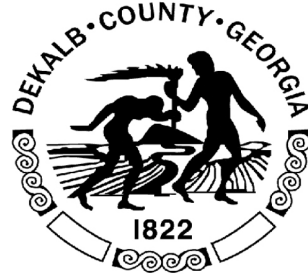


DeKalb County Government

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



Meeting Minutes

Tuesday, February 28, 2023

9:00 AM

Manuel J. Maloof Auditorium

Board of Commissioners

Comm. Robert Patrick, Presiding Officer, District 1

Comm. Mereda Davis Johnson, Deputy Presiding Officer, District 5

Commissioner Robert Patrick, District 1

Commissioner Michelle Long Spears, 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

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

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

A. INSPIRATIONAL

Poet Hank Stewart

Afemo Omilami- Actor

PLEDGE OF ALLEGIANCE

Commissioner Ted Terry- District 6

B. PRESENTATIONS

Kwame Johnson- President Big Brothers Big Sisters Metro Atlanta

C. COMMENTS FROM THE PUBLIC

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. Public comments may be made in person or submitted by sending an email no longer than one page to PublicComment@dekalbcountyga.gov which must be received between 9:00 a.m. and 10:00 a.m. on the day of the meeting. Only those emails received during the allotted time may be read aloud. Public comment emails received outside of the allotted time will be included in the public comment record for the next meeting after receipt of those emails. The body of your email must include your first and last name, followed by your address. By submitting an email for public comment at any time, you agree to have your name, address and email entered into the record/minutes. Each in-person speaker must complete a speaker card and present it to the clerk before the beginning of the public comment portion of the meeting.

Cards must be 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, in-person 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 in-person attendees 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. If time remains in the proscribed public comment portion of said meeting, email comments will be read into the record by the clerk or designee. Any remaining email public comments received between 9:00 am and 10:00 a.m. on the day of the meeting not read into the record will be submitted into the minutes by the clerk or designee and shall be forwarded to each commissioner by email. 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.

Public Comment: In-Person

Larry Foster- 2572 Raintree Drive Atlanta 30345, Carol Hart- 3032 Flamingo Drive Decatur 30033, Stephen Binney 1083 Seville Drive Clarkston 30021, Ella Flourncy- 3717 Tree Bark Trail Decatur 30034, Joscelyn O'Neil- 3711 Larkspur Terrace Decatur 30032, Deborah Wallace- 482 Crestwood Court Lithonia 30058

Public Comment: February 28, 2023- Read Emails

1. Ed Williams (No Address)- Good Morning Commissioners: My name is Ed Williams. I am the chair of the group Concerned Citizens for Effective Government. I understand the commission is expecting to have the General Assembly by law fix peg the commission salary back to the Superior Court Judges salary as it had been prior to 2001. This change if adopted by the General Assembly would legitimize the 2018 salary increase made by the county commission. It should be noted that the pay increase received since 2018 was illegal and unconstitutional and should be paid back. It has been 5 years since the commission adopted an unconstitutional and illegal ordinance to increase salaries from 42,000 to over 65,000 a year. On February 27, 2018, the commission voted to adopt compensation ordinance for the commission and the CEO for the county governing authority members. The commission during the meeting violated the Open Meetings Act by failing to place the salary ordinance on the Meeting agenda, prior to the meeting, and failed to provide public notice that it had intended to vote on the ordinance at the meeting even though it had placed an Ad in the legal organ 4 weeks prior to the Feb 27, 2018 regular meeting. It was a 6 to 1, vote in support. The only commissioner to vote against it was Nancy Jester. The CEO Michael Thurmond did not sign the salary ordinance, however, he was duty bound to enforce the ordinances adopted by the commission. A lawsuit was filed against the action of the commission in August 2018, The Supreme Court of Georgia in March 13, 2020 ruled that Dr. Ed Williams standing to seek a civil penalties against the commission for the open meeting violations, and that a taxpayer had standing to bring suit to challenge the pay increase. The case is currently pending for the Georgia Supreme Court to stop the CEO of DeKalb County from enforcing the 2018 salary ordinance, and to void it. The case is expected to be reviewed by the Supreme Court by summer. The Supreme Court ruled in Williams v. DeKalb County in 2020, that taxpayers in Georgia have standing to enforce a public duty and to enjoin public officials from acting without authority. Please note that even if the General Assembly passes a new law for the commission salary, the increase since 2018 should be paid back to the taxpayers of DeKalb County. In addition there are some other legal issues regarding the salary statute and the salary ordinance that will still need to be addressed by the courts. Thank You

2. Michael Daly- 3609 Montreal Creek Circle, Apt 15 Clarkston: My name's Michael Daly, my address is 3609 Montreal Creek Circle, Apt 15 in Clarkston GA. I'm writing in support of the appeal Amy Taylor filed on the Atlanta Police Foundation's land disturbance permit for the land designated for what many are calling Cop City. I live in Clarkston, a town known for its big heart, which has a

high population of immigrants and refugees. Many of them can't speak English well and are unable to represent themselves at a meeting like this, so I'll speak for them. No one wants to see this so-called public safety training center built in unincorporated south Dekalb. We have enough experience to know that when governments say public safety what they often mean is safety for the affluent and elite, and brutal, violent oppression for everyone else. The fact that work is continuing on this project despite overwhelming public opposition is quite reminiscent of some the oppressive governments that many of my fellow Clarkston residents have come here seeking refuge from. I therefore urge you to uphold Amy Taylor's appeal and issue an immediate stop work order at the site. Thank you.

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 present 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. Citizens may also email statements or documents related to public hearing items for inclusion in the public record by submitting such statements or materials by 9:00 a.m. on the date of the public hearing to PublicHearing@dekalbcountyga.gov. The body of your email must include a reference to the particular public hearing item to which your statement or documents apply by agenda number and your first and last name, followed by your address. By submitting an email related to any public hearing item, you agree to have your name, address and email entered into the record/minutes. In-person comments will be heard first. Prior to speaking, an in-person speaker shall complete a speaker card and present it when approaching the podium. If an in-person speaker has any documents for the commissioners, the speaker shall 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. In all zoning ordinance and traffic calming cases, staff shall make their recommendation for action to the Commission first followed by applicants or citizens speaking in favor of the item. 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. For all other items placed on the public hearing agenda, applicants or citizens speaking in favor of the item shall speak first followed by opponents of the item.

Chief Executive Office

[2023-0122](#)

Commission District(s): All

To adopt the 2023 Operating Budget

MOTION was made by Steve Bradshaw, seconded by Mereda Davis Johnson, that this agenda item be approved to adopt the DeKalb County 2023 substitute amended budget. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Abstain: 1 - Commissioner Long Spears

GIS Department

[2021-3047](#)

Commission District(s): 2 & 6

Resolution to Consider Abandonment of a 0.066-Acre Section (2,892 Square Feet) of Oxford Road NE Right of Way.

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be deferred for 30 days, until March 28, 2023 for Public Hearing. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

Planning & Sustainability

[2022-1998](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of ModWash, LLC c/o Battle Law P.C. for a request to modify zoning conditions to remove condition #1 pursuant to CZ-06-1241, restricting the use of the property to office and retail uses to allow a car wash in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be deferred for 60 days, until April 25, 2023 for Public Hearing. Items 2022-1998, 2022-2252 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

[2022-2252](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of ModWash, LLC c/o Battle Law P.C. to request a Special Land Use Permit (SLUP) to allow a drive-through car wash facility in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be deferred for 60 days, until April 25, 2023 for Public Hearing. Items 2022-1998, 2022-2252 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

[2022-2253](#)

Commission District(s): Commission District 04 Super District 06
Application of D.A. Edwards & Company c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell to rezone property from R-75 (Residential Medium Lot) zoning district to RSM (Residential Small Lot Mix) zoning district to allow the construction of cottage-style urban single-family detached homes, at 1251 Robinwood Road.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be deferred for 30 days, until March 28, 2023 for Public Hearing. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

[2022-2540](#)

COMMISSION DISTRICT(S): Commission District 4 Super District 6 Application of MARTA c/o Debbie Frank to rezone properties from R-75 (Residential Medium Lot-75), MR-2 (Medium Density Residential-2), and C-1 (Local Commercial) zoning districts to MU-5 (Mixed Use Very High Density) zoning district to allow a future mix of land uses to implement the LCI Plan and transit-oriented development goals, at 3350 Kensington Road.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be deferred for 30 days to the Board of Commissioners, until March 28, 2023 for Public Hearing. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

2023-0281

Commission District(s): All

Motion to recess the meeting

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved to recess the meeting until 2:00 pm. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

2023-0282

Commission District(s): All

Motion to reconvene the meeting

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Public Works - Transportation

[2023-0120](#)

Commission District(s): 3 & 7

Traffic Calming Petition - Eastwood Dr between Candler Rd and Ellington St.
No Cost to County.

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

[2023-0141](#)

Commission District(s): 1 & 7

Traffic Calming Petition - Florence Street between Rosser Terrace and Tucker Industrial Road. No Cost to County.

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

[2023-0142](#)

Commission District(s): 1 & 7

Traffic Calming Petition - Rosser Terrace Off Hugh Howell Road. No Cost to County.

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

[2023-0143](#)

Commission District(s): 1 & 7

Traffic Calming Petition - Comanche Drive between Brockett Road and Bancroft Circle. No Cost to County.

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Watershed Management

[2023-0147](#)

Commission District(s): 4 and 6

Resolution And Order Of The Dekalb County Board Of Commissioners Authorizing Condemnation By Declaration Of Taking Method Pursuant To O.C.G.A. §§ 22-3-140 And 32-3-1, Et Seq. Of Certain Property Situated In Dekalb County, Georgia, For Public Sanitary Sewer Collection And Treatment And Wastewater Purposes

PROJECT NO.: 18-014 PKG 7
PARCEL NO: 50 (466 Jointer Avenue Scottsdale, Georgia 30079) (TPID 18 046 04 007)
PROPERTY OWNER: Willie L. Guthrie

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

[2023-0237](#)

Commission District(s): 4 and 6

Resolution And Order Of The Dekalb County Board Of Commissioners Authorizing Condemnation By Declaration Of Taking Method Pursuant To O.C.G.A. §§ 22-3-140 And 32-3-1, Et Seq. Of Certain Property Situated In Dekalb County, Georgia, For Public Sanitary Sewer Collection And Treatment And Wastewater Purposes

PROJECT NO.: 18-014 PKG 7
PARCEL NO: 42 (3199 Robinson Avenue, Scottsdale, Georgia 30079) (TPID 18 046 03 016)
PROPERTY OWNER: Tommy Tuff

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

[2023-0238](#)

Commission District(s): 4 and 6

Resolution And Order Of The Dekalb County Board Of Commissioners Authorizing Condemnation By Declaration Of Taking Method Pursuant To O.C.G.A. §§ 22-3-140 And 32-3-1, Et Seq. Of Certain Property Situated In Dekalb County, Georgia, For Public Sanitary Sewer Collection And Treatment And Wastewater Purposes

PROJECT NO.: 18-014 PKG 7
PARCEL NO: 38 (3209 Granby Avenue, Scottsdale, Georgia 30079) (TPID 18 046 03 192)
PROPERTY OWNER: Josie Harden

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be to approve the substitute. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

2023-0240

Commission District(s): 4 and 6

Resolution And Order Of The Dekalb County Board Of Commissioners Authorizing Condemnation By Declaration Of Taking Method Pursuant To O.C.G.A. §§ 22-3-140 And 32-3-1, Et Seq. Of Certain Property Situated In Dekalb County, Georgia, For Public Sanitary Sewer Collection And Treatment And Wastewater Purposes

PROJECT NO.: 18-014 PKG 7
PARCEL NO: 32 (3287 Blanton Drive, Scottsdale, Georgia 30079) (TPID 18 046 04 008)
PROPERTY OWNER: Blanton Trust, Tan Fung as Trustee

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

2023-0241

Commission District(s): 3 and 7

Resolution And Order Of The Dekalb County Board Of Commissioners Authorizing Condemnation By Declaration Of Taking Method Pursuant To O.C.G.A. §§ 22-3-140 And 32-3-1, Et Seq. Of Certain Property Situated In Dekalb County, Georgia, For Public Sanitary Sewer Collection And Treatment And Wastewater Purposes

PROJECT NO.: 18-014 PKG 5
PARCEL NO: 52 (3739 Memorial Drive, Decatur, GA 30032) (TPID 18 046 02 010)
PROPERTY OWNER: Felipe Castellanos

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

2023-0242

Commission District(s): 4 and 6

Resolution And Order Of The Dekalb County Board Of Commissioners Authorizing Condemnation By Declaration Of Taking Method Pursuant To O.C.G.A. §§ 22-3-140 And 32-3-1, Et Seq. Of Certain Property Situated In Dekalb County, Georgia, For Public Sanitary Sewer Collection And Treatment And Wastewater Purposes

PROJECT NO.: 18-014 PKG 7
PARCEL NO: 37 (465 Jointer Avenue, Scottsdale, Georgia 30079) (TPID 18 046 04 131)
PROPERTY OWNER: Vision Home Construction, Inc

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be to approve the substitute. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

“DECISION ONLY” ITEMS – NO PUBLIC HEARING

Planning & Sustainability

2022-2263

COMMISSION DISTRICT(S): Commission District 1 Super District 7 Application of Paul Cables, Alpha Residential and Parker Poe to rezone properties from O-I (Office Institutional) zoning district to HR-3 (High Density Residential-3) zoning district to allow apartments, at 3375 Northeast Expressway.

MOTION was made by Robert Patrick, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred, until May 23, 2023 for Decision Only. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

E. APPEALS

NONE

F. APPOINTMENTS

Chief Executive Office

[2022-2440](#)

Commission District(s): All

Appointment to Post 4 of the Development Authority of DeKalb County - Ms.

Ann Hanlon

MOTION was made by Larry Johnson, seconded by Steve Bradshaw, that this agenda item be to approve the substitute. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

G. CONSENT AGENDA

Board of Commissioners

[2023-0249](#)

Commission District(s): All

Approval of Minutes for the February 21, 2023 Committee of the Whole

Meeting

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved. Items 2023-0249, 2023-0260, 2023-0261, 2023-0229, 2023-0231, 2023-0264, 2023-0210 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

Board of Commissioners - District 1

[2023-0260](#)

Commission District(s): District 1

Appropriate \$85,000 from the POETA Account _____ reserved for District 1 to Georgia Safe Sidewalks to provide sidewalk repairs.

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved. Items 2023-0249, 2023-0260, 2023-0261, 2023-0229, 2023-0231, 2023-0264, 2023-0210 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

[2023-0261](#)

Commission District(s): District 1

To Approve the Appropriation of \$100,000 from Non-Departmental - Unincorporated Fund Assigned to Account (09130.579002.272.0000.0000) to Grant Fund (09130.611250.272.0000.0000) Reserved for District 1 for the Property Archive Project

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved. Items 2023-0249, 2023-0260, 2023-0261, 2023-0229, 2023-0231, 2023-0264, 2023-0210 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

Board of Commissioners - District 6

[2023-0229](#)

Commission District(s): Commission District 6

To Appropriate \$25,000 from the District 6 Reserve for Appropriation for Continued Support of the DeKalb County Age in Place with Dignity- Property Tax Workshops for Seniors By Seniors.

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved. Items 2023-0249, 2023-0260, 2023-0261, 2023-0229, 2023-0231, 2023-0264, 2023-0210 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

Board of Commissioners - District 7

[2023-0231](#)

Commission District(s): District 7

To Appropriate \$60,000 In American Rescue Plan Grant Funds Assigned to POETA Account 105744.63258.521209.01.07.602479 Reserved For The District 7 Appropriation To The Latin American Association To Mitigate The Public Health Emergency Created By The COVID-19 Pandemic.

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved. Items 2023-0249, 2023-0260, 2023-0261, 2023-0229, 2023-0231, 2023-0264, 2023-0210 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

GIS Department

[2023-0264](#)

Commission District(s): All Commission Districts

To amend the Item 2022-2056 as previously adopted on October 11, 2022, adopting the corrected resolution for abandonment of a portion of right-of-way

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved. Items 2023-0249, 2023-0260, 2023-0261, 2023-0229, 2023-0231, 2023-0264, 2023-0210 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

WorkSource DeKalb

[2023-0210](#)

Commission District(s): ALL DISTRICTS

Acceptance of the federal Workforce Innovation and Opportunity Act (WIOA) Quest Grant funds for Dislocated Worker employment and training activities from the Technical College System of Georgia; not to exceed \$681,501.00.

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved. Items 2023-0249, 2023-0260, 2023-0261, 2023-0229, 2023-0231, 2023-0264, 2023-0210 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

H. PRELIMINARY ITEMS

Board of Commissioners - District 7

[2023-0154](#)

Commission District(s): District 7

To Appropriate a Total of \$117,000 from the Reserve for Appropriation to Pond & Company for a Study on the Candler Rd. Corridor

This agenda item was normal course

[2023-0252](#)

Commission District(s): All Districts

A Resolution of the Governing Authority of DeKalb County, Georgia, to Provide Annual Funding to the Clarkston Community Health Center

MOTION was made by Larry Johnson, seconded by Ted Terry, that this agenda item be deferred for 30 days, until March 28, 2023. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Public Works - Roads & Drainage

[2023-0191](#)

Commission District(s): Commission Districts 2,6

CSX Encroachment Agreement at S. McDonough Street, East College Ave. and East Howard Ave. No Cost to County

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Purchasing & Contracting

Purchasing & Contracting - to OPS Committee

2023-0116

Commission District(s): ALL

LB - Invitation No. 22-101542 Pest Control Services (Annual Contract with 2 Options to Renew): for use by the Department of Facilities Management (FM). Consists of providing pest control services at County-owned facilities. Recommend award to the lowest, responsive and responsible bidder: Power House Termite and Pest Control, Inc. Amount Not To Exceed: \$200,000.00.

MOTION was made by Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be approved. Items 2023-0116, 2023-0193 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

2023-0193

Commission District(s): All

CO - Change Order No. 1 to Contract No. 1307812 Repair, Maintenance, and Installation of Fire Intrusion Alarm Systems (Emergency Contract): for use by the Department of Facilities Management (FM). This contract consists of providing maintenance, repair and installation of fire intrusion alarms. Awarded to All-Star Fire, LLC. Amount Not to Exceed: \$325,000.00.

MOTION was made by Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be approved. Items 2023-0116, 2023-0193 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Purchasing & Contracting - to PECS Committee

[2023-0157](#)

Commission District(s): ALL

CA - Cooperative Agreement for Court Construction and Maintenance (Annual Contract with 2 Options to Renew): for use by the Department of Recreation, Parks and Cultural Affairs (RPCA). This contract consists of maintenance and construction of courts as needed. Awarded to: Signature Tennis Courts, Inc. Amount Not To Exceed: \$270,000.00.

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Purchasing & Contracting - to PWI Committee

[2022-2642](#)

Commission District(s): ALL

RFP - Request for Proposals No. 22-500622 Comprehensive Trail - Greenway Master Plan (Multiyear Contract): for use by Recreation, Parks and Cultural Affairs (RPCA). Consists of providing professional planning services that include the creation of a comprehensive master plan. This plan will incorporate the County's existing network of greenways, trails and paths with the expansion and creation of a new and future greenway network. Recommend award to the highest scoring proposer: Toole Design Group, LLC. Amount Not To Exceed: \$348,500.00.

MOTION was made by Steve Bradshaw, seconded by Michelle Long Spears, that this agenda item be approved. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

2023-0082

Commission District(s): All

CO - Change Order No. 1 to Contract No. 1198103 Stone Crushed Granite (Annual Contract with 2 Options to Renew): for use by the Departments of Watershed Management (DWM), Recreation, Parks and Cultural Affairs (RPCA), Public Works - Roads & Drainage (R&D) and Sanitation. This contract consists of providing stone crushed granite for use in various applications. This request seeks to ratify a previously provided sixty (60) day contract term increase for one vendor (FM Shelton); increase the contract term through July 31, 2023; and increase funds. Awarded to F.M Shelton, Inc. Amount Not To Exceed: \$3,999,164.00.

MOTION was made by Lorraine Cochran-Johnson, seconded by Ted Terry, that this agenda item be deferred to the next meeting and assigned to the Public Works & Infrastructure Committee, and return to the Board on March 14, 2023. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

[2023-0201](#)

Commission District(s): All

REN - Contract Nos. 1242005 and 1242006 Electrical Switchgear Inspections and Repair (Annual Contract - 2nd Renewal of 2 Options to Renew): for use by the Department of Watershed Management (DWM). The contracts consist of providing inspection and repair of switchgear equipment at water and wastewater treatment plants. This request seeks to ratify a previously provided sixty (60) day contract term increase and exercise the 2nd renewal option through January 31, 2024 for both contracts. Awarded to Cleveland Electric Company and Brown Electrical Services, LLC. Total Amount Not To Exceed: \$2,493,572.00

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Walk On Item

2023-0284 ADD ITEM

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

[2023-0285](#)

Commission District(s): All

A Resolution Establishing Regulation Informing Consideration of a Project List for a Renewal of the DeKalb County Special Purpose Local Option Sales Tax

MOTION was made by Michelle Long Spears, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred and assigned to the Public Works & Infrastructure Committee (PWI), and return to the Board March 14, 2023. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

I. ITEMS FOR DECISION BY THE BOARD

Board of Commissioners - District 6

[2021-3499](#)

Commission District(s): All Commission Districts

DeKalb County’s adoption of a safe gun storage ordinance to impact and prevent accidental injuries and deaths.

MOTION was made by Ted Terry, seconded by Steve Bradshaw, that this agenda item be withdrawn. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

[2022-1258](#)

Commission District(s): All Commission Districts

Adoption of a Resolution to establish an Advisory Committee of the Board of Commissioners to explore and make recommendations related to affordable housing within DeKalb County.

MOTION was made by Larry Johnson, seconded by Mereda Davis Johnson, that this agenda item be withdrawn and an friend amendment was made by Commissioner Ted Terry requesting within 60 days, April 25, 2023, from the Administration a response to the Housing Portal and the priorities the Administration will focus on. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

[2022-2118](#)

Commission District(s): All District Commission Districts

Adopt A Resolution to Raise the Minimum Wage for DeKalb County Employees to a Living Wage

MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be deferred for 30 days, until March 28, 2023. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Chief Executive Office

[2023-0160](#)

Commission District(s): All

To Appropriate \$500,000 from the Tourist Product Development CIP Account to Fund the Remaining Phases of the Youth Farm Project

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Clerk to the Board of Commissioners and CEO

[2022-2608](#)

Commission District(s): all

Approval of Minutes of the Special Called Meeting of December 6, 2022

MOTION was made by Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item was approved . The motion carried

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

Purchasing & Contracting

Purchasing & Contracting - to FAB Committee

[2023-0046](#)**Commission District(s): ALL**

RA - Ratification of Change Order No. 2 to Contract 1092093 for Auditing Services (Multiyear Contract): for use by the Department of Finance. This contract consists of auditing services of the County's Financial Statements. Awarded to Mauldin & Jenkins, LLC. Amount Not To Exceed: \$59,745.65.

MOTION was made by Steve Bradshaw, seconded by Michelle Long Spears, that this agenda item be approved. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Purchasing & Contracting - to OPS Committee

[2023-0060](#)**Commission District(s): ALL**

CO - Change Order No. 5 to Contract Nos.: 1191813, 1191817, 1191818 and Change Order No. 6 to Contract No. 1191816 and Change Order No. 7 to Contract No. 1191815 General Contractor Services (Multiyear): for use by the Departments of Facilities Management (FM), Recreation, Parks and Cultural Affairs (RPCA), Fire Rescue Services, Watershed Management (DWM) and Library (DCPL). These contracts consist of providing general contractor services for minor construction projects throughout the County. Awarded to: Autaco Development, LLC, Kissberg/Parket-Fry JV, LLC, SoCo Contracting Company, Inc., Engineering Design Technologies, Inc., and Greenheart Construction. Total Amount Not To Exceed: \$12,596,074.03.

MOTION was made by Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be approved. Items 2023-0060, 2023-0093, 2023-0107 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

[2023-0093](#)

Commission District(s): ALL

CO - Change Order No. 1 to Contract Nos.: 1262401, 1262403, 1262413 and 1262406 Purchase of Autos, Vans, Trucks & Accessories (Annual with 2 Options to Renew): for use by Public Works-Fleet Management. These contracts consist of purchasing replacement vehicles to enable County personnel to complete daily tasks that require the use of automobiles. Awarded to: Wade Ford, Inc., Hardy Chevrolet, Buick, GMC, Inc., Hardy Family Ford, Inc. and ZT Auto CDJR Union City, LLC. Total Amount Not To Exceed: \$5,400,000.00.

MOTION was made by Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be approved. Items 2023-0060, 2023-0093, 2023-0107 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

[2023-0107](#)

Commission District(s): ALL

RES - Rescind Award to Avaya, Inc. under Agenda Item No. 2022-2276 for Avaya Support and Licensing: for use by the Department of Innovation and Technology (DoIT). Consists of piggybacking off the competitively let Statewide Contract No. 99999-SPD-T20120501-0004. This request is to rescind the award made to Avaya, Inc. and re-award to the correct vendor who will be paid for services. Award to Carousel Industries, Inc. Amount Not To Exceed: \$1,123,391.88.

MOTION was made by Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be approved. Items 2023-0060, 2023-0093, 2023-0107 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Purchasing & Contracting - to PECS Committee

[2023-0015](#)

Commission District(s): 4

CO - Change Order No. 1 to Contract 126950 Maintenance of Mystery Valley Golf Course (Multiyear): for use by the Department of Recreation, Parks and Cultural Affairs (RPCA). This contract consists of the maintenance of the Mystery Valley Golf Course. Awarded to: Cypress Golf Management, LLC, Amount Not To Exceed: \$258,000.00.

MOTION was made by Larry Johnson, seconded by Michelle Long Spears, that this agenda item be approved. Items 2023, 0015, 2023-0016, 2023-0074 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

[2023-0016](#)

Commission District(s): 5 & 7

RA - Ratification of Change Order No. 1 to Contract 1208634 Construction of East DeKalb Community and Senior Center at Bruce Street: for use by the Department of Community Development (CD). This contract consists of the construction of the new East DeKalb Community and Senior Center. Awarded to: Diversified Construction of Georgia, Inc. Amount Not To Exceed: \$176,162.50.

MOTION was made by Larry Johnson, seconded by Michelle Long Spears, that this agenda item be approved. Items 2023, 0015, 2023-0016, 2023-0074 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Board of Commissioners Davis Johnson

2023-0074

Commission District(s): 3

REN - Contract No. 1130987 Maintenance of Sugar Creek Golf Course (Annual Contract - 4th Renewal of 4 Options to Renew): for use by the Department of Recreation, Parks and Cultural Affairs (RPCA). This contract consists of maintaining the golf course grounds and facilities. This request is to exercise the 4th renewal option through March 31, 2024 with cost increases and increase scope of work. Awarded to: Cypress Golf Management, LLC dba Cypress Golf Course Services. Amount Not To Exceed: \$894,739.42.

MOTION was made by Larry Johnson, seconded by Michelle Long Spears, that this agenda item be approved. Items 2023, 0015, 2023-0016, 2023-0074 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

Purchasing & Contracting - to PWI Committee

[2022-2352](#)

Commission District(s): ALL

LB - Invitation No. 21-101466 Rental of Various Heavy Equipment (Three (3) Year Multiyear Contract): for use by the Departments of Public Works - Roads & Drainage (R&D) and Sanitation. Consists of the rental of various heavy equipment.

Recommend award to the lowest, responsive and responsible bidders: H & E Equipment Services, Inc.; Herc Rentals, Inc.; Sunbelt Rentals, Inc.; and Yancey Brothers Company. Total Amount Not To Exceed: \$1,120,000.00

MOTION was made by Lorraine Cochran-Johnson, seconded by Ted Terry, that this agenda item be to approve the substitute in the amount of \$1,120,000.00. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

[2023-0228](#)

Commission District(s): All

LB - Invitation No. 22-101543 SPLOST Phase II Resurfacing Project (Area A) (365 Days): for use by Public Works - Roads and Drainage (R&D). Consists of providing SPLOST (Phase II - Area A) road resurfacing to various roads located in DeKalb County. Recommend award to the lowest, responsive and responsible bidder: E.R. Snell Contractor, Inc. Amount Not To Exceed: \$22,483,778.80.

MOTION was made by Lorraine Cochran-Johnson, seconded by Ted Terry, that this agenda item be deferred to the next meeting, until March 14, 2023. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Terry, Commissioner Cochran-Johnson, and Davis Johnson

J. COMMENTS FROM THE BOARD

K. EXECUTIVE SESSION

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 Mereda Davis Johnson, seconded by Larry Johnson, that this agenda item be approved to adjourn the February 28, 2023 Board of Commissioners meeting at 4:17 p.m. The motion carried by the following vote::

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson,



Robert Patrick
Presiding Officer



Michael Thurmond
Chief Executive Officer



Barbara Sanders (Mar 21, 2023 14:11 EDT)

Barbara Sanders-Norwood
County Clerk