



Gwinnett County Board of Commissioners

Tuesday, March 20, 2007 - 2:00 PM

Business Session - Minutes

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval of Agenda

IV. Approval of Minutes: Business Session: March 6, 2007
{Action: Approved Motion: Green Second:
Beaudreau Vote: 5-0}

V. Announcements

Resolution of Recognition – Month of the Young Child
{Action: Approved Motion: Green Second: Nasuti Vote: 5-0}

VI. Consent Agenda

A. New Business

1. Commissioners

2007-0401 Approval of appointments to the Board of Construction Adjustments & Appeals - Planning & Development Recommendations - Michael W. Banham, Registered Fire Protection Engineer; Jiles A. Singleton, Registered Mechanical Engineer; Roger S. Lingerfelt, Registered Structural Engineer; and Charles Anderson, General Contracting Industry Representative - Appointment Term Expires December 31, 2008 All Districts
{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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VI. Consent Agenda

A. New Business

1. Commissioners

2007-0402 Approval of appointments to GUIDE. Appointments are as follows: Mary Flynt, Safe/Drug Free Schools; Ellen Gerstein, Coalition; Deputy John Irvine, Law Enforcement; Mahuli Jakubek, Youth Organization; Teresa McCord, Buford City Schools; Bobby Jean Moore, Parent; Steve North, Gwinnett County Board of Commissioners; Marina Peed, Non-Profit; Chuck Truett, Board of Education, Carolyn Wheeler, Business/Chamber - All Districts **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0410 Ratification of Notice of Intent to Object dated March 5, 2007 addressed to the Mayor and City Council of the City of Snellville objecting to a proposed annexation and rezoning located on Tree Lane in Gwinnett County and ratification of any other actions taken by the County Administrator and/or Deputy County Administrator to pursue said objection in accordance with the Land Use Dispute Resolution Process in O.C.G.A.36-36-11 and authorization of the same to take any further actions, as may be necessary, on behalf of the Board of Commissioners to pursue the Land Use Dispute Resolution Process in O.C.G.A. 36-36-11. **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2. Multiple Departments

2007-0377 Award BL038-07, purchase of sod on a semi-annual contract, (March 21, 2007 through September 20, 2007), Departments of Community Services and Water Resources, Section A, to overall low bidder, Tifton Turf Farms, Inc., \$32,927.59, Section B, to overall low bidder, Arthur A. Jones & Associates Nursery, \$46,116.00, total base bid \$79,043.59. (Staff Recommendation: Award) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

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A. New Business

2. Multiple Departments

2007-0333 Approval to renew BL227-05, purchase of field service uniforms on an annual contract, (April 19, 2007 through April 18, 2008), Department of Transportation, Department of Water Resources, Department of Support Services and Department of Community Services, to Image Wear Uniforms, base bid \$123,933.49. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0379 Approval BL030-07, purchase of eggs on an annual contract (April 17, 2007 through April 16, 2008), Departments of Community Services, Corrections, and Sheriff, to low responsive bidder, Garrett Farms, base bid \$211,249.92. (Staff Recommendation: Award) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

3. Community Services/Phil Hoskins

2007-0375 Award RP042-06, construction document development for Settles Bridge Park, Department of Community Services, to Pond & Company, Inc., amount not to exceed \$184,000.00. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. (Staff Recommendation: Award) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

4. County Administration

2007-0405 Approval/authorization For the Chairman to execute a Resolution consenting to the expansion of the Gwinnett Village Community Improvement District, subject to review and approval by the Law Department. **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

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A. New Business

5. Financial Services/Lisa Johnsa

2007-0355 Approval to renew OS011-01, provision of procurement card services on an annual contract (July 01, 2007 through June 30, 2008), Department of Financial Services, to Bank of America. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0378 Approval to renew RP004-03, provision of banking services on an annual contract, (June 1, 2007 through May 31, 2008), Department of Financial Services, to Wachovia Bank, NA, base amount \$115,000.00. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0386 Approval Tax Digest corrections, changes to the digest, in-additions, deletion and errors discovered in the billing and collection process of the Tax Assessors and Tax Commissioners Offices. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0400 Approval/authorization for Chairman to execute a supplemental Resolution at the request of the Gwinnett County Board of Education agreeing to and acknowledging the requirement for a levy of an annual school property tax to provide funds for repayment of principal and interest on Series 2007 General Obligation Bonds. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

6. Fire Services/Steve Rolader

2007-0366 Approval to accept the donation of a Personal Water Craft Trailer, Model Number 2213G, VIN Number 5DKPB13152N003456 for the Fire and Emergency Services Swiftwater Rescue Team. The Trailer is valued at \$930. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

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A. New Business

7. Juvenile Court/Robert Rodatus

2007-0371 Approval/authorization to apply for additional surplus grant funds from the Purchase of Services for Juvenile Offenders grant in the amount of \$5,000 (no match) and for Chairman to accept grant and sign acceptance. Approval/authorization for Chairman to execute grant documents and any other necessary documents subject to review by Law Department. **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

8. Law Department/Karen Thomas

2007-0407 Approval/authorization for Project Old Fountain Road at Old Peachtree Road, Project No. M-0053 for Declaration of Taking procedures for condemnation proceedings regarding the property of James Harold Ward and William R. Ward, located in Land Lot 22 of the 7th district consisting of 563.00 square feet of right of way and 10,599.00 square feet of permanent drainage easement, 2,130.00 square feet of 24-month temporary driveway easement, Parcel 11, Zoning R140. Amount \$30,190.00, Comm. District 3/Beaudreau (Staff Recommendation: approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0457 Approval/authorization of an Agreement at a cost of \$32,500.00 with the Carl Vinson Institute of Government to review the ethics policies and procedures of Gwinnett County and to identify policies and procedures to address ethics-related emerging issues in the County. **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

9. Planning & Development/Glenn Stephens

2007-0381 Ratification of final plats, final plat revisions, and exemption plats for February 1, 2007 thru February 28, 2007. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

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A. New Business

10. Support Services/Connie Hinson

2007-0364 Award sole source purchase of Accela software, licenses, and professional services on an annual contract (March 20, 2007 through March 19, 2008), Department of Support Services, to Accela, Inc. \$274,609.00. (Staff Recommendation: Award) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0380 Award BL026-07, Female Seminary renovation project, Department of Support Services, to low bidder, Midwest Maintenance, Inc., amount not to exceed \$97,087.00. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. (Staff Recommendation: Award) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0396 Award BL028-07, inspection and testing of fire sprinkler systems at various Gwinnett County buildings on an annual contract, (March 20, 2007 through March 19, 2008), Department of Support Services, to low responsive bidder, Gwinnett Sprinkler Company, base bid \$81,420.00. (Staff Recommendation: Award) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0360 Approval to renew BL041-06, purchase of GF systems furniture on an annual contract (April 18, 2007 through April 17, 2008), Department of Support Services, Minton Jones, Design Dept., base bid \$300,000.00. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2007-0372 Approval to renew BL031-06, purchase of gasoline and diesel fuel on an annual contract (April 19, 2007 through April 18, 2008), Department of Support Services, Mansfield Oil Company and Petroleum Traders Corporation, base bid \$12,000,000.00. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

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10. Support Services/Connie Hinson

2007-0117 Approval/authorization for Chairman to execute a Memorandum of Understanding for the Gwinnett Village Community Improvement District (Gwinnett Village) to provide funds for furniture and improvements to the office space located at 5555 Oakbrook Parkway, Norcross to be occupied by the Gwinnett County Police Quality of Life Unit. Approval to delegate authority to the County Administrator or his designee as the Gwinnett County representative for the administration, management and execution of changes and modifications of matters pertaining to this MOU as may be required. All documents are subject to approval of the Law Department. District 1/Green (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0384 Approval/authorization to purchase fourteen (14) vehicles through direct negotiation for Gwinnett County Police Department Special Investigations Section to consist of 7 sedans, 4 trucks, 2 SUVs and 1 van with a not-to-exceed total of \$403,200.00 (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0392 Approval/authorization for the Chairman to execute First Amendment to Landscape Easement between Duke Construction Limited Partnership and Gwinnett County to amend an existing landscape easement to permit surface parking within the easement area on property owned by Duke Construction Limited Partnership. All documents are subject to approval by the Law Department. District 1/Green (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

11. Transportation/Brian Allen

2007-0345 Award BL008-07, traffic signal electrical equipment, material and line hardware on an annual contract (March 21, 2007 through March 20, 2008), Department of Transportation, items 18, 35, and 36 to sole bidder, items 5, 8, 9, 12, 23-25, 29, 31, and 44 to low responsive bidder, and items 3, 4, 6, 7, 11, 13, 15-17, 19-21, 26-28, 34, 42, 46, 47, and 49-53 to low bidder, Temple, Inc. \$385,351.40; items 22, 32, 37, 40, 41, and 45 to low bidder, General Traffic Equipment Corp. \$10,150.00; items 1, 2, 10, and 14 to low bidder, Southern Lighting & Traffic Systems \$79,470.00; items 55-68 to sole bidder, item 43 to low responsive bidder, and items 33, 38, 39, 48 and 54 to low bidder, Traffic Parts, Inc. \$47,172.25; total base bid \$522,143.65. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0397 Approval to adopt Resolutions for the Jimmy Carter Boulevard and Indian Trail-Lilburn Road Livable Centers Initiative (LCI) Corridor Studies - no cost associated - subject to approval by the Law Department - Commission Districts 1/Green and 2/Nasuti (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0353 Approval/authorization for Chairman to execute an Intergovernmental Agreement with the City of Snellville for North Road at Wisteria Road for traffic signal construction and pedestrian upgrades (M-0036-33) - City of Snellville to provide \$19,885.87 for signal pole upgrades and \$12,000.00 for re-striping and pedestrian ramps - subject to approval by the Law Department - 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

11. Transportation/Brian Allen

2007-0394 Approval/authorization for Chairman to execute Supplemental Agreement No. 1 - Final with SD & C, Inc. for Rockbridge Road at U.S. 29 (M-0514 aka 9615) and Rockbridge Road sidewalk (U.S. 29 to Arcado Road), (F-0101 aka 4450) projects - total increase: \$34,840.50 - total reduction: <\$136,245.99> - revised contract amount: \$1,295,688.01 - 1997 and 2001 Sales Tax Program - Commission District 2/Nasuti (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0395 Approval/authorization for Chairman to execute Supplemental Agreement No. 1 - Final with ISC, Inc., for Grayson New Hope Road (F-0088-02 aka 4436-01), Rosebud Road (Graymont Drive to Grayson Parkway), (F-0106 aka 4455) and Rosebud Road (Pine Grove Avenue to S.R. 84), (F-0109 aka 4458) projects - total increase: \$96,999.48 - total reduction: <\$411,379.14> - revised contract amount: \$897,507.59 - 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

12. Water Resources/Frank Stephens

2007-0359 Award BL029-07, Brooks Road Pump Station odor control improvements, Department of Water Resources, to low bidder, Allsouth Constructors, Inc., amount not to exceed \$158,460.00. Authorization for chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

12. Water Resources/Frank Stephens

2007-0363 Award BL016-07, Northfork Peachtree Creek Pump Station valve replacement, Department of Water Resources, to low bidder, Allsouth Constructors, Inc., amount not to exceed \$185,371.00. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0373 Award BL022-07, Tanglewood Pump Station upgrade, Department of Water Resources, to low bidder, Lanier Contracting Company, amount not to exceed \$711,372.00. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0413 Award BL001-07, No Business Creek Tunnel and Lift Station, Department of Water Resources, to low bidder, Mole, Jay Dee, Kassouf, Murray Hill-Joint Venture, amount not to exceed \$54,171,143.00. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

12. Water Resources/Frank Stephens

2007-0370 Approval to reject BL021-07, Shoal Creek storage building improvement, Department of Water Resources. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0398 Approval/authorization for the Chairman to execute the purchase and sale agreement between Ingles Markets, Inc. and Gwinnett County, Georgia, approving the purchase of 0.314 acres located in Land Lot 1 of the 2nd District, Gwinnett County, Georgia, in the amount of \$76,081.00. Also authorization to execute all the necessary documents to complete closing. Subject to approval by the Law Department. (Staff Recommendation: approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0399 Approval/authorization for the Chairman to execute final change order #3 to the contract with Prime Engineering, Inc. for construction management services associated with the Liberty Heights Community Infrastructure Improvement project in the amount of \$12,000.00 and extend the contract 310 days. The contract amount is adjusted from \$660,663.92 to \$672,663.92. (Staff Recommendation: approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-0403 Approval/authorization for the Chairman to execute supplemental agreement #1-final to the contract with Cleveland Electric Company, Inc., in the amount of (\$22,671.00) for work associated with the Generator Acquisition Pump Station project. The contract amount is adjusted from \$1,148,439.00 to \$1,125,768.00. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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VII. Old Business

1. Planning & Development/Glenn Stephens

2006-1511 CIC-06-034, Jim Suddes, Allow a Restaurant With Drive-Thru, C-2 (Change in Conditions), LL270, 6th District, Parcel 082, LL270, 6th District, Parcel 082, 4800 Block of Peachtree Industrial Boulevard, 4900 Block of South Old Peachtree Road, District 2/Nasuti(Tabled on 2/27/2007)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}**

2007-0169 SUP-07-001, Joseph Asher, Automobile Sales, C-2 (Proposed), LL 247, 6th District, Parcel 179A, 6900 Block of Buford Highway, 100 Block of Lake Drive, 100 Block of East Lake Drive, District 2/Nasuti(Tabled on 2/27/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}**

2007-0168 RZC-07-001, Joseph Asher, Automobile Sales, C-1 & R-75 to C-2, LL247, 6th District, Parcel 179A, 6900 Block of Buford Highway, 100 Block of Lake Drive, 100 Block of East Lake Drive, District 2/Nasuti(Tabled on 2/27/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}**

2007-0146 RZC-07-003, Crown Properties Group, LLC, Commercial /Retail Uses (Reduction in Buffers), R-100 to C-2, LL091, 7th District, Parcels 009, 013, 016, & 324, 1800 Block of Buford Drive, 1800 Block of Azalea Drive, District 4/Kenerly(Tabled on 2/27/2007)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 5-0}**

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1. Planning & Development/Glenn Stephens

2007-0147 SUP-07-002, Crown Properties Group, LLC, Mini-Warehouse Storage Facility, C-2 (Proposed), LL091, 7th District, Parcels 009, 013, 016, & 324, 1800 Block of Buford Drive, 1800 Block of Azalea Drive, District 4/Kenerly(Tabled on 2/27/2007)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 5-0}**

2006-1789 RZM-04-008 (Reconsidered By Consent Order), T&B, LLC, Apartments, M-1, R-100 & R-140 to RM-13, LL132, 7th District, Parcels 009, 010 & 032, 800 Block of Old Peachtree Road, 2400 Block of Tech Center Parkway, District 4/Kenerly(Tabled on 3/20/2007) (Tabled to 4/17/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}**

2006-0847 RZR-06-015, YDI, Inc, Single-Family Subdivision, R-100, RA-200 & C-2 to R-ZT, LL125, 5th District, Parcels 023 & 028, 700-800 Block of Athens Highway, District 3/Beaudreau(Tabled on 2/27/2007)[Planning Department Recommendation: Approve with Conditions as R-75 MOD][Planning Commission Recommendation: Approve with Conditions as R-SR] **{Action: Approved with Stipulations as R-SR Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2. Support Services/Connie Hinson

2007-0344 Award BL023-07, purchase of sedans for the 2007/2008 model year on an annual contract, Department of Support Services, to low bidders, items 1, 6, 7, 9, and 10 Akins Ford Dodge Chrysler Jeep, items 2, 3, 4, 5, 8, 11, and 12 Hardy Chevrolet, Inc., base bid \$4,281,285.00.(Tabled on 3/6/2007) (Staff Recommendation: Award) **{Action: Approved Motion: Green Second: Beaudreau Vote: 5-0}**

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VIII. New Business

1. Planning & Development/Glenn Stephens

2007-0387 Waiver WVR-2007-002 to allow development of a gated residential subdivision with private streets and private drainage system. Location is 1104 Ridge Road. Commission District 4/Kenerly (Staff Recommendation: Approved with conditions - see attachment) **{Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 5-0}**

2007-0390 Waiver WVR-2007-003 requesting not to tie into existing stub street (Friar Tuck Lane) adjoining site from neighboring subdivision. Location is 4464 Thompson Mill Road. Commission District 4/Kenerly (Staff Recommendation: Approval) **{Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0}**

2007-0391 Waiver WVR-2007-004 to allow development of a gated residential subdivision with private streets and private drainage system. Location is 3680 Ridge Road. Commission District 4/Kenerly (Staff Recommendation: Approval with conditions - See attachment) **{Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 5-0}**

IX. Comments from Audience

X. Adjournment