

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2021 – 224

A RESOLUTION AUTHORIZING THE CLAYTON COUNTY BOARD OF COMMISSIONERS TO ORDER THE REMOVAL OF A MEMBER OF THE HOUSING AUTHORITY OF CLAYTON COUNTY; TO AUTHORIZE THE CHAIRMAN TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Section 2-56(3) of the Code of Clayton County (“County Code”) authorizes the Board of Commissioners (“the Board”) to remove members of boards and authorities for, among other things, misfeasance, malfeasance, nonfeasance and abstention from voting other than for reasons constituting disqualification to the satisfaction of a majority of a quorum of the board on a record vote; and

WHEREAS, O.C.G.A. § 8-3-53 further requires that a commissioner of a housing authority may be removed for misconduct in office only after receiving notice and an opportunity to be heard; and

WHEREAS, the Board held a hearing on Tuesday, September 21, 2021 at 112 Smith Street, Jonesboro, Georgia at 5:30 p.m to hear evidence concerning Housing Authority of Clayton County Chairman Michael Bryant’s (“Bryant”) potential misconduct in office as well as evidence of potential violations of the County Code; and

WHEREAS, pursuant to O.C.G.A. § 8-3-53, a copy of the charges was provided to Bryant at least ten (10) days prior to the hearing and Bryant was present at the hearing in person with an opportunity to be heard; and

WHEREAS, the evidence presented showed that Bryant: (1) applied for a permit to do work on the Housing Authority of Clayton County (“Authority”) office building in the

name of Bryant Construction Group without authorization from the Authority Board; (2) represented to the City of Forest Park on an inspection form that Bryant Construction Group had performed work on the Authority's office as opposed to the approved vendor; (3) signed a check for reimbursement of expenditures made by Bryant Construction Group for expenses related to work performed by another vendor; (4) received invoices from the approved vendor in the name of Bryant Construction Group for work performed for the Authority; and (5) authorized checks expended by the Authority for invoices directed to Bryant Construction Group; (6) recused himself on a vote to hire a building contractor to do work at the Authority without providing a reason; (7) voted in favor of a resolution awarding the contract to do the work to the same building contractor at a subsequent meeting; (8) failed to respond to a request for information whether he had contacted an insurance company to determine if coverage was available to cover the expense of a lawsuit filed against the Authority and where the Authority expended funds for legal expenses which may have been covered by insurance; (9) failed to respond to a request why he provided incorrect information on an insurance renewal application which may have jeopardized the ability of the Authority to obtain insurance coverage in the future; and

WHEREAS, the Board finds that Bryant's actions rise to the level of misconduct in office pursuant to O.C.G.A. § 8-3-52(a) in obtaining a voluntary interest in an Authority project; and

WHEREAS, the Board finds the Bryant violated Section 2-56(3)(iii) of the County Code in abstaining from a vote without cause; and

WHEREAS, the Board further finds that Bryant's actions rise to the level of misfeasance, malfeasance or nonfeasance under Section 2-56(3)(i) of the County Code in failing to properly report a claim against the Authority and failing to respond to a member of the Board regarding a matter of fiscal responsibility; and

WHEREAS, the Board desires to remove Bryant from the Housing Authority of Clayton County due to his violations of local and State law; and

WHEREAS, the Board deems it in the best interest of the County and the County will best be served by removing Bryant from the Housing Authority of Clayton County.

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

Section 1. The Board of Commissioners adopts the above WHEREAS clauses as the findings of this Board. Pursuant to these findings, along with the authority set forth in Section 2-56(3) of the County Code and O.C.G.A. § 8-3-53, the Clayton County Board of Commissioners hereby orders the removal of Michael Bryant from the Housing Authority of Clayton County for cause. The Board further authorizes the Chairman to perform all acts necessary to accomplish the intent of this Resolution.

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

SO RESOLVED, this 2 day of November, 2021.

CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN

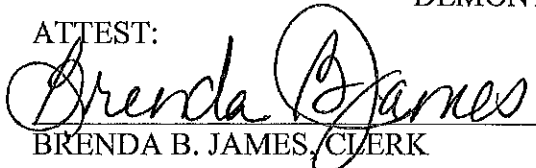

GAIL HAMBRICK, VICE-CHAIR


ALIEKA ANDERSON, COMMISSIONER


FELICIA FRANKLIN, COMMISSIONER


DEMONT DAVIS, COMMISSIONER

ATTEST:


BRENDA B. JAMES, CLERK