

# Types of Local County Government Administration

In the United States, counties play a [government](#) role between the state and local governing bodies. As of 2010, the United States had 3,033 counties and 33 city-county governments. Louisiana calls this level of government "parishes" while Alaska calls them "boroughs." Connecticut and Rhode Island have counties, but do not operate actual county governments. Texas has the most counties at 254 and the least populous county, Loving County with 67 people. Delaware and Hawaii have three counties each. The U.S. Constitution does not address local government structures, so the forms of county government vary widely.

The National Association of Counties (NACo) identifies three basic forms of county [government](#)

## Commission

- Sparsely populated counties tend to have a commission form of government. A group of elected commissioners act as both the legislative and executive power in the county. While the county may have an executive bureaucracy including elected row offices, such a county does not have a formal executive power akin to a governor or the president and the commissioners vote on hiring and firing decisions. About 60 percent of U.S. counties operate under a commission system.

## Commission-Administrator

- Population growth, particularly in suburban counties, has encouraged many counties to adopt a commissioner-administrator model. Additionally, some states such as North Carolina, California and Arizona have laws or traditions establishing the position of an administrator. In this model, the elected commissioners appoint an administrator to conduct day-to-day functions and exercise executive power. The actual powers and formal titles of an appointed administrator vary based on state law and the desires of the commissioners. Like the commission model, the commission-administrator model offers no true separation of powers because the commission could dismiss that person at any time.

## Commission-Executive

- Some counties use a commissioner-executive model. Unlike the commissioner-administrator model, the voters elect the [county](#) executive as well as the commissioners. Elected executives generally have more powers and freedom to act than appointed administrators because they answer to voters and not commissioners. Most notably, elected executives typically have the power to veto ordinances passed by the commission and make decisions on hiring and firing [county](#) employees. Arkansas, Kentucky and Tennessee laws mandate an elected county executive.

## Home Rule

- Many states offer home rule charters to their counties, usually ones with large populations. Home rule allows counties to adopt a form of government different from the rest of the state. Pennsylvania counties, for example, usually operate under commission systems. The state, however, awarded home rule to Allegheny [County](#), which includes Pittsburgh, and the county selected a commissioner-executive model.

## Powers of Counties

- [County](#) governments across the United States have different responsibilities assigned by states. Some southern counties operate police departments. Virginia counties fund public education while New Hampshire counties spend a bulk of their money on public welfare. Some counties have the responsibility to maintain rural roads, but not in North Carolina and Pennsylvania. Most counties maintain public records such as deeds and marriage records, operate local criminal justice systems, and provide human services.

## Resources

- [National Association of Counties: History of County Government](#)

# THE COUNTY EXECUTIVE FORM OF GOVERNMENT

## **What is a county executive?**

The county executive form of [government](#) is the most centralized type of county government in the United States. The county executive is directly elected by the public and is the chief county officer responsible for managing county government. Typically, the county executive confers with a locally elected council or legislature who represent local district jurisdictions within the county.

## **What are the responsibilities of a county executive?**

The county executive has the power to formulate all county policy, install and remove county positions, develop a county budget, and approve or veto proposed ordinances or resolutions. However, the county executive is often required to submit his or her proposals to a county council or legislature for review. The county executive also oversees all county services, including [criminal justice](#), social and [health](#) services, welfare, waste treatment, taxes, administrative services, business and economic development, recreation, disaster and natural/environmental assistance, and many programs specific to the needs of the county.

## **What is the term a county executive serves?**

County executives serve four-year terms. The number of terms a county executive serves is unlimited except in Washington state and Prince Georges County, MD, where the state legislature imposed a two-term limit upon county executives. Arkansas is also an exception where a county executive can serve two-year terms with an unlimited number of reelections.

## **How is a county executive different from a county manager?**

A county executive is an elected representative who ultimately answers to the public and commits himself or herself to the terms of an elected representative, which cannot change without public approval. The county executive is afforded direct control over county policy, particularly budgets, and works cooperatively with the county council or legislature. A county manager is an official appointed or hired by a county council or legislature on terms outlined in a hiring contract or other agreement suitable to the parties involved. The terms [apply](#) only for the duration of the contract, after which the terms may be renegotiated by either party. Often, the county manager acts as a full-time administrative officer for the council or legislature and is responsible for day to day activities within the county [government](#). The county manager does not have veto authority. In most governments, the public does not have any voting rights over choosing county managers.

## **How is a county executive form of government structured?**

A county executive form of [government](#) operates under a charter which details the functions of the government and the levels of authority afforded each elected position and other hired/appointed positions within the county government. While the county government is subject to state and federal laws, the county's charter allows it to exercise considerable leverage in formulating its own policies as the government sees fit. The county executive serves as the chief executive officer of the county while the council or legislature serves as the county's legislative body. At times, a county manager may be hired or appointed by the council or legislature but it is not common. Other elected offices within the government may include the county attorney, sheriff, assessor, treasurer, clerk and recorder, clerk of the district court, and public administrator.

## **What if a city is located within a county? Who runs public services?**

In a county executive form of [government](#), county services are delivered to citizens who live within the geographical jurisdiction of the city. The city [government](#) retains some responsibility for public services under its own form of government. City and county ordinances are separate and distinct unless there is a cooperative agreement between the two governments. However, public mobility (eg. people who live in the county but work in the city) causes most city/county governments to coordinate policies.

## **Which form of [government](#) is better: a commission or a county executive?**

The form of [government](#) a county implements depends on many factors, such as population, amount of urban and rural centers, geography, tax base, political and cultural history, and administrative resources. Some prefer a county executive form of [government](#) because it helps streamline services and centralize decision-making. Others prefer a government where authority is dispersed among many interests, as often presented in a commission form of government. The concentration of county executive governments in the eastern half of the United States is most likely the result of a long political affiliation with local governments where all lawmakers are subject to a public referendum through the voting process. It has no bearing, however, on whether one government is more effective than another.

Charter governments do carry the county executive title. However, the responsibilities of a county executive are often synonymous with those of another position, such as Borough Mayor or County Judge/executive. Due to this overlap, CEA considers the functions of a county government before the title when determining its true [form](#). There are over 700 governments that base their structures on the county executive form. To see how many different titles refer to an elected county leader and which states use these titles [CLICK HERE](#).

SHELBY COUNTY, TENNESSEE  
(includes city of Memphis)

HOME RULE CHARTER

The Constitutional Home Rule Charter presented herein sets forth the basic issue of home rule for Shelby County, for it is in the true sense a constitution prepared by the citizens of Shelby County for the operation of Shelby County's government, providing within it a method for amendment by residents of the County. The Charter will place in the hands of the people of Shelby County the power to effectively operate its government without going to the state legislature in Nashville for changes.

CHARTER HIGHLIGHTS

The Constitutional Home Rule Charter provides for a segregation of the County's legislative, executive and judicial functions. **The heart of the Charter is a strong elected executive, accountable to all the voters, who has the power to veto ordinances and resolutions, and both the responsibility and the means at hand with which to operate an effective and efficient county government.** The Legislature is given broad legislative powers inclusive of the rights to adopt County ordinances and is so constructed as to be truly representative of all the people of Shelby County.

**COMMENTARY ON ARTICLE III**  
**from Model County Charter**

In the plan recommended in the *Model*, the county manager is continuously responsible to the county council, the elected representatives of the people. It is significant that 6 of the 12 items in the code of ethics for members of the local government management profession refer to the manager's relationships to the popularly elected officials:

1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional management is essential to the achievement of this objective.
2. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.
3. Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.
4. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with members of the government management profession.
5. Refrain from participation in the election of the members of the employing legislative body, and from all partisan political activities which would impair performance as a professional administrator.
6. Keep the community informed on county affairs; encourage communication between citizens and all county officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

(The other items in the code refer to the manager's personal and professional beliefs and conduct.)

As a professional administrator, the manager must be trained and experienced in the processes of the effective management of public service delivery, and utilizing this expertise execute efficiently the policies adopted by the elected county council. The manager however, because of breadth of knowledge and experience in the increasingly complex areas of local government operations has a duty and responsibility to assist the elected council in the policy-making process. Although in recent years the policy role of managers in counties and cities has been given greater recognition, those who first endorsed the council-manager plan as the form recommended by the National Municipal League's *Model City Charter* were well aware of the "double function" of the manager:

In every form of administration, and especially in a democracy, both expert and lay elements are indispensable for the best results; the expert for his knowledge of the most effective means of attaining the results desired; the layman to keep the expert in touch with public opinion, to preserve him from falling into ruts, to prevent the trees from obscuring his view of the forest. They are not two antagonistic elements each seeking to enlarge its sphere of action at the expense of the other. They are not even independent powers in the government each working in a distinct field, performing its appropriate acts and having for these purposes any authority of its own. On the contrary, they are two parts of the same mechanism, or we may liken them to two elements in one chemical compound whose combined qualities give the character to the substance. In a sense, they take part jointly in every act performed. On everything that is done the expert should be consulted, and every act, however minute, technical or in the nature of routine, should be done with the approval, express or implied of the lay controlling body which must assume to the public the responsibility therefor. The lay body must never cast the blame upon the expert. If convinced he is unfit for his position it may remove him; for permanence does not mean incompetence in office. But a removal must only mean a search for a better man to hold permanently, that is by a tenure dependent only upon his professional work. The expert, on the other hand, must realize that he is not the ultimate authority; that everything which ought in his opinion to be done cannot be accomplished; that he has a double function, the conduct of current administration, and persuading the representatives of the public so far as he can that his plans are wise.'

'A. Lawrence Lowell, "Experts in Municipal Government and the New Model City Charter" in *The New Municipal Program*, National Municipal League Series, A. Appleton and Company, New York, 1919, p. 37f.