

House Bill 1494 (AS PASSED HOUSE AND SENATE)

By: Representatives Snow of the 1<sup>st</sup> and Joyce of the 2<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Walker County Rural Water and Sewer Authority, approved  
2 April 21, 1967 (Ga. L. 1967, p. 3370), as amended, so as to change provisions relating to the  
3 members of the authority and their selection; to change provisions relating to vacancies; to  
4 provide for compensation; to provide for other matters relative to the foregoing; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act creating the Walker County Rural Water and Sewer Authority, approved April 21,  
9 1967 (Ga. L. 1967, p. 3370), as amended, is amended by striking subsections (b), (d), (e), (h),  
10 and (j) of Section 2 and inserting in their place new subsections (b), (d), (e), (h), and (j), to  
11 read as follows:

12 "(b) The authority shall consist of five members, all of whom shall be residents of Walker  
13 County, Georgia, all of whom shall reside outside the corporate limits of any municipality  
14 in said county and shall at the time of appointment be users of the facilities of the authority.  
15 The provision relating to a member being a user shall not apply to the members of the  
16 authority originally appointed or to the members named in subsection (k) of this section.  
17 Notwithstanding any other provision herein, all members of the authority shall serve until  
18 their successors are appointed and qualified. To be eligible for appointment no member  
19 shall have been found guilty of a felony, and shall be at least 21 years of age and shall have  
20 been a resident of Walker County for at least two years prior to appointment."

21 "(d) In the event of a vacancy by reason of death, disqualification, resignation, or other  
22 reason, the board shall appoint by majority vote a qualified person to fill the unexpired  
23 term of the member whose position has been vacated. A vacancy shall exist in the office  
24 of any member of the authority who is convicted of a felony or who enters a plea of nolo  
25 contendere; who moves his or her residency outside of Walker County, Georgia, or into the  
26 corporate limits of any municipality in said county; who is convicted of any act of

1 misfeasance, malfeasance, or nonfeasance of his or her duties as a member of the authority;  
2 or who fails to attend any regular or special meeting of the authority for a period of three  
3 months without excuse approved by a resolution of the authority. Any member of the  
4 board may be removed for cause shown by a unanimous vote of the remaining members  
5 of the board."

6 "(e) Reserved."

7 "(h) The members of the authority shall be entitled as compensation for their services an  
8 amount as established by resolution of the board not to exceed \$1,500.00 per year, payable  
9 in equal monthly payments, except the chairperson, who shall be entitled to receive for his  
10 or her services an amount not to exceed \$2,000.00 per year, payable in equal monthly  
11 payments, and additionally all members shall be reimbursed for their actual expenses  
12 necessarily incurred in the performance of their duties, provided such expenses are based  
13 upon detailed expense reports approved by the board. The authority shall have the power  
14 to establish bylaws and to promulgate and adopt rules and regulations necessary or  
15 desirable for the management of the authority."

16 "(j) During the month of March in the year after the water system becomes operational, and  
17 in the month of March in each year thereafter, a meeting of those persons, firms,  
18 corporations, companies, and organizations who use the facilities of the authority shall be  
19 called by the authority, after notice thereof has been published in the official newspaper of  
20 Walker County, at least ten days prior to the date of such meeting, for the purpose of  
21 electing successors to those members whose terms expire in such year. If, for any reason  
22 whatsoever, the users of the systems shall fail to elect a member at any annual meeting, the  
23 remaining members of the authority shall appoint, by majority vote, a duly qualified person  
24 as a member of the authority to serve until the next annual meeting of the users. The  
25 authority is authorized to promulgate and adopt rules and regulations providing for the  
26 method and procedures for holding such annual meetings and elections."

27 **SECTION 2.**

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