

Senate Bill 219

By: Senator Jones of the 10th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act entitled "An Act to amend an Act providing for a new Board of
2 Commissioners of Henry County," approved March 24, 1974 (Ga. L. 1974, p. 3680), as
3 amended, particularly by an Act approved April 4, 1990 (Ga. L. 1990, p. 5232), so as to
4 further define the authority, roles, and responsibilities of the chairperson, the board of
5 commissioners, and the county manager; to provide for compensation; to provide for related
6 matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act entitled "An Act to amend an Act providing for a new Board of Commissioners of
10 Henry County," approved March 24, 1974 (Ga. L. 1974, p. 3680), as amended, particularly
11 by an Act approved April 4, 1990 (Ga. L. 1990, p. 5232), is amended by revising Section 5
12 as follows:

13 "SECTION 5.

14 The chairperson of the board of commissioners shall receive an annual salary in the amount
15 of \$45,000.00. Each district commissioner shall receive an annual salary in the amount of
16 \$35,000.00. Such salaries shall be paid in equal monthly installments out of the general
17 funds of Henry County. The chairperson and each district commissioner shall also receive
18 an expense allowance for in-county travel of \$2,400.00 per annum, payable in equal
19 monthly installments out of the funds of Henry County."

20 **SECTION 2.**

21 Said Act is further amended by revising Section 8.2 as follows:

22 "SECTION 8.2.

23 (a) The Board of Commissioners of Henry County, Georgia, in addition to such power and
24 authority granted to it by local law, general statute, the Constitution of the State of Georgia,
25 or by the now existing ordinances of Henry County, Georgia, shall have the exclusive
26 power to:

27 (1) To levy taxes;

28 (2) To make appropriations;

29 (3) To fix the rates of all other charges;

30 (4) To authorize the incurring of indebtedness;

31 (5) To order work done where the cost is to be assessed against benefited property, and
32 to fix the basis for such assessment;

33 (6) To authorize contracts, except purchases otherwise provided for herein, involving the
34 expenditure of county funds;

35 (7) To establish, alter, or abolish public roads, private ways, bridges, and ferries,
36 according to law; provided, however, that the chairperson shall have the authority to
37 accept subdivision plats when the requirements established by the commission for
38 subdivisions have been met;

39 (8) To establish, abolish, or change election precincts and militia districts according to
40 law;

41 (9) To allow the insolvent lists for the county;

42 (10) To accept, for the county, the provisions of any optional statute where the statute
43 permits its acceptance by the governing authority of the county, or by the commissioner
44 or board of commissioners of the county;

45 (11) To exercise all powers, duty, and authority heretofore imposed upon or vested in the
46 board of commissioners of Henry County in respect to zoning and planning;

47 (12) To create and change the boundaries of special taxing districts authorized by law;

48 (13) To fix the bonds of county officers where same are not fixed by statute;

49 (14) To enact any ordinances or other legislation the county may be given authority to
50 enact;

51 (15) To determine the priority of capital improvements;

52 (16) To call elections for the voting of bonds;

53 (17) To exercise all of the power and authority heretofore vested by law in the board of
54 commissioners of Henry County, together with the power and authority which may
55 hereafter be delegated by law to the governing authority of the county, by whatever name
56 designated, except such authority or power given to the chairperson by the provisions in
57 this Act;

58 (18) To make purchases of not less than \$10,000.00 nor more than \$25,000.00 which,
59 in the discretion of its members, are deemed necessary for the operation of the county;
60 and

61 (19) To make purchases in amounts over \$25,000.00; provided, however, that for any
62 purchases in such amounts, advertisements for bids shall be first published for two
63 consecutive weeks in the official organ of Henry County. Formal, sealed bids, after said
64 advertising has been published, must be obtained on all purchases of \$25,000.00 or more.
65 Advertisement and the obtaining of formal sealed bids may be dispensed with when, in
66 the discretion of the commission, an emergency exists which will not permit a delay.

67 (b)(1) The county manager shall have the following powers and duties, which shall be
68 further detailed in a job description to be approved by the board consistent with this
69 section:

70 (A) To be a nonvoting participant in all board meetings of the board of commissioners;

71 (B) Except as to those powers specifically reserved and granted to the chairperson and
72 the board of commissioners by this Act, to supervise, direct, and control the day-to-day
73 activities and business operations of the county government;

74 (C) To carry out, execute, and enforce the ordinances, policies, rules, and regulations
75 of the board when such ordinances, policies, rules, and regulations become effective;
76 and

77 (D) To hire, supervise, and fire all employees under the jurisdiction of the board of
78 commissioners, with the exception that the county manager shall recommend the hiring
79 and firing of any department director to the chairperson for an official action by the
80 board.

81 (2) Members of the board shall deal solely through the county manager in all matters
82 concerning the operation, supervision, and administration of the various departments,
83 offices, and agencies of the county government. No member of the board shall directly
84 or indirectly order, instruct, or otherwise attempt to control the actions of county
85 personnel subject to the administrative and supervisory control of the county manager.

86 (c) The chairperson shall be chief executive officer of the county government, and shall
87 supervise, direct, and control the administration or affairs of the county pursuant to the
88 powers herein conferred upon him or her. The chairperson shall:

89 (1) See that all laws and ordinances of the county are faithfully executed;

90 (2) Appoint and remove all officers, department heads, and employees of the county
91 except as otherwise provided in this Act;

92 (3) Exercise supervision over all executive and administrative work of the county and
93 provide for the coordination of administrative activities;

- 94 (4) Prepare and submit annually to the board of commissioners a recommended
95 operating budget and capital budget;
- 96 (5) Submit to the board of commissioners at least once a year a statement covering the
97 financial conditions of the county and from time to time such other information as the
98 board of commissioners may request;
- 99 (6) Recommend to the board of commissioners such measures relative to the affairs of
100 the county, improvement of the government, and promotion of the welfare of its
101 inhabitants as the chairperson may deem expedient;
- 102 (7) Require any department or agency of the county to submit written reports whenever
103 the chairperson deems it expedient;
- 104 (8) Perform such other duties as may be required by law, this charter, or ordinance;
- 105 (9) Participate in the discussion of all matters brought before the board of commissioners
106 and vote on all questions and matters before the board of commissioners; and
- 107 (10) Sign as a matter of course all written contracts, ordinances, and other instruments
108 executed by the county which by law are required to be in writing."

109 **SECTION 3.**

110 Section 1 of this Act shall become effective on January 1, 2017. The remainder of this Act
111 shall become effective upon its approval by the Governor or upon its becoming law without
112 such approval.

113 **SECTION 4.**

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