

ORDINANCE NO. _____

AN ORDINANCE ADOPTED PURSUANT TO O.C.G.A. SEC. 36-5-22 ESTABLISHING THE POSITION OF COUNTY MANAGER FOR MACON COUNTY, GEORGIA, AND DEFINING THE POWERS AND RESPONSIBILITIES OF THEREOF; REPEALING RESOLUTIONS AND ORDINANCES IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS, it is the desire of the Board of Commissioners of Macon County, Georgia, in order to provide for the more efficient administration of county affairs, to establish the office of County Manager for Macon County;

WHEREAS, the Constitution of the State of Georgia, Article IX, Section II, Paragraph I, authorizes the adoption by counties of ordinances creating and establishing the office of County Manager;

NOW, THEREFORE, pursuant to the powers granted by the Constitution as cited in the foregoing paragraph, **BE IT ORDAINED** by the Board of Commissioners of Macon County, Georgia and it is hereby ordained by authority of same:

Section 1. Office created. The office of County Manager of Macon County, Georgia is hereby created by the adoption of this ordinance.

Section 2. Appointment; restrictions. The County Manager shall be appointed by vote of a majority of the entire Board of Commissioners of Macon County (the Board) to serve at the pleasure of the Board for an indefinite term.

Section 3. Qualifications. The County Manager shall be chosen by the Board upon the basis of executive and administrative qualifications, with specific reference to actual experience in or knowledge of accepted practices with respect to the duties of the office as set forth in this ordinance.

Section 4. Removal /Separation The County Manager is the employee at will of the Board. The County Manager may be removed by the vote of a majority of the entire Board without cause. However, the reason(s) for removal shall be set forth in writing and provided to the County Manager within forty-eight hours after the vote. Nothing in this section shall alter or annul the right of the Board to terminate the services of the County Manager without cause at any time, subject only to the above provisions. The Board requests a minimum of four weeks notice when deciding to leave employment with Macon County.

Section 5. Compensation. The County Manager shall be paid an annual salary, the amount to be fixed by the Board. The Board shall make an annual performance evaluation in November each year. The Board may review and adjust the compensation based on performance. The County Manager shall be entitled to all benefits offered to other full-time employees (annual leave, sick leave, health insurance, life insurance, retirement).

Section 6. Acting County Manager. By letter filed as a part of the official records of the county the County Manager shall designate a county officer or employee as Acting County Manager to exercise the powers and perform the duties of County Manager during the County Manager's temporary absence or disability. The Board may revoke such designation at any time and appoint another officer or employee of the county to serve as Acting County Manager during the County Manager's temporary absence or disability. In the event the position of County Manager becomes vacant, the Board may appoint an Acting County Manager to exercise the powers and perform the duties of County Manager temporarily pending appointment of a new County Manager.

Section 7. **Official Bonds.** The County Manager and, before performing any duties, any Acting County Manager, shall be required to execute and deliver a good and sufficient bond payable to the Board in the amount of \$ 100,000.00 , the premiums for which shall be paid by Macon County.

Section 8. **Duties.** The County Manager shall be the chief administrative officer of the County of Macon. He or she shall be responsible to the Board for the proper administration of the affairs of the county as herein provided. It shall be his or her duty:

- (1) To see that all ordinances, rules and regulations of the Board and all laws of the State of Georgia subject to enforcement by county officers or department heads, other than by elected constitutional officers, are faithfully executed.
- (2) To attend all meetings of the Board and/or its committees, with the right to take part in discussions in accordance with any rules adopted by the Board but having no vote. The County Manager shall be entitled to notice of all special meetings of the Board and non-scheduled committee meetings.
- (3) To serve, if so directed by the Board, ex officio as County Clerk, to perform all the duties and have all the responsibilities of that office.
- (4) To review and submit to the Board a proposed annual budget and a proposed capital program, and to execute the budget and capital program adopted by the Board, approving all disbursements and expenditures as budgeted and/or authorized by the Board.
- (5) To examine quarterly at periods fixed by the Board the accounts, records and operations of every county board, commission, department, office and agency which received appropriations from said Board; to make monthly reports to the Board on county fiscal and other affairs; to keep the Board fully advised on the financial conditions and future needs of the county, and to make such recommendations on county affairs as he or she deems necessary for the efficient operation of the county.
- (6) To submit to the Board at the end of each fiscal year a complete report on the finances and administrative activities of the county for the preceding year.
- (7) To confer with and advise all other elected or appointed officials of the county who are not under the immediate control of the Board, but who receive financial support from the Board.
- (8) To review the performance of all contracts made by any person for work done for the county, and supervise and regulate all purchases of materials and supplies for the county within such limitations and under such rules and regulations as may be prescribed by the Board.
- (9) To exercise control over all departments or divisions of the county for which the Board has responsibility, and all employees of the county, and to direct and supervise the administration of all county offices and the construction, maintenance and operation of all county roads, bridges, drains, buildings and other public works, and to have the care and responsibility for the maintenance of all real and personal property owned by the county.
- (10) To appoint, and when in his/her discretion the welfare of the county requires it, and subject to any personnel policy or Board of Commissioners directive which may be in effect or which may hereafter be adopted, to suspend, discharge, transfer or remove all employees for whom the Board is responsible, except the County Attorney, who shall be appointed directly by the Board. The County Manager may delegate to any

department head such powers with respect to subordinates within that department. The County Manager must advise the Board within 24 hours of taking any disciplinary actions against an employee.

(11) To fix the salaries of all officers and employees of the county, subject, however, to pay grades and scales adopted by the Board, and budget appropriations, and subject to supervision and control by the Board.

(12) To supervise the programs of financial management, personnel administration, procurement, and risk management; and

(13) To perform such other duties as may be required of him by the Board.

(14) To keep the Board updated on all projects, employment decisions, budget matters, etc. on a scheduled basis and an agreed upon methodology.

Section 9. Performance of Duties. The County Manager shall perform his or her duties under the direction of the Board and shall be responsible to the Board as a body, but not to individual Board members. No member of the Board shall individually direct the County Manager or interfere or attempt to interfere in the performance of his or her duties, and the Board shall, except for the purpose of formal inquiries and investigations, deal with county employees subject to the County Manager's direction or supervision solely through the County Manager.

Section 10. Budget Development. The County Manager shall, no later than the last day of the eighth month of each fiscal year, submit to the Board a budget plan and calendar for developing a proposed budget for the ensuing fiscal year, and shall formulate and submit to the Board, no later than the last day of the eleventh month of each fiscal year, a proposed budget for the ensuing fiscal year and an accompanying message.

The message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the county for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures and revenues, together with the reasons for such changes, summarizes the county's debt position, and include such other material as the County Manager deems desirable.

The proposed budget shall provide a complete financial plan for all county funds and activities for the ensuing fiscal year, and, except as otherwise required by law, shall be in such form as the County Manager deems desirable or the Board may require. The proposed budget shall, at a minimum, include a clear general summary of its contents, and show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year. It shall indicate in separate sections:

(1) Proposed capital expenditures during the ensuing fiscal year, detailed for each fund by organization unit when practicable, and the proposed method of financing each such capital expenditure; and

(2) The anticipated income and expense and surplus or deficit for the ensuing year for each utility or other enterprise fund operated by the county.

Section 11. Capital Program Development. The County Manager shall consult with the heads of County departments, Constitutional officers, and the County planning commission, and prepare and submit to the Board a proposed five-year capital program each year. It shall be submitted to the Board simultaneously with the submission of the proposed budget for the ensuing fiscal year.

The capital program shall include:

- (1) A clear general summary of its contents.
- (2) A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the five fiscal years next ensuing with appropriate supporting information as to the necessity for each.
- (3) Cost estimates and recommended time schedules for each improvement or other capital expenditure.
- (4) The method of financing upon which each capital expenditure is to be reliant; and
- (5) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

Section 12. Community Planning and Development. The County Manager shall, subject to supervision by the Board, (1) develop plans and programs to advance the health, safety, general welfare, and physical and economic development of the county, and shall pursue grant-in-aids that may be available from time to time to help finance implementation of such programs; (2) monitor the county's planning activities, including those undertaken in response to the Georgia Planning Act and the Georgia Comprehensive Solid Waste Management Act; and (3) cooperate with and coordinate the community improvement activities of independent authorities and agencies, county constitutional offices, the county planning commission and county departments and other organizational components of the county government as necessary.

Section 13. Effective Date and Repealer. This ordinance shall become effective on the 20th day of August, 2020. All resolutions or parts of resolutions and ordinances or parts of ordinances in conflict herewith are repealed.

SO ORDAINED, this 20th day of August, 2020.

MACON COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman, Mickey D. George

(S E A L)

Attest: _____
Roselyn H. Starling, Acting County Manager