

## GRADY COUNTY BOARD OF COMMISSIONERS

### MEETING MINUTES

March 7, 2023, Meeting

The Grady County Board of Commissioners met on March 7, 2023, at 9:00 am for a regular meeting. Commissioners LaFaye Copeland, Ray Prince, Keith Moyer, Phillip Drew, County Clerk John White, County Finance Director Holly Murkerson, and Road Superintendent Stanley Elkins were present. Commissioner June Knight and County Administrator Buddy Johnson participated by telephone.

Mr. Drew opened the meeting with the invocation and pledge to the flag.

Motion by Mrs. Copeland, second by Mr. Moyer to approve the agenda as presented. The motion was approved.

#### PUBLIC COMMENTS

Yancey Maxwell, 1404 Tired Creek Rd

Mr. Maxwell took a road trip and checked every bridge in the county. He stated only two had been cleaned. He stated dead trees were lying in the right of way. He also stated that county vehicles needed to have county stickers on them. He stated that the box culvert on Tired Creek needed to be repaired. Mr. Maxwell stated someone needs to see that something gets done.

Michael Cook, 184 Carr St Calvary, GA

Mr. Cook stated that Thomas Road and Swamp Creek Road bridges have not been touched in years. He also stated that there were lots of road signs missing.

Marty Watson, 3966 Hwy 111 N

Mr. Watson stated it has been 5 months since he presented his case for his truck repairs. He wants to know what will happen. Mr. Drew stated they will ride Rich road after the meeting.

#### PRESENTATIONS

1. First National Bank – Barry Pollock, Gail Maxwell, and Brook Jones

Mr. Pollock commended the county on streamlining the accounts of the county. Mr. Pollock stated that they have a company that can provide the county with a purchasing card. All the deposit accounts will not have any service fees. On-line and mobile banking are available and will be upgraded in the near future. Support is just a phone call away. DASH Solutions would issue the P-Card. First National Bank will offer a 2.5% interest rate for the remainder of the year. Would negotiate the subsequent year's interest rates.

#### CORRESPONDENCE

The Calendar of Events was reviewed.

Regular Board Meeting, Tuesday, March 21, 2023, at 6:00 pm.

Pope's Museum Mystery Dinner, Saturday, March 11, 2023 at 6:30 pm.

#### CONSENT ITEMS

Motion by Mr. Prince, second by Mr. Moyer to approve:

C012-22 Regular Meeting Minutes from 02/21/2023 with the correction on FA004-23 so it states that the fee increase will be on a case-by-case basis with the County Administrator having the ability to waive the fees.

The motion was approved.

#### FORMAL ACTIONS

FA010-23 Motion by Mr. Moyer, second by Mr. Prince to approve the lease of a 620G motor grader for sixty months using Lease One Magnolia. The motion was approved.

FA011-23 Motion by Mr. Moyer, second by Mrs. Copeland to raise the spending approval from \$500.00 per transaction to \$1,000.00 on budgeted items for Non-Constitutional Directors. The motion was approved.

FA012-23 Motion by Mr. Moyer, second by Mrs. Copeland to approve Watkins Task Order 24 for box culvert repair pending further information on a pre-fab bridge concept from Mr. Watkins. The Task Order is \$37,480.00 with an estimated price of \$468,500.00. The motion was approved.

#### NEW/UNFINISHED BUSINESS

Mrs. Knight stated she has received 4 phone calls this week concerning Union Springs Road. Potholes are a lot bigger, and the patching does not hold. Stanley will hopefully have hot patch later this week.

Mrs. Knight stated she had a call from a logger about a job and asked is it true they would be responsible for repairing the road if they messed it up. That is correct.

Mr. Moye wanted to say thank you to the Sheriff's Office and Captain Walton for the inmates picking up trash. Captain Walton will continue to have them out as they continue to volunteer.

#### **EXECUTIVE SESSION:**

Motion by Mrs. Copeland, second by Mr. Moye to enter Executive Session in order to discuss a pending settlement of litigation. The motion was approved.

Motion by Mr. Prince, second by Mrs. Copeland to exit Executive Session.

Mrs. Haynes Studstill with Studstill Firm LLP updated the commissioners on the latest settlement and stated the board needed to approve the resolution in order to prepare to process the settlement.

FA013-23 Motion by Mr. Moye, second by Mrs. Copeland to approve the resolution for the National TEVA, Allergan, CVS, Walgreens and Walmart settlements. The motion was approved.

#### **REPORTS**

- A. Attorney's Report – Mr. Ridley stated he is still working on the survey of the lake property which the county will retain. The survey should be completed any day now.
- B. Animal Control 02-23
- C. Roads and Bridges 02-23

#### **RESOLUTIONS, PROCLAMATIONS, AND AGREEMENTS**

Regular Board of Commissioners Meeting Agenda

March 7, 2023, 9:00 AM

- I. Executive Duties
- A. Call to Order – 9:00 AM
- B. Invocation/Pledge
- C. Adoption of Agenda
- D. Public Comments (3 Mins)
- II. Presentations
  - First National Bank
- III. Correspondence
- A. Calendar of events

Regular Board Meeting, Tuesday, March 21, 2023, at 6:00 pm

Pope's Museum Mystery Dinner, Saturday March 11, 2023 at 6:30 pm

- IV. Consent Items – (One motion)

C012-23 Approval of Regular Meeting Minutes from 02/21/2023.

- V. Formal Actions
  - FA010-23 Approve/Disapprove Motor Grader Lease
  - FA011-23 Approve/Disapprove raising the spending approval from \$500.00 per transaction to \$1,000.00 on budgeted items for Non-Constitutional Directors.
  - FA012-23 Approve/Disapprove Watkins Task Order 24 for box culvert repair.
- VI. New and unfinished Business

- VII. Executive Session
  - Litigation

- VIII. Reports
  - a. Attorney's Report
  - b. Animal Control 02-23
  - c. Roads and Bridges 02-23

- VIII. Adjournment

Individuals with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, or the facilities are required to contact the ADA Coordinator at 229-377-1512 promptly to allow the County to make reasonable accommodations for those persons.

**WATKINS & ASSOCIATES, L.L.C.**  
----- CONSULTING ENGINEERS -----

**TASK ORDER NO. 24**

This **Task Order No. 24** is an amendment to and made a part of the Agreement between the **Grady County Board of Commissioners** (Owner) and **Watkins & Associates, L.L.C.**, (Engineer) dated August 5, 2014. This Task Order No. 24 includes the scope of services, costs, and schedule. The Scope of Services for this Task Order No. 24 are as follows:

- A. **SCOPE OF SERVICES**  
Prepare Construction Drawings, Contract Documents, Specifications for a concrete box culvert and modifications to an existing box culvert on Old 179 north of Whigham, Georgia.
- B. **TIME OF PERFORMANCE**  
Time is of the essence with the project. Engineer will begin the evaluation immediately and proceed accordingly in an efficient manner.
- C. **PAYMENT**  
The Contract Amount is based on a Lump Sum of **\$37,480.00** as outlined General Services Agreement between the Grady County Board of Commissioners and Watkins & Associates, L.L.C. Said Fee based off the General Services Agreement of 8.00% of the estimated \$468,500.00 Construction Costs.
- D. **EFFECTIVE DATE**  
This Task Order No. 24 is effective as of \_\_\_\_\_, 2024.
- E. **ORIGINAL AGREEMENT**  
All Terms and Conditions of the Agreement dated August 5<sup>th</sup>, 2014 shall remain the same and shall apply hereto.
- F. **ACCEPTANCE**  
By signature, the parties hereto accept the provisions of this Task Order No. 24.

ENGINEER:

**Watkins & Associates, LLC.**

By: -   
atkins, Owner

Date: March 1, 2023

OWNER:

**Grady County Board of Commissioners**

By   
Philip Drew, Chairman

Date: \_\_\_\_\_ 7-93

**T: 229.388.8824 / 1606 WHIDDON MILL RD., TIFTON, GA 31793 / WWW.WATKINSENG.COM**

**RESOLUTION NO. 001-23**

**A RESOLUTION OF Grady COUNTY, GEORGIA ("COUNTY")  
AGREEING TO PARTICIPATE IN THE NATIONAL TEVA, ALLERGAN, CVS, WALGREENS, AND  
WALMART SETTLEMENTS AND AGREEING TO BE BOUND BY AN ANTICIPATED MEMORANDUM OF  
UNDERSTANDING BETWEEN THE STATE OF GEORGIA AND GEORGIA SUBDIVISIONS REGARDING  
THE NATIONAL TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART SETTLEMENTS.**

**WHEREAS, the County initiated litigation against certain manufacturers and distributors of  
prescription opioids in *In re: National Prescription Opiate Litigation*, MDL 2804, to hold them  
accountable for the opioid epidemic and to seek equitable and monetary relief;**

**WHEREAS, Defendants Teva, Allergan, CVS, Walgreens, and Walmart have reached national  
settlement frameworks (collectively referred to as the "New Opioid Settlements") with certain  
states, including the State of Georgia, and certain subdivisions, and Georgia subdivisions now  
have the option to join;**

**WHEREAS, the State of Georgia and certain Georgia subdivisions anticipate reaching a  
Memorandum of Understanding regarding the New Opioid Settlements, the purpose of which is  
to maximize funds available under the New Opioid Settlements and control how funds from the  
New Opioid Settlements are allocated between the State of Georgia and Georgia subdivisions,**

**and the form of which is expected to be identical in all material respects to the "State of Georgia and Local Governments: Memorandum of Understanding Concerning National Distributor and Johnson & Johnson Opioid Settlements" previously agreed to by the County; and**

**WHEREAS, the County desires to participate in the New Opioid Settlements and intends to agree to be bound by the anticipated Memorandum of Understanding with the State of Georgia regarding the New Opioid Settlements;**

**NOW, THEREFORE, BE IT RESOLVED BY THE \_Grady\_\_\_ OF  
COMMISSIONERS, AS FOLLOWS:**

**COUNTY BOARD**

**Section 1. The County Board of Commissioners, as the governing body of the County, hereby agrees to participate in the New Opioid Settlements.**

**Section 2. The County Board of Commissioners, as the governing body of the County, hereby agrees to be bound by the anticipated Memorandum of Understanding with the State of Georgia regarding the New Opioid Settlements.**

**Section 3. The County Board of Commissioners hereby appoints the Commission Chair as the duly-appointed representative of the County for the purposes of participating in the New Opioid Settlements and agreeing to be bound by the anticipated Memorandum of Understanding with the State of Georgia regarding the New Opioid Settlements.**

**Section 4. Once a Memorandum of Understanding with the State of Georgia has been reached regarding the New Opioid Settlements, the County Board of Commissioners directs the duly-appointed representative of the County to execute any document necessary to demonstrate the County's agreement to be bound by the Memorandum of Understanding.**

**Section 5. Once a Memorandum of Understanding with the State of Georgia has been reached regarding the New Opioid Settlements, the County Board of Commissioners directs the duly-appointed representative of the County to execute the requisite Participation Forms for the New Opioid Settlements, which can be executed via DocuSign (the preferred method). For illustrative purposes, blank versions of the Participation Forms for the New Opioid Settlements are attached hereto as Exhibit 1.**

**Section 6. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.**

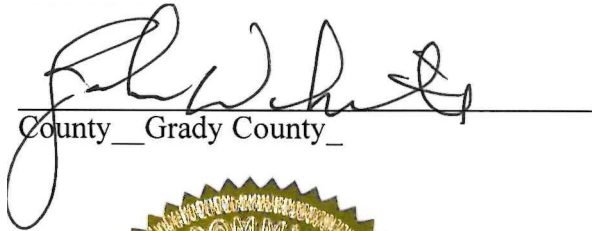
**Section 7. This Resolution shall be in full force and effect from and after its adoption as provided by law.**

**This Resolution was introduced, seconded and adopted at a duly convened meeting of the   Grady   County Board of Commissioners, held on   March 7, 2023  .**



**Chairman, Board of Commissioners**

**ATTEST:**

  
County   Grady   County           



EXECUTIVE SESSION AFFIDAVIT

[A copy of the Affidavit must be filed with the minutes of the open meeting]

STATE OF GEORGIA  
COUNTY OF GRADY

AFFIDAVIT OF PRESIDING OFFICER

Phillip Drew, Chair of the Grady County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his knowledge and belief:

1. The Grady County Board of Commissioners met in a duly advertised meeting on March 7, 2023.
2. During such meeting, the Board voted to go into executive session.
3. The executive session was called to order at \_\_\_\_\_ a.m./p.m.
4. The subject matter of the closed portion of the meeting was devoted to following matter(s) within the exceptions provided in the open meeting law:
  - \_\_\_\_ Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. §50-14-2(1);
  - \_\_\_\_ Discussion of tax matters made confidential by state law as provided by O.C.G.A. §50-14-2(2)
  - Discussion or voting on:
    - Authorizing a settlement as provided in O.C.G.A. §50-14-3(b)(1)(A);
    - \_\_\_\_ Authorizing negotiations to purchase, dispose of, or lease property as provided in O.C.G.A. §50-14-3(b)(1)(B);
    - \_\_\_\_ Authorizing an appraisal as provided in O.C.G.A. §50-14-3(b)(1)(C);
    - \_\_\_\_ Entering a contract for the purchase, disposal of or lease of property as provided in O.C.G.A. §50-14-3(b)(1)(D);
    - \_\_\_\_ Entering into an option to purchase, dispose of, or lease property as provided in O.C.G.A. §50-14-3(b)(1)(E);
    - \_\_\_\_ Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic review O.C.G.A. §50-14-3(b)(2);
    - \_\_\_\_ Interviewing candidates for executive positions as provided in O.C.G.A. §50-14-3(b)(2);
    - \_\_\_\_ Other
5. \_\_\_\_ During the course of the closed session devoted to exempt topics, an incidental remark regarding a non-exempt topic or an attempt to discuss a non-exempt topic was made.  
 \_\_\_\_ The attempt was immediately ruled out of order and attempts to discuss same ceased immediately.  
 \_\_\_\_ The attempt was immediately ruled out of order. However, the comments did not cease, so the closed/executive session was immediately adjourned without discussion or action being taken regarding any non-exempt topic.

Minutes were taken of this meeting.  
 This 7th day of March, 2023.  
 \_\_\_\_\_  
 Chair, Grady County Board of Commissioners  
 Sworn to and subscribed before me this 7th day of March, 2023  
Holly D. Murkerson  
 Notary Public  
 My commission expires:  
Sept. 30, 2025



Motion to adjourn was made by Mr. Moye and second by Mr. Prince. The motion was approved.

ATTEST:

\_\_\_\_\_  
JOHN WHITE, COUNTY CLERK

\_\_\_\_\_  
PHILLIP DREW, CHAIR

\_\_\_\_\_  
June Knight, VICE-CHAIR

\_\_\_\_\_  
RAY PRINCE, COMMISSIONER

\_\_\_\_\_  
Keith Moye, COMMISSIONER

\_\_\_\_\_  
LAFAYE COPELAND, COMMISSIONER