

House Bill 436

By: Representatives Williams of the 145th and Rhodes of the 120th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the membership of the Sinclair Water Authority, approved
2 April 13, 2001 (Ga. L. 2001, p. 3648), as amended, so as to change the determination of a
3 quorum of the members of the board of said authority; to provide for related matters; to
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 An Act providing for the membership of the Sinclair Water Authority, approved April 13,
8 2001 (Ga. L. 2001, p. 3648), as amended, is amended by revising subsection (d) of Section 6
9 as follows:

10 "(d)(1)(A) A majority of the members of the board shall constitute the quorum
11 necessary for a meeting of the board, provided that no quorum shall be present unless
12 there is present a board member resident in and selected by the governing authority of
13 each member county, except as otherwise provided in subparagraph (B) of this
14 paragraph.

15 (B) Notwithstanding the absence of a board member resident in and selected by the
16 governing authority of either member county, a quorum shall exist under any of the
17 following circumstances:

18 (i) Where the absent member provides to the chairperson before the meeting a written
19 waiver of the necessity of his or her presence at the meeting;

20 (ii) Where the absent member in writing appoints a proxy to attend a meeting or
21 meetings on his or her behalf; or

22 (iii) No board member resident in and selected by the governing authority of either
23 member county attends any meeting of the board for three consecutive months, in
24 which event the presence of such members shall not be necessary to constitute a
25 quorum at the next meeting of the board.

26 (2) It shall require a majority of the quorum present to approve matters coming before
27 the board, except that the following matters shall require a majority of the total votes of
28 the board plus one additional vote: purchases or contracts in excess of an amount
29 established by the board of SWA; authorization for the issuance of bonds; acquisition of
30 property by condemnation; and the employment or removal of the water plant
31 superintendent.

32 (3) The board members shall elect a secretary-treasurer who need not be a member of the
33 board."

34 **SECTION 2.**

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