

## Resolution 08-013

### AN AMENDMENT TO CLAY COUNTY ORDINANCE §31.02 – CLAY COUNTY ECONOMIC DEVELOPMENT COUNCIL

BE IT RESOLVED by the BOARD OF COMMISSIONERS of Clay County, Georgia, in a meeting duly assembled, and it is hereby resolved by the authority of same to otherwise amend by addition thereto the above referenced ordinance as follows:

To: (a) delete **§31.02 – CLAY COUNTY ECONOMIC DEVELOPMENT COUNCIL** in its entirety as follows:

(A) *Membership.* The Clay County Economic Development Council shall consist of nine members as follows:

(1) One member shall be a member of the Mayor/City Council of the City of Fort Gaines appointed by the Mayor and City Council of the City of Fort Gaines;

(2) One member shall be the local manager of Georgia Power Company;

(3) One member shall be a member of Fort Gaines Chamber of Commerce;

(4) One member shall represent local business appointed by the County Board of Commissioners;

(5) One member shall be a representative of the agribusiness community appointed by the County Board of Commissioners;

(6) One member shall represent the medical community appointed by the County Board of Commissioners;

(7) One member shall represent the Board of Commissioners appointed by the Board of Commissioners;

(8) One member shall represent the county school system, appointed by the Board of Commissioners; and

(9) One member shall represent the Development Authority and appointed by the Board of Commissioners.

(B) *Term.* The term of the members shall be for four years, except that in the appointment of the first Clay County Economic Development Council, under the terms of this section, four members shall be appointed for a term of two years and five for terms of four years. Any vacancy in membership shall be filled for the unexpired term by the original appointing authority. All members shall serve without compensation, but may be reimbursed for actual expenses incurred in connection with their official duties.

(C) *Organization, rules, staff and finances.* The Clay County Economic Development Council shall elect its Chairperson from among its members. The term of Chairperson shall be one year with eligibility for re-election. The Economic Development Council shall appoint a Secretary. The Economic Development Council shall make its own rules of procedure and determine its time of meeting. The Lower Chattahoochee Area Planning and Development Commission shall serve as a staff to the Economic Development Council.

(Res. passed 2-5-1985)

(b) To replace the above with the following new section:

## **ARTICLE I Name and Purpose**

### **Section 1. Name**

The name of this organization shall be Clay County Economic Development Council.

### **Section 2. Purpose**

This council is organized as a non-profit organization for the purpose of correlating and strengthening the economic conditions of Clay County and improving the well-being of its citizens by coordinated and harmonious development in the county.

## **ARTICLE II Membership**

### **Section 1. Members**

The Clay County Economic Development Council shall consist of ten members. Members shall be appointed by the Clay County Board of Commissioners upon the recommendation of the EDC. Membership should, to the greatest extent possible, include representation by one or more persons from:

- (a) Clay County Board of Commissioners
- (b) City Council of the City of Fort Gaines
- (c) Clay County school system
- (d) Clay County/Fort Gaines Development Authority
- (e) The medical community
- (f) The agricultural community
- (g) Local businesses
- (h) The county at large by individuals who have a vital interest in the economic growth and development of Clay County.

The term of the members shall be four years. Vacancies in membership shall be filled by the appointing authority with appointments being made in September for membership beginning October 1. The Economic Development Council shall make recommendations to the appointing authority for candidates to fill such vacancies except for representatives of the City of Fort Gaines, Clay County School System, and Clay County/Fort Gaines Development Authority. Recommendations of candidates for representation of the City of Fort Gaines, Clay County School System, and the Clay County/Fort Gaines Development Authority will be made by the represented body. Members representing the City of Fort Gaines, Clay County School System, Clay County/Fort Gaines Development Authority, the medical community and the agricultural community will be (re)appointed during the even years divisible by four(4). Members representing the Clay County Board of Commissioners, local business and the county at large will be (re)appointed in even years not evenly divided by four.

### **Section 2. Attendance**

If a member is absent from three regular monthly meetings of the Council during a twelve month period, that member shall be removed from the Council. The Chairman shall notify the appointing authority and request that a new appointment be made. Absences for health or business conflicts shall not be counted.

### **Section 3. Meetings**

This Council shall meet at 12:30 PM the first Monday of each month at a location designated by the Chairman. Special meetings may be called as necessary. The Council may change the time and place of meetings with prior notification to all members and the appointing authority.

### **Section 4. Voting Rights**

Each member shall have the right of one vote on matters pertaining to the business of this Council.

### **Section 5. Quorum**

A quorum shall be one-half of the membership, or five (5) members, whichever is greater. A quorum shall be present at any regular or special meeting in order to transact business.

### **Section 6. Proxies**

No member shall be entitled to vote by proxy for another member.

### **Section 7. Voting**

Each member shall be entitled to one vote upon each matter submitted to a vote at a meeting. A majority vote by the members present must be received for a matter to be passed. Votes may be received by fax or e-mail from members and shall be addressed to the Secretary. These voting members shall be counted toward a quorum. All elections shall be by ballot unless waived by the unanimous consent of those members present

## **ARTICLE III Officers**

### **Section 1. Number**

The officers of this Council shall be a chairman, a vice-chairman, secretary, and treasurer, each of whom shall be elected by the members.

### **Section 2. Election of Officers**

Officers will be elected at the regular monthly meeting in September of each year. The Chairman will appoint a nominating committee at the regular monthly meeting in August. The nominating committee will submit nominations for each office at the September meeting. Other nominations may be received from the members present. The term of office shall be October 1 through September 30. In the event an officer can not fulfill their term of office for any reason, a special election will be held to fill the unexpired term.

### **Section 3. Qualifications**

The officers shall be members of this Council in good standing.

### **Section 4. Chairman**

The Chairman shall be chief executive officer of this Council. He/She shall preside at all meetings of the members, and shall have general charge of the business of this Council, subject to the approval and control of the members.

### **Section 5. Vice-Chairman**

The Vice-Chairman shall, in the absence of the Chairman, exercise the powers and perform the duties of the Chairman; otherwise he/she shall have such powers and perform such duties as may be assigned by the Chairman.

### **Section 6. Secretary**

The Secretary shall keep minutes of the meetings of the members, shall attend to the giving of all required notices, and shall perform all duties incident to the office of Secretary.

### **Section 7. Treasurer**

The Treasurer shall keep a full and accurate account of the receipts and disbursements; deposit all money, checks and other obligations to the credit of this Council in such depository of depositories as may be designated by the members; disburse the funds of this Council as ordered, taking proper vouchers for such disbursements; render a statement of account and transactions whenever required; make a complete annual statement in September of each year at the regular meeting; and generally perform all the duties incident to the position of Treasurer. The Treasurer's books shall be audited annually in conjunction with the audit of the Clay County Board of Commissioners.

## **ARTICLE IV Sundry Provisions**

### **Section 1. Fiscal Year**

The fiscal year of this Council shall begin on the first day of October and terminate on the last day of September in each year.

### **Section 2. Order of Business**

The order of business at all meetings, insofar as possible, shall be as follows:

- (a) Call to Order
- (b) Roll Call
- (c) Reading of Minutes
- (d) Report of Treasurer
- (e) Report of Committees
- (f) Unfinished Business
- (g) New Business
- (h) Election and Appointments
- (i) Special Programs
- (j) Adjournment

### **Section 3. Conduct of Business**

To insure a coordinated and harmonious effort by the Council, no member shall conduct business in the name of the Council without Council approval.

### **Section 4. Committees**

The Chairman shall appoint all standing and special committees. The Chairman and Secretary shall be members, ex-officio, thereof.

### **Section 5. Contributions**

This Council may receive, at the discretion of its members, voluntary contributions in the support of its program of work and activities, and for special purposes.

### **Section 6. Investments of Funds**

Investment of Council funds, within the limitations of law, may be authorized, from time to time by the members.

### **Section 7. Remuneration**

Members and officers shall serve without remuneration as such, but may be reimbursed at the discretion of the members to cover necessary expense of travel and subsistence when serving this Council.

## **ARTICLE V Amendment of By-Laws**


### **Section 1. Amendment of By-Laws**


Recommendations that these By-Laws be amended, repealed or altered may be made at any regular meeting of the members of this Council, or at any special meeting of such members called for that purpose, by the affirmative vote of a majority of the members present in quorum, due notice of such meeting having been given, provided such proposed amendment shall be included in the notice of any such special meeting. All amendments to these By-Laws must be approved by the Clay County Board of Commissioners.


OFFERED FOR ADOPTION BY AND INITIATED BY THE BOARD OF COMMISSIONERS OF CLAY COUNTY, GEORGIA, on this 15<sup>th</sup> day of January, 2008.

This amendment shall be effective upon approval.


**CLAY COUNTY BOARD OF COMMISSIONERS**

BY:   Yea  Nay  
Gerald Von Anderson III, Chairman

By:   Yea  Nay  
Willie McCoy, Vice Chairman

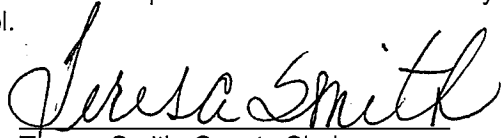
BY:   Yea  Nay  
David Shivers

BY: \_\_\_\_\_  Yea  Nay  
Walt Killingsworth

BY:   Yea  Nay  
Barry Waters

**CLERK'S CERTIFICATE**

I, the undersigned Clerk of the Board of Commissioners of Clay County, keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a Ordinance adopted by the Board of Commissioners of Clay County in public meeting assembled on January 15, 2008, the original of which ordinance has been entered in the official records of said political subdivision under my supervision and is in my official possession, custody and control.

  
Teresa Smith, County Clerk