

A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS TO CLARIFY COUNTY MANAGER APPOINTMENT AND REMOVAL PROCEDURES

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of each county may adopt clearly reasonable ordinances, resolutions and regulations relating to its property, affairs and local government for which no provision has been made by general law and which is not inconsistent with the Constitution or any local law;

WHEREAS, Section 1-105 of the Newton County form of government local legislation (2016 Ga. Laws 3663) (“the Charter”) provides for the position of a County Manager;

WHEREAS, the Charter provides that the County Manager is appointed by a majority of the members of the Board of Commissioners, from a list of qualified candidates supplied by the Chairman of the Board of Commissioners; and

WHEREAS, the Charter provides that the County Manager serves at the pleasure of the Board of Commissioners and may be removed by a simple majority of the Commissioners with ratification by the Chairman of the Board of Commissioners, or by a four-person majority of the Commissioners without ratification by the Chairman of the Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY, GEORGIA AS FOLLOWS:

1. The Board of Commissioners recognizes that the provisions of the Charter, as summarized above, control the appointment and removal of the County Manager;
2. Any previous resolutions or ordinances of the Board of Commissioners inconsistent with the Charter and this Resolution, including any resolution purporting to require a super-majority of Commissioners for appointment or removal when not required by the Charter, are hereby repealed.
3. This Resolution shall become effective on January 1, 2020.

SO RESOLVED this 5th day of February, 2019.

APPROVED BY THE NEWTON COUNTY BOARD OF COMMISSIONERS


Marcello Banes, Chairman

Attest:


Jackie Smith, County Clerk

