

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

December 14, 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. Charles Grant of Mt. Welcome Missionary Baptist Church in Decatur, Georgia and the Forest Park Ministers Association in Forest Park, Georgia. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda by holding item #5 (Proclamation: “Representative Mike Glanton Honored for his Service and Dedication as a Legislator”) and moving it to the business meeting agenda of December 21, 2010; adding Resolution 2010-243 (A Resolution authorizing Clayton County to apply for a grant from the Georgia Department of Transportation on behalf of the Clayton County Parks and Recreation Department for the Jesters Creek Greenway Enhancement); and noting that Theodis Locke, Assistant Director of Human Resources, would only be presenting one item (instead of two items) to the Board tonight. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the December 7, 2010 Regular Business Meeting minutes. Vote unanimous.
5. **PROCLAMATION: “Clayton County Honors Chief Alex Cohilas for 35 Years of Public Service.”** (Group photos were taken, and Clerk Haywood read the proclamation for the benefit of the audience.)
6. Rod Gray, Director of Central Services, presented these items which resulted in the following actions:
  - 1) Approved a bid (RFB Pkg. #10-34; 10/27/10) for an Automated Red Light Camera Enforcement Systems Annual Contract. The recommendation is to award the contract to American Traffic Solutions, located in Phoenix, Arizona, whose firm is the sole bidder – with a score of 420.5. Vote unanimous.
  - 2) Approved a request to waive the sealed bid requirement related to Emergency Repairs to a Police Helicopter. This request is particularly for emergency inspection and 2000 hour turbine section overhaul of Police Helicopter, Bell 206 L3 Rolls Royce Engine, as submitted by the Police Department.  
The recommendation is to waive the sealed bid requirement and have the inspections and repairs from Keystone Engine Services, located in Coatesville, PA. This company is a Rolls Royce

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Authorized Maintenance, repair and overhaul center, approved for full capability repair and overhaul of the Rolls Royce model 250 C30P engines and accessories. Funds are available in the General Fund.

**The costs associated with this request are as follows:**

Labor	\$ 8,595.00
Parts restoration	\$13,382.00
Life-limited replacement parts (new)	\$20,655.18
Estimated on condition replacement parts (new)	\$ 8,292.73
Exchange parts	\$ 6,035.25
Assembly and installation kits	\$ 3,295.00
Module test including fuel and oil consumed	<u>\$ 2,795.00</u>
<b>Amount</b>	<b>\$60,255.16</b>

Commissioner Edmondson stated that the Police Chief's request letter indicated repair costs were available in the Aviation budget, but the Central Services memo stated these costs will come from the General Fund.

Mr. Gray responded that the Aviation budget is an org in the General Fund.

Vote unanimous.

3) Approved Work Authorization #002 for the Fire Multi-Purpose Building (RFP Pkg. #10-05). This Work Authorization request is submitted by Silverman Construction Program Management in order to receive approval to begin program management services for the design and construction of the Fire Multi-Purpose Building. Silverman Construction Program Management was approved as the project manager by the Board of Commissioners on August 3, 2010 to provide services on designated SPLOST projects. Vote unanimous.

The fee proposal is in line with the terms of the contract and is not to exceed \$170,644.00. Funds are available in the 2009 SPLOST Fund.

4) Approved a request for a Contract Amendment to RFP Pkg. #10-5 (SPLOST PROJECT MANAGEMENT & CONSULTANT SERVICES FOR POLICE PRECINCTS & RENOVATIONS, LIBRARY, ANIMAL CONTROL FACILITY, & FIRE MULTI-PURPOSE CONSTRUCTION PROJECTS). Vote unanimous.

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The location of one of the Police Precincts (from 2009 SPLOST Funds) has been designated to be built adjacent to a new recreation center site (from 2004 SPLOST Funds). Due to the fact that the recreation center project is currently under the Program Management of Carter Goble Lee (CGL), as detailed in a 2004 SPLOST Program Management Agreement, it is requested that the scope of work services for Silverman Construction Program Management be amended to include only one police precinct (which means to remove one police precinct).

7. Angela Jackson, Director of Finance, presented one item which resulted in this action:

1) Approved Budget Amendment #2-12/State Narcotics Condemnation Fund, in the amount of \$20,446.00 for FYE 6-30-11, to transfer fees to the District Attorney and Clerk of Superior/Magistrate Court for the processing of forfeiture cases. Vote unanimous.

8. Theodis Locke, Assistant Director of Human Resources, presented the following request which resulted in this action:

1) Approved a request from Brett Lavender, Director of Information Technology, to create a new position, Division Manager/Systems Integration. This position will be at Pay Grade 33, Step 1 (\$71,266.00 to \$107,379.00). The goal of this request is to ensure the success of the Board of Commissioners' approved 2008 SPLOST public safety technology projects; i.e., Voice Over Internet Protocol Unified Communications, Computer Assisted Dispatch System Upgrade, E-911 Telephone System Upgrade, and Voice Logging Recorder Upgrade. Creating this position will provide for the undertaking of the activities necessary to ensure these projects are successful. Funds for this position will be allocated from the 2008 Clayton County Special Purpose Local Option Sales Tax (SPLOST). The starting salary will be \$71,266.00 plus benefits. Vote unanimous.

9. Approved Resolution 2010-243 authorizing Clayton County to apply for a grant from the Georgia Department of Transportation on behalf of the Clayton County Parks and Recreation Department for the Jesters Creek Greenway enhancement. Vote unanimous.

Parks and Recreation will apply for a grant with a minimum amount of \$250,000.00 and a maximum amount of \$1,000,000.00 from the Georgia Department of Transportation for the Jesters Creek Greenway enhancement. There will be a 20% match of local funds which can be made in cash, in-kind services, donated services, materials, or real property.

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10. Approved Resolution 2010-245 authorizing Clayton County to enter into a Supplemental Agreement for the S.R. 139 Riverdale Road Project, No. CSSTP-0008-00(577), P.I.# 0008577 with the Georgia Department of Transportation to extend the project completion date to November 2011. Vote unanimous.

11. Approved Resolution 2010-246 authorizing the acceptance of a forfeited vehicle to be assigned to the Sheriff's Department fleet in a manner as will be in the best interest of the County (2008 GMC Sierra SLT/1GTHK23618F131004). Vote unanimous.

12. Approved Ordinance 2010-247 to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 10 "Amusements and Entertainments," Article II "Amusement Machine Operations," by adding the definition of "Class B Coin Operated Amusement Machines" to Section 10-26 "Definitions," and adding a new Section 10-33, "Class B Coin Operated Amusement Machines," so as to allow dining facilities with seating of 40 or more to have more than nine of said machines in operation (per a State law change). Vote unanimous.

13. Approved Ordinance 2010-248 to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 54 "Law Enforcement," Article I "In General," by deleting the existing Section 54-4 "Retention of Badge and Weapon by Retired Law Enforcement Officers," and substituting in lieu thereof a new Section 54-4 "Retention of Badge and Weapon by Retired Public Safety Officers." (NOTE: This ordinance essentially changes the definition of law enforcement officers to include those officers who work for the Clayton County Prison). Vote unanimous.

14. Approved Resolution 2010-249 authorizing Clayton County to enter into a contract with World Marketing, Inc. providing for the terms and conditions under which tax forms will be supplied and prepared for mailing to County constituents. Vote unanimous.

15. Approved Ordinance 2010-250 to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 22 "Businesses," Article II "Occupational Licenses," by repealing Section 22-46 "Administrative and Regulatory Fee Structure" and substituting in lieu thereof a new Section 22-46 "Administrative and Regulatory Fee Structure." Vote unanimous. (NOTE: This ordinance increases the application fee from \$60.00 to \$75.00.)

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16. Approved Ordinance 2010-251 to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 22 “Businesses, Article II “Occupational Licenses,” by repealing Section 22-47 “Occupation Tax Levied; Rate; Restrictions” and substituting in lieu thereof a new Section 22-47 “Occupation Tax Levied; Rate; Restrictions.” Vote unanimous. (NOTE: This ordinance allows a minimum occupation tax of \$50.00.)

17. Approved Ordinance 2010-252 to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 22 “Businesses,” Article II “Occupational Licenses,” by repealing Section 22-67 “Filing of Return Showing Actual Gross Receipts During Preceding Calendar Year; Procedure when Taxes Overpaid or Underpaid” and substituting in lieu thereof a new Section 22-67 “Filing of Return Showing Actual Gross Receipts During Preceding Calendar Year; Procedure when Taxes Overpaid or Underpaid.” Vote unanimous. (NOTE: This ordinance changes the return filing period from March 31<sup>st</sup> to February 15<sup>th</sup> of each year.)

18. Approved Ordinance 2010-253 to amend the Official Zoning Map for Clayton County, Georgia. Vote unanimous.

Kc Krzic, Zoning Administrator, stated that Ordinance 2010-253 readopts the county’s zoning map as provided. Planning and Zoning has been working with both the GIS Department and the Tax Assessors Office to actually formulate the most accurate map this county has ever had. This map identifies all of the current parcels (amounting to almost 90,000 parcels).

Commissioner Singleton questioned if the amended map included the Ellenwood case that she and Planning and Zoning had been working with lately. Ms. Krzic assured Commissioner Singleton that it did include the Ellenwood case.

19. Approved Ordinance 2010-254 to amend Article 8 “Sign Standards” of the Clayton County Zoning Ordinance so as to delete language contained in Sections 8.3, 8.5, and 8.18 and insert in lieu thereof new language; and further amending Article 8 by adding Section 8.20, “Electronic Multiple Message Signs” to adopt new language. Vote unanimous.

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20. Approved Ordinance 2010-255 to amend the Code of Clayton County, Georgia, as amended, specifically Chapter 98 "Utilities," so as to add a new Article V "Outdoor Watering of Landscape" and related sections. Vote unanimous.

Regarding another issue, Commissioner Singleton told Chief Staff Attorney Michael Smith that she had been informed he had received an e-mail from a Housing Authority Board member about some actions of Ms. Alita Knox (also a member of this Board). She questioned if this were a subject that the Board needed to discuss in Executive Session or if Mr. Smith would brief the Board about this matter.

Mr. Smith acknowledged that he had received some documentation from one of the Housing Authority members relating to travel expenses and the Housing Authority's travel policy. He planned to follow-up with the director of the Housing Authority to ascertain what the actual issues are concerning Ms. Knox. He understood there were some questions regarding whether or not appropriate documentation had been filed associated with those particular travel vouchers and what action the Housing Authority or this Board may take.

Vice-Chairman Ralph noted that the Board called for a hearing in the past to address such issues. He asked Mr. Smith to elaborate on the process to do that in this case.

Mr. Smith replied that a hearing in this case would be to remove a member of the Housing Authority due to failure to follow procedures. He reminded Vice-Chairman Ralph that the Board held a hearing about a year or so ago to determine if Housing Authority members had been improperly compensated. The state statute requires notification to such members in the form of a "Notice of Intent" and allowance of time for the members to respond.

Vice-Chairman Ralph questioned if Mr. Smith could proceed with a "Notice of Intent" so that the Board could hold a hearing at the next meeting (December 21, 2010).

Mr. Smith said he would need more information to proceed with a "Notice of Intent." Vice-Chairman Ralph said he thought the information would be received at the hearing. Mr. Smith explained that he did not have anything in writing as to what the true issue is. The only documents he has received are copies of travel vouchers and copies of the travel policy. No statement has been forwarded from anyone regarding a violation. Chairman Bell asked if an official complaint had been filed. Mr. Smith answered no.

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Commissioner Hambrick questioned what the e-mail requested that Mr. Smith had received. Mr. Smith clarified that he had not received an e-mail. The information he had received related to travel expenses, outstanding travel expenses, copies of checks issued to the Housing Authority member, and the Housing Authority travel policy.

Chairman Bell commented that the information Mr. Smith had received did not say very much. He believed the Board needed to give Mr. Smith adequate time to make a complete inquiry and then bring the matter before the Board (as Mr. Smith deemed appropriate from his findings).

Mr. Smith reminded the Board that he did have specific information about a violation and/or complaint to proceed with the last hearing which involved the Housing Authority Board. In this case, however, he did not have such specific information. Should he receive information regarding an official complaint/violation in time to bring back to the Board next week, he will ask the Board to authorize him to issue a "Notice of Intent" to make an inquiry. Thereafter, the law requires ten (10) days for that notice procedure to be followed. The Board then agreed to follow the proper process as outlined by Mr. Smith.

21. Approved the reappointments of Robert Bolia (Commissioner Edmondson) and Patricia Pullar (Commissioner Singleton) to the Board of Registration and Elections. The terms coincide with the appointing commissioners and will expire on 12/31/14. Vote unanimous.

22. ZONING PETITION:

1) **JOHN PATRONIS (REZ/CUP 201011-1)**

Approved the petition of John Patronis for 3.557 acres at 2511 Forest Parkway, Ellenwood, Georgia 30294 in Land Lot 181 of the 12<sup>th</sup> District in Clayton County, Georgia (Commission District 1/Commissioner Sonna Singleton).

Petitioner requests a rezoning from Heavy Industrial (HI) to Heavy Industrial (HI) w/CUP.

Proposed use of property is Conditional Use Permit for a Metal Recycling Facility, in accordance with Article 3.31, Heavy Industrial District Intent, Permitted Uses, and Conditional Uses, for a junk/salvage yard, places for dismantling, wrecking, and disposing of material.

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Land Use Plan Amendment – NONE.

Zoning Advisory Group recommendation is approval

Vote unanimous.

At this time, Chairman Bell recognized the presence of Mayor Luther Maddox of Jonesboro, GA, Mr. Eddie White (former Clayton County Board of Education member), Dr. Leon Bealer (head of the Ministers Association) along with other ministers, and Representative Gail Buckner of House District 76 in the audience.

PUBLIC COMMENT:

1. Chris Gallagher expressed that former Interim Police Chief Tim Robinson made a positive impact and did an excellent job in his neighborhood. Since Tim Robinson is no longer in that position, people are complaining that speeding has gotten out of control in his subdivision. It is not even safe for residents to try to get mail out of their mailboxes now. Although promises have been made to curb the speeding, the Police Department has done nothing so far. Mr. Gallagher stated he was here tonight to see if something could be done to address the speeding issue. Chairman Bell pointed out that Deputy Chief Tim Robinson was present in the audience tonight, and he would take care of the problem.

2. Wayne Madden congratulated Chief of Staff Alex Cohilas on the job he had done regarding the pension plan. He also wished him God's speed in his retirement.