

RESOLUTION R-045-24 / R-001-25

A RESOLUTION BY THE BOARD OF COMMISSIONERS OF WALKER COUNTY TO AMEND THE WALKER COUNTY, GEORGIA ENABLING LEGISLATION TO MODIFY THE NUMBER OF REGULAR MEETINGS TO BE HELD EACH MONTH

WHEREAS, the Board of Commissioners of Walker County (“Board”) is the governing authority of Walker County, Georgia; and

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 clearly reasonable ordinances, resolutions, and regulations; and

WHEREAS, additionally, the Constitution of the State of Georgia, approved by the voters of the State in November 1982, and effective July 1, 1983, specifically provides in Article IX, Section 2, Paragraph 1, Subparagraph (b)(1) thereof, that the governing authority of the County may, by resolution, amend local acts applicable to the governing authority; and

WHEREAS, the Board of Commissioners of Walker County desires to amend the local act creating the Board of Commissioners of Walker County, approved May 2, 2017 (Ga. L. 2017, Act No. 165), and ratified by the voters on November 6, 2018, so as to reduce the number of regular meetings held each month from two (2) to one (1), to repeal conflicting laws, and for other purposes; and

WHEREAS, 2017 Ga. Laws (Act No. 165), § 9 currently provides:

Each month, at the county seat, the board of commissioners shall hold a minimum of two regular meetings. All meetings shall be open to the public as required by law and shall provide a time period exclusively for public comment. The time, date, and place of the meetings shall be determined by the board in the first meeting of the year. Any resolution passed by the board regarding the time, date, and place of its monthly meetings shall be published in the official organ once a week for two weeks during a period of 30 days immediately following the passage of the resolution. The board of commissioners may hold such additional meetings as shall be necessary when called by the chairperson or any two commissioners, provided that all members of the board of commissioners shall have been notified at least three days in advance of such special meeting which is open to the public. Three district commissioners or the chairperson and any two district commissioners shall constitute a quorum. No official action shall be taken except upon the affirmative vote of at least three members of the board of commissioners and except upon compliance with Chapter 14 of Title 50 of the O.C.G.A. The chairperson shall be entitled to vote on a question only if the chairperson's vote would affect the outcome of any vote or issue before the board. The vice chairperson while serving as chairperson shall be entitled to vote on all matters before the board. All regular and called meetings shall be conducted according to Robert's Rules of Order.

WHEREAS, the Board of Commissioners of Walker County wishes to modify 2017 Ga. Laws (Act No. 165), § 9 such that it reads as follows (red are changes):

Each month, at the county seat, the board of commissioners shall hold a minimum of **one** regular meetings. **The meeting** shall be open to the public as required by law and shall provide a time period exclusively for public comment. The time, date, and place of the meetings shall be determined by the board in the first meeting of the year. Any resolution passed by the board regarding the time, date, and place of its monthly meetings shall be published in the official county organ once a week for two weeks during a period of 30 days immediately following the passage of the resolution. The board of commissioners may hold such additional meetings as shall be necessary when called by the chairperson or any two commissioners, provided

that all members of the board of commissioners shall have been notified at least three days in advance of such special meeting which is open to the public. Three district commissioners or the chairperson and any two district commissioners shall constitute a quorum. No official action shall be taken except upon the affirmative vote of at least three members of the board of commissioners and except upon compliance with Chapter 14 of Title 50 of the O.C.G.A. The chairperson shall be entitled to vote on a question only if the chairperson's vote would affect the outcome of any vote or issue before the board. The vice chairperson while serving as chairperson shall be entitled to vote on all matters before the board. All regular and called meetings shall be conducted according to Robert's Rules of Order.

WHEREAS, pursuant to Article IX, Section II, Paragraph I, Subparagraph (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 Article IX, Section II, Paragraph I, Subparagraph (b)(1) of the Constitution of the State of Georgia 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 regular consecutive meetings; and

THEREFORE, BE IT RESOLVED, by the Walker County Board of Commissioners that the Act creating the Board of Commissioners for Walker County, Ga. L. 2017, Act No. 165, § 9 hereby amended by modifying Section 9 as follows (red are changes):

Each month, at the county seat, the board of commissioners shall hold a minimum of **one** regular meetings. **The meeting** shall be open to the public as required by law and shall provide a time period exclusively for public comment. The time, date, and place of the meetings shall be determined by the board in the first meeting of the year. Any resolution passed by the board regarding the time, date, and place of its monthly meetings shall be published in the official county organ once a week for two weeks during a period of 30 days immediately following the passage of the resolution. The board of commissioners may hold such additional meetings as shall be necessary when called by the chairperson or any two commissioners, provided that all members of the board of commissioners shall have been notified at least three days in advance of such special meeting which is open to the public. Three district commissioners or the chairperson and any two district commissioners shall constitute a quorum. No official action shall be taken except upon the affirmative vote of at least three members of the board of commissioners and except upon compliance with Chapter 14 of Title 50 of the O.C.G.A. The chairperson shall be entitled to vote on a question only if the chairperson's vote would affect the outcome of any vote or issue before the board. The vice chairperson while serving as chairperson shall be entitled to vote on all matters before the board. All regular and called meetings shall be conducted according to Robert's Rules of Order.

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 is hereby repealed.

BE IT FURTHER RESOLVED that this Resolution shall be approved at two back-to-back meetings of the Board of Commissioners wherein such meetings are not less than seven (7) nor more than sixty (60) days apart.



BE IT FURTHER RESOLVED, that upon such dual approvals being achieved, a copy of such amendment, along with a notice of publication and publisher's affidavit, shall be filed with the Georgia Secretary of State's office. (Ga. Const. Art. 9, § 2, ¶ 1(g)).

The public health, safety, and welfare demanding it.

FIRST APPROVAL occurring at a duly called meeting of the Walker County Board of Commissioners on 19 day of December, 2024.

WALKER COUNTY, GEORGIA

SHANNON K. WHITFIELD, Chairman

ATTEST:

JESSICA STATON, Deputy Clerk



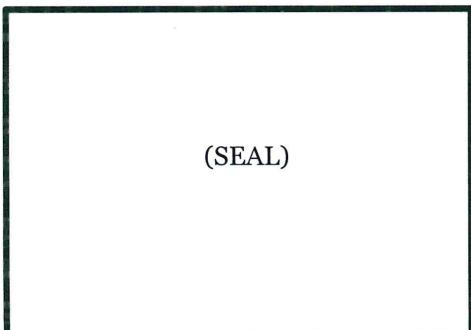
The foregoing Resolution received a motion for approval from Commissioner ASKCW, second by Commissioner Blakemore, and upon the question the vote is 3 ayes, 0 nays to PASS the Resolution.

SECOND APPROVAL occurring at a duly called meeting of the Walker County Board of Commissioners on _____ day of _____, 2025.

WALKER COUNTY, GEORGIA

ATTEST:

JESSICA STATON, Deputy Clerk



The foregoing Resolution received a motion for _____ from Commissioner _____, second by Commissioner _____, and upon the question the vote is _____ ayes, _____ nays to _____ the Resolution.