



Clayton County Government
License Review Board
May 21st, 2020 – 12pm
Meeting Minutes

LRB Member Attendees

Chairman Carroll Braddy
Vice Chairman Rosannette Kirby
Ormond Ashby
Alysha Harvey
Valerie Williams
Attorney Tameka West

Community Development Attendees

Director Patrick Ejike
Assistant Director Brecca Johnson
LRB Clerk Sharon Andrews

Clayton County Police Attendees

Major Tina Daniels
Attorney Ken Green

Meeting Location

Virtual via Zoom

Chairman Braddy:

Meeting called to order at 12:23pm – Read agenda, reviewed minutes and adopt the agenda.

Chairman Braddy:

- 1. Call to Order**
- 2. Adoption of the Agenda**
- 3. Approval of 10.24.19 minutes**
- 4. Procedures on conducting hearings during Pandemic**
- 5. Review and Execute Orders of LRB-2019-0007 and LRB-2019-0008**
- 6. Executive session**
- 7. Meeting Adjourned**

Chairman Braddy:

Motion to approve minutes

Valerie Williams

Motion to approve minutes via Zoom meeting on 05.21.20 at 12:23pm

Vice Chairman Rosannette Kirby

2nd the motion

Chairman Braddy – All in Favor

Ormond Ashby

Alysha Harvey

Chairman Braddy –

Agenda Approved, LRB members review minutes and advise

Chairman Braddy –

Corrections to spelling of names for technical and legal purposes

Carroll Braddy

Tameka West

Valerie Williams

Director Ejike

Minutes for Dec 19, 2019 sent via email to LRB members on 01.21.20

Forwarded email sent to all members 05.21.20.

Chairman Braddy

Stated the County emails for LRB members are not working and sent a previous email advising.

Director Ejike

Advised clerk to contact IT for assistance with correcting the email addresses of Board members.

Sharon Andrews resent original email – All Board members confirmed receipt of email during mtg today

Attorney West

Stated the best way to proceed is to review minutes from 10.24.19 minutes then 12.19.19 minutes and to make a motion to amend the agenda to include 12.19.19 minutes

Chairman Braddy

Motion to amend the agenda to include 12.19.19 minutes for review and approval

Vice Chairman Kirby

2nd the motion

Chairman Braddy

Do any Board members have additional corrections that should be made?

LRB members

(None additional from members)

Ormond Ashby

Alysha Harvey

Valerie Williams

Chairman Braddy

Board adopted minutes for 10.24.19 meeting

Vice Chairman Kirby

Motion to adopt minutes from 10.24.19 meeting with corrections

Board Member Valerie Williams

2nd the motion

Chairman Braddy

None opposed – All in favor

Ormond Ashby

Alysha Harvey

Please take a few moments to review

Update to 10.24.19 LRB Meeting Minutes

Chairman Braddy

Question to Attorney West – Should the sworn in officers be named?

Attorney West-

No, it is not necessary. For the record, the witnesses were sworn in by each parties representative and in this case, all were sworn in by Attorney Ken Green.

Chairman Braddy

Attorney West - Relative to Family Leadership Services, 6988 New Dale Road – case LRB-2019-0008, minutes reflect 3 votes and Chairman Braddy recused myself, Should the reason be specified?

Attorney West

You can add to avoid conflict of interest.

Chairman Braddy

Clerk, please add the reason of recusal is to avoid conflict of interest and correct the spelling of recused.

Attorney West

Please update the name of Family Leadership Services to reflect Family Leadership Services Inc.

Chairman Braddy

Please correct Family Leadership Services to reflect throughout the minutes.

Board Member Alysha Harvey

The votes for TireMax reflect 2 approved and 1 opposed however the minutes state 4 approved.

Chairman Braddy

All minutes should reflect Board members names and their vote.

Attorney West

Confirmed the following votes as:

Chairman Braddy – Approved

Valerie Williams – Approved

Alysha Harvey – Opposed

Vice Chair – Absent to vote

Ormond Ashby – Absent

Chairman Braddy

It is on the record.

Counsel – Do we need to wait until corrections are made?

Attorney West – No.

Chairman Braddy

Can I get a motion to approve the minutes for LRB case dated 12.19.19 as printed with corrections?

Vice Chair Kirby

2nd the motion

Chairman Braddy

The motion is second, All in favor

LRB members

Ormond Ashby

Alysha Harvey

Valerie Williams

None Opposed

Chairman Braddy

It was presented regarding the execution of the orders, that there was a concern, relative to the safety and exposure of the LRB members. I want to explore the possibilities for the orders to be executed by way of resolution – authorizing the Chairman or Vice Chair to sign off on all LRB orders to streamline and make it more practical from a logistics perspective. The floor is open for discussion.

Attorney West

I would like to add for the record and with respect to the advice of the Counsel the execution of orders or designating – There is no objection to the Chairman or Vice Chairman to this process during the Pandemic. However, if a Board member has recused themselves, it is not appropriate for he/she sign an order.

Chairman Braddy

This speaks to the first part of my suggestion to the Board that the Board by resolution grants the Chairman authority.

Attorney West

The correct term is it would have to be by Motion.

Valerie Williams

Can the Board be notified when this occurs and what is being signed on behalf of the Board?

Chairman Braddy

We will have full meetings. The Board will hear the meetings and be presented with all evidence. After the decision is made, the Board votes and it goes into order. The Chairman will sign and LRB member names will be on the order as Approved or Opposed.

Attorney West

No, it will be reflected in the minutes only. The actual order will be signatory, which would be whoever is executing the order, the Chairman or Vice Chairman on behalf of the Board.

Chairman Braddy

The Board will be a part of the hearing

Attorney West

This information will reflect in the minutes of our meeting today. A motion will be made to clarify any proposed orders and will be sent to the Board in order to avoid any delays of execution. The designated Chairman or Vice Chairman will sign.

Chairman Braddy

This process will designate the authority to the Chairman or Vice Chairman in his absence or if the Chairman is recused.

Vice Chairman Kirby

Can we make sure a follow-up email is sent for authorization from LRB members?

Attorney West

We will have Zoom meetings and will review during the meeting and go through each order and address corrections, if any. This is the process moving forward. We need a motion.

Chairman Braddy

Motion is on the floor to grant Chairman the authority to execute orders for the board or in his absence or recusal, grant authority to the Vice Chairman.

Board Member Alysha Harvey

2nd the motion

Chairman Braddy

It's been 2nd motion – All in favor

LRB members

Rosannette Kirby – Voted in favor

Ormond Ashby – Voted in favor

Valerie Williams – Voted in favor

Chairman Braddy

Review and execute order LRB-2019-0007 and LRB-2019-0008

Attorney West

For informational purposes only, the drafted proposed order is based on the Boards decision during the conclusion of the hearing. The order is drafted to reflect the most important violations. Chairman, ask Board members to review the order and ask any questions.

Chairman Braddy

Board members, please review the order and provide any changes.

Attorney West

I will go thru each page with the Board. If there are any corrections, I will revise the order and send to all Board members. However, the Chairman is responsible for executing the order which be the FINAL order. Any questions on TireMax case LRB-2019-0007?

Vice Chairman Kirby

I left early, do I need to review and vote on this case?

Attorney West

This is the final decision of the Board. It does not specify who was present. This is in the minutes. Open Records Request are entitled to meeting minutes and will include a copy of the Board.

Chairman Braddy

In regards to the Finding Facts – Can we list only the violations the Board decided on?

Attorney West

This is not recommended for Appeal Purposes. Listed are all possible violations and marked are the final violations based on the Boards decision.

Attorney West

Are there corrections to page 2? Questions to the TireMax.

LRB Members

No replies

Attorney West

Are there any corrections on page 3?

Chairman Braddy

I did not know additional fines can be incurred if fines are not fined.

Attorney West

It is important to go page by page so the record will be clear.

Page 4 is the Order of the Board – Bold Text.

Any questions or changes to Page 4.

Page 5 – Any changes or questions?

Chairman Braddy

I do not believe we can impose additional fines based on the Boards order beyond the specified fine amount. They cannot come back to the Board unless they do not comply with the order.

Board Member Valerie Williams

When do the order(s) go into effect? The day of the hearing?

Attorney West

30 days after the hearing – (Attorney West read the order to the Board)

Chairman Braddy

We do not have to fine at all but can fine up to \$1000.00?

Attorney West

The Board can impose a fine if decided. Review page 4 – remit payment of \$1000.00 for each violation. (Attorney West reviewed ordinance Section 2.90-7)

Chairman Braddy

What does it say about the fines?

Attorney West

Re-read the ordinance and advised she can change the wording to reflect additional fines. Based on the reading if they do not comply with the order, additional fines can be imposed.

Board Member Valerie Williams

When are fines imposed on the hearing date? When does it become effective?

Attorney West

The business has 30 days to pay or appeal.

Board Member Valerie Williams

When we propose the order, is it only until we sign the order that the order go into effect?

Attorney West
Correct.

Board Member Valerie Williams
Explain the delay in these cases?

Attorney West
Explained and provided the timeline. She stated the January meeting was cancelled without informing the Chairman.

Director Ejike
If the County doesn't have cases to come before you, the meeting will be cancelled. Do you still want to meet even if no cases?

Chairman Braddy
We still need to take care of other business such as sign orders, continued education and meet with our Counsel.

Director Ejike
Meetings in the BOC were reserved through June 2020 with the County Chairman. Please provide a schedule of future meetings. We need to verify with the County Chairman all future dates to reserve with the BOC.

Chairman Braddy
I have not received any formal complaints – due to the pandemic but will change as we open back up.

Director Ejike
I will check with CCPD and my staff of any cases to address during the next LRB meeting.

Attorney Kenneth Green
Please stick to the agenda so we bring the case to a close.

Attorney West

I can change and add the word additional to address this issue.

Chairman Braddy

I want to ensure we are properly executing the order

We need a Motion that this be the order of the LRB-2019-0007.

Attorney West

Are there any changes to Pages 1-5?

Changes will be made to signatory page.

Board Member Valerie Williams

Motion to approve the Order of the Board LRB-2019-0008 Finding of Facts.

Board Member Ormond Ashby

2nd the motion

Attorney West

All in Favor

None Opposed

This is the Finding of Facts and are approved by the Board.

Chairman Braddy

No executive session is needed

Board Member Valerie Williams

I would like to request to have an agenda for the meeting – County needs to determine how they will communicate with us.

Chairman Braddy

I will make certain we receive an agenda from the County.

LRB Clerk

My apologies.

Major Daniels

We are preparing a case from CCPD – being preparing for July or August LRB hearing.

Chairman Braddy

We need a motion to adjourn this meeting.

Vice Chairman Kirby

Motion to adjourn the meeting.

Board Member Ormond Ashby

2nd the motion.

Chairman Braddy

Meeting adjourned.