

**MINUTES
CITY COUNCIL SPECIAL CALLED MEETING
WITH DAWSON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 4, 2012
5:00 P.M.**

CALL TO ORDER: Mayor W. James Grogan called the special called meeting to order at 5:00 p.m.

CITY COUNCIL ROLL CALL: Present were Mayor Grogan, Councilman Phillips, Councilman Power, Councilwoman Smith, Councilman Gaines, City Attorney Dana Miles, Clerk Bonnie Warne, and Public Works Director Gary Barr. Special guests: State Rep. Elected Kevin Tanner, Billy Thurmond, Director of EMS and Cindy Campbell Chief Financial Officer for the County.

BOARD OF COMMISSIONERS ROLL CALL: Present were Chairman Berg, Commissioner's Jimmy Hamby, James Swafford and Julie Nix. Absent: Gary Pichon. Also present was County Attorney Joey Homans.

INVOCATION AND PLEDGE: James Swafford gave the invocation and Chris Gaines led the pledge.

CITY COUNCIL: Business: Local Option Sales Tax Intergovernmental Agreement
Chris Gaines motioned to approve the Local Option Sales Tax Intergovernmental Agreement as presented; motion seconded by Jason Power. Council vote was unanimously in favor. (Exhibit "A")

BOARD OF COMMISSIONERS: Approval of Agenda motion by Mr. Swafford; seconded by Mr. Hamby. Vote unanimous in favor. Business: Local Option Sales Tax Intergovernmental Agreement
Mr. Swafford motioned to approve the Local Option Sales Tax Intergovernmental Agreement as presented; motion seconded by Mr. Hamby. Vote was unanimously in favor.

COMMENTS: Both Mayor Grogan and Chairman Berg expressed their thanks to those that worked on the L.O.S.T. negotiation.

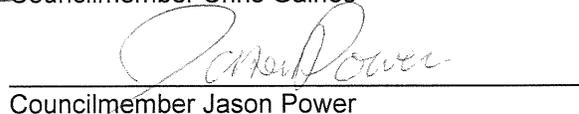
ADJOURNMENT: There being no further business to attend to, the joint meeting adjourned at 5:07 p.m. The motion carried unanimously; Jason Power/Caleb Phillips.



Mayor W. James Grogan



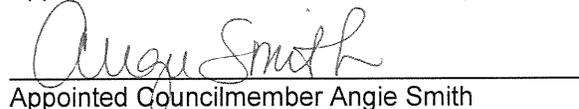
Councilmember Chris Gaines



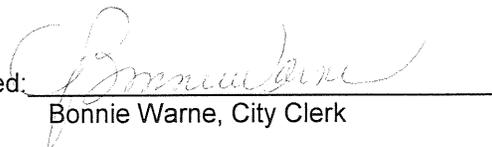
Councilmember Jason Power



Appointed Councilmember Caleb Phillips



Appointed Councilmember Angie Smith

Attested: 

Bonnie Warne, City Clerk

LOCAL OPTION SALES TAX (LOST) INTERGOVERNMENTAL AGREEMENT

WHEREAS, O.C.G.A. § 48-8-89, et seq. sets forth the process to determine the division of revenue generated by the local option sales tax within the special district that includes the City of Dawsonville ("City") and Dawson County ("County"); and

WHEREAS, the City and the County met on several occasions without reaching an agreement regarding the division of revenue generated by the local option sales tax referenced herein; and

WHEREAS, the City and the County then followed the mandatory non-binding arbitration/mediation process set forth in O.C.G.A. § 48-8-89 and participated in a mediation session on August 21, 2012 before the Honorable Jim Mahar; and

WHEREAS, Jim Mahar suspended the mediation proceedings to permit representatives of the City and the County to continue informal discussions regarding the division of the revenue generated by the local option sales tax referenced herein; and

WHEREAS, the parties achieved an agreement to divide the LOST proceeds as follows: eighty-eight percent (88%) to the County and twelve percent (12%) to the City.

NOW, THEREFORE, in consideration of the factors set forth herein and other good and valuable consideration, the City and the County hereby enter this intergovernmental agreement regarding the division of revenue generated by the local option sales tax.

1. All recitals set forth herein are incorporated as express terms of this LOST intergovernmental agreement.
2. Effective January 1, 2013 through December 31, 2022, the local option sales tax proceeds shall be divided between the parties with the County to receive eighty-eight percent (88%) of LOST proceeds and the City to receive twelve percent (12%) of LOST proceeds. The City and County shall execute all documents required by the Georgia Department of Revenue related to this division of LOST proceeds.

This 4th day of September, 2012.

DAWSON COUNTY, GEORGIA

ATTEST:

Mike Berg
Mike Berg, Chairman

Danielle Yarbrough
Danielle Yarbrough, County Clerk

DATE: 9-4-, 2012

CITY OF DAWSONVILLE

ATTEST:

W. James Grogan
James Grogan, Mayor

Bonnie Warne
Bonnie Warne, City Clerk

DATE: 9-4-12, 2012

