

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

December 15, 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 Harry Riley of Lakewin Christian Center located in Riverdale, Georgia. The pledge of allegiance to the flag was led by Chairman Bell.
3. **Clayton County Finance Corporation**: Convening of the Clayton County Finance Corporation with Trane & Siemens to consider adoption of the following resolutions:
 - a. Resolution 2009-203 – Authorizes the Clayton County Governmental Finance Corporation to enter into contracts with Trane & Siemens to provide energy savings and conservation measures in Clayton County; i.e., Performance Contracts, a multi-year Equipment Lease Purchase Agreement, and Rental Payments, memorializing the lease and granting assignment rates to the Bank of America.
 - b. Resolution 2009-204 – Organizational Resolution.

Mr. Michael Smith, Chief Staff Attorney, stated that Resolution 2009-204 (Organizational Resolution) will be deleted. It is not required to add this resolution (based on the advice of outside counsel, Doug Selby of Hunton & Williams, LLP).

Approved Resolution 2009-203 – Resolution of the Clayton County Governmental Finance Corporation. Vote unanimous.

4. Amended the agenda by adding Resolution #2009-213 (Authorizing an amendment to the Subgrant Agreement between Clayton County and the Metropolitan Atlanta Rapid Transit Authority under which Federal Transit Administration grants for C-Tran will be administered) and holding Item #19 (Appointment to the Tax Assessors Board. The term of Edward L. Fahrenkamp expires on December 31, 2009. New term is for three (3) years; expiring on December 31, 2012). Mr. Rod Gray had one item (Misdemeanor Probation Services for Superior/State/Magistrate Courts) eliminated during the pre-meeting. Vote unanimous.
5. Approved the December 8, 2009 Regular Business Meeting minutes. Vote unanimous.
6. Rod Gray, Director of Central Services, presented the following item which resulted in this action:
 - 1) Approved the recommendation (RFP PKG #09-28) for In-Home Services for the Aging. The recommendation is to award the bid to ResCare Homecare, whose corporate office is located in

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Valdosta, Georgia with the highest score of 433.75. This vendor has proposed the total fee of \$349,120.00 for a five (5)-year contract. Vote unanimous.

Ms. Mary Byrd of Senior Services explained that these services provide personal care to home-bound clients including grooming, light housekeeping, and running errands.

7. Angela Jackson, Director of Finance, presented the following item which resulted in this action:

1) Approved Budget Amendment #2-75, Judicial Jail Complex Capital Project Fund, in the amount of \$910,426.00, to close the Judicial/Jail Capital projects fund. Vote unanimous.

8. Renee Bright, Director of Human Resources, presented the following items which resulted in these actions:

1) Approved the renewal of the Public Entity Excess Liability insurance coverage for the period January 1, 2010 – December 31, 2010. This insurance provides coverage for claims against the County alleging bodily injury, property damage, public officials' liability, law enforcement liability, errors and omissions, employment practices liability, and employee benefits liability. The recommendation is to renew the policy with Lexington at a premium of \$660,000.00 and a renewal premium of \$540,800.00. Renewing this policy with Lexington will allow the County to retain the \$750,000.00 retention vs. a \$1,000,000.00 retention quoted by the other carrier (Everest National) that also submitted a quote for this policy. The renewal premium of \$540,800.00 allows the County to realize a \$119,200.00 savings in premium cost. Additionally, removing the automobile liability coverage from the County's policy (except Out-of-State coverage) decreases the County's liability by allowing it to take advantage of Georgia's Sovereign Immunity laws. Vote unanimous.

2) Approved the renewal of the Property and Boiler Insurance coverage for the period January 1, 2010 – December 31, 2010. The insurance provides coverage on County owned and leased buildings, their contents, owned and leased vehicles, and equipment. There is a reduction in this year's premium with Travelers Property Casualty Company of America by 2% from last year's premium. This will result in a \$3,161.00 savings to the County. Vote unanimous.

Chairman Bell asked Mr. Gray to come back before the Board because a resolution was being added concerning the Misdemeanor Probation Supervision Services and Management Systems for the courts. Mr. Smith explained that Sentinel Offender Services (the current provider of private probation services), whose contract term expires December 31, 2009, would be given the opportunity to extend services beyond that date on a month-to-month basis.

9. Approved Resolution 2009-214 – Authorizing the County to approve the extension of private probation services for the Superior, State, and Magistrate Courts of Clayton County; authorizing the continuation of Sentinel Offender Services on a month-to-month basis. Vote unanimous.

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10. Approved Resolution 2009-205 – Authorizing the execution, delivery and performance of an Equipment Lease/Purchase Agreement with respect to the acquisition, purchase, financing and leasing of certain energy savings and conservation equipment and services for essential public purposes; authorizing the execution and delivery of certain other related documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution. Vote unanimous.

Attorney Doug Selby of Hunton & Williams, LLP stated this resolution addresses the lease with the Trane & Siemens’ contracts that the Board approved earlier. Bank of America will provide the funding over a twelve (12)-month period. This resolution essentially memorializes the lease and grants assignment rates to Bank of America.

11. Approved Resolution 2009-201 – Authorizing Clayton County to amend the existing 2007 subrecipient agreement between Clayton County and the Jonesboro Housing Authority. Vote unanimous.

12. Approved Ordinance 2009-206 – Ordinance to amend the Code of Clayton County, Georgia, as amended, specifically Part II, Chapter 2, Article 2, Section 2-35 thru 2-35-05, by deleting it in its entirety and substituting a new Section 2-35 thru 2-35-05 entitled “Meetings Organization, Agenda, Duties of Presiding Officer, etc.” Vote unanimous.

Changes to the Code include elimination of the Vice-Chairman reviewing the business meeting agenda for redundancy; addition of a “consent agenda” for the Board to vote on routine items at one time; addition of items to the agenda at the meeting only in cases of urgency; etc.

13. Approved Resolution 2009-207 – To execute a Plan Sponsor Certification with Humana. Vote unanimous.

14. Approved Resolution 2009-208 – Authorizing Clayton County to utilize the Lump Sum Drawdown Technique associated with the Clayton County U.S. Treasury CDBG Program Account to increase CDBG funding for the Minor Home Repair Program. The motion carried 4-1 with Commissioner Edmondson voting in opposition.

Commissioner Edmondson stated that \$700,000.00 was being reallocated. There are undesignated accounts for 2006-2008. He wanted to know how much money was there prior to and after the reallocation.

Mr. Lance Crawford, Director of the Clayton County Housing and Community Development Program, stated there is \$400,000.00 and it includes this year’s \$50,000.00. Almost \$100,000.00 will be used. Some funds have been set aside for potential over-runs. It is prudent to use the funds now for much needed home repairs.

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Commissioner Edmondson questioned whether other projects have been considered.

Mr. Crawford stated that no other projects have been considered.

Chairman Bell stated that projects have been designated, but there is not enough money to do the projects. The county still has the money and can draw down and draw interest until the Board decides what to do with the funds.

Commissioner Hambrick commented that there was a long waiting list for home repairs.

15. Approved Resolution 2009-209 – Authorizing Clayton County to enter into an agreement with World Marketing, Inc. on behalf of the Clayton County Tax Assessors Office, providing for the terms and conditions under which integrated direct marketing services will be provided to the County. Vote unanimous.

Commissioner Edmondson asked for an explanation of the term “marketing” and to whom.

Mr. Rodney McDaniel, Chief Appraiser, stated that this company [World Marketing, Inc.] processes business and personal property returns for the Tax Assessors Office.

16. Approved Resolution 2009-210 – Authorizing Clayton County to enter into an agreement with Franklin D. Beauford providing for the terms and conditions under which professional consulting services will be rendered to the county. Vote unanimous.

NOTE: Mr. Beauford’s services as Public Transit Coordinator for the County would have expired on December 31, 2009. This resolution allows Mr. Beauford to continue providing services on a month-to-month basis until December 2010.

17. Approved Resolution 2009-211 – To correct a scrivener’s error in Resolution No. 2009-105. Vote unanimous.

18. Approved Resolution 2009-212 – Affirming the authority of Clayton County to enter into an agreement with the City of Jonesboro providing for the terms and conditions under which fire suppression, protection, prevention, rescue and emergency medical assistance will be rendered to the City of Jonesboro by Clayton County Fire & Emergency Services; to affirm the Chairman’s authority to execute the agreement. Vote unanimous.

19. Approved Resolution 2009-213 – Authorizing an amendment to the Subgrant Agreement between Clayton County and the Metropolitan Atlanta Rapid Transit Authority under which Federal Transit Administration grants for C-Tran will be administered; to authorize a second amendment to the Operations Agreement with the Metropolitan Atlanta Rapid Transit Authority; to authorize the operation of C-Tran fixed route and Para-transit services through June 30, 2010. Vote unanimous.

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Mr. Smith stated that **Section 5** will be **deleted** from the resolution which reads – “Further, the Board of Commissioners hereby acknowledges its support of the following initiatives that may be introduced in the 2010 session of the Georgia General Assembly to provide funding sources for the continued operation of C-Tran service:

- (a) General legislation to provide for a regional or statewide funding mechanism to include funding for the operation of existing public transit services such as C-Tran;
- (b) General legislation to provide for the increase to or the elimination of the cap on the percentage of sales tax that may be assessed in the state, or in a county or political subdivision of the state, such that the Board of Commissioners could legally assess a one percent sales tax in the Clayton County Airport District.”

For the record, Chairman Bell stated that the Board intends to exercise every source and resource to get additional funding for the county’s public transit.

PUBLIC COMMENT

1) Rosa Barber - Ms. Barber questioned the authority that Chairman Bell has been given over the Police Department. She wanted to know if the Commissioners were trying to remove Chief Jeff Turner with Resolution 2009-202 (which did not make any sense to her). Ms. Barber stated that Vice Chairman Ralph was quoted in the *Clayton News Daily* as saying that the placement of Chairman Bell over the Police Department would better address crime in Clayton County. He was also quoted as saying this resolution was a way to identify the talents of one of the Board members to deal with crime, which is one of the main issues in the county. Ms. Barber asked Vice Chairman Ralph if he indeed made those statements. Vice Chairman Ralph acknowledged that he did make those statements. Ms. Barber rebutted that if that is the case, then she wondered why he did not place Commissioner Edmondson over the Finance Department since he is a “financier” and the county could benefit from his expertise during this period of economic crisis. She further stated that if Vice Chairman Ralph had researched this matter, he would have seen that homicides have dropped 60% in Clayton County this year. If Commissioner Hambrick had researched this issue, Ms. Barber stated she would have realized that Chief Turner has established 241 neighborhood watch programs around the county. {NOTE: At this point, Chairman Bell alerted Ms. Barber that she should address the Board and not try to “correct” the Board.} Ms. Barber resumed her comments by noting that if Commissioner Singleton had done her research, she would know that Chief Turner attends meetings throughout the county and teaches/educates children to say “no” to drugs and to stay away from gang members. Per Ms. Barber, Chief Turner is attending community events and communicating with the citizens. Since Chief Turner is doing his job, she questioned why he is now being “micro-managed.” Ms. Barber concluded that some of the commissioners may not like Chief Turner, but they should respect him. She affirmed that she stands behind Chief Turner and the police officers one hundred percent.

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2) Kliff Grimes – Mr. Grimes, a representative of the International Brotherhood of Police, stated there are 100+ officers in the county who normally see eye-to-eye with Vice Chairman Ralph but this time they do not. Resolution 2009-202 has officers wondering why the Police Department needs to be micro-managed. He wanted to know why Chairman Bell was designated to look over Chief Turner. Mr. Grimes surmised that giving rights to one person is not right.

3) Andrew Roper – Mr. Roper inquired about the latest developments with C-Tran. At a meeting in Riverdale last night, it was stated that MARTA would give the county \$300,000.00. He wanted to know what the Atlanta Regional Commission was doing about environmental issues. Mr. Roper also asked if final approval has been given for Neighborhood Stabilization. He stated that he has attempted to meet and greet with Vice Chairman Ralph, but there is never a response to his telephone calls. Mr. Roper noted that Chairman Bell and Commissioner Singleton hold meetings with the public, but Vice Chairman Ralph does not.

Chairman Bell stated that after the meeting, he would explain to Mr. Roper the plans of ARC.

4) Bernita West – Ms. West was pleased to see some action on the C-Tran issue. She hoped there would be a long-term commitment from everyone. Ms. West stated the impact of C-Tran needed to be researched.

5) Rev. Duboise Antoine – Rev. Antoine stated that Clayton County is more of a family community of different races and backgrounds, but everyone has the same goal. Since he has been a resident, he has been seeing results. A rumor has circulated recently that Clayton County is more of a business than a mission. As a concerned citizen, he urged the Board to change that idea. Rev. Antoine acknowledged that he was speaking on behalf of the Clayton County Police Department, and he wanted the county to stop micro-managing this department. He opined that Police Chief Jeff Turner is doing an excellent job in the community and he is not out of touch with the citizens. The Police Department is not terrorizing anyone and, with micro-management, there will only be distraction and confusion. Rev. Antoine further stated that other issues need to be focused on in the county; i.e., unemployment and homelessness. The Board needs to build the community up instead of worrying about minor issues. There are bigger issues to worry about instead of having a commissioner overseeing the Police Department. Otherwise, the Board is doing a great job. He concluded that he loved all of the commissioners and prayed for them.