

# EXECUTIVE SESSION AFFIDAVIT

(AS REQUIRED UNDER O.C.G.A 50-14-4 (b))

The undersigned Chairman of the Board of Commissioners of Miller County, under oath, Hereby states and certifies that at the meeting held on **January 08, 2024** the following.

- 1) The board properly entered executive session as permitted by O.C.G.A § 50-14-1 and 50-14-3 were as follow:
  - ( ) Consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions.
  - ( ) To discuss tax matters which are confidential by state law.
  - ( ) To authorize negotiations to purchase, dispose of, or lease real estate, subject to approval in a subsequent public vote.
  - ( ) To discuss the appointment, employment, compensation, hiring, disciplinary action or dismissal or periodic evaluation or rating of a public officer or employee, but not determine disciplinary action.
  - ( X ) To discuss information exempt from public inspection or disclosure pursuant to Article of Chapter 18 of Title 50.

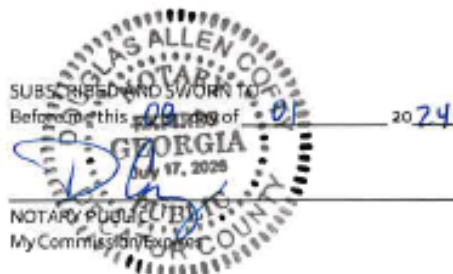
Personnel Contract

- 2) To the best knowledge and belief of the undersigned, no matter than those of a purely personal and/or nongovernmental nature were discussed during said executive session.
- 3) By executing this affidavit, the undersigned does hereby state that he/she in no way waives any rights granted under the 5<sup>th</sup> Amendment of the United States Constitution.
- 4) This Affidavit is executed solely for the purpose of compliance with the mandate of O.C.G.A § 50-14-4(b) and shall serve no other purpose.

This 8th day of January, 2024



CHAIRMAN OF THE BOARD





# Miller County Government

304 W. Pine Street

Colquitt, Georgia 39837

P: 229.758.4104 | F: 229.758.2229

Board of Commissioners



**Present:** Chairman Ladon Calhoun, Vice Chairman Calhoun, Commissioner Edwards, Commissioner Worsley, Commissioner Nixon. **Others Present:** Faye Whittaker, Austin Lambert, Douglas Cofty, Andy Moore, Garison Clenney, Tate Bryan, Whitney Butler, Debbie Henry, Taylor Lambert

6:00 P.M. – Welcome & Call to Order. Chairman Worsley led prayer and pledge of allegiance.

## Housekeeping

- Selection of Chairman – Commissioner Cox nominated Vice Chairman Calhoun to be Chairman. Seconded by Commissioner Nixon. Majority of board in favor. Motion carried
- Selection of Vice Chairman – Chairman Calhoun nominated Commissioner Cox, Seconded by Commissioner Nixon, Majority of board in favor. Motion carried.
- Selection of Board and committees – Mr. Cofty advised the board that the County Attorney is not up for renewal until next month but that he received a letter from the County attorney stating he would like to remain as county attorney. Commissioner Worsley made motion to keep current attorney, Chairman Calhoun seconded. All in favor. Motion carried.
- Boards and Committees – Mr. Cofty advised the board that the names on the current boards were for information purposes, and most are not up for reappointment. Mr. Cofty stated he was working on getting the Miller County Development Authority board member dates to see when they are up. But that the committees are what they are to discuss. Commissioner Worsley made motion to leave the committees alone. Vice Chairman Cox asked could they be changed. Commissioner Worsley stated he needed to come off the recreation board because that was a position the chairman had to serve on. Mr. Cofty advised we would take care of that board position. Vice Chairman Cox advised he would like to serve on the road committee. Chairman Calhoun asked would that be alright to switch Vice Chairman Cox and Commissioner Worsley. Commissioner Worsley stated he would like to stay on the road board because he has a good working relationship with the department. Discussion on how many commissioners could be on a committee took place. Chairman Calhoun asked the board what they wanted to do, board decided to leave it the same.

- Approval of Agenda – One addition to the agenda, Executive Session – Personnel. Commissioner Worsley made motion to approve. Vice Chairman Cox seconded. All in favor motion carried.
- Approval of Minutes for RS 12-12-23 and SS 12-28-23. Commissioner Worsley made a motion to approve the minutes, N. Nixon seconded. All in favor, motion carried.
- Approval of Financial Reports. Vice Chairman Cox made a motion to approve financial reports, Commissioner Nixon seconded. All in favor, motion carried. Ms. Whittaker stated she would need to get new signature cards at First State Bank, Ameris Bank and Peoples South Bank for the change in Chairman and Vice Chairman Positions. Commissioner Worsley made motion, Chairman Calhoun seconded. All in favor. Motion carried.

### **Appearances**

- NONE

### **Old Business**

- Fuel Center Report – Mr. Cofty updated the board on the fuel center and advised it was a little slower due to the school being out for the holidays but no issues to report. Fuel Center was ready for the bad weather. The generator was in place and ready to go.

### **New Business**

- Software Agreement – Chairman Calhoun stated this was an annual software contract. Mr. Cofty advised that it was, and it was for the tax commissioners office. Commissioner Nixon made motion, Vice Chairman Cox seconded. All in favor. Motion carried.

Motor Grader Purchase – Mr. Cofty advised the board had asked to get a quote to see what it would cost to purchase the loaner motor grader for a 4<sup>th</sup> motor grader. The quote was \$165,000. Chairman Calhoun asked would we finance that and where would the money come from. Mr. Cofty advised we could apply for a USDA grant but that we still have not gotten anything from USDA for the 3 additional grants neither has the City. Mr. Cofty advised that they have dropped the reimbursement from \$50,000 to \$25,000. Ms. Whittaker stated payments would need to come out of TSPLOST.

Commissioner Worsley stated that is what he suggest doing because as it is set up now he is getting a lot of complaints about grading the roads. Vice Chairman Cox asked as far as? Commissioner Worsley stated about not making it around in time and some roads are heavier travel than others are, and they are getting beat pretty bad, people are complaining about them getting scraped. He stated when you have to call and ask them to go do that it takes everything out of rotation when you have to move one of the road graders. He stated it is not right for him to call and have one move from Commissioner Edwards district to his. Chairman Calhoun asked did they have the personnel to run the 4<sup>th</sup> motor grader. Mr. Moore stated not right now, they would pick up somebody but in the meantime they could use it to clip shoulders, pull up dirt or rob some sand. He said anytime you do something like that you are robbing a motor grader from scrapping the county. Mr. Moore state under dire circumstance one

of us will get out there like after this storm we'll run it and eventually yeah we'll pick up a driver for it you know we've had them before if you want to go back to 4. Chairman Calhoun asked what if we ask the guys that run the motor grader to come in on Fridays. Mr. Moore stated they do some if it isn't going to rain next week and take it away from us. Chairman Calhoun stated no I am talking about paying them overtime. Mr. Moore stated we pay them overtime to come in. Chairman Calhoun stated get them to come in until they catch up. Mr. Moore stated we do that some but then sometimes these guys they got little extra things that they do, and they want to work or don't want but most times I asked them to they'll come in. Mr. Moore stated there was a couple times I wanted them to run during the holiday that I didn't run them but that's an issue that we run into when we don't work 40-hour work week, it interferes with us paying them over time but most of the time yeah they'll work I mean we can run them anytime you all want to run them. Chairman Calhoun stated well I just think it would be better to do that and run those harder until you do pick up somebody. I hate to buy a machine and it just sit there if you don't have anybody to run it. Mr. Moore stated we have drivers come and Chairman Calhoun stated I know since I've been here you have been under staff, so you barely got enough people to run everything you got now don't you. Mr. Moore stated I don't really have enough to run everything but some of it seasonal but the motor grader guy we had the motor grader we probably could get out and solicit some people to come but kind of hard to solicit a man that wants to run a motor grader and you don't have it, but we can do it with 3, we've been doing it with three. Chairman Calhoun stated we can buy one in two weeks, so I mean it's not hard to buy one. Mr. Moore stated I mean that's fine I we just solicited the guys you know to give us a price and all I wanted to do was hey if y'all want to do it. Chairman Calhoun asked isn't SPLOST kind of maxed out already. Ms. Whittaker stated SPLOST is. Not regular TSPLOST. Chairman Calhoun stated but that's where we do our paving from correct, so, we already tapping into that a little bit correct. Mr. Moore stated I mean that's it's up to you all. Chairman Calhoun stated this is the way I look at it is, yeah it's going to cost the money and you're going to have to pay them overtime and but once we get to a number we can be like we can shut that down, if we buy this motor grater we are locked in too having to make that payment this one doesn't have warranty on it right. Mr. Moore stated no it's definitely going to be on us, that's a drawback. Chairman Calhoun stated these other ones have warranty that we have though right why not run them harder. Mr. Moore stated that's right.

Chairman Calhoun continued and get these guys to run on Fridays and you know. Mr. Moore stated I'm good, if we run hard during the week you know there's not a lot of times that we get way behind unless we have a holiday, or you know short weeks or something we don't do too bad far as us keeping a pretty good schedule you just have a lot of roads that you know people want them scrape twice and that's not going to happen. Chairman Calhoun stated but this is generally the time when it's kind of wet this time of year you could do some, you can catch up on some work and some ditching and all kind of stuff like that right I mean I'm just saying if they three motor graders and you work four Fridays that's a whole another week with three motor graders. Mr. Moore stated oh yeah. Chairman Calhoun continued so I mean if you if you bought another motor grader you aren't getting much more is what I'm saying. Vice Charman Cox stated not saving. Commissioner Worsley stated but it did work out better years ago when Andy had them busted up two on this side two on that side of the county. Chairman Calhoun stated but Andy doesn't have the labor for it. Vice Chairman Cox agreed and stated

he doesn't have the manpower. Chairman Calhoun stated so we be buying a machine that's just going to sit there Mr. Moore stated we do not have the labor to keep them like we had them before that's for sure I mean we going to have to keep them kind of. Chairman Calhoun stated if we get that kind of labor, if we get back to there then. Mr. Moore stated to me if I was going to take a chance on a machine you know like you said this machine don't have no warranty on it this one would be the one I would do because it was ours I wouldn't go to the sale and buy one this one was ours and if you all want to do it this would be a good opportunity to do it if you don't we'll run what we got and we'll do the best we can with them and the way we running them now I want to keep, you know we going to run them that way I want to keep them on their pattern and whatever comes we just have to deal with that because there's roads out there if you in you in Baker County you can't be in Griggs Lucille scraping, I mean and everybody's going to have to just agree to agree on that you know. Chairman Calhoun stated but if you run them if you run them on Fridays which they have not been running. Mr. Moore stated well that'll be a day extra it'll help some yeah. Chairman Calhoun stated you are talking about three of them running though. Mr. Moore stated I do look at that like this last weekend I looked at it but there it was it was going to rain and I mean but now there's no difference in Monday and Friday to me everything we scrap Monday Tuesday and Wednesday it rained on, you know what I am saying, or Thursday and it would have rained on what we scraped Friday but I didn't see paying overtime to scrap that one day and it going to rain you know Saturday or Sunday and if it's going to be pretty we'll ask them to run, we'll pay them overtime if that's what you all want to do that's fine with me but if I was going to take a chance on a machine and go to 4 and didn't want to buy a new one now would be the opportune time because this is our motor grader and we know it was I agree. Chairman Calhoun stated but you don't have anybody to run it so that's my argument. Mr. Moore stated no I don't I mean I can't say I do because I don't I'm too short right now.

Chairman Calhoun asked is that agreeable with everybody to do that. Commissioner Worsley stated I think you're making a mistake by what you all are doing. Mr. Moore stated it'd be easier to get somebody you know if we wanted to go to 4 it' be easier to get a motor grader operator if you got somewhere for them to be. Commissioner Worsley stated we have raised the pay now. Vice Chairman Cox asked are we running all three. Mr. Moore stated yeah all three of them running every day every day that they can run they run I mean I run motor graders every day I mean we even run them when it's a little we start back when it's a little too wet you know sometime but you got to put them back the road and let them roll we are covering 600 miles you know I mean that's what we covered Chairman Calhoun asked do you need to vote on this. Mr. Moore stated no if you don't want if you all want to do it's fine I just got to send the motor grader back because we had we had asked for a price and they didn't, when they brought the new one they didn't pick that one up right and they was kind of waiting to see you know if we wanted to buy it or if we didn't want to buy it and so Doug put it on the agenda either we want to buy it or we don't want to buy it. Chairman Calhoun stated well I think we'll just look at it in the future when you get some help how about that. Vice Chairman Cox stated but move forward with the Friday working. Chairman Calhoun stated correct, that's what I think, if they are under warranty I they run them harder that's just me. Mr. Moore stated I mean that's going to be volunteer right because I mean you can't really force them to work you know. Chairman Calhoun stated I think they'll want to work if you going to pay them extra you know. Mr. Moore stated some of

them do some and then some of them don't you know like say they do other things on the weekends and some of them get out and make them a little extra money to feed the families and you know they can either make it with us or make it somewhere else so you know I'll offer it to them and if they want to work we'll let them run if the weather's going to be pretty we will run. Commissioner Worsley stated it needs to be the employees choice. Mr. Moore stated yeah I'll ask them I mean you know. Vice Chairman Cox stated it will be but that'll be extra way to make money, they won't have to go outside to make extra money. Mr. Moore state I don't see where we get way behind there's roads out there that people think we're behind because they want it scraped but as far as in general we do pretty good with staying up with it I mean if it rains tonight you can't scrap every road tomorrow. Chairman Calhoun stated if it rains tonight like they are talking about and they come in Wednesday and it's going to be probably too wet Wednesday if they can come in Friday. Mr. Moore stated yeah if we need to, yeah but I mean unless it if it washes them out real bad we going to run over we going to separate them we're going to go fill in the wash outs and get the bad spots you know to where everybody can kind of come and go that'll take a day so we'll get every road kind of run then we'll turn around we'll sit down and we started Ms. Christine's District go through Jeff's go through Allen's and come back through yours and we start right back again that's same way with the mowing crew we do the same thing motor graders are the same pattern mowing guys are pretty much right and as long as you all good with that I'm good with it you know I just want to keep them together keep them own pattern you know instead of you can't you can't jump around or you won't make no time you know we got to agree to start here and make the circle and that's what I've been doing I've been doing. Chairman Calhoun stated we're going to table this until you get some help we're going to move on. All right let's go to the

### **Mental Health Awareness Resolution**

Mr. Cofty stated this is what you all voted on the other day on the telephone we went ahead and did it, we just have to have a formal motion and approval of the this is for ACCG where they were going to present the Governor Kemp. Chairman Calhoun stated do we need to read it, or we just need to. Mr. Cofty stated Mr. Allen read it at the last meeting, you just have to vote on it formally. Chairman Calhoun stated all right I need a motion to approve it. Commissioner Worsley made motion, Commissioner Nixon seconded it. All in favor. Motion carried.

### **TANS Note**

Ms. Whittaker stated I need to pay the TANS at Peoples South Bank off from last year and get Peoples South Bank to go ahead and start another one so whenever we needed the line of credit to be there. Chairman Calhoun stated you want a motion. Mr. Cofty stated it was actually lower this year. Ms. Whittaker stated its the lowest we had in a long while. Mr. Cofty stated we are working towards. Chairman Calhoun stated so you need a motion to pay it off and renew the TANS note. Commissioner Worsley made motion, Commissioner Nixon seconded. All in favor Motion carried.

### **Department Reports**

Chairman Calhoun stated I think Andy has done reported. Anybody else. Mr. Cofty stated all the reports are in there I gave you. Mr. Cofty asked EMA Director Debbie Henry if she wanted to tell us about the weather. Chairman Calhoun stated Emergency Director. Ms. Henry stated what I know

about the weather, 2 rounds of storms. One begins anywhere around 4am ending about 7am and winds up to 40 miles an hour then probably around 9am to 12pm going to be expecting tornadoes and winds up to 70 hour. Commissioner Worsley asked that's now. Ms. Henry stated in the morning Chairman Calhoun stated tornado activity. Ms. Henry stated yes very likely tornadoes hail and the wind damage probably lots of power outages. We did a Code Red call out at lunch today and the schools are closed. The county and city offices are all closed. All the emergency departments are ready. Commissioner Worsley asked Andy have you all tried the generator out for the Fueling Station. Mr. Cofty asked if he ever came and hooked it up, so we've got two backup generators for the fueling station. Mr. Moore stated I got a generator ready for the fueling station if we have to do it. Mr. Cofty stated we have plenty of fuel. Mr. Moore stated it's ready to go, we fired it up, full of gas, I mean it's ready to go if we need it so and we'll try we'll try it out see what happens but soon as they get the other one hooked up we hope and not have to do that no more you know ours will kick on and run us and the fueling station all at the same time. Chairman Calhoun stated is that everything. Mr. Cofty stated you want to tell them about the break-in. Mr. Moore stated just somebody broke in stole all our stuff again you know it isn't nothing. Chairman Calhoun stated everything. Mr. Moore stated no not everything this time they cleaned out my tool box again, got all the hand tools, you know DeWalt tools Chairman Calhoun asked the cordless stuff, you are talking about the cordless stuff. Mr. Moore stated yeah they picked up anything I guess what they could to you know they got just a mess you know. Commissioner Worsley stated they stole some of Andy's personal stuff. Mr. Moore stated I think we are going to do something different with the cameras you know too so we are working on that camera's catch a good view but it right upside the building you know we get a little more cameras out there you know. Mr. Cofty stated Chief Deputy Clenney is working on the investigation so. Mr. Moore stated they come in back gate this time you know. Mr. Cofty stated I didn't know that gate was there., Commissioner Worsley stated I didn't either.

Mr. Moore stated it hasn't been it hadn't been open in 17 years I've been there hadn't been opened so it's got old caterpillar lock on it I don't even think you could open the lock but the chain, they cut chains is what it is isn't anything we can do about it. The Avenue dump site I got the service pole in the shop if this weather don't be too bad you know ties up I hope to build it tomorrow. I'm going to get it standing maybe by next week dump side will be open. They offered to come and start opening it up if you all want to do that I really didn't want to ask you to be out there and it 20° you know freezing without no heat, but you know he kind of offered so we may try to do that but it's very shortly we going to have the have the Avenue dump side open. Mr. Cofty asked that window unit you got is heating and cooling right. Mr. Moore stated yeah once we get power I got the stuff to do the pole, my plan was to do it today, but we had to get ready for this storm and if the weather's not too bad tomorrow I'm going to try to build it all we got to do is stand it and 3 Notch will just have just come hook power to it and we'll be good to go we can go the gate. Vice Chairman Cox asked are you going to make contact with 3 Notch. Mr. Moore stated yeah they got to put up a poll and we done kind of met. Vice Chairman Cox stated they told me they were waiting on us for the service poll then they would come back and do what they had to do make it. Mr. Moore stated I don't know if they put theirs up but when I met with them they was going to put up a pole and then we got to put up service but I got I hope I got all the stuff to build it once I build it stand it we get power we'll be good to go signs we got some signs for it but they

on back order but we go but without signs but it'll have the rules name address you know same thing we got the rest of it but we going to go we're going to try to get it fired up opened up. It's ready to open up except for power

Chairman Calhoun stated we need to go into executive session talk about some personnel.

### **Executive Session**

Board returned from executive session with no actions taken. Motion to exit executive session made by Vice Chairman Cox Seconded by Commissioner Nixon. All in favor motion carried.

Chairman Calhoun called for a motion to adjourn. Commissioner Worsley made motion, Vice Chairman Cox seconded. All in favor. Motion carried.

Meeting Adjourned