

# FULTON COUNTY BOARD OF COMMISSIONERS

## REGULAR MEETING

February 1, 2012

10 a.m.

Fulton County Government Center

Assembly Hall

141 Pryor Street SW

Atlanta, Georgia 30303

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## POST AGENDA MINUTES

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**This document is tentative, has not been ratified or approved by the Board of Commissioners, and is not binding on the County or any officer.**

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**Scheduled date for ratification: February 15, 2012**

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**CALL TO ORDER:** Chairman John H. Eaves

10:01 a.m.

**ROLL CALL:** Mark Massey, Clerk to the Commission

John H. Eaves, Chairman (District 1, At-Large)

**PRESENT**

Emma I. Darnell, Vice Chair (District 5)

**PRESENT**

Robert L. "Robb" Pitts, Commissioner (District 2, At-Large)

**PRESENT**

Liz Hausmann, Commissioner (District 3)

**PRESENT**

Tom Lowe, Commissioner (District 4)

**PRESENT**

Joan P. Garner, Commissioner (District 6)

**PRESENT**

William "Bill" Edwards, Commissioner (District 7)

**PRESENT**

**INVOCATION:** Reverend Clifton Dawkins, Jr., Interim County Chaplain

**PLEDGE OF ALLEGIANCE:** Recited in unison.

## CONSENT AGENDA

### Board of Commissioners

#### 12-0066 Adoption of the Consent Agenda. (ADOPTED)

All matters listed on the Consent Agenda (Items #12-0066 through #12-0074, excluding \*Items #12-0067, #12-0069, #12-0071, and #12-0072) were considered routine by the County Commission and enacted by one motion.

\*These Items were moved to the Regular Meeting Agenda for separate consideration, as requested by members of the Board. Chairman Eaves also requested that these Items be heard before the Board's lunch recess.

A motion was made by Commissioner Edwards and seconded by Chairman Eaves to adopt the Consent Agenda as amended. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Hausmann, Garner, and Edwards voted yea. Commissioner Lowe did not vote.

The Consent Agenda consisted of the following items:

#### County Manager

#### 12-0067 Fulton County Second Chance Act Demonstration Grant update. (CONDUCTED)

**THIS ITEM WAS MOVED TO THE REGULAR MEETING AGENDA FOR SEPARATE CONSIDERATION, AS REQUESTED BY VICE CHAIR DARNELL.**

Commissioner Edwards requested quarterly reports that indicate what the program has gained. He also asked whether this template will be the one used for the \$2 million, and he wants to know what happens when this money runs out. Additionally, he suggested working with more community residents, especially people who have been victimized, in gaining input on how to operate the program.

Vice Chair Darnell requested that the program's reports be provided monthly.

## Clerk of Superior Court

- 12-0068** Request approval of amendment to contract between Fulton County and the State of Georgia Department of Human Services for the processing of child support petitions and administrative items relating to child support, effective December 1, 2011, through June 30, 2012. Amendment reflects change in DHS contact persons, mailing addresses, and telephone numbers. DHS Contract Annex B entitled "Plan of Cooperation" is deleted and replaced by a new Annex B. There is no change in amount and all other provisions of the contract remain unchanged.

## Sheriff

- 12-0069** Request approval to a renewal of the Intergovernmental Agreement between the Hall County Sheriff's Office and Fulton County, Georgia, for the housing of inmates at a cost of \$36 per day per detained inmate for 100 or more inmates and \$45 per day per detained inmate for less than 100 inmates, effective March 4, 2012, through March 3, 2013, with the option of two yearly renewals remaining, not to extend past December 6, 2014.

**THIS ITEM WAS MOVED TO THE REGULAR MEETING AGENDA FOR SEPARATE CONSIDERATION, AS REQUESTED BY VICE CHAIR DARNELL.**

**A motion was made by Commissioner Lowe and seconded by Chairman Eaves to approve. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Hausmann, Lowe, Garner, and Edwards voted yea. Commissioner Pitts was present but did not vote.**

**Vice Chair Darnell requested the County Manager to move forward with developing an analysis of the marginal approach to outsourcing.**

## Police

- 12-0070** Request approval of the 2011 Equitable Sharing Agreement and Certification with the U.S. Department of Justice for the Fulton County Police Department, establishing the requirements for participation in the Federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, or proceeds.

**POST AGENDA MINUTES – REGULAR MEETING – February 1, 2012**

**Voting Breakdown: 1<sup>st</sup> number = "yea" votes**

**2<sup>nd</sup> number = "nay" votes**

**3<sup>rd</sup> number = "abstained" votes**

## Arts and Culture

**12-0071** Request approval of the release of \$150,669 in Art-at-Work Program funds from contingency for FY2012 Programming.

**THIS ITEM WAS MOVED TO THE REGULAR MEETING AGENDA FOR SEPARATE CONSIDERATION, AS REQUESTED BY COMMISSIONER HAUSMANN.**

**A. A motion was made by Commissioner Lowe and seconded by Commissioner Edwards to approve. The motion carried by a vote of 5-2-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Lowe, Garner, and Edwards voted yea. Commissioners Pitts and Hausmann voted nay.**

**B. A motion was made by Vice Chair Darnell and seconded by Commissioner Edwards to release \$80,816 from the original \$231,483 for the employee who received a promotion into position #1812 at the South Fulton Arts Center. The motion carried by a vote of 5-1-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Lowe, Garner, and Edwards voted yea. Commissioner Pitts voted nay. Commissioner Hausmann was present but did not vote.**

**Commissioner Garner encouraged Board members to advertise this program throughout the County to get more youth involved.**

## Purchasing and Contract Compliance

**12-0072** Request approval of Purchasing Policy and Procedure 800-12, Review of Financial Responsibility for Request for Proposals.

**THIS ITEM WAS MOVED TO THE REGULAR MEETING AGENDA FOR SEPARATE CONSIDERATION, AS REQUESTED BY VICE CHAIR DARNELL.**

**A motion was made by Vice Chair Darnell and seconded by Commissioner Edwards to hold. (MOTIONS WITHDRAWN, BASED ON COUNTY MANAGER'S SUGGESTION TO REMOVE THIS ITEM)**

**Commissioner Edwards requested that a study be conducted on the Purchasing Department's overall procedures, including diversity and this matter of financial responsibility.**

*POST AGENDA MINUTES – REGULAR MEETING – February 1, 2012*

*Voting Breakdown: 1<sup>st</sup> number = "yea" votes*

*2<sup>nd</sup> number = "nay" votes*

*3<sup>rd</sup> number = "abstained" votes*

Vice Chair Darnell requested Staff to provide the Board with the information collected from the Federal Procurement Regulations. She also wants within two weeks an assessment of the policies and procedures pertaining to the selection of vendors and contractors, and to provide recommendations for modifications, along with a basis for the modifications.

Chairman Eaves reiterated the County Manager's suggestion that a work session be organized on all purchasing policies and procedures, as well as recommending that an audit be conducted.

#### Clerk to the Commission

**12-0073** Proclamations for Spreading on the Minutes.

"Eddie Charles Brown, Jr. Appreciation Day"  
January 14, 2012 **(Darnell)**

"William D. Bell Appreciation Day"  
January 19, 2012 **(Darnell)**

"Cathy Carter Appreciation Day"  
January 20, 2012 **(Eaves)**

"Virginia English Appreciation Day"  
January 22, 2012 **(Edwards)**

"Lasonja Francis Appreciation Day"  
January 27, 2012 **(Eaves)**

"Eagle Scout Zachary Scott Campbell Appreciation Day"  
January 29, 2012 **(Hausmann)**

"Dr. Richard Cobble Appreciation Day"  
January 30, 2012 **(Eaves)**

"Eagle Scout Robert C. Mitchell Appreciation Day"  
January 30, 2012 **(Eaves)**

## Environment and Community Development

### 12-0074 Subdivision Confirmations.

The following Minor Subdivision Plat has been certified by the Director of the Department of Environment and Community Development. These documents have been recorded in the Fulton County Courthouse and are forwarded herewith for confirmation at this Board of Commissioners meeting (2/1/12).

#### 1. The Lakes @ Cedar Grove, Unit 1 – Ph 2 (Re-Recording Final Plat)

##### **Public Sanitary Sewer/Camp Creek WWTP**

Vicinity of Short Road, District 7, LLs 107,108,117, and 118

Zoned mixed-use and provides 27 lots on a total of 23.73 acres.

**Owner/Developer:** Cedar Grove Lakes LLC

The purpose of the revision is to combine lots 73 & 74 into one lot.

### REGULAR MEETING AGENDA

#### Board of Commissioners

### 12-0075 Adoption of the Regular Meeting Agenda. (ADOPTED)

**A motion was made by Commissioner Edwards and seconded by Chairman Eaves to adopt the Regular Meeting Agenda as amended to add a Board Appointment to Item #12-0095, as requested by Commissioner Pitts, and to add Item #12-0098, as requested by Vice Chair Darnell. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Hausmann, Garner, and Edwards voted yea. Commissioner Lowe did not vote.**

### 12-0076 Ratification of Minutes. (RATIFIED)

Regular Meeting Minutes, January 4, 2012

Special Call Meeting Minutes, January 9, 2012

Recess Meeting Post Agenda Minutes, January 18, 2012

**A motion was made by Commissioner Edwards and seconded by Chairman Eaves to ratify the minutes. The motion carried by a vote of 5-0-0. Chairman Eaves and Commissioners Pitts, Hausmann, Garner, and Edwards voted yea. Vice Chair Darnell was present but did not vote. Commissioner Lowe did not vote.**

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**2<sup>nd</sup> number = “nay” votes**

**3<sup>rd</sup> number = “abstained” votes**

- 12-0077** Presentation of Proclamations and Certificates. **(PRESENTED)**
- Proclamation recognizing “Healthy Heart Day.” **(Hausmann/Eaves/Lowe)**
- Proclamation recognizing “Severe Weather Awareness Week.” **(Eaves)**
- Proclamation recognizing “Westlake Girls Basketball Team Appreciation Day.” **(Edwards)**

**PUBLIC HEARINGS**

**Board of Commissioners**

- 12-0078** Public Comment. **(CONDUCTED WITH NINE SPEAKERS)**
- Mr. Mose James IV (Arts); Mr. Greg Fann (Employee raises); Ms. Imani Clements (Arts); Mr. A. W. Davis (Quality of Life); Ms. Julia Hall (Arts); Ms. Dina Jones (Vision Adult Day Center); Ms. Patricia Bankston (Vision Adult Day Center); Mr. Andrew Whitmore (Vision Adult Day Center); and Ms. Carmen Lovejoy Brown (Transportation).**

**ENVIRONMENT AND COMMUNITY DEVELOPMENT**

**Zoning, Use Permit, River Corridor,  
and Zoning Modification Applications**

**New Business**

- 12-0079** 2011Z-0009 FC - Amendment to Article XII – Overlay District Standards **(APPROVED)**
- |                  |  |
|------------------|--|
| E & CD Dept.:    | Recommendation: Approval   |
| CZB:             | Recommendation: Approval   |
| <b>CLUP:</b>     | <b>N/A</b>   |
| <b>Approval:</b> | <b>Mr. Clifton Jenkins, Mr. Wallace Linsey Sr., Ms. Lynn Jarrett-Gude, Mr. Bruce Moody, Ms. Susan Maziar, and Ms. Carla Mannings</b> |
| <b>Absent:</b>   | <b>Ms. Rosemary Lawson-Edge</b>  |

Application by Fulton County to amend Article XII of the Overlay District Standards pertaining to the following:

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**3<sup>rd</sup> number = “abstained” votes**

Article 12D – Old National Highway Overlay District Streetscape  
Article 12F – Sandtown Overlay District Design Review Board  
Article 12K – South Fulton Parkway Overlay District Design Review Board

**A motion was made by Commissioner Edwards and seconded by Vice Chair Darnell to approve. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Hausmann, Garner, and Edwards voted yea. Commissioner Lowe did not vote.**

**Three Related Cases**

**12-0080      2011Z-0011 FC – Boat Rock Road (HELD)**  
**12-0081      2011U-0002 FC – Boat Rock Road (HELD)**

E & CD Dept.:      Recommendation: Approval Conditional  
CZB:                      Recommendation: Approval Conditional  
**CLUP:                      Consistent**  
**Approval:                Mr. Clifton Jenkins, Mr. Wallace Linsey Sr., Ms. Lynn Jarrett-Gude, Mr. Bruce Moody, Ms. Susan Maziar, and Ms. Carla Mannings**  
**Absent:                    Ms. Rosemary Lawson-Edge**

**12-0082      2011VC-0017 FC – Boat Rock Road (HELD)**

E & CD Dept.:      Recommendation: Approval Conditional – Parts 1, 3, and 4; Denial – Part 2  
CZB:                      Recommendation: Approval per Staff  
**CLUP:                      N/A**  
**Approval:                Mr. Clifton Jenkins, Mr. Wallace Linsey Sr., Ms. Lynn Jarrett-Gude, Mr. Bruce Moody, Ms. Susan Maziar, and Ms. Carla Mannings**  
**Absent:                    Ms. Rosemary Lawson-Edge**

Application by Mr. Archie Johnson for Ms. Shawana Pace of Pace Delmont Inc. seeks a rezoning from R-3 (Residential) to an R-6 (Residential) zoning classification along with a Use Permit to operate a 3,080 square foot daycare facility within the existing structure for 30 children. The applicant also seeks the following 4-Part Concurrent Variance:

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Part 1 - Reduce the 40-foot buffer and 10-foot improvement setback to an 18-foot buffer along the Camp Creek Parkway (Article 12.F.4. Section A.1.);

Part 2 - Allow a daycare facility within 1,000 feet of gravity flow sewer to be on septic (Article 19.4.15. Section B.9.);

Part 3 - Delete the 10-foot improvement setback along the east property line (Article 4.23.1.); and

Part 4 - Allow a daycare facility within ½ mile of an approved facility along Boat Rock Road (Article 19.4.15. Section B.10).

The subject 1.06 acre site has approximately 150 feet of road frontage along the northern side of Boat Rock Road and 314.20 feet of road frontage along the eastern side of Camp Creek Parkway, located in Land Lot 109, District 14F, Fulton County, Georgia.

**A motion was made by Commissioner Edwards and seconded by Vice Chair Darnell to hold for two weeks in order to work out the issues involving sewer. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Hausmann, Garner, and Edwards voted yea. Commissioner Lowe did not vote.**

## **Two Related Cases**

**12-0083      2011U-0003 FC – Old Jonesboro Road (APPROVED)**  
**12-0084      2011VC-0023 FC – Old Jonesboro Road (APPROVED)**

E & CD Dept.:	Recommendation: Approval
CZB:	Recommendation: Approval
<b>CLUP:</b>	<b>Consistent</b>
<b>Approval:</b>	<b>Mr. Clifton Jenkins, Mr. Wallace Linsey Sr., Ms. Lynn Jarrett-Gude, Mr. Bruce Moody, Ms. Susan Maziar, and Ms. Carla Mannings</b>
<b>Absent:</b>	<b>Ms. Rosemary Lawson-Edge</b>

Application by Mr. Rick Sewell for Mr. Robert A. and Mrs. Rosemary S. McIntire seeks a Use Permit to re-establish a sand pump operation. The applicant also seeks a concurrent variance to allow a sand pump within a 500-foot radius of residential properties (Article 19.4.32. Section B.2.). The subject 19.72 acre site has approximately 678.2 feet of road frontage

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**3<sup>rd</sup> number = “abstained” votes**

along the northern side of Old Jonesboro Road and approximately 478.50 feet of road frontage along the southern side of Jonesboro Road, located in Land Lot 195, District 13, Fulton County, Georgia.

**A motion was made by Commissioner Edwards and seconded by Vice Chair Darnell to approve based on Staff's recommendation. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Hausmann, Garner, and Edwards voted yea. Commissioner Lowe did not vote.**

<b>COUNTY MANAGER – UNFINISHED BUSINESS</b>
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**Purchasing and Contract Compliance**

**12-0054** Request approval to renew existing contracts, **Housing and Human Services**, RFP #11RFP03312011A-DR, Health and Human Services Transportation Services, in the amount of \$3,306,738 with MV Transportation, Inc. (Atlanta, GA) to provide transportation services for the Aging and Behavioral Health programs. This action exercises the first of four renewal options. Three renewal options remain. Effective dates: January 18, 2012, through December 31, 2012. **(HELD 1/18/12 FOR A LACK OF FOUR AFFIRMATIVE VOTES) (APPROVED)**

**A. A motion was made by Vice Chair Darnell and seconded by Commissioner Edwards to accept the County Manager's recommendation to renew this contract. The motion carried by a vote of 5-1-0. Vice Chair Darnell and Commissioners Pitts, Hausmann, Garner, and Edwards voted yea. Chairman Eaves voted nay. Commissioner Lowe did not vote.**

**B. A substitute motion was made by Chairman Eaves to hold this Item until the first meeting in March after the investigation has been conducted by the Board of Ethics. (THE MOTION FAILED FOR A LACK OF A SECOND)**

**COUNTY MANAGER – NEW BUSINESS**

**Intergovernmental Affairs**

**12-0085** Discussion of the 2012 Draft Federal Legislative Package.  
**(CONDUCTED)**

**Vice Chair Darnell requested the Legislative Team to inform the Board about what is being done, as well as what the Board can do, regarding the upcoming issues pertaining to Medicare.**

**Chairman Eaves suggested that the Board work with the Legislative Team in taking an aggressive approach regarding the transportation reauthorization process funding, and the County Manager stated that he would provide a proposed list of transportation projects.**

**Commissioner Garner asked for information on the strategy that will be used to identify the priorities for the funding and, more specifically, she wants information on strategies to locate resources for grants from individual departments.**

**Commissioner Hausmann wants the Legislative Team to assist the Board in targeting its efforts toward areas that are more likely to be funded/approved/successful.**

**Chairman Eaves requested the County Manager to review the Board's comments/suggestions and develop a proposal on the areas that the Board can support in terms of a Legislative Package. He also asked the Legislative Team to work with the Board members who will attend the NACo Legislative Conference in regard to meeting with the Congressional Delegation members, and to provide the Delegation members with information in advance of the Board members' arrival.**

## Purchasing and Contract Compliance

**12-0086** Request approval of lowest responsible bidder, **General Services Department**, Bid #11ITB80687C-MT, Electrical On Call Maintenance Services, in the amount of \$60,000 with Capital City Electrical Services (Norcross, GA) to provide electrical on-call maintenance to Fulton County facilities, effective upon execution of contract through December 31, 2012, with two renewal options. **(APPROVED)**

**A motion was made by Commissioner Lowe and seconded by Chairman Eaves to approve. The motion carried by a unanimous vote of 7-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Hausmann, Lowe, Garner, and Edwards voted yea.**

**12-0087** Request approval to award contract without competition, **Atlanta-Fulton Public Library System**, #12SS81843B, in the amount of \$10,366.17 with the Atlanta Journal-Constitution to purchase 47 subscriptions, including same-day delivery, for 33 library branches, effective upon BOC approval. **(APPROVED)**

**A motion was made by Commissioner Lowe and seconded by Commissioner Garner to approve. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Lowe, and Garner voted yea. Vice Chair Darnell and Commissioners Hausmann and Edwards were present but did not vote.**

**12-0088** Request approval of lowest responsible bidders, **Public Works Department**, Bid #12ITB81680K-NH, 2012 Standby Miscellaneous Construction – Water System Services, in the total amount of \$3,000,000 with **(A)** Wade Coats Company, Inc. (Smyrna, GA) in the amount of \$1,590,000 and **(B)** D&H Construction Company, Inc. (Atlanta, GA) in the amount of \$1,410,000 to provide standby miscellaneous water system construction services. Contract duration is 365 consecutive calendar days from the date of issuance of Notice to Proceed. **(APPROVED)**

**A motion was made by Commissioner Lowe and seconded by Commissioner Edwards to approve. The motion carried by a vote of 6-1-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Hausmann, Lowe, Garner, and Edwards voted yea. Commissioner Pitts voted nay.**

**12-0089** Atlanta-Fulton County Water Treatment Plant (AFCWTP), with William Russell Johnson/JJG Joint Venture (Norcross GA) in the amount of \$103,000 for additional tasks and services including design, bidding, and construction administration services for the replacement of the plate settlers in the Phase 1 settling basins, effective upon BOC approval. **(APPROVED)**

**A motion was made by Commissioner Lowe and seconded by Chairman Eaves to approve. The motion carried by a vote of 6-0-0. Chairman Eaves and Commissioners Pitts, Hausmann, Lowe, Garner, and Edwards voted yea. Vice Chair Darnell was present but did not vote.**

<b>COMMISSIONERS ITEMS – UNFINISHED BUSINESS</b>
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**11-1154** Update on the transfer of certain funds from the Northwest and Northeast Subdistrict Funds to the General Fund. **(Pitts) (HELD 12/21/11, 1/4/12, and 1/18/12) (CONDUCTED)**

**A motion was made by Commissioner Edwards and seconded by Vice Chair Darnell to remove the restriction on the use of these funds in the General Fund and use the money on any General Fund function/service as determined by the Board. (MOTIONS WITHDRAWN)**

**11-1155** Discussion on the motion to allocate \$3,932,129.18 to the Fulton-DeKalb Hospital Authority at the December 7, 2011 Regular Meeting of the BOC. **(Pitts) (HELD 12/21/11, 1/4/12, and 1/18/12) (CONDUCTED)**

**Commissioner Pitts requested the County Attorney to put in writing the manner in which the motion on Item #11-1042 should have been made to be procedurally correct.**

**12-0057** Report of Board Representative to the Atlanta Development Authority Board of Directors. **(Darnell) (HELD 1/18/12) (CONDUCTED)**

**12-0058** Strategies for the 2013 Budget Process. **(Eaves) (HELD 1/18/12) (DISCUSSED)**

**COMMISSIONERS ITEMS – NEW BUSINESS**

**Commissioners Action Items**

**12-0090** Request approval of a Resolution urging the Georgia General Assembly to repeal the Fulton County Budget Law and permit Fulton County to establish a new fiscal year. **(Pitts) (APPROVED)**

**A motion was made by Commissioner Pitts and seconded by Commissioner Edwards to approve. The motion carried by a vote of 6-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Hausmann, Garner, and Edwards voted yea. Commissioner Lowe did not vote.**

**12-0091** Request approval of a Resolution to require feasibility and fiscal impact data prior to creation of new departments in the County. **(Edwards) (HELD)**

**A. A motion was made by Commissioner Edwards and seconded by Vice Chair Darnell to approve. (NO VOTE TAKEN)**

**B. A motion was made by Commissioner Edwards and seconded by Chairman Eaves to hold for 30 days. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Garner, and Edwards voted yea. Commissioner Hausmann was present but did not vote. Commissioner Lowe did not vote.**

**12-0092** Request approval of a Resolution to amend Section 102-358 of the Fulton County Code of Laws and Ordinances relating to Local Preference in Contracting, so as to change the Local Preference points awarded to a proposer qualifying for Local Preference from ten (10) points to five (5) points; and to direct the County Manager to implement a policy requiring that the minimum points awarded for price as an evaluation factor in a solicitation procured by request for proposals shall not be less than ten (10) points; to provide for an effective date; and for other purposes. **(Pitts) (NO VOTE TAKEN)**

**Chairman Eaves requested the County Manager to include the contents of this Item in his report/review on the County's procurement policies and procedures. (Cross ref: Item #12-0072)**

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*2<sup>nd</sup> number = "nay" votes*

*3<sup>rd</sup> number = "abstained" votes*

### Commissioners Discussion Items

**12-0093** Discussion: Intrafund Transfers. **(Hausmann) (HELD)**

**THIS ITEM WAS HELD FOR TWO WEEKS, AS REQUESTED BY COMMISSIONER HAUSMANN.**

**12-0094** Discussion: A full update on the Library Capital Improvement Program, Phase 1. **(Pitts) (CONDUCTED)**

**Chairman Eaves suggested that the Board consider a better mechanism, perhaps a work session, to engage key people for the purpose of keeping the project moving forward in a timely and effective manner. He further suggested that the work session take place toward the end of March 2012.**

**Vice Chair Darnell requested the County Manager to place the Library Update on each Recess Meeting agenda as a means of monitoring progress. She also wants a list of beginning and ending dates for projects involved in the procurement. She further requested that the project's reports have fewer graphics.**

### District Board Appointments

**12-0059** FRESH (Fulton Roundtable Expanded Services Headquarters) Citizens Advisory Board **(HELD 1/18/12) (APPROVED)**

Term = 1 Year

Terms below expired December 31, 2011:

Ms. Deborah D. Young **(Hausmann)**  
Ms. Barbara Duffy **(Hausmann)**  
Mr. Glen Rudh **(Hausmann)**  
Mr. Benjamin Cummings **(Edwards)**  
Ms. Taffi I. Vincent **(Edwards)**  
Mr. Mose James **(Edwards)**  
Ms. Ruby Robbins **(Darnell)**  
Ms. Patricia Floyd **(Darnell)**  
Ms. Evelyn Brown **(Darnell)**  
Dr. Amelia Langston **(Garner)**

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**3<sup>rd</sup> number = “abstained” votes**

Mr. Byron Amos (**Garner**)  
Ms. Liz Coyle (**Garner**)  
Ms. Carol Lindberg (**Lowe**)  
Rev. Frank Lewis (**Lowe**)  
Dr. Barbara Reed (**Lowe**)

**Commissioner Lowe nominated Ms. Carol Lindberg, Rev. Frank Lewis, and Dr. Barbara Reed for District reappointments to terms ending December 31, 2012.**

**A. A motion was made by Vice Chair Darnell and seconded by Commissioner Garner to approve Items #12-0059 (nominations of Ms. Carol Lindberg, Rev. Frank Lewis, and Dr. Barbara Reed), #12-0060, #12-0061, and #12-0095. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Garner, and Edwards voted yea. Vice Chair Darnell was present but did not vote. Commissioners Hausmann and Lowe did not vote.**

**THE FOLLOWING NOMINATIONS WERE ADDED DURING THE MEETING:**

**Vice Chair Darnell nominated Ms. Ruby Robbins, Ms. Patricia Floyd, and Ms. Evelyn Brown for District reappointments to terms ending December 31, 2012.**

**Commissioner Garner nominated Dr. Amelia Langston and Ms. Liz Coyle for District reappointments to terms ending December 31, 2012.**

**B. A motion was made by Vice Chair Darnell and seconded by Commissioner Edwards to approve Item #12-0059 (nominations of Ms. Ruby Robbins, Ms. Patricia Floyd, Ms. Evelyn Brown, Dr. Amelia Langston, and Ms. Liz Coyle). The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Garner, and Edwards voted yea. Commissioners Hausmann and Lowe did not vote.**

**12-0060** Fulton-DeKalb Hospital Authority d/b/a Grady Health System (**HELD 1/18/12**) (**APPROVED**)

Term = 4 years

Terms below expired December 31, 2011:

Ms. Avia Turner-Gray (**Edwards**)

Mr. George Lemuel Hewes (**Lowe**)

**Commissioner Lowe nominated Mr. George Lemuel Hewes for a District reappointment to a term ending December 31, 2015.**

**A motion was made by Vice Chair Darnell and seconded by Commissioner Garner to approve Items #12-0059 (nominations of Ms. Carol Lindberg, Rev. Frank Lewis, and Dr. Barbara Reed), #12-0060, #12-0061, and #12-0095. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Garner, and Edwards voted yea. Vice Chair Darnell was present but did not vote. Commissioners Hausmann and Lowe did not vote.**

**12-0061** Fulton County Citizens Commission on the Environment (**HELD 1/18/12**) (**APPROVED**)

Term = 4 years

Terms below expired January 1, 2008:

Ms. E. Allison Keefer (**Handel**)

Dr. Vivian Steadman (**Darnell**)

Terms below expired January 1, 2012:

Mr. Dolan Falconer (**Edwards**)

Ms. Stacy Patton (**Edwards**)

Mr. William H. Teasley (**Boxill**)

Mr. Bill Eisenhauer (**Boxill**)

Mr. Earl Bozeman (**Riley**)

Ms. Tia Bohannon (**Riley**)

Mr. Charles Bryant (**Darnell**)

Mr. Raghu Raju (**Pitts**)

Mr. John A. Sherrill (**Lowe**)

Mr. Robert F. Peoples (**Lowe**)

**POST AGENDA MINUTES – REGULAR MEETING – February 1, 2012**

**Voting Breakdown: 1<sup>st</sup> number = “yea” votes**

**2<sup>nd</sup> number = “nay” votes**

**3<sup>rd</sup> number = “abstained” votes**

**Commissioner Lowe nominated Mr. John A. Sherrill and Mr. Robert F. Peoples for District reappointments to terms ending January 1, 2016.**

**A motion was made by Vice Chair Darnell and seconded by Commissioner Garner to approve Items #12-0059 (nominations of Ms. Carol Lindberg, Rev. Frank Lewis, and Dr. Barbara Reed), #12-0060, #12-0061, and #12-0095. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Garner, and Edwards voted yea. Vice Chair Darnell was present but did not vote. Commissioners Hausmann and Lowe did not vote.**

**12-0095** Fulton County Arts Council (**APPROVED**)

Term = 2 years. Terms below expired November 27, 2011:

Mr. Steven L. Guy (**Pitts**)  
Ms. Joan Compton (**Riley**)  
Ms. Nancy F. Reynolds (**Boxill**)  
Mr. Walter I. Canady (**Eaves**)  
Dr. Ruth Hilson Pace (**Darnell**)  
Ms. Catherine Moore (**Riley**)  
Ms. Barbara Lyles Anderson (**Lowe**)  
Ms. Malinda Logan (**Edwards**)

**Commissioner Garner nominated Dr. F. Karcheik Sims-Alvarado to replace Ms. Nancy F. Reynolds for a District appointment to a term ending November 27, 2013.**

**\*Commissioner Pitts has nominated Mr. Steven L. Guy for a District reappointment to a term ending November 27, 2013. (\*THIS NOMINATION WAS ADDED UPON THE ADOPTION OF THE AGENDA)**

**A motion was made by Vice Chair Darnell and seconded by Commissioner Garner to approve Items #12-0059 (nominations of Ms. Carol Lindberg, Rev. Frank Lewis, and Dr. Barbara Reed), #12-0060, #12-0061, and #12-0095. The motion carried by a vote of 4-0-0. Chairman Eaves and Commissioners Pitts, Garner, and Edwards voted yea. Vice Chair Darnell was present but did not vote. Commissioners Hausmann and Lowe did not vote.**

## Full Board Appointments

### 12-0062 Grievance Review Committee (**HELD 1/18/12**) (**APPROVED**)

Term = 2 years.

Term below expired May 15, 2011:

Ms. Anne Haimes (**BOC #1**)

**The County Manager recommended Ms. Anne Haimes for reappointment to a term ending May 15, 2013.**

**A motion was made by Commissioner Edwards and seconded by Commissioner Garner to approve. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Garner, and Edwards voted yea. Commissioners Hausmann and Lowe did not vote.**

### 12-0096 Development Authority of Fulton County (**APPROVED**)

Term = 4 years. Terms below expire May 31, 2013:

Ms. Patrise Perkins Hooker (**Edwards**)

Mr. John Dorris (**Riley**)

Mr. Robert J Shaw (**Lowe**)

Mr. Harold A Dawson (**BOC #1/Edwards**)

Mr. Samuel Bacote (**Eaves**)

Mr. David Pendleton Hodge (**BOC #2/Hausmann**)

Mr. Walter Metze (**Darnell**)

**Commissioner Edwards nominated Dr. Samuel D. Jolley, Jr. to replace Mr. Harold A. Dawson for a full Board appointment to an unexpired term ending May 31, 2013.**

**A motion was made by Commissioner Edwards and seconded by Vice Chair Darnell to approve. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Garner, and Edwards voted yea. Commissioners Hausmann and Lowe did not vote.**

## Executive (Closed) Session

**12-0097** Executive (CLOSED) Session regarding litigation (**County Attorney**), real estate (**County Manager**), and \*personnel. (**CONDUCTED AND ACTION TAKEN**)

**\*THE EXECUTIVE SESSION REGARDING PERSONNEL WAS ADDED DURING THE MEETING.**

**PRESENT IN THE EXECUTIVE SESSIONS: Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Hausmann, Lowe, Garner, and Edwards; County Manager Zachary L. Williams; County Attorney R. David Ware; and Clerk to the Commission Mark Massey.**

**A motion was made by Chairman Eaves and seconded by Commissioner Edwards to authorize the County Attorney to settle the case of Baldwin vs. Wyatt, Platt, and Davis for \$10,000. The motion carried by a vote of 5-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Garner, and Edwards voted yea. Commissioners Hausmann and Lowe did not vote.**

### ADDED UPON THE ADOPTION OF THE AGENDA

**12-0098** **Commissioners Item** – Discussion: Fulton/Atlanta Land Bank Authority. (Darnell) (HELD)

**THIS ITEM WAS HELD FOR TWO WEEKS, AS REQUESTED BY VICE CHAIR DARNELL.**

### ADJOURNMENT

**Chairman Eaves adjourned the meeting at 4:36 p.m.**