



City of East Point
Monthly Meeting Summary
Business and Industrial Development Authority
Thursday, October 7, 2021
Zoom Webinar
East Point, GA 30344
6:30 pm

I. Call to Order

Mr. Joseph Johnson, Vice Chairperson, established a Call to Order of the East Point Business and Industrial Development Authority (BIDA) meeting at 6:32 pm.

Board Members Present: Joseph Johnson (Vice Chair), Kristin Jackson Pritz, Jackie-Slaughter-Gibbons, Margaret McClure, Gloria Speed, and Norman Urquhart

Others Present:

Maceo Rogers (Director of Economic Development), Regina Carter Secretary/Treasurer), and Kirby Glaze (Legal Counsel)

II. Approval of the Agenda

Mr. Joseph Johnson, Vice Chairperson motioned to approve the the agenda as printed and the motion was seconded by Ms. Jackie-Slaughter-Gibbons **Approved unanimously, the motion carried.**

III. Approval of the Meeting Summary: *September 2, 2021 summary*

Mr. Joseph Johnson, Vice Chairperson motioned to approve the minutes and it was seconded by Ms. Gloria Speed. **Approved unanimously, the motion carried.**

IV. Chairperson's Report

None

V. Secretary/Treasurer's Report

The bank reconciliations of September 2021 was entered into the record citing the ending balance and the Arden's Garden annual bond fee deposit was made to the bank account. Mr. Joseph Johnson, Vice Chairperson motioned to approve the Treasurers report the motion was seconded by Ms. Jackie-Slaughter-Gibbons.

VI. Legal Report

Mr. Glaze noted he has forwarded a legal memo to the board referencing the proper procedures for conducting an Executive Session and the adjournment of the said meetings.

Kirby wanted to quickly run through a few major procedures:

1. All the BIDA Board Meetings are subject to the Georgia Open Meetings Act in the state of Georgia and must be open to the public with certain exceptions. The most common exception that BIDA utilizes pertains to Real Estate transactions. The board can go into an Executive Session to discuss Real Estate transactions that include: the Sale, Lease or Purchase of Real Estate Property. To do so a motion must be made by a board member to adjourn into an Executive Session with the basis or reason for the exception, followed by a second to the motion and a vote by the board. In the Executive session they are allowed to act on some things and some they are not. Note, we can act on the Investigation or Negotiation of the Real Estate. However, at any point we reach an agreement, a contract, a lease to purchase or sell property it must be done in an open meeting so long as it is not the final disposition of the property. Once the Real Estate issue is concluded the Board adjourns the Executive Session and goes back into the regular session, even if there is no more Board business to be further transacted. In the state of Georgia there is no such items as secret meetings.

2. The second point of concern was: "What is required to adjourn a meeting?"

Mr. Glaze explained there are two instances in which this can occur. In a BIDA Board Meeting, there is no need for a motion to adjourn a meeting. Since BIDA has adopted Robert Rules of Order we can apply the rules wherever there is not a provision in our Constitutional Amendment Georgia Law of our bylaws contrary to Robert Rules of Order. Robert Rules of Order states when there is an agenda and everything on the agenda has been addressed, the Chairperson may ask if anyone has any other business to bring before the board? If there is none the Chairperson may adjourn the meeting by simply declaring the meeting adjourned. Additionally, any member can at any time move by motion to adjourn the meeting when we have completed the business of the evening. This motion will require a second. Note Roberts Rule of Order provides seconding as a procedural matter. Therefore, if the motion is not seconded and the board goes ahead and votes on the motion without a second it is waiver of that requirement and not a defect of the motion if it is voted upon without a second.

Questions:

Kristin asked, "If there are minutes of the Executive Session that may be sent to the other board members?" Mr. Glaze answered: "There are only minutes of the actions taken but no minutes of the discussion. The minutes of the action are retained separately from the regular meeting minutes.

Kristin then asked: "If there was something of the executive session that would be brought before Council and for Council to vote on? If so, would there need to be a motion made when coming out of executive session? Mr. Glaze answered: "It would depend on the subject." Kristin stated she would speak to Kirby offline more in depth later.

Ms. Carter announced that the City Clerk provided her with an affidavit form that is to be used following an Executive Session. It is not considered minutes but instead it states what motion was made, a list of members in attendance in the session, and the signature of the Chairperson. Once completed the affidavit is sealed and stored with the BIDA files. Kirby agreed legally with the information and process of the Executive Session Affidavit. This completed the legal report.

VII. Old Business

None – from Mr. Maceo Rogers

Ms. McClure asked attorney Kirby Glaze to report on the status of the Arden Garden insurance update. Kirby responded we are still awaiting on a revised Certificate of Insurance; however, if not by the November meeting Mr. Glaze would inform them, they are in default.

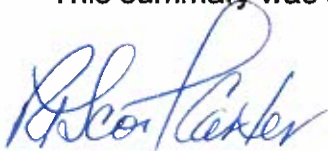
VIII. New Business

Mr. Rogers informed the board a request for the Market Study should be going out this week. It was just placed on the Council Agenda to be approved to submit requests for proposals. Kirby interjected a statement to explain that there is a provision in the Constitutional Law that limits the amount of money the Authority can spend on any given action up to \$2,500. Even though the request came from the city, the Mayor and Council will still have to approve the spending. The legal wording states the Authority cannot spend more than \$2,500 without the advice and consideration of the Mayor and City Council.

IX. Adjournment

Having no further business, the meeting properly adjourned at 7:07 pm following a unanimous adoption of the motion made by Mr. Joseph Johnson and seconded by Ms. Jackie Slaughter Gibbons seconded the motion. **Approved unanimously, the motion carried.**

This summary was approved by Board Members In attendance on November 4, 2021:



Regina T. Scott-Carter
Secretary/Treasurer
November 4, 2021