

DeKalb County Board of Commissioners  
**Lee May**  
Presiding Officer



**Board of Commissioners**  
District 1 - Elaine Boyer  
District 2 - Jeff Rader  
District 3 - Larry Johnson  
District 4 - Sharon Barnes Sutton  
District 5 - Lee May  
District 6 - Kathie Gannon  
District 7 - Stan Watson

**DEKALB COUNTY GEORGIA  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
APRIL 9, 2013**

**A. INSPIRATIONAL**

**Rev. Harold Lockett**  
St. Paul's Episcopal Church

**PLEDGE OF ALLEGIANCE**

Commissioner Sharon Barnes Sutton  
District 4

**B. PRESENTATIONS ..... Fair Housing Month**

**E-911 Public Safety Telecommunications Week**

**C. COMMENTS FROM THE PUBLIC**

*The Public Comments portion of this meeting is reserved exclusively for comments from the public, and not for immediate reply. Statements made during the Public Comments portion do not necessarily reflect the Opinions of the Board or the Administration of DeKalb County Government.*

*The purpose of public comment is to allow the public to voice county-related requests, concerns or opinions during the public comment portion of the Commission meeting. Individual speakers will only have the opportunity for one public comment per meeting. Prior to speaking, each speaker must please complete a speaker card and present it to the clerk before the beginning of the public comment portion of the meeting. The clerk will accept cards on a first come first served basis. Speakers who are residents of DeKalb County shall be allowed to speak before residents of other counties are allowed to speak. Once the public comment portion of the meeting begins, speaker cards will no longer be accepted. Speakers will be allowed to speak for three minutes each and public comment shall not exceed 30 minutes in length. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to yield the podium. Those who submitted speaker cards but did not speak because of the time allotment, will be allowed to speak first at the next regularly scheduled commission meeting without regard to residence. For more information about scheduling this opportunity, please speak with a member of the Clerk's staff. If you would like to fill out a written comment concerning county-related service complaints, this will help the governing authority to forward the complaints to the appropriate department for follow up. When speaking, always talk directly into the microphone and begin by stating your name, full address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker's position.*

## D. 10:00 A.M. PUBLIC HEARING

*Citizens may speak for or against an item that is considered by law to be a zoning ordinance and each side will have ten minutes to presents its case. Citizens may also speak for or against an item that is placed on the public hearing agenda but is not a zoning ordinance. In that case, each side will have five minutes to present its case. In the event there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the ten-minute time allotment, or the five-minute time allotment. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to leave the podium area. Prior to speaking, please complete a speaker card and present it when approaching the podium. If you have any documents for the Commissioners, please provide 10 copies when approaching the podium. Seven copies are for the Commissioners and the remaining copies are for the planning director, the county attorney and the clerk. Applicants or citizens speaking in favor of an item shall speak first and applicants in zoning ordinance cases shall have the right to reserve time for rebuttal. Opponents of a zoning ordinance item shall have no right of rebuttal. Once the citizens have finished speaking, staff shall make a recommendation for action to the commission. At this point, citizens are no longer allowed to speak unless called to the podium by an individual commissioner to answer questions or provide information. When speaking, always talk directly into the microphone and begin by stating your name, address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker's position.*

### Finance

**D1.** Home Rule Ordinance to Amend the Pension Code of DeKalb County, Georgia, 1962 Ga. Laws 3088, as Amended, to Change Employee Pension Contribution Rates Effective April 1, 2013; Set the Pension Benefit Level for Future Employees Hired on or after April 1, 2013; and Make other Clarifying Changes (*Normal Coursed from the 1/8/13 Regular BOC Meeting; Assigned to the 1/15/13 Employee Relations & Community Services Committee – no recommendation; Deferred from the 1/22/13 Regular BOC Meeting; Discussed during the 2/5/13 & 2/19/13 Employee Relations & Community Services Committee Meetings – no recommendation; Deferred from the 2/12/13 Regular BOC Meeting – **for public hearing**; Deferred from the 3/12/13 Regular BOC Meeting; Discussed during the 3/19/13 Employee Relations & Community Services Committee – no recommendation; Discussed during the 4/2/13 Employee Relations & Community Services Committee – recommended deferring for 3 months)*

### Planning & Sustainability: Commission Districts 5 & 7

**D2.** Special Land Use Permit – SLUP-13-18409 – Norma Glenn (*Deferred from the 3/26/13 BOC Rezoning Meeting – **for decision only***)

### Public Works: Commission Districts: 2 & 6

**D3.** Resolution, Order and Declaration of Taking – SR236/Lavista Road and Oak Grove Road, 2741 and 2747 Lavista Road; 0.100 Acres of Right of Way, 0.049 Acres of Temporary Construction Easement; Owner(s): Kantoos & Sons, LLC (*Accepted to the Regular BOC Meeting Agenda*)

**D4.** Resolution, Order and Declaration of Taking – SR236/Lavista Road and Oak Grove Road, 2781 Lavista Road; 0.014 Acres of Right of Way, 0.068 Acres of Temporary Construction Easement; Owner(s): DWAG Decatur, LLC (*Accepted to the Regular BOC Meeting Agenda*)

**D5.** Resolution, Order and Declaration of Taking – SR236/Lavista Road and Oak Grove Road, 2788 Lavista Road; 0.069 Acres of Right of Way, 0.047 Acres of Temporary Construction Easement; Owner(s): Jack H. Speir (*Accepted to the Regular BOC Meeting Agenda*)

**E. APPEALS**

**Commission Districts: 2 & 6**

E1. Appeal of Decision of Historic Preservation Commission Relating to Property at 433 Burlington Drive, Atlanta, GA 30307, Druid Hills Historic District, by Dell F. MacGregor (*Accepted to the Regular BOC Meeting Agenda*)

**F. APPOINTMENTS**

F1. NONE

**G. CONSENT AGENDA**

**Human & Community Development**

G1. 2013 CDBG Youth Set-Aside Fund for Summer Voucher Program (*Accepted to the Regular BOC Meeting Agenda*)

**Police Department**

G2. Addition to Authorized Vehicle Fleet Using Federal Seized Funds in the Amount of \$1,438.80 (*Accepted to the Regular BOC Meeting Agenda*)

G3. Cancellation of Lease Agreement Mack III Development - Police Department South Precinct (*Accepted to the Regular BOC Meeting Agenda*)

**H. PRELIMINARY ITEMS**

**Human & Community Development**

H1. DeKalb Regional Land Bank Authority - NSP Contract Amount Not to Exceed \$300,000 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

**Public Works**

H2. Acceptance of GDOT Earmark Funds for Candler Road Landscape and Resurfacing Commission Districts 3 & 6 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Public Works & Infrastructure Committee – recommended approval*)

**Purchasing & Contracting**

H3. **Purchases (Low Bidder)**

LB1. Truck Crew Cab and Chassis with Line Maintenance Body: Invitation No. 3002692 for Public Works to be used by the Department of Watershed Management. TOTAL AMOUNT: \$370,707.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

LB2. Mobile Crime Scene Lab: Invitation No. 3002749 for Public Works to be used by Police Services. TOTAL AMOUNT: \$187,488.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

LB3. Cab and Chassis with Container Delivery Unit (CNG): Invitation No. 3002765 for Public Works. TOTAL AMOUNT: \$175,311.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

- LB4. Operation and Maintenance of Pole Bridge Creek Sludge Land Application System: Invitation No. 11-100265 for use by the Department of Watershed Management for the land application of biosolids at the Pole Bridge Wastewater Treatment Plant in DeKalb County, Georgia. AMOUNT NOT TO EXCEED: \$5,014,557.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

**Purchases (Cancellation)**

- C1. Operation and Maintenance of Pole Bridge Creek Sludge Land Application System: Invitation No. 11-100265 for use by Department of Watershed Management for the land application of biosolids at Polebridge Wastewater Treatment Plant in DeKalb County, Georgia. AMOUNT NOT TO EXCEED: \$3,984,516.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

**Purchases (Extensions)**

- EXT1. Operation and Maintenance of Pole Bridge Creek Sludge Land Application System: Contract No. 06-900112, for use by the Department of Watershed Management for land application of biosolids and obtaining operating permits for the Polebridge Wastewater Treatment Plant, as required by the Environmental Protection Division. AMOUNT NOT TO EXCEED: \$83,124.34 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- EXT2. Delivery and Installation of Sod (Annual Contract): Invitation No. 3002161 for use by Public Works to install sod at the Seminole Road Landfill. AMOUNT NOT TO EXCEED: \$441,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval with change in amount to \$300,000)*
- EXT3. Herbicide and Kudzu Control Services (Annual Contract): Invitation No. 3002117 for use by Public Works. AMOUNT NOT TO EXCEED: \$137,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- EXT4. Provision of Temporary Personnel Services, RFP No. 08-500089, for use by all departments for temporary workers on an as needed basis. MONTHLY AMOUNT NOT TO EXCEED: \$95,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

**Purchases (SWC)**

- SW1. Ford F-150 V6: Invitation No. 3002815 for Public Works to be used by the Department of Watershed Management. TOTAL AMOUNT: \$204,741.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- SW2. Ford F-150 V8: Invitation No. 3002819 for Public Works to be used by the Department of Watershed Management. AMOUNT NOT TO EXCEED: \$3,400,000.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*
- SW3. Ford Fusion Se Sedan: Invitation No. 3002816 for Public Works to be used by the Sheriff's Office. TOTAL AMOUNT: \$67,029.00 *(Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval)*

Purchases (Emergency)

EM1. Emergency Request: Maintenance of The Computer Aided Dispatch (CAD) System: for use by Public Safety to provide maintenance for the existing CAD System which supports the E911 system. MONTHLY AMOUNT NOT TO EXCEED: \$34,404.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee*)

**I. ITEMS FOR DECISION BY THE BOARD**

**GIS: Commission Districts 5 & 7**

I1. Resolution Authorizing the Sale of an Unredeemed and Unforeclosed Interest in Property – Hilda Burns Pl. (*Deferred from the 2/12/13, 2/26/13, 3/12/13 & 3/26/13 Regular BOC Meetings*)

**Police**

I2. Grant Acceptance – Office of National Drug Control Policy for FY12 High Intensity Drug Trafficking Area (H.I.D.T.A.) Grant (*Deferred from the 3/26/13 Regular BOC Meeting; Assigned to the County Operations & Public Safety Committee – recommended approval*)

**Public Works**

I3. Increase in Storm Water Utility Fee (*Deferred from the 12/4/12, 1/22/13, 3/12/13 Regular BOC Meetings; Assigned to the Public Works & Infrastructure Committee & Committee of the Whole*)

**Public Works & GIS**

I4. Sale of Property to Avondale Estates – Lanier Gardens Park; 15- 248-07-001; 15-248-07-002 Valued at \$22,500.00 (*Deferred from the 2/12/13, 3/12/13 & 3/26/13 Regular BOC Meetings*)

**Watershed Management**

I5. Ordinances to Amend Chapter 2 for the Creation of Special Tax Districts for Water and Sewer Projects (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Public Works Committee – no official recommendation; Deferred from the 6/12/12, 7/10/12, 8/14/12, 8/28/12 & 9/11/12 Regular BOC Meetings; Discussed in the 9/11/12 Public Works Committee – recommended 2-week deferral; Deferred from the 9/25/12, 10/9/12 & 10/23/12 Regular BOC Meetings; Re-assigned to the Public Works Committee – recommended approval; Deferred from the 11/6/12, 11/13/12, 12/11/12 & 1/22/13 Regular BOC Meetings; Re-assigned to the Public Works Committee; Deferred from the 3/12/13 & 3/26/13 Regular BOC Meetings; Discussed during the 4/2/13 Public Works Committee meeting – recommended approval*)

**J. COMMENTS FROM THE BOARD**

**POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY**

The DeKalb County Government does not discriminate on the basis of disability in the admission or access to, or treatment of employment in its programs or activities. The Office of Contract Compliance and EEO, 1300 Commerce Drive, Decatur, GA 30030, 404-371-4795 & TDD 404-371-7064, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act and the rights provided there under are available from the ADA Coordinator. A ten-day notice is requested for special accommodations.