



**HALL COUNTY BOARD OF COMMISSIONERS  
MEETING AGENDA**

**Hall County Government Center 2nd Floor  
2875 Browns Bridge Road  
Gainesville, GA 30504**

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Monday, February 09, 2026 - 02:45 PM**

**Call to Order**

**County Attorney**

- 1 Consider the resolution of the Board of Commissioners of Hall County, Georgia calling for a referendum election of the question whether Hall County shall be authorized to issue licenses for the package sale of distilled spirits subject to the Hall County voters' approval of a referendum on May 19, 2026, subject to review and approval by the County Attorney.

**Adjourn**

*Hall County Government welcomes people with disabilities and their trained service animals. For questions about accessibility or to request reasonable accommodations please contact Maria Tuck, Compliance Specialist at 770-531-6712 48 hours prior to the event or as soon as possible.*



## AGENDA ITEM

### County Attorney

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**REPORT TO:** Meeting (02/09/26)

**ITEM NO:** 59/2026

**SUBJECT:** Consider the resolution of the Board of Commissioners of Hall County, Georgia calling for a referendum election of the question whether Hall County shall be authorized to issue licenses for the package sale of distilled spirits subject to the Hall County voters' approval of a referendum on May 19, 2026, subject to review and approval by the County Attorney.

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### Meetings:

**Work Session Date:**

**Voting Meeting Date:** 02/09/26

### Executive Summary:

**Presenter:** JL

**Recommendation:**  
n/a

### Purpose of Request:

Consider the resolution of the Board of Commissioners of Hall County, Georgia calling for a referendum election of the question whether Hall County shall be authorized to issue licenses for the package sale of distilled spirits subject to the Hall County voters' approval of a referendum on May 19, 2026, subject to review and approval by the County Attorney.

### History:

### Facts and Issues:

### Options:

<b>Funding Requested</b>	\$ 0.00
<b>Are funds within current budget?</b>	No
<b>Source of Funds</b>	
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	Yes
<b>Has it been reviewed by the County Attorney?</b>	Yes
<b>Is there a deadline for this item?</b>	

### Approvals:

Submit	Attorney	Administration	Clerk
JR	JL	CR	JR

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**Attachments:**

Resolution

STATE OF GEORGIA

COUNTY OF HALL

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HALL COUNTY, GEORGIA CALLING FOR A REFERENDUM ELECTION ON THE QUESTION WHETHER HALL COUNTY SHALL BE AUTHORIZED TO ISSUE LICENSES FOR THE PACKAGE SALE OF DISTILLED SPIRITS SUBJECT TO HALL COUNTY VOTERS' APPROVAL OF A REFERENDUM ON MAY 19, 2026**

**WHEREAS**, Article 3 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated (O.C.G.A. § 3-4-40 et seq.) authorizes counties to issue licenses for the package sale of distilled spirits provided the issuance of such licenses is approved by a referendum election as provided under the article; and

**WHEREAS**, pursuant to O.C.G.A. § 3-4-40 et seq., the governing authority of a county is authorized to call a referendum election to determine whether licenses may be issued for the retail package sale of distilled spirits within the county; and

**WHEREAS**, the Board of Commissioners of Hall County, Georgia (the “Board”) desires to submit the question of whether to authorize the issuance of such licenses to the qualified voters of Hall County; and

**WHEREAS**, O.C.G.A. § 3-4-41 requires that the question of authorizing the issuance of licenses for the package sale of distilled spirits be approved by a majority of the qualified voters voting in a referendum election held for that purpose; and

**WHEREAS**, the Board finds that it is in the best interests of Hall County and its citizens to allow the voters to determine whether such licenses should be authorized;

**NOW, THEREFORE, BE IT RESOLVED** by the Board as follows:

**Section 1.     Call for Referendum Election.**

Upon receipt of this Resolution, the Hall County Board of Elections and Registration (“Board of Elections”), as election superintendent of Hall County, is hereby authorized to call a special referendum election, pursuant to O.C.G.A. § 3-4-40 et seq., on May 19, 2026, in all voting precincts in Hall County, Georgia to submit to the qualified voters of Hall County the question set forth in Section 2 below. The call of the election shall be issued and published as required by law and shall be in substantially the form attached hereto as Exhibit “A”.

**Section 2.**      **Ballot Question.**

The question to be submitted to the voters and printed on the ballots to be used in the election shall be in substantially the following form:

“( ) YES      Shall the governing authority of Hall County, Georgia be authorized to issue  
( ) NO      licenses for the package sale of distilled spirits?”

**Section 3.**      **Conduct, Date, and Notice of Election.**

- (a) The referendum election shall be conducted by the Board of Elections in accordance with O.C.G.A. § 3-4-40 et seq., and in the manner prescribed under Chapter 2 of Title 21 of the Official Code of Georgia Annotated (the “Georgia Election Code”), including, without limitation, the provisions contained therein relating to special elections. As required by law, the Board of Elections shall canvass the returns and declare and certify the results of the election to the Secretary of State of Georgia.
- (b) The referendum election shall be held on Tuesday, May 19, 2026, in conjunction with the Hall County General Primary Election/Nonpartisan Election. Advance voting shall occur as provided by law.
- (c) The Board of Elections is hereby authorized and requested to publish notice of the call for the election in the official organ of Hall County, which notice is to be published once a week for two weeks immediately preceding the date of the election. The notice of the election shall be in substantially the form attached hereto as Exhibit “B”.

**Section 4.**      **Results and Effect.**

If a majority of the qualified voters voting in the referendum election vote in favor of authorizing the issuance of licenses for the retail package sale of distilled spirits in Hall County, the Board shall thereafter be authorized to adopt an ordinance as part of the Hall County Code of Ordinances permitting and governing the issuance of such licenses in accordance with applicable state law. The Board of Elections shall thereafter be authorized to call another referendum election, as required by law, for the purpose of allowing the qualified voters to decide whether to nullify the previous referendum election result.

**Section 5.**      **Effective Date.**

This Resolution shall become effective immediately upon its adoption.

[SIGNATURE AND ATTESTATION ON FOLLOWING PAGE]

**SO RESOLVED**, this the 9<sup>th</sup> day of February, 2026.

**HALL COUNTY BOARD OF  
COMMISSIONERS**

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**David Gibbs, Chairman**

ATTEST:

\_\_\_\_\_  
Jennifer Rivera, County Clerk

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
Justin R. Lawhon, County Attorney

## **EXHIBIT A**

### **CALL OF SPECIAL ELECTION**

#### **TO THE QUALIFIED VOTERS OF HALL COUNTY, GEORGIA:**

The Board of Elections and Registration of Hall County, as election superintendent of Hall County, Georgia, hereby calls a special referendum election to be held on the 19<sup>th</sup> day of May, 2026, in all voting precincts of Hall County, Georgia at which time there will be submitted to the qualified voters of Hall County, Georgia, for their determination the question of whether the governing authority of Hall County, Georgia shall be authorized to issue licenses for the package sale of distilled spirits, as provided in Article 3 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated.

Voters in Hall County, Georgia desiring to vote in favor of the question shall do so by voting “Yes” and voters desiring to vote against the question shall do so by voting “No”, as to the question propounded, to wit:

“( ) YES      Shall the governing authority of Hall County, Georgia be authorized to issue  
( ) NO      licenses for the package sale of distilled spirits?”

If more than one-half of the votes cast are in favor of issuing licenses for the retail package sale of distilled spirits, then the governing authority of Hall County shall duly adopt an ordinance as part of the Hall County Code of Ordinances, which authorizes the issuance of such licenses in accordance with Georgia law; otherwise, no licenses shall be issued.

The place for holding said special election shall be in the regular and established precincts and polling places of Hall County, and all polls will be open from 7:00 a.m. to 7:00 p.m. on Tuesday, May 19, 2026, the date fixed for the election. Advance voting will be conducted in accordance with law.

The last day to register to vote in this election is Monday, April 20, 2026.

Those qualified to vote at such election shall be determined in all respects in accordance with the Constitution and statutes of the United States of America and the laws of the State of Georgia.

This Call is given pursuant to a Resolution of the Board of Commissioners of Hall County, Georgia, adopted on February 9, 2026, calling for a special referendum election to be held in conjunction with the May 19, 2026, Hall County General Primary/Nonpartisan Election and said Resolution is incorporated herein by reference. This Call is issued and published pursuant to O.C.G.A. § § 21-2-2(3), 21-2-540, and 3-4-41(c), and in accordance with the Resolution. A copy of the Resolution is available for public inspection in the office of the County Clerk of Hall County during regular business hours.

This the 10<sup>th</sup> day of February, 2026.

Members of the Hall County Board of Elections and Registration

By: \_\_\_\_\_  
John J. Noa, Chairman

Published: 2/18/2026

By: \_\_\_\_\_  
Jody Cooley, Vice Chairman

By: \_\_\_\_\_  
John Batchelor, Member

By: \_\_\_\_\_  
Ken Cochran, Member

By: \_\_\_\_\_  
Gala Sheats, Member

\_\_\_\_\_  
Lori Wurtz, Hall County Elections Director,  
on behalf of the Board of Elections and  
Registration of Hall County, Georgia



**EXHIBIT “B”**

**NOTICE OF CALL OF SPECIAL ELECTION**

**TO THE QUALIFIED VOTERS OF HALL COUNTY, GEORGIA:**

**NOTICE IS HEREBY GIVEN** that on the 19<sup>th</sup> day of May, 2026, a referendum election will be held at the regular polling places in all the voting precincts of Hall County, Georgia at which time there will be submitted to the qualified voters of Hall County, Georgia, for their determination the question of whether the governing authority of Hall County, Georgia shall be authorized to issue licenses for the package sale of distilled spirits, as provided in Article 3 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated.

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Lori Wurtz, Hall County Elections Director,  
on behalf of the Board of Elections and  
Registration of Hall County, Georgia