

Senate Bill 494

By: Senator Summers of the 13th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Commissioners of Irwin County, approved
2 February 16, 1933 (Ga. L. 1933, p. 571), as amended, so as to revise provisions relating to
3 the compensation of the board of commissioners; to revise provisions relating to appointment
4 of the clerk of the board of commissioners; to provide for the duties of the chairperson of the
5 board of commissioners; to provide for a vice chairperson of the board of commissioners; to
6 provide for the appointment of a county administrator; to provide for the powers and duties
7 of the county administrator; to provide for the filling of vacancies in the office of county
8 administrator; to revise provisions relating to the superintendent of roads and bridges; to
9 repeal provisions relating to providing an automobile to the chairperson when serving as
10 superintendent of roads and bridges; to provide for related matters; to repeal conflicting laws;
11 and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 An Act creating the Board of Commissioners of Irwin County, approved February 16, 1933
15 (Ga. L. 1933, p. 571), as amended, is amended by revising Section 6 as follows:

16

"SECTION 6.

17 (a) Each commissioner shall receive a salary of not less than \$100.00 per month and not
18 more than \$300.00 per month. Any action to fix the salary of said commissioners at more
19 than \$100.00 per month and not more than \$300.00 per month shall be by ordinance of the
20 board of commissioners.

21 (b) In addition to the salaries provided in subsection (a) of this section, each member of
22 the board shall receive a local travel expense allowance of \$2,400.00 per year. The
23 chairperson of said board may be furnished with a vehicle purchased by the county with
24 county funds and with the necessary expenses in the operation of same, including gasoline,
25 oil, repairs, etc.; but the chairperson shall not operate said vehicle except when he or she
26 is engaged solely upon business relating to county matters. When the chairperson and
27 other commissioners are away from the county but engaged in business relating to this
28 office and in the interest of the county, they shall be reimbursed for their actual, reasonable
29 expenses while away provided the board first approves same.

30 (c) All salaries and expense allowances provided for in this section shall be paid in equal
31 monthly installments from county funds."

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SECTION 2.

33 Said Act is further amended by revising paragraph (1) of subsection (a) of Section 6A as
34 follows:

35 "(1) The board of commissioners shall elect a clerk of the board of commissioners who
36 shall serve as its clerk and shall have such duties as are specified by the board and shall
37 hold office under the control and direction of the board and serve at its pleasure and may
38 be dismissed by the board at any time and a successor employed. The clerk shall keep,
39 or cause to be kept, proper and accurate books of minutes wherein shall appear all acts,
40 orders, and proceedings of the board."

41

SECTION 3.

42 Said Act is further amended by revising Section 8 as follows:

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"SECTION 8.

44 (a) The chairperson of the board of commissioners shall be the executive officer and
45 member of said board and shall be responsible for the conduct and administration of said
46 office, subject only to the approval and direction of the board. The chairperson shall have
47 the following powers and duties:

48 (1) To preside at all meetings of the board and be recognized as the official head and
49 spokesperson of the county for service of process and ceremonial purposes, and chief
50 advocate of policy;

51 (2) To timely sign, for and on behalf of the county, all contracts, ordinances, instruments,
52 and other documents required to be in writing, unless otherwise directed or authorized by
53 this law or the board;

54 (3) To administer oaths and take affidavits;

55 (4) To vote on all matters before the board and be counted toward a quorum as any other
56 member of the board; and

57 (5) To fulfill such other duties as authorized by the board of commissioners.

58 (b) At the first regular meeting of each calendar year, the members of the board shall elect
59 a vice chairperson from their membership to serve for the calendar year in which he or she
60 is elected. The vice chairperson shall continue to vote on all matters before the board and
61 be counted toward a quorum as any other member of the board. In the event of the absence
62 or disability of the chairperson for any reason, the vice chairperson shall perform the duties
63 of the chairperson. Any absence or disability of the chairperson shall be declared by a
64 majority vote of the remaining members of the board."

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SECTION 4.

66 Said Act is further amended by adding a new section to read as follows:

67

"SECTION 8A.

68 (a) The board shall employ a county administrator. The county administrator shall be the
69 chief administrative officer of the county and head of the administrative branch of county
70 government. The county administrator shall be appointed for an indefinite term and serve
71 at the pleasure of the board. The compensation of the county administrator shall be as set
72 by the board. The county administrator shall be appointed solely on the basis of his or her
73 administrative qualifications.

74 (b) The county administrator shall:

75 (1) Supervise the administration of the affairs of the county and see that all ordinances,
76 resolutions, and regulations of the board are faithfully executed and enforced;

77 (2) Attend all meetings of the board, except for closed meetings held for the purpose of
78 deliberating on the appointment, discipline, or removal of the county administrator, but
79 have no vote;

80 (3) Prepare and submit the annual operating budget and capital budget to the board;

81 (4) Submit to the board of commissioners and make available to the public a complete
82 report on the finances and administrative activities of the county as of the end of each
83 fiscal year;

84 (5) Keep the board of commissioners fully advised as to the financial condition and
85 needs of the county and make such recommendations to the board that the county
86 administrator deems expedient or necessary;

87 (6) Make such reports to the board as may be necessary or as the board may require
88 concerning the operations of county departments, offices, and agencies;

89 (7) Be accountable for any and all funds, property, or effects which may come into his
90 or her hands;

91 (8) Keep fully accurate and complete accounts in books or a book for the purpose,
92 wherein shall appear in detail all orders, warrants, and other proceedings drawn by the
93 board on the county treasury or depository, for what purpose and on what fund, and all
94 such orders, warrants, and other proceedings, shall be so drawn as to specify the purpose
95 and on what fund drawn. Such records shall be so kept as to show at all times the
96 financial condition of the county and shall be open to inspection by any citizen or
97 taxpayer of the county;

98 (9) Keep a book of inventory of all county property, including road machinery, live
99 stock, chain-gang outfits, road-working tools and equipment, and every other kind and
100 class of property belonging to said county, together with a fair valuation of the same,
101 where located, in whose custody, and in what condition, which inventory shall, during
102 the month of January in each year, be carefully revised; and

103 (10) Keep all such other books and records as may be necessary, or as the board may
104 order, and shall perform generally or singularly the acts and duties necessary to be
105 performed by him or her as county administrator, and all such other duties as said board
106 may require, and all and any other things that he or she can and should do to fully
107 exercise the duties of the office, and as will be helpful to a clear understanding of the
108 county's financial standing and condition, as well as for an economical administration of
109 the county's affairs.

110 (b) The board shall be authorized to designate a qualified county administrative officer to
111 exercise the powers and duties of the county administrator in the event of the temporary
112 absence, disability, or suspension of the county administrator. Vacancies in the office of
113 county administrator shall be filled by the board of commissioners as early as practicable,
114 and until such vacancy is permanently filled, the board of commissioners shall have full
115 power to appoint an interim county administrator."

116 **SECTION 5.**

117 Said Act is further amended by revising Section 11 as follows:

118 **"SECTION 11.**

119 The board of commissioners may at their discretion, and when they deem necessary, elect
120 a superintendent of roads and bridges, to be selected on the account of his or her ability,
121 efficiency, and knowledge and skill in practical road building or bridge building,
122 preference being given to a civil engineer when he or she measures up fully to the other
123 requirements. Said superintendent may be elected for an indefinite period, and his or her
124 services may be discontinued by said board at any time they see fit so to do. The
125 superintendent of roads and bridges shall have charge of laying out, building, locating,
126 preparing, repairing, improving, and maintaining the public roads and bridges of the county
127 under orders of the board. The salary of the superintendent of roads and bridges shall be
128 determined by the board."

129 **SECTION 6.**

130 Said Act is further amended by repealing and reserving Section 20.

131 **SECTION 7.**

132 All laws and parts of laws in conflict with this Act are repealed.