

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 28, 2007 beginning at 4:30 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, and County Attorney James R. Fortune, Jr.

- I. Call to Order** – Chairman Freeman
- II. Closed Meeting**

1. Zoning Attorney desires Closed Meeting to discuss pending and potential litigation.

Commissioner McDaniel moved to enter Closed Meeting, seconded by Commissioner Phillips, at 4:31 p.m. and motion carried unanimously.

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 on August 28, 2007.

2.

During such meeting, the Board voted to go into closed session.

3.

The executive session was called to order at 4:31 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 the 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 28 day of August 2007

Spalding County Board of Commissioners

Sworn to and subscribed

Eddie L. Freeman, Chairman (L.S.)

Before me this 28 day of August 2007

David Phillips (L.S.)

Gwen Flowers-Taylor (L.S.)

Notary Public – Gail Adams (L.S.)

Edward Goss, Jr. (L.S.)

My commission expires: March 7, 2010

Johnie A. McDaniel (L.S.)

Commissioner McDaniel moved to adjourn Closed Meeting and reconvene to Open Meeting, seconded by Commissioner Phillips, at 5:17 p.m. and motion carried unanimously.

III. Other Business

Commissioner Flowers-Taylor exited the meeting.

Commissioner Phillips moved to accept the settlement agreement pertaining to the retirement of Warden Arsene Massac from the Correctional Institute, as outlined in Closed Meeting, seconded by Commissioner McDaniel, and motion carried by a vote of 3-1 with Commissioner Goss voting in opposition and Commissioner Flowers-Taylor being absent for the vote.

IV. Adjournment

Commissioner McDaniel moved to adjourn the Special Called Meeting, seconded by Commissioner Phillips, at 5:27 and motion carried unanimously at 4-0.

County Clerk

Chairman