

MINUTES OF DEKALB COUNTY BOARD OF COMMISSIONERS

February 7, 2017

9:00 a.m.

SPECIAL CALLED MEETING

STATE OF GEORGIA
COUNTY OF DEKALB

A Special Called Meeting was convened Tuesday, February 7, 2017 at 9:00 a.m. in the Maloof Auditorium, 1300 Commerce Drive. Commissioner Kathie Gannon, Presided.

Members Present

Nancy Jester, Jeff Rader, Larry Johnson, Steve Bradshaw, Mereda Davis Johnson, Kathie Gannon, Gregory Adams

Administration:

Michael Thurmond, CEO, **Zachary Williams**, Executive Assistant/Chief Operating Office

Staff Present:

Barbara Sanders-Norwood, County Clerk, **Dianne McNabb**, Interim Finance Director
O.V. Brantley, County Attorney, **Viviane Ernestes**, Deputy County Attorney

POST AGENDA/PRELIMINARY MINUTES: The Official Minutes of this meeting are tentative and have neither been ratified, nor approved, by the Board of Commissioners; and this Post-Agenda/Preliminary Minutes is not binding on the County or on any officer thereof.

Work Session

I. Committee of the Whole

- A. Committee Reports
- B. Animal Shelter Update
- C. Sanitation Update
- D. Review of the Proposed Executive Agenda for February 14, 2017

II. Special Call Meeting

- A. Executive Session
- B. Proposed settlement of lawsuit filed by Marquez Redden against Officer Burrell Daniel, Jr.
- C. Proposed settlement of lawsuit filed by Paul Champion against DeKalb County.

DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2017

HEARING TYPE
Preliminary

ACTION TYPE
Resolution

7105 7 0 037

SUBJECT: To Convene an Executive Session Meeting

DEPARTMENT: County Clerk

PUBLIC HEARING: YES NO

ATTACHMENT: YES No

PAGES:

INFORMATION CONTACT: Barbara H. Sanders
County Clerk
PHONE NUMBER: (404) 371-2162

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JMM

PURPOSE:

To Convene an Executive Session Meeting

NEED/IMPACT:

To conduct business conducted in Executive Session.

RECOMMENDATION(S):

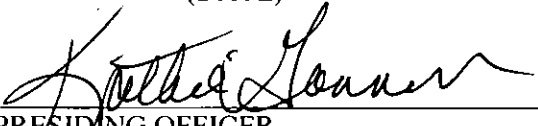
As the Board desires

FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION:

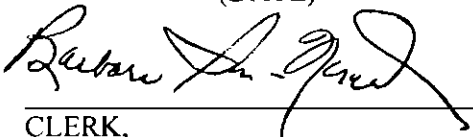
MOTION was made by Commissioner Rader, seconded by Commissioner Johnson, and passed 7-0-0 to convene an Executive Session Meeting.

ADOPTED: **FEB 07 2017**
(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS

CERTIFIED: **FEB 07 2017**
(DATE)



CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: **FEB 09 2017**
(DATE)



CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETOED: _____
(DATE)

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETO STATEMENT ATTACHED: _____

MINUTES:

- For: Nancy Jester, Jeff Rader, Larry Johnson, Steve Bradshaw, Mereda Davis Johnson, Kathie Gannon, Gregory Adams
- Against:
- Abstain:
- Absent:

DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2017

ACTION TYPE

Resolution

HEARING TYPE

Preliminary

SUBJECT: To Convene a Special Called Meeting

DEPARTMENT: County Clerk

PUBLIC HEARING: YES NO

ATTACHMENT: YES No

INFORMATION CONTACT: Barbara H. Sanders
County Clerk

PAGES:

PHONE NUMBER: (404) 371-2162

PURPOSE:

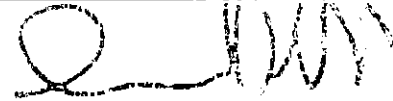
To Convene a Special Called Meeting.

NEED/IMPACT:

To conduct the official business of the Board of Commissioners whereby a vote may be taken.

RECOMMENDATION(S):

As the Board desires

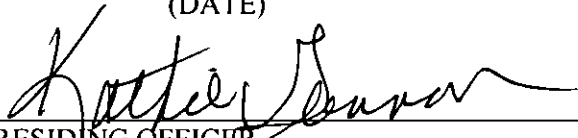


FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION:

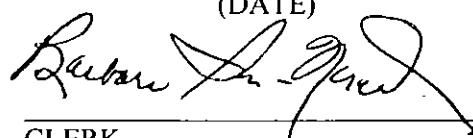
MOTION was made by Commissioner Rader, seconded by Commissioner Johnson, and passed 7-0-0-0, to convene a Special Called Meeting.

ADOPTED: **FEB 07 2017**
(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS

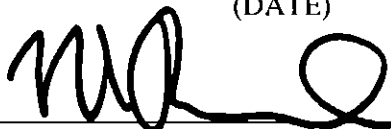
CERTIFIED: **FEB 07 2017**
(DATE)



CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: **FEB 09 2017** VETOED: _____
(DATE) (DATE)



CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETO STATEMENT ATTACHED: _____

MINUTES:

For: Nancy Jester, Jeff Rader, Larry Johnson, Steve Bradshaw, Mereda Davis Johnson,
Kathie Gannon, Gregory Adams

Against:

Abstain:

Absent:

DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2017

HEARING TYPE
Preliminary

ACTION TYPE
Resolution

SUBJECT: To Adjourn an Executive Session Meeting

7108 7 8 837

DEPARTMENT: County Clerk

PUBLIC HEARING: YES NO

ATTACHMENT: YES No

PAGES:

INFORMATION CONTACT: Barbara H. Sanders
County Clerk

PHONE NUMBER: 404/371-2162

7108 7 8 837

PURPOSE:

To Adjourn an Executive Session Meeting



NEED/IMPACT:

To conduct business conducted in Executive Session.

RECOMMENDATION(S):

As the Board desires

FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION:

MOTION was made by Commissioner Rader, seconded by Commissioner Jester, and passed 7-0-0, to adjourn an Executive Session Meeting.

ADOPTED: FEB 07 2017
(DATE)

CERTIFIED: FEB 07 2017
(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS

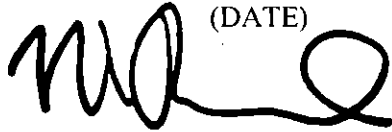


CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: FEB 09 2017
(DATE)

VETOED: _____
(DATE)



CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETO STATEMENT ATTACHED: _____

MINUTES:

For: Nancy Jester, Jeff Rader, Larry Johnson, Steve Bradshaw, Mereda Davis Johnson,
Kathie Gannon, Gregory Adams

Against:

Abstain:

Absent:

DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2017

HEARING TYPE
Preliminary

ACTION TYPE
Resolution

SUBJECT: Proposed settlement of lawsuit filed by Paul Champion against DeKalb County.

DEPARTMENT: Law

PUBLIC HEARING: YES NO

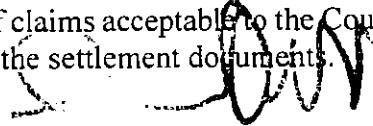
ATTACHMENT: YES NO
PAGES:

INFORMATION
CONTACT: O.V. Brantley
PHONE NUMBER: 404-371-3011

PURPOSE: To consider approving a settlement of a lawsuit filed by Paul Champion against DeKalb County, Civil Action No. 10cv3160-10 in the Superior Court of DeKalb County, including DeKalb County's counterclaims against Mr. Champion.

NEED/IMPACT: Settlement will avoid litigation risks for the County and bring this long-pending litigation to a close.

RECOMMENDATION(S): Approve a payment of seven hundred thousand dollars (\$700,000) to Paul Champion, with the understanding that any additional amount of attorneys' fees to be paid will be set forth in a court order, and that all payments will be made in return for and will be conditioned on execution by Mr. Champion and his counsel of a release and waiver of claims acceptable to the County Attorney. Authorize the County Attorney or her designee to execute the settlement documents.



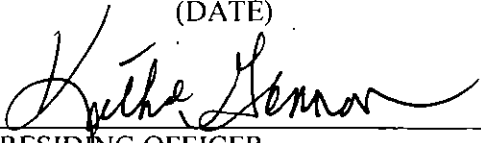
FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION:

MOTION was made by Commissioner Davis Johnson and, seconded by Commissioner Adams, and passed 6-0-1-0 to approve the total payment of seven hundred thousand dollars (\$700,000) to Paul Champion to settle his claims against DeKalb County in his lawsuit, Civil Action No. 10cv3160-10 in the Superior Court of DeKalb County. Commissioner Rader abstained.

Any Additional amount of attorney's fees to be paid will be set forth in a court order. All payments of money will be made in return for and will be conditioned upon execution by Mr. Champion and his counsel of a release and waiver of claims acceptable to the County Attorney that will bring all claims in or related to this lawsuit to a final conclusion, including all claims Mr. Champion asserted in the lawsuit and the County's counterclaims against Mr. Champion. The County Attorney or her designee is authorized to execute the settlement documents.

ADOPTED: FEB 07 2017
(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS

CERTIFIED: FEB 07 2017
(DATE)



CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: FEB 09 2017
(DATE)



CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETOED: _____
(DATE)

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETO STATEMENT ATTACHED: _____

MINUTES:

For: Nancy Jester, Larry Johnson, Steve Bradshaw, Mereda Davis Johnson, Kathie Gannon, Gregory Adams

Against:

Abstain: Jeff Rader

Absent:

DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS

HEARING TYPE

BUSINESS AGENDA / MINUTES

ACTION TYPE
Resolution

MEETING DATE: February 7, 2017

SUBJECT: Proposed settlement of lawsuit filed by Marquez Redden against Officer Burrell Daniel, Jr.

DEPARTMENT: Law

PUBLIC HEARING: YES NO

ATTACHMENT: YES No
PAGES:

INFORMATION O.V. Brantley, County Attorney
CONTACT:
PHONE NUMBER: 404-371-3011

PURPOSE: To consider approving a payment of \$25,000 (twenty-five thousand dollars) to settle the lawsuit filed by Marquez Redden against Officer Burrell Daniel, Jr., Civil Action No. 1:15-CV-03525-RWS in the U.S. District Court for the Northern District of Georgia.

NEED/IMPACT: Settlement would bring an end to the litigation and avoid litigation risks associated with going to trial.

RECOMMENDATION(S):

Approve a settlement payment to Marquez Redden and his counsel in the total amount of twenty-five thousand dollars (\$25,000) in return for Mr. Redden's dismissal of his above-referenced lawsuit in the U.S. District Court for the Northern District of Georgia and his execution of a release and waiver acceptable to the County Attorney. Authorize the County Attorney or her designee to execute the settlement agreement.

FOR USE BY COMMISSION OFFICE/CLERK ONLY

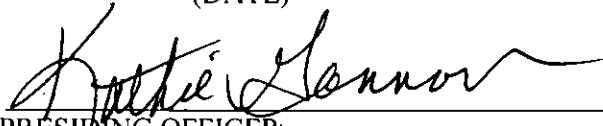
ACTION:

MOTION was made by Commissioner Johnson, seconded by Commissioner Adams, and passed 7-0-0 to approve a total payment of \$25,000 to settle the lawsuit filed by Marquez Redden against Officer Burrell Daniel, Jr., Civil Action File No. 1:15-CV-03525-RWS, in the U.S. District Court for the Northern District of Georgia.

To resolve this lawsuit, the County will pay a total sum of \$25,000 to Mr. Redden and his counsel in return for Mr. Redden's dismissal with prejudice of his lawsuit and execution of a release and waiver of claims satisfactory to the County Attorney. The County Attorney or her designee is authorized to execute the settlement agreement.

ADOPTED: **FEB 07 2017**
(DATE)

CERTIFIED: **FEB 07 2017**
(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS



CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: **FEB 09 2017**
(DATE)

VETOED: _____
(DATE)



CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETO STATEMENT ATTACHED: _____

MINUTES:

For: Nancy Jester, Jeff Rader, Larry Johnson, Steve Bradshaw, Mereda Davis Johnson,
Kathie Gannon, Gregory Adams

Against:

Abstain:

Absent:

DEKALB COUNTY

BOARD OF COMMISSIONERS

BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2017

ITEM NO.

HEARING TYPE

Preliminary

ACTION TYPE

Resolution

SUBJECT: To Adjourn a Special Called Meeting

DEPARTMENT: County Clerk

PUBLIC HEARING: YES NO

ATTACHMENT: YES No

INFORMATION CONTACT: Barbara H. Sanders
County Clerk

PAGES:

PHONE NUMBER: (404) 371-2162

PURPOSE:

To Adjourn the Specially Called Meeting of the Board of Commissioners

NEED/IMPACT:

To conclude all official business of the Board of Commissioners.

RECOMMENDATION(S):

To officially adjourn the meeting of the Board of Commissioners.

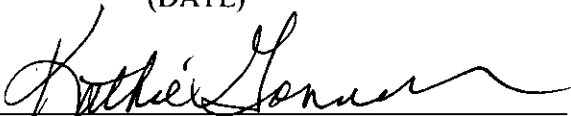
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ACTION:

MOTION was made by Commissioner Davis Johnson, seconded by Commissioner Johnson, and passed 7-0-0-0 to adjourn the Special Called Meeting.

ADOPTED: FEB 07 2017
(DATE)

CERTIFIED: FEB 07 2017
(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS

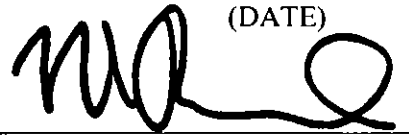


CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: FEB 09 2017
(DATE)

VETOED: _____
(DATE)



CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETO STATEMENT ATTACHED: _____

MINUTES:

For: Nancy Jester, Jeff Rader, Larry Johnson, Steve Bradshaw, Mereda Davis Johnson,
Kathie Gannon, Gregory Adams

Against:

Abstain:

Absent:

ADJOURNMENT:

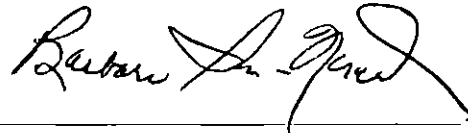
There being no further official business, MOTION was made by Commissioner Davis Johnson and seconded by Commissioner Johnson to adjourn at 12:00 p.m.



Kathie Gannon
Presiding Officer



Michael Thurmond
Chief Executive Officer



Barbara Sanders-Norwood
County Clerk