

## MINUTES

**The Spalding County Board of Commissioners held a Special Called Meeting in Room 108 of the Courthouse Annex, Monday, December 29, 2014, beginning at 9:00 a.m. with Vice Chairman Raymond Ray presiding. Commissioners Rita Johnson, Gwen Flowers-Taylor and Bart Miller were present. Chairman Gardner was absent from the meeting. Also present were County Manager William P. Wilson Jr., County Attorney, Jim Fortune, Community Development Director, Chad Jacobs, Court Reporter, Julie Willard, Attorney representing Justin Wynne, Bill Johnston, and Kathy Gibson, Executive Secretary to record the minutes.**

**A. OPENING (CALL TO ORDER)** led by Vice Chairman Raymond Ray.

**B. INVOCATION** led by Commissioner Rita Johnson.

**C. PLEDGE TO FLAG** led by Commissioner Bart Miller.

**D. AGENDA ITEMS**

1. Conduct an appeal hearing regarding the denial of the 2015 Alcohol Beverage License for Mama's Country Showcase.

Jim Fortune, County Attorney, started by giving an overview to bring the Board up to date on why a Special Meeting is being held. On July 13, 2014, Justin Wynne and two of his employees were charged with violation of gambling prohibition and on October 1<sup>st</sup> of this year, Justin Wynne pled guilty to violation of gambling prohibition which is a misdemeanor in the State of Georgia.

Mr. Fortune presented the board with the following copies:

- A copy of the plea entered by Justin Wynne.
- A copy of the OCGA code section with the code section marked that Mr. Wynne was prosecuted under.
- A copy of a letter dated December 3, 2014 notifying Mr. Wynne that on December 1, 2014 the application for a 2015 Alcohol License was denied by the Board and notifying Mr. Wynne and informing him of his rights to appeal.
- A copy of the letter received from Mr. Wynne's attorney stating their desire to appeal the decision of the board.
- A copy of the letter notifying Mr. Wynne that a Special Called meeting had been scheduled for December 29, 2014 at 9:00 a.m. to hear his appeal.
- A "Stipulation of Facts" prepared by Mr. Fortune and Mr. Johnston. These facts were items that both attorneys could agree upon and there was no need to bring in witnesses to facts to which both parties agree.
- A copy of the section of the Spalding County Ordinance and is the basis for denial of the business license.

Mr. Bill Johnston then gave his opening remarks. Mr. Johnston stated that the biggest fact that is not in the documents submitted is that this happened in July 2014 and Mr. Wynne was not fined nor was his license

suspended during 2014. According to the Spalding County Code of Ordinances the business should have been fined \$1000 for the offense.

If the video gaming machines are so bad that the owner cannot be issued a license for 2015. Then why was he not fined or his license a suspended in 2014. Mr. Johnston stated that Mr. Wynne has been operating since his conviction in October without being find or having a suspension issued on his 2014 license. He then asked what has happened since October, 2014 that should prevent him from being granted his 2015 Alcohol License. If the conviction was so egregious as not to allow a 2015 license why were no actions taken, as provided for in the county ordinance, against Mr. Wynne during 2014.

**Witnesses:**

**Ed Spear, 195 Hammond Road, Jackson, GA 30233.** Mr. Spear stated that he is employed by the Associates Group in Locust Grove and is employed part time as the Doorman at Mama's Country Showcase. He stated that he is responsible for checking ID's of everyone who enters the establishment and collecting the money for admission to the establishment. Mr. Spear stated that he is responsible for placing bands on the patrons who are over 21 years of age and if they are under 21, a big black X is marked on the top of both of their hands with a permanent marker. Mr. Spear stated that in order for alcohol to be served an arm band is required.

Mr. Spear stated that no one under 21 years is allow to leave the premises and reenter the establishment. This measure is to make sure that no one under 21 leaves the establishment and goes out to their vehicle and drinks. Mr. Spear stated that he has been working for Mama's Country Showcase for over a year. He further indicated that he had also worked on several occasions for the previous management. Mr. Spear stated that the policies implemented by Mr. Wynne are much stricter than under the prior management. He further stated that Mr. Wynne has implemented policies that have eliminated the problem with underage drinking. Mama's has a zero tolerance as it applies to underage drinking.

Mr. Spear stated that the video poker machines were in the building, but he was never privy to the payout for the poker machines. Mr. Spear stated that the number of people who come to the business has decreased by approximately 1/3<sup>rd</sup>. He further stated that to his knowledge no indication had ever been received from Spalding County or the Sheriff's Department that the business license may not be renewed. Mr. Spear indicated that recently Mr. Wynne had made improvements to the sound system, added new lights for the dance floor and had made other improvements to the establishment.

**Heath Hubbard, 1409 Jackson Street, Griffin, GA 30223.** He stated that he works for Advance Auto Parts and has a part time job as Head of Security at Mama's Country Showcase. He is responsible for

the overall safety of the employees and the patrons at all times. He stated that the policy regarding under aged drinking implemented by Mr. Wynne has been very effective. By implementing the arm bands and marking the hands of underage patrons it makes it quickly evident for his employees who can and cannot purchase alcohol.

Mr. Hubbard indicated that since the arrests, the volume of business has decreased significantly. He indicated that he had no indication from any county employee or the Sheriff's office that the 2015 alcohol license would not be renewed. Mr. Hubbard also indicated that since July there has been a new speaker system, lighting system have been installed and that Mr. Wynne has painted the outside of the building and has improved the covered area outside the building where people can wait on their ride when it is raining.

Mr. Hubbard stated that Mama's also employs two off duty law enforcement officers from the Spalding County Sheriff's Department who work security in the parking lot on Friday and Saturday nights. They are there to handle outside incidents and any violations that occur inside are escorted outside and the individuals are turned over to the off duty officers.

Mr. Hubbard advised that the policies implemented currently are stricter than under the previous operator. If someone is intoxicated, Mr. Hubbard stated that his people will stop the individual at the door and ask if they can call a cab, or if the patron is local they will take them home. If all attempts fail, the outside officer is notified that it is felt that the person leaving may be too impaired to be driving. Mr. Hubbard also stated that he had no knowledge of the video poker machines paying off in cash until the charges were filed against Mr. Wynne.

**Justin Wynne, 127 Central Lake Circle, Griffin, GA 30223.** Mr. Wynne stated that he is the owner of Mama's Country Showcase. Mr. Wynne advised that he currently holds a 2014 alcohol license for onsite consumption in Spalding County and that he had submitted his application for a 2015 alcohol license. Mr. Wynne confirmed that he had received a letter from Spalding County on December 3<sup>rd</sup>, 2014 stating that his application for a 2015 license was denied and the reason given was that he pled guilty to gambling at Mama's Country Showcase and there are two outstanding gambling cases against employees.

Mr. Wynne confirmed that he had pled guilty to the charge of gambling prohibition which is a misdemeanor in the State of Georgia and the two individuals pending charges have been placed on administrative leave until they appear in court. Mr. Wynne stated that since the incident in question occurred, there has been no new arrests or citations issued to his establishment. Mr. Wynne also advised that he has received his 2015 alcohol license from the State of Georgia.

Mr. Wynne stated that he had not received any type of notice from the County stating that they were going to fine or suspend his 2014 alcohol

license. He further stated that as far as he knew everything was fine with his 2014 alcohol license since he had not received anything from the County and no one had mentioned that he would have any problem when applying for his 2015 alcohol license.

Mr. Wynne advised that he did have the gambling machines in his establishment, and when the Georgia Lottery took over the machines, he assumed that he could do cash pay outs on the machines. He further stated that the Georgia Lottery collected all of the money from the machines and paid him a percentage of the money collected. The gaming machines were removed by the Sheriff's Department and there has been no gambling machines in his establishment since they were removed and they will never be placed on the premises again.

Mr. Wynne stated that the policies implemented since he has taken over Mama's Country Showcase are much stricter than the policies of the previous owners. If an under aged person is caught drinking, they are immediately escorted out and turned over to the Spalding County officer working that night. He advised that there are two off duty Spalding County Deputies that are on site every night that Mama's is open. Mr. Wynne advised that they have policies that are implemented with regard to the way patrons dress: no saggy pants, no doo-rags, no sun glasses, we have to be able to see the waistline.

Mr. Wynne then stated that since no action had been taken in 2014 toward fining or suspending his license that he had made improvements to his establishment. Mr. Wynne advised that he has expended approximately \$15-20,000 since July 2014 in improvements to the property that he would not have invested if he had, had any idea the 2015 license would be denied. He further advised that he currently has approximately \$40,000 in the business and he will lose every bit of it if Mama's does not get their 2015 license and he is forced to shut down the business in addition to the income for his family.

Mr. Wynne stated to his knowledge he had completed all of the requirements on the application for a 2015 alcohol license, that he had not been notified of any additional information that needed to be provided.

Mr. Wynne stated that his business has suffered greatly since July 2014. He advised that he gets numerous telephone calls every weekend asking if they are still serving alcohol since the December 1<sup>st</sup> Board meeting because of the articles that appeared in the Griffin Daily News. Additionally, the number of people who frequent the business has been significantly reduced and the revenue for the month of December was approximately half of the normal monthly average revenue.

Mr. Fortune then read from Section 6-1009, Subparagraph (s)(2), a short term suspension by the County Manager must be for a third or subsequent violation by the same licensee or the licensee's agents on the same premises within a two year period of any State or Federal laws,

administrative regulations of the state or county ordinances regulating such business holding a license including those prohibiting gambling, etc. Mr. Fortune

then asked Mr. Wynne if there had been any prior gambling violations at this establishment.

Mr. Wynne stated that there had been no violations that he knew of.

Mr. Fortune then stated that this was not a subsequent violation when these machines were seized in July, so short term suspension wouldn't apply in this case.

**Chad Jacobs, Spalding County Community Development Director.** Mr. Jacobs advised that alcohol licensing is part of his department. Mr. Jacobs stated that there were no sanctions implemented against Mama's Country Showcase's 2014 license. He advised that his department did not receive the information regarding the outcome of the charges against Mr. Wynne until November 21<sup>st</sup>, which was the Friday before the Thanksgiving week. He further stated that the agenda was set for renewal of the license the following Monday, December 1<sup>st</sup> and that he chose to wait until that time to get direction from the Board on how to proceed.

Mr. Jacobs stated that Mr. Wynne was charged in July, he was convicted October 1<sup>st</sup>, and his office did not receive that information until Mr. Wynne came into the office to drop off the application for his 2015 license and asked Cindy McDaniel if his conviction was going to cause a problem with his 2015 license renewal. At that time Ms. McDaniel brought the information to his attention and they immediately contacted the sheriff's department to obtain the details of the arrest and conviction. Mr. Jacobs stated that his office had no knowledge the disposition of the charges, until they contacted the Sheriff's Department. Mr. Jacobs stated that lack of communication between the departments was the reason they had no knowledge of the adjudicated charges until Mr. Wynne came in and asked the question regarding his 2015 license.

Mr. Jacobs stated that since it was time for the 2015 license renewal it was decided that the information would be presented to the board for a decision at the meeting on December 1<sup>st</sup>. Mr. Jacobs further stated to his knowledge Mama's Country Showcase has had no other violations since July 2014.

Mr. Jacobs stated that the \$1000 fine is imposed once the matter goes through a suspension process and that he had received the information to late in the calendar year to set up the suspension process prior to the December 1<sup>st</sup> meeting when the 2015 license was up for renewal. Mr. Jacobs stated that the information was passed along with respect to the 2015 renewal.

Mr. Jacobs also stated that his office can only act on matters of this nature when they are notified of a violation. Once, notified his department investigated the allegation and compiled the information to present to the Board. Mr. Jacobs stated that his office is a conduit to pass the information to the Board as it relates to the approval or denial of a license his office does not implement the punishment that is for the Board of Commissioners to decide.

Mr. Wynne stated that when he went to pick up his application for a 2015 license, Leigh Corley asked him what was going on at his bar. At that time he explained to her the situation. Mr. Wynne stated that she did advise him that she would only be there for another few weeks and that he would have to deal with someone else when he came in to submit his application.

**Officer Tony Ranieri**, stated that he had handled all violations at Mama's Country Showcase since 1990. Officer Ranieri stated that the business does seem to be operated better than in prior years. He further stated that although the County does not agree with the premise of 18 to party, 21 to drink, Mr. Wynne is doing the best he can to handle the problem of underage drinking.

Officer Ranieri advised there is policy or standard in Spalding County for reporting violations to the Administrative Offices with regard to business establishments. He stated that in the past he has forwarded the information to Cindy McDaniel; however, this was not his case so he did not know if the county was notified.

**William J. Plemmons, Jr., 160 Belmont Way, Forsyth, GA.**

Mr. Plemmons stated he is the owner of the property and building that houses Mama's Country Showcase and has owned it for 32 years. Mr. Plemmons stated that he had owned the facility when it was operated under good management and bad management. He further stated that he has sent spiders into the business to check on how the business is being ran, but he was unaware of Mr. Wynne paying out on the gambling machines. Mr. Plemmons stated that there is a lot more that can be done toward security, but the current security is much stricter than prior management.

Mr. Plemmons stated that you have to give the kids 18-21 some place to go and be in some type of controlled environment. He further stated that Justin has done an excellent job to provide a safe place for under age patrons here in Spalding County. If these young people do not have a place here, they will travel to other counties that aren't as restrictive and do not apply as many rules and regulations.

Mr. Fortune then addressed the Board and stated that the issue before the Board is to consider if denial of the license was justified. If you still feel that the action was justified then the ruling will stand; however, if you feel that the action taken was not justified, than you have the opportunity to reverse your decision.

Mr. Johnston stated that first and foremost Mr. Wynne is in compliance with every question and every document required in the 2015 application. Mr. Wynne's 2014 license was not suspended or revoked. There has been no fine or suspension under the 2014 license, yet the 2015 license should not be allowed. This was a first offense, he should have been fined \$1000 as a first offense and then he should be able to renew his application for 2015. The only thing that the county should have done was fine him \$1000 under the 2014 license. Mr. Johnston then asked that the board reconsider Mr. Wynne's application for 2015.

***Motion/Second by Ray/Johnson to close the appeal hearing regarding the denial of the 2015 Alcohol Beverage License for Mama's Country Showcase. Motion carried unanimously by all.***

Vice Chairman Ray advised that Chairman Gardner is out of town and not available for the hearing.

2. Consider renewal of 2015 Alcohol Beverage License - Consumption on Premises of Beer, Wine and Liquor for Justin Wynne, d/b/a/ Mama's Country Showcase, 2700 North Expressway, Beer, Wine and Liquor.

***Motion/Second by Ray/Johnson to deny renewal of 2015 Alcohol Beverage License - Consumption on Premises of Beer, Wine and Liquor for Justin Wynne, d/b/a/ Mama's Country Showcase, 2700 North Expressway, Beer, Wine and Liquor.***

Commissioner Miller stated he wanted to know why they weren't fined, it clearly states in the Ordinance for a first offense there is a fine of \$1000.

Mr. Wilson stated that they were notified until Friday, November 21<sup>st</sup> of the adjudication of the violation. We set the agenda on Tuesday, November 25<sup>th</sup> for the meeting on December 1<sup>st</sup>, and the fine was simply overlooked. Mr. Wilson advised that a fine of \$1000 would be sent to Mr. Wynne today as there is nothing that states when the fine is to be implemented in the Ordinance.

Commissioner Miller then stated there should be better coordination between the Sheriff's Department and Community Development so that everyone is made aware of a problem and this does not happen again. He stated that he is not faulting Community Development nor the Sheriff's Department, but feels that for an offense of this nature, that was pled to in October, Community Development should have been notified long before they were in November.

Mr. Wilson agreed that there is a need for a formal procedure where Community Development will be notified in writing.

Mr. Jacobs then stated if the question had been asked of Ms. Corley in July, we would not have acted on anything as every defendant is assumed innocent until proven guilty, no action could have been taken until the matter was adjudicated. Mr. Wynne was not found guilty or convicted until October and we didn't find out about it until November 21<sup>st</sup>, when Mr. Wynne came into our office and asked if there was going to be a problem. Mr. Jacobs stated that Community Development works very well with the Sheriff's Department as a rule, but some guidelines will need to be established for notification in this type of violation.

Commissioner Flowers-Taylor stated the Board of Commissioners can only act when they are notified of a problem. She further stated that she is concerned that we didn't follow our own process.

Commissioner Johnson agreed that we didn't follow our own process.

***Motion failed 1-3 (Johnson/GFT/Miller).***

***Motion by Flowers-Taylor/Johnson reconsider at the next meeting adjudicated action will be taken in relation to this offense. Commissioner Flowers-Taylor rescinded the motion.***

Commissioner Miller stated that the fine should have been imposed and he is requesting that better lines of communication be established between the State, the County and Sheriff's Department.

Commissioner Miller stated that he feels that Mr. Wynne had done a good job in implementing new policies and making Mama's Country Showcase a safer place for people go to enjoy themselves. He further stated that he would like to see the license reissued due to the matter not being handled appropriately under the 2014 license.

Commissioner Johnson stated that based on the information presented today it would be wrong to not renew Mr. Wynne's license. She stated that she understands the time constraints that lead to the meeting on December 1<sup>st</sup>; however, no fine or punishment was issued against the 2014 license and it would be wrong to take his license away.

Vice Chairman Ray stated the board can only act on the information as it is presented at the time a decision is made. With the violation occurring in July, the conviction not occurring until October and our offices not being notified until November 21<sup>st</sup>. When you look at it as a whole, the board can only react to the information at hand.

Commissioner Flowers-Taylor asked what the procedure should have been, in a perfect scenario of this incident.

Mr. Fortune stated that once the charge had been adjudicated a letter would have been sent to Mr. Wynne stating that "you have been found guilty of the stated offense and under our ordinance you are to be fined

\$1000. If you object to the fine, you are entitled to a hearing.” If he requests a hearing then we would provide the date and time for the hearing, or he could simply send the money in and that would be the end of it.

Mr. Johnston stated that if he were a Commissioner he would fine Mr. Wynne \$1,000 under his 2014 license and make approval of his 2015 license contingent upon payment of the \$1,000 fine. Mr. Johnston suggested that this is the way it needs to be done because this is what the ordinance says.

Mr. Fortune asked if Mr. Wynne would agree to waive his right to a hearing on the \$1000 fine as he does have the right to appeal. Mr. Fortune advised that the Board could do as Mr. Johnston suggested and impose a \$1000 fine, and upon payment of the fine issue Mr. Wynne a license for 2015 and Mr. Wynne is waiving his right to appeal the implementation of a \$1000 fine.

Mr. Wynne agreed to waive any right to appeal if he is fined \$1000 and he agreed to pay the \$1000 fine.

***Motion/Second by Johnson/Miller to reconsider the denial of Justin Wynne, d/b/a/ Mama's Country Showcase, 2700 North Expressway, 2015 Alcohol Beverage License - Consumption on Premises of Beer, Wine and Liquor made by the Board of Commissioners at their Regular Meeting on 12/1/2014. Motion carried unanimously by all.***

***Motion/Second by Miller/Johnson to fine Justin Wynne, d/b/a/ Mama's Country Showcase \$1000 fine for the gambling prohibition violation and issue a 2015 Alcohol License upon receipt of payment of the fine of \$1000, and Mr. Wynne will not appeal the \$1000 fine.***

Commissioner Flowers-Taylor stated that she really did not want to do this, but neither does she want to spend tax payer money on a court case. Commissioner Flowers-Taylor further stated that she does feel that the County needs to do a better job in following procedure and communication.

Vice Chairman Ray asked Sheriff Beam as a Constitutional Officer that his office work with Community Development to make sure they are made aware of any alcohol convictions are adjudicated in the future until we can get formal protocols in place to address the issue.

***Motion carried 3-1 (Ray).***

Vice Chairman Ray called for a short break at 11:20 a.m.

Vice Chairman Ray called the meeting back to order at 11:30 a.m.

3. Vice-Chairman Ray requests approval of submission of letter of clarification to the United States District Court for the Northern District of Georgia.

Vice Chairman Ray stated that on Thursday, December 18, Channel 2 news ran a story that included a local County Commissioner writing a letter of support on behalf of Michael Owens, who was convicted of identifying police activity to a known drug dealers within Spalding County. He was investigated along with another fireman, he was convicted and the sentencing was to be held the week of December 18.

Letters of recommendation have been submitted by two people who work for Spalding County: one by Commissioner Flowers-Taylor and one by Robby Milner who works in Parks and Recreation, both of the letters were submitted on County letterhead. The letterhead was not identified in the news report; however, that Friday we received an inquiry from the Griffin Daily News asking if we had a copy of the document. Copies of the documents were requested and on Friday of that week the Vice Chairman received a copy of the letters. The documents arrived at 4:58 p.m. and no action could be taken on the matter until Monday. I forwarded the information to Chairman Gardner, County Attorney, Jim Fortune and to the County Manager asking that we discuss on Monday.

Vice Chairman Ray advised that he contacted Mr. Fortune to ascertain if any legal, ethical or moral violation had been constituted by this action. After the discussion with Mr. Fortune, Vice Chairman Ray contacted Chairman Gardner and agreed that we should proceed with a letter to the Judge to advise that the letterhead that was used is five years old, that the defendant in this case is related to Commissioner Flowers-Taylor, that the Board had offered no opinion on the matter; therefore, the letterhead should not have been used.

Vice Chairman Ray further stated that had the letter been written on personal stationery from Commissioner Flowers-Taylor or Mr. Milner, there would not have been a problem in submitting their letter of support. The documents provided to Vice Chairman Ray contained letters written by Commissioners from the City of Griffin, but they were written on personal stationery, not on City of Griffin letterhead.

Vice Chairman Ray stated that after trying to telephone each Commissioner and being unable to contact two, he sent out an email to the Board to inform them of the situation, because we had received a second inquiry. He further stated that he advised that he would be asking for an open letter, approved by the Board of Commissioners, be sent to Judge Batten, Federal Court Judge, to notify him that the letter he received was not approved by the Board of Commissioners even though the official stationery was used, the Spalding County Board of Commissioners have not offered an opinion in this case and the use of Board stationery implies agreement by the Board which was not given.

Vice Chairman Ray stated that he had drafted a letter for review by the Board and Mr. Fortune and he distributed copies of the letter to the Board members and Mr. Fortune.

***Motion/Second by Ray/Johnson to approve sending the letter of clarification to the United States District Court for the Northern District of Georgia.***

Mr. Fortune advised that, in his opinion, it was not an ethical violation; however, a letter of this nature on Spalding County letterhead should have received approval of the Board prior to the letter going out.

Commissioner Flowers-Taylor stated that there is no policy with regard to use of letterhead by the Commissioners. Commissioner Flowers-Taylor further stated that over the ten years that she has been a Commissioner that she has requested and been given stationary by Teresa Watson, Ricky Clark and Kathy Gibson. Commissioner Flowers-Taylor stated that she has written letters on this stationary for students in high school, students in college, churches applying for grants and that was based on the fact that she knew the individuals or organizations and the work they had done.

Commissioner Flowers-Taylor stated that she had the stationary for more than a year and did not pay attention to the fact that her name was the only name currently on the Commission and agreed that that was an error on her part. She stated that as a County Commissioner she has had the opportunity to interact with a number of the employees that work for the county.

Commissioner Flowers-Taylor stated that we do not have a policy regarding letterhead, the letter that she sent to Judge Batten was signed by her as a single Commissioner. Commissioner Flowers-Taylor stated that she had checked with the District Attorney's office, Attorney Scott Key and with Judge Batten's office and there has not been a request for clarification, so I'm sure these individuals are intelligent enough to know that a letter sent by Commissioner Gwen Flowers-Taylor is just that, a letter sent by Gwen Flowers-Taylor.

Commissioner Flowers-Taylor stated that after talking with the other Commissioners about this matter she could see where it might be construed as representing the Board as a whole, so she does not have a problem with the letter of clarification be sent to Judge Batten. She further stated that if she is a Spalding County Commissioner and that is the only letterhead that she is provided, she is not going to get permission from every member on the Board before she writes a letter of character, a letter of recommendation or a letter of reference for anyone.

Commissioner Ray stated this is not a personal issue, he did not approve a letter of support on letterhead that is shared with the other Commissioners. He stated that he has a strong objection and he feels

this is improper. He is simply asking for a letter of clarification to the judge. We as the Board of Commissioners represent those citizens in our separate districts and the whole of Spalding County.

Commissioner Johnson inquired as to if there is a workshop planned on the use of letterhead so she will reserve her comments for the workshop. Commissioner Johnson stated that she had talked with Commissioner Flowers-Taylor and she is glad that she understands why a letter of clarification needs to be sent out. Commissioner Johnson further stated that as far as Commissioner Flowers-Taylor sent a letter in support of her nephew, she fully understands.

Commissioner Flowers-Taylor requested that the conflict of interest be removed from the letter and that the redundancy in the letter with regard to the Board of Commissioners not supporting the letter be removed. It should only be stated one time there is no need for the redundancy.

Commissioner Ray asked Mr. Fortune to prepare a letter stating that "Please be aware that the letter was not authorized by the Board of Commissioners at any time" and that the letter be on the current letterhead with signature lines for each of the Commissioner to sign.

***Motion carried unanimously by all.***

4. County Manager requests an Executive Session for the purpose of discussing 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(b)(2).

***Motion/Second by Miller/Johnson to enter into Executive Session at 11:50 a.m. Motion carried unanimously by all.***

***Motion/Second by Flowers-Taylor/Miller to end Executive Session at 12:40 p.m. Motion carried unanimously by all.***

***Motion/Second by Flowers-Taylor/Ray approve the contract for the new Chief Appraiser, Mr. Donald Long at a Step 9 salary as requested by the Board of Assessors. Motion carried unanimously by all.***

#### **E. ADJOURNMENT**

***Motion/Second by Flowers-Taylor/Johnson to adjourn. Time: 12:45 p.m. Motion carried unanimously by all.***

/s/ \_\_\_\_\_  
Raymond Ray, Vice Chairman

/s/ \_\_\_\_\_  
William P. Wilson, Jr., County Clerk