

Bond Case Briefs

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Williams v. DeKalb County

Supreme Court of Georgia - March 13, 2020 - S.E.2d - 2020 WL 1227278

County resident brought action against county, chief executive officer, and members of the board of commissioners, setting forth claims for mandamus, declaratory, and injunctive relief, and criminal and civil penalties, based on allegations that commissioners violated the Open Meetings Act by not giving proper notice of their intent to pass ordinance increasing their pay and that statute giving commissioners authority to increase their own pay violated the state constitution.

The Superior Court dismissed the action. Resident appealed.

The Supreme Court held that:

- Plaintiff lacked standing to seek declaratory relief;
- Plaintiff lacked citizen standing to seek relief under the mandamus statute;
- Plaintiff lacked taxpayer standing;
- Remand was required to determine if plaintiff had standing to pursue claim against chief executive officer;
- As matter of first impression, plaintiff had standing to request civil penalty for violations of the Open Meetings Act;
- Plaintiff stated claim for violation of the agenda requirements of the Open Meetings Act; and
- Commissioners were not entitled to official immunity from Open Meetings Act claims.