

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

February 12, 2013

POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Michael Edmondson, Commissioner Sonna Singleton, Commissioner Gail Hambrick, Commissioner Shana M. Rooks, and Clerk Shelby D. Haywood.

1. Chairman Turner called the meeting to order.
2. Invocation was led by Chaplain (Captain) Wallace Woodcock of the Clayton County Police Department. Pledge of allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by deleting Item #9 (Resolution 2013-53 – Authorizing Clayton County to remove a forfeited vehicle; 2009 Chevrolet ZR-1 Corvette, from the Clayton County Sheriff's Office fleet; to authorize the sale of such property in a manner as will be in the best interest of the County; to authorize the Chairman to execute all necessary documents to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide for the disbursement of sale proceeds; to provide an effective date of this resolution; and for other purposes.) and Item #12 (Resolution 2013-56 – Authorizing District Attorney Tracy Graham Lawson to supervise the Forensic Audit approved by the Board of Commissioners by White Elm Group, LLC; to authorize the Finance Director or the Chief Financial Officer to transfer \$300,000.00 from the General Fund to the District Attorney's Office yearly budget in order for the District Attorney to pay submitted invoices of White Elm Group, LLC for work done in said Forensic Audit of the Finance Department of Clayton County; to authorize the Chairman to execute all necessary documents to accomplish the intent of this resolution; to authorize the Finance Director or the Chief Financial Officer to amend the budget as necessary to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; and for other purposes). Clerk Haywood noted that the Executive Session held tonight pertained to litigation, real estate, and personnel matters. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the February 5, 2013 Regular Business Meeting minutes. Vote unanimous.
5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up for public comment to be heard at the next Tuesday business meeting.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

February 12, 2013

POST SUMMARY MINUTES

1) David Douglas Hanson, a Riverdale, Georgia resident and proud Clayton County resident for eight (8) years, stated he is an active member of the Clayton County NAACP. On behalf of this organization, Mr. Hanson read a statement to the Board urging everyone to join or renew membership with the NAACP, now celebrating its 104th Anniversary. According to Mr. Hanson, the NAACP is still a relevant organization, and this was recently proved when it waged a public appeal for John McNeil, a Cobb County, Georgia resident who was finally freed from jail after serving six years for the fatal shooting of his home contractor in self-defense.

2) Chuck Ware, a senior citizens' advocate and county resident, asserted that the Clayton County NAACP has not been supportive of seniors' concerns, such as assisting in getting sidewalks and buses. He stressed that seniors are in dire need of the NAACP's support, and it does not have a history of helping them. Commissioner Singleton interjected that Mr. Ware should not defame the history of such an organization, and Chairman Turner reminded Mr. Ware that his appearance before the Board was to make a statement – not to chastise. Mr. Ware then thanked the Board for the job that it has done and asked for assistance in getting sidewalks and buses for seniors.

3) Dwight Jackson (a gentleman who had not signed up for public comment and who spoke from his seat in the audience) announced to everyone that his previous complaint about not getting his cash bond refund in a timely manner had been satisfied by the Finance Department. He personally thanked Finance Director Angela Jackson for expediting his refund.

6. Theodis Locke, Director of Central Services/Risk Management, presented these requests which resulted in the following Board actions. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website currently listed as <http://library.municode.com/index.aspx?clientId=10562>.)

1) Approved **Inmate Uniforms & Bedding Supplies, Annual Contract – Amendment Request for Price Increase (.85¢/\$6.00); (RFB #10-49; 12/20/10)**, as requested by the Central Services Department. Per Section 2-136 (6) Clayton County Purchasing ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document. This request is to amend the current annual

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

February 12, 2013

POST SUMMARY MINUTES

contract with Textile Sales, Inc., located in Baltimore, MD, due to an increase in pricing. Textile Sales, Inc. was originally awarded the contract by the Board of Commissioners on July 19, 2011. Textiles Sales, Inc. has agreed to accept the amendment. The price increases on items are as follows:

<u>Description</u>	<u>Award Price</u>	<u>Renewal Price</u>
Towels 20 X 40	.67 each	.85 each
Blankets 66 X 90	\$5.30 each	\$6.00 each

Vote unanimous.

2) Approved **Clayton County Janitorial Supplies, Annual Contract – Amendment Request for Price Increase (\$19.38); (RFB #11-36; 11/14/11)**, as requested by the Central Services Department. Per Section 2-136 (6) Clayton County Purchasing ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document. This request is to amend the current annual contract with All American Poly, located in Piscataway, NJ, due to an increase in pricing. The Board of Commissioners originally awarded All American Poly the contract on February 7, 2012. All American Poly has agreed to accept the amendment. The price increase on one item is as follows:

<u>Description</u>	<u>Award Price</u>	<u>Renewal Price</u>
Can Liner 38x26x58	\$18.07 (per case of 100)	\$19.38 (per case of 100)

Vote unanimous.

3) Approved **Purchase of a Lenco Bearcat Armored Vehicle for Clayton County, Georgia, POR 0001823 (\$250,428.00)**, as requested by the Chief of Police. Per Section 2-114 Clayton County Purchasing ordinance; Cooperative purchasing methods, the County may join with other governmental units in cooperative purchasing plans when the best interest of the County would be served thereby. The Clayton County Board of Commissioners makes the final award for cooperative purchases of \$35,000.00 and greater. It is the recommendation of the Chief of Police to approve this purchase in the amount of \$250,428.00 and buy the vehicle from Lenco Industries d/b/a Lenco Armored Vehicles, located in Pittsfield, Massachusetts, by utilizing

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

February 12, 2013

POST SUMMARY MINUTES

GSA Contract #GS-07F-0390M, 1122 Program. Funding is available through the General Reserve Fund. Vote unanimous.

Commissioner Rooks asked if the Board could have a discussion on the need for this vehicle in the Police Department. Deputy Chief Chris Butler of the Clayton County Police Department responded that the department is currently operating a 40-year-old vehicle which is highly unreliable. There have been numerous shootings in the county in which one (1) police officer was killed. During such incidents, this 40-year-old vehicle had a track record of activating and then failing. As a result, there is a dire need to protect police officers, other public safety employees, and citizens in the county. Deputy Chief Butler concluded that the Police Department does not wish to leave people in a vulnerable and/or precarious position.

Vice-Chairman Edmondson questioned why this vehicle was not requested in the budget. Deputy Chief Butler replied this was a new function, and the Police Department's budget had been programmed down. The department ended up losing what was necessary for public safety operations.

Vice-Chairman Edmondson then asked if this armored vehicle were needed during the time of the budget process.

Deputy Chief Butler said he did not remember.

Vice-Chairman Edmondson noted that the Board had already approved spending \$892,000.00 in a business meeting last week for insurance. On an average, it appears that the county is spending 1.2 million dollars a month in unbudgeted funds. He had yet to see an up-to-date budget report from the Finance Department. Vice-Chairman Edmondson acknowledged that this is a responsibility that must be taken care of to protect the police and public. No one should be placed in harm's way. He was just concerned about the rapid rate at which unbudgeted dollars have been spent in the county.

Chairman Turner asked Angela Jackson, Director of Finance, if funds were available to pay for the armored vehicle.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

February 12, 2013

POST SUMMARY MINUTES

Ms. Jackson answered yes, funds are available. She also clarified for Vice-Chairman Edmondson that the \$892,000.00 he had referenced for insurance was not an unbudgeted amount. That figure came from monies available in the Medical Fund, which presently has a Fund Balance of \$4.5 million.

Vice-Chairman Edmondson expressed that this was great to hear. Ms. Jackson also stressed that the remainder of monies in the Medical Fund are for large claims.

7. Renee Bright, Director of Human Resources, presented the following items which resulted in these Board actions:

1) Approved a request to renew the vision coverage with Davis Vision for the period of June 1, 2013 through May 31, 2015 (the quote includes a rate guarantee for 2 years). The current contract with Davis Vision is due to expire May 31, 2013. Human Resources received the renewal with a 2-year rate guarantee that also includes a contact lens enhancement for the upcoming renewal. Vision coverage is a Group Voluntary (employee paid) benefit, and there is no impact to the County for this benefit. Vote unanimous.

2) The Board took no action on a request to move the Life Insurance Policies from Standard to Hartford for the period July 1, 2013 through June 30, 2014. A motion Chairman Turner offered to approve this request died for lack of a second. (NOTE: Ms. Bright had pointed out that her request was to continue to offer basic life insurance as well as voluntary supplemental coverage for employees and dependents at a reasonable cost. Clayton County has had high experience and, because of this, Standard provided a renewal with more than a 50% cost increase. Hartford offered to match the County's current plan and while there is an increase in cost, it is less than what Standard offered. The increase would have impacted the County's budget approximately \$78,463.00 for the upcoming plan year. There would also be an increase to the employee paid premiums.)

Ms. Bright requested that the Board provide her direction on the matter of life insurance for employees because the current policy will expire in July 2013.

Chairman Turner asked Ms. Bright what would happen if the Board does not approve moving the insurance to Hartford and paying the cost of \$78,463.00. Ms. Bright responded that the County would have to bid again and get a plan in place.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

February 12, 2013

POST SUMMARY MINUTES

Vice-Chairman Edmondson wondered if the aforementioned amount had to be absorbed by the County.

Ms. Bright affirmed that the County already provides basic life insurance for employees. Employees have to pay for their own supplemental insurance. She again requested direction from the Board on how to proceed with this matter since no action was being taken tonight.

Chairman Turner said there is a need for further discussion regarding this matter in upcoming days.

Vice-Chairman Edmondson asserted that there needs to be a discussion of this matter in the budget process. It was important to know how much monies the County would have to absorb. He wanted to be a part of the conversation surrounding this matter in the next few days.

3) Approved a request from the Department of Information Technology to create and fund the new position of Public Safety Digital Network Systems Manager. The motion carried 4-1. Commissioner Rooks opposed.

The major role of the Public Safety Digital Network Systems Manager will be to provide technical and project management of the Clayton County Safety Digital Network (PSDN) and assigned supporting staff in the support and sustainment of the PSDN by leading all aspects of system design, construction, operation, and maintenance of the radio system.

The Public Safety Digital Network Systems Manager provides professional management of Clayton County's P25 simulcast 700 MHz radio system. This manager is also responsible for professional, technical, and administrative work managing all aspects of the Clayton County Intergovernmental 700 MHz Radio Communications System which provides integrated radio communications for all Fire Departments, Law Enforcement Agencies, and Emergency Medical Services in Clayton County.

Funds for this position can be allocated, for short term purposes, from the 2009 Clayton County Special Purpose Local Option Sales Tax (SPLOST). Upon completion of the PSDN, and for long term purposes, this position can be funded from the General Fund. Recommended position grade/step is 33/1.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

February 12, 2013

POST SUMMARY MINUTES

8. The Board generally consented to hold Ordinance 2013-52, an Ordinance to amend the Clayton County Zoning Ordinance, specifically Article 1 "Basic Provisions" so as to amend Section 1.5 "Defined Words"; Article 3 "Zoning District Intent, Uses and Standards" so as to amend Section 3.1 "Agriculture District Intent, Permitted Uses and Conditional Uses"; Article 6 "Development Standards" so as to add Section 6.38 "Agritourism, Agritainment and Seasonal Sales Standards (AAS)"; to provide an effective date of this ordinance; to provide for repeal of conflicting ordinances; to provide for codification; to provide for severability; and for other purposes.

Vice-Chairman Edmondson requested that this ordinance be held over for additional changes. He emphasized that Section 6.38 included language for a 50-foot setback for outdoor gathering spaces. After talking to the Zoning Administrator, he wanted to consider a further distance. Vice-Chairman Edmondson had advised Planning & Zoning to do "due diligence" and come back with a revised figure between 50-75 feet. For the record, Commissioner Singleton voiced her objection to holding this ordinance. She admitted that she had been outnumbered consensus-wise in this instance.

9. Approved Resolution 2013-54 authorizing the acceptance of condemned vehicles (a 2002 Nissan Maxima and a 2007 Chevrolet Van) to be assigned to the Clayton County Sheriff's Office fleet in a manner as will be in the best interest of the County; to authorize the Chairman to execute all necessary documents to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

10. Approved Resolution 2013-55, a Resolution to correct a scrivener's error in Resolution 2013-48; to provide an effective date of this resolution; and for other purposes. (NOTE: The last "WHEREAS" clause on page 1 of Resolution No. 2013-48 is hereby stricken in its entirety, and following is substituted in lieu thereof:

WHEREAS, the current total project estimate is \$1,244,551.44 and GDOT will contribute a maximum of \$1,224,551.44, leaving the County responsible for the remaining \$20,000.00 which will come from earmarked resurfacing funds from the 2009 SPLOST program.)

Vote unanimous.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

February 12, 2013

POST SUMMARY MINUTES

11. Approved Resolution 2013-57, a Resolution to approve a Special Facility Use Request to allow State Senator Gail Davenport to host a Black History Month Celebration for Clayton County Senior Adults at the J. Charley Griswell Senior Center; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

Interim County Attorney Jack Hancock requested an Executive Session regarding litigation, real estate, and personnel matters. The Board generally consented to conduct an Executive Session for the aforementioned purpose.

12. ZONING PETITION: **Sid M. Kresses CUP 201210-02 (NOTE: The Board of Commissioners tabled this item at the November 13, 2012 Public Hearing.)**

Approved the applicant's request for a Conditional Use Permit to construct a 70-foot Billboard along I-75 South. Current zoning is Regional Mixed Use (RMX). Total acreage of subject property is 13.5 acres at 0 Mt. Zion Parkway in Jonesboro, Georgia & 3100 Mt. Zion Parkway in Stockbridge, Georgia, otherwise known as parcels 12074C B002 and 12074C B003. The applicant has submitted necessary paperwork with the Tax Assessors' office to combine the properties into one parcel of land. (Commission District 4 – Vice-Chairman Michael Edmondson). Vote unanimous.

Vice-Chairman Edmondson acknowledged he had discussed this petition with pertinent parties for the last few months, and they all agreed to proceed with the applicant's request. He then made a motion to approve this petition. Commissioner Rooks seconded that motion, and the total vote was unanimous.

Commissioner Singleton publicly apologized to senior citizens' advocate Chuck Ware for interrupting him during the Public Comment phase of the business meeting. She just felt that it was inappropriate for him to defame the NAACP. Mr. Ware responded that he had been referring to the local branch of the NAACP in his comments (not the national organization).

Motion by Vice-Chairman Edmondson, second by Commissioner Rooks, to go into Executive Session in the Commissioners' Conference Room to discuss litigation, real estate, and personnel matters at 7:30 p.m. Vote unanimous.

CLAYTON COUNTY BOARD OF COMMISSIONERS

POST SUMMARY MINUTES

Motion by Commissioner Rooks, second by Chairman Turner, to go out of Executive Session at 7:54 p.m. Vote unanimous.

Motion by Vice-Chairman Edmondson, second by Commissioner Rooks, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 7:55 p.m. The motion carried 3-0. Commissioners Singleton and Hambrick were absent.

13. Based on the Board's discussion regarding a personnel matter in the Executive Session, the following motion ensued:

Motion by Chairman Turner, second by Vice-Chairman Edmondson, to make Les Markland the permanent Director of the Building & Maintenance Department. (NOTE: Mr. Markland's title changed from "Interim Director.") The motion carried 3-0. Commissioners Singleton and Hambrick were absent.

There being no further business to discuss, motion by Vice-Chairman Edmondson, second by Chairman Turner, to adjourn the Regular Business Meeting of February 12, 2013 at 7:56 p.m. The motion carried 3-0. Commissioners Singleton and Hambrick were absent.