

FILED & RECORDED, CLERK
SUPERIOR/JUVENILE CT.
PIKE COUNTY, GA 30285

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IN THE SUPERIOR COURT OF PIKE COUNTY

BY: CW
CAROLYN WILLIAMS, CLERK

STATE OF GEORGIA

JOHN G. SELL, BRENDA F. SELL, X
JIMMY BASS, CAROL A. BASS, X
LLOYD H. GAYTON, KENNETH E. X
RILEY, II, PATSY A. RILEY, X
CHRISTINA TAKLE, CATHY J. LYNN X
and JOY S. WALKER, ON BEHALF OF X
THE COALITION FOR RESPONSIBLE X
GOVERNMENT, X

Plaintiffs

vs.

THE BOARD OF COMMISSIONERS X
OF PIKE COUNTY, GEORGIA, and X
THE COUNTY OF PIKE, X

Defendants

CIVIL ACTION FILE NO. 03V-005

JOY S. WALKER, JOHN G. SELL, X
BRENDA F. SELL, JIMMY BASS, X
CAROL A. BASS, LLOYD H. X
GAYTON and CHRISTINA TAKLE, X
ON BEHALF OF THE COALITION X
FOR RESPONSIBLE GOVERNMENT, X

Plaintiffs

vs.

THE BOARD OF COMMISSIONERS, X
OF PIKE COUNTY, GEORGIA, X

Defendants

CIVIL ACTION FILE NO. 04V-60

APR 29 2005

CONSENT ORDER

COME NOW the Parties to the above-styled case to enter into the
following Consent Order:

APR 15 2005

SHEPHERD, JOHNSTON
& OWEN, LLP
ATTORNEYS AT LAW
124 NORTH HILL ST.
P. O. BOX 767
GRIFFIN, GA 30224
770-229-1882
x 770-229-9810

CONSOLIDATING ACTIONS

The Parties to the above-styled actions are the same and the issues raised in those actions are essentially the same. Therefore, Civil Action File No. 03V-0005 and Civil Action File No. 04V-60 are hereby consolidated. The provisions of the Consent Interlocutory Order dated January 21, 2004, which was entered in Civil Action File No. 03V-005, remain in full force and effect except where specifically modified by this Consent Order.

EXECUTIVE SESSIONS

When Executive Session appears on a Meeting Agenda for the Pike County Board of Commissioners, the County Department to which the Executive Session pertains shall appear on the Meeting Notice and Agenda along with the specific reason for the Motion to go into Executive Session. For example, an Agenda advertising an Executive Session for the purpose of discussing compensation of an employee of the Pike County Public Works Department would be set forth as follows:

Executive Session for the purpose of discussion of
Compensation of an employee of the Public Works
Department pursuant to O.C.G.A. §50-14-3(6).

If the Pike County Board of Commissioners reasonably expects to go into Executive Session for any purpose, the Agenda shall so reflect as shown in the example above. If, however, the Board of Commissioners finds it necessary to go into Executive Session unexpectedly due to something unforeseen that may arise after the posting of the Meeting Agenda, or due to some unforeseen issue that should arise during the meeting, the Post-

executive Session Affidavit shall reflect that the issue which required the Board of Commissioners to retire into Executive Session was not reasonably anticipated to come before the Board.

The Post-executive Session Affidavit shall be more specific in describing matters which were discussed in Executive Session than the information currently given on the form Affidavit that has historically been used by the Pike Board of Commissioners. The information on the Affidavit shall contain information that reasonably and accurately describes the matters discussed in Executive Session with the specificity shown in the above-cited example.

The Pike County Board of Commissioners shall strictly observe the legal limitations on matters that are discussed in Executive Session.

MEETING AGENDA

To the extent that the following language modifies the provisions of Section 1 of the Consent Interlocutory Order dated January 21, 2004, that Section is amended to reflect that the Agenda Notice for all upcoming meetings of the Pike County Board of Commissioners shall specifically and accurately identify all matters that are reasonably expected to come before the Board for discussion, consideration, or action. Each item on the Agenda will be specifically listed in a grammatically complete sentence.

ACKNOWLEDGMENT OF PAST VIOLATIONS

The Pike County Board of Commissioners will publicly acknowledge that the Board has, in the time period relevant to the two above-styled actions,

committed violations of the Georgia Open Meetings Act and that the Board will hereafter pursue a policy of open government where the business of the Pike County Board of Commissioners and Pike County governmental agencies will be discussed and voted upon in public.

ATTORNEY'S FEES


The Pike County Board of Commissioners will reimburse the Plaintiffs for attorney's fees, costs and expenses incurred in this case in the sum of \$27,649.62. Said amount shall be paid directly to Plaintiffs' counsel upon entry of this Consent Order.

SO ORDERED, this the 20 day of April, 2005.

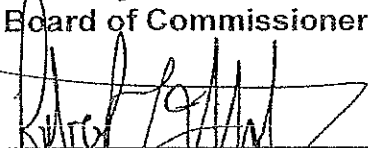

HONORABLE CHRISTOPHER C. EDWARDS
JUDGE, GRIFFIN JUDICIAL CIRCUIT

The foregoing Consent Order was consented to by the undersigned Counsels with express authority from their respective Clients.

SHEPHERD, JOHNSTON & OWEN
Attorneys for Plaintiffs


Timothy N. Shepherd
Georgia Bar No. 641912

MORTON & MORTON
Attorneys for Pike County
Board of Commissioners


Robert L. Morton
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