

## STATE APPEAL BOARD

In Re: Clayton County )  
Budget Amendment )  
Appeal )  
Request for )  
Reconsideration )  
FY 2001-2002 )

Order

May 6, 2002

---

**BEFORE STATE AUDITOR, RICHARD D. JOHNSON; STATE TREASURER, MICHAEL L. FITZGERALD; AND THE DIRECTOR OF THE DEPARTMENT OF MANAGEMENT, CYNTHIA P. EISENHAUER:**

On February 4, 2002, the State Appeal Board denied the petitioners' (a group called the *Protectors of Rural Economy* (PORE)) request for a hearing on certain actions of the Clayton County Board of Supervisors. On April 8, 2002, the PORE asked the State Appeal Board to reconsider its order dated February 4, 2002. Based on the information submitted in the petitioners' request for reconsideration and after reviewing the original information, the State Appeal Board denies the request for reconsideration for a hearing for the reasons described herein.

### **Clayton County Budget Amendment Approved October 15, 2001**

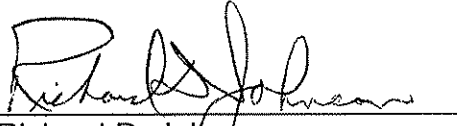
The petitioners' request for reconsideration includes a request for a hearing on a budget amendment for \$200,000 to Clayton County's FY2002 budget. This budget amendment was adopted by the County on October 15, 2001 after the County published proper notice of a public hearing (published in *The Clayton County Register* on October 3, 2001) and after holding a public hearing on October 15, 2001 where citizens were given an opportunity to present objections to the proposed amendment.

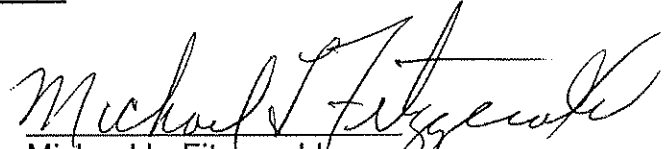
Although the County did have a previously unidentified budget amendment, a protest to a local budget or amendment must be filed with the County Auditor within 10 days of the budget or amendment being adopted. The budget amendment in question was adopted on October 15, 2001, so a protest should have been filed by October 25, 2001 to be valid. Information submitted by the petitioners stated they did not begin circulating their petition until November 12, 2001, after the deadline for filing a protest, and the first protest was not filed until January 9, 2002.

**ORDER**


The State Appeal Board denies the petitioners' request for reconsideration of the February 4, 2002 State Appeal Board decision and their request for a hearing on the October 15, 2001 budget amendment adopted by Clayton County.

**STATE APPEAL BOARD**

  
Richard D. Johnson  
Chairperson

  
Michael L. Fitzgerald  
Member

  
Cynthia P. Eisenhower  
Vice Chairperson

  
Date