

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

October 12, 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 was led by Pastor LaVoris Holloway of Total Grace Christian Center in Rex, Georgia. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda by changing item #9 from Resolution 2010-202 to Ordinance 2010-202 and adding an Executive Session on litigation. Clerk Haywood noted that there would be some slight revisions to the October 5, 2010 Regular Business Meeting minutes as discussed with Commissioner Edmondson during the pre-meeting. These revisions were minor and would be made for clarification purposes only. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the October 5, 2010 Regular Business Meeting minutes (with the aforementioned slight revisions). Vote unanimous.
5. Rod Gray, Director of Central Services, presented these items which resulted in the following actions. (NOTE: The Board voted on both of these items at once.)

1) Approved a request for a Professional Services Agreement with GovDeals.com for surplus and vehicle auction services. Vote unanimous.

GovDeals.com is a successful online auction firm that provides services to government agencies for the sale of vehicles and surplus equipment in a web-based environment, which is very similar to an Ebay-like platform. The requested professional services agreement is actually an agreement that allows a government agency to use the GovDeals platform at no cost unless surplus items are sold. The requested government agreement is non-binding, which allows the County to utilize the online services as it deems necessary. There are no minimum quantities and there is only a fee if the item sells. The fee charged is 7.5% of the purchase price. This fee will be included in the auction price as a buyer premium and the County will not be required to directly pay a fee to GovDeals. Central Services is finalizing the list of requested sales items and will present the list to the Board of Commissioners in the near future to obtain the necessary approval to dispose of County assets through the auction process.

It is requested that the Board approve the recommendation, authorize the Chairman or his designee to execute all necessary documents to accomplish the intent of the contract, and authorize the Director of Finance to amend the budget accordingly.

- 2) Approved a request to rescind the icemaker/accessories portion of the award with

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Direct South, Inc. (RFB Pkg. #10-17), located in Buford, Georgia, as presented and approved by the Clayton County Board of Commissioners during the Regular Business Meeting on August 3, 2010. Vote unanimous.

Following the award, Direct South, Inc. was unable to provide the type of icemakers required for the Jail. (NOTE: Central Services will exercise the right to select another vendor for this equipment.)

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

1) Approved Budget Amendment #4-13 (FYE 6-30-11), in the amount of \$44,553,170.00, to Carry Forward SPLOST Project Balances for 2010 and to set up new budgets within the old SPLOST Fund 306 (for fiscal year 2011). Vote unanimous.

2) Approved Budget Amendment #4-14 (FYE 6-30-11), in the amount of \$10,366,116.00, to Carry Forward SPLOST Projects Balances for 2010 and to set up new budgets within the new SPLOST Fund 307 (for fiscal year 2011). Vote unanimous.

3) Approved Budget Amendment #4-15 (FYE 6-30-11), in the amount of \$12,388,033.00, to Carry Forward T&D/GDOT balances from 2010 and to set up new budgets for fiscal year 2011. Vote unanimous.

7. Approved Resolution 2010-193 authorizing the acceptance of a grant award of \$162,772.00 from the Federal Emergency Management Agency (“FEMA”) and the Department of Homeland Security (“DHS”) on behalf of the Clayton County Fire and Emergency Services Department; funding to be used to purchase cardiac monitor equipment. There is a county match of \$40,693.00 which will be reimbursed by the Southern Regional Medical Foundation. Vote unanimous.

Chief-of-Staff Alex Cohilas introduced Ms. Cynthia Jenkins, a representative of the Southern Regional Medical Center Southern Crescent Foundation. He stated that Ms. Jenkins was very instrumental in obtaining this grant for the county. The grant is really going to help the Emergency Medical Services that transport patients to Southern Regional Medical Center.

Chairman Bell asked Ms. Jenkins to elaborate on the services provided by this grant. Ms. Jenkins stated that this was a tremendous project, and she wanted to thank Chief Cohilas and

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other city/county organizations for their regional function. She added that she was so proud of Southern Regional Medical Center in taking the lead to identify funds for this very important initiative. Ms. Jenkins expressed gratitude to the Southern Crescent Health System, which served as a donor, and Long Term Acute Health Care (LTAC) [housed in Southern Regional] that contributed over \$200,000.00 to this project (totaling over \$300,000.00). It was a costly project that entailed a huge joint effort, and she really appreciated the federal government which has also come on board with the FEMA grant. Chief Cohilas (as Fire Chief of the County) and his staff will serve as the host, and they will assist in the disbursement of monies to all of the other EMS operations.

Chairman Bell questioned the benefit of this project for Clayton County citizens. Ms. Jenkins answered there are over one million people coming in and out of Southern Regional. Not every EMS operation is equipped to communicate with the Southern Regional Medical Center. Southern Regional not only has its patient base in Clayton County, but there are also patients coming in from Fayette, Henry, Coweta, South Fulton Counties, etc. There are actually seven different EMS's located in about seven different cities. Morrow and Forest Park were found to be lacking in EMS equipment compared to other operations. What this money will do is bring everybody up to the same level to communicate effectively with Southern Regional.

8. Approved Resolution 2010-201 authorizing Clayton County to enter into an Intergovernmental Agreement with the Department of Transportation, an agency of the State of Georgia for the allocation of State funds for resurfacing on 24 various County roads to encompass approximately 8.5 miles. Vote unanimous.

9. Approved Ordinance 2010-202, an Ordinance determining and declaring reasonable and safe maximum vehicle speed limits on all highways, streets and roads located in the unincorporated areas of Clayton County, Georgia; to amend the Code of Clayton County, Georgia, as amended, specifically Chapter 94 "Traffic and Vehicles," Section 101 "Maximum Speed Limits" (as set forth in Exhibit A); to set forth the reasonable and safe maximum vehicle speed limits on all highways, streets and roads located in Clayton County, Georgia, under the jurisdiction of the Commissioner of Public Safety or Commissioner of Transportation for the State of Georgia; to authorize the use of speed detection devices by the Clayton County Police Department and other law enforcement authorities as deemed necessary to effectuate the orderly flow of traffic and for the safety and welfare of the public; to authorize the submission of an application to the Department of Public Safety for a permit to use such detection devices within the unincorporated areas of Clayton County. Vote unanimous.

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10. Approved Resolution 2010-203 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 acquisition of real property within Clayton County. Vote unanimous.

11. Approved Resolution 2010-204 authorizing Clayton County to enter into a License Agreement with Rainbow House, Inc. providing for the terms and conditions under which the "2010 Festival of Lights" event will be conducted at the Clayton County International Park. Vote unanimous.

12. Approved Resolution 2010-205 authorizing the Kem Kimbrough Foundation to host the "Greg Street's Ride for the Kids" event at the Upper Field Area at Clayton County International Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; etc. Vote unanimous.

13. Approved Resolution 2010-206 authorizing Clayton County to enter into a lease agreement with David P. Winkle, Oliver Investments, LP, G. Robert Oliver, Trustee for Madison Kimberly Weiss, and G. Robert Oliver, Trustee for Kelsey Ryan Weiss providing for the lease of property for use in the Circuit Public Defender's Program. Vote unanimous.

14. Approved Resolution 2010-207 authorizing Clayton County to enter into a grant award agreement with the State of Georgia Department of Human Resources and, in accordance therewith, accept grant funds (\$655,926.72) to be used in connection with child support recovery efforts associated with the District Attorney's Office. This grant requires a local match of \$15,301.32. Vote unanimous.

15. Approved Resolution 2010-208 authorizing Clayton County to enter into a grant agreement with the Council of Juvenile Court Judges of Georgia and, in accordance therewith, accept grant funds (\$7,500.00) on behalf of the Clayton County Juvenile Court associated with the Purchase of Services Program. No local match from the County is required. Vote unanimous.

16. Approved Resolution 2010-209 authorizing Clayton County to enter into a grant agreement with the Governors' Office of Highway Safety and, in accordance therewith, accept

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grant funds (\$91,200.00) on behalf of the Clayton County Police Department associated with the HEAT Program. No local match from the County is required. Vote unanimous.

Michael Smith, Chief Staff Attorney, requested an Executive Session following the meeting to discuss litigation. The Board agreed to this request.

17. Approved the reappointments of Dr. Henry Anderson, Rev. Edward Best, and Mr. William C. McBerry to the Hospital Authority Board. New terms are for three (3) years and expire on October 31, 2013. Vote unanimous.

Approved the appointment of Ms. Sophia Haynes to fill the unexpired term of Mr. Joshua Byrd (resigned). The term expires on October 12, 2012. Vote unanimous.

18. Denied the reappointment of Dr. Cephus Jackson to the Zoning Advisory Group (as offered in a motion by Commissioner Edmondson). The motion failed to carry with 3 nays and 2 ayes. Vice-Chairman Ralph, Commissioner Singleton, and Commissioner Hambrick voted in opposition. Commissioner Edmondson and Chairman Bell voted in favor.

Approved the reappointment of Michelle Mayorga to the Zoning Advisory Group (as offered in a motion by Commissioner Singleton). New term is for three (3) years; expiring on August 19, 2013. The motion carried 3-2. Commissioner Singleton, Vice-Chairman Ralph, and Commissioner Hambrick voted in favor. Chairman Bell and Commissioner Edmondson voted in opposition.

Approved the appointment of Frenda A. Norwood to the Zoning Advisory Group. New term is for three (3) years; expiring on August 19, 2013. The motion carried 3-2. Commissioner Singleton, Vice-Chairman Ralph, and Commissioner Hambrick voted in favor. Chairman Bell and Commissioner Edmondson voted in opposition.

Approved the appointment of Warren Gerton to fill the unexpired term of Faye Brown (resigned). The term expires on August 19, 2012. The motion carried 3-2. Commissioner Singleton, Vice-Chairman Ralph, and Commissioner Hambrick voted in favor. Chairman Bell and Commissioner Edmondson voted in opposition.

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19. ZONING PETITIONS:

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

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

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.

2) **NATHAN RICHARDSON (REZ 201008-01)**

Approved the petition of Nathan Richardson for 6.318 acres at 7390 Jonesboro Road, Morrow, Georgia 30260 in Land Lot 80 of the 12<sup>th</sup> District in Clayton County, Georgia (Commission District 4/Commissioner Michael Edmondson) with a condition that the note attached to the construction drawings states: “no structures will be placed within the rights-of-way that will hinder the future construction of a multi-use pathway system.” Vote unanimous. (NOTE: There was no opposition to this petition.)

Petitioner requests a rezoning from HI to GB.

Proposed Use of Property is for a QuikTrip Convenience Store with Self-Service Gasoline Pumps.

Land Use Plan Amendment – NONE.

Zoning Advisory Group recommendation is approval.

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PUBLIC COMMENT:

1. Mr. Edwin Hendry, an employee of Transportation and Development, stated that the Board was aware of a letter he sent to his director pertaining to a four (4)-day work week. In this letter, he explained why it is not advantageous for the employees and the county to be placed on a five (5)-day work week due to the cost of time and money. Mr. Hendry stressed that he had not heard anything back about this matter, other than a memo distributed to employees on yesterday which outlined a five (5)-day work schedule. It appears that the same points Mr. Hendry had referenced in the letter were brought to the attention of the director, and the director's response was "I don't care." Mr. Hendry was disturbed to hear such a response from the director, and the director gave him the impression that he was going to proceed with a five (5)-day work schedule anyway. According to Mr. Hendry, he and the other employees did care; that is the reason why he wrote the letter to the director. Morale is going down and he did not want to see the situation result in total apathy among the employees. Before that happens, Mr. Hendry said he would retire. He reminded the commissioners that he had brought this concern before them last week, and he had been assured that he and his co-workers would receive a response. So far, nothing has happened. There are also some changes regarding lunch (from 30 minutes to 1 hour) which cause equipment issues with warm-up and start-up times. No one else is aware of what he and his co-workers have to do on the streets of this county. Mr. Hendry apologized for having to bring up this subject again, but it is getting to a point where the five (5)-day work week is going to cost the county money. Everybody else is saving money with a four (4)-day work week and increasing productivity. He then distributed a copy of the papers associated with this issue to Vice-Chairman Ralph. Per Mr. Hendry, Vice-Chairman Ralph was the only commissioner who had not received the papers (some of the other commissioners had received a hand-delivered copy).

Chairman Bell directed Chief-of-Staff Alex Cohilas to convene a meeting with him and/or Vice-Chairman Ralph on this matter. He had passed the paperwork to Chief Cohilas last week and thought there would have been a response by now. Chairman Bell reiterated that, for all T&D employees who wished to speak on this subject tonight, he would be passing this assignment to Chief Cohilas and the employees would be hearing a response before the work schedule change is completed.

2. Mr. David Evans said he had heard Chairman Bell say that T&D employees would receive a response before the work schedule change is completed. He believed that would be November 8<sup>th</sup>. Mr. Evans apprised the Board that several employees were attempting to perform some part-time work which has to coincide with whether they will be off on Monday or Friday. He asked if there were any way possible to confirm a date. Chairman Bell replied that Mr. Evans needed to discuss this matter with Chief Cohilas.

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Chief Cohilas informed Chairman Bell that he was supposed to meet with T&D Director Jeff Metarko after last week's business meeting. Mr. Metarko, however, was unable to meet with him due to some family issues. Chief Cohilas promised to check Chairman Bell's and Vice-Chairman Ralph's calendar to set up a meeting to discuss this matter. He felt confident that such a meeting could be scheduled next week.

3. David Owens told the Board that he had been working seven years in this county. He took his job seriously, did a good job, and gave 150% at work. For him to work for a director who does not care about his employees or does not come down to check on them is disturbing. The director never has anything positive to say when a good job is done, especially since the staff is short-handed. Morale is very low because only negative and bad comments are heard. A lot of employees are so despondent that they don't want to continue to work. He wanted something to be done to boost the employees' morale. Some of these employees have worked 15 to 20 years and to have a director who is constantly berating them is not encouraging. He urged the Board to resolve this issue as soon as possible so that the employees will want to come back to work and do their jobs again.

4. George Harper was not present when his name was called.

5. Chris Gallagher affirmed that Chairman Bell was the only member of the Board who voted against the Hospital Authority bond issue at last week's business meeting. He agreed with Chairman Bell's vote because of the consultation fee, 77% pension plan, and \$30 million loss. Mr. Gallagher felt that it was not a sound business plan, and everybody should not have voted for it. He believed that the plan needed to be studied further.

6. Wayne Madden opined that the Hospital Authority bond issue that the Board passed last week actually involved a conflict of interest because Vice-Chairman Ralph and Angela Jackson (Finance Director) were on the Hospital Board. Per Mr. Madden, Vice-Chairman Ralph sounded like a lobbyist for the Hospital. That poses a problem. Hopefully, everything was legal and above board.

7. Nathan Richardson did not respond when his name was called.

The Board made a motion to go into Executive Session to discuss litigation in the Commissioners' Conference Room at 7:35 p.m. Following the Executive Session, the Board reconvened the Regular Business Meeting in the Commissioner's Boardroom at 8:35 p.m.

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Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to amend the agenda to add a consideration of the Lake Crossing bond resolution. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to rescind authority granted in Resolution 2010-200 (A Resolution approving a bond resolution adopted by the Development Authority of Clayton County (The "Authority") authorizing the issuance of one or more series of the Authority's revenue bonds in an aggregate principal amount not to exceed \$3,000,000.00 (The "Bonds"); to authorize the execution of an intergovernmental contract between the County and the Authority to secure payment of the bond; and for other purposes. Vote unanimous. (NOTE: By general consent, the Board agreed to come back to the next business meeting to deal with the funding issue.)