

28 **17-52a-204. Council-manager form of county government.**

29 (1) (a) The following shall govern a county operating under the form of government  
30 known as the "council-manager" form:

- 31 (i) an elected county council;
- 32 (ii) a county manager appointed by the council; and
- 33 (iii) other officers and employees authorized by law.

34 (b) The optional plan shall provide for the qualifications, time and manner of  
35 appointment subject to Subsections (6) and (7), term of office, compensation, and removal of  
36 the county manager.

37 (2) The county manager is the administrative head of the county government and has  
38 the powers, functions, and duties of a county executive, except:

- 39 (a) as the county legislative body otherwise provides by ordinance; and
- 40 (b) that the county manager may not veto any ordinances enacted by the council.

41 (3) (a) ~~[A]~~ An individual member of the council may not directly or indirectly, by  
42 suggestion or otherwise:

- 43 (i) attempt to influence or coerce the manager in:
  - 44 (A) making any appointment;
  - 45 (B) removing any officer or employee; or
  - 46 (C) purchasing supplies;
- 47 (ii) attempt to exact any promise relative to any appointment from any candidate for  
48 manager; or
- 49 (iii) discuss directly or indirectly with the manager the matter of specific appointments  
50 to any county office or employment.

51 (b) (i) A ~~[person]~~ member of the county council who violates the provisions of this  
52 Subsection (3) shall forfeit the member's county council office ~~[of the offending member of the~~  
53 ~~council]~~.

54 (ii) Nothing in this section shall be construed, however, as prohibiting the council  
55 ~~H→~~ **[while in open session]** ~~←H~~ from fully and freely discussing with or suggesting to the manager  
56 anything pertaining to county affairs or the interests of the county.

57 (iii) ~~[Neither manager nor any person in the employ of the county shall]~~ The county  
58 manager may not take part in securing, or contributing any money toward, the nomination or