

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2011-44

A RESOLUTION ESTABLISHING THE POSITION OF THE GOVERNING BODY ON THE ISSUE OF THE TESTIMONY OF CHIEF STAFF ATTORNEY MICHAEL SMITH AND STAFF ATTORNEY CHRISTIE BARNES CROSS PURSUANT TO A SUBPOENA BY THE DISTRICT ATTORNEY OF CLAYTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners has been made aware that Chief Staff Attorney Michael Smith and Staff Attorney Christie Barnes Cross have been subpoenaed to testify before the Grand Jury of Clayton County with regard to certain charges against Angela Jackson, Finance Director of Clayton County; and

WHEREAS, it is the understanding of the Board of Commissioners that any testimony from Mr. Smith and Ms. Cross would be in regard to advice given by one of both of them to Ms. Jackson in their capacities as attorneys for Clayton County, Georgia and its various departments and employees; and

WHEREAS, in such capacity any advice rendered by Mr. Smith and/or Ms. Cross to this body, the department heads and employees of Clayton County, Georgia would be protected under the attorney client privilege codified in O.C.G.A. § 24-9-25; and

WHEREAS, it is within the province of this body to determine whether the privilege granted by said section will be waived and it is not the desire of this body to waive said privilege in this matter.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby officially resolves that it has not and does not waive the attorney client privilege provided to this body, the department heads and employees of Clayton County with regard to any communications between Chief Staff Attorney Michael Smith and/or Staff Attorney Christie Barnes Cross with any county official, department head or employee protected under said privilege regarding the issue presently under investigation or any other issue in which this Board has not specifically provided a waiver of said privilege.

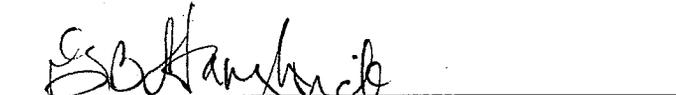
Section 2. This Resolution shall be effective upon its approval by the Board of Commissioners.

SO RESOLVED, this the 15th day of March, 2011.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN (OPPOSED)

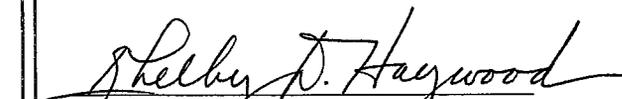

WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK