

DeKalb County Board of Commissioners
Larry Johnson, MPH
Presiding Officer



Board of Commissioners

- District 1 - Nancy Jester
- 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
FEBRUARY 10, 2015**

- A. **INSPIRATIONAL** **Rabbi Adam Starr**
Young Israel Synagogue

- PLEDGE OF ALLEGIANCE** Commissioner Barnes Sutton
District 4

- B. **PRESENTATIONS** **The American Heart Association's Go Red for Women**

- 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. 2015 Budget (*Accepted to the Regular BOC Meeting Agenda*)

Planning & Sustainability – Commission Districts 3 & 7

D2. Modification of Conditions , CZ-15-19571 Irvin E. Bryant (*Deferred from the 11/18/14 BOC Rezoning Meeting – for decision only*)

D3. Special Land Use Permit, SLUP-15-19577 Siyoum Sengal (*Deferred from the 11/18/14 BOC Rezoning Meeting – for decision only*)

Planning & Sustainability – Commission Districts 5 & 7

D4. Special Land Use Permit, SLUP-14-19359 Samir Patel (*Deferred from the 11/18/14 BOC Rezoning Meeting – for decision only; Deferred from the 12/9/14 Regular BOC Meeting – for decision only; Deferred from the 1/13/15 Regular BOC Meeting – for decision only*)

D5. Rezoning, Z-14-19475 Samir Patel (*Deferred from the 11/18/14 BOC Rezoning Meeting – for decision only; Deferred from the 12/9/14 Regular BOC Meeting – for decision only; Deferred from the 1/13/15 Regular BOC Meeting – for decision only*)

D6. Zoning Modification, CZ-15-19592 Anthony Palmer (*Deferred from the 11/18/14 BOC Rezoning Meeting – for decision only*)

Public Works: Commission Districts 2 & 6

D7. Traffic Calming Petition – Clairmont Circle (between Myrtle Lane & Webster Drive) (*Deferred from the 1/27/15 Regular BOC Meeting – for public hearing*)

Public Works: Commission Districts 2 & 7

D8. Traffic Calming Petition – Lindmoor Drive (between McLendon Drive & Delia Drive) (*Deferred from the 1/27/15 Regular BOC Meeting – for public hearing*)

Public Works: Commission Districts 4 & 7

D9. Traffic Calming Petition – 4th Street (between East Mountain Street & James B Rivers/Memorial Dr.) (*Deferred from the 1/27/15 Regular BOC Meeting – for public hearing*)

Public Works: Commission Districts 5 & 7

D10. Traffic Calming Petition – Bexley Drive (between Mercer Road & 4490 Bexley Drive) (*Deferred from the 1/27/15 Regular BOC Meeting – for public hearing*)

Public Works – Transportation: Commission Districts 5 & 7

D11. Street Light Petition – Stone Meadow Road and Stone Meadow Trail (*Accepted to the Regular BOC Meeting Agenda; Deferred from the 1/27/15 Regular BOC Meeting*)

E. APPEALS

E1. NONE

F. APPOINTMENTS

F1. Appointment to Commission District 5 of DeKalb County – Mr. George Turner (*Deferred from the 8/12/14 & 8/26/14 Regular BOC Meetings; No action due to lack of a second during the 9/9/14 Regular BOC Meeting; No action due to lack of four votes during the 9/23/14, 10/14/14, 10/28/14, 11/4/14, 11/18/14, 12/9/14, 12/16/14, 1/13/15 & 1/27/15 Regular BOC Meetings*)

F2. Appointment of DeKalb County Recorder’s Court Judge—Roderick Bridges (*Accepted to the Regular BOC Meeting Agenda; Deferred from the 12/9/14 Regular BOC Meeting*)

G. CONSENT AGENDA

Cooperative Extension

G1. Authorization to Submit a Grant Application for a Food Well Alliance Local Food Grant in the Amount of \$25,000 to Support a Mobile Farmer’s Market (*Accepted to the Regular BOC Meeting Agenda*)

County Clerk

G2. Approval of Minutes of the Regular Meeting of January 13, 2015 (*Accepted to the Regular BOC Meeting Agenda*)

Public Works/Sanitation

G3. Acceptance of \$1,200,000 Grant from Atlanta Gas Light (AGL) for a Compressed Natural Gas (CNG) Compression Station, Up-grade Existing Natural Gas Service Line, a Fast-Fill CNG Storage Facility and the Sanitation Grant Match of \$498,902 for a CNG Fuel Dispensers, Signage and an All-Weather Canopy to be Constructed by AGL at the Sanitation Central Transfer Station Located on Leroy Scott Drive in Decatur (*Accepted to the Regular BOC Meeting Agenda*)

G4. Georgia Environmental Finance Authority (GEFA) Loan Acceptance (*Accepted to the Regular BOC Meeting Agenda*)

Public Works/Transportation: Commission Districts 4 & 7

G5. Acceptance of Additional Funding from GDOT for South Stone Mountain Lithonia Road Bicycle/Pedestrian Facilities (*Accepted to the Regular BOC Meeting Agenda*)

H. PRELIMINARY ITEMS

Board of Commissioners – District 4

H1. Auditor Investigator to Serve with the Office of the Internal Auditor (*Accepted to the Regular BOC Meeting Agenda*)

Public Works/Sanitation

H2. Sanitation Service Level Change for Unincorporated DeKalb County (*Accepted to the Regular BOC Meeting Agenda*)

Purchasing and Contracting

H3. Purchases (**Low Bidder**)

LB1. Dirt Screening (Annual Contract with 2 options to renew): Invitation No. 3003277 for Public Works - Sanitation. Amount not to exceed: \$194,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

LB2. Composting Operations (Annual Contract with 2 options to renew): Invitation No. 3003278 for use by Public Works – Sanitation. Amount not to Exceed: \$250,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

LB3. Water Line Replacement on Superior Avenue: Invitation No. 13-100362 for use by the Department of Watershed Management. Amount Not to Exceed: \$1,154,077.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

Purchases (Increase)

I1. Chiller Inspection, Repair and Preventative Maintenance Service (Annual Contract): Invitation No. 3002427 for use by Facilities Management. Amount Not to Exceed: \$300,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

I2. Repair of Equipment: All automotive, On-the-Road, Off-the-Road, Vehicles, Motorcycles, Trucks, Trailers and Equipment (Annual Contract): Invitation No. 3002960 for use by Public Works – Fleet Management. Amount Not To Exceed: \$2,100,000.00 (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – recommended approval*)

Purchases (Pre-Qualifications)

PQ1. Application for Pre-Qualification of General Contractor to bid on Snapfinger Advanced Wastewater Treatment Facilities Expansion – Phase 2: Request for Pre-Qualification No. 14-700066 for use by the Department of Watershed Management (*Accepted to the Regular BOC Meeting Agenda; Assigned to the Finance, Audit & Budget Committee – no recommendation necessary; provided for informational purposes*)

I. ITEMS FOR DECISION BY THE BOARD

Board of Commissioners

I1. Election of a Presiding Officer (*No action due to lack of four votes during the 1/13/15 Regular BOC Meeting; Deferred from the 1/27/15 Regular BOC Meeting*)

Board of Commissioners – District 4

12. Amending the Code of DeKalb County as Revised 1988, Chapter 2 Article IX, Office of the Internal Auditor, and Directing Staff to begin the Process to Hire the Internal Auditor (*Accepted to the Regular BOC Meeting Agenda; Substitute Deferred from the 10/14/14 Regular BOC Meeting; Deferred from the 10/28/14 Regular BOC Meeting; Assigned to the Finance, Audit & Budget Committee; Deferred from the 11/18/14 & 12/9/14 Regular BOC Meetings; Substitute Deferred from the 1/13/15 Regular BOC Meeting; Substitute changing subject name from Contracting with Internal Audit -- Deferred from the 1/27/15 Regular BOC Meeting*)

Board of Commissioners – District 6

13. Resolution Encouraging the Delegation to the General Assembly to Create an Independent Internal Audit Oversight Committee (*Normal Coursed from the 1/27/15 Regular BOC Meeting; Substitute accepted during the 2/3/15 Committee of the Whole*)
14. Resolution Encouraging Changes in the Appointment Process to the Board of Ethics (*Normal Coursed from the 1/27/15 Regular BOC Meeting*)

CEO & Board of Commissioners

15. Resolution Encouraging the Creation of a Charter Review Commission to Review the Organizational Act and Form of Government of DeKalb County, Georgia (*Normal Coursed from the 1/13/15 Regular BOC Meeting; Deferred from the 1/27/15 Regular BOC Meeting and assigned to the 2/3/15 Committee of the Whole*)
16. Resolution of the Governing Authority of DeKalb County to Request the Adoption of Standards for the Creation of New Cities and Annexations (*Normal Coursed from the 1/13/15 Regular BOC Meeting; Deferred from the 1/27/15 Regular BOC Meeting and assigned to the 2/3/15 Committee of the Whole*)
17. Resolution Requesting that the DeKalb Delegation to the General Assembly to Extend the Current Property Tax Freeze Sunset Provision Set to Expire in 2017 through Calendar Year 2022 (*Normal Coursed from the 1/13/15 Regular BOC Meeting; Deferred from the 1/27/15 Regular BOC Meeting and assigned to the 2/3/15 Committee of the Whole*)
18. Resolution Requesting the Georgia General Assembly to Respect the Home Rule Authority of DeKalb County (*Normal Coursed from the 1/13/15 Regular BOC Meeting; Deferred from the 1/27/15 Regular BOC Meeting and assigned to the 2/3/15 Committee of the Whole*)
19. Resolution Encouraging the DeKalb County Delegation to the Georgia General Assembly to Amend the Organizational Act of DeKalb County, Georgia to Require that the Purchasing Policy of DeKalb County Government be set by Ordinance of the Governing Authority (*Normal Coursed from the 1/13/15 Regular BOC Meeting; Deferred from the 1/27/15 Regular BOC Meeting and assigned to the 2/3/15 Committee of the Whole*)
110. Resolution Requesting that the DeKalb Delegation to the General Assembly to Review the Homestead Option Sales Tax (HOST) Distribution Methodology; an Allow for 100% of HOST for Property Tax Relief and Alternatives for Capital Funding (*Normal Coursed from the 1/13/15 Regular BOC Meeting; Deferred from the 1/27/15 Regular BOC Meeting and assigned to the 2/3/15 Committee of the Whole*)

- I11. Resolution Requesting that the DeKalb Delegation to the General Assembly should Adopt a Plan to Temporarily Share Non-residential Property Tax Base in DeKalb County, Georgia (*Normal Coursed from the 1/13/15 Regular BOC Meeting; Deferred from the 1/27/15 Regular BOC Meeting and assigned to the 2/3/15 Committee of the Whole*)
- I12. Resolution Requesting that the DeKalb Delegation to the General Assembly to have Unincorporated Areas Created after December 2014 to Share the Unfunded Legacy Cost for Employees who Provided Services to those Areas (*Normal Coursed from the 1/13/15 Regular BOC Meeting; Deferred from the 1/27/15 Regular BOC Meeting and assigned to the 2/3/15 Committee of the Whole*)
- I13. Re-allocation of Project Budgets within the 2011 Bond Fund (*Deferred from the 12/9/14 Regular BOC Meeting; Assigned the Finance, Audit & Budget Committee; Deferred from the 12/16/14, 1/13/15 & 1/27/15 Regular BOC Meetings*)

J. COMMENTS FROM THE BOARD

POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY IN COUNTY SERVICES.

DeKalb County Government does not discriminate against qualified individuals with disabilities or exclude them from participating in or receiving benefits of its services, programs, or activities, based on disability. Alfred Elder, DeKalb County Government's Employee Relations Manager and ADA Coordinator, is designated to coordinate the County's compliance with Part 35 of the Department of Justice regulations regarding the Americans with Disabilities Act. Alfred Elder may be contacted at 1300 Commerce Drive, 1st Floor, Decatur, GA 30030, (404) 687-4007, to request information about access for persons with disabilities to County services, programs and activities, or to discuss a grievance regarding an impediment to such access. Ten days notice is requested for special accommodations.