

City of Donalsonville  
Called Council Meeting-April 3, 2020

**Official Minutes**

Mayor Ed Bond called the meeting to order at 4:00 PM in the Council Chambers at City Hall. After which Flossie Smith gave the invocation, then all joined in the Pledge of Allegiance to the United States of America. Councilmembers present for the meeting included, Mayor Ed Bond, CP Mitch Blanks, CP Flossie Smith, CP Travis Brooks, and CP Lindsay Register. Staff present were City Manager Steve Hicks, City Clerk Christina Corvers, and City Attorney Billy Grantham. Guests present were Mitzy Moye and Billy Shingler.

Approval of the Agenda: CP Smith made a motion to approve the Agenda, with CP Register seconding. Motion passed.

**NEW BUSINESS**

NEW BUSINESS: Mayor Bond recognized City Attorney Grantham who informed the Council he had conversations with Probate Judge Michael Jon Rogerson who is also the election superintendent. Judge Rogerson had been in contact with the Secretary of State. Based upon an annotated Georgia Code Section and some Attorney General Opinions in their opinion at this time there was no vacancy in the office because Council person has not tendered her resignation. The Attorney General opinion says there is no vacancy just because she signed up. However, Article 2 Section 2 Paragraph 5 of the Constitution says that upon qualifying for a job such as Mayor that it is automatic that the seat become vacant. Attorney Grantham said that Judge Rogerson is under the opinion that the seat is not vacant. He said to proceed at this time to appoint someone to that seat would probably invite litigation which would be very costly and time-consuming. He requested more time to investigate whether or not there is a vacancy. He did not know of any urgency in selecting a Council person to a vacant seat. There is no meeting scheduled at this time in April. He reiterated that he did not see any urgency and would like more time to investigate and do some more research in the situation before the council proceeds in naming a successor as there may not be an opening. Mayor Bond stated that it was his understanding that a person would have to give up the position. He said he questioned having a meeting so soon but did not want to do anything that would violate the law. Attorney Grantham stated that he could not say it violates the law but there is an argument on both sides. To stop potential litigation, he stated if he had more time to investigate, he could let all parties know why their opinion is correct or incorrect. He did not see any urgency in filling the vacancy if Mrs. Moye is right that there is no vacancy. He stated he is of the same opinion as Mr. Bond but on the other hand there is enough argument on the other side to justify a delay in naming a person we don't have to have at this time.

Billy Shingler and Mitzy Moye addressed the Council to inform that no resignation had been submitted by Councilmember Moye. There was a discussion as to the language of the City Charter relating to the requirement for vacating the office if a council person runs for another position. It was pointed out by City Manager Hicks that the Charter does not state that requirement but references State Code to issues not specifically addressed in the Charter. After some discussion, CP Smith made a motion to appoint Moses James, Jr. to the vacancy for District 1, Post 1. CP Blanks seconded. AYES: CP Smith, CP Blanks, and CP Register. NAYS: CP Brooks. Motion carried.

At 4:12 PM, Billy Shingler and Mitzy Moye left the meeting.

Next, City Manager Hicks gave an update on COVID-19:

- Public buildings are closed to all walk-in traffic. All business will be conducted by appointment only. Please call City Hall at (229) 524-2118 to speak with the office staff. Employees will be available to answer your calls during normal business hours.
- In compliance with the Executive Order, City employees will be working on staggered schedules effective Monday. Essential operations will be maintained. Employee pay will not be reduced as the result of these changes.

- The Council Meeting has been pushed back to May 5, 2020 at this time. Any necessary meetings will now be conducted by teleconference as per the Executive Order. Any action taken by the Council will be published to the City of Donalsonville website. There will be no public meetings. [www.donalsonvillega.org](http://www.donalsonvillega.org)
- Ordinance 03-24-20 and Resolution 03-24-20 adopted on March 24, 2020 have been superseded by the Executive Order.
- The Sheriff is authorized to enforce the Executive Order. The Police Department cannot enforce this.
- Questions concerning the Executive Order are directed to the following numbers:  
The Office of the Governor, Brian Kemp  
 Constituent Services: 404-656-1776  
Georgia Department of Economic Development  
*(To determine if you are an "essential" business)*  
 404-962-4000  
 800-255-0056 – For Hearing Impaired  
[covidcomments@georgia.org](mailto:covidcomments@georgia.org)  
Georgia Emergency Management and Homeland Security Agency  
 404-635-7000  
 800-TRYGEMA (800-879-4362)
- For any other COVID-19 questions, please call (844) 442-2681.

At 4:17 PM, Councilmember Brooks excused himself due to a conflict of interest with the next agenda item.

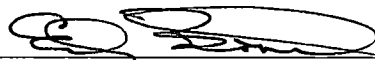
Councilmember Register requested an update on the animal control issue on West 2nd Street and mentioned the possibility of condemning the building due to health concerns. City Manager Hicks stated that the owner has been cited and was scheduled for court in March, but due to COVID-19 Municipal Court has been postponed until further notice. Once the Courts reopen, the owner will be re-scheduled, and the Judge will order direction on how to proceed with the issue.

At 4:20 PM, David Faircloth joined the meeting and encouraged the Council to stay out of litigation regarding the vacancy seat of District 1, Post 1.

With there being no further business to come before the Mayor and Council, at 4:22 PM, CP Blanks made a motion to adjourn, with CP Register making a second; and the motion carried.

ADJOURNED

City of Donalsonville




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Ed Bond., Mayor

Attest and Certification:

I, Christina Corvers, do here Attest and Certify that  
 The above written is a true and correct representation  
 of the business and actions conducted during the April 3, 2020  
 meeting of the Mayor and Council of the City of Donalsonville.




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Christina Corvers, City Clerk