

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

October 15, 2013

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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 Elder Dr. William Hill of Higher Living Community Impact Center of Jonesboro, Georgia. Pledge of allegiance to the flag was led by Chairman Turner.
3. Vocal Selection: "America the Beautiful" (Aliyah Taylor of North Clayton Middle School).
4. Amended the agenda by adding this request to item #11/Theodis Locke's requests **(RFP PKG #11-30 The Clayton County Public Safety 700 MHz Project 25 Radio Communications System, Second Contract Amendment** (Motorola Solutions, Inc. located in Lawrenceville, Georgia. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive 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. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35, 000.00 and greater); deleting item #28 (Resolution 2013-267 – A Resolution authorizing Clayton County to amend the agreement with Phoenix-Sullivan Improvement Association, Inc. approved in Resolution 2013-237 to provide for a project completion date of September 1, 2015 instead of September 1, 2014; etc.); adding (Resolution 2013-268 – A Resolution authorizing Clayton County to enter into an agreement for electric service with the Central Georgia Electric Membership Corporation; to authorize the Chairman to execute the agreement and to otherwise perform all acts necessary to accomplish the intent of this resolution; etc.); and adding (Resolution 2013-269 – A Resolution approving the Clayton County Local Option Sales Tax [LOST]; to authorize the Chairman to execute a LOST Certificate of Distribution to be dated October 17, 2013; to authorize the Chairman to execute the Certificate and otherwise to perform all acts necessary to accomplish the intent of this resolution; etc.). Clerk Haywood added that there would be an Executive Session following the meeting to discuss personnel matters. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
5. Approved the October 1, 2013 Regular Business Meeting minutes. Vote unanimous.
6. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak

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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.

(1) Donald Gibbs of Foxfire Subdivision in Clayton County questioned the status of the deletion of twenty-five (25) acres of land in his community that were supposed to be used as a walking trail and a bird sanctuary. He wanted to know why no action has been taken yet.

(2) Mayor J.B. Burke came on behalf of Morrow, Georgia to express his concerns about the County's decision to resurrect the proposed ordinance that would create a County Manager position. Mayor Burke stated that he and Clayton County citizens were perplexed as to why the county needed a county administrator to run its affairs when the Chairman and Board of Commissioners are already doing a good job. He gave accolades and recognized the good decisions that the Board has made to help benefit the citizens of Clayton County, and in moving forward positively. Mayor Burke was disturbed that the Board would want to renew the County Manager position and pay a salary to someone when the Board has effectively and efficiently carried out the county's day-to-day business. He again stressed that the Board should reconsider recreating the County Manager position and concluded that he was pleased with the work that the Board is doing and has already done.

(3) Mayor Bobby Cartwright came on behalf of Lovejoy, Georgia City Council and residents to also express his concerns about Clayton County seeking to recreate the County Manager position. Mayor Cartwright stated that the Chief Operating Officer and Chief Financial Officer have not been in place long enough for them to implement what the County has requested. He noted the accomplishments of the County with the Local Option Sales Tax (LOST), the Service Delivery Strategy (SDS), and SPLOST. Mayor Cartwright affirmed that with government already in place, there is no need to recreate a position that serves the same function as the COO. He urged the Board to not let trivial matters or lack of decorum intervene with moving the County forward. Mayor Cartwright noted how proud he was to be a Clayton County resident and recognized the professionalism and service of the Police, Sheriff and Fire Departments. In closing, he challenged those who were dissatisfied with County operations to run in the next election.

(4) Mayor Joy Day of the City of Jonesboro, Georgia appeared before the Board to voice her concerns about the first reading of Ordinance 2013-254, "to provide for the creation of the position of County Manager." Mayor Day beseeched the Board to not require a second reading of this ordinance and to delete it and, if not, to vote "NO" on whether the position should be recreated. She then quoted George Santayana, a famous pragmatist and philosopher, "Those who do not learn from their history are doomed to repeat it." Mayor Day stated that the County has moved out of a period of heavy-handed management, self-serving agendas, non-communication and divisiveness. She affirmed

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that the former Chairman had his power stripped away unmercifully and, for the first time in recent history, the County has been engaged and headed towards unity and progress. Mayor Day noted that Clayton County has an Economic Development plan in place and participants are eager to see it to its fruition. She acknowledged the Cities are working together to bring forth a new SPLOST vote for consideration by the citizens and a Chairman who is welcoming everyone to the table. Mayor Day emphasized that the people of Clayton County elected Jeff Turner as Chairman and requested that the Board put its personal agenda aside and make favorable decisions for the community. She stated that if the Chairman needed assistance in running County affairs, he would ask. Mayor Day concluded that the Board should not play politics with the County and not dilute the Chairman's position with a County Manager.

(5) Mayor Willie Oswalt of Lake City, Georgia concurred with Mayor Day's comments on the recreation of the County Manager position. Mayor Oswalt stated that in all the years he has been teaching and coaching, he worked on the five (5) P's, "Prior Planning Prevents Poor Performance." He noted that agenda item #15 (Ordinance 2013-254, the creation of the County Manager position) was long past prior planning. Mayor Oswalt challenged the Board to bypass this ordinance because of past controversial issues regarding this matter and to not look to the past but move forward into the future of the County. He noted that the relationships that have been built with the new Board of Commissioners have been positive, and this county needs to focus on moving forward.

(6) Jim Carter, a forty-four (44)-year Clayton County resident, also concurred with the previous comments regarding the recreation of the County Manager position. Mr. Carter stated that seeking to renew this position will cause conflict for the County and create bad publicity.

(7) Jeffery Benoit stated he was honored to come behind the mayors in the County who had delivered resounding and consistent comments. Mr. Benoit emphasized that the Board should cautiously consider the recreation of the County Manager position that will nullify the Board and put all powers in the hand of someone with a preconceived agenda. He stressed that the citizens were stakeholders and taxpayers in this county and did not move to this county to live under someone's personal agenda. Mr. Benoit stated if this is how the County is going to run its affairs, then the citizens of Clayton County will let their vote reflect in the next election.

7. PROCLAMATION: "Clayton County Observes October 6-12, 2013 as 4-H Week" (presented by Chairman Jeffrey E. Turner). [NOTE: Group photos were taken of the honorees and the Board of Commissioners. Clerk Haywood read the proclamation for the benefit of the honorees and audience.]

8. PROCLAMATION: "Clayton County Honors the Clayton Neighbor Newspaper and Editor Bill Baldowski" (presented by Chairman Jeffrey E. Turner). [NOTE: Group photos were taken of the

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honoree and the Board of Commissioners. Clerk Haywood read the proclamation for the benefit of the honoree and audience.]

9. PROCLAMATION: "Clayton County Recognizes Sundiata Anderson as Georgia's Ambassador for the United Dairy Association" (presented by Commissioner Gail Hambrick). [NOTE: Group photos were taken of the honoree and Board. Clerk Haywood read the proclamation for the benefit of the honoree, Board, and audience.]

10. PRESENTATION: *Secrets of a Teenager* (presented by Jasmine Render, President of 4-H Senior County Council and a senior at Mt. Zion High School).

Ms. Render gave the following top five secrets of a teenager: Alcohol and Drug Abuse, Sexually Transmitted Diseases, Teen Pregnancy, Childhood Obesity, and Teen Suicide. She began her presentation with Alcohol and Drug Abuse by stating that alcohol is used by more young people in the U.S. than tobacco or illegal drugs and has affected 72% of teenagers before graduating from high school. The 2010 National Survey on Drug Use and Health estimates there are 10 million underage drinkers in the United States. According to the U.S. Surgeon General, about 5,000 youths under the age of 21 die annually from motor vehicle crashes, other unintentional injuries, homicides and suicides that involve underage drinking. Ms. Render explained that teens who drink and drive are twice more likely to be involved in a fatal crash than drivers who are 21 or older. Illicit drug use among teenagers has continued at high rates, largely due to the popularity of marijuana (also known as weed, pot, and maryjane). Marijuana is the most commonly used drug and is on the rise among high school seniors. The percentage of current marijuana use among high school seniors is 22.6%. This drug elevates heart rate, blood pressure, and causes mood swings and loss of coordination. Marijuana is also known as a "gateway drug" and can lead to the use of stronger drugs such as cocaine, LSD, Methamphetamine and Ecstasy.

Ms. Render also reported that the sexual risk behavior of teenagers is half of the 19 million new STD's each year among young people aged 15–24 years. A recent study found that one in four young women ages 15-19 has an STI in the United States, and more than 340 million new cases of curable STI's (Gonorrhea, Chlamydia, Syphilis, and Trichomonas) occur throughout the world each year. She next presented data that the United States has one of the highest teen pregnancy rates in the western industrialized world, and 3 in 10 teen American girls will get pregnant at least once before age 20. That amounts to nearly 750,000 teen pregnancies every year. Parenthood is the leading reason that teen girls drop out of school and more than half of teen mothers never graduate from high school. Ms. Render emphasized that approximately one-fourth of teen moms will have a second child within 24 months of having their first baby.

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Ms. Render continued by showing the Board and the audience an outline of Childhood Obesity and how it has more than doubled in children and tripled in adolescents in the past 30 years. The percentage of obese children aged 6–11 years in the United States increased from 7% in 1980 to nearly 18% in 2010. Similarly, the percentage of obese adolescents aged 12–19 years increased from 5% to 18% over the same period. Obese youths are more likely to have risk factors for cardiovascular disease, such as high cholesterol or high blood pressure. In a population-based sample of 5-17-year-olds, 70% of obese youth had at least one risk factor for cardiovascular disease.

Lastly, Ms. Render stated that the number one secret of a teenager is teen suicide, which is the third-leading cause of death for 15–24-year-olds, according to the Centers for Disease Control and Prevention (CDC), after accidents and homicide. It is also thought that at least 25 attempts are made for every completed teen suicide. Young people with mental health problems, such as anxiety, depression, bipolar disorder, or insomnia, have a higher risk for suicidal thoughts. Teens going through major life changes (parental divorce, moving, a parent leaving home due to military service or parental separation, and financial changes) and those who are victims of bullying are at greater risk of suicidal thoughts. Ms. Render concluded that everyone must take a stand in the lives of their teenagers.

11. Theodis Locke, Director of Central Services/Risk Management, presented five (5) items that resulted in the following Board actions.

(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) Approved **Installation of a Walking Path at the Reynolds Nature Preserve, Request to Rescind Award** (*Surrounding Landscape, Inc., located in Marietta, Georgia*), as requested by the Parks and Recreation Department. Per Section 2-136 (4) of the Clayton County Purchasing Ordinance, the written quote method is used for all purchases from \$500.00 to \$24,999.99. Buyers are required to solicit quotations and receive written response from vendors. All reasonable efforts will be made to obtain three written quotations for each item solicited. Awards for written quotations are given strictly on a lowest quote. (NOTE: This vendor was unable to fulfill the insurance terms of the contract.) Vote unanimous.

This bid is for upgrading the walking path at Reynolds Nature Preserve, as requested by Parks and Recreation Director Detrick Stanford. The contract was approved by the Board of Commissioners on June 4, 2013.

2) Approved **Installation of a Walking Path at the Reynolds Nature Preserve** (*Premier Maintenance, Lawrenceville, Georgia - \$9,472.50. Funding is available through the 2009*

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*SPLOST funds*), as requested by the Parks and Recreation Department. Per Section 2-136 (4) of the Clayton County Purchasing Ordinance, the written quote method is used for all purchases from \$500.00 to \$24,999.99. Buyers are required to solicit quotations and receive written response from vendors. All reasonable efforts will be made to obtain three written quotations for each item solicited. Awards for written quotations are given strictly on a lowest quote. (NOTE: This vendor has confirmed that it will meet the insurance terms of the contract.) Vote unanimous.

3) Approved **RFP PKG #04-01 Architectural/Engineering Services for the Design of Five (5) Prototype Recreation Centers, Contract Amendment** (*Facility Design Group, Inc., located in Smyrna, Georgia. Funding is available through the 2004 and 2009 SPLOST project budget*). 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. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

The amendments are for additional engineering and architectural services for the South Clayton Recreation Center in the amount of \$29,195.00, and Southwest Police Precinct #3 in the amount of \$10,748.00.

4) Approved **RFP PKG #13-30 Engineering/Landscaping Architectural Services for Clayton County Charles W. Grant Parkway from Interstate 75 Bridge to International Parkway** (*URS Corporation., located in Atlanta, Georgia. Funding is available through the Transportation Enhancement Grant and a match of \$71,300.00 is available in TAD funds*), as requested by the Economic Development Department. 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. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

Economic Development Director Grant Wainscott's recommendation is to award a contract to URS Corporation, whose company has a high score of 428.00.

5) Approved (**RFP PKG #11-30 The Clayton County Public Safety 700 MHz Project 25 Radio Communications System, Second Contract Amendment** (Motorola Solutions, Inc. located in Lawrenceville, Georgia), as requested by the Director of Information Technology/Brett Lavender. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive bid method is neither practical nor

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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. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35, 000.00 and greater. Vote unanimous.

This request is to amend the current contract with Motorola Solutions, Inc., located in Lawrenceville, Georgia, due to modifications to the contract and changes of site locations for the system, as requested by the Director of Information Technology/Brett Lavender. Motorola Solutions, Inc. was awarded this contract by the Board of Commissioners on October 16, 2012. Motorola Solutions, Inc. has agreed to accept the amendment.

12. Ramona Thurman, Chief Financial Officer, presented fifteen (15) budget amendments and two (2) requests for refund which resulted in the following Board actions.

1) Approved Budget Amendment #-2-100 – Landfill Enterprise Fund/FYE 6-30-13 – to cover additional wages, supplies, depreciation expenses, monitoring, tire disposal, repairs and capital lease expenses in the amount of \$723,764.00. Vote unanimous.

2) Approved Budget Amendment #2-103 – Victim Assistance Fund/FYE 6-30-13 – to cover matching for the grants in the amount of \$6,429.00. Vote unanimous.

3) Approved Budget Amendment #2-104 – Tax Allocation District Fund/FYE 6-30-13 – to transfer funds collected for the Ellenwood TAD into the Capital Projects Fund in the amount of \$484,588.00. Vote unanimous.

4) Approved Budget Amendment #2-105– Medical Self-Insurance Fund/FYE 6-30-13 – to cover additional agent fees and insurance expenses in the amount of \$363,323.00. Vote unanimous.

5) Approved Budget Amendment #2-106 – Debt Service Fund/FYE 6-30-13 – to cover principal and interest expenses in the amount of \$1,069,317.00. Vote unanimous.

6) Approved Budget Amendment #2-107 – Tax Allocation District/Mountain View/FYE 6-30-13 – to reduce the transfer in from the Northwest Clayton TAD in the amount of \$30,000.00. Vote unanimous.

7) Approved Budget Amendment #2-108 – 502 Tax Allocation District Fund/FYE 6-30-13 – to transfer funds collected for the Ellenwood TAD to pay expenses associated with the fund in the amount of \$8,643.00. Vote unanimous.

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- 8) Approved Budget Amendment #4-108 – Fund 306 – 2004 SPLOST/FYE 6-30-13 – to amend the budget for the 2004 SPLOST salaries and benefits transferred from T&D for work performed on SPLOST projects in the amount of \$326,061.00. Vote unanimous.
- 9) Approved Budget Amendment #4-109 – Fund 307 – 2009 SPLOST Projects/FYE 6-30-13 – to amend the budget for the 2009 SPLOST for legal advertisements of SPLOST projects in the amount of \$468.00. Vote unanimous.
- 10) Approved Budget Amendment #4-110 – Fund 306 – 2004 SPLOST Projects/FYE 6-30-13 – to amend the budget for the 2004 SPLOST for legal advertisements of SPLOST projects in the amount of \$104.00. Vote unanimous.
- 11) Approved Budget Amendment #2-16 – Other General Government/FYE 6-30-14 – to replace three District Attorney’s vehicles with over 200,000 miles each, where repair costs exceed the value of the vehicles, in the amount of \$74,730.00. Vote unanimous.
- 12) Approved Budget Amendment #2-17 – Other General Government/FYE 6-30-14 – to replace one (1) Sheriff’s Office vehicle where repair costs exceed the value of the vehicle in the amount of \$32,000.00. Vote unanimous.
- 13) Approved Budget Amendment #4-18 – Fund 307 – Reimposition SPLOST 2009/FYE 6-30-14 – to amend the budget for surveying the access road for the Multipurpose Fire Building project in the amount of \$1,856.00. Vote unanimous.
- 14) Approved Budget Amendment #4-19 – Fund 306 – SPLOST 2004 Funds/FYE 6-30-14 – to amend the budget for Transportation and Development road projects in the amount of \$210,000.00. Vote unanimous.
- 15) Approved Budget Amendment #4-20 – Fund 307 – SPLOST 2009 Funds/FYE 6-30-14 – to amend the budget for Transportation and Development road and bridge projects in the amount of \$1,745,000.00. Vote unanimous.
- 16) Approved a Request for Refund of Business License Fees for Quncilla Childs of Ellenwood, Georgia – \$125.00. Vote unanimous.
- 17) Approved a Request for Refund of a New Business License Fee for Philip Mason, II of Dane's Auto Sales, LLC in Jonesboro, Georgia – \$204.20. Vote unanimous.
13. Consider requests of Renee Bright, Director of Human Resources.

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(1) Approved a request for the renewal of Humana Medicare Advantage plan effective January 1, 2014.

The purpose of this renewal is to continue to provide medical coverage to retirees who are enrolled in Medicare and eligible for benefits through Clayton County. This policy is a fully insured product, and there is no increase in the premium for the upcoming year (resulting in no impact on the County budget).

Vice-Chairman Edmondson asked Ms. Bright if there were any changes to the benefits, such as an increase or decrease in premiums.

Ms. Bright replied no, there are no changes.

Commissioner Hambrick asked Ms. Bright if companies had to bid for this or if the county automatically uses the existing company.

Ms. Bright answered that the county automatically uses the existing company because it is a renewal that would have be effective January 1, 2014.

(2) Denied a request to recommend the merging of the Central Services and Fleet Maintenance Departments. The motion failed to pass by a 3-2 vote. Chairman Turner, Vice-Chairman Edmondson, and Commissioner Rooks opposed.

The factors contributing to this request were presented by Theodis Locke, Director of Central Services/Risk Management, at the October 1, 2013 Board of Commissioners' meeting.

Favorable consideration of this request will result in an annual savings to the County of \$78,929.00, and it will serve in the best interest of the citizens of Clayton County, Clayton County Board of Commissioners and the employees of the Fleet Maintenance and Central Services Departments.

Chairman Turner asked if there were a motion.

Motion by Commissioner Singleton, second by Commissioner Hambrick, to approve the request to merge Central Services and Fleet Maintenance Departments. The motion failed to pass by a 3-2 vote. Chairman Turner, Vice-Chairman Edmondson, and Commissioner Rooks opposed.

Chairman Turner asked if there were any questions.

Vice-Chairman Edmondson asked what the total twenty (20%) percent salary increase would be for the Director of Central Services.

Ms. Bright replied that the total salary would be \$112,000.00 for the additional responsibilities.

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Vice-Chairman Edmondson asked if benefits were included in that salary.

Ms. Bright answered yes.

Vice-Chairman Edmondson then questioned if the Director of Fleet Maintenance position that is proposed has an immediate associated cost savings of \$94,000.00, and if all the other pluses and minuses after the increase will be less than what the Director's position would be if it were filled.

Commissioner Rooks asked if the proposal of the twenty (20%) percent pay increase had been presented in the October 1, 2013 Regular Business Meeting.

Ms. Bright replied that the proposal for the twenty (20%) percent pay increase was not included in the presentation. It was actually updated on a current legislative request.

Commissioner Rooks questioned if the cost savings would result from the eliminated positions being budgeted or not filled.

Ms. Bright answered the Director of Fleet Maintenance position has not been filled since the Director's retirement, but the Shop Foreman and Heavy Equipment Mechanic positions have been filled.

Commissioner Rooks then questioned if the positions are filled, are they going to be eliminated.

Commissioner Singleton asked Mr. Locke if he had spoken in his proposal about merging or deleting some positions for his savings cost, and if he could reiterate what he had said.

Mr. Locke answered that Fleet Maintenance will have to hire a Director regardless of whether he directs the department or not. If he directs the Fleet Maintenance Department, there will be a twenty (20%) percent increase for him assuming the additional responsibilities and there will be a fifty (50%) percent increase on his normal department size. He stated there were cost savings with the merger of Risk Management with Central Services as well as increased efficiency. Mr. Locke further stated there were cost savings with merging the Office of Contract Compliance and a streamlining of departmental contract functions. He affirmed that the merging of Fleet Maintenance with Central Services will result in a savings of \$79,000.00 annually.

Commissioner Rooks asked if merging the two departments will cause a rift regarding losing employees.

Mr. Locke replied no, the merger will just result in the department becoming more efficient.

Commissioner Singleton asked Mr. Locke if there were any advantages or savings for the County since he works in Central Services and performs purchasing functions.

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Mr. Locke answered there will be a savings because the Central Services/Risk Management department already does all of the purchasing for the County. The Fleet Maintenance Department presently has special purchasing power and, as it stands now, it will have to continue to do its own purchasing. If Central Services/Risk Management takes over, it will move that function over to the Purchasing Division and then take that part and transfer it to the Warehouse Division. These actions will save man hours, time and money.

Chairman Turner asked if there were any more questions.

The motion failed to pass by a 3-2 vote. Chairman Turner, Vice-Chairman Edmondson, and Commissioner Rooks opposed.

(3) Denied a request to consolidate the Parks and Recreation and Senior Services Departments effective October 16, 2013. The motion failed to pass by a 3-2 vote. Chairman Turner, Vice-Chairman Edmondson, and Commissioner Rooks opposed.

The factors contributing to this request were presented by Detrick Stanford, Director of Parks and Recreation, at the October 1, 2013 Board of Commissioners' meeting.

Favorable consideration of this recommendation assumes benefits of cost savings, personnel and operations that ultimately would combine like services with the outcome of producing continued efficient and effective service for the citizens of Clayton County.

Chairman Turner asked if there were a motion.

Commissioner Singleton noted that back in July 2013, the Board balanced the budget on reserved funds and it is important to be cost effective and combine these two departments.

Motion by Commissioner Singleton, second by Commissioner Hambrick, to approve the request to merge the Parks and Recreation and Senior Services Departments.

Commissioner Rooks asked Mr. Stanford if Phase II (a six month period of reorganizing the Administrative, Communications/Marketing, and Aging Division) will affect the services provided to senior citizens.

Mr. Stanford replied no, it will not. The merger will increase efficiency and effectiveness as well as identify any duplications. Recommendations can be made to the Board at a later time.

For clarification, Commissioner Rooks asked if she were correct in stating that the twenty percent (20%) salary increase equated to a \$25,000.00 increase.

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Ms. Bright replied that it was a twenty (20%) percent increase.

Commissioner Rooks then asked if it were a \$25,263.00 pay raise.

Chairman Turner interjected that the total amount includes salary plus benefits.

Commissioner Singleton asked for clarification on the salary of the Chief Operating Officer.

Commissioner Rooks interjected that the COO's salary is \$104,000.00.

Commissioner Singleton next asked for clarification on the salary of the Chief Financial Officer.

It was determined through subsequent discussion that the COO and CFO salaries are \$104,000.00 each.

Commissioner Singleton requested Ms. Bright to quote the average salary for Department Directors for the benefit of citizens in the audience who had a surprised reaction to the aforementioned salaries.

Chairman Turner rebutted that Commissioner Singleton's request was a "side item."

Commissioner Singleton replied that this is an open meeting and she was engaging the reaction of the citizens. She felt that the Board should make salaries more public.

Chairman Turner agreed, but he believed this was not the venue to discuss this matter. The citizens, however, could obtain this information through an open records request.

Commissioner Rooks said the Board needed to abide by the agenda under Robert's Rules of Order.

Staff Attorney Christie Barnes, of the Legal Department, presented the following ordinances and resolutions in lieu of Interim County Attorney Jack Hancock. These Board actions ensued after her presentment.

14. Denied Ordinance 2013-247 (*2<sup>nd</sup> Reading*), an Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, and specifically relevant sections of the Clayton County Civil Service Act and the Civil Service Rules and Regulations pertaining thereto; to provide for the creation of the unclassified position of Manager of Capital Improvements; to provide an effective date of this ordinance; and for other purposes. The motion failed to pass by a 3-2 vote. Vice-Chairman Edmondson, Commissioner Singleton, and Commissioner Hambrick opposed.

15. The Board accepted Ordinance 2013-254 (*1st Reading*), an Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, and

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specifically relevant sections of the Clayton County Civil Service Act and the Civil Service Rules and Regulations pertaining thereto; to provide for the creation of the unclassified position of County Manager; to provide an effective date of this ordinance; and for other purposes.

16. Approved Resolution 2013-255, a Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and Development for the Flint River Road Widening Improvement Project; to authorize the Chairman to execute any documents relating thereto, and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or 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.

17. Approved Resolution 2013-256, a Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and Development for the Anvil Block Road Widening Improvement Project; to authorize the Chairman to execute any documents 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; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

18. Approved Resolution 2013-257, a Resolution to allow State Senator Valencia Seay to host a Town Hall Meeting and Dinner at the Frank Bailey Senior Center; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

19. Approved Resolution 2013-258, a Resolution authorizing Clayton County to enter into a Memorandum of Understanding with the Georgia Public Defender Standards Council providing for the delivery of Indigent Defense Services under the Georgia Indigent Defense Act for FY-2014; to authorize the Chairman to execute the Memorandum of Understanding and 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; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

Commissioner Rooks asked if Ms. Christine VanDross of the Public Defender Office were in the audience or if anyone were present from the Building and Maintenance Department.

Commissioner Rooks wanted to know why the Board is spending \$65,000.00 a year for the renting/leasing of a building and how long this has been effective. She questioned why the Board

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could not put the Public Defender Office in a building the county owns.

Chairman Turner responded there are no buildings available, due to a few county buildings with mold issues and one building that burned down. He stressed that there are no viable buildings for this office to move into at this time.

Chairman Turner asked Les Markland, Director of Building and Maintenance, to come before the Board to answer questions.

Commissioner Rooks asked Mr. Markland to state how long the County has been leasing the building at \$65,000.00 a year.

Mr. Markland replied approximately eight (8) years.

At the rate of \$65,000.00 times eight (8) years, Commissioner Rooks stated that the County could have bought a building.

Mr. Markland replied this was not a question for him to answer.

Commissioner Rooks asked the Board if there were an urgent need to approve this resolution now.

Chairman Turner stated the people who occupy the building to best serve the city [sic] would need to answer that question.

Ms. Barnes stated that in last year's Memorandum of Understanding (MOU), she believed Ms. VanDross indicated this was executed on October 20, 2012.

Vice-Chairman Edmondson stated that he thought the MOU with the Georgia Public Defender Standards Council was a relationship between the County for the hybrid system of the Indigent Defense, and the budget impact is not a part of what is being adopted tonight. He further stated that the County is not paying for the building; it is just renting it.

Ms. Barnes said that Vice-Chairman Edmondson was correct. Under the terms of the MOU, it speaks more for the County's agreement to pay for staffing.

Commissioner Rooks said she thought the County's obligation was one million plus, including the lease and rental of that building.

Vice-Chairman Edmondson stated that this was not a part of the MOU.

Commissioner Rooks asked if it could be changed later.

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Vice-Chairman Edmondson replied yes.

20. Approved Resolution 2013-259, a Resolution authorizing Clayton County to request an amendment to a statewide contract between Carter Goble Lee Engineering and the Georgia Department of Administrative Services for the provision of Facility Maintenance Services for the pools at South Clayton Recreation Center (Lovejoy) and the Beach at International Park; to authorize the Chairman to execute any necessary documents and otherwise 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; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

Commissioner Rooks questioned if these services were bid out.

Ms. Barnes replied that she did not know and asked if someone from Carter Goble Lee were present.

Commissioner Rooks asked why the County would not know if it were rebid.

Mr. Locke replied this matter was done before his time.

Vice-Chairman Edmondson stated that a professional services contract is not bid out, and it comes down through the legal department from whoever requested it.

Ms. Barnes said she did not know if it were done through a professional services contract or a through a bid. Based on the fact that this is a request to amend a statewide contract, the department may have determined it would be cost effective to piggyback on a statewide contract than to initiate a brand new project matter.

Commissioner Rooks asked if Parks and Recreation Director Detrick Stanford were still present.

Chairman Turner interjected that this is a question for Building and Maintenance Director Les Markland.

Mr. Markland stated that when the County went into a contract with Carter Goble Lee for the pools, South Clayton Recreation Center was not started yet and not added to the contract. Additionally, the Beach at International Park was not included and now that the Beach has upgrades, the services are all add-ons.

Commissioner Rooks then asked if this resolution amends the contract and does not extend it.

Mr. Markland replied yes.

21. Approved Resolution 2013-260, a Resolution authorizing Clayton County to advertise a Request

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for Proposals for a Transit Planning and Engineering Services Annual Contract; to authorize the Chairman and the Director of Central Services to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget as needed to reflect an appropriate revenue source and expense for the advertisement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

22. Approved Resolution 2013-261, a Resolution authorizing Clayton County to allow Rainbow House, Inc. to sponsor and host the "11th Annual Festival of Trees and Lights" event at the Clayton County International Park; to authorize the Chairman to execute an insurance agreement, and 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. Vote unanimous.

23. Approved Resolution 2013 -262, a Resolution authorizing Clayton County to enter into a License Agreement providing for the terms and conditions under which Doyle Baseball, Inc. will sponsor and host two coaching clinics at Flat Shoals Park and Panhandle Park; to authorize the Chairman to execute the agreement and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

24. Approved Resolution 2013-263, a Resolution authorizing Clayton County to enter into a Grant Agreement with United Way of Metropolitan Atlanta on behalf of Clayton County Extension Service and, in accordance therewith, accept grant funds (\$70,255.00 with no local match) for the purpose of providing parenting education; to authorize the Chairman to execute the agreement and otherwise 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 under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

25. Approved Resolution 2013-264, a Resolution authorizing Clayton County to enter into a Sign Location and Maintenance Agreement with the Tara Road Homeowners' Association, Inc. for the terms and conditions under which subdivision signs will be replaced and maintained; to authorize the Chairman to execute the agreement 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. Vote unanimous.

26. Approved Ordinance 2013-265, an Ordinance to amend the Clayton County Zoning Ordinance, specifically Article 4 "Special Districts" so as to delete Section 4.77 "Sign Standards," and insert in lieu thereof a new Section 4.77; 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. Vote unanimous.

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27. Approved Ordinance 2013-266, an Ordinance to amend the Clayton County Zoning Ordinance, specifically Article 3 "Zoning District Intent, Uses & Standards" so as to delete Section 3.27 "RMX District Intent, Permitted Uses and Conditional Uses," and insert in lieu thereof a new Section 3.27; 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. Vote unanimous.

28. Approved Resolution 2013-268, a Resolution authorizing Clayton County to enter into an agreement for electric service with the Central Georgia Electric Membership Corporation; to authorize the Chairman to execute the agreement and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget as needed to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

29. Approved Resolution 2013-269, a Resolution authorizing Clayton County Local Option Sales Tax (LOST); to authorize the Chairman to execute a LOST Certificate of Distribution to be dated October 17, 2013; to authorize the Chairman to execute the Certificate 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 expenses; to provide an effective date of this resolution; and for other purposes. The motion carried 4-1. Commissioner Hambrick opposed.

30. Appointments to the Hospital Authority Board. The terms of Dr. Henry Anderson, Rev. Edward Best, and Mr. William McBerry expire on October 31, 2013. New terms are for three (3) years, expiring on October 31, 2016. (NOTE: Additionally, the term of Dr. Cephus Jackson expired on October 12, 2012 with no Board action.)

Motion by Commissioner Rooks, second by Chairman Turner, to reappoint Dr. Henry Anderson to the Hospital Authority Board. The term of Dr. Henry Anderson expires on October 31, 2013. New term is for three (3) years, expiring on October 31, 2016. Vote unanimous.

Motion by Commissioner Hambrick, second by Commissioner Rooks, to reappoint Rev. Edward Best to the Hospital Authority Board. The term of Rev. Edward Best expires on October 31, 2013. New term is for three (3) years, expiring on October 31, 2016. Vote unanimous.

Motion by Chairman Turner, second by Commissioner Rooks, to reappoint Dr. Cephus Jackson to the Hospital Authority Board. New term is for three (3) years, expiring on October 31, 2016. Vote unanimous.

The Board held Mr. William McBerry's appointment to the Hospital Authority Board.

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31. Appointment to the Tax Assessors Board. The term of Mr. Gbenga Osagie expires on October 25, 2013. New term is for three (3) years, expiring on October 25, 2016.

Motion by Commissioner Hambrick, second by Commissioner Singleton, to reappoint Mr. Gbenga Osagie to the Tax Assessors Board. The term of Mr. Gbenga Osagie expires on October 25, 2013. New term is for three (3) years, expiring on October 25, 2016. Vote unanimous.

32. ZONING PETITION: **JEFFERSON HOMES/PUD201306-01**

The Applicant, Jefferson Homes, is requesting acceptance of the Conceptual Development Plan, the Detailed Development Plan, and an amendment to the official zoning map from Article 3.1 Agricultural to Article 7.2 Planned Unit Development for the construction of 175 single family lots upon the property located at 0 Fitzgerald Road, Jonesboro, GA and otherwise known as parcel number 05-147-174-004. The subject property contains approximately 74.15 acres of land.

**Commission District # 3 – Commissioner Shana M. Rooks**

Clerk Haywood asked if there were any opposition to this petition.

Commissioner Rooks requested persons who opposed to please stand.

Due to there being so many present in opposition, Chairman Turner requested two spokespersons to come before the Board to state their opposition after the petitioners.

Attorney Crandle Bray came on behalf of Crown Communities, Inc. as well as Jefferson Homes, who filed the rezoning application. During 2005-2006, he stated that Heritage Bank and Griffin National Bank advanced payment to build a subdivision on Fitzgerald Road because it was properly permitted. Following the onset of a “bad economy,” Mr. Bray stated that the subdivision was completed with no houses on it. The developer is now trying to build houses and all utilities, streets, and sewers have been installed. Mr. Bray acknowledged that he had filed a constitutional letter as part of the record regarding the issue of “detrimental reliance” because an issued permit was being relied upon by the developer. Crown Communities, Inc. wants to be a new neighbor to the residents and met with them recently to get a consensus. After meeting with the community residents, it was agreed that nine (9) lots would be eliminated near Fitzgerald Road and a fifty (50)-foot buffer would be placed around the property. Mr. Bray admitted that the buffer was supposed to be undisturbed, but the vegetation was removed. He then introduced Neil Koelbl of Crown Communities, Inc., who assisted him in showing an amended plan to the Board and audience. This plan outlined the following components: 1) the buffer will be re-vegetated; 2) all seventy (70)-foot lots approved in 2006 will be changed to one hundred (100)-foot lots; 3) all detention ponds will be brought up to par with the Water Authority; 4) any landscaping will be done in compliance with the County’s code; 5) the entranceway permitted in 2006 will be brought up to par to accommodate school buses and other appropriate vehicles; and 6) half of the houses will be 2,000 square feet and the other half will be 2,300 square feet. Mr. Bray next informed the Board that

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he would reserve his remaining time for rebuttal.

Chairman Turner then stated he would allow up to five (5) persons who opposed this petition to speak before the Board.

Lorraine Dye stated this was the second time around for her to speak against this petition, and she was aware that the Zoning Advisory Group had turned down Jefferson Homes before. Ms. Dye was concerned that the houses were going to be built too close together, and she had spoken with Fire Marshall Vasquez and Lieutenant Hicks who told her that the houses would be built five (5) feet from the corner of the house to the property line and sprinklers would have to be installed in each home. The houses are also going to be clustered and there are no clustered homes on Fitzgerald Road. Every resident has at least an acre plus each, and she did not understand why this was approved. Ms. Dye concluded that there are already so many clustered homes in her subdivision and these types of homes do not look well after a year or two of being occupied.

Alisa Griffin, a resident of Tara Beach Estates Subdivision, came on behalf of her neighbors to express concerns regarding the zoning request for the property to be called Layfield Estates Subdivision. Ms. Griffin acknowledged that she was not opposed to the new subdivision on Fitzgerald Road, but she was opposed to the clustered homes. Although the homes in the planned subdivision are large and esthetically pleasing, they are going to be five (5) to ten (10) feet apart with narrow streets and short driveways. She further stated that although similar surrounding communities exist in Clayton County, these clustered communities have developed character that has become atrocious to drive by. Ms. Griffin requested that the plan for the development of Layfield Estates be amended to fit into a plan that accommodates the scope of the subdivision that currently exists on the Fitzgerald Road corridor. In closing, she expressed that she and her neighbors will have to live with whatever development Jefferson Homes leaves her subdivision, and she was concerned about the sustainability of her community.

Darrell Mitchell questioned who was going to buy the houses being built on one hundred seventy-five (175) single family lots. Mr. Mitchell stated that the community will need to build another school and also have more police to accommodate the community if this subdivision is built.

Stuart Lange, a resident of Waterford Downs Subdivision, voiced his concerns about how the development is going to change the character of the surrounding communities. Mr. Lange stressed that the area is a heavily wooded rural area and he was not in dispute with the builder wanting to build homes. He just wanted to maintain the general character of the area.

Joe Warner, a resident of Arbor Forest Subdivision, concurred with the comments of Mr. Lange. Mr. Warner stated his community is rural and what the developer wants to do on Fitzgerald Road is not in character with the other subdivisions in that area. He concluded that he has no problem with progress

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and, if Crown Communities could come in with another plan more in scope with the character of the community, that would be better for all concerned.

Mattie Welch, also a resident of Arbor Forest Subdivision, agreed with the previous comments regarding the zoning request of the property to be called Layfield Estates Subdivision. Ms. Welch noted that she had given Chairman Turner a letter expressing her concerns and that the Board should understand that they do not want these clustered homes in their community. She urged the Board to seriously consider voting against this petition.

John Albert Peter Early stated that if these homes are built, he would be looking at the back of six houses from his backyard. He had bought his home in this area of Clayton County because it is rural, and he did not want to be looking at the back of six houses.

Mr. Bray expressed his appreciation for the homeowners' concerns and stated he did not know what happened in 2006 with this property. He affirmed that this is an existing zoning and in an existing subdivision. Mr. Bray noted that the permit was issued and the density is half an acre. He also understood that there are smaller lots because of consolidation in certain areas. Mr. Bray emphasized that the houses will sell from \$175,000.00 to \$250,000.00 each and the subdivision will have a Homeowners' Association to control areas of concern that the residents may presently have. He stressed that he realized the residents feel this development is a travesty, and that the Board will approve to amend the plan which is now down to one hundred fifty-two lots.

For the record, Commissioner Rooks asked Kc Krzic, Zoning Administrator, to state what ZAG had recommended regarding this petition.

Ms. Krzic replied that ZAG's recommendation was to deny this petition.

Chairman Turner then asked the Board for a motion.

Commissioner Rooks stated that she approved ZAG's recommendation to deny this petition. This motion then ensued:

Motion by Commissioner Rooks, second by Vice-Chairman Edmondson, to deny this petition. Vote unanimous.

Motion by Commissioner Rooks, second by Chairman Turner, to go into Executive Session in the Commissioners' Conference Room at 9:12 p.m. to discuss personnel matters. Vote unanimous.

Motion by Chairman Turner, second by Commissioner Singleton, to go out of Executive Session at 9:52 p.m. Vote unanimous.

Motion by Commissioner Singleton, second by Chairman Turner, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 9:53 p.m. Vote unanimous.

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Renee Bright informed the Board that the applicant finalists for the Fire Chief position were Wilmond Meadows, Brenda M. Willis, and Landry Merkinson. She requested a motion from the Board to approve these applicant finalists and to interview them publicly at the next scheduled business meeting on November 5, 2013.

Motion by Commissioner Hambrick, second by Commissioner Singleton, to approve the aforementioned Fire Chief applicant finalists and to interview them publicly at the next scheduled business meeting on November 5, 2013. The motion carried 3-2 in favor. Chairman Turner and Commissioner Rooks opposed.

There being no further business to discuss, motion by Commissioner Rooks, second by Chairman Turner, to adjourn the Regular Business Meeting of October 15, 2013 at 9:54 p.m. Vote unanimous.