

County Form of Government 2007

Dear County Clerk:

August 2007

ICMA has conducted *the Form of Government* surveys for many years. This survey gathers comprehensive information on county form of government, election systems, provisions for referendum/recall, and term limits. A summary of the results will be available on ICMA's web site (<http://icma.org>) after the data have been tabulated.

Please contribute to this significant body of knowledge by completing the survey and returning it in the enclosed postage-paid envelope **by Friday September 28, 2007**. Your participation is greatly appreciated.

Sincerely,



Robert J. O'Neill, Jr.
Executive Director, ICMA

- The term **commission** refers to an elected body whose members may be called commissioners, council members, supervisors, board members, county legislators or a similar title.
- The **chief appointed official** of the local government is often referred to as county manager, county administrator, chief administrative officer, county coordinator or a similar title.
- The **presiding officer** of the local government may have the title of the presiding officer, county judge, board/commission chair, chief elected official or a similar title.

1. Please indicate which of the following best describes your current legal form of government as defined by your charter, ordinance, or state law. *(Please read all definitions first and check only one.)*

- a. Each elected commissioner or board member serves as director of one or more functional departments (e.g. Public Works Director or Director of Health and Human Services) in addition to his/her policymaking role. The presiding officer may be chosen from the board or elected directly (e.g., county judge). This is popularly known as the **commission** form of government.
- b. An elected board sets policy, adopts legislation, and approves the budget. The commission appoints an administrator to conduct the day-to-day county business, to prepare the budget, to oversee department heads, and to recommend policy to the board. This is popularly known as the **council-administrator** form.
- c. An elected board sets policy, adopts legislation, and approves the budget. The commission appoints a manager with broad executive authority to oversee and manage county departments, hire and fire most department directors, hire and fire county staff, prepare the budget, and recommend policy to the board. This is popularly known as the **council-manager** form.
- d. The elected board is responsible for making policy. The executive, elected at-large, implements county board policies, prepares the budget, and acts as county spokesperson. The executive often has veto power, which can be overridden. This form fully separates the legislative and executive powers and is popularly known as the **council-elected executive** form.

2. How is your county's *structure or form of government* established? *(Check only one.)*

- a. Charter
- b. State law
- c. Local ordinance
- d. Commission resolution
- e. Other *(Please specify.)* _____

3. Does your county have the position of *chief appointed official* (CAO)? 1. Yes 2. No

The chief appointed official of the local government is often referred to as county manager, county administrator, chief administrative officer, county coordinator or a similar title.

A. If your county does have the position of *chief appointed official*, what action established the position? *(This question refers only to the establishment of the position, not to the person or group that does the hiring.)*

- a. Charter
- b. State law
- c. Local ordinance
- d. Commission resolution
- e. Chief elected official created position
- f. Other *(Please specify.)* _____

B. If your county does have the position of *chief appointed official*, who appoints that position? *(Check only one.)*

- a. Presiding officer
- b. Commission
- c. Combination of presiding officer and commission
- d. Other *(Please specify.)* _____

4. How is your presiding officer selected? *(Check only one.)*

- a. Voters elect directly
- b. Commission selects from among its members
- c. The commission member receiving the most votes in the general election becomes the presiding officer
- d. Commission members rotate into the position of presiding officer
- e. Other *(Please specify.)* _____

5. Is the presiding officer a member of the commission? 1. Yes 2. No

6. How long is the presiding officer's term of office? *(Important: If the presiding officer is a member of the commission, specify the term for the position of presiding officer, not of a commission member.) (Check only one.)*

- a. 1 year
- b. 2 years
- c. 4 years
- d. Other *(Please specify.)* _____

7. Does the presiding officer have the authority to veto commission-passed measures? 1. Yes 2. No

A. If yes, in what cases may the presiding officer exercise veto power? (Check all applicable.)

- 1. Over ordinances
- 2. Over specific sections of ordinances
- 3. Over resolutions
- 4. Over appropriations
- 5. Over specific items of appropriations
- 6. Other (Please specify.) _____

8. Since 2002, have any recall initiatives been filed against the presiding officer? 1. Yes 2. No

A. If yes, were any successful? 1. Yes 2. No

9. How many seats, vacant and filled, are on your commission? _____ (Include the presiding officer if that position serves on the commission. If the presiding officer is a member of the commission, your answer to question 5 should be "yes.")

10. How many current commission members are:

a. Male _____ b. Female _____

11. Does your county have a provision for any of the following? (Check all applicable.)

A. **Initiative?** 1. Yes 2. No

Initiative allows citizens to place charter, ordinance, or home rule changes on the ballot by collecting a required number of signatures on a petition.

1. If yes, which of the following initiative processes does your county provide? (Check all applicable.)

a. **Indirect:** Requires that *before* any charter, ordinance, or home rule change proposed by citizens through a petition process is placed on the ballot for vote, the commission must consider it. Vote results are binding on the local government.

b. **Direct:** Requires that any charter, ordinance, or home rule change proposed by the citizens through a petition process must be placed directly on the ballot for a vote. Vote results are binding on the local government.

c. **Non-binding initiative:** Allows citizens to place on the ballot a question for voter approval or rejection. The voter response is non-binding on the local government.

B. **Legislative referendum?** 1. Yes 2. No

Legislative referendum allows the commission to place any question on the ballot for voter approval or rejection. The results may be binding or non-binding.

1. If yes, which of the following items must be placed on the ballot for voter approval? (Check all applicable.)

- a. Local bond measures
- b. Proposed charter amendments
- c. Proposed ordinances
- d. Proposed home rule changes
- e. Other _____

C. **Popular referendum?** 1. Yes 2. No

Allows citizens to collect signatures on a petition to place on the ballot any charter, ordinance, or home rule change that has been adopted by the local government before the change can take effect.

D. **Recall?** 1. Yes 2. No

Allows citizens to collect signatures on a petition to place on the ballot a question of whether an elected official should be removed from office before the expiration of his/her term.

12. Are the members of your commission elected? (Check only one.)

- a. All at large b. All by ward/district c. Combination of at large and ward/district.

A. If you selected c, indicate the number of commission members elected by each of the following methods:

_____ a. at large _____ b. by ward/district

13. Does the political party affiliation of commission candidates appear on the ballot in your local general elections?
 1. Yes 2. No

14. Since 2002, have any recall initiatives been filed against commission members? 1. Yes 2. No
A. If yes, were any successful? 1. Yes 2. No

15. Are your department heads: *(Check only one.)*
 a. All elected b. All appointed c. Combination, some are elected and some appointed

A. If any of your department heads are appointed, who appoints them? *(Check only one.)*

- | | |
|---|---|
| <input type="checkbox"/> a. The presiding officer | <input type="checkbox"/> f. Commission |
| <input type="checkbox"/> b. Chief appointed official | <input type="checkbox"/> g. Chief appointed official with advice and consent of commission |
| <input type="checkbox"/> c. Combination of the presiding officer and chief appointed official | <input type="checkbox"/> h. The presiding officer, chief appointed official, and commission |
| <input type="checkbox"/> d. Combination of chief appointed official and commission | <input type="checkbox"/> i. Other <i>(Please specify.)</i> _____ |
| <input type="checkbox"/> e. The presiding officer and approved by commission | |

16. Are the following department heads appointed or elected?

	<u>Appointed</u>	<u>Elected</u>		<u>Appointed</u>	<u>Elected</u>
a. Assessor	<input type="checkbox"/>	<input type="checkbox"/>	f. School superintendent	<input type="checkbox"/>	<input type="checkbox"/>
b. Prosecutor	<input type="checkbox"/>	<input type="checkbox"/>	g. Treasurer	<input type="checkbox"/>	<input type="checkbox"/>
c. Civil attorney	<input type="checkbox"/>	<input type="checkbox"/>	h. Clerk of governing board	<input type="checkbox"/>	<input type="checkbox"/>
d. Sheriff	<input type="checkbox"/>	<input type="checkbox"/>	i. Clerk of court	<input type="checkbox"/>	<input type="checkbox"/>
e. Recorder	<input type="checkbox"/>	<input type="checkbox"/>	j. Controller	<input type="checkbox"/>	<input type="checkbox"/>

A. For appointed positions, please indicate (using the corresponding letter above) in the space below whether any of these positions were at one time elected offices:

17. Is there a legal limit on the number of terms a commission member may serve? 1. Yes 2. No
A. If yes, what is the maximum number of terms allowed by law? _____
B. When was the term limitation enacted? _____
C. By what authority is the number of terms limited? *(Check only one.)*
 1. Ordinance 2. Charter 3. State law 4. Other *(Please specify.)* _____

18. How many incumbents ran for reelection to the commission in the last general election? _____
A. How many incumbents ran unopposed? _____ B. How many incumbents were reelected? _____

19. How is a commission member's seat filled if it is vacated before the term has expired? *(Check only one.)*

- a. Special election
- b. Appointed by commission
- c. Method depends on length of term remaining
- d. Appointed by presiding officer
- e. Position left vacant until next regular election
- f. Political party/governor appoints
- g. Other *(Please specify.)* _____

20. When does your fiscal year begin? Month _____ Year _____

First Name _____

Last Name _____

Title _____

Telephone number (_____) _____

E-mail _____

Thank you for completing this important survey. Please return to:
Evelina Moulder, Director of Survey Research, ICMA
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