

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

June 11, 2013

A G E N D A

1. Call to order.
2. Invocation and pledge of allegiance to the flag.
3. Adoption of agenda.
4. Approval of the June 4, 2013 Regular Business Meeting minutes.
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 to be heard at the next Tuesday business meeting.
6. PROCLAMATION: “Clayton County Recognizes Jonesboro High School for being Named among the Best Nationwide” (presented by Commissioner Michael Edmondson).
7. PROCLAMATION: “Clayton County Recognizes Lovejoy High School for being Named among the Best Nationwide” (presented by Commissioner Shana M. Rooks).
8. PRESENTATION: “Forest Action Plan/Firewise Prescribes” (presented by Allison Segrest, Georgia Forestry Commission Communications Specialist).
9. Consider requests from Theodis Locke, Director of Central Services/Risk Management. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

1) **RFP PKG #08-16 Inmate Health Care for the Jail Facility at the Harold R. Banke Justice Center, Contract Amendment**, as requested by the Sheriff’s Office. The recommendation is to amend the current contract with CorrectHealth Clayton, LLC, located in Stockbridge, Georgia for a year extension of health care services at the Harold R. Banke Justice Center. Funding is available through the General Fund. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is

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not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00, and the Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater.

2) **RFP PKG #10-05 SPLOST Project Management and Consultant Services for One (1) Police Precinct and Renovations, Library, Multi-purpose Fire Building and Animal Control Facility.** This request is for a second contract amendment to the current contract with Silverman Construction Program Management, located in Atlanta, Georgia, to exercise the optional three (3)-year renewal term of the contract. This contract will also be amended to add the new 2009 SPLOST Fueling Station project. Silverman Construction has provided limited project management for the Fueling Station and it is cost effective and timely to have this company perform the full project management services for the development of this project. Silverman Project Management cost will remain the same as currently contracted, at 3.55% of the approved budget and a reimbursable expense that shall not exceed \$300.00 a month for each project. Funding is available through the 2009 SPLOST project funds. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00, and the Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater.

3) **Legislative Request for Excess Workers' Compensation Insurance Coverage Renewal,** with an amendment to the budget as necessary for the period of July 1, 2013 through July 1, 2014. This renewal includes a liability of \$1,000,000.00 and a statutory of \$500,000.00. It will also have a premium rate increase of 12% due to the cost of reinsurance for the industry and the county's loss history (a \$175,169.00 premium rate this year compared to a \$156,018.00 premium rate last year). The recommendation is to renew the contract with the county's current carrier, Midwest Employers Casualty Company, which provided the lowest quote compared to three (3) other insurance carriers' quotes.

4) **Legislative Request for Employment Practices Liability Insurance Renewal,** with an amendment to the budget as necessary for the period of July 1, 2013 through July 1, 2014. This renewal includes \$10,000,000.00 per occurrence and \$20,000,000.00 aggregate at a slightly reduced premium for the upcoming policy period. The recommendation is to renew

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with the county's current carrier, XL Indian Harbor Insurance, which offers a .87% reduction (from \$331,840.00 last year to 328,992.56 this year). Savings to the county amount to \$2,847.44.

10. Consider requests of Ramona Thurman, Chief Financial Officer.
  - 1) Budget Amendment #2-65 – Other General Government/FYE 6-30-13, in the amount of \$29,660.00, to cover the cost of replacing a vehicle where the repair cost exceeds the value of the vehicle.
  - 2) Budget Amendment #2-66 – Library/FYE 6-30-13, in the amount of \$15,242.00, to amend in funds from the Georgia Public Library Service used for books and materials.
  - 3) Budget Amendment #2-68 – Sheriff/FYE 6-30-13, in the amount of \$26,269.00, to amend in remaining SCAP grant monies that have been received by the county jail to care and support the inmate population.
11. Consider requests of Renee Bright, Director of Human Resources.
12. Ordinance 2013-149 – An Ordinance adopted under the Home Rule Powers specifically granted to the governing authority of Clayton County pursuant to Article IX, Section II, Paragraph I (B)(1) of the Constitution of the State of Georgia of 1983, amending the Local Act of the General Assembly creating and composing the Clayton County Board of Commissioners and setting forth the general provisions governing Clayton County Government; to amend the Clayton County Code of Ordinances, as amended, specifically Part I, Article II, Section 2-4 "Meetings," Part II, Chapter 2, Article I, Section 2-4 "Meetings," Part II, Chapter 2, Article II, Section 2-32 "Days, Time and Place of Zoning Meetings," and Section 2-34 "Days, Time of Business Meetings"; to remove conflicting language contained elsewhere within the Clayton County Code of Ordinances; to provide an effective date of this ordinance; and for other purposes.
13. Ordinance 2013-150 – An Ordinance to amend the Clayton County Civil Service Rules and Regulations, as amended, specifically to delete Rule 7.202 "Appointment Types," Subparagraph

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- (C) "Temporary Appointments" and Subparagraph (D) "Part-Time Appointments" and to insert in lieu thereof new language as provided herein; to repeal any and all conflicting laws, ordinances, resolutions, rules and regulations; to provide for severability; to provide an effective date of this ordinance; and for other purposes.
14. Resolution 2013-151 – A Resolution authorizing Clayton County to submit substantial amendments of the Clayton County Neighborhood Stabilization Programs I and 3 to the U.S. Department of Housing and Urban Development; to authorize the Chairman to execute all necessary documents and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer 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.
  15. Resolution 2013-152 – A Resolution authorizing Clayton County to partner with the University of Georgia in its "Work, Activity and Health" research project for the purposes of improving employee health; to authorize the Chairman to execute any necessary documents and to otherwise perform all other acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes.
  16. Resolution 2013-153 – A Resolution authorizing Clayton County to enter into a consultant agreement with TUSA Consulting Services providing for the terms and conditions under which professional radio communication services will be rendered; to authorize the Chairman to execute the agreement and otherwise perform any acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes.
  17. Resolution 2013-154 – A Resolution authorizing Clayton County to enter into a grant award agreement with the Georgia Criminal Justice Coordinating Council and, in accordance therewith, accept grant funds (\$22,406.00, with a match of \$7,804.00) to be used in connection with the Victims of Crime Act (VOCA) and Clayton County Juvenile Court's Court Appointed Special Advocates (CASA) Program; to authorize the Chairman to execute the grant agreement and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an

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- appropriate revenue source and expense, and to transfer any required match of local funds, all as may be required under the terms of the grant agreement; to provide an effective date of this resolution; and for other purposes.
18. Resolution 2013-155 – A Resolution authorizing the Second Amendment of an Aging Subgrant Contract with the Atlanta Regional Commission providing for services to be rendered in connection with Older Adult Programs; to authorize the Chairman to execute the Second Amendment and otherwise to perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; and to transfer any required match of local funds, all as may be required under the terms of the amendment; to provide an effective date of this resolution; and for other purposes.
  19. Resolution 2013-156 – A Resolution by Clayton County, Georgia authorizing the certification and submittal of the Clayton County, Georgia Municipal Separate Storm Sewer System Annual Report to the Georgia Environmental Protection Division ("EPD") on behalf of the Transportation and Development Department; to authorize the Chairman to execute all required documents and to otherwise perform all other acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; and for other purposes.
  20. Resolution 2013-157 – A Resolution providing for the adoption of the County's budget for Fiscal Year Ending June 30, 2014; to provide for the appropriation of expenditures and recognition of anticipated funding sources; to provide for the circumstances under which the budget may be amended by the Board of Commissioners, the Chairman, or the Chairman's designee; to provide an effective date of this resolution; and for other purposes.
  21. Accept a Street Light Petition Addition to an Existing Street Light District in Cooper Lake Subdivision (Cooper Court). **{Commission District #3 -- Commissioner Shana M. Rooks}**
  22. ZONING PETITION:

TowerCom V, LLC/Conditional Use Permit/8631 Kendrick Road/Case Number CUP201303-01

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1) The Applicant, Larry Dingle and Harold Buckley, Jr. of Wilson, Brock, & Irby, LLC, on behalf of TowerCom V, LLC, is requesting a conditional use permit from Article 3.21 General Business (GB) District for a Wireless Telecommunication Facility (cell tower) and a variance from Article 6.37 (TF-06) (A) (1) to reduce the setback from the property line due to the overall height of the proposed cell tower of 199 ft., which equals the distance required upon property located at 8631 Kendrick Road, and otherwise known as parcel number 13244D A006. The subject property contains approximately 1.64 acres. It is currently zoned GB and operated as a commercial business. **[Commission District # 4 – Commissioner Michael Edmondson]**

23. ZONING PETITION:

TowerCom V, LLC/Conditional Use Permit/211 Highway 138/Case Number CUP201304-01

1) The Applicant, Larry Dingle and Harold Buckley, Jr. of Wilson, Brock, & Irby, LLC, on behalf of TowerCom V, LLC, is requesting a conditional use permit granted from Article 3.25 Neighborhood Mixed Use (NMX) District for a Wireless Telecommunication Facility (cell tower) upon property located at 211 Highway 138, and otherwise known as parcel number 13212B A003. The subject property is approximately 3.86 acres of undeveloped land, which is currently zoned NMX. **[Commission District # 4 – Commissioner Michael Edmondson]**

**EXECUTIVE SESSION**

24. Consider any action(s) necessary based on decision(s) made in the Executive Session.