

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2016 – 155

A RESOLUTION AUTHORIZING THE CLAYTON COUNTY BOARD OF COMMISSIONERS TO CONDUCT A HEARING CONSISTENT WITH O.C.G.A. § 8-3-53 TO DETERMINE WHETHER ANY MEMBERS OF THE HOUSING AUTHORITY OF CLAYTON COUNTY SHALL BE REMOVED FROM OFFICE; TO AUTHORIZE THE CHIEF STAFF ATTORNEY TO SEND NOTICE OF THE HEARING INCLUDING THE CHARGES, LOCATION, DATE AND TIME OF THE HEARING AS REQUIRED BY STATUTE; AND TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION.

WHEREAS, with regard to housing authority commissioners, O.C.G.A. § 8-3-53 states that

For inefficiency or neglect of duty or misconduct in office, a commissioner of an authority may be removed by the mayor or, in the case of an authority for a county, by the governing body of said county, provided that a commissioner shall be removed only after he shall have been given a copy of the charges at least ten days prior to the hearing thereon and shall have had an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the clerk; and

WHEREAS, on April 28, 2014, the Housing Authority of Clayton County Board entered into an employment contract with an Executive Director; and on July 7, 2016, the Housing Authority of Clayton County Board voted 3-to-2 to suspend the Executive Director indefinitely without pay, which may be in violation of Paragraph 7 and Paragraph 8 of the employment contract; and

WHEREAS, at their regularly scheduled meeting on Tuesday, July 26, 2016, the Board of the Housing Authority of Clayton County found James Fambrough guilty of misconduct in

office for changing the locks at the Housing Authority office at 732 Main St., Forest Park, Georgia, and disconnecting the Executive Director's computer without authorization from the Board and against the advice of legal counsel; and

WHEREAS, the Clayton County Board of Commissioners wishes to determine whether members of the Housing Authority of Clayton County Board neglected their duties and/or participated in misconduct in office warranting removal from office by voting to suspend the Executive Director; and

WHEREAS, the Clayton County Board of Commissioners deems it in the best interest of the County and the County will best be served by conducting a hearing of this matter consistent with O.C.G.A. § 8-3-53.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY AND IT IS HEREBY RESOLVED

Section 1. The Clayton County Board of Commissioners hereby authorizes the conduct of a hearing consistent with O.C.G.A. § 8-3-53 to determine whether any members of the Housing Authority of Clayton County shall be removed from office for voting to suspend the Executive Director or for changing the locks at 732 Main Street., Forest Park, Georgia and disconnecting the computer of the Executive Director without board authorization and against the advice of the authority's legal counsel. Said hearing shall be held on Tuesday, August 16, 2016 at 112 Smith Street, Jonesboro, Georgia at 6 p.m. The members of the Housing Authority of Clayton County to be reviewed are Mr. Michael Bryant, Mr. James Fambrough and Ms. Karen Linnear.

Section 2. The Clayton County Board of Commissioners hereby directs the Clayton County Chief Staff Attorney to send written notice of the hearing, including the charges,

location, date and time of the hearing, to each member of the Housing Authority of Clayton County to be reviewed not less than ten (10) days prior to the scheduled hearing. Such notice shall state that each member of the Housing Authority of Clayton County to be reviewed has a right to be heard in person or by counsel.

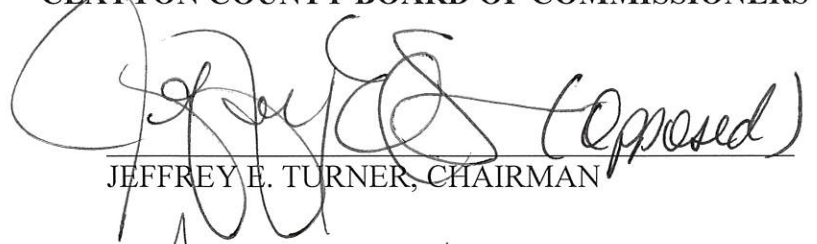
Section 3. The Clayton County Board of Commissioners hereby directs the Clerk to the Commission to record the hearing and keep a record of the hearing on file in the Office of the Clerk.

Section 4. This Resolution shall be immediately effective upon approval by the Board of Commissioners.

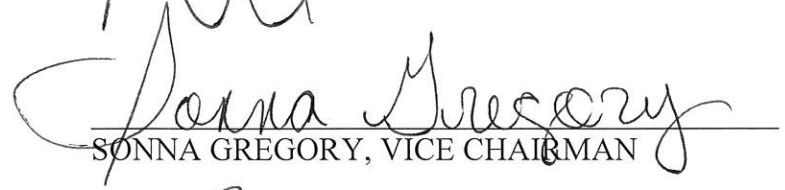
SO RESOLVED, this the 2nd day of August, 2016.

{Signatures on following page}

CLAYTON COUNTY BOARD OF COMMISSIONERS

 (Opposed)

JEFFREY E. TURNER, CHAIRMAN



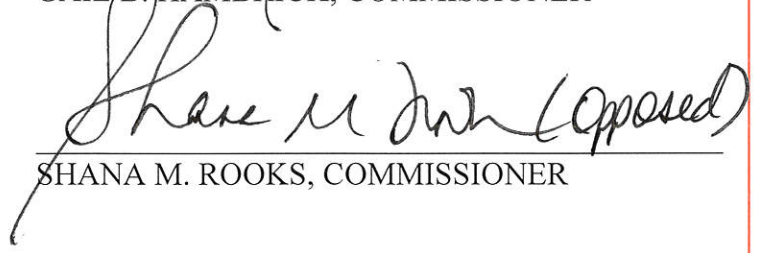
SONNA GREGORY, VICE CHAIRMAN



MICHAEL EDMONDSON, COMMISSIONER



GAIL B. HAMBRICK, COMMISSIONER

 (Opposed)

SHANA M. ROOKS, COMMISSIONER

ATTEST:



SANDRA T. DAVIS, CLERK