

**MINUTES**

**Troup County Board of Commissioners**

**Called Meeting**

**May 28, 2013**

**Troup County Government Center**

Troup County Board of Commissioners Chairman Richard Wolfe called the meeting to order at 9:00 a.m.

**Board Members Present:**

Richard Wolfe, Chairman  
Richard English, Vice-Chairman  
Claude F. Foster III, Commissioner  
Buck Davis, Commissioner  
Morris Jones, Commissioner

**News Media Present:**

Matt Strother, LaGrange Daily News  
Trey Wood, West Point Times-News  
Isaiah Smith, WJCN

**Staff Present:**

Tod Tentler, County Manager  
Scott Turk, Finance Officer/County Clerk  
Mark DeGennaro, County Attorney

**Others Present:**

- None.

**OPENING:**

Chairman Wolfe called the meeting to order and stated the purpose of the called meeting was to discuss potential litigation.

**EXECUTIVE SESSION:**

Chairman Wolfe requested a motion be made to go into Executive Session to discuss potential litigation. Commissioner Davis made a motion to go into Executive Session to discuss potential litigation. Commissioner Foster seconded. Unanimous.

**RECONVENE MEETING:**

County Attorney Mark DeGennaro stated that the commissioners reconvened in public meeting at the conclusion of the Executive Session. While in Executive Session, the commissioners discussed a potential litigation and agreed that no litigation action would be taken.

Commission Chair Wolfe explained that in light of documents produced in response to an Open Records Request by LaGrange Citizen (then) Editor-in-Chief Scott Smith, county staff have performed due diligence as well in reviewing the documents over an extended period, and are today directing County Manager Tod Tentler to write a letter to Troup County Board of Elections Jane McCoy, turning over all documents, asking that Board (BER) to take appropriate action upon review of the documents. Mr. Wolfe further stated that the Board of Commissioners have found the content of the emails to be particularly alarming, personal and purposefully hurtful, and that it undermines the effectiveness and public trust in the election process.

Mr. Wolfe stated there's little the county government and Board does that's more critical than the protection of the integrity of the election process. The Board has also found the content of the documents contain information that is a breach of the confidentiality of the (BER's) Executive Session process, and conduct unbecoming of a public officer. The Board is taking this course of action to avoid potential litigation regarding this issue.

Mr. Wolfe called for a motion for directions for the County Manager. Commissioner Davis moved the same, Commissioner Foster seconded the motion. Mr. Wolfe then opened the table for discussion on the motion.

Commissioner Foster opened discussion by reading from one of the emails dated Tuesday, April 30, 2013 6:53pm. The email indicated that Mrs. Gilmore's hope is that the Commission "crawls back on their knees" (to the Probate Judge) for conduct of elections. Mr. Foster added he is deeply troubled by the content of the emails.

Commissioner English followed agreeing with Commissioner Foster, adding that for those serving on county boards, to have another board member call them incompetent in saddening and troubling.

Commissioner Davis added that one of the emails that he has reviewed he found particularly disturbing. The email expressed an apparent desire of Mrs. Gilmore's that the communications be "kept under lock and key," among other derogatory statements.

Commissioner Jones further stated that the Commission worked for over a year first to consider forming, then to coordinate with the Georgia legislature to create the Board of Elections and Registration. The Commission's goal with forming the BER was then fair and open elections. Mr. Jones continued that the documents indicate a determined attempt to undermine the BER and that he too is deeply disturbed by their content.

Chairman Wolfe called for a vote on the motion. Unanimous.

**ADJOURNMENT:**

There being no further matters to discuss, Commissioner Jones made a motion to adjourn. Commissioner English seconded. Unanimous.

\_\_\_\_\_  
Richard Wolfe, Chairman

Attest: \_\_\_\_\_  
G.S. Turk, Clerk