

DeKalb County Government

*Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030*



Meeting Minutes

Tuesday, December 5, 2023

9:00 AM

Manuel J. Maloof Auditorium

Special Called Meeting

*Comm. Robert Patrick, Presiding Officer, District 1
Comm. Mereda Davis Johnson, Deputy Presiding Officer, District 5*

*Commissioner Robert Patrick, District 1
Commissioner Jeff Rader, District 2
Commissioner Larry Johnson, District 3
Commissioner Steve Bradshaw, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Edward "Ted" Terry, Super District 6
Commissioner Lorraine Cochran-Johnson, Super District 7*

[2023-1451](#)**Commission District(s):** All

Board of Commissioners' 2024 Regular Business and Committee of the Whole
Meetings Calendar

Present 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Michelle Long Spears, Larry Johnson, Steve Bradshaw, Mereda Davis Johnson, and Lorraine Cochran-Johnson

Administration: Michael Thurmond, CEO, Zachary Williams, Executive Assistant/ Chief Operating Officer, Barbara Sanders-Norwood, County Clerk, Viviane Ernstes, County Attorney

Work Session**I. Committee of the Whole****A. Committee Reports****B. Decide Dekalb Update****C. Review of the Proposed Executive Agenda for December 12, 2023****D. Review of Board of Commissioners Preliminary Agenda****E. Review/ Recap of New Items for the BOC Agenda****F. Items Previously Heard****II. Special Call Meeting****2023-1558 Commission District(s):** All

To Convene a Special Called Meeting

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be approved to convene a Special Call Meeting. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

A. Public Comments at 10:00am

The purpose of public comment is to allow the public to voice county-related requests, concerns or opinions during the Commission meeting. Speakers will only have the opportunity for one public comment per meeting. Each speaker must complete a speaker card and present it to the clerk before the beginning of the public comment portion of the meeting. Cards turned in to the clerk from the time the general meeting is convened (generally 9 A.M.) and by the beginning of public comment portion generally following presentations on the agenda. The clerk will accept cards on a first-come, first-served basis. Prior to the clerk's call for public comment, 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. Speakers should always talk directly into the microphone and begin by stating their name, full address and the name of any organization they represent. Abusive, profane or derogatory language, holding up signs, clapping, yelling, standing or laying in the aisles to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing in place will be permitted to show support for or opposition to a speaker's position.

In person comments:

Julie Ralston- 1773 Ridgewood Drive Atlanta. GA 30307; Ali Abdulsamad- 1350 Green Oak NW Lawrenceville, GA 30043

B. APPEALS

[2023-1306](#)

COMMISSION DISTRICT(S): 2 & 6

Appeal of Decision of the Historic Preservation Commission at 1176 Lullwater Road by Virginia Tate

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be approved to reverse the HPC's decision. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

[2023-1308](#)**COMMISSION DISTRICT(S): 2 & 6**

Appeal of a Decision of the Historic Preservation Commission at 1176 Lullwater Road by Katharine Butler & George Beazley

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be approved to reverse the HPC's decision. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

[2023-1330](#)**COMMISSION DISTRICT(S): 2 & 6**

Appeal of a Decision of the Historic Preservation Commission at 1780 Ridgewood Drive by Peggy Hibbert

MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be tabled. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

C. ITEMS FOR DECISION BY THE BOARD[2023-1375](#)**Commission District(s): All Districts**

2024 DeKalb County Legislative Packet

MOTION was made by Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be approved substitute. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

[2023-1451](#)

Commission District(s): All

Board of Commissioners' 2024 Regular Business and Committee of the Whole Meetings Calendar

MOTION was made by Michelle Long Spears, seconded by Larry Johnson, that this agenda item be tabled. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

[2023-1478](#)

Commission District(s): Commission District 2 and 6

DeKalb County's objection to the proposed annexation of approximately 1.72 acres of land in unincorporated DeKalb County into the City of Atlanta pursuant to annexation via the one hundred percent (100%) method

MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be tabled. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

[2023-1448](#)**Commission District(s):** All Commission Districts

Resolution to Continue an Equalized Homestead Option Sales Tax (“EHOST”) and Impose a Special Purpose Local Option Sales Tax (“SPLOST II”) in DeKalb County

MOTION was made by Larry Johnson, seconded by Ted Terry, that this agenda item be approved. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

[2023-1161](#)**COMMISSION DISTRICT(S): ALL DISTRICTS**

Application of the Director of Planning and Sustainability to adopt the 2024-25 Zoning Calendar. This text amendment is County-wide .

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved substitute. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

[2023-1040](#)**Commission District(s): ALL**

REN - Contract Nos.: 1309686 and 1309666 On-Call Roof Maintenance, Repair, and Replacement Services (1st Renewal of 2 Options to Renew): for use by the Departments of Facilities Management (FM), Recreation Parks and Cultural Affairs (RPCA), and Watershed Management (DWM). These contracts consist of roof maintenance, repair, and replacement services at County owned facilities. This request seeks to exercise the 1st renewal option and add DWM usage. Awarded to Hawk Construction Company, LLC, and National Building Contractors, Inc. Total Amount Not To Exceed: \$5,986,642.65.

MOTION was made by Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be approved substitute. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

2023-1559**Commission District(s): All**

To convene an Executive Session Meeting

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be approved to convene an Executive Session Meeting.. The motion carried by the following vote:

Yes: 7 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

2023-1560 Commission District(s): All

To Adjourn an Executive Session Meeting

MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be approved to adjourn an Executive Session Meeting. Commissioner Lorraine Cochran-Johnson was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 1 - Commissioner Lorraine Cochran-Johnson

2023-1561 Commission District(s): all

Proposed payment for proposed resolutions of claims against the DeKalb County Sheriff and certain Sheriff employees in *Norman Simmonds v. Sheriff Melody Maddox et. al*, Civil Action No. 1:22-CV-01479-VMC, pending in the U.S. District Court, Northern District of Georgia.

MOTION was made by Ted Terry, seconded by Mereda Davis Johnson, that this agenda item be approved for payment in the total amount of \$95,000 to Plaintiff Norman Simmonds' counsel for attorneys' fees and litigation cost in return for and conditioned on Plaintiff's dismissal with prejudice of his claims against Sheriff Melody Maddox and all other defendants currently or formerly employed by the DeKalb County Sheriff and conditioned on Plaintiff's and the Sheriff's execution of a settlement agreement with release and waiver of claims acceptable to the County Attorney. Commissioner Lorraine Cochran-Johnson was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 1 - Commissioner Lorraine Cochran-Johnson

[2023-1330](#)

COMMISSION DISTRICT(S): 2 & 6

Appeal of a Decision of the Historic Preservation Commission at 1780

Ridgewood Drive by Peggy Hibbert

MOTION was made by Ted Terry, seconded by Steve Bradshaw, that this agenda item be taken off table. Commissioner Lorraine Cochran-Johnson was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 1 - Commissioner Lorraine Cochran-Johnson

MOTION was made by Ted Terry, seconded by Steve Bradshaw, that this agenda item be approved. Commissioner Michelle Long- Spears abstained from this vote. Commissioner Lorraine Cochran-Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 1 - Commissioner Lorraine Cochran-Johnson

Abstain: 1 - Commissioner Michelle Long Spears

[2023-1451](#)**Commission District(s): All**

Board of Commissioners' 2024 Regular Business and Committee of the Whole
Meetings Calendar

MOTION was made by Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be taken off table. Commissioner Lorraine Cochran-Johnson was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 1 - Commissioner Lorraine Cochran-Johnson
MOTION was made by Michelle Long Spears, seconded by Mereda Davis Johnson, that this agenda item be deferred to the Board of Commissioners, due back on 12/12/2023. Commissioner Lorraine Cochran-Johnson was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 1 - Commissioner Lorraine Cochran-Johnson

[2023-1478](#)**Commission District(s): Commission District 2 and 6**

DeKalb County's objection to the proposed annexation of approximately 1.72 acres of land in unincorporated DeKalb County into the City of Atlanta pursuant to annexation via the one hundred percent (100%) method

MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be taken off table. Commissioner Lorraine Cochran-Johnson was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 1 - Commissioner Lorraine Cochran-Johnson
MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be approved substitute. Commissioner Lorraine Cochran-Johnson was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 1 - Commissioner Lorraine Cochran-Johnson

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. Janet Essix, 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. Janet Essix may be contacted at 1300 Commerce Drive, 1st Floor, Decatur, GA 30030, 404.371.2309, 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.

ADJOURNMENT:

There being no further official business, MOTION was made by Steve Bradshaw, seconded by Mereda Davis Johnson, that this agenda item be approved to adjourn the December 5, 2023 Special Called Meeting at 12:45 p.m. Commissioner Lorraine Cochran-Johnson was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Robert Patrick, Commissioner Ted Terry, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 1 - Commissioner Lorraine Cochran-Johnson



Robert Patrick
Presiding Officer



Michael Thurmond
Chief Executive Officer



Barbara Sanders-Norwood
County Clerk