

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

December 8, 2009

POST SUMMARY MINUTES

PRESENT: Chairman Eldrin Bell, Vice Chairman Wole Ralph, Commissioner Sonna Singleton, Commissioner Michael Edmondson, Commissioner Gail B. Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Bell called the meeting to order.
2. Invocation was led by Pastor Mel Blackby of the First Baptist Church of Jonesboro in Jonesboro, Georgia. The pledge of allegiance to the flag was led by Chairman Bell.
3. **Joint Meeting** of the Clayton County Board of Commissioners and the Clayton County Water Authority to consider the following resolution:

Chairman Bell called for a joint meeting with the Clayton County Water Authority.

Mr. Pete McQueen, Chairman of the Clayton County Water Authority, called the meeting to order. Chairman McQueen thanked the Commissioners for their help. The employees of the Water Authority have also done an outstanding job.

The following members of the Clayton County Water Authority were present: Mr. Mike Thomas, Mr. John Chafin, Mr. John Westervelt, Dr. Don McMillian, Mr. Lloyd Joiner, and Mr. Wesley Greene.

Mr. Mike Thomas, Clayton County Water Authority General Manager, stated that the purpose of this meeting is to approve the refinancing of a portion of the 2001 bond series. The Board of Commissioners is not responsible for these bonds but the Board has to approve them. The following people have put this refinancing project together: Mr. Bill Camp with Morgan & Keegan (bond underwriter); Mr. Roger Murray with Murray, Barnes, & Finister (bond counsel); and Mr. Steve Fincher with Fincher, Denmark, & Williams (counsel for the Clayton County Water Authority). Mr. Thomas also thanked Mr. Michael Smith, Chief Staff Attorney, and Ms. Angela Jackson, Director of Finance, for helping to put this together.

Mr. Thomas gave an overview of the refinancing of the bond series. The Water Authority is refunding a little over \$18 million in outstanding bonds with a total cost of \$19.7 million. The total savings will be \$1.2 million at 6.5 percent and the bond yield is 2.1 percent.

Chairman Bell asked Mr. Thomas what he meant by “refunding.”

Mr. Thomas answered that he means refinancing the bonds.

Mr. Smith read through Resolution 2009-196 concerning the refinancing of the bonds.

Chairman Bell asked Chairman McQueen to call for a motion to vote on the resolution.

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Chairman McQueen asked for the motion to approve the joint resolution. Mr. Chafin offered a motion to approve the joint resolution. Mr. Westervelt seconded the motion. Vote unanimous.

Chairman Bell asked for a motion to approve the joint resolution. Vice Chairman Ralph offered a motion to approve the joint resolution. Commissioner Singleton seconded the motion. Vote unanimous.

Chairman McQueen called for a motion to adjourn the Clayton County Water Authority meeting. Mr. Joiner offered a motion to adjourn the Water Authority meeting. Mr. Greene seconded the motion. Vote unanimous.

Approved Resolution 2009-196 -- A Joint Resolution of the Board of Commissioners of Clayton County and the Clayton County Water Authority to provide for the issuance of \$17,785,000.00 Clayton County and Clayton County Water Authority and Sewerage Revenue Refunding Bonds, Series 2009 and \$500,000.00 Clayton County and Clayton County Water Authority Water and Sewerage Revenue Refunding Bonds, Series 2010, pursuant to and in accordance with a joint resolution adopted June 11, 1959, as ratified and reaffirmed by various joint resolutions, including the joint resolutions adopted May 5, 1998, April 20, 2000, April 17, 2001, May 3, 2001, March 4, 2003, April 17, 2003, October 19, 2004, February 1, 2005, February 3, 2005, February 11, 2005, and February 23, 2006 to provide funds to finance in whole or in part the cost of (I) the refunding of a portion of the outstanding Clayton County and Clayton County Water and Sewerage Revenue Bonds, Series 2001, and (II) issuing such bonds; to reaffirm and adopt certain applicable terms, covenants, provisions and conditions of said prior joint resolutions; to enlarge the scope of other terms, covenants, provisions and condition of said bonds; to create and maintain certain funds and provide for the disposition thereof; to provide rates for the services and facilities to be furnished by the system and the remedies of the holders of said revenue bonds; to provide for the issuance of additional *Pari Passu* water and sewerage revenue bonds; and for other purposes. Vote unanimous.

4. Amended the agenda by holding Item #11 (Resolution 2009-197 – Providing for a request of the Clayton County Legislative Delegation to submit for enactment a Bill to amend the Act providing for the compensation of the Judge of the Probate Court of Clayton County); holding Item #15 (Resolution 2009-201 – Authorizing Clayton County to amend the existing 2007 Subrecipient Agreement between Clayton County and the Jonesboro Housing Authority); adding Resolution 2009-202 (A resolution to delegate to the Chairman of the Board of Commissioners the power and authority to oversee the Clayton County Police Department); holding Item #16 (Appointment to the Airport Authority Board. The term of Cheryl “Synamon” Baldwin [Vice Chairman Ralph] expires on 12-31-09. New term is for four [4] years; expiring on 12-31-13); and holding Item #17 (Appointment to the Tax Assessors Board. The term of Edward L. Fahrenkamp [Full Board] expires on 12-31-09. New term is for three [3] years; expiring on 12-31-12). Vote unanimous.

5. Approved the December 1, 2009 Regular Business Meeting minutes. Vote unanimous.

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6. PRESENTATION: 2008 and 2009 Awards for “Best Court Programs in the State of Georgia” to Yolanda Lewis, Court Administrator (presented by Will Simmons, President of the Georgia Council of Court Administrators).

Members from the Georgia Council of Court Administrators were present: Mr. John Johnson, Juvenile Court; Mr. Ray Jones, District Court Administrator of the 3rd District; Mr. Michael Cuffee, Fulton County Deputy Court Administrator; and Mr. Chester Roney, Circuit Court Administrator of Paulding County.

Mr. Simmons spoke about the achievements of Ms. Lewis and her staff. A group photo was taken.

7. PROCLAMATION: “Clayton County Courts Recognized for Georgia Council of Court Administrator Program of the Year Awards.” Clerk Haywood read the proclamation for the audience and a group photo was taken.

8. Rod Gray, Director of Central Services, presented the following item which resulted in this action:

1) Approved the recommendation to upgrade and improve the effectiveness and efficiency of the switchgear at the Justice Complex. This is a request to waive the sealed bid requirement and approve as an emergency purchase. This recommendation includes purchasing the necessary parts and securing the necessary labor to accomplish the stated goals from Prime Power Services, Inc. of Atlanta, Georgia. Prime Power Services, Inc. is the current service vendor for this system and possesses the requisite knowledge of the existing system and knowledge of the most cost effective improvements required to accomplish the stated goals. This upgrade will be required to facilitate the construction of the new Juvenile Justice facility. The quoted price of the upgrade to the switchgear is \$131,542.74 and funds are available in the 2009 SPLOST budget. Vote unanimous.

9. Dennis Johnson, Budget Manager, presented the following items which resulted in these actions:

1) Approved Budget Amendment #2-15, Other General Govt, in the amount of \$66,000.00, to transfer funds to cover the cost of replacing vehicles whose repair cost exceeds their value. Vote unanimous.

2) Approved Budget Amendment #2-17, Federal Drug Fund, in the amount of \$125,000.00, to provide funds for the purchase of additional radio and computer equipment to fully equip the officers. Vote unanimous.

3) Approved Budget Amendment #2-18, Tourism Authority – 4% Hotel/Motel Tax Fund, in the amount of \$13,000.00, to increase general assistance expense for Arts Clayton. Vote unanimous.

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10. Approved Ordinance 2009-189 – Ordinance adopted under the Home Rule Powers specifically granted to the governing authority of Clayton County pursuant to Article IX, Section II, Paragraph I (b)(1) of the Constitution of the State of Georgia of 1983, amending the local act of the General Assembly creating and composing the Clayton County Board of Commissioners and setting forth the general provisions governing Clayton County Government; so as to amend the Clayton County Code of Ordinances, Article II, Section 2-5 entitled “Rotation of Vice-Chairmanship.” The motion carried 4-1 with Chairman Bell voting in opposition.

11. Approved Resolution 2009-198 – Consenting to an Ordinance of the Mayor and City Council of the City of Riverdale to accept the application of the Clayton County Board of Education (“BOE”) to de-annex certain property currently located within the city limits of the City of Riverdale (“Property”) pursuant to O.C.G.A. §36-36-22 to provide that this resolution shall take full legal effect, and the property shall be de-annexed, the Property shall cease to constitute a part of the lands within the city limits of the City of Riverdale and an identification of the property shall be filed by the City of Riverdale with the Georgia Department of Community Affairs; and for other purposes. Vote unanimous.

12. Approved Resolution 2009-199 – Authorizing Clayton County to enter into a grant award agreement with the State of Georgia Department of Human Resources and, in accordance therewith, accept grant funds (\$655,926.72) to be used in connection with child support recovery efforts associated with the District Attorney’s Office. A county match of \$15,301.32 is required. Vote unanimous.

13. Approved Resolution 2009-200 – Authorizing Clayton County to amend the County’s 2009 Action Plan. Vote unanimous.

14. Approved Resolution 2009-202 – Delegating to the Chairman of the Board of Commissioners the power and authority to oversee the Clayton County Police Department. The motion carried 3-2 with Chairman Bell and Commissioner Edmondson voting in opposition.

[NOTE: Section 3 was omitted from the resolution]

PUBLIC COMMENT

1) Chris Gallagher – Mr. Gallagher stated that things were becoming better in his neighborhood for awhile. Now, there is more speeding happening in his neighborhood.

Chairman Bell asked Mr. Gallagher where the neighborhood was located.

Mr. Gallagher stated that he lived in River’s Edge subdivision on Plantation Highway.

Chairman Bell asked Chief Turner, Chief of Police, to identify himself to Mr. Gallagher. He also asked Chief Turner to provide a written response to the Board concerning this situation.

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2) Wayne Madden – Mr. Madden stated that on December 31, 2009, restrictions will be lifted off of him from his corporate employer. He will make available to the appropriate personnel of the county an aircraft to be used for recruiting business to Clayton County.