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February 29, 2008

Mr. Lee B. Becker
1050 Scott Terrace
Athens, Georgia 30606

RE: Open Records/Meetings Complaint regarding the Oconee County Board of Commissioners

Dear Mr. Becker:

Thank you for your letter dated February 18, 2008.

In your letter to our office you have indicated that you disagree with the Board of Commissioners about whether the Selection Committee meetings should be considered meetings as defined by The Open Meetings Act. Further, you assert that you are entitled to review and copy certain documents during the bidding process. Again, let me reiterate that my view is that the bidding documents (since this involves a bid being awarded by a public entity, not bids submitted by a public entity) are not open documents. They become open documents when the bid is awarded and may be fully reviewed at that time.

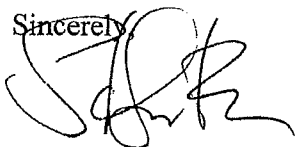
In addition, the meetings of the Selection Committee are not meetings as defined by the Act or at least I have insufficient evidence to believe that they are open meetings.

Private citizens under both the Open Meetings and Open Records still retain the authority and the responsibility for pursuing their own legal claims. O.C.G.A. § 50-14-5; 50-18-73. Our office does not undertake that role in exercising our discretionary involvement to reach resolutions to disputes. If a citizen wishes to pursue their legal remedies under the law, that decision is made entirely independently of our office. We recommend that individuals consult with counsel of their own choosing to review their legal rights and responsibilities to determine what legal recourse they may wish to undertake to address their complaints. We are not a part of that process.

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As such, there is no additional action which would be appropriate for our office to take, and we are closing our file. If you believe that further legal inquiry is necessary, you should consult with counsel of your own choosing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stefan E. Ritter', written over the word 'Sincerely,'.

STEFAN E. RITTER
Senior Assistant Attorney General

SER/sg

cc: Daniel Haygood, Esq.