

DEVELOP

Milledgeville-Baldwin County

Chat Daniel
Chair

Ed Walker
Vice-Chair

Karen Rowell
Secretary

Henry Pope
Treasurer

Jean Aycock

Cheryl Crumbley

Merlin Fechner

Quay Fuller

Greg Tyson

George Carpenter, Jr.
Counsel

Matt Poyner
Executive Director

Board of Directors Called Meeting Minutes **DRAFT**

The Development Authority of the
City of Milledgeville and Baldwin County

Date of Meeting: November 20, 2015

Members Present: Jean Aycock, Cheryl Crumbley, Chat Daniel, Merlin Fechner, Quay Fuller, Henry Pope, Greg Tyson

Members Absent: Karen Rowell, Ed Walker

Staff: Matt Poyner, Amy Davis

Others: Greg Barnes, George Carpenter, Henry Craig, Billy Hobbs, Johnny Westmoreland

With a quorum present at the meeting, the **Chair Chat Daniel** called to order the called board meeting of the **Development Authority of the City of Milledgeville and Baldwin County** at **9:00 a.m.** on **November 20, 2015** at the **Economic Development Center**.

I. Minutes

Minutes from the prior board meeting held October 30, 2015 were reviewed by the board. There were no questions or comments raised by board members. A motion was made by Henry Pope, 2nd by Quay Fuller to approve the minutes. The board voted in favor of approving the minutes as submitted.

II. Financial Report

Treasurer Henry Pope gave the financial status report as of November 19, 2015. Mr. Poyner advised Mauldin & Jenkins has completed the audit and are in the process of preparing a presentation for the Board expected in December or January. Mr. Pope noted there were no

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internal control exceptions cited in the audit. Mr. Poyner also advised the Board expenses are at 40% of this quarter's budget and at 30% of the annual budget in the fiscal year to date. Chairman Daniel called for a motion to approve the financial report, motion made by Merlin Fechner, 2nd by Greg Tyson. The Board voted unanimous in favor, motion passed, to approve and file financials as presented.

III. New Business

a) GDOT REBC Grant for SR22 Median Work

Mr. Poyner advised he has applied for the REBC grant through DOT for the landscaping work on SR22 at the Industrial Park. Poyner got an extension on the work starting pending the outcome of the grant awards.

b) Spec Building

An appraisal needed to be done on spec building #2. The value was assessed at 1.6M. The cost for the appraisal service is \$2500 and Mr. Poyner is requesting the Board to approve the expense. Cheryl Crumbley made a motion, 2nd by Quay Fuller to approve payment in the amount of \$2500 for appraisal services on spec building #2.

IV. Old Business

a) Fishing in the Industrial Park Pond

A letter was received by the DAMBC from the Baldwin County Board of Commissioners, on behalf of Jason Byram, requesting permission to fish in the pond located in the Industrial Park. Mr. Byram's previous request to fish on the property was declined. The following are paraphrased statements and dialogue from board members and meeting attendees and are representative of the views of the individual as expressed:

Commissioner Henry Craig – The City and County are agents of the people and, as such, the property and lands should be available for recreation. The DAMBC would be shielded from liability under O.C.G.A. § 51-3-20 through § 51-3-26.

Chat Daniel – Use of the property would be allowed if the County was willing to accept full responsibility for possible liability in writing.

Greg Tyson – It is important to point out that approval of use can't be applied to one individual, would be open to all for recreational purposes.

Quay Fuller – The shield from liability, as cited by Henry Craig, is the same protection applied to public parks in the City and County.

Cheryl Crumbley – While there may be protection from liability, that protection does not prevent individuals from bringing suit or possible cost associated with legal defense.

Henry Craig – Will have to seek council from the County Commissioners for direction on whether the County would be willing to accept full liability.

Cheryl Crumbley – The pond is not on property intended for recreational purposes, but designed for development in an industrial park.

Matt Poyner – The appearance of the property has to be considered because aesthetics are important for development for which the property is intended. Before the no trespassing signage was posted, the amount of litter on the property,

including dumping, caused substantial clean-up maintenance by the KMBB group who volunteered their time. When littering and dumping happens, the property is difficult to maintain for use as originally intended.

With there being no further discussion, Chairman Chat Daniel opened the floor for a motion. Quay Fuller made a motion to allow Jason Byram and the public access to the property for fishing and recreational purposes. The motion died for lack of 2nd.

V. Executive Session

A motion was made by Quay Fuller, 2nd by Henry Pope to move to executive session. Executive session was entered into at 9:17am, as permitted by O.C.G.A. § 50-14-3(b)(1)(D):

*“ ... [m]eetings when any agency is discussing or voting to . . .
[e]nter into a contract to purchase, dispose of, or lease property...”*

A motion was made by Cheryl Crumbley, 2nd by Jean Aycock, to close the executive session and resume the open session of the board meeting, motion passed. The open session was resumed and Chairman Chat Daniel opened the floor for discussion in open session.

- A motion was made by Henry Pope, 2nd by Cheryl Crumbley to authorize the Chairman of the Board to proceed as discussed in executive session regarding the real estate. The motion was opposed by Quay Fuller. The remaining board members present voted in favor, motion passed.
- A motion was made by Chat Daniel to ask for Quay Fuller’s resignation from the Board due to conflict of interests. Motion died for lack of 2nd.
- A Real Estate Committee was appointed by Chairman Chat Daniel to continue facilitating the real estate transaction in process as well as future real estate transactions for the purpose of protecting sensitive real estate information. The appointments were:
 - Greg Tyson, Chairman
 - Jean Aycock
 - Chat Daniel
 - Ed WalkerQuay Fuller requested appointment to the real estate committee. Chairman Daniel denied the request.

Adjourn

There being no further business, Chairman Daniel adjourned the meeting at 9:49am.