

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

November 16, 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 Rev. Jason Hand, Minister of Children and Pre-School at the First Baptist Church in Jonesboro, GA. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda by deleting the Presentation entitled "The Draft Strategic Plan 2008 Greenspace Funds" (presented by Michelle Larsen, Director of Strategic Planning for The Collaborative Firm, LLC); adding two (2) budget amendments after Item #6 to be presented by Angela Jackson, Director of Finance; adding an Executive Session on a personnel issue following the Regular Business Meeting; holding item #8 (Resolution 2010-210 – Authorizing Clayton County to enter into a contract with Holland & Knight providing for the terms and conditions under which federal government relations consulting services will be rendered to the County); and holding item #19 (Resolution 2010-239 – Authorizing Clayton Center Behavioral Health Services to enter and temporarily occupy county owned property located at 6701 Highway 85 in Riverdale, Georgia for temporary use as an administrative office; to authorize the Finance Director to amend the budget where necessary to reflect the appropriations and expenses relating thereto; to provide an effective date of this resolution; and for other purposes). The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the November 9, 2010 Regular Business Meeting minutes. Vote unanimous.
5. Rod Gray, Director of Central Services, presented this item for consideration which resulted in the following action:
 - 1) Approved a bid (RFB Pkg. #10-27; 8/31/10) for Clayton County ATMS Enhancement Implementation. Vote unanimous.

The bids for this project were evaluated by Jeff Metarko, Director of Transportation and Development, and his staff. They recommend to award this project to Brooks-Berry-Haynie & Associates, Inc., located in Mableton, Georgia, whose firm offered the lowest bid of \$2,529,158.95. This contract is associated with GDOT Contract MSL-0004-00(402), PI

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0004402. Funds are available in the budget allocated for this project through a GDOT Local Government Project Agreement.

6. Angela Jackson, Director of Finance, submitted two (2) budget amendments for review which resulted in the following actions:

1) Approved Budget Amendment #4-32 (HUD Fund), for FYE 6-30-2011, in the amount of \$71,288.00, to provide equipment and supplies for the operation of the Frank Bailey Fitness Center. Vote unanimous.

2) Rescinded Budget Amendment #2-11 (Aging Grant Fund), for FYE 6-30-2011, in the amount of \$100,000.00, to provide funds for the Aging Program to replace grant budget reductions. The motion carried 4-1. Chairman Bell opposed. (NOTE: The Board had initially approved this budget amendment at the November 9, 2010 Regular Business Meeting.)

7. Renee Bright, Director of Human Resources, brought forth several requests for consideration which resulted in the following actions:

1) Approved a renewal of the voluntary Long Term Disability policy provided to Clayton County employees through The Hartford for the renewal period of June 1, 2011 through May 31, 2013. Vote unanimous.

This is a voluntary policy provided to and paid by Clayton County full-time employees who choose to enroll in the coverage. The current policy with Hartford has a three (3)-year rate guarantee and the current policy period is from June 1, 2008 through May 31, 2011. The renewal offer is for a two (2)-year period from June 1, 2011 through May 31, 2013 and includes a rate guarantee extending the county's present rates that are based on the employee's age and salary without an increase.

2) Approved the purchase of Public Entity Excess Liability insurance coverage for the period December 31, 2010 to December 31, 2011, and to grant approval to the Finance Director to amend the budget as necessary. Vote unanimous.

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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, employee benefits liability, etc. The recommendation is to change insurance carriers from Lexington Insurance Company to Everest National Insurance Company (AM Best rating A+ superior). The current carrier did not quote on the coverage. Risk Management has worked with Everest National Insurance Company in the past and is comfortable with the change. The new coverage will pay on behalf of the county when the claim exceeds \$750,000.00. Additionally, defense costs will erode the county's retention but will not effect the policy limits. The financial impact to the county is less than last year's premium of \$515,100.00. This policy's 2011 premium will be \$459,000.00 and produces a savings of \$56,100.00 over last year. (NOTE: The proposal was from the county's broker, The McCart Group.)

3) Approved a renewal of the Property and Boiler insurance coverage for the period January 1, 2011 through December 31, 2011, and to grant approval to the Finance Director to amend the budget as necessary. Vote unanimous.

The Property and Boiler insurance provides insurance coverage on county-owned and leased buildings, their contents, owned and leased vehicles, and equipment. It is recommended to purchase property and boiler/machinery coverage through Travelers (incumbent carrier) with a total policy limit of \$200,000,000.00 at an annual cost of \$135,997.00. This policy contains a primary deductible of \$100,000.00 per occurrence and covers properties owned or assumed through contract, provided the Risk Management Office has been notified of such properties. Annual cost for this renewal period is \$135,997.00, and cost for the 2010 policy period was \$138,390.00.

4) Approved a renewal of the county's Fiduciary Liability Insurance for the period December 22, 2010 through December 21, 2011, and to grant approval to the Finance Director to amend the budget as necessary. Vote unanimous.

The Fiduciary Liability Insurance provides insurance coverage for claims alleging breach of duty in the administration of the pension, deferred compensation or employee benefit plans. This includes coverage for any negligent act, error or omission in informing employees of the content

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or any sponsored and insured benefit plans. Those persons covered include the county's past, present, or future elected officials, trustees, employees, and others who are involved in these plans.

The County has an excellent loss history in this area; however, the insurance industry has suffered some extensive losses in general from these types of claims. Plan participants in many areas are filing claims against their trustees because of their loss of earnings which is really due to the economic environment – not for failure to invest their funds as prudently as can be done. It is costing to defend these types of claims. To date, none have been filed against Clayton County.

There is a slight premium increase over last year. The increase is \$1,101.00 as the 2010 coverage was \$22,032.00 and the 2011 coverage is \$23,133.00. No other insurance carriers quoted on this policy.

8. Approved Resolution 2010-229 authorizing the sale or other disposition of condemned or seized vehicles from the Clayton County Police Department Drug/Gang Task Force; to be sold at auction; to authorize the Director of Central Services to effect the sale of said vehicles as surplus items; to authorize the disbursement of proceeds from the sale of such property; 1997 Ford F-150 (#1FTDX07W6VKC60809); 2000 Pontiac Grand Prix (#1G2WP12K6YF193424); and 1996 Jeep Grand Cherokee (#1J4FX78S4TC371342). Vote unanimous.

9. Approved Resolution 2010-230 authorizing the acceptance of one condemned vehicle to be assigned to the Police Department Fleet in a manner as will be in the best interest of the County (2003 Cadillac Deville/#1G6KD54Y53U272487). Vote unanimous.

10. Approved Resolution 2010-231 authorizing Clayton County to enter into an agreement on behalf of the Clayton County Juvenile Court with the Office of the Governor Criminal Justice Coordinating Council to accept grant funds (\$29,106.00/\$7,277.00) and to set forth the terms and conditions under which the grant funds will be utilized. Vote unanimous.

11. Approved Resolution 2010-232 authorizing Clayton County to enter into a grant agreement on behalf of the Clayton County Aging Department with the Georgia Department of

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Human Resources and, in accordance therewith, accept grant funds (~~\$39,750.00~~/~~\$13,250.00~~) to be used in the Promoting Safe and Stable Families Program. Vote unanimous.

12. Approved Resolution 2010-233 authorizing Clayton County to enter into a contract with the Georgia Department of Human Resources on behalf of the Clayton County Extension Service and, in accordance therewith, accept grant funds (~~\$22,210.08~~/~~\$7,403.36~~) for the Promoting Safe and Stable Families, ABC's of Parenting Program. Vote unanimous.

13. Approved Resolution 2010-234 authorizing Clayton County to apply for a grant (~~\$10,000.00~~) from the National Conservation Foundation Conservation District Award Program on behalf of the Clayton County Parks and Recreation Department for the Reynolds Nature Preserve. Vote unanimous.

14. Approved Resolution 2010-235 authorizing Clayton County to amend and restate its Articles of Agreement with the Department of Family and Children Services, State of Georgia to include the leasing of a Para-Transit bus. Vote unanimous.

15. Approved Resolution 2010-236 to rescind Clayton County's authorization to provide a home program loan to Progressive Redevelopment, Inc., to be used to refinance the mortgage on and rehabilitate the Brookside Apartments located at 5420 Riverdale Road, College Park, GA. Vote unanimous.

16. Approved Resolution 2010-237 authorizing Clayton County to enter into a Cooperation Agreement with the City of Jonesboro and to support its efforts to secure grant funds from the Georgia Recreational Trails Program under which the City of Jonesboro will receive assistance for the construction of recreational trails. Vote unanimous.

17. Approved Resolution 2010-238 authorizing and approving the issuance of refunding revenue anticipation certificates by the Clayton County Hospital Authority for the benefit of Southern Regional Health System, Inc. d/b/a Southern Regional Medical Center; to authorize the Chairman to execute the approval and otherwise perform all acts necessary to accomplish the intent of the resolution; and to provide an effective date of the resolution. The motion carried 4-1. Chairman Bell opposed.

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Commissioner Edmondson questioned if Wells Fargo, Wachovia, or any affiliates were involved in the underwriting or syndicate numbers.

An unidentified representative from Southern Regional Health System, Inc. answered no, none of them was involved in this undertaking.

Vice-Chairman Ralph asked the Board to recognize the president of Southern Regional Medical Center in the audience tonight. Steve Mahan, President/CEO of Southern Regional Medical Center, stood at this time and everyone acknowledged his presence.

Chief Staff Attorney Michael Smith requested an Executive Session to discuss a personnel issue. The Board agreed to hold an Executive Session, by general consent, as requested.

Clerk Haywood noted that no one had signed up for Public Comment tonight.

The Board then made a motion to go into Executive Session. Following the Executive Session, the Board reconvened the Regular Business Meeting to vote on what had been discussed in the Executive Session. Action taken by vote was as follows:

1) Approved a request from Economic Development Department Director Grant Wainscott to obtain permission to offer the Assistant Director position at Pay Grade 30 and up to Step 18 (\$75,833.00). Vote unanimous. (NOTE: It was noted that this salary would be 20% below the Director's salary.)