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**LEGISLATIVE SPONSORS**

<input checked="" type="checkbox"/> <b>MAYOR LESTER M. MILLER</b>	<input type="checkbox"/> <b>MAYOR PRO TEMPORE VALERIE WYNN</b>
<input type="checkbox"/> <b>COMMISSIONER PAUL BRONSON</b>	<input type="checkbox"/> <b>COMMISSIONER STANLEY B. STEWART</b>
<input type="checkbox"/> <b>COMMISSIONER JOEY HULETT</b>	<input type="checkbox"/>
<input type="checkbox"/> <b>COMMISSIONER RAYMOND WILDER</b>	<input type="checkbox"/> <b>COMMISSIONER BILL HOWELL</b>
<input checked="" type="checkbox"/> <b>COMMISSIONER DONICE BRYANT-CATO</b>	<input type="checkbox"/> <b>COMMISSIONER BRENDA LYN BAILEY</b>

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**A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO SET THE QUALIFYING FEES FOR THE SPECIAL ELECTION TO FILL THE UNEXPIRED TERM OF SETH CLARK REPRESENTING DISTRICT 5 ON THE MACON-BIBB COUNTY COMMISSION; TO ORDER THE BOARD OF ELECTIONS TO ISSUE A CALL FOR ELECTION AND SCHEDULE THE SAME FOR MARCH 17, 2026; AND FOR OTHER PURPOSES.**

**WHEREAS**, in January 2026, Seth Clark, District 5 representative on the Macon-Bibb County Commission resigned from his office; and

**WHEREAS**, Section 15(a) of the Macon-Bibb County Charter provides that, “In the event that the office of mayor or any commissioner shall become vacant for any cause whatsoever, the commission or those remaining shall, by resolution, order a special election to fill the balance of the unexpired term of that office.”; and

**WHEREAS**, a special election is needed to fill the unexpired term of office left by Seth Clark’s vacancy; and

**WHEREAS**, O.C.G.A. § 21-2-131(a)(1)(A) provides that, “The governing authority of any county or municipality, . . . at least 35 days prior to the special primary or election in the case of a special primary or special election, shall fix and publish a qualifying fee for each county or municipal office to be filled in the upcoming primary or election. Except as otherwise provided in subparagraph (B) of this paragraph, such fee shall be 3 percent of the total gross salary of the office paid in the preceding calendar year including all supplements authorized by law if a salaried office.”; and

**WHEREAS**, O.C.G.A. § 21-2-131(a)(1)(B) provides, in relevant part, that, “For the office of members of the county governing authority, the qualifying fee shall be 3 percent of the base salary established by local Act of the General Assembly or by Code Section 36-5-25 as adjusted

pursuant to Code Section 36-5-24, if applicable, exclusive of compensation supplements for training provided for in Code Section 36-5-27 and cost-of-living adjustments pursuant to Code Section 36-5-28.;” and

**WHEREAS**, the annual salary for District 5 Representative on the Macon-Bibb County Commission according to the methodology provided in O.C.G.A. § 21-2-131(a)(1)(B) is \$15,000.00, as stated in Section 9(e) of the Macon-Bibb County Charter; and

**WHEREAS**, O.C.G.A. § 21-2-540(c)(1)(B) provides that the next available date on which a special election may be held is the third Tuesday in March, being March 17, 2026; and

**WHEREAS**, O.C.G.A. § 21-2-132(d)(3) provides that, “Each candidate for a county office, or his or her agent, desiring to have his or her name placed on the election ballot shall file notice of his or her candidacy in the office of the superintendent of his or her county . . . no later than 25 days prior to the election in the case of a special election”; and

**WHEREAS**, O.C.G.A. § 21-2-540(b) provides, “The period during which candidates may qualify to run in a special primary or a special election shall remain open for a minimum of two and one-half days.”; and

**WHEREAS**, the Macon-Bibb County Commission desires for the qualifying period for this special election to run from noon on Wednesday, February 11, 2026, through Friday, February 13, 2026; and

**WHEREAS**, the Macon-Bibb County Commission finds that this resolution is necessary and proper to promote or protect the safety, health, peace, security, and general welfare of Macon-Bibb County and its inhabitants;

**NOW, THEREFORE, BE IT RESOLVED** by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same, that the following qualifying fee shall be established and fixed for the following office for the 2026 upcoming special election:

ELECTED OFFICE	ANNUAL BASE MINIMUM SALARY	3% QUALIFYING FEE
Macon-Bibb County Commission District 5	\$15,000.00	\$450.00

**BE IT FURTHER RESOLVED** that the Macon-Bibb County Board of Elections, pursuant to O.C.G.A. § 21-2-131(a)(1)(A), shall publish such qualifying fee in the county's legal organ of record as soon as practicable, and that the Macon-Bibb County Board of Elections shall make such information available to the general public.

**BE IT FURTHER RESOLVED** that the qualifying period for the special election for District 5 Representative on the Macon-Bibb County Commission shall be held from noon on Wednesday, February 11, 2026, through Friday, February 13, 2026.

**BE IT FURTHER RESOLVED** that the special election for District 5 Representative on the Macon-Bibb County Commission shall be held on Tuesday, March 17, 2026, and that a call for elections shall be issued by the Macon-Bibb County Board of Elections to that effect, and that the Board of Elections shall provide for such advance voting and runoff voting as may be required by law.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded by the Clerk of Commission to the Elections Supervisor of Macon-Bibb County.

**BE IT FURTHER RESOLVED** the Macon-Bibb County Commission hereby declares that the foregoing preamble and whereas provisions set forth hereinabove constitute, and shall be considered to be, substantive provisions of this Resolution and are hereby incorporated by reference into this provision.

**BE IT FURTHER RESOLVED** the Macon-Bibb County Commission grants the Mayor and the Elections Supervisor the authority to take any and all further actions necessary to carry out the intents and purposes of this Resolution.

**BE IT FURTHER RESOLVED** that in the event scrivener's errors shall be discovered in this Resolution after the adoption hereof, the Macon-Bibb County Commission hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this Resolution.

**BE IT FURTHER RESOLVED** that except as specifically provided herein, any and all resolutions or parts of resolutions in conflict with this Resolution shall be and the same hereby are repealed, and this Resolution shall be in full force and effect from and after its adoption.

**BE IT FURTHER RESOLVED** that in the event that this Resolution or part thereof is found by any court of competent jurisdiction to be substantively more appropriately denominated an act of ordinance by the Macon-Bibb County Commission, it is the intent of this Commission

that this Resolution or such portion thereof shall be considered to have been adopted as an ordinance of the Macon-Bibb County Commission. Where any law bearing on the subject matter of this Resolution calls for the taking of any legislative action by the governing authority of Macon-Bibb County, and such law specifies for such action to be taken by resolution or by ordinance, it is the intent of this Commission that this Resolution satisfy such requirement, and that this Resolution be construed accordingly. To the extent that this Resolution is construed by any appropriate authority as being substantively an act of ordinance and not an act of resolution, then this Resolution shall operate further to repeal all prior ordinances or parts of ordinances in conflict herewith.

**BE IT FURTHER RESOLVED** this Resolution shall become effective immediately upon its approval by the Mayor or upon its adoption into law without such approval.

**APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

By: \_\_\_\_\_  
LESTER M. MILLER, Mayor

Attest: \_\_\_\_\_  
(SEAL) JANICE S. ROSS, Clerk of Commission

*Q:\RES MACON-BIBB\2026 Miller Setting Qualifying Fees and Dates for Commission District 5 Special Election  
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