

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2012 - 262

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO DISPOSE OF 80 ABANDONED FIREARMS IN THE MANNER REQUIRED BY LAW AND PURSUANT TO AN ORDER FROM CLAYTON COUNTY SUPERIOR COURT; TO AUTHORIZE THE SALE OF SUCH PROPERTY IN A MANNER AS WILL BE IN THE BEST INTEREST OF THE COUNTY; TO PROVIDE FOR THE DISBURSAL OF SALE PROCEEDS; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY NECESSARY DOCUMENTS AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE, ALL AS MAY BE REQUIRED; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Police Department has in its possession 80 firearms, which have been determined to be abandoned as defined by law in O.C.G.A. § 17-5-54; and

WHEREAS, the Superior Court of Clayton County, in Order Number 2012CV04971-9, has granted authority for the County to dispose of these abandoned firearms in the manner provided for by O.C.G.A. § 17-7-52.1; and

WHEREAS, it is hereby determined that the abandoned firearms sought to be disposed of can not be effectively used for the benefit of the County, and no

substantial County or public purpose will be served in the future by these firearms;
and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by disposing of the said firearms in accordance with applicable County Ordinances and State Laws with the proceeds from said auction to be paid into the General Fund of the County.

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 authorizes Clayton County to dispose of 80 firearms as described in Exhibit Number S-112012 to Superior Court Order 2012CV04971-9; A copy of said Order and Exhibit are attached hereto and made a part of this Resolution. The Director of Central Services shall dispose of the firearms in the manner authorized by County Ordinance and State Law; provided however that if the Director of Central Services determines that no bid has been received on one or more of the firearms within six months from the start of the public auction, the Director shall so notify the Chief of Police who shall take all necessary steps to destroy such firearms, consistent with County Ordinances and State Law. The proceeds of the auction of these firearms shall be paid into the General Fund of the County. The Chief of Police and the Director of Central Services are authorized to perform all acts necessary to effect this resolution. The Board of Commissioners further authorizes the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of this resolution.

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

SO RESOLVED, this the 11th day of December, 2012.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK