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# Private Acts of 1941 Chapter 149

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Sincerely,

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# Private Acts of 1941 Chapter 149

**COMPILER'S NOTE:** This act must be read in conjunction with Private Acts of 1945, Chapter 570, which abolished the Hancock County Road Commission and vested all of the Commission's duties with the Highway Superintendent.

**SECTION 1.** That in order to establish a system for the construction, repair, maintenance and operation of the road system of Hancock County, there is hereby created a County Road Commission for such County, composed of three members, who shall be elected by the qualified voters of all of said County from the County at large and who shall hold office for a period of two years from September 1 next following their election. At the regular August election, 1942, the qualified voters of such County shall elect three members thereof. Until September 1, 1942, the following persons are designated to act as such Road Commissioners: A.W. Yount, Sam Henrey and J.P. Overton. Such Commission shall be known as the Hancock County Road Commission.

**SEC. 2.** That the said Road Commission provided for by the preceding section shall have general authority and supervision over the construction, operation, maintenance and repair of all roads in said County, together with the right to establish new roads and to abandon such other roads as in their judgment may seem to the best interest of such County. For the purpose of establishing, laying out, changing and relocating roads, such Commissioners expressly invested with the power of eminent domain, which shall be exercised by them in the same manner as now provided by the general statutes of this State. Upon their qualification as such Commissioners, they shall meet at the courthouse in the county seat of Hancock County and shall be inducted into office by taking oath as prescribed by law and thereupon shall elect one for Chairman, one as Secretary and one as Advisory Commissioner. As soon after the effective date of this Act as practicable, the three parties named herein to fill the vacancies occasioned by the creation of such Commission shall meet, qualify and organize in like manner.

**SEC. 3.** That the Chairman of said Road Commission shall devote his entire time and attention to the new duties of his office, which shall include the management and supervision of all roads in said County, together with the supervision and control of all employes engaged in connection with such road system. He is directly responsible for all funds which may come into the hands of such Commission and shall be chargeable with the receipts and disbursements thereof. Before qualifying as such Chairman, he shall execute bond in the sum of \$10,000.00, payable to such County, conditioned upon the faithful performance of his duties with respect to such funds, the cost of which bond, if executed with a corporate surety, shall be paid from the road fund of said County.

**SEC. 4.** That the Secretary of said Commission shall have direct supervision and charge of all accounting and bookkeeping with reference to the road system of Hancock County, and in addition thereto shall have direct supervision and control of all county road machinery when not in use, and shall have charge of the supervision and repair thereof. He shall devote his entire time to the duties of his office and may make expenditures, with the approval of the Chairman, for the upkeep, repair and maintenance of all machinery and other equipment, provided that no expenditure in excess of \$200.00 therefor shall be made except upon competitive bidding.

The Advisory Commissioner shall meet and consult with the Commission as a whole at each of the regular meetings of such Commission and such special or called meetings as may be held. He shall have equal voice and authority with the other Commissioners in said meetings. It shall be the duty of said Commission to hold regular meetings at the courthouse at the county seat of Hancock County or at such other places as may be designated by them. Such meetings shall be held twice monthly, and in addition thereto the Commission may hold such special meetings as they deem appropriate either upon call of the Chairman or upon the request of two Commissioners.

All purchases in excess of the sum of \$200.00 shall be made by the Commission upon competitive bids after due advertisement, and the Commission shall award the purchase order to the lowest and best bidder, taking into consideration the quality of the material desired and the responsibility of the bidder.

**SEC. 5.** That the Superintendent of Highways of Hancock County shall receive as compensation for his services the sum of Four thousand eight hundred (\$4,800) Dollars annually, payable in monthly installments as full compensation for his services. Such salary shall be paid from the general road funds of the county on warrant of the County Judge and the said Superintendent of Highways shall not receive any further compensation of any character from the public funds of the said county. In addition thereto the Superintendent of highways is authorized to employ a bookkeeper-stenographer at a salary not to exceed One Hundred fifty dollars (\$150.00) per month payable in monthly installments upon warrant of the County Judge which shall issue when the Superintendent of Highways certifies that the said bookkeeper-stenographer has rendered the services required and is entitled to receive payment. This

salary shall likewise be paid from the general road funds of the County.

It shall be the duty of the said Superintendent of Highways to keep a complete and accurate record of such work as may be done upon the road system and make a written report thereof to the Quarterly County Court of the county upon each regular meeting of such Quarterly County Court. The books and records for said Superintendent of Highways may be audited in the discretion of the Quarterly County Court evidenced by a resolution duly passed to that effect in the same manner as the books and accounts of any other county official are audited. Any vacancy in the office of Superintendent of Highways shall be filled by the Quarterly County Court but any person so elected shall serve only the remainder of the unexpired term of the Superintendent of Highways whom he replaces.

As amended by: Private Acts of 1945, Chapter 570  
Private Acts of 1967-68, Chapter 397  
Private Acts of 1967-68, Chapter 398

**SEC. 6.** That there is hereby levied a tax of 10 cents on each One Hundred Dollars worth of taxable property in said County. Such tax shall be used solely for the purpose of supplementing other funds received in any manner by said County for road purposes, and such tax shall be assessed and collected by the Tax Assessor and County Trustee in the same manner as other taxes are assessed and collected, and the proceeds thereof shall be retained in the hands of the County Trustee, to be expended upon warrants of the Chairman of said Commission, countersigned by the Secretary, and shall be used for no other purpose.

**SEC. 7.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 3, 1941.

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