

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2020 - 81

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY TO TERMINATE THE MEMORANDUM OF UNDERSTANDING (MOU) WITH FREEMAN MATHIS & GARY, LLP FOR THE PROVISION OF LEGAL SERVICES FOR STAFF ATTORNEY'S OFFICE; TO ~~AUTHORIZE THE CHAIRMAN~~ OR HIS DESIGNEE TO EXECUTE THE MOU AS REQUIRED UNDER THE TERMS OF THE MOU; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER 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, Clayton County Board of Commissioners as part of their fiscal year 2017-2018 budget did not fund the in house legal department; and

WHEREAS, the existing staff from the legal department had been relocated to other positions or obtained other employment; and

WHEREAS, the duties of the legal department automatically become the responsibility of Jack R. Hancock of FMG as the then-County Attorney; and

WHEREAS, FMG and the County entered into a memorandum of understanding ("MOU") regarding the compensation to be paid for the services previously provided by the legal department and certain other legal services previously performed by FMG, LLP; and

WHEREAS, the memorandum of understanding authorized the amount of \$660,000.00 budgeted by the County for the legal department for the fiscal year to be paid to FMG for services provided by the legal department; and

WHEREAS, the parties amended the MOU in 2018 to add additional services and compensation payable to FMG for services provided to the Central Services and Police Departments in the amount of One Hundred Fifty Thousand and No/100 annually; and

WHEREAS, the County has now budgeted funding for an in-house legal department and has appointed a Chief Staff Attorney to oversee the department;

WHEREAS, the County has now filled the attorney and administrative positions within the legal department;

WHEREAS, the Parties agree to terminate the MOU for legal services including the First and Second Amendments to the MOU; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by terminating the MOU for the stated purposes.

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 terminate the memorandum of understanding with Freeman Mathis & Gary, LLP providing for legal services for the Staff Attorney's Office. The Board of Commissioners hereby authorizes the Chairman to perform all acts necessary to accomplish the intent of this Resolution. The Board of Commissioners further authorizes the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense all as may be required.

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

SO RESOLVED, this 19 day of May, 2020.

**CLAYTON COUNTY BOARD OF COMMISSIONERS**

  
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JEFFREY E. TURNER, CHAIRMAN

  
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DEMONT DAVIS, VICE CHAIRMAN

  
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SONNA GREGORY, COMMISSIONER

  
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GAIL HAMBRICK, COMMISSIONER

  
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FELICIA FRANKLIN WARNER, COMMISSIONER

ATTEST:

  
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BRENDA B. JAMES, CLERK