

## SPECIAL CALLED MEETING

A Special Called Meeting was held by the Spalding County Board of Commissioners in Room 108 in the Courthouse Annex, Tuesday, August 14, 2007 beginning at 4:45 o'clock p.m. Commission Chairman Eddie Freeman presided, and Commissioners Edward Goss, Jr., Johnie McDaniel, Gwen Flowers-Taylor and David Phillips were present. Also present were County Manager William P. Wilson, Jr.; Assistant to the County Manager Paul Van Haute; County Attorney James R. Fortune, Jr.; Macon Attorney Charles E. Cox, Jr.; and Executive Secretary Teresa Watson.

### I. Call to Order

### II. Order of Business

1. Convene at One Griffin Center to participate with City of Griffin Board of Commissioners to conduct a legislative hearing for the purposes of considering staff report demonstrating the adverse secondary effects associated with adult entertainment and sexually-oriented businesses.

Commissioners left the Annex to attend the City Commission Public Hearing to be held at One Griffin Center at 4:47 p.m.

### III. Reconvene at Courthouse Annex

Commissioners returned to the Courthouse Annex at 5:15 p.m. to continue their Special Called Meeting.

County Attorney James Fortune noted there was a Fulton County Study which would remain in the Commissioners' Office for review. Mr. Fortune recommended the first of the two required readings for this Ordinance be scheduled for Monday, August 20, 2007 at the Board's Extraordinary Session. Attorney Charlie Cox stated he would have a final draft available by Friday morning for inclusion in the commissioners' agenda packets for the Board meeting on August 20. Commissioners have, to date, only been provided educational materials for the purpose of studying the correlation of adult entertainment to adverse secondary effects; they have not seen any draft of the ordinance as yet. The second reading will be held on August 23, 2007 in a Special Called Meeting prior to the Zoning Public Hearing. Attorneys have worked diligently to develop an ordinance that will be solid and effectual. Mr. Cox noted he would walk through specific sections of the ordinance at first reading on August 20, the only purpose of which is to address the negative secondary effects of adult entertainment. These effects include, but are not limited to, distance restrictions from residences and churches, regulations as to what can occur within an adult entertainment establishment with regard to contact or no contact, and the prohibition of alcohol consumption at the adult entertainment establishment. Discussion followed.

*Motion to amend the agenda to add a Called Meeting at 6:07 p.m. for the purpose of discussing pending litigation was made by Commissioner McDaniel, seconded by Commissioners Phillips, and carried by a 4-1 vote with Commissioner Flowers-Taylor opposing.*

### IV. Called Meeting

*Motion to adjourn to Closed Meeting to discuss pending and/or potential litigation was made by Commissioner McDaniel at 6:08 p.m., seconded by Commissioners Phillips, and carried by a 4-1 vote with Commissioner Flowers-Taylor voting in opposition.*

#### CLOSED MEETING AFFIDAVIT

*[A copy of the affidavit must be filed with the minutes of the meeting]*

STATE OF GEORGIA  
COUNTY OF SPALDING

#### AFFIDAVIT OF CHAIRMAN

Members of the Spalding County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1.  
Spalding County Board of Commissioners met in a duly advertised meeting August 14, 2007.
2.  
During such meeting, the Board voted to go into closed session.
3.  
The executive session was called to order at 6:08 p.m.

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Yes Consultation with county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

No Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and \_\_\_\_\_(insert the citation to the legal authority making the tax matter confidential);

No Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

No Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6);

No Other (describe the exemption to the open meetings law): \_\_\_\_\_ as provided in \_\_\_\_\_(insert the citation to the legal authority exempting the topic).

This the 14 day of August 2007

Spalding County Board of Commissioners

Sworn to and subscribed  
Before me this 14 day of August 2007  
Notary Public – Teresa A. Watson (L.S.)  
My commission expires: March 1, 2011

Eddie L. Freeman, Chairman (L.S.)  
David Phillips (L.S.)  
Gwen Flowers-Taylor (L.S.)  
Edward Goss, Jr. (L.S.)  
Johnie A. McDaniel (L.S.)

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***Motion to adjourn Closed Meeting and reconvene to Open Meeting was made by Commissioner McDaniel at 6:53 p.m., seconded by Commissioner Phillips, and carried by a vote of 5-0.***

Mr. Wilson, after polling commissioners for availability, noted that a workshop with Newton Galloway on the Minimum Housing Code would be held at 3 p.m. on September 10, 2007 before the Board of Commissioners Regular Monthly Meeting. Refreshments will be provided.

**V. Adjournment**

***Motion to Adjourn at 6:54 p.m. by Commissioner McDaniel, seconded by Commissioner Flowers-Taylor, carried by a vote of 5-0.***

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County Clerk  
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Chairman  
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