

CALLED MEETING

COMMISSION CHAMBER  
January 8, 2024

Augusta Richmond County Commission convened at 11:00 a.m., Monday, January 8, 2024, the Honorable Garnett Johnson, Mayor, presiding.

PRESENT: Hons. Johnson, Williams, Mason, Frantom, Garrett, Scott, McKnight, Pulliam, Lewis and Guilfoyle, members of Augusta Richmond County Commission.

Mr. Mayor: Good afternoon, everybody. Thank ya'll for being here. Madam Clerk, I call this meeting to order. I think we have a quorum. Madam Attorney.

**1. LEGAL MEETING**

**A. Pending and potential litigation**

**B. Real estate**

**C. Personnel**

**Ms. McClain-Haymon: Yes, sir. At this item we'll move to go into executive session for the purposes of discussion of potential litigation –**

**Ms. McKnight: Motion to approve.**

The Clerk: Were there other, just pending and potential litigation, is that it?

Ms. McClain-Haymon: That I'm aware of, yes.

The Clerk: Not personnel?

**Ms. McClain-Haymon: And personnel, yes, and real estate.**

The Clerk: All right, thank you.

Mr. Mayor: Madam Clerk, I have a motion and a second.

The Clerk: Can you give me who made the motion and second?

Mr. Mayor: McKnight made it and Johnson seconded but I think the commissioner from the 5<sup>th</sup> has a question before. You have a question, commissioner.

Mr. Williams: When asked I'll get there.

Mr. Mayor: Okay, I have a proper motion and a second. The Chair recognizes the commissioner from the 7<sup>th</sup>.

Mr. Frantom: For legal counsel the fact that the names from the Mayor have been released publicly, could we have that vote on the floor and that discussion on the floor?

Mr. Williams: For the Administrator?

Mr. Frantom: Yeah. Have the names been released to the general public, Mayor?

Mr. Mayor: Yes, sir, they have.

Mr. Williams: Does the general public and media have those names too?

Mr. Mayor: Yes, sir, they do.

Ms. McClain-Haymon: And I'd like to say we have a motion and a second on the floor so I think this will be, so we need to carry that motion.

Mr. Mayor: All right, we have a motion and a second. Madam Clerk, let's vote.

Mr. Frantom: That's interesting.

The Clerk: We're voting.

Mr. Frantom: For the record I tried to have the conversation.

Mr. Williams: The vote for the Administrator is personnel so shouldn't that be done in executive session?

The Clerk: Yes, sir, that has been the process that the Commission has established that the consideration for the appointment of the Administrator be held in executive session today at 11:00.

Mr. Williams: Thank you, ma'am.

Mr. Mayor: This is a vote to go into executive session. All right, the Chair recognizes the commissioner from the 4<sup>th</sup>.

Mr. Mason: I just need some, that's in accordance with our normal operating procedures?

The Clerk: And, sir, that was your consensus in our last executive session meeting after the interviews was to do this process today at 11:00 a.m. in executive session under the caption of personnel.

Mr. Mason: Not here.

Mr. Williams: Not here.

Mr. Mason: Right.

Ms. Scott: Have the names been released to the public?

Mr. Mayor: The names have been released to the public.

Mr. Williams: Yeah, but that's the usual way we did things. We need to go to executive session.

Mr. Lewis: That was not how we discussed it in executive session.

Mr. Mayor: All right, we're going into executive session. Let's continue voting. The motion on the floor is to go to executive session.

**Mr. Garrett and Mr. Guilfoyle out.  
Motion carries 8-0.**

Mr. Mayor: Thank you, Madam. We are now in executive session.

[EXECUTIVE SESSION]

Mr. Mayor: Madam Clerk, Attorney Brown, are we ready?

Mr. Brown: Yes, sir.

Mr. Mayor: All right. Ladies and gentlemen, I call this meeting back to order. Attorney Brown.

**2. Motion to authorize execution by the Mayor of the affidavit of compliance with Georgia's Open Meeting Act.**

**Mr. Brown: Mayor Johnson, Commission, we would request a motion to execute the closed meeting affidavit.**

**Mr. Frantom: So moved.**

Ms. Scott: Second.

Mr. Mayor: I have a motion from the Commissioner Frantom and a second from Commissioner Scott. With that we're voting.

**Mr. Mason and Mr. Garrett out.  
Motion carries 8-0**

Mr. Mayor: Thank you, Madam Clerk. Attorney Brown, are there any motions that are the result of our executive session?

**Mr. Brown: Yes, sir. We request a motion to adopt a Resolution authorizing a settlement of all claims by Lyndon Carr in the aggregate amount of \$10,000.**

**Mr. Johnson: So move.**

Mr. Mayor: There is a motion. Is there a second?

Ms. Scott: Second.

Mr. Mayor: There is a second from the commissioner from the 9<sup>th</sup>. I think she chimed in before the commissioner from the 5<sup>th</sup>. Seeing no other colleagues in the queue, we're voting.

**Mr. Mason and Mr. Garrett out.  
Motion carries 8-0.**

Mr. Mayor: Attorney Brown, is there another motion?

**Mr. Brown: Yes, sir, Mayor Johnson. We request a motion to adopt a Resolution authorizing the settlement of all claims by Anthony Parker, Sr. and Joyce Parker in the aggregate amount of \$295,000.**

Mr. Mayor: Is there a motion please?

**Mr. Johnson: So move.**

Mr. Frantom: Second.

Mr. Mayor: All right, we have a motion from the commissioner from the 1<sup>st</sup> and a second by Commissioner Frantom from the 7<sup>th</sup>. Colleagues, we're voting.

**Mr. Mason and Mr. Garrett out.  
Motion carries 8-0.**

Mr. Mayor: All right, Attorney Brown.

**Mr. Brown: Mayor Johnson, we request a motion to adopt an amended Resolution authorizing the settlement of all claims by Bettye Wells in the total amount of \$41,797.00.**

**Ms. Scott: So move.**

Mr. Mayor: All right, there's a motion from the commissioner from the 9<sup>th</sup>.

Mr. Johnson: Second.

Mr. Mayor: Second from the commissioner from the 1<sup>st</sup>. We're voting.

**Mr. Mason and Mr. Garrett out.  
Motion carries 8-0.**

Mr. Mayor: Attorney Brown.

Mr. Brown: Mayor Johnson, there are no further motions.

Mr. Mayor: Thank you so much. If there are no further motions I hereby close out this executive session and call the committees to order.

The Clerk: No, sir, we have two agenda items.

Mr. Mayor: That's right, we've got two items. I forgot about that. All right.

**3. Motion to rescind Super Bowl Sunday on February 11, 2024 for Sunday alcohol sales and change it to Cinco de Mayo on May 5, 2024 as the designated day for 2024. (Deferred by the Augusta Commission to the January 8, 2024 Special Called Meeting)**

Mr. Mayor: All right, the Chair recognizes Commissioner Sean Frantom.

Mr. Frantom: Yeah, I'd like to hear we had a survey done with all the business owners. I'd like to get that feedback before we vote.

Mr. Brian Kepner: Yes, Mr. Mayor and Commissioners, the survey was sent out to 61, we have 61 bars as according to business licenses. We had 52 that had email addresses and so those were sent the survey and we also called the nine that only had phone numbers and we only received back 15 from the survey with 46% requesting St. Patrick's Day which would be seven of them and then 40% which would be six that requested Super Bowl Sunday and there were only two requests which would have been 13.33% for Cinco de Mayo.

Mr. Mayor: Mr. Frantom, you still have the floor.

Mr. Frantom: That doesn't sound like very much a majority. I'll let the other colleagues and then come back with a motion.

Mr. Mayor: You've got it. The Chair recognizes commissioner from the 10<sup>th</sup>.

Mr. Guilfoyle: Thank you. This is for the business license gentlemen that's up there at the podium. How long of a time did we wait once the email went out? Did they have time to respond to the emails?

Mr. Kepner: They had until Saturday.

Mr. Guilfoyle: When did it go out then?

Mr. Kepner: It went out on Wednesday.

Mr. Guilfoyle: That ain't enough time. Can we bring this back up for them to get ample time?

Mr. Mayor: Commissioner, with all due respect I think –

Mr. Guilfoyle: Our of respect I don't want the bar owners and –

Mr. Mayor: I agree but Super Bowl is fastly approaching and –

Ms. Douse: Commissioner Guilfoyle, I would like to state that our Planning & Development Director is absent unexpectedly but it is my understanding that the responses were cut off on Monday, which is today. If you notice, if you recall last week when we spoke about this matter, we had a very short time frame to obtain this information. That was communicated to the body when we met last week that we would immediately send out the survey for responses and then the department made every effort by attempting to contact those individuals that they did not have emails for, they contacted them by phone. So it is my understanding that they had from Wednesday when it was initially sent out until today, Monday morning, but we can confirm that.

Mr. Kepner: And we also did call every single, all 61 licenses to remind them or make them aware of the survey, not just those we didn't have an email address for.

Mr. Guilfoyle: Thank you.

Mr. Mayor: All right, the Chair recognizes the commissioner from the 5<sup>th</sup>.

Mr. Williams: What was your percentage of those for Cinco de Mayo?

Mr. Kepner: Out of the 15 only two responded for Cinco de Mayo.

Mr. Williams: Okay.

Mr. Mayor: All right, commissioner from the 7<sup>th</sup>.

**Mr. Frantom: Motion to receive as information.**

Ms. McKnight: Second.

Mr. Mayor: All right, without objection. Any objection to receiving this as information?

Mr. Williams: I need to ask the attorney a question?

Mr. Mayor: All right. The Chair recognizes the commissioner from the 5<sup>th</sup>.

Mr. Williams: Mr. Attorney, if we take this as information, this matter is dead? There is no real decision with this, is it?

Mr. Brown: Yes, it has the effect of leaving it where the Commission's previous action which would be Super Bowl Sunday unless between now and then the Commission makes another decision.

Mr. Williams: All right, thank you, sir.

Mr. Mayor: All right.

The Clerk: So this matter has been received as information with no objection.

Mr. Mayor: That is correct, Madam. Wait a second, commissioner from the 1<sup>st</sup>.

Mr. Johnson: I was just trying to get clarity. I know we received it as information but is there a plan going forward to get to some type of resolution.

The Clerk: Right now the resolution that the Commission adopted designating Super Bowl Sunday as the designated day still stands Attorney Brown said until further action is taken prior to that.

Mr. Johnson: I mean that I just think we ought to put something, you know, we need to get in front of these bar owners somehow. I mean the survey apparently wasn't successful. Maybe there needs to be something public held. I don't know how we pull that off but just to accept it without understanding that there are some folks who want a different date we're going to be right back in this situation. I just wanted to get that clarity because I will admit I didn't hear that so if the colleagues are fine with Super Bowl then fine, but I just want to make sure that we understand what that could mean to our bar owners but I yield.

Mr. Mayor: All right, commissioner from the 7<sup>th</sup> you have the floor, sir.

Mr. Frantom: Well, I guess the thing is we didn't get the feedback from the bar owners to make the change today that was by the number of responses so that's kind of the reason that I received as information but the goal is probably in February to bring up, I don't want to create a Task Force, don't think it's needed, but basically put it on a referendum in November that the citizens would add all holidays that would not fall on Monday, all holidays that can move on the calendar to where they can be added to the alcohol license via voter referendum and the department head is actually the one that came up with the recommendation and so when she's back we'll start to have that discussion in February to where we can hopefully get it on a referendum where this will never happen again in future years.

Mr. Mayor: Thank you, Commissioner. Madam Clerk.

**4. Motion to ratify the rescheduling of the Tuesday, January 9, 2024 regular Special Called and Committee Meetings to Monday, January 8, 2024.**

**Mr. Frantom: So moved.**

Ms. Scott: Second.

Mr. Mayor: I have the motion and proper second. You have that, Madam Clerk?

The Clerk: Yes, sir.

Mr. Mayor: All right, we're voting.

**Mr. Mason and Mr. Garrett out.**

**Motion carries 8-0.**

Mr. Mayor: Does that conclude our business for this special called meeting with that?

The Clerk: Yes, sir.

Mr. Mayor: This meeting is hereby called to an end. The Chair recognizes the Public Services Chairman committee.

[MEETING ADJOURNED]

Lena J. Bonner  
Clerk of Commission

CERTIFICATION:

I, Lena J. Bonner, Clerk of Commission, hereby certify that the above is a true and correct copy of the minutes of the Called Meeting of the Augusta Richmond County Commission held on January 8, 2024.

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Clerk of Commission