



Gwinnett County Board of Commissioners

Tuesday, February 19, 2008 - 2:00 PM

Business Session - Minutes

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval of Agenda

{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

IV. Approval of Minutes:

Business Session: February 5, 2008

Executive Session: February 19, 2008

{Action: Approved Motion: Beaudreau Second:
Kenerly Vote: 5-0}

V. Announcements

- Award Presentation: National Association of Counties' 2006-2007 Outstanding Practices Sustainable Communities Award

VI. Consent Agenda

A. New Business

1. Commissioners

2008-0244 Approval of appointment to the Zoning Board of Appeals. Term Expires February 28, 2009. District 1/Green
{Action: Approved – Appointed Marcia Bumbalough Motion:
Beaudreau Second: Kenerly Vote: 5-0}

2008-0245 Approval of appointment to the Zoning Board of Appeals. Term Expires February 28, 2009. District 2/Nasuti
{Action: Approved – Appointed Wayne Knox Motion: Beaudreau
Second: Kenerly Vote: 5-0}

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VI. Consent Agenda

A. New Business

1. Commissioners

2008-0246 Approval of appointment to the Zoning Board of Appeals. Term Expires February 28, 2009. District 3/Beaudreau {Action: Approved – Appointed Mike Royal Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0247 Approval of appointment to the Zoning Board of Appeals. Term Expires February 28, 2009. District 4/Kenerly {Action: Approved – Appointed Joseph Hughes Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0255 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; Schyler Cain, Youth; Jeniece Edwards, Youth - All Districts - Term Expires December 31, 2008 {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2. Multiple Departments

2008-0228 Approval/authorization to accept a grant award from the Department of Justice for the State Criminal Alien Assistance Program in the amount of \$30,240. Request approval and authorization for the Chairman or designee to execute grant documents and any other necessary documents subject to review by the Law Department. {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

2. Multiple Departments

2008-0200 Award BL185-07, maintenance of emergency generators on an annual contract, (February 21, 2008 through February 20, 2009), Department of Corrections, Department of Fire and Emergency Services, Department of Police Services, Sheriffs Department, Department of Support Services, and Department of Water Resources, to overall low bidder, Power and Energy Services, base bid \$123,755.00. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0216 Approval to renew BL224-05, purchase of uniforms on an annual contract, (April 12, 2008 through April 11, 2009), Department of Corrections, Department of Police Services, and Sheriffs Department, with NAFECO, and Red the Uniform Tailor, Inc., per attached tabulation, base bid \$271,743.00. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

3. Administrative Office of the Court/Phillip Boudewyns

2008-0214 Approval to renew RP008-05, provision of probation services for the State Court of Gwinnett County on an Annual Contract, (June 01, 2008 through May 31, 2009), Administrative Office of the Courts, with Professional Probation Services, Inc. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

4. Community Services/Phil Hoskins

2008-0193 Approval/authorization for Chairman to execute agreements between Gwinnett County and the twelve Health and Human Service organizations totaling \$4,190,624 approved in the 2008 budget. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

4. Community Services/Phil Hoskins

2008-0224 Approval/authorization for Chairman to execute two (2) separate agreements between Gwinnett County and a Resident Officer for the residential home on the Vines Garden property and Resident Officer for a residential home on the Graves Park property. District 3, District 2. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

5. County Administration

2008-0225 Approval/authorization to execute an Intergovernmental Agreement among Oakland Partners, LLC, DeKalb County and Gwinnett County for the provisions of services to a residential subdivision located at 5150 Pounds Drive, being partially located in both DeKalb County and Gwinnett County. {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

6. Financial Services/Lisa Johnsa

2008-0192 Approval Tax Digest corrections, changes to the digest, in-additions, deletions 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}

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A. New Business

7. Law Department/Karen Thomas

2008-0217 Approval/authorization for Project Rosebud Road at Cooper Road, Project # M-0527 for Declaration of Taking procedures for condemnation proceedings regarding the property of East Atlanta Properties, Inc. and The Brand Banking Company, located in Land Lot 123 of the 5th District of Gwinnett County, Georgia, consisting of .133 acres of required right of way, .084 acres of permanent construction easement and 0.010 acres of 24 month temporary driveway easement, Parcel 12, Zoning R-100, Amount \$17,500.00, Commission District 3/Beaudreau {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0219 Approval/authorization for Project Five Forks Trickum Widening, Project #M-0440 for Declaration of Taking procedures for condemnation proceedings regarding the property of Derrick A. O`Kelley, Tammy D. O`Kelley and Bank of America, N.A., as successor by merger to Keycorp Mortgage, Inc., located in Land Lot 44, 5th District of Gwinnett County, Georgia, consisting of 5,470.49 square feet of permanent construction easement, Parcel 41, Zoning R-100, Amount \$12,400.00, Commission District 3/Beaudreau. {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0221 Approval/authorization for Project Indian Trail-Lilburn Road, Project #F-0596 for Declaration of Taking procedures for condemnation proceedings regarding the property of Linde Gas North America, LLC, c/o Corporation Service Company, Registered Agent, located in Land Lots 186 and 199 of the 6th District of Gwinnett County, Georgia, consisting of 368.11 square feet of required right of way, Parcel 10, Zoning M-1, Light Industrial District, Amount \$3,050.00, Commission District 1/Green. {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

8. Planning & Development/Glenn Stephens

2008-0189 Waiver WVR-2008-00001 - Request to allow a gated subdivision with private streets and private drainage system. Location is 3588 Five Forks Trickum Road. Commission District 3 (Beaudreau). (Staff Recommendation: Approval with conditions) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0191 Rezoning The applicant, Tahoe Development Group, requests that RZC-08-068 (currently scheduled for April 2008 public hearings) be re-scheduled for concurrent public hearings with its related case RZR-07-040. The cases would be heard together in March 2008. The case is located on Sugarloaf Parkway between Longmont Drive and Five Forks Trickum Road. Commission District 4 (Kenerly) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

9. Police Services/Charlie Walters

2008-0206 Approval to renew Agreement between the Georgia Department of Public Safety and Gwinnett County covering the Commercial Motor Vehicle Safety Program currently operated within the Gwinnett County Police Traffic Enforcement Unit. (Staff Recommendation: Approve) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

9. Police Services/Charlie Walters

2008-0204 Approval/authorization for the Chairman to sign an agreement, Performance Partnership Agreement (PPA) between Gwinnett County, the Gwinnett Emergency Management Agency and the Office of Homeland Security - Georgia Emergency Management Agency. (Staff Recommendation: Approve) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2008-0207 Approval/authorization to accept an award from the Office of Homeland Security - Georgia Emergency Management Agency in the amount of \$300,000.00 to purchase a CBRNE Explosives Device Response Vehicle. Approval and authorization for the Chairman to designate the Department of Financial Services Director to execute grant documents and any other necessary documents, subject to review by the Law Department. (Staff Recommendation: Approve) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2008-0209 Approval/authorization to accept an award from the Office of Homeland Security - Georgia Emergency Management Agency in the amount of \$18,000.00 for the Homeland Security Grant Program - Citizens Corps Program. Approval and authorization for the Chairman to designate the Department of Financial Services Director to execute grant documents and any other necessary documents, subject to review by the Law Department. (Staff Recommendation: Approve) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

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A. New Business

10. Support Services/Steve North

2008-0223 Approval/authorization for the Chairman to execute a lease option confirmation agreement between Equity One, Inc. and Gwinnett County, Georgia for premises located at 6135 Peachtree Parkway, Suite 301, Norcross known as Peachtree Corners Police Precinct. Contract period March 1, 2008 - February 28, 2009, annual amount of \$19,851.48. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

11. Transportation/Brian Allen

2008-0218 Award BL007-08, Williams Road at Bishop Circle safety and alignment improvements, Department of Transportation, to low bidder, Gary's Grading and Pipeline Co., Inc., amount not to exceed \$887,436.00. 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 2/Nasuti. (Staff Recommendation: Award) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

2008-0222 Approval to renew BL004-07, purchase of hot asphaltic patch mix on an annual contract, (February 21, 2008 through February 20, 2009), Department of Transportation, with Blount Construction Company, Inc., Dykes Paving and Construction Co., Inc., E.R. Snell Contractor, Inc., Metro Materials, Inc., and Triple T Asphalt and Paving, LLC, per attached tabulation, base bid \$440,000.00. (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}**

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11. Transportation/Brian Allen

2008-0196 Approval/authorization for Chairman to execute Collateral Assignment of Tenants Interest in Lease with High Roller, LLC., subject to approval by the Law Department - no cost associated - Commission District 4/Kenerly (Staff Recommendation: Approval, Airport Authority (vote) February 14, 2008) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0197 Approval/authorization for Chairman to execute Ground Lease Estoppel Certificate and Assignment and Assumption of Ground Lease with Image Aviation, LLC, and LZU Holdings, LLC., subject to approval by the Law Department - no cost associated - Commission District 4/Kenerly (Staff Recommendation: Approval, Airport Authority (vote) February 14, 2008) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0202 Approval/authorization for Chairman to execute Amendment of Lease Agreement and Lease Agreement with Atlanta Jet, Inc., subject to approval by the Law Department - no cost associated - Airport Operating Fund - Commission District 4/Kenerly (Staff Recommendation: Approval, Airport Authority (vote 5-0) November 8, 2007) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0226 Approval/authorization for Chairman to execute Supplemental Agreement No. 1 - Final with CMES, Inc., for Sycamore Road (Appling Road to Sycamore Elementary School) (F-0081 aka 4417) - total reduction: <\$176,866.00> - revised contract amount: \$418,079.70 - 2001 Sales Tax Program - Commission District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

11. Transportation/Brian Allen

2008-0227 Approval/authorization for Chairman to execute Supplemental Agreement No. 1 - Final with Michael Thrasher Trucking Company for Graves Road at Esquire Drive (M-0058 aka 4167) - total increase: \$160.00 - total reduction: <\$86,454.05> - revised contract amount: \$279,254.83 - 2001 Sales Tax Program - Commission Districts 1/Green and 2/Nasuti (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0229 Approval/authorization for Chairman to execute Supplemental Agreement No. 1 - Final with Baldwin Paving Company, Inc., for Button Gwinnett Road near Crescent Drive (M-0070 aka 4179) and Button Gwinnett Road at Crescent Drive (M-0077 aka 4186) - total increase: \$35,287.00 - total reduction: <\$152,870.86> - revised contract amount: \$828,144.38 - 2001 Sales Tax Program - Commission District 2/Nasuti (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0230 Approval/authorization for Chairman to execute Supplemental Agreement No. 1 - Final with Michael Thrasher Trucking Company for S.R. 120 at Albion Farms Road (M-0052 aka 4139) - total reduction: <\$145,761.63> - revised contract amount: \$654,175.14 - 2001 Sales Tax Program - Commission District 1/Green (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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A. New Business

12. Water Resources/Lynn Smarr

2008-0231 Approval/authorization for the Chairman to sign the 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: Kenerly Vote: 5-0}

2008-0232 Approval/authorization for the Chairman to execute the Drought Contingency Resolution, and delegation of authority to the County Administrator to ensure the continued supply of raw water to the County's intakes to produce safe drinking water to protect the health and welfare of its citizens. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

2008-0233 Approval/authorization for the Chairman to execute change order #1 with Gary's Grading, in the amount of (\$134,384.10) for work associated with the Lower Big Haynes 36" Force Main from Beaver Road to SR20 project. Commission District: 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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VII. Old Business

1. Financial Services/Lisa Johnsa

2007-1816 Award RP026-07, provision of contract compliance and auditing services (January 1, 2008 through December 31, 2011), Department of Financial Services, to the highest scoring firm, Jefferson Wells, amount not to exceed \$228,000.00 per annum. This agreement may be automatically renewed on an annual basis for three additional twelve month terms, for a total lifetime agreement term of four years not to exceed \$912,000.00, upon the same terms and conditions, unless previously terminated. Authorization for the Chairman to execute contract subject to approval by the Law Department. Contracts to follow award.(Tabled on 1/15/2008) (Staff Recommendation: Award)
{Action: Denied Motion: Bannister Second: Beaudreau Vote: 5-0}

2. Planning & Development/Glenn Stephens

2007-1473 SUP-07-080, 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 2/19/2008) (Tabled to 4/15/2008)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]
{Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

2007-1682 SUP-07-100, Applicant: Home Depot U. S. A., Inc., Owner: Home Depot U.S.A., Inc., for a Special Use Permit in a C-2 Zoning District to Allow Outdoor Sales/Storage, District 7 Land Lot 008 Parcel 035, 800 Block of Lawrenceville-Suwanee Road, 10.21 Acres, District 1/Green (West Portion) and District 4/Kenerly (East Portion)(Tabled on 12/11/2007)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 5-0}

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2. Planning & Development/Glenn Stephens

2007-1865 SUP-07-106, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Chelsea Properties, for a Special Use Permit in a C-2 Zoning District to Allow a Pawn Shop, District 6 Land Lot 142 Parcel 055, 4100 Block of Jimmy Carter Boulevard and the 6400 Block of Lawrenceville Highway, 0.74 Acres, District 2/Nasuti(**Tabled on 2/19/2008**) (**Tabled to 3/4/2008**)(**Public hearing was held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 5-0}**

2008-0114 RZC-08-052, Applicant: Viasat, Inc., Owner: Viasat, Inc., M-2 to O-I, Office Uses, District 7 Land Lot 076 Parcel 019, 1700 Block of Breckinridge Plaza, 10.62 Acres, District 1/Green(**Tabled on 2/5/2008**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Denied Motion: Green Second: Nasuti Vote: 5-0}**

2008-0115 SUP-08-011, Applicant: Viasat, Inc., Owner: Viasat, Inc., for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Building Height Increase (6 Stories), District 7 Land Lot 076 Parcel 019, 1700 Block of Breckinridge Plaza, 10.62 Acres, District 1/Green(**Tabled on 2/5/2008**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Green Second: Nasuti Vote: 5-0}**

2007-1446 RZR-07-034, Applicant: Hemlock Holdings, LLC, Owner: Hulon L. Minor, R-75 to R-ZT, Single-Family Subdivision, District 6 Land Lot 227 Parcel 004, 2200 Block of Ingram Road, 5.62 Acres, District 2/Nasuti(**Tabled on 2/19/2008**) (**Tabled to 3/4/2008**)(**Public hearing was held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-60] **{Action: Tabled Motion: Nasuti Second: Green Vote: 5-0}**

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2. Planning & Development/Glenn Stephens

2008-0129 TSP-2007-00074 - Construction of a 199 ft tall monopole telecommunication tower with ground equipment. Location is 1600 block Prospect Church Road Commission District 4(Kenerly)(Tabled on 1/22/2008) (Staff Recommendation: Denial) {Action: Denied Motion: Kenerly Second: Beaudreau Vote: 5-0}

2008-0094 Waiver WVR-2007-00028 - Allow a gated community with private streets and drainage system. Location is 2549 Meadow Church Road. Commission District 1 (Green)(Tabled on 2/19/2008) (Tabled to 3/4/2008) (Staff Recommendation: Approval with Conditions) {Action: Tabled Motion: Green Second: Nasuti Vote: 5-0}

VIII. New Business

1. Commissioners

2008-0243 Approval of appointment to the Zoning Board of Appeals. Term Expires February 28, 2009. Chairman's Appointment {Action: Approved – Appointed Jim Nash Motion: Bannister Second: Nasuti Vote: 5-0}

IX. Comments from Audience

X. Adjournment