

**MINUTES**  
**CALLED MEETING OF THE**  
**COLQUITT COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JULY 28, 2015**  
**5:00 o'clock p.m.**

**CALL TO ORDER:** The meeting was called to order at 5:03 o'clock p.m. by Chairman Terry R. Clark. The purpose of the meeting was to conduct an Executive Session in which to discuss the disposition of real estate and pending litigation, as well as to conduct any other county business deemed necessary. The meeting was duly called and advertised.

**PRESENT:** Those present were Commissioners Luke Strong, Winfred Giddens, Marc DeMott, Donna Herndon, Paul Nagy, Johnny Hardin, Chairman Terry R. Clark, County Administrator Chas Cannon, County Attorney Lester M. Castellow, and County Clerk Melissa Lawson.

**EXECUTIVE SESSION:** Commissioner Giddens made the motion at 5:03 p.m. to go into Executive Session to discuss the disposition of real estate and pending litigation. Commissioner Nagy made a second. The motion carried unanimously. (An affidavit, as required by Georgia Law, was executed by all Board members present stating under oath that the subject matter of the closed meeting was devoted to matters within the exception provided by law and identified the specific relevant exception as provided by law. The affidavit is hereby made a portion of the minutes by reference thereto.)

**REGULAR SESSION:** Commissioner Hardin made the motion at 5:48 p.m. to reconvene into regular session. Commissioner Nagy made a second. The motion carried unanimously.

**APPROVAL OF MOTION TO REJECT SETTLEMENT OFFER:** Commissioner Nagy made the motion to approve rejection of the settlement offer from Northlake Development, LLC, as referenced in correspondence dated July 20, 2015, from Tim Tanner of Coleman Talley, LLP to Duke R. Groover. Commissioner Giddens made a second. Those in favor were Commissioners Nagy, Giddens, Hardin, Strong, and Chairman Clark. Commissioner DeMott abstained due to a conflict of interest as a result of an existing business relationship resulting from his employment at Ameris Bank. Commissioner Herndon also abstained due to a conflict of interest.

**APPROVAL OF MOTION TO AUTHORIZE COMMUNICATION BY LEGAL COUNSEL REGARDING THE PURSUIT OF ATTORNEY FEES:** Commissioner Nagy made the motion to authorize the generation of correspondence by the county's legal counsel communicating that the county reserves the right to seek compensation of attorney fees if litigation against the county continues to be pursued. Commissioner Hardin made a second. Those in favor were Commissioners Nagy, Hardin, Giddens, Strong, and Chairman Clark. Commissioner DeMott abstained due to a conflict as a result of an existing business relationship resulting from his employment at Ameris Bank. Commissioner Herndon also abstained due to a conflict of interest.

**KEY DATES:** Mr. Cannon presented a list of key, upcoming dates to the board.

**OTHER DISCUSSION:** At this time, Commissioner DeMott commended Mr. Cannon on the budget presentation given by Mr. Cannon and Wayne Putnal, Finance Director, during a weekly meeting of The Rotary Club of Moultrie. Commissioner DeMott stated that he had received a substantial amount of positive feedback regarding the better understanding that the presentation granted regarding the fiscal challenges faced by the county.

Mr. Cannon reminded the board of an upcoming meeting with the Department of Corrections that was being facilitated and sponsored by the Association of County Commissioners of Georgia (ACCG).

At this time, Commissioner Herndon questioned the status of construction of the road to the new high school.

Mr. Cannon stated that he recently met with engineering staff and also spoke of a collaborative meeting between the County, Board of Education, and the City of Moultrie to discuss traffic flow at the new high school.

Discussion ensued regarding ingress and egress to the new high school, as well as traffic patterns.

The Sabal Trail Natural Gas pipeline was briefly discussed, as well as the potential location of a gas “tap” in Colquitt County.

Commissioner Giddens questioned the status of the legal case involving a county employee who was charged with embezzlement of county funds in October 2014. Mr. Cannon stated that it was his understanding that the case would be presented to the Grand Jury in September.

There being no further business to come before the board, the meeting was adjourned at 6:04 p.m.

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Terry R. Clark  
Chairman

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Melissa Lawson  
County Clerk

Approved:

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# AFFIDAVIT

This is to certify that the Colquitt County Board of Commissioners held an Executive Session Meeting (closed meeting) on July 28<sup>th</sup>, 2015 at 5:03 o'clock a.m./p.m. The majority of the quorum present voted in the open meeting to go into Executive Session (closed meeting). The subject matter discussed was applicable under the following code section(s):

- O.C.G.A. 50-14-2(1) - Consultation with an attorney regarding pending or potential legal action.
- O.C.G.A. 50-14-3(4) - Discussion of future <sup>disposition</sup> acquisition of real estate. (Notice was given as required and minutes taken.)
- O.C.G.A. 50-14-3(6) - Discussion of personnel matters.

I further certify that the subject matter of the Executive Session (closed meeting) was devoted to matters within the exception provided by law and the above checked identifies the specific relevant exception.

This 28<sup>th</sup> day of July, 2015.

Terry Clark  
Terry Clark, Chairman

Winfred Giddens  
Winfred Giddens, Commissioner

Donna Herndon  
Donna Herndon, Commissioner

Johnny Hardin  
Johnny Hardin, Commissioner

Luke Strong  
Luke Strong, Commissioner

Marc DeMott  
Marc DeMott, Commissioner

Paul Nagy  
Paul Nagy, Commissioner

Sworn to and subscribed before me, this 28<sup>th</sup> day of July, 2015

Melissa E. Lawson  
County Clerk or Notary Public  
My Commission Expires: \_\_\_\_\_

