



Gwinnett County Board of Commissioners

Tuesday, June 17, 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: Nasuti Vote: 4-0 (Kenerly Absent)}

IV. Approval of Minutes:

Business Session: June 3, 2008

Executive Session: June 17, 2008

{Action: Approved Motion: Beaudreau Second:
Nasuti Vote: 4-0 (Kenerly Absent)}

V. Announcements

- Resolution of Recognition: Gwinnett Reads 2008

{Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

VI. Consent Agenda

A. New Business

1. Commissioners

2008-0699 Approval to appoint Jeremy Means, Jim Scarbrough and Jonathan Semerjian to the Upper Ocmulgee River Resource Conservation & Development Council. Term expires June 20, 2009. All Districts {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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VI. Consent Agenda

A. New Business

2. Community Services/Phil Hoskins

2008-0672 Award BL050-08, Landscaping Maintenance on an Annual Contract, (June 18, 2008 through June 17, 2009), Department of Community Services, sections I, II, III, and IV to low bidder, TruGreen Landcare, L.L.C., sections V and VI to low bidder, Cedar Crest Landscaping and Maintenance, Inc., and section VII to low bidder, North Georgia Landscape/Construction Group, base bid \$134,709.00. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0673 Award BL054-08, Graves Park and Yellow River Park improvements, Department of Community Services, to low bidder, F.E. Sims Enterprises, amount not to exceed \$808,732.00. 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/Nasuti. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0685 Award BL043-08, construction and repairs of natural surface trails on a multi-year contract, (first term, June 18, 2008 through December 31, 2008), Department of Community Services, to low bidder, Steele and Associates, Inc., base bid \$263,202.50. 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, base bid \$487,533.83, upon the same terms and conditions, unless previously terminated. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0665 Approval/authorization for Chairman to sign change order No. 2 for a deduct in the amount of (\$44,498.83) with Lewallen Construction Company for work associated with the construction of the Ivy Creek Greenway, Phase I, Section 4, subject to approval by the Law Department. Commission District 4/Kenerly. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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A. New Business

3. County Administration

2008-0667 Approval/authorization of the Disadvantaged Business Enterprise (DBE) Plan update for FY2008-2009. This requirement is necessary for continued funding from the Federal Aviation Administration (FAA), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). Document subject to legal review. (Staff Recommendation: Approval)
{Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

4. Financial Services/Maria Woods

2008-0666 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: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0689 Approval to adopt the 2008 millage rate and approval of the 2008 Resolution to Levy Taxes. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0687 Approval/authorization for the Gwinnett County Board of Commissioners to execute an agreement for commercial solid waste collection and disposal with HT Waste Removal for unincorporated Gwinnett County. Subject to approval by the Law Department. The term of this agreement will expire December 31, 2008. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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A. New Business

4. Financial Services/Maria Woods

2008-0688 Approval/authorization for the Gwinnett County Board of Commissioners to execute an agreement for commercial solid waste collection and disposal with Ace Disposal Driveway Friendly Trash/Debris Trailers for unincorporated Gwinnett County. Subject to approval by the Law Department. The term of this agreement will expire December 31, 2008. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

5. Fire Services/Steve Rolader

2008-0637 Approval to renew RP018-07, purchase of ambulances on an annual contract, (July 17, 2008 through July 16, 2009), Department of Fire and Emergency Services, Southeastern Specialty Vehicles, Inc., base amount \$952,445.60. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

6. Information Technology Services/John Matelski

2008-0626 Award BL034-08, purchase of computer hardware, printers, file servers, and peripheral equipment on a multi-year contract, (first term, June 29, 2008 through December 31, 2008), Department of Information Technology Services, to overall low bidder, Entre Business Technology Group, Inc., base bid \$287,500.00. This agreement may be automatically renewed on an annual basis for four additional twelve-month terms, for a total lifetime agreement term of five years, base bid \$2,587,500.00, upon the same terms and conditions, unless previously terminated. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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A. New Business

6. Information Technology Services/John Matelski

2008-0641 Award purchase of election equipment, Department of Information Technology Services, to Premier Election Solutions, Inc., \$919,288.50. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0684 Award RP010-08, provision and implementation of system to system data copy, replication tools, and maintenance services, Department of Information Technology Services, to highest scoring firm, Hayes Technology Group, Inc., amount not to exceed \$138,645.00. Authorization for 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: 4-0 (Kenerly Absent)}

2008-0662 Approval to renew RP001-05, County-wide wireless voice and data services on an annual contract, (August 18, 2008 through August 17, 2009), Department of Information Technology Services, with A T and T Mobility National Accounts LLC d/b/a A T and T Mobility, \$234,000.00, and Nextel South Corp., \$395,000.00, base amount \$629,000.00. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

7. Juvenile Court/Robert Rodatus

2008-0671 Approval to accept State funds from Georgia CASA in the amount of \$39,798.53 for the continuation of Gwinnett Juvenile Court CASA Program. {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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A. New Business

8. Law Department/Karen Thomas

2008-0650 Approval/authorization for Project Pleasant Hill Road Widening, Phase I, Project No. F-0035 for Declaration of Taking procedures for condemnation proceedings regarding the property of Williams Real Estate Holdings No. 4, LLC, Wachovia Bank, N.A. and Colonial Pipeline Company, located in Land Lot 236 of the 6th District of Gwinnett County, Georgia, consisting of 2,068.16 square feet of required right of way; 1,323.63 square feet of permanent construction easement; and 2,429.38 square feet of 24-month temporary driveway easement, Parcel 36, Zoning C-3, Amount \$27,800.00, Commission District 1/Green. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0651 Approval/authorization for Project Pleasant Hill Road Widening, Phase I, Project No. F-0035 for Declaration of Taking procedures for condemnation proceedings regarding the property of BGH1 Properties, LLC and American Trust Bank, located in Land Lot 231 of the 6th District of Gwinnett County, Georgia, consisting of 269.72 square feet of required right of way, 352.01 square feet of permanent construction easement and 1,919.973 square feet of 24-month temporary driveway easement, Parcel 26, Zoning C2, Amount \$10,500.00, Commission District 1/Green. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0645 Approval/authorization for Project Herrington Road/CR 544, Project No. F-0586, for Declaration of Taking procedures for condemnation proceedings regarding the property of Herrington Commons, LLC, and The Mills Limited Partnership, by its General Partner, the Mills Corporation, located in Land Lot 41, 7th District, consisting of 0.023 acres of required right of way, 0.522 acres of permanent construction easement, 0.052 acres of permanent drainage easement, and 0.090 acres of permanent utility easement, Parcel 20, Zoning RM 13, Amount \$62,130.00, Comm. District 1/Green. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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A. New Business

8. Law Department/Karen Thomas

2008-0656 Approval/authorization for Project Herrington Road/CR 544, Project No. F-0586, for Declaration of Taking procedures for condemnation proceedings regarding the property of Thomas, Reed & Sharp, LLC, Branch Bank & Trust, located in Land Lot 42, 7th District, consisting of 0.328 acres of required right of way, 0.228 acres of permanent utility easement, 0.233 acres of permanent construction easement, 0.061 acres of permanent drainage & utility easement, and 0.039 acres of temporary driveway easement, Parcel 22, Zoning M-1, Amount \$195,000.00, Comm. District 1/Green. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0657 Approval/authorization for Project Herrington Road/CR 544, Project No. F-0586, for Declaration of Taking procedures for condemnation proceedings regarding the property of AERC DPF Phase II, LLC, Wachovia Bank National Association, as successor by merger to SouthTrust Bank, Principal Life Insurance Company, located in Land Lot 41, 7th District, consisting of 0.125 acres of required right of way, 0.163 acres of permanent construction easement, 0.159 acres of permanent utility easement, 0.037 acres of permanent sewer line easement, 0.938 acres of temporary construction easement, and 0.068 acres of temporary driveway easement Parcel 19, Zoning RM-13, Amount \$255,300.00, Comm. District 1/Green. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

9. Support Services/Steve North

2008-0664 Approval to renew BL104-07, purchase and installation of carpet and associated furniture lift on an annual contract, (July 11, 2008 through July 10, 2009), Department of Support Services, with Thomas Carpets, Inc., base bid \$120,000.00. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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A. New Business

9. Support Services/Steve North

2008-0713 Approval/authorization for Chairman to execute an underground power easement to Georgia Power Company in land lot 132 of the 7th land district. District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

10. Transportation/Brian Allen

2008-0648 Approval/authorization for Chairman to execute contracts with Georgia Department of Transportation for Local Assistance to Road Program (LARP) projects LAR08-S011-00(324), (#M-0646) and LAR08-S011-00(323), (#M-0645) - State portion: \$2,456,439.81, County portion: \$2,807,116.12, total: \$5,263,555.93 - subject to approval by the Law Department - 2001 and 2005 Sales Tax Programs - All Commission Districts (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0681 Approval/authorization for Chairman to execute Purchase and Sale Agreement between Eric S. Zorn, as trustee of Wal-Mart real estate business trust and Gwinnett County, Georgia approving the purchase of 15,851.50, more or less, square feet of fee simple right of way, 11,211.18, more or less, square feet of permanent construction easement, 8,239.906, more or less, square feet for driveway easement (easement one: 5,764.857 square feet, easement two: 2,475.049 square feet), Parcel #32 located in Land Lots 236 and 261 of the 6th District of Gwinnett County in the amount of \$315,000.00. Authorization for Chairman to execute all necessary documents to complete closing, subject to approval by the Law Department - 2001 Sales Tax Program - Commission District 1/Green. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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A. New Business

10. Transportation/Brian Allen

2008-0682 Approval/authorization for Chairman to execute Purchase and Sale Agreement between Lilburn Developers, Inc., and Gwinnett County, Georgia approving the purchase of 5.661 acres, more or less, of fee simple right of way, Parcel #128 located in Land Lot 268 of the 5th District of Gwinnett County in the amount of \$1,992,672.00. Authorization for Chairman to execute all necessary documents to complete closing, subject to approval by the Law Department - 2005 Sales Tax Program - Commission District 3/Beaudreau. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

VII. Old Business

1. Commissioners

2008-0609 Approval of appointment to fill the unexpired term of David Peterson to the Hospital Authority. Term Expires September 30, 2009. District 3/Beaudreau(Tabled on 5/20/2008) {Action: Approved – Appointed David Peterson Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-0669 Approval of appointment to the Development Authority of Gwinnett County. Term expires June 13, 2012. District 1/Green.(Tabled on 6/17/2008) (Tabled to 7/1/2008) {Action: Tabled Motion: Green Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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VII. Old Business

2. Planning & Development/Glenn Stephens

2008-0528 Waiver WVR-2008-00011 - Request reduction of 495 ft of sidewalk on Hope Hollow Road and complete elimination of sidewalk on Cooper Road. Location is 665 Hope Hollow Road. Commission District 3 (Beaudreau)(Tabled on 6/17/2008) (Tabled to 8/5/2008) (Staff Recommendation: GCDOT Recommends Denial of request) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2007-1672 CIC-07-032, 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 6/17/2008) (Tabled to 9/16/2008)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

2007-1673 SUP-07-101, 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 6/17/2008) (Tabled to 9/16/2008)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

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 6/17/2008) (Tabled to 8/5/2008)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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VII. Old Business

2. Planning & Development/Glenn Stephen

2007-1550 RZC-08-020, Applicant: Harry L. Swilley, Owner: Harry L. Swilley, R-75 to M-1, Outdoor Storage Yard, District 6 Land Lot 257 Parcel 003A, 2700 Block of Hamrick Road NW, 4.36 Acres, District 2/Nasuti(Tabled on 5/20/2008) (Public hearing was held) [Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Withdrawn Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

2007-1550 RZC-08-020 (Amended), Applicant: D & L Properties, Owner: Laura Stern, Mary Moore, Harry L. Swilley, and Joyce D. Swilley, C-1, C-2, M-1 and R-75 to C-2, Retail Sales with an Outdoor Sales and Storage Yard (Reduction in Buffers), District 6 land Lot 257 Parcel 003A, 019, and 020, 5000 Block of Buford Highway and the 2700 Block of Hamrick Road, 7.93 Acres, District 2/Nasuti {Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

2008-0560 SUP-08-056, Applicant: D&L Properties, Inc, Owners: Laura Stern, Mary Moore, Harry L. Swilley, and Joyce D. Swilley, for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow Retail Sales with an Outdoor Sales and Storage Yard, District 6 Land Lot 257 Parcels 003A, 019, and 020, 5000 Block of Buford Highway and the 2700 Block of Hamrick Road, 7.93 Acres, District 2/Nasuti(Tabled on 5/20/2008)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

2008-0445 RZC-08-063, 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 6/17/2008) (Tabled to 8/5/2008)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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2. Planning & Development/Glenn Stephens

2008-0446 SUP-08-021, 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 6/17/2008**) (**Tabled to 8/5/2008**)(**Public hearing was held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] { **Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)** }

VIII. New Business

1. Multiple Departments

2008-0683 Award BL047-08, purchase of trash liners on an annual contract, (June 20, 2008 through June 19, 2009), Department of Community Services, 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 low responsive bidder, Southeastern Paper Group, base bid \$125,871.48. (Staff Recommendation: Award) { **Action: Withdrawn Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)** }

2. Financial Services/Maria Woods

2008-0710 Approval/authorization for the Chairman to sign an amendment to the 2008 contract between Gwinnett County and Gwinnett Clean & Beautiful, Inc. to proceed with the implementation of the Comprehensive Solid Waste Management Plan. Pending review by the Law Department. (Staff Recommendation: Approval) { **Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)** }

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VIII. New Business

3. Transportation/Brian Allen

2008-0711 Approval/authorization for Chairman to execute Purchase and Sale Contract and any and all related documents between Gwinnett County, Georgia and Gwinnett Mitigation Services, LLC to purchase stream and wetland mitigation credits for the Sugarloaf Parkway Extension Phase I, Sections II and III (New Hope Road to State Route 316), F-0270-01, subject to approval by the Law Department - total cost: \$1,668,976.00 - 2005 Sales Tax Program - Commission Districts 3/Beaudreau and 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

IX. New Business – Public Hearing

1. Police Services/Charlie Walters

2008-0693 Approval/authorization for the Board of Commissioners to read and adopt the amended (initially approved the ordinance in November 2006 GCID20061457) Gwinnett County Ordinance entitled: Vehicles for Hire. (District: All) (Staff Recommendation: Approve) First Public Hearing Held. Second Public Hearing to be held 06/24/08.

X. Comments from Audience

XI. Adjournment