

Issue Analysis Form



Date: May 10, 2022
Ordinance Amending Section 2-292.1 and Repealing Section 2-293 Relating to Duties of the County Administrator and Appointment of a Clerk

Item:

Lead Department(s): County Attorney

Contact Person(s): Dan Whitten

Description and Current Status

In October 2018 the Board amended the County Code to provide that a separate Clerk to the Board would be appointed by the Board rather than the county administrator being the Clerk under the County Code. It is now the request of the Board to have the county administrator serve as the Clerk.

The proposed Ordinance amending Section 2-292.1 states the county administrator shall be the clerk of the board of supervisors and shall perform responsibilities of the clerk as provided by state law and other responsibilities as directed by the board. Repealing Section 2-293 eliminates the appointment of a clerk for the Board of Supervisors.

A draft ordinance is attached for consideration; a motion approving authority to advertise the ordinance for a public hearing on June 14, 2022, is requested.

This Ordinance shall be effective July 1, 2022.

Sample Motion: I move that the Board approve advertisement of an Ordinance amending Section 2-292.1 and repealing Section 2-293 relating to duties of the county administrator and appointment of a clerk for the board of supervisors.

Government Path

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|------------------------------------------------|-----------------------------------------|----------------------------------------|
| Does this require IDA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require BZA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does This require Planning Commission Action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require Board of Supervisors action? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Does this require a public hearing? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If so, before what date? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 10th day of May, 2022:

Present:

Marlene J. Waymack, Chair
Donald Hunter, Vice Chair
Floyd M. Brown, Jr.
Alan R. Carmichael
T. J. Webb

Vote:

A-10

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

**RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE
AMENDING SECTION 2-292.1 AND REPEALING SECTION 2-293
RELATING TO DUTIES OF THE COUNTY ADMINISTRATOR
AND APPOINTMENT OF A CLERK**

NOW, THEREFORE, BE IT RESOLVED, that the Board Of Supervisors of the County of Prince George this 10th day of May, 2022, does hereby authorize the advertisement of a public hearing for an Ordinance amending Section 2-292.1 and repealing Section 2-293 relating to duties of the county administrator and appointment of a clerk.

A Copy Teste:

Jeffrey D. Stoke
County Administrator

ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF
PRINCE GEORGE, VIRGINIA", 2005, AS AMENDED, BY
AMENDING § 2-292.1 AND REPEALING § 2-293 RELATING TO DUTIES OF THE
COUNTY ADMINISTRATOR AND APPOINTMENT OF A CLERK

BE IT ORDAINED by the Board of Supervisors of Prince George County:

*(1) That The Code of the County of Prince George, Virginia, 2005, as amended, is amended
by amending § 2-292.1 and repealing § 2-293, as follows:*

CHAPTER 2 ADMINISTRATION

ARTICLE IV. – OFFICERS AND EMPLOYEES

DIVISION 2. – COUNTY ADMINISTRATOR

Sec. 2-292.1. - Duties and responsibilities.

The county administrator shall have all the responsibilities and shall carry out all the duties prescribed by the Code of Virginia, § 15.2-407 as now and hereafter may be amended and in addition, such other duties and responsibilities as may be established by the board of supervisors.

The county administrator shall devote his full time to the work and services of the county under the direction of the board of supervisors to whom he shall be accountable.

The county administrator shall be the clerk to the board of supervisors and shall perform responsibilities of the clerk as provided by state law and shall perform such other responsibilities as directed by the board

In addition to such responsibilities, it shall be the duty of the county administrator:

- (1) To execute and enforce all lawful resolutions and directions of the board concerning any department in the county government, and to see that all applicable laws of the commonwealth are faithfully executed.
- (2) To make reports to the board in regard to matters of administration, and keep it fully advised as to the financial condition of the county.
- (3) To appoint qualified officers and employees to head the departments of the county and to dismiss, suspend and discipline, in accordance with duly adopted personnel regulations, all officers and employees in such departments, except as otherwise specifically provided by law. Department heads and deputy county administrators shall be appointed by the county administrator only upon prior notification to the board of supervisors.
- (4) To designate himself or other employee to perform the duties of any vacant position.
- (5) To recommend to the board appropriate ordinances to carry out the policies of the board.

- (6) To assign any employee of the county to any department requiring services.
- (7) To recommend to the board rules and regulations he deems necessary for the proper functioning of departments or agencies.
- (8) To investigate, examine or inquire into the operation of any department.
- (9) To attend and address the board at any meeting.
- (10) To direct any department, division or agency of the county to perform work for any other department and may delegate any powers and duties conferred upon him to any other employee who is subject to his supervision.
- (11) To submit to the board a recommended operating and capital improvement budget and to present a budget message. The budget message shall contain the recommendation of the county administrator concerning the fiscal policies of the county, a description of the important features of the budget, a capital budget and a projection for revenue.
- (12) To perform all other duties and responsibilities imposed upon or granted to him by the board of supervisors.

(Code 1988, § 2-2; Ord. No. O-19-09, § 1, 5-14-2019)

State Law reference— State Law reference— Similar provisions, Code of Virginia, § 15.2-1541; county budget, Code of Virginia, § 15.2-2500 et seq.

~~Sec. 2-293. Clerk for the board of supervisor.~~

~~In accordance with 1950 Code of Virginia, § 15.2-1538, as amended, the board shall appoint a clerk for the board who shall serve at the pleasure of the board and shall perform the responsibilities of a clerk as provided by state law and such other responsibilities as directed by the board. The board shall evaluate the performance of the clerk annually and provide for appropriate compensation within the approved budget.~~

~~(Ord. No. O-18-16, § 1, 10-9-2018)~~

(2) That the Ordinance shall be effective July 1, 2022.