

SENATE BILL 2590

By Finney

AN ACT to amend Chapter 450 of the Acts of 1901; as amended by Chapter 148 of the Private Acts of 1988 and Chapter 118 of the Private Acts of 1994; and any other acts amendatory thereto, relative to the town of Newbern.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 450 of the Acts of 1901, as amended by Chapter 148 of the Private Acts of 1988 and Chapter 118 of the Private Acts of 1994, and any other acts amendatory thereto is amended by deleting Section 7 in its entirety and by substituting instead the following:

SECTION 7. WHO MAY VOTE IN TOWN ELECTIONS

Be it further enacted. That all persons living within the limits of the Town of Newbern who would be qualified to vote for Members of the General Assembly of this state, and persons owning a free-hold within the bounds of the Town of Newbern and otherwise qualified to vote, shall be entitled to vote for the Mayor and Alderman of the Town of Newbern. Persons eligible for the office of Mayor shall be citizens and qualified voters of the Town of Newbern, provided, however, that no person shall be entitled to hold office as both Mayor and Alderman concurrently. Persons eligible for the office of Alderman shall also be citizens and qualified voters of the Town of Newbern. In case of death, removal or resignation of any of the Mayor or Alderman, the remaining members of the Board of Mayor and Alderman shall have the power to fill such vacancy for the time unexpired.

SECTION 2. Chapter 450 of the Acts of 1901; as amended by Chapter 148 of the Private Acts of 1988; and any other acts amendatory thereto is amended by deleting Section 10 in its entirety and by substituting instead the following:

SECTION 10. Treasurer

Be it further enacted. Persons eligible for appointment to the office of Treasurer shall be qualified to vote for members of the General Assembly of the State, and shall reside in Dyer County in or within fifteen (15) miles of the Municipal Boundaries of the Town of Newbern. The Treasurer shall be appointed by a majority vote of the Board of Mayor and Alderman, inclusive of the vote of the Mayor. The Treasurer shall be supervised on a daily basis by the Mayor and shall serve until the Treasurer's resignation or termination pursuant to the Town's personnel policies and procedures as adopted and amended from time to time by the Board of Mayor and Alderman. The Treasurer's duties shall include all actions necessary and required to keep, maintain, and account for all of the Town's funds and investments including the preparation and maintenance of all ledgers, books, and records required for the management and accounting of said funds; the investment and reinvestment of said funds; the payment of said funds for the legitimate debts, expenses or obligations of the town or as otherwise directed by the Board; the issuance of statements and reports, monthly or otherwise, as the Board may direct, of the financial condition of the Treasurer's office and the funds of the corporation; and all such other and further duties and actions as the Board shall prescribe from time to time. Before entering upon discharge of the Treasurer's duties, the Treasurer shall give bond, with good security, payable to the Mayor and Alderman of Newbern, and in such amounts as the Board may prescribe, for the faithful discharge of the duties of the Treasurer's office in every respect as prescribed by law or ordinance.

SECTION 3. Chapter 450 of the Acts of 1901, and any other acts amendatory thereto is amended by deleting Section 11 in its entirety and by substituting instead the following:

## SECTION 11. Recorder

Be it further enacted. Persons eligible for appointment to the Office of Recorder shall be qualified to vote for members of the General Assembly of the State, and shall reside in Dyer County in or within fifteen (15) miles of the Municipal Boundaries of the Town of Newbern. The Recorder shall be appointed by a majority vote of the Board of Mayor and Alderman, inclusive of the vote of the Mayor. The Recorder shall be supervised on a daily basis by the Mayor and shall serve until the Recorder's resignation or termination pursuant to the Town's personnel policies and procedures as adopted and amended from time to time by the Board of Mayor and Alderman. The Recorder's duties shall include all actions necessary and required to keep, maintain, and account for all the Town's books and records including the following:

1. Under the direction of the Mayor, prepare and monitor the annual budget for the Town and all its departments;
2. Assist the Treasurer in all accounting functions and the collection, disbursement and safe keeping of all the Town's funds; develop long-range financial planning; and act as advisor to the Board of Mayor and Alderman on all questions related to the business and financial affairs of the Town;
3. Assist the Treasurer in keeping the Board of Mayor and Alderman advised as to the financial condition of the Town and the future needs of the Town; develop and manage a central purchasing policy; and oversee the purchase of all materials, supplies and equipment for the proper conduct of the Town's business through the issuance of purchase orders and competitive bidding as required by law;
4. Prepare the agenda for the meetings of the Board of Mayor and Alderman and be responsible for the minutes and maintenance of the records of the proceedings of such meeting. The Recorder shall prepare resolutions and ordinances for consideration of the Board of Mayor and

Alderman, and shall maintain copies of all legislation adopted by the Board. The Recorder shall also attend all meetings of the Board of Mayor and Alderman, all meetings of the Board's committees, and all other meetings as the Board shall request;

5. Be responsible for the maintenance of all types of insurance coverage for the Town and its employees, including, without limitation, property, liability, health, worker's compensation insurance, and an inventory of all equipment and real estate owned by the town;

6. Act as the Town's personnel officer by maintaining a personnel file on each of the Town's employees in a centralized location and supervise the administration of the Town's Personnel Policies and Procedures and the entire town's employees;

7. Represent the Town at official functions as directed by the Mayor or the Board; and

8. Perform all such other duties as directed by the Board of Mayor and Alderman.

SECTION 4. Chapter 450 of the Acts of 1901; as amended by Chapter 148 of the Private Acts of 1988; and any other acts amendatory thereto is amended by deleting Section 12 in its entirety and by substituting instead the following:

#### SECTION 12. Chief of Police

Be it further enacted. Persons eligible for appointment to the Office of Chief of Police shall be qualified to vote for members of the General Assembly of the State, and shall reside in Dyer County in or within fifteen (15) miles of the Municipal Boundaries of the Town of Newbern. The Chief of Police shall be appointed by a majority vote of the Board of Mayor and Alderman, inclusive of the vote of the Mayor. The Chief of Police shall be supervised on a daily basis by the Mayor and shall serve until the Chief's resignation or termination pursuant to the Town's personnel policies and procedures as adopted and amended from time to time by the Board of Mayor and Alderman. The Chief of Police shall

thoroughly acquaint himself or herself with the laws and Town Ordinances, and shall rigidly enforce them. The Chief of Police shall have authority as provided by the general laws of this state. The Chief of Police shall execute promptly all process that may come into the Chief's hands and make due return of same in thirty (30) days, showing what he or she has done, and the Chief of Police shall perform such other duties as may be imposed by the Board. The Chief of Police shall make report every thirty (30) days of the funds collected and turn same over to the Treasurer. The Chief of Police shall also serve as the Chief Law Enforcement Officer of the Town and, in such capacity, shall manage the operations of the Town's Police Department and shall supervise all employees of said Department.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the Town of Newbern. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 5, the public welfare requiring it.