

**ONE OPEN POSITION ON THE FAYETTE COUNTY
BOARD OF ELECTIONS**

The **Fayette County Board of Elections** is a body comprised of three members that has jurisdiction over the conduct of primaries and elections conducted within Fayette County, and is responsible for the selection, appointment, and training of poll workers in elections.

One member of the Board shall be appointed by the political party which received the highest number of votes within the county for its candidate for Governor in the general election preceding the appointment of the member. The second member shall be appointed by the political party which received the second-highest number of votes within the county for its candidate for Governor in the general election preceding the appointment of the member. The third member shall be selected by the county governing authority.

Each member of the Board of Elections must be an elector and a resident of Fayette County.

Each member of the Board of Elections is appointed for a four-year term. No one who holds elective public office is eligible to serve a member of the Board of Elections during the term of elective office, and the position of any member shall be deemed vacant upon such member's qualifying as a candidate for elective public office.

The Fayette County Board of Elections meet at 5:00 p.m. on the 4th Tuesday of each month in the Fayette County Elections Department located at the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, Fayetteville, Georgia, 30214. Special Called Meetings may be held as needed.

The Fayette County Board of Commissioners would like to notify all eligible and interested Fayette County citizens that one position on the Fayette County Board of Elections is available for appointment, with the term for this appointment beginning February 1, 2022 and ending January 31, 2026.

The Fayette County Board of Commissioners will be accepting applications with resumes for this position. Applications can be obtained by visiting www.fayettecountyga.gov, Public Notice section. All applications must be returned to Tameca Smith at 140 Stonewall Avenue West, Suite 100, Fayetteville, Georgia by 5:00 p.m. on Friday, February 11, 2022.

Issued: January 13, 2022
Contact: Tameca P. Smith, County Clerk
Office: (770) 305-5103



APPLICATION FOR APPOINTMENT
Fayette County Board of Elections

The **Board of Elections** is comprised of three members appointed to four-year terms. Meetings are scheduled to be held on a monthly basis; typically the fourth Tuesday of each month. Said meetings take place at the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

Applicants are encouraged to attend as many Board of Elections meetings as possible in an effort to become familiar with the responsibilities of the post. Applicants must be a legal resident of the State of Georgia and have been a resident of Fayette County for at least six months prior to the date an application is submitted.

Fayette County would like to inform all interested Fayette County citizens that one (1) position on its Board of Elections is available to be filled. The terms will begin February 1, 2022 and will expire on January 31, 2026.

Please take a few minutes to complete the application and return it with a resume, if available, to Tameca Smith, County Clerk, at tsmith@fayettecountyga.gov or 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 **no later than 5:00 p.m. on Friday, February 11, 2022.**

If you have any questions, please call (770) 305-5103.

NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME _____

ADDRESS _____ (city) _____

TELEPHONE (cell) _____ (home) _____

EMAIL _____

Signature

Date



APPLICATION FOR APPOINTMENT
Fayette County Board of Elections

1. How long have you been a resident of Fayette County?
2. Why are you interested in serving on the Board of Elections?
3. What qualifications and experience do you possess that should be considered for appointment to the Board of Elections?
4. List your recent employment experiences to include name of company and position.
5. Do you have any past experience related to this position? If so, please describe.
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?
7. Have you attended any Board of Elections meetings in the past two years and, if so, how many?
8. Are you willing to attend seminars or continuing education classes at county expense?
9. Would there be any possible conflict of interest between your employment or your family and you serving on the Board of Elections?
10. Are you in any way related to a County Elected Official or County employee? If so, please describe.
11. Describe your current community involvement.
12. Have you have been given a copy of the county's Ethics Ordinance?
13. Is there any reason you would not be able to comply with the Ethics Ordinance?

COUNTY OF FAYETTE

STATE OF GEORGIA

ORDINANCE NO.

2016- 04

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA; TO REWRITE THE CODE OF ETHICS FOR FAYETTE COUNTY, GEORGIA; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA, AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT DIVISION 3 OF ARTICLE IV OF CHAPTER 2 OF THE CODE OF FAYETTE COUNTY GEORGIA BE DELETED IN ITS ENTIRETY AND REPLACED WITH A NEW DIVISION 3 OF ARTICLE IV OF CHAPTER 2 OF THE CODE OF FAYETTE COUNTY, GEORGIA TO READ AS FOLLOWS:

SECTION 1. By deleting Sections 2-200 through 2-208 which comprise the Code of Ethics in their entirety and by enacting the following Code of Ethics to be numbered and to read as follows:

Sec. 2-200. Purpose.

The purpose of this Code of Ethics is to:

(a) Encourage high ethical standards in conduct by Fayette County officials (“County Officials”);

(b) Establish guidelines for ethical standards of conduct for all County Officials by setting forth those acts or actions that are incompatible with the best interests of Fayette County (the “County”);

(c) Maintain public trust through transparency by requiring disclosure by County Officials of private financial or other interests in matters affecting the County or in matters that affect their ability to act in the best interests of the County; and

(d) Serve as a basis for disciplining those who do not comply with its terms.

Sec. 2-201. Scope.

The provisions of this Code of Ethics shall be applicable to all County Officials. Further, the County Purchasing Director shall develop procedures for individuals, corporations and other entities seeking to do business with the County to disclose financial, familial or other relationships with any person who comes within the scope of this Code of Ethics and who is also required to disclose such relationships. Such disclosures must be made prior to presenting a recommendation of award to the Fayette County Board of Commissioners (the “Board of Commissioners”) or, if Board of Commissioners approval is not required, prior to execution of a contract in excess of \$10,000. The obligation for an individual, corporation or other entity seeking to do business with the County to disclose the aforementioned relationships is ongoing and shall be enforced as a prerequisite to any action by a County Official or other person covered by this Code of Ethics to renew, extend or otherwise modify a contract after award.

Sec. 2-202. Definitions.

The following words and phrases as used in this Code of Ethics shall, unless the context clearly indicates otherwise, have the meanings as follows:

(a) *County* means Fayette County, Georgia.

(b) *County Administrator* means the individual who serves as County Administrator of Fayette County.

(c) *County Official* includes County employees, members of the Board of Commissioners, the County Administrator, the County Clerk and the County Attorney. County Official also includes all individuals appointed by the County Administrator and the Board of Commissioners to County authorities, commissions, committees, boards, task forces, or other bodies.

(d) *Gift* means the transfer of anything of economic value, regardless of form, without adequate and lawful consideration. “Gift” also means a subscription, membership, loan, forgiveness of debt, advance or deposit of money or anything of value, conveyed or transferred.

(e) *Ethics*: the discipline dealing with what is good and bad and with moral duty and obligation – Merriam Webster

(f) *Immediate family* means the spouse, mother, father, grandparent, brother, sister, son or daughter of any County Official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.

(g) *Person* means an individual, a business entity, or other similar type organization.

Sec. 2-203. Prohibitions.

(a) No County Official shall use or secure confidential information for any purpose other than his/her official duties.

(b) No County Official may participate or vote on any matter before the Board of Commissioners or other County body where such County Official has a substantial interest in the

outcome of such matter. For purposes of this Code of Ethics, a substantial interest is found where the County Official receives a pecuniary interest due to the outcome of the vote.

(c) No County Official shall act as an agent or attorney for another in any matter before the Board of Commissioners or other County body.

(d) No County Official shall enter into any contract with the County except as authorized by state law.

(e) No County Official shall solicit or accept other employment to be performed, or compensation to be received, while still a County Official if the employment or compensation could reasonably be expected to impair such County Official's judgment or performance of County duties.

(f) No County Official shall disseminate confidential information to someone other than another County Official, unless otherwise authorized by law.

(g) No County Official shall solicit or accept gifts, loans, gratuities, discounts, favors, hospitality, or services from any person for himself/herself, or any member of his/her immediate family, under circumstances from which it could reasonably be inferred that a major purpose of the donor is to influence the performance of the County Official's duties.

Sec. 2-204. Conflict of Interest.

(a) No County Official may participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the County Official has a substantial interest.

(b) A County Official who has a relationship with any entity which receives funding from the County shall disclose such relationship prior to participating in any action for such funding.

(c) A County Official shall never discriminate by the dispensing of special favors or privileges to anyone, whether or not for remuneration.

(d) No County Official shall engage in any business with the County, or allow any member of his/her immediate family to engage in any business with the County which is inconsistent with the conscientious performance of his/her governmental duties.

(e) Notwithstanding anything contained herein to the contrary, a County Official shall disclose, prior to discussing or taking any action on any matter involving the donor, any gift or campaign contribution (cash or in kind) received by him/her, or any member of his/her immediate family, greater than \$100.00. Receipt of gifts and campaign contributions within the current election cycle valued at \$250.00 or more by a County Official, or member of his/her immediate family, will prohibit the County Official from participating or taking action on any matter involving the donor.

Sec. 2-205. Enforcement and administration.

(a) All allegations of violations of the Code of Ethics must be filed with the County Clerk, in writing, signed by the complainant, no later than 45 days after the alleged act occurred unless the complainant, by exercising reasonable diligence, failed to discover the alleged violation of the Code of Ethics within such 45-day period. In such case, a complainant must file an Ethics Complaint with the County Clerk no later than 45 days after the complainant discovered the alleged violation.

(b) In no event shall an Ethics Complaint be filed with the County Clerk more than six (6) months from the date of the alleged violation of the Code of Ethics.

(c) The complainant may withdraw the Ethics Complaint at any time in writing.

(d) Within 30 days of receipt of an Ethics Complaint the Board of Commissioners will review the Ethics Complaint to determine whether same is on its face unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke disciplinary jurisdiction. A majority of the full Board of Commissioners must agree that a sufficient basis has been given to warrant a public hearing. Certain violations alleged against County Officials who are employees may be referred through the proper channels consistent with the Employee Handbook's disciplinary procedures. A majority of the full Board of Commissioners shall make the determination of whether or not a review board should be impaneled.

(e) If a complaint is received by the Clerk which alleges a violation of the Code of Ethics by a member of the Board of Commissioners, a determination of sufficiency of the complaint will not be forwarded to the Board of Commissioners. The County Attorney of any county within the Griffin Judicial Circuit, or any circuit abutting the Griffin Judicial Circuit, other than the County Attorney for Fayette County, shall make the determination of whether or not a review board should be impaneled.

(f) If a review board is needed, three (3) county attorneys, other than the County Attorney for Fayette County, within reasonably close geographic proximity of the County will be requested to conduct a public hearing based upon the complaint. A majority vote based upon clear and convincing evidence will determine the existence of the violation or lack thereof. Should the review board find a violation has occurred, the review board will assess the commensurate penalty for the violation. A written decision shall be issued within 15 days of the conclusion of the public hearing. County Officials are subject to the following penalties and action for violations of the Code of Ethics:

- (1) Written reprimand or public censure;

- (2) Recovery of value transferred from or received by the County;
- (3) Cancellation of the contract or rejection of the bid or offer;
- (4) A monetary fine not to exceed \$1,000.00; and
- (5) Demotion or termination.

(g) Any County Official adversely affected by any final decision of the Board of Ethics may appeal as provided in this subsection.

(h) An appeal by certiorari may be commenced in the Superior Court of Fayette County within 30 days after the decision becomes final.

Secs. 2-206 – 2-220. Reserved.

SECTION 2. This ordinance shall become effective immediately upon its adoption by the Fayette County Board of Commissioners.

SECTION 3. All other ordinances or parts of ordinances which are in conflict with this ordinance are hereby repealed.

SECTION 4. In the event any section, subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Board of Commissioners hereby declares that it would have passed the remaining parts of this ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ORDAINED this 25th day of February, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY, GEORGIA

(SEAL)



ATTEST:

By: Charles W. Oddo
CHARLES W. ODDO

Floyd L. Jones
Floyd L. Jones, County Clerk

Approved as to form:

[Signature]
County Attorney

BOARD OF ELECTIONS

/s/ Roy H. Watson, Jr.
Representative, 139th District

Sworn to and subscribed before me,
this 1st day of February, 1994.

/s/ Susan Gordon
Notary Public, Cobb County, Georgia
My Commission Expires Jan. 5, 1997
(SEAL)

Approved March 24, 1994.

FAYETTE COUNTY — BOARD OF ELECTIONS;
RE-CREATION.

No. 666 (House Bill No. 1669).

AN ACT

To provide for the re-creation of the board of elections of Fayette County; to define its powers and duties concerning primaries and elections; to provide a method for appointment, resignation, and removal of its members; to provide for qualifications and terms of its members; to provide for a chairperson, clerical assistants, and other employees; to provide for compensation for such persons and the members of the board; to provide for matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF
GEORGIA:

Section 1. There is created in Fayette County a board of elections which shall have jurisdiction over the conduct of primaries and elections conducted within the county.

Section 2. The board of elections for Fayette County shall be composed of three members, each of whom shall be an elector and resident of the county. Members of the board of elections in office on the effective date of this Act shall serve out their remaining terms. When their respective terms have expired, the process of appointment of new members to the board of elections shall occur consistent with the direction of this section. The three members of the board of elections autho-

ized by this Act shall be appointed to the board as follows: one member shall be appointed by the political party which received the highest number of votes within the county for its candidate for Governor in the general election preceding the appointment of the member; one member shall be appointed by the political party which received the second-highest number of votes within the county for its candidate for Governor in the general election preceding the appointment of the member; and one member shall be selected by the county governing authority. Each of the above appointments from the political parties shall be made as follows: the member shall be nominated by the chairperson and ratified by the county executive committee of each of the above-designated political parties at least 30 days before the beginning of the term of office or within 30 days after the creation of a vacancy in the office. As each member serves his or her term, successors shall be appointed for terms of four years and until their successors are duly appointed and qualified. Appointments shall be made by the respective bodies which appointed the members of the board of elections originally. Terms of office shall begin on the first day of February following the expiration of the immediately preceding term of office. The board shall select one of its members to serve as chairperson at the pleasure of the board.

Section 3. No person who holds elective public office shall be eligible to serve as a member during the term of such elective office, and the position of any member shall be deemed vacant upon such member's qualifying as a candidate for elective public office.

Section 4. Certification of the appointment of each member shall be made by the governing authority of the county filing an affidavit with the clerk of the superior court, no later than 15 days preceding the date at which such member is to take office, stating the name and residential address of the person appointed and certifying that such member has been duly appointed as provided in this Act. The clerk of the superior court shall record each of such certifications on the minutes of the court and shall certify the name of each such appointed member to the Secretary of State and provide for the issuance of appropriate commissions to the members, within the same time and in the same manner as provided by law for registrars.

Section 5. Each member of the board shall be eligible to succeed himself or herself and shall have the right to resign at any time by giving written notice of his or her resignation to the appointing body and to the clerk of the superior court and shall be subject to removal from the board at any time for cause after notice and hearing in the same manner and by the same authority as provided for removal of registrars.

Section 6. In the event a vacancy occurs in the office of any appointed member before the expiration of his or her term by removal, death, resignation, or otherwise, the original appointing body shall appoint a successor to serve the remainder of the unexpired term as provided for in Section 2 of this Act. The clerk of the superior court shall be notified of interim appointments and record and certify such appointments in the same manner as the regular appointment of members.

Section 7. Before entering upon his or her duties, each member shall take substantially the same oath as required by law for registrars and shall have the same privileges from arrest.

Section 8. The board of elections shall, with regard to the preparation for, conduct, and administration of elections and primaries, succeed to and exercise all duties and powers granted to and incumbent upon the board of elections in existence on the effective date of this Act.

Section 9. The board shall be responsible for the selection, appointment, and training of poll workers in elections and such workers shall be appointed, insofar as practicable, from lists provided to the board by the county executive committee of each political party.

Section 10. The chairperson of the board of elections shall be the chief executive officer of the board of elections and shall generally supervise, direct, and control the administration of the affairs of the board of elections pursuant to law and duly adopted resolutions of the board of elections. The board of elections shall fix and establish, by appropriate resolution entered on its minutes, directives governing the execution of matters within its jurisdiction.

Section 11. Compensation for the members of the board of elections, clerical assistants, and other employees shall be

such as may be fixed by the governing authority of the county. Said compensation shall be paid wholly from county funds.

Section 12. The governing authority of the county shall provide the board with such proper and suitable offices and with such clerical assistants and other employees as the governing authority shall deem appropriate.

Section 13. The words "election," "elector," "political party," "primary," "public office," "special election," and "special primary" shall have the same meaning ascribed to those words by Code Section 21-2-2 of the O.C.G.A., as amended, unless otherwise clearly apparent from the text of this Act.

Section 14. This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

Section 15. All laws and parts of laws in conflict with this Act are repealed.

NOTICE OF INTENTION TO INTRODUCE LOCAL LEGISLATION

Notice is hereby given that there will be introduced at the regular 1994 session of the General Assembly of Georgia a bill to re-create the Board of Elections of Fayette County; to provide for all related matters; and for other purposes.

This 7th day of January, 1994.

/s/ William R. McNally
County Attorney
Fayette County

GEORGIA, FULTON COUNTY

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, Dan Lakly, who, on oath, deposes and says that he is Representative from the 105th District, and that the attached copy of Notice of Intention to Introduce Local Legislation was published in the Fayette County News, which is the official organ of Fayette County, on the following date: January 12, 1994.

/s/ Dan Lakly
Representative, 105th District