

MINUTES OF THE TURNER COUNTY BOARD OF COMMISSIONERS CALLED MEETING ON OCTOBER 14, 2013

A called meeting of the Board of Commissioners of Turner County was held at 6:00 p.m. on October 14, 2013 in the meeting room of the Turner County Courthouse Annex Building in Ashburn, Georgia. In attendance were Commissioners Burgess, Calhoun, Hall, Hudgins and McCard. Also in attendance were County Manager Mary Wynn, County Clerk Latrice Wilson, and County Attorney John Holland.

The meeting was held because of special circumstances that occurred and that were declared, and the meeting was held less than 24 hours thereafter for the purposes of discussion under attorney/client privilege. Prior notice of the meeting was given to The Wiregrass Farmer, which acknowledged receipt of the notice. Notice was also posted on the door of the regular meeting place of the Turner County Board of Commissioners at the Turner County Agricultural Center on Rockhouse Road.

Chairman McCard called the meeting to order at 6:00 p.m. Commissioner Calhoun gave the invocation. Commissioner Calhoun moved that the Board go into closed session at 6:02 p.m. to discuss matters under the attorney/client privilege. Commissioner Hudgins seconded the motion, and all voted in favor thereof.

After discussion in closed session, Commissioner Calhoun made a motion to go out of closed session and back into open session at 7:16 p.m. Commissioner Burgess seconded the motion, and all voted in favor thereof. Chairman McCard stated that, because of the discussion in the closed session and the related issues, that action was necessary regarding the dispute between the Cities of Ashburn, Sycamore, and Rebecca, and Turner County regarding the Local Option Sales Tax distributions and for the continuation of the tax as a result of the recent Supreme Court ruling and notice from the Department of Revenue that a new certificate of distribution must be submitted by 4:30 p.m. on October 17, 2013 in order for the tax not to lapse. In the addition to identifying the parties to the dispute, Chairman McCard stated proposed terms of the resolution of the dispute that a new certificate of distribution be entered into with Turner County retaining 60% of the L.O.S.T. tax proceeds and the remaining 40% to be allocated among the Cities, as they may determine and as long as the percentages were within the requirements of the law.

Commissioner Calhoun made a motion that Turner County retain 60% of the Local Option Sales Tax proceeds and the remaining 40% to be allocated among the Cities, as they may determine and as long as the percentages were within the minimum requirements of the law. Commissioner Calhoun's motion also included that the Chairman execute a new certificate of distribution reflecting such percentage for the County and to have the certificate delivered to the City of Ashburn along with a letter stating that the percentage to be retained by the County as stated was a final offer, and also requesting that the City insert the designated percentages for Ashburn, Sycamore, and Rebecca as they may agree and in compliance with the law, to have the certificate executed, and for the City of Ashburn to deliver the certificate to the Georgia Department of Revenue before the 4:30 p.m. October 17, 2013 deadline. Commissioner Hudgins seconded the motion. A vote was called for, and Commissioners McCard, Hudgins, and Calhoun voted in

favor of the motion. Commissioners Hall and Burgess voted against the motion. The motion therefore passed.

Commissioner Calhoun moved that the meeting be adjourned. Commissioner Hudgins seconded the motion and all voted in favor. The meeting was adjourned at 7:20 p.m.

Sam McCard, Chairman

Attest: _____
Latrice L. Wilson, Clerk