

**A RESOLUTION AND ORDINANCE BY THE FORSYTH COUNTY BOARD OF
COMMISSIONERS OF FORSYTH COUNTY TO AMEND THE FORSYTH COUNTY,
GEORGIA ENABLING LEGISLATION WITH RESPECT TO BOARD OF
COMMISSIONER QUALIFICATIONS**

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November 1982, and effective July 1, 1983, provides in Article IX, Section 2, Paragraph 1 thereof, that “each county shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and ... may, as an incident of its home rule power, amend or repeal the local acts applicable to its governing authority...”

WHEREAS, an Act to create a Board of Commissioners for Forsyth County as approved by the General Assembly on June 30, 1964 (1964 Ga. Laws, Ex. Sess. p. 2225) (The “Local Act”);

WHEREAS, the Local Act was amended on March 2, 1972 (1972 Ga. Laws, p. 2065) via local legislation such that Section 4 currently provides:

The commissioners shall be citizens of this State who have attained the age of twenty-five (25) years and who have been residents of Forsyth County not less than two (2) years next preceding their election, and they shall hold no other office of the county, a municipality, or of the State of Georgia during their terms of office.

WHEREAS, the Forsyth County Board of Commissioners desires to amend Section 4 of the Local Act, and otherwise modify the Local Act, as amended, to remove the prohibition against a Board Member holding another county, municipal, or state office;

WHEREAS, pursuant to Article IX, Section II, Paragraph I (b)(1) of the Constitution of the State of Georgia, local acts may be amended by a resolution or ordinance duly adopted at two regular consecutive meetings of the county governing authority not less than seven nor more than 60 days apart and a notice containing a synopsis of the proposed amendment shall be published in the official county organ once a week for three weeks within a period of 60 days immediately

preceding its final adoption;

WHEREAS, those requirements applicable to amendments to local acts of the General Assembly by a resolution or ordinance duly adopted by the county governing authority as set forth in the Georgia Constitution, Article IX, Sec. II, Par. I (b)(1) have been met and satisfied, and, specifically, notice of the consideration of this Resolution has been advertised and this Resolution has been duly adopted by the governing authority at two regularly consecutive meetings in compliance with the Constitution of the State of Georgia, Article IX, Section II, Paragraph I, Subparagraph (b)(1); and

NOW, THEREFORE, BE IT RESOLVED, by the Forsyth County Board of Commissioners that the Act creating the Board of Commissioners for Forsyth County, approved June 30, 1964 (1964 Ga. Laws, Ex. Sess., p. 2225), as amended, particularly by an Act approved March 2, 1972 (1972 Ga. Laws, p. 2065), is amended by modifying Section 4 as follows:

Section 4. - Qualifications.

The commissioners shall be citizens of this State who have attained the age of twenty-five (25) years and who have been residents of Forsyth County not less than two (2) years next preceding their election, **and they shall hold no other office of the county, or of any municipality within or whose boundary abuts the county, or the State of Georgia. If a commissioner accepts a sworn position with a municipality (i.e., a paid or volunteer municipal police officer), the commissioner shall disclose same to the board of commissioners within a reasonable time.**

BE IT FURTHER RESOLVED that any other Ordinance, Resolution, or local law, or portion thereof, now in effect, that is in conflict with any of the provisions of this Resolution and Ordinance is hereby repealed.

BE IT FURTHER RESOLVED that this Resolution and Ordinance shall become effective when all required documents have been filed with the Secretary of State as required by Article IX, Section II, Paragraph I (g) of the Constitution of the State of Georgia.

The public health, safety and welfare demanding it.

WITNESS my hand and official seal this _____ day of _____, 2022.

FORSYTH COUNTY BOARD OF COMMISSIONERS

Alfred John, Chairman

Molly Cooper, Vice Chairman

Todd Levent, Secretary

Cindy Jones Mills, Member

Laura Semanson, Member

Attest:

Clerk to the Board