

**MINUTES  
MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF DOUGLAS  
JANUARY 9, 2012**

**A Regular Meeting of the Board of Commissioners was held on Monday, January 9, 2012 at 7:00P.M. The meeting was convened in the Council Chambers of City Hall with Mayor James H. Dennis presiding. Commissioners Olivia Pearson, Ronnie Anderson, Robert Moore, Richard Hutchinson, Dennis Josey, and Marty Swain were in attendance.**

**INVOCATION**

Pastor Matt Rutland gave the invocation.

**PLEDGE OF ALLEGIANCE**

The Coffee County Naval JROTC led The Pledge of Allegiance to the Flag.

**MINUTE ADOPTION**

The following minutes were unanimously approved:

**Work Session .....December 27, 2011  
Commission Meeting.....December 27, 2011**

A **MOTION** to approve **(6-0)** the minutes as presented was made by Commissioner Ronnie Anderson, seconded by Commissioner Olivia Pearson and the Commission unanimously approved the motion.

**APPROVAL OF THE ORDER OF THE AGENDA**

The Mayor and Commission unanimously approved **(6-0)** to accept the order of the Agenda.

A **MOTION** to approve was made by Commissioner Bob Moore, seconded by Commissioner Marty Swain.

**APPROVAL OF AMENDMENT NO. 1-GEFA CONTRACT**

Upon recommendation from Dale Batten, Community Development Director, the Commission unanimously authorized **(6-0)** Mayor James H. Dennis to execute Amendment Number -1 between the Georgia Environmental Finance Authority (GEFA) and the City of Douglas on GEFA Contract ARRA EECBG LocGov2010-120 in the amount of \$71,351.05 for energy efficiency projects for city facilities. This amendment increases the GEFA Contract to \$364,678.05.

A **MOTION** to approve was made by Commissioner Ronnie Anderson and seconded by Commissioner Bob Moore.

**MINUTES  
MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF DOUGLAS  
JANUARY 9, 2012**

**APPROVAL OF THE APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE BY  
SAI GROCERY (PREVIOUSLY J & J FOOD MART)**

Upon recommendation from Dale Batten, Community Development Director, the Commission unanimously approved **(6-0)** the request of Omsai 19, LLC for an alcoholic beverage license, retail, for Sai Grocery at 801 West Bryan Street.

**A MOTION** to approve was made by Commissioner Ronnie Anderson and seconded by Commissioner Marty Swain.

**APPROVAL OF THE RED TAG/CUT-OFF SCHEDULE**

Upon recommendation from Tommy Harrell, Customer Service Manager, the Commission unanimously approved **(5-0)** the Residential Red Tag/Cut-Off as recommended by the Utility Committee.

**A MOTION** to approve was made by Commissioner Marty Swain and seconded by Commissioner Richard Hutchinson.

Commissioner Olivia stated that due to not being present during the time this item was presented at the work session she **abstained**.

**APPROVAL OF THE PARKS AND RECREATION COMMISSION APPOINTMENTS**

Roger Johnson, Parks and Recreation Director, the Commission unanimously approved **(6-0)** to appoint Mr. Mark Moore for the (1) one year term, plus a new (3) three year term expiring in 2015, and the other vacant position will be advertised another (2) two weeks.

**A MOTION** to approve was made by Commissioner Bob Moore and seconded by Commissioner Ronnie Anderson.

**APPROVAL OF MAYOR PRO TEM**

Mayor James Dennis made **A MOTION** to appoint Marty Swain as Mayor Pro Tem and seconded by Commissioner Richard Hutchinson. **(3-4)**

Commissioner Pearson stated that she would be in favor of the Commissions having a chance to make a nomination on selecting the Mayor Pro Tem.

Mayor Dennis explained that this could be done after this recommendation.

Mayor James Dennis, Commissioner Hutchinson and Swain **voted in favor of the motion**.

**MINUTES  
MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF DOUGLAS  
JANUARY 9, 2012**

Commissioners Pearson, Anderson, Josey and Moore **voted against the motion** to appoint Commissioner Swain as Mayor Pro Tem.

Upon recommendation from Commissioner Anderson **A MOTION** was made to appoint Commissioner Olivia Pearson as the Mayor Pro Tem, stating that she has served (4) four terms as Commissioner and has never been appointed as Mayor Pro Tem. The motion was seconded by Commissioner Dennis Josey.

Commissioner Anderson, Josey, Pearson, Moore Swain and Hutchinson **voted in favor of the motion (6-0)**

**STAFF COMMENTS**

Georgia Henderson, Central Services Director stated that the new 2012 Leisure Guides are available at the Douglas and Coffee County Parks and Recreation Department.

Mrs. Henderson announced the itinerary for The Martin Luther King Jr. Celebration events, starting Sunday January 15<sup>th</sup> and Monday January 16<sup>th</sup>, 2012.

Mrs. Henderson informed the Mayor and Commission that the City of Douglas will begin accepting applications for the 101 Citizens Academy.

Commissioner Moore suggested that there should be a minimum of 12 individuals to participate in the 101 Citizens Academy. Mr. Moore stated it would be in the best interest of the city not to proceed with the class if it's less than the number agreed upon.

After much discussion, Mrs. Henderson was directed that before starting the Citizens 101 Academy to present the itinerary and number of individuals enrolled before the Mayor and Commission for review.

**GENERAL COMMENTS**

Larry Nesmith, President of the Coffee County NAACP questioned the Mayor and Commission concerning the reason for the Code Enforcement Officer on attending a Crime Scene Investigation Training when he is no longer a police officer?

Terrell Jacobs, City Manager responded that the officer was recently transferred temporarily to the Code Enforcement Division and prior to his transfer was already registered for the Crime Scene Investigation Training. Mr. Jacobs also stated that this Code Enforcement Officer is still a sworn officer, exactly like the previous Code Enforcement Officer in the past.

**MINUTES  
MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF DOUGLAS  
JANUARY 9, 2012**

Mr. Nesmith stated that “this officer has failed a lie detector test, has been fired and rehired and still goes to a Crime Scene Investigation Training”?

Mayor Dennis stated to Mr. Nesmith that his questions had been satisfied and if there is other information that is requested, the city will address it at a later date.

Mr. Nesmith also stated that on behalf of all the good people in Douglas Georgia this issue will not be dropped.

**MAYOR AND COMMISSION COMMENTS**

Commissioner Pearson stated that she would like to thank those who have supported her to serve as Mayor Pro Tem. Commissioner Pearson also stated that this is her 4<sup>th</sup> term on the Board of Commissioners and is looking forward in serving in this capacity as she has done in the past 13 years.

Mayor James Dennis stated that on behalf of the Board of Commission he appreciates those that took the time to attend the City Commissioners Meeting and their interest in the proceedings. Mayor Dennis also encouraged citizens to participate in the Martin Luther King Jr. upcoming events.

**ADJOURNMENT**

With no further business to discuss in the regular meeting, a motion was made by Commissioner Bob Moore and was seconded by Commissioner Dennis Josey. The Commission unanimously approved (6-0) to adjourn to the Executive Session.



**EXECUTIVE SESSION**

**LAND ACQUISITION**

Terrell Jacobs, City Manager, Dale Batten, Community Development Director discussed facility/land acquisition with the Mayor and Commission.

Commissioner Ronnie Anderson made the **MOTION** to adjourn from executive session and to return to the regular meeting, **MOTION** was seconded by Commissioner Bob Moore, and **approved** by all. (6-0)

**No action was taken with regards to Executive Session items**

**MINUTES  
MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF DOUGLAS  
JANUARY 9, 2012**

Commissioner Ronnie Anderson made the motion to convene to the regular meeting and the motion was seconded by Commissioner Bob Moore, and **approved** by all. **(6-0)**

**ADJOURNMENT**

With no further business to discuss, Commissioner Ronnie Anderson made the motion to adjourn the regular meeting. The motion was seconded by Mayor Pro Tem Olivia Pearson. The Commission unanimously approved **(6-0)** by all at 7:55 p.m.

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**James H. Dennis, Mayor**

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**Wynetta Bolder, City Clerk**

## Affidavit

The undersigned presiding officer, under oath, certifies that at a City of Douglas Commission Meeting, held on January 9, 2012, the Mayor and Commission closed its meeting as permitted by the Open Meetings Act of Georgia [O.C.G.A. 50-14-1 through 50-14-6]. The only matter(s) considered or discussed during the closed meeting are as indicated below:

  x   To discuss future acquisition of real estate [O.C.G.A. 50-14-3 (4)].

       To discuss or deliberate the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of an employee [O.C.G.A. 50-14-3 (6)].

       To consult with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or an officer or employee or in which the officer or employee may be directly involved [O.C.G.A. 50-14-2].

This   9<sup>th</sup>   day of   January  ,   2012  

\_\_\_\_\_  
Signature of Presiding Officer

Sworn to & Subscribed Before Me  
On The Above Indicated Date:

\_\_\_\_\_  
Notary Public, State of Georgia  
Commission Expires \_\_\_\_\_

**The Mayor and Commission unanimously approved to enter into executive session.**

## RESOLUTION OF THE DOUGLAS CITY COMMISSION

BE IT RESOLVED by the Douglas, Ga City Commission as follows: At the meeting held on the 9th day of January 2012 the Commission entered into closed session for the purpose of discussing:

  x   To discuss future acquisition of real estate [O.C.G.A. 50-14-3 (4)].

       To discuss or deliberate the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of an employee [O.C.G.A. 50-14-3 (6)].

       To consult with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or an officer or employee or in which the officer or employee may be directly involved [O.C.G.A. 50-14-2].

(1) The actions of the Council and the discussions of the same regarding the matter set forth for closed session purposes are hereby ratified.

(2) Each member of this body does hereby confirm that to the best of his or her knowledge, based upon the advice of the City Attorney, the said subject matter of the meeting and of the closed session portion was devoted to matters within the specific relevant exception(s) as set forth above.

(3) The Mayor, or the presiding officer, is hereby authorized and directed to execute an affidavit, with full support of the members of this Commission, in order to comply with O.C.G.A. 50-14-4(b).

(4) The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute, which shall be substantially as follows:

Approved this   9th   day, of   January   2012.

\_\_\_\_\_  
James H. Dennis, Mayor

Attest:

\_\_\_\_\_  
Wynetta J. Bolder, City Clerk

**MINUTES  
MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF DOUGLAS  
JANUARY 9, 2012**

**UTILITY APPEALS HEARING**

Tommy Harrell, Customer Service Manager, stated that on December 7<sup>th</sup> Mr. Johnnie Lee Roper after finding he was unable to get gas to his stove notified the Gas Department. When the employee from the Gas Department arrived he found dirt clogged up in the stove. Patrick Taylor, Gas Employee, asked if he could disconnect the stove until the next day. Mr. Roper agreed.

Due to gas leakage Mr. Roper's gas bill totaled \$207.16. Mr. Roper requested that the city adjust his bill to \$197.81 which was attributed to the leak.

After much discussion, Commissioner Ronnie Anderson recommended that **A MOTION** be made to adjust \$197.81 from Mr. Johnnie Lee Roper's gas bill, with the consideration of having the gas pipes repaired. The motion was seconded by Mayor Pro Tem Olivia Pearson. **(5-1)**

Commissioner Swain discussed the concerns of the Board of Commissioners not being consistent with approving adjustments for individuals that had appeared before the Mayor and Commission in the past.

Commissioner Anderson, Josey, Moore, Hutchinson, Swain and Mayor Pro Tem Pearson **voted in favor of the motion** the recommendation to adjust 197.81 from Mr. Johnnie Lee Ropers gas bill. Commissioner Bob Moore **voted against the motion**.

Tommy Harrell updated the Mayor and Commission on individuals that had appeared before the Mayor and Commission.

Mr. Harrell stated that Mrs. Ernestine Adams of Hollywood Drive has paid, as agreed, \$400.00 a month plus her current bill. Therefore, when she makes her final payment this month, she would have completed her agreement.

Mr. Harrell also stated that Tomeeka Tucker was instructed by the Mayor and Commission to pay her delinquent bill at Lovely Ladies Liaison by the end of December 2011. By doing this the city would not interfere with her personal residence. Ms. Tucker was disconnected on December 29, 2011 for non-pay at her personal residence and has not made an effort to pay the delinquent account at Lovely Ladies Liaison. Also, Ms Tucker has filed bankruptcy but did not list the city or Lovely Ladies Liaison on her bankruptcy.

**ADJOURNMENT**

With no further business to discuss, Commissioner Ronnie Anderson made the motion to adjourn from the Utility Appeals Hearing. The motion was seconded by Commissioner Bob Moore. The Commission unanimously approved **(6-0)** by all.