 to transfer reimbursement funds. The motion carried 4-0.

2) Approved Budget Amendment Request #2-60 for the Victim Assistance Fund [265] (FYE 6-30-10), in the amount of \$22,216.00, to reallocate monies to balance accounts for year end. The motion carried 4-0.

3) Approved Budget Amendment Request #2-61 for the Tourism Authority (FYE 6-30-10), in the amount of \$49,067.00, to reflect collection of rental income, to cover bond costs related to the purchase of the rental building and decrease unused budgeted expenses. The motion carried 4-0.

4) Approved Budget Amendment Request #2-64 for the Emergency Telephone System (FYE 6-30-10), in the amount of \$1,007,466.00, to reflect the collection of revenue and to cover additional E-911 expenses with unused budgeted expenses. The motion carried 4-0.

5) Approved Budget Amendment Request #2-67 for the Ellenwood Tax Allocation District – 315 Fund (FYE 6-30-10), in the amount of \$1,925,086.00, to provide for additional

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

September 14, 2010

POST SUMMARY MINUTES

bond costs, agent fees and facilitate road improvements within the Ellenwood TAD. The motion carried 4-0.

6) Approved Budget Amendment Request #2-70 for the Tax Allocation District – 502 Fund (FYE 6-30-10), in the amount of \$324,713.00, to provide for additional agent fees and transfers out. The motion carried 4-0.

7) Approved Budget Amendment Request #2-71 for the Debt Service Fund – 400 Fund (FYE 6-30-10), in the amount of \$1,504,817.00, to provide for additional interest and principal charges. The motion carried 4-0.

8) Approved Budget Amendment Request #2-5 for Other General Government (FYE 6-30-11), in the amount of \$22,500.00, to cover the cost of replacing a van which has a repair cost that exceeds its value. The motion carried 4-0.

7. Approved Resolution 2010-184 authorizing the sale or other disposition of condemned or seized vehicles to be sold at auction (5 vehicles: 1988 Buick Electra G4CX51C8J1686066; 1995 Toyota Camry LE JT2SK12E4S0333816; 1987 Ford Escort LX 1FALP13P9VW388296; 1999 Chevrolet Camaro 2G1FP22K1X2123078; and 1991 Chevrolet Caprice Classic 1G1BN53E2MR142830). The motion carried 4-0.

8. Approved Resolution 2010-185 authorizing the acceptance of a condemned vehicle to be assigned to the Police Department Fleet in a manner as will be in the best interest of the County (2003 Acura MDX SUV 2HNYD18803H509913). The motion carried 4-0.

9. Approved Resolution 2010-186 authorizing the acceptance of a condemned vehicle to be assigned to the Police Department Fleet in a manner as will be in the best interest of the County (1999 Lexus RX300 SUV JT6HF10U8X0073631). The motion carried 4-0.

10. Approved Resolution 2010-187 authorizing Clayton County to enter into a Professional Services Agreement with Southeastern Air Services (Southeastern) wherein Southeastern will provide needed training and certification for the Police Department's Aviation Unit. The motion carried 4-0.

11. Accepted the **FIRST READING** of Ordinance 2010-189, an Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, specifically relevant sections of the Clayton County, Georgia Public Employee

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

September 14, 2010

POST SUMMARY MINUTES

Retirement System to exclude employees who are active participants or members in Employees Retirement System of Georgia or the Georgia State Employees Pension and Savings Plan; to suspend retirement benefits for participants who are reemployed by a plan sponsor as full-time employees after normal retirement age.

12. ZONING PETITIONS:

1) **RUBEN FERNANDEZ** (REZ/CUP 201007-01)

Petition of Ruben Fernandez for 7.692 acres at 8220 Highway 85, Riverdale, GA 30274 in Land Lot 234 of the 13<sup>th</sup> District in Clayton County, Georgia (Commission District 3/Vice-Chairman Wole Ralph).

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

Proposed use of property is Conditional Use Permit for outdoor recreation fields consisting of one soccer field, one beach soccer field, one basketball court, and one volleyball court.

Land Use Plan Amendment – NONE.

Zoning Advisory Group recommendation is approval with a stipulation.

NOTE: Clerk Haywood informed the Board that Mr. Fernandez requested to defer his petition to the October 12, 2010 Regular Business Meeting. Since this petition referenced property in Vice-Chairman Wole Ralph's district (District 3), and Vice-Chairman Ralph was not present at this meeting to hear it, the Board agreed by general consensus to defer this petition to the October 12, 2010 Regular Business Meeting.

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2) **TRACY E. THOMAS** (REZ/CUP 201007-02)

Petition of Tracy E. Thomas for 2.493 acres at 2083 Bethsaida Road, Riverdale, GA 30296 in Land Lot 166 of the 13<sup>th</sup> District in Clayton County, Georgia (Commission District 2/Commissioner Gail B. Hambrick).

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

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

September 14, 2010

POST SUMMARY MINUTES

Proposed use of property is Conditional Use Permit for a Personal Care Home having six (6) or more persons.

Land Use Plan Amendment – NONE.

Zoning Advisory Group recommendation is approval.

Ms. Thomas noted that she wanted to give the Board a brief overview of this petition. As a principal administrator of the Corner Stone Personal Care Home/Assisted Living Project, she brings twenty years experience of working and caring for the elderly population. Additionally, she has eight (8) years of experience as a nurse (LPN). In her long-term care experience, she discovered that many individuals who needed a long term care facility but still had some quality of life did not have many options. She wanted to meet the needs of those individuals and worked on this project for several years. Per Ms. Thomas, it took almost four (4) years to find the current location. The location she proposes sits on 2.5 acres and allows residents to go out and enjoy the property and not be necessarily confined to the home. Ms. Thomas then read the mission statement for Corner Stone Personal Care Home as follows:

At **Corner Stone Personal Care Home**, we are dedicated to serving the surrounding communities by providing an innovative secure environment for assisted healthcare services that are nutritionally conscious – providing healthy meals, personal care, companionship, security and supervision. Our philosophy is not just to fill the home but to present and provide quality care to our residents from our highly trained care assistants.

We believe in the complete “assisted care needs of each client on an individual basis, despite the needs.” Our facility will attempt to supply the best service available and apply proven techniques that serve not only the client, but also reassure the family that their loved one’s needs are completely satisfied. Continuing research will enhance our ability to assist each and every client to reach his or her goals, while providing the most complete and comfortable environment available. These services will primarily focus on improving the resident’s quality of life and the reduction of adversity, while encompassing individual body, mind and spirit well-being.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

September 14, 2010

POST SUMMARY MINUTES

The unique niche for “Corner Stone” will be the intimate “home style” setting that strives to promote the highest level of client independence with superior service. **Our facility will focus on each client’s physician or health consultant’s recommendations, balanced dietary needs and entertaining activities commonly utilized and accepted to meet their individual needs.**

Ms. Thomas further noted that residents in the facility can remain there as long as they are ambulatory and require minimum assistance; i.e., wheelchair or walker. By being a nurse with over twenty years experience, she will be able to recognize when any changes are necessary. At that point, Ms. Thomas stated that she and other qualified staff will be able to assist the residents in transferring to another facility that accommodates their needs.

Chairman Bell then asked if anyone were present in opposition to this project. There was no response from the audience. Chairman Bell next asked Ms. Thomas if she had finished her presentation.

Ms. Thomas responded that she wanted to share a list of services that Corner Stone Home Care, LLC would be providing as follows:

**Amenities & Activities & Services**

**LICENSED NURSE ON STAFF & CERTIFIED CAREGIVERS**

Assistance with daily personal care

24-hour Monitored Voice Activated Security & Staff

Five large beautifully decorated bedrooms with bed, armchair, and chest-of-drawers  
in 80 square feet of livable space

**\*\* (Four bedrooms will house 2 clients and one bedroom will house three clients.)**

Three and a half bathrooms

**\*\*\* (Three full bathrooms will be dedicated to the clients and the remaining bathroom will be used by the staff/visitors.)**

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

September 14, 2010

POST SUMMARY MINUTES

Weekly housekeeping/On-site Laundry  
Transportation to and from Doctor Appointments  
Secured Medication Assistance  
3 Nutritious Meals & Snacks  
Cable TV in each Bedroom & Living Area  
Unlimited Local & Long Distance Telephone Use  
Large Shared Activity Room  
Formal Living Room  
Two Dining Rooms (**for meals & private events**)  
Social/Spiritual Activities  
Indoor Group Activities  
Monthly Outings/Shopping  
Respite for family relief

(NOTE: As a follow-up, Ms. Thomas distributed pictures of the home and property to the Board for review.)

Lastly, Ms. Thomas informed the Board that house rules would be in effect regarding tobacco/telephone/alcohol use; visiting hours, television/radio/audio visual equipment use and volume, personal property, acts of violence, and weapons.

With no opposition to Ms. Thomas's petition, Chairman Bell stated that the matter was now in the arms of the Board.

Commissioner Hambrick questioned the stipulation from the Zoning Advisory Group regarding this petition.

Kc Krzic, Zoning Administrator, responded that ZAG actually did not have a stipulation. It only recommended approval.

Commissioner Hambrick stated that there was a discussion about the driveway.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

September 14, 2010

POST SUMMARY MINUTES

Ms. Krzic clarified that the driveway was indicated on the submitted site plan. It is a requirement from the Fire Marshall to install the additional turn-around upfront. (NOTE: The requirement read as ...“condition that the access drive required by the Fire Department be completed prior to the release of a Certificate of Occupancy and/or Business License.”) Ms. Krzic told Commissioner Hambrick that this condition could be cited as a stipulation, if she so desired, but it is actually required before Ms. Thomas could be issued a Certificate of Occupancy for the home.

Commissioner Hambrick indicated that she wanted to add the driveway condition as a stipulation before approving this petition. She then asked Ms. Thomas if she had a license from the State of Georgia. Ms. Thomas replied that it works in conjunction once her home meets the local zoning requirements here, and the driveway must be completed as requested by the Fire Marshall. A packet is then sent to the State, but she must meet all local requirements. The State will inspect the home to make sure all requirements are met. At that time, a permit will be issued. She reiterated that all State and local requirements must be met before a business license and/or Certificate of Occupancy will be issued.

Based on ZAG’s recommendation of approval and the stipulation of a driveway, Commissioner Hambrick made a motion to approve this petition for a personal care/assisted living home having 6 or more persons. Commissioner Singleton seconded the motion. The vote carried 4-0.

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**3) CHRISTIAN LIFE CENTER OF ATLANTA (REZ/CUP 201007-03)**

Petition of Christian Life Center of Atlanta for 0.46 acres (to be combined with existing 5.526 acres) at 3426 Rex Road, Rex, GA in Land Lot 152 of the 12<sup>th</sup> District in Clayton County, Georgia (Commission District 1/Commissioner Sonna Singleton).

Petitioner requests a rezoning from RS-110 to RS-110 w/CUP.

Proposed use of property is Conditional Use Permit for a Place of Worship, in order to expand the parking lot and associated buildings.

Land Use Plan Amendment – NONE.

Zoning Advisory Group recommendation is approval.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

September 14, 2010

POST SUMMARY MINUTES

Commissioner Singleton asked if there were anyone present in opposition to this petition. There was no response from the audience. Commissioner Singleton then made a motion to approve the petition of Christian Life Center of Atlanta to expand the church parking lot and associated buildings. Commissioner Hambrick seconded the motion. The motion carried 4-0.

PUBLIC COMMENT:

1. Mellissa Prescott was not present when her name was called.

2. Larry O’Keeffe, a county resident, was sure the Board was aware of the School Administration’s decision to enforce a twenty-year old transportation policy requiring that children who live close to schools walk to school. He was especially concerned about elementary school children and requested permission to task the Transportation and Development Department to do a survey and seek funding to establish sidewalks within a mile and a half along major thoroughfares around all elementary schools within the county. Mr. O’Keeffe acknowledged that sidewalks will not eliminate the hazards for the students. There are students in his particular area who walk down Rex Road, Highway 42, Evans Drive, etc. and have to cross busy roads. There have even been high school students struck down on Rex Road with sidewalks. He just wanted the commission to be pro-active and to get something started with a survey. Funding would have to be solicited, and the Board might know how to obtain some available grants. Mr. O’Keeffe knew this project would not get done quickly, but the Board needed to look at it in a long-term perspective.

3. Mr. Wayne Madden, a concerned citizen, recounted the incident where a young man was gunned down in Atlanta yesterday with an AK-47. It appears that gangbangers are running loose, and he hoped that this county (particularly Chairman Bell since he has some expertise in law enforcement) would initiate public relations with the gangbangers. This type of action would help determine the problems of gangbangers and rid the streets of drugs. Gangbangers do not stop at the Atlanta City line, and there is really truth in the saying that “there is no honor among thieves.” Life in Clayton County gets better all the time. Atlanta and Alpharetta are having problems now, so Clayton County is looking better and he hoped it would continue.