

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

August 20, 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 Pastor David Scott of Oak Park Church located in Jonesboro, Georgia. Pledge of allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by deleting #15 (Resolution 2013-212 – A Resolution granting a Special Facility Use Request to Make-A-Wish Georgia to host the Christmas in September Community Gift Card Drive at the Clayton County Justice 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). Clerk Haywood announced that an Executive Session would be held to discuss litigation and personnel matters. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the August 6, 2013 Regular Business Meeting minutes. Vote unanimous.
5. PROCLAMATION: "Clayton County Recognizes Elite Scholars Academy for Being Named a 2012 Georgia School of Excellence" (presented by Chairman Jeffrey E. Turner).
6. PROCLAMATION: "Clayton County Recognizes Mariah Stackhouse as One of the Top Collegiate Golfers in the Country" (presented by Commissioner Gail Hambrick).

NOTE: Group photos were taken of the honorees and Board. Clerk Haywood read all the proclamations for the benefit of the honorees, Board, and audience.]

Chairman Turner recognized the Chairman and Vice-Chairman of the Clayton County Board of Education; Dr. Pam Anderson and Ms. Mary Baker, respectively, as well as Lovejoy Mayor Bobby Cartwright in the audience.

7. 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.

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1) Dr. Henry Anderson, a Clayton County resident, came before the Board to show his support for Clayton County Police Chief Gregory Porter. Dr. Anderson strongly encouraged and requested that the Board draft a letter to be sent to Georgia Governor Nathan Deal urging him to instruct the Georgia Bureau of Investigation (GBI) to expeditiously finish the investigation and resolve this case not only for the Chief of Police but for Clayton County citizens as well. He read an excerpt from a **Clayton News Daily** article, “**Effort forming to get police chief off leave,**” (dated August 8, 2013), quoting Chairman Turner as saying, “***The GBI has told us it shouldn’t take much longer. I don’t know if that means a week, or a few weeks, but the last thing they told us was it should be wrapped up soon.***” Dr. Anderson stressed that Clayton County citizens did not need uncertainty in this matter with the police chief nor did they need to have the Chief of Police under a cloud of suspicion without knowing for sure a precise date and time this investigation will close. He concluded that Clayton County citizens want a swift resolution to this matter and requested that the Board use its power and authority to speed up this investigation. Dr. Anderson thanked the Board for its time and attention and to have a great, productive and successful meeting.

Chairman Turner told Dr. Anderson that the Board concurs with his statement. He explained that the Board must proceed with caution in rushing an investigation and it is not the job of the Board to “meddle” in GBI investigations. Chairman Turner stated he has been in contact with the GBI and has voiced his concerns regarding the expediency of this investigation.

2) Maude Edwards, who appeared before the Board on August 6, 2013, was here to reiterate her concerns regarding transit in Clayton County. Ms. Edwards expressed that Chairman Turner never followed up with her previous questions from that meeting on Clayton County joining MARTA. She noted that Clayton County's C-TRAN bus service ceased to exist as of March 31, 2010 due to insufficient revenue coming into the county. Ms. Edwards suggested that the Board could restore bus service by joining MARTA and funding with a penny sales tax to cover operating expenses. She affirmed that over seventy percent (70%) of Clayton County voters were in favor of joining MARTA in the General Election on November 2, 2010. Ms. Edwards stated that voters voted in a non-binding referendum upon whether or not to join MARTA, which meant that the county commissioners were not required to restore bus service. In closing, Ms. Edwards stressed that the commissioners need to proceed with a binding referendum, join MARTA and support public transportation needs of Clayton County citizens.

Chairman Turner told Ms. Edwards that he would meet with her after the meeting to answer her questions.

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3) Herman Pittman concurred with Maude Edwards' comments on restoring public transportation to Clayton County which he stated was desperately needed.

4) LaTonya Sidney-Jackson made a complaint to the Board regarding Clayton County District Attorney Tracy Graham Lawson who recused herself and her office from prosecution in the case against then former Sheriff Victor Hill. Ms. Jackson stressed that District Attorney Tracy Graham Lawson's professional services to this county have been an embarrassment and brought negative publicity to Clayton County. She then demanded the resignation of District Attorney Tracy Graham Lawson.

5) Calvin Copeland, a Clayton County resident, also expressed concerns regarding transit in Clayton County. Mr. Copeland was surprised the county is still at the stage of discussing the possibility of providing mass transit. He did not understand why the commissioners were preparing to do a feasibility study that will look at how great a need there is for a return of mass transit, when the people have already spoken. Mr. Copeland emphasized the need of public transportation for the citizens of Clayton County that included Clayton State University students, women and children, and the elderly. Mr. Copeland concluded that since the closure of public transportation, the entire county has been affected negatively.

6) Mary Ector, a Jonesboro resident, came before the Board to ask what the hold-up is in reinstating Chief Police Gregory Porter. Ms. Ector stressed she wanted him brought back into the position during this investigation that is taking place.

Chairman Turner cautioned against letting Chief Porter come back to work while the GBI continues its investigation. He said it is not a practice of the Board to meddle in criminal investigations. Chairman Turner stated that the commission is waiting to see what the outcome of the investigation will be and, if Chief Porter is cleared, he will be reinstated to his position as Chief of Police.

8. Theodis Locke, Director of Central Services/Risk Management, presented eight (8) 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 Clayton County Police Department Tactical Bomb Gear, Sole Source Purchase** (POR #00010189; *Allen Vanguard Corporation, located in Ottawa, Ontario, Canada;*

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\$33,887.00. Funding is available through the Georgia Emergency Management Agency Grant [GEMA]), as requested by the Police Department. Per Section 2-136 (7) of the Clayton County Purchasing Ordinance, Central Services must determine if other products or service providers can satisfy the procurement requirements before making a determination of sole source procurement. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The purchasing agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners. Vote unanimous.

2) Approved **Clayton County Police Department Tactical Gear, Sole Source Purchase** (POR #000010081; \$54,146.00 – Allen Vanguard Corporation, located in Ottawa, Ontario, Canada and \$6,370.40 – EOD Robotics Inc., located in Sunnyvale, CA. Funding is available through the Georgia Emergency Management Agency Grant [GEMA]), as requested by the Police Department. Per Section 2-136 (7) of the Clayton County Purchasing Ordinance, Central Services must determine if other products or service providers can satisfy the procurement requirements before making a determination of sole source procurement. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The purchasing agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners. Vote unanimous.

3) Approved **RFB PKG #11-39 Clayton County Central Services Annual Contract for Batteries, Request for Price Increase, First Amendment** (Difference of \$.21 with increase at \$1.25 each/Battle & Battle Distributors, Inc., located in Decatur, Georgia), as requested by the Central Services Department. Per Section 2-136 (6) of the 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. Vote unanimous.

The original contract was executed by former Chairman Eldrin Bell on March 1, 2012.

<u>Description</u>	<u>Award Price</u>	<u>New Price</u>	<u>Difference of</u>
Item #6 Duracell 9 Volt Battery	\$1.04 (each)	\$1.25 (each)	¢.21

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4) Approved **RFB PKG #12-32 Clayton County Air Filters Annual Contract, Request to Add Additional Item to Contract, First Amendment** (\$54.60 per case/Pure Air, located in Greenwood, MS), as requested by the Building & Maintenance Department. Per Section 2-136 (6) of the 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. Vote unanimous.

Building and Maintenance Director Les Markland's recommendation is to add an additional filter to the current contract with Pure Air. The current contract is not due for renewal until December 2013; the contract is renewable for two (2) additional one (1)-year periods. The original contract was executed by former Chairman Eldrin Bell on December 1, 2012.

<u>Description</u>	<u>Cost</u>	<u>Stock Number</u>
HE40-14181 14x18x1	\$54.60 case	406-100013

5) Approved **RFP PKG #13-24 Swim Lesson Provider, Annual Contract** (Tara Tarpons Swim Association, located in Jonesboro, Georgia, with a score of 435.00. Twenty-five percent of the proceeds will be paid to the County.), as requested by the Parks and Recreation 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.

Both Parks and Recreation Director Detrick Stanford and Interim Senior Services Director Tori Strawter recommended awarding a contract to Tara Tarpons Swim Association with a fee cost of \$50.00, and twenty-five percent (25%) of the revenue generated will be paid to the County.

6) Approved **RFB PKG #13-37 Clayton County Print Shop Supplies Annual Contract** (Multi-Award: Mac Papers, Inc., located in Lithia Springs, Georgia; Mark Andy, Inc., located in Des Plaines, Illinois, and Unisource Worldwide, Inc., located in Norcross, Georgia for 73 items), as requested by the Central Services Department. Per Section 2-136 (6) of the 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.

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Vote unanimous.

7) Approved **CAD Dispatch Software Upgrade, Contract Amendment II, Credit from Roster Module and Maintenance to Purchase Additional CAD Status Monitor Licenses** (*SunGard, located in High Point, North Carolina at no additional cost to the County; \$8,158.64 credit cost*), as requested by the Police Department. Per Section 2-136 (7) of the Clayton County Purchasing Ordinance, Central Services must determine if other products or service providers can satisfy the procurement requirements before making a determination of sole source procurement. Sound procurement practice requires that sole source purchases be used when it is the only option and not as an attempt to contract with a favored service provider for a favored product. The purchasing agent requires all sole source providers to supply a letter stating that they are the sole source for a given product or service and why they are considered to be the sole source (technology, patents, etc.). All sole source purchases will be clearly defined when presented to the Clayton County Board of Commissioners. Vote unanimous.

Deputy Chief Police Chris Butler is requesting a second amendment to the current contract with SunGard Public Sector, Inc. to receive credit from the purchase of a roster module and software maintenance that the Board of Commissioners approved on March 12, 2013 and to purchase additional CAD status monitor licenses. SunGard Public Sector, Inc. was awarded the original contract by the Board of Commissioners on September 7, 2010. It has agreed to accept the amendment.

8) Approved **RFP PKG #10-12 Turf Management for Athletic Fields, Annual Contract, Contract Amendment, Request for Contract Extension** (*TruGreen, located in Ellenwood, Georgia, for 90 days*), as requested by the Parks and Recreation 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.

Parks and Recreation Director Detrick Stanford has requested to amend the current contract with TruGreen for a 90-day extension period of September 16, 2013 to December 15, 2013 for the rebid process of turf management services in Clayton County. TruGreen was awarded this contract by the Board of Commissioners on August 10, 2010.

9. Ramona Thurman, Chief Financial Officer, presented twenty-six (26) Budget Amendments and

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one (1) Request for a Refund which resulted in the following Board actions.

Motion by Commissioner Rooks, second by Commissioner Singleton, to hold clean-up items #1-20 until the next Regular Business Meeting on September 3, 2013, due to figures being in question on the agenda. Vote unanimous.

- 1) Budget Amendment #2-74 – Finance-Mail Room/FYE 6-30-13 – to transfer the funds in amount of \$385.00, to cover the cost of additional wages, benefits, and postage.
- 2) Budget Amendment #2-75 – Fire Fund/FYE 6-30-13 – to transfer funds, in the amount of \$61,561.00, to cover the cost of additional wages, benefits, and utilities.
- 3) Budget Amendment #2-76 – Hotel/Motel Tax Fund/FYE 6-30-13 – to transfer the funds, in amount of \$32,245.00, to cover the cost of additional wages.
- 4) Budget Amendment #2-77 – Tourism Fund 5% Hotel/Motel Tax/FYE 6-30-13 – to transfer funds, in the amount of \$1,754.00, to cover an additional Operating Transfer to the Debt Service Fund.
- 5) Budget Amendment #2-78 – County Services/FYE 6-30-13 – to cover additional fees, claims, and supplies in the amount of \$1,439,236.00.
- 6) Budget Amendment #2-79 – Alternative Dispute Resolution/FYE 6-30-13 – to transfer funds, in the amount of \$72.00, to cover an additional salary expense.
- 7) Budget Amendment #2-80 – Victim Assistance Fund/FYE 6-30-13 – to transfer funds, in the amount of \$9,858.00, to cover additional benefit costs.
- 8) Budget Amendment #2-81 – Law Library/FYE 6-30-13 – to transfer funds, in the amount of \$96.00, to cover additional dues and subscription fees.
- 9) Budget Amendment #2-82 – Registrar/FYE 6-30-13 – to cover additional wages and benefits in the amount of \$9,372.00.
- 10) Budget Amendment #2-83 – Health Department Fund/FYE 6-30-13 – to appropriate funds, in the amount of \$17,533.00, to provide for retainage expenses.
- 11) Budget Amendment #2-85 – State Court/FYE 6-30-13 – to cover additional wages and

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fees in the amount of \$39,830.00.

12) Budget Amendment #2-86 – Probate Court/FYE 6-30-13 – to cover additional wages, overtime, insurance, equipment and fees in the amount of \$19,088.00.

13) Budget Amendment #2-87 – Street Light Fund/FYE 6-30-13 – to provide for additional electric utility costs in the amount of \$302,464.00.

14) Budget Amendment #2-88 – State Adult Probation/FYE 6-30-13 – to cover additional wages, fees, and supplies in the amount of \$2,718.00.

15) Budget Amendment #2-90 – Police Department/FYE 6-30-13 – to cover additional wages, overtime, benefits, fees, rental cost, supplies, telephone and travel expenses in the amount of \$257,818.00.

16) Budget Amendment #2-91 – Community Development/FYE 6-30-13 – to cover additional wages in the amount of \$9,034.00.

17) Budget Amendment #2-92 – Library/FYE 6-30-13 – to cover additional wages, benefits, and utilities in the amount of \$50,660.00.

18) Budget Amendment #2-93 – Senior Services/FYE 6-30-13 – to cover additional wages, overtime, benefits, fees, supplies and travel expenses in the amount of \$42,912.00.

19) Budget Amendment #2-94 – Tax Allocation District – Northwest Clayton/FYE 6-30-13 – to appropriate funds, in the amount of \$699,450.00, to establish for the Mountain View Tax Allocation District (TAD).

20) Budget Amendment #2-95 – Building and Maintenance/FYE 6-30-13 – to cover additional wages in the amount of \$21,303.00.

21) Approved Budget Amendment #2-7 – Dog Abuse and Treatment Fund/FYE 6-30-14 – to transfer funds, in the amount of \$5,500.00, between State Court and Superior Court. Vote unanimous.

22) Approved Budget Amendment #2-8 – Other General Government/FYE 6-30-14 – to appropriate funds, in the amount of \$200,000.00, to complete the forensic audit. The motion carried 3-

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2. Commissioners Singleton and Hambrick opposed.

Commissioner Hambrick stated she did an open records request at the beginning of the year regarding Budget Amendment #2-8. She was given a cost of approximately \$110,000.00 to \$130,000.00 at that time and believed that amount had already been spent towards the forensic audit. Commissioner Hambrick questioned how much had been spent since then up to this point.

Chief Financial Officer Ramona Thurman answered that \$270,000.00 had been spent.

Commissioner Hambrick asked if that figure included the \$130,000.00 in funds.

Ms. Thurman replied yes.

Commissioner Hambrick questioned why the Board was asking for another half million in funds for the forensic audit and if this would be the last payment.

Chairman Turner interjected that his last conversation with the firm revealed that this amount of funds was needed to close out the audit to prepare documentation for dissemination. The firm was not expecting to ask for any other funds.

23) Approved Budget Amendment #2-9 – Other General Government/FYE 6-30-14 – to appropriate funds, in the amount of \$50,000.00, for an airport east CID. Vote unanimous.

Commissioner Rooks stated she understood that a resolution has not been done to approve Budget Amendment #2-9 and the monies are being allocated per the resolution.

Interim County Attorney Jack Hancock answered that is correct, no resolution has been done to approve a contract for this budget amendment.

Vice-Chairman Edmondson replied that the resolution will be on agenda at next Regular Business Meeting.

Commissioner Singleton questioned whether the resolution should have been done before monies are allocated.

Mr. Hancock stated it did not matter because there is no authorization to spend the money until a

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resolution has been approved; the money is just being allocated into a budget item.

24) Approved Budget Amendment #2-10 – Other General Government/FYE 6-30-14 – to reappropriate funds, in the amount of \$66,600.00, received from Stevens MDS to utilize the Jesters Creek Trail Enhancement. Vote unanimous.

25) Approved Budget Amendment #4-12 – Fund 307 – 2009 SPLOST Projects/FYE 6-30-14 – to amend the budget, in the amount of \$2,600,000.00, for the Woolsey Road Widening and Reconstruction project. Vote unanimous.

26) Approved Budget Amendment #4-13 – Fund 307 – 2009 SPLOST Projects/FYE 6-30-14 – to amend the budget, in the amount of \$250,000.00, for the Davidson Parkway South project. Vote unanimous.

27) Approved a Request for a Refund of 2013 Alcohol License Fees, in the amount of \$2,000.00, to Dildar Singh DBA Lucky Food Mart in Ellenwood, Georgia. Vote unanimous.

10. Approved Resolution 2013-207, a Resolution authorizing Clayton County to enter into a Professional Services Agreement with Clayton County Public Schools and American Traffic Solutions, Inc., providing for the terms and conditions under which an automated enforcement program for school bus warning device violations will be implemented; to authorize the Chairman to execute the agreement and to otherwise perform all other 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, all as may be required; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

11. Approved Resolution 2013-208, a Resolution authorizing the acceptance of a sound system that was donated to the Clayton Regional Police Academy; to authorize the Director of Central Services to dispose of the sound system in a manner consistent with 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.

12. Approved Resolution 2013-209, a Resolution authorizing Clayton County, on behalf of the Clayton County Parks and Recreation Department, to grant a Special Facility Use Request for Rotary Club of Clayton County, Inc. to host a series of events for International College Students at the Clayton County International Park; 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

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unanimous.

13. Approved Resolution 2013-210, a Resolution authorizing Clayton County to enter into a consulting agreement with A Different View, Ltd. providing for the terms and conditions under which marketing and feasibility services will be rendered to the County; to authorize the Chairman to execute the agreement 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, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. The motion carried 4-1. Commissioner Rooks opposed.

Commissioner Rooks stated that she had spoken with Economic Development Director Grant Wainscott regarding Resolution 2013-210. She asked Interim County Attorney Jack Hancock for further clarification about the county position on the National Museum of Commercial Aviation and the Board involvement in the museum historically.

Mr. Hancock replied that he knew the county has authorized funds in the past for the support of the National Museum of Commercial Aviation.

Director Grant Wainscott explained that the Economic Development Department has a history that goes back to 2008 in providing operating support for the museum as an economic development and tourism project. Each year in the economic development budget, the department submits those projects and the work plan and priorities for the office. Mr. Wainscott stated the museum is being used as a cultural and educational attraction and is situated in a redevelopment area near the Hartsfield International terminal opposite the airport. He emphasized that the department is looking to create several hotels in that corridor.

Commissioner Rooks asked if the Board's involvement would be for Clayton County and not for the museum.

Mr. Wainscott said he did not understand her question.

Commissioner Rooks asked if the county owned the museum.

Mr. Wainscott answered the museum is a private 501(c)(3) corporation, and the county owns the land at 727 Airline Museum Way. The museum came to the county to lease for \$1.00 a year for a two hundred fifty-year term.

Commissioner Rooks asked Mr. Wainscott to clarify if the Board's involvement with the non-profit

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were for the good of the county.

Mr. Wainscott replied yes.

Vice-Chairman Edmondson asked if the feasibility study were being done to determine the value or feasibility of the Mountain View area specific to the museum or not.

Mr. Wainscott stated it is specifically for an attraction feasibility study.

14. Approved Resolution 2013-211, a Resolution authorizing Clayton County to enter into a consulting agreement with HMI, Inc. providing for the terms and conditions under which hotel feasibility services will be rendered to the County; to authorize the Chairman to execute the agreement 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, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. The motion carried 4-1. Commissioner Rooks opposed.

Commissioner Rooks questioned if the marketing and feasibility study will have the same response as Resolution 2013-210.

Mr. Wainscott affirmed the hotel feasibility study will focus on the overall Mountain View area and which parcels will be most appropriate for hotel development, style of hotel, size of hotel and average rates to expect so that Economic Development can discuss with hotel developers what it can support or what is suitable.

Commissioner Rooks asked why the county is being asked to do a feasibility study for a museum that is a non-profit organization.

Mr. Wainscott explained that the Hotel/Motel tax increased from six percent (6%) to eight percent (8%) in 2011, with one cent going towards tourism/marketing and the other one cent for new tourism product development. The museum is an applicant for those funds for bricks and mortar structure. For the county's sake, security, and due diligence the department wants to ensure liability of the project itself and visitors. We have the entity itself produce that but we want the outcome to be not just what the organization want but the also the needs of the county. He concluded that the feasibility study is being conducted by the county to meet county needs.

15. Approved Resolution 2013-213, a Resolution authorizing Clayton County, on behalf of the Clayton County Parks and Recreation Department, to grant a Special Facility Use Request for Virtual OIF/OEF Veterans Organization, Inc. to host a Veterans Health Fair at the Clayton County

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International Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; and for other purposes. Vote unanimous.

16. Approved Resolution 2013-214, a Resolution authorizing Clayton County, on behalf of the Clayton County Senior Services Department, to grant a Special Facility Use Request for Clayton County Solicitor General's Office to host an outreach event for Domestic Violence Awareness Month at the J. Charley Griswell 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.

17. Approved Resolution 2013-215, a Resolution authorizing Clayton County to approve a Special Facility Use Request to allow State Representative Sandra Scott to host a forum on the Affordable Care Act and the 3rd Annual Senior Citizens' Breakfast at the Carl Rhodenizer Recreation 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.

18. Approved Resolution 2013-216, a Resolution authorizing Clayton County, on behalf of the Clayton County Parks and Recreation Department, to grant a Special Facility Use Request for Ladies Auxiliary of Veterans of Foreign Wars, Post 5080, Lake City to host the Gold Star "Warrior" Mother's Day Ceremony at Rex Park; 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 2013-217, a Resolution regarding Clayton County Fire & Emergency Services personnel matters; to authorize an effective date of this resolution; and for other purposes. The motion carried 3-2. Chairman Turner and Commissioner Rooks opposed.

Commissioner Rooks questioned if the Board is going to set a precedent to direct a department head on how to run a department.

Mr. Hancock explained it is not a direction; it is statement of the desire or request of the Board if it passes. He stated that one does not have the authority to direct a department head on how to run a department.

Commissioner Rooks read the following excerpt of the resolution, **“The Board of Commissioners urges the Interim Fire Chief to cease making any additional personnel changes.”**

Mr. Hancock said that is correct, and the only thing the Board can do is to urge the Interim Fire Chief.

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Commissioner Rooks stated that the Board is literally the Interim Fire Chief's boss, so if it urges him it is really telling him to do something.

Mr. Hancock stated it is just a matter of semantics.

20. Approved Resolution 2013-218, a Resolution authorizing Clayton County to enter into an agreement with Mix Fix Live Sound providing for terms and conditions under which sound production equipment and sound engineering services will be provided in connection with "Life's A Fish and Then You Fry"; to authorize the Chairman to execute the agreement and otherwise to 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. Vote unanimous.

Interim County Attorney Jack Hancock requested an Executive Session regarding litigation and personnel matters. The Board generally consented to have an Executive Session for the aforementioned reasons.

21. ZONING PETITION: **Rescind CUP for Beacon Media, LLC/2723 Mt. Zion Road**

1) This request is to consider rescinding the authorization of a Conditional Use Permit granted from Article 3.21 – General Business District to allow for the construction of a billboard sign. The subject property is located at 2723 Mt. Zion Road in Jonesboro, Georgia and is otherwise known as parcel number 12075A A002 and 12075A A009. The property is currently zoned General Business (GB). The Conditional Use Permit was granted on December 20, 2011 and filed under petition REZ/CUP 201101-01. (Commission District #4 – Vice-Chairman Michael Edmondson).

Mr. and Mrs. Kendrick McDonnell came before the Board to request reinstatement of a Conditional Use Permit granted from Article 3.21 – General Business District to allow for the construction of a billboard.

Clerk Haywood asked if there were any opposition to this petition. No one responded.

Chairman Turner asked if there were any opposition to this petition. No one responded.

Vice-Chairman Edmondson acknowledged he had some comments. He stated that since this is a consideration to rescind or reinstate the Conditional Use Permit (CUP) and the CUP has been advertised, there will be some stipulations with this request.

Vice-Chairman Edmondson asked Kc Krzic, Planning and Zoning Administrator, if this were correct.

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Ms. Krzic replied yes.

Vice-Chairman Edmondson said he understood that when Mr. and Mrs. McDonnell came before the board for the dance studio a few years ago, they agreed to move the swimming pool from the front yard to the backyard – which never happened. He stated that they came before the Board a second time for a Conditional Use Permit and the Board did not request that of them. Now that the Conditional Use Permit is up to rescind or reinstate, he asked that they consider stipulating what was already agreed to regarding the dance studio and moving the swimming pool to the backyard. Vice-Chairman Edmondson emphasized he considered the swimming pool to be a nuisance and it has been so for five (5) years now. He requested that Mr. and Mrs. McDonnell accept the stipulation prior to the building permit and he would recommend a reinstatement of the Conditional Use Permit (CUP).

Mr. McDonnell replied that he had every intention of moving the pool to the back, but he did not have the budget to move the pool at this time.

Vice-Chairman Edmondson said Mr. McDonnell did not necessarily have to move the pool for him, but since it is in the front yard he was asking Mr. McDonnell to either fill the pool in or clean it up.

Mr. McDonnell replied he had received an estimate to clean the pool up and he intended to move it next year in February. He stated that he needed the pool for the daycare for the summer, and he could clean it up and put a fence around the pool.

Vice-Chairman Edmondson told the commissioners he did not know how much they knew about this CUP, but the CUP has no detrimental effect to the health, safety and welfare of the community and he saw no reason to rescind it.

Vice-Chairman Edmondson then made a motion to rescind the CUP. The motion was then seconded by Chairman Turner.

Chairman Turner asked if there were any further discussion.

Vice-Chairman Edmondson asked Commissioner Rooks if this all made sense to her.

Commissioner Rooks replied no.

Vice-Chairman Edmondson explained that there is an operating daycare; its property has four (4) sides and the one side that has road frontage is on Mt. Zion Road. He noted there is a swimming pool there that has been abandoned and unused for at least five (5) years.

Mr. McDonnell clarified that it had been two (2) years.

Vice-Chairman Edmondson referred back to the Regular Business Meeting minutes of August 9, 2011 that confirmed Mr. McDonnell's acknowledgement of the length of time the pool has been abandoned and unused. He noted that Mr. and Mrs. McDonnell requested a zoning consideration for a dance

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studio to do some new construction and they agreed to fill in and/or remove the pool; yet they never went through with the construction or the filling in or removing of the pool. They are still operating the daycare and he wished them great success with that; however, the pool remains as is.

Vice-Chairman Edmondson stressed that all he wanted them to do is remove the pool from the front yard because it is a nuisance and bring the property up to compliance.

Commissioner Rooks asked Mr. McDonnell if his position now were that he did not want to do that.

Chairman Turner asked if there were any other questions.

Following a lengthy discussion between Vice-Chairman Edmondson and Mr. McDonnell, Vice-Chairman Edmondson made a motion to reinstate the CUP with the following stipulation as worded by Planning and Zoning Administrator Kc Krzic.

The entire motion was as follows:

Motion by Vice-Chairman Edmondson, second by Chairman Turner, to approve the reinstatement of a CUP for Beacon Media, LLC with the following stipulation:

“The (swimming) pool will be removed or relocated in accordance with the current zoning standards prior to the release of any building permits for the billboard.” Vote unanimous.

22. ZONING PETITION: **James Bear on behalf of Briggs Equipment, Inc./CUP for 4695 Aviation Parkway/Case Number: CUP 201307-01**

1) Motion by Commissioner Hambrick, second by Sonna Singleton, to approve the applicant’s request for a Conditional Use Permit granted from Article 3.31 Heavy Industrial (HI) District for outside storage and display area upon property located at 4695 Aviation Parkway, and otherwise known as parcel number 13043C A013. The subject property is approximately 9.382 acres of industrial land, which is currently zoned HI. (Commission District #2 – Commissioner Gail Hambrick). Vote unanimous.

Chairman Turner asked if there were any opposition to this petition. No one responded.

Since there was no opposition, Commissioner Hambrick made a motion to approve this petition. The motion was then seconded by Commissioner Singleton. Vote unanimous.

Motion by Vice-Chairman Edmondson, second by Chairman Turner, to go into Executive Session in the Commissioner’s Conference Room at 8:26 p.m. to discuss litigation and personnel matters. Vote unanimous.

Motion by Vice-Chairman Edmondson, second by Commissioner Rooks, to go out of Executive

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Session at 9:00 p.m. Vote unanimous.

Motion by Commissioner Rooks, second by Vice-Chairman Edmondson, to reconvene the Regular Business Meeting in the Commissioner's Boardroom at 9:04 p.m. Vote unanimous.

There being no further business to discuss, motion by Commissioner Rooks, second by Chairman Turner, to adjourn the Regular Business Meeting of August 20, 2013 at 9:05 p.m. Vote unanimous.