

DOUGHERTY COUNTY COMMISSION  
SPECIAL CALLED MEETING MINUTES

DRAFT

June 26, 2023

The Dougherty County Commission met for a Special Called Meeting in Room 100 of the Albany-Dougherty Government Center on June 26, 2023. Chairman Lorenzo Heard presided and called the meeting to order at 1:11 pm. Present were Commissioners Victor Edwards, Gloria Gaines, Russell Gray, Clinton Johnson, Anthony Jones and Ed Newsome in addition to County Attorney Alex Shalishali, County Clerk Jawahn Ware and other staff. Attorney Patrise Perkins-Hooker and Paralegal Valinda Johnson-Brown were the General Counsel representing Dougherty County and Michael McCoy was present with his General Counsel, Attorney Maurice King and law student Zacchaeus West. Judge Mark Anthony Scott was present to serve as the public hearing officer. The public and representatives of the media participated in person and via live streaming of the meeting on the County's Facebook page and the government public access channel.

The Chairman opened the public hearing on a personnel issue that was being held pursuant to the County Code of Ordinances, Section 1-3-23 based upon the request of County Administrator Michael McCoy. Chairman Heard clarified that the hearing does not call for public comment and he outlined the process and purpose of the hearing. The hearing was then deferred to Judge Scott who stated that the statute is silent [regarding procedural aspects] and the purpose of the hearing is for reconsideration or upholding of the Board of Commissioners action; but a framework is needed to conduct the hearing. After introduction of legal representatives, Attorney King shared that he disagreed with the Judge's rendering regarding the procedures and process for the hearing. The hearing went into recess at 1:21 pm pending the arrival of Court Reporter Tamika Burnette. The hearing reconvened at 2:22 pm.

Attorney King asked for a continuing objection regarding the entire proceeding but clarified that his request was not a waiver for Michael McCoy. The Judge rendered that this was not a civil service case and asked Attorney King to proceed. Under Attorney King's opening statement, the request for the Board to recuse themselves was denied. Attorney Perkins-Hooker reviewed the procedural process regarding Mr. McCoy. Based upon the concerns raised by Attorney King, Attorney Perkins-Hooker in opening remarks cited a case of similar nature in Effingham County pertaining to the removal of their County Administrator. She found no reason not to proceed in any manner that deals with the procedural issues that are addressed and will allow Mr. King to introduce any evidence. She clarified that the Dougherty County Board of Commissioners are the ultimate decision makers, and this process was established at the time the County Administrator was employed.

Attorney Perkins-Hooker called Chairman Lorenzo Heard for question and Attorney King cross examined. Upon completion, there was a recess taken from 3:32 pm-3:50 pm. The following witnesses were called for questioning by Attorney King: Public Information Officer Wendy Howell, County Clerk Jawahn Ware, Human Resources Director Erica Potts, Commissioner Anthony Jones, Commissioner Russell Gray and County Administrator Micheal McCoy. Statements and questions were presented, with breaks in between, until

approximately 7:50 pm and the meeting was deferred to the Chairman who closed the public hearing.

The Chairman called for consideration the recommendation from the County Attorney to enter into Executive Session for the purpose of discussing personnel issues. Commissioner Johnson moved for approval. Commissioner Edwards seconded the motion. The Board was in executive session from 7:55 pm – 8:11 pm. [The court reporter ceased recording].

Upon reconvening, Commissioner Johnson made a motion that the Board exit from Executive Session and return to the open meeting. The motion and inaudible second were approved unanimously by roll call.

Chairman Heard asked for consideration of his motion that the Board uphold its June 5, 2023 majority decision to terminate Michael McCoy's employment as County Administrator. Commissioner Johnson provided a second and Commissioner Gray made a parliamentary inquiry regarding the motion being made by the Chairman; to which Commissioner Edwards stated that it is not illegal for the Chairman to do so. Upon roll call, the motion passed with four ayes and three nays made by Commissioners Newsome, Gray and Jones.

There being no further business to come before the Commission, the meeting adjourned at 8:13 pm.

[No exhibits presented in the public hearing were provided for the recording by the County Clerk].

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CHAIRMAN

ATTEST:

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COUNTY CLERK