

DeKalb County Government

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



Meeting Minutes

Tuesday, September 18, 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. Committee of the Whole

A. Committee Reports

B. Board of Health- Mosquito

C. Review of the Proposed Executive Agenda for September 25, 2018

D. Review of Board of Commissioners Preliminary Agenda

II. Special Call Meeting

2018-2826 Commission District(s): All
To Convene a Special Called Meeting
MOTION was made by Kathie Gannon, seconded by Nancy Jester, that this agenda item be approved to convene a Special Called meeting. The motion carried by the following vote:
Yes: 7 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, Commissioner Kathie Gannon, and Commissioner Gregory Adams

2018-2827 Commission District(s): All
To Convene an Executive Session Meeting
MOTION was made by Nancy Jester, seconded by Gregory Adams, that this agenda item be approved to convene an Executive Session. The motion carried by the following vote:
Yes: 7 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, Commissioner Kathie Gannon, and Commissioner Gregory Adams

2018-2828 Commission District(s): All
To Adjourn an Executive Session Meeting
MOTION was made by Mereda Davis Johnson, seconded by Steve Bradshaw, that this agenda item be approved to adjourn an Executive Session. The motion carried by the following vote:

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

2018-2830 Commission District(s): All
Proposed settlement of claims brought by DeKalb County, Georgia against DeKalb Water Partners, Inc. in Desmear Systems, Inc. v. DeKalb County, Georgia, Civil Action File No. 15CV5780 in the Superior Court of DeKalb County, Georgia.

MOTION was made by Larry Johnson, seconded by Nancy Jester, that this agenda item be to approve the settlement of claims and potential claims between DeKalb County and DeKalb Water Partners in the lawsuit originally filed by Desmear Systems, Inc. against DeKalb County, Civil Action No. 15cv5780 in the Superior Court of DeKalb County. To resolve those claims, DeKalb Water Partners will make a payment to DeKalb County in the amount of \$150,000; DeKalb Water Partners affiliate CH2M Hill Engineers, Inc. will provide a credit to DeKalb County in the amount of \$250,000 on invoices related to Consent Decree Program Management; and DeKalb County, DeKalb Water Partners and related companies will sign a settlement agreement and mutual release of claims in a form acceptable to the County Attorney that will provide for dismissal of DeKalb County's claims against DeKalb Water Partners in Civil Action no. 15cv5780. The County Attorney or her designee is authorized to execute the settlement agreement. This settlement does not waive, release, or otherwise impact the claims between DeKalb County and Desmear Systems, Inc. in Civil Action No. 15cv5780. The motion carried by the following vote:

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

2018-2831

Commission District(s): All

Proposed settlement of Demetre Mason's lawsuit against Sheriff employees Cesary Wilborn and Tonjai Roberts, Civil Action No. 17A65163 pending in the State Court of DeKalb County.

MOTION was made by Gregory Adams, seconded by Kathie Gannon, that this agenda item be to approve payment of the total sum of \$75,000 to Demetre Mason and his counsel in return for and conditioned on Mr. Mason's dismissal with prejudice of his lawsuit and execution of a waiver and release of claims acceptable to the County Attorney. Authorize the County Attorney or her designee to sign the settlement agreement. The motion carried by the following vote:

Yes: 7 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, Commissioner Kathie Gannon, 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 September 18, 2018 Special Called Meeting at 11:30 a.m. The motion carried by the following vote:

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



Jeff Rader
Presiding Officer



Michael Thurmond
Chief Executive Officer



Barbara Sanders-Norwood
County Clerk