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 Ernstes. 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.

ITEM	NO.		

# HEARING TYPE Preliminary

# BOARD OF COMMISSIONERS BUSINESS AGENDA / MINUTES

MEETING DATE: February 7, 2017

ACTION TYPE
Resolution

FLB 07 2017

SUBJECT: To Convene an Executive Session Meeting

DEPARTMENT: County Clerk	PUBLIC HEARING: ☑ YES ☐ NO
ATTACHMENT: □ YES ☑ No	INFORMATION Barbara H. Sanders CONTACT: County Clerk
PAGES:	(10% 원 0 년년 1 PHONE NUMBER: (404) 371-2162

#### 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/CLEI	KA UNLY
ACTION:			
	s made by Commissioner Rader, seconded by ession Meeting.	Commissioner Joh	nnson, and passed 7-0-0-0 to convene
ADOPTED:_	FEB 0 7 2017	CERTIFIED:_	FEB 0 7 2017
X rel	Les Jonnes	Bus	(DATE)
PRESIDING DEKALB CO	OFFICER DUNTY BOARD OF COMMISSIONERS		K, / S LB COUNTY BOARD DMMISSIONERS
	FOR USE BY CHIEF EXECU	UTIVE OFFICE	ER ONL Y
APPROVED	TEB 0 9 2017 VETO	DED:	(DATE)
CHIEF EXEC DEKALB CO		CHIEF EXECU	JTIVE OFFICER JNTY
VETO STAT	EMENT ATTACHED:		
MINUTES:			
For:	Nancy Jester, Jeff Rader, Larry Johnson Kathie Gannon, Gregory Adams	n, Steve Bradsha	w, Mereda Davis Johnson,
Abstain:			

Absent:

### BOARD OF COMMISSIONERS

#### **BUSINESS AGENDA / MINUTES**

MEETING DATE: February 7, 2017

**ACTION TYPE** 

Resolution

Nes 10 odd

SUBJECT: To Convene a Special Called Meeting

DEPARTMENT:	County Clerk	PUBLIC HEARING:	☑ YES □ NO	
ATTACHMENT:	☐ YES ☑ No	INFORMATION	Barbara H. Sanders	
		CONTACT:	County Clerk	
PAGES:		PHONE NUMBER:	(404) 37.1-2162	
<u>PURPOSE</u> :				

To Convene a Special Called Meeting.

#### NEED/IMPACT:

**HEARING TYPE** 

Preliminary

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. FEB 0 7 2017 FEB 07 2017 ADOPTED: CERTIFIED: (DATE) (DATE) PRESIDING OFFICE CLERK. DEKALD COUNTY BOARD OF COMMISSIONERS **DEKALB COUNTY BOARD OF COMMISSIONERS** FOR USE BY CHIEF EXECUTIVE OFFICER ONLY FEB 0 9 2017 APPROVED: VETOED: (DATE) (DATE) CHIEF EXECUTIVE OFFICER CHIEF EXECUTIVE OFFICER **DEKALB COUNTY 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:

#### **BOARD OF COMMISSIONERS**

#### **BUSINESS AGENDA / MINUTES**

MEETING DATE: February 7, 2017

ITEM NO.		

ACTION TYPE
Resolution

SUBJECT: To Adjourn an Executive Session Meeting

FER 07 2017

DEPARTMENT: County Clerk	PUBLIC HEARING:	YES DNO
ATTACHMENT: □ YES ☑ No		rbara H. Sanders unty Clerk
PAGES:	PHONE NUMBER: 404	

#### **PURPOSE**:

**HEARING TYPE** 

Preliminary

To Adjourn an Executive Session Meeting

# OLIM

#### NEED/IMPACT:

To conduct business conducted in Executive Session.

#### **RECOMMENDATION(S)**:

As the Board desires

ACTION:		<u>.                                    </u>	
MOTION was t Executive Session	made by Commissioner Rader, seconded by Con Meeting.	Commissioner Jester,	and passed 7-0-0-0, to adjourn ar
ADOPTED:	FEB 0 7 2017 (DATE)	CERTIFIED:	FEB 0 7 2017 (DATE)
PRESIDING COL	DEFICER UNTY BOARD OF COMMISSIONERS		COUNTY BOARD MISSIONERS
	FOR USE BY CHIEF EXECU	UTIVE OFFICER (	ONLY
APPROVED:	FEB 0.9 2017 VETO	DED:	(DATE)
CHIEF EXECU DEKALB COU	UTIVE OFFICER UNTY	CHIEF EXECUTI DEKALB COUN	_
	EMENT ATTACHED:		
MINUTES:	•		
For:	Nancy Jester, Jeff Rader, Larry Johnson Kathie Gannon, Gregory Adams	n, Steve Bradshaw,	Mereda Davis Johnson,
Against:			
Abstain:			

Absent:

FOR USE BY COMMISSION OFFICE/CLERK ONLY

#### **BOARD OF COMMISSIONERS**

**BUSINESS AGENDA / MINUTES** 

MEETING DATE: February 7, 2017

ITEM NO.

ACTION TYPE
Resolution

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

HEARING TYPE

Preliminary

DEPARTMENT: Law	PUBLIC HEARING: ☐ YES ☒ NO
ATTACHMENT: □ YES ☒ NO	INFORMATION CONTACT: O.V. Brantley
PAGES:	PHONE NUMBER: 404-371-3011
FEB 6 7 2011	1107 7 () () ()

<u>PURPOSE</u>: 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.

<u>NEED/IMPACT</u>: 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 0 7 2017	CI	ERTIFIED:	FEB 0 7 2017	
PRESIDING	(DATE)  LLE SEMAN  COEFFEE  CO	· , 	Raiba CLERK	(DATE)	<b>&gt;</b>
	COUNTY BOARD OF COM	MISSIONERS	DEKAI	LB COUNTY BOARD MMISSIONERS	
	FOR USE BY C	HIEF EXECUTI	VE OFFICE	R ONLY	
APPROVE		VETOED	D:		
V	(DATE)			(DATE)	
CHIEF EXE	ECUTIVE OFFICER COUNTY		HIEF EXECU EKALB COU	TIVE OFFICER NTY	
VETO STA	TEMENT ATTACHED:	···		-	
MINUTES:					
		_			
For:	Nancy Jester, Larry John Gregory Adams	son, Steve Bradsh	aw, Mereda D	Davis Johnson, Kathie Gan	non,
Against:				·	
Abstain:	Jeff Rader	·			
Absent:					

DEI	<i>I</i> 1	ın	in	$\overline{}$
RE\	/ .	10	/U	Z

ITEM NO.		

#### **BOARD OF COMMISSIONERS**

## HEARING TYPE

**BUSINESS AGENDA / MINUTES** 

MEETING DATE: February 7, 2017

ACTION TYPE Resolution

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

DEPARTMENT: Law	PUBLIC HEARING: ☐ YES XX NO
ATTACHMENT: YES 🗆 XX No  PAGES: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [	INFORMATION O.V. Brantley, County Attorney CONTACT: PHONE NUMBER: 404-371-3011

<u>PURPOSE</u>: 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.

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

#### **RECOMMENDATION(S):**

FEB 0.9 2017

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	IICE R	VCOMI	MICCION	OFFICE/CI	FRKANI	V

#### **ACTION:**

**MOTION** was made by Commissioner Johnson, seconded by Commissioner Adams, and passed 7-0-0-0 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 0 7 2017	FEB 0 7 2017
ADOPTED: <b>FEB 0 7 2017</b> (DATE)	CERTIFIED: (DATE)
Statie Sonnor	Burn In June
PRESIDING OFFICER DEKALB COUNTY BOARD OF COMMISSIONERS	CLERK, DEKALB COUNTY BOARD OF COMMISSIONERS
FOR USE BY CHIEF EXECUT	TIVE OFFICER ONLY
APPROVED: FEB 0 9 2017 VETOR	
APPROVED: VETOE (DATE)	D:(DATE)
MM	
	CHIEF EXECUTIVE OFFICER
DEKALB COUNTY	DEKALB COUNTY
VETO STATEMENT ATTACHED:	
MINUTES:	
For: Nancy Jester, Jeff Rader, Larry Johnson, Kathie Gannon, Gregory Adams	Steve Bradshaw, Mereda Davis Johnson,
Against:	
Abstain:	·
Absent:	

			ITEM NO.
	DEKAL	B COUNTY	
	BOARD OF	COMMISSIONERS	
HEARING TYPE Preliminary	BUSINESS AG	GENDA / MINUTES  ATE: February 7, 2017	ACTION TYPE Resolution
SUBJECT: To Adjourn  DEPARTMENT: County Clea		eting  PUBLIC HEARING:	☑ YES □ NO
ATTACHMENT:	☑ No	1 1	Barbara H. Sanders
PAGES: PURPOSE:			(404) 37 1 2 1 62

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.

ADOPTED: FEB 07 2	<b>017</b> CE	ERTIFIED: FEB 07	2017
(DATE)  PRESIDING OFFICER  DEKALB COUNTY BOARD OF	F COMMISSIONERS	CLERK, DEKALB COUNTY BOARI	<u> </u>
FOR US  APPROVED:  FEB 0 9 2	CE BY CHIEF EXECUTION  ON THE PROPERTY OF THE		
MOL (DATE)	2	(DATE)	
CHIEF EXECUTIVE OFFICER DEKALB COUNTY		HIEF EXECUTIVE OFFICER EKALB COUNTY	
VETO STATEMENT ATTACHI	ED:		
		<u> </u>	
MINUTES:			

Against:

Abstain:

Absent:

FOR USE BY COMMISSION OFFICE/CLERK ONLY

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