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EDITOR'S PICK

Marietta city attorney and prosecutor reappointed despite doubt

Ross Williams Jan 11, 2018

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Two of the city of Marietta's top lawyers are keeping their jobs after doubt had been raised about their reappointments earlier this year.

City prosecutor Robert Donovan and city attorney Doug Haynie were reappointed at the City Council's meeting on Wednesday night — Donovan unanimously, and Haynie 6-1, with Councilman Joseph Goldstein opposed.

Donovan, who has held his position for 32 years, received an unexpected rival at a Jan. 3 meeting when Councilman Johnny Walker nominated former Cobb District Attorney and Solicitor General Ben Smith for the position.

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Walker said the nomination did not have anything to do with Donovan's job performance, but he said it is his right as a councilman to appoint the person he thinks would be best at the job.

After that Jan. 3 meeting, Donovan and his wife, Lori, started an email campaign to council members asking them to support him.

About 15 supporters served as Donovan's posse at Wednesday's meeting.

They watched as the council members voted first for Smith, whose only supporters were Walker and Councilman Andy Morris.

When it came time to vote for Donovan, Walker and Morris voted yes, but Walker said after the meeting that he was disappointed.

"I stand firm on my right to be able to nominate somebody I think would have been a good candidate," he said. "It wasn't a matter of us not already having a good person there, but I had the right to

appoint somebody, and I don't have any regrets."

Walker said some other council members indicated to him that they would have supported Smith.

"I thought that I was misled a little bit by some council people, but that's OK," he said. "I thought the vote would have gone different, but some people just, you know, aren't truthful."



Donovan said he was a little worried when he came into the meeting, but he was humbled to see supporters email and come out on his behalf.

"It's never a good thing to wake up one day and have somebody tell you that your job is on the line, but I'm so appreciative of the people that have come out tonight and shown their support to me and ultimately notified the City Council and the government that's here, and I'm so glad it was unanimous," he said.

The first time the council voted whether or not to reappoint city leaders, city attorney Doug Haynie only got four out of seven votes. None of the newly elected council members voted for him.

Councilwoman Cheryl Richardson and Councilman Goldstein voted against Haynie's nomination, and Councilman Reggie Copeland abstained.

They all indicated after the first meeting that their concern stemmed from the case of Ray Summerour.

In that case, the city attempted to acquire property belonging to Summerour through eminent domain in 2014, but the Georgia Supreme Court sided with Summerour, finding that the city did not follow proper procedure.

The council got the chance to have a private session with Haynie, and two of the naysayers changed their tune by Wednesday.

Richardson and Copeland both changed their votes to yes. Richardson, who is also an attorney, thanked Haynie for his years of service just before the vote.

"It is a hard job," she said. "Several of us up here have been attorneys, and you know you can't win them all, but he has had a very good and long career. It's easy to Monday quarterback or Sunday quarterback something that has happened. I think I've got the answers I needed. I just want to say thank you Mr. Haynie for what you do and have done for the city."

Speaking after the meeting, Goldstein said still voted no because of the Summerour case.

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