



# Gwinnett County Board of Commissioners

Tuesday, January 20, 2009 - 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: January 6, 2009  
Executive Session: January 20, 2009  
**Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}**

### V. Announcements

- **Resolution of Recognition:** January 2009 – Radon Action Month in Gwinnett County  
**Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}**
- **Resolution of Recognition:** In Support of a Trauma Care Network in Georgia  
**Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}**

### VI. Consent Agenda

#### A. New Business

##### 1. Commissioners

**2009-0139 Approval** to correct name of appointment Derek Smith to Derek Hart to Recreation Authority. Lasseter/District 1 Appointment. Term Expires December 31, 2012. {Action: **Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}**}

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**VI. Consent Agenda**

**A. New Business**

**2. Community Services/Phil Hoskins**

**2009-0087 Award BL123-08**, construction of Freemans Mill Park, phase 1, Department of Community Services, to low bidder, Hogan Construction Group, LLC, amount not to exceed \$1,615,670.00. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. Commission District/3Beaudreau. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0039 Approval/authorization** for the Chairman to sign an Affidavit and any additional documents necessary to facilitate the County's certification of the Board of Voter Registration and Elections appointment of Joey Chapman as the fifth board member. Subject to review and approval by the Law Department (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**3. Information Technology Services/John Matelski**

**2009-0092 Award RP032-08**, Information Technology strategic plan, Department of Information Technology Services, to highest scoring firm, Plante and Moran, PLLC, amount not to exceed \$187,150.00 (negotiated cost savings \$9,850.00). Authorization for the Chairman to execute contracts subject to approval by the Law Department. Contracts to follow award. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

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**A. New Business**

**4. Law Department/Karen Thomas**

**2009-0036 Approval/authorization** for Project Sugarloaf Parkway Extension, Phase I, Project #F-0270-01 for Declaration of Taking procedures for condemnation proceedings regarding the property of Ruth H. Yancey lying and being in the 5th District of Gwinnett County, Georgia consisting of 1.40 acres of required right of way, 0.33 acres of permanent drainage easement, 1.96 acres of temporary sediment basin easement and access rights: Station 384+99.03 to Station 386+04.99 and Station 383+71.82 to Station 388+40.22, Parcel 99, Zoning R-100, Amount \$152,600. Comm. District 4/Kenerly. (Staff Recommendation: Approval)  
{ Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent) }

**2009-0037 Approval/authorization** for Project Sugarloaf Parkway Extension, Phase 1, Project #F-0270-01 for Declaration of Taking procedures for condemnation proceedings regarding the property of Ruth H. Yancey lying and being in the 5th District of Gwinnett County, Georgia consisting of 12.95 acres of required right of way, 0.53 acres of permanent drainage easement, 0.24 acres of permanent slope easement, 1.34 acres of permanent bridge construction easement, 1.19 acres of permanent drainage & utility easement, 1.14 acres of permanent slope & utility easement, 0.51 acres of permanent ingress/egress easement, 1.33 acres of temporary construction easement and access rights: Station 395+30.57 to Station 48+76.42 and Station 396+49.50 to Station 57+31.91, Parcel 100, Zoning R-100, Amount \$1,160,200.00. Comm. District 4/Kenerly. (Staff Recommendation: Approval)  
{ Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent) }

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**A. New Business**

**4. Law Department/Karen Thomas**

**2009-0038 Approval/authorization** for Project Sugarloaf Parkway Extension, Phase 1, Project No. F-0270-01, for Declaration of Taking procedures for condemnation proceedings regarding the property of Ruth Neumann, a/k/a Margaret Ruth Neumann located in Land Lot 202 of the 5th District consisting of 3.19 acres of required right of way, 0.39 acres of permanent easement for construction and maintenance of slopes, 1.08 acres of permanent easement for utility and construction and maintenance of slopes, 0.48 acres of permanent drainage easement, and 0.06 acres of temporary sediment pond easement, and access rights: Station 351+44.69 to Station 359+05.70 and Station 353+66.65 to Station 403+86.69, Parcel 5-202-052, Zoning R-100, Amount \$379,500.00. Comm. District 3/Beaudreau. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**5. Planning & Development/Glenn Stephens**

**2009-0020 SNC-09-001** - Applicant - Warren Preston Hendrix, Jr., Street Name Change - From Micromeritics Drive to Clyde Orr Drive, District 6, Land Lot 196, Commission District 1/Lasseter {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0122 Ratification** Plat Ratifications for December 1, 2008 thru December 31, 2008. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0123 Ratification** Development Agreement for December 1, 2008 thru December 31, 2008 (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

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**A. New Business**

**6. Support Services/Steve North**

**2009-0080 Approval/authorization** to dispose of tax parcel 7-338-032 (+/- 0.66 ac & a house) in accordance with O.C.G.A. 32-7-4 for a price not less than 85% of the appraised value of \$102,000.00; authorization for the Chairman to execute any and all documents to effectuate said transaction. District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0081 Approval/authorization** for the Chairman to execute a Right-of-Way Easement for Jackson Electric Membership Corporation to construct, install, maintain and provide electrical service for Fire Station #7 in land lot 201 of the 7th land district. District 1/Lasseter (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**7. Transportation/Brian Allen**

**2009-0035 Award BL136-08**, purchase of guardrail and fencing on an annual contract, (February 08, 2009 through February 07, 2010), Department of Transportation, to low bidder, Martin-Robbins Fence Co., Inc., base bid \$150,000.00. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0086 Award BL139-08**, Azalea Drive (Woodward Mill ES) school safety project, Department of Transportation, to low bidder, GS Construction, Inc., amount not to exceed \$454,859.97. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. Commission District 4/Kenerly. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

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**A. New Business**

**7. Transportation/Brian Allen**

**2009-0032 Approval/authorization** for Chairman to execute Supplemental Agreement No. 1 - Final with Baldwin Paving Company for Harbins Road at Langhorn Road project (#M-0083 aka 4192) - total reduction: <\$110,602.96> - revised contract amount: \$502,823.09 - 2001 Sales Tax Program - Commission District 2/Nasuti (Staff Recommendation: Approval ) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0042 Approval/authorization** for Chairman to execute Supplemental Agreement No. 2 with Precision Planning Inc., for Sugarloaf Parkway Extension (SR 20 to SR 316) project (#F-0270), subject to approval by the Law Department - total increase: \$455,025.36 - revised contract amount: \$3,697,550.02 - 2005 Sales Tax Program - Commission Districts 3/Beaudreau and 4/Kenerly (Staff Recommendation: Approval ) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0041 Ratification** of various Work Authorizations with Moreland Altobelli Associates, Inc., - total cost: \$2,864,590.95 - 2001, 2005, and 2009 Sales Tax Programs - All Commission Districts (Staff Recommendation: Approval ) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

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**A. New Business**

**8. Water Resources/Lynn Smarr**

**2009-0088 Award BL128-08**, Shannon Way streambank and stormwater BMP project, Department of Water Resources, to low bidder, C.S. Britton, Inc., amount not to exceed \$203,300.00. 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: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0091 Award BL117-08**, purchase of fire hydrants and fire hydrant repair parts on an annual contract, (January 21, 2009 through January 20, 2010), Department of Water Resources, per attachment A, total base bid \$104,533.04. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0118 Approval** to extend RP027-04, watershed improvement plan implementation on an annual contract, for six (6) months, (December 29, 2008 through June 28, 2009), Department of Water Resources, with Arcadis G&M, Inc. and CH2M Hill, Inc., base amount \$700,000.00. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0121 Approval/authorization** for the Chairman to execute an Amendment of Memorandum of Agreement to participate in the Metropolitan-North Georgia Water Planning District Toilet Retrofit Program, subject to approval by the Law Department. Commission Districts: All (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

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**VII. Old Business**

**1. Commissioners**

**2009-0047 Approval** of appointment to Development Advisory Committee - Chairman's Appointment - Term Expires December 31, 2010 (Tabled on 01/20/2009) (Tabled to 02/17/2009) {Action: Tabled Motion: Bannister Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0049 Approval** of appointment to Development Advisory Committee - Kenerly/District 4 Appointment - Term Expires December 31, 2010 (Tabled on 01/20/2009) (Tabled to 02/17/2009) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0053 Approval** of appointment to Gwinnett Historical Restoration & Preservation Board - Chairman's Appointment - Term Expires December 31, 2012 {Action: Approved – Appoint Kim Hall Motion: Bannister Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**2009-0063 Approval** of appointment to Recreation Authority - Chairman's Appointment - Term Expires December 31, 2012 (Tabled on 01/20/2009) (Tabled to 02/17/2009) {Action: Tabled Motion: Bannister Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent)}

**2008-2882 Approval/authorization** for Gwinnett County to pledge its contingent financial backing to a \$250,000 working capital loan between the United Community Bank and the Springbrook Golf Commission (dba Collins Hill Golf Club); and provide that County will assume responsibility for repayment in the event of a default by Springbrook Golf Commission. (Tabled on 01/20/2009) (Tabled to 01/27/2009) {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent)}



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**VII. Old Business**

**2. Planning & Development/Glenn Stephens**

**2008-2520 CIC-07-032**, Formerly 2007-1672, Applicant: Bahram Karimi, Owner: Bahram Karimi, To Change Conditions of Zoning to Allow Outdoor Sales/Storage for Property Zoned C-2, District 6 Land Lot 257 Parcel 001, 5000 Block of Buford Highway, 1.1 Acres, District 2/Nasuti **(Tabled on 01/20/2009) (Tabled to 04/21/2009)(Public hearing was held)**[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{ Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent)}**

**2008-2521 SUP-07-101**, Formerly 2007-1673, Applicant: Bahram Karimi, Owner: Bahram Karimi, for a Special Use Permit in a C-2 Zoning District to Allow Outdoor Sales/Storage, District 6 Land Lot 257 Parcel 001, 5000 Block of Buford Highway 1.1 Acres, District 2/Nasuti **(Tabled on 01/20/2009) (Tabled to 04/21/2009)(Public hearing was held)**[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{ Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent)}**

**2008-2523 SUP-07-080**, Formerly 2007-1473, Applicant: Charlie C. Cannon, Owner: Charles Cannon, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales, District 6 Land Lot 056 Parcels 030 and 118, 4500 Block of Stone Mountain Highway, 6.66 Acres, District 3/Beaudreau **(Tabled on 01/20/2009) (Tabled to 05/05/2009)(Public hearing was held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{ Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}**

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**VII. Old Business**

**2. Planning & Development/Glenn Stephens**

**2008-2527 RZC-08-063**, Formerly 2008-0445, Applicant: Vintage Communities, Owner: Vintage Communities, R-100 to O-I, Assisted Living Facility (Reduction in Buffers), District 5 Land Lot 156 Parcel 013, 0-100 Block of Ozora Road, 2.79 Acres, District 3/Beaudreau **(Tabled on 01/20/2009) (Tabled to 03/17/2009)(Public hearing was held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{ Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent) }**

**2008-2528 SUP-08-021**, Formerly 2008-0446, Applicant: Vintage Communities, Inc., Owner: Vintage Communities, Inc., for a Special Use Permit in a (Proposed) O-I Zoning District to Allow an Assisted Living Facility, District 5 Land Lot 156 Parcels 001 and 013, 0-100 Block of Ozora Road, 4.29 Acres, District 3/Beaudreau **(Tabled on 01/20/2009) (Tabled to 03/17/2009)(Public hearing was held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{ Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent) }**

**VIII. New Business**

**1. Commissioners**

**2009-0169 Approval** of appointment to the Gwinnett Convention and Visitors' Bureau. Term Expires December 31, 2011. BoC Appointment **(Tabled on 01/20/2009) (Tabled to 02/17/2009)** **{ Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent) }**

**2009-0170 Approval** of appointment to Gwinnett Convention and Visitors' Bureau to fill unexpired term of Lorraine Green. Term Expires December 31, 2010. BoC Appointment Appoint Commissioner Shirley Lasseter **{ Action: Approved Motion: Nasuti Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent) }**

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**VIII. New Business**

**1. Commissioners**

**2009-0133 Approval/authorization** to appoint Justin Fanning to replace Mark Williams as the Board of Commissioners' appointee to the Gwinnett Place Community Improvement District Board in accordance with the Gwinnett County Community Improvement Districts Act. (Tabled on 01/20/2009) (Tabled to 02/17/2009) {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent)}

**2. Community Services/Phil Hoskins**

**2009-0040 Approval** of changes to precinct boundary lines by the Gwinnett County Board of Registrations and Elections as required by O.C.G.A Section 21-2-261 and 262. District 1 and 4. (Staff Recommendation: Approval) {Action: Approved Motion: Nasuti Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent)}

**IX. Public Hearing – New Business**

**1. Planning & Development/Glenn Stephens**

**2009-0018 Approval** of a resolution to amend Gwinnett County's zoning procedures. That the current procedure of scheduling rezoning applications for public hearings on a quarterly schedule based on development type be amended to hear rezoning applications on a monthly schedule without regard to development type. {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 3-0 (Lasseter & Kenerly Absent)}

**X. Comments from Audience**

**XI. Adjournment**