

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2020 - 31

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, PART I, "RELATED LAWS PERTAINING TO CLAYTON COUNTY," ARTICLE II, "BOARD OF COMMISSIONERS", SECTION 2-7 "COMPENSATION, EXPENSES OF MEMBERS; GENERAL AUTHORITY OF MEMBERS" TO SET THE SALARY AND COMPENSATION OF MEMBERS FOR THE COUNTY GOVERNING AUTHORITY; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, O. C.G. A. § 36-5-24 authorizes the governing authority of each county to fix the salary, compensation, expenses, and expenses in the nature of compensation of the members of the county governing authority; and

WHEREAS, pursuant to the authority provided by O.C.G.A. § 36-5-24, the Clayton County Board of Commissioners as the governing authority for Clayton County ("the Board") is currently permitted to increase the salary, compensation, expenses and expenses in the nature of compensation of its members; and

WHEREAS, pursuant to state law, the Board shall not take action to increase the salary, compensation, expenses, or expenses in the nature of compensation until a notice of intent to take such action and the fiscal impact of such action has been published in a newspaper designated as the legal organ for the county at least once a week for three consecutive weeks immediately preceding the meeting at which the action is taken and such action shall not be taken during the period of time beginning with the date that candidates for election as members of the Board may first qualify as such candidates and ending with the first day of January following the date of qualification; and

WHEREAS, any increase in salary, compensation, expenses, or expenses in the nature of compensation for Board members, shall not be effective until the first day of January of the year following the next general election held after the date on which the action to increase the compensation was taken;

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

Section 1. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Part 1 "Related laws pertaining to Clayton County," Article II, "Board of Commissioners," Section 2-7 "Compensation, expenses of members, general authority of members," subsections (a) and (b) which shall read as follows:

Sec. 2-7. Compensation, expenses of members, general authority of members.

- (a) The chairman of the board shall be compensated in the amount of \$143,760.00 per annum, to be paid in equal monthly installments from the funds of Clayton County. The chairman of the board shall also receive an annual expense allowance of \$5,000.00 per annum payable out of the funds of the county and shall be entitled to a county automobile while engaged in county business.
- (b) The four members of the board other than the chairman shall be compensated in the amount of \$35,600.00 per annum to be paid in equal monthly installments. Each of the other members of the board shall also receive an annual expense allowance of \$3,000.00 per annum payable in equal monthly installments. These payments shall be made from the funds of Clayton County.

Section 2. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Part 1 "Related laws pertaining to Clayton County," Article II, "Board of Commissioners," Section 2-7 "Compensation, expenses of members, general authority of members," to delete subsection (c) in its entirety and adding a new subsection (c) to read as follows:

- (c) Additionally, the chairman of the board and each member of the board other than the chairman shall also be entitled to any other compensation adjustment provided for members of a county governing authority by general law.

Section 3. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Part 1 "Related laws pertaining to Clayton County," Article II,

“Board of Commissioners,” Section 2-7 “Compensation, expenses of members, general authority of members,” to add a new subsection (d) to read as follows:

- (d) The chairman of the board shall devote his entire time to the duties of his office and shall be the administrative and executive official of the board. All five members of the board, however, shall have an equal vote in all matters pertaining to the affairs of Clayton County, and the chairman shall carry out and administer the policies set by the board. The chairman shall elect the director of finance/comptroller, but the chairman's selection must be confirmed by a majority vote of the entire board.

Section 4. A notice of intent to increase the salary and the fiscal impact of such increase in salary has been published in the Clayton News Daily newspaper which is designated as the legal organ for Clayton County, Georgia, at least once a week for three consecutive weeks immediately preceding the meeting at which the action is taken. Publication occurred on the following dates: January 29, 2020, February 5, 2020; and February 12, 2020.

Section 5. This action to increase the salary, compensation, expenses, or expenses in the nature of compensation for members of the Governing Authority is not taken during the period of time beginning with the date that candidates for election as members of Governing Authority may first qualify as such candidates and ending with the first day of January following the date of qualification.

Section 6. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

Section 7. If this Ordinance in whole or in part is determined to be unconstitutional by any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

Section 8. This ordinance, as adopted and approved by the governing authority of Clayton County, Georgia, shall become effective on January 1, 2021.

SO ORDAINED, this the 18 day of February, 2020.

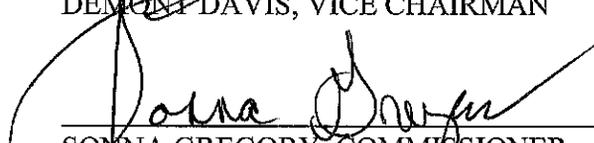
CLAYTON COUNTY BOARD OF COMMISSIONERS



JEFFREY E. TURNER, CHAIRMAN



DEMONT DAVIS, VICE CHAIRMAN



SONNA GREGORY, COMMISSIONER

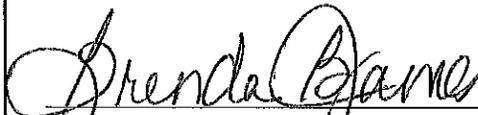


GAIL HAMBRICK, COMMISSIONER



FELICIA FRANKLIN-WARNER, COMMISSIONER

ATTEST:



BRENDA B. JAMES, CLERK