

**Complaint sent by Newton County citizen Dennis Taylor to the Attorney General's office:**

Dear Sir,

The agenda for the Newton County BOC meeting showed succession planning as the number 6 item to be discussed in the Jan 21. 2014 regular commission meeting.

When they got to the 6th item Chairman Ellis said that he was using chairman's discretion to move succession planning to the end of the meeting. When they came to the end of the meeting, 5th district commissioner made a motion to go into executive session to discuss succession planning.

The chairman announced they were going into executive session for succession planning but made no announcement as to whether a vote was expected afterwards. Reports in the Newton Citizen and Covington News stated that Commissioner Schulz questioned in executive session the legality of discussing succession planning in executive session, yet the meeting was not opened up or shut down.

Within said closed executive session the commission discussed and created a new executive position of assistant county manager without the public being able to observe. They as well decided to offer the position to county engineer Tom Garrett in said closed executive session.

After the executive session the commissioners came out to public meeting (to empty house as most if all of the public had no idea to expect a vote) and voted to create the position of assistant county manager and offer it to Tom Garret by a vote of 4 to 1 with Commissioner Schulz voting against because she questioned the process of how it was done.

I believe that under Georgia's open meeting laws revamped by H.R. 397 in 2012, this executive session violated the law. Succession planning and creating the position of assistant county manager should have been done in open meeting and then they could have legally gone into executive session to discuss names of who to offer the job.

I also question the vote after the executive meeting since the public had gone home and not expected or told to expect a vote, thus in reality that vote was a continuation of closed session. The law also states, I believe, that when in doubt to rule for openness.

I believe that if a sitting commissioner questions whether what is being discussed in executive session is legal that puts considerable doubt and the meeting should have been opened up or shut down until all commissioners felt comfortable that it was legal.

This meeting has received considerable attention in both our papers as well as with the public of Newton County. Our meetings are filmed by the Covington News and chamber of commerce and placed on the CovNews.com under BOC for anyone's viewing and check of what I have written here. The film goes up to where they went into executive session but there is no video of where they came after the executive session and did the vote- thus proving that the ones filming were even caught off guard by the vote after the executive session.

It is the goal of us as Newton County citizens of only getting compliance of open meeting laws from our elected boards and governing agencies. Please review and investigate if you feel should be.

Thank You,  
Dennis C. Taylor  
Ellington Road  
Oxford, GA 30054

Concerned Citizen and one of the founding members and leaders of the Newton County Conservative Liberty Alliance.