

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

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. Wimberly Hale of Andrew Chapel United Methodist Church in Jonesboro, Georgia. Pledge of allegiance to the flag was led by Chairman Bell.

Clerk Haywood noted a point of procedure change in the meeting. She requested the Board to make a motion to assume its authority as the Clayton County Governmental Finance Corporation in consideration of Item #12 on the agenda (Resolution 2011-90 -- An agreement with Trane and the Clayton County Governmental Finance Corporation). The motion made was as follows:

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, for the Board to assume its authority as the Clayton County Governmental Finance Corporation in consideration of Resolution 2011-90. Vote unanimous.

Staff Attorney Christie Barnes presented Resolution 2011-90, which will provide a means for the county to enter into a contract with Trane to furnish certain services so the county can reduce energy consumption and operational costs at various sites within the county. The resolution will allow the county to finance the cost of certain equipment and related services specified in the performance contract with Trane. Additionally, the county will enter into a multi-year lease purchase agreement and certain other related documents. (NOTE: At this time, Ms. Barnes alerted the Board that those documents were not ready for the Board's final review tonight. This resolution, however, authorizes the Board to enter into those documents as they are finalized.)

Chairman Bell asked if there were any questions prior to a motion to approve Resolution 2011-90.

Commissioner Edmondson stated that he had a "big" question for Doug Hennen, C.E.M./ Account Executive, Comprehensive Solutions at Trane. He asked Mr. Hennen to give the Board and audience an overview of the energy savings the county is attempting to realize in this resolution. Commissioner Edmondson noted that some very large numbers were mentioned, and he wondered if they were coming out of the General Fund in the middle of the FY-2012 budget negotiation.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

Mr. Hennen responded that they would be coming out of the Operating Fund. In the “big picture,” this project accomplishes two (2) things. One is the H. R. Banke Justice Complex, where there are some old boilers with issues that need to be addressed. That is a small part of the contract; however, within the contract Trane has identified \$70,000.00 per year in energy savings that will pay for that boiler replacement at the H. R. Banke Justice Complex. Per Mr. Hennen, the biggest part of the project is at the county landfill (approximately 90%). Trane has just completed Phase I of the project which involves installing a methane gas extraction system required to be in code compliance with EPD. Currently, Trane is extracting a substantial amount of methane gas that will be utilized to provide power to adjacent county buildings and supply remaining excess power back to Georgia Power. The annual savings from offsetting what is presently being paid on county buildings is almost \$450,000.00 that the generators will be able to supply. Another \$500,000.00 a year in revenue should be coming in from Georgia Power to help the county pay for these improvements. Mr. Hennen stressed that this project is “budget neutral” with new revenues coming in from Georgia Power to offset existing expenditures and supply power to adjacent county buildings to the landfill.

Commissioner Edmondson stated that the county does not know how much the Georgia Power purchase cost will be anyway. Mr. Hennen answered that the Georgia Power purchase cost is projected to be 5½ ¢ per kilowatt hour, which totals approximately \$500,000.00 a year in revenue for the county.

Commissioner Edmondson asked if the county would be selling power from its methane power generator at the landfill to Georgia Power instead of vice-versa. Mr. Hennen replied, “exactly.”

Commissioner Edmondson acknowledged that this power extraction process was good for the county. When he received the Trane contract today, he noticed that Exhibit G (which refers to the ongoing and annual maintenance of the boilers and landfill generators) had a big price tag of \$352,000.00 a year every year for ten (10) years adjusted by 10% and is not subject to incidentals and overtime. Mr. Hennen talked about the annual energy savings of \$450,000.00 and \$500,000.00 (roughly 1 million dollars) from this project, so he wondered if that included the maintenance contract or just the \$6.5 million upfront. Mr. Hennen replied that it incorporates the maintenance contract and everything with it. He believed that places a 4% escalation (instead of a 10% escalation).

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

Commissioner Edmondson clarified that it was 3% for ten (10) years. Mr. Hennen answered that there would be a 3% escalation, but the county can cancel the maintenance contract at any time. Commissioner Edmondson noted that he had read that also. He just wanted to make sure because that is almost \$4 million more on top of the \$6 million. His intention was to ensure that the county's savings were "net."

Mr. Hennen agreed and stated that the savings were incorporated into the cash flow. Over the course of this project, the county will net approximately \$400,000.00 positive cash flow during a ten (10)-year period. That includes the maintenance cost for this period of time.

Commissioner Edmondson admitted that he was satisfied with Mr. Hennen's answers.

Commissioner Hambrick questioned what the delay would be with this project. Ms. Barnes responded that the delay would primarily stem from tweaking the insurance language. The Legal Office is also waiting on the finalized documents from Chase to lock in the county's interest rate. Commissioner Hambrick stated that this was her question. She asked if the delay would interfere with the interest rate.

Mr. Hennen said he did not believe so. Trane was waiting on the insurance language to come back from the county's Risk Management Office. Following a conference call today, Mr. Hennen expected that the insurance language would be ready tomorrow. This resolution essentially authorizes the Board to enter into this contract once the Risk Management review process is approved.

Ms. Barnes pointed out that the Board does have documents in substantially final form, and it will receive the finalized documents later on.

Commissioner Edmondson emphasized that the interest rate is subject to change.

Commissioner Hambrick inquired if the delay would be ten (10) or thirty (30) days. Staff Attorney Barnes said the Legal Office is hoping that the insurance language can be finalized by the end of this week.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

Commissioner Singleton asked Doug Selby, Bond Counsel from Hunton & Williams, LLP, if he wished to add to what had already been said about the financial documents.

With respect to the documents, Mr. Selby stated that there are actually two (2) sets of documents. Mr. Hennen of Trane had already referred to one of them that is waiting on some insurance language to be tweaked through collaboration/review with the county's Risk Management Department and the Legal Office. Separate and apart from that, financing of the energy improvement project is being done by Chase. Hunton & Williams, LLP has been negotiating with Chase since Friday in going over some additional language of the insurance provisions. Mr. Selby added that he had finished a phone conversation this afternoon on his way to this meeting, and Chase has agreed with the language he has proposed which limits the county's out-of-pocket expenses for casualty losses. His concern had been that the county would be fronting the entire cost of replacing equipment, and he had gotten Chase to accept the county's insurance. That insurance language will be worked into the documents that are put into the hands of the parties that are signing, but they are attached to these documents in substantially final form. Mr. Selby recommended that the Board authorize them to be signed tonight, subject to counsel's review of those issues.

Vice-Chairman Ralph expressed gratitude to the Solid Waste Management Authority members who were active in making this recommendation for the Full Board to consider. He acknowledged the presence of Mr. Rodney Givens, a member of the Solid Waste Management Authority, in the audience tonight. According to Vice-Chairman Ralph, this is a great example of how public private partnerships can work to help the county generate revenue and engage in efficiencies that the county would not otherwise be able to finance. He also thanked Trane for its support/knowledge in this arena and said he and others are excited about this project.

Commissioner Hambrick asked if the Board would be signing something tonight and continuing with other documents later. Ms. Barnes answered that the Board just needed to sign Resolution 2011-90 tonight.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to approve Resolution 2011-90. Vote unanimous.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go out of the Clayton County Governmental Finance Corporation session in consideration/approval of Resolution 2011-90. Vote unanimous.

3. Amended the agenda to add Resolution 2011-96 (A Resolution authorizing Clayton County to continue negotiations of the Service Delivery Strategy with the cities of College Park, Forest Park, Jonesboro, Lake City, Morrow, Lovejoy, Riverdale, and the Clayton County Water Authority; to enter into an agreement with the cities to extend the adoption of the Service Delivery Strategy, and to commence arbitration under the terms and conditions of the existing Service Delivery Strategy with 30 days following the effective date of this resolution.) Clerk Haywood added that the Board had consented to select Commissioner Michael Edmondson to continue the negotiation process with the aforementioned cities. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.

4. Approved the June 14, 2011 Regular Business Meeting minutes. Vote unanimous.

5. PRESENTATION: "Kids of Foreclosure" (presented by Darrielle McCray, a Clayton County Public School student).

Before beginning her presentation, Ms. McCray thanked the Board of Commissioners, her parents, teachers, and the Clayton County Board of Education for their support. She was honored to be here to bring forward results from her research. For two (2) years, Ms. McCray stated she has been aware of the effects that foreclosure has had on kids. She became extremely concerned when her best friend had to move as a result of a foreclosure. Due to the foreclosure, her friend's grades and personality changed. The worst part about the foreclosure was that her friend did not have a choice or voice in the matter. Students and parents everywhere have suffered tremendously as a result of the economic downturn that is sweeping the nation. Per Ms. McCray, foreclosure is a situation in which the homeowner is unable to make payments on his/her mortgage, and the lender (bank or mortgage holder) can sell the property and the homeowner cannot do much about it. Statistically, more than 84,000 properties have been foreclosed/repossessed nationwide. Las Vegas, Nevada currently has the highest city number of foreclosures, and Georgia ranks sixth in the nation. California has the most foreclosures of any state from 2007 through January of 2009.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

According to Ms. McCray, today's economy is discouraging and has been compared to the Great Depression that began in 1929 and lasted for ten (10) years. It was the worst financial crisis ever recorded and caused a series of unexpected events to occur. U.S. Banks failed and closed their doors, while unemployment soared. Within three (3) years, 14,500,000 jobs were lost and accounted for significant home losses. Like the Great Depression, this economic downturn today is nationwide. Foreclosures have an enormous effect on people's lives, especially kids. At first, some kids experience sorrow – followed by anger. This type of stress affects grades to the point of failing in some cases as well as behavior at home and in school. Nationwide, many children are forced to move, end up repeating grades or dropping out of school, and have their home life destroyed by foreclosure. Ms. McCray emphasized that children need to be reassured that foreclosure is not their fault in any way and that they will be taken care of regardless. First Focus, a child advocacy group, predicted that 2 million children will be directly affected by foreclosure. Many school districts have recorded great increases of homelessness; some as high as 40% in the past year have been reported. Ms. McCray informed the Board that she had distributed a paper survey to 50 local middle school students in Clayton County who volunteered to reveal how they have been affected by foreclosure. These students were both male and female and in the seventh and eighth grades. She also created a unique website called Kids of Foreclosure.com to assist her in analyzing and collecting the data. Her intention is to continue collecting data to show how homelessness is affecting students, student studies, and their families. Kids should have memories of school as fun, exciting, a time to be with friends, and a chance to learn new things from their teachers. So many students have had to move frequently and leave their school friends behind due to foreclosure or even homelessness. These students are also finding it harder to concentrate on their studies. Sleep disturbances cause short tempers which can result in poor behavior toward teachers and peers. The foreclosure practices and stresses of these times are affecting children and their families across the country and continue to affect their rate of survival.

Ms. McCray next referenced her short powerpoint presentation, which included a map of foreclosures by state in the nation (with California and Florida having the highest projected foreclosures); a map of Georgia counties highly affected by foreclosure; a table of state-by-state estimates of children directly impacted by the mortgage crisis; a picture of an entire subdivision in foreclosure in Clayton County; and a picture of her friend's home that was foreclosed. Ms. McCray concluded that there is a high number of students who are homeless due to foreclosure. Anyone can help...

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

- **By volunteering to tutor students who are homeless at www.schoolonwheels.org or any of the local shelters.**
- **Advise any student who may be going through this process that the McKinney-Veto Act for homeless kids has passed and helps students remain in their home schools.**
- **Visit www.kidsofforeclosure.com for current information.**

Chairman Bell commented that Ron Sims, Deputy Secretary of the U.S. Department of Housing and Urban Development, said Ms. McCray's presentation was the best he had ever heard at a recent housing summit in the county. He was so impressed with her work that he vowed his full support to eradicate homeless and foreclosure issues. Chairman Bell then presented Ms. McCray a picture that she had taken with Mr. Sims at this housing summit.

6. PROCLAMATION: "Clayton County Recognizes M.D. Roberts Middle School Student Darrielle McCray" (presented by Chairman Eldrin Bell).

7. PROCLAMATION: "Clayton County Honors Roger E. Quillings for his Community Service" (presented by Vice-Chairman Wole Ralph).

8. PROCLAMATION: "Clayton County Honors Paul K. Winfrey for his Work with Veterans" (presented by Vice-Chairman Wole Ralph).

NOTE: Group photos were taken, and Clerk Haywood read of all of the above-mentioned proclamations for the benefit of the audience.

9. Rod Gray, Director of Central Services, presented the following two (2) items for consideration which resulted in these actions. (NOTE: The Board voted on both of these items at once.)

1) Approved a Request to Establish a Cisco IP Interoperability and Collaboration System (IPICS/new digital radio system) for the County, based on information provided by Information and Technology Director Brett Lavender. Vote unanimous.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

The request is to waive the sealed bid requirement and purchase this system from SoftChoice, located in Norcross, Georgia, utilizing the Georgia State Contract #S000546-043. The total cost of the system is \$461,325.90. Funds are available through the 2009 SPLOST Fund.

2) Approved a Request for Clayton County Parks and Recreation and Senior Services Recreation Management Software (RFB Pkg. #10-31; 11/8/10). Vote unanimous.

This bid is for the purchase of software for the Parks and Recreation Department. The recommendation is to award a contract to Vermont Systems, located in Essex Junction, VT, whose firm was the lowest responsive bid of \$213,236.00. Funds are available in the Parks and Recreation budget.

10. Renee Bright, Director of Human Resources, brought forth the following requests which resulted in these actions. (NOTE: The Board voted on both requests at once.)

1) Approved a Request to Renew the Worker's Compensation Excess insurance policy with Midwest Casualty Company for July 1, 2011 – June 30, 2012. Vote unanimous.

The Excess Worker's Comp coverage protects the County in the event there is a Worker's Comp claim that exceeds the County's specific retention of \$500,000.00 for public safety employees and \$350,000 for all other employees. After The McCart Group (County Broker) went to market, Midwest Employers Casualty Company came back with the best offer (taking into consideration the retention amounts and premium). Renewal of this coverage will cost \$166,716.00, which is a reduction from the current year.

2) Approved a Request to renew the County's Employment Practices Liability insurance with Lexington Insurance Company for July 1, 2011 – June 30, 2012. Vote unanimous.

11. Approved Resolution 2011-91, A Resolution of the Clayton County Board of Commissioners authorizing the execution, delivery and performance of a Performance Agreement for Comfort from Trane with Trane U.S., Inc. for purposes of providing energy

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

savings and conservation measures for various facilities within the County; authorizing the execution, delivery and performance of a master equipment lease and a lease addendum to provide for the financing of the purchase of equipment and services and the leasing of such equipment to the County; authorizing the execution, delivery and performance of an escrow agreement; authorizing the execution and delivery of certain other related documents required in connection therewith; etc. Vote unanimous.

Ms. Barnes noted that the same attachments were in the exhibits, but there are also documents that will in effect be in substantially the same form as when the county negotiations are finished.

12. Approved Resolution 2011-92 authorizing Clayton County to enter into an Affiliation Agreement and Contract for Services on behalf of the Clayton County Juvenile Court with the Georgia Court Appointed Special Advocate Association; to accept grant funds and to set forth the terms and conditions under which the grant funds will be utilized. Vote unanimous.

13. Approved Resolution 2011-93 to allow State Representative Sandra Scott to host a health fair at the Carl Rhodenizer Recreation Center in Rex, Georgia. Vote unanimous.

14. Approved Resolution 2011-94 authorizing Clayton County to enter into a Contract Amendment with the Georgia Department of Human Resources on behalf of the Clayton County Extension Service and, in accordance therewith, amend the grant period for the Promoting Safe and Stable Families, ABC's of Parenting Program. Vote unanimous.

15. Approved Resolution 2011-95 authorizing Clayton County to enter into three contracts with the State of Georgia, Department of Family and Children Services, on behalf of the Clayton County Extension Service, each providing for the terms and conditions under which Parent Aide Services, Early Intervention Services, and Homestead Services, respectively, will be delivered and administered, and to accept grant funds from the State of Georgia to fund the Parent Aide Services Program; etc. Vote unanimous.

16. Approved Resolution 2011-96 authorizing Clayton County to continue negotiations of the Service Delivery Strategy with the cities of College Park, Forest Park, Jonesboro, Lake City, Morrow, Lovejoy, Riverdale, and the Clayton County Water Authority; to enter into an

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

agreement with the cities to extend the adoption of the Service Delivery Strategy; and to commence arbitration under the terms and conditions of the existing Service Delivery Strategy within 30 days following the effective date of this resolution; etc. Vice-Chairman Ralph amended this resolution for the Board to select Commissioner Edmondson to serve as the second county designee (in addition to Chairman Bell) on these negotiations. Vote unanimous.

17. Reappointed Linda Summerlin to the Tourism Authority Board. Ms. Summerlin's term expired on 4-30-11. Her new term is for four (4) years; expiring on 4-30-15. Vote unanimous.

Appointed Sherry Hancock of Jonesboro, Georgia to fill the unexpired term of Mr. George Glaze (**resigned**) on this board. Ms. Hancock's term expires on 12-31-12. Vote unanimous.

Before proceeding with Public Comment, Commissioner Singleton shared some "good news" with the audience by reading the following news article (**verbatim**):

On Friday, June 17, 2011, Clayton County Board of Commissioners' Vice-Chair Wole Ralph attended a White House Policy briefing at the request of the President of the United States (Barack Obama). Ralph was among a select group of young elected officials who were invited to the briefing given by senior White House officials. The briefing covered a variety of topics including housing, immigration reform, innovation energy, job creation, and the economy. Ralph advocated to deepen the Savannah harbor; therefore, increasing cargo and creating jobs in Clayton County and Savannah. He also advocated saving the Community Development Block Grant from severe cuts expected in the next federal budget. Immediately following the briefing, Ralph attended a reception honoring the young elected officials at the White House. The Young Elected Officials is a national organization comprised of elected officials that are 35 years or younger, and its mission is to unite and support progressive elected leaders who share a passion for building communities that reflect the values of freedom, fairness, and opportunity. Together they work to define issues, develop solutions, and respond to the needs of their communities. Commissioner Ralph is an active member of the organization and was one of the featured speakers at the most recent meeting in Washington, D.C. [Ms. Singleton then added these

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 21, 2011

POST SUMMARY MINUTES

statements: According to Commissioner Ralph, he said he was very honored to have been chosen to attend the White House briefing. Commissioner Ralph said he was committed to serving the people of Clayton County, and he has to admit he was very excited about meeting and talking to President Obama.]

PUBLIC COMMENT:

1. Dr. Hilman Mendoza stated he has been a member of the Frank Bailey Senior Center for six (6) years. He relayed that he has been teaching art and giving hypnosis shows which everyone has enjoyed for the past six (6) years. Although he owns a house in Clayton County and pays taxes on it, he does not live there. Dr. Mendoza also told the Board that he lives with his daughter in Fayetteville, Georgia, who helps him with his wife who has Alzheimer's disease. His concern was that he could not afford to pay the increased membership fee of \$180.00 a year at the senior center (that went up from \$12.00 a year). He would be most grateful if the Board reduced the \$180.00 increased senior center membership fee back to the original \$12.00 a year.

2. Mr. Wayne Madden admitted that he was only familiar and confident with the backgrounds of two (2) commissioners on the Board – Chairman Bell and Commissioner Edmondson. When three (3) commission seats are up for re-election in the 2012 election year, there will be competent business men in place. Although attending law school is good, it does not give an individual any business expertise or experience. Being a lawyer is O.K., but being a business man is better. He planned on being the next commissioner...(NOTE: Chairman Bell interrupted Mr. Madden and cautioned him not to attack a commissioner. He also advised him to keep his comments at a moderate level.) Mr. Madden then commended Vice-Chairman Ralph for taking the wonderful trip to meet President Obama, but he believed the president was a one (1)-term president.