



**SPECIAL CALLED
CITY COUNCIL MEETING
OCTOBER 2, 2018- 3:30 PM
GORDON COUNTY COURT ROOM ANENX
101 PIEDMONT STREET**

MINUTES

PRESENT: James F. Palmer, Mayor
George R. Crowley, Mayor Pro Tem
Ray Mitchell Denmon, Councilman
Al Edwards, Councilman
Jackie Palazzolo, Councilwoman

ALSO: Honorable Norman S. Fletcher, Mediator; Andy Welch, Special Counsel; Brandon Palmer, Special Counsel; Michael Brown, Brown Pelican Consulting; Eddie Peterson, City Administrator; Paul Worley, Assistant City Administrator; George Govignon, City Attorney; and Sharon Nelson, City Clerk.

1. **Call to order and Welcome**
Justice Fletcher called the meeting to order and welcomed those in attendance.
2. **Service Delivery Strategy Mediation**
Justice Fletcher gave City of Calhoun and Gordon County governing officials a brief review of the mediation process. Members of both governments signed the official mediation agreement at 9:11 a.m. Initial service delivery presentations began at 9:15 a.m. with City of Calhoun and ended at 9:50 a.m. following Gordon County's presentation.
3. **Move to Executive Session**
Councilwoman Palazzolo made a motion to move to executive session, the purpose being Service Delivery Strategy mediation (O.C.G.A §50-14-2 [1]). Councilman Denmon gave a second with all voting aye. The motion was approved and Council moved to executive session at 9:52 a.m.
4. **Return to General Session**
Councilman Edwards made a motion to return to general session. Councilwoman Palazzolo gave a second with all voting aye. The motion was approved and Council returned to general session at 9:30 p.m.

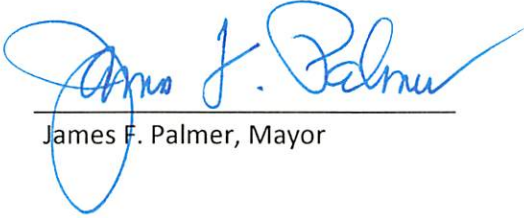
5. **Old Business**

Councilman Edwards made a motion to approve the City of Calhoun & Gordon County Mediation Agreement as presented. Mayor Pro Tem Crowley gave a second with all voting aye. Motion approved. (Copy attached)

6. **Motion to Adjourn**

Councilman Edwards made a motion to adjourn. Mayor Pro Tem Crowley gave a second with all voting aye. The motion was approved and the meeting adjourned at 10:10 p.m.

Submitted:


James F. Palmer, Mayor

Approved:


Sharon Nelson, City Clerk

CITY OF CALHOUN
Special Called Meeting
Gordon County Court Room Annex
101 Piedmont Street
October 2, 2018

EXECUTIVE SESSION MINUTES

Present: James F. Palmer, Mayor
George Crowley, Mayor Pro Tem
Ray Denmon, Councilman
Al Edwards, Councilman
Jackie Palazzolo, Councilwoman

Also: Andy Welch, Special Counsel
Brandon Palmer, Special Counsel
Michael Brown, Brown Pelican Consulting
Eddie Peterson, City Administrator
Paul Worley, Assistant Administrator
George Govignon, City Attorney
Sharon Nelson, City Clerk

- A. Councilwoman Palazzolo made a motion to move to executive session, the purpose being Service Delivery Strategy mediation (O.C.G.A §50-14-2 [1]). Councilman Denmon gave a second with all voting aye. The motion was approved and Council moved to executive session at 9:52 a.m.
- B. Attorneys from Smith Welch Webb & White, and the consultant from Brown Pelican Consulting were in attendance to guide Council members through Service Delivery mediation.
- C. There being no other discussion, and on motion duly made by Councilman Edwards and seconded by Councilwoman Palazzolo, the executive session was adjourned and Council members returned to general session at 9:30 p.m.

Approved:



James F. Palmer, Mayor

Submitted:



Sharon Nelson, City Clerk



CERTIFICATE OF DISTRIBUTION

TO: State Revenue Commissioner

Pursuant to an Act of the Georgia General Assembly, effective January 1, 1980, relating to Local Sales & Use Taxes, the governing authorities for the qualifying municipalities and the county located within the special district coterminous with the boundaries of GORDON County hereby certify that the proceeds of the combination city/county local sales and use tax generated in such district shall be distributed by the State Revenue Commissioner as follows:

City of <u>CALHOUN</u>	shall receive	<u>34.35</u>	%
City of <u>FAIRMOUNT</u>	shall receive	<u>1.30</u>	%
City of <u>RESACA</u>	shall receive	<u>1.00</u>	%
City of _____	shall receive	_____	%
City of _____	shall receive	_____	%
County of <u>GORDON</u>	shall receive	<u>63.35</u>	%

This certificate shall continue in effect until such time as a new certificate shall be executed as provided in said Act.

By executing this schedule the county and cities, acting through their respective officers, represent that all municipalities lying wholly or partly in the tax jurisdiction have been given an opportunity to show that they are 'qualified municipalities,' as that term is used in the Act, and that all municipalities listed herein as recipients are 'qualified' and so may receive distribution from the proceeds of the tax.

Executed on behalf of the governing authorities of the qualifying municipalities representing not less than a majority of the aggregate population of all qualifying municipalities located within the special district and the governing authority of the county, this 2ND day of OCTOBER 2018.


MAYOR OF THE CITY OF CALHOUN

MAYOR OF THE CITY OF

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MAYOR OF THE CITY OF

MAYOR OF THE CITY OF

CHAIRMAN BOARD OF COMMISSIONERS OF

GORDON COUNTY

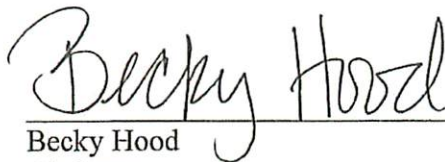
City of Calhoun & Gordon County Mediation Agreement

10/2/2018

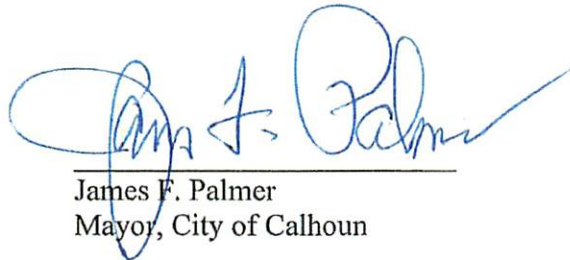
- I. Annexation
 - a. Off the Table
- II. Parks & Recreation
 - a. County may use county general fund
 - b. County will continue to make payments to Calhoun per the existing agreement, with the three percent annual increase until the total reaches five hundred thousand (\$500,000), which will be the maximum annual amount to be paid for the remainder of the SDS Agreement.
- III. Public Works
 - a. County may use county general fund
 - b. County will pave four (4) miles of City streets, to be selected annually by the City.
- IV. E-911 Emergency Dispatch
 - a. City no longer has to make any payments to the County
 - b. County may use county general fund
- V. Water & Sewer Rate Differential
 - a. County Challenge Withdrawn
- VI. L.O.S.T.
 - a. City of Calhoun share will increase from 28.3 to 34.3 and no change to the other municipalities.
 - b. Must be submitted to the Georgia Department of Revenue by October 12, 2018 and approved by the Georgia Department of Revenue.

This will be a ten (10) year agreement, terminating October 31, 2028. The Parties agree to work in good faith to take such action as necessary to form an agreement which effectuates the terms of this memorandum, to be approved by each governing authority and submit a updated service delivery strategy to DCA for verification by October 31, 2018.

This 2nd day of October, 2018.



Becky Hood
Chairwoman,
Gordon County Board of Commissioners



James F. Palmer
Mayor, City of Calhoun

STATE OF GEORGIA
COUNTY OF GORDON
CITY OF CALHOUN

CLOSED MEETING AFFIDAVIT

James F. Palmer, Chair of the City of Calhoun, City Council Meeting, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1.

The City Council of Calhoun, Georgia, met in a duly advertised meeting on October 2, 2018.

2.

During such meeting, the council voted to go into executive session.

3.

The executive session was called to order at 9:52 a.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:

XX Consultation with the city 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)

_____ 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*) _____

_____ Discussion or voting on

_____ Authorizing a settlement as provided in O.C.G.A. § 50-14-3(b)(1)(A)

_____ Authorizing negotiations to purchase, dispose of, or lease property as provided in O.C.G.A. § 50-14-3(b)(1)(B)

_____ Authorizing an appraisal as provided in O.C.G.A. § 50-14-3(b)(1)(C)

_____ Entering a contract for the purchase, disposal of, or lease of property as provided in O.C.G.A. § 50-14-3(b)(1)(D)

_____ Entering into an option to purchase, dispose of, or lease property as provided in O.C.G.A. § 50-14-3(b)(1)(E)

_____ Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a city officer or employee as provided in O.C.G.A. § 50-14-3(b)(2)

____ Interviewing candidates for executive positions as provided in O.C.G.A. § 50-14-3(b)(2)

____ Other (describe the exemption to the open meetings law): _____
_____ as provided in (insert the citation to the legal authority exempting the topic): _____

5.

____ During the course of the closed session devoted to exempt topics, an incidental remark regarding a non-exempt topic or an attempt to discuss a non-exempt topic was made.

____ The attempt was immediately ruled out of order and attempts to discuss the same ceased immediately.

____ The attempt was immediately ruled out of order. However, the comments did not cease, so the closed/executive session was immediately adjourned without discussion or action being taken regarding any non- exempt topic.

6.

Minutes were taken of this meeting in accordance with O.C.G.A. § 50-14-1(e)(2)(C) and will be filed and held for inspection by an appropriate court only.

This 2nd day of October, 2018.


James F. Palmer, Mayor

Sworn to and subscribed before me this 2nd day of
October, 2018.


Notary Public

My commission expires:

February 18, 2022

