

## CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

June 2, 2015

### POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Gail Hambrick, Commissioner Sonna Gregory, Commissioner Michael Edmondson, Commissioner Shana M. Rooks, and Clerk Sandra T. Davis.

1. Chairman Turner called the meeting to order.
2. Invocation given by Dr. Wesley Greene, Sr., Senior Pastor of Amazing Grace World Outreach Church of Forest Park, Georgia. Pledge of Allegiance to the flag was led by Mr. Stanley Byars, WWII Veteran.
3. Amended the agenda by adding a Proclamation to recognize Kenneth Foster. Vote unanimous. Hold Item No. 12, Resolution 2015-137 - A Resolution providing for the adoption of the County's Budget fiscal year ending June 30, 2016; to be held until the next Regular Business Meeting on June 16, 2015. Vote unanimous. Add Resolution 2015-148- A Resolution authorizing Clayton County to enter into a professional services agreement with Deloitte Transactions and Business Analytics, LLC, and Southern Regional Health Systems Inc. Vote unanimous.

Christie Barnes, Chief Staff Attorney, advised the Board of Commissioners that she has the agreement that is between Deloitte and Clayton County available if they would like to review and vote on it at this meeting, as it goes hand in hand with one of the budget amendments to be presented. She stated that the information was received late in the evening, and that she forwarded the information to the Board when it was received by the Legal Department. Commissioner Edmondson questioned if it was materially different from the copy that was submitted to the Board on Friday, May 29, 2015. Ms. Barnes stated that the main differences were that many of the Southern Regional entities, as a client, were removed from the original documentation. She stated that the not to exceed amount of \$125,000.00 was addressed as well. Commissioner Rooks stated that she had not seen the corrected documentation and would like the chance to review it before adding it to the agenda and voting on it.

Vice-Chairman Hambrick questioned if the feasibility study would be completed before the approval of the budget. Ms. Barnes replied that Deloitte estimated that it would take them approximately four (4) weeks to complete it once they are engaged. Vice-Chairman Hambrick stated that she was simply trying to conceive how the Board would pass a budget without knowing what the outcome of the study would be. Commissioner Edmondson responded by saying that when he and Chairman Turner were in the meeting with Deloitte, they expect to have four (4) weeks for completion, and a preliminary is expected at around the second week to see whether or not things will move forward.

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Vice-Chairman Hambrick expressed that she would like to see the report first, because as of now the budget does not include the hospital.

Chairman Turner reiterated that within two weeks of starting the study, the county should be provided with options that can be voted on to see if it would like to move forward with everything.

Commissioner Edmondson made a motion to amend the motion on the floor for the adoption of the agenda as proposed to include the engagement letter from Deloitte and Southern Regional as the last item on the agenda after Executive Session for consideration, second by Commissioner Rooks. Vote unanimous.

Motion by Commissioner Rooks, second by Commissioner Edmondson, to approve the agenda as amended. Vote unanimous.

4. Approved the May 19, 2015 Regular Business Meeting minutes, May 19, 2015 Public Hearing minutes for the county's proposed Annual Operating Budget for Fiscal Year Ending June 30, 2016 and May 26, 2015 Special Called Meeting minutes. Vote unanimous.
5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting.
  1. Dr. Henry Anderson, a Clayton County resident, spoke in regards to the budget. He stated that the budget has been increased significantly over the last several years. Dr. Anderson spoke in regards of crime and gangs within Clayton County and expressed that more funds should be allocated to the Police Department's budget to address such. He asked Commissioner Rooks if a meeting could be arranged with himself and Police Chief Greg Porter to discuss the way that the money has been allocated toward this issue of crime and gangs. Commissioner Rooks stated that she had not received a report from the Clayton County Police Department in reference to gangs. She stated that of course the goal is to keep crime down within the county, but the Board has not received anything in regards to gangs.

Chairman Turner advised that there is no set budget to allocate toward gangs and the funding to do so is included within the Police Department's budget as a whole. This initiative would come from Chief Porter to address the issue of gangs.

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2. Linda Ingram, a Clayton County resident, spoke in reference to abused dogs. She stated that it was eaten up with maggots. She stated that as of Monday, 50 dogs had been euthanized at Animal Control. She stated that she had received word stating that these dogs were sick and wanted to know why they weren't sent somewhere for treatment and wanted to know what lab work had been done and what did it show. She questioned if the tests were performed and if their results were reported to the Georgia Agricultural Department, which is over Animal Control. Ms. Ingram stated that she had a report that stated medical personnel strongly recommended putting the dogs down, and she wanted to know who the medical personnel where.

Chairman Turner referred Ms. Ingram to Chief Porter to address these issues.

3. Kimberly Kirby, a Clayton County resident, spoke in regards to Animal Control and the euthanization of the dogs there. She stated that on May 11, 18 dogs were killed. She stated that there was a report that stated the dogs killed were sick. She asked what deemed them to be sick. Ms. Kirby stated that the Clayton County Humane Society should be more involved with the Animal Control, and not a burden. She stated that 55 dogs were killed on June 1, 2015, and each represents a life.
4. Kim Ryan, President and CEO of Southern Regional, spoke in regards to Southern Regional Hospital. She stated that in 2014, Southern Regional treated over 74,000 emergency room patients and delivered over 3,000 babies. She stated that last year with passage of the SPLOST, help was provided to the hospital and the county. Ms. Ryan stated that the hospital is extremely grateful to the residents and voters of Clayton County for this action which allowed the hospital to eliminate \$3,000,000.00 in debt service payments annually and help to retire the county's pledge to back staff debt down. She stated that unfortunately and despite continuing cuts in staffing and operational costs, Southern Regional continues to struggle financially for the following reasons: cost of uncompensated care, which as of 2014 was approximately \$21,000,000.00, decline in compensated care, and lack of ongoing investments in its structure and facilities. She stated that in order to ensure the long term viability of the hospital there must also be an ongoing and funded plan to invest in renovations, replacement of certain equipment and physical plan upgrades. This would help to drive up the number of insured patients that are seen and treated at Southern Regional, which will lead to an increase in Southern Regional's revenue. The Board of Directors and management team are evaluating all options; however, if indigent care funding is not identified quickly, the hospital will not be able to provide its current services.

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5. Lisa Fleming, a Clayton County resident, spoke about the Animal Control situation and the euthanization of the 55 dogs killed. She stated that the most common illnesses seen at the shelter are that of Bordatella, Parvo virus, E.coli, and other bacteria. She stated that these are common illnesses that occur. Ms. Fleming stated that the mother of six pups was killed and euthanized two days after giving birth and this is uncalled for. She stated that the cleaning of the kennel needs to be improved. Chairman Turner confirmed with Ramona Bivins, Chief Financial Officer that the budget includes funding for a full-time vet. Ms. Bivins confirmed this.
6. Carl Swanson spoke in regards to Clayton County government as a whole. He asked questions of the Comprehensive Annual Financial Report. Mr. Swanson stated that there were “shadow corporations” running and operating in the background. He stated that one is named the Clayton County Government and Service Corporation of which Chairman Turner is named the CEO. He stated that there is nowhere on the report where funds are allocated for this company. Chairman Turner asked Mr. Swanson when the corporation meets because he may need to be there. Mr. Swanson also went on to state that Ms. Barnes was affiliated with this corporation as well. He stated that there were also international corporations. He stated that he called a number listed for one of the corporations, and it rang back to the County Commissioner’s Office.

Chairman Turner addressed Mr. Swanson in stating that he is totally unaware of what he is speaking of. He requested for Mr. Swanson to provide information of which he is speaking so that some answers can be given, as no one is aware of this.

7. Vickie Warren, a Clayton County resident, spoke in regards to Southern Regional Hospital. She stated that she visited the hospital via ambulance in February 2015. Ms. Warren stated that she expressed to hospital staff that she believed she had pneumonia and was only given one pill and one prescription for a medication that had been deemed to be harmful according to a news report by Channel 2. She stated she did not sleep for three days and decided to go to her hospital of choice, which was Grady, where they had given her several medications for treatment. Ms. Warren questioned who was going to rescue the residents, as the only reason that people come down to the area is to prevent Clayton County from moving forward. She stated that there needs to be a County Manager appointed to oversee what is needed and wanted within Clayton County. We like to eat, and shop and play here and so do our kids. We deserve it.
8. Janie Hinton, a Henry County resident, spoke about Southern Regional. She stated that the hospital has a passionate team of nurses and caregivers. She stated she has worked there for 30

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years in various roles. She stated that she is committed to high quality patient care. Ms. Hinton provided details as to how caring and dedicated she and the staff is to the patients that visit the hospital.

9. Melanie Rutherford, a Clayton County resident, questioned who the commissioner is for District Four as the information is not listed on the website. She spoke in regards to the negative impact that the foreclosures are having in Clayton County. Ms. Rutherford asked if there is an initiative to mitigate the impact of the foreclosures throughout the county, as they have really impacted the communities.

Chairman Turner stated that there are initiatives that are used and the county is partnered with others throughout the county.

Commissioner Gregory stated that Hope for Homeowners is available throughout the county to provide resources to homeowners.

Commissioner Rooks referred Ms. Rutherford to Mr. Patrick Ejike, Community Development Director, to get further information.

10. Senator Gail Davenport, stated that she will pass on what she was going to discuss as issues were discussed concerning Southern Regional Hospital.
6. PROCLAMATION: "Clayton County Honors WWII Veteran and Knighthood of Reverend Stanley T. Byars". (Presented by Vice Chairman Gail B. Hambrick)
7. PROCLAMATION: "Clayton County recognizes Kenneth Foster." (Presented by Commissioner Gregory)
8. PRESENTATION: "Arts Clayton Update." (Presented by Linda Summerlin- Executive Director of Arts Clayton)."

Ms. Summerlin presented the annual t-shirt and hat for camp this year. She presented the Board with a folder that outlines accomplishments this year, which includes the state newsletter for which it is honored through NACO.

9. Debra Brewer, Director of Central Services, presented the Board with the following items which resulted in the following Board actions:

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(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 the **Recommendation for a Sole Source Award for the lease of a USCAN Universal Digital Microfilm Scanner and Fujitsu 6670 Scanner for the Clerk of Superior Court.** (\$670.19 per month / Milner Document Products, located in Norcross, Georgia. Funding is available through the Departments Capital Lease Fund). As requested by the Clerk of Superior Court. Per Section 2-136 (7) of the Clayton County Code of Ordinances; 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 the **Recommendation for the Renewal of the County's Employment Practices Liability Insurance Coverage.** (Indian Harbor Insurance Company – XL Group for the period of July 1, 2015 through July 1, 2016 with a premium of \$325,154.44. This policy provides insurance coverage for claims against the County alleging discrimination, sexual harassment or wrongful termination of employees, former employees, or applicants of the County. Funding is available through the County's General Fund FYE 2015). Vote unanimous.

3) Approved the **Recommendation for the County's Workers' Compensation and Employer's Liability Insurance Coverage.** (Midwest Employers Casualty Company for the period July 1, 2015 through July 1, 2016 with a premium of \$186,158.00. This policy provides insurance coverage for the County in the event of a Workers' Compensation claim that exceeds \$600,000.00 for fire and law enforcement employees and \$500,000.00 for all other employees. Funding is available through the County's Workers' Compensation Fund FYE 2015). Vote unanimous.

4) Approved the **Recommendation for Award utilizing a Statewide Contract to purchase a 2016 Ford F350 Regular Cab V8 Long Bed 4x2 Truck for the Fire Department.** (\$39,804.42 / State Contract #99999-SPD-ES40199373-002. Allan Vigil Ford-Lincoln, located in Morrow, Georgia. Funding is available through the County's Vehicle Replacement Fund). As requested by the Fire Department. Per Section 2-136 (6) of the Clayton County Code of Ordinances; Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract

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allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document. Vote unanimous.

10. Ramona Bivins, Chief Financial Officer, presented the Board with the following budget amendments, which resulted in the following Board actions:

1) Approved Budget Amendment - #2-37/Professional Services/FYE 6-30-15 – To increase the budget to cover the cost of consulting fees for hospital feasibility study, in the amount of \$125,000. Vote unanimous.

2) Approved Budget Amendment - #2-38/Other General Government/FYE 6-30-15 – To replace one Tax Assessor vehicle where repair cost exceeds the value of the vehicle, in the amount of \$25,000. Vote unanimous.

3) Approved Budget Amendment - #2-39/Other General Government/FYE 6-30-15 – To replace two Fire Department vehicles where repair cost exceeds the value of the vehicle, in the amount of \$71,000. Vote unanimous.

11. Considered the requests of Renee Bright, Human Resources Director.

1) Approved the Request from Court Administration to reclassify the position of Courts IT Coordinator from a grade 29 to a grade 31. Vote unanimous.

Commissioner Rooks asked if the fiscal impact of \$ 6,287.27 was a change from what was previously listed. Ms. Bright explained that it did not include the benefits previously.

2) Approved the Request from Court Administration to reclassify a Principal Secretary (grade 13) to Administrative Assistant (grade 16). Vote unanimous.

Commissioner Rooks also asked if the change in the salary in the amount of \$ 4,368.02 had the same fiscal impact. Ms. Bright confirmed that this also did not include the benefits previously.

12. Approved Resolution 2015-138 - A Resolution authorizing Clayton County to accept grant funds on behalf of the Clayton County Adult Felony Drug Court Program from the State of Georgia Accountability Court Funding Committee to support program needs. Vote unanimous.

*Synopsis: This Resolution will allow the acceptance of grant funds from the Criminal Justice Coordinating Council via a sub grant award from the State of Georgia Accountability Court Funding Committee for the Clayton County Adult Felony Drug Court.*

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13. Approved Resolution 2015-139 - A Resolution authorizing Clayton County to accept grant funds on behalf of the Clayton County DUI/Drug Court Program from the State of Georgia Accountability Court Funding Committee to support program needs. Vote unanimous.

*Synopsis: This Resolution will allow the acceptance of grant funds to support the State Court of Clayton County DUI/Drug Court Program.*

14. Approved Resolution 2015-140 - A Resolution authorizing Clayton County to accept abandoned property pursuant to O.C.G.A. §17-5-54(a)(1) and Superior Court Order 2015CV01071-9 for official use by the Police Department. Vote unanimous.

*Synopsis: This Resolution will allow the Clayton County Police Department to retain six televisions, two consoles, a Kindle Fire, a Mac Book Air, and 4 cameras with bags granted to the County pursuant to a Court Order.*

15. Approved Resolution 2015-141- A Resolution authorizing Clayton County to enter into an Agreement with Immigration and Customs Enforcement, Homeland Security Investigations Agency for reimbursement of County overtime and other expenses for participation in the Joint Operations Task Force. Vote unanimous.

*Synopsis: This Resolution will allow the County to accept reimbursement for overtime paid to officers who participate in the Joint Operations Task Force with Immigration and Customs Enforcement Homeland Security Agency.*

16. Approved Resolution 2015-142 - A Resolution authorizing Clayton County to enter into a Partnership Agreement with Lake Spivey Community, Inc. and Southern Regional Medical Center Foundation to host the 7<sup>th</sup> Annual Clayton County Parks and Recreation Lake Spivey Road Race at the Clayton County International Park, and to Host the 1<sup>st</sup> Annual Lake Spivey Community, Inc., Golf Tournament at the Lake Spivey Golf Club, and to collaborate with County agencies and representatives in support of the Kids Outdoors Initiative, the Georgia Children's Outdoor Bill of Rights, and the Southern Regional Neonatal Intensive Care Unit. Vote unanimous.

*Synopsis: This Resolution will allow for the 7<sup>th</sup> Annual Clayton County Parks and Recreation Lake Spivey Road Race at the Clayton International Park, October 10, 2015 and 1<sup>st</sup> Annual Lake Spivey Community, Inc. Golf Tournament at the Lake Spivey Gold Club, October 9, 2015 for the Kids Outdoors Initiative.*

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17. Adopted Ordinance 2015-143 - An Ordinance to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 14 “Animals”, Article VII “Responsible Dog Ownership Law”, by repealing and deleting the existing subsection (E) of Section 14-137.1 “Animal Control Board” and substituting in lieu thereof a new subsection (E) of Section 14-137.1 “Animal Control Board”. Vote unanimous.

*Synopsis: This Ordinance will change the meeting of the Animal Control Board to quarterly meetings.*

18. Approved Resolution 2015-144 - A Resolution authorizing Clayton County to accept a donation of television station equipment from Douglas County. Vote unanimous.

*Synopsis: This Resolution will provide a broadcast desk to Clayton County’s TV-23 through a donation from Douglas County.*

19. Approved Resolution 2015-145 - A Resolution authorizing Clayton County to create the Airport South Community Improvement District. Vote unanimous.

**Synopsis:** *This Resolution will create the Airport South Community Improvement District.*

Ms. Barnes advised that Ms. Nicole Hall has informed the board that one of the property owners withdrew their consent to the creation of the CID, which resulted in a change to the property map, the CID map and the list of parcels. The tax commissioner has now certified this amended map and the list of property owners. She noted that this would not change the June 29th Meeting for the CID to elect their district board members. That meeting would be June 29, 2015 at the Omnitech Institute, 1800 Phoenix Boulevard, Classroom Four, in College Park, Georgia.

Commissioner Rooks asked which particular business declined to participate, at which time, Chairman Turner replied that it was Prologis.

20. Approved Resolution 2015-146 - A Resolution directing the Director of the Human Resources Department to advertise the position of Clayton County Chief Operating Officer and to perform all other acts necessary to accomplish the intent of this Resolution. Vote unanimous.

**Synopsis:** *This Resolution will allow for the position of Clayton County Chief Operating Officer to be advertised.*

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21. Approved Resolution 2015-147 - A Resolution to approve a property use request to allow Club Xhell Youth Life Center to use vacant County owned property located at 200 Valley Hill Road for children's recreational outdoor activities. Vote unanimous.

**Synopsis:** *This Resolution will allow Club Xhell Youth Life Center to provide children's outdoor recreational activities from June 1, 2015 until August 8, 2015 at vacant County owned property.*

Commissioner Gregory questioned as to what this property was. Chairman Turner explained that it is a building where the vacant lot will be used as a play area for children for which a waiver will be signed when the area is being utilized.

Ms. Barnes requested an executive session for litigation and personnel matters.

22. Approved the reappointment of Brenda Rayburn to the Library Board to fill the expiring term of Brenda Rayburn. The term is for three years expiring on June 30, 2018. (Full-Board Appointment) *(Held from May 19, 2015 Meeting)* Vote unanimous.
23. Approved the reappointment of Sherry Hamilton to the Library Board to fill the expiring term of Sherry Hamilton. The term is for three years expiring on June 30, 2018. (Full-Board Appointment) *(Held from May 19, 2015 Meeting)* Vote unanimous.
24. Held the appointment to the Library Board to fill the expiring term of Arlene Webster. The term is for three years expiring on June 30, 2018. (Full-Board Appointment) *(Held from May 19, 2015 Meeting)*
25. Held the appointment to the Code Enforcement Board to fill the unexpired term of Eddie White and a new full term *(resigned)*. The term is for three years expiring on July 16, 2018. (Full-Board Appointment)

Commissioner Gregory advised that Mr. Richard Rice, which is an alternate, is no longer residing within the county and the Code Enforcement Board requires that the members reside within Clayton County.

26. Approved the appointment of Keisha Wright-Hill to the Family and Children Services Board to fill the unexpired term of Eddie White *(resigned)*. The term is for five years expiring on June 30, 2017. (Full-Board Appointment) Vote unanimous.

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27. Held the appointment to Board of Health to fill a vacant seat slated for an actively practicing physician in Clayton County. The term is for six years expiring on December 31, 2019. (Full Board Appointment)
28. Approved a Street Light Petition addition to existing Street Light District Legacy Ridge Subdivision on Double Bridge Road in District #1 (Commissioner Sonna Gregory). Vote unanimous.

Motion made by Commissioner Edmondson, second by Commissioner Rooks, to go into Executive Session to discuss personnel and litigation matters in the Commissioners' Conference Room at 8:28 p.m. Vote unanimous.

Motion made by Commissioner Edmondson, second by Chairman Turner, to go out of Executive Session at 8:45 p.m. Vote unanimous.

Motion made by Commissioner Edmondson, second by Chairman Turner, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:46 p.m. Vote unanimous.

Ms. Barnes stated that the legal department has been in negotiations with Deloitte over the last several days and have arrived at the initial engagement letter that they initially received from Deloitte last week. She stated that there are a few items that will not change and the engagement letter will still authorize Deloitte to develop a list of potential partners for the client, with the list being approved by each party's respective governing body. Deloitte will make initial contact with potential partner candidates on the client's behalf to explore the possible interest in pursuing a partnership or merger. Deloitte will assist the client if necessary in developing alternative options and plans in the event a partnership agreement doesn't develop and the day-to-day oversight will still be provided by Southern Regional Health Systems Board of Trustees.

Ms. Barnes stated that the following changes were: removal of Southern Crescent Real Estate Inc. and Southern Crescent Physicians Group as clients. Clayton County along with Southern Regional Health System will be co-clients in this agreement with Deloitte. Deloitte will now report the results of their services to both, Southern Regional Health System and to Clayton County and they have agreed to charge no more than \$125,000.00 which will include up to \$115,000.00 in services based upon their hourly rate of pay and up to \$10,000.00 in out of pocket expenses, professional fee expenses, etc., for a total not to exceed \$125,000.00. She stated that the language of "the county will provide identification" because the county is a government agency and is unable to indemnify third party. There are two resolutions that have been prepared to address this: 1. the county to enter into the engagement letter with Deloitte as it's currently drafted, to be effective immediately without receiving a

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Phase I report; 2. is for the engagement letter to be accepted as drafted, however it will not become effective and the Chairman will not sign the engagement letter until the Phase I report has been received.

Chairman Turner stated that he recommends the first suggestion of Ms. Barnes to the Board, however, there needs to be a way to ensure that the Phase I report will be delivered. He stated that in the meeting that he and Commissioner Edmondson attended, it was stated that the report outlining options could be delivered to the Board of Commissioners within two weeks, preferably before the next board meeting.

Approved Resolution 2015-148- A Resolution authorizing Clayton County to enter into a professional services agreement with Deloitte Transactions and Business Analytics, LLC, and Southern Regional Health Systems Inc. Vote unanimous.

Vice-Chairman Hambrick asked what the option is if there is no report received within two weeks. She was advised that the recommendation would be to terminate, with Deloitte being paid half of the agreed upon amount.

There being no further business to discuss, motion by Commissioner Edmondson, second by Chairman Turner, to adjourn the Regular Business Meeting of June 2, 2015 at 8:53 p.m.