

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2019 – 131

A RESOLUTION AUTHORIZING THE CLAYTON COUNTY BOARD OF COMMISSIONERS TO REMOVE CERTAIN BOARD AND AUTHORITY APPOINTEES FOR VIOLATIONS OF THE CLAYTON COUNTY ETHICS CODE; 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 70-70(a) of the Code of Clayton County provides, in part, that “any official or employee subject to this code of ethics, whether for himself/herself or on behalf of any business in which such official or employee, or any member of his/her family has an interest, who transacts business with the county, or any board or authority of the county, shall disclose such transaction. Such disclosure shall be submitted prior to January 31st of each year to the clerk of the board of commissioners on such forms as shall be prescribed by the board of ethics or upon knowledge that said transaction exists;” and

WHEREAS, that section also provides that if an official fails to file a timely disclosure with the clerk of the county commission (“the clerk”), the clerk shall file a report of noncompliance with the board of ethics and send notice via certified mail to any noncompliant official, employee or appointed board member that they are required to comply immediately; and

WHEREAS, that section further provides that “any board member who is noncompliant as of March 1<sup>st</sup> each year shall be suspended from participation in any board activity until they are in full compliance;” and

WHEREAS, on June 20, 2019, the clerk sent notices to two appointed board members and two appointed authority members (collectively referred to as “the officials”)

via certified mail, return receipt requested that, as of March 1<sup>st</sup>, 2019, they were not in compliance with Section 70-70(a); and

WHEREAS, the June 20, 2019 letter requested that the disclosure forms be returned to the clerk by no later than Monday, July 19, 2019; and

WHEREAS, the June 20, 2019 letter also warned that “Section 70-76(b) authorizes sanctions against noncompliant persons up to and including ‘(2) Removal from office in accordance with local and Georgia law.’;” and

WHEREAS, the officials included two members of the mental health developmental disability and addictive disease community service board and a member of the Development Authority of Clayton County; and

WHEREAS, the clerk did not receive notices from the officials on or before July 19, 2019; and

WHEREAS, on October 14, 2019, the Board of Ethics met and conducted a public hearing pursuant to Section 70-80 of the County Code and, upon receipt of all information in the possession of the board of ethics, pursuant to Section 70-80(n) of the County Code, the board of ethics has recommended that Louis Johnson be suspended or removed from the Development Authority; and

WHEREAS, the Clayton County Board of Commissioners wishes to confirm the removal of this official upon recommendation by the board of ethics due to their refusal to abide by the County’s ethics code; and

WHEREAS, the Clayton County Board of Commissioners deems it in the best interest of the County and the County will best be served by removing this non-compliant official.

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 and Section 70-80(p) of the Clayton County Code, the Clayton County Board of Commissioners hereby removes the following appointed individual from the respective boards for cause:

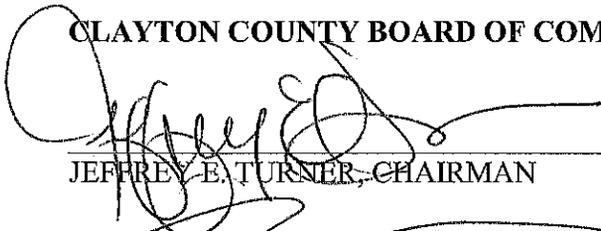
Louis Johnson – Development Authority.

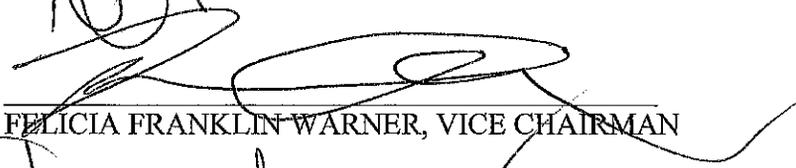
The Board further authorizes the Chairman to perform all acts necessary to accomplish the intent of this Resolution.

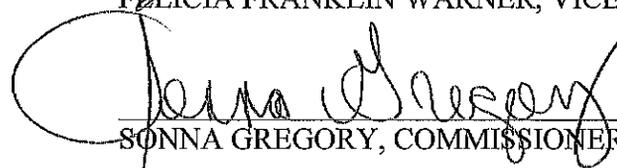
Section 2. This Resolution shall be immediately effective upon approval by the Board of Commissioners.

SO RESOLVED, this 5 day of November, 2019.

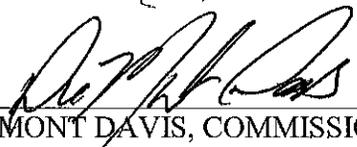
**CLAYTON COUNTY BOARD OF COMMISSIONERS**

  
JEFFREY E. TURNER, CHAIRMAN

  
FELICIA FRANKLIN WARNER, VICE CHAIRMAN

  
SONNA GREGORY, COMMISSIONER

  
GAIL HAMBRICK, COMMISSIONER

  
DEMONT DAVIS, COMMISSIONER

ATTEST:

  
BRENDA B. JAMES, CLERK