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### ARTICLE 3. - COUNTY ADMINISTRATION [3]

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### Sec. 1.61. - County Administration Law of 1974 adopted; purpose.

The County Administration Law of 1974 (F.S. ch. 125, pt. III), be and hereby is adopted for Martin County. This article is enacted to promote the efficient operation of the government of Martin County, Florida. The office of County Administrator is hereby created to assist the members of the Board of County Commissioners to more efficiently fulfill the purposes of their elected office and to free said Commissioners from those daily detailed ministerial tasks which necessarily arise from the operation of the County as a unit of government.

(Code 1974, § 1-31; Ord. No. 48, pt. 1, 9-21-1981)

# Sec. 1.62. - County Administrator; qualifications, compensation, appointment, vacancy, removal.

- 1.62.A.The County Administrator shall be the administrative head of the County government and shall be responsible for the administration of all departments of the County government which the Board of County Commissioners has authority to control pursuant to this article, the general laws of Florida, and other applicable legislation.
- 1.62.B.The County Administrator shall be qualified by administrative and executive experience and ability to serve as a chief administrator for the County and shall meet one or more of the following requirements:
  - 1. Graduation from an accredited college or university with a Master's of Public Administration (M.P.A.) or a Master's of Business Administration (M.B.A) or an equivalent degree in a related field and at least two years of appropriate experience; or
  - Graduation from an accredited college or university with a bachelor's degree in public or business administration (B.A., B.S. or B.B.A.) or equivalent degree and at least five years of appropriate experience since the completion of said bachelor's degree.
- 1.62.C:The County Administrator need not be a resident of the County at the time of his appointment, but during his tenure in office he shall reside within the County.
- 1.62.DNo County Commissioner shall be employed as County Administrator during the term to which he shall have been elected or within two years of expiration of his term as County Commissioner.
- 1.62.E.The compensation of the County Administrator shall be fixed by the Board of County Commissioners unless otherwise provided by law.

- 1.62.GThe office of the County Administrator shall be deemed vacant if the incumbent moves his residence from the County or is, by death, illness or other casualty, unable to continue in office. A vacancy in the office shall be filled in the same manner as the original appointment. The Board of County Commissioners may appoint an acting County Administrator in the case of vacancy or temporary absence or disability until a successor has been appointed and qualified or the Administrator returns.
- 1.62.HThe County Administrator may be removed at any time by an affirmative vote, upon notice, of not less than three members of the board, after a hearing if such is requested by the County Administrator.

(Code 1974, § 1-32; Ord. No. 48, pt. 1, 9-21-1981)

## Sec. 1.63. - Appointment of County Administrator; enumeration of powers.

- 1.63.ABy resolution the Board of County Commissioners shall name the individual employed as County Administrator, set out the conditions of said employment, and, by reference, specify which of the powers enumerated in this article the County Administrator shall exercise. By resolution the Board of County Commissioners may from time to time amend, by addition or deletion, the powers which the County Administrator shall exercise. Said resolution or amendatory resolution may provide that the County Administrator shall:
  - Be responsible for the administration of all departments responsible to the Board of County Commissioners and for the proper administration of all affairs under the jurisdiction of the board.
  - Administer and carry out the directives and policies of the Board of County
    Commissioners and enforce all orders, resolutions, ordinances and regulations of
    the board to assure that they are faithfully executed.
  - 3. Report to the board on action taken pursuant to any directive or policy within the time set by the board and provide an annual report to the board on the state of the County, the work of the previous year, and any recommendations as to actions or programs the County Administrator deems necessary for the improvement of the County and the welfare of its residents.
  - Provide the board, or individual members thereof, upon request, with data or information concerning County government and provide advice and recommendations on County government operations to the board.
  - Prepare and submit to the Board of County Commissioners for its consideration and adoption an annual operating budget, a capital budget and a capital program.
  - Establish the schedules and procedures to be followed by all County departments, offices and agencies in connection with the budget and supervise and administer all phases of the budgetary process.
  - 7. Prepare and submit to the board after the end of each fiscal year a complete report on the finances and administrative activities of the County for the preceding year and submit recommendations.
  - 8. Supervise the care and custody of all County property.
  - 9. Recommend to the board a current position classification and pay plan for all positions in County service.
  - 10. Develop, install and maintain centralized budgeting, personnel, legal and purchasing procedures.
  - 11. Organize the work of County departments, subject to an administrative code developed by the Administrator and adopted by the board, and review the

- departments, administration and operation of the County and make recommendations pertaining thereto for reorganization by the board.
- Select, employ and supervise all personnel and fill all vacancies, positions or employment under the jurisdiction of the board, provided, however, the employment of all department heads shall require confirmation by the Board of County Commissioners.
- 13. Suspend, discharge or remove any employee under the jurisdiction of the board pursuant to procedures adopted by the board.
- 14. Negotiate leases, contracts and other agreements, including consultant services, for the County, subject to approval of the board, and make recommendations concerning the nature and location of County improvements.
- 15. See that all terms and conditions in all leases, contracts and agreements are performed and notify the board of any noted violation thereof.
- 16. Order, upon advising the board, any agency under his jurisdiction as specified in the administrative code to undertake any task for any other agency on a temporary basis if he deems it necessary for the proper and efficient administration of the County government to do so.
- 17. Attend all meetings of the board with authority to participate in the discussion of any matter.
- 18. Perform such other duties as may be required of him by the Board of County Commissioners.
- 1.63.B.The County Administrator is granted only those powers and duties which are administrative and ministerial in nature and not delegated any governmental power imbued in the Board of County Commissioners pursuant to article VIII, section 1(c) of the Florida Constitution. To that end, all powers of the County Administrator are to be construed as administrative in nature, and in any exercise of governmental power the County Administrator shall only be performing the duty of advising the Board of County Commissioners in its role as the policy-setting governing body of the County. Nothing in this article is intended to alter the function of the County Attorney as the legal advisor to the Board of County Commissioners. The County Attorney shall report directly to the Board of County Commissioners.

(Code 1974, § 1-33; Ord. No. 48, pt. 1, 9-21-1981)

### Sec. 1.64. - Appropriation of funds.

The board shall appropriate such funds as necessary from the general fund of the County to employ the County Administrator and his staff and provide necessary operating expenses. Said appropriation shall be subject to periodic review and adjustment.

(Code 1974, § 1-34; Ord. No. 48, pt. 1, 9-21-1981)

Secs. 1.65—1.90. - Reserved.

#### FOOTNOTE(S):

<sup>(3)</sup> Cross reference— Personnel/human resources, ch. 127 (Back)