

**CHAPTER 2: ADMINISTRATION**  
**SECTION 1: BOARD OF COMMISSIONERS**  
**FEBRUARY 28, 1933 (GA 1.1933, P.777)**  
**AMENDED 1943,1953,1979, 1981, 1983, 1987, 1998**

An Act to create a Board of Commissioners of Roads and Revenues of Wilkinson County, Georgia; to provide for naming and the election of Commissioners to constitute said Board; to prescribe their term of office; to fix their salary; to provide for employees, and to fix salary of employees; to provide for their removal from office; to provide for filling vacancies; to provide for five districts from which they shall be elected; and for other purposes.

**SECTION 1**

Be it enacted by the General Assembly of Georgia, and it hereby enacted by the authority of same, that from and after the first day of March 1933, there shall be established in and for the County of Wilkinson, a Board of Commissioners of Roads and Revenues, consisting of five members, as follows: F.M. Fountain, P.M. Jackson, C.C. Johnson, James E. Hollimen, and G.M. Toney. Said Commissioners are hereby named and appointed, and shall hold office until the first day of January 1935. Said members shall elect their own Chairman and state his term of office.

**SECTION 2**

Be it further enacted, that at the election to be held for members of the General Assembly and County officers, and in the same manner as members of the General Assembly are elected, there shall be elected at the regular election in November 1934, five members to said Board whose term of office shall begin on the on the first day of January 1935. Said Commissioners so elected shall hold office for and during the term of two years until their successors are elected and qualified.

**SECTION 3**

That said County of Wilkinson is hereby divided into five districts, and one Commissioner shall be elected by the people of the entire County from each of said districts. The five districts shall be divided as follows: Bethel and Ramah districts shall be known as District Number One, Ivey and Bloodworth Districts shall be known as District Two, Passmore and Lord shall be known as District Number Three, Turkey Creek and Griffin district shall be known as District Number Four, and High Hill and Irwinton districts shall be known as District Number Five.

**SECTION 4**

That all vacancies occurring on the Board by death, resignation, or otherwise shall be immediately filled by the remaining members of the Board, said appointment to be until the next regular election.

**SECTION 5**

Be it further enacted, that said members shall, before entering upon the discharge of any of the duties of said office, take and subscribe the following oath of office before the ordinary of Wilkinson County, which oath shall be recorded on the minutes of the court of ordinary (which oath shall be in addition to the oath provided by law for all civil officers of this state) to wit: "I

do solemnly swear that I will well and truly discharge the duties of Commissioner of roads and revenue of Wilkinson County and in all matters which require my official action, to the best of my knowledge and skill, I will so act as in my judgment will be most conducive to the welfare and best interest of the entire County; so help me God.”

#### **SECTION 6**

That said Board shall have exclusive jurisdiction when sitting for County purposes, over all matters concerning County property, County taxes, general and special; in establishing and changing militia districts and election precincts; in examining, auditing and allowing all claims against the County; in examining, auditing and settling the accounts of all officers having the care, management, collection, keeping and the disbursement of money belonging to the County or appropriated to its use and benefit; in making rules and regulations for the support of the poor of the County; in establishing, altering and abolishing roads, bridges, and ferries; in carrying out any and all of its details and enforcement of the road laws.

#### **SECTION 7**

The Commissioners shall hold monthly meetings at the courthouse in the County on the first Tuesday in each month. A majority of the Commissioners shall be necessary to constitute a quorum of the Board. The concurrence of a majority shall be necessary to pass any order or decree. The members of the Board shall each receive \$200.00 per month as compensation for their services. The Board of Commissioners are authorized, to employ a clerk of the Board and an Attorney for the County. The salary of the Clerk and Attorney shall be fixed by the Board of Commissioners. The Clerk and Attorney shall hold office at the will of the Commissioners.

#### **SECTION 7A**

In addition to the compensation provided for the Chairman and other members of the Board of Commissioners in Section 7, the Chairman and each member of the Board shall be entitled to an expense allowance of \$50.00 per month to be paid from County funds.

#### **SECTION 8**

That said Board shall keep or cause to be kept a record of all its acts and doings; that it shall be published in the official newspaper of said County, or by posting before the courthouse door, a monthly statement, fully itemized showing the exact amount of County funds on hand, the amount disbursed, giving names of each party in whose favor each order was passed, and the amount thereof. Should any Board fail or refuse to comply with this section for as many as two months, their office shall be declared vacant when twenty-five freeholders of said County present facts to the judge of the Superior Court and he finds that said facts are true.

#### **SECTION 9**

Be it further enacted by the authority aforesaid, that said Board shall not hire or employ any member of the Board to do or perform any work for said County, and shall not contract with any member of said Board for supplies to be furnished said County, nor shall said Board employ any person to do any work for said County nor contract with any person to sell or furnish supplies or merchandise to said County who is related to any member of said Board within the fourth degree. The penalty for violation of the provision of this section shall be as is heretofore provided for in section 8 of this act.

**SECTION 10**

Be it further enacted by the authority of aforesaid, that all laws and parts of laws in conflict with this act be and the same are hereby repealed.

**1987 AMENDMENT**

An Act to create a Board of Commissioners of Roads and Revenues of Wilkinson County, Georgia; to provide for naming and the election of Commissioners to constitute said Board; to prescribe their term of office; to fix their salary; to provide for employees, and to fix salary of employees; to provide for their removal from office; to provide for filling vacancies; to provide for five districts from which they shall be elected; and for other purposes.

This modified act does not take effect until January 1, 1987.

**SECTION 1**

The governing authority of Wilkinson County shall be a Board of Commissioners consisting of a Chairman and four additional members who shall be elected provided in this act.

**SECTION 2**

- (a) The Chairman of the Board of Commissioners may reside anywhere in Wilkinson County and shall be elected by a majority of the qualified electors of Wilkinson County voting at the elections hereinafter provided for in this act. Any person offering as a candidate for Chairman shall have been a resident of Wilkinson County for two years immediately preceding the date of election and shall remain a resident of said County during the term of office. The Chairman and all other members shall be at least 21 years of age as of the date of taking office. For the purpose of electing the other four members of the Board, Wilkinson County shall be divided into four Commissioner districts as follows:

Commissioner District No. 1 Wilkinson

Tract 9902

That part of Block 302 inside the City of Gordon

Blocks 303 through 306

That part of Block 313 inside the City of Gordon

Blocks 315 through 316

That part of Block 17 inside the City of Gordon

Blocks 318 through 334

That part of Block 335 inside the City of Gordon

Blocks 401 through 408, 410 through 421 and 429 through 434

That part of Block 441 inside the City of Gordon

Block 450

Commissioner District No. 2 Wilkinson

Tract 9901

Blocks 103, 104, 110 through 113, and 120  
That part of Block 121 outside the City of McIntyre  
Block 122  
That part of Block 206 outside the City of McIntyre  
Blocks 207 through 210  
That part of Block 211 outside the City of McIntyre  
Block 212

Tract 9902

Group 1  
Blocks 201 through 243  
Block 301  
That part of Block 302 outside the City of Gordon  
Blocks 307 through 312  
That part of Block 313 outside the City of Gordon  
Block 314  
Those parts of Blocks 317 and 335 outside the City of Gordon  
Blocks 422 through 428, 410 and 435 through 440  
That part of Block 441 outside the City of Gordon  
Blocks 508 and 509

Commissioner District No. 3 Wilkinson

Tract 9901

Those parts of Blocks 219 and 21 inside the City of Irwinton  
Blocks 228 through 230, 232 and 233  
Blocks 301 through 303  
Block 401  
That part of Block 403 inside the City of Irwinton  
Blocks 408 through 410 and 414 through 432  
Block Group 5

Tract 9902

Those parts of Blocks 506 and 507 outside the City of Irwinton  
Blocks 510 through 520  
Block Groups 6 and 7

Commissioner District No. 4 Wilkinson

Tract 9901

Blocks 101, 102, 105 through 109, and 114 through 119  
That part of Block 121 inside the City of Irwinton  
Blocks 123 and 124  
Blocks 201 through 205  
Those parts of Blocks 206 and 211 inside the City of McIntyre  
Blocks 213 through 218  
That part of Block 219 inside the City of McIntyre

That part of Block 219 outside the City of Irwinton  
Block 220

That part of Block 221 inside the City of McIntyre

That part of Block 221 outside the City of Irwinton

Blocks 222 through 227

Blocks 304 through 312

Block 402

That part of Block 403 inside the City of Toombsboro

That part of Block 403 outside the City of Toombsboro

Blocks 404 through 407 and 411 through 413

Tract 9902

Blocks 501 through 505

Those parts of Blocks 506 and 507 inside the City of Irwinton

- (b) For the purpose of subsection (a) of this section, the terms “tract”, “block” and “block group” shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1980 for the State of Georgia, County of Wilkinson. Whenever the description of a Commissioner district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 1980 for the State of Georgia. Any part of Wilkinson County which is not included in any Commissioner district described in subsection (a) of this section shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 1980.
- (c) A candidate for Commissioner other than the Chairman, hereinafter referred to as District Commissioner, shall have been a resident of the Commissioner District for which the candidate is offering for at least one year and of Wilkinson County for at least two years prior to the election. A District Commissioner shall remain a resident of the respective Commissioner shall be elected by a majority of the qualified electors voting within each respective Commissioner district. A candidate for District Commissioner shall specify the Commissioner district for which the candidate is offering. The Chairman and all other members of the Board shall be nominated and elected in accordance with the provisions of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, known as the “Georgia Election Code”.
- (d) The first members of the Board of Commissioners provided for by this Act shall be elected at the general election of 1986 and shall take office on the first day of January 1987, for terms of four years and until their successors are elected and qualified. Thereafter, their successors shall be elected at the general election immediately preceding the expiration of the terms of office and shall take office on the first day of January immediately following their election for terms of four years and until their successors are elected and qualified.

### **SECTION 3**

The Chairman of the Board of Commissioners shall preside at meetings of the Board and sign all orders and processes of the Board. The Chairman shall have such other powers and

duties as may be delegated to said officer by the Board. The Chairman shall be a full-voting member of the Board.

#### **SECTION 4**

- (a) If a vacancy occurs in the district memberships of the Board of Commissioners by death, resignation, removal from the Commissioner district from which elected or for any other reason, such vacancy shall be filled by the remaining members of the Board appointing a qualified person to fill such vacancy for the unexpired term.
- (b) If a vacancy occurs in the office of the Chairman of the Board by death, resignation, removal from Wilkinson County, or for any other reason, and:
  1. The remaining term is six months or less, the remaining members shall elect one of their number to serve for the remaining term; or
  2. The remaining term is more than six months, the election superintendent, within 15 days after the vacancy occurs, shall issue the call for a special election at which a qualified person shall be elected to serve for the remaining term. Such special election shall be called and conducted in accordance with the applicable provisions of Chapter 2 of Title 21 of the of the Official Code of Georgia Annotated, known as the “Georgia Election Code”.

#### **SECTION 5**

Be it further enacted, that said members shall, before entering upon the discharge of any of the duties of said office, take and subscribe the following oath of office before the ordinary of Wilkinson County, which oath shall be recorded on the minutes of the court of ordinary (which oath shall be in addition to the oath provided by law for all civil officers of this state) to wit: “I do solemnly swear that I will well and truly discharge the duties of Commissioner of roads and revenue of Wilkinson County and in all matters which require my official action, to the best of my knowledge and skill, I will so act as in my judgment will be most conducive to the welfare and best interest of the entire County; so help me God.”

#### **SECTION 6**

That said Board shall have exclusive jurisdiction when sitting for County purposes, over all matters concerning County property, County taxes, general and special; in establishing and changing militia districts and election precincts; in examining, auditing and allowing all claims against the County; in examining, auditing and settling the accounts of all officers having the care, management, collection, keeping and the disbursement of money belonging to the County or appropriated to its use and benefit; in making rules and regulations for the support of the poor of the County; in establishing, altering and abolishing roads, bridges, and ferries; in carrying out any and all of its details and enforcement of the road laws.

#### **SECTION 7**

- a. The Chairman of the Board of Commissioners shall receive an annual salary of \$6,000 payable in equal monthly installments from the funds of Wilkinson County.
- b. Each member of the Board other than the Chairman shall receive an annual salary of \$4,200 payable in equal monthly installments from the funds of Wilkinson County.

- c. In addition to compensation provided for in subsections a. and b. of this section, the Chairman and other members of the Board shall be reimbursed for actual and necessary expenses incurred by them in carrying out their official duties outside the County, including attendance at seminars or other training meetings for County officials, but attendance at any such seminar or meeting must be approved by a majority of the Board prior to such attendance. When using their personal automobiles in traveling on official business outside the County, the Chairman and all other members shall be reimbursed for travel expenses at the rate of .20 per mile. All expenses provided for herein shall be paid from the funds of Wilkinson County.

#### **SECTION 7A**

- a. The Board of Commissioners shall hold regular meetings at the Courthouse of Wilkinson County on the first and third Tuesday of each month. Other meetings of the Board may be held on the call of the Chairman.
- b. A majority of the Board of Commissioners shall constitute a quorum for the transaction of business, but the affirmative vote of a majority of the Board shall be necessary for the Board to take official action.

#### **SECTION 8**

That said Board shall keep or cause to be kept a record of all its acts and doings; that it shall be published in the official newspaper of said County, or by posting before the courthouse door, a monthly statement, fully itemized showing the exact amount of County funds on hand, the amount disbursed, giving names of each party in whose favor each order was passed, and the amount thereof. Should any Board fail or refuse to comply with this section for as many as two months, their office shall be declared vacant when twenty-five freeholders of said County present facts to the judge of the Superior Court and he finds that said facts are true.

#### **SECTION 9**

Be it further enacted by the authority aforesaid, that said Board shall not hire or employ any member of the Board to do or perform any work for said County, and shall not contract with any member of said Board for supplies to be furnished said County, nor shall said Board employ any person to do any work for said County nor contract with any person to sell or furnish supplies or merchandise to said County who is related to any member of said Board within the fourth degree. The penalty for violation of the provision of this section shall be as is heretofore provided for in section 8 of this act.

#### **SECTION 10**

Be it further enacted by the authority of aforesaid, that all laws and parts of laws in conflict with this act be and the same are hereby repealed.

### **1998 AMENDMENT**

To amend an Act creating the Board of Commissioners of Wilkinson County, approved February 28, 1933 (Ga. L. 1933, p. 777), as amended, so as to change the provisions relating the compensation of the chairperson and other members of the Board of Commissioners; to provide

for future salaries of members of the Board; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1**

An Act creating the Board of Commissioners of Wilkinson County, approved February 28, 1933 (Ga. L. 1933, p. 777), as amended, is amended by striking Section 7 in its entirety and inserting in lieu thereof a new Section 7 to read as follows:

(a) Except as otherwise provided in subsection (c) of this section, the chairperson of the Board of Commissioners shall receive an annual salary of \$7,800.00 payable in equal monthly installments from the funds of Wilkinson County.

(b) Except as otherwise provided in subsection (c) of this section, each member of the Board other than the chairperson shall receive an annual salary of \$6,000.00 payable in equal monthly installments from the funds of Wilkinson County.

(c) The Board of Commissioners is authorized to increase the salaries of the chairperson and other members of the Board as provided in subsections (a) and (b) of this section, provided that any such action to increase such salaries shall be subject to the following conditions and requirements:

- (1) Such action shall not be taken until notice of intent to take the action has been published in a newspaper of general circulation designated as the legal organ in the County at least once a week for two consecutive weeks immediately preceding the week during which the action is taken;
- (2) Such action shall be taken by the adoption of a resolution or ordinance at the Board's first regular meeting subsequent to the first day of January of any year in which terms of office of members of the Board shall expire pursuant to the provisions of this Act; and
- (3) Any such increase shall not be effective until after the taking of office of those elected at the next regular general election which is held immediately following the date on which the action to increase the compensation was taken.

(d) In addition to compensation provided for in subsections (a), (b), and (c) of this section, the Chairperson and other members of the Board shall be reimbursed for actual and necessary expenses incurred by them in carrying out their official duties outside the County, including attendance at seminars or other training meetings for County officials, but attendance at any such seminar or meeting must be approved by a majority of the Board prior to such attendance. When using their personal automobiles in traveling on official business outside the County, the chairperson and all other members shall be reimbursed for travel expenses at the rate of .24 per



mile. All expenses provided for in this section shall be paid from the funds of Wilkinson County.

**SECTION 2**

This Act shall become effective on January 1, 1998.

**SECTION 3**

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