

DeKalb County Government

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



Meeting Minutes

Friday, November 16, 2018

9:00 AM

Manuel J. Maloof Auditorium

Special Called Meeting

Present 7 - Nancy Jester, Jeff Rader, Larry Johnson, Steve Bradshaw, Mereda Davis Johnson, Kathie Gannon, and Gregory Adams

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

Work Session

I. 2019 Legislative Agenda Prospectus

II. BOC Administrative and Policy Review

III. Clerk to the CEO and BOC

IV. SPLOST

V. Transit Study

VI. EMS Service Delivery

VII. Special Call Meeting

2018-3146 Commission District(s): All
To Convene a Special Called Meeting

MOTION was made by Larry Johnson, seconded by Steve Bradshaw, that this agenda item be approved to convene a Special Called meeting. Commissioner Gregory Adams was out of the room and not voting. The motion carried by the following vote:

Yes: 6 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Kathie Gannon

Absent: 1 - Commissioner Gregory Adams

- 2018-3147** Commission District(s): All
To Convene an Executive Session Meeting
MOTION was made by Nancy Jester, seconded by Steve Bradshaw, that this agenda item be approved to convene an Executive Session. Commissioner Gregory Adams was out of the room and not voting. The motion carried by the following vote:
- Yes:** 6 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Kathie Gannon
- Absent:** 1 - Commissioner Gregory Adams
- 2018-3148** Commission District(s): All
To Adjourn an Executive Session Meeting
MOTION was made by Mereda Davis Johnson, seconded by Larry Johnson, that this agenda item be approved to adjourn an Executive Session. Commissioners Nancy Jester, Kathie Gannon, and Gregory Adams were out of the room and not voting. The motion carried by the following vote:
- Yes:** 4 - Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson
- Absent:** 3 - Commissioner Nancy Jester, Commissioner Kathie Gannon, and Commissioner Gregory Adams

- 2019-3159** Commission District(s): All
Proposed settlement of Richard Moss's workers' compensation claim against DeKalb County.
MOTION was made by Kathie Gannon, seconded by Nancy Jester, that this agenda item be approved that the Board of Commissioners authorize total payment of up to one hundred forty-eight thousand six hundred seventy-seven dollars (\$148,677) to settle a workers' compensation claim filed by Richard Moss against DeKalb County, such payment to be made only after receipt of any necessary state approval and an appropriate release signed by Mr. Moss. Commissioners Mereda Davis Johnson and Gregory Adams were out of the room and not voting. The motion carried by the following vote:
- Yes:** 5 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Kathie Gannon
- Absent:** 2 - Commissioner Mereda Davis Johnson, and Commissioner Gregory Adams

- 2019-3161** Commission District(s): All
Proposed settlement of Billie Buchanan's workers' compensation claim against DeKalb County.
MOTION was made by Kathie Gannon, seconded by Steve Bradshaw, that this agenda item be approved that the Board of Commissioners authorize total payment of up to one hundred eighty thousand dollars (\$180,000) to settle a workers' compensation claim filed by Billie Buchanan against DeKalb County, such payment to be made only after receipt of any necessary state approval and an appropriate release signed by Billie Buchanan. Commissioners Mereda Davis Johnson and Gregory Adams were out of the room and not voting. The motion carried by the following vote:
- Yes:** 5 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Kathie Gannon

Absent: 2 - Commissioner Mereda Davis Johnson, and
Commissioner Gregory Adams

2019-3160 Commission District(s): All
Proposed settlement of Anthony Evans' workers' compensation claim against DeKalb County.
MOTION was made by Nancy Jester, seconded by Kathie Gannon, that this agenda item be approved that the Board of Commissioners authorize a total payment of up to one hundred eighty-five thousand dollars (\$185,000) to settle a workers' compensation claim filed by Anthony Evans against DeKalb County, and such payment to be made only after receipt of any necessary state approval and an appropriate release signed by Mr. Evans that acknowledges his separation from employment. Commissioners Mereda Davis Johnson and Gregory Adams were out of the room and not voting. The motion carried by the following vote:

Yes: 5 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Kathie Gannon

Absent: 2 - Commissioner Mereda Davis Johnson, and
Commissioner Gregory Adams

2019-3162 Commission District(s): All
Proposed settlement of Stacey Abdur Rasheed's workers' compensation claim against DeKalb County.
MOTION was made by Steve Bradshaw, seconded by Kathie Gannon, that this agenda item be approved that the Board of Commissioners authorize a total payment of up to one hundred twenty-five thousand dollars (\$125,000) to settle a workers' compensation claim filed by Stacey Abdur Rasheed against DeKalb County, such payment to be made only after receipt of any necessary state approval and an appropriate release signed by Ms. Abdur Rasheed that acknowledges her separation from employment. Commissioners Mereda Davis Johnson and Gregory Adams were out of the room and not voting. The motion carried by the following vote:

Yes: 5 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Kathie Gannon

Absent: 2 - Commissioner Mereda Davis Johnson, and Commissioner Gregory Adams

2019-3163

Commission District(s): All

Proposed settlement of the lawsuit filed by Plaintiffs Estate of Audrecas Davis and Janiya Davis and JuQuan Gaines through conservator Kelly Gaines, against DeKalb County police officers Kliesrath, Gales, Cintron, Delon and others, Civil Action No. 1 1A35756-3 pending in the State Court of DeKalb County.

MOTION was made by Larry Johnson, seconded by Nancy Jester, that this agenda item be approved that the Board of Commissioners approve a total payment of \$100,000 to settle the lawsuit filed by Plaintiffs Estate of Audrecas Davis and Janiya Davis and JuQuan Gaines through conservator Kelly Gaines, against DeKalb County Police Officers Kliesrath, Gales, Cintron, Delon and others, Civil Action No. 1 1CV35756-3, pending in the State Court of DeKalb County. To resolve this lawsuit, the County will pay the total sum of \$100,000 to Plaintiffs and their counsel in return for their dismissal with prejudice of their lawsuit and their execution of a release and waiver of claims satisfactory to the County Attorney. Payment of this sum is also conditioned on obtaining any Court approval required by law to finalize the settlement. The County Attorney or her designee is authorized to execute the settlement agreement. Commissioners Mereda Davis Johnson and Gregory Adams were out of the room and not voting. The motion carried by the following vote:

Yes: 5 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Kathie Gannon

Absent: 2 - Commissioner Mereda Davis Johnson, and Commissioner Gregory Adams

2019-3164 Commission District(s): All
Proposed settlement of two lawsuits filed by Desmear Systems, Inc, ("Desmear") against DeKalb County,
MOTION was made by Kathie Gannon, seconded by Nancy Jester, that this agenda item be approved that the Board of Commissioners approve a total payment of \$525,000.00 to settle two lawsuits filed by Desmear Systems, Inc. against DeKalb County, Georgia, Civil Action File Nos. 15CV5780 and 15CV7169 in the Superior Court of DeKalb County, Georgia, and move that the Board of Commissioners approve the termination for convenience of Contract No. 12-902437 between Desmear and DeKalb County in connection with this settlement. To resolve these lawsuits, the County will terminate Contract No. 12-902437 for convenience; will pay the total sum of \$525,000.00 to Desmear and its counsel; and will dismiss with prejudice its counterclaims against Desmear in Civil Action No. 15CV5780, in return for and conditioned on Desmear's dismissal with prejudice of its two above-referenced lawsuits and Desmear's execution of a settlement agreement with waiver and release of claims that is acceptable to the County Attorney, which will also include a waiver of DeKalb County's claims against Desmear. The County Attorney or her designee is authorized to execute the settlement agreement. Commissioners Mereda Davis Johnson and Gregory Adams were out of the room and not voting. The motion carried by the following vote:

Yes: 5 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Kathie Gannon

Absent: 2 - Commissioner Mereda Davis Johnson, and Commissioner Gregory Adams

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 Commissioner Kathie Gannon and seconded by Commissioner Nancy Jester to adjourn the November 16, 2018 Special Called Meeting at 1:30 p.m. Commissioners Mereda Davis Johnson, and Gregory Adams were out of the room and not voting. The motion carried by the following vote:

- Yes:** 5 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, and Commissioner Kathie Gannon
- Absent:** 2 - Commissioner Mereda Davis Johnson, and Commissioner Gregory Adams



Jeff Rader
Presiding Officer



Michael Thurmond
Chief Executive Officer



Barbara Sanders-Norwood
County Clerk