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| Enabling Act | County Manager/Class Code |
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| **2-101** BOC shall be policymaking body |  |
| Chairman shall be administrative officer | Assists Chair/BOC; but duties as described are primarily administrative.  **So who is the administrative officer of the county?** |
| Chair’s acts binding unless overridden by majority. |  |
| **2-102** BOC shall not enter into administrative acts, contact employees or personnel of county in relation to dutyor work, request service or action, except through chairman | Responds to inquiries, provides commissioners with info on status of county operations; circuitous way of potentially entering into administrative acts w/o involving chairman. **Is the original language being followed?** |
| **2-103** Chair has power to hire/fire employees of road/bridge dept. |  |
| Hires/fires other county employees with approval of majority of board. **So, employees who report to the manager are hired/fired by chair, upon approval of board. Tremendous potential conflict herein.** | Managers, supervises operations/staff of county departments **BUT** makes recommendations to Chair on hiring/firing employees. **Manager oversees employees, but can’t hire or fire.** |
| BOC sets salary/wage ranges and # of employees in each range; Chair has discretion for amount paid w/i range |  |
| Chair reports monthly on positions filled, suspensions, replacements | Informs Chair and BOC on departmental activities. **Who actually does this, the manager or chair?** |
| **2-104** BOC sets specifications for work to be done in county, unless BOC delegates authority to chair |  |
| **2-106** BOC hires clerk |  |
| **2-107** BOC elects county attorney |  |
| **3-102** Chair receives from commissioners their request for items to be placed on the agenda |  |
| **3-103** Chair prepares the “calendar” or agenda |  |
| **3-104** Chair calls persons, employees, officials before the BOC; upon his refusal, BOC can do so with majority vote |  |
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| **4-101** BOC prepares budget (an administrative exception to the rule) | Works w/Finance Director to develop annual budget (BOC has delegated budget preparation to manager) **Chair is only countywide elected member of commission, but is left out of budget development process. Votes only to break tie, so influence is limited on budget.** |
| **4-103** Chairman keeps a book of vouchers |  |
| **4-104** Chair limited to $500 expenditures w/o expressed approval of board | No similar limitation in manager’s description.  **Whether by chair or manager, a spending limit should be reasonable and expenditures subject to available budgetary appropriations.** |
| **4-105** Chair carries out road work |  |
| BOC designates what work shall be done |  |
| **4-106** Chair’s signature required upon checks |  |
| **4-107** Chair presents monthly financials | Performs financial/managerial analyses for Chair and BOC; presents to board |
| **4-109** Chair presents monthly itemized account of all transactions | Same as above |
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**Key Points – Main Questions**

1. Does the Board have a policy or administrative role? The enabling act explicitly states that the BOC is a policy making body. But the organizational chart, depicting the manager reporting directly to the board, suggests the board has sought more of an administrative role.
2. The resolution of 11/15/11 created the position of manager, but neither it nor the class specification explicitly requires the manager to report exclusively to the board, but the organizational chart is linear, depicting the chain of command that way, with all but the road department reporting to the manager and he, in turn reporting to the board.
3. Inasmuch as the current division of powers has employees reporting to the manager, who can neither hire nor fire them, and with a chairman empowered to hire or fire them, subject to approval of the board, but without him having direct supervisory responsibility, to whom do employees owe allegiance or duty? The manager? The chair? The board?
4. The decision you reach should provide clarity so that employees know who is responsible.
5. The decision you reach is also critical for the next manager. Tom Garrett now assistant manager.
6. The decision should convey clarity to the citizens. They sit at the top of the organizational chart and hold the ultimate power. Your choices should be made for their benefit.