

A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS TO APPROVE AMENDMENTS TO THE BYLAWS OF THE NEWTON COUNTY SOLID WASTE MANAGEMENT AUTHORITY

WHEREAS, the Newton County Solid Waste Management Authority (the "Authority") was created pursuant to O.C.G.A. § 12-8-50 *et seq.* by resolution of the Newton County Board of Commissioners on October 17, 1995, and reactivated by resolution of the Newton County Board of Commissioners on January 21, 2016;

WHEREAS, pursuant to O.C.G.A. § 12-8-54, the members of the Board of Directors of the Authority shall serve at the pleasure of the governing authority of Newton County, to wit, the Newton County Board of Commissioners; and

WHEREAS, on May 19, 2016, the Authority adopted certain Bylaws, in which Section 2.2 covers the number, appointment and term of Directors of the Authority, and which Section may only be amended with approval of the Board of Commissioners of Newton County;

WHEREAS, Section 2.2 provides for removal of Directors of the Authority only through majority vote of the Board of Commissioners of Newton County;

WHEREAS, on May 19, 2016, the Authority adopted a resolution authorizing the Chairman of its Board of Directors to request that the County Board of Commissioners approve an amendment to the bylaws of the Authority vesting the power to remove a Director of the Authority with the members of the Authority's Board of Directors; and

WHEREAS, on July 19, 2016, the Chairman of the Authority appeared before the County Board of Commissioners and indicated the Authority's desire to amend Section 2.2 of the Authority's bylaws to extend to the Board of Directors of the Authority the power to remove a Director from the Board of the Authority; and

WHEREAS, on July 19, 2016, the County Board of Commissioners voted to approve the request of the Authority and directed the County Attorney to prepare a resolution authorizing the requested revisions;


NOW, THEREFORE, BE IT RESOLVED, that the Newton County Board of Commissioners authorizes the Newton County Solid Waste Management Authority to amend the Authority's bylaws to allow the Authority Board of Directors to remove a Director from the Board of Directors, provided such amendments remain consistent with applicable law, including without limitation O.C.G.A. § 12-8-54; and

BE IT FURTHER RESOLVED, that any and all resolutions, including the October 17, 1995 Authorizing Resolution and the January 21, 2016 Reactivating Resolution, in conflict with this resolution are hereby repealed.

[SIGNATURES ON FOLLOWING PAGE]


So resolved this 16th day of May 2017.

NEWTON COUNTY BOARD OF COMMISSIONERS



Marcello Banes, Chairman

Attest:



Jackie B. Smith, County Clerk

