

The Commission-Manager Form of Government

Updated by Sarah Sunderman, Research Assistant/October 2009

"The formation of Commission-Manager government is based on two underlying principles of public administration: the separation of politics and public administration and the promotion of economy and efficiency in government. The primary strength of the commission-manager plan is the unification of powers in an elected body and the professional administration of public business."

*Dr. B.J.D. Rowe in "Theory v. Reality with the Council-Manager Plan,"
Forms of Local Government, Chapter 10, pages 83 and 87*

What is the commission-manager form of government?

As defined in *The Commission-Manager Form of Government: Answers to Your Questions*, "the commission-manager form is the system of local government that combines the strong political leadership of elected officials in the form of a commission or other governing body, with the strong managerial experience of an appointed local government manager. The form establishes a representative system where all power is concentrated in the elected commission and where the commission hires a professionally trained manager to oversee the delivery of public services." Proponents of this form of government argue that the separation of administrative and legislative functions is necessary to increase efficiency and supplement the functions of elected supervisors, who are part-time in many counties, and that the issues are now so complex that a full-time expert in administration is needed. (Salant, 1989)

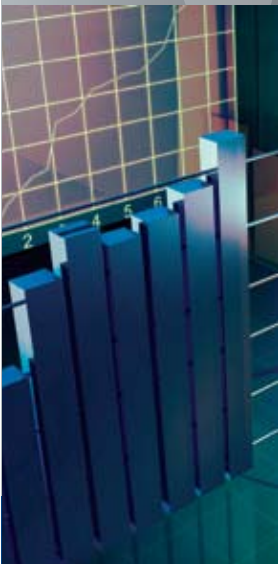
What is the history of this form of government and where is it found?

The first county to adopt this form of government was Iredell County, South

Carolina, in 1908. Since then more than 3,000 local governments, including approximately 800 counties, have adopted this form of government. In 2009, the National Association of County Administrators' membership includes county managers from thirty-five states, including, Alabama, Alaska, Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. In the National Association of Counties' (NACo), 2005 Operations Surveys, this form of government was found in 15 percent of the survey group. The survey is sent to a representative group of counties based on population.

What are the names of these managers?

The two most prevalent names given to managers in this form of government are county manager and county administrator. However, in a handful of counties, these managers may also be called administrators, chief administrative officers or controllers.



Why do some states have it and others do not?

The ability to have this form of government depends upon whether a state grants local governments home rule authority (the power for localities to self-govern). Thirty seven states in the U.S. grant “powers of self-government either through charter government or through optional forms, such as commission-manager form of government. Below is a sampling of state statutes which describe the optional form of government discussed in this brief.

- Colorado: 30-11-107-Powers of the board. The board of county commissioners of each county has power at any meeting: (n) To create, by resolution duly adopted, the office of county manager or administrative assistant to the board of county commissioners, or county budget officer, or any other such office as may, in its judgment, be required for the efficient management of the business and concerns of the county. When so created, the board has power to make appointments to such offices, to prescribe the duties to be performed by such appointees, to fix the compensation to be paid to such appointees, and to pay the same from the county general fund. Any persons appointed to such offices shall serve at the pleasure of the board of county commissioners.
- Florida: 125.84 County charters; optional forms. Any county desiring to adopt a county charter shall provide for one of the following optional forms of government. (2) County Manager Form-The county manager form shall provide for governance by an elected or appointed pursuant to the charter. The county manager shall be appointed by, and serve at the pleasure of, the board and shall exercise the executive responsibilities assigned by the charter.
- Idaho: 31-5001 Constitutional Basis-Exclusive Optional Forms of County Government. (1) The purpose of this act is to establish optional forms of county government in compliance with section 12, article XVIII of the Idaho Constitution...the following shall be the exclusive optional forms of county government: (b) the commission-manager, as authorized in chapter 53, title 31, Idaho Code.
- Iowa: 3331.231 Alternative forms of county government. [One of the] alternative forms of county government are as follows...3. Board-manager

form as provided in section 331.241. 333.241 Board-Manager form consists of an elected board and a manager appointed by the board, who shall be the chief administrative officer of the county government.

- South Carolina: 4-9-20 Designation of permissible alternative forms of government. The alternate forms of government which may be adopted pursuant to Section 4-9-10 shall be one of the following: (c) Council-administrator form as set forth in Article 7; (d) council-manager form as set forth in Article 9.
- Utah: 17-35a.101 Optional Forms of County Government Act, 17-35a-503 Council-manager form of county government. (1) A county operating under the form of government known as the “council-manager” form shall be governed by the county council, a county manager appointed by the council, and such other officers and employees as are authorized by law. The optional plan shall provide for the qualifications, time and manner of appointment, term of office, compensation, and removal of the county manager.
- Wisconsin: 59.18 County Administrator: (1) Appointment. Counties having a population of less than 500,000 may by resolution of the board or by petition and referendum create the office of county administrator. The county administrator shall be appointed by majority vote of the board.

What does a county manager do?

In a 1972 NACo survey of those counties with the commission-manager form of government, typical duties of the appointed manager varied, but 90 percent reported that they were responsible for the recommendation of legislation to the governing body, the preparation of annual current expense budgets and annual capital budgets for the approval of the governing body. These days, the county manager generally “prepares a budget for the commission’s consideration; recruits, hires, and supervises the government’s staff; serves as the commission’s chief advisor; and carries out the commission’s policies.” (See *The Council-Manager Form of Government: Answers to Your Questions*.) As they are considered professional staff, the majority of managers have employment agreements or contracts, which specifically state job responsibilities. As these managers are hired by the elected county commissions, they may also be fired,

usually through a majority vote of the commission. Below is a list of job responsibilities of county managers as outlined in official county documents and state statutes.

- Volusia County, FL: “The County Manager, who serves at the pleasure of the County Council, executes the policies established by the County Council and oversees the daily operations of the government. County employees work under the direction of the County Manager within the structure of the system of merit rules and regulations.”
- Union County, NJ: “The County Manager prepares the annual budget and capital program for all departments, offices and agencies for Board approval, supervises and directs the functions of all departments, and is, with certain exceptions, the appointing authority for personnel in all county government departments. In addition, the County Manager is responsible for enforcement of the administrative code; supervision, care and custody of all county property, institutions and agencies; as well as the negotiation and execution of contracts and bonds with Board approval.”
- Bernalillo County, NM: “The County Manager is hired by the County Commissioners to carry out policies and serve as the chief administrative officer of county government. The County Manager also serves as a liaison to the full-time elected officials.”
- Durham County, NC: “The County Manager serves as the chief administrator of the County. He/she is appointed by and serves at the pleasure of the Board of Commissioners. The Manager supervises and coordinates the activities of the County departments for the Board, seeing that all orders and policies are carried out. He/she also works to ensure that the policies and guidelines mandated by both federal and North Carolina state statutes are implemented. The Manager also recommends an annual budget, makes recommendations on appropriate matters of business, represents the County in dealing with various agencies and performs other duties assigned by the Board.”
- Henderson County, NC: “Administratively, the County Manager appoints all officers and employees except those who are elected or otherwise appointed by law. The manager directs and supervises the administration of all county departments that are under the general control of the Board of Commissioners. By North Carolina Statute, the County Manager also prepares and submits the annual and capital budgets to the Board for its consideration.”
- Henrico County, VA: “The county manager is appointed by the Board of Supervisors and serves at the pleasure of the board. The manager is a full-time employee who may, at the discretion of the board, also serve as the head of one or more of the departments of County government. The duties of the county manager are to carry out the policies determined by the Board of Supervisors, to coordinate the business affairs of the county by installation and enforcement of administrative procedures, and to conduct the day-to-day business operations through a staff of professional administrators. This position has no definite term and the manager may be removed by a majority vote of the board at any time.”
- Florida State Statutes, “Self-Government:” 125.84 County Charters; optional forms: County Manager Form. “The county manager form shall provide for governance by an elected board of commissioners and an appointed county manager and such other officers as may be duly elected or appointed pursuant to the charter. The county manager shall be appointed by, and serve at the pleasure of, the board and shall exercise the executive responsibilities assigned by the charter.”
- Idaho State Statutes: 31-5302 Manager-Qualifications-Appointment. (1) The manager shall be the administrative head of the county and shall be appointed by the board of county commissioners on the basis of training, experience and administrative qualifications. The manager shall serve at the pleasure of the board and may be removed by the board at any time.
- Iowa State Statutes: 331.241 Board-manager form. The manager shall be appointed by the board and removed only by a majority vote of the membership of the board. The manager shall be responsible to the board for the administration of all county government affairs placed in the manager’s charge by law, ordinance, or resolution.
- Utah State Statutes: 17-35a-503 Council-manager form of county government. (2) The county

manager shall be the administrative head of the county government and shall have the powers and duties of a county executive, under Subsection 17-35b-501(2), except that the county manager shall not have any power of veto over ordinances enacted by the council. (4) In the council-manager form of county government, the legislative powers of the county shall be vested in the county council, and the executive powers of the county shall be vested in the county manager.

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About the National Association of Counties

The National Association of Counties (NACo) is the only national organization that represents county governments in the United States. Founded in 1935, NACo provides essential services to the nation's 3,068 counties. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research, and provides value-added services to save counties and taxpayers money. For more information about NACo, visit www.naco.org.

