

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 17, 2014

POST SUMMARY MINUTES

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

1. Chairman Turner called the meeting to order.
2. Invocation was led by Dr. George Freeman of Jonesboro First United Methodist Church in Jonesboro, Georgia. Pledge of allegiance to the flag was led by Chairman Turner.
3. Adopted the agenda, as is, as all commissioners had copies before them. Vote unanimous.
4. Approved the June 3, 2014 Public Hearing on the Proposed FY-2015 Budget and the June 3, 2014 Regular Business Meeting minutes. Vote unanimous.
5. ANNOUNCEMENT: Project Candle Industry/AVICS Korea in Forest Park, Georgia (presented by Grant Wainscott, Economic Development Director).

Economic Development Director Grant Wainscott came before the Board and audience to introduce AVICS USA, LLC which is opening its U.S. Headquarters in Clayton County for parent company AVICS Korea Co., Ltd., a pioneer in designing, manufacturing and distributing innovative LED lighting products. Based in Suwon-city, South Korea, AVICS Korea was founded in 1998 and offers more than 50 different LED products. The company is initially opening a sales showroom and distribution facility in the Southfield Corporate Center near Forest Park. Mr. Wainscott stated that the AVICS USA, LLC headquarters operation will employ twenty-five (25) new positions and desires to open a large manufacturing plant in Clayton County within the next two (2) years that could employ hundreds. He concluded that AVICS' investment in the County will enhance the County's ability to service energy and building efficiency demand and provide the company with logistical and commercial access.

James Dong S. Ahn, President of AVICS USA, LLC, appeared before the Board and expressed that he was honored to be a partner of the Clayton County community.

Chairman Turner, on behalf of the Board of Commissioners, welcomed Mr. Ahn and stressed that it is a privilege to have AVICS USA, LLC in Clayton County as the first Korean company headquarters. He

POST SUMMARY MINUTES

further stated that Clayton County is a county of great global opportunity and it is truly blessed to have AVICS USA, LLC as its newest community stakeholder.

Mr. Wainscott added that this company is opening in Commissioner Hambrick's District and thanked (GDEcD) Global Commerce/International Projects Team, the Metro Atlanta Chamber of Commerce, Georgia Power's Economic Development team, and Clayton County Sheriff Victor Hill for luring the headquarters operation to Clayton County and metro Atlanta.

Mr. Ahn stated that he was very satisfied to be located in Clayton County because of Mr. Wainscott's and Sheriff Victor Hill's direction to bring the business to the County.

6. 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.

1) Mr. Bakari Height asked all representatives from MARTA to please stand and urged MARTA to consider hiring Clayton County college students.

2) Bishop Jerome Dukes voiced concerns regarding transit in Clayton County. He emphasized the need of public transportation for Clayton County citizens that included Clayton State University students, women and children, and the elderly. In closing, Bishop Dukes stressed that the commissioners need to proceed with a binding referendum, join MARTA, and support the public transportation needs of Clayton County citizens.

3) Glenda Cook was not present for public comment.

4) James Lucas greeted the Board and agreed with the previous comments regarding transit in Clayton County. Mr. Lucas urged the Board to place the referendum on the General Election ballot in November 2014.

5) Deborah Scott, Executive of Georgia Stand-Up and Founder of Georgia Trade-Up (a prep-apprenticeship and workforce development program), also expressed concerns regarding transit in Clayton County. Ms. Scott stated that her company trains men and women for construction jobs but, due to no public transportation in the County, they are not able to attend. She clearly noted that the full penny sales tax would be the best option for more use of the MARTA system. Ms. Scott felt MARTA would increase economic development in the County, and the Board should proceed in making this happen.

POST SUMMARY MINUTES

6) Brenda Cook, a Clayton County resident, also concurred with the previous comments regarding transit in the County. Ms. Cook stated that the loss of transit services has had a devastating impact on the County, and those services need to be restored so people are able to get to their jobs and doctor's appointments. Ms. Cook urged the Board to approve MARTA to move this County forward.

7) Garetha Frank also expressed concerns regarding transit in Clayton County. Mr. Frank stated that voters approved MARTA in the year "2010," but Clayton County did not move forward. He stressed that there is a great need for the return of mass transit to sustain economic growth. In closing, Mr. Frank emphasized that the Clayton County residents have already spoken and urged the Board to use its power and authority in bringing back public transportation.

8) Linda Ingram, a Clayton County resident, was present to get an update on the status of the Clayton County Animal Control Kennel/Animal Kennel. Ms. Ingram questioned if this matter is being addressed and requested someone from the Board to answer her question on a matter that was supposed to have been built five (5) years ago from 2009 SPLOST monies.

9) Courtney McFarlane, a Clayton County resident and President of the Caribbean Community Foundation, also concurred with the previous comments regarding transit in Clayton County. Mr. McFarlane stated that transportation is a good start in the right direction and asked the commissioners to work together to turn this county around.

10) Tanya Finney came before the Board to voice her concerns regarding the Cottage Food Regulation which passed under the Georgia Department of Agriculture in September 2012. Under these regulations, the Cottage Food License allows Cottage Food Operators to produce non-potentially hazardous foods in their home kitchens for sale to the end consumer. Another requirement for registration was for the Cottage Food Operators to check with their municipality or county to ensure that a home-based business was allowed. With the passing of this law, Ms. Finney stated she turned her hobby of baking cupcakes into a home-based business.

11) Brinda Denman, a forty-five (45)-year Clayton County resident, also expressed her concerns regarding transit in Clayton County. Ms. Denman was concerned that the County is moving too fast in its decision to approve MARTA. She expressed that businesses are not coming here because of crime, and the County should be cautious about bringing a business here that she felt did not do enough to alleviate crime. Ms. Denman questioned the Board on what it is going to do so that those people who see the negatives can be persuaded to see the positives of MARTA. She concluded that she is not opposed to MARTA coming to the County but, due to the troubling rise in crime on MARTA buses and trains, safety precautions would need to be implemented to keep Clayton County residents safe.

POST SUMMARY MINUTES

12) Jeremy Sistrunk, a Clayton State University student, expressed his support of transit restoration in Clayton County. Mr. Sistrunk stated it is pertinent that mass transit is provided for Clayton County residents to get to their jobs, schools, doctor's appointments, and shopping. He finally stated that he did not have a car and public transit would be a life-line for many citizens who would use the system as their main means of transportation.

13) Danny Kirby, a Clayton County resident, strongly encouraged and demanded that the Board provide Clayton County citizens with a No Kill Facility and less kill facilities. Mr. Kirby also proposed that the County allocate the funds for a free spade/neuter program for Clayton County residents which will reduce over-population of animals that result in their euthanization.

14) Kimberly Kirby, a Clayton County resident, thanked the Board for assigning a detective to investigate animal cruelty in Clayton County. Ms. Kirby reiterated that the Board needs to provide Clayton County citizens with a No Kill Facility and to increase the number of general holding pens. She commended animal control for the installation of cameras after July 1, 2004 and again still voiced her concerns that Lake City, Georgia pays Forest Park, Georgia to bring animals to Clayton County Animal Control without payment, which only over-populates and puts more stress on the County's Animal Control. In closing, Ms. Kirby asked the Board update of where Clayton County is on moving forward with the Clayton County Animal Control Kennel/Animal Kennel.

15) Timothy Jefferson, a Clayton County resident, stated he has currently experienced some unfortunate circumstances with the Clayton County Police Department and asked the Board to expeditiously resolve the matter.

16) Miyoshi Bourget, a Clayton County resident, questioned the leadership of Economic Development Director Grant Wainscott and his handling of the budget to bring businesses to Clayton County. Ms. Bourget clearly noted that there is a billboard near Southlake Mall advertising a slogan that says "*Eat McDonough*" (Exit #216 and Exit #218) which is a disgrace to Clayton County residents. She noted that it is obvious to see what the Economic Development Director in Henry County is doing, but not in Clayton County. Ms. Bourget concluded that Mr. Wainscott's work evaluation does not show economic development in Clayton County but, rather, a depletion of businesses in the county. Per Ms. Bourget, Mr. Wainscott has proven he is not the economic development leader.

7. PRESENTATION: "Briefing Report on the Clayton County Transit Feasibility Study" (presented by Mr. Bill Ball, Chief Operating Officer of Tindale-Oliver & Associates, Inc.).

Based on the nature of some of the public's comments tonight, Commissioner Edmondson asked Chief Staff Attorney Christie Barnes to provide the Board a copy of the County's parliamentary procedures

POST SUMMARY MINUTES

and rules regarding public comment to ensure that they are properly adhered to going forward. Ms. Barnes agreed to do so.

Jeff Metarko, Director of Transportation and Development, introduced Chief Operating Officer Bill Ball of Tindale & Associates, Inc. who would brief the Board on the County's Transit Feasibility Study findings. He noted that the Board had already received a draft copy of this study for review. Mr. Metarko stated that Mr. Ball, in his role as a consultant, would highlight the main points of this study via a PowerPoint presentation and finally entertain any questions and/or comments from the Board. He then distributed copies of Mr. Ball's presentation to the Board.

Mr. Ball greeted the Board and stated that his firm had done a great deal of work over the past few months. He was also looking forward to providing an overview of the results of the Transit Feasibility Study. Mr. Ball introduced team members who had accompanied him this evening, assisted him in this study, and who were located in this area – Grady Smith with Metro Planning and Engineering and Morris Dillard with DW & Associates. His overview tonight would highlight the Board report provided a week ago which included the categories of background, public participation, transit feasibility, overview of results, and Board decision. Mr. Ball added that he would answer any questions afterwards.

The slides shown in Mr. Ball's presentation outlined the tasks Tindale-Oliver & Associates, Inc. was charged to do as follows:

BACKGROUND/STUDY OBJECTIVES

- Determine transit feasibility in Clayton County
- Define transit demand and mobility needs
- Identify costs and potential revenue to cover any identified needs
- Set the stage for future federal transit funding for Clayton County

Mr. Ball stated that Tindale-Oliver & Associates, Inc. started out with a three (3)-phased approach. The firm was originally scoped to provide incremental information to the Board to make decisions along the way and then provide subsequent direction. State legislation that was passed, however, changed Tindale-Oliver & Associates' approach, expedited the schedule, and presented a unique opportunity for Clayton County to move forward more quickly with a sales tax referendum if it chose to do so. Mr. Ball indicated that this sales tax referendum would be a part of the presentation tonight. State legislation also increased the focus on MARTA in the process, and his firm has been coordinating with MARTA staff as it has gone through its planning process as well. Three (3) key steps are still included in the feasibility study approach listed below.

BACKGROUND/STUDY APPROACH

POST SUMMARY MINUTES

- Initially a phased approach
- Recent legislation compressed the schedule
- Increased focus on MARTA
- Still 3 steps to consider:
 - Step 1: Transit Market Assessment in Clayton County
 - Step 2: Transit Vision Concepts and Solutions Responsive to the Market
 - Step 3: Transit Concept Feasibility and Implementation Process

Mr. Ball was pleased to announce that the public participation in Clayton County's Transit Feasibility Study has been great. He stated that this fact was even evident tonight with the large crowd attending this meeting. Clayton County should be proud of the citizens because they not only participated in a very short time, but they were passionate in their remarks about transit in the county. According to Mr. Ball, approximately 4,000 persons have been actively involved in this transit feasibility study in just a few months. His firm was very concerned about having good representation throughout the county. Mr. Ball referenced two slides which showed the public participation to date in various formats and in commission districts as follows:

PUBLIC PARTICIPATION TO DATE

<u>Participation Format</u>	<u>No.</u>
Public Meeting Workshops	627
Survey Respondents	870
Stakeholder/Group Interviews	16
Project Email Views	1,089
Project Website Views	<u>1,275</u>
TOTAL PARTICIPANTS	3,877

PUBLIC PARTICIPATION

<u>Commission District</u>	<u>No.</u>	<u>%</u>
District 1	395	35%
District 2	261	23%
District 3	188	17%

POST SUMMARY MINUTES

District 4	<u>273</u>	<u>25%</u>
TOTAL	1,117	100%

Mr. Ball also informed the Board that an online survey had been conducted in the county to determine support for transit. That survey indicated 80% of county citizens supported Clayton County funding transit services, while 20% did not.

During the public outreach process to ascertain what transit themes should be upheld, many persons voiced support while others expressed concerns as follows:

KEY THEMES FROM PUBLIC

Support

- Improve mobility for all county demographics
- Support economic development, especially related to job access
- Be sure to do it right by being responsive to demands – do not “under provide” or “over provide”
- Include rail in transit vision in the future of Clayton County

KEY THEMES FROM PUBLIC

Concerns

- Increase in taxes
- Subsidized by non-users
- Safety and potential for increased crime associated with public transit service

Mr. Ball stated his firm’s job as a consultant included conducting a transit technical feasibility study as well. County demographics, travel patterns for future years, and economic development objectives were considered as a part of a technical evaluation.

TRANSIT FEASIBILITY

- County demographics
- Travel patterns (2015 and 2040)
 - Regional connectivity
 - Countywide connectivity
- Economic Development

POST SUMMARY MINUTES

Mr. Ball further stated that one of the tools used was a transit use potential analysis where consideration is given to different demographics which are traditionally more likely to use transit services; i.e., youth population, older adults, lower income families, households without a vehicle, and persons with disabilities. He reiterated that all of those demographics are more likely to use public transit.

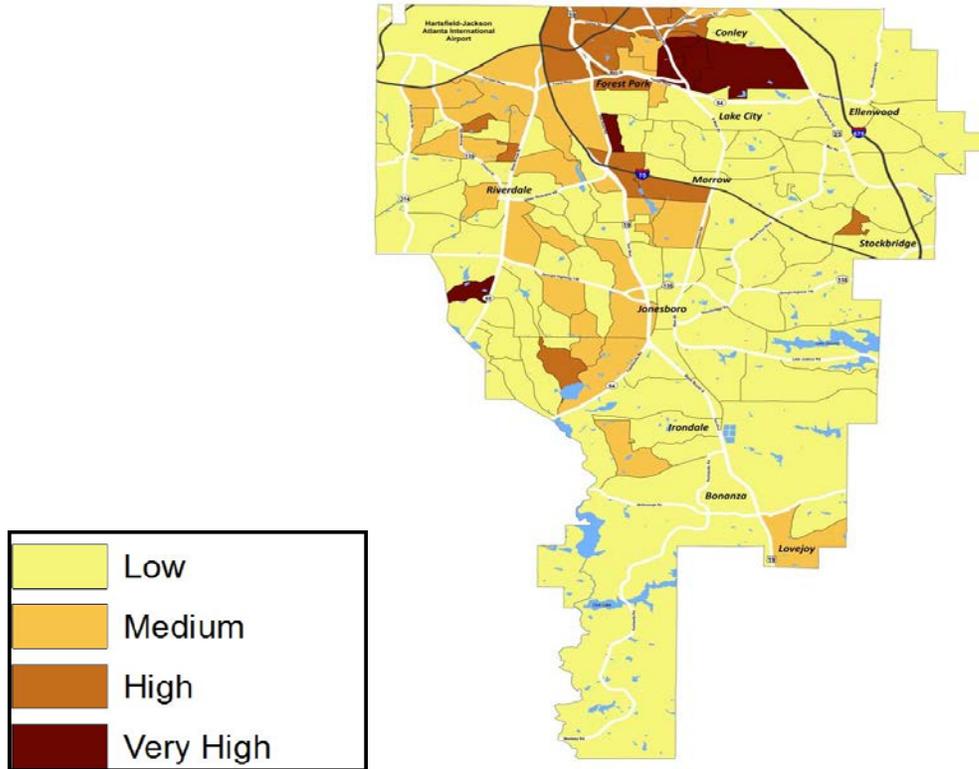
TRANSIT FEASIBILITY

Significant Transit Needs

- Mobility needs
 - Youth, older adults, low-income persons with disabilities
 - Alternative for choice riders
- Unmet demand within Clayton and regionally
 - Jobs at Airport, in Atlanta, and within Clayton County and beyond

Through the transit use potential analysis, Mr. Ball stated his firm was able to identify areas in the county that will have a greater potential to use transit services. The darker areas on the county map below show where public transit is most needed and will most likely be used. Mr. Ball voiced that this map is very useful for his firm in designing a service that might be out there in the future.

POST SUMMARY MINUTES



Based on the technical evaluation and public participation, Mr. Ball affirmed that there is a significant public transit need in Clayton County. The mobility needs certainly relate to the demographics he had just referenced in terms of needs for job access and other educational opportunities in the county and beyond the county line. Persons who do have a choice are given an opportunity for a mobility alternative without having to drive or ride in a personal vehicle. There is plenty of unmet demand in terms of connectivity within the county as well as connectivity to adjacent counties, especially to the airport and to the north. Likewise, there is economic development opportunity based on what the public expressed and based on his firm's technical analysis, particularly with job access as well as development around stations when the county invests in more premium transit services.

The conclusions of the transit use potential analysis were used to establish some guiding principles for an appropriate service plan that responds to the demand evident in Clayton County. Those principles are listed as follows:

OVERVIEW OF RESULTS

POST SUMMARY MINUTES

Guiding Principles Drive Service Plan

- Meet mobility needs
- Support regional connectivity
- Support in-county connectivity
- Match service with demand
- Long-term plan
- Support economic development

Coordination Meetings with MARTA Staff

Mr. Ball said it is important to note that his firm has met with MARTA staff on several occasions to coordinate this planning process so that they can all be “on the same page” in case the Board decides to move forward with transit. Plans have been put together for three (3) time periods; 2016, 2025, and 2040. The full concept is to develop a long range vision that can evolve over time. It is envisioned that 2016 will be the opening year of operations if the County moves forward. Vision concepts for each of those years are indicated below:

2016 VISION (Initial Bus Service Based Network providing connectivity throughout the County with connections to the Airport and north)

- ◆ Local Bus routes
- ◆ Flex bus
- ◆ Door-to-door paratransit
- ◆ Transit hubs
- ◆ Bus stop shelters and amenities
- ◆ Connections to airport/north & MARTA

2025 VISION (Addition of a “red line”/commuter rail connecting the MARTA rail all the way down through the county to Lovejoy, an “orange line”/premium bus service that connects Mountain View to Riverdale, and bus service connections to DeKalb County)

- ◆ Local bus to Lovejoy & DeKalb
- ◆ Premium bus to Riverdale
- ◆ More frequent and later service
- ◆ More flex bus
- ◆ Commuter rail

POST SUMMARY MINUTES

◆ Transit hub in Lovejoy
2040 VISION (Higher Level of Service on same existing network/extensions and more frequent service)

- ◆ More frequency
- ◆ Later Service
- ◆ More flex bus
- ◆ Use of technology
- ◆ Expand hubs & transit amenities

The next item to consider is revenue. Mr. Ball said his firm learned fairly quickly that sales tax would be the most important discussion portion of this process. There are other revenue sources that are critical as well. All of these revenue components are listed as follows:

TRANSIT REVENUE SOURCES

- ◆ Key source
 - Sales tax (if referendum passes)
- ◆ Other sources
 - Fares (25% to 30% of operating costs)
 - SPLOST support for transit capital for buses or shelters – not covering operating expenses
 - Federal grants (the County would be in a position to be eligible for such grants)

Since sales tax is the most important revenue source, Mr. Ball expressed there are pros and cons for the half-penny and full penny sales tax. These are the key pros and cons identified from Tindale-Oliver & Associate's evaluation:

HALF-PENNY SALES TAX

Pros

- Supports bus system
(likely reduced from 2016 vision and dependent on the magnitude of the other revenue sources)
- Lessens potential impact on economic development and competitiveness of the sales tax level at that point – 7.5% vs. 8%

Cons

POST SUMMARY MINUTES

- Insufficient for supporting rail, premium bus, and bus system expansion over time
- Representation on MARTA Board likely reduced

FULL PENNY SALES TAX

Pros

- Transit vision as identified is likely attainable and sustainable
- Formal representation on MARTA Board consistent with the MARTA Act

Cons

- Potential for reduced economic competitiveness of the County with an 8% sales tax

In order to give Clayton County a perspective on what other Georgia counties are levying in sales taxes, Mr. Ball quoted the following sales tax numbers:

SALES TAX LEVIES IN GEORGIA

Number of Georgia Counties by Sales Tax Levy (159 counties)

- 1 = 5% sales tax
- 9 = 6% sales tax
- 104 = 7% sales tax (Majority Sales Tax in Georgia)
- 45 = 8% sales tax (The City of Atlanta is at 8% in the core metro region.)

159 Counties (TOTAL)

Mr. Ball emphasized that the transit planning process is ultimately a decision of the Board and there is a time line associated with it. Several questions have to be answered as well (see below).

BOARD DECISION

- Board of Commissioners' decisions by July 1st
 - Do we want a sales tax referendum?
 - If so, half-penny or full penny sales tax?
 - Join MARTA?

POST SUMMARY MINUTES

- Referendum in November (if called)
 - Rapid Transit Contract & Assistance Agreement (between Clayton County & MARTA)

In the event a referendum is called for in the November election, Mr. Ball confirmed that an agreement between the County and MARTA is critically important and must be prepared in a timely manner (within the next two weeks).

Mr. Ball expressed his appreciation for the opportunity to work with County staff on this transit feasibility study. The public has also been great in its participation, and he was prepared to answer any questions the Board might have at this time. No questions were forthcoming from the Board. Chairman Turner thanked Mr. Ball and his staff for the presentation.

8. Ramona Thurman, Interim Purchasing Agent of Central Services, presented seven (7) 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 **RFB Pkg. #11-08 Clayton County Telecommunication and Data Services – Annual Contract, Request for 90-Day Contract Extension, First Amendment** (Windstream Nuvox, Inc., located in Atlanta, Georgia), as requested by the Information Technology Department. Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids of \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Chief Financial Officer and purchased by the Director of Central Services without Board of Commissioners' approval. Vote unanimous.

2) Approved **RFB Pkg. #12-34 Clayton County Police Vehicle Equipment, Annual Contract Amendment Request to add Additional Services, Fourth Amendment** (Trans Comm Services, located in Griffin, Georgia), as requested by the Police 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.

3) Approved **RFB Pkg. #14-22 SPLOST Milling and Resurfacing of Various Streets in Commission Districts 1 & 2 Clayton County** (C.W. Matthews Contracting Co., Inc., located in

POST SUMMARY MINUTES

Marietta, Georgia; \$5,361,476.27. Funding is available through the 2009 SPLOST funds), as requested by the Transportation and Development Department. Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Chief Financial Officer and purchased by the Director of Central Services without Board of Commissioners' approval. Vote unanimous.

4) Approved **RFB Pkg. #14-23 SPLOST Milling and Resurfacing of Various Streets in Commission Districts 3 & 4 Clayton County** (C.W. Matthews Contracting Co., Inc., located in Marietta, Georgia; \$5,905,833.30. Funding is available through the 2009 SPLOST funds), as requested by the Transportation and Development Department. Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Chief Financial Officer and purchased by the Director of Central Services without Board of Commissioners' approval. Vote unanimous.

5) Approved **RFB Pkg. #14-29 Clayton County Landfill Track Dozier with Landfill Package** (Tractor and Equipment Company, located in Forest Park, Georgia; \$388,000.00. Funding is available through the 2009 SPLOST funds), as requested by the Transportation and 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. All goods and services in excess of \$25,000.00 are required through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

Commissioner Edmondson asked Ms. Thurman to explain the Landfill Bond to him. He then asked if there were a new bond issued or bond proceeds left over from several years ago.

Ms. Thurman replied there are bond proceeds still available.

Commissioner Edmondson asked if that is cash from the bond issues several years ago.

POST SUMMARY MINUTES

Ms. Thurman responded yes.

Commissioner Edmondson asked Ms. Thurman to state how much of that cash is left from the bond.

Ms. Thurman responded she did not presently have that information with her, but she could email him the information.

6) Approved **Employment Practices Liability Renewal**. To renew the County's Employment Practices Liability insurance for the period of July 1, 2014 through July 1, 2015 and to grant approval for the Chief Financial Officer to amend the budget as necessary. Vote unanimous.

7) Approved **Annual Contract Renewals – 9 Various Renewals**. 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. All goods and services in excess of \$25,000.00 are required through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

Itemized annual contract renewals are listed below.

- **RFP #10-34 Automated Red Light Equipment – Annual Contract** (American Traffic Solutions, Inc., located in Phoenix, Arizona). The renewal period will be from July 1, 2014 through June 30, 2015. A remaining renewal on this contract is for one (1) additional one (1)-year period. The Board of Commissioners approved this proposal on December 14, 2011.

- **RFP #11-04 On Call Transportation Right-of-Way Acquisition Services – Annual Contract** (Dianna Hunt & Associates, Inc., located in McDonough, Georgia). The renewal period will be from July 1, 2014 through June 30, 2015. A remaining renewal on this contract is for one (1) additional one (1)-year period. The Board of Commissioners approved this proposal on November 13, 2012.

- **RFB #12-17 Miscellaneous Medical Supplies – Annual Contract** (M & M Merchandisers Medical Supply & Equipment, LLC, located in Powder Springs, Georgia, and QuadMed, Inc., located in Jacksonville, Florida). The final renewal period will be from July 1, 2014 through June 30, 2015. The Board of Commissioners approved this proposal on June 5, 2012.

POST SUMMARY MINUTES

- **RFB #12-35 Hauling for Transportation and Development – Annual Contract, with Price Increase** (MC Trucking Company, Inc., located in Lithonia, Georgia). The final renewal period will be from July 1, 2014 through June 30, 2015. The Board of Commissioners approved this proposal on November 8, 2012.
- **RFB #13-13 Fire Extinguishers Services – Annual Contract** (Blackwater Technologies, Inc., located in Carrollton, Georgia). The renewal period will be from July 1, 2014 through June 30, 2015. A remaining renewal on this contract is for one (1) additional one (1)-year period. The Board of Commissioners approved this proposal on December 14, 2010.
- **RFP #13-19 Roadway CEI Services – Annual Contract** (CDM Smith, Inc., located in Atlanta, Georgia). The renewal period will be from July 1, 2014 through June 30, 2015. The remaining renewal on this contract is for three (3) additional one (1)-year periods. The Board of Commissioners approved this proposal on June 4, 2013.
- **RFP #13-20 Commissary Services for the Prison – Annual Contract** (McDaniel Supply Company, Inc., located in Jesup, Georgia). The renewal period will be from July 1, 2014 through June 30, 2015. The remaining renewal on this contract is for three (3) additional one (1)-year periods. The Board of Commissioners approved this proposal on May 14, 2013.
- **Clayton County’s Uniforms and Mats, Cooperative Purchase – Annual Contract, with Price Increase** (Cintas Corporation, located in Mason, Ohio). The renewal period will be from June 1, 2014 through May 31, 2015. The remaining renewal on this contract is for two (2) additional one (1)-year periods. The Board of Commissioners approved this proposal on April 2, 2013.
- **RFP #08-16 Inmate Health Care for the Jail Facility at the Harold R. Banke Justice Center – Annual Contract, Request for 30-Day Contract Extension.** This request is to amend the current contract with CorrectHealth Clayton, LLC, located in Stockbridge, Georgia. The amendment is for a thirty (30)-day extension of health care services at the Harold R. Banke Justice Center, as requested by the Sheriff of the Clayton County Sheriff’s Office. The extension period will be from July 1, 2014 through July 31, 2014. CorrectHealth Clayton, LLC was awarded this contract by the Board of Commissioners on August 5, 2008 and has agreed to accept the amendment. Funding is available through the General Fund.

Vice-Chairman Rooks requested to have all of the contract renewals with supporting verbiage spread across the minutes.

POST SUMMARY MINUTES

9. Ramona Thurman, Chief Financial Officer, presented one (1) request which resulted in the following Board action.

1) Approved Budget Amendment #4-93/Fund 307 – 2009 Reimposition SPLOST/FYE 6-30-14 – to amend the budget for survey costs for Jesters Creek Trail, in the amount of \$6,200.00. Vote unanimous.

10. PRESENTATION: Proposed Annual Operating Budget for FY-2015 (presented by Ramona Thurman, Chief Financial Officer.)

Ms. Thurman noted that she would give a brief overview of the amended proposed FY-2015 Annual Operating Budget. Pursuant to O.C.G.A., the Board is required to adopt the annual budget by June 30, 2014 for the next fiscal year. When the budget is adopted, the total County budget is adopted through six (6) of the following fund types: General Fund, Special Revenue Fund, Capital Project Fund, Debt Service Fund, Internal Service Fund, and Enterprise Fund.

Ms. Thurman presented the County’s original proposed FY-2015 Annual Operating Budget from the June 3, 2014 Regular Business Meeting with amendments and referenced a PowerPoint chart as follows:

FY-2015 General Funds Proposed

	Original Proposed	Amended Proposed
Estimated Beginning Balance 7/1/14	\$66,000,000	\$66,000,000
Revenues	\$172,279,924	\$172,279,924
Expenditures	\$180,393,220	\$185,214,714
Projected Ending Fund Balance 6/30/15	\$57,886,704	\$53,065,210

Ms. Thurman affirmed the original proposed budget would utilize \$8.1 million in General Fund reserves. She explained the FY-2015 General Fund’s estimated beginning balance would be \$66,000,000.00 on July 1, 2014, the revenues remaining balance at \$172,279,924.00, expenditures totaling to \$180,393,220.00, and a projected ending Fund Balance of \$57,886,704.00 on June 30, 2015.

Ms. Thurman stated that the changes incorporated in the FY-2015 Proposed Annual Budget are being presented for Board consideration and approval. She then presented a chart that illustrated

POST SUMMARY MINUTES

amendments to the FY-2015 recommended budget as follows to have a balanced budget:

Description	Revenue Amount	Expenditure Amount
PT Mental Health Court Coordinator		\$ 37,500
HIPPA Compliance Officer (EMS)		85,386
EMA Planning Officer (EMT)		71,475
Convert 2 PT Code Enforcement Officers to FT positions		51,020
Southern Regional Medical Care Assistance		5,682,319
Decrease Operating Transfer to Fire Fund		-1,109,206
Appropriation from General Fund Reserves	\$ 4,821,494	
Total Amendments General Fund	\$ 4,821,494	\$ 4,821,494
Amended FY2015 General Fund	\$185,214,714	\$185,214,714

The increase in millage rate of .3 mills to 4.7 mills will reduce the amount needed to transfer from the General Fund with no changes to revenues or expenditures.

Description	Revenue Amount	Expenditure Amount
Millage rate increase of .3 mills to 4.7 mills	\$1,109,206	
Decrease Transfer from General Fund	(1,109,206)	
Total Amendments to Fire Fund	0	0
Revised Fire Fund Budget	19,980,826	19,980,826

Since the maximum millage is 5 mills, Commissioner Hambrick asked what the difference would be in the dollar amount.

Ms. Thurman answered \$1.1 million.

Chairman Turner stated Commissioner Hambrick was questioning the difference in the dollar amount given that the maximum millage rate is 5 mills.

Ms. Thurman replied \$2.2 million.

POST SUMMARY MINUTES

Ms. Thurman explained the FY-2015 General Funds as amended, with the County’s estimated beginning balance remaining at \$66,000,000.00 on July 1, 2014, the revenues remaining balance at \$172,279,924.00 with a net increase of \$4,821,494.00 in expenditures totaling to \$185,214,714.00, and a projected ending Fund Balance of \$53,065,210.00 on June 30, 2015.

FY-2015 General Fund	Amended Proposed
Estimated Beginning Balance 7/1/14	\$66,000,000
Revenues	\$172,279,924
Expenditures	\$185,214,714
Projected Ending Fund Balance 6/30/15	\$53,065,210

Ms. Thurman further explained that there were nine (9) sources of revenue in the General Operating Fund with Property Taxes and Other Taxes and Assessments, including (LOST) being the two (2) largest of the revenue sources.

Next, Ms. Thurman noted that the County’s revenue projections are as follows:

- \$ **172.2 million (Proposed FY-2015 General Fund Budget)**
- \$ 85.0 million (with 49% of the revenue coming from property taxes)
- \$ 47.0 million (Other Taxes and Assessments)
- \$ 6.5 million (Licenses and Permits)
- \$ 2.6 million (Governmental)
- \$ 22.4 million (Charges for Services)
- \$ 5.4 million (Fines and Forfeitures)
- \$ 275,000.00 thousand (Interest and Dividend Income)
- \$ 1.7 million (Other Revenue Sources)
- \$ 1.1 million (Other Financing Sources)

She supported these figures by showing the Board a percentage pie chart of how those revenues were coming into the County with no change from the original proposed budget.

Ms. Thurman then showed the Board a chart of five (5) types of expenditures as follows from the

POST SUMMARY MINUTES

original FY-2015 Proposed Annual Budget:

\$	118.9 million	(Personnel/with salaries & benefits/health, life, dental, retirement)
\$	53.8 million	(Operating Expenses)
\$	909,000.00	(Capital Outlay)
\$	1.2 million	(Debt Service)
\$	<u>5.5 million</u>	(Other Financing Uses)
\$	180.4 million	Total Expenses

Ms. Thurman presented a chart that showed the Amended FY-2015 Proposed Annual Budget with increases highlighted in red. Personnel Services increased by \$248,381.00 and Other Financing Uses increased by \$4,573,113.00, which included added SRMC Assistance and a reduction of \$1.1 million for Fire Fund Transfer.

Expenditure Type	Amount	% of Total Budget
Personnel Services	\$119,186,932	64%
Operating Expenses	53,812,111	29%
Capital Outlay	909,312	1%
Debt Service	1,182,204	1%
Other Financing Uses	10,124,155	5%
Total Expenditures	\$185,214,714	

As evident in any industry, company, agency, or organization, Ms. Thurman said that the majority of expenses is in human capital (personnel services), making up about 64% of the budget and the same holds true in the County.

The Finance Department also prepared a slide of expenditures by category; i.e., general government, court and law enforcement, public safety, etc. to give the Board an outline of what expenditures increased in each category. The largest expenditures are in the County's court system and law enforcement which increased by \$37,500.00; Public Safety increased by \$210,881.00; Health and Welfare increased by \$5,682,319.00; and Operating Transfers decreased by \$1,109,206.00. When the Finance Department completed the amendment to the FY-2015 Proposed Annual budget, the total expenditures were \$185,393,220.00.

Expenditure Category	Amount	% of Total Budget
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POST SUMMARY MINUTES

General Government	19,405,398	10.47%
Courts & Law Enforcement	65,268,317	35.23%
Public Safety	43,146,802	23.30%
Parks & Recreation	9,496,983	5.13%
Tax Assessment & Collection	3,829,974	2.07%
Transportation & Development	3,720,441	2.01%
Health & Welfare	6,809,319	3.68%
Libraries	3,511,985	1.90%
Other General Government	25,583,659	13.81%
Operating Transfers Out	4,441,836	2.40%
Total Expenditures	185,214,714	

Ms. Thurman stated to balance the proposed and amended FY-2015 budget, it included a 3% Cost of Living Adjustment (COLA) for all employees, \$3.5 million for all funds; \$2.8 million of that is for General Fund expenditures; \$1.7 million in Workers' Compensation due to subsidizing the LandFill and E-911 funds; and \$5.7 million for Southern Regional Medical Center Assistance.

Commissioner Hambrick asked if the \$5.7 million would be a one-time pay-out from the County to support Southern Regional Medical Center.

Ms. Thurman replied the \$5.7 million would be on-going to support Southern Regional Medical Center. She added that the hospital has requested \$9 million.

Commissioner Hambrick then asked if the Board would have to give \$9 million to the hospital every year and, if so, for how long.

Ms. Thurman responded \$5.7 million would be given to the hospital from the County's General Fund. Next year, the Board would need to discuss how the County is going to continue to sustain voluntary assistance – whether it is from the General Fund or from raising the millage rate.

Commissioner Hambrick asked if \$5.7 million or \$9 million is being given to the hospital.

Ms. Thurman replied the hospital is requesting \$9 million, but the County is giving \$5.7 million from the General Fund.

Chairman Turner stated the hospital would still be in trouble and the \$5.7 million does not address the total needs of the hospital. The Board is looking at an additional \$3.3 million that is needed to support

POST SUMMARY MINUTES

the hospital and other options have been discussed. Chairman Turner stressed the County needs a hospital and the board needs to decide how to help.

Commissioner Hambrick expressed that the citizens of Clayton County believed when they voted for SPLOST that it would help the hospital.

Chairman Turner explained at that time it was made very clear to the citizens that SPLOST was specifically for the payment of the bonds for the hospital. If the hospital fails, the County still has to pay for the default of those bonds totaling \$3.3 million.

Ms. Thurman answered that is correct and, if the hospital defaults on its bond, the County has pledged to pay (due to the agreement between the hospital and the Board of Commissioners).

Commissioner Hambrick understood that the County is not responsible for the full amount.

Commissioner Edmondson stated the County is responsible for an annual amount not to exceed half of the millage rate, which is \$3.3 million a year.

Commissioner Hambrick asked if that was just for one time.

Ms. Thurman replied no, it is until the bonds are paid off.

Chairman Turner asked Ms. Thurman to finish her presentation, and the Board would resume with its questions regarding Southern Regional Medical Center.

As she had previously said, Ms. Thurman stated that balancing the proposed and amended FY-2015 budget included hiring two (2) Commercial Code Enforcement Officers (part-time and full-time); the conversion of two (2) part-time Code Enforcement Officers to full-time; \$2.5 million will be transferred to the Fire Fund; \$.7 million will be transferred to the Landfill Fund, and \$1.0 million to the E-911 Fund.

Commissioner Hambrick asked if the Code Enforcement positions were residential or commercial.

Ms. Thurman responded that the two (2) new Code Enforcement officers are commercial and the two (2) part-time Code Enforcement Officers who are being converted to full-time already existed.

In order to balance the proposed budget for FY-2015 to provide the assistance to the hospital and support the other funds, Ms. Thurman stated the County would have to utilize \$12.9 million in General Fund reserves versus the \$8.9 million; \$5.7 million to Southern Regional Medical Center; and transfers

POST SUMMARY MINUTES

and support to the other funds; i.e., the Fire Fund, LandFill Fund and the E-911 Fund, and increase the Fire Fund millage by .3 to 4.7 mills. She stressed that the Board of Commissioners must adopt the total budget which consists of all six (6) funds as follows: General Fund, Special Revenue Funds, Capital Project Fund, Debt Service Fund, Internal Service Fund, and Enterprise Fund. The FY-2015 proposed total budget includes all funds in the amount of \$288,128,837.00.

The next Power-Point slide Ms. Thurman referenced illustrated the Property Tax Appeals as follows:

Tax Digest	FY 2014	FY 2015 *
Net Assessed Value	5,911,140,972	5,989,689,626
Base Millage	20.953	20.953
Sales Tax Credit	-6.292	-5.988
Net Mill Rate	14.661	14.965
Gross Property Tax Levy	\$86,661,245	\$89,636,750
Net Tax Collected – Estimate	\$82,173,395	\$85,035,902

Based on the preliminary digest received from the Tax Assessors Office, the net assessed value is \$5.9 million (which is a slight increase for next year). Ms. Thurman stated the deadline for appeals would be next week, and the Tax Assessors Office is working on finalizing the digest. She hoped to have this information by the end of the week.

Commissioner Hambrick asked Ms. Thurman if she knew the total number of appeals.

Rodney McDaniel, Chief Appraiser for the Tax Assessors Office, answered there were 6,000 appeals.

Ms. Thurman further stated the FY-2015 gross property taxes will generate an amount of \$89.6 million and a ninety-five percent (95%) FY-2015 collection rate of \$85 million.

Ms. Thurman concluded her presentation and informed the Board that the millage rate is scheduled to be adopted in July 2014. Public hearings will be held in the event of a millage increase (which would

POST SUMMARY MINUTES

be calculated by the Tax Commissioner at that time). The dates and times are tentative and will be advertised as required by law. Ms. Thurman then informed the Board of the following dates:

July 8, 2014 – Public Meeting on the millage rate – Fire Fund (11:00 a.m. and 6:30 p.m.)

July 15, 2014 – Public Meeting on the millage rate – Fire Fund (6:00 p.m.)

July 15, 2014 – Adoption of the millage rate at the Commissioners’ Board Meeting (7:00 p.m.)

Ms. Thurman then resumed the discussions regarding the County’s support of Southern Regional Medical Center. She stated the budget she presented to the board on Tuesday, June 3, 2014, budgeted \$5.7 million to the hospital from the County’s General Fund and she and the Chairman discussed several options to get the \$9 million. Ms. Thurman further stated that some of the options were to increase the millage rate by 1.75 mills and that would generate \$9.9 million; if there is a 1.5 mills increase, it would generate \$8.5 million; and the 1 mill would generate the \$5.7 million, meaning the County will still be short of \$3 million to support the hospital. The other option is to give the \$5.7 million out of the General Fund and increase the millage rate 5.75 mills which will generate \$4.2 million. She informed the Board that those are the options to get to the \$9 million, and she would submit the data for the Board to make a decision on how it is going to support the hospital.

Chairman Turner stated one of the options he did not hear was to pay the full \$9 million out of the General Fund.

Commissioner Hambrick asked if that were going to be for every year.

Ms. Thurman asserted that the County cannot sustain \$9 million out of the Fund Balance every year. The County would eventually have to do something other than pay out of the Fund Balance, and if the County does pay the \$9 million this year, the Fund Balance would be at \$49 million the next year.

Commissioner Hambrick then asked what would happen if the County pays out \$9 million next year.

Ms. Thurman responded the County would be unable to pay \$9 million the next year out of the Fund Balance. Such an action would almost deplete the County down to where it does not want to go.

Chairman Turner expressed that the Board would have to work out how much it is willing to give to save Southern Regional Medical Center and then put some options on the table.

Mr. Wall stated that he thought it was time for the County to spend money out of the Fund Balance this year, but next year Southern Regional Medical Center would need to be funded out of the property tax

POST SUMMARY MINUTES

millage rate or other revenue sources. The Fund Balance is great now and the County has a double A (AA) credit rating, so the County can afford to do it this year. He further stated that each year is determined by the Board's yes vote or no vote and the Board is not obligated to commit to a ten (10)-year or fifteen (15)-year commitment. He reminded the Board that it is for every year, and that means it would be one (1) vote and one (1) time for this year.

Chairman Turner surmised that if the \$9 million is taken out of the Fund Balance, it is good for only one year. Additionally, if the millage rate did increase, the money amount would be locked in for that year.

Mr. Wall replied yes, every year is budgeted for that year only. If the County took one of the options that Ms. Thurman explained and the Board decided not to fund it out of the Fund Balance this year, the Board could decide to use the millage rate. He added that this does not mean the Board will have to use the same millage rate next year.

Commissioner Edmondson asked Ms. Thurman if she were comfortable with taking the \$9 million out of the Fund Balance as suggested by Mr. Wall.

Ms. Thurman answered she was comfortable with taking the \$9 million out for this year only.

Commissioner Edmondson then asked what percentage increase of the County's Tax Digest would be necessary to increase at the current millage rate for the \$9 million.

Ms. Thurman responded that the County would need a two percent (2%) increase in the Tax Digest, and the County only had a one percent (1%) increase this year that generated \$3 million; therefore, the County would need that two percent (2%) to generate \$6 million.

Commissioner Edmondson stated that if the Tax Digest continued to increase at the growth rate that it currently is, then the decision the Board has to make next year may be no millage rate decision to come up with \$9 million.

Ms. Thurman answered the Board would still have to decide on the millage rate but not as much.

POST SUMMARY MINUTES

Vice-Chairman Rooks asked if the millage rate increase would just be dedicated to the hospital and if it would be on-going.

Ms. Thurman replied no, the millage rate is only good for one year as Mr. Wall indicated.

Vice-Chairman Rooks then stated once the millage rate is increased, the Board would not reduce the mill for next year.

Ms. Thurman responded the Board could if it decided to do so.

Vice-Chairman Rooks stated traditionally the Board has not, and once the Board votes to increase the millage rate it would remain there unless the Board votes to decrease it – and that would go to fund the hospital.

Ms. Thurman answered that is correct.

Commissioner Singleton recalled that the County gave a .5 mill for the hospital for one (1) year in the past on a tax bill.

Mr. Wall stated that the millage rate Commissioner Singleton had referenced went away. The hospital asked the Board to guarantee its debt in the year 2010 and, if the Board guaranteed the debt, it did not have to pay the \$3 million from the .5 mill.

Vice-Chairman Rooks clarified that in the year 2010 the Board guaranteed the debt for which the County paid off the bonds.

Mr. Wall explained that last year Southern Regional Medical Center lost about \$24 million and came before the Board with a business plan to recoup its losses. It was going to cut \$12 million and wanted \$12 million to come from the County's indigent care. SRMC stated it was spending about \$22 million a year for indigent care in Clayton County and could not continue doing it. The County then asked the voters to approve a SPLOST that would pay off a twenty (20)-year bond in six (6) years with SPLOST monies. Mr. Wall further explained that this action saved the hospital \$3 million a year and that was the annual payment on the debt. He stated the Board did not have to give the full \$12 million or the \$9 million and could give what is in the budget of \$5.7 million. Although the hospital has cut \$12 million,

POST SUMMARY MINUTES

it would still lose money if the County only gives it \$5.6 million. The hospital would end up having to cut further.

Chairman Turner stated the County could give \$5.7 million from the General Fund; raise the millage rate to 0.75 mills and generate \$9 million, but he wondered what impact that would have on a home valued at \$150,000.00.

Ms. Thurman replied the 1.05 mills increase would mean a resident with a house worth \$150,000.00 in incorporated areas of Clayton County would have to pay an additional \$52.70 a year.

Commissioner Singleton asked what the amendment would be if the County goes up 1 mill for the Fire Fund.

Ms. Thurman answered residents in unincorporated Clayton County with the same house value would need to pay an additional \$15.00. She then stated for an individual — like herself — who lives in unincorporated Clayton County, the tax bill would go up \$67.70 for next year.

Commissioner Edmondson asked Ms. Thurman to express that amount as a percentage.

Ms. Thurman replied it would be 7.16%.

Commissioner Edmondson stated the Board is discussing a 7.16% increase in property tax rates or the County can pull up from excess reserves that both the CFO and Clayton County Financial Advisor say they are comfortable doing.

Chairman Turner stated the Board also has to be concerned about next year.

Commissioner Edmondson exclaimed whether we raise taxes, lower taxes, or keep them the same, that will be a year from now.

Commissioner Hambrick expressed that is why she wanted this conversation to be discussed before the Board voted in May to approve this and to wait until November.

Chairman Turner stressed that Southern Regional Medical Center could not wait until November, and the Board needs to make a decision now to assist the hospital. He emphasized the hospital needs assistance, and if it fails people's lives, jobs and etc. are at stake.

POST SUMMARY MINUTES

Vice-Chairman Rooks said she was not in favor of raising the millage rate either, but she did not feel comfortable giving the hospital \$9 million out of the General Fund's budget.

Commissioner Edmondson asked Vice-Chairman Rooks if she were suggesting that the hospital not get the money that it is requesting.

Vice-Chairman Rooks stated she is suggesting that the County should give \$5.7 million without raising the millage rate to give the hospital the full \$9 million.

Commissioner Edmondson then asked Vice-Chairman Rooks about the difference between the \$9 million and the \$5.7 million.

Vice-Chairman Rooks stated she was hoping the hospital could cut more expenses.

Commissioner Edmondson stated he was in favor of amending the proposed budget from the \$5.7 million to the full \$9 million and then deal with next year. He hoped the Affordable Health Care Act fixes it or the Tax Digest goes up or all these new jobs being created in Clayton County can help these people get insured health care. Commissioner Edmondson then added he felt the County should take it from the General Fund with no property tax increase.

Vice-Chairman Rooks replied that the \$5.7 million does not have anything to do with property taxes.

Commissioner Edmonson responded he did not believe the hospital could cut an additional \$3.3 million. He further stated he had attended all the meetings over the last nine (9) months with the Chairman, CFO, the County's financial advisor and legal counsel, and the hospital's financial advisors and legal counsel, and he was convinced that there was not enough to cut – at least not that deep.

Chairman Turner reiterated that the hospital needs to be saved and the County needs to come up with \$9 million in some kind of way. At this point, the only option is to approve Commissioner Edmondson's proposal for \$9 million to come out of the General Fund.

Vice-Chairman Rooks asked if that were a motion.

Commissioner Edmondson replied with the support of the Board, he would be comfortable to take the opportunity to make a motion that the Board accepts the CFO's FY-2015 Proposed Amended Budget with the additional change of the assistance for Southern Regional Medical Center to \$9 million which he believed would increase the FY-2015 budget to \$1,888,532,395.00.

POST SUMMARY MINUTES

Commissioner Edmondson also stated that whatever dollar amount is allocated for the hospital, the monies are not disbursed until there is an Intergovernmental Agreement.

Ms. Thurman replied that is correct.

Vice-Chairman Rooks stated she would like to know what the agreement is.

Attorney Jack Hancock explained there would have to an Intergovernmental Agreement between the commissioners and the Hospital Authority. The Hospital Authority is the interim at the hospital because it is able to fund through the hospital itself the indigent care, and no money is disbursed until that agreement takes place. The term of the agreement is for one year and specifically allows the Board to treat indigent care in the County, and the hospital non-profit corporation has agreed that it would allow the Board of Commissioners to appoint four (4) members to serve on the hospital Board of Directors and two (2) members to serve on the Executive Committee. Those are the basic terms of the agreement and money can only go for indigent care which the Board is legally authorized to contribute to SRMC.

Commissioner Edmondson made a motion to pay the hospital the full \$9 million out of the Fund Balance.

Chairman Turner seconded the motion to pay the hospital the full \$9 million out of that fund.

Chairman Turner then asked if there were any questions from the Board.

Commissioner Hambrick stated she had a letter she wanted to read for the record. She proceeded to read the letter for the benefit of others as follows:

Mr. Chairman
Members of the Board

I am very proud of the part that I have played in helping to guide this county through some very difficult financial challenges. I am also very proud that during my first term, we had a plan which helped us build a substantial reserve that we could use to modernize our equipment, improve our technology and ultimately lower the cost of government and the tax burden on our taxpayers. This lower tax burden would create more spendable cash for our citizens, help increase business profits and improve our local economy. To accomplish that goal, we made sound financial decisions based on a fundamental premise..."Sustainability." Simply put, if we created an on-going expense, we needed to identify an on-going revenue.

POST SUMMARY MINUTES

Sadly, the budget being presented tonight is not based on this sound fiscal principle. It raises the millage rate (taxes) for those of us who live in unincorporated Clayton County at the same time committing to expenses which exceed revenues by almost \$13,000,000.00 – \$13,000,000.00 that will have to be taken out of our reserves on an on-going basis until the reserve is used up. We are being asked to vote on a proposal which the CFO and I agree is not sustainable. In addition, as predicted by Commissioner Singleton and I last year, the amount everyone pays in taxes will increase over and above the millage increase due to the concessions made by this Board to the cities in the LOST negotiations.

The issues I mentioned are serious enough for me to vote against this proposal. However, when I also consider the fact this budget contains a contribution to Southern Regional Hospital that the CEO of the hospital says is insufficient to save it from financial ruin, I really have to question the logic of what we are doing. Why lead the people to believe they were voting to save the hospital, then vote to contribute \$6 million more of our savings and watch the hospital become insolvent?

There are many items in this budget worthy of my support. Unfortunately, this budget is fundamentally flawed, and I believe puts us on a path to bankruptcy. This is a path I will not vote to go down.

**Gail Hambrick, District 2
Clayton County Board of Commissioners**

Vice-Chairman Rooks stated the Board had a commissioners' retreat in January 2014 and was told that SRMC needed \$12 million whether the Board supported it or not. The SPLOST also passed for \$3 million, with \$9 million lingering out for the Board to decide how it will be funded or if the Board would agree to the funding.

Vice-Chairman Rooks then asked Mr. Wall if giving SRMC the \$9 million would lead the County to bankruptcy.

Mr. Wall replied no, it would not.

Chairman Turner reiterated that he understood the County could afford to take \$9 million out of the General Fund for one year.

Commissioner Singleton stated she agreed with Commissioner Hambrick. She further stated regardless of the political ploys, the previous Board made good tough decisions and she and her colleagues worked hard over the past years to build up reserves and they did not want to see the hard work go to waste.

POST SUMMARY MINUTES

Chairman Turner expressed appreciation for Commissioner Singleton's opinion, but he said this is about saving lives.

Commissioner Hambrick stated as of today the Board still does not have a plan. She felt uncomfortable bailing out the hospital year after year without seeing the hospital's plan to eventually improve on its own.

Both Commissioners Hambrick and Singleton felt taxpayers were misled to believe voting on the 2015 SPLOST would completely take care of Southern Regional Medical Center's financial problems.

Commissioner Hambrick then added she still did not know the full amount spent on the forensic audit of the County, and the County did not bother to do a forensic audit on the hospital.

Vice-Chairman Rooks asked Mr. Wall if the hospital is a private entity.

Mr. Wall replied yes, it is.

Vice-Chairman Rooks then asked Mr. Wall if the County could do a forensic audit on a private entity.

Mr. Wall replied no, it could not.

Both Commissioner Hambrick and Singleton asked Mr. Wall to not phrase it as if they were saying they did want to support the hospital and to let it fail. They just wanted to make sure it could eventually operate without help from the County.

Commissioner Edmondson made a motion to pay the hospital the full \$9 million out of the Fund Balance. Chairman Turner seconded the motion. The motion failed to pass by a 3-2 vote with Vice-Chairman Rooks and Commissioners Singleton and Hambrick opposing. Chairman Turner and Commissioner Edmondson voted in favor.

Vice-Chairman Rooks made a motion to accept the amended budget to the hospital of \$5.7 million.

The motion died due to the lack of a second.

Ms. Thurman informed the Board that it is required to have a Special Called meeting to have a budget in place by July 1, 2014.

Commissioner Edmondson asked what would happen if the Board does not adopt the budget by July 1, 2014.

Ms. Barnes replied state law does not provide for any specific penalty or violations other than the fact that the Board would be in violation of state law because it requires the Board to have an adopted balance budget.

POST SUMMARY MINUTES

Ms. Thurman also informed the Board that it could lose its revenue from the hotel and motel tax.

11. Held Resolution 2014-141, a Resolution providing for the adoption of the County's Budget for Fiscal Year Ending June 30, 2015; to provide for the appropriation of expenditures and recognition of anticipated funding sources; to provide for the circumstances under which the budget may be amended by the Board of Commissioners, the Chairman, or the Chairman's Designee; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

12. Approved Resolution 2014-142, a Resolution authorizing Clayton County, on behalf of Clayton County Juvenile Court, to enter into an Affiliation Agreement and Contract for Services with the Georgia Court Appointed Special Advocate Association to accept grant funds (\$41,327.24 with no local match required) and to set forth the terms and conditions under which the grant funds will be utilized; to authorize the Chairman to execute the agreement and contract for services, and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; etc. Vote unanimous.

13. Approved Resolution 2014-143, a Resolution authorizing Clayton County to accept a donation (\$250.00) from Macy's, Inc. on behalf of the Clayton County Parks and Recreation Department for the purpose of supporting the Maddox Road Park; to authorize the Chairman to accept the donation on behalf of Clayton County, to execute any necessary documents, and to 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; to provide an effective date of this resolution; etc. Vote unanimous.

14. Approved Resolution 2014-144, a Resolution authorizing Clayton County to enter into a License Agreement with Serenity 7, LLC to sponsor and host a fashion show and dinner event at 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; etc. Vote unanimous.

15. Approved Resolution 2014-145, a Resolution authorizing Clayton County to grant a Special Facility Use Request to Rainbow House, Inc. to sponsor and host a 5K Race, 1K Race, and Tot Trot at Clayton County International Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

16. Approved Resolution 2014-146, a Resolution authorizing Clayton County to enter into a Performance Agreement with Freestyle Productions providing for the terms and conditions under which

POST SUMMARY MINUTES

musical entertainment will be performed at Clayton County International Park; 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; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

17. Approved Resolution 2014-147, a Resolution authorizing Clayton County to grant a Special Facility Use request to the NAACP ACT-SO to host a fundraiser at the South Clayton Recreation Center; to authorize the Chairman to 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; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

18. Approved Resolution 2014-148, a Resolution authorizing the County to enter into a Services Agreement with Motorola Solutions, Inc. providing for the terms and conditions under which services will be rendered to the County to maintain the E-911 Communications System; to authorize the Chairman to execute the agreement and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, as all may be required; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

19. Approved Resolution 2014-149, a Resolution authorizing Clayton County on behalf of the Animal Control Unit, to enter into a Memorandum of Understanding with citizen volunteers, providing for the terms and conditions under which animals in the County's custody are adopted; to authorize the Chief of Police or his designee to execute the Memorandum of Understanding 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. [NOTE: The Board voted to amend the language in this resolution to reflect animals "may be adopted" instead of "are adopted."] Vote unanimous.

Commissioner Edmondson questioned if the attached Memorandum of Understanding (MOU) between the Clayton County Animal Control Unit and a citizen volunteer were a legally binding contract because it reads like a welcome letter with a waiver of liability.

Chief Staff Attorney Christie Barnes replied it includes the rule of conduct that citizen volunteers are agreeing to abide by, the terms and conditions of them being allowed as citizen volunteers in the Animal Control Unit, and certain privacy and security provisions. She then added it is more of a

POST SUMMARY MINUTES

binding memorandum of agreement between the Police Department and anyone who wants to volunteer to provide those animal control services.

For clarification, Commissioner Edmondson stated this is a binding contract (legally speaking) between the citizen volunteer and the County.

Ms. Barnes agreed that it is a binding contract.

Commissioner Edmondson read where it states in the first paragraph of the MOU, ***“I understand that some animals are euthanized at the kennel and I assume all risks for any emotional or traumatic injury that I might suffer while volunteering at the kennel. I also understand that prison inmate labor is used at the shelter and that I may be working in the same building as prison inmates.”*** He then asked if this is a binding contract because the scope of the contract does not include non-traumatic injury and the County could be held liable.

Ms. Barnes asked if he meant, for example, a physical injury such as a person tripping or falling.

Commissioner Edmondson questioned Ms. Barnes about the legal definition of “traumatic.” He then added that he is not against the intent of this resolution, but he is just trying to understand the language.

Ms. Barnes responded when someone indicated there was a physical injury (such as tripping or falling), the County would still retain its level of sovereign immunity for matters that occur on the property.

Commissioner Edmondson asked Ms. Barnes to clarify if she were saying that sovereign immunity applies to when the County is conducting the duty and services as a government. He then questioned if volunteers who help with dogs and hurt themselves would be covered under sovereign immunity after they had signed a binding contract that excludes non-traumatic injury. Commissioner Edmondson expressed that this did not seem logical to him and, since they would be covered under sovereign immunity, then there would be no reason to have an MOU to cover emotional and traumatic injury.

Ms. Barnes answered it is to the extent that there are volunteers coming to witness something that they may believe is an emotional experience, and the County wanted to ensure that was covered in the MOU.

Since it is sovereign immunity, Commissioner Edmondson wondered why it would be covered again.

Vice-Chairman Rooks interjected that it is repetitive.

POST SUMMARY MINUTES

Ms. Barnes replied it serves to make potential citizens/volunteers aware of the fact that they are agreeing to waive any type of claims against the County for what they may perceive to be an emotional or traumatic injury. She also stated the MOU could appear to be redundant because the County does enjoy that sovereign immunity, but this document serves to put citizens/volunteers on notice that they may experience something they believe is emotionally traumatic but they can assume that risk when they come to volunteer.

Commissioner Edmondson next inquired about the verbiage within the resolution itself under Section 1. as follows: *“a Memorandum of Understanding with citizens volunteers, providing for the terms and conditions under which animals in the County’s custody and are unclaimed are adopted.”* He then asked Ms. Barnes if this obligate the County to provide adoption by this mechanism, or should the verbiage be changed to say “may be adopted.”

Ms. Barnes responded she could see how that verbiage could be confusing because it appears that the resolution is indicating or mandating that animals will be adopted. She stated that she could change the verbiage.

Commissioner Edmondson made a motion to amend to change the verbiage in Section 1. of Resolution 2014-149.

Vice-Chairman Rooks seconded the motion to amend to change the verbiage in Section 1. of Resolution 2014-149. Vote unanimous.

20. Approved Resolution 2014-150, a Resolution authorizing Clayton County to accept seized vehicles (a blue 2000 Lincoln Town Car and a black 1993 Ford Ranger Truck) from Clayton County Police Department Drug Investigations; to authorize the sale of such property in a manner as will be in the best interest of the County; to provide for the disbursal of sale proceeds; 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.

21. Approved Resolution 2014-151, a Resolution authorizing Clayton County to amend an Aging Subgrant Contract with the Atlanta Regional Commission providing for services to be rendered in connection with Older Adult Programs (to reflect \$55,826.00 of restored funds in the FY-2013 levels that were previously cut due to sequestration); to authorize the Chairman to execute the amendment(s) and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, and to transfer any required match or local funds, all as may be required under the terms of the amendment(s); to provide an effective date of this resolution; and for other purposes. Vote unanimous.

POST SUMMARY MINUTES

22. Approved Resolution 2014-152, a Resolution authorizing Clayton County to enter into a Contract with the Georgia Department of Human Services and, in accordance therewith, accept grant funds (\$45,000.00 with no local match required) for The Family Connection Collaborative Plan; to authorize the Chairman to execute the contract, and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; etc. Vote unanimous.

23. Approved Resolution 2014-153, a Resolution authorizing Clayton County to appoint a County Attorney; to establish the duties for the County Attorney; to set compensation for such services; 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. The motion carried 4-1. Chairman Turner opposed.

Vice-Chairman Rooks questioned Section 2, page 2 within this resolution that read as follows: ***“The County Attorney shall be available to assist in any other matters as requested by the Chief Staff Attorney, the Commissioners or the Chief Operating Officer.”*** She was concerned that when the County has a department head, the Board allows other people to circumvent what the department head does with an outside vendor. Vice-Chairman Rooks then asked if the Board would amend this section to state, ***“The County Attorney shall be available to assist in any other matters as requested by the Chief Staff Attorney.”*** She would feel more comfortable with this verbiage because the Board does not have any other department heads who are circumvented and go to their vendor.

Vice-Chairman Rooks next questioned another excerpt from Section 2, page 2 within this resolution that read as follows: ***“The County Attorney shall not be paid a retainer for its services. The County Attorney shall be paid an hourly rate previously appointed by this Board for work performed on behalf of the County.”*** For this resolution to be sufficiently binding, she stated it should identify in this particular resolution what that previous hourly rate is.

Because the hourly rate has changed for legal counsel in the past, Commissioner Edmondson asked Ms. Barnes if the verbiage which read “the hourly rate previously approved” could be changed to state, **“the hourly rate as approved by the Board”** or **“the hourly rate amended by the Board.”**

Ms. Barnes responded it will be at the Board’s discretion to put in the actual hourly rate of pay. She explained that if the Board decides to amend the resolution regarding the terms and conditions providing for how the County Attorney is going to provide those services and terms of the services contemplated by this resolution, the Board could just amend the resolution accordingly to show the amount of pay.

Vice-Chairman Rooks asked Ms. Barnes if that would not be similar to amending a contract if the rate of pay changes.

POST SUMMARY MINUTES

Ms. Barnes replied yes, that is correct.

Vice-Chairman Rooks acknowledged she did not know the hourly rate previously approved.

Commissioner Edmondson affirmed that the County has a fee schedule, and he believed the rate is \$195.00 per hour.

Ms. Barnes answered that is correct.

If this resolution is approved tonight and the Board approves a change to the fee schedule, Vice-Chairman Rooks said she did not believe the resolution could read “as previously approved.”

Ms. Barnes stated that no exhibit was attached, and she believed in 2012 the Board passed a resolution regarding the hourly rate of pay for outside counsel (except for the non-judicial proposal on tax sale).

Vice-Chairman Rooks suggested for the Board to state “per Resolution” and whatever the rate is, so that there is no question about the rate.

Commissioner Hambrick agreed.

Commissioner Edmondson told Mr. Hancock that he understood state law dictates if the County does have a County Attorney, the pay is be an hourly rate that is commensurate with other rates.

Mr. Hancock replied that it can be any hourly rate.

Vice-Chairman Rooks requested this resolution to be amended to state, “***The County Attorney shall be available to assist in any other matters as requested by the Chief Staff Attorney,***” as well as a verbiage change to identify the hourly rate from Section 2, page 2 that read as follows: “***The County Attorney shall not be paid a retainer for its services. The County Attorney shall be paid an hourly rate previously appointed by this Board for work performed on behalf of the County.***”

Commissioner Hambrick made a motion to amend Resolution 2014-153 to reflect the previously approved hourly rate of pay and revise Section 2, page 2, that states “***The County Attorney shall be available to assist in any other matters as requested by the Chief Staff Attorney, the Commissioners or the Chief Operating Officer.***” to state “***The County Attorney shall be available to assist in any other matters as requested by the Chief Staff Attorney.***”

Ms. Barnes reiterated the change for Section 2, page 2, as “***The County Attorney shall be paid an hourly rate previously appointed by this Board for work performed on behalf of the County***” to be revised to state “***The County Attorney shall be paid an hourly rate of \$195.00 for work performed on behalf of the County.***” She then affirmed that the other change to be revised is “***The County Attorney shall be available to assist in any other matters as requested by the Chief Staff Attorney, the***

POST SUMMARY MINUTES

Commissioners or the Chief Operating Officer” to state “The County Attorney shall be available to assist in any other matters as requested by the Chief Staff Attorney.”

Chairman Turner questioned Section 2. which read as follows: ***“The County Attorney shall be responsible for representing the County and all of its employees and officials in all litigation matters (including ante litem notices and EEOC claims) involving any such position or issue, provided no conflict of interest exists.”*** He understood that there is presently a list of attorneys that the County outsources to when necessary and wondered if this section would remove outsourcing from the County. Ms. Barnes clarified that there is no such list. Chairman Turner then rephrased his statement to say that the County refers to other law firms for outsourcing, including minority and local law firms. Ms. Barnes responded yes, that is correct. Chairman Turner again asked if the County Attorney’s representation (as proposed in Resolution 2014-153) would take away that outsourcing. Ms. Barnes answered that it would, unless there is a conflict of interest.

Due to the fact that Resolution 2014-153 authorizes the County to appoint a County Attorney, Commissioner Edmondson asked if the role of the Chief Staff Attorney would still be to delegate legal work to “whomever” until such time a policy is presented to the Board. Ms. Barnes answered no, it would not. With the adoption of this resolution, all litigation matters would be assigned to the County Attorney. Commissioner Edmondson clarified that he was referring to non-litigation matters, meaning everything that is beyond the scope of contracts, agreements, etc. Ms. Barnes agreed that Commissioner Edmondson was correct. She confirmed that she would continue to assign/delegate non-litigation matters to outside counsel. Commissioner Edmondson surmised that nothing would really change from the way non-litigation matters are handled now with local or minority law firms.

Regarding EEOC claims, Vice-Chairman Rooks inquired if Freeman Mathis & Gary, LLP (law firm of Attorney Jack Hancock) traditionally handled the EEOC charges or handled matters after the plaintiff has brought a lawsuit; i.e., mediation. Mr. Hancock replied his law firm has handled all EEOC claims from the time they are initiated through the EEOC process and when there is a subsequent lawsuit.

Chairman Turner asked for a vote on approving Resolution 2014-153. The motion carried 4-1. Chairman Turner opposed.

Chief Staff Attorney Christie Barnes requested an Executive Session to discuss real estate, litigation, and personnel matters. The Board generally consented to have an Executive Session for the aforementioned reasons.

24. Appointment to the Library Board. The term of Pamela Lake expires on June 30, 2014. New term is for three (3) years, expiring on June 30, 2017.

POST SUMMARY MINUTES

Motion by Commissioner Hambrick, second by Vice-Chairman Rooks, to reappoint Pamela Lake to the Library Board. The term of Pamela Lake expires on June 30, 2014. New term is for three (3) years, expiring on June 30, 2017. Vote unanimous.

25. Appointment to the Tourism Authority Board to fill the unexpired term of Clint Magby (**Resigned**). The unexpired term ends on June 30, 2016.

Motion by Vice-Chairman Rooks, second by Commissioner Hambrick, to appoint Damon Williams to the Tourism Authority Board to fill the unexpired term of Clint Magby (**Resigned**). The unexpired term ends on June 30, 2016. Vote unanimous.

26. ZONING PETITION: **DR. CARROLL BRADY/CONDITIONAL USE PERMIT/7265 MT. ZION BOULEVARD/CASE NUMBER CUP 201404-02 – THIS PETITION IS BEING BROUGHT BACK FROM THE MAY 20TH REGULAR BUSINESS MEETING FOR A BOARD DECISION ONLY.**

Motion by Commissioner Edmondson, second by Vice-Chairman Rooks, to deny the applicant, Dr. Carroll Braddy, requesting a conditional use permit (CUP) from Article 3.1 Agricultural District (AG) to allow for a group home for a residential substance abuse treatment facility to house no more than eight (8) residents upon property located at 7265 Mt. Zion Boulevard, Jonesboro, GA 30236 (parcel number 12078A A011). This property contains approximately 2.10 acres of land and is currently zoned Agriculture District (AG), having licensing as a group home for a residential substance abuse treatment facility with no more than five (5) residents.

Commission District # 4 – Commissioner Michael Edmondson

ZAG recommendation: Approval

Commissioner Edmondson responded his decision would be consistent with his previous motion from the May 20, 2014 Regular Business Meeting and for the same reasons with the inconsistencies of the Future Land Map Use. Commissioner Edmondson affirmed that the County's Future Land Use Map states, "*the proposed zoning request is not in conformance with the Policies, Intent, and Future Land Use Map of the Comprehensive Plan.*" In talking about the land and the actual building in question, he could not see how it could fit in that specific piece of property because the conditional use runs with the land and not the structure.

Commissioner Edmondson made a motion to deny the petition.

Vice-Chairman Rooks seconded the motion to deny the petition.

POST SUMMARY MINUTES

Chairman Turner asked if there were any questions. No board member responded. The vote was unanimous.

Motion by Vice-Chairman Rooks, second by Commissioner Edmondson, to go into Executive Session in the Commissioners' Conference Room at 9:30 p.m. to discuss real estate, litigation, and personnel matters. Vote unanimous.

Motion by Vice-Chairman Rooks, second by Chairman Turner, to go out of Executive Session at 10:27 p.m. Vote unanimous.

Motion by Vice-Chairman Rooks, second by Commissioner Hambrick, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 10:27 p.m. Vote unanimous.

Chief Staff Attorney Christie Barnes presented Resolutions 2014-154 and 2014-155 for a Board vote which resulted in the following actions.

Approved Resolution 2014-154, a Resolution authorizing Clayton County to enter into a Settlement Agreement and Release with Bouldercrest Convenience Center; to authorize the Chairman to execute the agreement and to 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.

Approved Resolution 2014-155, a Resolution authorizing Clayton County to execute an Encroachment Agreement with Atlanta Gas Light Company in connection with certain road widening and reconstruction; to authorize the Chairman to execute the agreement, and otherwise to 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.

Ms. Barnes next presented a settlement agreement which resulted in this Board vote:

Motion by Commissioner Edmondson, second by Vice-Chairman Rooks, to authorize Clayton County to enter into a settlement agreement between the County and the City of Atlanta as it pertains to the taxability of certain parcels of real property owned by the city inside the county. Vote unanimous.

There being no further business to discuss, motion by Commissioner Edmondson, second by Chairman Turner, to adjourn the Regular Business Meeting of June 17, 2014 at 10:30 p.m. Vote unanimous.