



Gwinnett County Board of Commissioners

Tuesday, April 17, 2007 - 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: Public Hearing: April 10, 2007 Executive Session: April 17, 2007 {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

V. Announcements

Resolution of Recognition – The Great Neighborhood Cleanup
{Action: Approved Motion: Green Second: Nasuti Vote: 5-0}
Resolution of Recognition – National Crime Victims’ Rights Week, April 22-28, 2007 {Action: Approved Motion: Green Second: Nasuti Vote: 5-0}
Resolution of Recognition – April is National Fair Housing Month
{Action: Approved Motion: Green Second: Nasuti Vote: 5-0}
Resolution of Recognition – National Community Development Week, April 9-15, 2007 {Action: Approved Motion: Green Second: Nasuti Vote: 5-0}

VI. Consent Agenda

A. New Business

1. Commissioners

2007-0571 Approval of appointment to the Housing Authority. Term Expires 04/21/2012. Chairman’s Appointment {Action: Approved – Appointed Jan Moore Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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A. New Business

2. Administrative Office of the Court/Phillip Boudewyns

2007-0483 Approval/authorization for the Chairman or designee to execute all necessary grant documents to accept an award from Governors Office of Highway Safety in the amount of \$41,100 with a local match of \$13,700. This grant award will be used to enhance and train the DUI Court personnel. This agreement will be subject to legal review. (Staff Recommendation: Approval)
{ **Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)** }

3. Community Services/Phil Hoskins

2007-0523 Award BL042-07, demolition of a former residential trailer park and miscellaneous structures and debris removal, Department of Community Services, to low bidder, Abatech Services, Inc., \$54,000.00. (Staff Recommendation: Award)
{ **Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)** }

2007-0531 Award RP007-07, construction document development for Club Drive Park phase I, Department of Community Services, to Lose & Associates, Inc., amount not to exceed \$117,543.00. Authorization for Chairman to execute contracts subject to approval by the Law Department. Contracts to follow award. (Staff Recommendation: Award) { **Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)** }

2007-0532 Award BL039-07, Harmony Grove Park soccer field lighting, Department of Community Services, to low bidder, Over and Under Contractors, Inc., amount not to exceed \$89,012.00. (Staff Recommendation: Award) { **Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)** }

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A. New Business

4. Financial Services/Lisa Johnsa

2007-0520 Award RP008-07, data collection on residential new construction on a contract (April 18, 2007 through December 31, 2007), Department of Financial Services, to LMC, Inc., base amount \$240,000.00. (Staff Recommendation: Award) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0507 Approval to renew RP016-04, county-wide copier management services on a cost-per-copy basis on an annual contract (July 06, 2007 through July 05, 2008), Department of Financial Services, Milner Documents, Inc., base amount \$509,000.00. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0512 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: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0541 Approval of \$15,000,000 Development Authority of Gwinnett County revenue bonds for the benefit of Greater Atlanta Christian Schools, Inc. (The draft Resolution and Certificate will be supplanted by the executed Development Authority originals on April 10th). (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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5. Fire Services/Steve Rolader

2007-0505 Award BL057-07, purchase of Holmatro rescue tools and accessories, Department of Fire & Emergency Services, to low bidder, Georgia Fire & Rescue Supply, LLC, \$94,525.59. (Staff Recommendation: Award) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

6. Law Department/Karen Thomas

2007-0510 Approval/authorization for Project Lilburn School Road, Project #F-0185-05, for Declaration of Taking procedures for condemnation proceedings regarding the property of McDaniel Enterprises, Inc., located in Land Lot 146 of the 6th district consisting of 269.39 square feet of right of way, 2,494.85 square feet of permanent construction easement and 428.08 square feet of permanent drainage easement, Parcel 1, Zoning C-1 and R-100, Amount \$11,800.00. Comm. District 2/Nasuti. {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0511 Approval/authorization for Project SR 124 at Prospect Road, Project No. M-0067, for Declaration of Taking procedures for condemnation proceedings regarding the property of Harvie J. Ewing, Jr., located in Land Lot 063, 7th District, consisting of 16,304.43 square feet of required right of way and 9,509.88 square feet of permanent construction easement, Parcel 1, Zoning RA-200, Amount \$38,600.00, Comm. District 4/Kenerly. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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6. Law Department/Karen Thomas

2007-0513 Approval/authorization for Project SR 124 at Prospect Road, Project No. M-0067, for Declaration of Taking procedures for condemnation proceedings regarding the property of Harvie J. Ewing, Jr., located in Land Lot 063, 7th District, consisting of 63,121.98 square feet of required right of way, and 20,679.28 square feet of permanent construction easement, Parcel 2, Zoning RA-200, Amount \$198,000.00, Comm. District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0515 Approval/authorization for Project Lilburn School Road, Project #F-0185-05 for Declaration of Taking procedures for condemnation proceedings regarding the property of McDaniel Enterprises, Inc., located in Land Lot 146 of the 6th district consisting of 203.85 square feet of right of way, 15,551.99 square feet of permanent construction easement, 176.85 square feet of permanent drainage easement and 2,700 square feet of 24-month temporary driveway easement, Parcel 1A, Zoning C-1 and R-100, Amount \$52,000.00. Comm. District 2/Nasuti. {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0519 Approval/authorization for Project No Business Creek Tunnel, Project No. 5699, for Declaration of Taking procedures for condemnation proceedings regarding the property of Emma Everson, the Heirs of Sarah Everson and J. E. Everson, Terry Everson, All Unknown Descendants or Heirs, All Other Persons, known or unknown, with any interest in the subject property located in Land Lot 035, 6th District, consisting of 2,998 square feet of permanent sub-surface sanitary sewer tunnel easement and 4,473 square feet of permanent sub-surface sanitary sewer tunnel easement, Parcel 6-035-002, Zoning R-100, Amount \$1,000.00, Comm. District 3/Beaudreau (Staff Recommendation: approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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6. Law Department/Karen Thomas

2007-0521 Approval/authorization for Project No Business Creek Tunnel, Project No. 5699, for Declaration of Taking procedures for condemnation proceedings regarding the property of Gwendolan Everson, the Heirs of Sarah Everson and J. E. Everson, Terry Everson, All Unknown Descendants or Heirs, and All Other Persons, known or unknown, with any interest in the subject property located in Land Lot 034, 6th District, consisting of 3,740 square feet of permanent sub-surface sanitary sewer tunnel easement, Parcel 6-034-013, Zoning R-100, Amount \$445.00, Comm. District 3/Beaudreau (Staff Recommendation: approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0546 Approval/authorization for Project No Business Creek Tunnel, Project No. 5699, for Declaration of Taking procedures for condemnation proceedings regarding the property of C. P. Collins, located in Land Lot 035, 6th District, consisting of 2,979 square feet of permanent sub-surface sanitary sewer tunnel easement, Parcel 6-035-005, Zoning R-100, Amount \$14,559.00, Comm. District 3/Beaudreau (Staff Recommendation: approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0550 Approval/authorization for Prospect Road at SR 124, Project M-0067, for Declaration of Taking procedures for condemnation proceedings regarding the property of Jonathan A. Wimpey located in Land Lot 63 of the 7th district consisting of 2,014.08 square feet of right of way, Parcel 5, Zoning RA-200, Amount - \$5,200.00. Comm. District 4/Kenerly. (Staff Recommendation: Approval.) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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A. New Business

7. Planning & Development/Glenn Stephens

2007-0552 Ratification of final plats, final plat revisions, and exemption plats for March 1, 2007 thru March 31, 2007. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

8. Sheriff/R. L. Conway

2007-0506 Approval to increase Sheriffs Special Operations Funds appropriations by \$278,000, based off of unexpected revenue of \$132,494 in 2007 and available fund balance from 2006 of \$145,506. (Staff Recommendation: approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

9. Support Services/Connie Hinson

2007-0498 Award BL020-07, build-out for Gwinnett County business systems group, Department of Support Services, to low bidder, KR-Witwer, Inc., amount not to exceed \$128,000.00. 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: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0527 Award sole source purchase of forensic recovery of evidence center (FRED-C), Department of Support Services, to Digital Intelligence, Inc., \$77,818.00. (Staff Recommendation: Award) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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9. Support Services/Connie Hinson

2007-0534 Award BL232-06, emergency generator addition at Fleet Management, Department of Support Services, to low bidder, Cleveland Electric Company, amount not to exceed \$229,872.00. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. **{Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}**

20070535 Award BL067-07, purchase of trucks/vans for the 2007/2008 model year on an annual contract (April 17, 2007 through April 16, 2008), Department of Support Services, items 1, 3, 8, 9 and 10 to low bidder, Bill Heard Chevrolet, Inc., \$235,210.65; items 2, 4, 5 and 6 to low bidder, Hardy Family Ford, Inc., \$172,732.00; item 7 to low bidder Akins, \$19,990.00; total base bid \$427,932.65. (Staff Recommendation: Award) **{Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}**

2007-0522 Approval to renew Syscon jail management system software maintenance on an annual contract (May 01, 2007 through April 30, 2008), Department of Support Services, Syscon Justice Systems Ltd., amount not to exceed \$158,701.00. Authorization for Chairman to execute contracts subject to approval by the Law Department. Contracts to follow award. **{Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}**

2007-0525 Approval to renew Microsoft Enterprise agreement and True-up on an annual contract (May 01, 2007 through April 30, 2008), Department of Support Services, to Dell Marketing L.P., amount not to exceed \$472,996.75. (Staff Recommendation: Approval) **{Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}**

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9. Support Services/Connie Hinson

2007-0538 Approval/authorization of change order no. 3 to contract with Swofford Construction, Inc., for construction of Fire Station #12, Snellville Tag Office, and Snellville Fueling Station. Contract amount stays unchanged at \$4,206,246.12 District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0540 Approval/authorization for early termination of rental agreement number 5704 between the Georgia Department of Human Resources - Office of Child Support Services and Gwinnett County for 8,984 square feet of office space at 446 Crogan Street, Lawrenceville and authorization for the chairman to execute all documents necessary to effectuate the transaction. All documents are subject to approval by the Law Department. District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

10. Transportation/Brian Allen

2007-0524 Award BL050-07, resurfacing of county roads on a contract, (April 18, 2007 through November 30, 2007), Department of Transportation, to overall low bidder C. W. Matthews Contracting Co., Inc., base bid \$8,888,215.60. 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: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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A. New Business

10. Transportation/Brian Allen

2007-0530 Award BL049-07, construction of New Hope Road (Grayson/Dacula area elementary 2) school safety project, Department of Transportation, to low bidder, Garys Grading & Pipeline Company, Inc. , amount not to exceed \$957,717.50. 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: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0533 Award BL065-07, construction of Kilgore Road (Mill Creek area elementary 2) school safety project, Department of Transportation, to low responsive bidder, G.P.s Enterprises, Inc., amount not to exceed \$862,733.84. 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: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0536 Award BL068-07, Hope Hollow Road at Oak Grove Road school safety project, Department of Transportation, to low bidder, Gary's Grading & Pipeline Co., Inc., amount not to exceed \$1,219,708.00. 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: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0508 Approval to renew RP025-04, transportation professional demand services on an annual contract, (05/02/07 through 12/31/07), Department of Transportation, for eight (8) categories to twenty-four (24) firms, per attached tabulation, base amount \$3,395,291.36. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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10. Transportation/Brian Allen

2007-0492 Approval/authorization for Chairman to execute an Agreement with the Georgia Department of Transportation for state budget funding assistance for the Transit System for FY 2007, totaling a maximum of \$240,625.00 -Transit Operating Budget, and adjusting revenue and appropriation budgets as necessary upon execution of state contract. Approval for Chairman to execute any and all necessary documents, subject to approval by the Law Department - All Commission Districts (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0542 Approval/authorization for Chairman to execute renewal of Speed Detection Device Permits letter to the Georgia Department of Public Safety - All Commission Districts (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

11. Water Resources/Frank Stephens

2007-0509 Award sole source purchase and installation of ITT Goulds pumps replacement parts, Department of Water Resources, to GPM Environmental, Inc., estimated cost of \$78,091.00. (Staff Recommendation: Award) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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11. Water Resources/Frank Stephens

2007-0514 Award BL044-07, disposal of grit and screenings on an annual contract, (April 14, 2007 through April 13, 2008), Department of Water Resources, Section A to low bidder, Allied Waste/BFI Waste Services, Inc., \$129,726.35, Section B to low bidder, Evergreen Waste, LLC, \$138,112.00, base bid \$267,838.35. (Staff Recommendation: Award) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0503 Approval of resolution supporting raising Lake Lanier full pool two feet from 1071 to 1073. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0518 Approval to renew RP013-04, provide limited locating services on an annual contract, (June 18, 2007 through June 17, 2008), Department of Water Resources, to One Vision Utility Services, LLC, base amount \$500,000.00. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0499 Approval/authorization for the Chairman to terminate two thousand six hundred GPD of reserve sewer capacity from United Stationers Supply Company releasing it back to Gwinnett County. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0500 Approval/authorization for the Chairman to execute agreements with the Atlanta Regional Commission for shared technical expertise relating to water supply issues, in the amount of \$250,000.00 subject to approval by the Law Department. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

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11. Water Resources/Frank Stephens

2007-0501 Approval/authorization for the Chairman to execute change order #2-final to the contract with John D. Stephens, Inc. in the amount of \$325,993.44, for work associated with the North Gwinnett 30" and 48" Water Transmission Main Project. The contract amount is adjusted from \$7,717,587.60 to \$8,043,581.04. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

2007-0502 Approval/authorization for the Chairman to execute change order #2-final summary to the contract with Steele and Associates, Inc., in the amount of \$2,352.00 for work associated with the Russell Road Sidewalk and Water Main Project. The contract amount is adjusted from \$294,498.22 to \$296,850.22. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Green Vote: 4-0-1 (Beaudreau Abstained)}

VII. Old Business

1. Planning & Development/Glenn Stephens

2006-1512 CIC-06-035, Newell Recycling of Atlanta, Inc, Change Hours Of Operation, Change Type And Height Of Materials Allowed And Eliminate Tree Save Areas, M-2 (Change in Conditions), LL250, 6th District, Parcel 004, 2800 Block of Amwiler Road, District 2/Nasuti(Tabled on 4/17/2007) (Tabled to 5/1/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Nasuti Second: Green Vote: 5-0}

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1. Planning & Development/Glenn Stephens

2007-0429 CIC-07-011, Central Gwinnett Partners, LLC, R-ZT, Change in Conditions, LL238, 5th District, Parcel 002, 100 Block of Rock House Road. District 4/Kenerly(**Tabled on 4/17/2007**) (**Tabled to 5/1/2007**)(**Public hearing was held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {**Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0**}

2007-0459 CIC-07-010, Rockhouse Brock, LLC, R-ZT, Change in Conditions, LL238, 5th District, Parcel 048, 100 Block of Rock House Road. District 4/Kenerly(**Tabled on 4/17/2007**) (**Tabled to 5/1/2007**)(**Public hearing was held**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {**Action: Tabled 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**)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {**Action: Approved with Stipulations as RM-10 Motion: Kenerly Second: Beaudreau Vote: 3-2 (Bannister & Green Opposed)**}

VIII. New Business

1. Planning & Development/Glenn Stephens

2007-0528 Waiver WVR-2007-005 requesting an increase in the number of dwellings on a single shared driveway from 2 to 3. Location is 2659 Marcia Drive, Commission District 3/Beaudreau(**Tabled on 4/17/2007**) (**Tabled to 5/1/2007**) (Staff Recommendation: Approval with conditions - See attachment)(Public hearing was not held) {**Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0**}

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1. Planning & Development/Glenn Stephens

2007-0529 Waiver WVR-2007-006 requesting that a total of 8 lots be allowed by exemption plat. Prior exemption plat allowed 7 lots. Applicant wants to divide one of the 7 lots into two lots for a total of 8. Location is 146 Ozora Road, Commission District 3/Beaudreau(**Tabled on 4/17/2007**) (**Tabled to 5/1/2007**) (Staff Recommendation: Approval with conditions - See attachment)(Public hearing was not held)
{ **Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0**}

IX. Comments from Audience

X. Adjournment