

Senate Bill 423

By: Senators Jeffares of the 17th and VanNess of the 43rd

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To reestablish the Board of Commissioners of Newton County; to supersede the laws
2 pertaining to the governing authority of Newton County; to provide for a board of
3 commissioners, commissioner districts, a chair of the board, a county manager, a clerk to the
4 board, and ethics provisions; to provide for meetings, agendas, and the conduct of meetings;
5 to provide for budgeting, audits, financial condition, and approval of expenditures; to provide
6 for the repeal of existing enabling legislation and other conflicting laws; to provide for
7 related matters; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 The laws pertaining to the governing authority of Newton County shall be superseded by this
11 Act to reestablish the Board of Commissioners of Newton County as follows:

12 "ARTICLE 1
13 **BOARD OF COMMISSIONERS**
14 **SECTION 1-101.**

15 Creation of board of commissioners.

16 (a) There is created in and for the County of Newton a chair and board of commissioners
17 to be elected and organized as provided for in this Act. The chair and board of
18 commissioners shall exercise the powers, duties, and responsibilities vested in and upon
19 said officers by the provisions of this Act. The term 'board' or the term 'commission,'
20 whenever used in this Act, shall mean the board of commissioners of Newton County,
21 including the chair and all members.

22 (b) The board of commissioners of Newton County in existence immediately prior to the
23 effective date of this Act is continued in existence, but on and after the effective date of this
24 Act shall be constituted as provided in this Act. The board of commissioners of Newton

25 County so continued and constituted shall continue to have the powers, duties, rights,
26 obligations, and liabilities of that board as existed immediately prior to the effective date
27 of this Act.

28 (c) Those members of the board who are serving as such immediately prior to the effective
29 date of this Act and any person selected to fill a vacancy in any such office shall continue
30 to serve as such members until the regular expiration of their respective terms of office and
31 upon the election and qualification of their respective successors.

32 (d) On and after the effective date of this Act, the board of commissioners of Newton
33 County shall consist of five members, all of whom shall be elected from commissioner
34 districts described in Section 1-102 of this Act.

35 **SECTION 1-102.**

36 Commissioner districts.

37 (a) For purposes of electing members of the board of commissioners, Newton County is
38 divided into five commissioner districts. One member of the board shall be elected from
39 each such district. The five commissioner districts shall be and correspond to those five
40 numbered districts described in and attached to and made a part of this Act and further
41 identified as 'Plan: newtonccsbR-2012 Plan Type: Local Administrator: Newton User: SE'.

42 (b)(1) For the purposes of such plan:

43 (A) The term Voter Tabulation District (hereinafter referred to as 'VTD') shall mean
44 and describe the same geographical boundaries as provided in the report of the Bureau
45 of the Census for the United States decennial census of 2010 for the State of Georgia.
46 The separate numeric designations in a district description which are underneath a
47 'VTD' heading shall mean and describe individual Blocks within a VTD as provided in
48 the report of the Bureau of the Census for the United States decennial census of 2010
49 for the State of Georgia; and

50 (B) Except as otherwise provided in the description of any district, whenever the
51 description of any district refers to a named city, it shall mean the geographical
52 boundaries of that city as shown on the census maps for the United States decennial
53 census of 2010 for the State of Georgia.

54 (2) Any part of Newton County which is not included in any district described in this
55 section shall be included within that district contiguous to such part which contains the
56 least population according to the United States decennial census of 2010 for the State of
57 Georgia.

58 (3) Any part of Newton County which is described in this section as being included in
59 a particular district shall nevertheless not be included within such district if such part is

60 not contiguous to such district. Such noncontiguous part shall instead be included within
 61 that district contiguous to such part which contains the least population according to the
 62 United States decennial census of 2010 for the State of Georgia.

63 (c) Commissioner Districts 1 through 5, as they exist immediately prior to the effective
 64 date of this Act, shall continue to be designated as Commissioner Districts 1 through 5,
 65 respectively, but as described under this Act; and, on and after the effective date of this
 66 Act, such members of the board serving from those former commissioner districts shall be
 67 deemed to be serving from and representing their respective districts as newly described
 68 under this Act.

69 **SECTION 1-103.**

70 Board of commissioners.

71 (a) There shall be elected to the board of commissioners of Newton County one member
 72 from each of the commissioner districts who shall be elected only by the qualified voters
 73 of the commission district that member represents.

74 (b) The members of the reconstituted board of commissioners of Newton County shall be
 75 elected as provided in this subsection.

76 (1) The first members from Commissioner Districts 1, 3, and 5 shall be elected at the
 77 general election on the Tuesday next following the first Monday in November, 2016.
 78 Those members of the board elected thereto from Commissioner Districts 1, 3, and 5 in
 79 2016 shall take office the first day of January immediately following that election and
 80 shall serve for initial terms of office which expire December 31, 2020, and upon the
 81 election and qualification of their respective successors.

82 (2) The terms of office of the members from Commissioner Districts 2 and 4 in office
 83 on December 31, 2016 shall expire on December 31, 2018. The members from
 84 Commissioner Districts 2 and 4 shall be elected at the general election on the Tuesday
 85 next following the first Monday in November, 2018. Those members of the board elected
 86 thereto from Commissioner Districts 2 and 4 in 2018 shall take office the first day of
 87 January immediately following that election and shall serve for initial terms of office
 88 which expire December 31, 2022, and upon the election and qualification of their
 89 respective successors.

90 (3) All future successors to members of the board whose terms of office are to expire
 91 shall be elected at the time of the state-wide general election immediately preceding the
 92 expiration of such terms, shall take office the first day of January immediately following
 93 that election, and shall serve for terms of office of four years each. Members of the board

94 shall serve for the terms of office specified therefor in this subsection and until their
95 respective successors are elected and qualified.

96 (c) No person shall be eligible to represent a commission district unless that person is at
97 least 21 years of age and has been a resident of Newton County at least 12 months and is
98 a resident of the district from which the person offers as a candidate. In the event a
99 member moves the member's residence from the district being served, that place on the
100 board shall immediately become vacant.

101 (d) The board of commissioners of Newton County shall be the legislative, policymaking
102 body of Newton County. Said board shall exercise all of the powers, duties, and
103 responsibilities hereinafter provided for, as well as all other powers, duties, and
104 responsibilities which are vested in governing authorities of the counties of this state by the
105 Constitution and general laws of Georgia. Without limiting the general legislative powers
106 of the board to undertake and transact such business as is necessary for the orderly conduct
107 of county affairs, the following powers are vested in the board of commissioners and
108 reserved to its exclusive jurisdiction:

109 (1) To adopt and provide for the execution of such ordinances, resolutions, rules, and
110 regulations, not inconsistent with this Act or state law, as may be necessary or proper for
111 the purpose of carrying into effect the powers conferred by this Act and state law and for
112 the promotion and protection of the safety, health, peace, security, environment, and
113 general welfare of the inhabitants of Newton County;

114 (2) To adopt, and from time to time amend, the budget;

115 (3) To levy taxes, make appropriations, and fix the rates of all other charges;

116 (4) To authorize the incurring of indebtedness;

117 (5) To set the salary and wage ranges and numbers of employees in each range at the first
118 meeting of each fiscal year or as part of the budget approval process;

119 (6) To authorize and provide for the execution of contracts;

120 (7) To establish, alter, open, close, build, repair, or abolish public roads, private ways,
121 and bridges, according to law;

122 (8) To exercise all power, duty, and authority in respect to zoning and planning;

123 (9) To establish a yearly work plan and set all specifications for work to be done in the
124 county;

125 (10) To determine the priority of capital improvements;

126 (11) To make periodic inspections of county properties and of the work being carried on
127 by the county;

128 (12) To appoint the county manager and county clerk as provided in this Act and enter
129 into contracts of employment for these positions;

- 130 (13) To enter into contracts of employment for needed professional services, including
131 but not limited to legal, accounting, and auditing services; and
- 132 (14) To accept, for the county, the provisions of any optional statute where the statute
133 permits its acceptance by the governing authority of the county.
- 134 (e)(1) Except as otherwise provided in this Act, the board shall not enter into
135 administrative acts.
- 136 (2) Except as otherwise provided in this Act, members of the board shall not contact
137 employees or personnel of the county in relation to any duty or work habits of said
138 employee, or to request any service or actions on the part of said employee except
139 through the county manager. This limitation shall not limit contact by members of the
140 board as a matter of inquiry to obtain information necessary to allow said members to
141 carry out their duties.
- 142 (f)(1) The board shall develop and maintain a work plan, outlining the work that shall
143 be taken up under the direction of the chair and manager for each fiscal year.
- 144 (2) The work plan shall not authorize action or set forth any expenditures which would
145 cost in excess of the amount of funds budgeted.
- 146 (g)(1) Prior to January 1, 2021, the members of the board shall receive an annual base
147 salary which shall be equal to 20 percent of the base salary of the sheriff. Beginning
148 January 1, 2021, the members of the board shall receive an annual base salary of
149 \$25,000.00.
- 150 (2) The following shall be added to the base salary:
- 151 (A) Two and one-half percent of the base salary for each four-year term of office
152 served by the individual member, figured at the end of such period of service, up to a
153 maximum of 30 percent;
- 154 (B) Cost-of-living increases equivalent to the average percentage of the general
155 increase in salary as may from time to time be granted to employees of the executive,
156 judiciary, and legislative branches of state government, as calculated by the State Office
157 of Planning and Budget;
- 158 (C) A miscellaneous expense allowance of \$200.00 per month; and
- 159 (D) Ten percent of base salary for completing Certified County Officer training in lieu
160 of the \$100.00 supplement authorized by Section 36-5-27 of the Official Code of
161 Georgia Annotated.
- 162 (3)(A) Members of the board shall receive reimbursement for actual and necessary
163 expenses, excluding mileage or transportation costs, when the members are out of town
164 overnight on county business.
- 165 (B) The members of the board shall receive reimbursement for mileage driven on
166 county business in a personal vehicle. Such reimbursement shall correspond to the rate

167 per mile authorized for employees of the State of Georgia. Reimbursements shall be
 168 paid only upon presentation of an itemized statement of expenses and mileage.

169 (h) In the event a vacancy occurs on the board by death, resignation or otherwise, the
 170 remaining members shall appoint a person to fill such vacancy until the next general
 171 election, at which time a successor shall be elected for the unexpired term. Any person
 172 appointed by the board to fill a vacancy shall reside within the commission district in which
 173 said vacancy occurred, and any person elected to fill a vacancy shall reside within the
 174 commission district in which said vacancy occurred and shall be elected in the same
 175 manner as the member whose position is vacant.

176 **SECTION 1-104.**

177 Board of commissioners chair.

178 (a) There shall be a chair of the board of commissioners of Newton County ('chair') who
 179 shall be elected by the qualified electors of the entire county.

180 (b) The first chair shall be elected at the general election on the Tuesday next following
 181 the first Monday in November, 2016. The chair elected thereto in 2016 shall take office
 182 the first day of January immediately following that election and shall serve for an initial
 183 term of office which expires December 31, 2020, and upon the election and qualification
 184 of the chair's respective successor. Thereafter, successors to the chair shall be elected at
 185 the general election which is conducted in that year in which the term of office expires, and
 186 shall take office on the first day of January following such election for a term of four years
 187 and until a successor is duly elected and qualified.

188 (c) No person shall be eligible to serve as chair unless that person is at least 21 years of
 189 age and has been a resident of Newton County for at least 12 months immediately
 190 preceding the date of the election. In the event the chair moves residence from Newton
 191 County, the office of chair shall be declared vacant.

192 (d) The chair shall be the chief executive officer of Newton County. The following
 193 powers and duties are vested in the chair:

194 (1) To be the official spokesman for the county government and the chief advocate of
 195 policy as established by the board;

196 (2) To be available to the constituency, citizens, and civic associations on a regular basis;

197 (3) To preside at all meetings of the board;

198 (4) To coordinate with the county manager in setting the agenda for regular and specially
 199 called meetings of the board;

200 (5) To vote in the event of a tie;

201 (6) To veto acts as provided for by procedural rules adopted by the board;

- 202 (7) To execute ordinances and resolutions on their final passage and sign deeds, bonds,
203 contracts, and other instruments and documents in any case in which the general laws of
204 this state or any ordinance or resolution of the board so require or authorize;
- 205 (8) To issue proclamations honoring and recognizing the achievements and contributions
206 of citizens;
- 207 (9) To coordinate intergovernmental activity among municipalities, other counties, state,
208 and federal agencies;
- 209 (10) To represent the board in matters involving the relationship of the county
210 government with elected county officers;
- 211 (11) To coordinate with the county legislative delegation on matters that impact county
212 government;
- 213 (12) To coordinate with the Chamber of Commerce and encourage economic
214 development;
- 215 (13) To represent the county government at ceremonial functions;
- 216 (14) To submit a list of qualified candidates for the position of county manager as
217 provided in this Act;
- 218 (15) To ratify the removal of the county manager as provided in this Act;
- 219 (16) To call special meetings of the board of commissioners as provided in this Act;
- 220 (17) To coordinate with the county manager on the implementation of the work plan
221 approved by the board; and
- 222 (18) To perform such additional duties as may be required by law or ordinances or
223 resolutions of the board.
- 224 (e) Acts of the chair shall be binding unless three members of the board shall make their
225 objections known within 30 days of an act, stating the reasons therefor, at an official
226 meeting of the board, or if a meeting is not scheduled to be held prior to said action by the
227 chair becoming effective, then three members of the board shall make their objections
228 known to the chair, in writing, stating their objections and the reasons therefor, and said
229 action by the chair shall be stayed until the next official meeting of the board. At such
230 official meeting of the board, a majority of the members of the board may vote to override
231 the action of the chair and thereby render this prior action nugatory.
- 232 (f) Should the chair fail to exercise any of the duties provided for by law, a member of the
233 board, at the next regular meeting, may bring a written accusation against such chair
234 outlining the duties that such chair failed to exercise, and order said chair to show cause
235 why such duties have not been exercised. Such accusation shall be entered in the minutes
236 of the meeting. The chair shall then be afforded an opportunity to respond to such charges
237 and show cause why such duties have not been exercised, if in fact such duties were not
238 exercised. Such response shall also be entered in the minutes of the meeting. If, after such

239 accusation, response, and further discussion, a majority of the members of the board,
 240 excluding the chair, feels that it is necessary for the welfare of the county to compel such
 241 chair to exercise such duties, the board may exercise the duty themselves or may make a
 242 written request to the Judge of the Superior Court of Newton County to issue a writ of
 243 mandamus commanding the chair to exercise such duties.

244 (g)(1) The salary of the chair shall be as set forth by 'An Act to Provide for a Change in
 245 the Compensation of the Sheriff, the Tax Commissioner, the Judge of the Probate Court,
 246 the Clerk of the Superior Court, and the chairman of the Board of Commissioners of
 247 Newton County to Reflect Increases in the Cost of Living; to Define Certain Terms; to
 248 Provide an Effective Date; to Repeal Conflicting Laws; and for Other Purposes,'
 249 approved April 6, 1981 (1981 Ga. Laws, p. 3304), and amended March 21, 1989 (1989
 250 Ga. Laws, p. 3983) and March 25, 1994 (1994 Ga. Laws, p. 4156) or as otherwise
 251 determined by the General Assembly.

252 (2) The chair shall receive a salary supplement of \$500.00 per month. Such salary
 253 supplement shall be in addition to the salary and salary supplement received by the chair
 254 pursuant to an Act providing for the compensation of certain Newton County officials,
 255 approved April 6, 1981 (Ga. Law, p. 3304), as now or hereafter amended.

256 (3)(A) The chair shall receive reimbursement for actual and necessary expenses,
 257 excluding mileage or transportation costs, when the chair is out of town overnight on
 258 county business.

259 (B) The chair shall receive reimbursement for mileage driven on county business in a
 260 personal vehicle. Such reimbursement shall correspond to the rate per mile authorized
 261 for employees of the State of Georgia. Reimbursements shall be paid only upon
 262 presentation of an itemized statement of expenses and mileage.

263 (h) In the event a vacancy occurs in the office of chair by death, resignation, or otherwise,
 264 a majority of the members of the board shall appoint a person to fill such vacancy until the
 265 next general election, at which time a person shall be elected to fill such vacancy for the
 266 unexpired term.

267 **SECTION 1-105.**

268 County manager.

269 (a) There is hereby created the office of county manager of Newton County, hereinafter
 270 at times referred to as 'manager'.

271 (b)(1) The manager shall be appointed by a majority of the members of the board from
 272 a list of qualified candidates to be provided by the chair. Provided sufficient applications
 273 are received, the chair shall submit at least three candidates for consideration by the

274 board. In the event less than three candidates are submitted, all applications shall be
275 provided to the board for review and determination of whether additional candidates
276 should be added to the list provided by the chair.

277 (2) The terms and conditions of the manager's appointment shall be provided for by
278 contract to be approved by the board.

279 (3) The manager shall serve at the pleasure of the board; however, any decision to
280 remove the manager shall be ratified by the chair. If the chair does not ratify a decision
281 to remove the manager, the manager may only be removed by the vote of at least four
282 board members.

283 (c) The manager shall be the administrative officer of Newton County and shall be
284 responsible for the proper and efficient administration of all affairs of the county, except
285 as otherwise provided in this Act or by law. It shall be the duty of the manager:

286 (1) To ensure all laws and ordinances of the county are enforced;

287 (2) To implement the work plan approved by the board and coordinate with the chair on
288 the implementation of the work plan;

289 (3) To exercise control over all departments or divisions of the county, including:

290 (A) Facilitating internal and external communication throughout all levels of the
291 organization;

292 (B) Assisting departments with the resolution of problems that require the attention of
293 count management; and

294 (C) Informing the chair on departmental activities;

295 (4) To manage and supervise county staff and department heads with the exception of
296 employees of other elected county officials and the board of tax assessors, including the
297 following:

298 (A) To hire, determine compensation within the range approved by the board, train,
299 evaluate performance, discipline, and terminate classified employees in coordination
300 with the Human Resources Director and in accordance with the county's personnel
301 policies;

302 (B) To appoint department heads subject to ratification by the board and to train,
303 determine compensation within the range approved by the board, evaluate performance,
304 discipline, and terminate department heads; provided, however, that department heads
305 shall have a right to appeal any termination decision to the board; and

306 (C) To report to the board monthly on all positions to be filled in the ensuing month
307 and all suspensions or replacements thereof which took place in the prior month. All
308 said reports shall be spread upon the minutes of the board;

- 309 (5) To supervise and regulate all purchase of materials and supplies for Newton County
 310 within such limitations and under such rules and regulations as may be imposed by the
 311 board;
- 312 (6) To supervise the performance of all contracts for work done and services provided
 313 for Newton County and provide recommendations to the board on contract renewals;
- 314 (7) To keep the board fully advised as to the financial condition and needs of the county
 315 as provided in this Act;
- 316 (8) To work with the finance director and consult with the chair in the development of
 317 the annual budget as provided in this Act;
- 318 (9) To oversee and participate in the resolution of inquiries and complaints from the
 319 public and other organizations;
- 320 (10) To attend all meetings of the board with the right to brief the board on pending
 321 agenda items and take part in the discussions, provided that the manager shall have no
 322 vote on any matter or issue before the board;
- 323 (11) To respond to inquiries and provide commissioners with information on the status
 324 of county operations and projects;
- 325 (12) To provide analysis as needed to assist the board to make informed policy decisions;
 326 and
- 327 (13) To perform such other duties as may be required by the board.

328 **SECTION 1-106.**

329 Board of commissioners clerk.

- 330 (a) The board shall have the authority to appoint a clerk and deputy clerks by affirmative
 331 vote of three of the members of the board, and the clerk shall serve at the pleasure of the
 332 board.
- 333 (b) The clerk shall keep all books and records of the board and shall perform all duties
 334 required to keep the board's office open and all records open to public inspection as
 335 required by law.
- 336 (c) The clerk shall receive such compensation as shall be determined by the board.

337 **SECTION 1-107.**

338 Ethics.

- 339 (a) It is essential to the proper administration and operation of the Newton County
 340 government that public officials be, and give the appearance of being, independent and
 341 impartial; that public office not be used for private gain; and that there be public confidence

342 in the integrity of Newton County public officials. Because the attainment of one or more
 343 of these ends is impaired whenever there exists in fact, or appears to exist, a conflict
 344 between the private interests and public responsibilities of Newton County public officials,
 345 the chair and members of the board shall adhere to all ethical standards established by all
 346 applicable general laws of the State of Georgia and by the Newton County Code of Ethics
 347 and any such ordinance or ordinances as may be adopted from time to time by the board
 348 with respect to the conduct of such public officials.

349 (b) The chair and members of the board shall, before entering upon the duties of their
 350 office, make oath before the Judge of the Probate Court of said county to faithfully
 351 administer all things and affairs coming under their jurisdiction as county commissioners
 352 to the best interests of the county and to carry out the provisions of this Act.

353 (c)(1) The chair and members of the board, before entering upon their duties of office,
 354 shall give a good and sufficient bond to be approved by the Judge of the Probate Court
 355 of said county in the sum of \$10,000.00 for the faithful discharge of their duties as county
 356 commissioners.

357 (2) For any violations or neglect of duty as provided by this Act, said bonds shall become
 358 actionable, suit thereon to be brought in the name of the Judge of the Probate Court of
 359 said county, for the use of any person damaged thereby, or for the County of Newton for
 360 any breach thereof by malfeasance or misfeasance in office or for any tort, or wrong
 361 committed under color of office.

362 ARTICLE 2

363 MEETINGS OF THE BOARD OF COMMISSIONERS

364 SECTION 2-101.

365 Meeting schedule.

366 (a) No later than December of each year, the board shall set the regular meeting schedule
 367 for the upcoming year. Said meeting schedule shall include a minimum of one meeting per
 368 month.

369 (b) There shall be such other special called meetings or work sessions as may be called by
 370 the chair or three board members during each month

371 SECTION 2-102.

372 Agenda.

373 (a)(1) The chair and county manager shall coordinate on the placement of items on the
 374 agenda which shall be prepared by the clerk.

375 (2) Any matters which any individual member of the board wishes to be brought before
 376 the board shall be submitted to the clerk, in writing, with a copy to the chair and county
 377 manager.

378 (b) Board members shall be provided with a copy of the agenda and all supporting
 379 documentation as required by the Georgia Open Meetings Act and as otherwise required
 380 by any Newton County local procedural rules. If the local rules conflict with the Open
 381 Meetings Act, the Open Meetings Act shall control.

382 (c) The agenda shall be approved by the board as required by the Georgia Open Meetings
 383 Act and as otherwise required by any Newton County local procedural rules. If the local
 384 rules conflict with the Open Meetings Act, the Open Meetings Act shall control.

385 (d) Notwithstanding the foregoing subsections, the failure to include on the agenda an item
 386 which becomes necessary to address during the course of a meeting shall not preclude
 387 consideration or action upon same.

388 **SECTION 2-103.**

389 **Conduct of meetings.**

390 (a) The chair shall preside at all meetings of the board, and in the absence of the chair, the
 391 member of the board designated as vice chair shall preside and act as chair.

392 (b) Three members of the board shall constitute a quorum for the transaction of business.

393 (c)(1) Except as otherwise specified herein, the affirmative vote of at least three board
 394 members, or, in the event of a tie, two board members and the chair, shall be necessary
 395 to take official action.

396 (2) The vote of at least four board members shall be required to approve any
 397 amendments to this Act the board is authorized by law to make or to approve ordinances
 398 or resolutions changing the powers or responsibilities of the board members, chair, or
 399 county manager.

400 **ARTICLE 3**

401 **FINANCE**

402 **SECTION 3-101.**

403 **Budget.**

404 (a) The annual budget shall set forth all the anticipated revenues and expenditures for the
 405 ensuing fiscal year to begin July 1 of each year and going through June 30, setting forth in
 406 detail all categories where funds are to be received or expended. Budgeted expenditures
 407 shall not exceed the anticipated revenues of Newton County as based upon the tax digest

408 for the current tax year as approved and upon such other moneys as were received by
409 Newton County from all other sources during the previous fiscal year.

410 (b) The manager shall work with the finance director and consult with the chair in the
411 development of a budget for consideration by the board. In developing the budget, the
412 manager shall prepare the board's administrative offices budget, and review departmental
413 budget requests and requests for appropriations. An initial draft budget shall be submitted
414 to the board by April 1 of each year.

415 (c) Notwithstanding any other provision of any other local law to the contrary, the Judge
416 of the Probate Court, the Sheriff, the Clerk of the Superior Court, and the Tax
417 Commissioner of Newton County shall prepare budgets for the ensuing fiscal year based
418 on the same fiscal year as the board and shall submit proposed budgets to the board by June
419 1 of each year.

420 (d) Notwithstanding any other provision of any other local law to the contrary, with regard
421 to the budget of any elected official of Newton County, who is required under law to
422 submit a budget for the operation of his or her office to the board, the board shall have the
423 power and authority to determine the amount which shall represent the final budget of said
424 officials and only those amounts so determined by said board shall be paid from the funds
425 of the county. After the board approves the budget of said officials, it will become the
426 responsibility of the officials to administer the budget.

427 (e) The manager shall coordinate the scheduling of budget meetings and, in consultation
428 with the legal counsel, ensure compliance with all legal and procedural requirements for
429 budget adoption.

430 (f) The board shall approve a budget prior to the first day of the fiscal year; however, if for
431 good and sufficient reasons, a budget cannot be adopted by the first day of the fiscal year,
432 the budget shall be adopted not later than 30 days subsequent thereto. If the budget is not
433 adopted prior to the beginning of the fiscal year, a resolution authorizing the continuation
434 of necessary and essential expenditures to operate the county shall be adopted prior to any
435 actual expenditure.

436 **SECTION 3-102.**

437 **Audit.**

438 (a) At the end of each fiscal year, it shall be the duty of an auditor selected by the board
439 to audit the financial affairs and transactions of all funds and activities of the board, the
440 Judge of the Probate Court, the Sheriff, the Clerk of the Superior Court, and the Tax
441 Commissioner and to return said audits to the board.

442 (b) In conducting said audit, the auditor shall have the power to examine on oath the chair,
 443 any board member, or any other public official set out herein or any person serving under
 444 the board or any other public official set out herein relative to any account or item on the
 445 books and accounts or any transaction in said office.

446 (c) Said auditor shall perform its duties herein prescribed and submit a report of its
 447 findings as required by law and to the grand jury sitting at the fall term of the Newton
 448 Superior Court.

449 (d) A summarized audit statement shall be published in the county legal organ.

450 **SECTION 3-103.**

451 Financial condition.

452 In keeping the board fully advised as to the financial condition and needs of the county, the
 453 manager shall:

454 (1) Present to the board a monthly financial statement showing the revenues and
 455 expenditures of the previous month;

456 (2) Present and publish such other financial reports as requested by the board;

457 (3) Perform financial and managerial analyses pertaining to county operations and
 458 programs and other matters under consideration; and

459 (4) Gather requested information, evaluate data, and make recommendations on
 460 programs and other matters under consideration.

461 **SECTION 3-104.**

462 Approval of expenditures.

463 (a) All purchases of Newton County, and the method for payment of same, shall be
 464 governed by all applicable general laws of the State of Georgia and by any such ordinance
 465 or ordinances as may be adopted from time to time by the board.

466 (b)(1) The signature of the chair and the manager shall be required on all checks issued
 467 by Newton County. In the absence of either the chair or manager, the signature of any
 468 board member shall be required as the second signature. Any check so signed shall be
 469 considered the action of all members of the board unless objected to, in writing, within
 470 60 days of issuance.

471 (2) Any check shall be deemed to be signed with the full knowledge of the intent and
 472 purposes for which said check was issued."

473

SECTION 2.

474 The Act creating a board of commissioners of Newton County, approved April 6, 1967 (Ga.
475 L. 1967, p. 2784), and all amendments thereto, and all other laws and parts of laws in conflict
476 with this Act are repealed.

477 Plan: newtonccsbR-2012
 478 Plan Type: Local
 479 Administrator: Newton
 480 User: SE

481 District 001
 482 Newton County
 483 VTD: 21706 - BREWERS
 484 100201:
 485 1033 1034 1035 1036 1037 1038 1047 1048 1049
 486 100800:
 487 1000 1001 1002 1003 1004 1005 1006 1007 1008 1016 1017 1018
 488 1019 1020 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037
 489 1038 1039 1040 1041 1042 1043 1044 1046 1047 1048 1049 1050
 490 1051 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062
 491 1063 1064 1065 1066 1067 1068 1069 1070 1071 1072 1073 1074
 492 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086
 493 1087 1088 1089 1090 1091 1092 1093 1094 1095 1096 1097 1098
 494 1099 1100 1101 1102 1116 1117 1118 1119 2036 2037 2038 2039
 495 2040 2042 2043 2045 2046 2047 2048 2049 2050 2065 2066 2074
 496 VTD: 21707 - BRICK STORE
 497 VTD: 21710 - DOWNS
 498 100901:
 499 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033
 500 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045
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 502 3004 3005 3020 3021 3024 3025 3026 3027 3028 3029
 503 VTD: 21715 - MANSFIELD
 504 100201:
 505 1021 1030 1031 1039 1040 1041 1042 1043 1044 1045 1046 1050
 506 1051 1052 1053 1054 1055 2003 2004 2005 2006 2007 2008 2009
 507 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021
 508 2022 2023 2024 2025 2026 2027 2028 2032 2033 2034 2035 2036
 509 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048
 510 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2070 2071
 511 2072 2073 2074 2078 2079 2084 3019 3020 3021 3022 3032 3033
 512 3034 3035 3036 3037 3038 3039 3040 3041 3042 3043 3044 3045

513 3046 3047 3050 3051 3052 3053 3054 3055 3056 3057 3058 3059
 514 3060 3061 3062 3063 3064 3065
 515 VTD: 21716 - NEWBORN
 516 VTD: 21718 - ROCKY PLAINS
 517 VTD: 21725 - HUB
 518 100202:
 519 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 520 1025 1026 1027 1028 1029 1032 1040 1056 1057 1058 2046 2047
 521 2051 2054 2064 2065 2066 2067 2068 2078 2079 2080 2081

 522 District 002
 523 Newton County
 524 VTD: 21709 - LIVINGSTON
 525 100901:
 526 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 527 1012 1013 1014 1015 1018 1019 1020 1021 1051 1052 1053
 528 VTD: 21710 - DOWNS
 529 100901:
 530 1016 1017 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
 531 2010 2012 2013 2015 2016 2017 2018 2019 2020 2021 3006 3007
 532 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019
 533 3022 3023 3030 3031 3032
 534 100903:
 535 2018 2019 2020 2021 2022 2023
 536 VTD: 21719 - BUCK CREEK
 537 VTD: 21720 - STANSELLS
 538 100501:
 539 1037 1038 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050
 540 1051 1052
 541 100902:
 542 1004 1005 1006 1007 1008 2000 2001
 543 100903:
 544 1008 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020
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 546 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044
 547 1045 1046 1047 1048 1049 1050 1052 1059

548 District 003
 549 Newton County
 550 VTD: 21703 - ALMON
 551 100100:
 552 2051 2052 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067
 553 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2084
 554 2085 2086
 555 100501:
 556 1004 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2034
 557 2047 2048 2051 2052 2053 2054 2055 2058 2059 2060 2061 3000
 558 3001 3007 3008 3014 3016 3017 3022
 559 100502:
 560 2005 2006 2008 2009 2010 2011 2014
 561 VTD: 21712 - GUM CREEK
 562 100100:
 563 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 564 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
 565 1024 1025 1026 1027 1028 2050 3000 3001 3002 3003 3004 3005
 566 3006 3007 3008 3009 3010 3011 3012 3017 3018 3019 3020 3021
 567 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031 3044 3045
 568 VTD: 21713 - BEAVERDAM
 569 100501:
 570 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022
 571 1023 1024 1039 1040 1053 1054 2046
 572 100502:
 573 1006 1012 1013
 574 VTD: 21720 - STANSELLS
 575 100903:
 576 1000 1001 1002 1003 1004 1005 1006 1007 1009
 577 VTD: 21723 - FAIRVIEW
 578 VTD: 21724 - CROWELL
 579 100501:
 580 1000 1001 1002 1003 1005 1006 1007 1008 1009 1010 1036 1056
 581 1057 1058 2010 2011 2012 2013 2014 2015 2016 2017 2019 2020
 582 2021 2022 2023 2024 2025 2033 2035 2036 2037 2038 2056 2057
 583 2062 2063

584 100502:
 585 1008 2007 2012 2013 2015 2016 2024 2025 2026 2027 2028 2029
 586 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041
 587 2042 2043 2044 2045 2046 2047 2048 2069 2073 2074

 588 District 004
 589 Newton County
 590 VTD: 21701 - CITY POND
 591 100100:
 592 2002 2010 2012 2013 2014 2015 2016 2020 2021 2022 2023 2027
 593 2028 2029 2039 2040 2079 2080 2081 2082 2083 4030 4031 4032
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 597 4077 4078 4079 4083 4084
 598 100300:
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 600 3017 3018 3022 3024 3025 3026 3027 3028 3029 3030 3031 3032
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 602 3062 3075 3081
 603 100400:
 604 1007 1008 1009 1013 1014 1015 1016 1022 1023 1071 1072 1073
 605 VTD: 21702 - TOWN
 606 VTD: 21703 - ALMON
 607 100100:
 608 2046 2047 2053 2054 2055 2056
 609 100400:
 610 1035 1036
 611 100502:
 612 2004
 613 VTD: 21705 - COVINGTON MILLS
 614 100700:
 615 1001 1002 1004 1005 1009 1010 1011 1012 1013 1014 2019 2020
 616 2026 2027 2028 2030 3038 3041 3042 3043 3044 3045 3046 3048
 617 3049
 618 VTD: 21708 - CEDAR SHOALS
 619 100400:

620 2029 2030 2035 2036 2037 2038 2041
621 100502:
622 2000 2022 2050 2056 2057 2058 2059 2060 2061 2062 2063 2064
623 2065 2068 2072
624 100600:
625 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
626 2012 2013 2015 2016 2017 2018 2019 2020 2021 2025 2026 2052
627 2053 2054 2055 2056 2058 2059
628 VTD: 21713 - BEAVERDAM
629 100502:
630 1011 1014 1015 1016 1018 1019 1020 1021 1022 1023 1024 1026
631 1027 1028 1030 1032 1040 1041 1042 1043 1044 1045 1046 1047
632 1048 1049 1054 1056 1057 1058 1059 1060 1061 1062 1063 1064
633 1065 1066
634 VTD: 21717 - OXFORD
635 100100:
636 2003 2004 2005 2006 2007 2008 2009 2011 2017 2018 2019 2024
637 2025 2026 2041 2087
638 100400:
639 1000 1001 1002 1003 1004 1005 1006 1017 1018 1019 1020 1021
640 1024 1025 1026 1027 1028 1029 1059 1060 1061 1062 1063 1064
641 1065 1066 1067 1068 1069 1070 1074 1075
642 VTD: 21724 - CROWELL
643 100502:
644 1000 1001 1002 1003 1004 1005 1007 1009 1010 1017 1033 1034
645 1035 1036 1037 1038 1039 2017 2018 2019 2020

646 District 005
647 Newton County
648 VTD: 21701 - CITY POND
649 100300:
650 2014 3063 3064 3074 3078 3079 3080 4004
651 VTD: 21704 - ALCOVY
652 VTD: 21705 - COVINGTON MILLS
653 100300:
654 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012
655 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024

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 658 4046 4047 4048 4049 4050 4051 4052 4053 4054 4055 4056 4057
 659 4058 4059 4061
 660 100700:
 661 1000 1003 1007 1008 3000 3001 3002 3003 3004 3008 3009 3010
 662 3011 3017 3020 3023 3030
 663 VTD: 21706 - BREWERS
 664 100201:
 665 1025 1026 1028 1032
 666 100800:
 667 2020 2021 2041 2044
 668 VTD: 21708 - CEDAR SHOALS
 669 100502:
 670 1025 1029 1031 1050 1051 1052 1053 1055 1067 1068 1069 1070
 671 100600:
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 674 1096 2014 2024 2027 2028 2029 2030 2031 2032 2033 2034 2035
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 677 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078
 678 2079
 679 VTD: 21709 - LIVINGSTON
 680 100600:
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 687 VTD: 21712 - GUM CREEK
 688 100100:
 689 1029 1030 1031 1032 1033 1034 2000 3035
 690 VTD: 21714 - LEGUINN
 691 VTD: 21715 - MANSFIELD
 692 100201:

693 1022 1029
694 VTD: 21717 - OXFORD
695 100100:
696 2001 3013 3014 3015 3016 3032 3033 3034 3036 3037 3038 3039
697 3040 3041 3042 3043 3046 3047 3048 3049 3050 3051 3052 4000
698 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012
699 4013 4015 4016 4017 4018 4019 4020 4021 4022 4023 4024 4025
700 4026 4027 4028 4029 4033 4034 4040 4049 4050 4051 4052 4069
701 4080 4081 4082 4085 4088 4101 4104 4105 4106 4109 4110
702 VTD: 21725 - HUB
703 100202:
704 2000 2001 2002 2003 2004 2005 2006 2007 2008 2010 2013 2014
705 2015 2016 2017 2018 2019 2020 2021 2023 2025 2026 2027 2028
706 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040
707 2041 2042 2043 2044 2045 2048 2049 2050 2053 2055 2056 2057
708 2058 2059 2060 2061 2062 2063 2072