

**MINUTES  
MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF DOUGLAS  
AUGUST 10, 2009**

**A Regular Meeting of the Board of Commissioners was held on Monday, August 10, 2009, at 7:00P.M. in the Council Chambers of City Hall with Mayor Jackie L. Wilson presiding and Mayor Pro Tem Ronnie Anderson, Commissioners Johnnie Lee Roper, Robert Moore, Dennis Josey, and Marty Swain and Olivia Pearson present.**

**INVOCATION**

The invocation was given by Wynetta Bolder, City Clerk.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the American Flag was led by Ray Parker, Code Enforcer.

**MINUTE ADOPTION**

The following minutes were unanimously approved:

**Work Session..... July 27, 2009  
Commission Meeting.....July 27, 2009**

Commissioner Bob Moore made the motion for approval and Mayor Pro Tem Ronnie Anderson seconded the motion.

**APPROVAL OF THE ORDER OF THE AGENDA**

The Commission unanimously approved to accept the order of the agenda.

Commissioner Bob Moore made the motion for approval and Commissioner Olivia Pearson seconded the motion.

**SECOND READING OF UPDATE TO FLOOD DAMAGE PREVENTION ORDINANCE**

Following the second reading by City Attorney Jerome Adams, the Mayor and Commission unanimously approved **“AN ORDINANCE TO PREVENT FLOOD DAMAGE OF THE CITY OF DOUGLAS, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND OTHER PURPOSES.”**

Commissioner Bob Moore made the motion for approval and Commissioner Johnnie Lee Roper seconded the motion.

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**APPROVAL HEALTH & SAFETY FESTIVAL**

Upon recommendation from Georgia Henderson, Central Services Director, the Mayor and Commission unanimously approved for the City of Douglas to partner with Coffee Regional Medical Center to host the Health and Safety Festival at Central Square Complex on Saturday, October 3, 2009 and, if approved, that the Commission also agree that this would be a binding agreement until dissolved by the Mayor and Commission.

Commissioner Olivia Pearson made the motion for approval and Commissioner Johnnie Lee Roper seconded the motion.

**APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF REGENTS/SOUTH GEORGIA COLLEGE AND THE CITY OF DOUGLAS**

Upon recommendation from Terrell Jacobs, City Manager, the Mayor and Commission unanimously approved the Memorandum of Understanding between the Board of Regents of the University System of Georgia/South Georgia College and the City of Douglas pursuant to the Georgia Mutual Aid Act and allowing law enforcement, which requires the combined forces of both entities, to coordinate in emergency situations.

Mayor Pro Tem Ronnie Anderson made a motion for approval and Commissioner Johnnie Lee Roper seconded the motion.

**APPROVAL OF TRANSWASTE CONTRACT**

Upon recommendation from Charles Davis, Assistant City Manager, the Mayor and Commission unanimously authorized Mayor Wilson to execute the contract with TransWaste for a period of five (5) years, July 1, 2009 to July 1, 2014. This also includes a pilot program for recycling.

Terrell Jacobs, City Manager, also stated that the pilot program date is anticipated for January. Therefore, this item concerning the pilot program will be brought back to the Commission concerning the evaluation and any provisions in regards to addressing the cost of the program and any other potential issues that need to be regulated.

Mr. Davis explained that TransWaste and the City of Douglas will conduct a pilot program for 1000 residential homes. Currently there are four (4) billing wards, 250 houses will be selected from each ward to participate in the program.

Commissioner Marty Swain made a motion for approval and Commissioner Johnnie Lee Roper seconded the motion.

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**APPROVAL OF ANNUAL CHLORINE & HFS BID**

Upon recommendation from Jerald Guthrie, Purchasing Director, the Mayor and Commission unanimously approved the low bid for Chlorine & HFS, based on unit prices and order as needed throughout the year, as follows: Group A, C, & D from Allied Universal Corporation located in Miami, FL for a total of \$27,400.00 (a \$15,945.00 savings from last year) and to accept low bid on Group B from Industrial Chemicals, Inc. located in Birmingham, Alabama for a total of \$16,740.00 (an increase of \$1,380.00 from last year) for a grand total of \$44,140.00.

Commissioner Marty Swain made the motion for approval and Commissioner Bob Moore seconded the motion.

**APPROVAL OF RESOLUTION/GMA LEASE**

Upon recommendation from Joyce Taylor, Finance Director, the Mayor and Commission unanimously adopted a Resolution authorizing Mayor Wilson to execute the Lease Supplement documents under the GMA Direct Leasing Program for \$196,304, at 3.64% with quarterly payments of \$13,130.10, for the Digital Communication Upgrades.

Commissioner Marty Swain made a motion for approval and Commissioner Dennis Josey seconded the motion.

**APPROVAL OF PERSONNEL ITEM**

Upon recommendation from Terrell Jacobs, City Manager, the Mayor and Commission unanimously approved the recommendation of Jacob Lott, as the Public Works Director/City Engineer.

Jacob Lott thanked the Mayor, Commission and the staff that conducted the interviewing process. Mr. Lott also stated he was looking forward to serving the citizens of Douglas.

Mayor Pro Tem Ronnie Anderson made a motion for approval and Commissioner Olivia Pearson seconded the motion.

**APPROVAL OF THE DEPARTMENT OF HUMAN RESOURCES-OFFICE OF INVESTIGATIVE SERVICES RENTAL RATE**

Upon recommendation from Dale Batten, Community Development Director, the Mayor and Commission unanimously approved the request of the Department of Human Resources to reduce the monthly rental fee charged to the Office of Investigative Services located at 8 Willie C. Lane by 6% through December 31, 2009.

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Mayor Pro Tem Ronnie Anderson made a motion for approval and Commissioner Johnnie Lee Roper seconded the motion.

**APPROVAL OF THE DOUGLAS-COFFEE COUNTY INDUSTRIAL  
AUTHORITY**

Upon recommendation from Dale Batten, Community Development Director, the Mayor and Commission unanimously approved to deed 2.73 acres of land located on SR 135, Willacoochee Highway, formerly Central of Georgia Railroad Right of Way, to the Douglas-Coffee County Industrial Authority, to benefit future industrial development.

Mayor Pro Tem Ronnie Anderson made a motion for approval and Commissioner Dennis Josey seconded the motion.

**COMMISSIONER COMMENT**

Commissioner Johnnie Lee Roper expressed concern of the high utility bills and commends the staff on managing the situations with the customers.

Donald Carver, Electric Director stated that as of today June is the highest peak for the summer.

**ADJOURNMENT-EXECUTIVE SESSION**

The meeting was adjourned to Executive Session to discuss a Litigation Issue.

Commissioner Bob Moore made the motion for approval to enter into Executive Session and Commissioner Olivia Pearson made the second, it was unanimously approved

**EXECUTIVE SESSION**

**LITIGATION ISSUE**

Terrell Jacobs, City Manager, Jerome Adams, City Attorney, Tim White, Fire Chief and Judy Carter, Human Resources Director, discussed a litigation issue with Mayor and Commission.

Commissioner Bob Moore made the motion to return back to the regular meeting from executive session and seconded by Commissioner Marty Swain and approved by all.

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**APPROVAL OF BENEFIT CHANGES**

1. After much discussion, and information provided by Terrell Jacobs, City Manager, the Mayor and Commission unanimously approved to allow employees who work a minimum of 40 hours, 42 hours or 56 hours each week to accrue up to 24 weeks of sick leave effective immediately.

Mayor Pro Tem Ronnie Anderson made a motion for approval and Commissioner Olivia Pearson seconded the motion.

2. Upon information provided by Terrell Jacobs, City Manager, the Mayor and Commission unanimously approved the request to allow sick leave to be credited toward retirement and discontinue pay out of unused sick leave at time of voluntary termination or retirement.

Mayor Pro Tem Ronnie Anderson made a motion for approval and Commissioner Olivia Pearson seconded the motion.

**ADJOURNMENT**

With there being no further business to discuss, Commissioner Marty Swain made the motion to adjourn and seconded by Commissioner Bob Moore and approved by all at 8:28 p.m.

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**Jackie L. Wilson, Mayor**

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**Wynetta J. Bolder, Certified Municipal Clerk**

## AFFIDAVIT

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, Mayor Jackie L. Wilson, who, after being duly sworn, deposes and on oath states the following:

- (1) I was the presiding officer of a meeting of the Douglas City Commission held on the 10th day of August, 2009.
- (2) That it is my understanding that O.C.G.A. 50-14-4(b) provides as follows:  
When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the chairperson or other person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.
- (3) The subject matter of the closed meeting or closed portion of the meeting held on the 10th day of August 2009, which was closed for the purpose(s) of Personnel and Litigation Issue as allowed by O.C.G.A., Title 50, Chapter 24, was devoted to matters within those exceptions and as provided by law.
- (4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. 50-14-4(b) that such an affidavit be executed.

This 10th day of August 2009.

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Mayor Presiding Officer

Sworn to and subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,

\_\_\_\_\_  
Notary Public

**MOTION TO ENTER INTO A CLOSED MEETING OF A CITY COUNCIL**

Commissioner Bob Moore makes the following motion:

- (1) That this Mayor and City Commission now enter into closed session as allowed by O.C.G.A. 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing the following:

Personnel and Litigation Issues \_\_\_\_\_ That this body, in open session, adopt a resolution authorizing and directing the mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. 50-14-4, and that this body ratify the actions of the council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law, said resolution to be in the form as attached hereto.

**Motion Approved**

Those voting in favor of the motion for closure: Commission Members:  
Commissioner Dennis Josey, Commissioner Bob Moore, Mayor Pro Tem Ronnie Anderson, Commissioner Johnnie Lee Roper, Commissioner Olivia Pearson and Commissioner Marty Swain.

Those voting against the motion for closure: Commission Members

\_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_.

## **RESOLUTION OF THE DOUGLAS CITY COMMISSION**

**BE IT RESOLVED** by the Douglas, Ga City Commission as follows: At the meeting held on the 10th day of August, 2009 the Commission entered into closed session for the purpose of discussing Personnel and Litigation Issues. At the close of the discussions upon this subject, the Commission did vote to re-enter into open session and herewith takes the following action in open session:

- (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 10th day, of August, 2009.**

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**Jackie L. Wilson, Mayor**

**Attest:**

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**Wynetta J. Bolder, Certified Municipal Clerk**