

**A RESOLUTION BY THE FORSYTH COUNTY BOARD OF COMMISSIONERS
MODIFYING FORSYTH COUNTY'S RECORDS MANAGEMENT PROGRAM
ORDINANCE, ORDINANCE 90, AS CODIFIED AS ARTICLE I OF CHAPTER 2 OF
THE CODE OF FORSYTH COUNTY**

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 the governing authority of the County may adopt reasonable ordinances, resolutions, and regulations;

WHEREAS, O.C.G.A. § 36-1-20 authorizes the County to adopt ordinances preserving the public health, safety, and welfare, and to adopt appropriate measures to enforce those ordinances;

WHEREAS, Section 12.1 of the County's codified local laws authorizes the County to adopt ordinances exercising the police powers of the State of Georgia;

WHEREAS, in the interest of the health, safety, and general welfare of the citizens of Forsyth County, Georgia, the Board of Commissioners of Forsyth County desires to exercise its authority to adopt the amendment attached hereto as Exhibit A; and,

WHEREAS, appropriate notice and hearing on the amendments contained herein having been undertaken according to general and local law.

NOW THEREFORE, the Board of Commissioners of Forsyth County, Georgia, hereby ordains as follows:

1. The text of Section 2-1 of the Forsyth County Code of Ordinances is hereby replaced in its entirety by the text attached hereto as Exhibit A;
2. It is the express intent of the Forsyth County Board of Commissioners that this Ordinance be consistent with both federal and State law. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not

affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable;

3. All other ordinances shall continue in full force and effect and shall remain unaffected, except where such ordinance, or part thereof, conflicts herewith, in which case such ordinance, or part thereof, is hereby repealed; and,
4. This Ordinance shall become effective immediately upon the date of adoption.

[SIGNATURES ON FOLLOWING PAGE]

BE IT RESOLVED this _____ day of _____, 2021.

FORSYTH COUNTY BOARD OF COMMISSIONERS

Cindy Jones Mills, Chairman

Molly Cooper, Vice-Chairman

Alfred John, Secretary

Todd Levent, Member

Laura Semanson, Member

Attest:

Clerk to the Board

Exhibit A

Sec. 2-1. – Records management program.

- (a) The Georgia Records Act and the rules and regulations established pursuant to said Act are hereby adopted as a basis for establishing a county records management program.
- (b) ~~The Georgia Archives publication titled “Local Government Record Retention Schedules” as amended on August 2, 2021, a copy of which is on file with the Forsyth County Clerk, and is otherwise available for download at https://www.georgiaarchives.org/records/localgov_print_all, is hereby ratified and adopted as the Forsyth County record retention schedules. The Georgia Secretary of State publication titled "Records Retention Schedules for Local Governments" as amended on July 30, 2010, a copy of which is on file with the Forsyth County Clerk, and is otherwise available for download at http://www.sos.ga.gov/archives/pdf/state_spec_reports/LGRetentionSchedules2011.pdf, is hereby ratified and adopted as the Forsyth County record retention schedules.~~
- (c) The Forsyth County Clerk to the Board of Commissioners is hereby appointed as the person responsible for administration of the records management program and will implement and supervise all components of this section.
- (d) The Forsyth County Clerk to the Board of Commissioners will immediately prepare guidelines for maintenance and security of all records covered by this section, and such regulation shall, upon completion, become a part of this section.
- (e) The Forsyth County Manager is authorized to take all necessary action to ensure that the records of Forsyth County, Georgia are preserved, protected, stored, and safeguarded in accord with pertinent rules, laws, and acts, including the above-referenced schedule and O.C.G.A. 50-18-70 et seq.