

House Bill 867 (AS PASSED HOUSE AND SENATE)

By: Representative Kelley of the 16th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a board of commissioners of roads and revenue in and for the
2 County of Polk, approved August 19, 1919 (Ga. L. 1919, p. 719), as amended, so as to revise
3 the place of meeting for the board; to provide for employment of a clerk by the board; to
4 provide for public access to minutes; to provide for continuous service of the county attorney
5 subject to the will of the board; to authorize the board to institute policies and procedures for
6 requisition of supplies and payment of obligations; to require the board to provide certain
7 financial statements upon request by the grand jury; to repeal an obsolete section; to provide
8 for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 An Act creating a board of commissioners of roads and revenue in and for the County of
12 Polk, approved August 19, 1919 (Ga. L. 1919, p. 719), as amended, is amended by striking
13 the first paragraph of Section 7 in its entirety and inserting in lieu thereof the following:

14 style="text-align:center">"SECTION 7.

15 The regular meeting of the board of commissioners shall be the first Tuesday in each month
16 and shall be held at the county courthouse or other public facility location which has been
17 properly advertised as to date, time, and place of such meeting. At the first regular or
18 special meeting of the board in each calendar year hereafter, or as soon thereafter as
19 practicable, the board shall elect a chairperson who shall serve for one year, or until his or
20 her successor is elected and qualified. It shall be the duty of the chairperson to preside at
21 all meetings of the board; to approve and sign the minutes of each meeting; and to sign, as
22 chairperson, all warrants on the county treasury and all orders and processes of such board
23 of commissioners."

24 **SECTION 2.**

25 Said Act is further amended by striking Section 9 in its entirety and inserting in lieu thereof
26 the following:

27 "SECTION 9.

28 The board shall meet in regular session at a public facility location not less than once a
29 month for the transaction of county business but may meet in special sessions whenever,
30 in its judgment, public necessity requires or at any time upon special call of the
31 chairperson. The board shall employ a clerk, and the board shall establish job
32 requirements, a salary, job duties, and bond amount for the clerk. The clerk shall attend
33 all meetings of the board and its committees as directed. The clerk shall keep complete and
34 accurate minutes of such meetings. The clerk shall maintain files of petitions, legal
35 documents, contracts, and records and shall perform other duties as required. All county
36 records and files shall be available for public inspection in accordance with state laws."

37 **SECTION 3.**

38 Said Act is further amended by repealing Section 9a in its entirety.

39 **SECTION 4.**

40 Said Act is further amended by striking Section 13 in its entirety and inserting in lieu thereof
41 the following:

42 "SECTION 13.

43 The clerk for the board of commissioners shall, within three working days following a
44 meeting of the commissioners, have unapproved minutes available for public inspection.
45 Upon minutes being formally approved by the board, such approved minutes shall be
46 available for public inspection by the end of the next working day."

47 **SECTION 5.**

48 Said Act is further amended by striking Section 14 in its entirety and inserting in lieu thereof
49 the following:

50 "SECTION 14.

51 The board shall select an attorney who shall serve as the county attorney, and who shall
52 serve in that capacity until relieved by the board. The board shall, at its discretion, have
53 the power to discharge the county attorney and name a replacement at any time.

54 Compensation for the county attorney shall be at the discretion of the board and shall be
55 based on the amount and value of the services rendered."

56 **SECTION 6.**

57 Said Act is further amended by striking Section 16 in its entirety and inserting in lieu thereof
58 the following:

59 "SECTION 16.

60 Requisition shall be made by all county employees, agents, and officers for supplies,
61 equipment, and materials to the board. Before such supplies, equipment, or materials shall
62 be bought, authority must be obtained from the board to order and to buy the same. The
63 board may establish procedures and policies for purchasing goods and services and may
64 appoint staff to direct, implement, and supervise such policies and procedures. Purchases
65 not made in accordance with board policies and procedures shall not be authorized."

66 **SECTION 7.**

67 Said Act is further amended by striking Section 17 in its entirety and inserting in lieu thereof
68 the following:

69 "SECTION 17.

70 All obligations of the county created under the provisions of this Act shall be paid by the
71 county warrant and as provided in this Act, unless otherwise provided by law, to the party
72 to whom such obligation may be due. The board shall establish policies and procedures
73 which will ensure that all obligations and bills presented are in fact valid and are paid in
74 a timely manner."

75 **SECTION 8.**

76 Said Act is further amended by striking Section 18 in its entirety and inserting in lieu thereof
77 the following:

78 "SECTION 18.

79 The board and appropriate county staff shall provide information, audits, or other
80 appropriate documents as may be requested by the grand jury of Polk County regarding the
81 financial condition of the county."

82 **SECTION 9.**

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