

Resolution No. 2024-03

A RESOLUTION AUTHORIZING A REQUEST FOR AN OFFICIAL OPINION FROM THE ALABAMA ATTORNEY GENERAL

WHEREAS, in the most recent election, the current Chief of Police of the City of Brundidge was a contestant for and was elected to the office of Pike County Commissioner; and

WHEREAS, the officeholders for both the office of Chief of Police of the City of Brundidge and the office of Pike County Commissioner receive payment for their respective services in these offices; and

WHEREAS, the City of Brundidge desires to be guided by the official opinion of the Alabama Attorney General with respect to the question of whether the current Chief of Police of the City of Brundidge can lawfully hold both the office of Chief of Police of the City of Brundidge and the office of Pike County Commissioner at the same time, and, if he holds both offices at the same time, what is the legal effect for the City of Brundidge with respect to the office of Chief of Police of the City of Brundidge; and

WHEREAS, the City Attorney for the City of Brundidge has recommended to the City Council of the City of Brundidge and to the Mayor of the City of Brundidge that the City of Brundidge request and be guided by an official opinion from the Alabama Attorney General on the question stated hereinabove.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRUNDIDGE, ALABAMA, as follows:

1. The recitals set forth in the foregoing preambles are hereby found and declared to be true and correct.

2. It is hereby found, determined, and declared that it is appropriate, proper, and in the best interest of the City of Brundidge, that the City request and be guided by an official opinion of the Alabama Attorney General on the question of whether the current Chief of Police of the City of Brundidge can lawfully hold both the office of Chief of Police of the City of Brundidge and the office of Pike County Commissioner at the same time, and, if he does hold both offices at the same time, what is the legal effect for the City of Brundidge with respect to the Office of Chief of Police of the City of Brundidge.

3. Accordingly, the Mayor and/or the City Manager of the City of Brundidge are hereby duly and severally authorized to request an official opinion from the Alabama Attorney General on the aforesaid question stated in paragraph Number 2 hereinabove.

4. The Mayor, City Manager, City Clerk, and all other representatives of the City duly designated by any of the aforesaid City officers are hereby severally authorized and empowered to take any and all such further actions necessary, required, appropriate, or convenient to effectuate

the purposes of this Resolution, and any and all such actions taken by them are hereby ratified and confirmed.

ADOPTED this the 19th day of March, 2024.

Presiding Officer

ATTEST:

City Clerk

State of Alabama

County of Pike

I, Linda Faust, City Clerk of the City of Brundidge, Alabama, do hereby certify that the above is a true, correct and exact copy of a Resolution duly and legally adopted by the City Council of Brundidge, Alabama, at a meeting thereof on the 19th day of March, 2024 as taken from the minutes of said meeting.

Given under my hand and official seal on this 19th day of March, 2024.

Linda Faust, City Clerk of the City of Brundidge, Alabama

(OFFICIAL SEAL)