

**Charlton County Board of Commissioners
Regular Meeting Minutes
Commissioners Conference Room
68 Kingsland Drive, Suite B
Folkston, GA 31537
Friday, October 24, 2025
12:00 PM**

10/24/2025 - Minutes

Call to Order

The meeting was called to order at 12:00 PM.

Present was Commissioner Jesse Crews, Chairwoman Alphya Benefield, Vice Chairman Luke Gowen, Commissioner Drew Jones, County Attorney John Adams, County Administrator Glenn Hull, Director of Administrative Services Rebecca Harden, and County Clerk Madeline Nettles.

Absent was Commissioner James Everett.

All guests are recorded hereafter.

Invocation and Pledge to the Flag

The invocation was led by Chairwoman Benefield.

Commissioner Crews asked Chairwoman Benefield that the board wait until Commissioner Everett arrives before continuing the meeting.

Chairwoman Benefield recognized Tiffany Yearwood. Director Harden recognized Commissioner Jones for his completion of the requirements to become a Certified County Commissioner.

Commissioner Everett arrived at 12:02 PM.

Adoption of the Agenda

Commissioner Crews made a motion to adopt the agenda as presented. Commissioner Everett seconded the motion. The motion carried unanimously.

Miscellaneous

1. Motion to Appoint Brenda Hodges to the Board of Elections to Fill the Remainder of Unexpired Term of Lenora Jo Dube

Commissioner Crews recommended appointing Brenda Hodges to the unexpired term of Lenora Dube, based on previous experience as the Superintendent of Elections.

Commissioner Crews made a motion to appoint Brenda Hodges. Commissioner Everett seconded the motion. The motion carried unanimously.

Resolutions

2. Motion To Adopt A Resolution To Cancel The Special Purpose Local Option Sales Tax (SPLOST) Referendum Scheduled For November 4, 2025, Authorize Public Notification And Reschedule The Referendum For May 19, 2025

Teresa Guinn, Chairwoman of the Board of Elections, was present to discuss the issues discovered

with the SPLOST referendum. Cathy Daniels, member of the Board of Elections, was also present.

Chairwoman Guinn stated that the referendum was supposed to be advertised in the newspaper, per state law, for 4 consecutive weeks preceding the election, but it was not advertised properly. Since the lack of advertisement violates state law, Chairwoman Guinn stated that the referendum must be rescinded and rescheduled after the proper steps are taken. Chairwoman Guinn stated that there was an email that had been sent to the newspaper about advertising in August, which acknowledged the need to advertise again in October.

Commissioner Crews asked Mr. Paul Kulwik of the Charlton County Herald about this email. Mr. Kulwick confirmed the receipt of the email as described by Chairwoman Guinn.

Commissioner Jones expressed his concerns about adopting a resolution to cancel the SPLOST and a possible solution coming up at a later time. Chairwoman Guinn and Commissioner Jones have both reached out to various state authorities about the matter and are still waiting for answers.

Commissioner Crews asked County Attorney Adams if the resolution could be rescinded at a later time, if necessary. County Attorney Adams confirmed it was a possibility.

Chairwoman Benefield asked if they do not cancel the voting, what will happen if it was found out later that it needed to be rescinded. County Attorney Adams stated that it was possible to reject the funds collected after the fact, but that could cause difficulties for the county.

Commissioner Gowen asked if County Administrator Hull had seen anything in his research where other areas had experienced a similar lapse in communication or error and what their solutions were at that time. County Attorney Adams stated that he did not see any notations of cases that would set precedent in the matter.

Brenda Hodges, newly appointed Board of Elections member, arrived in the meeting at 12:16 PM. Commissioner Crews welcomed her to the Board of Elections, which she accepted. Mrs. Hodges stated that she had a call into the Secretary of State's office, who has involved their legal team for assistance, because they have not seen where a SPLOST referendum had to be canceled in the history of SPLOST.

Chairwoman Guinn stated that the Elections Office state liaison also confirmed that the previous Superintendent of Elections was aware of the advertising requirements, because he had asked questions about the requirements previously.

County Administrator Hull stated that the board could pass the resolution, effective 10/31/2025, pending any guidance from the state regarding the situation.

Commissioner Jones motioned to adopt the resolution, effective on October 31st, 2025, pending the stipulation stated by County Administrator Hull. Commissioner Crews seconded the motion. The motion carried unanimously.

Commissioner Everett asked when collections would begin. Director Harden stated that if the referendum is passed in May 2026, collections wouldn't begin until October of that year.

Commissioner Gowen asked if the state could put the SPLOST on a special election ballot. Mrs. Hodges stated that state law prevents it from being able to do so.

Chairwoman Benefield explained that the laws and regulations regarding SPLOST are so strict, that last Thursday, a representative from the Department of Revenue contacted her about the SPLOST referendum. Chairwoman Benefield stated that the representative cared about the county and

explained what needed to happen in order to not miss out on gathering the finances. Chairwoman Benefield stated that she and the office worked to send off the required documents to the Department of Revenue so that the people would not miss out on SPLOST, which has helped the county for several years. The conversation with the representative from the Department of Revenue was unrelated to the situation being discussed but demonstrates how some state level representatives genuinely care for the well being of the local governments and their citizens.

Public Comments

Public Comments are limited to 3 minutes.

Leslie Kulwik, with the Charlton County Herald, asked a few questions about SPLOST.

Mrs. Kulwik asked how much of a potential loss this would be to the county. County Administrator Hull stated that the estimated loss in sales tax to the County between January 1st and September 30th, 2026 is approximately \$900,000, the loss to the City of Folkston is approximately \$250,000, and the loss to the City of Homeland is approximately \$50,000.

Mrs. Kulwik asked how, if it will, affect the residents of Charlton County. County Administrator Hull talked about how the county relies heavily on SPLOST to fund equipment for the Sheriff's Office, Fire Department, EMS, roads, parks and recreation, and several other capital improvement project needs the county has. County Administrator Hull stated that this is a major setback for Charlton County, that he feels cannot go understated. County Administrator Hull stated that this setback also now creates a dynamic in May that this is a new tax, instead of an existing, rolling tax.

Mrs. Kulwik asked if there is going to be an investigation to determine how this error was made. County Administrator Hull stated that he cannot comment on a current investigation.

Commissioner Jones asked when the position for Supervisor of Elections will be advertised. Director Harden stated that the position will be advertised next week.

Adjourn

Commissioner Crews motioned to adjourn. Commissioner Everett seconded the motion. The motion carried unanimously.

The meeting adjourned at 12:39 PM.

Alphya Benefield, Chairman

Madeline Nettles, County Clerk

CHARLTON COUNTY,
STATE OF GEORGIA

**RESOLUTION MAKING APPOINTMENTS OF MEMBERS OF CHARLTON COUNTY
BOARD OF ELECTIONS AND REGISTRATION**

WHEREAS, by the terms of the act creating the Charlton County Board of Elections and Registration, the Charlton County Board of Commissioners giving the original and continuing authority to appoint the members of said Board of Elections and Registration; and

WHEREAS, there is now a vacancy of said Board of Elections and Registration, caused by the resignation of Lenora “Jo” Dube; and

WHEREAS the Board of Commissioners desires to fill the said vacancy by appointing Brenda Hodges of 242 Hodges Lane, St. George, GA 31562, to serve the remainder of the unexpired term of Lenora “Jo” Dube ending December 31st, 2026.

WHEREAS The Charlton County Board of Commissioners desires to make the subject appointment to the Charlton County Board of Elections and Registration by resolution.

NOW, therefore in consideration of the premises recited above, the Charlton County Board of Commissioners resolves as follows:

Brenda Hodges, of St. George, Georgia is hereby appointed to be a member of the Charlton County Board of Elections and Registration for a term of service to begin October 24, 2025 – December 31st, 2026.

SO RESOLVED, by unanimous vote of all members present; after due deliberation in an open, special meeting of the Charlton County Board of Commissioners on October 24, 2025.

ATTEST:

Alpha Benefield, Chairwoman
Charlton County Commissioners

Madeline Nettles
Charlton County Clerk

A RESOLUTION TO CANCEL THE SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) REFERENDUM SCHEDULED FOR NOVEMBER 4, 2025, AUTHORIZE PUBLIC NOTIFICATION, AND RESCHEDULE THE REFERENDUM FOR MAY 19, 2026

WHEREAS, the Charlton County Board of Commissioners called a Special Purpose Local Option Sales Tax (SPLOST) referendum to be held on November 4, 2025, pursuant to O.C.G.A. § 48-8-111(a); and

WHEREAS, O.C.G.A. § 48-8-111(b) requires publication of notice in the county's legal organ for four (4) consecutive weeks immediately preceding the election date, ballot language, tax purpose, estimated revenue, and any general obligation debt; and

WHEREAS, due to operational deficiencies, including the resignation of the former election superintendent on October 14, 2025, the required notices were not published, rendering the referendum procedurally defective and subject to legal challenge under O.C.G.A. § 48-8-124; and

WHEREAS, O.C.G.A. § 21-2-540 authorizes the Board to rescind or modify a referendum call prior to the election to correct procedural errors and prevent an invalid election; and

WHEREAS, cancellation is necessary to avoid potential litigation, invalid results, and expenditure of public resources, while ensuring transparency and voter protection; and

WHEREAS, the Board seeks to reschedule the SPLOST referendum for the General Primary Election on May 19, 2026, in compliance with O.C.G.A. §§ 48-8-111 and 21-2-540(c)(2), to allow sufficient time for proper notice and procedural compliance.

NOW, THEREFORE, BE IT RESOLVED by the Charlton County Board of Commissioners as follows:

1. **Cancellation of Referendum:** The SPLOST referendum scheduled for November 4, 2025, is hereby canceled due to non-compliance with the publication requirements of O.C.G.A. § 48-8-111(b).
2. **Public Notification:** The Charlton County Board of Elections is directed to:
 - a) Immediately publish notice of the cancellation in the county's legal organ, local media, and online platforms, including the county website and social media.
 - b) Post conspicuous notices at all polling locations on November 4, 2025, stating that the SPLOST referendum is canceled and that any votes cast on the question will not be counted or certified, as the referendum is invalid.
 - c) Update sample ballots and election communications to reflect the cancellation.

- d) Coordinate with the Georgia Secretary of State's office to ensure early and absentee ballots are handled appropriately, with SPLOST votes disregarded per state law.
- 3. **Rescheduling of Referendum:** The Board authorizes the Charlton County Board of Elections to schedule a new SPLOST referendum for the General Primary Election on May 19, 2026, in accordance with O.C.G.A. §§ 48-8-111 and 21-2-540(c)(2). The Board shall issue a new call for the referendum, ensuring full compliance with all statutory requirements, including meet-and-confer with municipalities and publication of notices at least 90 days in advance.
- 4. **Effective Date:** This resolution shall take effect immediately upon adoption.

ADOPTED this 23rd day of October 2025, by the Charlton County Board of Commissioners.

CHARLTON COUNTY BOARD OF COMMISSIONERS

Alphya Benefield, Chairwoman

ATTEST:

Madeline Nettles, County Clerk